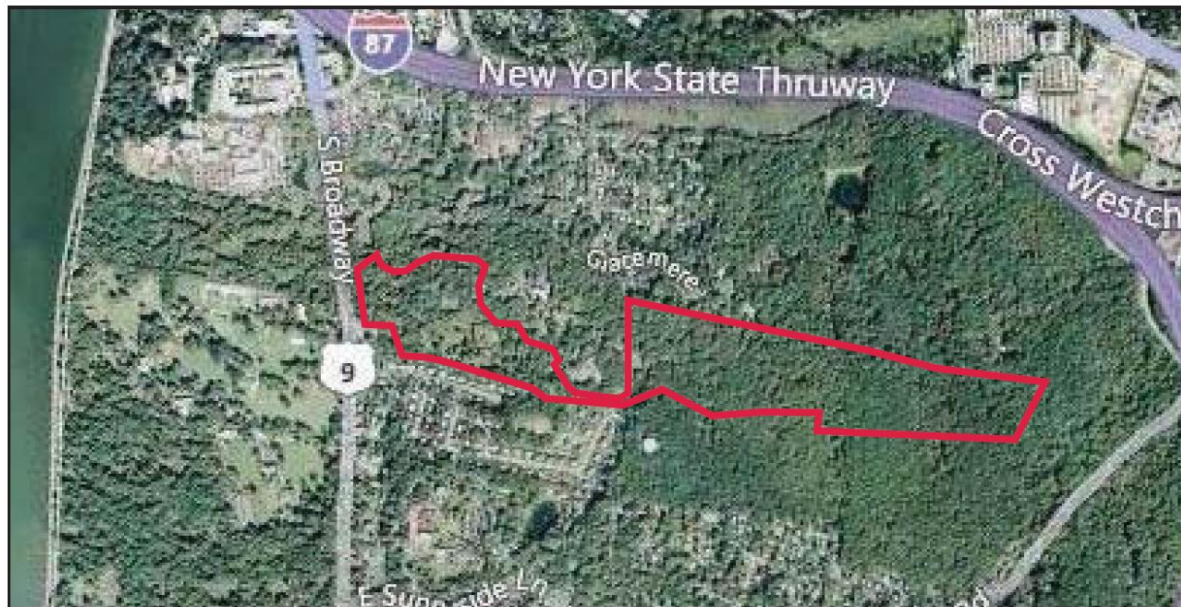


FINAL ENVIRONMENTAL IMPACT STATEMENT

GREYSTONE ON HUDSON RESIDENTIAL SUBDIVISION

**Village of Tarrytown/Town of Greenburgh NY
(612 South Broadway, Tarrytown, NY)
Westchester County**



**Lead Agency:
Village of Tarrytown Planning Board
Westchester County, New York**

**Project Sponsor:
Broadway and Hudson Estates LLC & River Towns Estates LLC
c/o Andy Todd
15 Faulkner Lane
Dix Hills, NY 11746
516-652-2195
Andytodd1@gmail.com**

April 22, 2012

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DATE DEIS SUBMITTED: January 19, 2012

DATE DEIS ACCEPTED: February 27 2012

DATE OF PUBLIC HEARING: March 26 2012

CLOSING DATE OF COMMENT PERIOD: April 5, 2012

DATE FEIS SUBMITTED: April 5, 2012

DATE FEIS ACCEPTED: _____

April 22, 2012

**GREYSTONE ON HUDSON RESIDENTIAL SUBDIVISION
FINAL ENVIRONMENTAL IMPACT STATEMENT**

Lead Agency

Village of Tarrytown Planning Board – LEAD AGENCY
Village Hall
1 Depot Plaza
Tarrytown, New York 10591
Contact: Dr. Stanley Friedlander 914-631-1885

Project Sponsor

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15 Faulkner Lane
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Contact: James Bates

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White Plains, NY 10601
Contact: John Canning, PE

Charles P May & Associates

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367 Windsor Highway
New Windsor NY 12553
Contact: Charles May

April 22, 2012

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I. EXECUTIVE SUMMARY

This Final Environmental Impact Statement (FEIS) is issued by the Village of Tarrytown Planning Board in accordance with the New York State Quality Review Act (SEQR), 6 NYCRR Part 617. The FEIS has been required by the Village of Tarrytown Planning Board to fulfill its obligation as Lead Agency in the environmental review.

The FEIS incorporates by reference the Draft Environmental Impact Statement (DEIS) which was accepted as complete by the Village of Tarrytown Planning Board at its regular meeting held on February 27, 2012. Subsequently, a Public Hearing on the DEIS was held on March 26, 2012. Copies of the DEIS and the Transcript of the March 26, 2012 Public Hearing are available for reference at the Village of Tarrytown Town Hall, The Tarrytown Public Library and the Greenburgh Public Library (See Appendix A).

The proposed action involves the applications by Broadway on Hudson Estates LLC and River Towns Estates LLC (the “Applicant”) the owner of 79.8 acres in 3 parcels of land, 2 of which are in the Village of Tarrytown and one in the Town of Greenburgh. For purposes of attaining a more environmentally sensitive internal road system, the Applicant has entered into an agreement to purchase 4.9 acres of additional land, in the Village of Tarrytown, from an adjacent property owner.

The Applicant is seeking to develop 20 single family homes within an approximately 84 acre site located in the Village of Tarrytown and Town of Greenburgh. Eight of the homes will be developed in the Village of Tarrytown and twelve of the homes will be developed in the Town of Greenburgh. In addition one approximately 21.7 acre lot will be donated to the Town of Greenburgh as open space in perpetuity to be added to Taxter Ridge Park and another lot will be donated to the Village of Tarrytown as open space to connect the Old Croton Aqueduct which currently dead ends at the applicants parcel when exiting Lyndhurst.

There were 3 alternatives considered for the Proposed Action. One alternative is to take no action and leave the site as it is. This alternative is not considered feasible, since the site is zoned for residential use, and its location in a residential neighborhood makes it an appropriate and desirable site for residential development. The property is privately owned, and the owner has no intention to retain it as an undeveloped open space. A second alternative considered a plan developed by a

predecessor owner of the property, Esposito Equities, had engineered and was ready to submit for 13 lots in Tarrytown and 33 lots in Greenburgh. Such a plan would result in larger property tax revenues, but has been deemed to have less favorable impacts on the natural environment and on restoration of historic resources than that of the proposed plan presented in this DEIS. In the third alternative the Applicant considered the development of an alternative plan that would result in the development of 15 homes in Tarrytown and 60 homes in Greenburgh as projected for the site in the Comprehensive Plan prepared for Tarrytown in 2007, and using the existing site driveway access to South Broadway. Such a plan would result in larger property tax revenues, but has been deemed to have less favorable impacts on the natural environment and on restoration of historic resources than that of the proposed plan presented in this DEIS.

The purpose of the FEIS is to summarize and respond to all relevant questions and comments raised during the public hearing and the public comment period for the DEIS.

Conformance With Subdivision Regulations:

Subdivision regulations include application and approval procedures and criteria, required improvements relating to subdivisions and subdivision design standards. The proposed residential subdivision conforms to the requirements of the subdivision regulations.

Conformance with the Surrounding Area:

The proposed project is consistent with the land use in surrounding areas.

Conformance with Westchester County Recommendations:

The Greystone on Hudson residential subdivision is well within the guidelines recommended by Westchester County. The project complies with the County Planning document, Patterns for Westchester, The Land and the People, by siting new single family detached housing adjacent to the developed Route 9 and Interstate 287 corridors at a density that is lower than existing and adjacent land uses.

Description of the Proposed Action

The Applicant is seeking to develop 20 single family homes within an approximately 84 acre site located in the Village of Tarrytown and Town of Greenburgh. Eight of the homes will be developed in the Village of Tarrytown and twelve of the homes will be developed in the Town of Greenburgh. In addition one approximately 21.7 acre lot will be donated to the Town of Greenburgh as open space in perpetuity to be added to Taxter Ridge Park and another lot will be donated to the Village of Tarrytown as open space to connect the Old Croton Aqueduct which currently dead ends at the applicants parcel when exiting Lyndhurst. The Village of Tarrytown Planning Board is Lead Agency in accordance in the New York State Environmental Quality Review Act (SEQRA). The Project is located in the Irvington Union Free School District.

Subdivision approvals will be subject to the review and approval respectively of the Village of Tarrytown Planning Board and the Town of Greenburgh Planning Board. Following completion of the SEQRA review additional approvals will be required from other agencies such as the Westchester County Board of Health, NYS DOT, NYS DEC, Tarrytown Board of Trustees...

The land fronts on the easterly side of South Broadway (Route 9) in Tarrytown and is immediately adjacent to the Tarryhill community which lies along the southerly boundary, and it extends easterly into the Town of Greenburgh with its easterly boundary adjacent to the Town of Greenburgh Taxter Ridge Park.

The proposed action includes:

- The development of an 8 lot single family home subdivision in the Village of Tarrytown including an internal road system and underground utilities needed to serve the houses.
- The development of a 12 lot single family home subdivision in the Town of Greenburgh including an internal road system connecting from the road in Tarrytown and underground utilities needed to serve the houses.
- The donation of approximately 21.7 acre parcel to be donated to the Town of Greenburgh as open space to be added to Taxter Ridge Park.
- The donation of a parcel to the Village of Tarrytown to serve as a gateway entrance to the portion of the Old Croton Aqueduct Trail which extends to the north of the property along South Broadway.

- The development of a parking lot on Taxter Ridge Road to serve the Taxter Ridge Park.
- The development of a trail to connect the Open Space Parcel in the proposed Jardim Estates East Subdivision to the Applicants 21.7 acre donated parcel and ultimately to the existing Taxter Ridge Park. This connection begins at Sheldon Ave and if one were walking west on Sheldon Ave they would ultimately connect to the Old Croton Avenue and Gracemere Park effectively making a connection from Taxter Ridge Park to the Old Croton Aqueduct which doesn't currently exist.
- The implementation of a storm drainage plan which will reduce potential flooding impacts on South Broadway.

II INVOLVED AND INTERESTED AGENCIES

Lead Agency

Village of Tarrytown Planning Board

One Depot Plaza, Tarrytown, NY 10591

Involved Agencies

Town of Greenburgh Planning Board

177 Hillside Avenue, White Plains, NY 10607

Village of Tarrytown Board of Trustees

One Depot Plaza, Tarrytown, NY 10591

NYS Department of Environmental Conservation

625 Broadway, Albany, NY 12233

Region 3, 21 South Putt Corners Rd, New Paltz, NY 12561

NYS Department of Transportation, Region 8

4 Burnett Boulevard, Poughkeepsie, NY 12603

Westchester County Department of Health

145 Huguenot Street, New Rochelle, NY 10801

NYS Dept of State Division of Coastal Resources

41 State Street Albany NY12231

Interested Agencies

Irvington Union Free School District

Assistant Superintendent for Business, 40 No. Broadway, Irvington, NY 10533

Westchester County Planning Board

148 Martine Avenue, Room 432, White Plains, NY 10601

New York State Office of Parks Recreation and Historic Preservation.

