



July 14, 2010

Ms. Alice Roker, Town Clerk
Town of Yorktown Town Board
363 Underhill Avenue
Yorktown Heights, New York 10598

cc: T Board
Planning Board
Planning Sec.
Conservation Board
Engineering
Applicant
TOWN CLERK'S OFFICE
JUL 16 2010
Karen Wagner

Re: **Notice of Intent to be Lead Agency
Croton Overlook
Town of Yorktown, Westchester County, NY
Tax map #: 70.15-1&2 and 70.11-1-16
DEP Log#: 2010-CNC-0479-SQ.1**

TOWN OF YORKTOWN NY

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Dear Ms. Roker:

The New York City Department of Environmental Protection (DEP) has reviewed the Town of Yorktown Town Board's (Board) Notice of Intent to act as Lead Agency, Environmental Assessment Form (EAF) and Site Plans dated June 4, 2010 prepared by Lawrence Paggi, P.E. for the above-referenced project. DEP does not object to the Board acting as Lead Agency for the Coordinated Review of the proposed action pursuant to the New York State Environmental Quality Review Act (SEQRA).

The proposed action involves the construction of a 74 lot subdivision for a 55 and older community to consist of 70 residential lots, 1 - 44 acre lot to be designated as open space owned and maintained by the proposed Home Owners Association (HOA), one lot for a subsurface waste water treatment facility (WWTF) and two lots for stormwater management facilities. The proposed action involves a zoning amendment from R1-80 One-Family Residential Units to RSP-1Age Orientated Community. The project site consists of approximately 63 acres located east of the intersection of NYS Routes 134 and 100 within the Town of Yorktown in Westchester County, New York, with tax maps numbers 70.15-1-2 and 70.11-1-16.

DEP's status as an involved agency stems from its review and approval authority of a Stormwater Pollution Prevention Plan (SPPP) pursuant to Section 18-39(b)(3)(iv) of the *Rules and Regulations for the Protection from Contamination, Degradation, and Pollution of the New York City Water Supply and Its Sources* (Watershed Regulations). DEP also maintains review and approval authority for the proposed WWTF pursuant to Section 18-38 of the Watershed Regulations.

Based upon the review of the materials received, DEP respectfully submits the following for your consideration:

- 1. DEP recommends that a site walk with Department staff be conducted as soon as possible to field locate all watercourses and other

environmentally sensitive features that may be impacted by the proposed action, and to have DEP staff witness deep hole tests in the areas proposed for the stormwater management basins. Moreover, a site walk will provide critical information that will assist in identifying the potentially adverse water quality impacts that would result from the proposed action and developing adequate avoidance or mitigation strategies. To make arrangements, the applicant's engineer and/or representative may contact Mariyam Zachariah at (914)742-2014.

2. The applicant must provide information on the type of WWTF being proposed and soil test data results so that the proposed subsurface area can be evaluated. Additionally, a copy of the groundwater modeling report must be provided for review.
3. The EAF should clearly indicate the future purpose of lot 73 which is shown as a picnic area on the site plan (i.e. conservation easement, further development with impervious surfaces, disturbances, regrading, etc. must be discussed). Any potential water quality impacts resulting from disturbance on this lot should be identified, avoided or mitigated during the SEQRA process.
4. Part 1, A.4 and A.8 indicates that the depth to the bedrock is 0.0 and the depth to the water table is more than 9 feet throughout the project. The response should include a range of depths to bedrock. Additionally, the water table is not the same thing as groundwater. Water tables fluctuate with precipitation, growing season, topography, etc. As there are wetlands located on the property, it appears that the water table is far closer to the ground surface than the >9 feet stated in the EAF. The applicant should also clarify this with a more appropriate range for the water table depth. Since some of the soil types identified typically exhibit high seasonal groundwater elevation; DEP urges the Board to ensure that potential water quality impacts associated with shallow bedrock and ground water are fully evaluated and avoided or mitigated during the SEQRA process.
5. Section B.25 of the EAF should be revised to include DEP's review of a SPPP.
6. Please have the applicant clarify whether the linear feet of frontage information provided in Section B.1.j. of the EAF is on Dell Avenue or Saw Mill River Road.
7. Areas where trees will be removed or protected need to be cited out in the site plan.
8. Although the Environmental Resource Mapper does not indicate the presence of Threatened or Endangered species in the vicinity, NYSDEC should be contacted for up-to-date information. Since Natural Heritage Program assessments for these species have not been conducted everywhere, it is recommended that, at minimum, areas proposed for development be assessed by a qualified biologist or environmental professional for habitat values and presence of species using an industry-accepted survey methodology.
9. Provide details on the type of community services that will be required for the proposed project as described in Section C.11.a.

