

***State Environmental Quality Review Act (SEQRA)
Findings Statement***

***Cappelli Associates V
Summit Estates Subdivision***

Town of Mount Pleasant, Westchester County, New York

SEQRA Lead Agency:

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

Date:

December 4, 2014

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1.0 PROJECT DESCRIPTION

Cappelli Associates V (hereinafter referred to as the "Applicant"), proposes to subdivide a 25.127 acre tract of land located in the R-10 and R-40, One-Family Residential zoning districts. The 25.127 acre parcel is specifically known and designated on the tax assessment map of the Town of Mount Pleasant as Section 112.8, Block 3, Lot 1.

Initial Application as Set Forth in DEIS

The vacant site is located in the Town of Mount Pleasant, Westchester County, in the R-10 and R-40 One-Family Residence zoning district. The Applicant initially proposed to subdivide the parcels into a total of 28 building lots with the ultimate goal of constructing 28 single-family residential dwellings in a clustered subdivision configuration along with access roadways, driveways, landscaping, stormwater management facilities, permanently preserved open spaces and associated improvements.

The DEIS included a detailed analysis of five alternatives in addition to the analysis of the Proposed Project. The alternatives included:

- A. No Action
- B. Conventional Subdivision Layout
- C. Conventional Subdivision Layout with All Homes Clustered
- D. Alternative Site Access (No Through Road)
- E. Reduced Density Subdivision that Avoids Steep Slopes, Ridgelines and Other Site Constraints

During the course of the review of the DEIS the Lead Agency, Town staff and consultants and the public raised concerns regarding buffer areas, open space, traffic, vegetation, visual impacts, road alignments, and, in particular steep slopes and lot count.

The Cluster Plan presented in the DEIS, which also proposed the creation of 28 new building lots centrally located on lot sizes averaging 12,250 square feet and utilizing the R-10 Bulk Area Regulation, mitigates most of the anticipated concerns regarding:

- (1) Set back of the proposed cluster development from Stevens Avenue; and
- (2) Home footprints and the relationship to steep slopes; and
- (3) Home footprints over 100 feet from any wetland boundary; and
- (4) Establishment of a natural buffer from Warren Avenue; and
- (5) Landscaping of the natural buffer between the cluster development area and Warren Avenue; and
- (6) Substantial elimination of disturbed land area by location of the homes in a cluster arrangement; and
- (7) Substantial reduction in anticipated adverse impacts such as blasting.

The FEIS Revisions

The Applicant submitted a Final Environmental Impact Statement, which responded to the concerns raised by the Planning Board and the public by further reducing the lot count to 26 residential units in a new revised 26 lot cluster plan.

The proposed action, which is the subject of this finding statement involves the subdivision of a 25.127 parcel to create 26 residential lots and an open space parcel. The site would be accessed by a new roadway off Summit Lake Drive. The size of the individual homes would range from 2,000-3,000 square feet, with a mix of 3-bedroom and 4-bedroom unit types. The 26 single-family detached residences would be configured in a cluster layout and would be serviced by municipal sewer and water infrastructure.

All residences are proposed within the R-40 zoning district, none are proposed within the R-10 zoning district, which is located adjacent to Stevens Avenue. The cluster configuration allows smaller than the minimum lots to be clustered in the more developable portions of the site, such that environmentally sensitive portions of the site can remain as open space and be protected by a conservation easement for passive recreational purposes. The clustered layout with a looped road enables preservation of the existing vegetative buffers along the entire site perimeter; ranging in width from 100 feet on the western site perimeter to 300 feet on the eastern site perimeter.

The proposed Summit Estates Subdivision is consistent with the municipal land use and zoning objectives of the Town of Mount Pleasant, and as a cluster layout, supports municipal efforts to preserve open space, thus acknowledging the importance that the Town and the County place on open space, recreational and conservation goals.

2.0 SEQRA REVIEW PROCEDURE

After required pre-application meetings, the Applicant, on April 4, 2013, filed a subdivision application, steep slope permit application and wetland permit application with the Town of Mount Pleasant Planning Board. On April 15, 2013, the Applicant made an initial presentation of the proposed subdivision sketch plan to the Planning Board together with a proposed scoping document. The Planning Board made an initial determination to act as Lead Agency.

On April 15, 2013, the Planning Board declared its intent to act as Lead Agency of the project (the "Notice of Intent") under the State Environmental Review Act ("SEQRA") and to conduct a coordinated environmental review of the project, and adopted a Positive Declaration requiring the preparation of an environmental impact statement. The Planning Board's Notice of Intent was circulated to all Involved Agencies on April 23, 2013 in accord with 6 NYCRR Section 617.6, and was published in the Environmental Notice Bulletin. No objections were received.

On May 4, 2013 and May 11, 2013, the members of the Planning Board of the Town of Mount Pleasant conducted a site walk and on-site investigation of the subject property.

The Planning Board considered the initial sketch plan and scoping document on June 6, 2013 and July 15, 2013 and members of the public were provided an opportunity to comment on the contents of the EIS via the scoping outline. Additionally, a ten (10) day written comment period was also extended to July 25, 2013. On August 1, 2013, the Planning Board adopted a scoping outline for the Draft Environmental Impact Statement (DEIS).

On August 1, 2013, the notice of adoption of the Positive Declaration and the comment period for comments on the Scoping Outline were published in the ENB. No additional comments on the Scoping Outline were received and, the Scoping Outline initially adopted on August 1, 2013 was not changed.

On January 31, 2014, the Applicant submitted a preliminary DEIS to the Town Planning Consultant for review of its adequacy in scope and content. After receiving comments on the preliminary DEIS from the Town Planning Consultant, the Applicant submitted a revised preliminary DEIS. On February 6, 2014, the Planning Board accepted the DEIS as complete for purposes of circulation and public comment and scheduled a public hearing for March 6, 2014. The DEIS was circulated to all Involved and Interested Agencies with notice of the public hearing date and notice of acceptance of the DEIS and the public hearing date were published in the ENB. On March 6, 2014, after due notice having been given, a public hearing on the DEIS was opened with testimony having been taken and comment received. On March 17, 2014, the Planning Board continued the DEIS public hearing, at which time, all comments having been heard, the public hearing was closed and the Planning Board resolved to accept written public comment on the DEIS until April 16, 2014.

On August 15, 2014, a preliminary Final Environmental Impact Statement ("FEIS") was submitted to the Town Planning Consultant for completeness review, and after receiving comments on August 25, 2014 from the Town Planning Consultant on the preliminary FEIS, the Applicant revised the FEIS and resubmitted it on September 9, 2014 to the Town Planning Consultant for further completeness review.

In response to comments expressed concerns about the configuration of the Conservation Subdivision Plan, the Applicant prepared the Alternative 26 Lot Conventional Subdivision Plan on which it relocated and shifted certain lots in order to decrease the amount of steep slope disturbance associated with the Conservation Plan, increase the buffer to the western property line and increase the amount of contiguous open space. Such Alternative Conservation Plan was included in a further revised FEIS that was submitted to the Planning Board for Completeness Review on September 11, 2014.

On September 15, 2014, the Planning Board accepted the FEIS as complete and scheduled a public hearing thereon for October 20, 2014. The FEIS was circulated to all Involved and Interested agencies and publication of notice of its acceptance by the Planning Board was duly published in the ENB. On October 20, 2014, after due notice was given, a public hearing on the FEIS was conducted and closed.

3.0 REQUIRED PERMITS & APPROVALS

1. Town Planning Board

- a. SEQRA Findings
 - b. Subdivision Approval
 - c. Steep Slope Permit Approval
 - d. Wetland Permit Approval
2. Town of Mount Pleasant Conservation Advisory Council
 - a. Recommendation
3. Town Departments
 - a. Building Permit
 - b. Engineering Approval
 - c. Water Department
 - d. Sewer District
4. Westchester County Planning Board
 - a. 239 m Referral
5. Westchester County Department of Health
 - a. Water & Sewer Connections
6. New York State Department of Environmental Conservation
 - a. SPDES General Permit For Stormwater
 - b. Off-Site Freshwater Wetlands Permit for Sewer Main Construction

4.0 FINDINGS CONCERNING ENVIRONMENTAL IMPACTS

The DEIS and FEIS include an environmental evaluation of the following resource issues:

- Land Use & Zoning
- Geology, Topography, Steep Slopes & Soils
- Flora and Fauna
- Water Resources
- Noise & Air Quality
- Utilities & Site Infrastructure
- Traffic
- Community Facilities
- Socio-Economic/Fiscal
- Cultural Resources
- Visual Resources
- Construction

While the Planning Board makes its findings herein in favor of the Alternative 26 Lot Conservation Plan, the DEIS and FEIS evaluated the impacts initially of a 28 lot conventional subdivision, then, of a 26-lot Conventional Subdivision of the Property and how those impacts would change under various alternatives listed above. The 26 lot Conventional Subdivision Plan included and evaluated in the FEIS (the "FEIS Conventional Plan") is a plan that complies with all applicable R-10 and R-40 zoning district bulk and area regulations, and could be approved under the Town's Steep

Slopes Law, Chapter 180, the Town's Freshwater Wetlands Law, Chapter 111, and other applicable codes.

Some of the disturbance figures discussed below relate to the FEIS 26 Lot Conventional Plan and, therefore, represent the worst-case scenario for the development of the property. In most respects, the Alternative 26 Lot Conservation Plan involves fewer/lesser impacts than the FEIS Conventional Plan. Where such impacts are not fewer or lesser in connection with the Alternative Conservation Plan, they are comparable.

FINDING. The Planning Board finds that 26 lots is an approvable density for the property.

4.1 LAND USE & ZONING:

The 25.127+ acre parcel is currently vacant and undeveloped. The land uses surrounding the Site consist primarily of medium-density single-family residences on lots of approximately ¼ acre in size, located adjacent to the Site on the west and south. The area immediately abutting and adjacent on the east includes an OB-1 zone and The Summit office park. The Cedar Knolls School comprised of approximately 128.6 acres is abutting and adjacent to the north and is zoned R-40 although the use is institutional.

