A. DEIS COMMENT LETTER LIST

B. DEIS COMMENT LOG

C. DEIS COMMENT LETTERS AND PUBLIC MEETING/PUBLIC HEARING TRANSCRIPTS
- DEIS Comment Letters Nos. 1 through 73
- Public Meeting Transcript, Board of Trustees, February 8, 2005
- Public Meeting Transcript, Board of Trustees, February 15, 2005
- Public Hearing Transcript, Board of Trustees, February 19, 2005
- Public Hearing Transcript, Board of Trustees, February 22, 2005

III. DEIS COMMENTS
III.A. · Comment Letter List

DEIS COMMENT LETTER LIST

LETTER NO.	AUTHOR	DATE OF LETTER
1	Form Letter/Email from: • Christine D. Pepe, no address given • Email - Roberta Straus, 26 Palmer Ave., Sleepy Hollow, NY 10591 • Elizabeth Page Locke, 29 Dixon St., Tarrytown, NY 10591 • Jeffrey J. Locke, 29 Dixon St., Tarrytown, NY 10591	 1/20/05 1/27/05 1/28/05 1/28/05
2	Elizabeth Basescu, no address given	2/1/05
3	Cynthia M. Sandler, 139 Palmer Ave., Sleepy Hollow, NY 10591	2/3/05
4	Sleepy Hollow Families for a Legendary Waterfront, Philipse Manor and Sleepy Hollow Manor, Sleepy Hollow, NY 10591 (unsigned)	2/3/05
5	Form Letter from: • Patricia C. & Ted Sohn, 103 Farrington Ave., Sleepy Hollow, NY 10591 • Susan Untman & William Lane, 107 Farrington Ave., Sleepy Hollow, NY 10591 • Elizabeth M. & R. W. Laite, 111 Farrington Ave., Sleepy Hollow, NY 10591 • Julie P. Clayton, 114 Farrington Ave., Sleepy Hollow, NY 10591 • James & Patricia Donlevy, 120 Farrington Ave., Sleepy Hollow, NY 10591 • Tim & Alandra Murphy, 131 Farrington Ave., Sleepy Hollow, NY 10591 • Rose Mary & Paul Frycek, 146 Farrington Ave., Sleepy Hollow, NY 10591 • John Whysner, 166 Farrington Ave., Sleepy Hollow, NY 10591 • Dr. & Mrs. William Weber, 215 Farrington Ave., Sleepy Hollow, NY 10591 • Stephanie & James Fuller, 548 Munroe Ave., Sleepy Hollow, NY 10591 • Hal Muchnick, 169 Farrington Ave., Sleepy Hollow, NY 10591	 2/3/05 2/3/05 2/3/05 2/3/05 2/3/05 2/3/05 2/3/05 2/3/05 2/3/05 2/3/05 2/3/05
6	Sherry A. Bishko, Esq., 537 Bellwood Ave., Sleepy Hollow, NY 10591	2/5/05
7	Kalen Holliday, 457 Bellwood Ave., Sleepy Hollow, NY 10591	Rec'd 2/7/05
8	Form Letter: • Glenn & Susan Higgins, 4 Harwood Ave., Sleepy Hollow, NY 10591 • Russell & Hope McAdam, 7 Farrington Ave., Sleepy Hollow, NY 10591 • David & Rebecca Schroedel, 475 Monroe Ave., Sleepy Hollow, NY 10591	 Rec'd 2/7/05 Rec'd 2/7/05 Rec'd 2/8/05
9	Christina Salerni, 21 Merlin Ave., Sleepy Hollow, NY 10591	Rec'd 2/10/05
10	John Canning, P.E., P.T.O.E, Adler Consulting & Steven P. Scalici, P.E., STV Incorporated, 225 Park Ave. South, New York, NY 10003	1/7/05
11	Beth Hildick Smith, 114 Harwood Ave., Sleepy Hollow, NY 10591	2/1/05
12	Michael J. Sakala, P.E., Asst. Commissioner, Bureau of Environmental Quality, Westchester County Dept. of Health, 145 Huguenot St., 8th Floor, New Rochelle, NY 10801	2/9/05
13	Number not utilized	
14	Jordan Bernstein & Michelle Crepeau, 215 Palmer Ave., Sleepy Hollow, NY 10591	Rec'd 2/11/05
15	Klaus Schmidt, 549 Munroe Ave., Sleepy Hollow, NY 10591	1/20/05
16	Diane P. Tuohy, 11 Storm St., Tarrytown, NY 10591	2/10/05

