

Appendix B

Local Agency Scoping Comments



Environmental
Protection

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Commissioner

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RECEIVED
R OCT 18 2021
TOWN OF MOUNT PLEASANT
PLANNING BOARD

October 14, 2021

Town of Mount Pleasant
Planning Department
One Town Hall Plaza
Valhalla, New York 10595

**Re: Meadows at Briarcliff, LLC Tax Map No. 105.17-1-15
Development Adjacent to NYC Croton Aqueduct Easement**

Dear Sir/Madam:

We are in receipt of a public notice regarding the Meadows at Briarcliff, LLC. The application for proposed subdivision of property into thirty (31) single-family residential lots would take place over the New Croton Aqueduct (NCA), which is approximately 150 feet below the surface. New York City (the "City") holds a permanent subsurface easement for the operation, protection, maintenance and repair of the aqueduct. Further, the parcel identified as Tax Map No. 105.17-1-15 contains a shaft. The New York City Department of Environmental Protection (DEP) is providing the following comments for the proposed project:

- Please provide a site survey for DEP review.
- DEP has a shaft located on the western side of the property and is currently investigating easement rights in this location. No buildings or structures should be developed in the location of the shaft.
- Should any vibratory work (i.e. blasting or rock hammering) place over, or in the vicinity of, the NCA, DEP shall be contacted and vibration monitoring established per DEP guidelines prior to work commencing.
- There shall be no structures placed within the limits of the subsurface easement.
- There shall be no well-drilling or boring over the NCA or 100 feet on either side of the aqueduct centerline.
- There shall be no septic systems placed directly over the NCA.
- There shall be no pile-driving directly over the NCA.
- All local, state and federal rules and regulations must be strictly complied with.

Please be aware that any damage to the NCA has serious ramifications since it provides drinking water to the City and surrounding communities. Please contact Terence Murphy, Chief of Engineering, at 914-635-0381 or TMurphy2@dep.nyc.gov regarding construction activities be proposed over the NCA.

Sincerely,

Matthew

Digitally signed by Matthew
DN: cn=Matthew, o=NYCDEP,
ou=Castro,
email=mcastro@dep.nyc.gov,
c=US
Date: 2021.10.14 09:36:14 -04'00'

Matthew Castro
Acting Property Management Supervisor
City Lands Stewardship

c: Terence Murphy, P.E., DEP Chief of Engineering
Crystal Ronci, P.E., DEP Engineering Manager
Thomas Davidock, DEP Acting Section Chief City Lands Stewardship



CONSERVATION ADVISORY COUNCIL

STEVEN KAVEE

Chairman

JOSEPHINE DI COSTANZO

LEE S..PARKER

CARMEL PROMISEL

STEVEN WILLARD

October 15, 2021

To: Town of Mount Pleasant Planning Board

From: Town of Mount Pleasant Conservation Advisory Council (CAC)

Re: Draft Scope Comments “Meadows at Briarcliff” cluster subdivision

Applicant: Zappico Real Estate Development, LLC

Subject Site: 715 Sleepy Hollow Road, Mt. Pleasant; Tax Map Section 105.17 Block 1 Lot 15

Dear Chairman and Planning Board Members:

Per the Town Code the Conservation Advisory Council (Council or CAC) acting in its capacity to comment on natural resource impacts, offers these written comments on the Draft Scoping Document for the above referenced application.

The Applicant proposes to subdivide 36.8± acres located at 715 Sleepy Hollow Road as a 31-lot “cluster” subdivision consisting of 29 new single-family lots and the preservation of two existing residences on separate lots (the “Proposed Action”). The Applicant proposes 31 building lots ranging in size from 20,012± s.f. to 127,327± s.f.. The applicant is calculating 21.56 acres as open space preserved through a conservation easement. A substantial portion of the “open space” appears to be based on calculations that include the 100’ DEC buffer protecting the Pocantico Lake, an emergency reservoir for public drinking water designated as a Critical Environmental Area (CEA).

Of concern is the property’s location adjacent to and incorporating the New York State Department of Conservation regulated wetlands buffer for Pocantico Lake, a Critical Environmental Area (CEA). The potential impacts rise to a level beyond a conventional application and it is critical that the Scope notes this location’s CEA designation and not a more generalized description.

Zappico Real Estate Development, LLC (the “Applicant”) is the named applicant on the scoping document. At the initial Planning Board meeting, The Meadows at Briarcliff LLC was named as the applicant. The actual owner and applicant should be clarified for 715 Sleepy Hollow Road also known as Town of Mt. Pleasant Tax Map Section 105.17 Block 1 Lot 15). There is a question of sequestration since an adjoining parcel owned by Zappico was developed in the Village of Briarcliff Manor as a 2 lot subdivision. That parcel was part of the original 41.10 acres purchased by Zappico that includes the Meadows at Briarcliff subdivision.

The build out proposed, using a conventional subdivision as the methodology for the lot count, has the potential for significant environmental impacts that may be beyond standard mitigation measures. The thoroughness of the review of these impacts in the DEIS must be reflected in a Scoping Document that integrates all issues and potential outcomes with a range of alternatives so the Planning Board has all the details to make any final determinations on the application. The sensitivity of this site requires far more specificity in the Scoping Document than the draft prepared by the applicant for the lead agency to consider the relevant environmental impacts and facts in the DEIS and conclusions disclosed in the FEIS.

Continued

In addition, the DEIS should include alternatives that are in line with the purpose of clustering, which is to preserve natural resources and viewsheds, minimize negative environmental impacts and provide the actual benefits of conservation. The special characteristics of this property must be noted in the scope so the thorough review with alternatives is provided that is consistent with the public interest, common good and the draft Master and Comprehensive Plan currently under review by the Town.

