



TOWN OF NEW CASTLE

To: Planning Board

From: Lincoln Daley, Town Planner

CC: Town Board
Barbara Gerrard, Town Supervisor
Jerry Faiella, Town Administrator
Penny Paderewski, Deputy Town Administrator

RE: Town Staff Preliminary Review - Millwood Fire House Draft Environmental Impact Statement (DEIS)

Date: October 17, 2008

Planning Board Members:

This memorandum and subsequent review of the Millwood Fire House Draft Environmental Impact Statement (DEIS) is being submitted on behalf of the Town Staff and the Town's Planning Consultant for your review and comment. We reviewed a completed DEIS submitted on behalf of the Board of Fire Commissions of the Millwood Fire District (BOFD) for the construction of a new firehouse building in the Millwood Hamlet. The DEIS includes *Volume 1*, which presents the report and related Appendices A – D and *Volume 2 – Appendices E - K*, both dated September 15, 2008.

The DEIS identifies three possible locations for a new firehouse, in addition to the existing site on the north side of Millwood Road. New sites examined by the Millwood Fire District included a property on the south side of Millwood Road (referred to as Site 1 or "Rotta" site, for which two alternative site layouts were prepared labeled Options "A" and "B"), a property on the north side of Millwood Road (referred to as Site 2 or "Vesce" site, for which two alternative site layouts were prepared labeled Options "C" and "D"), and a property with frontage on the Allen Avenue "unconstructed" street (referred to as Site 4 or "Realis" site, for which six alternative site layouts were examined, labeled Schemes "R1" through "R4" and "SK-8" and Options "K" and "L"). The DEIS also presents information on Site 3 (Existing site) that includes multiple sketches of alternative site layouts.

The preferred site and layout by the Millwood Firehouse is referred to as Site 4 and Option "K" respectively. The preferred site and layouts involves the construction of a 19,809 square foot fire house building, containing six vehicle drive-through bays, a 2,470 square foot meeting/multi-purpose room and additional rooms having specific functions, parking facilities, lighting, landscaping and related site development on 2 building lots currently owned by the Board of Fire Commissioners. The 9.02-acre site is comprised of lots identified as 81.17-3-4 and 81.17-3-13 on the Town of New Castle Tax Map. The preferred site and layout proposes to consolidate

Allen Avenue and a portion of Henry Place both unconstructed streets with the two said lots. Access and egress is proposed from Millwood Road over the right-of-way of Allen Avenue.

The BOFC, acting as Lead Agency, pursuant to the New York State Environmental Quality Review Act (SEQRA) adopted a Notice of Completion for the Millwood Fire House DEIS on September 15, 2008 and selected October 23, 2008 as the date to open a public hearing on the matter. At the hearing substantive comments regarding the proposed action will be provided to the Board of Fire Commissioners by the public, Town Staff, government and other agencies, consultants and any additional interested parties. The deadline for submitting final comments is November 3, 2008. Responses to final comments will become the Final Environmental Impact Statement (FEIS).

EXECUTIVE SUMMARY

The focus of this review is to examine the extent to which BOFC has fulfilled its obligations under 6 NYCRR 617 and the accepted scope. Based on our substantive review of the DEIS, we conclude that the DEIS is incomplete and deficient as detailed below. We further assert that the prepared document is poorly organized and does not adequately support its conclusions. Staff recommends that the comments stated below be addressed so that a clear and complete record of the environmental impacts associated with the proposed action and alternatives can be provided to the BOFC. We offer the following comments regarding the proposed action, alternatives, and the submitted DEIS:

SECTION 1: EXECUTIVE SUMMARY

No comment.

SECTION 2: PROJECT DESCRIPTION

1. In consideration of potential impact to existing community and neighborhood character (6 N.Y.C.R.R., Section 617.7 [c][v]), the DEIS should be revised to discuss how the proposed action will comply with all applicable provisions of the Town’s Millwood Center Area Design Plan Overlay District, the Millwood Design Guidelines, and the Town Development Plan, and Zoning requirements.
2. The DEIS should include a summary assessment of the alleged “need” for the proposed action for a fire district of approximately 1800 homes.
3. The description of the Proposed Action should include a more detailed narrative on the purpose of the proposed new firehouse and its service area in relation to other existing firehouses (e.g. Station 2).
4. The DEIS should include a detailed discussion of essential elements that are needed to provide adequate firematic services and the additional elements that may be desirable features of any new firehouse for purposes other than providing firematic services (e.g., room for voting, community meeting space, emergency headquarters in case of disaster, other uses and parking facilities related thereto.). The DEIS should identify the non-firematic uses that

are currently conducted at the existing firehouse(s). A detailed description of the shortcomings or inefficiencies of the existing firehouse and/or its site should be included.