DEIS COMMENT LETTER LIST

LETTER NO.	AUTHOR	DATE OF LETTER
17	Form Letter: Diane Maass, 27 Pokahoe Dr., Sleepy Hollow, NY 10591 Yvette Rogers, 6294 Mill St., Apt. B, Rhinebeck, NY 12572 Paul Meck, 240 Lake St., Pleasantville, NY 10570 Amy Kaufman, 163 Palmer Ave., Sleepy Hollow, NY 10591 J. Capozzelli, 315 West 90th St., New York, NY 10024 Andrea Kott, 30 Hudson Terrace, Sleepy Hollow, NY 10591 Michael A. Cornman, 11 Willow St., Irvington, NY 10533 Helaine Meisler, PO Box 614, 39 Handy's Walk, Shady, NY 12409 Patricia L. Mulvey, no address given James Kovach, 432 3rd St. NE, Apt. 3, Charlottesville, VA 22902 Elizabeth Hegeman, 2340 County Road 7, Copake, NY 12516 Michael Stocker, 100 Riverside 10C, New York, NY 10024-4822	 2/17/05 2/22/05 2/23/05 2/25/05 2/28/05 3/1/05 3/1/05 2/22/05 Rec'd 3/4/05 3/6/05 3/23/05 3/23/05
18	Maria Canales, PO Box 124, Tarrytown, NY 10591	Rec'd 2/22/05
19	Randall J. Fleisher, Metro-North Railroad, 347 Madison Ave., New York, NY 10017-3739	2/22/05
20	Comments by Michael Tedaldi, no address given	No date given
21	Theodore S. Jako, 22 Continental St., Sleepy Hollow, NY 10591	2/22/05
22	Richard A. Plano, PMIA President, Philipse Manor Improvement Association, 215 Harwood Ave., Sleepy Hollow, NY 10591	2/22/05
23	Alfred Strasser, 17 Pokahoe Dr., Sleepy Hollow, NY 10591	2/28/05
24	John A. Lynch, 10 Crest Dr., Tarrytown, NY 10591	3/2/05
25	John A. Lynch, 10 Crest Dr., Tarrytown, NY 10591	3/2/05
26	John A. Lynch, 10 Crest Dr., Tarrytown, NY 10591	3/2/05
27	Hugh D. Jones, 253 Hunter Ave., Sleepy Hollow, NY 10591 & officer of Philipse Manor Improvement Association	3/3/05
28	Michael D. Povman, 56 Fremont Rd., Sleepy Hollow, NY 10591	3/1/05
29	Helen Marie Ringeisen, 43 Prospect Ave., Tarrytown, NY 10591	3/3/05
30	Klaus F. Schmidt, 549 Munroe Ave., Sleepy Hollow, NY 10591	3/4/05
31	Number not utilized	
32	Christopher Skelly, 130 New Broadway, Sleepy Hollow, NY 10591	3/9/05
33	Carolyn Cunningham, Officer and Member of Board of Directors of Federated Conservationists of Westchester County, 78 North Broadway, E House, White Plains, NY 10603	3/10/05
34	Lynne Shafer, 124 Hunter Ave., Sleepy Hollow, NY 10591	3/13/05
35	Jean E. Schatz, 150 Highland Ave., Sleepy Hollow, NY 10591	3/13/05
36	Anne Ocone, 66 New Broadway, Sleepy Hollow, NY 10591	3/9/05
37	Paul Gallay, Exec. Director, Westchester Land Trust, 11 Babbitt Road, Bedford Hills, NY 10507	3/17/05
38	John Norwood (?), 66 New Broadway, Sleepy Hollow, NY 10591	3/16/05
39	Beth Gormory-Hanson, 68 Leroy Ave., Tarrytown, NY 10591	3/14/05