Long range comprehensive planning documents and studies affecting the Site, including the Town of Mount Pleasant Development Plan (1970), Westchester County "Patterns" (1995), Westchester 2025 (2006), RPA's Third Regional Plan (1996) all acknowledge the potential suitability of residential development that is consistent with the character of the surrounding area and adequately serviced by municipal utility infrastructure. Preserving open space through clustering development is also recommended.

The subject Site is located within both the R-10 and R-40 – One Family Residential zoning districts. One family residential dwellings are permitted in these zoning districts.

The Alternative 26 Lot Conservation Plan is a cluster subdivision, advanced under the authority of §A277-9 and §A277-26 C of the Mount Pleasant Town Code and Section §278 of New York State Town Law. The Alternative 26 Lot Conservation Plan is based upon a conventional subdivision plan that complies with all applicable R-10 and R-40 zoning district bulk and area regulations and the Town's Steep Slopes Protection Law, and actually allows for 28 lots, rather than the 26 lots as depicted in the Alternative 26 Lot Conservation Plan .

The Project has utilized the design flexibility afforded under the cluster subdivision provisions to preserve the natural and scenic qualities of the existing open lands of this Site.

The Alternative 26 Lot Conservation Plan with a looped road enables preservation of existing buffers along the entire site perimeter; ranging in width from 100 feet on the western site perimeter to 300 feet on the eastern site perimeter.

FINDING. The Planning Board finds that the Proposed Action is consistent with the Town of Mount Pleasant Master Plan, applicable regional planning documents, is consistent with the existing single family residential land uses that surround the Site, is consistent with the R-40 and R-10 One Family Residence zoning district provisions, and as modified via the provisions of §A227-9 and §A227-26 C of the Mount Pleasant Town Code and Section §278 of New York State Town Law, fosters the development of a cluster subdivision that preserves the natural and scenic qualities of the existing open lands of this Site.

4.2 VISUAL RESOURCES:

The Site is generally wooded, with an open abandoned field (formerly the site of an athletic field) in the Site's +/- 25.127 acres. The Site ranges in elevation from a high point in the south-central area near Stevens Avenue (elevation 520) to a low point adjacent to the Summit Office Park along the Summit's eastern boundary (elevation 428 feet). This change in elevation and dense vegetation limits views of the Project Site from lower elevations to the southeast. Photosimulations and elevation models reveal that the existing homes abutting the Site to the west will have at least partial views of some of the residences clustered on the western half of the Site.

Views of the Project would consist of residential structures, of an architectural style consistent with the surrounding area, yards and associated site improvements. Existing screening, consisting of mature vegetation, fencing and stone walls would remain in place between the proposed Project and the existing residences in the neighborhood. The proposed cluster subdivision design enhances buffer zones and preserves 13 acres of wooded open space disturbed only for the installation of necessary stormwater management facilities. These vegetated and undeveloped areas will continue to buffer views of the Site from Warren Avenue. The new entry roads will be landscaped to create a visually appropriate entry into the Site.

FINDING. The Planning Board finds that the development of the Project will alter the existing visual characteristics of the Site. However, the Revised Alternative 26 Lot Conservation Plan clusters development so that 13 acres of wooded area will remain as permanent wooded open space. The preserved wooded buffers will significantly mitigate adverse visual impacts. Limited views of the new development will occur, however, these views will be of new residences that are characteristic of the surrounding neighborhoods. No significant viewsheds will be altered. The Cluster Plan clearly eliminates impacts to visual resources that would otherwise occur as a result of the development of the Site as a conventional subdivision.

4.3 SOILS, TOPOGRAPHY & STEEP SLOPES:

Geology:

The Site is underlain by a geological formation known as the Manhattan Formation. The Manhattan Formation consists primarily of mica schist. The soils on the site are

identified by the Westchester County Soil and Water Conservation District using aerial maps. The soil types are Paxton fine sandy loam, Woodbridge loam, Charlton-Chatfield complex and Leicester loam.

The development of the Site to support the Project may require the removal of rock. Based on initial field investigations using test pits and soil probes within areas where grading is proposed, it has been determined that most areas are not likely to encounter the need for rock removal to the degree where blasting would be necessary. A limited 1.8 acres of the Site where Charlton-Chatfield soils are present may require limited rock/boulder removal due to the shallow depth to bedrock

In instances where it has been determined that methods other than blasting such as cutting, ripping, or chipping of rock are infeasible, blasting shall be used for rock removal. A blasting protocol that incorporates the Town of Mount Pleasant Blasting Ordinance and State regulations will be submitted to the Town prior to the start of construction. The potential effects upon nearby building foundations and local aquifers will be minimized by employing proper blasting techniques. These techniques minimize the amount of vibration from the blast that can impact structures and local aquifers, and control the amount of flyrock resulting from the blast. In general the blasting protocols shall include the following:

- Blasting will be conducted in compliance with New York State requirements (Title 12 of the New York Code of Rules and Regulations [12 NYCRR Part 39]) for the possession, handling, storage, and transportation of explosives.
- All blasting will be conducted by a licensed blasting contractor. The contractor shall obtain the necessary permits from the town of Mt. Pleasant.
- A preblast survey shall be conducted for any structures within 500 feet of the blasting area. The surveys shall include photographic, video and written documentation of existing conditions.
- A preblast meeting shall be held with the Town Building Inspector and Town Engineer to review the proposed blasting plan and schedule. The blasting plan shall include the layout, size of blasts, timing of charges, and quantity of material to be removed.
- Seismographs with decibel meters shall be placed at the property line between the blast site and adjoining residences to monitor the blasting operations.
- Blasting operations shall be limited to between the hours of 8:00 am and 4:00 pm, Monday through Friday.
- Notification of blasting will be made to the Town Building Inspector and Police Department, as well as all residences within 500 feet of the blast site twice prior to blasting. The initial notification shall be made not less than 3 days nor more than 30 days prior to the start of blasting operations and shall include an approximate schedule (day and time) of the blasting. A second notice shall be made not less than 24 hours nor more than 3 days prior to the blast that provides the exact time of the blast.
- The blast zone shall be clearly marked and adequate precautions taken to prevent unauthorized entry into the blast area.

- Immediately prior to and after blasting a warning horn shall be sounded. The horn shall be sounded at prescribed intervals and times prior to the blast and after the blast as an all clear notification.
- The blast site shall be covered with 12 ft. by 15 ft. rubber and/or steel mats to prevent the ejection of material. The quantity of blasting material used shall be in accordance with the Town Code.

FINDING: The Planning Board finds that the creation of the Summit Estates Cluster Subdivision would have an effect on the site's geologic resources including 14.6 acres of overall site disturbance, disturbance to slopes in excess of 15%, disturbance to soils exhibiting shallow depth to bedrock and construction on a ridgeline. Of the 14.6 acres of land disturbance, 3.95 acres would become impervious. Impacts to geology, soils and topography for the cluster layout are reduced in comparison to the conventional layout as lots are smaller and clustered together, preserving large tracts of open space.

Construction of the proposed action would not adversely affect bedrock geology, nor would bedrock geology represent significant limitations to development of the site.

Soils:

Soils on the Site are predominantly comprised of *Leicester, Charlton-Chatfield complex, rolling* (CrC), *Paxton fine sandy loam* (PnD) and *Paxton loam* (PnC).

Most of the proposed construction will occur in areas of Charlton-Chatfield (CrC) complex soils. The CrC complexes are rated as somewhat limited for road construction and dwellings due to slopes and the depth to bedrock in the Chatfield components of those soils, meaning mitigation measures are generally required. Slope impacts shall be mitigated by constructing dwellings on the more level portions of the lots and building the homes primarily on the most level portion of the site. Furthermore, for the few homes constructed on the sloping portion of the Site, erosion hazards may result during construction. This shall be overcome by implementing stringent erosion control measures and reestablishing plant cover as soon as possible after an area is disturbed.

The proposed action would result in zero impact to Leicester soils, 13.1 acres of impact to Paxton soils and 1.5 acres of impact to Charlton-Chatfield soils, for a total of 14.6 acres of disturbance. When compared to the conventional layout, the cluster layout results in a reduction of 2.9 acres of soil disturbance. The 1.5 acres of proposed disturbance to Charlton-Chatfield soils may require rock/boulder removal as these soils exhibit shallow depth to bedrock.

All soils on the site have a potential for erosion when vegetation is removed and the soil exposed. Therefore, measures to control soil erosion and siltation will be incorporated into the construction program. Upon completion of construction activities, the undisturbed vegetated areas, the landscaping provided in and around the developed area, and the on-site storm drainage system would ensure that there would be no long-term impacts associated with soil erosion.

Approximately 14.6 acres, or 56% of the site, will be regraded and temporarily exposed during construction of the Project, although construction will be phased, and only limited portions of the Site will be under construction at any one time in accordance with NYSDEC regulations. The regrading will occur mainly along the roadways and in the vicinity of the proposed houses, their driveways, and in areas where utilities will be installed. The 26 Lot Conservation Plan results in a reduction of 2.9 acres of soil disturbance.

Proper erosion and sedimentation control measures shall be installed to prevent adverse impacts such as downstream siltation, clogged inlets, fish and wildlife habitat destruction, and water quality degradation. These measures also help to avoid the possibility that common organic contaminants (e.g., petroleum products and pesticides) might adhere to sediment to potentially be transported throughout the length of the water body.

Permanent stabilization of disturbed areas shall occur within 15 days of establishing final grade. Permanent stabilization of disturbed areas will be achieved by using a mixture of grasses, groundcovers, shrubs and trees as appropriate. In areas where final grade will not be achieved within 60 days, temporary soil stabilization (i.e., temporary turf establishment and/or mulching) will occur within two days of disturbance. Soil will be stockpiled in level areas of the site to minimize erosion. Soil will not be stockpiled in areas with greater than 10% slopes.

A preliminary Stormwater Management Plan (SWMP), submitted in support of this project provides additional documentation regarding the required erosion and sedimentation control measures. The final Stormwater Pollution Prevention Plan ("SWPPP") will be prepared in compliance with the following documents: .