5. The DEIS should identify the other organizations that may wish to use the additional “community” space in the proposed firehouse and include some written expression of interest from those other organizations in the use of that space. It should be explained whether the additional space that may be provided for those other uses in the proposed firehouse would be dedicated to those uses on a long-term basis, and whether the organizations using them will pay for their usage. The times when the firehouse should be available for those additional purposes and the level of activity associated with those additional uses of the building should be included.
6. The DEIS should provide summary analysis of costs of construction, land acquisition, and financial impacts on taxpayers of the Fire District associated with the construction of the proposed action.

SECTION 3: ENVIRONMENTAL SETTING, POTENTIAL IMPACTS & MITIGATION FOR OPTIONS K AND L

1. In consideration of potential impact to existing community and neighborhood character (6 N.Y.C.R.R., Section 617.7 [c][v]), the DEIS should be revised and provide a detailed discussion of how each proposed alternative will comply with all applicable provisions of the Town’s Millwood Center Area Design Plan Overlay District, the Millwood Design Guidelines, and the Town Development Plan, and Zoning requirements.
2. The DEIS should include a description of the agency, official and/or property owner approvals that would be required to construct a new firehouse on the preferred site and the proposed cost associated with construction, land acquisition, and associated costs for options K and L.
3. The DEIS should include a discussion of the likely long-term impact of the proposed project on property values in residential neighborhoods surrounding the project site.
4. It is not clear from the DEIS as to whether the proposed action will have the right to use the Allen Avenue right-of-way for purposes of establishing a driveway access to the preferred site. Additional information will be needed on the legal status of that right of way since the entire unconstructed roadway is proposed to be combined with the two subject tax lots, along with a portion of the Henry Place right-of-way, to create the firehouse. At a minimum, information needs to be provided on the ownership of those rights-of-way and the rights of access that may exist for properties abutting both sides of those rights-of-way. A title report should be submitted to address these issues. It is noted that the filed plat map for “The Plantation” contains a note indicating that a 25-foot wide strip of land owned by Millwood Supply Co.” was to be conveyed for the purpose of creating the 50-foot wide Allen Avenue right-of-way. It is not known if such conveyance was contingent upon retaining the rights of access to that right-of-way.

5. A detailed explanation should be provided as to the status of the condemnation of the restrictive covenant and the process to allow the proposed firehouse to be constructed on the preferred site.
6. Soils, Topography and Geology.
 - a. It is not clear from the DEIS as to whether a site-specific soil survey has been completed for the subject parcel, particularly the areas of proposed disturbance. The narrative and soil descriptions are taken directly from the Soil Survey of Putnam and Westchester Counties, N.Y.
 - b. The archaeological study did an analysis of soils, but did not define the type of soil groups or their respective boundaries.
 - c. A certified soil scientist should be retained to complete a detailed soil analysis to determine the limits of Charlton loam (ChE) soils, Sutton loam (SuB) and Udorthent (Uc) soils. The exact boundaries are important to ascertain the potential impacts to ground water resources, surface drainage and other site limitations such as footings and basement areas. This information will assist in the review of proposed drainage and mitigation measures to address drainage.
 - d. A detailed steep slope analysis should be provided that complies with the standards outlined in Chapter 108 of the Town Code. The percent slope should be quantified according to Chapter 108. Specific information requested within section 108-6, items A-C should be included in the analysis and shown on preferred and alternate site plans.
 - e. Steep slope analysis should also provide a narrative that explains how existing vegetation will be preserved, extent of proposed vegetation removal at the site and related impacts concerning slope stability, evaporation/transpiration rates, soil erosion and sedimentation, soil loss, alteration of natural drainage patterns, impacts on subsurface and surface water resources, hydrological impacts on hydroperiod of adjacent wetland, existing drainage patterns and visual impacts associated with slope disturbance.
 - f. Steep slope mitigation measures should be outlined in detail and demonstrate avoidance and minimization measures that will be utilized.
 - g. Provide a Steep Slope Analysis Map and narrative in accordance with Chapter 108 (Steep Slope Protection of the Town of New Castle), which identifies the three categories (15%-25%, 25%-35% and 35% and greater) defined by the Town of New Castle.
 - h. Provide a description and evaluation of the proposal's consistency with the provisions of Chapter 108 (Steep Slope Protection), of the Town of New Castle.
 - i. Provide measures to be utilized to stabilize disturbed steep slopes, in accordance with Chapter 108 (Steep Slope Protection).
 - j. Due to the amount of proposed slope disturbance and type of soils a hydrogeological study should be completed that examines potential impacts on groundwater resources, primarily groundwater movement through the site, and impacts from proposed cut and fill operations. Surface hydrology should also be examined and a detailed analysis provided

on potential impacts to the function of the existing wetland and watercourses that are present on the property. Factors to be taken into consideration include slope disturbance and the removal of trees, compaction of soil and impacts on ground and surface water volumes and treatment.

