DRAFT SCOPE
for
DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS)

CROTON OVERLOOK CORPORATION

Town of Yorktown
County of Westchester
State of New York

Submittal Date
February 8, 2011

Revision 1 Submittal Date
February 15, 2011

Lead Agency:

Yorktown Town Board
363 Underhill Avenue
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Applicant:

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The purpose of this draft scoping document is to identify topics of information to be included in the Draft Environmental Impact Statement (DEIS) for the proposed Croton Overlook Development described below. Items described in 6 NYCRR §§ 617.8 (f) (1) through (5) have been addressed in this document. This document is made available to the public, and all involved and interested agencies at www.crotonoverlook.com. A public scoping session will be held on February 15, 2011 at 7:30 pm at Yorktown Town Hall to receive public comments. All comments deemed significant will be addressed in the final version of this document.

Description of Proposed Actions

Croton Overlook Corporation (COC) is seeking Town Board approval for a proposed 72 lot subdivision to facilitate construction of a 55 and over active adult residential community named the Croton Overlook Development. The community will consist of 70 residential fee simple duplex units on individual lots, 1 additional lot, containing approximately 44 acres of open space, which will be owned and maintained by the development's Home Owners Association (HOA) and 1 lot consisting of the Wastewater Treatment System with a subsurface infiltration area to be owned by a public transportation company. The open space area will be deed restricted, serving as an active and passive recreational resource for the community. The project site consists of approximately 62.76 acres located east of the intersection of NYS Routes 134 and 100 (Figure 1). COC is the owner of the subject property designated within the Town of Yorktown as parcel 70.15-1-2 and contract vendee to parcel 70.15-1-1 (Yaskovic property).

COC is seeking the Board's consideration to amend the current zoning map as it pertains to the Site from R-160, One-Family Residential Units to RSP-1, Age Oriented Community. This zone change is necessary to accommodate the type of housing community and amenities proposed in the Croton Overlook Development Conceptual Subdivision Site Plan. As the County's population ages, individuals and couples aged 55 and over choose to down-size and thus, a demand for this type of housing exists within the Town and County.

DRAFT ENVIRONMENTAL IMPACT STATEMENT CONTENT

I. COVER SHEET

- A. Statement whether the document is a draft or final EIS
- B. The Proposed Action and its location (county and town);
- B. The name, address and telephone number of the lead agency and a contact person;
- C. The name, address and telephone number of the preparer of the DEIS;
- D. The date of the DEIS submission and acceptance;
- E. The name address and telephone number of the applicant;

F. The date by which comments on the DEIS must be submitted, including the public hearing date and DEIS comment period.

Following the cover sheet, a list (name, address and telephone numbers) of all sub consultants involved in the project and a list of all interested parties will be provided.

II. TABLE OF CONTENTS

A. Indicating the chapters of the DEIS and page numbers as well as list of exhibits, tables and appendices;

B. Executive summary

1. Summary of the Proposed Action
2. Summary of its significant impacts and mitigation measures
3. Summary of alternatives analyzed in the body of the document
4. List of all involved agencies and required reviews and approvals from Town, County and State agencies

III. PROJECT DESCRIPTION

A. Project purpose, needs and benefits

1. The purpose for the proposed project
2. Public need and benefit for the project, and municipal objectives based on adopted Town Comprehensive Plan
3. Description of the proposed development including:

    a. Objective of the applicant
    b. Projected sales prices
    c. Proposed lot sizes
    d. Proposed housing types and numbers including approximate square footage of floor space and number of bedrooms per house
    e. Linear feet of proposed roads, including pavement width, grades, road bed composition, and construction standards.
    f. Proposed recreation areas and/or open space acreage
    g. Projected household size and age groups
    h. Proposed utilities
4. Social and economic benefits to the town

B. Site location including identification of regional area, tax map designation, abutting streets, utilities and land uses and existing zoning categories.

C. Project background and site history

D. Proposed development

1. Descriptions of general layout, access, open space/buffer areas, landscaping, signage, erosion and sediment control, setbacks, screening and buffer treatments, lighting, internal road systems, emergency access, utilities and stormwater facilities. Legal status, use, and ownership of existing property within areas of proposed improvements.

2. Identify all covenants, restrictions and limitations imposed on the site, and their history.

3. Description of the proposed project's compliance with current site zoning in terms of use, the number of buildings and the total maximum potential development of the site pursuant to the town's existing code

4. Description of the scope and scale of proposed development, including a discussion of the improvements on abutting properties.

5. Anticipated construction schedule and project phasing

E. Existing zoning, including a description of existing zoning for the subject parcel and adjacent properties and relevant components of the Town of Yorktown Comprehensive Plan (dated June 15, 2010).