Linda G. Cooper, Regional Director

Taconic Region P. O. Box 308, 9 Old Post Road Staatsburg, NY 12580

Lyndhurst

635 South Broadway, Tarrytown, NY 10591-6499

Old Croton Aqueduct State Park

15 Walnut Street, Dobbs Ferry, NY 10522

III ORGANIZATION OF THE FEIS

A majority of the content of this FEIS is contained in Section IV. This section embodies a summary of the comments received during the public hearing and comment period for the DEIS as well as the responses to those comments. Appendices referred to in the FEIS are included at the end of the document.

IV RESPONSE TO COMMENTS

1) APPROACH/METHODOLOGY

Public comments on the DEIS were received both verbally at the public hearing on March 26, 2012, and in written form during the public comment period for the DEIS which extended between March 27, 2012 and April 5, 2012 (see Appendix A and Appendix C). Each of the comments made at the public hearing and received in written form during the comment period were reviewed and categorized by topic as described below.

The comments fell into the following general categories, which were refined when possible as specific topics:

General (G)

Screening and Landscaping (S)

Viewsheds (V)

Stormwater (SW)

Construction (C)

Open Space (OS)

Wetlands (W)

School District (SD)

Traffic (T)

Proportion and Design (P)

Wildlife (W)

Table A: Written Comments Received on the DEIS

	Letter Author	Author Affiliation	Date of Letter
1	Casey Halton	NYS DEC Region 3	
2	Frank Fish	BFJ Planning	4/3/2012
3	Natasha Court	Westchester County Bureau of Environmental Quality	3/20/2012
4	Linda Viertel	Tarrytown Resident	3/30/2012
5	Linda G. Copper Edward	NYS Office of Parks, Recreation and Historic Preservation	1/10/2012
6	Burroughs Anonomous	Westchester County Department of Planning	4/10/2012
7	Letter		4/4/2012
8	Maryanne Stecich	Attorney Min Ding and Sabrina Shue	4/4/2012

Table B: Comments Made at the Public Hearing on March 26, 2012

Speaker	Affiliattion
Ron Tedesco	Planning Board
Linda Viertel	Tarrytown Resident
Mark Weidler	Tarrytown Resident
Fran McGlaughlin	Charirperson Greenburgh
Stanley Friedlander	Chairman Planning Board
Zubeen Troth	Tarrytown Resident
Mr. Moran	Tarrytown Resident
Randy Eckers	Tarrytown Resident
Michael McGarvey	Tarrytown Engineer
Jean Claude Canfin	Tarrytown Resident
David Aukland	Planning Board
Wayne Heller	Tarrytown Resident
Danny Gold	Greenburgh Resident

2) RESPONSE TO COMMENTS

This section contains the responses to comments on the DEIS. Comments are presented by topic as listed in the previous section.

General (G) Comments Include Those That Do Not Fall Under Any Other Category

G1. Andy, there's I think just one typographical error in the DEIS. And normally I would point that out later on, but it's an important typographical error. It's on Page 26 of the DEIS, and it's under the heading "Mitigation." I'm doing this to show you brought that with you. Page 26 under mitigation. The heading "Mitigation." Bottom of the page, the second sentence under that says, "Currently, in addition, deeds transferring properties to the eight lots shall contain a restriction stating there shall be no further subdivision of the subject property in perpetuity," which is a wonderful condition, but I think you mean that eight to be 20, because this is for the full project of Tarrytown and Greenburgh. (Tedesco Page 58, Line 2 Public Hearing March 26, 2012)

***Applicants Response:** Each deed will have a Deed Restriction included which states: "Each lot shown on the subdivision plat will be subject to a deed restriction in perpetuity prohibiting further subdivision." All 20 houses (8 in Tarrytown and 12 in Greenburgh) will contain this Deed Restriction.*

G2. Just a specific question: What's the Saturday code for construction? Blasting, tree cutting, whatever. 9:00 or 8:00 in the morning? (Viertel Page 24 Line 3 Public Hearing March 26, 2012) Well, I -- I don't know what I can request of the developer or the Town or 17 the Village, but if you're talking about four years and two trenches of development here, and we're not even getting close to discussing what the noise and particulate level is going to air level problems are going to be in the Tappan Zee Bridge on the south end. I would respectfully request that we certainly go to 9:00 on Saturday and stop at 5. (Viertel Page 24 Line 15 Public Hearing March 26, 2012)

***Applicants Response:** As per Village Code § 215-6. B (1) work hours are: Monday thru Saturday from 8am-6pm with no work on Sundays or Federal Legal Holidays. In both Tarrytown and Greenburgh Applicant will not do any blasting on Saturdays and will make a best effort to avoid excessive noise generation activities on Saturday prior to 9AM. The Applicant has committed to completing infrastructure installation within the shortest timeframe in order to minimize nuisance impact time affecting surrounding residents..*

G3. A question I noticed in the DEIS, a reference to 60 buildable lots in unincorporated Greenburgh area, and now we're deeding it at 12. Is that a hard and fast number? I've never seen anything with 60 in it, any document at all that says -- just because you can chop up the land mass into 60 lots, that is not a buildable -- once you're crossing the stream. (Viertel, Page 25, Line 16 Public Hearing March 26, 2012)

***Applicants Response:** The information found in the following Tarrytown Comprehensive Plan text:*

Tarrytown Comprehensive Plan (page 2-14): “Taxter Ridge is a property of almost 200 acres in the Town of Greenburgh, which was acquired through the collaboration of New York State, Westchester County and the Town of Greenburgh in 2004 to be preserved as parkland. This property, the largest undeveloped tract of land in southern Westchester County, will be maintained by the Town of Greenburgh. Tarrytown is concerned with the development of a parcel located in the Town of Greenburgh, which is enclosed by the Taxter Ridge property. This parcel, known as the Esposito parcel, comprises approximately 55 acres. It is currently zoned as CD R-40 -Conservation District R-40. This property could potentially yield a maximum of 60 dwellings, under its current zoning. In the interests of conserving environmentally sensitive land, Tarrytown will continue to petition the Town of Greenburgh to upzone this property to a lower density zone, such as an R-60 zone. Within the Village, there are two properties located near the Taxter Ridge Preserve which the Village wishes to acquire; the Esposito and Unification Church properties. The Village will continue to pursue the acquisition of these parcels.”

G4. There's also a buildable lot which is vacant that was acquired by Andy. We were just curious as to what was happening with that lot? (Zeiss, Page 66, Line 10 Public Hearing March 26, 2012)

Applicants Response: Applicant plans to build on this lot.

G5. At the last meeting, a woman, Linda, who lives behind me, she had mentioned that she was requesting speed bumps along the road, and I want to say that I'm completely opposed to that. (Weidler, Page 68, Line 9 Public Hearing March 26, 2012)

Applicants Response: These are private roads and Applicant will not be installing speed bumps. However, to address Ms. Radlauer's concern and take into account Mr Weidler's concerns Applicant agrees to install "slow please reduce speed to 10 mph" sign on this stretch (or some similar text - DOT permitting). Applicant will additionally install black estate fencing around the entire perimeter of development to help protect neighboring children from getting injured by playing on its roadway.

G6. So I'm wondering, do we have to stick to 12? Can it be less than 12? And why are we deeding it at. So that's the question. I'm just asking the Planning Board, you know -- and the Greenburgh representative. And Andy, I'm sure it's an economic consideration for you, but I would respectfully submit that it doesn't necessarily have to be 12 in Greenburgh, and I don't know why we are determining that now? (Viertel Page 25, line 24 Public Hearing March 26, 2012)

Chairman Fridlander's response: (Chairman Fridlander, Page 28, Line 13 Public Hearing March 26, 2012)

CHAIRMAN FRIEDLANDER: There is a rationale behind that, and the rationale is very important to you and me more than most people, because we spent a lot of time and many 17 years trying to get the land as park land. The rationale, basically, is lowering the density significantly to what it would be from the alleged 23 that the Greenburgh planner

MS. VIERTEL: 20, I think.

CHAIRMAN FRIEDLANDER: -- was, and to the 13 that was the possible lot count. So the rationale for the lots that were proposed was based on a significant lowering of the density, and the donation of public land that we were very, very interested in acquiring. So that's where the numbers came from. Aside from the development proposing that, when we discussed it with them, that's basically where the numbers came from; our discussions at his proposal. (Chairman Friedlander, Page 26, Line 13) We understand that. But when we have to start the process at 23 and then we can lower it, because that would be sort of the conforming zone, that we have 23 lots in Greenburgh -- I'm just picking a number; it doesn't have to be exactly that, but a larger number -- and 13 lots in Tarrytown, and we would have to work down from that. And yes, we can reduce it from 23 and we can reduce it from 13 and we get a lower number. The point was, we kind of jump-started the whole thing saying this is a significant reduction, this was a donation of public land; we thought it was a good site. So we're looking at it as a subdivision that looks promising. We haven't approved it - it, but that's what we're doing. (Chairman Fridlander, Page 28, Line 13)

Greenburgh Chairperson McGlaughlins Response: *(Chairperson McGlaughlin, Page 30 Line 17) I think what the Tarrytown Board is doing now is doing the process of the State Environmental Quality Review Act, and the Board is looking at the eight in Tarrytown and the 12 in Greenburgh, and they are looking at significant impacts that might result from either. And at the end of the process, they will make the decision for both boards since Greenburgh agreed that Tarrytown would be lead agency. Now, obviously, any fewer houses would have less impact than the one being looked at now by the Tarrytown Board. But right now, you have to have a number in order to do the review, and I think that Greenburgh has agreed that Tarrytown would do that. (Chairperson McGlaughlin, Page 30 Line 17)*

Applicants Response: *Applicant is only proposing to build 12 homes in Greenburgh on approximately 57 acres in addition to donating 21.7 acres as open space in perpetuity to the Town of Greenburgh to be added to Taxter Ridge Park. A project with this low density is unprecedented in Greenburgh. The Applicant studied the Tarrytown Comprehensive Plan below to note how important and valuable this low density setting and donations are to the Village of Tarrytown.*

1) Upzoning of Greenburgh Parcel:

Tarrytown Comprehensive Plan: *"Tarrytown will continue to petition the Town of Greenburgh to upzone this property to a lower density zone, such as an R-60 zone"*

Applicants Response: Applicants proposed plan has been designed with only 12 homes in Greenburgh averaging almost 3 acres per parcel. Although the Town of Greenburgh has not upzoned this property to the R-60 zoning as per Tarrytown's petition Applicants proposed plan is even better for the Village as Applicant has effectively rezoned the property with the equivalent of R-80 zoning which is much lower density than the Village was petitioning for.

