2.0 DESCRIPTION OF THE PROPOSED ACTION

2.1 Introduction

This Draft Environmental Impact Statement (DEIS) has been prepared in response to a Positive Declaration issued by the Town of Bedford Planning Board in connection with an application by Cosimo Tripi, James P. Murphy and Adelaide V. Murphy for approval of a residential subdivision on a 25.59 acre property located on Harris Road and New Street in the Town of Bedford, Westchester County, New York. The Positive Declaration and the SEQRA Full Environmental Assessment Form, upon which the Planning Board's determination of significance was based, are included in Appendix A.

This Draft Environmental Impact Statement examines the potential environmental effects that may result from a proposed residential development, known as the "Tripi Subdivision". Initially, the applicant submitted site plan drawings and a DEIS for a 19 lot conventional subdivision. Following consultation with the Planning Board, the applicant has prepared a 23 lot conservation subdivision plan that meets the Town Code requirements for Conservation Subdivision, consistent with Chapter 107-49 Conservation Subdivisions. This DEIS describes the potential environmental impacts of both the "Conventional Plan" and the "Conservation Plan". The Conservation Plan is the plan preferred by the Lead Agency and by the applicant.

The DEIS has been prepared in accordance with the State Environmental Quality Review Act (SEQRA) and Part 617 of the implementing regulations. The scope of the DEIS was established by a scoping outline developed by the Town Planning Board, acting as the SEQRA lead agency, in cooperation with all other involved agencies. The Planning Board adopted the Scope for a DEIS at a public scoping meeting on March 14, 2006. Additional information to be included in the scoping outline was required by the Planning Board and submitted to the design engineer, April 4, 2006. This Scope is included in this document in Appendix A. The applicant submitted drafts of the DEIS on May 8, 2007, December 5, 2008 and November 10, 2009. Following consultation with the Planning Board, a Conservation subdivision plan was prepared and is described, herein.

This Project Description chapter summarizes the layout, site plan and benefits of both the Conventional Plan and the Conservation Plan. Chapters 3.1 through 3.9 provide analysis of the project's potential impacts and mitigation measures, for specific resources or environmental concerns. Evaluation is provided for both of the Site Plan concepts. The traffic analysis has been completely revised from the previously submitted traffic study, since traffic access and distribution is completely different between the two plans. In the Conventional Plan a through road would be provided between Harris and New Street, and in the Conservation Plan, the only point of entrance and egress would be via New Street. These differences in traffic warranted a revised study (see Section 3.5 Traffic and Transportation). In addition, the fiscal analysis provided in Section 3.8 Socioeconomic has been updated with 2010 tax rates and 2010-2011 school budget information.

A summary of potential project impacts is provided in Table 2-1 Tripi Subdivision Impact Comparisons. As shown in the Table, the Conservation Subdivision Plan would result in less overall land development impacts, including grading and construction disturbance, which would result in the retention of more existing vegetation on the property. The Conservation Plan would result in 4 additional residential units, compared to the Conventional Plan, given that two affordable residential units will be provided. The additional residential units in the Conservation

Plan would result in a slightly higher overall development population, including school age children, when compared to the Conventional Plan. The fiscal impact to the Town and specifically to the Katonah-Lewisboro School District are comparable for the two plans, since the Conservation Plan would generate higher taxes than the Conventional Plan, given the additional residential units.

Table 2-1 Tripi Subdivision Impact Comparisons				
Areas and Potential Impacts	Conventional Plan (19 Residential Lots)	Conservation Plan (23 Residential Lots)		
Natural Resource Impacts (acres)				
Total Construction Disturbance	17.15	13.06		
Steep Slope Disturbance >15%	5.47	3.95		
Developed Area (acres)				
Impervious Surfaces (buildings and paved surfaces)	3.44	3.89		
Lawn and Landscaping (includes stormwater facilities)	13.71	9.17		
Woods (existing vegetation) undisturbed	8.44	12.53		
Road Length	±2,420	<u>+</u> 2,258' (emergency access <u>+922'</u>		
Community Resources				
Number of residential lots	19	23		
Number of affordable residences	0	2		
Population	70	75		
School Age Children *	20	18		
Water Demand (gpd)	11,400	11,700		
Sewage Flow (gpd)	11,400	11,750		
Revenues to School District	\$393,214	\$381,128		
Revenues to Westchester County	\$72,488	\$70,260		
Revenues to Town of Bedford	\$33,924	\$32,881		
Traffic				
Traffic Generation	Total AM Peak Hour Trips/ 23 Total PM Peak Hour Trips/	25		
Course: Tim Miller Associates Inc. and	24	27		

Source: Tim Miller Associates, Inc. and Petruccelli Engineering and Surveying, P.C., 2008 and 2010

Note: * - The estimates of school age children are based upon Residential Demographic Multipliers - Estimates of the Occupants of New Housing, Rutgers University, June 2006.

2.2 Project Purpose, Public Need and Benefits

History of Project Site

The project site is 25.59 acres and is mostly vacant, except for an existing home owned by James P. Murphy and Adelaide V. Murphy located at the entrance to the site on Harris Road. The Murphy property is 1.84 acres in size and was purchased in 1995 (tax parcel: Section 60.7, Block 2, Lots 8.1 and 8.2). The Murphy property was subdivided from the larger Bailey Hall (now Tripi) property by metes and bounds description only and no formal subdivision plat was filed for the property. The proposed Tripi subdivision will include the Murphy parcels and create

a new lot (Lot 19). The entire property is comprised of four tax parcels: Section 60.7, Block 2 and Lots 8, 8.1, 8.2 and 9 as shown on the Town of Bedford tax maps.

No structures or buildings related to the Bailey Hall School remain on the property.

In the mid 19th century the land within the project area was owned by J. Birdsall. A former dwelling from this period was located on historic maps from the period, but is no longer on the site. In the early twentieth century the property, which had previously been two parcels, became one parcel owned by the Florence Nightingale Holding Corporation and was used for the Florence Nightingale School which later was known as Bailey Hall. The Bailey Hall school operated under a succession of owners from 1918 until 1986. In its beginnings it was co-educational but evolved into a vocational school for boys. The school formerly contained a residence, barns, workshops, a school building and summer cottages. Further details regarding the historical use of the site is provided in the Phase 1A Literature Review and Sensitivity Analysis prepared by Citi/Scape: Cultural Resource Consultants (see Appendix G).

The property is included in two residential zoning districts -- approximately 18.65 acres in the R-1/2A district and 6.94 in the R-1/4A district. Based on a review of the title for the property, four easements are connected with the site. Copies of the Title and easements are attached in Appendix B, Correspondence. The easements are related to providing access to a former spring and for access to utility poles on the property.

There are no stone walls existing on the property.

Public Need and Community Objectives

The objective of the applicant is to construct quality market-rate single-family detached residences that would appeal to households seeking to reside in the Town of Bedford.