DEIS COMMENT LETTER LIST

LETTER NO.	AUTHOR	DATE OF LETTER
40	Lynne Ward w/attachment, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	Rec'd 3/28/05
41	Lynne Ward w/attachment, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	Rec'd 3/28/05
42	Carl Monheit w/attachment, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	Rec'd 3/28/05
43	Village of Sleepy Hollow Mayor and Board of Trustees, 28 Beekman Ave., Sleepy Hollow, NY 10591	3/29/05
44	Randall J. Fleischer, Metro-North Railroad, 347 Madison Ave., New York, NY 10017-3739	3/30/05
45	Danielle Fontaine, 119 Gordon Ave., 2nd Floor, Sleepy Hollow, NY 10591	3/31/05
46	Martin Ginsburg, Ginsburg Development, LLC, 245 Saw Mill River Rd., Hawthorne, NY 10532	3/31/05
47	Steven P. Scalici & Douglas Swann, STV Inc., no address given	3/31/05
48	Final Comments, Real Estate Solutions Group, LLC	3/28/05
49	Michael B. Gerrard, Arnold & Porter, LLP, 399 Park Ave., New York, NY 10022-4690	4/1/05
50	Village of Sleepy Hollow Planning Board, 28 Beekman Ave., Sleepy Hollow, NY 10591	4/4/05
51	Village of Sleepy Hollow Waterfront Advisory Committee, 28 Beekman Ave., Sleepy Hollow, NY 10591	Rec'd 4/4/05
52	Andrew W. Herrmann, P.E., Hardesty & Hanover, LLP, 1501 Broadway, New York, NY 10016	4/4/05
53	Lucy R. Waletzky, MD, 1301 Bedford Rd., Pleasantville, NY 10570	3/30/05
54	Ed Burke, President, Philipse Manor Beach Club, no address given	4/1/05
55	Dwight H. Douglas, Administrator, Village of Sleepy Hollow, 28 Beekman Avenue, Sleepy Hollow, NY 10591	4/1/05
56	Scenic Hudson, Inc., One Civic Center Plaza, Suite 200, Poughkeepsie, NY	4/4/05
57	Frank Fish, Buckhurst Fish & Jacquemart, Inc. 115 Fifth Ave., New York, NY 10003	4/1/05
58	Georges Jacquemart, PE, AICP, Buckhurst Fish & Jacquemart, Inc. 115 Fifth Ave., New York, NY 10003	4/1/05
59	Joe McCarthy, Chief, Tarrytown Fire Dept., P.O. Box 158, Tarrytown, NY 10591	4/4/05
60	Drew Fixell, Mayor, Village of Tarrytown, 21 Wildey St., Tarrytown, NY 10591	4/4/05
61	John Canning, PE, PTOE, Adler Consulting, 235 Main Street, White Plains, NY 10601-2401	4/4/05
62	David B. Smith, AICP/Owen Wells, AICP, Saccardi & Schiff, Inc., 445 Hamilton Ave., Suite 404, White Plains, NY 10601	4/1/05

DEIS COMMENT LETTER LIST

LETTER NO.	AUTHOR	DATE OF LETTER

63	Victor M. Tafur, Riverkeeper, P.O. Box 130, Garrison, NY 10524-0130	4/4/05
64	Bonnie Devine, State of New York Department of State, 41 State St., Albany, NY 12231-0001	4/5/05
65	Edward Buroughs, AICP, Deputy Commissioner, Westchester County Planning Board, 432 Michaelian Office Bldg., 148 Martine Ave., White Plains, NY 10601	4/4/05
66	Timothy K. Judge, 250 Highland Ave., Sleepy Hollow, NY 10591	4/3/05
67	Leonard D. Andrew, Member, Board of Directors, Sleepy Hollow Cemetery, 540 North Broadway, Sleepy Hollow, NY 10591	4/4/05
68	John A. Lynch, 10 Crest Drive, Tarrytown, NY 10591	4/4/05
69	Dolph Rotfeld, PE, Dolph Rotfeld Engineering, PC, no address given	4/4/05
70	DMJM-Harris, no address given	Rec'd 4/5/05
71	Jerome Fine, 25 Highland Ave., Tarrytown, NY 10591	4/3/05
72	John Hough, 1102 Bedford Rd., Pleasantville, NY 10570	3/11/05
73	Barbara Rinaldi, NYSDEC, 21 South Putt Corners Rd., New Paltz, NY 12561	4/4/05
PM1	Public Meeting Transcript	2/8/05
PM2	Public Meeting Transcript	2/15/05
PH1	Public Hearing Transcript	2/19/05
PH2	Public Hearing Transcript	2/22/05