- k. Upon completion of baseline soil, hydrogeological and steep slope analysis, the data should be quantified and placed in table format. These studies should include an analysis of proposed cut and fill activities and potential impacts associated with these activities, impacts from rock removal or blasting, site clearing and disturbance to existing slopes and creation of new steep slope areas. Proposed mitigation measures should be quantified in a table format to demonstrate how impacts will be mitigated and with type of method and technique.
- l. Due to the amount of existing site disturbance, provide information on whether the site has been tested for hazardous materials and potential removal of hazardous or construction debris.
- m. A Phase II ESA should be conducted for the preferred to determine if environmental contamination exists in connection with the past use of the property as an apple orchard and proximity to an adjacent NYSDEC Active Spill site.
- n. The DEIS should be revised to explain in detail the Cut and fill analysis, including description of traffic associated with site work activities.
- o. The DEIS should describe in detail the potential for blasting and identification of areas of potential blasting. Further, the DEIS should identify all alternatives to blasting related to the preferred design.

7. Water Resources.

- a. As part of the hydrogeological analysis, existing groundwater resources should be discussed and shown on plans, including downstream areas that may be impacted. The plans submitted should demonstrate how existing groundwater recharge capacity has been maintained and or mitigated effectively.
- b. The wetlands and intermittent watercourse channels were field verified in 2006. As a general policy, the Town requires wetland delineations to be current within one calendar year. The respective areas should be re-flagged to determine if any changes have occurred to the boundaries of the wetlands and watercourse features and re-confirmed by the Town's Environmental Coordinator.
- c. The regulated 100-foot buffer to existing wetland and watercourses should be clearly identified on the proposed site plan.
- d. The applicant should determine whether site is within a 100-year floodplain.
- e. Wetlands adjacent to the project site should be identified, described and determination made if any hydrological connection is present.

- f. The proposed site plans automatically assume disturbance of the existing wetlands and watercourse areas. This approach does not follow recommended guidelines outlined in Chapter 137 of the Town Code. A site plan should be submitted that demonstrates avoidance of all impacts to existing wetland, watercourses and their associated buffer areas. A site plan that avoids impacts should serve as the starting point, prior to assumptions that these regulated areas can be filled in and disturbed.
- g. A detailed site plan should be submitted that shows avoidance of wetland impacts and illustrates how the proposed activity would work on the site. Serious alternate layout designs are required, which may include design changes and footprint alterations to respect the wetland resources that are present on the subject parcel. Once, this examination is completed, it is the applicant's responsibility to demonstrate that it is not feasible or reasonable to avoid impacts to regulated wetland resources.
- h. If wetland impacts are considered reasonable, a detailed wetland mitigation plan should be submitted that demonstrates compliance with recommended mitigation measures. At a minimum, a 1:1 replacement ratio should be provided for mitigation. The amount of proposed wetland and or buffer impacts should be calculated and included in a table format for each alternative to be considered. Proposed mitigation measures on-site should be indicated on the proposed plans.
- i. The proposed impacts to existing wetland, watercourses and their associated buffers need further analysis including examination of hydrological changes that may occur, alteration of natural drainage patterns and other direct and indirect impacts to specific functions provided by both the wetland and watercourses and their buffer areas.

8. Other Environmental Comments.

- a. The DEIS does not address any site-specific investigation of plant and animal species that may be present on the site. A natural resource inventory and assessment should be completed that includes a description of any endangered, threatened or special concern species that is based upon actual field data and contact with the New York State Natural Heritage Program.
- b. The natural resource inventory should be based upon site specific field surveys completed at the appropriate time of year, and include target focal animal species groups including mammals, birds, reptiles and amphibians, insects, and plant groups broken down by trees, shrubs, ground covers and vegetative communities. Inventory report should describe survey methodology, survey results, species lists, existing animal and vegetative plant communities, significant vegetation that may be present, and evaluation and assessment of habitats, management needs, and proposed impacts and mitigation measures to improve or restore existing habitats.
- c. The tree survey submitted does not provide enough site-specific information to evaluate the potential impacts. The tree survey should be updated to include tagging of all trees 8 inches (dbh) within the proposed disturbance areas and extend a minimum of 50 feet from the disturbance limits. The individual tag numbers assigned each tree should be survey located and shown on the proposed plans. The updated survey should be completed by a certified arborist and include accurate information of actual species, size, overall condition, and whether tree is proposed to be saved or removed. Any trees that

are 24 inches (dbh), considered specimen trees under Chapter 121, should be shown in a separate table and clearly identified on the site plan. The proposed site plan should show which trees will remain and which trees are proposed to be removed. Tree protection measures should be shown for trees that will be saved.