As a comparison, a previous application for the Greenburgh parcel by the Carlyle Tarrytown Corporation was for subdivision of the Greenburgh parcel alone into 42 lots. There was an accepted FEIS on this parcel but its owner went bankrupt prior to subdivision approval. Additionally Applicant inherited plans from its predecessor, Esposito Builders for 33 lots in Greenburgh which it was ready to submit to the Planning Board prior to selling the land to the Applicant. By allowing us access to Greenburgh the Village will guarantee a low density estate setting in perpetuity with a minimum of an R-80 zoning which the village stated it wanted in its Comprehensive Plan.

Applicant additionally agrees to put a Deed Restriction on the Greenburgh Subdivision (as well as Tarrytown) stating no further subdivision of the lots.

2) **Free Park Land the Village Wanted to Acquire:**

On Page 2-14 in the same paragraph states:

Tarrytown Comprehensive Plan: “....Within the Village, there are two properties located near the Taxter Ridge Preserve which the Village wishes to acquire; the Esposito and Unification Church properties. The Village will continue to pursue the acquisition of these parcels.”

Applicants Response: As the board is aware we have offered to donate 21.7 acres to Taxter Ridge Park as open space in perpetuity at no cost to Tarrytown which is a significant benefit to the Village as it was willing to pay for this land and its residents will now enjoy the use of 40% of the piece it was willing to pay good money for without having to pay for any upkeep to the park. This donation grows the size of Taxter Ridge Park by approximately 10%.

3) **Low Density Setting:**

On page 2-14 in the same paragraph it states:

Tarrytown Comprehensive Plan: “...This property could potentially yield a maximum of 60 dwellings, under its current zoning.”

In addition and on the same subject:

Page 2.5 entitled Build-Out Analysis the Comprehensive Plan states the following:

Tarrytown Comprehensive Plan: “A build out analysis was included as part of this Plan. This provides a general estimate of the future growth potential in Tarrytown if the Village was built out to the maximum extent permitted by the laws currently in place. Table 2-3 shows the theoretical amount of potential future residential and commercial development in Tarrytown....”

TABLE 2-3 Theoretical Development Build-Out

15 Potential
Buildable lots
on the
Tarrytown
Parcel

Parcel	Zone	Undeveloped Acreage	Undeveloped Minus Constraints	Undeveloped Minus 10% (in acres)	Potential Development
Legends at Wilson Park	R-80	15.53		14.0	8 houses
Legends at Wilson Park		16.53			11 houses
Bagerotti		7.69	4.5	4.1	3 houses
Holy Spirit Association	R-60	45.06	42.4	38.2	28 houses
Esposito		23.16		23.2	15 houses
Islamic Council		5.38	5.4	4.8	4 houses
Total Residential		113.36			68
Kraft	HC	34.84	31.8	28.7	6 houses
Simon	MU	16.99	5.7	5.1	161,168 sq ft
Total Other		51.83			6

Applicants Response: Village of Tarrytown consultants project a potential 60 homes on the Greenburgh Parcel. Applicant is proposing to build 12 homes on the Greenburgh Parcel. This is a huge benefit to the Village as we are only building 20% of the lots Village consultants projected we can build on the Greenburgh Parcel. This is a big benefit to Tarrytown as Applicant is building 48 less homes than Tarrytown projected Applicant can build and were concerned about that high of a density. In addition the Tarrytown Comprehensive plan says Applicant can build 15 homes on its Tarrytown parcel. Applicant is proposing to build 8 homes on the Tarrytown Parcel which effectively upzones the parcel from R-60 to R-100. As a comparison in 2006 the Applicants predecessor Caliber Builders submitted a plan for 13 homes to the Village of Tarrytown.

Additionally, the economics of this project simply don't work with less than 12 homes. Applicant thinks its low density setting is more than fair and as one of the members of the Greenburgh Planning Board pointed out during our preliminary meeting with them he asked us “Why not more. The slopes in the donated area don't look so bad.”

G7. The question has been raised as to how the applicant arrived at the lot count of 12 lots in the Town of Greenburgh. The lot count in Greenburgh affects Tarrytown with respect to the amount of traffic that will be generated from that portion of the site. The Greenburgh portion of the site can only be accessed via the roadway through Tarrytown. The applicant should explain the rationale for this lot count and whether there are any significant impacts between 12 lots and the 10 lots that were suggested by a member of the public at the public hearing. (BFJ, Fish Letter April 3, 2012 Appendix C)

Applicants Traffic Engineers Response: Applicants traffic engineer John Canning of VHB replies: “From a traffic perspective, 12 lots would generate two or three more trips in the peak hour than 10 lots. Depending on where these cars were coming from or going to, this would translate to one or two extra trips per hour on

Broadway. Based on the information contained in the Table on page 95 of the DEIS, these additional trips would increase delays on the site driveway approach to Broadway by approximately 1 second. Increases in delays on Broadway resulting from one or two additional peak-hour trips would be imperceptible.”

Applicants Response: *See G6 for additional response to this question.*

G8. My only other point was that your new figures for alternative tax incomes for the village as well as the Irvington school system, which you mention once in the DEIS should be consistent throughout the document. In all places where you reference what Tarrytown's income could be and the Irvington school system, I believe you need to give the entire range of possible funds, not just the highest one with a 5 million dollar sale price. That highest price occurs frequently throughout the document and should be explained in each instance (Viertel email to Todd March 30, 2012 Appendix C)

Applicants Response: *Applicant was asked to provide a chart of total property tax revenue for 8 Greystone homes to the Village of Tarrytown as well as the 20 homes to the Irvington School District at sales numbers lower than \$5million per house which is provided below:*

<u>Tarrytown Property Tax Revenue Range</u>	
\$4.5 million sale price	\$221,141
\$4 million	\$196,570
\$3.5 million	\$171,999
\$3 million	\$147,427
\$2.5 million =	\$122,856

<u>Irvington School District Tax Revenue Range</u>	
\$5.0 million sales price	\$1,681,700
\$4.0 million	\$1,345,360
\$3.5 million	\$1,177,190
\$3.0 million	\$1,009,020
\$2.5 million	\$ 840,850

All of the roads in the subdivision will be private requiring no cleaning, snow plowing, or maintenance services to be provided from the Village Department of Public Works. Garbage pick up will be the only Department of Public Works service required by the 8 houses. The Village makes money on water so there is a positive impact. There will be no costs to the Village for sanitary sewer as well. The project will generate \$16,476 in annual property taxes to the Saw Mill Valley Sewer District and \$11,224 per year to the County Refuse District. Even at sales price of \$2.5million per house, which is half the projected sales price, the \$122,856 tax revenue would more than mitigate the marginal costs of garbage pickup and sewer of which there is excess capacity. Irvington School district projects enrollment to decline so there is no negative impacts to the school district.

G9. DEIS Preparers: What are the relationships of the parties listed? Do any of these preparers have a financial interest in this development? (Anonymous letter April 4, 2012, Appendix C)

Applicants Response: *None of the preparers of the DEIS have a financial interest in this development. All preparers are consultants.*

G10. These alternatives are NOT fair comparisons since the chances of obtaining approval for that many homes is slim to none with the steep slopes present. In fact, that is exactly the reason why Esposito gave up his efforts. Mr. Pateman knows this because they were going to partner on it. (Anonymous letter April 4, 2012, Appendix C)

Applicants Response: *In the late 1980's to early 1990's Carlisle Tarrytown Corporation had an accepted FEIS with the Village for a proposed 49 lots on the Applicants Tarrytown parcel and 42 lots on the Applicants Greenburgh parcel. Prior to final subdivision Carlisle Tarrytown Corporation went bankrupt due to the recession. The Tarrytown parcel has been upzoned since this time. The Greemburgh Parcel has not been upzoned. As recent as 2006 the Tarrytown Planning Board accepted a DEIS from Calibur builders for 13 lots with the same zoning that exists today prior to selling the property to the Applicants predecessor. Please see page 114 of the DEIS for the complete history of the site.*

G11. In addition any light poles required for safety should be located so as to be, the the greatest extent possible, not visible form their house, and the lights should be shielded so as not to spill light or glare onto the Ding/Shue property. (Stecich Letter, April 4, 2012, Appendix C)

Applicants Response: *Applicant will try to be sensitive to this request with the understanding Applicant must adhere to Village and DOT laws.*

G12. What happens if the homes never sell for the \$5 million projected amount? What if the average price is \$3.5 million what will the tax revenues look like then? The costs to the Village and Schools will not change, what is the breakeven? (Anonymous letter April 4, 2012, Appendix C)

Applicants Response: *Please see G8 in the FEIS for answers to this question.*

G13. Will there be any deed restrictions? Are there any wetlands, open space / scenic easements, or conservation easements, etc. on this property? (Anonymous letter April 4, 2012, Appendix C)

Applicants Response: *Each lot shown on the subdivision plat will be subject to a deed restriction in perpetuity prohibiting further subdivision. Applicant is donating 21.7 acres of open space in perpetuity to be added to Taxter Ridge Park as well the donation of a second parcel which includes a historic gateway along South Broadway that will reconnect the Old Croton Aqueduct in perpetuity which currently dead ends at the Applicants property. There are no scenic easements or conservation easements to the public on the development parcel.*

G14. How will the Greenburgh Police department access the homes in Greenburgh? Is it assumed that they will patrol the area and drive all the way around to Tarrytown to access the property in Greenburgh? How often will Greenburgh rely on Tarrytown to get there for them quicker in an emergency and how will Tarrytown be compensated? How is the “no mitigation required” in this scenario? (Anonymous letter April 4, 2012, Appendix C)

Applicants Response: *Greenburgh Police will access Greenburgh homes thru the community entrance on South Broadway. No mitigation is required because the tax base growth more than mitigates the cost of any police visits to Greystone.*

G15. Why will Tarrytown then be required to pick up garbage? What liability is there is a department of sanitation worker is injured on private property? There certainly would have to be some indemnification to the Tarrytown taxpayers! Additionally, why will Tarrytown be doing garbage collection for Greenburgh and how much will they be paying Tarrytown for said services? (Anonymous letter April 4, 2012, Appendix C)

