

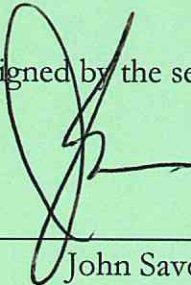
THIS IS TO CERTIFY that the attached copy is a true and correct copy of the Town of Yorktown Planning Board Resolution:

**PLANNING BOARD  
TOWN OF YORKTOWN**

**RESOLUTION ACCEPTING  
THE REVISED FEIS AS COMPLETE  
FOR THE COSTCO WHOLESALE CLUB**

**DATE OF RESOLUTION: OCTOBER 6, 2014**

HEREBY signed by the secretary of the Planning Board:



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John Savoca, Secretary

10/20/14

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Date

**PLANNING BOARD  
TOWN OF YORKTOWN**

**RESOLUTION ACCEPTING  
THE REVISED FEIS AS COMPLETE  
FOR THE COSTCO WHOLESALE CLUB**

**RESOLUTION NUMBER: #14-23**

**DATE: OCTOBER 6, 2014**

On the motion of John Flynn, seconded by Darlene Rivera, and unanimously voted in favor by Fon, Flynn, Savoca, Rivera, and Kincart the following resolution was adopted:

**WHEREAS**, Retail Store Construction Co., Inc. (the "Applicant") has applied to the Town of Yorktown Planning Board (the "Planning Board") for Site Plan, Stormwater Pollution Prevention Plan Permit, Wetland Permit, and Tree Removal Permit approvals in connection with property designated as Section 26.18, Block 1, Lots 17, 18, 19 and Section 26.19, Block 1, Lot 1 on the Town of Yorktown Tax Map; and

**WHEREAS**, the Applicant proposes to construct a 151,092 square foot Costco Wholesale Club Store and club member only gasoline filling station (the "Proposed Project"); and

**WHEREAS**, the Planning Board declared its intent to be Lead Agency for purposes of the State Environmental Quality Review Act (SEQRA) on August 9, 2010 and no objection thereto was received; and

**WHEREAS**, the Planning Board, as Lead Agency, adopted a Positive Declaration for the Proposed Project on September 13, 2010; and

**WHEREAS**, the Planning Board circulated the SEQRA Notice of Positive Declaration and a copy of the draft Scoping outline to involved and interested agencies to inform them of the SEQRA review and the scoping period for the Proposed Project; and

**WHEREAS**, in order to obtain commentary from the public and agencies regarding issues and concerns to be addressed the Draft Environmental Impact Statement (the "DEIS"), the Planning Board held a public scoping meeting on November 8, 2010 and provided opportunity for submittal of written commentary; and

**WHEREAS**, on November 22, 2010, the Planning Board reviewed the public comments submitted on the draft scoping document on the DEIS; and

**WHEREAS**, on December 13, 2010, the Planning Board adopted a final written scoping document on the DEIS; and

**WHEREAS**, on November 15, 2011, the Applicant submitted a preliminary DEIS to the Planning Board for a determination by the Planning Board, as SEQRA Lead Agency, of the adequacy and completeness of the document with respect to its scope and content for the purpose of commencing public review; and

**WHEREAS**, the Planning Board held public work sessions on the preliminary DEIS on January 9, 2012, January 23, 2012, August 13, 2012, and September 10, 2012 at which the Planning Board members reviewed and discussed the preliminary DEIS, with input from the Planning Board's professional staff and consultants; and

**WHEREAS**, on September 10, 2012, the Planning Board (i) accepted the DEIS as adequate and complete for the purpose of commencing public review; and (ii) set a public hearing on the DEIS for October 15, 2012; and

**WHEREAS**, the Planning Board held a duly noticed public hearing on the DEIS on October 15, 2012 which was continued on November 19, 2012 and accepted written comments on the DEIS through December 19, 2012; and

**WHEREAS**, on July 14, 2014 the Applicant submitted a preliminary Final Environmental Impact Statement ("FEIS") to the Planning Board which contained proposed responses to the substantive comments on the DEIS; and

**WHEREAS**, the Planning Board held public work sessions on the preliminary FEIS on August 11, 2014, September 8, 2014, September 22, 2014, and September 30, 2014 at which the Planning Board members reviewed and discussed the preliminary FEIS, with input from the Planning Board's professional staff and consultants; and

**WHEREAS**, on October 6, 2014, the Applicant submitted revised pages of the preliminary FEIS to reflect changes discussed and proposed by the Planning Board; and

**WHEREAS**, the revised FEIS pages have been reviewed by the Planning Board's professional staff and consultants at the direction of the Planning Board; and

**WHEREAS**, at the duly noticed meeting held on October 6, 2014, the Planning Board members reviewed the revised FEIS pages and made additional changes to reflect changes proposed and discussed by the Planning Board; and

**WHEREAS**, the Planning Board's professional staff and consultants collectively recommend that the Planning Board, as Lead Agency, accept the FEIS, as modified by the Planning Board's revisions reflected on the changed pages attached hereto (collectively the "Revised FEIS"), as adequate and accurate and, therefore complete under SEQRA; and

**NOW THEREFORE BE IT RESOLVED**, by the Planning Board that the Revised FEIS is determined to be complete and adequate for filing, circulation and publication; and

**BE IT FURTHER RESOLVED**, that the Revised FEIS and notice of completion of the FEIS shall be filed, circulated and published in accordance with 6 NYCRR 617.12; and

**BE IT FURTHER RESOLVED**, that this Resolution shall have an effective date of October 6, 2014.

**Proposed Costco Wholesale Store and Fueling Facility  
Town of Yorktown, Westchester County, New York**

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**FINAL ENVIRONMENTAL IMPACT STATEMENT**

**Involved Agencies**

Town of Yorktown  
Planning Board (Lead Agency)  
363 Underhill Ave,  
Yorktown Heights, NY 10598  
(914) 962-5722

Town of Yorktown  
Town Board  
363 Underhill Ave,  
Yorktown Heights, NY 10598  
(914) 962-5722

~~Town of Yorktown  
Zoning Board of Appeals  
363 Underhill Ave,  
Yorktown Heights, NY 10598  
(914) 962-5722~~

Westchester County Health Department  
Assistant Commissioner of Health  
25 Moore Ave.  
Mt. Kisco, New York 10549  
Contact: Paul Kutzy, P.E.  
(914) 864-7333

Westchester County Health Department  
Petroleum Bulk Storage Section  
145 Huguenot Street  
New Rochelle, NY 10801  
Contact: Barbara McDonald  
(914) 813-5000

Westchester County Board of Legislators  
148 Martine Ave, 8<sup>th</sup> Floor  
White Plains, NY 10601  
(914) 995-2800

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Final Environmental Impact Statement: Executive Summary**I. Description of Proposed Action**

In accordance with the New York State Environmental Quality Review Act (“SEQRA”), this Final Environmental Impact Statement (“FEIS”) is submitted in connection with the proposed development of a 151,092 square foot Costco Wholesale store, with a 12 dispenser fueling facility, a tire service center and 610 onsite parking spaces (the “Project” or “Proposed Action”), located on Crompond Road in the Town of Yorktown, Westchester County, New York 10598 (the “Site”).

The Site has previously been developed and currently consists of two residences, a wholesale nursery, an abandoned motel, and a former fence company located on the site of a former gas facility. Many of the abandoned buildings on Site are currently boarded and covered in graffiti, contributing to blighted conditions. The Proposed Action would remove the abandoned buildings and other structures on Site, remediate contamination from historical uses, and redevelop the Site as a new Costco wholesale store and fueling facility, while preserving the wetland areas on Site and adding landscaping to partially shield the new buildings from the Taconic State Parkway and surrounding area roadways. The Proposed Action would provide ~~an expanded variety of~~ consumer goods to the local retail and wholesale market community; generate local tax revenues (particularly for the school district); extend existing utility infrastructure; and result in improvements to local roadways – including Route 202/35 between Strang Boulevard and Old Crompond Road – that would improve overall peak hour traffic operating conditions in the vicinity of the Site as compared to Existing and No-Build Conditions.

The Draft Environmental Impact Statement (“DEIS”) for the Proposed Action was accepted by the Yorktown Planning Board (the “Lead Agency”) as complete on September 10, 2012. The Lead Agency conducted a public hearing on the DEIS on October 15, 2012, which was continued on November 19, 2012. At the close of the November 19, 2012 hearing, the Lead Agency extended the written public comment period on the DEIS through December 19, 2012. This FEIS incorporates the DEIS by reference and responds to all substantive comments received (either at the public hearing or in writing) on the DEIS. For additional information about the organization of the FEIS, refer to the *Introduction to FEIS* chapter immediately following this Executive Summary.

The FEIS contains an updated Site Plan that retains the basic design reflected in the DEIS but modifies certain elements to further reduce potential environmental impacts while improving on-Site circulation and traffic safety. The FEIS also provides for further offsite roadway and utility improvements to improve traffic conditions and coordinate offsite utility and roadwork. In addition, the FEIS includes several additional analyses, conducted in response to public comment and/or at the request of the Town staff, which amplify the studies in the DEIS. These additional assessments include the following: quantitative pollutant loading studies, a thermal impact analysis, an amended Site water budget analysis, an additional parking utilization study, and a traffic sensitivity analysis.

Specific modifications from the DEIS Site Plan include:

**Site Layout**

- **Main Site Access Driveway:** Extended the second exit lane for the entire length of the main site access driveway to reduce queuing and improve Site egress movements. This was enabled by shifting the fueling facility approximately 10 feet to the east.
- **Exit From The Fueling Facility:** Modified the exit from the fueling facility to channelize exiting traffic and improve traffic circulation. These modifications include: (1) narrowing the fueling facility exit area; and (2) adding a second receiving westbound lane opposite the fueling facility in advance of the main access road.
- **Striped Safety Zone:** Provided striped safety zone on both sides of the drive aisle leading to and from the secondary site access to provide additional area for customer circulation; restricted the left turn movement from the eastbound leg of the intersection at the Site's secondary access driveway to improve traffic safety.
- **Parking Lot Adjustment:** Modified the main parking area to reduce impact to the buffer of Wetland A and improve interior traffic circulation by shifting portions of the westerly parking lot curb to the east (further from the Wetland A buffer); shifting the main parking lot bays easterly; narrowing landscaped island adjacent to and west of the main entrance drive; and modifying interior parking to improve traffic circulation and safety.
- **Retaining Walls:** Added retaining walls along the westerly curb line, to reduce land disturbance and preserve more of the existing wooded buffer to Wetland A.
- **Pedestrian Sidewalk:** Extended the pedestrian sidewalk from Route 202 to the Costco building entrance, and added bicycle parking racks, to promote bicycle and pedestrian access to the Site.

**Stormwater Management**

- **Stormwater Infiltration:** Enlarged the stormwater infiltration system from that proposed in the DEIS, in order to provide treatment of the Runoff Reduction volume (RRv) for 100% of the Water Quality volume (WQv) from the 1-year storm. (The RRv is the volume of stormwater runoff that is required to be infiltrated through the methodology described in the NYS Department of Environmental Conservation (DEC) Stormwater Management Design Manual. The WQv is the volume of stormwater runoff, which requires treatment and is calculated in accordance with the methodology described in the DEC Design Manual. At this location, which is within the NYC watershed, the RRv is equal to the WQv which is equal to the stormwater runoff from the 1-year, 24-hour storm.) The FEIS infiltration system will consist of three pretreatment hydrodynamic structures and four subsurface storage/infiltration chambers.
- **Fueling Facility Runoff:** Provided separate water quality treatment for stormwater runoff from the proposed fueling facility in sand filter systems.



### **III. Summary of Responses to Comments on DEIS**

The Planning Board received 183 written comments on the DEIS, in addition to spoken comments recorded and transcribed at the public hearing. All of these comments are reproduced in full, along with the Planning Board's responses, in the FEIS, which is divided into chapters that generally correspond to the organization of the DEIS.<sup>1</sup> The most prevalent comments within each chapter, and the accompanying responses, are generally characterized below and addressed in the corresponding FEIS chapters. Certain comments on the DEIS also requested additional analyses beyond those presented in the DEIS. As indicated below, the Applicant has conducted studies and sensitivity analyses in response to such comments. These studies provide updated or expanded analysis and are presented and explained in the applicable chapters and appendices of this FEIS.

#### **Description Of Proposed Action (FEIS Chapter II)**

The principal comments on the description of the Proposed Action relate to the proposed lighting and signage. (Refer to FEIS Responses II. 1, 2, 12, 13, 16 and III.B11, 13, 16 and 17 for discussion related to lighting.) The Applicant seeks approval to install 155 light sources with a maximum height of 25 feet; if that request is denied, the Applicant proposes to install 230 light sources with a maximum height of 16 feet. Light fixtures along the perimeter of the Site will be shielded to limit horizontal illumination, offsite light spillage and nighttime glare. No signs will be placed on the north, south or east sides of the building that face the Taconic State Parkway. The New York State Department of Transportation ("NYSDOT") will determine the extent of any signage on the west side of the building and canopy.

#### **Land Use, Zoning and Public Policy (FEIS Chapter III.A)**

The principal comments submitted on land use, planning and zoning relate to the Proposed Action's consistency with Yorktown's 2010 Comprehensive Plan and zoning. The Comprehensive Plan discusses the Bear Mountain Triangle, in which the eastern and western land areas are separated physically by a significant grade difference. In the eastern part of the Triangle, which includes the Site, the Comprehensive Plan seeks to promote retail and office uses with a regional draw. The Site is presently zoned C-3, Commercial, a zone in which retail and wholesale uses are permitted as of right (and fueling stations are permitted pursuant to a special use permit). In adopting the Comprehensive Plan, the Town considered changes to but ultimately decided to retain the Site's C-3 zoning.

#### **Visual Character (FEIS Chapter III.B)**

The principal comments submitted on visual character relate to the appearance of the Project from the Taconic State Parkway. In responses to these comments, the Applicant prepared

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<sup>1</sup> In addition to the DEIS chapters, the FEIS also contains separate responses to comments on Proposed Action's Site Plan.

west side of the vernal pool in Wetland A. The Box Turtle is listed as a Species of Special Concern by New York National Heritage Program.

The Site Plan has been modified to reduce impacts to Wetland A and other sensitive habitat areas, and the landscaping plan for the Proposed Action would utilize native species to preserve wildlife habitat.

**Wetlands, Groundwater and Surface Water Resources (FEIS Chapter III.F)**

The principal wetlands, groundwater, and surface water resource comments relate to potential impacts on Wetland A (including the vernal pool), from stormwater runoff and disturbance of the wetland buffer area.

The Proposed Action's expanded stormwater infiltration system (described above) will reduce the volume and peak rate of stormwater runoff to Wetland A. These changes are not expected to affect the hydrology of Wetland A or the vernal pool. Wetland A is linear and has an intermittent stream within its perimeter. The change in water level depth within the stream/wetlands corridor as a result of reduced drainage area is less than one quarter inch and thus there is no adverse impact. The vernal pool is groundwater supported, and if considering only the surface water runoff the potential decrease in the depth of water in the vernal pool is less than a half inch.

The Proposed Action does not involve any direct disturbance of Wetland A, and disturbance of its buffer area have been reduced. Approximately 93% of the Wetland A buffer area will remain undisturbed, and any areas of disturbance will be revegetated with native species that provide suitable habitat for birds and small mammals.

**Stormwater Management (FEIS Chapter III.G)**

The principal stormwater management comments relate to the adequacy of the proposed stormwater management design practices to capture and treat runoff from the Site, and the potential impacts of such runoff – in terms of thermal changes and pollutant loading – on the Wetland A watercourse and downstream water bodies. In response to such comments, the Applicant (as noted above) has expanded the stormwater infiltration practices proposed in the DEIS.

The DEIS included a qualitative pollutant loading analysis to assess the potential impacts of the Proposed Action's increase in impervious surfaces on Site, along with a quantitative loading analysis for coliform bacteria. While this DEIS analysis detected no significant, adverse stormwater impacts, in response to public comments and the requests of Town staff, in the FEIS the Applicant conducted a quantitative pollutant loading analysis for the full range of stormwater pollutants (biological oxygen demand ("BOD"), total phosphorus,

total nitrogen, total suspended solids, oil & grease, copper, zinc, and lead), as well as a thermal impact analysis. The FEIS pollutant loading analysis was performed at each relevant design point from which stormwater discharges from the Site, as well as two intermediate points along the watercourse within Wetland A. The analysis confirmed that all of the pollutants will be reduced to below pre-development conditions.

The thermal impact analysis confirmed that at the discharge point of the infiltration system in Wetland A, the post-development temperatures changes will not exceed the permissible 5°F variance from existing conditions, and that runoff temperatures will not exceed the 86°F New York State Department of Environmental Conservation (“NYSDEC”) thermal standard. Consequently, there would be no post-development thermal impacts to the downstream Sherry Brook or Hunter Brook.

Because the expanded infiltration system will reduce stormwater volumes and peak discharge rates leaving the Site, it will not ~~increase~~<sup>affect</sup> the potential for downstream flooding.

#### **Utilities (FEIS Chapter III.H)**

No comments submitted on the DEIS required any changes to this chapter. As set forth in the DEIS, the Applicant has proposed extending Westchester County’s Peekskill Sanitary Sewer District to serve the Site and adjacent properties, and constructing a new gas line along Old Crompond that would provide service to the Project and existing residences.

#### **Use and Conservation of Energy (FEIS Chapter III.I)**

The principal comments submitted on the use and conservation of energy relate to the Proposed Action’s incorporation of green building practices and promotion of alternative modes of transportation to the Project Site.

The Proposed Action incorporates a variety of green building technologies, including water saving plumbing fixtures, optimization of energy performance equipment and building materials, institution of an in-store recycling program, installation of a solar reflective “cool white reflective roof”, and installation of skylights with energy-saving photo cells. To promote alternative modes of transportation, the Proposed Action would improve pedestrian and bicycle access to the Site and add a new bus stop along the Route 202/35 westbound lanes at the Site frontage.

#### **Solid Waste (FEIS Chapter III.J)**

Only one comment was submitted on the solid waste chapter of the DEIS, relating to potential litter associated with the Proposed Action. The Applicant asserts that Costco will manage and control litter through an internal housekeeping policy.

**Fiscal and Socioeconomic Impacts (FEIS Chapter III.Q)**

The principal comments submitted on fiscal and socio-economic impacts relate to the potential impact of the Proposed Action on existing businesses within and around Yorktown and on property values surrounding the Project.

The Applicant's Market Study for the area surrounding the Project Site (in the DEIS) found that the Proposed Action is anticipated to capture a share of leakage from the market, which would increase the local consumer base without adversely affecting existing businesses in Yorktown. To the extent the Project does compete with any local businesses, the Applicant's Commercial Character Assessment (in the DEIS) found that such competition is not anticipated to have a significant, adverse impact on community character. With respect to property values, the redevelopment of an abandoned, partially blighted Site is not expected to meaningfully affect surrounding property values.

**Cultural, Historical and Archeological Resources (FEIS Chapter III.R)**

The only comment on the cultural, historical and archeological resources chapter of the DEIS relate to the buffering between the Project and the Taconic Parkway, a New York State designated scenic byway which is on the National Register of Historic Places. As noted above, there will be a landscaped buffer, including evergreen trees, between the Project and the Parkway.

**Alternatives (FEIS Chapter IV)**

The principal comments on the alternatives chapter of the DEIS request additional consideration and/or selection of a range of alternatives, including alternate locations, Site uses (e.g., for a hotel), Project designs (e.g., with an underground parking deck or without a fueling facility), and Project scales (e.g., with a smaller building floor area). The DEIS, as amplified by the FEIS, considered a range of alternatives to the Proposed Action, including a no-build alternative that maintains the current Site conditions, the relocation of the Project to the western part of the Site, alternative site layouts, a mixed-use development in lieu of a wholesale discount club, and a hotel or motel. The Applicant concluded that such alternatives were impracticable, ~~inconsistent with its objectives, and/or no more environmentally protective than the Proposed Action.~~

**Other SEQRA Required Chapters (FEIS Chapter VI)**

The principal comments on Chapter VI of the DEIS relate to the impacts of growth potentially induced by the Proposed Action, including the extension of sewer and gas service to off-Site properties.

The FEIS analyzed the potential impacts of development in the vicinity of the Project site, assuming that single-family residential parcels would be rezoned to permit multi-family

- Parking Lot Adjustment: Modified the main parking area to reduce impact to the buffer of ~~Wetland~~ Wetland A and improve interior traffic circulation as described following: Shifted portions of the westerly parking lot curb to the east (further from the Wetland A buffer); shifted the main parking lot bays easterly; narrowed landscaped island adjacent to and west of the main entrance drive; modified interior parking to improve traffic circulation and safety.
- Retaining Walls: Added retaining walls along the westerly curb line, to reduce land disturbance and preserve more of the existing wooded buffer to Wetland A. The net change is a reduction of open vegetated (embankment) and increase in native woodlands. For changes to Site land areas, refer to Site Plan Table 1.
- Pedestrian Sidewalk: Extended the pedestrian sidewalk from Route 202 to the Costco building entrance, and added bike parking racks.

Stormwater Management (Refer also to FEIS Section III.G)

- Provided treatment of the Runoff Reduction volume (RRv) for 100% of the Water Quality volume (WQv) from the 1-year storm in a standard subsurface infiltration practice beneath the paved parking area. The FEIS infiltration system was enlarged by 91,100 cubic feet from 44,800 cubic feet (DEIS) to 135,900 cubic feet (FEIS) ~~from that proposed in the DEIS.~~
- Provided three flow-based hydrodynamic pretreatment structures.
- Provided water quality treatment of the water quality storm, in a standard subsurface infiltration practice, thereby recharging the groundwater table, providing improved water quality treatment, reducing pollutant loading, enhancing phosphorous reduction, reducing stormwater runoff volume, reducing peak discharge rates and avoiding thermal impact.
- Performed quantitative pollutant loading and thermal impact studies.
- Provided separate water quality treatment for stormwater runoff from the proposed fueling facility in a standard practice.
- Added RRv treatment practices to treat runoff from offsite highway improvements.

Offsite Sanitary Sewer Improvements (Refer to FEIS Site Plan Introductory Exhibit 4)

- Revised sanitary sewer to coordinate connection with sewer for the Crompond Crossings development.
- Realigned sanitary sewer within Old Crompond Road right-of-way to reduce impact to roadway pavement and provide the required separation distances from the as-built location of the existing water distribution system.

- Sight line issues occur when there are visual obstructions (trees, guard rails, signs, etc.) and vertical and horizontal geometry problems. There are locations on the Costco site where sight line angles require severe body turns in order for drivers to see oncoming vehicles. This can occur at 90 degree intersections where vehicles are approaching the intersection immediately after a turn as at the secondary site access.

**Response Site Plan 2:**

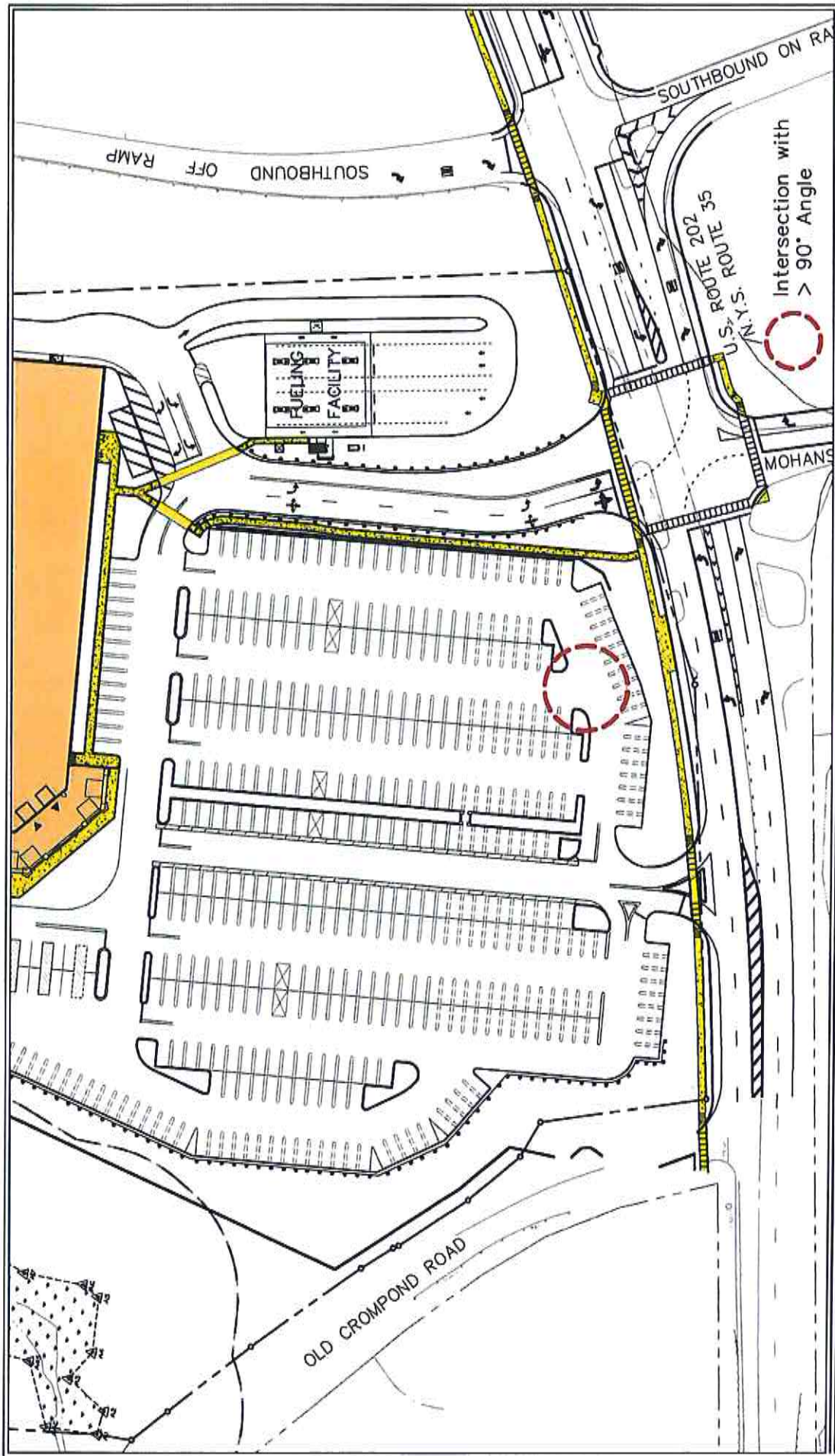
(The Applicant notes that the referenced table "1" was meant to be Table "4" and it is included in Comment Site Plan 2e, along with Figure 1 referenced in this Comment.)

Design criteria for parking lots are less stringent than the standards required for public streets and highways. Roadway design standards vary depending upon such criteria as traffic volume and speed limit. Roadways having lower speed limits and traffic volumes are not required to be designed to the same standard as, for example, arterial roadways or highways.

Intersecting roadways are typically designed to 90 degree angles. Although maximum 90 degree angles are desirable, there are many instances in which they depart from the ideal design. An example of this is the intersection of Old Crompond Road and Route 202/35 immediately west of the Project Site in which the angle approaches 110 degrees.

Since parking lots are low speed environments (typically 15 mph), divergence from highway and street standards is not unusual. Therefore, it is not uncommon for intersection sight line angles in parking areas to be greater than 90 degrees. Thus, the Applicant asserts that it is acceptable for parking aisle intersections to diverge from the ideal public street design standard resulting in angles greater than 90 degrees. Refer to FEIS Site Plan Exhibit 2.

In response to public comments, the Applicant's engineer has reviewed the site plan submitted with the DEIS and modified several interior intersections to soften intersection angles. Compare DEIS Site Plan, Introductory Exhibit 1 to FEIS Site Plan, Introductory Exhibit 2. Also refer to FEIS Site Plan Response 2e. Regarding potential restriction of sight, due to physical obstruction from proposed landscaping, the landscape maintenance plan will include pruning of low tree limbs and trimming of shrubs to prevent potential visual impairment.