IV. REQUIRED PERMITS AND APPROVALS

A. Listing and description of all town, county, state and federal permits and approvals that may be required to implement the project.

B. Listing of involved and interested agencies

V. EXISTING CONDITIONS, POTENTIAL IMPACTS, MITIGATION

A. **Land Use and Zoning Existing Conditions**

1. Existing Conditions

a. Discuss the general development patterns within Westchester County, the Town of Yorktown using maps and narrative.

b. Primary Land Use Study Area - provide a map and parcel by parcel land use survey of all properties within ½ mile of the perimeter of the site.

c. Discuss the present use and existing zoning for the site.

2. Potential Impacts

a. Describe the proposed action as it relates to area-wide planning and land use plans, specifically consistency with the Town of Yorktown's Comprehensive Plan, Westchester County's Patterns for Westchester, and Westchester 2025.

b. Discuss the compatibility of the proposed subdivision with adjacent land uses.

c. Description of zone change request and reasoning for such request.

3. Proposed Mitigation

a. As applicable.

B. ***Visual Resources***

1. Existing Conditions

a. Document the existing visual conditions of the site with photographs (during both winter and summer months), cross sections, and a narrative.

2. Potential Impacts

a. Provide a Visual Resource Assessment which follows the New York State Department of Environmental Conservation guidelines in their document "Assessing and Mitigating Visual Impacts". Analyze sensitive off-site areas where views could be impacted include Kitchiwan Preserve, a nearby bike trail, the point at which the development first becomes visible along Rt 134, and Rt 100. Discuss the visual impact to these locations, if any.

3. Proposed Mitigation

a. Describe mitigation methods including an earthen berm, planted vegetation screening, orientation of structures, and naturally colored roof and house materials.

C. Flora and Fauna

1. Existing Conditions

    a. Vegetative communities on the site will be documented and their general locations will be mapped.
    b. Wildlife species which are anticipated to be found on the site will be determined using site surveys and review of existing data sources.
    c. The site will be assessed for the potential presence of wildlife or green corridors, which connect wildlife populations.
    d. Review and discuss existing literature: "Biodiversity Conservation Study" (June 2009) prepared by Sterns & Wheeler and "Croton to Hudson Biodiversity Plan" (2004) prepared by the Metropolitan Conservation Alliance, and their relevance to the site.
    e. Provide documentation on the absence of rare, threatened or endangered species on the site based on surveys from the New York Natural Heritage Program.

2. Potential Impacts

    a. Identify loss of wooded areas and its effect on any habitat conditions on the site. Discuss tree removal within the proposed limit of disturbance.
    b. Any anticipated impact on resident plant and animals populations will be discussed.
    c. Discuss potential impacts to wildlife corridors, if present.

3. Proposed Mitigation
    a. Discuss tree preservation methods during construction and any proposed new plantings to be installed as part of the development.
    b. Provide a conceptual landscaping plan, a list of proposed plants and trees to be planted, and a proposed maintenance plan that specifies chemicals such as fertilizers and pesticides.

D. Soils, Topography, Steep Slopes, and Geology

1. Existing Conditions

    a. Discuss on site soils, topography, steep slopes, rock outcrops, and underlying geology.

b. Provide a soils map based on field analysis and review of the Natural Resource Conservation Services (NCRS) county soil survey as well as site specific analysis.

c. Identify soil types and their distribution based on Soil Conservation Service (SCS) mapping.

d. Discussion of soil characteristics based on SCS soils' data and tabulations including but not limited to physical properties of soil, hydrological capabilities, and engineering properties and development limitations and constraints.

e. Identify, in map and numerical form, slopes with ranges of 0 to 10%, 10 to 20%, and >20%.

2. Potential Impacts

a. Estimate of cut and fill and description of impacts if cuts and fills are not balanced.

b. Discuss potential need for blasting.

c. Provide post-construction grading plan.

d. Identify anticipated length of construction and discuss the impact resulting from thawing and freezing of soils.

e. Asses the potential impacts of building construction and site grading with respect to soil erosion and slope stabilization.

3. Proposed Mitigation

a. Preparation and implementation of a temporary Erosion and Sediment Control Plan during construction.

E. Wetlands and Surface Water Resources

1. Existing Conditions

a. Mapping and description of wetlands, wetlands buffers, water bodies, and surface watercourses and groundwater resources on and in the vicinity of the site with respect to: seasonal variation, the water bodies' size and characteristics vegetation, soils, acreage, functionality, and government agency or agencies with jurisdiction.

b. Describe the NYC watershed and streams to which the site is tributary. Assess the potential presence of any vernal pools on the site.

c. Discuss applicable wetland and watercourse Federal, State and local regulations.