Applicants Response: *All of the roads in the subdivision will be private requiring no cleaning, snow plowing, or maintenance services from the Village Department of Public Works. Garbage pick up will be the only Department of Public Works service required by the 20 houses in both municipalities. Greenburgh will pick up garbage in Greenburgh and Tarrytown will pick up garbage in Tarrytown just like it does in other areas of the Village with private roads.*

G16. It is incorrect on page 82 dealing with the “Utilities to Adjoining Properties” that “No mitigation is necessary. As the DEIS stae the Ding/Shue residence currently has “easements for its utilities running throughout the Greystone site.” Although the DEIS addresses the ultimate relocation and hook up of the utility lines it does not address the impacts on the Ding/Shue property during construction. It is critical that the telephone, electric, water, and sewer lines to the Ding/Shue house remain operational throughout the construction of the road and relocation of the utility lines and that their utility services not be interrupted by any work on the Greystone property. (Stecich Letter April 4, 2012, Appendix C)

Applicants Response: Electric and telephone will not be interrupted as a result of Greystone construction and will remain operational throughout the construction of the road and relocation of the utility lines. However, it should be noted that in the last year trees have fallen on the Min Ding/Sabrina Shue (“Min”) electric and telephone utility lines several times interrupting Min’s service. This type of interruption is out of Applicants control. The Min residence is currently not hooked up to public water, sewer and gas and uses well, propane and sceptic instead. So the water and sewer line referenced by Mrs. Stecich in the question above will not be operational during construction since it is not operational now. Applicant believes a very positive impact will be derived from Greystone on Hudson to Min which will now have access to brand new water, sewer and gas lines instead of the well, sceptic and propane it currently uses in its existing condition.

G17. In addition the Map of Easements dated Octobr 10, 2011, submitted by Greystone on Hudson is not complete. It does not reflect the subsurface gas line easement between of the owner of the Greystone property and the Ding/Shue’s. Nor does it indicate the telephone and electric easement which is located at the approximate location of the overhead wires shown on the Map of Easements. The Map of Easements should be amended to include these easements. (Stecich Letter April 4, 2012, Appendix C)

Applicants Response: Please see updated Existing Easement Map (Appendix E)

G18. The Lawyer from Min Ding and Sabrina Shue (“Min”) who reside at 620 Gracemere Tarrytown NY asked to be added to the interested neighbors list. (Stecich Letter April 4, 2012, Appendix C)

Applicants Response: Applicant will add Min to the interested neighbors list.

G19. Consistency with County Planning Board policies. The County Planning Board’s long-range planning policies and strategies set forth in ***Westchester 2025—Context for County and Municipal Planning and Policies to Guide County Planning***, adopted by the County Planning Board on May 6, 2008, and amended January 5, 2010, call for a “diverse and interconnected system of open space.” This proposal is consistent with this policy as it will help facilitate additional connectivity of two major open space assets: the Old Croton Aqueduct State Park Trailway and Taxter Ridge. We commend the applicant for including the donation of open space to these parks as part of the proposal. (Westchester County Planning Board, Edward Burroughs Letter April 10, 2012, Appendix C)

Applicants Response: Noted

G20. We encourage the applicant to consider using as much green building technology as possible in the proposed development. We note that the applicant has stated that rain gardens may be used as part of the stormwater management system on the site, which we encourage. We also encourage the use of permeable paving surfaces as well as other green building elements. (Westchester County Planning Board, Edward Burroughs Letter, April 10, 2012, Appendix C)

Applicants Response: *Applicants also wants its houses to be as green as possible and plans to have its homes LEED certified.*

G21. The proposed development will increase sewage flows from this site into the existing infrastructure. The increased flow will add to the volume of sewage flow requiring treatment at the Yonkers Joint Wastewater Treatment Plant operated by Westchester County. As a matter of County Department of Environmental Facilities' policy, we recommend that the Village implement or require the developer to implement measures that will offset the projected increase in flow. The best means to do so is through reductions in inflow/infiltration (I&I) at a ratio of three for one for the market rate units and one for one for the affordable AFFH unit. The final EIS should include a discussion of proposed mitigation (Westchester County Planning Board, Edward Burroughs Letter, April 10, 2012, Appendix C)

Applicants Response: *Applicant will work with Village engineer for mitigation.*

G22. The draft EIS does not explain how the project will comply with existing Village of Tarrytown regulations regarding the provision of affordable AFFH units. Our records indicate that on December 5, 2011, the Village adopted regulations based on the County's "Model Zoning Ordinance Provisions for Affordable Affirmatively Furthering Fair Housing Units" as included in the *Westchester County Fair and Affordable Housing Implementation Plan* (dated August 9, 2010). To be fully consistent with the Model Ordinance Provisions, the proposed development should contain one affordable AFFH unit within the Tarrytown portion of the development. The final EIS should include a discussion of compliance with the local law and the inclusionary requirement. (Westchester County Planning Board, Edward Burroughs Letter, April 10, 2012, Appendix C)

Applicants Response: *Applicant supports and will fully comply with the Village of Tarrytown's Affordable Housing Zoning Ordinance. Applicant agrees to have a condition in its Final Subdivision Approval that no Certificate of Occupancy can be issued until Applicant complies with Tarrytown's Zoning Ordinance.*

Screening and Landscaping (S) Comments Deal with Screening and Landscaping
--

S1. Some neighbors I was talking to today before I came here asked whether shielding -- it's anticipated that there would be shielding on the property and would that shielding go up even before the homes and the construction begin to reduce the noise, as well as the visibility of the whole projects. So that was a question that several people on the northern Tarryhill border are asking (Troth, Page 41 Line 10 Public Hearing March 26, 2012)

***Applicants Response:** There were many comments from Village residents on screening. Applicant agrees to screen abutting neighbors by landscaping within the project site using both native and non native non invasive evergreens and will work in full cooperation with the Village arborist to make appropriate plantings that are as deer resistant as possible and that use a diverse species of plantings to create a natural look to the property. All maintenance of this screening will be the responsibility of the Applicant, and later future homeowners, or the HOA. Applicants proposed plan is to put up screening on South Broadway, along the Tarryhill Border (once the existing Coppola roadway comes out) and along the Min Ding border sometime during the road improvement process. Once all the site improvements are implemented, Applicant will request the Planning Board for specific site plan approval for each lot which will include specific landscaping plan for that lot.*

Applicant proposes screening the project site area in front of the Radlauer and Weidler houses in Tarryhill as soon as weather conditions permit. The reason for this is that they are by far the closest to the proposed road and this would give the trees a chance to take root and grow earlier so that, when its time for the development to be built, there will be a mature screening in place. For the rest of the Tarryhill screening, after the existing Coppola roadway can be removed, and new underground utilities installed the Applicant will be able to place the remaining screening to the adjacent Taryhill properties.

S2. A number of screening questions were asked by Mr. Troth. The questions and responses can be found on pages 53-58 of the public transcript (Troth, Chairman Friedlander, Todd Page 53-58 Public Hearing March 26, 2012). Additionally see S1 above for answers.

S3. I wanted to ask about the screening. Who is going to maintain the screening on the houses -- I mean on the trees? (Weidler, Page 67 Line 22 Public Hearing March 26, 2012)

Applicants Response: It will be written in the HOA bylaws that the developer and later the Greystone HOA and homeowners are responsible for maintenance of all trees on Greystone site.

S4. We also have a piece by our driveway to the club – our clubhouse and pool area that is becoming it's reverting from Coppola property to one of the lots, and there is going to be screening there. And regarding screening, we would like post-construction that all of the screening be maintained by either -- either the Homeowner Association or the individual property owners so that we're -- that the Tarryhill residents are protected, you know, post-construction and, I'm assuming, you know, in Perpetuity, if that could be done. (Zeiss Page 64, Line 19 Public Hearing March 26, 2012)

Applicants Response: All screening will be maintained by the Applicant, HOA, or Greystone homeowners. No neighbors will be responsible for its maintenance.

S5. Transcript question and answer below (Weidler, Chairman Friedlander Page 68, Line 20 Public Hearing March 26, 2012)

MARK WIEDLER: Is all this screening going to be done at once? Like, could that be done along my house and Linda's house before the other parts?

CHAIRMAN FRIEDLANDER: Not unless it's been approved by the landscape architect and the Planning Board. But I think that the desire by a developer is to submit those plans as soon as possible, and have the Board's landscape architect review it, have the Board review it, and have the public review it. This will be reviewed publicly, and if people have comments to make or suggestions -- if you have suggestions on your own property or near your property, you can talk to the developer yourself, and maybe he will incorporate it. If he doesn't incorporate it and you want to tell us, then you can tell us at that time. (Weidler, Chairman Friedlander Page 68, Line 20 Public Hearing March 26, 2012)

S6. With the increasing amount of deer we're going to have with, you know, some clearing going on, that I think there may be some necessity to look at solutions for having screening in a deer population. (Mr. Moran, Page 70 Line 7 Public Hearing March 26, 2012)

Applicants Response: We will work with the Village Arborist to plant the most deer resistant screening evergreens recommended by relevant studies.

S7. My house, in the backyard, there is some stones and some fairly bare trees that I don't know how they are going to look sort of next to these new trees, so to speak. Andy and I have talked about potentially removing the trees that we have and

clearing out some of the stones, which would be great for us. Right now these trees don't really provide any screening. The leaves are sort of at the top, very little screening, very little shade. They are not particularly good looking. (Eckers Page 80 Line 4 Public Hearing March 26, 2012)

***Applicants Response:** Applicant fully supports removing any trees that are unhealthy, leaners, or towards the end of their lifecycle.*

S8. Just so you know, you need a permit to prune trees. (McGarvey, Page 83, Line 6 Public Hearing March 26, 2012)

Response: Noted

S9. Good evening. My name is Jean-Claude Canfin. I live at 71. I have one question, which I am not sure I understand. Someone mentioned to me that the power lines, the phone lines, Cablevision and others, would be kept above the blacktop that will be removed eventually. And if that's the case, who will be servicing this? If there is no more road there, how the trucks can access the lines to repair them if there is an issue there? (Canfin, Page 83, Line 9 Public Hearing March 26, 2012)

***Applicants Response:** All Greystone utilities will be underground so the utility poles along the Coppola driveway will disappear.*

S10. A permit is requested for tree removal. What about all of the trees that have been taken down already or the trees that had their root systems destroyed by the construction of the temporary roads there already? (Anonymous letter April 4, 2012, Appendix C)

***Applicants Response:** In the spring of 2011 every tree above 6" in diameter on the Tarrytown Parcel and 10" in diameter in the Greenburgh development parcel were tagged with their own unique identification number. Tarrytown and Greenburgh have a list of all trees and their corresponding identification numbers and can cross reference those trees against the approved landscape plan. Applicant will be penalized according to Tarrytown and Greenburgh code for any trees removed that were not supposed to be cut down. Applicant was given permission to clean up the site and eliminate all invasive and dead trees to get the site ready to be staked and have tours. Applicant has not cut down any trees it wasn't supposed to.*

S11. What type of buffer will there be at the end of Round A Bend Road where the two properties (Tarrytown and Greenburgh) meet. The maps show a narrow road connection behind the cul-de-sac. (Anonymous letter, April 4, 2012, Appendix C)

Applicants Response: Please see S1 of the FEIS for answer to this question.