TRC Engineers, Inc.  
 7 Skyline Drive  
 Hawthorne, New York 10532

© TRC Engineers, Inc.

FEIS Site Plan Exhibit 2  
**Parking Aisle Intersections**  
 Scale: 1"=100'

COSTCO WHOLESALE  
 Town of Yorktown, New York

**Comment Site Plan 2a – (Document 60.8a, Tim Miller, Tim Miller Associates Inc.), (136.9a, Tim Miller, Tim Miller Associates Inc.):**

- Part of the development is in the wetland buffer. Transportation infrastructure and other infrastructure should be removed from the wetland buffers.

**Response Site Plan 2a:**

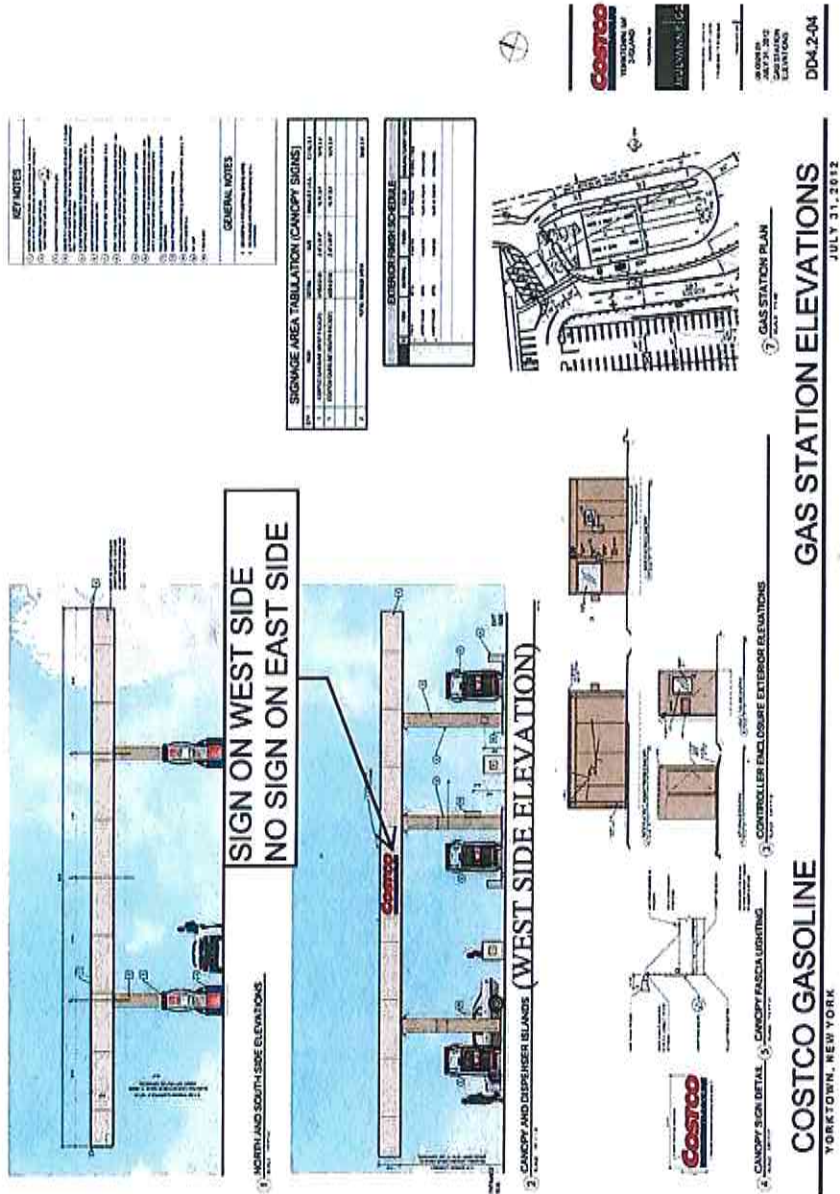
Wetland A, as determined by the Applicant's wetland consultant, is a highly functional wetland and its 100 foot buffer is largely wooded. The Proposed Action proposes no impervious surfaces within the wetland or its buffer. In response to concerns raised in public comments, the Applicant proposes to reduce grading impacts to the buffer by diminishing the proposed earth embankment west of the parking area. The embankment will be reduced by constructing a vertical retaining wall. This modification to the DEIS Site Plan will result in maintaining significantly more of the wooded buffer to Wetland A. The disturbance to the natural wooded buffer under the DEIS Site Plan was 1.05 acres. When accounting for a 10-foot construction corridor to be cleared at the toe of the slope, the disturbance would have been 1.26 acres. Under the FEIS Site Plan, with consideration of a 10 foot wide construction corridor to construct the wall, the disturbance will be 0.5 acres, or roughly 60% less than for the DEIS Site Plan. The result will be retaining around  $\frac{3}{4}$  of an acre more of the wooded buffer. Refer to FEIS III.G Introductory Summary Response and FEIS Responses in Section III.F.

Wetland B, as described in Section III.F.1 of the DEIS, is a small hydrologically isolated wetland (5,757 square feet, 0.13 acres), -having few functions and values that are typically associated with wetlands. (Refer to FEIS Responses III.F 5, 16, 30 and 36.) The portion of its buffer located on the Project Site is largely disturbed, consisting of young forested area including nonnative invasive species and maintained lawn areas. Since, by comparison, Wetland A is significantly more valuable than Wetland B, the Applicant's development strategy was to place the proposed development to the eastern portion of the Site, thereby minimizing potential impacts to Wetland A buffer.

The Proposed Action includes constructing impervious area within the south and west buffers to Wetland B. The west and south portions of the buffer that will be disturbed by the Proposed Action do not presently drain toward Wetland B and, therefore, do not provide wetland protection in the form of runoff pretreatment. Although portions of the Wetland B buffer will be paved, there will be no loss of infiltration, since



FEIS Site Plan Exhibit 2b-2  
 Gas Station Elevations



### **Response Site Plan 2e:**

After further study, the Applicant has modified the DEIS Site Plan as described below and as shown on FEIS Site Plan Introductory Exhibit 2. These modifications address the comments described on the Comment's Table 4 and Figure 1.

#### Locations 1 and 2:

- The exit from the fueling facility was modified to improve traffic circulation. The exit opening was narrowed from 49 feet to 25 feet and pavement striping was added to provide improved channelization for vehicles leaving the pumps. A second receiving lane along the building frontage was added, thereby providing two receiving lanes allowing for separate right and left turn movements. Pavement markings were added to the plan to more clearly indicate the intended turn movements.
- The fuel truck circulation and service area are shown on FEIS Site Plan Exhibit 2e (1). Trucks will enter the Site from the main entrance road, travel behind the building to the unloading area to facilitate a turnaround and then return to the southeast corner of the Costco building opposite the fueling station for offloading. The fuel truck will park in the reserved area indicated on the plan by a striped hatch pattern. Trucks will offload through remote receptors, separate from the fueling station, thereby allowing unobstructed access to the fueling station.
- A second exiting lane at the main site driveway has been extended for its entire length of the main driveway. This extended lane in combination with the 2<sup>nd</sup> lane along the building frontage road will serve to improve traffic flow from the fueling facility to the intersection at Route 202/35 and Mohansic Avenue.
- A sidewalk from Route 202/35 to the Costco building has been added along the site entrance driveway, providing pedestrian connectivity from the bus stop on Route 202/35 as well as Mohanasic Avenue. Facilitating pedestrian traffic could lead to a minor reduction in traffic.

#### Location 3:

- The parking spaces along the south face of the Costco building will be designated as employee parking. In this way the spaces will have minimum turnover, thereby minimizing potential conflicts with entering and exiting traffic. In addition, the FEIS Site Plan eliminates the eastern most spaces along this building frontage to further avoid conflicts. The Applicant asserts

that ADA parking would not be best suited in this location. ADA parking is presently designated opposite, or west, of the customer entrance. ADA compliance will be reviewed by the Building Inspector during the site plan review process and ultimately approved before a building permit will be issued.

- A location for bike parking has been shown on the FEIS Site Plan Exhibit 2d.

Location 4:

- The intersection adjacent to the secondary entrance was modified to reduce potential conflicts. The westerly leg of the intersection was modified to permit right-in / right-out movements only, thereby eliminating cross traffic flow and potential conflicts.

Locations 5 & 6:

- The parking lot layout at locations 5 & 6 were modified in the FEIS Site Plan to eliminate offset intersections.

Location 10:

- The Applicant modified the secondary entry/exit drive as shown on FEIS Site Plan Exhibit 2e (10). Striped safety zones were provided behind the parking spaces on both sides of the aisle allowing the customer room to unload safely.

Location 12:

- Diesel fuel will not be sold at the Costco fueling facility. Only regular and premium grade gasoline will be offered. Since diesel fuel will not be offered, and fuel will be sold to members only, commercial diesel trucks are not anticipated. Some members will send their business trucks, typically pickups and vans, to fuel up. Truck circulation for large vans is shown on FEIS Site Plan Exhibit 2e (12).
- Refer to FEIS Site Plan Response 9 for discussion regarding capacity/queuing analyses at the fueling station.
- The air monitoring analysis that was performed and included in ~~the~~ DEIS III.M and DEIS Appendix VII.F accounted for idling time of vehicles at the fueling facility. Vehicle emissions from vehicles operating within the Project, including trips to and from the fueling facility as well as the warehouse store (idling, standing, queuing, low speed cruising for parking spaces) are included in the estimate of the total round-trip vehicles.

for deflection from the guiderail. Refer to FEIS Site Plan Exhibit 8c, which illustrates the location of the proposed light poles behind the guiderail.

**Comment Site Plan 2h – (Document 60.8h, Tim Miller, Tim Miller Associates Inc.), (136.9h, Tim Miller, Tim Miller Associates Inc.):**

*C-601 and C- 602*

Sight line drawings do not show sight lines from the Taconic State Parkway which sits higher and has higher traffic volumes than its ramps. Drawings should clearly show existing sign restriction zones and indicate height of trees shown. Since The Taconic State Parkway is a State Scenic Byway, how is the site going to be visually buffered from the Taconic State Parkway main lanes which are higher than the ramps? The visual section shows the site and building will be visible from the Taconic State Parkway.

**Response Site Plan 2h:**

Sightlines from the Taconic State Parkway (TSP) are illustrated in FEIS Exhibit III.B-56. As shown in the elevation, the building and site ~~willeould~~ be visible from the parkway; however, with the dense array of proposed landscape vegetation, the view will be partially screened. The evergreen trees represented in the illustration are assumed to be 20 feet in height, which should be achieved approximately 5 years after initial planting. Also refer to FEIS Exhibits III.B-20a, III.B-41a thru III.B-46a

The extent of screening of the view from the Taconic State Parkway from newly-planted trees is dependent on several factors, including: (1) the type of trees (evergreen or deciduous) to be planted, (2) the height of the trees, (3) the density or closeness to each other of the trees to be planted, and (4) the arrangement of the trees at the time of planting.

Primarily, the screen trees will be evergreen and will therefore provide a year-round ability to screen the view from the TSP, since they do not shed their leaves at the end of the growing season. The shrubs to be planted will provide additional screening of the views from the TSP, as well as providing contrast (to a staggered row of evergreen trees), as well as color, texture and interest, including to passing cars on the southbound exit ramp.

The trees to be planted in Zone 2 to the west of the southbound ramp off the TSP will consist of trees with an initial height at the time of planting of 10'-12' and in Zone 3,

- 2) Regarding proposed disturbance to existing wetland buffers, refer to FEIS Site Plan Responses 2a, III.G Introductory Summary Response and III.F, which indicate a reduction of disturbance to Wetland A buffer with the FEIS Site Plan and mitigation of Wetland B buffer impacts through supplemental planting to improve buffer function.

**Comment Site Plan 7 – (Document 138.3, Wayne Jeffers, Barrier Motor Fuels, Inc.):**

By eliminating the fueling facility, COSTCO will be able to reduce the blacktop footprint to approach the Town Code requirements and not have to ask the Town for special variances just because they want a giant facility. Even the parking lot light pole height will require a special variance.

**Response Site Plan 7:**

No variance is required for the proposed fueling facility, which can be operated under existing zoning pursuant to a Special Use Permit from the Town Board. The Applicant asserts that the elimination of the fueling facility would not yield significant environmental benefits, since stormwater runoff from the approximately ½ acre covered by the fueling facility will be managed pursuant to applicable regulations and an approved Stormwater Management Plan, and is not anticipated to generate significant ~~environmental impacts~~ stormwater reduction. Refer to FEIS Section III.G. The Applicant further asserts that the fueling facility, which will serve only Costco members and will not sell diesel fuel, is not anticipated to generate significant adverse traffic or community character impacts. Refer to FEIS Site Plan Responses 2e, IV.6 and IV.7a. Finally, the Applicant sited the fueling facility in a location that will minimize its potential environmental impacts. As described in DEIS Section II.C, the location was selected to provide improved traffic circulation, more efficient parking layout and reduce impact to the Wetland A buffer. In addition, the Applicant asserts that an alternative without the fueling facility does not meet its objectives for this Site, and is therefore not a reasonable alternative. See FEIS Responses IV.1, IV.7b, IV.9 and IV.10.

The Applicant requests only one variance, which is to allow the site lighting with 25-foot high light poles (refer to FEIS Response II.1). Should the variance or legislative change not be approved, the Applicant will proceed with the application based on lighting requirements set forth in the Town Code. Also refer to FEIS Responses IV.6, 7a and 9.

vegetated areas. Maintenance activities on slopes this steep will present health and safety hazards for the workers involved with ordinary site maintenance. This area of the site should be re-designed so that no earthfill slopes are steeper than 2.5:1. If this is not desirable, vertical structural retaining walls may be necessary.

**Response Site Plan 8a:**

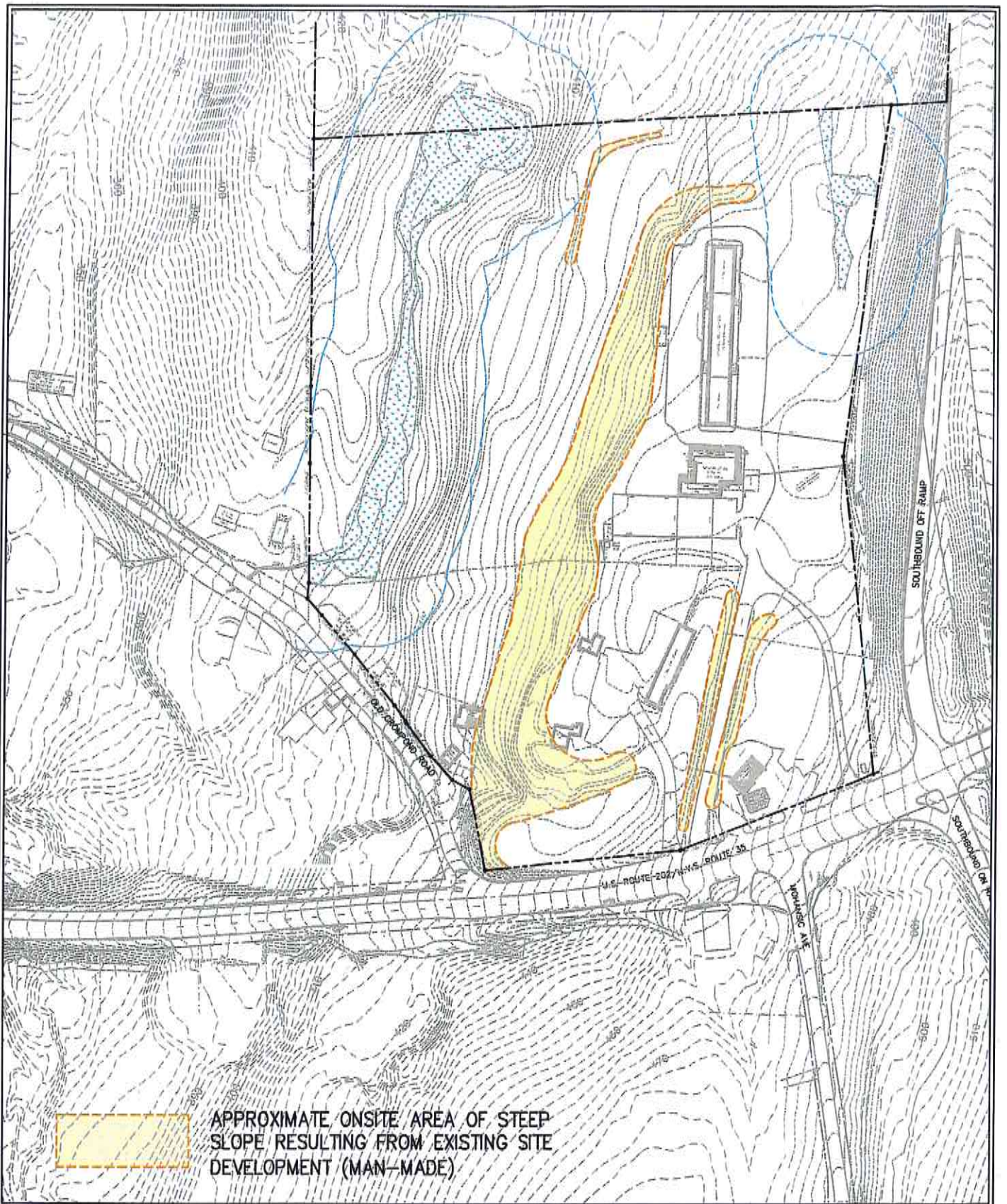
The more environmentally sensitive portions of the Site, which include Wetland A and steep slopes, are largely located on the western half of the Site. Much of the existing steep slopes around the nursery and motel parcels were formed through the cut and fill process during their construction.

As part of the planning process, consideration was taken to minimize impact to existing sensitive areas located at the western portion of the Site near and adjacent to the Wetland A buffer. As such, the Costco building was placed as far east as possible to minimize westward encroachment and minimize required earthwork.

In light of this Comment's request to avoid construction on/of steep slopes, the Applicant modified the site plan to further reduce impacts to the wooded slopes in the Wetland A buffer. FEIS Site Plan modifications include construction of retaining walls and flattening of proposed embankments in areas in or adjacent to Wetland A buffer. Refer to FEIS Site Plan Responses 2a, Site Plan 6 and III.G Introductory Summary Response. The FEIS Site Plan will flatten the westerly embankment slopes from 1.5:1 to a combination of 3:1 and 2:1. The embankment will slope away from the parking area and will be comprised of a flat section followed by sloped section varying from 3:1 to 2:1. (Refer to FEIS Site Plan Exhibit 8c and Exhibit 8a(1).

This Comment states that the DEIS Site Plan included disturbance of 0.78 acres that would occur on slopes steeper than 25 percent (refer to FEIS Site Plan Exhibit 8a(2)). The Applicant asserts that construction on such slopes within the interior of the Site (most created during construction of the existing development) is unavoidable. See FEIS Site Plan Exhibit 8a(2) and 8a(2a).) The FEIS Site Plan, however, will significantly reduce construction on slopes greater than 25 percent within the Wetland A buffer from 0.52 to 0.12 acres. See FEIS Site Plan Exhibit 8a(3).

**FEIS Site Plan Exhibit 8a(2a)**



**TRC**  
 TRC Engineers, Inc.  
 7 Skyline Drive  
 Hawthorne, New York 10532

FEIS Site Plan Exhibit 8a (2a)  
**Existing Steep Slopes Created by  
 Previous Development**

Scale: 1"=200'

**COSTCO WHOLESALE**  
 Town of Yorktown, New York





FEIS Site Plan modifications include construction of retaining walls and flattening of proposed embankments to further reduce impact to the wooded buffer to Wetland A. Refer to FEIS Site Plan Response 2a and 6 and FEIS III.G Introductory Summary Response.

Due to the presence of organic material, such as landscaped mulch, decomposing plants, etc., within the top two feet of the existing soil, the Applicant's Geotechnical Engineer recommends removal of this material prior to placement of fill. During earthwork operations and construction of embankments, surface soils will be stripped. There is no need for the contractor to extend the stripping of topsoil beyond the proposed limit of grading. At the limit of grading, the stripping can be performed with a vertical cut, thereby minimizing soil disturbance.

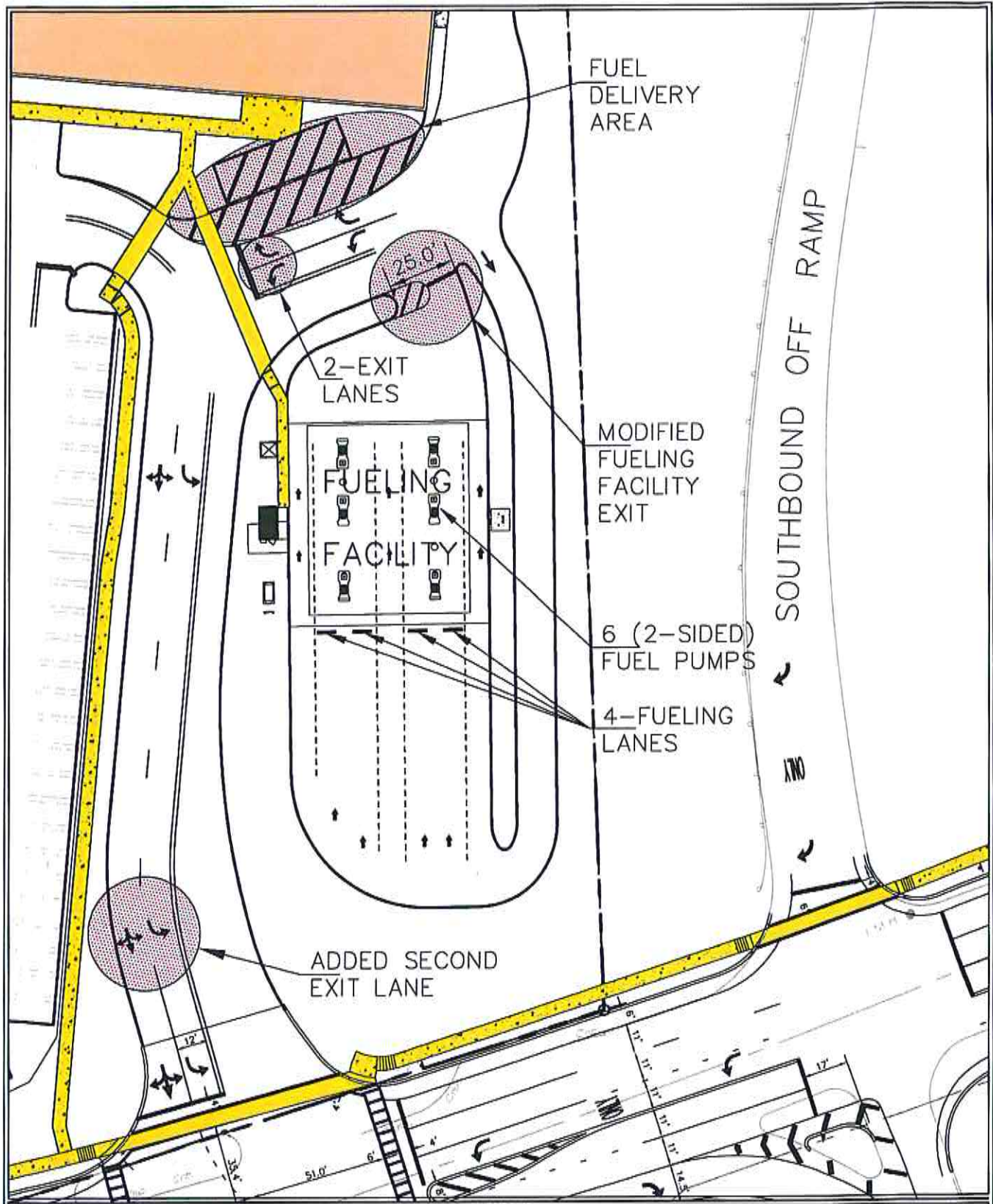
**Comment Site Plan 8c – (Document 167.2c, Charlie Silver, Watershed Inspector General), (Document 167.2c, Philip Bein, Watershed Inspector General), (Document 167.2c, Donald W. Lake, Jr., DuLac Engineering):**

Inadequate Erosion and Sediment Controls

Missing Elements: Construction Drawing C-401 details the erosion and sediment control plans for the site. Missing from this sheet is a culvert outlet scour pad for the stormwater management pond inlet, a detailed construction phasing plan addressing temporary swales, sediment traps, and staging area details. A concrete truck washout facility for construction operations is also missing. All of these deficiencies need to be addressed in the SWPPP of the DEIS.

Missing Details: The erosion control details shown on Construction Drawing C-705 should be amended to provide the following details: rock gradation for lined channels, actual dimensions for the stabilized construction entrance, and the creation of tables that show specific site locations for energy dissipaters and water bars. Stone outlet sediment traps and water bars are not shown on Construction Drawing C-401 and should be if they are part of the proposed project. In addition, the stone/rubble gravity retaining wall explained in detail #10 on Construction Drawing C-703 does not appear to be erected at the project site. As such, this detail should be deleted. However, a detail for a concrete truck washout facility needs to be added on Construction Drawing C-705.

Highway Improvement Work: An erosion and sediment control plan needs to be developed for all the highway improvement work and offsite sanitary sewer connection construction activities that will accompany this project.



TRC Engineers, Inc.  
 7 Skyline Drive  
 Hawthorne, New York 10532

FEIS Site Plan Exhibit 9  
**Fueling Facility Plan**  
 Scale: 1"=50'



**COSTCO WHOLESALE**  
 Town of Yorktown, New York

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Construction of Elevated Plateau: The Geo-tech report by Tectonic specified that “rock” fill material be used for the construction of an elevated plateau on the western part of the project. Construction Drawing C-201 indicates that a topsoil layer will be placed on top of the 1.5:1 slope to an unspecified depth. The site landscaping plan, Construction Drawing LP- 1, presents a very aggressive planting plan for the steep slopes shown on the site; particularly for the 1.5:1 “rock” fill slope on the west side of the project. Additional details and cross-sections of the fill slopes need to be provided, with construction details, to demonstrate how the proposed site work is to be accomplished.

### **Response Site Plans 8c:**

#### Erosion and Sediment Controls Missing Elements and Details

A final Construction Phasing Plan, as well as the recommended erosion and sediment control elements and details, are included in FEIS Section III.O and on the FEIS Site Plans-. For discussion regarding the Construction Phasing Plan, also refer to FEIS Response III.O 4.

#### Highway Improvement Work:

Sediment and erosion control plans for the offsite highway improvements and sanitary sewer extension activities are included in FEIS Section III.O. Highway drawings are included as part of this FEIS (Appendix J).

#### Construction of Elevated Plateau:

The extent of the westerly earth embankment has been reduced in conjunction with the proposed construction of vertical retaining walls as described in FEIS Site Plan Responses 2a, 6 and 8a. As recommended by the Geotechnical Report (DEIS VII.M), the embankment will be constructed using structural fill material. Topsoil will be placed on the surface to promote vegetative stabilization. Temporary and permanent erosion control measures will be installed, maintained and inspected. A typical cross-section of the earth embankment with retaining wall is provided in FEIS Site Plan Exhibit 8c.

Capacity analyses have been performed by the Applicant for the internal intersection of the main access driveway and the fueling facility access during the AM, PM and Saturday Peak Hours. The analyses, contained in FEIS Appendix G.7, indicate that the intersection will operate at Level of Service "a" during the Peak AM Hour with a 95<sup>th</sup> percentile queues on the fueling facility Access of one vehicle. The intersection is expected to operate at a Level of Service "c" during the Peak PM Hour with the 95<sup>th</sup> percentile queue of approximately 2 vehicles and at a Level of Service "d" during the Saturday Peak Hour with a 95<sup>th</sup> percentile queue of approximately 3 vehicles. This queue, which would not happen often, can be stored within the available area and will not impact vehicles entering the fueling facility.