Some terms used in the Draft Scoping Document fall below the level of scrutiny for this sensitive site and may as a result prove less exacting in the DEIS. Specifically, the use of the word Discuss rather than Identify may limit the information required in the DEIS. The Scope should use terms like Assess, Quantify, Compute and Calculate rather than the open and less instructive “Discuss.” The concern in this early stage of the environmental review is that the scope captures all issues and there is no shortfall that would allow a DEIS to be considered complete without scrupulous review that includes every detail so that “no stone is left unturned.”

A brief summary of some key issues on the Draft Scoping Document follows and an annotated version with notes and questions in red is in a separate attachment.

SUMMARY ITEMS OF CONCERN annotated in the draft

CEA protection, public water source protection, views, Hazardous Material, bedrock, complete habitat assessment, habitat corridor ID and protection, Climate Change resiliency, Green Infrastructure and using Low Impact Development (LID) measures, Energy efficiency, Solar orientation, Lighting and Dark Skies protocol, balanced cut and fill impact, Stormwater runoff and impact of pesticides and fertilizer on the CEA, ownership, access, protection from encroachment and maintenance of the conservation easement and conservation areas including the 100' DEC wetlands buffer.

CONSERVATION EASEMENT

Will the homeowners association (HOA) hold the easement and be responsible for the enforcement and maintenance of the conservation portion of the subdivision. How will protection be enforced?

STEEP SLOPE

The site topography requires steep slope construction with retaining walls due to large amounts of cut and fill and the steep slope conditions require an engineered stormwater management plan. Downslope CEA impacts need to be mitigated to protect the site as well as the potential for off site impact generated by proximity to the Pocantico.

WATER COURSE AND WETLANDS IMPACT

Add language to include potential adverse impact to the recharge of aquifers and impact on watershed
Add discussion and implementation of Low Impact Development design strategies
Identify impact from fertilizers and pesticides used by homeowners.

FLORA FAUNA

A full habitat inventory is needed, not just an assessment of endangered and threatened species. The Scope does not identify habitat corridors or measures to retain, no the use of native plants in landscaping.

The Council recommends adding the following to specify measures to mitigate impact, improve protection of natural resources and enhance opportunities to reduce loss of habitat value.

Describe proposed Tree Protection and Reforestation Plan for the site, as well as other landscaping proposed to mitigate potential impacts including use of native vegetation to increase habitat values impacted by tree removal and loss of open space. A minimum 70% native tree and plant landscaping is recommended.

STUDY AREA

The ¼ mile zoning and land study area in the scope is insufficient and might exclude environmental impacts on the entire reservoir, park area, walking trails and full CEA. In other sections impacts from the proposed action include vague terms like vicinity. The study area needs to be expanded so there is no limitation imposed on the DEIS to review off site impacts including the County park and Rockefeller Preserve.

TRAFFIC STUDY

There does not appear to be any consideration of pedestrian safety. Many park visitors may be affected by traffic from the proposed action.

Anticipated Impacts: Describe increased greenhouse gas emissions from additional traffic compared to current conditions.

STORMWATER, FEMA FLOOD PLAIN AND CLIMATE CHANGE RESILIENCY

Anticipated impacts should specifically include review of regional storm and flood plans with changing impacts from climate change. New York State DEC and FEMA reviews should be noted as well as any other updated reviews and reports.

Use of Low Impact Development (LID) stormwater management systems and other measures to maximize on site infiltration and minimize directing water off site.

Address design layout that maintains the current site groundwater recharge capacity through the use of Low Impact Development (LID) stormwater management systems including landscaping, pervious material, curbing designs and other measures to maximize on-site infiltration and minimize runoff off-site

Light, Noise and Air Quality

Is EPA's Office Carbon Model (V1.0) most current and best practices for this project?

Include measures for dark sky standards

BLASTING

The Scope should be more specific- see *comments in the scoping document*

SUSTAINABILITY, IMPACTS ON ENERGY USE AND CONSERVATION

Utilities and Site Infrastructure

There is no separate section on these items including energy conservation measures, green building techniques, LEEDS Type construction, renewable energy options like geothermal, solar orientation or solar panels. Describe measures and features of Proposed Action that will utilize Green Building Technologies and increase energy efficiency and other measures that reduce carbon emissions.

Mitigation Measures

Describe other conservation measures and features that reduce waste and energy consumption.

VIEWSHED IMPACTS

Require a full assessment through various photos and balloon studies to determine viewshed impacts from parklands. Provide mitigation options that include retaining forested areas and reduced construction on steep slopes

ALTERNATIVES

Proposed Alternatives

ADD: Conventional Layout with no viewshed or excessively steep slope impacts.

Clarify "Conservation Layout" – what is being conserved and what is an "alternative house design."

Town house or semi attached houses should be alternatives that could provide substantial conservation of open space, reduction of steep slope and viewshed impacts and preservation of forested areas

Steven Kavee, Conservation Advisory Council Chair

MEADOWS AT BRIARCLIFF CLUSTER SUBDIVISION

Town of Mt. Pleasant, Westchester County, New York

Draft Environmental Impact Statement (DEIS)

Adopted:

MT. PLEASANT CONSERVATION ADVISORY COUNCIL ANNOTATED COMMENTS

This document identifies the issues to be addressed in the Draft Environmental Impact Statement (DEIS) for the proposed Meadows at Briarcliff Cluster Subdivision in the Town of Mt. Pleasant, NY. This Scoping Document contains the items described in 6 NYCRR Part 617.8 (e) (1) through (7).