- d. A written assessment from the certified arborist should be provided of the functional value of the existing trees and address potential impacts from removal of existing trees. Assessment should include impacts on carbon footprint, evaporation/transpiration rates, habitat values, impacts on wildlife, aesthetics, visual screening, value of specimen trees, etc.
- e. A tree replacement plan should be provided that demonstrates how the impact of removal of existing trees and their functions will be effectively mitigated. The quantity and total diameter of trees to be removed should be shown in a table format. The impacts on the quantity, diameter, type, condition and specimen quality should be evaluated and described.
- f. A detailed landscape plan, comprised primarily of native species should be provided, that illustrates how the replacement of vegetation will be addressed, mitigated to replace the functional value of the loss of existing vegetation, provides sufficient coverage and natural buffering to mitigate sound and visual impacts.
- g. The DEIS should include a project alternative that reduces the scope and less environmental impact. The alternative should follow recommendations above and factor existing site constraints and limitations imposed by Town regulations. The alternative needs to be of sufficient detail to allow effective review and comparisons of the environmental impacts and the proposed mitigation measures.

9. Traffic and Transportation Review.

The Traffic Report as presented by Tim Miller Associates leads to the general conclusion that the construction of a new Firehouse for the Millwood Fire District would lead to little to no traffic impact and minimal Level of Service (LOS) delay increases for the intersections in the immediate vicinity of such construction. Thus construction of the proposed Firehouse does not necessitate mitigation of roadway capacity.¹ While this conclusion is supported to a certain degree by the analysis presented in the Traffic Report and supplemental additions, the report is incomplete in its evaluation of all potential impacts as it relates to the proposed firehouse. The report lacks the following features, which should be examined further:

- a. Submittal of the Traffic Counts for the intersections in the immediate vicinity of the proposed Firehouse as requested by the Planning Board of the Town of New Castle in a letter to the Fire Commissioners dated November 17, 2005.

The Traffic Report as prepared by Tim Miller Associates indicates that traffic counts were obtained on Wednesday June 22, 2005 and Saturday June 25, 2005². The Planning Board³ recommended traffic counts by direction for three days using an Automatic

¹ Traffic and Transportation Report, Tim Miller Associates pg. 2 dated Oct. 10, 2005.

² Traffic and Transportation Report, Tim Miller Associates pg. 8 dated Oct. 10, 2005.

³ Letter to Board of Fire Commissioners from Town of New Castle Planning Board dated Nov. 17, 2005

Traffic Recorder. The report fails to identify the method and means of collection as well as collect counts for the course of the day over a few days in order to properly identify peak hour flows. No mention was made as well as to whether or not heavy vehicles (non passenger cars) were recorded and properly adjusted to passenger car equivalents. Part of the analysis area is zoned industrial and commercial thereby increasing the percentage of heavy vehicles and their associated increases to LOS and delay.

Counts were taken in 2005 and used to estimate future conditions in the year 2008. Two supplemental Traffic Studies were prepared in both 2007 and 2008. The 2007 Supplemental Study focused primarily on the LOS analysis for Scheme K the preferred Option. The Study used 2005 traffic data previously collected to estimate the LOS and compare future build conditions and no build conditions. The Supplemental Study should have provided a revised Intersection Capacity Analysis for the intersections using current traffic counts since the base 2005 data is now three years old. Conditions and traffic flows should have been reevaluated in order to verify peak hour flows as well as evaluate any changes in traffic patterns.

The Supplemental Studies should have also re-evaluated the future conditions to include a study period beyond the year 2008. Due to the project being delayed, it is recommended that the study period be extended 3 years. Also, the LOS should be estimated for the preferred option five years beyond the anticipated completion date as to ascertain any future traffic delay for the study area.

The report indicated that LOS for the majority of turning movements failed to change significantly across all alternatives. However, the delay per vehicle increases regardless of alternative on almost all turning movements. Specifically, the eastbound left turn movement on Station Road. Even though the percentage of vehicles that utilizes that turning movement on the approach is low, the approach is susceptible to queue buildup as the majority of vehicles perform a right turn at the intersection and are dependent on a 75 +/- collector lane which is insufficient for current flow.

While the assessment that no mitigation is necessary, it should be noted delays will increase which may warrant future improvements to the intersection.

- b. Failure to submit pedestrian/bicyclist counts for the two crosswalks at the Route 120 & 133 and Station Road Intersections and counts for the North County Trailway.