It should be noted that this intersection is located approximately 275 feet from Route 202/35 and will experience gaps in traffic flow due to the traffic signal at the main access intersection with Route 202/35, which will allow vehicles to more easily turn left out of the fueling facility access. In addition, the Applicant asserts that vehicles on the main access will be traveling at a relatively low speed, further allowing an easier left turn out movement, thus the actual Levels of Service will be better than indicated above. The maximum queuing can be accommodated on the fueling facility Access.

**Comment Site Plan 10 – (PH2, James Garofalo, Tim Miller Associates Inc.):**

There are, as I said two lanes, it looks like from the diagram -- from the figures that this is where the storage tanks are going to be for the fuel lane. Where exactly are the fuel trucks going to stop to unload their fuel? Is this going to interfere with this very key location? [PH2, page 43, lines 14-20]

**Response Site Plans 10:**

Refer to FEIS Site Plan Responses 2e Locations 1 and 2 and Site Plan 9.

**Comment Site Plan 11 – (PH2, James Garofalo, Tim Miller Associates Inc.):**

Now, I don't know how you are going to get the four lanes to come out of the fueling station matching up to the two lanes [sic] that are going to be accessed here in this short distance. I would like to know how that is going to be accomplished.

Over, in front on the south side of Costco, there are a number of parking spaces up against the building. Now, the fact of the matter is this part of the road is going to be very heavily traveled, how many vehicles are going to be part of that road? How easy

**Comment Site Plan 13 – (PH2, James Garofalo, Tim Miller Associates Inc.):**

Now, with the BJs, when BJs came in, they actual had a physical barrier along the road in front of their secondary access and despite the fact that they had a curb there to prevent the vehicles from making left turns in, they were denied a secondary access.

In this particular case there is no barrier, so vehicles can physically do it, even though it is going to be illegal.

One of the things that it is not shown like the question is, where is it going to be shown that the striping and signing plan for this site -- so you can better understand what is going on, not only up here to find out that this is four lanes or five lanes coming out of the gas filling station, but how they're transitioning it.

And even though they show at that point there is a do not enter, once you get at little snow on that, people aren't gonna [sic] see that and you are going to have a forty-nine foot curb path that the drivers coming in would look like a two lane road. Forty-nine feet is awful wider than a normal road, two lanes would be twenty-four, so it is twice the width.

So, you need to have a signing and striping plan so you better understand how traffic is circulating and being in control within the site. When is this going to be done so that not only you and Jacobs Engineering and the public will have a chance to comment on the circulation within the site? [PH2, page 45, lines 23-25], [PH2, page 46, lines 1-25], [PH2, page 47, lines 1-7].

**Response Site Plans 13:**

Drawing C-101, included in the DEIS, illustrated the preliminary site traffic control signage and striping. The secondary access is restricted to right-in and right-out movements. FEIS Site Plan Exhibit 2e (10) illustrates traffic control measures designed to prevent illegal left turns. The proposed measures include a raised median island, pavement markings and "No Left Turn" signs.

**Comment Site Plan 14 – (PH2, James Garofalo, Tim Miller Associates Inc.):**

In this particular case, there really isn't any on street parking or any other parking unless maybe this northern side is someday developed, where extra vehicles can go,

Conservancy company provides several kinds of measures for different uses. The announce [sic] is incomplete unless the specific segments for completion is done for each Planning [sic] zone.

Landscaping and planting plan is inadequate with a minimum of three year survivability of plantings from day of acceptance. This insures that all planting material is not dead or dying and adequate coverage is provided to satisfy the intended purposes. [PH2, Page 92, lines 1-25], [PH2, Page 93, lines 1-19]

**Response Site Plans 15:**

Screening of the Costco building from the Taconic State Parkway (TSP) is proposed to be accomplished by a natural vegetative barrier, specifically the planting of native evergreen trees supplemented with deciduous and evergreen shrubs. Staggered rows of evergreen trees spaced to ensure optimal growth will provide a dense screen to partially shield the view of the building from the ~~roadway~~TSP. The proposed evergreen trees have an ultimate height at maturity which will range generally from 40' to 50'. These trees will provide a barrier that partially shields views of the building from the Taconic, and are anticipated to reach an effective height within five to seven years of planting.

The planting of evergreen and deciduous shrubs on the east and west sides of the staggered row of evergreen trees will have the effect of screening views toward the proposed building at the lowermost branching of the evergreen trees. In all, 150 to 155 large evergreen trees are proposed to be planted along the easternmost portion of the Property to partially screen views from the ~~roadway~~Taconic State Parkway toward the building.

The staggered rows of evergreen trees are to be planted center-to-center (spacing between plants) of about 16 feet. At this separation distance, the trees are far enough apart to be able to have more than adequate sunlight, as well as nutrients and water from the soil to thrive and ensure their survivability. The landscaping will be maintained by the Project Sponsor and shall include removal of invasive vines. The landscape contractor will be required to guarantee the survival of his landscaping and replace sick and dying plantings within the guarantee period.

Also refer to FEIS Responses III.B1, B2 and B4 and Response Site Plan 2h.

**Comment II. 6 - (Document 100.5, Steve Winkel):**

When code indicates a maximum height of 16 feet for light poles in the parking lot, why is Costco asking for a variance for them to be almost 60% higher? If this is meant to increase visibility of the complex, doesn't it defeat the purpose of all the landscaping meant to reduce the impact of the building.

Regarding the number and height of the light poles, I'd like to know what sort of measures are being planned to prevent light pollution. This past weekend, there was a meteor shower... it was a clear night and in most of residential Yorktown, we could look up with the naked eye and see the streaks of light. You can contrast this with a partly cloudy night when Legacy Field is lit up, and it looks like the sun is rising to the north. Aside from being an enormous waste of electricity, there are some studies out there linking health issues to communities with excessive light at night (LAN). I'd like you to address this question.

**Response II. 6:**

The proposed lighting will not be excessive because exterior light fixtures will be "dark sky" technology, which will throw light downward to minimize sky glow as explained in FEIS Response II.1. Refer to FEIS Response II.2 for more detail regarding impact due to site lighting.

**Comment II. 7 - (Document 108.3, Cynthia Garcia, Department of Environmental Protection):**

The description of the proposed development indicates that 3.57 acres of "open vegetation" is proposed. Some of this open vegetation will be parking lot islands, which are very limited in size and other areas will consist of steeply sloped cut and fill sections. While it is preferred that as many areas as possible be vegetated, the limited value of steeply sloping and isolated vegetated areas, as well as the limited perviousness of compacted fill areas, should be discussed. It is recommended that a table be provided identifying open vegetated areas by amount of contiguous area and slope for both pre and post development so that a comparison of significance of the vegetated areas can be assessed.

**Response II. 7:**

The DEIS provides a comparative analysis between existing and proposed landscaped, or vegetated areas. Refer to DEIS exhibits II-2 and II-4a. This Comment suggests that some of the proposed vegetated areas have limited value due to size and

- 5- What will the maximum total illumination (lumens produced) be when all light fixtures are energized?
- 6- Will the lumens produced by each light fixture be controllable, i.e. will they be dimmable?
- 7- Will the maximum illumination produced in a nighttime sky be within federal and local standards?

**Response II. 12:**

The Site Plans that were submitted with the DEIS and updated as part of this FEIS include two Site Lighting Plans. One plan (C-501, having 230 16-foot mounting height) illustrates the lighting scheme in conformance with Chapter 200 of the Town of Yorktown Code. The other plan (C-502, having 155 25-foot mounting height) illustrates a lighting scheme that departs from the Zoning Code and, as such, would require a variance or legislative change. The referenced drawings include specific details regarding the locations and quantities of light standards and illumination levels. The Applicant's preferred Site Lighting Plan, C-502, proposes 25-foot light standards. The luminaires will utilize "dark sky" technology including down-lit optics and shielded luminaires to minimize offsite spillage and nighttime glare. The proposal using the higher light poles will result in significantly fewer luminaires, thereby promoting greater light uniformity as well as decreasing visual impact at night. The same proposal requiring fewer poles (155 vs 230) will also reduce visual daytime "clutter". For more discussion regarding parking area lighting, see DEIS Section III.B.2.d and FEIS Responses II.1, II. 2, II. 12 and III.B 11.

- 1- The As Of Right Lighting Plan with 16 foot high light poles (drawing C-501) proposes 230 poles. The Applicant's preferred lighting plan with 25 foot high light poles (drawing C-502) proposes 155 poles.
- 2- The drawings are to scale and the distances between lights are illustrated graphically. The spacing for the As of Right Lighting Plan with 16 foot high light poles would be approximately 35 feet. The spacing for the Applicant's preferred lighting plan with 25 foot high light poles would generally range from 50 to 75 feet.
- 3- The pole heights will either be 16-feet or 25-feet in height, depending on whether a variance <sup>or legislative change</sup> is awarded.
- 4- Illumination levels are shown on the plan both by point location and by isolux



**Comment II. 14 – (Document 169.6, Mark H. Linehan):**

Will the Costco signs or lighting be visible from the Taconic? Exhibit II-6 shows a “Costco Gasoline” sign on the south- and north-facing sides of the gas station canopy, but the discussion of “Site Signage and Lighting” in section II says there will be signs on the south- and west-facing sides of the canopy. Which is it? Will the gas station canopy -- and the Costco sign on top of the canopy — be visible from the Taconic? If so, should Costco be required to have no sign on the north-facing side of the canopy?

**Response II. 14:**

The NYS DOT will determine whether to approve the installation of west facing signs on the building and canopy. Signs will not be placed on the north, south or east of the building or canopy elevations, which face the Taconic Parkway. Refer to FEIS Responses II.1, II.2, II.12, II.13 and .III.B 11 regarding visibility of signs and site lighting.

**Comment II. 15 – (Document 169.7, Mark H. Linehan):**

Why should Costco be permitted to have 25 foot light poles instead of the town maximum of 16 foot light poles?

**Response II. 15:**

Refer to FEIS Responses -II.1, II.2, II.12 and .III.B 11 regarding visibility of site lighting.

**Comment II. 16 – (Document 171.6, Evan Bray):**

Lighting

Applicant seeks a 56% increase above the permissible lighting mounting height. 25' instead of 16'. Granting a variance to increase the height of the lighting so drastically would negate most of the benefit of the shrubs and planting intended to screen the site from the “scenic” (as classified by Westchester Patterns) 202/35 corridor.

The calculations submitted with the DEIS only measure the illumination at a 36” [?] level directly below the lamps. It does not account for perception from the corridor and residential homes along the westerly edge. In fact allowing for such a variance would exacerbate the light pollution significantly; light acts as both a particle and a

**Comment III.A 2 – Form Letter C (Document 10.2, Suzzora Grent), (Document 11.2, Mr. Marc Alfredo), (Document 16.2, Alex Greenman), (Document 21.2, Peter Bradstone), (Document 24.2, Momhann Arfat), (Document 34.2, Joseph Eduardo):**

We respectfully suggest that adding 14.50 paved over acres to this area will have a major negative effect. The Yorktown Comprehensive Plan specifically addresses this issue by suggesting a totally different kind of development approach.

Please consider the better approaches to progressive, smart growth as outlined in the Comprehensive Plan.

**Response III.A 2:**

The Project will increase the existing impervious surface on the site by approximately 8 acres. The total impervious area for the Project site will be approximately 11 acres, not 14.5, as incorrectly stated in this Comment. As described in DEIS Section III.G, and as modified in this FEIS Section III.G, the stormwater management and water quality treatment plan proposed for the Project will mitigate the water-related impacts resulting from the increased pavement. Note that the present development has approximately 3 acres of pavement and no stormwater management or water quality treatment is provided.

The Project is consistent with the land use goals articulated in the Town's Comprehensive Plan because it establishes retail services in the Bear Mountain Triangle area. Refer also to FEIS III.A Introductory Response and FEIS Responses III.A 3, III.A 5 and III.A 8. The Project meets design and development concepts for the site, which includes: freestanding business, greater than 30% open space requirement, woodland buffers adjacent to single-family residential zones, and minimum 20-foot landscaping strips along street frontages, and subject to natural resource protection requirements.

**Comment III.A 3 – Form Letter B (Document 13.1, Mr. Marc Alfredo), (Document 17.1, Maggie Hamilton), (Document 18.1, Robert T.), (Document 33.1, Joseph Eduardo), (Document 35.1, John Longer), (Document 36.1, Drew Miller), (Document 50.1, Robert Reynolds):**

The Yorktown Comprehensive Plan, which was adopted in 2010, lays out an excellent concept for the undeveloped site at the intersection of the Taconic Parkway and Rte. 202/35 without the harsh impact of the “unrestrained and ill-advised” Costco

- Cross-access agreements and consolidated entrances, wherever possible.
- Sidewalks along the street frontage, and walkways connecting Store entrances on adjacent lots.
- Lighting standards should require outdoor light to be focused downward and away from residential areas. Standards should also strive to reduce glare effects.
- **All areas should be subject to natural resource protection requirements relating to wetlands, water bodies, steep slopes, tree clearing, etc.**

Yorktown 2010 Comprehensive Plan [bold emphasis added]

The proposed site plan with a single big box store (as opposed to a mixed use hamlet style development), dependent on extreme auto intensive use, and an 18 acre lot redeveloped over the top of the the [sic] protected steep slopes, and adjacent to wetland A, and discharging water into the Crompond Wetland, is just not consistent with the formally adopted Comprehensive Plan, and its land use, and planning restrictions, and may not be approved pursuant to Town Law 272-a.

**Response III.A 5:**

The *Sustainable Development Study*, which was taken into account in the 2010 Comprehensive Plan, does recommend protection of the Crompond Wetland. However, the wetlands located on the Project site do not discharge to the Crompond Wetland located west of Hunter Brook, which is west of the Bear Mountain Triangle. The study also does recommend preservation of steep slopes and a reduction in density, but within the entire sustainable development study area, not specifically on the Project Site. The study further recommends enhancing centers by shifting potential development on parcels larger than five acres to central locations, like the Bear Mountain Parkway Triangle and the Route 202/35 corridor, ~~while reducing the density on larger parcels located outside of these target areas~~. Therefore the Proposed Action is not a significant deviation from the study's recommendations.

The Proposed Action is not in conflict with the Comprehensive Plan. The Comprehensive Plan recommends a regional draw be located in the eastern portion of the Bear Mountain Triangle where it could take advantage of its location adjacent to the Taconic State Parkway. For further discussion refer to FEIS III.A Introductory Response and FEIS Responses III.A 3 and III.A 8. The Planned Development District Overlays (PDD Overlays) discussed in the Comprehensive Plan are an additional tool the Town can decide to implement in order to more specifically master plan an identified area of Town that could benefit from a more detailed design plan. Refer to FEIS Response III.A 23 for this discussion.

expected to have significant adverse impacts on the character of the surrounding neighborhoods. There is no discussion of the residential neighborhood immediately adjacent to the site on Old Crompond Road.

The applicant cannot change the fact that the spirit of the comp plan, sustainable dev study, and Westchester patterns run contrary to the very essence of the project. There's no way that the applicant can deliver a single tenant, 150K sf retail store, plus a tire center, and a gas station, to achieve the stated goals of a "small scale, mixed use" development. Getting this proposal to substantially conform the stated goals of the comp plan for this area would require changing the very essence of the Costco I know and love.

**Response III.A 6a:**

Refer to FEIS III.A. Introductory Response and FEIS Responses III.A 3, III.A 5, III.A 6 and III.A 8 as to how the development conforms with both applicable zoning and the Comprehensive Plan.

The *Sustainable Development Study* is ~~generic~~ not site-specific in nature and it recommended creation of a mixed-use hamlet business center in the Bear Mountain Triangle within Crompond; ~~but~~ it does not specifically mention any sites for this type of development. There are several other vacant or under-developed parcels in this area where such a development could be sited. Furthermore, the 2010 Comprehensive Plan took the 2004 *Sustainable Development Study* into account when it was created. See also FEIS Response III.A 8.

Section III.A of the DEIS also stated that both the Westchester County *Patterns for Westchester: The Land and the People* (1996) and *Westchester 2025* (2010) offer a policy framework to guide the County's future physical development by establishing planning strategies "through which County and municipal governments may implement their common goals for serving people, conserving land and water and assuring economic growth." In terms of land use, these regional plans indicate that so-called "centers," "corridors" and "open space" are the three building blocks of Westchester County's pattern of development. Corridors are defined as the "historic paths of movement and development," with three functions (transportation, development and scenic) that sometimes overlap. Existing corridor development can be enhanced to improve their function and economic vitality and make maximum use of the public investment in infrastructure. The Taconic State Parkway, which borders the Project site, is identified as a corridor serving a scenic function. Route 202/Route 35 in Yorktown is also identified as a corridor serving a transportation function. *Patterns for Westchester* states that the highest levels of density should be located in

- Significant open space requirement (e.g. not less than 30 percent)
- Woodland buffers adjacent to single family residential zones and minimum 20-foot landscaping strips along street frontages
- Cross access agreements and consolidate entrances, wherever possible
- Sidewalks along the street frontage, and walkways connecting store entrances on adjacent lots
- All areas should be subject to natural resource protection requirement relating to wetlands, water bodies, steep slopes, tree clearing, etc.

The proposed fueling facility will be one of the largest and most traffic intensive auto oriented uses in the Town and such uses are expressly excluded in the C-3 zone. The Costco Facility will also to have a tire store that, again, represents a large auto-oriented business.

Contained within the Town of Yorktown's Comprehensive Plan are the recommendations for Route 202 from the Sustainable Development Study. It acknowledges that the December 202 [sic] recommendations call for a significant reduction of the proposed buildout of the study area and that the overall concept put forward in this Comprehensive Plan is to make the Bear Mountain Triangle into a mixed-use center.

Attachment A sets forth New York State law as it relates to a Comprehensive Plan. It specifically states:

*11. Effect of adoption of the town comprehensive plan.*

- (a) *All town land use regulations must be in accordance with a comprehensive plan adopted pursuant to this section.*

The Town of Yorktown's zoning code does not appear to be in compliance with its Comprehensive Plan at this site as required by NYS Town law.

The Costco application requires variances from the ZBA and/or Planning Board and a special permit (for the fueling facility) from the Town Board. The standards for a special permit are as follows.

- A. The location and size of the use, the nature and intensity of the operation involved in or conducted in connection with it, the size of the site in relation to it and the location of the site with respect to streets giving access to it shall be such that it will be in harmony with the appropriate and orderly development of the district in which it is located.

## PUBLIC HEALTH IMPACTS

In correspondence to the Planning Board, dated October 11, I outlined the findings of research into the public health impacts of automobile-dependant [sic] land uses that are relevant to the proposed action, yet not examined in the DEIS. Moreover, the Yorktown Comprehensive Plan recognizes the costs of such development in discussing C-3 Zones as “excluding auto-oriented uses that attract heavy volumes of traffic.” Requiring upwards of 600 parking spaces and nearly eight acres of paved surface — and likely generating nearly 1,000 daily auto trips (estimates of the project’s trip generation were disputed by “applicant” and “non-applicant” professional experts at the hearing), the proposed development clearly rises to the level of increasing both Yorktown’s dependence on automobile travel and the associated public health risks described in this research. Therefore, if the Planning Board was to approve such development in a C-3 zone, it would be reasonable to seek to manage the negative impacts of the project’s emphasis on automobile transportation using the same public policy approach currently applied in the areas of recreation, traffic, and the environment —for example, such remedies as contributions of park land, street widening, and wetland enhancement. And so, we offer the following questions:

- Does the applicant accept the findings of recent research on public health impacts of auto dependent development? If not, please explain why. Can the applicant provide data refuting this research?
- How does the applicant plan to offset the proposal’s likely public health impacts as well as meet the spirit of C-3 zones as envisioned in the comprehensive plan?

### **Response III.A 17:**

In adopting the Yorktown Comprehensive Plan, the Town Board determined that the development of a retail use with a regional draw is an appropriate use for the Project site and, therefore, the Applicant asserts is consistent with public health and safety. This use, by its very nature, depends largely on automobile access in suburban areas like Yorktown. Refer to FEIS Responses III.A 2, III.A 3, III.A 5 and III.A 8 with respect to the consistency of the proposed Costco with zoning and the Comprehensive Plan. The Applicant has expressed no position on recent academic research into broader public health impacts of auto-dependent development, as its position on such literature is beyond the scope of the Proposed Action’s SEQRA analysis. However, the Project includes a number of measures designed to promote alternative means of

site, including improving pedestrian and public transportation amenities. The Proposed Action includes providing a new sidewalk on the north side of Route 202 between Strang Boulevard and Old Crompond Road. This sidewalk will connect to the sidewalk being constructed as part of the NYSDOT improvement project. At Strang Boulevard a crosswalk with pedestrian signals will be provided for access to FDR Park and the Bus stop on the south side of Route 202. In addition, the bus stops on the north and south sides of Route 202 at Strang Boulevard will be reconstructed. Also, paved shoulders will be provided on both sides of Route 202/35 adjacent to the Project improvements from Old Crompond Road to Strang Boulevard, which will facilitate bike traffic. The Project will include onsite bike parking racks. For more information, refer to FEIS Section III.K.

Moreover, to the extent the Project provides a local shopping option for consumers who currently frequent the Costco stores in Danbury and Yonkers, it may reduce vehicle miles traveled and enable more residents to access Costco via public transit and other non-automobile-dependent transportation. ~~As discussed~~ in the DEIS (at Section III.K), the Project would provide extensive improvements to sidewalks, pedestrian walkways and bicycle paths, promoting the use of alternative means of transportation and addressing the public health concerns referenced in this Comment.

The Applicant has asserted

**Comment III.A 18 – (Document 139.10, Jonathan Nettelfield):**

With reference to DEIS Page III A-18: Potential Impacts, a) Land Uses. The DEIS states, “The proposed project does not entirely comply with the design and development concepts of the C-3 zoning district as set forth in the Town’s Comprehensive Plan. The proposed project specifically does not conform to the zone’s conceived purpose of “small minimum lot size” for the project site, as the project requires a large floor area on a large tract of land.” We couldn’t put it any better. Why does this not prevent this development?

**Response III.A 18:**

Table 2-11 of the Comprehensive Plan states that the C-3 zone has a “small *minimum* lot size,” (*emphasis added*). This is not the **maximum** lot size for this zone. The C-3 requires a minimum 10,000 square foot lot, which for commercial lots in Yorktown is small; other properties in the triangle have C-2 zoning, which has no minimum lot size. Therefore, in terms of minimum lot size requirements, the Project site will comply with the Comprehensive Plan. Furthermore, providing a “regional draw” would be difficult, if not impossible on a 10,000 square foot lot, meaning the

**Response III.A 38:**

The Applicant's FEIS Site Plan reduced the entrance of the fueling station to 25 feet, which now meets the dimensional criteria stated in this Comment.

Exhibit II.6 of the DEIS indicates the canopy height to be 16'6," not 40 feet high, as indicated in this Comment. Section 300-46(J)(1) states, "Canopies shall provide 15 feet of ground clearance above grade. No canopy shall exceed three feet in thickness. Accordingly, the maximum height for a canopy shall not exceed 18 feet."

Parking for the fueling facility is accounted for in the overall site parking. The fueling facility does not require additional parking spaces since no service amenities are offered. If the customer combines shopping with the fuel purchase, the parking is accounted for in the shopping demand. Parking for the Costco facility is based on the whole facility and not by the individual services.

Since a "discount club" is not listed as a specific use in Chapter 300-182 subsection A, of the Town's Zoning Code, the Planning Board is granted, in subsection 300-182 B (below), the authority to determine the parking requirements.

*B. Reasonable and appropriate off-street parking requirements for structures and land uses which do not fall within categories listed above [subsection A] shall be determined in each case by the Planning Board, which shall consider all factors entering into the parking needs for such use.*

After acceptance of the DEIS and in response to comments, the Applicant's engineer performed a Parking Utilization Study at two nearby comparable Costco's having similar amenities including Tire Service Centers and fueling facilities. The study confirmed that even during the peak parking demand of the holiday shopping season, the maximum number of occupied parking spaces was less than those proposed at the Yorktown facility. Refer to FEIS III.L Introductory Response.

The Town of Yorktown Code Section 300-46(P) states the Town Board is the approval authority for a Gasoline Filling station and it should also be noted that Section 300-46(G) of the Town Code states that the Town Board may vary any of the required special permit standards as it sees fit if it makes a better plan. Refer to FEIS Response III.A 8 in regard to general special permit criteria.



In fact, this is a Town changing even that can change the impact of our community for future generations to come. We owe them that little bit of hard thought to think ahead, is this really where we are going. Is there really the true direction as pointed out in the Town of Yorktown's Comprehensive Plan. We all the real truth behind this, it is not and it will have life altering repercussions for generations to come. Please stand up for Yorktown and say, this is not the direction our Comprehensive intended us to take. In fact, the DEIS own admission state is it NOT the right direction as per the Town of Yorktown. I urge you to please vote down this "project" and say our town is all for "Progress with Preservation". We can move forward with the right plans for that current site. We can do better and we should. We owe it to our future generations to stand up for what is right and stand together in unity for our Special Place, a Town I call home.

**Response III.A 46:**

Refer to FEIS Responses III.A 3, III.A 5 and III.A 8 as to how the development conforms with both applicable zoning and the Comprehensive Plan.

**Comment III.A 47 – (Document 174.8, Stephen L. Steeneck):**

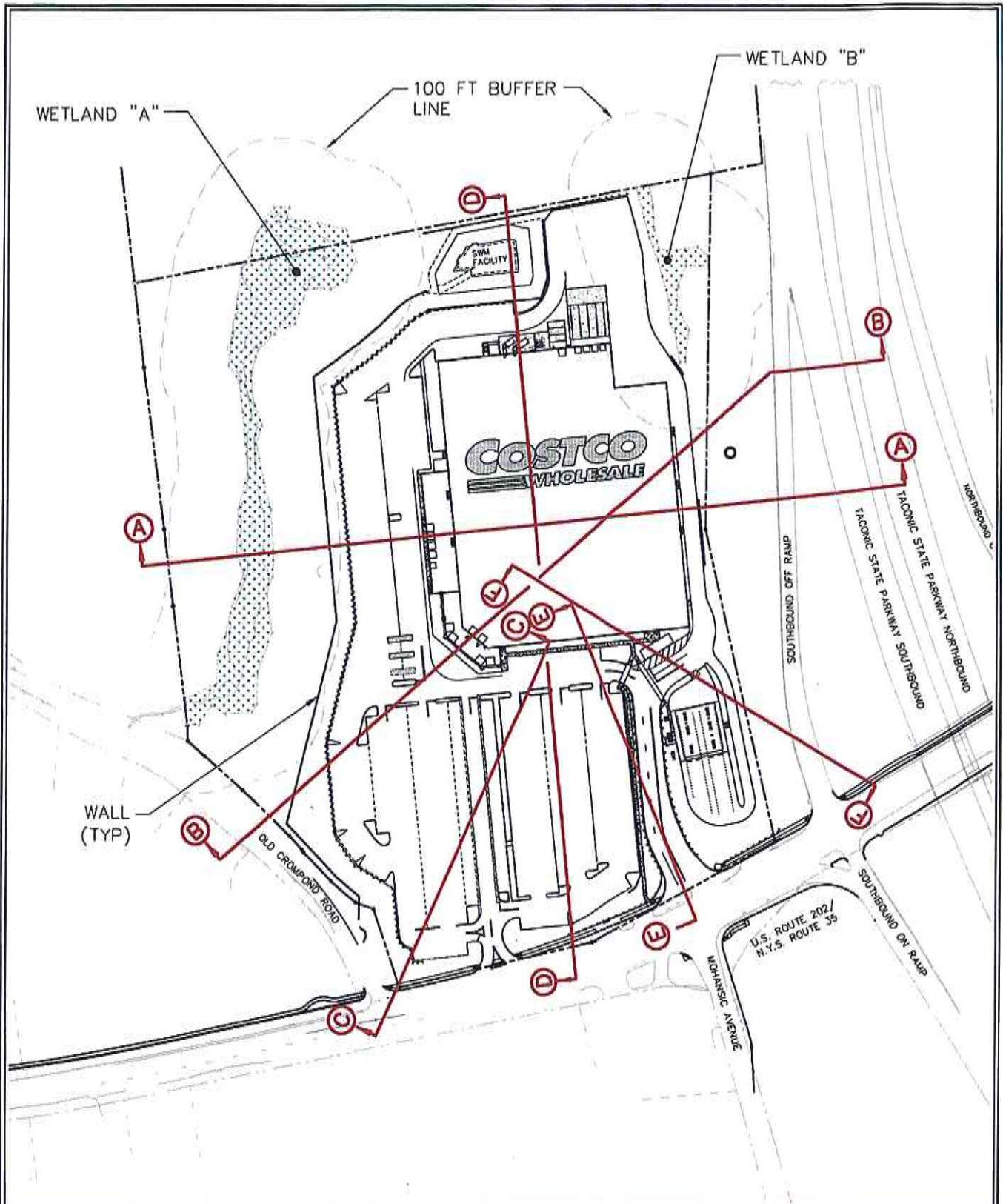
I know the Planning Board can see that is [sic] "Project" is NOT consistent with the Town of Yorktown's very own Comprehensive Plan and as such has NO other way but to say NO. This is not the right "Project" for this area and is in DIRECT VIOLATION of the Town of Yorktown's very own plan for the future and the Town of Yorktown's Comprehensive Plan. This cannot be more clear for all the reasons as set forth above and the Town's very own view for the Future. Growth is needed, yet Sustainable Growth is what is needed.