- New York State Stormwater Management Design Manual (NYSDEC, August 2010)
- Standard Specifications for Erosion and Sediment Control (NYSDEC, 2004)
- Standards recited in Stormwater Ordinance Chapter 183-MS4 Regs and GP- 0-10-0001

Erosion and sediment control measures for the Project shall include a construction sequence narrative for the full scope of site work. Provisions for the installation of silt fencing, anti-tracking apron(s), naturalized riprap, and temporary diversions will be incorporated. Erosion and sediment control will be an integral part of construction management.

The objective of the erosion and sediment control plan is as follows:

- Control erosion at its source with temporary control structures;
- Minimize the amount of sediment-laden runoff from areas of disturbance, and control the runoff prior to discharge off-site; and
- Deconcentrate and distribute stormwater runoff through natural vegetation or structural means before discharge to streams or wetlands. The contractor will be required to install all sediment and erosion control measures and maintain them throughout the entire construction process.

These measures will be monitored during construction as required by the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activities (Permit No. GP-0-10-0001).

The proposed action would require no disturbance to slopes of 25-35% or greater than 35% and would require only 1.6 acres of disturbance to slopes between 15-25%. The remaining disturbance of 13 acres is proposed within slopes of 0 -15%. Disturbances to steep slopes (15% or greater) throughout the site have been avoided to the maximum extent possible.

FINDING. The cluster subdivision development which satisfies its goals and objectives of the Applicant while minimizing to the maximum extent practicable disturbances to the overall site, steeply sloping topography and subsurface geologic resources. Accordingly, the cluster alternative would, in and of itself, provide mitigation in the form of a reduction of impacts when compared to the conventional subdivision plan. A Soil Erosion and Sediment Control Plan prepared in accordance with local and State requirements will be implemented during construction of the project. Any necessary rock removal/blasting would be subject to regulations set forth by New York State Department of Labor and the Federal Government's Occupational Safety and Health Administration (OSHA), as well as town requirements.

Topography and Steep Slopes:

The on-site topography is generally level but does slope steeply on its eastern side. The highpoint is located in the southwest portion of the site at approximately elevation 520. There is also a secondary high point located in the central portion of the site at elevation 510. The proposed roads and adjoining home-sites are located within elevations of 510 to 480 feet.

The low point is located at the most eastern corner of the site adjacent to the Summit Office Park at elevation 428. A slope analysis of the site using the categories established in the Town's Steep Slope Ordinance has identified that of the 25.157 acres that comprise the site, approximately 13 acres (50%) contain slopes of less than 0 to 15%, 1.6 acres (7%) that contain slopes 15% to 25%, 0 acres (0%) that contain slopes from 25% to 35% and 0 acres (0%) contain slopes greater than 35.

The Proposed Action will result in the disturbance of 14.6 acres or 56% percent of the Site.

Disturbances to areas of steep, very steep and excessively steep slopes shall be mitigated by complying with the following review standards as set forth in the Steep Slope Ordinance:

- 1.) *There is no reasonable alternative for the proposed regulated activity on that portion of the site not containing steep slopes.*

The Planning Board, having considered all of the viable alternatives, has determined that the Proposed Action (known as the Alternative Conservation Plan) minimizes adverse environmental impacts to the maximum extent practicable.

- 2.) *The planning, design and development of buildings and site improvements limits the rate of stormwater runoff to a zero increase with overflow to a municipal drain system where practicable and provides the maximum in structural safety, slope stability, and human enjoyment while adapting the affected site to, and taking advantage of, the best use of the natural terrain and aesthetic character.*

The Project has been designed in a manner to follow or blend with the natural contours of the land. The SWMP has been designed to provide a zero increase in peak runoff to adjacent areas and the municipal system. It also incorporates permanent and temporary erosion and sediment control measures to provide maximum structural safety and slope stability. In order to minimize slope disturbance retaining walls have been proposed. These retaining walls were designed in accordance with Town requirements to reduce the amount of grading needed to meet the existing elevations.

- 3.) *The terracing of building sites is kept to a minimum.*

The proposed building envelopes of the proposed lots were arranged to utilize the flatter areas of the Site for the main building footprint, the area in which most disturbance will occur, wherever possible, while still providing for the desired square footage. Building floor levels have been selected so as to minimize the need for excessive terracing

- 4.) *Roads and driveways follow the natural topography to the greatest extent possible in order to minimize the potential for erosion, and they are consistent with other applicable regulations of the Town of Mount Pleasant and current engineering practices.*

The alignments of the proposed roads and driveways in the 26 Lot Conservation Plan were configured so that the impact to the steeper slopes would be minimal. Slopes at intersections, driveways and along roads have been designed to be in compliance with the Town of Mount Pleasant regulations.

- 5.) *Habitat is quantified and protected, no endangered species of flora or fauna are adversely impacted and any replanting is to be maintained by the applicant for two years and is to consist of indigenous vegetation that at a minimum replicates the original vegetation on the site, in kind.*

There are no species of flora or fauna that are adversely impacted on-site. New plantings will be detailed on the landscape plans as part of the Subdivision approval and shall conform to the Town's ordinances.

- 6.) *The natural elevations and vegetative cover of ridgelines are disturbed only if the crest of the ridge and the tree line at the ridge remain uninterrupted. This will be accomplished either by positioning buildings in areas of disturbance below a ridgeline or by positioning buildings and*

areas of disturbance at a ridgeline so that the elevation of the roofline of the building is no greater than the elevation of the natural tree line, so long as no more than 100 feet along the ridgeline, to a width of 100 feet generally centered on the ridgeline, is disturbed.

The natural elevations and vegetative cover will be disturbed. However, the entire perimeter of the site will be maintained in its existing vegetative state. While the 100 foot buffer on the west and the 300 foot buffer on the east will not be as effective in the winter months, the buffer will be enhanced by the replanting of 333 trees and shrubs on the site. The Cluster Subdivision Landscaping Plan illustrates how the 333 trees and 125 shrubs consist of 80 street trees, 17 trees planted at the subdivision entrance and 236 buffer trees. These plantings will assure that views of the ridgeline, where disturbances are proposed, remain buffered.

- 7.) *Any regrading blends in with the natural contours and undulations of the land.*

The proposed grading plan, has been designed to blend into the natural contours of the site.

- 8.) *Cuts and fills are rounded off to eliminate sharp angles at the top, bottom, and sides of regraded slopes.*

Rounding has been provided at the top, bottom, and sides for regraded slopes.

- 9.) *The angle of cut and fill slopes does not exceed a slope of one vertical to two horizontal, except where retaining walls, structural stabilization, or other methods acceptable to the Town Engineer are used.*

The maximum proposed slope for all grading required to accommodate the Project is one vertical to two horizontal, except where retaining walls have been proposed.

- 10.) *Tops and bottoms of cut and fill slopes are set back from the structures an adequate distance to ensure the safety of the structures in the event of the collapse of the cut or fill slopes. Generally, this distance is 6 feet plus 1 / 2 the height of the cut or fill.*

The cut and fill slopes have been designed to comply with this standard, but in any event will be constructed in accordance with the recommendations of a geotechnical engineer and subject to the approval of the Town Engineer.

- 11.) *Disturbance of rock outcrops is by means of explosives only if labor and machines are not effective and only if rock blasting is conducted in accordance with all applicable regulations of the Town of Mount Pleasant*

and the State of New York. The rock is to be effectively stabilized.

Blasting will be avoided wherever practicable and will generally be limited to those areas requiring rock removal of greater than four feet in depth. Excavation equipment or mechanical means of rock removal will be employed to remove rock, where practical. If found to be necessary, all blasting will be conducted in accordance with Town and State regulations.

- 12.) *Disturbance of slopes is undertaken in workable units in which the disturbance can be completed and stabilized in one construction season so that areas are not left bare and exposed during the period from December 15 through April 15.*

All on-site disturbance will be performed and maintained in accordance with NYSDEC regulations and limited to a maximum of 5-acres of disturbance at any one time. The work shall be conducted in accordance with the scheduling and sequencing proposed in the SWMP and as approved by the Town Engineer. No areas, that are not under construction, will be left bare between Decembers 15 and April 15.

- 13.) *Disturbance of existing vegetative ground cover does not take place more than 15 days prior to grading and construction.*

Disturbance of vegetative cover is addressed in the preliminary SWMP and will be done in accordance with NYSDEC regulations. The final SWPPP, will comply with this provision.

- 14.) *Temporary soil stabilization, including, if appropriate, temporary stabilization measures such as netting or mulching to secure soil during the grow-in period, is applied to an area of disturbance within two days of establishing the final grade, and permanent stabilization is applied within 15 days of establishing the final grade.*

Temporary soil stabilization measures are specified in the erosion and sediment control plan and will comply with this provision.

- 15.) *Soil stabilization is applied within two days of disturbance if the final grade is not expected to be established within 60 days.*

Soil stabilization measures are specified in the erosion and sediment control plan and will comply with this provision.

- 16.) *Measures for the control of erosion and sedimentation are undertaken consistent with the Westchester County Soil and Water Conservation District's "Best Management Practices Manual for Erosion and Sediment Control," and the New York State Department of Environmental Conservation's "Guidelines for Urban Erosion and Sediment Control," as amended, or its equivalent satisfactory to the Planning Board.*

The erosion and sediment control plan developed for the Proposed Action was based on, and is wholly consistent with these documents, is in conformance with all applicable local, County and state regulations, and the requirements of the Town Engineer.

- 17.) *All proposed disturbance of slopes is undertaken with consideration of the soils limitations characteristics contained in the latest Identification Legend, Westchester County Soils Survey, as prepared by the Westchester County Soil and Water Conservation District, in terms of recognition of limitation of soils on slopes for development and application of all mitigating measures, and as deemed necessary by the Town Engineer.*

All excavation and fill will be conducted in accordance with the recommendations of a geotechnical engineer and as approved by the Town Engineer.

- 18.) *Topsoil is removed from all areas of disturbance, stockpiled and stabilized in a manner to minimize erosion and sedimentation, and replaced elsewhere on the site at the time of final grading.*

All disturbed topsoil shall be stockpiled and stabilized in accordance with the erosion and sediment control plan, and shall be replaced elsewhere on the Site at the time of final grading.