Classification of Action: **Type I**

Lead Agency: **Planning Board of the Town of Mt. Pleasant**
Town of Mt. Pleasant
One Town Hall Plaza
Valhalla, New York 10595

Scoping Meeting: **October 18, 2021, beginning at 7:30 p.m. at the Town of Mt. Pleasant Town Hall (Court Room), One Town Hall Plaza, Valhalla, New York 10595.** Comments from Agencies and public are welcome at this public scoping session.

Written Scoping Comments: **Written scoping comments are also invited and will be accepted through 4 p.m. on Friday, TBD, to be addressed to the SEQR Contact Person:**

Carolyn Saracino, Secretary to the Planning Board

Town of Mt. Pleasant Town Hall

One Town Hall Plaza

Valhalla, NY 10595

Phone: (914) 742-2330

Fax: (914) 769-3155

Email : csaracino@mtplesantny.com

Scoping Document
Meadows at Briarcliff Cluster Subdivision
Town of Mount Pleasant, NY

Introduction

This Draft Scoping Document has been prepared by the Town of Mount Pleasant Planning Board (hereinafter “Planning Board”) as Lead Agency for the SEQRA review of the proposed Meadows at Briarcliff Residential Cluster Subdivision (hereinafter the “Proposed Project”).

This Draft Scoping Document represents issues and known concerns identified by the Planning Board during its review of the Project’s subdivision application, which comprise the SEQRA Action that will be studied in the Draft Environmental Impact Statement (hereinafter “DEIS”).

The purpose of the Draft Scoping Document is to initially define environmental issues that will be addressed by the Project sponsor during preparation of a DEIS, and the methodology that will be used to study the potential impacts of the Action on the environment. A Public Scoping Session will be held on October 18, 2021, at 7:30 pm at Mount Pleasant Town Hall. Additional written comments from members of the public as well as Involved and Interested Agencies will be accepted by the Lead Agency until the close of business on TBD, 2021, after the close of the Public Scoping Session. The Lead Agency will consider all substantive comments received, and prepare a Final Scoping Document, which will then be adopted by the Planning Board. The Final Scoping Document is intended to serve as the foundation for the identification of all potentially significant adverse impacts pertinent to the Proposed Action and to recommend appropriate mitigation measures. Its purpose is also intended to eliminate consideration of any potential impacts that are irrelevant or non-significant.

Description of Proposed Action:

Zappico Real Estate Development, LLC (the “Applicant”) [clarify ownership of this parcel and relationship to the original full site purchased by Zappico including adjacent 2 lot subdivision], proposes to subdivide a 36.8± acres located at 715 Sleepy Hollow Road in the Town of Mt. Pleasant (the “Subject Site” also known as Town of Mt. Pleasant Tax MapSection 105.17 Block 1 Lot 15) as a 31-lotcluster subdivision consisting of 29 new single-family lots and the preservation of two existing residences on separate lots (the “Proposed Action”). The Applicant proposes to subdivide the existing parcel into a total of 31 building lots ranging in size from 20,012± s.f. to 127,327± s.f. and a19± acre parcel to be preserved as open space. Approximately 21.56 acres, or approximately 58 percent of the Subject Site is proposed to include a conservation easement preserving those portions of the site as open space. [Identify who will hold title, maintain and enforce the conservation easement] The residential community will be served by a proposed cul-de-sac roadways accessing Sleepy Hollow Road. The roads will be private but built to Town standards and will be maintained by a homeowner’s association. The conservation subdivision layout is based upon a conventional subdivision of the property into a total of 31 zoning compliant building lots. The property is currently located within the Westchester County Saw Mill Sewer district, however, the Applicant intends to prepare a petition to be included into the Ossining district. Water service would be provided through the Briarcliff

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Manor Village Water District.

The DEIS will contain the following information and address the following issues as they relate to a cluster residential subdivision of the lots and to the Proposed Action:

I. COVER SHEET

- A. Identify the Report as a Draft Environmental Impact Statement;
- B. The Proposed Action and its location;
- C. The name, address and telephone number of the Lead Agency and contact person;
- D. The name, address and telephone number of the preparer of the DEIS;
- E. The date of DEIS submission and acceptance. A space for the date will be provided
- F. The name address and telephone number of the Applicant; and
- G. The date by which comments on the DEIS must be submitted. A space for the date will be provided.

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 and involved parties would be provided.

II. TABLE OF CONTENTS AND EXECUTIVE SUMMARY

- A. Indicate the chapters of the DEIS and page numbers as well as lists of exhibits, tables and appendices.
Add “Maps” section to table of contents

- B. Executive Summary**

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

III. PROJECT DESCRIPTION

The development of a cluster subdivision (as permitted under §A227-9 of the Town Code **Describe more fully how this section of the Town Code applies to the development of the cluster subdivision**) is predicated on the establishment of a lot count that would be allowable for a conventional subdivision designed in accordance with the existing zoning and land use regulations. A conventional 31 lot subdivision has been submitted conforming to applicable R-40 zoning district requirements to justify the proposed cluster subdivision lot count. The development of the Site described in this section of the DEIS addresses the conventional subdivision intended for the purposes of establishing a lot count only. The Applicant is not proposing to develop the site with a conventional subdivision. The Applicant proposes the development of a cluster subdivision, which is addressed more fully in Section V of this DEIS.