Housing in the Town of Bedford, is presently dominated by single family detached dwellings. Almost 71 percent of the total units in the Town of Bedford are single family detached homes. As indicated in the Town's Comprehensive Plan, the character of the existing residential development with particular reference to the prevailing low density will be maintained.

The proposed project would provide an appropriately scaled, community-friendly development in close proximity to the Town's retail and commercial uses, transportation facilities and elementary school. This project will address the need for housing in a location that is accessible using the existing local and regional road system. The existing roadway network would provide access to the site without the need for extensive improvement, as indicated in the Town of Bedford Comprehensive Plan. The project site is located approximately one mile from the Bedford Hills train station and less than one mile from the Katonah station, both stations on the Metro North Harlem line.

Pedestrian access is an issue valued by the local community and the Planning Board. Although on-site sidewalks are not proposed for the Conventional Plan, sidewalks would be provided in the Conservation Plan. With either plan, the nearby Katonah Elementary School and local retail locations would be accessible by pedestrians from the project site, although, as described below, off-site continuos sidewalks are not provided to either the school or retail locations.

It should be noted that the existing streets that surround the project including Harris Road, New Street, West View Drive and Sunrise Avenue do not have sidewalks. Current residents of the neighborhood must utilize the roadway edges when using a bicycle, walking or jogging on certain streets or portions of streets. Huntville Road, which is located north of the site and accessed by New Street, does have sidewalks for a majority of its length. Pedestrians from the Tripi subdivision could walk along the edge of New Street to Huntville Road and then walk on a sidewalk west to the Katonah Elementary School. The school is located approximately one-half mile from the site using this route. Pedestrians seeking to shop at the A&P supermarket located on Bedford Road would walk north on New Street to Huntville Road, east along Huntville Road using a sidewalk and then south on Bedford Road to the A&P. The A&P is located slightly more than one-half mile using this route. A further discussion of sidewalks and pedestrian access in the vicinity of the site is provided in Section 3.5.3 Potential Impacts - Build Condition Traffic.

The applicant's project will reinforce the objectives and policies of the Town's Comprehensive Plan adopted in July, 2002 by: providing a development within the community that preserves and reinforces the Town's basic residential character, continues the existing pattern of density and will help ensure that the Town maintains an adequate supply and range of housing stock.

The proposed project intends to address the public and community objectives by accomplishing the following:

- Increase the Town's housing stock and help satisfy the high demand for single family residences in the Town of Bedford and in Northern Westchester County.
- Create a project that is compatible with the character of the community and the long range plans by the community for the area.
- Achieve a balance between development that will result in new community members and the cost of community services to support that development.
- There also exists a desire to accommodate seniors aged 55 and above with smaller sized residences and single level living.

Objectives of the Applicant

The Applicant, Cosimo Tripi, intends to create a community of high quality single family homes consistent with the residential character of the Town of Bedford, in an attractive, wooded setting. This objective would be achieved with either the conventional subdivision plan or the Conservation subdivision plan. The project responds to a continued demand for 3- 4-, and 5-bedroom housing in the Town of Bedford and Northern Westchester County.

This particular project is of a low density (approximately 1 to 2 acres per dwelling unit) and is expected to support housing developed in conformance with the Town's Zoning Ordinance and Comprehensive Plan which designate this area for low density/single family residential use.

An overview of the two proposed project plans, is summarized as follows:

Conventional Subdivision Plan

• The conventional plan would include the construction of 18 new market rate single-family homes, averaging 3,500 square feet (gross floor area) with three, four and five bedrooms (four bedrooms on average). One existing single family home was

considered in the overall environmental review. The new market rate home sites are anticipated to sell for between \$1,000,000 and \$1,500,000. The anticipated selling price is comparable to existing new construction in the Town of Bedford, for homes with approximately 3,500 square feet and four bedrooms. The Multiple Listing Service for houses in Katonah and vicinity shows comparable new 4 bedroom houses generally priced above \$1,000,000, and houses in the Katonah Lewisboro School District on properties over one acre sold in December 2008 for \$900,000 and above.¹

- The conventional subdivision will involve a total of 19 lots, which includes the subdivision
 of an existing home located on Harris Drive, and the construction of eighteen (18) new
 homes.
- A total of 2,420 linear feet of roadway is proposed to be offered for dedication to the Town (no proposed private roads). The internal roads would be constructed with 24 feet in pavement width, within a 50-foot right-of-way, per Town of Bedford roadway regulations. The roads would be constructed with 6 inches asphaltic concrete and 8 inches gravel subbase. Access to all the nineteen residences will be off of the internal access road.
- The Applicant proposes to pay a recreation fee of \$10,000 per approved lot to the Town for the purpose of funding community recreation programs and facilities that would be available to the future residents of this project. No active recreation facilities are proposed in this subdivision.
- The project would result in approximately 8.44 acres of the existing vegetation and land (34 percent of the site) remaining undisturbed. Vegetation would be retained during construction by the installation of fencing at the limits of construction.
- Projected population in the Conventional development is 70 persons, consisting of 20 school aged children and a mixture of persons 18 years and older and younger than five.
- Municipal water will be provided to the project. Water service connections will connect
 the project to existing services located in Harris Road and in New Street. The proposed
 Conventional project is not connected to a municipal sewer and each lot will have its
 own septic system.

Conservation Subdivision Plan

- The Conservation subdivision will involve a total of 23 lots, which includes the subdivision of two existing lots (one existing home), located on Harris Drive, and the construction of twenty-two (22) new homes. Two of the 22 new homes will be affordable.
- The 20 new market-rate single-family homes, will range from approximately 2,500 to 3,500 square feet (gross floor area) with three and four bedrooms. The market rate homes are anticipated to sell for between \$750,000 and \$1,250,000. The anticipated selling price is comparable to existing new construction in the Town of Bedford, for homes of comparable size and four bedrooms. The two affordable homes will be priced at approximately \$385,000, consistent with the Town of Bedford affordability requirements (Section 125-29.6).
- The Conservation Subdivision will include a public looped access road, approximately 2,230 feet in length. Access to the development will be limited to New Street at the north

¹ http://www.margotfriedlander.net/Westchester_County_MLS

side of the property. A 12 foot wide emergency access road will be provided from Harris Road, to the loop road. The looped roadway is proposed to be offered for dedication to the Town (no proposed private roads). The internal road would be constructed with 30 feet in pavement width, within a 50-foot right-of-way, per Town of Bedford roadway regulations. The 30 foot width would allow on-street parking in the event of private parties or gatherings at individual residences. The roads would be constructed with 6 inches asphaltic concrete and 8 inches gravel subbase.