- 19.) *Topsoil stockpiling is not permitted on slopes of greater than 10%.*

No topsoil stockpiling will be located on slopes that are greater than 10%.

- 20.) *Compaction of fill materials in fill areas is such to ensure support of proposed structures and stabilization for intended uses.*

Fill material will be compacted in accordance with in accordance with the recommendations of a geotechnical engineer, and under the supervision of the Town Engineer.

- 21.) *Structures are designed to fit into the hillside rather than altering the hillside to fit the structure, employing methods such as reduced footprint design, step-down structures, stilt houses, and minimization of grading outside the building footprint.*

The grading plan for the Project has been designed so that the first floor elevations of all of the proposed dwellings fit into the hillside. Final building designs will be designed for the specific lot on which they are located to address the individual topography of the particular lot. Building techniques such as split/stepped levels, garage under, and walk-out basements will be utilized to minimize grading outside of the house footprint.

- 22.) *Development is sited on that portion of the site least likely to impact the natural landforms, geological features, and vegetation.*

The Proposed Action has been design to concentrate new development in areas that are relatively level, and in areas previously disturbed to support the athletic fields. This approach not only minimizes site development costs, but also avoids the Site's most environmentally constrained lands located along Warren Avenue, Stevens Avenue and Summit Lake Drive. These areas are designated as permanently preserved open space in the Proposed Action.

- 23.) *The applicant has provided landscaping plans for after-development.*

The Cluster Landscaping Subdivision Plan has been submitted as a required element of the subdivision approval process.

- 24.) *The development conforms with the requirements set forth in Chapter 218, Zoning, of the Code of the Town of Mount Pleasant.*

The Alternative 26 Lot Cluster Plan is a cluster subdivision, advanced under the authority of §A227-9 and §A227-26 C of the Mount Pleasant Town Code and Section §278 of New York State Town Law. The 26 lot Alternative Cluster Plan is based upon a conventional subdivision plan that complies with all applicable R-10 and R-40 zoning district bulk and area regulations and the Town's Steep Slopes Law.

- 25.) *The construction equipment has adequate access so as, not to disturb anything outside the approved limit of disturbance that shall be shown on the plan drawings and, when approved, staked in the field.*

A site development protocol and construction management plan shall be required, and shall be approved by the Town before any construction activities take place. Construction and all limits of disturbance shall be delineated within construction fencing, prior to the start of work.

FINDING. Potential impacts to the Site's steep slopes will be mitigated through compliance with the requirements of the Steep Slope Permit, that is part of the approval of this Action. Construction related impacts to the Site resulting in erosion and the transport of sediment shall be mitigated through the requirement of the Applicant to design the Project to meet or exceed the criteria of the New York State Department of Environmental Conservation SPDES General Permit No. GP-0-10-001 for Stormwater Discharges from Construction Activity and Chapter 183 "Stormwater Management and Erosion and Sediment Control" of the Town of Mount Pleasant Code.

Temporary Erosion and Sediment Control Facilities

Land disturbance at the Project Site will be carefully sequenced so that grading operations can begin and end as quickly as possible, thus minimizing the exposed areas subject to erosion. Site clearing, access roads, rough land grading, and

installation of underground utilities (storm, water, electric, telephone, etc.), will commence initially. All material from excavation will be stockpiled in-situ to concentrate the area of loose soil exposed to runoff. At the stockpile, silt fences will be installed and temporary dikes/swales will be placed if necessary during construction.

During this stage, soil in areas previously covered will be exposed to runoff. Erosion of these areas will be controlled by establishing temporary seeding and mulch, and by placing straw bale dikes and silt fences. The purpose of the temporary seeding and mulch is to reduce sediment carried by the runoff from the exposed areas and to control dust. Temporary seeding and mulch will be placed as soon as the removal activity is completed. During development, areas where construction has temporarily or permanently ceased will be stabilized within 14 days unless construction will resume within 21 days.

Construction of the buildings and their associated site improvements will commence once site work has been substantially completed and stabilized. Prior to starting these activities, silt fences will be placed along the perimeter of the cleared areas. Any areas disturbed as a result of this activity will receive temporary seeding.

Structural Measures

Straw Bale Dike - Straw bale barriers will be provided down gradient of all construction activities. The purpose of a bale barrier is to trap sediment from sheet erosion before it travels overland to down-gradient properties. The straw bale dikes will be placed as construction progresses on the site.

Silt Fence - Silt fence sediment barriers will be installed down-slope of disturbed areas with minimal slope to filter sediment runoff from sheet flow. Silt fences will also be provided around stockpile areas and between construction areas and property lines to reduce sediment-laden runoff from traveling off-site. Additional silt fences will be installed as required during construction activities.

Anti-tracking Apron at Site Entrance - A temporary stabilized construction entrance of gravel will be installed where the access area intersects with Summit Lake Drive. During muddy conditions, drivers of construction vehicles will be required to wash their wheels before exiting the site.

Storm Drain Inlet Protection - All storm catch basin inlets will be protected to prevent sediment-laden runoff from clogging the drain pipes during construction. Filter fabric inlet protection and/or inlet sediment devices should be used on each inlet until upland areas are stabilized.

Diversion Dike/Swale - Diversion dikes/swales will be included in the erosion and sedimentation plan to control and reduce the amount of sediments leaving the site. These diversion dikes/swales will be placed downgrade of disturbed areas, whenever these areas become larger than the areas allowed to be controlled by only a straw bale or silt fence. The diversion dikes/swales will be placed following the existing topography and will be temporarily seeded with a fast-germinating grass, and riprap protected at any discharge points.

Check Dams - Check dams will be added to diversion swales/channels, as well as any temporary drainage swales to reduce the flow velocity in the channels. This will help to reduce erosion of those temporary drainage facilities.

Water Bars - Water bars will be provided across the proposed roads, particularly in areas where the grades are in excess of 5%. The water bars will limit the accumulation of erosive velocities of stormwater runoff by diverting the surface water to diversion or temporary drainage swales/channels.

Temporary Sediment Basins - Temporary sediment basins will be constructed at the permanent detention basin locations to intercept sediment-laden runoff and to trap and retain the sediment. The size of the basin will be in accordance with the *New York State Standards and Specifications for Erosion and Sediment Control* for the area contributing to the basin during a particular construction phase.

Vegetative Measures:

Temporary Seeding - All cleared areas which will not reach final grading for a period of more than 30 days will be seeded temporarily with fast germinating temporary grasses to reduce erosion potential, immediately following grading. Selection of the seed mixture will depend on the time of year it is applied, as recommended in Section 3 of the *New York State Standards and Specifications for Erosion and Sediment Control*.

Erosion Control Blankets or Mulch - North American Green biodegradable erosion control blankets will be installed to provide immediate erosion protection and vegetation establishment on excavated or fill slopes or low flow channels which have been brought to final grade and have been seeded to protect the slopes from rill and gully erosion and to allow the seeds to germinate properly. The erosion control blankets will be double netting with degradable thread. This practice shall be applied especially at areas where slopes exceed 5 percent. Mulch (straw or fiber) will be used to control dust resulting from construction activity.

Maintenance and Inspection of Temporary Control Measures:

The Applicant will have a qualified inspector as defined by NYSDEC check all erosion and sediment control measures once every 14 days and within 24 hours of the end of a rainfall event of 0.5 inches or greater, unless otherwise specified by NYSDEC. The following items will be checked in particular:

1. Existing riprap protection outlets will be inspected to determine if high flows have caused scouring beneath the riprap or filter fabric. If repairs are needed, they should be done immediately.
2. Temporary dikes/swales shall be inspected for proper functioning or signs of erosion and shall be repaired as necessary. Sediment accumulated to an elevation one foot below the crest of the earth barrier shall be removed and placed in the stockpile.
3. Silt fence barriers shall be inspected for damage resulting from deterioration or undercutting and shall be repaired or replaced as necessary. Sediment shall be removed when the level of sediment deposition reaches halfway to the top of the barrier.
4. Catchbasins and drainage outlets will be checked for accumulation of sediment.

5. Straw bale dikes shall be inspected immediately after each rainfall event of 0.5 inches or greater. All damaged bales, end runs and undercutting beneath bales shall be replaced or repaired. Sediment deposits shall be removed after each rainfall or when the level of deposition reaches half the height of the barrier.
6. Sediment shall be removed from temporary sediment basins whenever their capacity has been reduced by fifty percent from the design capacity.
7. Construction entrance shall be inspected for evidence of off-site sediment tracking. The paved street adjacent to the site entrance will be swept every construction day to remove any excess mud, dirt or rock tracked from the site. Repair road and/or add stone as necessary. Dump trucks hauling material from the construction site will be covered with a tarp.
8. The paved street adjacent to the site entrance will be swept every construction day to remove any excess mud, dirt or rock tracked from the site.
9. Areas that have received final stabilization shall be inspected at least once per month until the entire site has been stabilized.
10. Disturbed areas and exposed areas used for storage/stockpiling that have not received final stabilization shall be inspected for their potential sediment contribution to stormwater.
11. The seeded areas shall be inspected regularly to ensure that a good stand is maintained. Areas where vegetation is missing or damaged shall be fertilized and reseeded as needed as soon as practical and no later than the next growing season.
12. Inspection schedule will be completed and maintained on-site and will contain the following information: date, name of person conducting inspection, areas inspected, problems/conditions encountered, actions taken to correct problem.
13. Employees will be trained to recognize any pollution source and report such immediately. Training will be provided before the construction activity begins.
14. A maintenance schedule will be kept on-site to record and describe any discharge incidents occurring during construction activity, including actions taken to correct the problem, date and name of person conducting the maintenance.

Permanent Erosion and Sediment Control Facilities

Grading of the existing surface will be required in and around the proposed buildings and roadway areas. Runoff from rooftops and drives will be directed to drywells/infiltration galleries to reduce the quantity of runoff requiring treatment for stormwater quality. Surface runoff from access roads, paths, and landscaped areas will be directed to drainage swales and channels, and where appropriate catch basins for ultimate connection to the grass dry swales and detention basin. Drainage swales and channels will be permanently stabilized with vegetative material or rip-rap to prevent erosion and control runoff velocities.