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A. Project Purpose, Needs and Benefits

1. The purpose and need for the proposed project will be discussed.
2. Public need for the project, and municipal objectives based on adopted community development plans. Describe the need for additional housing in the Town of Mt. Pleasant.
3. Describe the proposed development including but not limited to:
 - a) Objectives 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, roadbed composition, and construction standards.
 - f) Proposed recreation areas and/or open space acreage. **Identify public and private recreation areas**
 - g) Projected household size and age groups.
 - h) Proposed utilities.
4. Benefits of the Proposed Action to the Town
 - a) Social
 - b) Economic

B. Site Location

1. Identification of regional and area location, tax map designation, abutting streets, utilities and land uses and existing zoning categories. **ADD “Special characteristics”**

C. Project Background and Site History

D. Proposed Development

1. Descriptions of general layout, access, open space/buffer areas, lighting, internal road system, emergency access, utilities and stormwater facilities. Legal status, use, and ownership of existing property within areas of proposed improvements. **Lighting explored in a separate category including dark sky**
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, the number of buildings and the total maximum potential use of the site pursuant to the Town’s existing zoning.
4. Projected Construction Schedule and Project Phasing

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. **These approvals** **should be well established** “will be**

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“required” suggested.

- B. Listing of Involved and Interested Agencies
- V. EXISTING CONDITIONS, POTENTIAL IMPACTS, MITIGATION - The analyses of the project would be performed for the expected year of completion of the project (2024).
- A. Land Use and Zoning
1. Existing conditions
 - a) Generalized Land Use - Prepare maps and narrative describing general development patterns within Westchester County, the Town of Mt. Pleasant, including the Village of Briarcliff Manor.
 - b) Primary Study Area Land Use – include a map and parcel by parcel land use survey of all properties within **¼ mile of the perimeter** of the site. **At least ½ mile to encompass parkland and CEA. A ¼ mile study area is not sufficient considering adjacent land uses and impacts.**
 - c) Present use of the site including existing on-site structures.
 - d) Describe existing zoning in the Town of Mt Pleasant, surrounding zoning within **¼ mile** of the site and the R-40 zoning.
 - e) Project compliance with R-40 zoning regulations.
 2. Anticipated Impacts
 - a) Describe the how the project relates to general development patterns throughout the area, including current comprehensive planning documents and policies (Town of Mt. Pleasant, Village of Briarcliff Manor, and Westchester County Patterns and Westchester 2025).
 - b) Identify the relationship of the proposed development to overall land use patterns within the study area and to **immediately adjacent** properties. **“immediately adjacent” is not sufficient and the wording should allow for review of impacts outside of this area.**
 - c) Study of the proposed project’s compliance with existing Town zoning, subdivision regulations and other local land use regulations.
 - d) Discuss impacts, if any, from proposed project lighting. **Confirm if Dark Skies Regulations compliant Identify impacts on wildlife. Add sound impact on wildlife**
 3. Proposed Mitigation
 - a) Include items such as, but not limited to buffer areas, landscaping, increase setbacks.

B. Flora and Fauna

1. Existing Conditions
 - a) Preparation of a Threatened and Endangered Species Habitat Suitability Assessment report by a biologist to catalogue all on-site species, vegetation cover types and habitats.

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Scope should specifically include a complete habitat inventory not limited to threatened and endangered species. Identify habitat corridors and Impact.

- b) Provide tree survey of subject property by a licensed land surveyor which shows the tree location, diameter, and species of all trees with a 6" and greater diameter (measured 4.5' above grade) in all areas of disturbance, and within 25' of the edge of all disturbed areas.

Inventory should be within 50' of the disturbed areas adjacent to wetlands and large forested areas

Anticipated Impacts

a) Identify loss of wooded areas and its effect on any habitat conditions on the site ADD "specifically the edge effect from clearing previously undisturbed forested areas."

- b) Discuss any impacts on resident plant and animal populations.

Add "discuss impact on climate resiliency and carbon sequestration"

- c) Identify impacts associated with the use of fertilizers, herbicides and pesticides.

2. Proposed Mitigation

- a) Compute Tree Reforestation requirements in accordance with *Chapter 201: Article I Tree Preservation* of the Mt. Pleasant Town Code.
- b) Discuss tree preservation methods during construction and any proposed new plantings to be installed as part of the development. Specify is plan is using native plantings and if not what percentage would not be native with emphasis on 70% native.
- c) Discuss ownership and means of protecting open space areas. Change from "Discuss" to "Identify" Add "maintenance and access." ALSO- Identify specific measures to prevent encroachment on to the DEC wetlands buffer area on proposed lots.

C. Geology, Topography, Steep Slopes, and Soils

1. Existing Conditions

- a) Site subsurface geologic conditions, including depth to bedrock based on SCS soils data and visual inspections and test probes and borings if necessary. [delete if necessary]

The presence of bedrock and the potential for affecting the infiltration and runoff is critical for an assessment of the impact on the CEA from construction and the additional impervious surface.

- b) Study by a licensed surveyor of topography and steep slopes. Identify in map and numerical forms slopes with the following ranges:
- (1) 0% to < 15%
- (2) ≥ 15% to < 25% (steep slope)

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(3) $\geq 25\%$ to $<35\%$ (very steep slope)

(4) $\geq 35\%$ (excessively steep slope)

- c) Identify soil types and their distribution based on Soil Conservation Service (SCS) mapping. **Identify Peat which may not be included in SCS mapping and provides important carbon storage**
- d) Information on depth to rock based on SCS soils' data and visual inspections. **SEE comment C;1;a**
- e) 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.
- f) History of any hazardous materials found at the site. **Historical records of hazardous material may not be sufficient. The soil disturbance and potential blasting resulting from the construction of 31 new homes requires a clear assessment of hazardous material in the soil with test sites to properly protect the CEA and potential public water source from contamination.**