LIGHTHOUSE LANDING
VILLAGE OF SLEEPY HOLLOW, NEW YORK

DEIS COMMENT LOG

Letter No.	Author	Comment No.	Topic	FEIS Section
1	Christine D. Pepe, no address given; Roberta Straus, 26 Palmer Ave., Sleepy Hollow, NY 10591; Elizabeth Page Locke, 29 Dixon St., Tarrytown, NY 10591; Jeffrey L. Locke, 29 Dixon St., Tarrytown, NY 10591	101	Description of Proposed Action	II.II
1	Christine D. Pepe, no address given; Roberta Straus, 26 Palmer Ave., Sleepy Hollow, NY 10591; Elizabeth Page Locke, 29 Dixon St., Tarrytown, NY 10591; Jeffrey L. Locke, 29 Dixon St., Tarrytown, NY 10591	102	Description of Proposed Action	II.II
1	Christine D. Pepe, no address given; Roberta Straus, 26 Palmer Ave., Sleepy Hollow, NY 10591; Elizabeth Page Locke, 29 Dixon St., Tarrytown, NY 10591; Jeffrey L. Locke, 29 Dixon St., Tarrytown, NY 10591	103	Open Space, Pedestrian Circulation and Visual Resources	II.F
2	Elizabeth Basescu, no address given	201	Description of Proposed Action	II.II
3	Cynthia M. Sandler, 139 Palmer Ave., Sleepy Hollow, NY 10591	301	Traffic & Parking	II.I
3	Cynthia M. Sandler, 139 Palmer Ave., Sleepy Hollow, NY 10591	302	Land, Water and Ecological Resources	II.B
3	Cynthia M. Sandler, 139 Palmer Ave., Sleepy Hollow, NY 10591	303	Traffic & Parking	II.I
3	Cynthia M. Sandler, 139 Palmer Ave., Sleepy Hollow, NY 10591	304	Description of Proposed Action	II.II
4	Sleepy Hollow Families for a Legendary Waterfront, Philipse Manor and Sleepy Hollow Manor, Sleepy Hollow, NY 10591	401	Description of Proposed Action	II.II
4	Sleepy Hollow Families for a Legendary Waterfront, Philipse Manor and Sleepy Hollow Manor, Sleepy Hollow, NY 10591	402	Description of Proposed Action	II.II
4	Sleepy Hollow Families for a Legendary Waterfront, Philipse Manor and Sleepy Hollow Manor, Sleepy Hollow, NY 10591	403	Description of Proposed Action	II.II
4	Sleepy Hollow Families for a Legendary Waterfront, Philipse Manor and Sleepy Hollow Manor, Sleepy Hollow, NY 10591	404	Description of Proposed Action	II.II
4	Sleepy Hollow Families for a Legendary Waterfront, Philipse Manor and Sleepy Hollow Manor, Sleepy Hollow, NY 10591	405	Traffic & Parking	II.I
4	Sleepy Hollow Families for a Legendary Waterfront, Philipse Manor and Sleepy Hollow Manor, Sleepy Hollow, NY 10591	406	Air Quality	II.J
4	Sleepy Hollow Families for a Legendary Waterfront, Philipse Manor and Sleepy Hollow Manor, Sleepy Hollow, NY 10591	407	Socioeconomic Conditions	II.C
5	Patricia C. & Ted Sohn, 103 Farrington Ave., Sleepy Hollow, NY 10591; Susan Untman & William Lane, 107 Farrington Ave., Sleepy Hollow, NY 10591; Elizabeth M. & R. W. Laite, 111 Farrington Ave., Sleepy Hollow, NY 10591; Julie P. Clayton, 114 Farrington Ave., Sleepy Hollow, NY 10591; James & Patricia Donlevy, 120 Farrington Ave., Sleepy Hollow, NY 10591; Tim & Alandra Murphy, 131 Farrington Ave., Sleepy Hollow, NY 10591; Rose Mary & Paul Frycek, 146 Farrington Ave., Sleepy Hollow, NY 10591; John Whysner, 166 Farrington Ave., Sleepy Hollow, NY 10591; Dr. & Mrs. William Weber, 215 Farrington Ave., Sleepy Hollow, NY 10591; Stephanie & James Fuller, 548 Munroe Ave., Sleepy Hollow, NY 10591; Hal Muchnick, 169 Farrington Ave., Sleepy Hollow, NY 10591	501	Traffic & Parking	II.I