S12. The proposed road running along the northern border of the Greystone Property (‘northern road’) extends along the entire western border of the Ding/Shue property. Indeed a portion of the road is being relocated approximately 20 feet closer to the Ding/Shue property than the existing road. The point at which the proposed Road veers away from the existing road is the portion of the road closest to the Ding/Shue’s house.

This location of the road would have visual, noise, and privacy impacts on the Ding/Shue’s. Instead of quiet woodland, the property will now be bordered by a road serving the entire Greystone Development. Potential impacts from the lights and noise of the road on the Ding/Shue property must be mitigated. Suggested Mitigation would be the installation of dense evergreen screening between the road and the Ding/Shue property, in order to protect their privacy, minimize traffic noise, and shield vehicle lights and light poles. Shrubs, rather than trees, should be installed along those portions of the Ding/Shue property where their views of the Hudson would be impacted. All plants and shrubs should be deer resistant, shade tolerant, and maintenance free. In addition, the developer (and subsequently the homeowners association) should be required to maintain the plantings and a five year maintenance bond should be posted to insure the plants survival. (Stecich Letter, April 4, 2012, Appendix C)

Applicants Response: Applicant has been working closely with Min and agrees to provide a screening plan that helps maintain Min’s privacy while making sure not to block Min’s views of the Hudson. Applicant will work with Min in conjunction with the Tarrytown arborist and agrees to plant evergreen trees in areas Min’s views of Hudson would not be impacted and shrubs, rather than trees, will be installed along those portions of the Ding/Shue property where their views of the Hudson would be impacted. Applicant will plant trees and shrubs that are known to be as deer resistant as possible. Applicant and later the HOA will be responsible for maintenance of the plantings. There is no ordinance in Tarrytown for a screening maintenance bond to be required. It is just as important for Applicant to screen Min which Applicant believes is incentive enough.

Viewshed//Historical Resources/Cultural Resources, (V)

V1. Linda, thank you for that list. I took notes here. You had asked in an earlier session about the views and the effect particularly of the heights of the homes on views, and Andy has produced a document to show that this probably isn't too much of an issue. However, we will be following that as well. And I'll take that moment to say that I do appreciate, Andy, how responsive you've been to every one of the questions the various office have raised over this review period. So be sure that we will follow up on your points, Linda. (Aukland, Page 37, Line 24 Public Hearing, March 26, 2012)

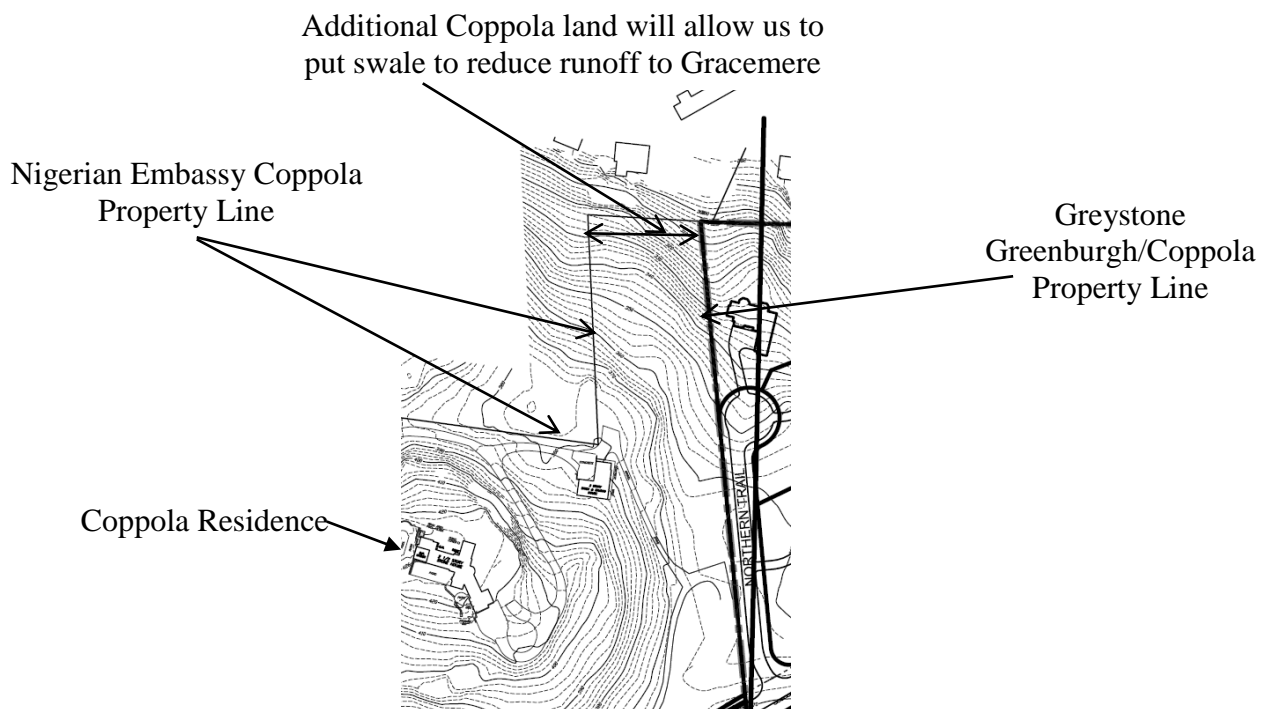
***Applicants Response:** Please see Appendix D of the FEIS for the Historical Perspectives report on viewshed of Greystone neighbors which concludes no neighboring views of the Hudson River will be impacted.*

V2. Will the project block any views from neighboring properties? Will the project be significantly larger or taller than neighboring properties? (Anonymous letter, April 4, 2012, Appendix C)

***Applicants Response:** No Greystone neighbor's views of the Hudson will be blocked. Please see Appendix D in the FEIS for the answer to this question.*

SW1. I would hope that the stormwater plan takes a look at the Coppola property, because there is a good amount of water that comes down the hill towards the - some of the homes on Gracemere Lake Drive from that property. And I would hope that it could be mitigated, if not captured, at the Northern border, than captured near the subdivision line and brought into the system that's being put in place. The other have about the other comment I would what I read was on the percentage of land preserved in a natural state in Tarrytown being 18 percent. That-- I don't know if that's low or high. I don't know; that's not my expertise. But just in light of the severe sloping on this lot, I, again, would hope that the applicants' engineers, and ours as well, take a look and just make sure that leaving only 18 percent of the natural state doesn't take the rest of the property and turn it into level fields, soccer fields for each house or what have you, so that we – those nearby have additional erosion and water and runoff problems. (Mr. Heller, Page 60, Line 3 Public Hearing, March 26, 2012)

***Applicants Response:** Mr. Heller asked if there was going to be more runoff coming down to the Gracemere Subdivision post development. In addition to reduction in the peak rate of stormwater runoff from the project site as a result of Applicants Stormwater Protection Plan Applicant has requested from the Coppola's and has received a verbal commitment, to permit the development a swale on the northern most portion of their property that will tie into Greystone swales. This should help to reduce runoff onto the Gracemere subdivision. See diagram below for area on Coppola property that will help reduce runoff. Please see stormwater section of DEIS which shows decreases in rate of post development runoff.*



SW2. But what will happen there? Because you're quite right. Now, first of all, the clay pipes seem like they were broken a long time ago already, and water runs down along the road; right? If you see a storm, you will see water run down the road. So I actually believe that those clay pipes have been destroyed long ago, and a lot of water runs along the roadway today at present. And then some does cross over and there seem to be pipes that go under that road. And then, you know, down towards the main drainage that sits at the top of the Tarryhill Clubhouse parking lot; right? But the four or five houses above that Tarryhill Clubhouse private road, there's drainage coming off the back of those properties. What's going to happen to that whole area? So if we look at the Mirans' down to 21 Tarryhill, which is where I live, what's going to happen to all the water that comes off the back of those properties and because, you know, there's a natural sloping towards the swale. And at least the swale works partially today and with activity, it kind of stays clear; right? (Troth, Page 48, Line 8 Public Hearing, March 26, 2012)

Applicants Response: Field reconnaissance and a Village record research failed to identify the site of the drain line referenced by Mr. Moran. However the Applicants engineer previously identified an area where stormwater runoff exiting the Canfin property and flowing along the south side of the existing Coppola driveway would “disappear” into the ground (see pic below) in addition to running off onto Greystone property and down the Coppola driveway to South Broadway. Applicant performed field excavation in this area in an effort to locate any drainage infrastructure. None was found. Applicant was told by Mr. Moran (33 Tarryhill Rd) that previously performed dye testing confirmed that stormwater enters into a catch basin (in a similar area we saw water disappearing into the ground) and travels through a drain line that traverses the

rear yards of many residences on the north side of Tarryhill Road thru an old clay pipe. The runoff is then discharged onto the Greystone parcel via a pipe in the Moran's rear yard. The runoff is then conveyed to the Tarry Hill pond via a swale. As part of Applicants stormwater remediation plan, an 18-inch diameter bypass pipe will convey the stormwater runoff currently exiting Mr. Canfin's property directly to the swale that is tributary to the Tarryhill pond thereby effectively bypassing the cited rear yard drain line. Based on Mr. Moran's information, Greystone's proposed bypass line should significantly reduce the amount of runoff currently tributary to the clay pipe rear yard drain line that runs thru the Tarryhill backyards. Although the design of the Greystone stormwater mitigation does not alter drainage patterns tributary to this rear yard drain line (ie. no increase in peak rate or volume of runoff) this bypass line is proposed as a courtesy to provide mitigation to those neighbors south of the project area.