In order to disperse or "spread" the concentrated flow from the detention basin outlet thinly over the existing undisturbed vegetated ground, a level spreader will be provided. Its purpose is to spread the concentrated outflow over a wide area so that the erosion does not occur. The level spreader will also remove other pollutants from runoff by filtration, infiltration, adsorption and decomposition.

The above noted temporary erosion and sediment control facilities and practices shall be the responsibility of the site contractor. Permanent erosion and sediment control facilities and practices shall be the responsibility of individual homeowners or the homeowners association created for the Project. The Town of Mt. Pleasant shall approve a formal maintenance agreement for stormwater management facilities binding on all subsequent landowners and recorded in the office of the County Clerk as a deed restriction on the property prior to final plan approval. The maintenance agreement shall be consistent with the terms and conditions of the Town "Sample Stormwater Control Facility Maintenance Agreement".

FINDING. Although there will be changes to the geology, steep slopes and soils of the Site that are inherent in the construction of the proposed Project, these impacts are limited to temporary construction related activity which will be mitigated to the maximum extent practicable as described above, under the supervision of the Town and the NYSDEC. Further, the 26 Lot Conservation Plan limits the geological, steep slope and soil impacts to the maximum extent feasible.

4.4 FLORA & FAUNA

Vegetation:

The proposed Summit Estates Cluster Subdivision Plan was largely designed to concentrate site disturbance within the more developable portions of the site while preserving large contiguous open space throughout much of the site. The proposed cluster layout would result in the removal of 10.3 acres of hardwood forest, 0.6 acres of lawn and 3.7 acres of woody old field vegetation. Removal of vegetation for portions of the site would result in a reduced habitat area for existing wildlife species. However, once construction is complete, wildlife would continue to inhabit the undeveloped and landscaped portions of the site. The introduction of ornamental trees and shrubs and the establishment of lawns would help re-establish a viable wildlife population. Landscaped areas created as a result of this plan would serve species adapted to suburban/semi-rural areas, primarily birds and common small mammals.

As the Cluster Subdivision Overall Landscaping Plan illustrates, a total of 333 trees and 125 shrubs are proposed to be replanted on the site. These 333 trees consist of 80 street trees, 17 trees planted at the subdivision entrance and 236 buffer trees. The Plan emphasizes the use of native species. The proposed plantings comprising the Landscaping Plan would provide food and habitat for fauna such that to the extent that wildlife will repopulate the site post-construction, loss of wildlife habitat will be mitigated.

In addition proper care will be taken during the physical removal of vegetation so as not to damage trees through excessive soil compaction, excess filling and contact with construction equipment.

The upland forest area will be replaced with cultural cover types, such as mowed lawn with trees and paved driveways, single-family dwellings, garages, walks, etc. characteristic of the existing neighborhood. While some of the new cover types will provide usable wildlife habitat, in general, the cultural habitat types are of lower value to wildlife than the natural cover types. Habitat values will be dependent on landscape planting schemes and maintenance regimes of the developed lots, and on availability of protective cover for wildlife.

There are no rare or champion native trees located within the proposed development area on the Site. Up to 274 of the larger trees (24 inches dbh and over) will have to be removed for development. However, more than a sufficient percent of the larger trees will remain after development occurs. To minimize loss of habitat, the Applicant will minimize removal of natural vegetation as much as possible to preserve natural cover on the parcels. Vegetation clearing will be minimized and demarcated by orange construction fencing.

Contiguous undisturbed forested areas will remain on the northern, western and eastern portions of the Site, which will continue to provide mature trees in the landscape of the proposed development. This will not only have ecological benefits, but will also provide mature trees in the development being built, giving the appearance of long-term establishment and stability. Other habitat aspects of the parcels will be preserved where they do not interfere with the functioning of the development. Such elements may include existing rock outcrops and standing dead trees (snags). The rock outcrops provide microhabitats for small mammals, herpetiles, and invertebrates. Snags provide perching, nesting, and feeding areas for a variety of resident wildlife. These elements or parts thereof should be protected from removal during construction activities where possible.

Tree Reforestation requirements were calculated for a conventional subdivision of the property in accordance with *Chapter 201: Article I Tree Preservation* of the Mount Pleasant Town Code. This method accounts for trees with a DBH (Diameter at Breast Height) of ten inches and larger. The required replacement density (RDF) for the proposed layouts is negative (-1,108), meaning that no reforestation is necessary for the proposed site because of the extensive number and high density of trees to remain.

A Cluster Subdivision Overall Landscaping Plan has been submitted as part of the subdivision review process. A detailed plant list has been developed which consists of plants that are native to Westchester County and have strong emphases on plants material found in this ecological community.

Wildlife:

The Site wildlife inventory included field surveys and consultation with the NYSDEC Natural Heritage inventory and the USFWS. No state or federally listed threatened or endangered species are present on the Site. Wildlife observed on the Site (mammals, birds and herpetiles) are typical of the area, and wildlife diversity was observed to be low when compared to similar parcels of this size. This is attributable to high noise levels from continuous traffic on the Taconic State Parkway as well as the lack of natural corridors or habitat connections to expansive natural areas off-site due to the developed nature of the surrounding area.

Direct impacts to wildlife from the proposed development will primarily be displacement. Some species found on the Site are typically found in suburban settings and have already adapted to proximal human habitation. These species will remain on the developed portion of the Site. Temporary wildlife displacement during construction is a short-term impact. The Revised Alternative 26 Lot Conservation Plan minimizes forest cover removal to a maximum of only about 14.6 acres. Native plantings will be provided at each dwelling to mitigate for the loss of natural forest area. The layout of the plantings including the number and species to be used, will be prepared at part of the subdivision review.

FINDING. Wildlife that occupies the Site is characteristic of the area, and many species have already adapted to proximal human habitation. There are no state or federally listed threatened or endangered species present on the site that would warrant revisions or modifications to the Proposed Action. While the disturbance of 14.6 acres (or 56% percent of the Site) will result in impacts, the design layout and configuration of the project avoids the Site's most sensitive environments. A new site landscaping plan, combined with the preservation of existing mature vegetation, will mitigate the removal of trees and on-site vegetation associated with the development of the Site. No reforestation is required under the Town's Tree Preservation Ordinance. As a result, no significant adverse impact to the Site's flora and fauna will result from the Proposed Action.

4.5 SURFACE WATER RESOURCES & STORMWATER MANAGEMENT

Stormwater runoff within the Project Site is generally in a west to east direction towards an existing drainage facility at Summit Lake Drive. Within the overall site, water drains towards the existing stormwater basin located in the east corner of the property. On-site, a portion of the runoff is collected in a series of inlets located along the western driveway off Summit Lake Drive.

A Stormwater Pollution Prevention Plan Report was prepared in accordance with NYSDEC State Pollution Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activities (GP-0-10-001) and follows the guidelines set forth by the NYSDEC Stormwater Management Design Manual ("NYSSMDM") and related requirements of the Town of Mount Pleasant. Considering the level of stormwater treatment proposed in the post development condition, the project will not adversely impact the stormwater quantity or cause degradation in the quality to any watercourse or wetland. Based upon the findings of the stormwater quantity analysis, the peak post development discharge rates which will not increase above existing rates and total runoff volumes will not have an adverse effect on any receiving wetlands, downstream watercourses or water body.

The project will also include the construction of a perimeter stormwater collection system, which will divert stormwater runoff from non-developed areas of the site away from Warren Avenue. Residents of Warren Avenue whose homes are located lower than the street have experienced long term issues with runoff from the roadway. Warren Avenue is a well constructed roadway with adequate drainage. It is believed much of the residents' problems are due to the topography of their properties being below the

roadway. The diversion of the present runoff from the project site which flows onto the roadway will reduce the volume of water in the neighborhood.

The peak stormwater runoff discharge rates for the proposed conditions from this project for all storm events analyzed have been attenuated to below existing conditions.

Several Stormwater Management Practices (SMPs) are incorporated into the stormwater management system design to maintain water quality. The methodology used for the design of the SMPs will follow the guidelines contained in *New York State Stormwater Design Manual* to meet the Phase II Stormwater Regulations.

The proposed SMP's include dry swales, plunge pools and dry wells/infiltrator chambers.

- Grassed, dry swales - will be constructed in several locations near the proposed detention basin on the site. These swales will be used to provide water quality treatment before peak discharges enter the detention pond. Pollutant removal mechanisms in water quality swales include sedimentation, adsorption, biological treatment and microbial breakdown.
- Plunge pools - at the upstream end of the dry swales, plunge pools will be constructed to pre-treat 25% of the water quality volume. In order to treat the water quality flow up to the channel protection discharge (CPv), a diversion structure will be constructed upstream of each plunge pool. The diversion structure will allow smaller flows toward the plunge pool and larger flows to enter directly into the detention basin. A water quality swale is also directed to the plunge pool. The swale reduces the velocity, temporarily stores stormwater runoff and promotes infiltration.
- Drywells/Infiltrator chambers - First flush runoff volumes from roof and drive areas will be collected in infiltration trenches as required, to provide the volume of water quality treatment prescribed by NYSDEC guidelines. Dwellings which do not drain directly to the detention basin watershed will be provided with infiltration.

In addition to these measures, a micropool and extended detention area has been identified as a suitable stormwater management practice that could be incorporated into the detention basin to enhance stormwater quality and reduce peak discharge. During construction, the detention basin could function as a temporary sediment basin to capture sediment from construction.

The SWPPP approved for this project shall also include the erosion and sediment control measures.

FINDING. The Planning Board finds that the proposed stormwater management plan meets the requirements of the SPDES General Permit for Stormwater Discharges from Municipal Separate Stormwater Sewer Systems (MS4s), Permit No. GP-0-10-001, conforms to the substantive requirements of the NYS Department of Environmental Conservation State Pollutant Discharge Elimination System (SPDES) General Permit for Construction Activities GP-0-10-

001, minimize increases in stormwater runoff from the development of the Site in order to reduce flooding, siltation, increases in stream temperature, and streambank erosion and maintain the integrity of stream channels; minimizes increases in pollution caused by stormwater runoff from land development activities which would otherwise degrade local water quality; minimizes the total annual volume of stormwater runoff which flows from the Site during and following development to the maximum extent practicable; and reduces stormwater runoff rates and volumes, soil erosion and nonpoint source pollution, wherever possible, through stormwater management practices and ensure that these management practices are properly maintained and eliminate threats to public safety.