**Response III.A 47:**

Refer to FEIS Responses III.A 3, III.A 5 and III.A 8 as to how the development conforms with both applicable zoning and the Comprehensive Plan.

**Comment III.A 48 – (Document 174.27, Stephen L. Steeneck):**

It is very clear there are major deficiencies in the DEIS, in fact in reading what I have so far, it is very clear that this "Project" does violate New York State Byways Laws and the Town's own Comprehensive Plan.



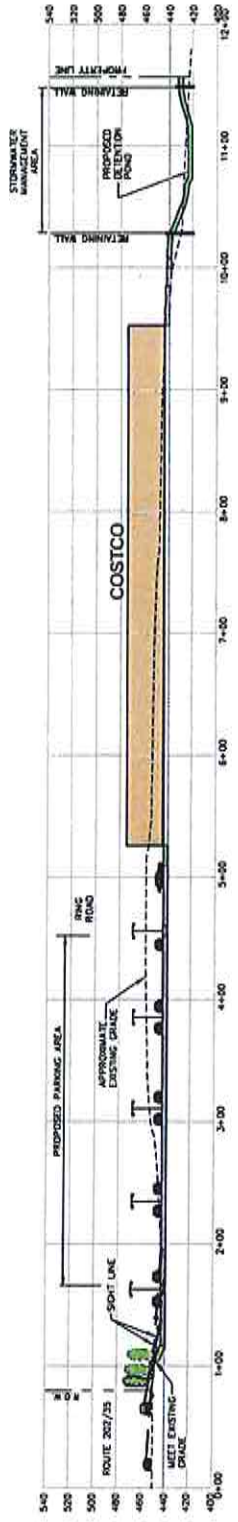
TRC Engineers, Inc.  
7 Skyline Drive  
Hawthorne, New York 10532

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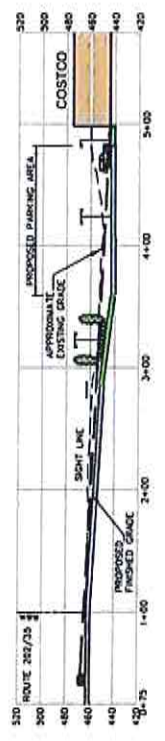
FEIS Exhibit III.B-55  
Sight Line Section Location Plan  
AA/BB/CC/DD/EE/FF



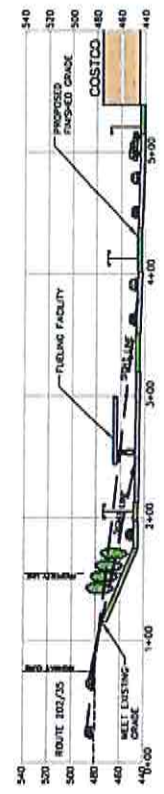
COSTCO WHOLESALE  
Town of Yorktown, New York



SECTION D-D  
SIGHT LINE FROM ROUTE 202/35



SECTION E-E  
SIGHT LINE FROM ROUTE 202/35



SECTION F-F  
SIGHT LINE FROM SOUTHBOUND OFF-RAMP & ROUTES 202/35



TRC Engineers, Inc.  
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Hawthorne, New York 10532  
Tel: (914) 592-4040  
Fax: (914) 592-5046  
www.trcsolutions.com

FEIS Exhibit III.B-57  
Sight Line Sections

COSTCO WHOLESALE  
Town of Yorktown, New York

up to the exit. Welcome to Yorktown. It's a great place to bring your family.

**Response III.B 4:**

The -visual 3-dimensional computer simulations in Section III.B of the DEIS indicate how the Project will appear from a variety of angles. These depict how the Costco store will appear as viewed from adjacent roadways including the Taconic State Parkway (TSP), Route 202/35 and Old Crompond Road. As stated in the DEIS, the proposed Costco will be visible from the Taconic TSP. See additional graphics illustrating views from the TSP southbound lanes in FEIS Responses III.B 1, III.B 2 and III.B 3. The views shown in FEIS Response III.B2 illustrate the trees five years after initial planting. The screening immediately after planting will be somewhat thinner. The main landscape component will be evergreen trees that will effectively screen the Site, even in winter. Refer to FEIS Response Site Plan 2h and 15.

Since the TSP and southbound off-ramp are higher than the proposed building, the potential view would be looking down at the building roof. The roof will be flat and will contain skylights as well as mechanical equipment. Views of the Costco building and Site from the TSP, including the roof, will be screened by the proposed landscaping as shown in FEIS Response Exhibits III.B-41 to 46 (depicting views from TSP within five years of landscape planting) .

~~Current views from the TSP are visually impacted by the abandoned, overgrown motel site with boarded up windows and doors and graffiti written walls. Under the Proposed Action, these negative visual impacts will be replaced with the new development. The proposed Costco building will be tucked below the elevation of the TSP and will therefore not be visible from the TSP northbound lanes and from areas further east. The building walls will be earth tone colors so as to blend into the natural background. There will also be a horizontal red stripe around the building. A Costco sign is proposed to be placed above the building entry door. The sign on the south building elevation as shown on Exhibit II-5 in DEIS Section II will not be permitted by the NYSDOT (see below).~~ *stated in the comment*

The Taconic State Parkway is listed as a Scenic Byway on the State and National Register of Historic Places. Evaluation of the visual impact of the Project to the parkway will be reviewed and determined by the NYS Office of Parks, Recreation, and Historic Preservation ("OPRHP") as well as by the Yorktown Planning Board during site plan review. Due to its proximity to the TSP, building signage is limited by NYS Parks Law, which is enforced by the NYS Department of Transportation ("DOT"). Signage will be limited by the DOT to those facing away from the TSP. Refer to FEIS Responses II.13 and III.B 15.

**Comment III.B 17 – (Document 158.1, Dale Saltzman):**

...The addition of this large building will destroy the view shed of this intersection. The Taconic crosses 202 and you can see the west side of the Hudson as you drive by. This will be gone lost forever during the day and gone lost in lighting during the night. A view shed is very important to the mental health of a community.

**Response III.B 17:**

Based on the Applicant's field observation, while driving past the Site on the Taconic Parkway at the posted speed limit (55 MPH), the view of the west side of the Hudson River is visible ~~for no more than a few seconds~~. Refer to DEIS Section II (pages II-19 to II-21) with regard to site lighting and visual impacts. Responses to specific comments are addressed in the corresponding section of this FEIS. (Refer to FEIS Responses II. 1, 2, 12 and 13). The Costco building is situated below the elevation of the TSP and will not block the view from the TSP to the Hudson on the western horizon. Nighttime glow from site lighting will be minimized by utilizing down lit dark sky optics to minimize offsite impact to the viewshed.

Do not delete

**Comment III.B 18 - (Document 45.1, Edmund Chan, Agin and Cyme Mujaj, Barbara and Brian Hoy, Rose Mazzola):**

The site of the proposed Costco development consists of vacant, abandoned buildings that have been empty for many years. The area bordering Route 202 — a "Gateway to Yorktown is debris littered and overgrown, and needs more than an absentee landlord or series of absentee landlords, to properly maintain it.

The site is unattractive and the buildings are in rough condition, including a motel with abandoned septic tanks and an old gas station site.

**Response III.B 18:**

The Comment indicates support of the Proposed Action based on improvements to visual aesthetics.

**Comment III.B 19 - (Document 45.10, Edmund Chan, Agin and Cyme Mujaj, Barbara and Brian Hoy, Rose Mazzola):**

The Town should also acknowledge that this proposal involves the development of a problem site. As noted above, there are many aesthetic benefits to the Town and local retailers in the development of a gateway property.

### **Section III.C Soils, Topography, Slopes and Geology**

#### **Comment III.C 1 - (Document 108.11, Cynthia Garcia, Department of Environmental Protection):**

Based upon the review of the documents received, it is apparent that there are deficiencies in the DEIS that need to be addressed before DEP can support a Findings to Approve for the reasons identified below:

1. The soils maps show some areas of soils with slope classification of "E." The amount of "E" sloped soils must be quantified along with the amount of disturbance proposed on these slopes. This information is necessary in order to reasonably assess impacts from erosion in these areas as well as to verify whether or not the action is eligible for coverage under the DEC Stormwater General Permit GP-010-001.

#### **Response III.C 1:**

DEIS Exhibit III.C-1b indicates the existing soil types and areas on the Site. Approximately 0.78 acres of E soils were identified on the Site. DEIS Exhibit III.C-2 indicates the areas of the soils within the limit of disturbance. Approximately 0.51 acres of E soils (defined by the US Department of Agriculture as soils with slopes greater than 25%) were identified as being disturbed, mainly along the westerly limit of the proposed development. (Refer to FEIS Exhibit III.C-3.)

The Applicant has prepared an FEIS Site Plan, in part, to reduce impacts to steep slopes and the Wetland A buffer by reducing the westerly embankment. (Refer to FEIS III.G Introductory Response, Exhibit III.G-A1, which illustrates the reduction of the westerly embankment.) By doing so, the impact to E soils will be reduced. The FEIS Site Plan will disturb approximately 0.27 acres of E soils (refer to FEIS Exhibit III.C-1) or 0.24 acres less than the DEIS Site Plan.

Part I.D.6b of SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-10-001) limits disturbance of soils with slope phases E or F on the USDA Soil Survey to less than 1 acre. As noted in the previous paragraph, proposed disturbance will be less than the permissible 1 acre threshold, thereby meeting the requirements of the referenced permit.

**Comment III.C 4 – (Document 172.9, Janelle Hope Robbins, LEED AP, Bedford Audubon Society), (PH2, Janelle Hope Robbins, LEED AP, Bedford Audubon Society):**

**The transcript for the Public Hearing is provided in Appendix B.**

**III.C. Existing Conditions, Impact, Mitigation: Soils, Topography, Slopes and Geology**

The soils assessment finds that “All of the natural soils on the property have apparent water tables, meaning that they are all part of the ground water table, and none are perched above an unsaturated zone.” Given this, how does the applicant rationalize their assertion that the wetlands on the site are isolated?

**Response III.C 4:**

No claim is made in the DEIS that Wetland A is isolated, as it forms the headwater of a small stream. Wetland B is considered hydrologically isolated because it receives no groundwater inflow and has an intermittent outlet which dissipates into upland soils. Connection (hydrologic) to groundwater is not the basis for determining whether a wetland is isolated, as surface water connection is used for the determination of jurisdictional isolation under the US ACOE definitions. The US ACOE definition of an isolated wetland is “non-tidal waters of the United States that are not part of a surface tributary system to interstate or navigable waters of the United States and are not adjacent to such tributary water bodies.” For Wetland B, there is no significant nexus between the wetland and any traditional navigable water, therefore it is considered isolated (refer to FEIS Response III.F 36).

The Environmental Protection Agency and the U.S. Army Corps of Engineers have ~~recently~~ signed and published, for public comment ending October 20, 2014, a proposed rule defining the scope of waters protected under the Clean Water Act. The proposed rule clarifies the definition of “waters of the United States” and excludes the following from the definition: “... groundwater, including groundwater drained through subsurface drainage systems...”  
<http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OW-2011-0880-0001>.

**Comment III.C 5 – (Document 172.10, Janelle Hope Robbins, LEED AP, Bedford Audubon Society), (PH2, Janelle Hope Robbins, LEED AP, Bedford Audubon Society):**

**The transcript for the Public Hearing is provided in Appendix B.**

Page 20 of this section states "construction is anticipated to take approximately 14 months beginning in October 2012, with completion by November 2013." These dates are obviously incorrect, as the public comment period is drawing to a close two months after their anticipated construction start. If the applicant were to receive all the necessary permits, when would construction begin?

**Response III.C 5:**

The construction period is estimated to take approximately 1415 months. Construction will proceed after completion of the SEQRA process and obtaining the necessary permits and related approvals. The Applicant has stated that construction will begin in late ~~the fall of~~ 2014 and will be completed by ~~the fall of~~ in early 2016~~9~~.

**Comment III.C 6 - (Document 84.5, Martha Patterson):**

It has come to my attention that a few days ago the Town Board has considered Development and Environmental Impact Report of the Costco Wholesale Store and Fueling Facility. You went as far as to discuss sewage lines and number of trees to be planted around the mall. I hope those rumors are false. You see, as Yorktown residents, we know that opening a Costco in our community will not only affect our lives, lives of our neighbors and the entire community, but all those living in the surrounding areas. We, our friends and neighbors cannot just sit and let this happen. We are strong in the belief that Costco should not be allowed in our town or else air will be polluted from traffic jams, soil and water with all Costco wastes, noise levels will go up. All of this will cause enormous irreparable damage to the environment and us. We would love nothing more but leave Yorktown Costco-free because we care, and because you chose to represent us some time ago, we are sure, just like me, other residents, you want nothing but the best for our peaceful town. We want better quality of life, not worse. This is a reason I fled New York City to raise our children and grandchildren here. Yorktown as is should be sustained for future generations; the true cost of preserving Yorktown is so much more than any Costco promises. I hope as the Yorktown Board members, you will make our voices heard.

**Response III.C 6:**

The DEIS Subjects referenced in this comment were addressed in the DEIS Sections as follows: Section III.M Air Quality, Section III.N Noise, Section III.K Traffic and Transportation, Section III.C Soils, Topography, Slopes, and Geology, Section III.F Wetlands, Groundwater, and Surface Water Resources. Responses to specific comments are addressed in the corresponding sections of this FEIS.



### **Section III.D Hazardous Materials**

**Comment III.D 1 - (Document 70.1, William Canavan, HydroEnvironmental Solutions, Inc.):**

Hydro Environmental Solutions, Inc. (HES) has been retained by Mr. Henry Stenick [sic] of 500 Chase Road in Yorktown Heights, New York to conduct a hydrogeologic and hydrologic evaluation of a proposed gasoline station located at 3196 Crompond Road in Yorktown Heights, New York (Figure 1).

**Response III.D 1:**

Comment noted.

**Comment III.D 2 - (Document 90.1, Gia Diamond):**

I was lucky to get my hands on the final version of the groundwater report prepared by HydroEnvironmental Solutions, Inc. Please distribute it, as you may feel necessary.

**Response III.D 2:**

The letter and report by Hydro Environmental Solutions, Inc. were submitted by William Canavan to the Planning Board as a comment to the DEIS and made a part of the Planning Department file, therefore they are available for the public to review, and are listed herein as Documents #70 & 98 respectively.

**Comment III.D 3 - (Document 90.2, Concerned Yorktown Residents):**

An active and socially responsible resident of Yorktown Mr. Henry Steeneck has retained HydroEnvironmental Solutions, Inc. (HES) to prepare a Hydrogeologic and Hydrologic Evaluation of the proposed COSTCO box store and fueling facility.

Please be fully aware of the adverse impact of the proposed COSTCO project on the ground waters flowing into Hunter Brook, which as you know, is a direct tributary to the Croton Reservoir and the New York City Water Supply.

**Response III.D 3:**

Refer to FEIS Responses III.D 5.1 – 5.5, which respond to the conclusions drawn by

**Comment III.E 9 - (Letter 108.19, Cynthia Garcia, Department of Environmental Protection):**

Exhibit III.E-2, Tree Survey Map: Many trees depicted immediately adjacent to the limit of disturbance may also be sufficiently disturbed by site grading and suffer damage from disturbance activities. Typically, any tree that will have 1/3 or more of its root system either covered with 3 or more inches of soil or other materials or cut away will die within the first 10 years of disturbance. It is recommended that the trees immediately adjacent to the limit of disturbance be reviewed to determine whether additional trees may need to be removed prior to or during construction to avoid later hazards resulting from mortality.

**Response III.E 9:**

The FEIS assumes that trees immediately adjacent to the limit of disturbance may be impacted by the proposed construction. The limit of disturbance line is shown (FEIS Site Plan Exhibits 2, 3 and 8c) 10-feet beyond the actual limit of grading to account for potential impact to trees adjacent to construction. The extent of the westerly embankment has been reduced on the FEIS Site Plan (FEIS Exhibit III.G - A1), resulting in reduced impact to existing trees. A landscaping plan (Drawing CLP-1) to offset the effects of the impacts to existing trees on site was included with the DEIS. An updated landscape plan, LP-1, is included in FEIS Appendix J. A formal tree removal plan will be reviewed by the Planning Board during the site plan approval process, and a final Landscape Plan will be submitted at that time to offset any tree loss. During construction the actual trees to be removed will be clearly marked.

**Comment III.E 10 - (Letter 108.20, Cynthia Garcia, Department of Environmental Protection):**

Exhibit III.E-5, Conceptual Planting Layout Plan: No seed mix was proposed for Zones 1, 2 and 6. A mix such as the New England Erosion Control/Restoration Mix for Detention Basins and Moist Sites or New England Wetmix would be suitable for these areas. It is recommended that perennials or other native herbaceous plants be added to the proposed plans for Zones 1, 2, and 4, since the addition of small plugs of these would further enhance wetland function and wildlife habitat and establish complete native vegetative cover more quickly than tree and shrub plantings alone.

**Response III.E 10:**

There is already an existing stable vegetative cover in zones 1 and 2; therefore, live plugs are not needed in these zones. Live plugs are not recommended for zone 4 for a number of reasons. First, the slopes to be re-vegetated would still require seeding, mulching, and erosion control blanket in addition to plugs; therefore plugs are a

changes in saturation of soils associated with wetlands and watercourses.

**Response III.F 14:**

Additional topographic contours were added to the site plan, which confirms the contributing drainage area to the vernal pool. Refer to FEIS Response III.G 13.

The Applicant has modified the DEIS stormwater management design for the Proposed Action, which will reduce potential impact to Wetland A. A summary of the FEIS modifications are described in FEIS Section III.G Introductory Response, which discusses reduced impact to Wetland A buffer, reduction of runoff volume, increased groundwater recharge, improved water quality treatment, and avoidance of potential thermal impact, thereby, mitigating impacts to downstream water bodies.

The FEIS stormwater management design will infiltrate treated stormwater to the groundwater table and reduce direct surface runoff to Wetland A, thereby maintaining Wetland A as a primarily groundwater fed wetland. The outlet from the detention pond was modified to discharge to Wetland A, downstream of the vernal pool, thereby not increasing surface flow to the vernal pool. Surface water discharge from the detention basin will be dispersed from a spreader ditch that will drain overland in sheet flow through the existing woodlands to Wetland A. Discharge through a spreader ditch will reduce concentrated flow and velocities, thereby providing greater protection from potential erosion.

Since the FEIS stormwater management design will maintain the groundwater inputs to Wetland A, and the vernal pool will continue to be primarily fed by groundwater seeps from the undeveloped woodlands and precipitation, the extended hydroperiod and related saturation and resultant erosion will be avoided under the FEIS plan. Refer to FEIS III.G Introductory Response item 5 which describes the results of the water balance analysis.

**Comment III.F 15 - (Letter 108.28, Cynthia Garcia, Department of Environmental Protection):**

Page III.F 21: The section notes that the east buffer of wetlands A includes disturbed" areas with a mix of young forested area and old field habitat containing some miscellaneous debris. It must be noted that disturbance in this area occurred historically. In general, the buffer has been predominantly wooded for some time.

Although there were no reported environmental conditions of concern in the area of the proposed infiltration facility, as part of the Project's implementation, the subsoils in the area of the infiltration facility will be exposed and reviewed and if any indication of contamination is observed or identified, any such soils will be remediated prior to installation of the infiltration chambers. A review of Phase I and II Environmental Reports, upon which the statement is based, is set forth in DEIS Section III.D and DEIS Appendix VII.B.

Responses to the David Clouser & Associates (DCA) have been responded to in various sections of the FEIS. For a complete listing of responses to each of the DCA comments refer to "Index Sorted by Document". With regard to stormwater comments from the David Clouser & Associates, refer to FEIS Responses III.G 39a thru III.G 39g.

**Comment III.F 22 - (Letter 130.1, John E. Schroeder, Yorktown Land Trust):**

The Yorktown Land Trust offers the following additional comments to those made at the November 19th public hearing on the Costco DEIS.

The Land Trust recognizes the need for a screening plan along the Taconic State Parkway which is designated as a historic scenic byway. The choices of eastern white pine, douglas fir, fraser fir, eastern red cedar and American arborvitae are know [sic] to be readily consumed by white tail deer. While their worth as a screening plant species is well known, their location along a major highway needs to be carefully reviewed. Attracting deer to the sides of the highway with these tree species may lead to accidents. Deer-car collisions at high speeds can be disastrous. The plantings need to be located in such a way as to be useful as a screen, but also so that safe lines of sight are necessary to provide a margin of safety for drivers on the parkway.

**Response III.F 22:**

When hungry, deer will consume almost any species of plant. Eastern Red Cedar (*Juniperus virginiana*), Douglasfir (*Pseudotsuga menziesii*) and Eastern White Pine (*Pinus strobus*) are widely-known, deer-resistant species, which and the Applicant asserts should not be prone to deer browse, except under severe winter conditions. American arborvitae (*Thuja occidentalis*) has been removed from the plan. Deer fencing may be required around some of the proposed plantings as a temporary measure to allow the plants to become established. A plant guarantee period will be established by the Planning Board. It should be noted that the plant list has not been finalized, and not all species listed will be used in the final plant selection. As for the locations of the screen trees, they will be installed no closer to the Taconic Parkway

Douglas Fir

## **Section III.G Stormwater Management**

### **INTRODUCTORY RESPONSE**

In response to comments received from the general public and public agencies, the Applicant modified the DEIS Site Plans and stormwater management design for the Proposed Action, resulting in a more environmentally protective project. For a description of Site Plan changes refer to FEIS Site Plan Introductory Response. For revised Site Plans refer to FEIS Appendix J. The stormwater management design is detailed in the Stormwater Pollution Prevention Plan (SWPPP), which complies with the NYSDEC, NYCDEP and Town of Yorktown stormwater regulations and is included in FEIS Appendix E. Since many of the public comments were repeated, nine comprehensive responses are included in this Introduction that address many of the repetitive comments. Within the Comment/Response section that follows the Introduction, cross references to this Introduction are provided. Drawing exhibits that supplement and support these discussions are included at the end of this Introductory Response.

#### **1. Wetland A Buffer**

In response to DEIS comments to reduce potential impact to the Wetland A buffer, the FEIS Site Plans include a retaining wall along the westerly edge of the parking area that will replace much of the earth embankment shown on the DEIS Site Plan, thereby reducing disturbance to the Wetland A buffer and increasing the natural existing wooded buffer area by 0.76 acres. No impervious area is proposed within the wetland buffer. Refer to FEIS III.F Introductory Response, Exhibit III.G-A1 and FEIS Site Plan Exhibit 8c.

#### **2. FEIS Stormwater Management Design – Water Quality Treatment**

The Applicant, at the direction of the Lead Agency, incorporated comments on the stormwater management design and water quality treatment into an updated stormwater management design. The modified design enhances the previously proposed stormwater management measures, and thus results in fewer impacts than those reported in the DEIS.

##### **A. Runoff Reduction Volume (RRV):**

The DEIS stormwater management design provided the minimum required Runoff Reduction Volume (RRV) for redevelopment projects (Chapter 9 of the *New York State Stormwater Management Design Manual* (Design Manual)). The Project's FEIS post-construction stormwater management practices (SMPs) are designed in accordance with the technical standards as described in Chapters

3, 4, and 5 of the Design Manual for “new construction”, which entails an even a higher degree of stormwater treatment than Chapter 9. These standards require the total (100%) reduction of the water quality volume (WQv) through the application of, to the extent practicable, green infrastructure (GI) techniques and/or standard stormwater management practices (SMPs) having runoff reduction volume (RRv) capacity.

Section 3.3 of the SWPPP (FEIS Appendix E) details the evaluations done to determine either the applicability and/or feasibility of each of the GI techniques listed in the Design Manual. The only GI technique that could be applied to the Proposed Action was the Conservation of Natural Areas. Approximately 8.92 acres, which contains Wetland A, a stream and wooded buffer (both offsite and onsite), of the total post-development contributing drainage area of 24.28 acres within the limits of study have been preserved in their natural state. As such, the contributing drainage area can be reduced by the portions being preserved, thereby reducing the runoff volume that is required to be reduced and/or treated. As required by the Design Manual, the SWPPP identifies the specific site limitations that make the application of the other GI techniques infeasible (see also FEIS Responses III.G 26, 33, 34, and 37c).

As explained further in Section C below and Section 3.3 of the SWPPP, the FEIS design also incorporates an infiltration practice, which is listed in Table 3.5 of the Design Manual as one of the acceptable standard SMPs with RRv capacity. In doing so, the FEIS design will capture and treat 100% of the runoff from the water quality storm (i.e. WQv) from contributing area regardless of previous development by using a subsurface infiltration system. Therefore, the FEIS stormwater management design exceeds the minimum requirement by treating the redevelopment area (existing impervious area) to the level of new construction (and therefore more stringent) standards.

Stormwater runoff from the entire Site’s proposed impervious surfaces plus runoff from most offsite roadway improvement impervious surfaces (new and existing) will be captured and conveyed to the onsite subsurface infiltration system. Other treatment practices have been identified for the westerly and easterly segments of the offsite roadway improvements.— (Stormwater management for offsite roadway improvements is further discussed in items 1E and 3B of this Introduction.) The proposed onsite subsurface infiltration facility will provide treatment “at the source” (beneath the parking area), and thus will meet the regulatory water quality treatment and runoff reduction criteria. Further information regarding water quality treatment in runoff volume reduction is provided in items 2C and 3B of this Introductory Response.

- Provide stream channel protection by infiltrating the channel protection volume (CPv) for the 1-year, 24-hour storm,
- Provide overbank flood control by controlling (attenuating) the peak discharge from the 10-year, 24-hour storm to pre-development runoff rates,
- Provide extreme flood control by controlling (attenuating) the peak discharge from the 100-year, 24-hour storm to pre-development runoff rates.

The design will reduce discharge volume to surface waters through infiltration as well as provide detention of runoff in a separate surface extended detention basin. The abatement practices will result in reduced peak discharge rates to below existing flow rates from the Project Site for all studied storms as summarized in FEIS Table III.G A6.

Stormwater runoff from all of the impervious surfaces on the Project Site and the majority of the offsite area of highway improvements will be captured and conveyed to the stormwater detention system. The water quality storm will be directed to the infiltration system. For larger storm events, the runoff in excess of the water quality volume will bypass the infiltration system and be directed to a surface detention basin, where runoff will be stored and released slowly at or below pre-development rates.