- The Applicant proposes to pay a recreation fee of \$10,000 per approved lot to the Town for the purpose of funding community recreation programs and facilities that would be available to the future residents of this project. No active recreation facilities are proposed in this subdivision.
- The project would result in approximately 12.53 acres of the existing vegetation and land (47 percent of the site) remaining undisturbed. Vegetation would be retained during construction by the installation of fencing at the limits of grading.
- Projected population in this new development is 75 persons, consisting of 18 school aged children and a mixture of persons 18 years and older and younger than five. These population estimates may be subject to the design of specific residences, particularly for one level living.
- Municipal water will be provided to the project. The proposed Conservation Plan project
 proposes a community septic system located in the central portion of the site. The
 community septic system is subject to review and approval by the Westchester County
 Department of Health and the NYC Department of Environmental Protection.

Under either plan, the proposed project will provide a modern residential neighborhood for persons seeking to live in the Town of Bedford, and would produce a modest, sustainable use of land that is currently underutilized.

Benefits of the Project

Development of new housing in Bedford will provide social benefits to the local area and the region by increasing its workforce and the available pool of civic minded residents. Additionally, new homeowners who will reside at Tripi Subdivision will utilize area retail, personal service, and other commercial services. It is estimated that this development would generate revenues to businesses on retail goods and services. A portion of these expenditures would be made at local area restaurants, supermarkets, convenience stores, apparel and household goods stores, and service businesses.

Some of the benefits of the proposed project are the following:

- Provides new housing stock to meet the continuing demand and ownership opportunities for housing in the Town of Bedford and Northern Westchester County.
- Provides low density residential project consistent with the Town's long range development objectives. The Conventional Plan would provide lots ranging from 0.6 to 2.75 acres in size. The Conservation Plan would provide a majority of lots (21 of 23 lots) approximately 0.275 acres in size.

- Provides an estimated 37 person-years of short-term employment for construction, including secondary employment resulting from the construction. Local construction contractors and building materials will be utilized whenever possible.
- Projected annual revenue to the Town of Bedford including municipal services would be \$94,072 for the Conventional Plan and \$91,180 for the Conservation Plan (2010 estimates. See Section 3.8 for further discussion).
- Projected annual revenue to the Katonah-Lewisboro School District would be \$393,214 for the Conventional Plan and \$381,128 for the Conservation Plan. This revenue is projected to be a net benefit to the school district. (2010 estimates. See Section 3.8 for further discussion)
- The Conventional Plan would retain approximately 8.44 acres of existing vegetation (33 percent of the site) through the use of construction fencing and adherence to the construction plans. The Conservation Plan would retain approximately 12.53 acres existing vegetation (48 percent of the site). The limits of disturbance are shown Figure 3.1-4 Grading Plan and in the attached full sized drawings.

2.3 Site Location and Vicinity

The project site is located north of Harris Road and south of New Street, in the northwestern corner of the Town of Bedford. The project site is located east of Westview drive and west of Sunrise Avenue, in the northwestern portion of the Town of Bedford. The property has approximately 900 feet of road frontage on Harris Road, a local road. The south end of the New Street, also a local road, ends at the northern property line of the project site. Sunrise Avenue ends to the east of the project site. The regional and local settings of the site are shown in DEIS Figures 2-1 and 2-2.

The project site comprises four tax parcels: Section 60.7, Block 2 and Lots 8, 8.1, 8.2 and 9 as shown on the Town of Bedford tax maps. The lot is 25.59 acres in size. The subject property consists of mostly vacant wooded land, located in the R-1/2A and R1/4A Single-Family Residential zoning districts. An existing single-family home (Murphy residence) is located on Harris road in the southern portion of the property.

The property is irregularly shaped, with its frontage on Harris Road and a secondary access from New Street towards the north. Single family development is located on all sides of the property. DEIS Figure 2-3 shows the existing conditions of the project site shown on a 2004 aerial photograph. Locations of existing structures on adjacent properties are illustrated in Figure 2-3.

Access

Conventional Plan

Primary access to the Tripi subdivision would be provided from Harris Road and New Street (see Figure 2-4 Proposed Conventional Subdivision Plan). The proposed subdivision would have a primary through road, and a side road accessing two cul-de-sacs in the western portion of the site. The through road labeled Road "A" on the Site Plans is approximately 1,700 feet in length and is an extension of New Street. A side road (Road B) extends to the west and is approximately 300 feet in length. Two (2) cul-de-sacs (Roads "C" and "D" are approximately 200 feet in length). The proposed new roads would be constructed to Town specifications and

would be 24 feet in width. Alternative road widths, such as 18 or 20 feet would need a variance from the Town Board. the title deeds for the property, four easements are connected with the site. Those easements are further described in Section 2.2 Project Purpose, Public Need and Benefits.

Alternative road widths would allow the installation of sidewalks on one side of the proposed roads without increasing the area of impervious surface. The applicant is not proposing sidewalks in the conventional development plan. No sidewalk connections currently exist on streets adjoining the site, including New Street, Harris Road, Sunrise Avenue and Westview Drive. Existing sidewalks and pedestrian access in the vicinity of the site are described in Chapter 3.5 Transportation. Future pedestrian access following development is discussed in Section 3.5.3 Potential Impacts - Build Condition Traffic.

Eight residences (including the existing residence) will have access off of the proposed 1,700 feet new Town roadway extending from Harris Road in the South to New Street on the North. The central access road will be 24 feet in width connecting from the main access road. The eleven other lots are proposed to gain access via this central access road and two cul de sacs.

The proposed new roadways that would serve the site has been designed to meet Town of Bedford road specifications and will be offered to the Town upon completion.

Conservation Plan

A public looped access road connecting to New Street, is proposed for the Conservation Plan. Twenty-one of the new homes would be accessed from the loop road and New Street, while a single new home and the existing Murphy residence would have access Harris Road. Based upon the steepness of the existing grade from Harris Road into the central portion of the site, a through street was not considered viable by the Planning Board and Town consulting engineer. A 12-foot wide emergency access road connecting Harris Road and the new looped access road is proposed. The future homeowners association would be responsible for the winter maintenance (snow plowing) of this emergency access road. A letter has been sent to the Katonah Fire Department to elicit their comments on the emergency access. Following coordination with the Department, their recommendations will be incorporated into the plan.

The looped access road would be approximately 2,230 feet in length and would have 30 feet of pavement width within a 50 foot right-of-way. The 30 foot width would allow on-street parking in the event of private parties or gatherings at individual residences. The proposed new road has been designed to meet Town of Bedford road specifications and will be offered to the Town after completion.

Land Use and Zoning

The site vicinity is predominantly zoned for residential use of medium to low densities. The property is included in two single-family residential zoning districts, with approximately 18.65 acres in the R-1/2A district and 6.94 in the R-1/4A district. The R-1/2A is a One-Half-Acre Residential District whereas the R-1/4A is a One-Quarter-Acre Residential District. The Village Apartment District (VA) borders the subject property to the south. The larger portion of the property falls in the One-Half-Acre Residential district where 16 single family homes are proposed, under the Conventional Plan. The remaining three homes are proposed in the

One-Quarter District (R-1/4A). In the Conservation Plan, 7 lots are fully within the R-1/4 acre district and 4 lots straddle the district line. Eleven lots are fully within the R-1/2 acre district.