LIGHTHOUSE LANDING
VILLAGE OF SLEEPY HOLLOW, NEW YORK

DEIS COMMENT LOG

Letter No.	Author	Comment No.	Topic	FEIS Section
5	Patricia C. & Ted Sohn, 103 Farrington Ave., Sleepy Hollow, NY 10591; Susan Untman & William Lane, 107 Farrington Ave., Sleepy Hollow, NY 10591; Elizabeth M. & R. W. Laite, 111 Farrington Ave., Sleepy Hollow, NY 10591; Julie P. Clayton, 114 Farrington Ave., Sleepy Hollow, NY 10591; James & Patricia Donlevy, 120 Farrington Ave., Sleepy Hollow, NY 10591; Tim & Alandra Murphy, 131 Farrington Ave., Sleepy Hollow, NY 10591; Rose Mary & Paul Frycek, 146 Farrington Ave., Sleepy Hollow, NY 10591; John Whysner, 166 Farrington Ave., Sleepy Hollow, NY 10591; Dr. & Mrs. William Weber, 215 Farrington Ave., Sleepy Hollow, NY 10591; Stephanie & James Fuller, 548 Munroe Ave., Sleepy Hollow, NY 10591; Hal Muchnick, 169 Farrington Ave., Sleepy Hollow, NY 10591	502	Air Quality	II.J
5	Patricia C. & Ted Sohn, 103 Farrington Ave., Sleepy Hollow, NY 10591; Susan Untman & William Lane, 107 Farrington Ave., Sleepy Hollow, NY 10591; Elizabeth M. & R. W. Laite, 111 Farrington Ave., Sleepy Hollow, NY 10591; Julie P. Clayton, 114 Farrington Ave., Sleepy Hollow, NY 10591; James & Patricia Donlevy, 120 Farrington Ave., Sleepy Hollow, NY 10591; Tim & Alandra Murphy, 131 Farrington Ave., Sleepy Hollow, NY 10591; Rose Mary & Paul Frycek, 146 Farrington Ave., Sleepy Hollow, NY 10591; John Whysner, 166 Farrington Ave., Sleepy Hollow, NY 10591; Dr. & Mrs. William Weber, 215 Farrington Ave., Sleepy Hollow, NY 10591; Stephanie & James Fuller, 548 Munroe Ave., Sleepy Hollow, NY 10591; Hal Muchnick, 169 Farrington Ave., Sleepy Hollow, NY 10591	503	Land, Water and Ecological Resources	II.B
5	Patricia C. & Ted Sohn, 103 Farrington Ave., Sleepy Hollow, NY 10591; Susan Untman & William Lane, 107 Farrington Ave., Sleepy Hollow, NY 10591; Elizabeth M. & R. W. Laite, 111 Farrington Ave., Sleepy Hollow, NY 10591; Julie P. Clayton, 114 Farrington Ave., Sleepy Hollow, NY 10591; James & Patricia Donlevy, 120 Farrington Ave., Sleepy Hollow, NY 10591; Tim & Alandra Murphy, 131 Farrington Ave., Sleepy Hollow, NY 10591; Rose Mary & Paul Frycek, 146 Farrington Ave., Sleepy Hollow, NY 10591; John Whysner, 166 Farrington Ave., Sleepy Hollow, NY 10591; Dr. & Mrs. William Weber, 215 Farrington Ave., Sleepy Hollow, NY 10591; Stephanie & James Fuller, 548 Munroe Ave., Sleepy Hollow, NY 10591; Hal Muchnick, 169 Farrington Ave., Sleepy Hollow, NY 10591	504	Socioeconomic Conditions	II.C
5	Patricia C. & Ted Sohn, 103 Farrington Ave., Sleepy Hollow, NY 10591; Susan Untman & William Lane, 107 Farrington Ave., Sleepy Hollow, NY 10591; Elizabeth M. & R. W. Laite, 111 Farrington Ave., Sleepy Hollow, NY 10591; Julie P. Clayton, 114 Farrington Ave., Sleepy Hollow, NY 10591; James & Patricia Donlevy, 120 Farrington Ave., Sleepy Hollow, NY 10591; Tim & Alandra Murphy, 131 Farrington Ave., Sleepy Hollow, NY 10591; Rose Mary & Paul Frycek, 146 Farrington Ave., Sleepy Hollow, NY 10591; John Whysner, 166 Farrington Ave., Sleepy Hollow, NY 10591; Dr. & Mrs. William Weber, 215 Farrington Ave., Sleepy Hollow, NY 10591; Stephanie & James Fuller, 548 Munroe Ave., Sleepy Hollow, NY 10591; Hal Muchnick, 169 Farrington Ave., Sleepy Hollow, NY 10591	505	Land, Water and Ecological Resources	II.B

