

# TOWN OF YORKTOWN PLANNING DEPARTMENT

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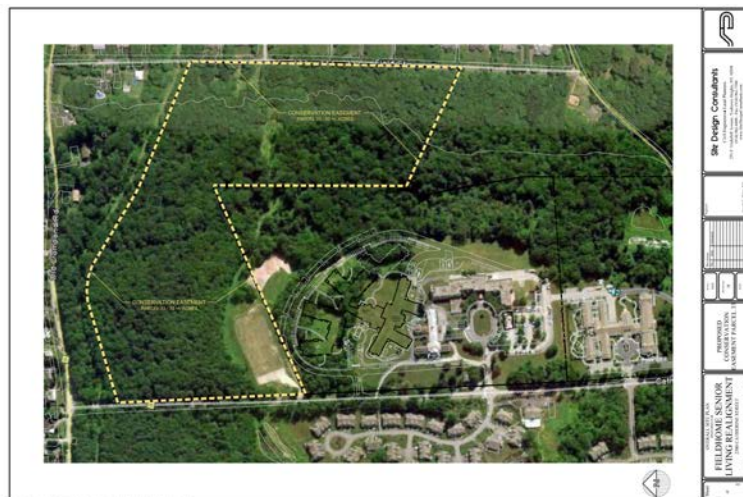
**To:** Planning Board  
**From:** Planning Department  
**Date:** May 3, 2024  
**Subject:** Toll Brothers at Catherine Street  
SBL: 35.12-1-2 & 35.08-1-45

The Planning Board is considering the Toll Brothers proposed rezone, on referral from the Town Board, of the subject parcels from RSP-3 and R1-40 to RSP-2 to construct 118 townhouse units on 50.05 acres. As the Town Board is acting as lead agency under SEQRA the Planning Board should conduct its review of the rezone application with sufficient analysis to make a recommendation to the Town Board on the instant application, but also that satisfies, to a sufficient degree, the ensuing site plan application and review. This is an important consideration as the SEQRA record weighing potential significant impacts for the project will have been closed by the Town Board's action on the rezone and the Planning Board and other involved agencies will be bound by its determinations.

The Planning Board previously summarized potential impacts in a memo to the Town Board dated January 23, 2024. These impacts included the change in the conservation easement area from the previous Fieldhome proposal, the significant regrading of the site, protection of the wetland areas, visual impacts from surrounding areas and town resources, impacts on recreational resources, preservation of the Fieldhome mansion and potential ownership by the Town, and impacts on town infrastructure. This latest submission is the applicant's response to that memo.

In 2012 the Board approved a site plan for the Fieldhome Realignment & Repositioning that proposed to demolish the existing 202-bed skilled nursing facility and replace it with a new 90-bed skilled nursing facility, 102 independent senior units and 28 additional future units in an apartment-style building connected to the nursing facility by administrative and common areas. The entire development was proposed on approximately 17.5 acres of parcels Section 35.12, Block 1, Lots 2&3. A Conservation Easement was proposed on the remaining 32.81 acres of Section 35.08, Block 1, Lot 45. The practice field would have remained on the Conservation Parcel north of the development. The rear wing of the Fieldhome mansion was to be removed and the rest of the building used as administrative offices.

Fieldhome Realignment & Repositioning Development – March 25, 2014 (north is to the left)



The Toll Brothers proposed development is on 50.05 acres comprised of Lot 2 which was the former Conservation Parcel. Approximately, 28.18 acres on the west side of the property will be development with access onto Catherine Street, and approximately 21.87 acres on the east side of the property will not be developed with a conservation easement proposed on 14.3 of those remaining acres. The development proposes to remove the existing soccer field and seeks to subdivide off 2.45 acres of the property around the Fieldhome mansion. The mansion lot is proposed to be donated to the Town of Yorktown or another entity for adaptive reuse.