The detention system will be equipped with two outlet control structures provided with weirs and/or orifices that will limit the outflow to low discharge rates. The primary outlet control structure will discharge stormwater to the west through an outlet pipe that will discharge to a spreader ditch located south and west of the detention basin. The spreader ditch will serve to reduce exit velocities as well as spread the discharge equally over a long level area (85 linear feet) which will slow the outflow and reduce the risk of potential erosion. The outflow from the spreader ditch will flow overland through the wooded buffer to Wetland A at a point downstream from the upstream ponding area.

The basin's second outlet control structure will be equipped with an outlet that will discharge to the north. Under pre-development conditions, stormwater runoff from drainage area DA-E3 drains overland from the Site, across State lands to the north. Runoff flows some 2600 feet, mainly through existing woodlands prior to entering –an existing NYSDOT stormwater management facility. Under post-development conditions, approximately 3.9 acres of DA-E3 will be developed. Stormwater runoff from this developed area will be captured and conveyed to the stormwater management system for treatment in the infiltration system and abatement in the extended detention basin. From the detention basin, stormwater

management facility on adjacent State lands, which would reduce downstream flooding, is not being pursued.

8. Downstream Water Bodies

The Applicant's FEIS stormwater management plan, which includes an onsite subsurface infiltration system and a detention basin, will meet the regulatory requirements of the NYS DEC, NYC DEP, ~~NYSDEC, NYCDEP~~ and Town of Yorktown for runoff volume reduction, water quality treatment and peak discharge attenuation. FEIS Appendix E includes a Stormwater Pollution Prevention Plan, a Thermal ~~Impact~~ <sup>thermal</sup> analysis, a Pollutant ~~loading~~ <sup>pollutant loading</sup> analysis and water balance analysis to Wetland A, and summary descriptions are provided in this FEIS III.G Introductory Response. The analyses conclude that post-development stormwater related impacts will be reduced below pre-development thresholds prior to reaching Wetland A and/or at the design points of discharge where leaving the Site. Since stormwater related impacts are reduced to or below pre-development levels prior to leaving the Site, no ~~significant~~ <sup>additional</sup> adverse impacts to downstream water bodies including Sherry Brook, Hunter Brook, Mill Pond and the New Croton Reservoir will result.

9. Alternate Sewage Disposal System

In the event that extension of the offsite sanitary sewer system (DEIS and FEIS III.H) is not permitted, an alternate onsite sewage treatment and disposal system (FEIS Exhibit III.G A12) would be located underground within the western side of the main parking area. The Applicant prepared a Preliminary Alternate Sewage Disposal System Report to confirm the feasibility of this system. Based on the referenced analysis, it was determined by the Applicant that onsite wastewater treatment and disposal is feasible. See FEIS Appendix I for more detailed discussion and exhibit. Should construction of the alternate sewage treatment and disposal facility be necessitated, final design in accordance with NYSDEC, NYCDEP and Westchester County DOH design standards would be prepared and application would be made. During the final design process, site-specific soil percolation tests would be performed and witnessed by the DOH.



**Comment III.G 37j – (Document 167.1j, Charlie Silver, Watershed Inspector General), (Document 167.1j, Philip Bein, Watershed Inspector General), (Document 167.1j, Donald W. Lake, Jr., DuLac Engineering):**

4. Elevations for the Infiltration System: The DEIS does not provide any details regarding the infiltration bed system profile elevations. Construction Drawing C-703, which provides the manufacturer’s details for the Vortech 9000 pretreatment unit for the infiltration system, does not specify installation elevations. Site specific data needs to be provided in the DEIS to justify’ how the installation elevation was selected.

**Response III.G 37j:**

Preliminary design of the FEIS infiltration practice, ~~was~~ included in the ~~DEIS~~ updated Site Plans, including drawings C-301 and C-703. Updated Site Plans are included in FEIS Appendix J. ~~Detailed drawings of the infiltration system are included in the CT series drawings.~~ The bottom of the infiltration system will be at elevation 419 and the inverts to and from the three Vortech pretreatment structures are identified on the schedule on drawing C-301. The Vortech structures are identified in the schedule as “Special Structures E2, E2 and F2”. (Refer to FEIS III.G Introductory Response item 2c for discussion of the infiltration system.) Construction level drawings will be reviewed by the Planning Board for site plan approval.

**Comment III.G 37k – (Document 167.1k, Charlie Silver, Watershed Inspector General), (Document 167.1k, Philip Bein, Watershed Inspector General), (Document 167.1k, Donald W. Lake, Jr., DuLac Engineering):**

5. Deficiencies in Storm Drain Schedules: The Storm Drain Schedule on Construction Drawing C-301 does not include linkage from the main system to the infiltration bed and then back to the main system. The storm drain schedule table should include line designations from MR B-8A (Stormgate) to the Vortech Unit, to the Infiltration Bed, to MR B-6B, then to MR B 6A to complete the offline water quality loop. It appears that the catch basin surface rim elevations shown in the table do not match the elevations shown in the plan view. These inconsistencies need to be corrected.

**Response III.G 39g:**

In response to comments on the DEIS, the Applicant has modified the stormwater management design to improve stormwater management and further reduce any potential stormwater impacts. ~~Although the Applicant does not concur with the Comment's conclusions, due to the subjective nature of the analysis,~~ The Applicant implemented many of the technical recommendations raised in the foregoing comment (refer to FEIS Responses III.G 39c and III.G39d), resulting in a projected decrease from the pre-development stormwater runoff.

The Applicant's FEIS stormwater management plan is compliant with all applicable stormwater regulations. The plan includes a subsurface infiltration system and a detention basin that the Applicant asserts will meet the regulatory requirements for runoff volume reduction, water quality treatment and peak discharge attenuation for "new construction". FEIS Appendix E includes a Stormwater Pollution Prevention Plan, thermal impact analysis and pollutant loading analysis. Summary descriptions are provided in FEIS III.G Introductory Response. The results of the analyses conclude that post-development stormwater related impacts will be reduced below existing thresholds prior to reaching Wetland A and/or at the point of discharge where leaving the Site. Since the analyses show that impacts will be reduced at the Site, no adverse impacts to downstream water bodies will result.

The FEIS stormwater management design presents improvements to the Proposed Action that are more environmentally protective and further reduce potential environmental impacts. Since the Proposed Action's stormwater impacts are adequately documented in both the DEIS and the FEIS, these improvements to stormwater management design do not warrant a reopening the public hearing.

**Comment III.G 40a – (Document 142.4a, John F. Keane, Jr., Croton Watershed Chapter-Trout Unlimited), (Document 149.1a, John F. Keane, Jr., Croton Watershed Chapter-Trout Unlimited):**

As shown below, a fatal flaw in the DEIS is its failure to identify existing water quality and conditions of the Sherry Brook and Hunter Brook as trout spawning areas

**III.K TRAFFIC AND TRANSPORTATION FISCAL IMPACT**

## DEIS Section III.K Traffic and Transportation

### **Introductory Response - General Traffic and Transportation Overview**

Based on public comments on the DEIS, several changes have been made to the analysis of the potential traffic impacts associated with the Proposed Action. A summary of these changes, as well as a summary of all improvements to the NYS Route 35/U.S. Route 202 corridor proposed by the Applicant, is provided below for clarification. Separate and apart from the Proposed Action there are significant independent improvements ~~currently being undertaken~~ recently constructed by the New York State Department of Transportation (NYSDOT), with which the Applicant has coordinated its improvements. These NYSDOT improvements ~~are~~ were not designed to mitigate impacts of the Proposed Action, but are summarized herein because several of the public comments received are specifically addressed by the ~~ongoing work being conducted~~ by NYSDOT. concluded

In addition to the items discussed below, a Revised Traffic Impact Study has been completed by the Applicant's Traffic Consultant (Maser Consulting, P.A.) as part of this FEIS and is contained in FEIS Appendix G. This Revised Traffic Impact Study provides a detailed description of the revised analyses conducted in response to public comments on the DEIS and also incorporates much of the information discussed throughout this section of the FEIS. The analysis contained in the Revised Traffic Impact Study has been updated to reflect the most current lane geometry and traffic signal timings for each of the study area intersections and the analysis has been performed with the latest traffic analysis software (Synchro 8) which accounts for the effects of queuing at nearby intersections. The results of the revised analysis are discussed in detail in Section III.H of the Revised Traffic Impact Study and summarized in Table No. 2 therein. Furthermore, in response to specific comments from both Jacobs Engineering, the Town's Traffic Consultant and the public on the DEIS which expressed concerns that the traffic generation of the Proposed Action might be higher than anticipated in the DEIS traffic study, a sensitivity analysis has been conducted that analyzes potentially higher traffic generation estimates for the site. This analysis is discussed in detail in Section III.J of the Revised Traffic Impact Study and the results are summarized in Table No. 2-S thereof. It should also be noted that separate comments on the DEIS from the Town's Traffic Consultant as contained in their June 2013 report (the "Jacobs Traffic Report"), were received by the Applicant from the Town of Yorktown Planning Department on November 12, 2013. While the comments presented in the Jacobs June 2013 Traffic Report are generally addressed within this FEIS and the Revised Traffic Impact Study, specific responses are not provided. Therefore, a separate memorandum dated December 16, 2013 prepared by the Applicant's Traffic Consultant (Maser Consulting, P.A.) has been included in FEIS Appendix G along with the Jacobs June 2013 Report. This memorandum provides specific responses to the comments presented by the Town's Traffic Consultant.

The following provides a brief description of the corridor improvements ~~currently under~~ recently constructed ~~ion~~ by NYSDOT and those proposed by the Applicant in association with the

Proposed Action, which are discussed throughout this Section III.K of the FEIS.

**NYSDOT NYS Route 35/U.S. Route 202 Corridor Improvements**

Major improvements ~~are currently being~~ have recently been constructed by NYSDOT (PIN 856134) on the NYS Route 35/U.S. Route 202 corridor and the Bear Mountain Parkway (“BMP”) Extension. NYSDOT commenced such improvements at the end of April 2013. These improvements, which are described by NYSDOT on the project website at the follow web address – [www.dot.ny.gov/35-202atpinegrovecourt](http://www.dot.ny.gov/35-202atpinegrovecourt) - are also described in detail in Section III.K.2.b of the DEIS and repeated here for ease of reference. A copy of the information provided on the NYSDOT project web page, which also includes the project schedule and estimated costs, is provided in the Revised Traffic Impact Study contained in FEIS Appendix G.

The NYSDOT roadway improvements extend from the west beginning in the vicinity of the existing Snap Fitness building, past the Parkside Corner Shopping Center and involves the construction of improvements to the intersections of NYS Route 35/U.S. Route 202 and Bear Mountain Parkway Extension, NYS Route 35/U.S. Route 202 and Pine Grove Court, NYS Route 35/U.S. Route 202 and Stony Street/BJ’s-Staples Plaza, and Bear Mountain Parkway and (BMP) Stony Street. It should be noted that since the completion of the DEIS, the NYSDOT improvements ~~have been~~ <sup>were</sup> expanded from Stony Street east to Old Crompond Road to complement the proposed Applicant-sponsored improvements, which are described below.

The NYSDOT improvements ~~will~~ provide two through lanes in each direction on NYS Route 35/U.S. Route 202 beginning in the area of the existing Parkside Corner shopping center to the west of the Bear Mountain Parkway Extension. The area between the BMP and Parkside Corner ~~will also have~~ <sup>has</sup> a center turn lane providing a dedicated lane for left turns into the businesses located along the south side of NYS Route 35/U.S. Route 202.

At the BMP intersection, NYS Route 35/U.S. Route 202 ~~will have~~ <sup>was now has</sup> a separate left turn lane on the eastbound approach. The southbound approach ~~will be~~ modified from a two-lane approach to a single lane and left turns will be prohibited. The southbound right turn movement from the Bear Mountain Parkway Extension ~~will be~~ <sup>was</sup> reconstructed and channelized and an acceleration lane ~~will be~~ <sup>was</sup> constructed for vehicles entering the traffic stream along NYS Route 35/U.S. Route 202 westbound. This should enhance the ease of access for the BMP traffic destined to the west and eliminate the extensive peak hour queues, which currently exist at this location.

The intersection of NYS Route 35/U.S. Route 202 and Pine Grove Court ~~will be~~ <sup>was</sup> reconstructed to have two through lanes in each direction and a separate left turn lane westbound and right turn lane eastbound. The northbound approach ~~will have~~ <sup>has</sup> two lanes. This intersection ~~will also be~~ <sup>is now</sup> signalized.

The intersection of NYS Route 35/U.S. Route 202 and the BJ’s/Staples Plaza and Stony Street ~~will be~~ <sup>was</sup> modified to have an additional right turn lane in the eastbound direction. This ~~will~~ <sup>allows</sup>

was for two through lanes in this direction. In the westbound direction, the existing dedicated right turn lane will be extended to a point approximately 100 ft. west of Old Crompond Road to match the Applicant's proposed improvements. This lane will become a shared through/right turn lane at the Stony Street intersection and there are will be two receiving lanes continuing in the westbound direction. The traffic signal at this intersection will also be upgraded and coordinated with the new signal at the Pine Grove Court Intersection. was

The Stony Street and Bear Mountain Parkway Extension (BMPE) intersection will be improved by providing one lane in each direction along the BMPE as well as dedicated left turn lanes at the intersection. The raised center median along the BMPE will be eliminated to reduce the conflicts due to the offset left turns at this intersection. The northbound Stony Street approach will also be widened to provide a separate right turn lane. The intersection will be signalized. Some new sidewalks were will be provided at this intersection with these improvements including the provision of crosswalks on the westbound and southbound intersection approaches. was

The NYSDOT improvements will also provide a complete sidewalk system between Old Crompond Road and the Parkside Corner shopping center. The sidewalk will begin at Old Crompond Road on the north side of NYS Route 35/U.S. Route 202 continuing to the Stony Street/BJ'S intersection. At Stony Street the sidewalk will then cross to the south side of the roadway via a crosswalk with pedestrian signals. From this point the sidewalk will continue west along the south side of the NYS Route 35/U.S. Route 202 to the Parkside Corners Shopping Center driveway, providing a pedestrian connection to the businesses along the south side of the roadway. A sidewalk will also be constructed on the north side of the existing Chase Bank along Stony Street extending up to the Bear Mountain Parkway Extension where it will cross the roadway to connect to a trail to be constructed along the west side of the Bear Mountain Parkway Extension providing access to the existing town trail system to the north. was

~~Based on the current schedule of work for~~ The NYSDOT improvements, including the geometric and signalization improvements, are planned to be substantially completed by the end of 2013 and the final completion date is scheduled for have been recently completed during Summer 2014. The total projected cost for the NYSDOT improvements is currently estimated to be in excess of \$11 million. A more detailed description of the NYSDOT improvements is provided in Section III.E of the Revised Traffic Impact Study contained in FEIS Appendix G. It should also be noted that, as indicated in the Revised Traffic Impact Study, the Proposed Action is not expected to impact the operation of the intersections being improved by NYSDOT after completion of these improvements and the Proposed Action when compared to No-Build conditions with the NYSDOT improvements.

Long term plans are in development by NYSDOT to connect the two ends of the Bear Mountain Parkway with a limited access roadway to alleviate congestion and safety issues through the NYS Route 35/U.S. Route 202 and Route 6 Corridors. No specific timetable for this particular work is scheduled.

### **Applicant Sponsored Improvements**

As described in Section III.K of the DEIS and further expanded upon in Section IV of the Revised Traffic Impact Study contained in FEIS Appendix G, ~~the~~ the Applicant has proposed to improve the roadway section of NYS Route 35/U.S. Route 202 between Strang Boulevard and Old Crompond Road by constructing an additional westbound through lane as well as an upgrade of the existing traffic signal systems along this area of NYS Route 35/U.S. Route 202. In addition, in response to comments regarding queuing in Jacobs June 2013 Report, which can be found in FEIS Appendix G, a dedicated eastbound left turn storage lane for vehicles turning left onto the Taconic State Parkway northbound entrance ramp would be constructed as part of the Applicant's improvements. This widening would increase the left turn lane storage length from approximately 100 ft. under existing conditions to approximately 360 ft. This widening would also result in an improvement in the westbound left turn lane storage distance, which would be increased in length from approximately 100 ft. to 330 ft. Based on the analysis provided in the Revised Traffic Impact Study contained in FEIS Appendix G, these modifications would improve the traffic movements getting onto the northbound and southbound ramp and would help reduce delays to vehicles continuing to the east and west past the interchange area. (See FEIS Exhibit A-4).

Associated with these off-site roadway improvements to be funded by the Applicant, a new sidewalk is proposed to be constructed by the Applicant on the north side of NYS Route 35/U.S. Route 202 between Strang Boulevard and Old Crompond Road consistent with the recommendations of the Town of Yorktown Comprehensive Plan (Policy 3-20) and the Sustainable Development Study (Chapter V.C.4: Pedestrian and Bicycle Considerations). A crosswalk and pedestrian signals including countdown modules are also proposed to be installed by the Applicant at the Strang Boulevard intersection to provide safe and convenient access to both FDR State Park and to the existing Westchester County Bee-Line bus stop located on the south side of NYS Route 35/U.S. Route 202 at this intersection. Signalized pedestrian crosswalks would also be provided for the crossings of the Taconic State Parkway northbound on-ramp and southbound off-ramp. At the intersection of NYS Route 35/U.S. Route 202 and Mohansic Avenue/Costco Site Access, signalized pedestrian crossings including all required ADA ramps would be provided on all four approaches. A sidewalk connection would also be provided between the Costco storefront and NYS Route 35/U.S. Route 202 via a sidewalk along the main access driveway. (See FEIS Exhibit A-4). The construction of the Applicant funded improvements are estimated to total approximately \$3.0 million.

The sidewalk, which would be constructed by the Applicant, would continue west of the Costco site access driveway along the site frontage and would connect to the new sidewalk currently being constructed as part of the NYSDOT improvements described above, which will begin on the west side Old Crompond Road. A crosswalk for pedestrians crossing Old Crompond Road would be provided as part of the Applicant sponsored improvements to connect the two sections

roadway east or west of the site as shown in Table III.K.1A presented in FEIS Response III.K.1. As indicated in this table, the section of NYS Route 35/U.S. Route 202 east of NYS Route 132 is projected to experience total peak hour traffic volumes in the order of 2,185 vehicles during the PM Peak Hour. Note that this section of roadway would have a volume of 2056 vehicles during the PM Peak Hour under the No-Build condition (i.e. without the Proposed Action). Signal timing improvements are proposed by the Applicant to offset these increases along this section of NYS Route 35/U.S. Route 202. It should be noted that Waccabuc, and Pound Ridge are outside of the trade area for the Yorktown Costco. These as well as the other eastern portions of Lewisboro, and North Salem, as well as Brewster are a part of the trade area for the existing Brookfield Costco.

**Comment III.K 5b - (Document 58.1, Jennie Sunshine), (PH1, Jennie Sunshine), (Document 181.1, Jennie Sunshine):**

**The following comment was also presented at Public Hearing 1. The transcript is provided in Appendix B.**

Question: Everyday Traffic

Given the importance of the entire length of Route 202 and of the key businesses and community services that are located on this artery and given the other approved and potential development projects on Route 202, including the proposed Costco and the generation of many additional vehicles from those projects, will the present road improvements that are to be made congruent with the Costco project be sufficient to assure the safety and reasonable usefulness of this important corridor to our everyday lives?

Ultimately, given the great deal of increased traffic from the cumulative effect of developing the 202 corridor - even with the few traffic improvements that are to be made near and around the proposed Costco site: police, fire and emergency services will be negatively affected.

In Appendix VII.L of the DEIS, Chief Daniel M. McMahon, the Yorktown Chief of Police, wrote in his \*letter to TRC Engineers (referring to the Costco project) in bold, "The proposed Costco will have an unfavorable impact on the policing of the entire Town of Yorktown." Chief McMahon underlines the word, "unfavorable." In section "B" of his letter he states that "Costco will cause an increase of 106 calls for service annually that will increase the need for manpower and or overtime." He also states, "investigations, reporting paperwork, arrest processing and court appearances will create overtime."

Chief McMahon also mentions response time in his letter. He says that throughout the



town of Yorktown one can expect a response time of about 3 to 6 minutes. *(One can assume this if and only if the roads remain clear.)*

**Response III.K 5b:**

As indicated in Table No. 2 of the Revised Traffic Impact Study contained in FEIS Appendix G, the average vehicle delays following the completion of the improvements proposed by the Applicant and/or NYSDOT will significantly reduce delays at many of the area intersections between the Bear Mountain Parkway Extension and NYS Route 132. The analysis of the other intersections indicate the additional traffic generated by the Proposed Action will not significantly change the average vehicle delays (generally less than 5 to 10 second change when compared to the No Build conditions as indicated in Table 2-5 of the Traffic Impact Study) once the signal timing improvements are completed.

**Comment III.K 5c - (Document 58.1, Jennie Sunshine), (PH1, Jennie Sunshine), (Document 181.1, Jennie Sunshine):**

**The following comment was also presented at Public Hearing 1. The transcript is provided in Appendix B.**

Question: Police Response Time

If the Yorktown police department is overburdened with a more detailed coverage area and if our roads are not clear due to the traffic issue the proposed Costco and other Route 202 development projects will create on other feeder roads and the entire length of the Route 202 corridor and the fact that the Police Station is also located on Route 202, might Yorktown's residents have to wait longer than 3 to 6 minutes (as per Chief McMahan) for policing services?

Question: Fire & EMS Response Time to the Proposed Costco Location

If the Lake Mohegan Fire District is overburdened with a more detailed coverage area and if our roads are not clear due to the traffic dilemmas Costco and other Route 202 development projects will create on other feeder roads and the entire length of the 202 corridor, doesn't it seem likely that Yorktown's residents would have to wait longer than 5 minutes (as per Captain Barbieri) for fire and EMS services from the station on Route 6/Jefferson Valley area to the Costco site?

Question: Fire & EMS Response Time to Other Yorktown Locations

What about response time to other locations within Yorktown? Doesn't it seem likely that those times would be lengthened due to increased traffic and possibly, an overburdened fire and EMS staff?

\*please see attached 3

Question: EMS Hospital Response Time

And what about getting back through the length of Route 202 and through other feeder roads in order to bring someone to the closest hospital - Hudson Valley Hospital Center (HVHC) when its only entrance and exit is on Route 202? At peak traffic times, doesn't it seem likely that it will take more time for an individual driving in their vehicle or for an ambulance to reach the HVHC in more than a reasonable amount of time to make this important trip?

In Section I of the Executive Summary, section L of the DEIS that describes parking for the proposed Costco, it also mentions there will be a sidewalk installed on the north side of route 202 from Strang Boulevard to the proposed Costco site. It also mentions that there will be 6-foot paved shoulders on the northbound and southbound sides of the street created to accommodate bicycle transportation from Strang Boulevard to the proposed Costco site.

\*please see attached 4

#### **Response III.K 5c:**

The addition of lanes including eastbound and westbound left turn lanes and an additional westbound through lane on NYS Route 35/U.S. Route 202 between Strang Boulevard and Old Crompond Road, which would be completed by the Applicant, would expedite the flow of emergency vehicles through the interchange area. In addition, the separate NYSDOT improvements, ~~currently under construction~~ which have been recently completed, will further improve the flow of emergency vehicles through the area between Old Crompond Road and the Parkside Corners shopping center. On other sections, as they do today, emergency vehicles will still have the priority of traveling through these other locations. Under existing conditions, based on the traffic analysis contained in the Revised Traffic Impact Study contained in FEIS Appendix G, peak hour traffic traveling in the westbound direction currently experiences delays in excess of 150 seconds. After completion of the NYSDOT improvements as well as those improvements to be completed by the Applicant delays in the westbound direction are projected to be approximately 60 seconds or less. This projected reduction in delay resulting from the additional capacity along

area, during times of emergencies, including evacuations, traffic will be accommodated appropriately as controlled by emergency personnel.

**Comment III.K 6a - (Document 60.5a, Tim Miller, Tim Miller Associates Inc.), (136.6a, Tim Miller, Tim Miller Associates Inc.):**

The New York State Department of Transportation recently increased the capacity of Route 35/202 under the Taconic State Parkway. This project will consume all of the existing capacity to the detriment of existing businesses and future corridor development.

**Response III.K 6a:**

As part of the previous NYSDOT Improvements to the Taconic State Parkway, accommodations were made for future improvements to NYS Route 35/U.S. Route 202 by setting back the Taconic State Parkway overpass support structures to allow construction of added lanes on NYS Route 35/U.S. Route 202. Since NYSDOT has no plans to add additional lanes in this area at this time, the Applicant would be funding and constructing those improvements, which would include an additional westbound through lane as well as an additional eastbound left turn storage lane for traffic entering the Taconic State Parkway northbound. The resultant total cross section between the interchange ramps would include at least a 5 ft. shoulder in each direction, two westbound travel lanes, one westbound left turn lane, one eastbound left turn lane and one eastbound through lane. Note that the westbound left turn lane for vehicles entering the Taconic State Parkway southbound would be extended from approximately 100 ft. under existing conditions to approximately 330 ft. after the improvements and in the eastbound direction, the eastbound left turn lane queue storage area would be increased from approximately 100 ft. to 360 ft. for vehicles entering the Taconic State Parkway northbound. These improvements complement the improvements ~~currently being~~ recently constructed by NYSDOT to the west of the interchange along NYS Route 35/U.S. Route 202 between Old Crompond Road and the Parkside Corners Shopping Center. The improvements proposed by the Applicant will significantly increase the capacity of NYS Route 35/U.S. Route 202 in the area of the Taconic State Parkway ramps to benefit both existing businesses and future corridor development including the Proposed Action. In addition, based on the analysis contained in Appendix G of this FEIS, this section of NYS Route 35/U.S. Route 202 is presently operating above capacity with PM Peak Hour average vehicle delays in the westbound direction in excess of 150 seconds, which at a signalized intersection equates to a Level of Service "F", but with the Applicant proposed improvements these westbound delays will be reduced to average vehicle delays of less than 60 seconds, which at a signalized intersection equates to a Level of Service E. A further discussion of the expected future Levels of Service after completion of the

While there is a recession that has affected occupancies of local businesses, it is unlikely to last forever and if traffic from the occupancy of these businesses are not taken into account, all local intersections will be burdened much more than that revealed in the DEIS. If these businesses each average 3,000 square feet, their total size would be 165,000 square feet or larger than the proposed Costco. How can the Town of Yorktown and Route 202 accommodate traffic from a Costco, the re-occupancy of these businesses, and a large project on the State Land site?

**Response III.K 6c:**

The No-Build analysis contained in the DEIS included traffic for other specific projects, which were identified by the Yorktown Planning Department, included the Crompond Crossing, Temple of Israel Site, the Field Home Expansion, a potential supermarket development on the Adrian Property<sup>1</sup> and the Pulte Homes Project which was the previously proposed single family development proposal for the State Land property. Note that on April 2, 2012, a petition was submitted to the Yorktown Town Board to rezone the State Lands property to allow for a commercial use. John Collins Engineers, P.C. (now Maser Consulting P.A.) was involved with the original State Land application in the '80's and '90's when Home Depot was proposed on that property and have provided State Land updated information for their rezoning request as outlined in the John Collins Engineers, P.C. report dated March 2012. That updated March 2012 report for the State Land rezoning request includes consideration of the traffic generation for the Costco Development. Also note that if the rezoning request is granted, the Design Year for the State Land project would be 2017~~6~~ or beyond, which is after the projected opening of the Costco store.

Relative to the comments on other background traffic and accounting for vacancies in the Town, the historical traffic count database which was used in the DEIS traffic report includes references to traffic data from NYSDOT, from the Sustainable Development Study and other studies that had previously been completed by John Collins Engineers, P.C. (now Maser Consulting, P.A.) in the Town of Yorktown. Much of the database was collected between the early 2000's through 2010 and the most significant of those businesses (including as many as 15 of those businesses) on the Tim Miller Associates' (TMA) "list of 25 vacant spaces" (believed by the Applicant to be inadvertently stated as "55" in the last sentence to Comment III.K6c) were in fact occupied during the time when many of these other counts were collected. The specific major developments, which are on the list, that were known to

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<sup>1</sup> The Adrian Property is located on the north side of NYS Route 35/U.S. Route 202 between Stony Street and Old Crompond Road. Adrian Auto Body is currently contained on a portion of this property.