2. Potential Impacts
   a. Discuss any potential direct impacts on surface waters, wetlands, and their regulated setbacks as a result of the proposed actions.

   b. Discuss any potential secondary disturbances to wetlands and their buffers as a result of construction activities outside of the wetlands or buffer areas, i.e. runoff from proposed impermeable surfaces.

   c. Discuss required regulatory review process and necessary permit procedures, such as State Pollution Discharge Elimination System "SPDES".

3. Proposed Mitigation

   a. Discuss the creation of additional wetlands on site and the benefits to the ecosystem, and the use of permeable materials and/or vegetated areas to protect water quality.

   b. Describe measures required by regulatory agencies with authority over wetlands watercourses, such as NYSDEC and NYSDEP, to mitigate impacts.

   c. If applicable, provide a wetlands mitigation and management plan which discusses proposed measures to be taken to mitigate impacts to groundwater, surface waters, wetlands, wetland buffers and vernal pools.

   d. Discuss minimization of use of fertilizers and other chemical treatments.

*F. **Cultural Resources***

1. Existing Conditions

a. Evaluate the site for the potential existence of any historic, prehistoric, or paleontological resources.

b. Discuss the significance of any cultural resources based on a Phase 1 A assessment of the site's archeological sensitivity.

c. Discuss the site's listing by the New York State Office of Parks Recreation and Historic Preservation as a potentially archeological sensitive area.

2. Potential Impacts

a. Identify potential impacts to archeological or historic resources as shown in the Phase 1 A archeological survey of the site.

b. Discuss findings of Phase 1 B archeological survey.

3. Proposed Mitigation

a. Identify additional studies or mitigated techniques as needed.

G. **Construction Impacts**

1. Existing Conditions

a. Qualitative discussion of current noise and air quality conditions on the project site.

b. Determine existing ambient sound levels using short term monitoring during different times of day and night.

c. Determine existing air quality on the site by using the most recent ambient air quality monitoring data from the New York State Department of Environmental Conservation-operated monitors closest to the site.

2. Potential Impacts

a. Qualitative discussion of the potential for noise or air quality impacts either long term or during project construction. Impacts on air quality could include emissions from construction vehicles and equipment, and fugitive dust emissions.

b. Discuss the potential for any impacts to water quality, for both on site and off site water sources, due to construction activities, such as sediment or erosion runoff from exposed soils.

3. Proposed Mitigation

    a. Discussion of proposed mitigations measure to limit short-term construction generated noise and air quality impacts and any identifiable long-term noise and air impacts.

    b. Air quality control measures will include, as necessary, proper use of construction material containing volatile organic compounds, proper enclosure of stockpiled soils, dust suppression, and limitations on vehicle or equipment idling.

    c. Noise control measures will include, as necessary, placing mufflers or baffles on mobile and stationary engines and equipment, and limiting hours during which certain noise-generating activities take place.

    d. Provide a construction phasing plan and best management practices to be employed. The blasting plan will be pursuant to Yorktown Code Chpt. 124, and the erosion and sediment control plan will be pursuant to NYCDEP regulations.

H. **Community Facilities**

1. Existing Conditions

    a. Description of existing police, fire and emergency services provided by the town. Contact emergency service providers for a description of their facilities and services.

2. Potential Impacts

    a. Assessment of potential impact by the proposed action on community facilities, based upon information provided by each service provider.

3. Proposed Mitigation

    a. As applicable.

I. **Community Growth and Character**

1. Existing Conditions

    a. Describe existing population, employment conditions, economic development and median household income of the area.

b. Provide a comparative assessment of other developments in the town (acreage, square footage, etc.).

c. Discuss existing community character in the vicinity.

2. Potential Impacts

a. A summary of how activities on the project site will impact surrounding residences.

b. Discuss how this project is in compliance with the Comprehensive Plan and meets the goals of the community.

3. Proposed Mitigation

a. As needed, aesthetic and architectural modifications to enhance the project's compatibility with the community character.

J. ***Stormwater Management***

1. Existing Conditions

a. Discuss existing surface water drainage patterns on site and within the project's drainage basin.

b. Calculate stormwater runoff quantities, including peak flow, for the 1, 2, 10, 25, 50, and 100 year storms as required by local and NYSDEC regulations.

2. Potential Impacts

a. Describe the proposed stormwater management system, including all drainage facilities and detention areas and how they will comply with the NYSDEC Stormwater Regulations and applicable NYSDEP regulations.

b. Calculate stormwater runoff quantities, including peak flow, for the 1, 2, 10, 25, 50, and 100 year storms for post-development conditions.

c. Analysis of stormwater runoff quality impacts on the project site.

d. Discuss potential changes to on-site drainage conditions including changes of land surface cover-type, such as increased impervious surfaces.