2. Anticipated Impacts

- a) Quantify slope disturbance by category (0% to $<15\%$, $\geq 15\%$ to $< 25\%$, $\geq 25\%$ to $< 35\%$, and $\geq 35\%$) resulting from proposed action and depict on topographic map.
- b) Discuss steep slope impacts as they relate to *Chapter 180: Steep Slope Protection* of the Mt. Pleasant Town Code, including permitting needs for disturbance of very steep and excessively steep slopes, and applicability of hilltop and ridgeline preservation requirements. **IDENTIFY Impact on hilltop and ridgeline viewshed from parks and nearby homes within the expanded study area**
- c) Assess the potential impacts of building construction and site grading with respect to soil erosion and slope stabilization. **Include assess impact on CEA of pesticide and fertilizer runoff**
- d) **Estimate** of cut and fill and description of impacts if cuts and fills are not balanced. **IDENTIFY if cut and fill is not balanced. Assess and calculate impact from additional truck traffic, air quality impact and proposed mitigation for depositing material on site or off site**
- e) Suitability of soils for proposed improvements based on SCS soils' data.
- f) Discuss potential need for blasting. **The Scope should clearly indicate the need to identify in the DEIS the exact location for any blasting.**

3. Proposed Mitigation

- a) Design road and property layout that reduces impact to regulated steep slopes **Alternative layout design with reduced or no impact from road and property layout on regulated steep slopes**
- b) Incorporate retaining walls designed in accordance with Town requirements into the design to prevent excessive grading
- c) Preparation and implementation of a temporary erosion and sediment control during construction plan (included as part of the Stormwater Pollution Prevention Plan [SWPPP]). **Is this sufficient in the scope or should the scope indicate a need for specific calculations of erosion and sediment runoff during construction?**

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- d) Identify permanent slope stabilization methodologies to be used on site (included as part of the SWPPP).

D. Water Resources

1. Existing conditions

- a) Location and description of wetlands, water bodies, and surface watercourses and groundwater resources on and in the vicinity of the site and the general identification of wetland, water bodies and surface watercourses and groundwater resources in the vicinity of the project site and influenced by the project including with respect to: **ADD identification of vernal, intermittent and seasonal pools and streams. Also the term “in the vicinity of the site” is vague. A specific area should be noted to be included in the DEIS**
- (1) Seasonal variation.
- (2) Waterbody's size and quality/characteristics.
- (3) *Chapter 111: Freshwater Wetlands* of the Town of Mt. Pleasant Code.
- (4) Articles 15 & 24 of the New York State Environmental Conservation Law including but not limited to protected freshwater wetlands.
- b) Flood boundaries as defined by the Flood Boundary and Floodway Map issued by the Federal Emergency Management Agency (FEMA)
- c) Describe drainage patterns, conditions and contributing areas within the project site's watershed, and their relationship to the subject site.
- d) Describe any stormwater management facilities on-site and for the off-site vicinity
- e) Existing stormwater flow volumes and peaks would be provided for 1, 10, 50 and 100- year storm events. **It's clear that the past measures of the likelihood and number of major storm events that affect stormwater volume is no longer realistic. Higher levels of peak flow should be considered for a thorough review of impacts in the DEIS.**
2. Anticipated Impacts
- a) Any impacts on surface waters, wetlands, and their regulated setbacks as a result of the proposed development.
- b) Describe the stormwater management system proposed, including all proposed drainage facilities

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and detention areas and how they will comply with the NYSDEC Stormwater Regulations.

- c) **Discuss** potential stormwater quality impacts **Identify, not Discuss. ADD “impacts on CEA.”**
- d) Discuss post-development stormwater flow volumes for the 1, 10, 50 and 100-year storm events. **SEE D;1;e above. Also c) and d) “Discuss” may be too low a criteria compared to Identify or Quantify**

3. Proposed Mitigation

- a) Discuss proposed drainage facilities and methods to treat water quality volumes.
- b) Discuss the use of detention to reduce peak stormwater runoff rates post construction.

Change “Discuss” on a and b to “Describe” Add Identify use of Low Impact Development measures (LID) and green infrastructure to promote infiltration in addition to retention or offsite channeling of stormwater.

E. Sanitary Sewage and Water Supply

1. Existing Conditions

- a) Describe existing municipal sanitary sewer and water mains adjacent to the Project Site including size, material, and ownership
- b) Identify existing Sanitary Sewer Districts and Water Districts that include or are adjacent to the Project Site.
- c) Identify method of water and sewer service provided to abutting properties.

2. Anticipated Impacts

- a) Compute water and sanitary sewer demands of the proposed subdivision and identify any growth inducing impacts that may result from the proposed water or sanitary sewer extension
- b) Identify alternative routes for the sanitary sewer connection to Westchester County trunk sewer.
- c) Discuss the potential for connecting to the Village of Briarcliff Manor water system and legal requirements therefor including whether (i) any improvements districts must be created or expanded; (ii) metering requirements; and (iii) need for intermunicipal agreements. **Describe or Identify alternative water system options for 31 homes if Village of Briarcliff cannot or will not provide this service. Are wells envisioned?**

3. Proposed Mitigation

- a) Alternate sewer service **ADD Alternate water service**

F. Traffic

1. Existing conditions

- a) Description of the length, width of pavement, number of travel lanes, shoulder, capacity, condition, maintenance, and ownership of the following roads in the vicinity of the project:
 - (1) Sleepy Hollow Road
 - (2) Old Sleepy Hollow Road Extension