Toll Brothers – February 20, 2024 (north is to the top)



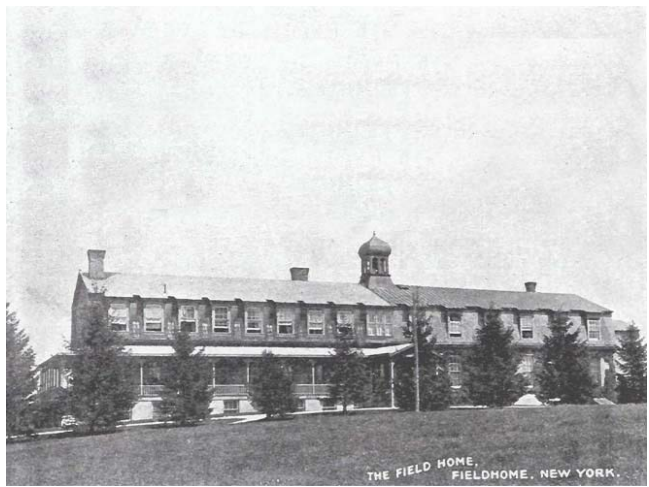
The approved Fieldhome Realignment & Repositioning plan did not come to fruition, therefore whether the zone of the subject parcels is changed or not, the properties will most likely be developed without such a large conservation area as previously approved. The proposed development will require the removal of a significant number of trees that will require mitigation. The submitted tree survey identifies 2268 trees on the site, but does not indicate how many of these trees are regulated and how many are proposed to be removed.

The project will require regrading of the site, which will create steep slopes and retaining walls between the proposed buildings. Cross sections through the steepest sections of the development should be evaluated for both the engineering design of the site and the potential visual impacts. The submitted visual analysis provided a cross section of the viewshed from the Catskill Aqueduct trail. The applicant is working on a cross section for potential views from Sylvan Glen Nature Preserve, which was not included.

The applicant has submitted a report analyzing the use of the existing practice field on the site and their proposed mitigation for removing this field. Though this is being analyzed under the rezoning application, the Planning Board, during the site plan review, is required to conduct a review of the impacts of the proposed development on the Town's recreation resources and determine the recreation needs, acceptable mitigation for the loss of the field, and potential fees-in-lieu related to the project at that time.

At their meeting on April 30, 2024, the Town Board approved hiring a historical consultant to review the Historic Analysis, Conditions & Adaptive Reuse report submitted for the Fieldhome mansion. The oldest part

of the building was constructed by Cortlandt dePeyster Field by 1889 while the part of the building facing Catherine Street was constructed in 1924 on family farm property. The home was constructed as a home for respectable poor and his poorer relatives, but is more known for becoming a home for elderly women. The philanthropy of the Field family is well known in Yorktown and upper Westchester County. For these reasons the Fieldhome mansion is an important historical resource that will require a creative reuse to preserve. The Town's Consultant will evaluate the applicant's report to help guide the discussion of how to preserve the home without it requiring a significant expenditure of Town resources.



Prior to 1906, West Elevation (1897 addition and Chapel)  
Image: L. G. Cooper et al, Postcard History Series – Yorktown

Potential impacts on Town sewer infrastructure are being investigated by the Town Engineer with assistance from the applicant. The property is located in the Peekskill sewer district and flows to the Hunterbrook Pump Station. The pump station has been experiencing capacity issue likely related to inflow and infiltration. The points of inflow and infiltration need to be identified and remediated in order for the project to not negatively affect the sewer infrastructure and particularly the Hunterbrook Pump Station. the Comprehensive Plan requires this as stated in Goal 2-E, as follows “Land uses, densities, and development patterns should be compatible with the existing or planned sewer, road, and water infrastructure in an area. Where adequate infrastructure is not present, or sensitive environmental features are present, development should be restricted....”

In addition to the main discussion of impacts, the Planning Department provides the following technical comments on the February 23, 2024 submission:

**Expanded EAF**

The Table of Contents should be expanded to include all documents, reports, plans, and figures that have been submitted in support of the petition, as last revised, so that town staff, boards, and interested parties can find and seek out all the material for their reference.

**PART 1**

1. Page 4 (D.2.): This was answered as no, however, there will be cutting and filling. This section should be filled out.
2. Page 5 (d)(iii): The Town Engineer has disputed the claim that the sewer lines servicing the project site can handle the wastewater generated by this development.
3. Page 9 (E.1.) (a): If average depth to bedrock is 1.6-3.5 feet, blasting would be required. (D.2.(a)) states none will be required)
4. Page 12 (E.2.) (m): The presence of bats should be confirmed.

5. Page 13 on EAF from 8/13/23 (h): Within 5 miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? Old Crompond Road is listed in the Comprehensive Plan as a scenic resource and should be considered.

## **PART 2**

1. Page 1 (1.a.): Depth to water table is less than 3 feet states not applicable. In part 1 it was stated as being between 2-3 feet. Needs to be corrected.
2. Page 1 (1b.): Site plan shows slopes greater than 15%
3. Page 1 (1c.): Depth to bedrock generally within 5 feet of existing service states no and not applicable. In part 1 it is listed as being between 1.6-3.5 feet. Needs to be corrected.
4. Page 4 (7): Provide impacts on plants and animals.
5. Page 6 (10): The impact on historical and archeological resources should be confirmed.