No significant adverse impacts are anticipated.

4.6 UTILITIES

Water Supply:

The Project Site is currently within the Town of Mount Pleasant Kensico Consolidated water districts. Existing water mains are situated in the roads adjacent to the Site. The proposed project will use 8,840 gallons of water per day (26 homes x 340 gpd/home = 8,840 gallons) or 6.13 gallons/min. average flow and a maximum peak flow of 24.5 gpm. This is based on 26 homes, of which, 50% shall be three (3) bedroom and 50% shall be four (4) bedroom. All homes shall comply with NYSDEC regulations requiring water savings fixtures.

Adequate pressure and fire flows are available to service the community.

Eight (8) inch diameter water main will be looped through the community along the proposed roadway. Connections shall be made to the existing municipal system at two locations, to the 12 inch diameter main in Summit Lake Drive and to the 6 inch diameter main in Warren Avenue. Fire hydrants shall be provided along the route of the proposed water main.

1. *Design Flows* - Household water use was calculated based on New York State Health Department Regulations. The Proposed Action will have 26 new residences, thirteen of which will be 3-bedroom and another thirteen will be 4-bedroom houses. In addition to the general household use, lawn irrigation is considered within the Average Daily Flow. The water used for irrigation will come from the same source as the drinking water. The total water demand for the Proposed Action is approximately 8,840 gallons per day. The peak flow rate for an project, based on a 4 times multiple of the average flow was calculated at 24.5 gallons per minute.
2. *Proposed Water Distribution System* - The proposed water distribution will consist of:

Calculations were run to determine whether there would be adequate pressure at the highest plumbing fixture in the Proposed Action. It has been calculated that approximately 59 psi of pressure would be available

at a second-floor plumbing fixture for the highest proposed residence
This exceeds the minimum acceptable pressure of 20 psi.

Sanitary Sewage:

The Project Site is located within the Town of Mount Pleasant Valhalla Sewer District and the Hawthorne Sewer District and Westchester County Department of Environmental Facilities (WCDEF) Upper Bronx and Saw Mill Sewer Districts.

Sanitary sewer facilities for the project will consist of two (2) separate collection systems, the Valhalla system servicing 18 proposed residences within the eastern portion of the site and the Hawthorne system servicing 8 proposed residences located within the western portion of the project site.

Projected sewage flows from the 18 homes within the Valhalla system are expected to generate an average daily flow of 6,120 gallons/day (gpd) or an average flow of 4.25 gallons/minute. This is based on half the homes being three (3) bedroom with a flow of 400 gpd and half being four (4) bedroom with a flow of 450 gpd, with a water saving plumbing credit of 20% as mandated by NYSDEC.

Projected sewage flows from eight (8) homes within the Hawthorne system are expected to generate an average daily flow of 2,720 gpd or 1.88 gal./min. based on half the homes being 3 bedroom and half being 4 bedroom. Homes will be serviced by gravity sewer mains, which will connect to the existing eight (8) inch diameter sewer main within Warren Avenue at Cliff Street. The Hawthorne collection system connects to the County trunk sewer in the vicinity of Broadway and the Saw Mill River Parkway. The Valhalla segment will connect to the collection sewer located within the Summit Office Park.

There is adequate capacity within the sanitary sewer systems to service the 26 home community. Sanitary sewer facilities shall be designed in accordance with Town of Mount Pleasant construction details and Westchester County Health Department regulations. Design plans and engineering reports shall be submitted prior to obtaining approval of construction permit to extend sanitary sewer facilities.

FINDING. Adequate infrastructural capacity exists to accommodate the Project's sewer and water demand.

4.7. TRAFFIC & TRANSPORTATION

The roadways in the vicinity of the Site are two-lane, two-way roadways. Project related traffic impacts to the following intersections were evaluated:

- Stevens Avenue at Commerce Street/Elwood Avenue
- Stevens Avenue at Summit Lake Drive
- Stevens Avenue at Columbus Avenue (Southbound)
- Stevens Avenue at Columbus Avenue (Northbound)
- Columbus Avenue at Summit Lake Drive
- Columbus Avenue at Lakeview Avenue

The development of the 26 new residences will result in 7 inbound and 21 outbound AM weekday vehicle trips and 20 inbound and 11 outbound PM weekday vehicle trips. This volume of traffic would result in slight increases in traffic volumes; however, delay times at the intersections would remain similar to the no-build condition.

For future traffic conditions, both the No-Build and Build scenarios were evaluated in comparison to existing conditions. The No-Build traffic volumes represent future traffic operating conditions without the subject development and are a benchmark against which potential project-related traffic impacts can be measured. The No-Build traffic volumes are obtained by increasing the existing traffic volumes by a representative annual traffic growth factor to the design year and then adding traffic that would be generated by other developments in the vicinity of the site. However, for the project site, there are no new developments anticipated to influence traffic in the vicinity of the proposed action. For this study, a two (2) percent annual growth rate was used to account for non-development-specific growth in the study area. Because it is expected that the proposed residential development will be completed and occupied in the middle of 2016, the existing 2013 traffic volumes were grown for three (3) years, resulting in a total increase of six (6) percent.

Build traffic volumes represent future traffic operating conditions after the subject development. These volumes were established by adding the site generated traffic volumes anticipated at the study intersections to the previously projected No-Build traffic volumes. Acceptable LOS C or better operating conditions are projected to prevail at the five signalized study intersections. In addition, good operating conditions with LOS b or better are expected to continue to occur at the unsignalized intersection of Stevens Avenue with Summit Lake Drive. Delays at individual intersections are projected to increase by no more than 1.2 seconds. The proposed site driveway is expected to experience excellent LOS a operating condition.

Sight distance measurements were performed to the left and to the right at both the Summit Lake Drive/Proposed Site Access intersection and the Summit Lake Drive/Stevens Avenue intersection in order to determine whether site distances were sufficient. The sight distance evaluation was conducted pursuant to the guidelines of the American Association of State Highway and Transportation Officials (AASHTO) and it was determined that sight distance at the intersection of Stevens Avenue and Summit Lake Drive is limited in its present condition independent of the construction of the proposed subdivision. The addition of vehicular traffic from the proposed subdivision will not affect the existing condition.

FINDING. The proposed development of the Site will not have a significant adverse impact on the Levels of Service of the intersections surrounding the Site, roadway operating conditions or the areas traffic operations.

4.8 SOCIO-ECONOMIC/FISCAL

Demographics:

According to the 2010 census, the population of the Town of Mount Pleasant was 43,724. The Proposed Action is projected to generate approximately 90 new residents (3.5 residents per residence), which is equivalent to a 0.21% increase in the Town's population.

Based upon commonly accepted demographic multipliers¹, it is projected that the 72 new school aged children would be generated from the 26 units.

Fiscal Analysis:

The proposed Summit Estates community would result in 26 clustered homes on lot sizes averaging 1/3 acre and ranging in size between 2,000 and 3,000 s.f. The applicant's market evaluation projects a sales price for the homes of \$300.00 per square foot. Based on an average home of 2,500 s.f. and a sale price of \$300.00/s.f., the average market value of the homes would be \$750,000.00 or a total project market value of \$19,500,000.00. Applying the Town's 2013 equalization rate of 1.60%, the taxable assessed value of the project would be \$312,000.00 ($\$19,500,000.00 \times 0.016 = \$312,000.00$) or 780% greater than present taxable assessed value.

Upon full build out of the project, an average sale price of \$750,000.00 equalization rate of 1.60% and a tax rate which is consistent with 2013 rates, the project would generate approximately \$7,211.90 in taxes per year/home to the Town, County and Special District and approximately \$13,513.00 per year/home to the Mount Pleasant Central School District, a total tax of \$20,724.90 per home.

The project would generate \$37,626.00 in property tax revenue to the Town, plus an additional \$57,137.45 in property tax revenue to refuse, ambulance, fire, sewer, water, library and lighting annually, total revenue of \$94,763.45 to the Town, \$73,365.21 in property tax revenue to the County annually, plus an additional \$19,380.86 in property taxes towards County Solid Waste and Sewer.

The Mount Pleasant Central School District would experience increased costs from the 17 new public school students which would result from the proposed project. Fixed administrative and capital expenditures should not be affected by the 2 to 6 additional students enrolled in each of the four (4) district schools. Instructional and program costs would increase, however, the incremental cost typically do not increase in a direct ratio to the increase in enrollment. The \$20,667.00 per student generated from a tax levy from the project, represents revenue 23% greater than the program cost of \$16,784.46, a reasonable incremental expense of educating the additional students.

FINDING. The Planning Board finds that the proposed development will generate approximately \$538,847 annually in real estate taxes to all taxing jurisdictions. These taxes are anticipated to offset an increase in municipal service costs incurred by the Town. No adverse fiscal impacts are anticipated.

4.9 COMMUNITY FACILITIES & SERVICES

Police:

The Town of Mount Pleasant is serviced by the Mount Pleasant Police Department with headquarters located on the lower level of Town Hall at One Town Hall Plaza in Valhalla. The Department has primary law enforcement jurisdiction within the unincorporated areas of the Town, approximately 25 square miles. The Department

¹ Rutgers University, Center for Urban Policy Research, *Residential Demographic Multipliers Report*, 2006.

currently employs 45 full time sworn officers and approximately 20 auxiliary employees. There are currently 30 vehicles in the Department's fleet, which include marked and unmarked sedans, four-wheel drive vehicles, motorcycles, marine units, and special purpose vehicles. The Police Department has averaged approximately 22,164 calls to service over the last three years (2006-2008). Typical calls involve enforcement of laws, namely vehicle traffic laws, emergencies such as aided calls, fires, vehicle accidents, domestic disputes, burglar alarms and investigating reported crimes.