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- (3) Long Hill Road East
- b) Turning movement counts will be conducted at the Long Hill Road/ Sleepy Hollow Road, Sleepy Hollow Road/Site Driveway and Sleepy Hollow Road/Old Sleepy Hollow Road Extension intersections. Turning movement traffic counts will be performed on weekdays during the morning and afternoon peak periods.
2. Anticipated Impacts
- ADD Traffic impact from school traffic to Pleasantville which does not provide school bus service.**
- a) The traffic expected to be generated as a result of the proposed development. Trip generation shall be estimated using the most current edition of the *ITE Trip Generation* manual.
 - b) Level of Service Analysis of the No-build, and Build (2024) for the following intersections will be performed using Highway Capacity Manual 2000 Methodology.
 - (1) Sleepy Hollow Road/Long Hill Road East
 - (2) Sleepy Hollow Road/Site Driveway
 - (3) Sleepy Hollow Road/ Old Sleepy Hollow Road Extension
 - c) Traffic impact due to construction activities. **Compare Blast/ No Blast and Balanced or Not Balanced fill truck traffic**
 - d) Intersection sight distances at entrances to proposed development and in the vicinity of the Proposed Project.
3. Proposed Mitigation
- a) Comparison of future no-build and future build scenarios
 - b) Proposed improvements to reduce traffic impact and improve roadway safety.

G. Community Facilities (police, fire, emergency services, **schools**, and solid waste)

- 1. Existing conditions
 - a) Describe municipal (Town of Mt. Pleasant or Village of Briarcliff Manor) facilities, including relevant service providers police, fire, emergency services, schools and solid waste. Contact emergency service providers in writing for a description of their facilities and services. **Add Ossining? Also, Pleasantville Schools needs to be added since students will have the option of attending schools in that district.**
- 2. Anticipated impacts
 - a) Describing potential impacts to community facilities and services from the proposed development, based upon information provided by each service provider. **See above re Pleasantville School District**
- 3. Proposed mitigation
 - a) If any.

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Town of Mount Pleasant, NY

H. Socio-economic/fiscal

1. Existing conditions

- a) Describe existing demographic conditions and trends within Westchester County, the Town of Mt. Pleasant and the Village of Briarcliff Manor.

2. Anticipated Impacts

- a) Project population resulting from the Proposed Action and describe impacts on the existing population including impacts on community character and other social impacts on the Town of Mt. Pleasant and surrounding areas and impact on Pocantico Hill School District. **Add Tarrytown, Briarcliff and Pleasantville School District impacts since Pocantico Hill School District students can opt to attend those schools.**
- b) Analyze the following: property tax base, proposed project's assessed value, revenues from local taxes and expenditures as applicable for Town of Mt. Pleasant and Pocantico Hill School District. **See a) above**
- c) Discuss potential fiscal impacts on the above services. **See a) above**

3. Proposed Mitigation

- a) If any

I. Cultural Resources (historical and archeological)

1. Existing Conditions

- a) Location and description of structures or historic areas on the Project Site or within 1,000 feet of it listed on State and National Register **If there is blasting the 1000' limit may be insufficient. The Scope should provide for a larger area subject to blasting requirements**
- b) Provide a Phase 1A archeological survey of the site, following the standards of the New York State Office of Parks, Recreation and Historic Preservation. **The Scope should note the not unlikely possibility of a Phase 1B survey. The site is a relatively undisturbed location adjacent to the Pocantico River. Historically, these are often potentially archeologically significant areas with artifacts and evidence of early settlement and indigenous populations.**

2. Anticipated Impact

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

3. Proposed Mitigation

- a) If any. **See comments above**

J. Visual Resources

1. Existing Conditions

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Meadows at Briarcliff Cluster Subdivision
Town of Mount Pleasant, NY

- a) Documentation of the visual character of the site and the immediately surrounding area through captioned photographs and narrative. Define “immediately surrounding area.” This should encompass all areas where viewshed would be affected
- 2. Anticipated Impacts
 - a) Presentation of elevations, sketches, photographs, cross-sections, models and/or photo-renderings to demonstrate the visual impact of the project on the surrounding area.
ADD balloon studies to demonstrate visual impact
- 3. Proposed Mitigation **ADD Alternative layout with no viewshed impact or reduced tree removal.**

K. Construction

- 1. Existing Conditions
- 2. Anticipated Impacts
 - a) Description of anticipated construction activities, including site preparation, earthwork, removal of materials off-site, stockpiling, rock removal and blasting, if necessary
 - b) Analysis of construction impacts including:
 - Identification of types of construction equipment
 - Construction worker, vehicle traffic
 - Duration and hours of operation
 - Phasing
 - Staging
 - Access points and parking for deliveries and construction workers
 - Direct construction activity impacts such as noise, air quality, stormwater and traffic.
- 3. Proposed Mitigation
 - a) Construction management techniques.
 - b) Erosion control plans and best management practices.

See all prior comments re blasting, balanced cut and fill, truck traffic, air quality.

Also, **ADD measures to protect the CEA from spills and contamination from fuel, oil and other toxic substances.** NYC DEP guidelines are recommended for review and consideration in their construction guidelines for operations adjacent to NYC DEP reservoirs.

VI. ALTERNATIVES

- A. The analysis of reasonable alternatives to the Proposed Action would be based on schematic site plans with a narrative statement describing impacts. Alternatives would be compared to one another and to the proposed action. A summary table shall be provided that presents the comparisons in a concise format.

Scoping Document
Meadows at Briarcliff Cluster Subdivision
Town of Mount Pleasant, NY

- B. Proposed Alternatives:
1. No Action alternative.
 2. Conventional Layout consisting of 31 single family residences.
 3. Conservation Layout with alternative house design.

VI ALTERNATIVES NOTES

Proposed Alternatives

ADD: Conventional Layout with no viewshed or excessively steep slope impacts

Clarify “Conservation Layout” – what is being conserved and what is an “alternative house design.”