3. Proposed Mitigation

a. Discuss proposed drainage facilities and methods to treat water quality volumes to required quality standards.

b. Discuss the use of detention ponds to reduce peak stormwater runoff rates in post-development conditions.

c. Provide Preliminary Stormwater Management Report as per NYSDEC Stormwater Management Design Manual specifications.

K. Solid Waste

1. Existing Conditions

    a. Discuss current solid waste collection in the town.

2. Potential Impacts

    a. Discuss projection of solid waste generation. Identify and evaluate receiving disposal sites.

3. Proposed Mitigation

    a. Discuss potential solid waste reduction and recycling programs.

L. Utilities, Water

1. Existing Conditions

    a. Describe size, material, and ownership of existing water mains adjacent to the project site.

    b. Identify existing Water Districts that are adjacent to the project site, and discuss the water source, system capacity and distribution system in the surrounding area as it relates to the site.

2. Potential Impacts

    a. Computate water demands of the proposed development, taking into account domestic, fire service, and irrigation use.

    b. Discuss proposed water source, onsite water distribution system, and connections to offsite system.

    c. Describe compliance with local fire district requirements.

3. Proposed Mitigation

    a. Discuss feasibility of alternate water supply through the use of individual wells.

    b. Discuss use of water conservation methods and technologies in homes.

M. ***Utilities, Sewer***

1. Existing Conditions

a. Note lack of existing sewers and sanitary treatment facilities proximate to the site.

2. Potential Impacts

a. Compute sanitary sewer demands of the proposed development, and discuss the sufficiency of the proposed community wastewater treatment facility to treat the sewage generated.

b. Assess and discuss any risk associated with the proposed community wastewater treatment system, and any future impact that may result from the failure of that system.

3. Proposed Mitigation

a. Discuss, in detail, the reliability and redundancy built into the proposed community wastewater treatment facility, as well as safety measures and emergency procedures.

b. Discuss jurisdiction, in regard to permitting and approvals, of each agency, including: Town of Yorktown, County of Westchester Department of Health, New York City Department of Environmental Protection, and New York State Department of Environmental Conservation.

N. **Fiscal Conditions**

1. Existing Conditions

    a. Describe the existing demographic characteristics within Westchester County, the Town of Yorktown.

    b. Identify current taxes provided to taxing jurisdictions, including Town, County, School District and other taxing entities as relevant.

2. Potential Impacts

    a. Analyze the anticipated tax generation, including sales and property taxes, by the proposed action for all affected tax districts, specifically Town and school tax districts taxes.

3. Proposed Mitigation

    a. As applicable.

O. ***Traffic Conditions, Safety, and Flow***

1. Existing Conditions

a. Describe all roadways within at least ½ mile proximity of the site in regards to length, width of pavement, number of travel lanes, and ownerships.

b. Identify the key intersections that will be utilized by residents of the proposed subdivision. Evaluate the current traffic conditions, including average annual daily traffic.

2. Potential Impacts

a. Determine trip generation for the proposed subdivision, using Institute of Traffic Engineers methodology, for AM and PM peak hours and discuss the resulting impact on traffic conditions. Compare the peak hour traffic generated from the site with the existing daily traffic volume.

b. Discuss potential traffic impact due to and during construction activities.

c. Analyze the Level of Service of the "No-build" scenario by comparing, balancing, and increasing traffic count to reflect normal growth in the project's area using the Highway Capacity Manual 2000 Methodology.

d. Discuss the proposed relocation of Dell Avenue, including improvements in traffic flow and road conditions.

3. Proposed Mitigation

a. As applicable.

b. Comparison of future no-build and future build scenarios.

VI. ALTERNATIVES

The DEIS will analyze the following alternatives:

A. No Action – No development takes places, including analysis of as-of-right development under current zoning

B. Alternative Site Layouts

1. R-160 zoning compliant

2. Alternate RSP-1 layout

VII. SIGNIFICANT IMPACTS THAT CANNOT BE AVOIDED

Any significant adverse environmental impacts identified in the DEIS which cannot be mitigated, will be designated as unavoidable environmental impacts and summarized in this section. These impacts will be classified as short-term or long-term in nature.

VIII. OTHER SEQR REQUIRED CHAPTERS

A. Growth Inducing and Cumulative Impacts

a. Identify and discuss the potential growth inducing aspects that may occur as a result of the proposed action.

B. Irreversible and Irretrievable Commitment of Resources

a. Identification of those natural and man-made resources consumed, converted or otherwise made unavailable for future use as a consequence of the proposed action.

IX. APPENDICES

A. SEQRA Documentation (Scoping Session Transcripts and written Scoping Comment Letters)

B. Fiscal Impact Analysis

C. Wetlands Survey and Delineation

D. Visual Impact Assessment

E. Preliminary Stormwater Management Report

F. Preliminary Erosion and Sediment Control Plan

G. Other Reports and Studies, As Applicable