Present R-1/2A zoning allows single family dwellings. The R-1/2A residential zoning district cuts through the project site in the northern portion and extends off-site to the west. Properties fronting Bedford Road are generally excluded from this zoning district. The R-1/4A zoning allows single family dwellings. The R-1/4A residential zoning district line cuts through the project site in the northern portion and extends off-site to the north.

Natural Features

The project site is located in a section of the Town characterized by upland, hilly topography, and is approximately 25.59 acres in size. The central and western portion of the site contain gently sloping topography (slopes less than 10 percent) with steeper slopes along the northern, eastern and southern edges of the property. Approximately 6.39 acres (25 percent of the site) has slopes in excess of 25 percent; of those areas approximately 1.84 acres would be impacted by grading activities.

The Tripi Subdivision site primarily consists of successional woodlands and overgrown fields. The property contains mature trees, as well as smaller trees and brush. A single occupied residence, occupies the property. There are no wetlands, watercourses or water bodies on the project site.

2.4 Project Design and Layout

Existing Environmental Characteristics

The site is located off of Harris Road and New Street in the Town of Bedford, Westchester County, New York. The property is located in the New York City Department of Environmental Protection regulated Muscoot Watershed.

The proposed project is designed around the physical constraints of the property and attempts to minimize impacts to areas of steep slopes and existing vegetation that crosses the southern to eastern portion of the property. The northern and western portions of the site have generally more level grades. Approximately 6.39 acres or 25 percent of the project site consists of slopes 25 percent or greater. In order to minimize impacts to the areas with steep slopes, the proposed roads and residential lots have been located to avoid these sensitive areas to the greatest extent practicable. Disturbance to slopes and erosion control measures are further described in Section 3.1 Geology, Topography, Soils.

Conventional Plan

The Conventional plan will have 19 lots ranging in size from 0.6 acres (26,251 square feet) to 2.75 acres (119,954 square feet). Of the proposed 19 homes, 16 home sites will meet the zoning requirements of the R-1/2 A district and 3 home sites will meet the requirements of the R-1/4 A district. The R-1/2 A and R-1/4 A zoning districts allow one-family dwellings on 10,000 and 20,000 square feet lots, respectively. Tables 2-2 and 2-3 below lists the various bulk requirements applicable to the project.

Table 2-2 Compliance with Bulk Requirements for R-1/2A							
Required Minimum			Required Maximum				
Lot Area (Square feet)	Effective Square Side (Feet)	Front Yard (Feet)	Lesser Side (Feet)	Rear Yard (Feet)	Building Height	Impervious Surface	Building Coverage
20,000	100	35	20/45	50	2 ¹ / ₂ stories or 35 feet	30%	15%
All proposed lots comply	All proposed lots comply	All proposed lots comply	All proposed lots comply	All proposed lots comply	All proposed lots comply	All proposed lots comply	All proposed lots comply

The Conventional proposed homes are planned to average 3,500 square feet of gross floor area with three, four and five bedrooms. Footprints shown on the project plans average about 2,000 square feet in size. This house size is comparable to the newer existing single family houses in the immediate vicinity of the project site.

Table 2-3 Compliance with Bulk Requirements for R-1/4 A							
Required Minimum			Required Maximum				
Lot Area (Square feet)	Effective Square Side (Feet)	Front Yard (Feet)	Lesser Side (Feet)	Rear Yard (Feet)	Building Height	Impervious Surface	Building Coverage
10,000	75	35	15/35	40	2 ¹ / ₂ stories or 35 feet	40%	20%
All	All	All	All	All	All	All	All
proposed	proposed	proposed	proposed	proposed	proposed	proposed	proposed
lots comply	lots comply	lots comply	lots comply	lots comply	lots comply	lots comply	lots comply

The development has been designed to comply with the provisions of the Town Subdivision Regulations (§107 of the Town Code). The overall proposed subdivision plan is shown in DEIS Figure 2-4 and in the full size engineering drawing included in the rear of this document. The proposed plan provides for new single family homes on upland areas of the site to preserve areas of steep slope, and existing vegetation to the greatest extent practicable.

The project construction would result in the disturbance of approximately 17.15 acres, or approximately 67 percent of the site. Approximately 8.44 acres (33 percent) of the site is proposed to remain undisturbed, on individual lots.

Table 2-4 Changes in Surface Cover (Acres) Tripi Subdivision					
Cover Type	Existing Conditions	Post Development			
Woods/ overgrown fields	24.30	8.44			
Impervious Surface Pavement and buildings	1.29	3.44			
Landscaping (includes septic and stormwater facilities)	0.00	13.71			
Totals	25.59	25.59			
Source: Petruccelli Engineering, 2008, Tlm Miller Associates, Inc.					

Upon completion, new impervious surfaces, including homes, paved roads and driveways, will cover approximately 3.44 acres (13 percent) of the project site. Disturbed areas that are not paved or otherwise built upon will be restored with lawns and landscaping, covering some 13.72 (54 percent) of the site. This landscaped area includes the landscaped areas surrounding each home, stormwater treatment facilities and individual septic fields.

As indicated above, approximately 8.44 acres of the site is proposed to remain undisturbed, on individual residential lots. Sizable areas of undisturbed existing vegetation are anticipated at the rear of lots 9, 10, 13, 14, 18 and 19. The drawings provided show the footprints of potential homes, driveways, septic fields, and the areas of disturbance to construct these features on each lot. The limits of grading are provided on the plans and will be maintained during construction with fencing.

While permitted, no accessory buildings or structures, such as swimming pools or tennis courts, are proposed with the Proposed Action, and given the constraints of septic fields, stormwater management facilities and steep slopes, there is little available area for pools or tennis courts on each lot (see Figure 3.1-4 Grading Plan). Should future homeowners want to construct accessory buildings (sheds decks, pools or tennis courts), the proper plans and permits would need to be obtained by those private parties. Any future plans would need to comply with Town Code requirements, including, but not limited to: Chapter 125 Zoning for building permits, Chapter 112 Tree Preservation, for the removal of trees, and Chapter 102 Steep Slopes for any grading or tree removal on steep slopes.

As there is no active recreation lot proposed in this subdivision, the Applicant proposes to pay the Town's recreation fee of \$5,000 per newly-subdivided lot.

Conventional Plan Project Design and Natural Features

The proposed project site plan was designed in using good design principals and is compatible with the natural features of the site. The project site has generally level topography in the north and west and slopes steeply towards the southeast, towards. Due to topography and surrounding development and road frontage, the project site has only two access points: at Harris Street in the south and at New Street in the north.