Jacobs Engineering (the Town's Traffic Consultant reviewing the Proposed Action for the Planning Board) had also requested an additional evaluation which would take into consideration the potential effect of potentially higher trip generation at the Site. A separate Sensitivity Analysis with the higher trip generation referenced in the TMA discussion above has been completed and is included in the Revised Traffic Impact Study contained in FEIS Appendix G. Table No. 1-S contained in the Revised Traffic Impact Study summarizes the trip generation volumes used in this analysis. The results of the Sensitivity Analysis are discussed in Section III.J of the Revised Traffic Impact Study and summarized in Table No. 2-S contained in Appendix E of the Revised Traffic Impact Study. As indicated in the Revised Traffic Impact Study, the results of this Sensitivity Analysis confirm the findings of the DEIS that the traffic generated by the Proposed Action can be accommodated without significantly changing the expected operating conditions in the study area.

The Tim Miller Associates comments also discuss the potential need for a Weekday Midday Peak Hour analysis coinciding with the exit hours of the Yorktown Schools. This is discussed in detail in FEIS Response III.K.73 as well as in Section II.B of the Revised Traffic Impact Study contained in FEIS Appendix G, which indicates that a Midday Peak Hour analysis is not required since traffic volumes along NYS Route 35/U.S. Route 202 during the Midday hours are approximately 75% to 95% less than during the PM Peak Hour which occurs between 5:00 PM and 6:00 PM.

Finally, the Tim Miller Associates comments request a Supplemental Environmental Impact Statement (SEIS) to evaluate trip generation and traffic impact of the fueling facility component. The trip generation from the proposed fuel station was included in the DEIS traffic analysis, and is listed separately and amplified in the FEIS traffic analysis. The SEQRA regulations authorize the use of an FEIS to provide additional information requested in comments on the DEIS. ~~6 NYCRR § 617.9(b)(9)~~. The regulations cited to in the comment authorize the use of an FEIS to assess new information that was not assessed in either the DEIS or the FEIS. ~~6 NYCRR § 617.9(a)(7)~~. As traffic impacts from the fueling station have been assessed, an SEIS is not warranted.

**Comment III.K 6e - (Document 60.6, Tim Miller, Tim Miller Associates Inc.), (PH1, Tim Miller), (136.7, Tim Miller, Tim Miller Associates Inc.):**

#### 5.0 Level of Service and Delay

The DEIS is confusing in that it does not set a clear time line providing when and who is providing what transportation improvements, for example it is unclear if Costco will complete the New York State Department of Transportation

intersection analysis. As described further below, the DEIS analysis has been updated as part of this FEIS using the Synchro Version 8 software in response to public comments. Both the HCS and Synchro programs provide a good representation of traffic impacts when comparing Existing, No-Build and Build conditions.

The comments assert that the DEIS did not provide an analysis of conditions without the proposed NYSDOT improvements. However as shown in Table No. 2 of the DEIS Traffic study, contained in DEIS Appendix E, the analysis was conducted for each of the intersections where NYSDOT improvements are being completed and the table shows results both with and without these improvements under No-Build and Build conditions. As contained in the DEIS Traffic Study, at many of the intersections, the Levels of Service will in fact be improved from current conditions with the ~~upon~~ completion of the NYSDOT road work. These include the areas of the Bear Mountain Parkway Extension (BMPE) at Stony Street, Stony Street at NYS Route 35/U.S. Route 202, NYS Route 35/U.S. Route 202/Pine Grove Court and the BMPE at NYS Route 35/U.S. Route 202. These are significant since these locations represent some of the major existing capacity and safety problem areas in the corridor. Based on the analysis contained in the Revised Traffic Impact Study, the NYSDOT roadway improvements, which commenced in April 2013 and ~~according to NYSDOT are planned to be substantially~~ <sup>were</sup> completed in Summer 2014, will also accommodate the traffic associated with the Proposed Action and the capacity and safety issues at those particular locations mentioned above will be addressed. It should be noted that the Revised Traffic Impact Study contained in FEIS Appendix G indicates that the traffic generated by the Proposed Action will not impact traffic operations at the intersections being improved by NYSDOT when compared to No-Build conditions with the NYSDOT improvements. In addition, this Comment also states that the DEIS traffic analysis indicates that as many as 13 intersections will operate at failing Levels of Service if the Proposed Action were to be completed prior to the completion of the NYSDOT improvements. This comment is no longer applicable since the NYSDOT improvements have ~~commenced and as stated are projected to~~ recently been ~~be~~ completed in Summer of 2014.

Furthermore, signal timing improvements have been identified in the DEIS Traffic Study as well as the Revised Traffic Impact Study, for some of the locations which are more remote from the site and it should be noted that some of these are problem intersections with or without the Proposed Action. Additional improvements at these locations have also been identified as potential long term improvements for the Town to pursue with NYSDOT, but based on the Revised Traffic Impact Study are not required to accommodate the traffic generated by the Proposed Action. More specific modifications to the intersections immediately adjacent to the Costco site, such as the Taconic ramps and at Mohansic Avenue, are incorporated into the current Applicant

The improvements proposed to be funded and constructed by the Applicant and those currently being constructed separately by the NYSDOT would be completed prior to the opening of the Proposed Action. The NYSDOT improvements which are described in more detail in Introductory Response to Section ~~III.K~~, III.K, commenced in April 2013 and ~~is expected to have recently been~~ completed in 2014. Together, these improvements ~~will~~ address the majority of the currently failing intersections along the corridor between Strang Boulevard and the Bear Mountain Parkway Extension and also accommodate the additional traffic generated by the Proposed Action

On October 26, 2012, the Town of Yorktown Planning Department responded to Mr. Garofalo's September 25 & 26, 2012 request for additional information. The Town's response is included in FEIS Response III.K 2 and document #96 in FEIS Appendix A.

**Comment III.K 10 - (Document 74.1, Chris Kehoe, Town of Cortlandt Dept. of Technical Services Planning Division):**

The Town of Cortlandt Department of Technical Services has reviewed the Draft Environmental Impact Statement (DEIS) dated September 10, 2012 prepared for the proposed 151,000 square foot Costco Wholesale Club to be located on Route 202/35 at the intersection with the Taconic State Parkway. Our department respectfully offers the following comments on the project:

- 1) We request that you carefully evaluate the Route 202/35 Lexington Avenue intersection at the Yorktown/Cortlandt border since we understand that it operates at a Level F even after the proposed signal timing improvements. In order to mitigate this failing intersection and other traffic issues along Route 202/35, the Town of Yorktown Planning Board should consider requesting that Costco contribute funds for the construction of a Center Turn Lane/Median on Route 202/35. This improvement, as recommended in the Sustainable Development Study, would provide vehicles traveling west with a much needed center lane that will separate vehicles waiting to make a left to the businesses along this section of road with through traffic.
- 2) According to the DEIS the closest Fire Station to the proposed project is located in the Town of Cortlandt on Croton Avenue. Please carefully evaluate the response time in this already congested corridor. The Planning Board should consider requiring mitigation for this project to assist the emergency services providers such as traffic signal preemptive devices for the emergency vehicles.

**Response III.K 10:**

The Proposed Action would ~~concentrate~~ roadway concentrate roadway improvements in the vicinity of the Taconic State Parkway interchange to complement the ~~current~~ recent NYSDOT improvement project as discussed in the Introductory Response to FEIS Section III.K. The Applicant has also identified signal timing changes at intersections such as NYS Route 35/U.S. Route 202 & Lexington to offset the increase in traffic. As indicated in the Revised Traffic Impact Study contained in FEIS Appendix G, these improvements would result in the intersection operating at an overall Level of Service "D" during the AM Peak Hour and at an overall Level of Service "E" during the Saturday Peak Hour. An overall Level of Service "F" would only be experienced during the PM Peak Hour, but delays during this time period would be improved as compared to No-Build conditions. In addition it should be noted that a center left turn lane along NYS Route 35/U.S. Route 202 is not required to address the impacts of the proposed action.

At more remote locations, such as Lexington Avenue, the NYSDOT as part of their long term improvement plans may address any future capacity issues. The issue of a center turn lane and other improvements along other sections of the corridor could be addressed in the future by the Town and/or NYSDOT as indicated in Policy 3-6 and 3-7 of the Town of Yorktown Comprehensive Plan. It should be noted that in association with other developments in the area of Garden Lane, conceptual plans for constructing turn lanes have been developed and the Town may continue to coordinate these with NYSDOT (see Drawing CP-3 contained in Appendix I of the Revised Traffic Impact Study contained in FEIS Appendix G). With regard to emergency response times, the improvements to Route 202/35 in the vicinity of the Project Site, as provided by the Applicant, would improve traffic flow, decrease delays, provide shoulders for traffic to pull over in deference to emergency vehicles. Also refer to FEIS Responses III.P 1a and III.P 1b.

**Comment III.K 11 - (PH1, Andrew Fisher):**

By the way, I've been -- over the past few years I've been a member and a Chairman of the Cortlandt Traffic Committee for four years, member for seven years. I was appointed to the Sustainable Development Study for five years, put at least two hundred hours of time into that, and I was on the County and Traffic Committee Planning Board. So, I have a little insight into traffic planning.

The trucks that are going to service this building are all going to come -- they have no other choice but to come through Route 9 on 684, and they have no choice but to go through the undersized ill-planned intersections that are sized from the 1940s and '50s, they can't handle eighteen wheelers today.

They can't handle the trucks coming to Walmart, they can't handle the truck coming



problem with that per se, but you need to account for it.

And please don't forget you have an approved plan for the Sinagogue [sic] across the street from this property, although it hasn't been develop[sic] yet, it is not off the books and it could be build [sic] and that wasn't accounted for, writing the traffic impacts. One quick thing, if you end up approving this at the end, I will suggest, please take your language out that restricts gas station use to members only let that be Costco's decision the way they run it. . [PH1, page 126, lines 17-25]

**Response III.K 11:**

The additional truck traffic expected to be generated by the Proposed Action is estimated at 10 vehicles per day with 2 or 3 of these being fueling delivery vehicles as indicated by the Applicant. These vehicles will be distributed over the course of the day and on various routes with the majority to be approaching the site to and from Interstate 684 and most of these deliveries are expected to occur during off peak hours. The U.S. Route 9 corridor would also be used as an alternative route for truck deliveries to the site. The site has been designed to adequately accommodate movements of trucks to and from the State Highway system including lane widths and entry and exit radii at the Costco main access intersection with NYS Route 35/U.S. Route 202. A further discussion on truck trips generated by the site is provided in Section III.I of the Revised Traffic Impact Study contained in FEIS Appendix G. Trucks currently traveling to the Cortlandt Town Center, Walmart, BJ's or other uses along the corridor including other existing gas stations are expected to continue as they do today. The improvements currently being constructed by NYSDOT and as well as the Applicant's separately proposed traffic mitigation measures, would improve traffic operating conditions along the corridor, including providing more efficient processing of truck traffic destined to locations along or near the NYS Route 35/U.S. 202 corridor.

Furthermore, the improvements along NYS Route 35/U.S. Route 202 between the Bear Mountain Parkway Extension and Old Crompond Road ~~currently being~~ recently constructed by NYSDOT as well as the separately proposed Applicant sponsored improvements between Old Crompond Road and Strang Boulevard will improve traffic flow through the area as indicated in the Revised Traffic Impact Study contained in Appendix G. In fact, turning movements, including movements for school buses on and off the Taconic State Parkway, will be enhanced as a result of these improvements. It should also be noted that the proposed Costco warehouse store would not open until 10:00 AM, which is after the morning school bus traffic. While the Costco fueling facility would be open during the morning rush hour, the majority of the trips generated by the site during this time period are expected to be trips that are already on the roadway system (i.e. existing commuter traffic) passing

space on Route 202 will do. [PH1, page 71, lines 12-25] , [PH1, page 72, lines 1-18]

**Response III.K 18:**

See FEIS Response III.K 5a for a discussion of the State Land development.

**Comment III.K 19 - (Document 80.1, Scott Carson):**

Cortlandt has lots of big box stores, but they are all on a 4-lane highway. When that 4-lane road turns to 2 lanes at Mohegan Lake, the traffic is unbearable. Already the traffic during peak times is unbearable on 202. It will be more unbearable and more often whenever 202 turns back into a 2-lane highway.

**Response III.K 19:**

See the Introductory Response to FEIS Section III.K which describes in detail the recently constructed NYSDOT improvements ~~currently under construction~~ as well as the Applicant's separately proposed mitigation associated with the Proposed Action. The NYSDOT construction project will result in two through lanes in each direction and a center turn lane between Old Crompond Road and the Parkside Corners shopping center. West of the Parkside Corners shopping center NYS Route 35/U.S. Route 202 will remain as one through lane in each direction. However, this section of roadway is not comparable to the Mohegan Lake section of U.S. Route 6 referred to in the comment. The Section of U.S. Route 6 referred to in the comment (i.e. between Lexington Avenue & Strawberry Road in Mohegan Lake) has many more curb cuts that exist on both sides of the roadway, resulting in frequent stops for vehicles making left turns. The NYS Route 35/U.S. Route 202 corridor west of Parkside Corners generally only has curb cuts on the south side of the roadway and, unlike U.S. Route 6, has wide shoulders which can be used to bypass stopped left turn traffic as is currently done today at many of these curb cuts.

In addition, as summarized in the Introductory Response to FEIS Section III.K as part of the Highway Work Permit process, the Applicant will coordinate with NYSDOT to implement signal timing and phasing improvements at several other area intersections including Lexington Avenue, NYS Route 132, Springhurst Street, Granite Springs Road, Baldwin Road and Commerce Street/NYS Route 118. These signal timing and phasing improvements were identified in the Revised Traffic Impact Study (contained in FEIS Appendix G) to improve the efficiency and overall operation of these intersections as well as to improve traffic flow along the NYS Route 35/U.S. Route 202 corridor.

**Comment III.K 20 – NOT USED**

**Comment III.K 21 - (Document 94.1, Alan Weger), (PH2, Alan Weger):**

**The following comment was also presented at Public Hearing 2. The transcript is provided in Appendix B.**

However, I don't think that the proposed location at the intersection of Route 202 and the Taconic Parkway is appropriate for a store of this size, because the traffic on Route 202 is already excessive, and will not be remediated by the planned improvements described at the previous meeting.

I already experience the traffic on Route 6 on a daily basis, and there is no doubt that the Cortlandt Town Center contributed to the very bad traffic situation on Route 6. Adding more traffic to Route 202 will likely make the traffic on Route 6 even worse, as people try to find ways to avoid Route 202.

Unfortunately, the east-west roads in this area have not kept pace with the growing population. We need to bite the bullet and invest in long-term infrastructure, such as the Mohegan Lake bypass for Route 6 and the Bear Mountain parkway extension to the Taconic Parkway. Until we do these things, I don't think it makes sense to add a significant traffic burden to the area.

**Response III.K 21:**

See the Introductory Response to FEIS Section III.K, which provides a detailed discussion of the recently constructed NYSDOT improvements, ~~which are currently under construction~~, as well as a discussion of the separately proposed Applicant funded mitigation to the NYS Route 35/U.S. Route 202 corridor. In addition future long term plans by NYSDOT for the Bear Mountain Parkway Extension are discussed in the Introductory Response to FEIS Section III.K. Based on the updated capacity analysis contained in the Revised Traffic Impact Study (FEIS Appendix G), traffic conditions along the corridor will be improved due to the under construction NYSDOT improvements and the separately proposed Applicant funded improvements. Based on this, it is not expected that there will be any significant diversion of traffic from the NYS Route 35/U.S. Route 202 corridor to the U.S. Route 6 corridor.

**Comment III.K 22 - (Document 97.1, Greg Kravtsov):**

As representative of Yorktown Taxpayers Subsidy Committee – Not-for-Profit Homeowners Organization designed to find alternative sources of revenue to reduce

additional traffic shown in their own surveys seem to indicate that the net problem gets worse.

In my driving lifetime, I'd never seen lines for gas until recently. Now that we all have, my question is did the traffic survey really not take into account the additional traffic for the gas station? Because clearly it's significant. How many additional car trips/per hour would this generate and how does that affect the impact to 202/35?

It was also alleged that the traffic survey didn't take into account the end of the recession and future increased occupancy along 202/35. This sounds like it would result in a flawed baseline. Can you please address this?

**Response III.K 23:**

See the Introductory Response to Section III.K, which provides a detailed discussion of the recently constructed NYSDOT improvements, ~~which are currently under construction~~, as well as a discussion of the separately proposed Applicant funded mitigation to the NYS Route 35/U.S. Route 202 corridor. See also FEIS Response III.K 5 regarding emergency services response times and FEIS Response III.K 6, which addresses the fueling facility trip generation and accounting for the recession and future occupancy of vacant spaces along NYS Route 35/U.S. Route 202.

The improvements proposed to be constructed by the Applicant in the vicinity of the Taconic State Parkway Interchange will provide additional capacity along NYS Route 35/U.S. Route 202 to accommodate existing and future traffic volumes. Providing this added capacity will allow for additional green time to be provided for the northbound left turn from the Taconic State Parkway Ramp and to better accommodate overall traffic volumes through these intersections especially during the PM Peak Hours.

In addition, it is expected that as a result of the NYSDOT improvements at the intersection of NYS Route 35/U.S. Route 202 and the Bear Mountain Parkway Extension, which includes an acceleration lane onto NYS Route 35/U.S. Route 202 westbound, that much of the traffic destined to Peekskill and Cortlandt will divert to this alternate route and therefore reduce delays at the Taconic State Parkway northbound off ramp and adjacent intersections.

The trip generation of the Proposed Action is addressed in FEIS Response III.K.6 and the baseline traffic conditions have been validated as discussed in Section II.A of the Revised Traffic Study contained in FEIS Appendix G.

Moreover, to the extent the Proposed Action provides a local shopping option for consumers that currently frequent the Costco stores in Danbury and Yonkers, it may reduce vehicle miles traveled and enable more residents to access Costco via public transit and other non-automobile-dependent transportation. As discussed in greater detail in Item 2 below, the Proposed Action would provide extensive improvements to sidewalks, pedestrian walkways and roadway shoulders, promoting the use of alternative means of transportation and addressing the public health concerns referenced in this Comment.

2. The Applicant had proposed providing a dedicated bus stop location directly in front of the Site along NYS Route 35/U.S. Route 202. However, the Westchester County Department of Transportation has indicated that this would not be permitted at this time considering the proximity to the nearest existing bus stop located at the Strang Boulevard intersection, located on both sides of NYS Route 35/U.S. Route 202. As part of the offsite improvements to Route 202/35, the bus stop at Strang Boulevard will be improved in coordination with Westchester County and a sidewalk will be constructed from Strang Boulevard to the Costco entrance. The site plan has been designed to allow that bus line to be routed through the Site if warranted by future ridership and if desired by the Westchester County Department of Transportation.

Moreover, the pedestrian connection to the Site that would be constructed by the Applicant as part of the NYS Route 35/U.S. Route 202 improvements associated with the Proposed Action would provide a pedestrian connection to the bus stops at Strang Boulevard for use by both customers and employees accessing the site. The proposed pedestrian signal to be installed at the Strang Boulevard intersection would provide access to the bus stop on the south side of NYS Route 35/U.S. Route 202. In addition, based on the requirements of the NYSDOT, pedestrian crossings of NYS Route 35/U.S. Route 202 from Mohansic Avenue and the existing Mobil Station would also be included as part of the Applicant funded roadway reconstruction. Such improvements to public transportation access would lead to reductions in traffic congestion and air emissions. See also FEIS Response III.K.7.

3. As explained in the Introductory Response to FEIS Section III.K, the offsite improvements that would be constructed by the Applicant would also provide a minimum shoulder width of 5 ft. in each direction along NYS Route 35/U.S. Route 202 through the Taconic State Parkway Interchange area to accommodate bicycles as per Section 17.4.1 (Bicycle Facilities Design Policy) of the NYSDOT Highway Design Manual. This will complement the ~~ongoing~~ recently constructed

Current Department of Transportation (DOT) and Costco Improvements  
*The developer says that the DOT will spend \$5.5 million dollars to improve Rte. 202 and that Costco will also make improvements.*

The real facts are that the DOT was going to make improvements whether or not Costco comes to Yorktown. In any case, the DOT is only going to repair the section from Pine Grove to just west of Old Crompond Rd. And Costco is only going to upgrade from Strang Blvd. west to Old Crompond Rd. Neither the DOT nor Costco will improve Rte. 202 from Pine Grove west to the Bear Mountain Parkway, and from the Taconic east to the center of Yorktown Heights. Of course, this is not acknowledged in the DEIS.

**Response III.K 29:**

The New York State Department of Transportation ~~is currently~~ recently constructeding improvements to the NYS Route 35/U.S. Route 202 corridor between Old Crompond Road and the Snap Fitness/Thyme Restaurant, which commenced at the end of April 2013. These improvements are described in detail in the Introductory Response to FEIS Section III.K. The final cost of the NYSDOT improvements, which ~~are scheduled for~~ were completed in the Summer 2014, ~~completion~~, is expected to be in excess of \$11 million. The improvements to be undertaken separately by the Applicant along NYS Route 35/U.S. Route 202 in the vicinity of the Taconic State Parkway Interchange and Mohansic Avenue would add an additional westbound through lane and an additional left turn storage lane in the eastbound direction at the Taconic State Parkway northbound ramp intersection, which would increase the left turn lane storage length from approximately 100 ft. under existing conditions to approximately 360 ft. This widening would also result in an improvement in the westbound left turn lane storage distance, which would be increased in length from approximately 100 ft. to 330 ft. (See FEIS Exhibit A-4). The Applicant estimates that these improvements ~~will cost~~ will cost the Applicant in excess of \$3.0 million. In addition, the Applicant has, as part of the Highway Work Permit process with NYSDOT, also proposed to coordinate the completion of signal timing and phasing improvements at other signalized intersections east and west of the site including at Lexington Avenue, NYS Route 132, Baldwin Road and at the Triangle intersection. Other potential geometric improvements (i.e., additional auxiliary turning lanes) that could be completed at area intersections to better accommodate existing traffic volumes have also been identified in the DEIS (Section III.K.3.e) including a second northbound left turn lane exiting the Taconic State Parkway northbound at NYS Route 35/U.S. Route 202 and a separate right turn lane southbound on NYS Route 132 at its intersection with NYS Route 35/U.S. Route 202. The analysis of the additional northbound left turn lane on Taconic State Parkway exit ramp was requested by the Town of Yorktown while the southbound right turn lane on NYS Route 132 was identified in the Town of Yorktown Comprehensive

- Nor will the construction of additional lanes actually speed the flow of traffic. For example, the Garden State Parkway has five lanes in some areas, intended to ease congestion, but they still fill up and jam traffic bumper-to-bumper during high use times.

**Response III.K 31:**

As indicated by the results of the capacity analysis contained in the Revised Traffic Impact Study that can be found in FEIS Appendix G, the additional travel lanes ~~currently being~~ recently constructed by NYSDOT and the separately funded Applicant sponsored improvements would provide additional capacity along the corridor and are expected to result in improved operating conditions as compared to existing conditions (See Introductory Response to FEIS Section III.K for a description of these improvements). In association with Applicant sponsored improvements, traffic signal coordination improvements are also proposed for the traffic signals along NYS Route 35/U.S. Route 202 between Strang Boulevard and Mohansic Avenue. These coordination improvements are expected to provide improved flow of traffic through the corridor.

The comparison to the Garden State Parkway made in the comment is not valid due to the significant differences in the types of roadways and the number of vehicle trips respectively accommodated.

**Comment III.K 32- (Document 122.7, Al Boutross):**

- Commercial trucks, especially the eighteen wheelers, should not be allowed on route 35 which is a winding, two-lane country road and is not designed to handle such traffic. Furthermore, we should wish to preserve the bucolic nature of route 35, as the County has done by acquiring the Lasdon Estate to preserve the environment years ago. Nor is the Taconic overpass at route 202 adequate to accommodate all large trucks.

**Response III.K 32:**

NYS Route 35 and U.S. Route 202 are both designated truck routes and have been designed to accommodate all appropriate truck sizes. Commercial vehicles cannot be prohibited from using these roadways and will continue to use them as they do today. In addition, while most of the deliveries to the site will use I-684 and NYS Route 35 to access the site there is also an alternate truck route using U.S. Route 9 to the west of the site, which is also a designated truck route.

**Comment III.K 33 - NOT USED**

**Comment III.K 34- (Document 124.1, Paul A. Moskowitz):**

What are the effects of traffic to be generated by the 200,000 sq. ft. retail center proposed by the State Land Corporation combined with the Costco traffic on the total traffic for the Route 202 corridor, Route 202 intersections and the roads in the region around it? When the State Land Traffic is included, what are waiting times at the intersections on Route 202 from Route 132 to Lexington Avenue?

Traffic, Section K of the DEIS, does not take into account traffic to be generated by the 200,000 square foot retail center planned for the State Land site. This is especially surprising since both the Costco and the State Land applications include a traffic analysis by the same company, John Collins Engineers.

**Response III.K 34:**

As discussed in the Introductory Response to FEIS Section III.K and in FEIS Response III.K.5a, the application for the State Land project, which requires a rezoning, is required to be addressed as part of the SEQRA review for the State Land development. The traffic studies for that development have and will be required to incorporate the traffic to be generated by the Proposed Action as well as the other reasonably anticipated developments in the corridor. The expected timeframe for that project, if the rezoning is approved, is 20167 or beyond, which is after the projected opening date for the Proposed Action. The Environmental Impact Statement for the State Land project would be required to consider and address all cumulative impacts, including those generated by the Proposed Action, and thus are required to be addressed in the State Land SEQRA process and not as part of this FEIS.

**Comment III.K 35 – (Document 131.1, Patricia Peckham):**

I have reviewed documents in the DEIS and elsewhere regarding the planned project for a Costco warehouse store on Rte. 202/35. I request that the following comments be entered into the proposed development DEIS public hearing record so that they might be satisfactorily addressed in the projects Final Environmental Impact Statement.