10. The dimensions of the largest proposed structure listed in Section B1.i of the EAF are not consistent with the dimensions shown on the site plan. Although the actual size and shape of the proposed units may not be known, the estimated building size will impact the amount of new impervious surfaces as well as the extent of grading and disturbance required. Consistent information should be provided in order to assess the significance of potential adverse impacts and the adequacy of proposed mitigation measures.
11. It is recommended that a minimum set back distance of 25' should be maintained between the stormwater practices and other infrastructure (i.e., roads).
12. A landscaping and roads maintenance plan should be developed that describes the need for and expected use of such chemicals as pesticides, herbicides, fertilizers, and de-icing compounds
13. Although Part II of the EAF indicates that there will not be any impact on transportation, it is highly unlikely that a 70-lot housing project cannot have any kind of traffic issues. This must be further investigated during the SEQRA process.

Impacts on Land

14. Based on USDA soil maps, cutting and filling may occur not only on Charlton soils as indicated in the EAF but also in Chatfield, Hollis-Rock outcrop complex and Woodbridge loam soils. Some of these soils have severe erosion potential, and the impacts of erosion and sedimentation on the site must be addressed in detail. Woodbridge loam may have shallow groundwater during the wet seasons, hence, the excavation and dewatering issues resulting from those soils should also be addressed. DEP urges the Board to require the submission of a preliminary erosion and sediment control plan to demonstrate that the potential impacts that would result during construction can be adequately mitigated.
15. *Construction will continue for more than 1 year and may last through several freeze-thaw cycles.* Information on the anticipated construction start and finish dates must be provided. Construction is expected to last 18 months thus site disturbance will last through at least one wet season and freeze-thaw cycle. Open works during wet seasons and freeze-thaw cycles are more susceptible to erosion and sedimentation. Methods to avoid or mitigate the impacts must be addressed in SEQRA.
16. *Rock Outcrops and Blasting.* In the EAF, the applicant indicates that rock blasting is anticipated in certain portions of the project and that soil borings or other geotechnical investigations have not yet been completed. The applicant should include a description of how proposed grading and blasting will impact overall drainage patterns, and what environmental impacts are likely to result as a consequence of those changes. Moreover, the potential water quality impacts associated with blasting, rock hammering, excavation and stockpiling should be analyzed and mitigated during the SEQRA process.

Impacts on Water

17. *The project will generate increases in both runoff quantity and pollutant loading.* Although the stormwater management facilities are identified on the site plan, the specific practices are not indicated. Furthermore, soil test results to determine the feasibility of using infiltration or any other types of practices is not provided; therefore, it cannot be determined if the proposed measures are adequate to mitigate anticipated impacts. Detailed information regarding inspection and maintenance of stormwater practices and any additional measures proposed to avoid or mitigate the potential for erosion and sedimentation must be provided.

The pre versus post development pollutant loading analysis should be included due to the change in impervious surfaces introduced in the project. In order to evaluate the changes to pollutant loading, reasonable modeling of pre- and post land uses must be provided. Due to the proximity to the New Croton Reservoir, it is highly important to assess the effectiveness of the proposed stormwater management practices.

The wells shown in the proposed primary SDS absorption area and in the close proximity of the 100% expansion area must be relocated. There should be sufficient separation distance from the wells to the septic reserve area to avoid any impacts to the ground water and surface water.

18. The proposed zoning changes may result in a significant increase in the amount of impervious surfaces allowed on the proposed site. Information should be provided to compare the potential impacts associated with current zoning to those associated with the proposed development.
19. *Construction may cause contamination of a water supply system.* The proposed action is located immediately upslope of wetlands and a stream which is tributary to New Croton Reservoir. The reservoir is part of the New York City water supply watershed serving more than 9 million people. New Croton Reservoir is unfiltered and is within the 60-day travel time to service and is phosphorus restricted; therefore, water quality impacts to the water supply from turbid discharges, the WWTF and from pollutant laden runoff must be avoided or mitigated. The documentation submitted does not include sufficient information to demonstrate adequate mitigation.
20. Since this project area is located within a drainage basin that already does not meet its phosphorous Total Maximum Daily Load (TMDL) as designated by the New York State Department of Environmental Conservation (NYSDEC). The submitted documents do not address the potential increases in pollutant loading and do not discuss proposed methods for reducing the additional phosphorous load that the zoning revisions may generate.