Response time to the site has been estimated at 4 minutes or less depending on position of on-duty officers in relation to the site, and availability of officers on patrol. The project site is located within a section of the Town that is patrolled 24/7.

Summit Estates Subdivision would result in 26 new residences, increasing the Town's population by approximately 86 to 90 residents, a 0.21% increase in the population of the Town. The increase represents a negligible decrease in the ratio of officers and staff per 1,000 residents. The project would have a looped roadway system accessed via a short divided boulevard off Summit Lake Drive. On October 8, 2013, a meeting was held with former Police Chief, Louis Alagno to review the proposed project as it may impact the Police Department. Chief Alagno did not believe the proposed 26 homes would adversely impact the Department's ability to service the Township, nor did he express concerns with project response time or access.

The project will generate approximately \$37,626.00/year in Town tax, of which approximately \$8,277.70 or 22% would be allocated towards the Town's Police Department's budget and any potential increase in police services resulting from the project.

Impacts to police service or coverage are anticipated to be minimal as the subject area is currently located in one of the five patrol sectors.

Fire/Emergency Services:

The subject site is served by the Hawthorne Fire Department. The station house is located at 25 Home Street (the intersection of Elwood and Home), approximately one mile from the project site. The department consists of 65 active volunteer firefighters.

The Fire Department has one tower ladder, one heavy rescue vehicle, one ambulances, three class-A pumpers and one mini truck. In addition, the District participates in a County-wide mutual aid program to assist other firefighting emergencies.

The applicant shall be required during final design of the project to provide the Department an opportunity to review and comment on proposed fire hydrant locations within the community.

The project would generate approximately \$19,850.26/year to the Hawthorne Fire District and \$1,603.63 to the Hawthorne Ambulance District which funds will help support the Department's budget and any potential increase in services.

Medical Facilities:

Westchester Medical Center is a 635-bed facility located approximately 5 miles from the project site in Valhalla. Northern Westchester Hospital is a 233-bed facility located approximately 10 miles from the project site in Mount Kisco. Northern Westchester Hospital has approximately 633 physicians associated with the hospital.

It is anticipated that there would be minimal impact resulting from a slight increase in the calls to service due. All homes within this subdivision will be fully sprinklered. Fire hydrants would be installed to facilitate emergency service. The new roads constructed for the development will be compliant with any regulations or standards that are required for firefighting equipment in the Town. The design of the development will also facilitate any service required. In addition, the resulting on-site population becomes a potential pool of volunteers for the Fire Department.

Schools:

The subject site is located within the Mount Pleasant Central School District. The schools within the district which will service the site include: The Hawthorne School (grades K-1-2); Columbus Elementary School (grades 3-4-5) Westlake Middle School (grades 6-7-8); and, Westlake High School (grades 9-12).

School District Impact:

The impact on school district is based upon Residential Demographic Multipliers, Rutgers University Center for Urban Policy Research, estimates of the occupants of New Housing, Burchell, Listophin & Dolphin, June 2006. This study bases its estimates of the occupants of new housing on several factors including residents, school-age children, public school-age children by state, housing type, housing size and housing price.

The 26 detached homes that are proposed are planned to sell for a projected price of \$750,000. Thirteen (13) of the homes are planned as three-bedrooms and thirteen (13) as four-bedrooms.

The three-bedroom detached homes, according to Burchell Study projects 2.95 person per home. The four-bedroom detached home, according to the same study projects 3.67 persons per home. Therefore, the three-bedroom homes will generate 38.35 persons and the four-bedroom homes will generate 47.71 persons.

The total number of persons in a three-bedroom unit generate a factor of 0.45 in the age category 5-13 and 0.13 in the age category 14-17. Therefore, the projected age 5-13 impact for the 13 three-bedroom units is projected at 17.26 (38.35 x 0.45). The 14-17 year old age impact for the 13 three-bedroom units is projected at 4.99 (38.35 x 0.13).

The total number of persons in a four-bedroom unit generate a factor of 0.86 in the age group of 5-13 and a factor of 0.19 in the age group of 14-17. Therefore, of 47.71 persons projected in four-bedroom homes, it is anticipated that 41.03 will be between 5 and 13 years of age (47.71 x 0.86) and 9.06 will be between ages 14-17. Therefore the totals are:

<u>Unit Type</u>	<u>Total Persons</u>	<u>5-13</u>	<u>14-17</u>
13- 3 Bedroom	38.35	17.26	4.99

13- 4 Bedroom	<u>47.71</u>	<u>41.03</u>	<u>9.06</u>
Total	86.06	58.29	14.05

A further refinement in the Burschell Study is the projection in New York of all school age children ("SAC") by unit type:

<u>Units</u>	<u>Total SAC</u>	<u>Grades</u>
13- 3 Bedroom	.58 x 13 = 7.54	K-2-12
<u>13- 4 Bedroom</u>	<u>1.05 x 13 = 13.65</u>	<u>K-2-12</u>

26 22.82 children in K-2 to 12 grade

The Proposed Action is anticipated to generate approximately 21 total public school-age children. This is estimated based on the Rutgers University, Center for Urban Policy Research *Residential Demographic Multipliers Estimates of the Occupants of New Housing June 2006*. As noted above, if 6.7% of the school age children projected to be generated by the Proposed Action attend private schools, the actual number of children from this development may be reduced by 2 children. However, to provide a conservative estimate, the number of 21 school-aged children is used.

Of the 17 public school students anticipated to be enrolled within the Mount Pleasant School District: 5 additional students would be enrolled at Hawthorne Elementary School; 6 additional students would be enrolled at Columbus Elementary School; 4 additional students would be enrolled at the Westlake Middle School and 2 additional students would be enrolled at the Westlake High School.

While Superintendent Guiney expressed in an October 2013 meeting that all district schools are currently at capacity, due to the projected decrease in enrollment of approximately 78 students between 2013/2014 and 2015/2016, the time of full project build out and 205 students by 2021, it is anticipated that schools would have adequate capacity. In consideration of the school districts' projected student enrollment through year 2017 as well as continued enrollment decreases through 2021, the addition of 17 students by 2016 is not expected to pose an adverse impact to the school district.

Given that a portion of the Proposed Action is intended to be marketed toward empty nesters, it is anticipated to have a different impact compared to traditional single-family housing. Thus, the actual number of school-aged children generated by this Project is anticipated to be even lower than the number projected above.

As discussed in the fiscal impacts section of this DEIS, cost to educate the children projected to be generated by this Project is conservatively estimated to be \$16,784.45 per student. The tax revenue generated in school taxes by the Project is estimated to be \$20,667.00 per student, resulting in a net surplus of \$4,000.00 per student.

Solid Waste:

It is estimated that an existing single-family residence generates approximately 1.3 tons of solid waste, including recyclable material, per year². The Proposed Action is anticipated to generate approximately 29.9 tons of solid waste per annum. This includes recyclable materials.

The 26 home Summit Estates community will have a residential population of 86 persons. It is estimated that the project would generate approximately 0.64 tons of waste per person per year or a total of 55 tons. Approximately 75% of the waste or 41.25 tons is refuse which will be disposed of at the Wheelabrator waste to energy facility in Peekskill and 25% or 13.75 tons of recyclables will be delivered to the County Household Material Recovery Facility located on the Grasslands Campus in Valhalla. Both facilities have adequate capacity to accommodate the minimal increase in Town volume.

The Summit Estates project would generate \$7,127.65/year to County Solid Waste and \$7,359.06/year to Mount Pleasant Refuse. In addition, approximately \$7,500.00/year of Town taxes will be appropriated to the Highway fund.

The proposed residential community would have a homeowners association that would oversee specific functions of the community including solid waste collection. Based on the coordination of solid waste pickup, no significant impact to municipal solid waste pick up is anticipated.

Parks, Recreation & Open Space:

Within the Town of Mount Pleasant, there are currently 18 public parks with services ranging from sports fields and courts to picnicking and camping opportunities. Within the Town there is ±314 acres of passive parkland available and ±88 acres of active parkland. In addition to the parks within the Town of Mount Pleasant, there are several parks located in the Town of Ossining and the Village of Briarcliff Manor, located within driving distance of the project site.

The development of the Proposed Action will not result in significant impacts to the parks, recreation and open space within the Town. The estimated increase on municipal population as a result of the Proposed Action is 86 – 90 persons. This is a minimal increase, and would not substantially impact the provision of recreation services within the Town. By utilizing the 26 Lot Conservation Subdivision design, the development of the Site will permanently preserve approximately 13 acres of the site as contiguous passive open space.

Additionally, in accordance with the provisions of section A227-27A(4) of the Subdivision Regulations, the Planning Board has determined that a suitable public park cannot be properly located within the subdivision, and that a payment-in-lieu of parkland will be required. This payment shall be utilized by the Town for the purpose of acquiring or improving public park facilities. This payment will further mitigate any impact on public parklands created by the Proposed Action.

FINDING. The Planning Board finds that the taxes generated from the

² Development Impact Assessment Handbook, Urban Land Initiative, 1994

development of the Project will more than off-set any municipal service increased required. The Project will result in a net tax surplus for all taxing jurisdictions.

4.10 HISTORIC AND CULTURAL RESOURCES

There are no structures on the site or in the vicinity that are listed on the National or State Register of Historic Places.

Based on the lack of reported prehistoric archaeological sites within a 1-mile radius and the environmental factors present on the site, it is considered that the prehistoric potential of the Summit Estates Subdivision is low. With respect to historic cultural resources, the map research indicates that no 18th or 19th century dwellings were located on the project area. It is, therefore, considered that the potential for historic cultural resources to be located on the site is also low. Based on these findings, no further archaeological work is required for the Summit Estates Subdivision.

FINDING. The Planning Board finds that the Project will not result in any significant adverse impacts to any historic, archaeological or cultural resources.

4.11 AIR QUALITY & NOISE

NYS DEC maintains an Air Quality Index (AQI) for reporting the daily air quality for particular regions throughout the State of New York. The air quality index report was recently prepared for the White Plains portion of the region indicated that the air quality was "good."