My business on Baptist Church Rd. is one of four local agribusinesses likely to be adversely affected by the Costco development. My business was established 25 years ago and I have been in Yorktown for 10 and a half years. Customer loyalty drives my business, but my clients will not put up with inconvenience. More than half of them travel from east of Rte. 684 to my farm using Routes 35/202



**Response III.K 35:**

1. The impacts of construction traffic, which are temporary impacts, are discussed in detail in FEIS Response III.K.70. The Applicant asserts that in general, the amount of traffic that will be generated by the Site during the construction phase will be less than what will be generated after completion of the Project. The Applicant also asserts that, it is not expected that the peak construction period generated traffic will coincide with the peak hours of the roadway since construction hours generally begin and end prior to these peak periods. Finally, the Applicant asserts that construction of the roadway improvements to be constructed by the Applicant will generally occur outside of the travel lanes of the roadway and therefore will not significantly impact traffic along the corridor. The Applicant will be required to prepare appropriate Maintenance and Protection of Traffic Plans as part of the NYSDOT Highway Work Permit to control traffic during this reconstruction and the construction of these improvements will be completed prior to the opening of the Proposed Action.
2. The Applicant has asserted that there will be no significant impact to traffic along the NYS Route 35/U.S. Route 202 corridor during construction of the proposed development and related Applicant sponsored roadway improvements (See further discussion provided in FEIS Response III.K70 below). Therefore, the Applicant asserts that the diversion of traffic to other area roadways including those listed in this Comment will not increase significantly above current conditions.
3. As indicated by the capacity analysis results summarized in Tables No. 2 and 2-S of the Revised Traffic Impact Study contained in FEIS Appendix G, the Applicant asserts the NYS Route 35/U.S. Route 202 corridor in the vicinity of the site will experience similar or even improved Levels of Service during each of the peak hours after ~~completion of the~~ recently constructed ~~he~~ NYSDOT improvements ~~currently being constructed~~ and with the separately proposed Applicant sponsored improvements, which would be constructed by the Applicant as part of the Proposed Action. The Applicant asserts that these improvements will reduce queues along the corridor and overall delay
4. As indicated by the site generated traffic figures (Figures 17 through 19A of the Revised Traffic Impact Study contained in FEIS Appendix G), and summarized in FEIS Table III.K.1 contained in FEIS Response III.K.1, the Applicant asserts that the intersection of NYS Route 35/U.S. Route 202/NYS Route 118/Commerce Street will experience an increase of between 60 and 120

vehicles during peak hours as a result of the project. When compared to the existing traffic volumes at this intersection, this equates to an approximately 3% to 5% increase in traffic volumes. The Applicant asserts that the increase in traffic volumes at the other remote intersections such as NYS Route 118 & Underhill Avenue, Baldwin Road & Baptist Church Road, and the other roadways referenced in the comment will be even less and therefore there will not be any significant impact to these intersections. Therefore, the Applicant asserts that there will be no significant increase in diverted traffic to the roadways listed in this Comment on top of what is currently diverted today. For a further discussion of diversions to other area roadways see FEIS Response III.K.8

**Comment III.K 36 – (Document 135.1, Ann and Bob Harper):**

We are concerned citizens of Yorktown who feel Costco will negatively impact our town.

Our question: What are the effects of traffic to be generated by the 200,000 sq. ft. center combined with the Costco traffic or the already problematic Rt. 202 corridor, intersections, and the roads in the region around it? We live on Rt. 202 and already have problems with traffic from Somers and Katonah. What will this do to our home values?

**Response III.K 36:**

As discussed in the Introductory Response to FEIS Section III.K and FEIS Response III.K.5, the application for the State Land Project requires a rezoning and is being addressed as part of the SEQRA documents for the State Land Development. The traffic studies for that development will be required to incorporate the traffic to be generated by the Proposed Action as well as the other potential developments in the corridor. The expected timeframe for that project, if the rezoning request is approved by the Town, is 20176 or beyond which is after the projected open date of the Proposed Action. The application for the State Land Development, which will be required to address the cumulative impacts of all developments along the corridor, will be considered as that application progresses through the SEQRA process.

**Comment III.K 37 – (Document 136.1, Richard E. Stanton, Law Offices of Richard E. Stanton):**

RE: Widening of NYS Route 202/35 in Yorktown, NY and Changes to Taconic Parkway Ramps

I have been representing a substantial number of stakeholders in Yorktown NY. They are concerned about certain assumptions, and omissions, in information being

This project cannot be accommodated in the local network as proposed, without massive traffic delays. It is inconsistent with every planning study in the region.

Specific commitments on traffic mitigation measures - that is, who will implement them and when, has not been presented. The project will not be in compliance with SEQRA, until these matters are fully vetted and resolved.

Attached are our preliminary comments.

**Response III.K 38:**

Comment noted. See the Introductory Response to FEIS Section III.K as well as FEIS Responses III.K 1, 2, 3 5 and 6 for more specific information regarding the Revised Traffic Impact Study contained in FEIS Appendix G, which reflects ~~ongoing~~ the NYSDOT traffic improvements and improvements that have been separately proposed by the Applicant to mitigate Project impacts as discussed in detail in the Introductory Response to FEIS Section III.K.

**Comment III.K 39 - (Document 60.3, Tim Miller, Tim Miller Associates Inc.), (136.4, Richard E. Stanton, Law Offices of Richard E. Stanton):**

3. The traffic study is erroneous and understates the impacts of the project.
4. The projected future No Build traffic analysis in the DEIS fails to take into consideration more than 55 vacant commercial buildings in the area. These buildings represent substantial commercial activity, thousands of square feet of available but unoccupied space, and have been specifically identified in the DEIS marketing study. Yet the traffic from their future occupancy has not been accounted for in the DEIS.
5. Project generated traffic used in the Build Condition is incorrect and severely underestimates the traffic from this project. The fueling facility has not been properly assessed relative to traffic impact. Using well established factors, this project will generate 220 a.m. peak hour trips, 420 p.m. peak hour trips and 450 Saturday trips in excess of the volumes presented in the DEIS.
6. The traffic impacts of the project will result in failing intersections, long queues, and excessive delays. These impacts will not be mitigated by the measures offered by Costco.
7. Road and intersection capacity in the area will be fully utilized impacting quality of life, decreasing safety and adversely affect, schools, residents and other retail and

35/U.S. Route 202 corridor, according to the analyses prepared by the Applicant contained in this FEIS, are expected to be improved as a result of the improvements ~~presently under construction~~ recently constructed by NYSDOT as well as those proposed to be constructed separately by the Applicant. (See also Response III.K.8 for a further discussion of cut-through traffic on other area roadways).

In addition to providing additional capacity along the NYS Route 35/U.S. Route 202 corridor, the NYSDOT improvements are expected to improve access to the roadway for traffic from the Taconic State Parkway destined to areas to the west (i.e. Peekskill, Cortlandt, etc.). This will be accomplished with the free flow acceleration lane from the Bear Mountain Parkway Extension (BMPE) onto NYS Route 35/U.S. Route 202 westbound. The current delays on the southbound approach to NYS Route 35/U.S. Route 202 from the BMPE discourage drivers from using this route to get to points west. Instead, many drivers exit the Taconic State Parkway at the northbound off ramp to NYS Route 35/U.S. Route 202 near Strang Boulevard where there are significant existing delays during PM Peak Hours. The analyses presented in the DEIS and the Revised Traffic Impact Study contained in FEIS Appendix G indicate that after completion of NYSDOT improvements, much of the existing traffic volumes that exit at this location and continue west along NYS Route 35/U.S. Route 202 towards Peekskill will use the Bear Mountain Parkway Extension in the future, thereby reducing delays on the northbound off-ramp in the future. This is expected to occur regardless of the Proposed Action.

**Comment III.K 41 – (Document 140.1, Daniel E. Hogan):**

1. The traffic study is dated August 2012, yet the study states that Costco is to be completed in 2013, which is unrealistic. It appears that the traffic study should include traffic projections to a later year such as 2015 to provide a more realistic appraisal of future traffic conditions.

**Response III.K 41:**

While the original traffic study contained in DEIS Appendix E references a 2013 completion for the Proposed Action, which Applicant now projects to be ~~2014~~late 2015 to early 2016, the analysis accounted for traffic volume growth from other projects that have not yet been completed making the analysis representative of conditions beyond 2016<sup>4</sup>. In fact, as indicated in the Revised Traffic Impact Study (Section II.B) contained in FEIS Appendix G, based on the more recent traffic counts collected in November 2013, the traffic projections in the original Traffic Impact Study (contained in Appendix E of the DEIS) are conservatively high since actual growth has been less than the 2% annual growth applied to the base traffic volumes. Therefore, the Applicant asserts that it is likely that they are representative of

conditions of at least 2016<sup>7</sup>. As stated previously in FEIS Response III.K.5, if the rezoning for the State Land project is approved, it would not be constructed until 2016-2017~~at the earliest~~.

**Comment III.K 42 – (Document 140.2, Daniel E. Hogan):**

As most Yorktown residents, I am very familiar with the gridlock that occurs every weekday afternoon and evening on Route 202 heading west towards Peekskill. It can take 30 minutes or more to go from Granite Springs Road to the Bear Mountain Parkway in Cortlandt, and sun glare is not a contributing factor for the backups, as the traffic study indicates (note that the sun isn't an issue on cloudy days or during winter months when the sun has set by 4:30 pm, yet the backups are the same as on sunny days). Traffic in the opposite direction (heading to the east) moves very well during weekday evenings. Therefore, I question why the traffic counts show similar eastbound and westbound traffic on Route 202 during the weekday peak pm hour (see Figure No. 4, "2010 Existing Traffic Volumes, Weekday Peak PM Hour"). For example, at the Route 202 and Old Crompond Road intersection, Figure No. 4 shows 1139 cars heading west and a similar number (1164) heading east. Is the similarity because the westbound traffic is so slow-moving that the true amount of traffic is not being captured in the hour-long time period? If so, the true amount of traffic should be used in the traffic study which will probably result in more realistic (worse) results.

**Response III.K 42:**

As noted in FEIS Response III.K.6 Item 1, the existing traffic volumes used in the analysis are based on both recent traffic volume data collected at the study area intersections as well as historical data available from other studies completed between 2000 and 2010. These volumes were also compared to traffic volume data available from NYSDOT, including those volumes used in the study for the NYSDOT Pine Grove Court improvement project. Together these volumes were used to create a complete record of the existing conditions along the corridor and the highest volumes from all the available data was used in determining the existing traffic volumes used in the analysis contained in the DEIS and the Revised Traffic Impact Study contained in FEIS Appendix G. It should be noted that traffic volumes that may not be able to travel through one intersection during the peak hour due to queuing on a particular approach are accounted for by balancing traffic volumes between adjacent intersections.

In addition, recent traffic volume data collected during November 2013 by Maser Consulting, P.A. (the Applicant's Traffic Consultant) were compared to the existing

intersection of NYS Route 35/U.S. Route 202 and BJ's/Stony Street are generally impacted by queuing in the westbound direction resulting from the existing operating conditions at the Pine Grove Court and Bear Mountain Parkway Extension intersections. The Applicant expects these existing bottlenecks at Pine Grove Court and at BJ's to be addressed by the NYSDOT improvement project, ~~which is presently under construction~~. The Applicant also asserts that the bottleneck at the Taconic State Parkway ramps will be improved by the Applicant's planned improvements as described in Introductory Response to FEIS Section III.K.

**Comment III.K 44 – (Document 140.4, Daniel E. Hogan):**

On page 19, in the site generated traffic volumes section, the report notes that a 25 percent credit has been taken for passby/diverted link trips to Costco. This appears too high as Costco is a members-only facility and most of its customers' trips would be planned, destination-type trips, not trips from customers that just happen to be passing by the store on Route 202. Using such a high percentage understates the amount of Costco traffic on the roadways.

**Response III.K 44:**

Based on data provided by ITE pass-by/diverted link trips for retail developments can range between 40 to 70%. Therefore the 25% pass-by/diverted link trip credit used in the analysis can actually be considered conservative. In addition, as acknowledged in the report prepared by Tim Miller Associates, Inc. dated October 15, 2012 the use of the 25% pass-by rate is "likely reasonably accurate."

**Comment III.K 45 – (Document 140.5, Daniel E. Hogan):**

The traffic study includes future NYSDOT improvements to Route 202 as part of the mitigation for the impact from Costco's traffic and states that these improvements will begin "later this year" and be completed before Costco opens. As of today, the improvements have not yet begun and given the State's fiscal condition and funding problems, the improvements may not be done for several years. Therefore, the Costco study should quantify what the traffic conditions will be in the future at each intersection without the NYSDOT improvements using the no-build and build traffic volumes.

**Response III.K 45:**

The traffic analysis contained in the DEIS had considered the impacts to each of the study area intersections under No-Build and Build conditions both with and without the NYSDOT improvements. The results of these analyses are summarized in Table

No. 2 of the Traffic Impact Study contained in Appendix "E" of the DEIS. However, since the time of the DEIS submission, the plans for the NYSDOT Pine Grove Court improvements have continued to progress. The NYSDOT contract for the project began construction in April 2013 and is scheduled for a was recently completed in the Summer 2014 completion, which will be prior to the opening of the Costco facility. For consistency, the Revised Traffic Impact Study contained in FEIS Appendix G also analyzes each of the study area intersection both with and without the NYSDOT improvements under No-Build and Build conditions. However, the analyses without the NYSDOT improvements are no longer applicable since these improvements, which are now under construction, will be completed prior to the opening date of the Costco facility. *have been*

**Comment III.K 46 – (Document 140.6, Daniel E. Hogan):**

Table 2, the "Level of Service Summary" shows that the Costco traffic will have an impact unless the NYSDOT improvements are constructed. At the Route 202/BJ's intersection, the PM "Build" delays in the westbound direction will be higher than the "No-build" delays even after the suggested timing improvements are implemented. Although the poor traffic conditions on Route 202 are an existing problem, the Costco traffic will make conditions noticeably worse at locations other than the ones adjacent to their development (where they are proposing to pay for improvements) and the applicant should identify what measures will be taken beyond timing changes to address this issue until all of the NYSDOT improvements are constructed.

Thank you for your time and consideration and I look forward to receiving responses to my concerns.

**Response III.K 46:**

The DEIS Traffic Study provided an analysis of conditions both with and without the NYSDOT improvements since at the time of the study, the NYSDOT improvements were still in development and did not have full funding. The DEIS analysis indicated that several of the intersections to be improved by NYSDOT ~~are currently operating~~ *were* at poor Levels of Service and would operate at similar Levels of Service without the improvements. However, since the acceptance of the DEIS, the NYSDOT improvement project ~~has~~ progressed and construction of the improvements commenced in April 2013 and ~~are projected to be~~ *were* recently completed in the Summer 2014. For consistency, the Revised Traffic Impact Study contained in FEIS Appendix G also analyzes each of the study area intersection both with and without the NYSDOT improvements under No-Build and Build conditions. However, the analyses without the NYSDOT improvements are no longer applicable since these

improvements will be completed prior to the opening date of the Costco facility.

As indicated by the analysis contained in the Revised Traffic Impact Study contained in FEIS Appendix G, the NYSDOT improvements and the separately proposed Applicant sponsored improvements will provide significant improvements in operating conditions along the NYS Route 35/U.S. Route 202 between Strang Boulevard and the Bear Mountain Parkway Extension. For the study area intersections outside of this area, signal timing and phasing improvements have generally been recommended by the Applicant to improve overall operating conditions. These traffic signal timing improvements will be coordinated by the Applicant with NYSDOT as part of the Highway Work Permit process. In addition, other improvements not proposed to be completed by the Applicant have also been identified, such as the construction of a southbound right turn lane on NYS Route 132, which was previously identified in the Town of Yorktown Comprehensive Plan (Policy 3-4, Table 3-1) or the construction of a formal left turn lane on NYS Route 35/U.S. Route 202 at Baldwin Road. These improvements were identified by the Applicant as recommendations for the Town to consider as future improvements, but are not required to mitigate the traffic impacts of the Proposed Action.

**Comment III.K 47 – (Document 162.1, Ellen Dolan):**

I live in Mohegan Lake and take my children to Yorktown for piano lessons after school. While they are in their lessons I go to Mrs. Greens, Turcos and sometimes stop for takeout. I then sit in terrible traffic on 202/35. During the day it takes me about 15 minutes to get home but after school between 4-5 pm I crawl along 202/35 and it takes me about 30-35 minutes.. The lights are slow, there is so much traffic on where the proposed site for Costco is I cannot imagine how it would be after it is built. Just travel it yourself with 3 kids in the car and you will see!

**Response III.K 47:**

According to the analyses presented in the DEIS and the Revised Traffic Impact Study contained in FEIS Appendix G, operating conditions experienced along the NYS Route 35/U.S. Route 202 corridor are generally impacted by queuing in the westbound direction resulting from operating conditions at the Pine Grove Court and Bear Mountain Parkway Extension intersections. These existing bottlenecks at Pine Grove Court and at BJ's are expected to be addressed by the recently constructed NYSDOT improvement project, ~~which is presently under construction~~. In addition, the existing bottleneck at the Taconic State Parkway ramps, which results in delays in the westbound direction extending back as far as NYS Route 132 during peak hours would be improved by the Applicant's planned improvements as described in Introductory Response to FEIS Section III.K. In addition, signal timing improvements



have been identified to mitigate traffic impacts at the more remote intersections east and west of the Project site area and will be coordinated by the Applicant with NYSDOT as part of the Highway Work Permit process.

**Comment III.K 48 – (Document 165.1, Stephanie DeLano, Public Involvement Coordinator, NYSDOT), (Document 131.2, Stephanie DeLano, Public Involvement Coordinator, NYSDOT):**

The project letting (or bid opening) date is scheduled for January 10th and the project is typically awarded 30 —45 days after that. The contractor must begin work within 10 days after award (so by March of 2013). We anticipate the project finishing in December of 2014.

The project does include work along the existing alignment of the Bear Mountain Parkway Extension starting at the Taconic State Parkway and continuing to Route 35/202.

This project includes two intersections west of the intersection of Stony Street and Route 35/202. The project's western-most limits are 2300 feet west of the intersection of Bear Mountain Parkway Extension and Route 35/202. The easternmost limits are at the intersection of Route 35/202 and Old Crompond Road, west of the Taconic State Parkway bridge over Route 35/202. This project does not include plans to improve Route 202 east of the Taconic State Parkway.

Funding for the entire job has been secured and includes a combination of state and federal funding.

There will be a public informational meeting (likely in February or early March once the contractor is on board) to make people aware of any lane closures associated with the construction and similar issues. I will include you on that invitation.

**Response III.K 48:**

This letter was apparently written to Olivia Buehl in response to her request for information. Also see Ms. Buehl's request for DOT's schedule of improvements in FEIS Comment III.K 30. This NYSDOT letter confirms the status of the funding ~~and schedule for the completion of their project and in fact the NYSDOT project is scheduled to be~~ for the construction completed ~~by~~ in the Summer 2014.

**Comment III.K 49 – (Document 169.1, Mark H. Linehan):**

Will the upgrade of Route 202/35 be performed by NYSDOT or by Costco? If there

is any delay in the upgrade of the road infrastructure on Route 202, will the Costco store be permitted to open before the roadwork is completed? In that case, will Costco be required to pay for traffic control officers to manage the traffic until the road construction is finished?

**Response III.K 49:**

As discussed in Section III.K of the DEIS and the Introductory Response to FEIS Section III.K, the NYSDOT improvements ~~will~~ consisted of adding additional eastbound and westbound travel lanes as well as a turn lanes between Old Crompond Road and the Parkside Corners Shopping Center. Construction of these improvements began in April 2013 and ~~are scheduled for~~ were completed in the Summer 2014 ~~completion~~, prior to the currently expected opening date for the Proposed Action. The Applicant sponsored improvements, would complement the NYSDOT improvements by extending the additional westbound travel lane to the Strang Boulevard intersection as well as providing an additional eastbound storage lane for traffic turning left onto the Taconic State Parkway northbound ramp which would increase the left turn lane storage length from approximately 100 ft. under existing conditions to approximately 360 ft. This widening would also result in an improvement in the westbound left turn lane storage distance, which would be increased in length from approximately 100 ft. to 330 ft.. (See FEIS Exhibit A-4). These improvements, which are discussed in detail in the Introductory Response to FEIS Section III.K, would be completed by the Applicant prior to occupancy of the Costco facility. Based on the analysis provided in the Revised Traffic Impact Study contained in FEIS Appendix G, these modifications would improve the traffic movements getting onto the northbound and southbound ramp and would help reduce delays to vehicles continuing to the east and west past the interchange area.

**Comment III.K 50 – (Document 169.2, Mark H. Linehan):**

I am concerned about traffic backup on westbound Route 202/35, waiting to turn north on the Taconic. At present, this backup is often sufficient to fill the available queuing space and block regular westbound traffic. Why should the applicant not be required to pay for an additional turning lane for cars turning north from Route 202 onto the Taconic?

**Response III.K 50:**

It appears that the Comment is actually referring to queuing in the eastbound direction along NYS Route 35/U.S. Route 202 as a result of vehicles turning left onto the Taconic State Parkway northbound ramp. As indicated in the Introductory Response to FEIS Section III.K, in response to comments obtained from Jacobs

extension/Pine Grove Court/Stony Street area are supposed to start in late 2012. In fact, they have not started. Will these improvements be completed before Costco is opened, and if not should Costco be required to delay its opening until the improvements are done?

**Response III.K 52:**

See Introductory Response to FEIS Section III.K regarding the timing of the NYSDOT improvement project, which ~~is currently under construction and scheduled~~ was completed in the ~~for a~~ Summer 2014 ~~completion~~ prior to the projected opening of the proposed Costco facility.

**Comment III.K 53 – (Document 169.5, Mark H. Linehan):**

Given that NYSDOT is apparently not providing additional traffic capacity on Route 202/35 west of Snap Fitness, or east of Strang Blvd, and given that these roads are already rated as ‘F’ during peak usage hours, does it make sense at this time to add more traffic associated with Costco?

**Response III.K 53:**

As discussed above in the Introductory Response to FEIS Section III.K, the timing and phasing improvements for the intersections west of Snap Fitness and east of Strang Boulevard are expected to provide similar or improved overall operating conditions as compared No-Build Conditions at each of the intersections identified as indicated in the Revised Traffic Impact Study contained in Appendix G. In addition, as shown in Table III.K.1 contained in FEIS Response III.K.1, the volumes generated by the Proposed Action will dissipate further away from the Site location. Therefore, the impacts on these intersections will be significantly less than at those closer to the site where the Applicant would complete the improvements as described in the Introductory Response to FEIS Section III.K to mitigate the impacts of added traffic in the interchange area.

**Comment III.K 54 – (Document 174.26, Stephen Steeneck):**

Please address how the DEIS assumes a 750+ Average Additional Per Hour Claim of adding Cars in Traffic to the “Project” area will eliminate additional traffic?

**Response III.K 54:**

Based on the Revised Traffic Impact Study contained in Appendix G, the Applicant Sponsored improvements along NYS Route 35/U.S. Route 202 will provide

facility used in the DEIS analysis as well as those used in the Revised Traffic Impact Study.

In addition to the information provided by Jacobs Engineering in its April 20, 2012 comment letter, FEIS Comment III.K.6 by Tim Miller Associates (TMA) also referenced trip generation estimates for the proposed Costco Store and fueling facilities. In response to these comments, a Sensitivity Analysis has been completed using the potentially higher trip generation data which was referenced in the TMA report. The Sensitivity Analysis is discussed in detail in Section III.J of the Revised Traffic Impact Study contained in FEIS Appendix G. The results of this analysis, which are summarized in Table No. 2-S of the Revised Traffic Impact Study, confirm the findings of the DEIS that with the completion of NYSDOT improvements ~~presently under construction~~ together with the separately proposed Applicant funded improvements identified in the Introductory Response to FEIS Section III.K, these traffic volumes can be accommodated without creating a significant negative impact on the existing operating conditions in the traffic study area.

**Comment III.K 70 - (Document 183.2, Ray Dominguez, PE, JACOBS):**

**Construction Period Assessment**

As a response to comment #1 in the "completeness" ~~section~~ section regarding the impacts of construction, ~~John~~, John Collins indicated that construction workers would typically leave the site between 3:30 and 4:30 PM. After reviewing ATR data available on NYS DOT's website, traffic within the study area between the hours of 3 and 5 PM are similar, and in some cases higher than the stated PM Peak Highway Hour. For example, traffic volumes are higher during the mid-week days between the hours of 3 to 4 and 4 to 5 PM when compared to the stated peak hour. Jacobs' recommends performing a construction period traffic screening assessment at a minimum and detailed construction period analysis, if necessary.

**Response III.K 70:**

The NYSDOT Machine Count Traffic Volume data for NYS Route 35/U.S. Route 202 in the vicinity of the site is contained in Appendix H of the Revised Traffic Impact Study (contained in FEIS Appendix G) and also summarized in Table TS-1 of the Revised Traffic Impact Study. A review of this information indicates that the peak hour identified by the NYSDOT data occurs between 4:00 PM and 5:00 PM; however, the traffic volumes for the period from 3:00 PM to 6:00 PM are very similar. In fact, the 3:00 to 4:00 PM and 5:00 to 6:00 PM hour are approximately 95% to 98% of the peak hour. It should also be noted that the peak hour identified in the DEIS and Revised Traffic Impact Study occurred between 5:00 and 6:00 PM.

~~Based on the current schedule for~~ The NYSDOT improvement project, including the geometric and signalization improvements along the NYS Route 35/U.S. Route 202 corridor ~~will be~~ were completed in the Summer 2014 and therefore will be in place prior to the commencement of construction of the Proposed Action. The Applicant asserts that construction workers for a site like this tend to arrive before the AM Peak Hour of traffic and when leaving tend to be very spread out and as such, construction traffic would not significantly impact any specific time periods.

The Applicant asserts that an additional analysis for the construction periods is not required since the Applicant expects that the trips generated by the site during construction would be significantly less than the trips generated by the site after occupancy of the Proposed Action and those studied in the DEIS and Revised Traffic Impact Study PM Peak Hour analyses. As indicated in Section III.Q of the DEIS, the Applicant asserts that the project ~~will create~~ will create approximately 350 temporary full-time equivalent (FTE) construction jobs at the project site. It is not expected that all 350 employees will be present at the site at any one time. However, although not likely based on typical construction site activities, if it is assumed that all 350 employees were to leave the site during the 3:30 to 4:30 PM period, it would be similar to trip estimates studied in the DEIS for the PM Peak Hour, which assumed 320 exiting trips. Note that the PM Peak Hour analysis also included 320 entering trips which would not be present during the exiting construction period. Also, the Sensitivity Analysis discussed in Section III.J of the Revised Traffic Impact Study, assumed 530 trips exiting the site during the PM Peak Hour as well as 530 trips entering the site. The results of the Revised Traffic Impact ~~Study and~~ Study and the Sensitivity Analysis, which confirmed the results of the DEIS analysis, indicate that the trips generated by the site, and therefore the construction period generated trips, can be accommodated on the roadway network. Also note that construction activities including hours of work will be finalized with the Town as part of the site plan approval process.

**Comment III.K 71 - (Document 183.3, Ray Dominguez, PE, JACOBS):**

**Employee Trip Generation**

Comment #3 of the "completeness" section requested temporal distribution information for Costco employees. John Collins indicated that information may be available from Costco. Please provide information as this would assist in solidifying the project trip generation assessment.

**Response III.K 71:**

Temporal distribution data based on hourly transaction counts has been provided by the Applicant for Costco warehouses located in Nanuet, NY and Brookfield, CT.

to the project site (station 870987 on BMP and 870100 on Rt 202) between the hours of 1 and 4 when compared with the project PM Peak Hour (5-6 PM). As such, an analysis of an additional time period is recommended, or a temporal distribution should be provided that identifies that the peak time period was analyzed.

**Response III.K 73:**

As indicated in FEIS Response III.K 70 the NYSDOT Machine Count Traffic Volume data for NYS Route 35/U.S. Route 202 in the vicinity of the site is contained in the Appendix H of the Revised Traffic Impact Study (contained in FEIS Appendix G) and also summarized in Table TS-1 of the Revised Traffic Impact Study. The table indicates that the traffic volumes along NYS Route 35/U.S. Route 202 between 1:00 PM and 4:00 PM are between 75% and 95% of the peak hour traffic volumes. Furthermore, the Taconic State Parkway northbound off-ramp volumes during this period are only 70% to 85% of the peak so the combination is significantly less than during the 5:00 to 6:00 PM peak period. The temporal data provided by the Applicant and summarized in Table TD-1 of the Revised Traffic Impact Study ~~indicates~~ Study indicates that the Costco Peak generally coincides with the PM Peak Hour of the roadway, however the Applicant expects that similar trip totals will be generated during the midday/school period hours. Since the background traffic volumes during the midday/school period hours are lower than the background traffic volumes during the peak hour period, the PM Peak Hour period analysis is considered the critical time period and was analyzed.

**Comment III.K 74 - (Document 183.6, Ray Dominguez, PE, JACOBS):**

As a follow up to our conversation, I would like to clarify a few items regarding our comments on the Transportation Section of the Costco EIS. To make clear, although my last e-mail request (dated Nov 26, 2012) outlined several topics of concern, we still expect all comments to be addressed from the original memo dated April 20, 2012. Particularly Comment # 2 (Build Section) of the comment memo addressing the need to further examine queuing issues along the eastbound approach of Crompond Road between Mohansic Avenue and the Taconic State Parkway. A queuing analysis should be conducted and improvements measures should be explored if necessary. Please refer back to the original comment from the memo. In addition, please provide the latest available timetable for DOT improvements. If you have any additional questions, feel free to contact my office.