The proposed through road (Road A) was design to utilize existing access points to the property, including New Street at the north and an existing driveway on Harris Street at the south (the project entrance was shifted somewhat from the driveway to allow better sight

distance). The internal roads are laid out to minimize the required grading and site disturbance. Existing driveways through the property, which generally follow existing topography and avoid rock outcrops, provide the proposed location of the access road (Road A).

Residential sites are located in the most level portion of the site (north-central and western) to minimize impacts to steep slopes. Residential septic fields are also located on level areas with appropriate soils in keeping with good engineering design practice. Existing rock outcrops were also avoided for home sites, roads and driveways, to the extent possible to avoid costly rock removal. Areas of steep slope were specifically avoided for the placement of homes, driveways and septic field, as shown in Figure 3.1-5 -Steep Slopes Disturbance Map. The figure illustrates how steep slopes were avoided in the placement of future homes and septic fields.

Existing vegetation on the property, including mature trees will be retained, outside the designated limits of disturbance. The drawings provided show the footprints of potential homes, driveways, septic fields, and the minimum areas of disturbance to construct these features on each lot. The requirement to provide individual septic systems on suitable level soils on each lot increased the necessary site disturbance and vegetation removal. The limits of grading are shown in Figure 3.1-4 Grading Plan and are designated on the Site Plan drawings. These limits of disturbance will be maintained during construction with fencing.

Conservation Subdivision Plan Design and Layout

A Conservation Subdivision plan was initially developed as an alternative, during the preparation of the DEIS. The Conservation Plan was prepare to address the Conservation Development regulations in the Town Code (Chapter 107-50.1). Following discussions with the Planning Board and Town Planner, the Planning Board indicated its preference for Conservation (cluster) Plan. The Conservation Plan was then modified and updated, based upon comments from the Planning Board. The Conservation Plan has been designed consistent with the Town Code, and according to the Code this plan is subject to review and approval by the Town Board.

The proposed Conservation Plan would include a total of 23 residential lots. The Plan would provide for 21 new single family residences designed around a looped road with access onto New Street. The design and layout of Conservation Plan is shown in Figure 2-5 Proposed Conservation Subdivision Plan. A community septic system would be located in the cental portion of the development, inside the looped road. One (1) new residence (Lot 22) and the existing Murphy home (Lot 23) would have access to Harris Road from the existing Murphy Driveway. An emergency access road, unpaved and 12 feet in width, would extend from the Murphy driveway to the main loop road between Lots 16 and 17. Two of the proposed lots would be marketed as affordable per Chapter 125-29.6 Affordable Housing of the Town Code.

Lot Count

The total number of lots or "lot count" was determined by the project engineer, in consultation with the Planning Board. The Town Code addresses conservation or cluster development in two locations: Subdivision regulations (Chapter 107-50.1) and in the Zoning Code (Chapter 125-51 -125-56 Conservation Development).

The Conservation Subdivision code (Chapter 107-50.1) permits the Town Board to authorize the Planning Board to "modify the applicable zoning standards in order to create conservation

subdivisions". The intent of the Conservation Subdivision code is preserve unique natural features or to create useful open spaces to serve the residents of the subdivision or the Town.

The Conservation Development Code (Zoning Chapter 125-51 to 125-56) allows conservation development with multi-family buildings in single family zones, and it also references conservation development of detached one family dwellings. The section addressing density requires that the number of lots or dwellings not exceed what could be reasonably developed on the parcel under a conventional plan, consistent with the Zoning Code. The code requires the applicant to provide a basis for this determination with a sketch layout of a conventional plan. The Code also provides a density incentive of not more than 25 percent if the applicant constructs the units as middle income units for sale or rent consistent with the Town's affordable housing requirements.

The applicant and project engineer initially demonstrated the potential development of 19 residential lots with the Conventional Plan. Given that the Conservation plan will result in smaller homes on smaller lots when compared to the original 19 lot plan (with a reduction in land and home values), the applicant developed a conventional 21 lot subdivision plan as a basis for a Conservation Subdivision (see Figure 2-6 - 21 Lot Conventional Plan). That plan meets all of the bulk and density requirements of the Zoning Ordinance, as required by Chapter 125-54(B)(1).

In addition to the 21 residences, two (2) additional affordable homes are proposed to take advantage of the density incentive. In this regard, the proposed 23 lot Conservation subdivision would meet the Town Codes' density requirements (Chapter 125-54(B)(1)), takes advantage of the density incentives (Chapter 125-54(C)) and would meet the Town's affordable housing requirements for new subdivisions (Chapter 125-29.6).

The proposed community septic system and modification of certain setbacks allows the applicant to develop an attractive, marketable subdivision of 23 lots. The Conservation layout addresses the goals of the Town in providing two affordable housing units, as well as preserving areas of open space on the property.

Project Layout

Lots 1 through 21 would be 12,000 square feet or 0.275 acres in size. Lot 22, adjacent to Harris Road, would be 33,229 sf or 0.762 acres in size. As shown in the plans, the area within the looped road will be utilized as a community septic area, including an expansion area. Portions of the site not included in individual residential lots will be common lands, owned and maintained by a property owner's association.

These common areas include the community septic system and reserve areas and much of the southeastern portion of the site. Existing vegetation on steep slopes in the southeastern portion of the site will be retained. The north western corner of the site will be commonly owned and the existing vegetation there retained. A strip of common land, 25 feet in width will be provided along the western property line, in the vicinity of West View Drive. This area is shown in Figure 2-5 Proposed Conservation Plan. No development is proposed for this common land and existing vegetation will be preserved. Common open space land not utilized by common infrastructure (septic system, stormwater management facilities, and the emergency access road), will be permanently preserved, through the filing of appropriate covenants, deed restrictions, or easements.

New Urbanism

The Conservation Subdivision was designed in consultation with members of the Planning Board and the Town's Planner to include professional planning design elements into the project, including "New Urbanism" and "smart growth" principals. New Urbanism is a planning movement intended to promote more livable communities that encourage pedestrians, provide a range of residential building types, and community open space². The following New Urbanism design elements have been incorporated into the project:

- 1) Common open space. Clustering the residential development in suitable (more level) portions of the site and preserving existing woods and vegetation on the site. Homes are placed on smaller lots facing an interior open area.
- 2) A mix of housing types. Two units of affordable housing will be provided. Certain homes will allow single level living which will attract seniors. Larger homes will be attractive to younger families resulting in a mixed community.
- 3) Sidewalks. Allows pedestrian traffic and a common area for children to meet and play.
- 4) Homes are situated close to the street and have porches. This design encourages contact between neighbors.
- 5) Garages mostly provided at the side or rear of homes. This design provides a more attractive streetscape with less emphasis on the automobile.
- 6) Landscaping. Street trees and landscaping will provide an attractive stereoscope that can be shared by residents.