The standard methodology for determining whether there will be air quality impacts relates to roadway conditions, specifically failed conditions at critical intersections. As there are no failed intersections reported as a result of the Proposed Action, there is no other specific threshold to warrant the preparation of further air quality analysis.

The development of the Site will result in temporary noise and air quality related impacts do to construction related activities. Construction activities will conform to Section 139 of the Code of the Town of Mount Pleasant, related to construction activities.

The carbon footprint for the proposed development was calculated using the EPA Household Emissions Calculator. The calculator takes into account the location, amount and type of home heating consumption, electricity consumption, vehicular travel, and recycling behavior. For this calculation, the average figures for nationwide consumption provided by the EPA were used (weekly oil consumption, weekly electricity consumption, miles per gallon, weekly miles traveled). In addition, it was assumed that aluminum and steel cans, plastic, glass, newspapers and magazines were to be recycled, per Westchester County mandatory recycling law. The result of the calculation is that each house is expected to generate approximately 49,434 pounds of CO2 emissions per year. This comes to a total of 1,285,284 pounds of CO2 emissions per year for the proposed development. These figures are lower than the national average for individual homes, which is calculated to be 52,558 pound of carbon per

household per year. These impacts can be further reduced through the use of energy saving appliances, reduction in driving, and improvement of vehicle's miles per gallon rating, as well as other energy saving techniques.

Ambient background noise levels proximate to the Project Site are low due to absence of an adjoining highway, a multi-lane regional highway system. Existing activities on the Project Site are consistent with the surrounding residential neighborhood, and would not result in noise generation above the ambient background noise levels.

Noise

Noise impacts associated with the Summit Estates Subdivision would be limited to temporary noise impacts generated during construction. Since these noise levels would be limited to daylight hours, and noise levels would vary considerably during different construction phases, construction noise would only generate short term impacts at the adjacent properties.

Long term noise impacts associated with additional vehicle trips is anticipated to be negligible due to the low level of traffic generated by this 26 lot subdivision.

During construction, surrounding sensitive noise receptors including residences (particularly along Warren Avenue) and the Cedar Knolls School would temporarily be exposed to higher noise levels. Although this is unavoidable, these impacts would be mitigated by controlling the hours of operation of contractors. Outdoor construction activities would be conducted between the hours of 7:00 a.m. to 6:00 p.m. - Monday through Saturday. Blasting shall be conducted between 8:00 a.m. and 5:00 p.m. and will not be permitted on Saturdays, Sundays or major holidays.

In terms of post-construction, no significant noise impacts are anticipated from additional traffic generated by the proposed action, therefore no mitigation is warranted.

Air Quality

Potential air quality impacts associated with the project include short term air quality impacts associated with construction of the proposed subdivision as well as long term air quality impacts associated with operation of the subdivision once constructed (increased air emissions from vehicular trips).

With appropriate dust control measures in place, impacts from fugitive dust would have a minimal impact on off-site properties and cause no violation of the State or Federal air quality standards. While emissions from construction vehicles would occur during construction, they would be minimal, dispersed throughout the site, and temporary in nature.

Potential long term air quality impacts associated with exhaust emissions from vehicles entering and leaving the development once constructed were evaluated. In accordance with the New York State Department of Transportation Environmental Procedures Manual (Section 9), intersections with a build condition Level of Service of A, B or C,

are generally excluded from microscale air quality analysis. As demonstrated in Section IV-7 (Traffic) of this FEIS, upon construction of the proposed Summit Estates development, all studied intersections would operate at a LOS A, B or C. None of the studied intersections would operate at a LOS D or below. An air quality analysis is therefore not necessary since this project would not increase traffic volumes, reduce source-receptor distances or change other conditions to such a degree as to jeopardize attainment of the National Ambient Air Quality Standards.

During construction, dust dispersion would be controlled by minimizing the size of areas being disturbed and immediately stabilizing soils after disturbance. Maintenance of existing trees around the perimeter of the site, a positive feature of the cluster layout, would assist in suppressing dust levels and keeping airborne dust on-site. The use of mulch, seeding or other temporary cover on exposed soil would help to reduce dust levels. During dry weather conditions, spraying water on unpaved areas subject to heavy construction vehicle traffic would help control dust. The use of stone tracking pads at site access points would significantly reduce the tracking of dirt on the surrounding roadway network.

In terms of post-construction, no significant air quality impacts are anticipated from additional traffic generated by the proposed action, therefore no mitigation is warranted.

FINDING. The Planning Board finds that the Project will not result in any adverse long-term air quality or noise impacts.

4.12. CONSTRUCTION

The development of the Site will result in short-term construction related impacts that cannot be avoided, including construction noise, dust and construction-related traffic.

Local ambient daytime noise is expected to increase in the vicinity of the Site during construction of the Project, specifically during site clearing and construction of the proposed dwellings, as well as interior roadway. Construction activities and the operation of construction equipment are an expected and required consequence of any new construction project and cannot be avoided. All mechanical construction equipment will be maintained in good working order to minimize noise levels. Noise levels will diminish in intensity as site preparation, excavation work, and foundation development are completed.

Construction shall be limited to the hours of 8:00 a.m. to 6:00 p.m., Mondays through Saturdays, with no construction activities occurring on holidays or Sundays. There may be instances when construction hours may need to exceed these parameters, but construction will always be in accordance with the Town of Mount Pleasant requirements. Noise dampening practices will also be used during construction to minimize the impact on surrounding properties.

Construction activities on the site could potentially cause an increase in airborne dust on the site and the immediately adjacent properties. To minimize dust generated during construction, dust control measures and other best management practices will be

employed, including dust covers on construction trucks, regular watering down of exposed areas and minimization of disturbance areas.

Erosion and sediment control measures are designed in compliance with the *New York State Standards and Specifications of Erosion and Sediment Control*. Land disturbance at the proposed site will be carefully sequenced so that grading operations can begin and end as quickly as possible, thus minimizing the exposed areas subject to erosion. Site clearing, access roads, rough land grading, and installation of underground utilities (storm, water, electric, telephone, etc.), will commence initially. All material from excavation will be stockpiled in-situ to concentrate the area of loose soil exposed to runoff. At the stock pile, silt fences will be installed and temporary dikes/swales will be placed if necessary during construction.

During the construction stage, soil in areas previously covered will be exposed to runoff. Erosion of these areas will be controlled by establishing temporary seeding and mulch, and by placing straw bale dikes and silt fences. The purpose of the temporary seeding and mulch is to reduce sediment carried by the runoff from the exposed areas and to control dust. Temporary seeding and mulch will be placed as soon as the removal activity is completed. During development, areas where construction has temporarily or permanently ceased will be stabilized within 14 days unless construction will resume within 21 days.

Construction of the dwellings and their associated site improvements will commence once site work has been substantially completed and stabilized. Prior to starting these activities, silt fences will be placed along the perimeter of the cleared areas and temporary seeding will be done as necessary to install the silt fences.

Grading of the existing surface will be required in and around the proposed dwellings and roadway areas. Runoff from rooftops and drives will be drywells/infiltration galleries to reduce the quantity of runoff and a treatment for stormwater quality. Surface runoff from access roads, paths, and landscaped areas will be directed to drainage swales and channels, and where appropriate catch basins for ultimate connection to the grass dry swales and detention basin. Drainage swale and channels will be permanently stabilized with vegetative material or rip-rap to prevent erosion and control runoff velocities.

In order to disperse or "spread" the concentrated flow from the detention basin outlet thinly over the existing undisturbed vegetated ground, a level spreader was provided. Its purpose is to spread the concentrated outflow over a wide area so that the erosion does not occur. The level spreader will also remove other pollutants from runoff by filtration, infiltration, adsorption and decomposition.

There will be temporary, short-term impacts to traffic in the surrounding area, due to construction-related vehicles arriving and departing the site. The quantity and frequency of truck traffic will vary depending on the nature of the construction operation. Earth moving equipment, such as bulldozers and loaders, will be brought to the site by flatbed trucks during the beginning stages of the project. This equipment will most likely remain on site until the completion of construction. It can be expected that various trucks will be making deliveries of construction materials during daytime hours. Because relatively few truck trips are anticipated during peak hours, significant

impacts from construction vehicles are not expected. Proper notice will be given for any and all lane closures that may be necessary during roadway construction to mitigate traffic impacts.

Blasting will be avoidable wherever practicable and will generally be limited to those areas requiring rock removal of greater than four feet in depth. Excavation equipment or mechanical means of rock removal will be employed to remove rock, where practical. The potential effects upon nearby building foundations and local aquifers can be minimized by employing proper blasting techniques. These techniques minimize the amount of vibration from the blast that can impact structures and local aquifers. Damage from flying debris can also be avoided through the use of proper blasting techniques. Any necessary blasting will adhere to applicable state and town regulations.

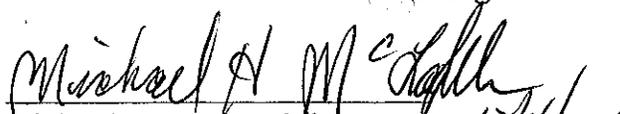
FINDING. The Planning Board finds that subject to the mitigations measures outlined above, no adverse impacts will result from the construction of the Project.

CERTIFICATION OF FINDINGS

Having considered the Draft and Final EIS, and having considered the preceding written facts and conclusions and specific findings relied upon to meet the requirements of 6 N.Y.C.R.R. Part 617, this Statement of Findings certifies that:

1. The requirements of 6 N.Y.C.R.R. Part 617 have been met;
2. Consistent with the social, economic and other essential considerations, from among the reasonable alternatives thereto, the action approved is one which minimizes or avoids adverse environmental effects to the maximum extent practicable; including the effects disclosed in the environmental impact statement; and
3. Consistent with social, economic and other essential considerations, to the maximum extent practicable, adverse environmental effects revealed in the environmental impact statement process will be minimized or avoided by incorporating as conditions to the decision those mitigative measures which were identified as practicable.

Town of Mount Pleasant Planning Board


Michael H. McLaughlin
Planning Board Chairman

DATE FILED IN
TOWN CLERK'S OFFICE
12/8/14
TOWN OF MOUNT PLEASANT
ZONING BOARD OF APPEALS