Based upon the review of the materials received and the intensity of development, the proposed Type I action has the potential to result in at least one significant adverse environmental impact. Specifically, the project may result in a substantial adverse change in existing groundwater or surface water quality or quantity; as defined by 6 NYCRR 617.7(c)(1)(i); a substantial increase

in potential for erosion, flooding, leaching or drainage problems (6 NYCRR 617.7(c)(1)(i)), and/or the removal or destruction of large quantities of vegetation (6 NYCRR 617.7(c)(1)(ii)). As such, DEP, as an Involved Agency, recommends that the Board issue a positive declaration and direct the applicant to prepare a Draft Environmental Impact Statement (DEIS). NYCDEP further urges the Board to conduct public scoping in accordance with 6 NYCRR 617.8.

DEP offers the following preliminary scoping comments:

- The applicant should note the project's location with respect to the NYC Watershed and fully discuss any impacts to the water supply that may result. The applicant should clearly identify all DEP regulated water courses on-site. To that end, the applicant should arrange a site visit with DEP to confirm the presence of DEP regulated watercourses on-site and any identified watercourses should be depicted on the site plans and applicable regulatory setbacks should be adhered to.
- The DEIS should include a preliminary SPPP of sufficient detail to demonstrate that these measures are feasible given the site's constraints (e.g. soils, slopes, etc) and will mitigate adverse impacts so that they will not be significant.
- The DEIS should include preliminary designs for the proposed water and wastewater treatment facilities/infrastructure.
- The applicant should clearly delineate areas of steep slopes and quantify the extent of disturbance that will occur on these slopes.
- The applicant should consider a sufficient number of alternatives including alternatives that avoid steep slopes, wetlands/wetland buffers, etc. to the maximum extent practicable. The applicant should also consider alternatives that reduce the project's scale or magnitude. The alternatives presented in the DEIS should be of sufficient detail to allow for meaningful comparison.
- The DEIS should note that the project is located in a phosphorous restricted basin and should evaluate the project's impact on the Town's ability to achieve its TMDL under the NYSDEC MS4 general permit.

DEP is available for further consultation on the matters raised in this letter and expects to be fully involved in the SEQRA process as an Involved Agency. Please notify me of any public meetings regarding this project so that DEP may participate fully in this process. In addition, please copy me on behalf of DEP on all correspondence related to the SEQRA review between your agency and the applicant.

Thank you for the opportunity to provide comments. You may reach me at cgarcia@dep.nyg.gov or (914) 773-4455 with any questions or if you care to discuss the matter further.

Sincerely,

Cynthia Garcia
SEQRA Coordination Section

C: M. Duke, NYS Department of Environmental Conservation
E. Burroughs, Westchester County Department of Planning
L. Carrea, P.E., Westchester County Department of Health
L. DeSisto, Yorktown Planning Board
A. Russo, Environmental Compliance Services, Inc.

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October 27, 2010

Cynthia Garcia, SEQRA Coordination Section
New York City Department of Environmental Protection
Bureau of Water Supply
465 Columbus Avenue
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Re: ***Croton Overlook***
Comments in Response to Notice of Intent to be Lead Agency
Tax Map #: 70.15-1&2 and 70.11-1-16
DEP Log#: 2010-CNC-0479-SQ.1

Dear Ms. Garcia:

The following information is provided in response your July 14, 2010 correspondence, which offers The New York City Department of Environmental Protection comments in response to the Notice of Intent to be Lead Agency. The items listed below correspond with the items in your correspondence.

1. *Comment: DEP recommends that a site walk with Department staff be conducted as soon as possible to field locate all watercourses and other environmentally sensitive features that may be impacted by the proposed action, and to have DEP staff witness deep hole tests in the areas proposed for the stormwater management basins. Moreover, a site walk will provide critical information that will assist in identifying the potentially adverse water quality impacts that would result from the proposed action and developing adequate avoidance or mitigation strategies.*

Response: The DEP witnessed deep hole tests in the areas of the proposed stormwater management basins with this office on September 2, 2010. A site walk was conducted on the same date. While no water courses were apparent within the project area, the DEP has requested to visit the site again during a wet season to verify these findings.