ADD: Town house or semi attached houses should be alternatives that could provide substantial conservation of open space, reduction of steep slope and viewshed impacts and preservation of forested areas

VII. SIGNIFICANT IMPACTS THAT CANNOT BE AVOIDED

- A. Identification of significant long-term and short-term construction impacts (including construction noise and dust emissions) that cannot be avoided. For construction impacts, the discussion would include project sequencing and construction impacts on surrounding roads and neighborhood properties and measures to mitigate the same, if any.

VIII. OTHER SEQRA ENVIRONMENTAL IMPACTS

- A. Growth Inducing Cumulative and Secondary Impacts.

Impacts on Energy Use and Conservation. **This should be a separate Roman Numeral section**

SUSTAINABILITY, IMPACTS ON ENERGY USE AND CONSERVATION

Identify energy conservation measure.

ADD reference to green building techniques, LEEDS Type construction renewable energy options like solar orientation or solar panels.

Describe measures and features of Proposed Action that will utilize Green Building Technologies and increase energy efficiency and other measures that reduce carbon emissions.

Mitigation Measures

Describe other conservation measures and features that reduce waste and energy consumption.

Utilities and Site Infrastructure

C) Proposed Mitigation

Discuss alternative and other sustainable energy production options like Geothermal

- B. Irreversible and Irretrievable Commitment of Resources.

IX. APPENDICES

- A. SEQRA Documentation (including Scoping Session Transcripts and written Scoping Comment Letters)
- B. Stormwater Management Report
- C. Traffic Impact Assessment
- D. Steep Slopes Analysis
- E. Water and Sanitary Sewer Plan & Usage
- F. *Add wetlands map*
- G. Tree Survey
- H. Endangered and Threatened Species Habitat Suitability Assessment Report *see notes*
- I. Cultural Resources Report
- J. Fiscal Impact Analysis

**Scoping Document
Meadows at Briarcliff Cluster Subdivision
Town of Mount Pleasant, NY**

October 18, 2021

Town of Mount Pleasant Planning Board

One Town Hall Plaza

Valhalla, New York 10595

Attn: Michael H. McLaughlin, Chairman

Subject: Meadows at Briarcliff Cluster Subdivision
715 Sleepy Hollow Road, Briarcliff Manor, New York
Comments on Draft Scoping Document

Dear Chairman McLaughlin:

We are writing on behalf of the Village of Briarcliff Manor with respect to the above referenced project. We are the Village's planning and environmental review consultants and assist the Village in review of land use and zoning applications. Following up on our August 3, 2021 comments we thank you for designating the Village as an Involved Agency for the project as the project proposes the use of Briarcliff Manor water and sewer service for which permits/approvals are required from the Village.

We offer the following comments on the Draft Scoping Document for the Meadows at Briarcliff Cluster Subdivision:

- Page 2, Project Description, last two sentences:
 - While the project will seek to be included in the Ossining Sewer District, the text should note that the sewer connection will utilize Village of Briarcliff Manor sewer infrastructure and also require approval from the Village of Briarcliff Manor.
 - The reference to the "Briarcliff Manor Village Water District" is incorrect. The Village does not have a formal water district, rather the Village of Briarcliff Manor Water Department has the ability to provide water service to the premises as an Exterior Service Connection.
- Page 4, Section IV, A. Required Permits and Approvals - The Village of Briarcliff Manor should be added to the required list of permit and approval agencies.
- Page 5, Section V, A. Land Use and Zoning, 1. Existing conditions, d) – Village of Briarcliff Manor zoning within ¼ mile of the project site should also be described.
- Page 7, Section V, D. Water Resources - The Village would like to see an analysis of potential drainage impacts of the project and any potential for surface water

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GEORGES JACQUEMART PE, AICP
SARAH K. YACKEL AICP
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to run north off of the project site towards the Village. Given the project site's proximity to Pocantico Lake and tributaries thereto, flooding is an ongoing concern of the Village in this area.

- Page 8, Section V, E. Sanitary Sewer and Water Supply, 1. Existing conditions.
 - The Village does not have a formal water district, rather the Village of Briarcliff Manor Water Department has the ability to provide water service to the premises as an Exterior Service Connection. This language should be clarified.
- Page 8, Section V, E. Sanitary Sewer and Water Supply, 2. Anticipated Impacts:
 - Discuss potential impacts to Village of Briarcliff Manor sewer infrastructure and legal requirements thereof including (i) any improvement districts that must be created and (ii) need for an intermunicipal agreement. The creation of a new sewer district is the Village's preferred approach to allowing use of Village infrastructure.
 - A discussion of the existing hydrant rental agreement between the Town and Village should be provided. Any new hydrants proposed to serve the project that are located outside of the Village will need to be included in an amended hydrant rental agreement.
- Page 9, Section V. G. Community Facilities – This section should include recreational facilities within the Town and Village that may be impacted by the Proposed Action.
- Page 9, Section V. G. Community Facilities, 1. Existing conditions – This section should include a discussion of the following:
 - Briarcliff Manor Ambulance District – the Village currently has an agreement with the Town to provide service on a per resident basis. An increase in population will require an amendment to the agreement.
 - Fire Hydrant Rental Agreement – see comments above.
 - High School students in the Pocantico Hill School District have the option to attend Briarcliff Manor High School. If students attend Briarcliff Manor High School they can access Village recreational facilities.
- Pages 9-10, Section V. G. Community Facilities, 2. Anticipated impacts – impacts to the additional service providers discussed above should be included in this section.
- Page 9, Section V. H. Socio-economic/fiscal, 2. Anticipated impacts:
 - The potential increase in the student population attending Briarcliff Manor High School and any associated impacts on the Briarcliff Manor Union Free School District should be discussed.
 - The potential creation of a new Village of Briarcliff Manor sewer district and associated fiscal impacts should be discussed.