Water runs from Pilot House Park down to this swale along the existing Greystone/Tarryhill border



Water then runs over the Canfin driveway and along the existing Coppola driveway



At this point the stormwater runoff enters an underground pipe and is conveyed to the rear yard drain line thru many Tarryhill residences terminating in the rear yard of the Moran residence. At that point the runoff is discharged onto the Greystone property where it is conveyed to the Tarry Hill pond via an existing swale. Applicant assumes that due to the poor inlet condition of the rear yard drain system, during high intensity storms, the majority of the runoff bypasses this drain line and flows over land down the Coppola driveway and onto South Broadway. The stormwater mitigation proposed within the Greystone SWPPP redirects the stormwater runoff exiting the Canfin property and conveys it via a proposed bypass pipe to the Tarry Hill pond.

Tarryhill Pond which is less in the post-development condition than it is in the pre-development condition for all the modeled storm events. Additionally, for all other stormwater discharge points on the site, the post-development site peak rates of runoff are almost in all cases less than the pre-development condition.

SW3. I just want to say that I appreciate also that the developer is mitigating a lot of the water problems that all of us have. And I -- you know, we have it on South Broadway, we have the problems in Greenburgh. There is an extensive set of rain gardens and onsite mitigation, and he's going to work with neighbors in Tarryhill and he's going to work with us. I would suggest that that work get done almost at the -- even though you're not

doing it in unincorporated, that you do it in conjunction with beginning all your construction, because we are all going to be impacted by all this work. (Viertel, Page 36, Line 2 Public Hearing, March 26, 2012)

Applicants Response: *Applicant is eager to start the work. However, Applicant is not permitted by law to start the work until it receives subdivision approval and other related development approvals from the Town of Greenburgh.*

SW4. The Public Hearing transcript at page 42, line 5 Public Hearing, March 26, 2012 which includes drainage questions by Mr Troth and the response by the Applicant (Mr. Todd,). See S3 for answer as well.

SW5. At the public hearing concern was expressed as to how stormwater would be managed on the site. The applicant has provided a stormwater management plan in Appendix A of the DEIS. The Village Engineer should comment on the efficacy of this plan. (BFJ, Mr Fish, Letter, April 4, 2012 Appendix C)

Applicants Response: *Applicant and its engineers will work and comply with the Village Engineer on the efficacy of the plan.*

SW6. What are the detailed plans for the stormwater impacts? (Anonymous letter April 4, 2012, Appendix C)

Applicants Response: *Please see page 51 of the DEIS for answer to this question.*

SW7. What guarantees are there that the drainage issue on Broadway and the same affect on Tarryhill will be adequately addressed? (Anonymous letter April 4, 2012, Appendix C)

Applicants Response: *Please see SW2 of FEIS for the answer to this question*

SW8. Will the project increase impervious surfaces that lead to stormwater runoff and will the plans for this take it into account? (Anonymous letter April 4, 2012, Appendix C)

Applicants Response: *Please see page 51 of the DEIS for the answer to this question*

Construction (CR) Comments

C1. I'm curious about who will – will there be a site overseer when this project is being done? Andy, somebody. A go-to person. There have been issues in Wilson [ph.] Park. There are always -- I've worked with Pete in Jardim Estates. And when there's construction and when there are tree issues and when there are environmental issues involved, it's very good to have a go-to person onsite. And I hope we have somebody, or the Planning Board sees that there is somebody in place on this site, because if there is blasting and if there is damage, and how do we -- that was a question that I don't think was quite addressed when I last asked it at the meeting. (Viertel page 21 line 14 Public Hearing March 26, 2012)

Applicants Response: *Applicant will appoint a foreman who will be in charge of assuring that all construction activities are in accordance with the plan. Any trees that are accidentally injured during construction will be replaced in accordance with Village Code. Applicant will work with Village personnel and consultants to make sure Village Code is followed. At time of blasting licensed blasting inspector will be on site to supervise and monitor all blasting operations. The DEIS contains a detailed blasting protocol to be followed. Both Tarrytown and Greenburgh have detailed blasting Ordinances which must be followed in order to provide protection to surrounding properties and procedures for compensation in the event of unforeseen damage*

C2. How do you assess what damage there is from blasting when there is blasting, both in Greenburgh -- I'm closer to the unincorporated Greenburgh, so --you know, I have to admit I'm closer to that portion of the development than the Tarrytown side, even though I live in Tarrytown. But I don't even actually understand how you assess those damages. But I want to make sure somebody knowledgeable and accessible is onsite whenever possible. (Viertel page 22 line 4 Public Hearing March 26, 2012)

Chairperson McLaughlin Response: *Chairperson McLaughlin (Town of Greenburgh Chairperson) answered: "Linda, I would just speak to the Greenburgh side. We have a very strict blasting law, and properties within so many feet of the blast site are required to be videotaped beforehand, and an accurate record made of the existing conditions of the properties." (McLaughlin Page 23 line 19 Public Hearing March 26, 2012)*

Applicants Response: *See response to comment C1.*

C3. Where can the detailed plans for construction impacts be found?
(Anonymous letter April 4, 2012, Appendix C)

Applicants Response: *Please see page 85 of the DEIS*

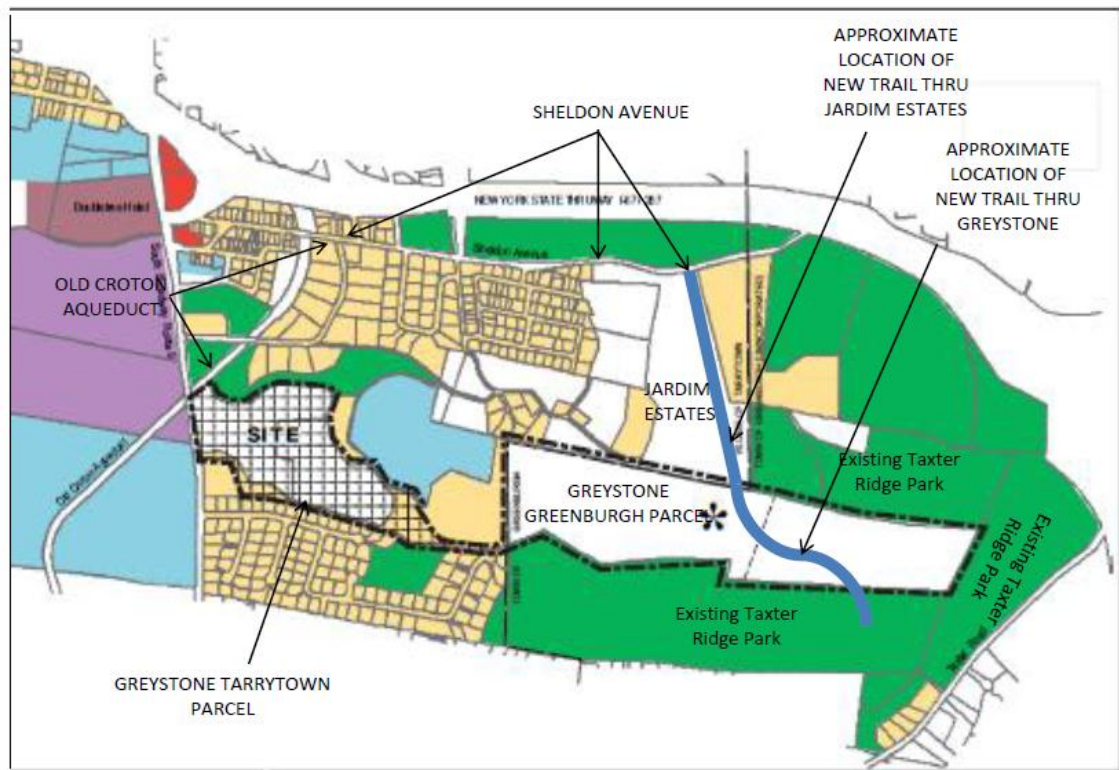
C4. What plans are in place to safely dispose of HAZARDOUS MATERIALS from the construction? (Anonymous letter April 4, 2012, Appendix C)

***Applicants Response:** Please see page 85 of the DEIS for the answer to this question.*

Donated Open Space Parcel (OS) Comments

OS1. The description of the Proposed Action includes discussion of a trail system connecting the project site to Taxter Ridge Park with a connection through the adjacent proposed Jardim East subdivision to Sheldon Avenue. A map showing the location of this trail system should be provided in the FEIS. (BFJ, Mr. Fish, Letter April 4, 2012 Appendix C)

Additional Response: Below is a drawing for illustration purposes only of how the donated open space trails from Greystone and Jardim East effectively connect the Old Croton Aqueduct to the existing Taxter Ridge Park via Sheldon Ave. Trails still need to be worked out and the diagram is just to show approximately how the connection is made.



OS2. There's a reference to topping trees to create distance for Greystone houses, homes being built. There were trees topped without permission at the Minn [ph.] household, and that was sort of a travesty there. It's really been devastated up there. I just want to make sure that there is an arborist or there's some, one again, oversight in terms of topping trees (Viertel, Page 32, Line 9 Public Hearing March 26, 2012)

Applicants Response: Topping off trees was only mentioned in the context of cleaning out Gracemere Park cleanup the Applicant proposed to the Village. See Applicants proposal below:

Figure 1 below shows a picture of the woods located on Greystone's Tarrytown parcel which are adjacent to Gracemere Park. Please notice how clean it looks after Applicant cleaned it up and cut out all the invasive bushes and vines on the property.

Figure 1



Figure 2 below shows a picture of the existing Gracemere Park woods. This picture was taken directly across Greystone's tree lined road from the picture of the Greystone on Hudson woods shown in Figure 1 above. Notice how messy the Tarrytown woods are when compared to the Greystone woods as all of the invasive bushes and vines have overrun the property. The Greystone woods looked similar to the Tarrytown woods prior to our cleanup and getting rid of all of the invasive vines and shrubs.

Figure 2



As discussed with the Planning Board Applicant proposes cleaning up Gracemere Park and getting rid of the invasive vines and shrubs that are currently crowding out the natural beauty of the park and choking many of the trees. This is a big benefit to Tarrytown as it is expensive to do and in its current state these woods are not navigatable for hikers. If approved Applicant would top off and prune some of the trees in the park to open up some vistas to create views for Greystone on Hudson. No living trees will be cut down during the work in the park and all of the fallen limbs and invasives will be chipped into the woods. Applicant would additionally cut dead trees down to the stump, and would then chip the dead tree and leave its stump in the ground to prevent top soil runoff and erosion.

Applicant understands if this would be carried out it would be in cooperation with and the approval of the Tarrytown Arborist.