Community Septic System

The proposed community septic system was sized and designed according to WCDOH standards and will serve the 21 homes located on the looped access road. The preliminary layout of the septic system is shown in Sheet 8 - Utility Plan of the Site Plan drawings. The system will be a forced main system, with individual pumps at each residence pumping wastewater to one of four distribution boxes. The distribution boxes are located at the center of the proposed sewage disposal area and will discharge to the septic fields via gravity. The primary treatment area is proposed to be approximately 1.33 acres in size with the required 100 percent expansion area (1.33 acres) located both north and south of the primary area. As shown in the grading plan, the grades of the proposed community septic system will be similar to existing grades.

The proposed community septic system is subject to review by the Westchester County Department of Health (WCDOH) and the New York City Department of Environmental Protection (NYCDEP). The WCDOH provides the formal approval of wastewater treatment systems. A transportation corporation will need to be established for the long term maintenance of the community septic system. The transportation corporation will require approval from the Town Board and from the New York State Department of State.

² Charter of the New Urbanism, Congress for New Urbanism, 2001

Engineering Plans

The two full size sets of engineering drawings provided with this document depict the proposed layout of the road and lots and grading for the project, for both the Conventional Plan and for the Conservation Plan. The plan sets includes road profile.

The maximum depth of cut to achieve the designed road grades is approximately 7½ feet; maximum depth of fill is approximately seven feet. The project is designed to balance earth cuts and fills so that no import or export of material is anticipated to construct the project. Disturbance of areas steep slopes and woods are shown on the full size project plans and figures in later sections of this document.

Materials stockpile areas requiring protection during construction are depicted on the full size Erosion Control plans included in the engineer's plan set. Temporary soil stockpile areas are shown in several locations around the site where they will serve the area of development in their immediate vicinity. These stockpiles are shown to be protected by sedimentation controls (silt fence and/or staked haybales).

For fire protection, there are fire hydrants proposed in this subdivision, to be spaced approximately 500 feet apart along the road right-of-way. The utility plan included in the plan set show the proposed water lines, septic facilities and related fixtures to accommodate the project development.

Site Utilities

The water supply to the project site is provided by the Bedford Consolidated Water District # 1. This District serves approximately 7,000 people with 1,847 residential and 288 commercial customers. The system includes 32 miles of water mains, 2 storage tanks, 3 active groundwater supply wells, 325 fire hydrants and 420 valves. On an average day, the system uses 800,000 gallons of water. The system is served by two water storage tanks: one on Lily Pond Lane and one on Fieldwood Drive. The water system includes three active wells located on Jay Street, Harris Road, and Haines Road. Currently the District has a capacity of 1.2 million gallons per day (mgd), according to Mr. Kevin Winn, PE Commissioner of Public Works.³ The Town is in the process of developing a connection to the New York City Department of Environmental Protection (NYCDEP) Delaware Aqueduct to ensure a long term supply of high quality water for the District. Until this additional supply is obtained, the District would be unable to meet maximum demands in the event that the largest supply well was out of service. Currently the District has a capacity of 1.2 million gallons per day, according to Commissioner Winn.

The proposed project would be connected to the Town's water supply system through existing water mains located on Harris Road and in New Street. The water connections at two locations would provide a "looped" water system.

The proposed Tripi Subdivision development will create an additional need of 11,400 gallons of water per day, for the Conventional Plan and 11,700 GPD for the Conservation Plan. Although the number of units in the Conservation Plan is greater than the Conventional Plan the bedrooms per unit are lower and therefore the estimated water demand for the two plans are comparable. The water supply to the proposed Tripi Subdivision development represents

³ Mr. Kevin Winn, P.E. Town of Bedford Commissioner of Public Works, e-mail communication, March 5, 2009.

approximately 1.4 percent of the 800,000 gallons per day currently supplied by Bedford Consolidated Water District # 1 to its service area. Based on information provided by the Town of Bedford Water Department to the project engineer, fire hydrant number 130 is located at the end of New Street. The hydrant flow is 1005 gallons per minute (gpm), the static pressure is 78 psi, and the residual pressure is 20 psi. The engineer has prepared hydraulic calculations showing that there would be sufficient water pressure and volume at the highest elevation of the project.

The project site does not have connection to public sewer. The Conventional subdivision will have individual septic systems for sewer treatment. The Conservation Plan would be serviced by a community septic system, as described above. A single lot (Lot 22) adjacent to Harris Road would have an individual septic system and the existing Murphy home (Lot 23) would continue to use its individual septic system.

Electric service for the project area would be provided by New York State Gas and Electric (NYSEG) from its facilities located along Harris Road⁴ and the existing facilities are adequate to provide service to the proposed project. Gas service would be provided by Con Edison. An existing gas main, located on Harris Road would be adequate to provide service to the proposed project. The existing gas main may be extended to provide service to all homes in the project. Con Edison does not anticipate any problems accommodating the projected gas demands created by the proposed development⁵. Local telephone service in the project area is provided by Verizon and cable services by Cablevision.

Stormwater Pollution Prevention Plan

The Proposed Action would involve the temporary disturbance of 17.15 acres of the 25.59 acre Tripi Subdivision site for the construction of the Conventional Subdivision Plan and 13.06 acres for the Conservation residences. A complete stormwater analysis and SWPPP was prepared for the Conventional Subdivision Plan and was submitted to the Planning Board in previous draft versions of the DEIS. An updated SWPPP has been prepared for the preferred Conservation subdivision Plan and is attached in Appendix C-1. The Stormwater management program for the Conservation Plan involves less stormwater management facilities and has a smaller footprint than proposed for the Conventional Plan and is attached in Appendix C-2. Stormwater management and the updated SWPPP is described in Section 3.2 Water Resources.

Stormwater Management for Conventional Plan

Currently, stormwater flows from higher portions of the site (central and western) to lower portions of the site and eventually off-site to the north east and south. Following construction, stormwater from the project site will continue to discharge off-site and ultimately enter the Muscoot Reservoir.

To offset potential impacts associated with stormwater runoff from the Tripi Subdivision site, a project specific SWPPP was developed in accordance with all applicable New York State Department of Environmental Conservation (NYSDEC), and New York City Department of Environmental Protection (NYCDEP) regulations and guidelines, including those in the Manual and the New York Guidelines for Urban Erosion and Sediment Control. Specific attention has

⁴ Phone Conversation with Mr. Michael Milano from NYSEG on March 30, 2007

⁵ Phone conversation with Mr. Bill Cook from Con Edison on 28 June, 2006

been paid to generally maintaining existing project site drainage divides, to attenuating post development increases in peak stormwater discharge rates and volumes, and to meeting NYSDEC and NYCDEP stormwater quality treatment criteria. Treatment methods include only natural processes; no chemical treatment of the runoff is proposed or permitted. All proposed treatment methods would comply with NYSDEC and NYCDEP stormwater treatment criteria.