Finally, we ask that the Village be sent relevant SEQRA documents, including the DEIS, in a timely manner so that adequate time to review such documents is afforded.

Thank you for the opportunity to provide our comments and we look forward to working with the Planning Board on this project.

Sincerely,



Sarah K. Yackel, AICP
Principal

cc: David Turiano, Village Engineer, Village of Briarcliff Manor
Carolyn Saracino, Planning Board Secretary, Town of Mount Pleasant
Robin Rizzo, Interim Village Manager, Village of Briarcliff Manor
Daniel Pozin, Esq., Village Attorney, Village of Briarcliff Manor

George Latimer
County Executive

October 28, 2021

Carolyn Saracino, Planning Board Secretary
Town of Mount Pleasant Planning Board
One Town Hall Plaza
Valhalla, NY 10595

**County Planning Board Referral File MTP 21-005 – Meadows at Briarcliff
715 Sleepy Hollow Road
Subdivision and Site Plan Approval – Draft Scoping Document**

Dear Ms. Saracino:

The Westchester County Planning Board has received a draft scoping document for the preparation of an environmental impact statement (EIS) with respect to a proposal to subdivide and redevelop a 36.827-acre residential property into 31 single-family residential lots. The site is located at 715 Sleepy Hollow Road (SBL 105.17-1-15) and contains three existing residences that would be incorporated into the plan. The subdivision would include two new private roads that would end in cul-de-sacs, and would join together before connecting to Sleepy Hollow Road at the north side of the property. The site is zoned R-40 – One Family Residential, and would take advantage of cluster development provisions to maintain 21.56 acres of the property under a conservation easement. This open space, as well as the new roads, would be maintained by a homeowners association. The site lies amongst other previously subdivided land, with single-family residences on large properties. The northern edge of the site borders the Village of Briarcliff Manor, and the eastern edge of the property borders Pocantico Lake County Park and parallels a ridgeline that rises above the lake.

We have reviewed the draft scoping document under the provisions of Section 239 L, M and N of the General Municipal Law and Section 277.61 of the County Administrative Code and we offer the following comments:

1. Affordable affirmatively furthering fair housing.

The acute shortage of affordable housing in Westchester County has been documented in the County's *Housing Needs Assessment* and it is critical for all of Westchester's municipalities to play a role in meeting this need, particularly since the economic and social impacts of this affordable housing shortage are spread throughout the county. Because of the County's public policies and support for affirmatively furthering fair housing throughout Westchester, *Section V.H: Socio-economic/fiscal* should be revised to include a discussion regarding Westchester County's affordable housing policies. Specifically the EIS should discuss the Model Ordinance Provision requiring:

Within all residential developments of 10 or more units created by subdivision or site plan approval, no less than 10% of the total number of units must be created as affordable AFFH

units. In residential developments of five to nine units, at least one affordable AFFH unit shall be created.

The recommendation to include affordable AFFH in all residential development proposals has been consistently made to the Town for over a decade. Approving the subdivision and site plan without including a provision for a minimum set-aside of 10% for affordable affirmatively furthering fair housing would run contrary to County affordable housing policies.

2. Critical Environmental Area.

The Pocantico Lake and watershed is listed by the County as a Critical Environmental Area, yet this is not mentioned in the Scoping Document. As the property abuts the lake and includes sections of the watershed, a discussion of possible impacts to the CEA should be included in *Section V – Existing Conditions, Potential Impacts, Mitigation*. The status of the Critical Environmental Area should also be recognized throughout the EIS when discussion regarding the lake and watershed occurs.

3. Stormwater Management.

We appreciate that the preliminary subdivision plat for the cluster subdivision avoids the existing wetlands on the property, and provides a buffer area from Pocantico Lake. We recommend *Section V.D.3 – Water Resources, Proposed Mitigation* includes a discussion regarding the use of aboveground stormwater management solutions that treat runoff on-site wherever possible, such as using pervious paving for parking areas, or the use of vegetative rain gardens. While underground stormwater management systems can be effective, that effectiveness can diminish over time if the system is not properly cleaned and maintained. Proper stormwater management is of vital importance for this area, as Pocantico Lake is recognized as a potential alternate water source for area municipalities, and is the determining factor in the Park's status as a CEA.

4. County sewer impacts.

Since 2010, it has been the policy of the County Department of Environmental Facilities (WCDEF) that municipal governments require development applicants to identify mitigation measures that will offset the projected increase in sewer flows to County operated wastewater facilities. The best means to do so is through the reduction of inflow and infiltration (I&I) at a ratio of three for one for market rate housing units and at a ratio of one for one for affordable affirmatively furthering fair housing (AFFH) units.

We recommend this mitigation policy be discussed in *Section V.E – Sanitary Sewage and Water Supply* with specific details on how the implementation of I&I mitigation is to be accomplished in response to the development. For example, will the applicant be required to place funds into a dedicated account for I&I work based on a per gallon cost of removal of flow through I&I? How will I&I projects be identified? Who will conduct the work and in what timeframe?

5. Visual impacts.

We note that the scoping document includes a section for the discussion of potential visual impacts to

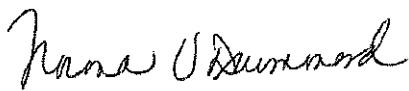
the region stemming from the development. Consideration should be given as to how the additional residences will affect the viewsheds of the lake from the rest of the Park, especially due to their proposed location atop the ridgeline.

Please inform us of the Town's decision so that we can make it a part of the record.

Thank you for calling this matter to our attention.

Respectfully,
WESTCHESTER COUNTY PLANNING BOARD

By:



Norma V. Drummond
Commissioner

NVD/MV