2. *Comment: The applicant must provide information on the type of WWTF being proposed and soil test data results so that the proposed subsurface area can be evaluated. Additionally, a copy of the groundwater modeling report must be provided for review.*

Response: A preliminary WWTF design has been prepared by this office and was discussed at a joint meeting with the Westchester County Health Department (WCHD), the New York State Department of Environmental Conservation (NYSDEC) and the NYCDEP on September 27, 2010. This preliminary design included soil test data from deep tests and percolation tests that were witnessed by the WCHD. The WWTF design includes flow equalization followed by a biological treatment unit and filtration. Effluent from the WWTF will be discharged to a subsurface absorption field. Based upon the joint meeting with the regulatory agencies, a flow confirmation and draft SPDES permit are expected to be issued, which will demonstrate the viability of the potential design for the anticipated sewage design flow. A copy of the groundwater modeling report prepared by HydroEnvironmental Solutions, Inc. is also provided with this submittal as requested.

3. *Comment: The EAF should clearly indicate the future purpose of lot 73 which is shown as a picnic area on the site plan (i.e., conservation easement, further development with impervious surfaces, disturbances, regrading, etc. must be discussed). Any potential water quality impacts resulting from disturbance on this lot should be identified, avoided or mitigated during the SEQRA process.*

Response: The future purpose of lot 73 is intended exclusively as passive recreation. Existing trails will be maintained and disturbance in this area would be limited to minor clearing to accommodate picnic/meditation areas. No regrading or construction of impervious surfaces is proposed, which would constitute potential water quality impacts.

4. *Comment: Part 1, A.4 and A.8 indicates that the depth to bedrock is 0.0 and the depth to the water table is more than 9 feet throughout the project. The response should include a range of depths to bedrock. Additionally, the water table is not the same thing as groundwater. Water tables fluctuate with precipitation, growing season, topography, etc. As there are wetlands located on the property, it appears that the water table is far closer to the ground surface than >9 feet stated in the EAF. The applicant should also clarify this with more appropriate range for the water table depth. Since some of the soil types identified typically exhibit high seasonal groundwater elevation; DEP urges the Board to ensure that potential water quality impacts associated with shallow bedrock and groundwater are fully evaluated and avoided or mitigated during the SEQRA process.*

Response: No water table was encountered within deep test holes in the proposed project area during testing from December 2009 through September of this year. This same testing revealed bedrock depth from outcrops at the surface to greater than 16 feet below grade. The EAF has been revised to reflect the depth of water table and bedrock as a range from 0' to >16' based upon this testing as well as observations of outcrops and surface water within the stream and wetland area.

5. *Comment: Section B.25 of the EAF should be revised to include the DEP's review of the SPPP.*

Response: NYCDEP review of the SPPP has been added to Section B.25 of the EAF.

6. *Comment: Please have the applicant clarify whether the linear feet of frontage information provided in section B.1.j. of the EAF is on Dell Avenue or Saw Mill River Road.*

Response: The project site includes a small section of frontage (475 ±feet) along Saw Mill River Road at the southerly extremity of the property where no development is proposed. The balance of the frontage (2,485 ±feet) lies along Dell Avenue. The EAF has been revised to reflect this information.

7. *Comment: Areas where trees will be removed or protected need to be cited out in the site plan.*

Response: The proposed project is intended to limit development to within 22 acres of the property, leaving 40 acres undeveloped. Tree removal is planned only within the developed portion of the site. Detailed plans that will be developed during planning board review process that will follow the zone change will include limits of disturbance that will further identify areas where trees will be removed and where they will be protected.

8. *Comment: Although the Environmental Resource Mapper does not indicate the presence of Threatened or Endangered species in the vicinity, NYSDEC should be contacted for up-to-date information. Since National Heritage Program assessments for these species have not been conducted everywhere, it is recommended that, at a minimum, areas proposed for development be assessed by a qualified biologist or environmental professional for habitat value and presence of species using industry-accepted survey methodology.*

Response: The potential for Threatened and endangered species habitat has been addressed in a response letter from the NYSDEC National; Heritage Program dated September 30, 2010. This letter is included with this submission.

9. *Comment: Provide details on the type of community services that will be required for the proposed project as described in Section C.11.a.*

Response: Community services will be limited to maintenance of a public water distribution system in the relocated section of Dell Avenue, winter maintenance operations of Dell Avenue and emergency services (ambulance, fire and police). The project will own and maintain a private sewage disposal system and will contract privately for solid waste management.