DEIS COMMENT LOG

Letter No.	Author	Comment No.	Topic	FEIS Section
5	Patricia C. & Ted Sohn, 103 Farrington Ave., Sleepy Hollow, NY 10591; Susan Untman & William Lane, 107 Farrington Ave., Sleepy Hollow, NY 10591; Elizabeth M. & R. W. Laite, 111 Farrington Ave., Sleepy Hollow, NY 10591; Julie P. Clayton, 114 Farrington Ave., Sleepy Hollow, NY 10591; James & Patricia Donlevy, 120 Farrington Ave., Sleepy Hollow, NY 10591; Tim & Alandra Murphy, 131 Farrington Ave., Sleepy Hollow, NY 10591; Rose Mary & Paul Frycek, 146 Farrington Ave., Sleepy Hollow, NY 10591; John Whysner, 166 Farrington Ave., Sleepy Hollow, NY 10591; Dr. & Mrs. William Weber, 215 Farrington Ave., Sleepy Hollow, NY 10591; Stephanie & James Fuller, 548 Munroe Ave., Sleepy Hollow, NY 10591; Hal Muchnick, 169 Farrington Ave., Sleepy Hollow, NY 10591	506	Description of Proposed Action	II.II
6	Sherry A. Bishko, Esq., 537 Bellwood Ave., Sleepy Hollow, NY 10591	601	Traffic & Parking	II.I
6	Sherry A. Bishko, Esq., 537 Bellwood Ave., Sleepy Hollow, NY 10591	602	Air Quality	II.J
6	Sherry A. Bishko, Esq., 537 Bellwood Ave., Sleepy Hollow, NY 10591	603	Land, Water and Ecological Resources	II.B
6	Sherry A. Bishko, Esq., 537 Bellwood Ave., Sleepy Hollow, NY 10591	604	Socioeconomic Conditions	II.C
6	Sherry A. Bishko, Esq., 537 Bellwood Ave., Sleepy Hollow, NY 10591	605	Land, Water and Ecological Resources	II.B
6	Sherry A. Bishko, Esq., 537 Bellwood Ave., Sleepy Hollow, NY 10591	606	Traffic & Parking	II.I
7	Kalen Holliday, 457 Bellwood Ave., Sleepy Hollow, NY 10591	701	Traffic & Parking	II.I
7	Kalen Holliday, 457 Bellwood Ave., Sleepy Hollow, NY 10591	702	Land, Water and Ecological Resources	II.B
7	Kalen Holliday, 457 Bellwood Ave., Sleepy Hollow, NY 10591	702	Air Quality	II.J
7	Kalen Holliday, 457 Bellwood Ave., Sleepy Hollow, NY 10591	703	Socioeconomic Conditions	II.C
8	Glenn & Susan Higgins, 4 Harwood Ave., Sleepy Hollow, NY 10591; Russell & Hope McAdam, 7 Farrington Ave., Sleepy Hollow, NY 10591; David & Rebecca Schroedel, 475 Monroe Ave., Sleepy Hollow, NY 10591	801	Traffic & Parking	II.I
8	Glenn & Susan Higgins, 4 Harwood Ave., Sleepy Hollow, NY 10591; Russell & Hope McAdam, 7 Farrington Ave., Sleepy Hollow, NY 10591; David & Rebecca Schroedel, 475 Monroe Ave., Sleepy Hollow, NY 10591	802	Air Quality	II.J
8	Glenn & Susan Higgins, 4 Harwood Ave., Sleepy Hollow, NY 10591; Russell & Hope McAdam, 7 Farrington Ave., Sleepy Hollow, NY 10591; David & Rebecca Schroedel, 475 Monroe Ave., Sleepy Hollow, NY 10591	802	Noise	II.K
8	Glenn & Susan Higgins, 4 Harwood Ave., Sleepy Hollow, NY 10591; Russell & Hope McAdam, 7 Farrington Ave., Sleepy Hollow, NY 10591; David & Rebecca Schroedel, 475 Monroe Ave., Sleepy Hollow, NY 10591	803	Land, Water and Ecological Resources	II.B

