



June 26, 2024

Ms. Diana L. Quast, Town Clerk
Town of Yorktown Town Board
363 Underhill Avenue
Yorktown Heights, NY 10598

Re: **Field Home Senior Development Toll Brothers
Catherine Steet
Town of Yorktown; Westchester County
Tax Map #s: 35.08-1-45 & 35.12-1-2
DEP Log #: 2022-CNC-0810-OT.1**

Rohit T. Aggarwala
Commissioner

Paul V. Rush, P.E.
Deputy Commissioner

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Dear Ms. Quast and Members of the Town Board:

The New York City Department of Environmental Protection (DEP) has reviewed the Town of Yorktown Town Board's (Board) referral and full Environmental Assessment Form (EAF) for the above-referenced project. It is unclear from the documentation provided when SEQRA was initiated for this action.

The project site is located in the New Croton Reservoir drainage basin of New York City's Water Supply. As New Croton Reservoir is phosphorous restricted, water quality impacts to the receiving reservoirs from pollutant-laden runoff must be avoided or mitigated.

The proposed action involves the rezoning of the above referenced parcels currently in the RSP-3 and R1-40 into the RSP-2 District. Further, the applicant/contract vendee wishes to subdivide the 50.51 acres into two separate parcels consisting of a 48.06-acre and a 2.48-acre parcel. The 48.06 acres would then be developed into 118 three-bedroom townhome condominiums and club house with access provided via two driveways from Catherine Street. The 48.06-acre project would be served by municipal water and sewer. The new 2.46-acre parcel will house the existing Field Home Building and would be considered for reuse in the future. In addition, the existing subsurface sewage treatment system serving the Field Home facility will be abandoned.

DEP's status as an involved agency stems from its review and approval authority for a Stormwater Pollution Prevention Plan (SWPPP) pursuant to Section 18-39 (b) of the *Rules and Regulations for the Protection from Contamination, Degradation, and Pollution of the New York City Water Supply and Its Sources* (Watershed Regulations). DEP also maintains review and approval authority for the sewer extension pursuant to Section 18-37 of the Watershed Regulations.

Based upon review of the circulated documents, DEP respectfully submits the following comments for the Board's consideration:

1. Part D.1.b.b of the EAF indicates that 29.63 acres of soil disturbance is anticipated. As such, this action would be considered a Type I action pursuant to SEQRA.
2. Part D.1.e of the EAF is answered in the negative stating that a single phase (18 months) of construction is anticipated. Experience has shown that a project of this magnitude is rarely completed in a single phase. Given that there may be several freeze thaw cycles during full build construction, the project sponsor is urged to consider the potential adverse ground and surface water impacts from erosion during construction and to include methods and practices that avoid such impacts.
3. Part D.2.b.1 of the EAF states that the activity will result in the loss of 0.07 of the on-site wetland. Further, Part D.2.b.ii mentions that a portion of the permanent stormwater management practice and access road will be situated in the wetland buffer. Buffer zones protect wetlands and adjacent water bodies from adverse impacts by filtering and reducing stormwater runoff. Methods and alternatives to avoid the 1.84 acres of wetland buffer encroachment must be fully evaluated.
4. The pocket wetland stormwater practice proposed in the northern part of the site is located within the above-noted wetland and watercourse buffers. DEP has consistently discouraged the placement of stormwater practices in surface water buffer areas as the construction and long-term maintenance requirements degrade the natural, beneficial functions. Additionally, the type of wetlands identified should be labeled on the plans.
5. Parts D.2.e.i & D.2.q of the EAF both state that pesticides, herbicides, and garden chemicals will be applied and includes an Integrated Pesticide Management Plan (IPMP). The IPMP and grounds keeping plan should also minimize use of de-icing chemicals, road salt, fertilizers and other materials that may negatively impact water quality.
6. Part D.2.e.iii of the EAF indicates bioretention and infiltration. Soil testing in the areas of the proposed stormwater practices must be witnessed by DEP in order to ensure their viability in these locations. It is suggested that the applicant's representative contact Mariyam Zachariah at MZachariah@dep.nyc.gov to make arrangements.
7. Part E.1.b notes over 20 acres of new impervious surfaces upon project completion. Additionally, the proposed site development removes

virtually all vegetation from the site, including 42 acres of forest, meadow, grassland, and shrubland. Only about 10 acres will remain as landscape/lawn areas. This approach will significantly alter the volume, rate and patterns of stormwater runoff on site. It is strongly recommended that the project sponsor consider reducing overall imperviousness. Additionally, consideration should be given to incorporating more robust and extensive green infrastructure practices to minimize impacts from new impervious surfaces.

8. As shown, 12.9 acres of site disturbance are proposed on slopes between 10 and 15% along with 8.3 acres on slopes greater than 15%. This represents a significant amount of soil disturbance on steep slopes; in addition to assessing the impacts of erosion and sedimentation resulting from such disturbances, the project sponsor must avoid or mitigate these potential impacts to the extent possible.
9. The proposed action must be designed to manage stormwater runoff in accordance with incremental criteria established in the latest Watershed Regulations, such as treatment of densely impervious drainage areas by two different stormwater practices in series. As such, it is recommended that the project sponsor schedule a SWPPP pre-application meeting with DEP staff.
10. DEP recommends a pre- versus post-development pollutant loading analysis given the significant amount of vegetation removal and new impervious surfaces proposed.
11. The stormwater design calls for eight rain cisterns to manage runoff. Supporting documentation must be provided for all eight cisterns to verify that captured runoff will be utilized within the project site for irrigation purposes; that the system is designed for cold weather shut down requirements; and that water demand calculations are appropriate for the entire growing season.
12. As referenced above, per Section 18-39(c)(6) of the Watershed Regulations, the SWPPP must quantify the % of impervious surfaces created within each drainage area. Should the total meet or exceed 20%, two, different stormwater management practices shall be provided in series for those specific drainage areas.
13. It would be helpful for future submissions to include a separate utility plan as it is difficult to discern the level of detail on the somewhat busy preliminary drawings.

14. To the extent possible, future plans for the Field Home facility should address wastewater needs, connections and flow capacity of existing infrastructure.

Thank you for the opportunity to provide comments. You may reach the undersigned at cgarcia@dep.nyc.gov or (914) 749-5302 with any questions or if you care to discuss the matter further.

Sincerely,

Cynthia Garcia

Cynthia Garcia, Supervisor
SEQRA Coordination Section

c: B. Orzel, USACOE
J. Petronella, NYSDEC Region 3
B. Lopez, WCPD