Route 120 & 133 and Station Road intersection contains three crosswalks designated by white striping in the roadway. The North County Trailway runs parallel to Station Road and crosses Route 120 & 133 constituting one of the crosswalks. The Traffic Report failed to properly assess the impacts of pedestrian and bicyclist movements. No mention was made in regards to delay imposed on the intersection due to non-vehicular movements as well as prioritization of traffic streams as illustrated by Exhibit 17.3 of the HCM.⁴ A descriptive narrative analysis of pedestrian and bicyclist movements should have accompanied the counts as to properly ascertain behavior and to assess any and all crossing conflicts as it relates the North County Trailway.

⁴ Highway Capacity Manual, 2000 Edition, Chapter 17 Unsignalized Intersections pg. 17-3

- c. A more in depth analysis of the possible trip generation created by the programmatic features of the proposed firehouse is required.

The Applicant does not clearly identify how the site traffic generation numbers were developed. The Applicant should indicate if the current fire station counts were used to obtain a trip rate. The report clearly identifies the potential uses of the Firehouse and designates its usage as Fire Response, Special Events and Typical Operations.⁵ However the report fails to present any analysis of the number of trips that may be generated for special events, stating instead that the meeting room would be used mostly at night and during weekends when traffic on the road network is lower than the peak hour. Regardless, estimates of potential uses should still be presented and analyzed.

Identifying potential uses of the community room would benefit in the proper analysis of the required parking for such use. It should also be noted that the construction of a paved parking lot near the North County Trailway could potentially attract trail users to the parking facility.

The Report properly adjusts estimated traffic to account for changes in potential land use as indicated by Table 6 in both the Original Traffic Study and first Supplemental Study for all options. The Report fails to estimate potential uses of the existing Firehouse and instead opts to include the generated trips of the existing Firehouse, as the sight will be utilized in a manner generating no more peak hour trips.⁶ This approach is reasonable and mention of another traffic study if usage changes substantially was provided.

- d. The Applicant should provide a graphic illustration depicting the Site Traffic Distribution for all schemes, and should also explain in the text what the distribution patterns were based on.
- e. A warrant analysis performed for the NYS Route 120 & 133 and Station Road intersection in accordance with the recommendations of the Manual on Uniform Traffic Control Devices (MUTCD).

One of the primary improvements mentioned was the installation of such a signal. While no such improvement was part of the scope of this project, such determination should still have been evaluated.

- f. Further analysis for the intersections as recommended by the Planning Board in accordance to any proposed improvements to the local network.

Two viable future improvements were mentioned within the original report. The first was the installation of a traffic signal at the Station Road and NYS Route 120 & 133. The second was the installation of a northbound left turn lane along NYS Route 120 & 133 at the same intersection. The study indicates that the both in conjunction would work best.⁷ The report failed to furnish any proposal or project identification number by the NYSDOT, but the conclusions appear valid. Proposed alternatives would not necessarily conflict geometrically with such improvements as stated within the report.

⁵ Traffic and Transportation Report, Tim Miller Associates pg. 16 dated Oct. 10, 2005.

⁶ Traffic and Transportation Report, Tim Miller Associates pg. 15 dated Oct. 10, 2005.

⁷ Traffic and Transportation Report, Tim Miller Associates pg. 3 dated Oct. 10, 2005.

A capacity analysis indicating all LOS should be conducted for the alternatives to evaluate the potential impacts of the aforementioned improvements. This should be done for all proposed options. Specifically queues should be carefully evaluated for the northbound left turn movement on NYS Rout 120 & 133 and the eastbound right turn movement on Station Road. A northbound left turn queue could potentially restrict firematic response. As previously mentioned the right turn collector lane on station road is only +/- 75 ft. LOS analyses have indicated that for the morning peak hour, queues can exceed nine (9) vehicles. Improvements to the collector lane could potentially affect parking spaces for Options A and B. Conversely improvements to the collector lane could reduce delays of the intersection thereby improving traffic flow through the study area.

- g. Accident Analysis for the intersections and associated frontages as recommended by the Planning Board. The analysis should categorize all accidents according to severity and provide a narrative analysis of the presented data.

The report fails to present and analyze any accident data. Accident data should have been collected and analyzed for all intersections and driveways within the analysis area. Accident characteristics should have been categorized by severity, road surface, light and weather conditions, collision type, and contributing factor(s) and summarized in a table and figure format with a narrative provided.

The preferred option adds a new driveway to the area at an offset to Schuman Road. Currently 9 driveways exist between Station Road and Henry Place along with three classified intersections all within 750 ft. The Firehouse would convert an existing driveway (the Paper Road Allen Avenue) into an intersection offset with Schuman Road.

The number of crossing conflicts within the 750 ft stretches of Route 120 & 133 was not assessed or evaluated. Constructing Allen Avenue thereby creating another intersection increases potential conflicts.