OS2. Also, we'd like to preserve and make sure that there's a path for the Crows Nest Park [ph.]. I think that goes through the easement, and we'd like that preserved and, you know, and marked properly so that, you know, for the future, because we do have -- and that also leads up into, you know, the parks up on Taxter Ridge. (Zeiss, Page 63, Line 4 Public Hearing March 26, 2012)

Applicants Response: *The path for Crows Neck Park will remain.*

OS3. Tarry Hill tennis courts, on the lower part of – the lower tennis courts of Tarryhill, there's a gate that is a secondary means of egress out in case of an emergency from the tennis courts. We would like that preserved and have some kind of route maintained in the event that there's a problem where we can't get back out the other way. (Zeiss Page 62 Line 10 Public Hearing March 26, 2012)

Applicants Response: Applicant understands the need for the lower Tarryhill tennis courts to maintain emergency access but this creates a problem as the gate in its current position leads to Lot 1's backyard. In addition retaining the gate would also prohibit screening in that area. Applicant agrees that it will move or supply a gate that will provide the tennis courts emergency access to South Broadway through Tarryhill fence on the westernmost part of the tennis courts.

OS4. Mr. Aukland raised some questions about the trail system which together with responses can be found on Page 44, Line 15 Public Hearing March 26, 2012.

Applicants Response: See OS1 for approximate diagram of the trail system

OS5. How will cars get to the parking lot on Taxter Ridge Road to get to the park? (Anonymous letter April 4, 2012, Appendix C)

Applicants Response: Cars will drive to the parking lot on Taxter Ridge Road at which time they can park their car and enter the park.

OS6. Question and answer found in the transcript (Page 17, Line 14 Public Hearing March 26, 2012)

MR. GOLD; Yeah, I think it would be good in Tarrytown and its support to hopefully say, maybe not as one of the conditions, but you're supportive of Greenburgh registering this as park land with New York State to preserve it forever as open space. So expressing your support, I think it would be a good thing to do because I don't think you can do anything else legally. I believe it would be up to Greenburgh. (Gold, Page 17, Line 14 Public Hearing March 26, 2012)

CHAIRMAN FRIEDLANDER: Would you be available to look that up in terms of what we can do to make sure that happens?

MR. SHUMEJDA: Yes.

MR. GOLD: -- because Taxter Ridge is jointly owned by three entities.

CHAIRMAN FRIEDLANDER: Right, I understand.

MR. GOLD: So -- but we want that designated as park land with New York State to preserve it as open space in perpetuity. Anything

MR. SHUMEJDA: That requires action by the town board of Town of Greenburgh to pass a resolution adding it to their parks and their designation, and then sending it to the Secretary of State for filing.

CHAIRMAN FRIEDLANDER: I'd like to figure out a mechanism for which we can influence that to happen.

MR. SHUMEJDA: Okay.

***Applicants Response:** Applicant supports its 21.7 acre donation being registered as parkland and remaining as open space in perpetuity.*

Wetlands (W) Comments Include Those Regarding Wetlands
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W1. Questions answered in the transcript (Viertel, Aukland, Page 33 Line 5 Public Hearing March 26, 2012)

MS. VIERTEL: It was said that wetlands don't exist; am I incorrect on this? They do exist in the unincorporated Greenburgh portion.

MR. AUKLAND: Greenburgh.

MS. VIERTEL: Not in the Tarrytown?

MR. AUKLAND: Not in Tarrytown.

MS. VIERTEL: Because there are row [ph.] ponds and, you know, the rock outcroppings and all -- which you, I know, know. But I do want to make sure that we know that there are wetlands in the unincorporated Greenburgh section. (Viertel, Aukland, Page 33 Line 5)

Applicants Additional Response: Please refer to Wetlands section of the DEIS for classification and descriptions of the Greenburgh site wetlands

W2. What types of buffer areas are proposed to avoid disturbance to Wetlands? (Anonymous letter April 4, 2012, Appendix C)

Applicants Response: Please see page 58 of the DEIS for answer to this question.

School District (SD) Comments include those regarding the School District

SD1. The DEIS uses comparable developments to arrive at a public school generation rate of 0.855. We recommend that the FEIS include the Rutgers multipliers for school children in the analysis. The Rutgers public school generation rate for 5-bedroom homes is 1.03 students per home. We recommend that the FEIS include a range (17-21 students). (BFS, Mr Fish Letter April 4, 2012, Appendix C)

***Applicant Response:** The Applicant used actual numbers from The Legends Development which is the most comparable development it could find. Applicant was told by the Irvington School District those houses generate an average of 0.85 students per household in the Irvington School District. This is not a generic multiplier but an actual number. If you use the Rutgers multiplier of 1.03 public school children per household the number of public school children generated would be slightly higher and add 4 additional public school students to the School District giving a range of 17-21. A big difference most likely not factored in is a lot of Greystone families will send their children to Hackley or another private school so even though they have school age children they may not be attending the Irvington School District. The number of students in the Irvington School District is projected by its own consultants to shrink in the coming years and there is no negative impact from Greystone.*

SD2. The Public Hearing transcript on page 33, line 17 on March 26, 2012 contains a question by Ms. Viertel about the number of school children to be generated and the response by Applicant (Mr. Todd)

***Applicant Response:** See SD1 for answer to this question*

SD3. Of the 20 homes they expect only 17 students to use the schools. If they project a total of 85 persons that leaves 68 adults or mixture of children and adults that will not use the schools. It is understandable that they use statistics to derive these results. However, why are they telling the community separately that no one will use the schools because these are wealthy people and they will send their children to private schools? (Anonymous letter, April 4, 2012, Appendix C)

***Applicants Response:** Please see SD1 for answers to this question*

Traffic and Emergency Access (T) Comments

T1. We recommend that the roadway through the Greystone property be connected for emergency access to the adjacent subdivision via the existing cul-de-sac at the end of Roundabend Road. The purpose of this connection would be to provide a secondary access point into and out of the site to address safety. The connection should be paved to allow for emergency vehicle access and plowing. If the applicant has concerns with a through connection, a break-away gate could be provided to limit access for emergencies only. (BFJ, Mr Fish Letter April 4, 2012, Appendix C)

***Applicants Response:** The Applicant agrees to only use this easement for emergency access. Applicant additionally agrees to update and pave the emergency access easement area and make its geometry usable for emergency responders and plowing.*

T2. Review of Route 9 Intersection Geometry Roadway geometry should be examined by the Village Engineer for issues such as drainage, pedestrian safety and lighting. (BFJ Mr. Fish, Letter April 4, 2012, Appendix C)

***Applicants Response:** Applicant will work with Village Engineer for issues such as drainage, pedestrian safety and lighting. The developer will apply to the NYSDOT for permission to create a southbound left-turn lane on Broadway at the site entrance and to fund the installation of this improvement, if approved by NYSDOT. Applicant will additionally construct the entrance driveway 30 foot wide, which would accommodate a 15-foot entering lane and a 15-foot exiting lane which would allow flexibility when constructed and in the future, if necessary..*

T3. There is a road that goes through there, an easement and for emergency vehicles going to the water tower. And a lot of the residents have approached me regarding that easement, that once everything is built – and it seems to me that it might be easier for autos or workers or delivery trucks to use the Tarryhill Road up through Round A Bend to get into the Greenburgh side, or homes that are close by. We want to make sure that -- we want to make sure that the -- that is a closed road and is not utilized by people. I know it's got to be policed and this is post-construction. We want to make sure that that doesn't happen. (Zeiss Page 61 Line 20 Public Hearing March 26, 2012)

***Applicants Response:** Please see T1 for response to this question.*

T4. Who owns the emergency access road on Round A Bend Road? Who will maintain it? (Anonymous letter April 4, 2012, Appendix C)

***Applicants Response:** There is a reciprocal emergency access easement on the Roundabend Rd. Cul De Sac. This emergency access easement is on Tarryhill land and is currently owned by Tarryhill HOA. Please see T1 of the FEIS for additional answer to the question.*

T5. With respect to traffic there needs to be another study down on why there isn't a traffic light at the Tarryhill and Lyndhurst intersection. With all of the events at Lyndhurst and the introduction of a new road at the "peak" of a dangerous hill there may be an increase in accidents. Additionally, the Tarrytown Police department utilizes the existing road to manage traffic congestion coming out of Lyndhurst. The Tarryhill residents are significantly impacted in trying to get to Tarryhill road when there is a Lyndhurst event and this new road will just complicate matters. (Anonymous letter April 4, 2012, Appendix C)

***Applicants Response:** Noted*

T6. South Broadway (US Route 9) is a State highway. The Village should forward a copy of the application to NYS DOT to identify any required permits for the proposed development and to evaluate potential traffic impacts. (Westchester County Planning Board, Edward Burroughs letter April 10, 2012, Appendix C)

***Applicants Response:** Noted*

P1. Floor Area Ratio (FAR)

As shown in the table on page 19 of the DEIS, the proposed residences will range in size from 5,000 to 10,000 square feet excluding basement, attic and garage space. It should be noted that the maximum gross floor area allowed in the R-60 zone in which the project site is located is 8,700 square feet. While Section 305-131 of the code allows waivers of lot and bulk regulations by the Planning Board, such a waiver is a discretionary action. (BFJ, Mr. Fish letter, April 4, 2012, Appendix C)

Applicants Response:

Waiver of lot and bulk regulations should be granted to the Applicant by the Planning Board for the following reasons:

- 1) The Applicant has effectively upzoned the property to an R-100 Zoning equivalent from an R-60*
- 2) Applicant is donating large open space parcels in perpetuity*
- 3) Applicants lots are in a neighborhood sharing road access with two existing homes of at least 21,000 square feet*
- 4) The size of Greystone lots are significantly in excess of zoning requirements.*
- 5) As required under the Village of Tarrytown's cluster subdivision provisions, the applicant prepared a conventional subdivision plan for the project site, which showed 14 lots in the Village of Tarrytown and 33 lots in the Town of Greenburgh. Based on feedback from the Village and the Applicant's vision for development of the property, the proposed plan is a cluster subdivision with substantially fewer lots (8 in Tarrytown and 12 in Greenburgh) and includes the donation of 21.7 acres of open space to be dedicated to the Town of Greenburgh with a conservation easement to the Village of Tarrytown in perpetuity. In addition, the project includes the donation of another open space parcel in Tarrytown to reconnect the Old Croton Aqueduct, which currently dead ends at the Applicant's property when leaving Lyndhurst.*

The Applicant requests lot and bulk requirements for lots 1 to 8, including maximum Floor Area or Floor Area Ratio, be governed under Village Code § 305-25.B and Table 2 of the existing Zoning Ordinance.