## **Narrative**

1. Page 1:
  - a. The other unnamed stream should be part of the narrative as it is a regulated wetland under Chapter 178 of the Yorktown Code. The wetland functional analysis should include a treatment as well.
2. Page 2:
  - a. The name of the nursing facility referenced in the document should be confirmed.
  - b. The section describing the sewer connection and capacity should more clearly reflect that the Town engineer has also expressed concern regarding capacity related to inflow and infiltration and that capacity is restricted due to that issue. The Town Engineering Department and Toll are working
  - c. toward resolving this issue so that the project can feasibly be connected to the system.
  - d. in second paragraph reconcile "...by on behalf..."
  - e. Item E.2 – The Collin-Simpson data should be submitted. This should be reconciled with the relevant Part I EAF sections.
6. Page 3:
  - a. The amount of excess cut/fill should be clarified. The table shows 1068 of topsoil and 590 of cut material.
7. Page 4:
  - a. The US Army Corps will not participate in the SEQR process without an application and after the SEQRA determination has been made.
  - b. The stormwater infrastructure should be described. There should be clarification on whether there are surface basins and underground infiltrators proposed as part of the storm water infrastructure.
8. Page 5 Item 7:
  - a. The notation in paragraph two states part of the property is mapped to have an area of rare terrestrial animals. A map regarding this should be provided. A further explanation of potentially present species and the conclusion of the analysis should be provided.
9. Page 6:
  - a. The email from the NYSDEC regarding tree cutting restrictions should be submitted and noted here where it is to be referenced.
  - b. A basic discussion of tree mitigation should be included.
  - c. A section from Sylvan Glen Park Preserve should be included and analyzed. Mitigation measures may need to be discussed. Note that the site will have a lot of tree removal, has steep slopes, and the layout requires a tiered layout with significant embankments created which may accentuated viewshed impacts.
10. Page 7:
  - a. Grammatical error in paragraph two, "...home up to of 1998..." should be corrected.

- b. The Field Home is cited in Yorktown historic resource report as eligible for listing. This should be acknowledged.
- 11. Page 8:
  - a. Does the improvement of Hunterbrook upper field fully absorb the usage demand that the current field provides? A discussion of the presumed cost to bring the upper field to an appropriate condition in order to be used fully should be included in this section. The misspelling of field home in second paragraph should be corrected.
- 12. Page 12 Item 17:
  - a. The Yorktown reconnaissance survey related to field home should be acknowledged. Chapter 6 of the Yorktown Comprehensive Plan lists goals that should be considered for Scenic & Historic Preservation.
- 13. Page 13:
  - a. Add Sylvan Glen Park Preserve here, especially if a forthcoming site section reveals potential impacts.
- 14. Page 14:
  - a. Assessors review should be requested.

### **Phase II Environmental Assessment**

- 1. The testing for TP-2 and TP-4 have a “hold,” please explain.
- 2. Applicant should state intended methods of removal and/or reuse of this material.
- 3. Applicant states that there is no justification to seek involvement from the NYSDEC and that they question the purpose of referring the matter to the DEC.

### **Tree Survey**

- 1. The tree survey does not give the number of total regulated trees among the 2268 that were surveyed. Any dead or invasive species would not be counted in the total number of regulated trees.
- 2. The site plan indicates trees to be preserved, however trees with their condition listed as Dead should not be included as being preserved even if they are located in an area not proposed for development.
- 3. The total number of regulated trees and the total number of trees to be removed should be stated.

### **Traffic Study**

- 1. Croton Avenue can be used to access Catherine Street when travelling from West to East on Route 202.
- 2. Most recommendations involve sight distances. Should any other recommendations be considered?
- 3. The intersection at Garden Lane & 202 will get worse, both in no build and build conditions. The project is adding to the poor functioning of this intersection and no mitigation is proposed. Please provide an explanation as to how the DOT warrants are not met and improvement is not necessary.

### **Site Plan**

- 1. Extreme amounts of grading will be taking place, however, very few retaining walls are shown. Are the proposed retaining walls sufficient?
- 2. Provide cross sections of the proposed grading.
- 3. A steep slope map and a slope analysis should be provided.

cc: Applicant  
Town Board  
Town Engineer