Following construction, the site would remain as five distinct drainage areas with sub-basins within the developed portion of the Property being routed through the Stormwater Management facilities. Stormwater from the site would be collected and discharged to these treatment basins, that would control post-development rate and volume of discharge and would decrease pollutant loads. The proposed drainage basins would detain stormwater resulting in flow rates to off-site discharge points that are less than current conditions. Neighboring properties are not expected to be adversely impacted by the stormwater basins, based upon the design and studies completed for the SWPPP. The drainage patterns would remain generally the same between existing conditions and proposed conditions. This includes off-site drainage to areas near Sunrise Avenue that are down slope of the proposed drainage basin in that area.

Stormwater Management for Conservation Plan

A site specific SWPPP has been prepared for the Conservation Plan in accordance with the requirements of the NYSDEC and NYCDEP. As indicated above, the Conservation Plan involves 4.09 acres of less disturbance than the Conventional Plan. Adequate area and soils are available on the site to detain and treat the stormwater from developed portions of the site. In the Plan, stormwater would be collected and discharged to two basins; one in the northeastern portion of the site, near New Street and a second on the slope near Lot 16 (see Figure 2-5 Proposed Conservation Plan). The basins, as designed, will not contain standing water under typical conditions, but rather only briefly after substantial storm events. The Conservation Plan will maintain or decrease stormwater flow rates to off-site discharge points, consistent with NYSDEC requirements.

2.5 Construction Schedule

Construction of the proposed subdivision would commence after approvals and permits are secured from the various agencies listed in Section 2.6 of this DEIS. It is anticipated that construction would commence in 2012 and be completed by 2017. Construction period and potential impacts would be similar for both the Conventional Plan and the Conservation Plan.

Construction and Subsequent Maintenance

The developer intends to subdivide the parcel and construct and install all roads, utilities, and homes on the project site. It is anticipated that construction of the roads and utilities will start upon Town approval, with the completion of all homes within five years of project approval. This project will be developed in a number of phases. The planned period of construction is approximately 60 months, with construction scheduled to start in 2012 and the project to be completed in 2017. The following schedule of construction is anticipated:

- Establish erosion controls, establish and prepare construction entrance, clearing and grubbing, establish staging areas: month one
- Excavate roads, mass grading: months two to three

- Install utilities and stormwater systems, months four to five
- Pave road base course, stabilize graded areas: month six
- Residential lot and house construction: months six to thirty six
- Final paving course following construction of all homes: Month thirty six.

Construction traffic will consist primarily of construction equipment arriving at the beginning of the construction period, trucks periodically delivering materials, and daily trips of construction workers. Construction workers typically arrive and depart the work site prior to peak hours of traffic as will the initial construction equipment. Once foundations are set, it is estimated that one to two trucks delivering building materials can be expected to arrive and leave the site during each day of the construction period.

Trucks delivering fill material for the Conventional Plan (soil and crushed stone) would add an estimated 2 to 3 trucks per day during the first six months of construction when a majority of grading will occur. Therefore, an estimated three to five trucks per day can be expected during the busiest periods of construction (see discussion of construction vehicles in Section 3.1 Geology, Topography, Soils). The Conservation Plan would involve a balanced site with minimal fill material imported into the site. This modification would reduce the estimated truck traffic by approximately half or two to three trucks per day during the busiest periods of construction.

Harris Road is a local residential street, but does accommodate delivery trucks, such as UPS trucks, furniture delivery trucks and construction vehicles. Currently, the project site can be accessed by Harris Road on the south, and by New Street on the North. The applicant proposes to utilize both Harris Road and New Street as construction access points for both the Conventional Plan and for the Conservation Plan. While Harris Road provides the shortest distance to Route 117, the required entrance road and utility construction at New Street will neccessitate using it as a construction entrance. A discussion of construction traffic and traffic routing is provided in Section 3.5 Transportation. Any damage to Harris Road or to New Street by construction vehicles will be the responsibility of the applicant, and/or the holder of the building permit for the project. As described above, a construction bond will be posted with the Town of Bedford for any damage to Town property resulting from project construction.

The applicant recognizes the importance of avoiding conflicts between construction traffic and school bus traffic. Due to the low estimated volume of construction traffic under the Conservation Plan, project construction traffic is not anticipated to affect school bus safety. If conditions warrant, such as utility work in the existing roadways, a flagman will be provided on Harris Road, New Street, or Huntville Road to allow safe traffic flow. Flagmen would be utilized anytime construction would necessitate the closing of an existing shoulder or travel lane.

Once construction machinery reaches the site, it is likely to remain on site until the completion of grading and excavation. Site construction activities would comply with Town local laws with regard to restrictions on construction activities including adherence to limitations on the time periods within which construction is permitted.

Construction-generated dust will be controlled by the following procedures: 1) minimizing the extent of soil that is left unvegetated at any one time; 2) the use of fast-germinating seed with mulch or other temporary soil cover 3) spraying water on unpaved areas and construction vehicles, when needed; and, 4) covering loads when transporting soil by construction vehicles.

Soil erosion and sedimentation control plans have been prepared for proposed construction as recommended by the Westchester County Best Management Practices Manual. No more than five acres of land will be disturbed at any one time, prior to being stabilized with either temporary or permanent seeding. The applicant will post construction performance bonds with the Town of Bedford, per the requirements of the Town of Bedford Planning Board, as part of its land development approvals. These performance bonds will ensure that the sediment and erosion control measures are adequately installed and maintained during construction.

Monitoring and maintenance of the proposed stormwater management facilities during construction and after construction prior to acceptance by the Town will be the responsibility of the project developer. Funding and enforcement of monitoring and maintenance activities will be the responsibility of the developer as a part of the cost of construction. Actual costs to be incurred by the Town of Bedford in maintaining the proposed roads, water mains and stormwater features after acceptance are not known, however, any such costs will be offset to a degree by property tax revenues generated by the future homeowners at the subject site. The NYSDEC, pursuant to SPDES, has jurisdiction to enforce stormwater maintenance activities on the subject site after project completion.

The proposed project roads, water supply infrastructure, and stormwater management facilities will be offered for dedication to the Town following construction. Ownership and responsibility for year-round maintenance of the proposed roads and infrastructure (including snow and ice control and water lines, and stormwater facilities) will remain the project developer's until these facilities are accepted by the Town. Thereafter, operation and maintenance of the project road system, water supply infrastructure, and stormwater management facilities will be the responsibility of the Town of Bedford Highway Department. The project plans show the right-of-way lines and easement lines within which these facilities are located to allow Town access and control.