Among the purposes of the Village floor area ratios outlined in Section 305-25 are:

- A. "... general uniformity in the scale of houses located on similarly sized lots in neighborhoods throughout the community."*

B "...requiring houses to appear to be of the same or similar scale to others in the neighborhood." "...to have a consistent scale with the nearby residences on both sides of the street"

See applicant's response below as to why it qualifies as a cluster subdivision under 305-131 of the Village code, under which the Planning Board may modify lot and bulk regulations including floor area ratios:

§ 305-131.C.2. (d) - "The Planning Board may modify all lot and bulk regulations, including lot width, frontage, setbacks, yards, floor area ratios and building height, if it makes findings that three of the criteria for such modifications, hereinafter set forth, have been met....."

305-131 C. 2. (b) A minimum of 33% of buildable land, which shall exclude land area defined by the Village of Tarrytown as wetlands, steep slopes of 25% or greater and hilltops, as set forth in § 305-67 of the Zoning Ordinance, shall be set aside as open space.

***Applicants Response:** The Applicant will donate two parcels of open space as part of this project. Title to the Old Aqueduct adjacent parcel will be donated to the Village of Tarrytown. The 21.7 acre open space parcel in Greenburgh will be dedicated as open space to the Town of Greenburgh with a conservation easement provided to the Village of Tarrytown in perpetuity.*

§ 305-131.C.2. (e) - Criteria for permitting modifications to lot and bulk regulations:

§ 305-131.C.2. (e) [1] - The amount of open space provided is in excess of the minimum standard of 33%, including both buildable and nonbuildable lots;

***Applicants Response:** As discussed above Applicant shall set aside the two donated parcels as open space. Title to the Old Croton Aqueduct adjacent parcel shall be donated to Tarrytown. For the 21.7 acre open space parcel, Applicant will deed the parcel to Greenburgh and shall grant a conservation easement to the Tarrytown which shall provide that the created open space will have a similar use as the existing Taxter Ridge Park.*

§ 305-131.C.2. (e) [2] - The location of proposed open space enhanced by its relation to neighborhood preservation issues as identified by the Planning Board;

***Applicants Response:** This requirement is met by the Applicant's donations mentioned above which enhances the preservation of both Taxter Ridge Park and the Old Croton Aqueduct.*

§ 305-131.C.2. (e) [3] - Environmentally valuable, sensitive lands and other resources are protected;

***Applicants Response:** Applicant is protecting environmentally sensitive lands with its donation to Taxter Ridge Park in addition to other resources being protected including the preservation and restoration of the original tree lined road that lead to the Greystone mansion and the historic wall along South Broadway. All of the sites wetlands are to be protected.*

§ 305-131.C.2. (e) [4] - The open space is enhanced;

***Applicants Response:** Applicants donated open space is enhanced by creating a trail thru the donated area that with a connection thru Jardim Estates East connects the existing Taxter Ridge Park to the Old Croton Aqueduct trail via Sheldon Avenue. Additionally, Applicant is additionally building a parking lot off Taxter Road as currently Taxter Ridge Park has no parking lots.*

§ 305-131.C.2. (e) [5] - Linkages to other open space areas are provided;

***Applicants Response:** As noted above, the Applicants donation of open space is enhanced by creating a trail thru the donated area that with a connection thru Jardim Estates East connects the existing Taxter Ridge Park to The Old Croton Aqueduct via Sheldon Avenue as well as the provision of donated land to provide an entrance to the Old Croton Aqueduct.*

§ 305-131.C.2. (e) [6] - Viewsheds are protected;

***Applicants Response:** All viewsheds are protected. Please see Viewshed Report by Historical Perspectives (Appendix B)*

§ 305-131.C.2. (e) [7] - Recreational assets are provided;

***Applicants Response:** Applicants donation of the historic gateway to the Old Croton Aqueduct provides access to a historic recreational linear walking trail. Large lot sizes will permit homeowners to develop on site recreation which will mitigate impacts on public resources.*

§ 305-131.C.2. (e) [8] - Environmental features, including specimen trees, steep slopes, wetlands, hilltops and other features, are protected;

***Applicants Response:** Applicant is protecting countless specimen trees by restoring the historic tree lined road that lead to the historic Greystone mansion in addition to the preservation of many other specimen trees. All site wetlands are to be retained and protected.*

§ 305-131.C.2. (e) [9] - Historic and/or cultural resources are protected.

Applicants Response: Applicant is protecting historic and cultural resources by restoring the historic tree lined road that lead to the original Greystone mansion in addition to historic Greystone retaining wall along South Broadway. Applicant will additionally be restoring original Greystone Carriage gate and putting it front and center in a park at its community entrance.

As demonstrated above the Applicant qualifies under § 305-131.C.2. (d) for the Planning Board to modify its lot and bulk regulations, including Floor Area Ratios and building height. Under the Village Code Applicant only had to meet 3 of the above requirements under this section but Applicant has far exceeded that and met all 9 requirements under § 305-131.C.2. As a result Applicant requests lot and bulk requirements for lots 1 to 8, including maximum Floor Area or Floor Area Ratio, be governed under § 305-25.B and Table 2 of the existing Zoning Ordinance

P2. Building Height

Section IIB of the DEIS, which discusses zoning, states that the proposed action “meets and exceeds all zoning regulations.” However, it is our understanding that the height of the proposed residences will exceed the Village’s maximum allowed building height of 30 feet. We note that Section 305-48 of the code gives the Planning Board authority to permit increased building height, at its discretion, in order to achieve conformity, equality, compatibility, and proper visual scale with adjacent buildings or within 300 feet of a historic district. (BFJ, Mr Fish letter, April 4, 2012, Appendix C)

The following is the Applicants response to why it qualifies under Village Code 305-48 for Planning Board consideration for adjusting building proportions. Section 305-48 states:

“...In an effort to achieve conformity, equality, compatibility and proper visual scale with adjacent buildings in or within 300 feet of an historic district so designated by the Village, the Planning Board, in the course of site plan review, shall have the authority, upon consultation with the Village Architectural Review Board (ARB), to require or permit increased building heights...”

Applicants Response: The DEIS discusses in detail the history of the site and the Applicant’s intent to develop a plan which in all its aspects seeks to respect that history and to restore to the area large and luxurious homes consistent with that history. The larger lot sizes provide the ability to develop architectural designs, particularly in elevation and rooftop design, of homes consistent in scale with the historic homes that

characterized the original Greystone mansion and the major homes in the area today (Coppola residence, Nigerian Embassy, Lyndhurst....).

Applicant believes it qualifies for additional proportional height since the site is within 300 feet of the historic district that the original Greystone Castle helped to create. The smallest proposed Greystone lot in the Village of Tarrytown is 101,751 square feet. Therefore, the Applicant has effectively upzoned the property to an R-100 Zoning equivalent.

Greystone Lot Sizes		
Lot 1	146,801	sf
Lot 2	106,912	sf
Lot 3	101,751	sf
Lot 4	118,912	sf
Lot 5	123,379	sf
Lot 6	102,230	sf
Lot 7	102,885	sf
Lot 8	114,246	sf
Average Lot	114,640	sf
Smallest Lot	101,751	sf
Largest Lot	146,801	sf

Because Greystone is bordered by historical mansions including Lyndhurst and two others having great scale exceeding 21,000 square feet ("Craig Anel" Nigerian Consulate, "Father Divine" Coppola residence) that are in the same neighborhood, sharing access to the same private street, and Greystone lots are a minimum of 101,751 and the equivalent zone R-100 does not currently exist in the Village Code, Applicant requests that the Planning Board look to the portions of the existing Village Code which would provide guidance toward proportionate scale under these circumstances.

Among the objectives of the Village Zoning Ordinances outlined in Section 305-3 are:

- *"...considering the suitability of each area for such uses as indicated by existing conditions, trends and development and changing modes in living..."*

***Applicants Response:** The DEIS establishes that the area is suitable for the homes which are proposed*

- *"To promote the preservation, maintenance and enhancement of the*

existing historic character of the Village and to encourage the development of uses which would add to or be in harmony with this character through such facilities as building and structure design..."

Applicants Response: *The previous discussion establishes that the building heights contemplated for structures of the type shown in Appendix B are consistent with the objectives of preservation, maintenance, and enhancement of the historic character of the Village.*

- "...to provide an overall impression to the observer that man-made structures are in scale with their natural surroundings."

Applicants Response: *The report prepared by Historical Resources (Appendix D) establishes that the project proposals are consistent with this objective.*

Because there are no adverse impacts to neighbors of Greystone's viewshed (see Historical Perspectives Viewshed Report Appendix D) there is no impact by Applicants proposal of building proportionately higher. However, if there were no flexibility to build proportionately higher applicant would have to build a significantly larger footprint which would create significantly more impact in terms of increased impervious surface, tree removal and grading.

- 1) *Because Greystone lot sizes are significantly in excess of zoning requirements with minimum lot size over 101,000 sf.*
- 2) *Because Greystone is within 300 feet of a historic district so designated by the Village.*
- 3) *Because no neighbors of Greystone have their view of the Hudson river blocked*
- 4) *Because if applicant didn't have the flexibility of building up it would be forced to build out to get the square footage which would create significantly more disturbance with a bigger footprint*
- 5) *Because Greystone is in a neighborhood sharing road access with two existing homes of at least 21,000 square feet.*

The applicant requests that maximum building height be governed by § 305-48 of the existing Zoning Ordinance giving enough proportional height to build houses similar to the house pictured in Appendix B.

P3. I just want to make sure you understand, Andy, you know, even though you have, like, two-acre lots, your maximum you can build on is the 60,000 square feet, whatever the zone is now for our 60; correct? You're in our 60? So the maximum you can build

on a maximum size house is, like, 8700 square foot. (Mr. McGarvey, Page 81 line 23, March 1 26 2012)

Applicants Response: Please see P1 for answers to this question

Wildlife (WL)

WL1. Impacts to wildlife and botanic gardens are mitigated by donating land? How is that possible when there will be behemoth homes and landscaping that will likely be maintained with chemicals? (Anonymous letter, April 4, 2012 Appendix C)

***Applicants Response:** Please see page 43 of the DEIS for answer to this question.*

WL2. What will be done regarding the dozen or so coyotes that are part of this habitat? (Anonymous letter April 4, 2012, Appendix C)

***Applicants Response:** If coyotes live on the development parcels they will travel to the abutting donated 21.7 acre open space parcel or to the approximately 200 acre abutting TaxterRidge Park.*

WL3. There is no mention of the woodpecker or owl population in this area. Should this be looked into since the developer has already been removing trees and those trees that lay on the ground that are so important to the woodpecker population. (Anonymous letter April 4, 2012, Appendix C)

***Applicants Response:** A detailed wildlife study was conducted on the property over many months. Woodpeckers and owls are not on any endangered species lists and have the ability to fly to another tree if needed.*