10. *Comment: The dimensions of the largest proposed structures listed in Section B1.i of the EAF are not consistent with the dimensions shown on the site plan. Although the actual size and shape of the proposed units may not be known, the estimated building size will impact the amount of new impervious surfaces as well as the extent of grading and disturbance required. Consistent information should be provided in order to assess the significance of potential adverse impacts and the adequacy of proposed mitigation measures.*

Response: Two variations of the building footprint will be offered to the homebuyers. The two designs will vary slightly in size and shape and the appropriate design will be selected to best fit the lot upon which it is being constructed. The plans included with this submission represent the two proposed alternatives. The associated impervious areas and the resulting land disturbance have been considered in the preliminary hydrological evaluation and erosion and sediment control design. The EAF has been revised to reflect the largest structure depicted on the plans, which is 50 feet wide and 80 feet long.

11. *Comment: It is recommended that a minimum setback distance of 25 feet should be maintained between the stormwater practices and other infrastructure (i.e., roads).*

Response: The proposed stormwater practices are set back a minimum of 25 feet from infrastructure and other stormwater practices with two exceptions. A surface sand filter is proposed in front of the stormwater extended detention pond to provide two practices in series as required by the NYCDEP. The location of the discharge from the sand filter to the extended detention basin is less than 25 feet to provide an effective connection between these two practices. The north end of the infiltration basin located near the proposed southerly intersection of the new road with Dell Avenue is less than 25 feet from the roadway. While this separation distance is not considered to represent a significant impact to the infiltration basin, additional separation will be considered if the contemplated land swap with the NYCDEP with the property immediately south of this basin is accomplished.

12. *Comment: A landscaping and roads maintenance plan should be developed that describes the need for and expected use of such chemicals as pesticides, herbicides, fertilizers, and de-icing compounds.*

Response: The road will be a realignment of the existing Dell Avenue, and as such will be owned and maintained by the Town of Yorktown. A detailed landscaping and maintenance plan will be prepared in coordination with SPPP during the Planning Board review and approval process.

13. *Comment: Although Part II of the EAF indicates that there will not be any impact on transportation, it is highly unlikely that a 70-lot housing project cannot have any kind of traffic issues. This must be further investigated during the SEQRA process.*

Response: Additional detailed information has been provided by the project Traffic and Transportation Engineer with this submission, which will be considered by the Town Board.

Impacts on Land

14. *Comment: Based on USDA soil maps, cutting and filling may occur not only on Charlton soils as indicated in the EAF but also in Chatfield, Hollis-Rock outcrop complex and Woodbridge loam soils. Some of the soils have severe erosion potential, and the impacts of the erosion and sedimentation on the site must be addressed in detail. Woodbridge loam may have shallow groundwater during the wet seasons, hence, the excavation and dewatering issues resulting from those soils should also be addressed. DEP urges the Board to require the submission of a preliminary erosion and sediment control plan to demonstrate that the potential impacts that would result during construction can be adequately mitigated.*

Response: A preliminary erosion and sediment control plan has been prepared and is included with this submission as requested. The plan includes preliminary sequencing of proposed practices to demonstrate viable mitigation of the potential impacts that may be expected during construction.

15. *Comment: Construction will continue for more than 1 year and may last through several freeze-thaw cycles. Information on the anticipated construction start and finish dates must be provided. Construction is expected to last 18 months thus the site disturbance will last through at least one wet season and freeze-thaw cycle. Open works during wet seasons and freeze-thaw cycles are more susceptible to erosion and sedimentation. Methods to avoid or mitigate the impacts must be addressed in SEQRA.*

Response: The proposed construction start date is May 15, 2011 and construction is expected to be completed in 18 months. These start and finish dates have been added to the EAF as requested. While construction is expected to last 18 months, the extended construction will be limited to building construction, which will entail limited site work. The road and infrastructure construction, including the stormwater management system is expected to be completed, and stabilized, within one season. Therefore, the majority of the site work will not be exposed to a freeze thaw cycle. The preliminary erosion and sediment control plan calls for appropriate measures to mitigate potential impacts in the areas of the building construction, which might extend through a winter season.