The report does provide a safety analysis in regards to ascertaining and evaluating sight distances according to AASHTO standards.⁸ These distances should be summarized in a clear tabular format, with all violations clearly indicated. The preferred Scheme K does meet stopping sight requirements but falls just short of meeting intersection sight distance. A spot speed study was included for the preferred Option K. Both were presented in the Supplemental Traffic Study dated June 13, 2008.

- h. A more detailed analysis of the proposed realignment of Allen Avenue and Schuman Road is required.

The re-alignment of Allen Avenue and Schuman Road should have been explored to a greater degree since the two intersections are offset by +/- 105 ft. From a safety perspective aligning roadways at 90° will improve site distances as well as provide more control as it pertains to turning conflicts. Realignment is feasible and needs to be considered as a viable alternative.

⁸ American Association of State Highway and Transportation Officials, A Policy of Geometric Design of Highways and Streets

It is noted, however, that the Applicant has concerns with a combined use of Allen Avenue by emergency vehicles, firehouse traffic, event traffic and traffic from nonresidential development on the adjacent property to the west. However, it was previously understood by Town Representatives that such a layout would be examined in the DEIS. The concept of realigning the Allen Avenue right-of-way with Schuman Road is only presented in connection with a study of alternative site layouts for a potential firehouse on Site 2 (Vesce).

- i. The Town Building Department should verify if use of the off-street parking requirement for “volunteer ambulance corps and similar emergency service facilities” is the pertinent standard for a proposed firehouse. Based upon that standard, the Applicant has determined that a total of 60 off-street parking spaces will be required, all of which are shown on the proposed site plan (including 21 that are proposed to have a grasscrete surface treatment). If it is determined that New Castle Town Code § 60-426.31 does not contain a pertinent off-street parking requirement for the proposed use, such a parking requirement will need to be established by the Town Board as an amendment to Chapter 60 based upon a recommendation from the Planning Board. To facilitate the Planning Board’s evaluation of required off-street parking for the proposed use if additional analysis is determined to be necessary, the Applicant should provide supplementary data describing the justification for the proposed number of off-street parking spaces depicted on the proposed site plan.
- j. The location of proposed loading spaces should be identified on the site plan.
- k. At the intersection of the proposed new site access driveway with Millwood Road, existing available and proposed sight lines should be graphically identified on the site plan, along with an indication of the type of site work that would need to be undertaken to achieve the proposed sight lines. Information should be provided for stopping sight distance and intersection sight distance.
- l. To evaluate the adequacy of site access and on-site circulation, the site plan should graphically identify turning movements of fire trucks that would be accessing the site and traveling through it.

10. Stormwater Management, Drainage, and Erosion Control.

- a. Provide drainage basin maps which clearly show the predevelopment and post development areas and associated design points and flow lengths (time of concentration) used for the determination of the pre and post development peak discharge (CFS) and stormwater runoff volume discharge (CF). Please note that the Post-Development Drainage Area Map as shown in the DEIS (Stormwater Pollution Prevention Plan) does not correspond with that as shown on Sheet No. S5A (Post-Development Drainage Areas).
- b. Provide sufficient quantitative information, through the use of design points, demonstrating that there will be no increase in the post development peak discharge (CFS) and stormwater runoff volume discharge (CF) from the proposed level spreader (adjacent to the Vesce property).

- c. The proposed perimeter curtain drain which intercepts the three (3) existing watercourses should be included in with the hydrological model regarding pre and post development stormwater peak and volume discharges and conveyed into the design flows for the proposed infiltration basin
- d. Provide laboratory soil testing results confirming the suitability of the underlying soils (clay content less than 20% and silt/clay content less than 40%) regarding the proposed infiltration basin. (NYS DEC Stormwater Design Manual - Chapter 6).
- e. The deep holes located within the vicinity of the proposed infiltration basin (TP23, TP23A and TP24) does not provide the minimum separation between the bottom of the proposed infiltration facility from the seasonally high ground water table or bedrock (minimum 3 feet vertically). (NYS DEC Stormwater Design Manual - Chapter 6).
- f. Provide percolation test data in accordance with NYS DEC Stormwater Management Design Manual (Appendix D – Infiltration Testing Requirements), within the location of the proposed infiltration basin and level spreader.
- g. The Erosion Control Plan should include a note that states that there shall be no more than five (5) acres of disturbed soil at any one time without prior written approval from the NYS DEC and indicate the total amount of disturbance on the site plan.
- h. Provide complete topographical (existing contours and proposed contours) maps regarding the pre and post development drainage basins.
- i. The maximum flow length used to determine sheet flow should not exceed 100 feet (pre and post development areas).
- j. All tables regarding the pre and post development peak discharge (CFS) and stormwater runoff volume discharge (CF) should include the 5-year and 50-year 24-hour storm event.
- k. Provide design computations regarding the sizing of the proposed infiltration basin in accordance with the NYS DEC Stormwater Management Design Manual. The computations regarding the absorption rate (A_p ; CF/SF/Day) of the soil should be in accordance with Westchester County BMP for Stormwater Runoff (Chapter 6).
- l. The Plans should display the locations of snow storage or stock piling.