**Response III.K 74:**

Based on the updated Synchro analysis contained in the Revised Traffic Impact Study

contained in FEIS Appendix G, which includes the vehicle queuing information, and other comments from NYSDOT, an additional eastbound storage lane is now proposed to be added on NYS Route 35/U.S. Route 202 to accommodate traffic turning left at the northbound Taconic State Parkway entrance ramp, which satisfies the expected queues on this approach. The Introductory Response to FEIS Section III.K provides a detailed discussion of this improvement, which would be construction by the Applicant. Note that this will also improve the queue storage length for left turn traffic onto the Taconic State Parkway southbound ramp.

Finally, the NYSDOT improvement project began in April 2013 ~~with a scheduled completion date of~~ and was completed in the Summer 2014.

**Comment III.K 75 – (Document 172.4a, Janelle Hope Robbins, LEED AP, Bedford Audubon Society):**

The proposed development will substantially increase vehicular traffic. How does the Planning Board define “heavy volumes of traffic” and does the proposed development’s estimated number of vehicles per hour fall into this definition?

**Response III.K 75:**

The traffic projections for the Proposed Action are shown on Table No. 1 of the Revised Traffic Impact Study contained in FEIS Appendix G. The Applicant has proposed significant roadway improvements to not only accommodate existing traffic volumes, but also the increased traffic generated by the Proposed Action. The improvements, which would be completed by the Applicant, are described in detail in the Introductory Response to FEIS Section III.K. These improvements have been designed to complement the work ~~currently being~~ recently completed by NYSDOT as part of the Pine Grove Court/Bear Mountain Parkway Extension improvements, which are also discussed in the Introductory Response to FEIS Section III.K.

**Comment III.K 76 – (Document 174.8, Stephen L. Steeneck):**

D: As Item “C” clearly defines TRAFFIC. The grade of the road is currently graded “F”, yes that means the road surrounding the “Project” on Route 202 are currently FAILING. Item “C” clearly show and proves the true intent of the Town of Yorktown’s very own Comprehensive Plan. In fact, this ONLY proves and solidifies the fact that the roads cannot take an additionally supply of over 750+ Cars per hour average. Please remember this is stated in the DEIS and as such is ONLY an average number. For the record, I live less than .7 of a mile of this “Project” and I tried to travel west on Route 202 just this past Friday. I left my house on Old Yorktown Road at 4:25pm and it took me 15 minutes just to reach the on ramp of the Taconic

Parkway. I sat in traffic wondering how much worse it could be and WILL BE, should there be an additionally 750+ Cars per hour placed on the road. How would people travel these roads? The DEIS speak of adding traffic lights, well what does a traffic light do? It is an attempt to create control of flow on a given road point. It will not and it is NOT designed to eliminate any traffic. In fact, the light is both red and green, respectfully. So, half the time the light is green and half the time the light is red. If we currently have massive congestion on the road (Route 202) how does adding a traffic control device, (a light), attempt at all to eliminate traffic? As such, all a traffic light does is attempt to control the traffic and make it orderly. Let me be very clear, the true intent of The Town of Yorktown's Comprehensive Plan was to keep the "Project" area from adding additionally traffic to an area of Route 202 that is clearly in FAILURE CURRENTLY. This is another reason why this "Project" should be halted and stopped in its entirety.

**Response III.K 76:**

The Applicant sponsored improvements are not proposing to add any "new" (additional) traffic signals to the NYS Route 35/U.S. Route 202 Corridor, but will update and improve existing signals. The separate NYSDOT improvement project is adding a new traffic signal at the intersection of NYS Route 35/U.S. Route 202 and Pine Grove Court, which is an existing bottleneck location along the corridor. This new traffic signal will be complemented with additional eastbound and westbound through lanes along the corridor as well as auxiliary turning lanes at the intersection of Pine Grove Court. As indicated by the traffic analysis provided in the Revised Traffic Impact Study contained in FEIS Appendix G, these improvements will significantly improve traffic flow through this area. NYSDOT is also installing a new traffic signal at the intersection of Stony Street and the Bear Mountain Parkway Extension to address safety issues at the intersection. The NYSDOT improvements are discussed in more detail in the Introductory Response to FEIS Section III.K.

Furthermore, as described in more detail in the Introductory Response to FEIS Section III.K, the Applicant proposes upgrades and/or replacement of existing traffic signals including improved signal coordination, which together with the added lanes will improve traffic flow in the area of the Taconic State Parkway interchange.

**Comment III.K 77 - (Document 84.3, Martha Patterson), (Document 178.8d, Residents of Yorktown):**

It has come to my attention that a few days ago the Town Board has considered Development and Environmental Impact Report of the Costco Wholesale Store and Fueling Facility. You went as far as to discuss sewage lines and number of trees to be planted around the mall. I hope those rumors are false. You see, as Yorktown



A roadway already in Failure Rate and which will not change from failure rate even with the SUGGESTED improvements, this according to the DEIS. Again, with the projected increase of 750-950 vehicles per hour, The horrendous traffic conditions will not improve but get even worse especially for those residents living in the RT 202 Mohansic avenue area. The increased in traffic without adequately addressing these traffic issues will only cause additional bottleneck conditions on route 202 the entire length from the center of Yorktown into the city of Peekskill. Do the residents really want to sit in traffic any longer than necessary?

**Response III.K 98:**

Document 178 in its entirety, including referenced articles, can be found in FEIS Appendix A. References to this document in other sections of this FEIS are identified in the Index, also included in FEIS Appendix A.

The existing major bottlenecks along the NYS Route 35/U.S. Route 202 corridor occur in the area of Pine Grove Court and at the Taconic State Parkway Ramps, which results in congestion and extensive delays, especially during the PM Peak Periods. As described in Section III.K.3.e of the DEIS, during this time period traffic queues from the Taconic State Parkway ramps in the westbound direction can extend as far east as the Yorktown High School & Middle School and beyond. The ~~proposed~~ NYSDOT Improvements along NYS Route 35/U.S. Route 202 in the vicinity of Pine Grove Court and the Bear Mountain Parkway Extension connection to NYS Route 35/U.S. Route 202 (PIN 856134), which are described in detail in the Introductory Response to FEIS Section III.K, are expected to alleviate the existing bottleneck in the area of Pine Grove Court. Construction of these improvements was commenced in April 2013 and ~~are expected to be substantially~~ recently completed in the ~~by~~ Summer 2014, which will be prior to the completion of the Proposed Action. As indicated in the Introductory Response to FEIS Section III.K, the Applicant sponsored improvements will match into the roadway section being constructed by NYSDOT in the area of Old Crompond Road, which will result in the provision of two westbound through lanes beginning at Strang Boulevard and continuing west to the Parkside Corner Shopping Center and two eastbound travel lanes will also be provided beginning at Parkside Corner to Mohansic Avenue. The Applicant funded improvements will also provide an additional left turn storage lane will also be provided for traffic entering the Taconic State Parkway northbound. This improvement will not only handle the Project generated traffic but is also expected to address the existing stacking problem at this location. Thus, the Applicant funded improvements, which include an upgraded signal system, along with the NYSDOT improvements are designed to alleviate the existing bottleneck at the Taconic State Parkway Ramps and accommodate the proposed Project generated traffic, resulting in significantly

These five referenced traffic signals that currently exist will be upgraded in association with the proposed roadway improvements. The westerly traffic signal at Stony Street will be reconstructed as part of the NYSDOT project that is presently under construction. The upgraded signal will include installation of a pedestrian signal. The Applicant will reconstruct the remaining four existing traffic signals at Mohansic Avenue (Costco Site entrance), the two Taconic Parkway entrance/exit ramps and at Strang Boulevard. The Applicant will also install pedestrian signals at each of these four upgraded intersections. Signal improvements will also include the addition of back plates to the signal heads to make the signals more visible from the westbound approaches to make the signals more visible during afternoon periods when sun glare has been noted as a contributing factor to accidents.

In addition to traffic signal improvements, the Proposed Action includes widening of Route 202/35 (Crompond Road) from Strang Boulevard to Old Crompond Road. The widening will provide an additional westbound through lane beginning immediately west of Strang Boulevard extending to Old Crompond Road, an exclusive eastbound left turn lane for vehicles entering the Site as well as a dedicated left turn storage lane for vehicles turning left onto the Taconic State Parkway northbound, which will also result in the increase in the storage length of the existing westbound left turn storage lane for vehicles entering the Taconic State Parkway southbound. The Applicant asserts, that the referenced improvements (addition of two lanes, signal timing improvements, addition of signal back plates) that will be funded by the Applicant will improve traffic flow along Crompond Road in the vicinity of the Taconic State Parkway interchange and the proposed Site access intersection. (See the traffic analysis in the revised Traffic Impact Study, FEIS Appendix G.) The Applicant asserts that the Traffic Impact Study in the FEIS shows that these improvements will compensate for increased traffic generated by the Proposed Action and that improved traffic flow will increase traffic safety thereby reducing accidents and the subsequent need for police activity. (Refer to FEIS Response III.P 9.) A further description of the Applicant-sponsored improvements is provided in the Introductory Response to FEIS Section III.K.

The NYSDOT has separately commenced with further roadway improvements that will extend the westbound through lane from Old Crompond Road to the west of Stony Street past the Parkside Corner Shopping Center as well as providing an additional eastbound through lane and auxiliary turning lanes at area intersections. These improvements, ~~which are projected to be completed by Summer~~ were completed in 2014, and are discussed in greater detail in the Introductory Response to FEIS Section III.K. The Applicant asserts that, as reflected in the revised Traffic Impact Study in the FEIS, the improvements proposed to be completed by the Applicant and the separate NYSDOT improvements will result in improved traffic

raise a family. However, unfortunately, most young people cannot afford to pay the taxes here and therefore have to leave. We need more tax money coming into this town, along with more jobs and a wider, safer 202. Hopefully, Costco can help make this happen.

**Response III.Q 78:**

Comment noted.

**Comment III.Q 79 - (Document 45.3, Edmund Chan, Agin and Cyme Mujaj, Barbara and Brian Hoy, Rose Mazzola):**

The site has periodically been the subject of development proposals which have never gone anywhere, including for a conference center and hotel use and for retail shops, reportedly because the economics of the proposals didn't work.

WSince White's left the area over 20 years ago, we don't have anything other than BJ's, unlike other areas of Town. And although traffic is much worse consistently on Route 6, Mohegan Lake has seen dramatic retail and restaurant development over the years. And what we have gotten has been lured away to Cortland!

**Response III.Q 79:**

Comment noted.

**Comment III.Q 80 - (Document 45.15, Edmund Chan, Agin and Cyme Mujaj, Barbara and Brian Hoy, Rose Mazzola):**

Finally, there are already big box stores in Yorktown, so it is disingenuous to claim letting Costco in would change the nature of our Town. In addition, Costco's treatment of its employees is much, much better than Walmart, a chain of stores frequently used as a model of what the Town would be allowing on this site. It is disingenuous to try and paint Costco with same brush. Costco starting salaries are higher, they promote from within, and most importantly they provide benefits for at least 90% of their employees. The pricing model is different, the number of products offered is much lower, so they will not carry blanket lines of products, leaving plenty of room for competition. And, the DEIS identifies "spillage" that shows just how

Additional benefits will be the real estate and sales tax revenues that will be generated during a time that municipalities and school districts are managing tight budgets with the 2% property tax cap.

This is the type of repurposing of a parcel of property that the Blueprint for Westchester encourages within our communities.

**Response III.Q 87:**

Comment noted.

**Comment III.Q 88 - (Document 56.1, John Ravitz):**

The Business Council of Westchester (BCW) is excited to learn that a new Costco is being built in Yorktown. This project will immediately create 300 construction jobs as well as 300 permanent jobs which will be a huge benefit to the Yorktown community.

The BCW is pleased to learn that Costco will be a strong participant in helping the local community in numerous ways, which includes 10 million dollars in improving local roads, paying real estate taxes and giving 1% of their gross sales back to the municipality.

The BCW welcomes this new business into Yorktown, and we look forward to working with the Yorktown Chamber of Commerce to continue to bring more economic development to Westchester County.

**Response III.Q 88:**

Comment noted.

**Comment III.Q 89 - (Document 61.1, Anthony Graesso):**

...time I served the community as a Town Board Member and as a member of the Yorktown Conservation Board.

**Response III.Q 89:**

Comment noted.

**Comment III.Q 90 - (Document 62.1, Rose Marie Panio), (PH1, Rose Marie Panio):**

**The transcript for Public Hearing 1 is provided in Appendix B.**

How often do we have an opportunity to bring in private money and infuse it into the local economy at this level? Especially in this economy!

How often can we add almost \$1,000,000 to our revenue side without adding to our pupil population (at a cost of \$28,000 per pupil)?

How many single family homes would we have to build, using precious open space and adding an average of 3 pupils per household to make up the revenue?

With 23,000,000 Americans out of work, have we become such elitists that we thumb our noses at about 200 jobs, and many, many more construction jobs in the interim from both private and public entities? Even a part-time job could help a senior pay their property taxes, a youngster earn some tuition money, and put a lot of money into our local economy.

What about the current cost of food. Food has gone up to the point where families are deciding they can no longer purchase certain foods to feed their families. As a former retailer, I know the only way to control cost is by competition! Given the cost of gas, traveling to other communities to save on your food bill no longer makes sense.

Once again, after all due diligence is done, and every i is dotted [sic], you can't say "no" to everything.

**Response III.Q 90:**

Comment noted.

proximity to the Proposed Action. (See Table VI.1c.) With consideration of land constraints, as indicated in Table VI.1b, 10 units were applied to each of the remaining 14 developable acres yielding 140 units. To be conservative, no credit was taken for elimination of the existing 8 residences.

Since the writing and acceptance of the DEIS, a petition for rezoning of the land parcels (lots 26.18-1-11, 12, 14, 15, 16) was received by the Town Board. The petition proposes 96 age restricted residential units and 44,000 square feet of commercial space. The petition was received in July 2014 and is a discretionary approval of the Town Board. The proposal is highly speculative, but at 96 units of residential and 44,000 square feet of commercial space, it is reasonable to expect that the impacts associated with the proposal will be no greater than that which was studied in the DEIS as outlined above.

#### 3-Acre Commercial Lot (16.18-1-20)

As described, the referenced lot is highly encumbered by wetlands and wetland buffer. However, to be conservative, a 10,000 square foot commercial development is assumed for this study.

This lot fronts on Old Crompond Road and therefore would have access to the sewer and gas services constructed as part of the Proposed Action. Although the land owner did not respond to the Applicant's invitation to be included in the Peekskill Sanitary Sewer District (refer to DEIS page III.H-11), the owner could apply in the future and if permitted, they could connect to the sewer.

#### Two Small Commercial Lots (16.18-1-21 and 22)

These two referenced lots are presently developed with residential dwellings. Future development could potentially involve consolidation of these lots with larger adjacent lots, however, it would not materially increase impacts; therefore, for the purposes of this study, no change in development is assumed.

#### 11-Acre Commercial Lots (16.18-1-23, 25, 26)

As illustrated in Exhibit VI-1c, the referenced lot is encumbered by wetlands and wetland buffer.

An application for development of a supermarket on this parcel was previously submitted to the Town Planning Board in 1999 and proceeded through the EIS review process until the application was later withdrawn. This parcel is within the existing sanitary sewer district (refer to DEIS Exhibit III.H-6) and has access to the existing sanitary sewer service, as well as gas service, presently located adjacent to the lot at Stony Street. Because the proposal preceded the Proposed Action, it could not have

impacts of “all of the activities on the Route 202 Corridor” in the DEIS for the Proposed Project. Pursuant to SEQRA regulations, an EIS need only analyze significant “*reasonably related* short-term and long-term impacts, cumulative impacts and other associated environmental impacts.” 6 NYCRR 617.9(b)(5)(iii)(a) (emphasis added). The Court of Appeals has explained that “related” means connected through “a ‘larger plan’ for development ... [and] not the proposed projects’ common geographical base or the existence of a generally stated governmental policy ...” *Long Island Pine Barrens Soc., Inc. v. Planning Bd. of Town of Brookhaven*, 80 N.Y.2d 500, 514, 591 N.Y.S.2d 982 (1992).

While other proposed projects along Route 202 are not related to the Project, the Applicant did consider cumulative traffic impacts to the extent that such projects were expected to generate traffic prior to the build year of the Project, pursuant to the Final Scope for the DEIS. See also NYSDEC, SEQRA Full Environmental Assessment Form Workbook: Part 2 (defining cumulative impacts as those that are “sufficiently likely to occur within the projected build year(s).”); NYSDEC SEQR Handbook at 81 (“[A]ssessment of cumulative impacts should be limited to consideration of reasonably foreseeable impacts, not speculative ones.”); See Healy and Karmel, 9 N.Y.Prac., Environmental Law and Regulation in New York § 4:23 – Draft and Final EIS: Assessing Impacts (Philip Weinberg ed. 2012) (“Existing conditions within [a] geographic area should be established and a projection made as to conditions that would exist without the proposed action in the “build year” – the year the action under review is scheduled to take place. The [EIS] should then predict how the action will affect those build year conditions.”)

In the No Build Traffic Conditions, the DEIS analyzed traffic from other proposals that are expected to be complete before the Project is constructed, including the three other proposals identified in this Comment: Crompond Corners, the expansion of Field Home and the Pulte Home project (which was, at the time of the traffic study for the DEIS, evaluated based on the residential proposal on the State Land Property).

The traffic analysis in the DEIS also considered the recently completed Chase Bank, the proposed Adrian property development, the Temple Israel project and Adrian Auto body addition. (See DEIS at III.K-20 to 21.) The DEIS does not include traffic from the new commercial project for the State Land Property as any such project, if approved, would be operational after the Project is anticipated to be completed. While the construction of the Project is now anticipated to occur between ~~June~~ late 2014 and ~~July~~ early 2016~~5~~, the State Land project has also not proceeded in its originally anticipated time frame. It is likely that construction on State Land (assuming it obtains the numerous requisite approvals) would not take place until ~~late 2015 or~~

2017~~6~~~~at the earliest~~, as it still has to complete Site Plan Approvals and planning board review and NYSDOT permitting including preparation of construction plans. Therefore, it is still expected that the Project will be completed before State Land commences construction, and certainly before State Land commences operation.

Because the State Land Project has a later build year, its SEQRA analysis is required to include traffic from the Proposed Action project as part of its No Build traffic conditions.

**Comment General 1.2 – NOT USED** (Refer to FEIS Introduction Part B.1 for explanation)

**Comment General 1.3 - NOT USED** (Refer to FEIS Introduction Part B.1 for explanation)

**Comment General 1.4- (Document 124.2, Paul A. Moskowitz):**

The purpose of this note is to add specific questions to my presentation of October 15, 2012 with respect to segmentation and the Costco DEIS.

What are the effects of traffic to be generated by the 200,000 sq. ft. retail center proposed by the State Land Corporation combined with the Costco traffic on the total traffic for the Route 202 corridor, Route 202 intersections and the roads in the region around it? When the State Land Traffic is included, what are waiting times at the intersections on Route 202 from Route 132 to Lexington Avenue?

What are the combined effects of the State Land retail center and other developments in progress or planned for the Route 202 Corridor on the following: DEIS Section G. Storm Water Management, H. Utilities, J. Solid Waste, M. Air Quality, N. Noise, and Q. Fiscal and Socioeconomic Impacts.

Is the DEIS deficient in not taking into proper account the combined effects of all the projects planned for the Route 202 development corridor?

Did the presentations made by Yorktown town officials at the February 23, 2012 "Town of Yorktown Economic Development Summit Route 202 Corridor" make it clear that the Costco development was part of a larger project for which a complete EIS covering the entire project should be done?

Does considering the Costco project without taking into proper account the combined effects of all the projects planned for the Route 202 development corridor represent segmentation as defined by the NY State DEC?



I am asking that you consider these concerns as being raised in an attempt to improve the public review of the potential adverse impacts, and alleged economic benefits of the proposed Project. We are asking the Chair, and the Planning Board to do what is within its power to protect the rights of all local stakeholders to publicly express their concerns about the potential impacts of the proposed project.

**Response General 1.5:**

The purpose of the Applicant's presentation at the October 15, 2012 public hearing was to inform the public about the Proposed Action that was the subject of the hearing. If the Applicant did not speak, or provided only a superficial description of the Proposed Action, then members of the public who had not previously reviewed the DEIS would not have a basis for comment. Similar procedures are followed at all public hearings on applications before the Planning Board. A similar process is used for virtually all agencies' public hearing on a DEIS.

The length of public presentations at the October 15, 2012 public hearing was limited in order to provide all interested commenters an opportunity to be heard. To the extent that any individuals felt limited by that constraint, they were invited to submit written comments on the Proposed Action. For example, Tim Miller, of Tim Miller and Associates, Inc. availed himself of this opportunity, and his oral and written comments have been addressed in greater detail in the FEIS. Indeed, Mr. Miller submitted his written comments to the Board at the beginning of this testimony (Document #60). The chair also exercised his discretion to limit the amount of repetition in public comments, in order to ensure the full range of views and comments on the Project were heard. Furthermore, at the second public hearing, held on November 19, 2012, once all the speakers who had signed up were given a chance to comment, attendees were offered the opportunity to speak again.

While some level of disruption is may be unavoidable at public hearings involving contested issues, the Planning Board Chair strove to control audience reactions and to minimize the presentation of duplicative or redundant comments, thereby ensuring that the full range of perspectives present would be heard. The Board notes that overall the proceedings were quite civil, and the level of disruption from any points of view was minimal – a tribute to the residents of Yorktown.

The identification of a speaker's address is a common practice at public hearings, which serves multiple purposes. First, the Planning Board may need to follow up with a commenter in order to ensure that his or her remarks are properly recorded and understood. Written sign-in lists are often incomplete or not legible. Second, a

**Comment General 1.17 – (Document 172.1, Janelle Hope Robbins, LEED AP, Bedford Audubon Society):**

**Public Comment Period of Draft Environmental Impact Statement**

Bedford Audubon Society sincerely thanks the Yorktown Planning Board for their 30-day written comment period on the proposed Costco's Draft Environmental Impact Statement after the closure of the public hearing. However, considering the recent impacts of Superstorm Sandy on the region, Thanksgiving, and Hanukkah and most importantly, the vast length of the DEIS, the written comment period should have been extended to 90 days for adequate public review. Considering the brevity of the public review period, these comments serve as discrete examples of how the DEIS falls short of providing a comprehensive disclosure of environmental impacts on our community resources, rather than a comprehensive critique of each claim posited in the document.

**Response General 1.17:**

See FEIS Response General 1.14.

~~The SEQRA regulations provide for a minimum 30-day comment period on a Draft Environmental Impact Statement. In this case, the Planning Board provided 82 days for public comments on the DEIS, or nearly three times the required minimum time frame. The Planning Board also held two public hearing sessions within this time period. The Planning Board asserts such time was more than adequate for the public to comment on the DEIS; that conclusion is reinforced by the volume of comments received at both the public hearing session and in writing during this period.~~

**Comment General 1.18 - (Document 1.1, Janelle Hope Robbins, BAS):**

Bedford Audubon Society, an organization with standing in the town of Yorktown respectfully requests 90 days to review and comment on the Draft Environment Impact Statement (DEIS) for Costco prior to a public hearing. The DEIS is expected to exceed 2,000 pages, and the proposed development poses significant and potential impacts on the community, warranting careful and critical review.

**Response General 1.18:**

See FEIS Response General 1.14.

**Response General 1.20:**

See FEIS Response General 1.14.

**Comment General 1.21 - (Document 8.1, Jonathan Nettlefield, Yorktown Smart Growth):**

On behalf of Yorktown Smart Growth, a volunteer organization committed to ensuring Yorktown's long-term prosperity, I request a suitable period of time to examine the Costco DEIS. Because of the length and complexity of this document and the likely magnitude of impact the project will have I ask for a minimum of 90 days from the date the DEIS was made available. An extended period for public examination and comment will afford a better public hearing process.

We would appreciate the Planning Board making this commitment to a minimum 90-day public review period at the outset of this process. This will afford those who want to read and understand the DEIS greater certainty that they have time to do so. The more usual, open-ended public hearing with the possibility of extensions along the way does not provide this certainty as it can be closed at the discretion of the board.

**Response General 1.21:**

See FEIS Response General 1.14.

**Comment General 1.22 - (Document 67.5, Richard E. Stanton):**

~~I have been asked by numerous interested residents and businessmen to assist in reviewing the proposed Costco with filling stations. The local group is hereinafter referred to as Community Stakeholders of the Town of Yorktown.~~

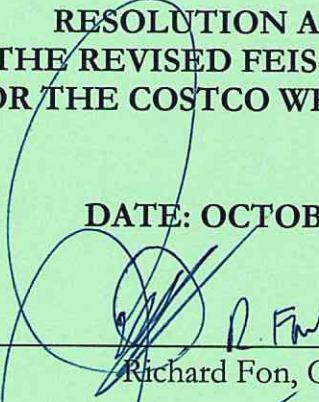
Accordingly, please accept this letter as a formal request on behalf of the Local Stakeholders to extend the comment period on Draft Environmental Impact Statement pursuant to 6 NYCRR 617.9 to allow the Local Stakeholders, and their retained consultants, to complete their review of the published DEIS and attachments. Many of the members of the Community Stakeholder groups making this request have invested virtually everything they have in the community they share with you. In order to allow meaningful public review of the document by the people who will be affected by whatever decisions the Town and its Boards' make, we are asking that you extend the public comment period for 60 days.&

**PLANNING BOARD  
TOWN OF YORKTOWN**

**RESOLUTION ACCEPTING  
THE REVISED FEIS AS COMPLETE  
FOR THE COSTCO WHOLESALE CLUB**

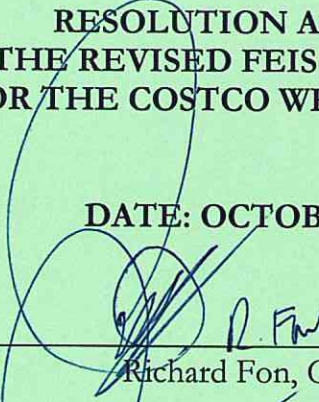
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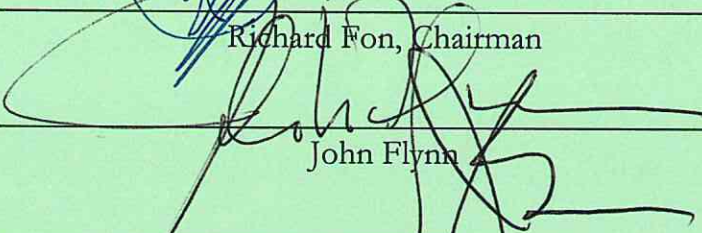
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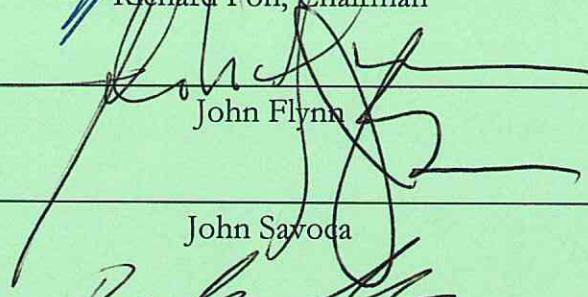
  
Richard Fon, Chairman

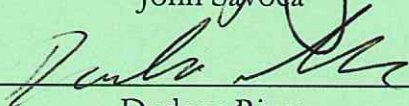
ROLL CALL: \_\_\_\_\_

AYES: \_\_\_\_\_

  
Richard Fon, Chairman

  
John Flynn

  
John Savoca

  
Darlene Rivera

  
John Kincart

NAYS: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_