16. *Comment: Rock Outcrops and Blasting. In the EAF, the applicant indicates that rock blasting is anticipated in certain portions of the project and that soil borings or other geotechnical investigations have not yet been completed. The applicant should include a description of how proposed grading and blasting will impact overall drainage patterns, and what environmental impacts are likely to result as a consequence of those changes. Moreover, the potential water quality impacts associated with blasting, rock hammering, excavation and stockpiling should be analyzed and mitigated during the SEQRA process.*

Response: A preliminary drainage study has been prepared and is included with this submission. This study addresses anticipated impacts on drainage patterns and potential water quality impacts. Stockpiling has been addressed in the preliminary erosion and sediment control plan mentioned above. It should be noted that the majority of the blasting operations are expected to occur in the area of the proposed roadway, which runs along a ridge through the center of the project. This ridge is a high area relative to drainage patterns on site and subsequently there are no upland contributing drainage areas whose stormwater runoff patterns would be impacted by the potential blasting. Furthermore, the areas where blasting is anticipated will be predominantly covered by the new roadway in the post-development condition. Stormwater runoff from these areas will be directed into the proposed stormwater management system. The impact of the proposed impervious surfaces has been addressed in the preliminary drainage study.

Impacts on Water

17. *Comment: The project will generate increases in both runoff quantity and pollutant loading. Although the stormwater management facilities are identified on the site plan, the specific practices are not indicated. Furthermore, soil test results to determine the feasibility of using infiltration or any other types of practices is not provided, therefore, it cannot be determined if the proposed measures are adequate to mitigate anticipated impacts. Detailed information regarding inspection and maintenance of stormwater practices and any additional measures proposed to avoid or mitigate the potential for erosion and sedimentation must be provided.*

The pre versus post development pollutant loading analysis should be included due to the change in impervious surfaces introduced in the project. In order to evaluate the changes to pollutant loading, reasonable modeling of pre- and post land uses must be provided. Due to the proximity to the New Croton Reservoir, it is highly important to assess the effectiveness of the proposed stormwater management practices.

The well shown in the primary SDS absorption area and in the close proximity of the 100% expansion area must be relocated. There should be sufficient separation distance from well to the septic reserve area to avoid any impacts to the ground water and surface water.

Response: The preliminary drainage study included with this submission addresses specific stormwater management practices proposed for this project. These practices are indicated on the preliminary grading plan also included with this submission. Maintenance of these practices is indicated on the preliminary erosion and sediment control plan. As mentioned above, soil testing has been performed and witnessed by the NYCDEP and test result information is included on drawing C7 of the project plans. The drainage study includes modeling of pre- and post development conditions to address potential stormwater quantity and quality impacts. The existing wells indicated in proximity to the 100% expansion area are intended to be properly abandoned. These wells were installed for monitoring purposes in conjunction with the groundwater mounding analysis and are not intended to be used as sources for water supply.

18. Comment: *The proposed zoning changes may result in a significant increase in the amount of impervious surfaces allowed on the proposed site. Information should be provided to compare the potential impacts associated with the current zoning to those associated with the proposed development.*

Response: A comparative analysis of existing and proposed zoning is included with this submission. The viability of appropriate mitigation of new impervious surfaces has been demonstrated in the preliminary drainage analysis. As mentioned above, it should be noted that 40 acres of the existing 60 acre project site will remain undeveloped with the current project proposal

19. Comment: *Construction may cause contamination of a water supply system. The proposed action is located immediately upslope of wetlands and a stream which is tributary to the New Croton Reservoir. The reservoir is part of the New York City water supply watershed serving more than 9 million people. New Croton reservoir is unfiltered and is within the 60-day travel time to service and is phosphorous restricted; therefore, water quality impacts to the water supply from turbid discharges, the WWTF and from pollutant laden runoff must be avoided or mitigated. The documentation submitted does not include sufficient information to demonstrate adequate mitigation.*

Response: This submission includes additional information including preliminary WWTF and stormwater management system designs. Also included is a flow confirmation letter from the Westchester County Health Department. This additional information demonstrates viable measures of mitigating water quality impacts to the water supply from sanitary and stormwater discharges.

20. *Comment: Since this project area is located within a drainage basin that already does not meet its phosphorous Total Maximum Daily Load (TMDL) as designated by the New York State Department of Environmental Conservation (NYSDEC). The submitted documents does not address the potential increases in pollutant loading and do not discuss proposed methods for reducing the additional phosphorous load that the zoning revisions may generate.*

Response: The WWTF and stormwater management systems designs mentioned above address phosphorous reduction requirements for both sanitary and stormwater discharges.

Please do not hesitate to contact our office if there are any questions or concerns relative to the information provided herein. Your continued consideration of this project application is appreciated.

Sincerely,

Lawrence J. Paggi, P.E.
President

cc Town of Yorktown Town Board
Town of Yorktown Planning Board
Alice Roker, Town Clerk
Sharon Robinson, Town Engineer
John Tegeger, Town Planner