11. Retaining Walls.

- a. Provide a written design report and summary (including design assumptions and soil parameters based upon field tests) demonstrating that the proposed retaining walls as designed meet the minimum factors of safety for sliding, overturning and settlement. The report must be prepared, signed and sealed by a licensed New York State Professional Engineer.
- b. Provide a global stability analysis, written report and summary (including design assumptions and soil parameters based upon actual field tests) demonstrating that the proposed retaining walls as designed meet the minimum factor of safety for overall

global stability. The report must be prepared, signed and sealed by a licensed New York State Professional Engineer.

- c. The height of all retaining walls should be clearly identified on the site plan.
- d. The preferred action calls for the construction of a retaining wall along the west side of the Allen Avenue right-of-way. That wall is proposed to range in height from grade level to as much as eleven (11) feet above grade. While that height may not be permitted under the Town's zoning provisions, any retaining wall constructed in that location could limit, if not prevent, future access from Allen Avenue to the abutting parcels on the west side of that right-of-way (N/F Millwood Realty, Inc. and N/F Westchester Realty, Inc.). From a long-range planning perspective, that may not be a desirable result since those abutting properties may be redeveloped in the future and provisions may need to be made for access to the northerly portion of the N/F Westchester Realty, Inc. parcel in particular from Allen Avenue instead of Millwood road given the depth of the abutting property.

12. Noise.

- a. The DEIS should provide a noise analysis in accordance with NYSDEC guidelines in "Assessing and Mitigating Noise Impacts" (2/1/01) and Town Code Chapter 90 to illustrate the potential temporary impacts of noise related to the construction and possible blasting associated with the fire house building.
- b. The DEIS should provide a noise analysis in accordance with NYSDEC guidelines in "Assessing and Mitigating Noise Impacts" (2/1/01) and Town Code Chapter 90 to illustrate the noise associated with the existing facility and related process. As a function of said analysis, the study should include noise produced by all anticipated non-fire programmatic functions.

13. Visual Resources.

- a. No visuals simulations were completed to demonstrate the visual impacts of the proposed firehouse building and retaining walls on the abutting residential, commercial, and industrial properties. The DEIS should include three-dimensional models (or at the very least, multiple cross-sections) taken through the proposed firehouse building and retaining walls to show the impact on the views of the preferred project site. The visual simulations should also include/incorporate the proposed landscape/replanting plan.
- b. Given the size and general location of the proposed facility, the DEIS should be revised show the proximity (linear feet) of each residential home.

14. Utilities.

- a. Please explain the process in which gas and diesel refueling will be handled on site. There has been recent discussion regarding the possibility of Millwood Fire equipment using Town DPW facilities. This should be further investigated.
- b. Please explain if possible future water system looping has been considered by the BOFD? The BOFD may want to consolidate the existing services on Henry place or the future development on adjacent land n/f owned by Westchester Realty Inc.

- c. To the extent reasonably practicable, all exterior lighting used for nonresidential purposes, including the lighting of signs, shall be directed away from adjoining residential properties and streets. It would appear that the proposed lighting plan directly abuts residential properties. Please explain the various alternative lighting plans considered for the preferred program and site. In addition, please explain the hours of operation for the exterior lights.

SECTION 4. ALTERNATIVES

Although, the alternatives analysis provides a general summation of the existing conditions, potential impacts, and proposed mitigation, additional information is required.