2.6 Approvals Required

The proposed action will require approvals from the following agencies:

Town Planning Board
 Subdivision Approval (Chapter 107)

Steep Slopes Permit (Chapter 102) SWPPP Approval (Chapter 103) Tree Removal Permit (Chapter 112)

Town Board
 Special Use Permit (for Conservation

Subdivision Plan only)

Transportation Corporation for Community

Septic

Town of Bedford - Water Department Water Connections

Town of Bedford - Highway Road Permit

Department

Westchester County Department Sanitary System Approval Water Service Connection

Realty Subdivision

Tripi Subdivision DEIS

Project Description

June 24, 2011

• NYS Department of Environmental

Conservation

Coverage under SPDES General Permit # GP-0-10-001 for Construction Activities

NYC Department of Environmental

Protection

Community Septic System

Stormwater Pollution Prevention Plan

NYS Department of State

Transportation Corporation for

Community Septic

NYS Office of Parks Recreation and

Historic Preservation

Coordinated Review associated with NYSDEC

SPDES Permit.

Mailing addresses for these agencies are provided below:

Bedford Planning Board 425 Cherry Street Bedford Hills, NY 10507 Westchester County Department of Health 118 North Bedford Road Mount Kisco, NY 10549

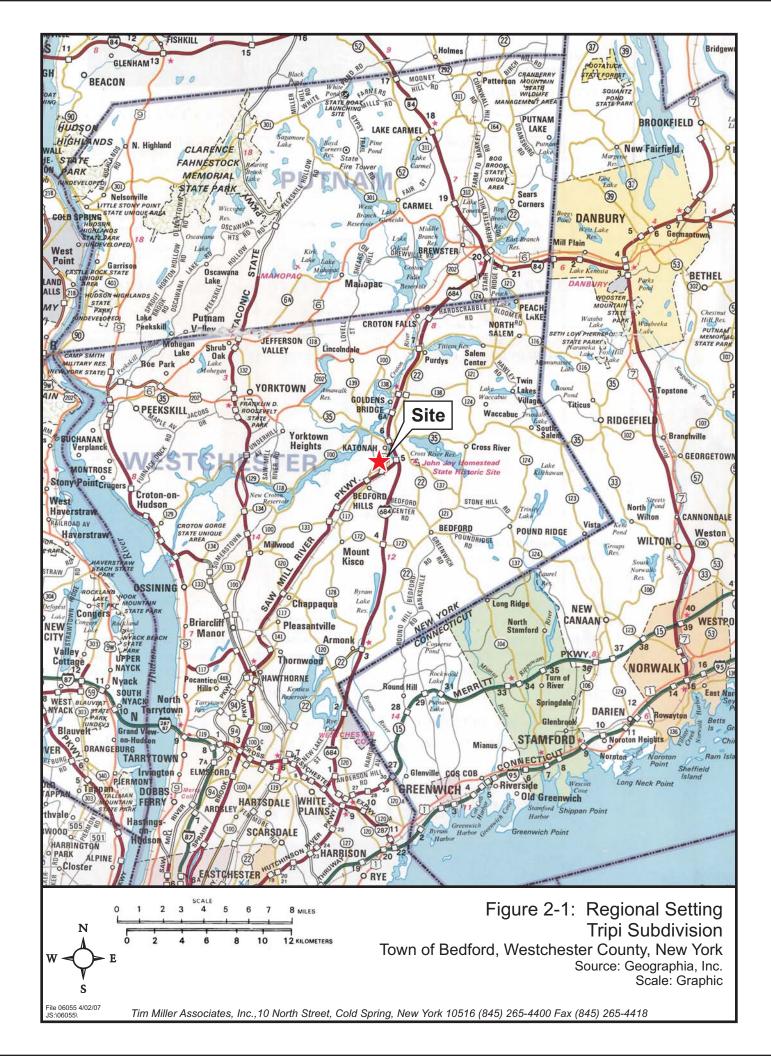
Bedford Water Department 425 Cherry Street Bedford Hills, NY 10507 NYS Department of Environmental Conservation

Region 3

Bedford Highway Department 301 Adams Street Bedford Hills, NY 10507 21 South Putt Corners Road New Paltz, NY 12561

NYC Department of Environmental Protection 465 Columbus Avenue, Suite 350

Valhalla, NY 10595



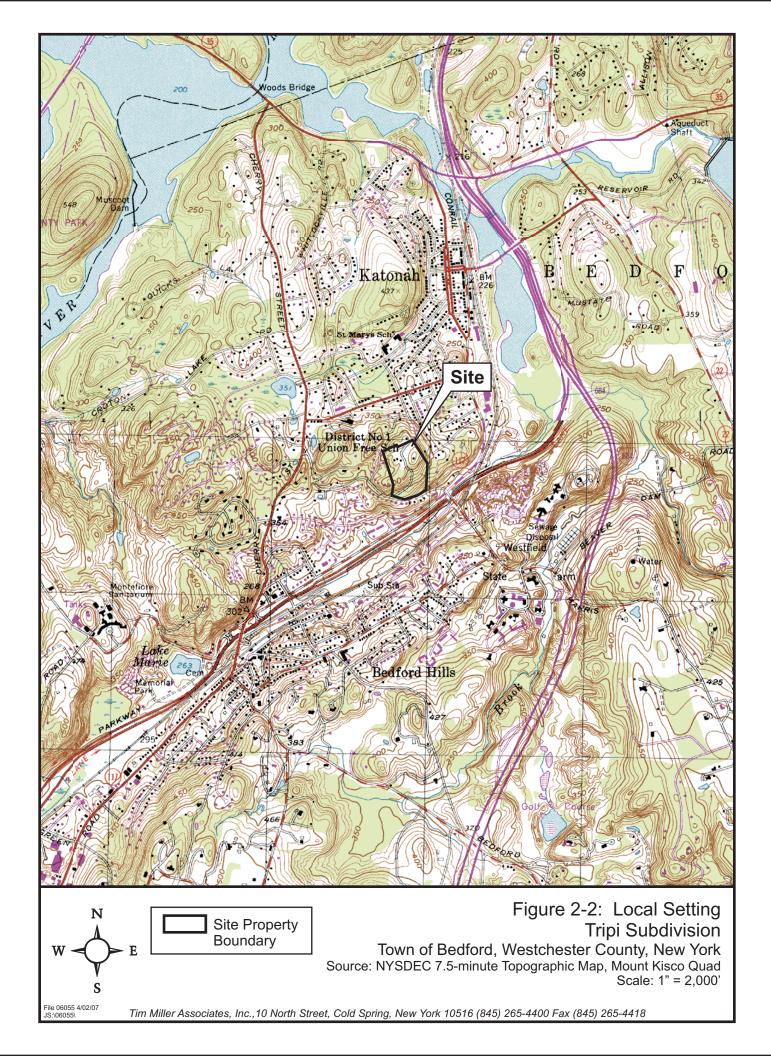








Figure 2-3: Site on Aerial Photograph Tripi Subdivision

Town of Bedford, Westchester County, New York Source: NYS GIS Clearinghouse, 2004 Aerial Photo Approx. Scale: 1" = 300'