1. For each of the three alternative sites (and the alternative options for each), the DEIS should include a detailed description of existing conditions, potential impacts, and proposed mitigations. In addition to the information already provided in the DEIS, the specific areas of the study should include:
 - a. Geology and Soils, including but not limited to consideration of the following:
 - i. Map(s) and narrative description of existing conditions.
 - ii. Maps(s) and narrative description of areas to be disturbed by site work activities.
 - iii. Cut and fill analysis, including description of traffic associated with site work activities.
 - iv. Potential for blasting and identification of areas of potential blasting.
 - v. Alternatives to blasting.
 - b. Topography and Slopes, including but not limited to consideration of the following:
 - i. Map(s) and narrative description of existing conditions.
 - ii. Map(s) and narrative description of Town-regulated steep slopes to be disturbed, with individual regulated categories separately identified.
 - iii. Description and evaluation of proposal's consistency with the provisions of Chapter 108, Steep Slope Protection, of the Town Code.
 - iv. Measures to be employed to minimized soil erosion and sedimentation.
 - v. Measures to be employed to stabilize disturbed steep slopes.
 - c. Ground Water and Surface Water Resources, including but not limited to consideration of the following:
 - i. Map(s) and narrative description of existing conditions.
 - ii. Map(s) and narrative description of areas of disturbance in relation to those existing features.
 - iii. Description and evaluation of applicable regulations concerning water quality protection and storm water management.
 - iv. Proposed stormwater management plan.
 - d. Wetlands, including but not limited to consideration of the following:
 - i. Description and evaluation of the proposal's consistency with the provisions of Chapter 137, Wetlands, Town Code.
 - ii. Where applicable, measures to be employed to avoid impacts to wetlands.
 - iii. Where applicable, measures to be employed to mitigate potential impacts to wetlands.
 - e. Vegetation, including but not limited to consideration of the following:
 - i. Map(s) and narrative description of existing areas of vegetation.
 - ii. Map(s) and narrative description of areas of vegetation to be disturbed.

- iii. Description and evaluation of the proposal’s consistency with the provisions of Chapter 121, Tree Preservation, Town Code.
 - iv. Where applicable, measures to be taken to avoid disturbance to existing vegetation.
 - v. Where applicable, measures to be taken to re-vegetate areas of disturbance.
- f. Visual Resources, including but not limited to consideration of the following:
- i. Elevations and cross-sectional drawings of existing and proposed conditions, including the identification of proposed building height and other dimensions. The discussion of building height should be presented for each façade as viewed from the street or nearest property line, in addition to a computation of building height as defined in Chapter 60 of the Town Code. The elevations should also include all tower or wireless communication structures.
 - ii. Description of the architectural treatment of the proposed building, including colors and technical specifications.
 - iii. Existing and proposed lighting, accompanied by photometric plan and technical specifications.
 - iv. Buffer screening proposal.
- g. Traffic and Transportation, including but not limited to consideration of the following:
- i. Map(s) and narrative description of existing pedestrian circulation network in vicinity of site(s), including North County Trailway.
 - ii. Description of proposed traffic generation for firehouse based on alternative programmatic features of building.
 - iii. Description of the impacts of large construction vehicles, projected trip counts, and defined route of travel.
 - iv. Existing and proposed sight lines at all proposed access driveways in accordance with AASHTO standards.
 - v. Public transportation available in the vicinity of the site and potential impacts of proposed site plan for new firehouse.
 - vi. Existing on-street parking and potential impacts of proposed site plan for new firehouse.
- h. Noise, including but not limited to consideration of the following:
- i. Description of existing and proposed conditions, including characteristics of audible fire alarm.
- i. Land Use, Planning and Zoning, including but not limited to consideration of the following:
- i. Map(s) and description of existing land use within ¼-mile of the proposed sites.
 - ii. Description and evaluation of the proposal’s consistency with the Town Development Plan.
 - iii. Discussion of how each proposed alternative will comply with all applicable provisions of the Town’s Millwood Center Area Design Plan Overlay District, the Millwood Design Guidelines, and the Town Development Plan, and Zoning requirements.
- j. Construction Impacts, including but not limited to consideration of the following:
- i. Cost analysis for the preferred action and each of the alternatives.
 - ii. The DEIS should include a detailed analysis of the potential fiscal implications to the Town of removing existing commercial properties from the tax rolls.

2. The DEIS should include the District’s Site Evaluation Checklist/Matrix, or similar form, along with the scoring of all alternative sites (including the preferred site and the alternative options for each) considered but rejected by the District. This analysis should include the estimated cost of construction, land acquisition, and other relevant costs.

SECTION 5: ADVERSE ENVIRONMENTAL EFFECTS THAT CANNOT BE AVOIDED

1. This section fails to discuss the visual impact of the proposed building, retaining walls, tree removal and extensive grading on the surrounding residential, commercial, and industrial properties.
2. This section fails to discuss potential alternatives to disturbing the wetland onsite.
3. Section 5 fails to discuss the potential impact of blasting on the abutting property.

SECTION 6: IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

Although extremely brief, the DEIS sufficiently addresses the irreversible and irretrievable commitment of resources related to the proposed action. .

SECTION 7: GROWTH INDUCING IMPACTS

The DEIS should provide a summary of the JLN Associates Needs Assessment to ascertain the growth inducing impacts relative to response calls, residential, commercial, and industrial development.

SECTION 8: EFFECTS ON THE USE AND CONSERVATION OF ENERGY RESOURCES

The DEIS sufficiently addresses the effects of the use and proposed conservation of energy. It is recommended, however, that in addition to LEEDs certification, the DEIS consider using the implement the Energy Star program to the use of energy efficient products and services with the proposed building.