LIGHTHOUSE LANDING
VILLAGE OF SLEEPY HOLLOW, NEW YORK

DEIS COMMENT LOG

Letter No.	Author	Comment No.	Topic	FEIS Section
8	Glenn & Susan Higgins, 4 Harwood Ave., Sleepy Hollow, NY 10591; Russell & Hope McAdam, 7 Farrington Ave., Sleepy Hollow, NY 10591; David & Rebecca Schroedel, 475 Monroe Ave., Sleepy Hollow, NY 10591	803	Socioeconomic Conditions	II.C
9	Christina Salerni, 21 Merlin Ave., Sleepy Hollow, NY 10591	901	Air Quality	II.J
9	Christina Salerni, 21 Merlin Ave., Sleepy Hollow, NY 10591	902	Land, Water and Ecological Resources	II.B
9	Christina Salerni, 21 Merlin Ave., Sleepy Hollow, NY 10591	903	Socioeconomic Conditions	II.C
9	Christina Salerni, 21 Merlin Ave., Sleepy Hollow, NY 10591	904	Traffic & Parking	II.I
10	John Canning, PE, PTOE, Adler Consulting & Steven Pl Scalici, PE, STV Incorporated, 225 Park Ave. South, New York, NY 10003	1001	Traffic & Parking	II.I
10	John Canning, PE, PTOE, Adler Consulting & Steven Pl Scalici, PE, STV Incorporated, 225 Park Ave. South, New York, NY 10003	1002	Traffic & Parking	II.I
10	John Canning, PE, PTOE, Adler Consulting & Steven Pl Scalici, PE, STV Incorporated, 225 Park Ave. South, New York, NY 10003	1003	Traffic & Parking	II.I
11	Beth Hildick Smith, 114 Harwood Ave., Sleepy Hollow, NY 10591	1101	Traffic & Parking	II.I
11	Beth Hildick Smith, 114 Harwood Ave., Sleepy Hollow, NY 10591	1102	Land, Water and Ecological Resources	II.B
11	Beth Hildick Smith, 114 Harwood Ave., Sleepy Hollow, NY 10591	1103	Traffic & Parking	II.I
12	Michael J. Sakala, PE, Asst. Commissioner, Bureau of Environmental Quality, Westchester Co. Dept. of Health, 145 Huguenot St., 8th Floor, New Rochelle, NY 10801	1201	Utilities	II.G
12	Michael J. Sakala, PE, Asst. Commissioner, Bureau of Environmental Quality, Westchester Co. Dept. of Health, 145 Huguenot St., 8th Floor, New Rochelle, NY 10801	1202	Utilities	II.G
12	Michael J. Sakala, PE, Asst. Commissioner, Bureau of Environmental Quality, Westchester Co. Dept. of Health, 145 Huguenot St., 8th Floor, New Rochelle, NY 10801	1203	Utilities	II.G
12	Michael J. Sakala, PE, Asst. Commissioner, Bureau of Environmental Quality, Westchester Co. Dept. of Health, 145 Huguenot St., 8th Floor, New Rochelle, NY 10801	1204	Utilities	II.G
12	Michael J. Sakala, PE, Asst. Commissioner, Bureau of Environmental Quality, Westchester Co. Dept. of Health, 145 Huguenot St., 8th Floor, New Rochelle, NY 10801	1205	Utilities	II.G
12	Michael J. Sakala, PE, Asst. Commissioner, Bureau of Environmental Quality, Westchester Co. Dept. of Health, 145 Huguenot St., 8th Floor, New Rochelle, NY 10801	1206	Utilities	II.G
13	Number not utilized			
14	Jordan Bernstein & Michelle Crepeau, 215 Palmer Ave., Sleepy Hollow, NY 10591	1401	Traffic & Parking	II.I
14	Jordan Bernstein & Michelle Crepeau, 215 Palmer Ave., Sleepy Hollow, NY 10591	1402	Air Quality	II.J

DEIS COMMENT LOG

Letter No.	Author	Comment No.	Topic	FEIS Section
14	Jordan Bernstein & Michelle Crepeau, 215 Palmer Ave., Sleepy Hollow, NY 10591	1402	Noise	II.K
14	Jordan Bernstein & Michelle Crepeau, 215 Palmer Ave., Sleepy Hollow, NY 10591	1403	Land, Water and Ecological Resources	II.B
14	Jordan Bernstein & Michelle Crepeau, 215 Palmer Ave., Sleepy Hollow, NY 10591	1404	Socioeconomic Conditions	II.C
15	Klaus Schmidt, 549 Munroe Ave., Sleepy Hollow, NY 10591	1501	Land, Water and Ecological Resources	II.B
16	Diane P. Tuohy, 11 Storm St., Tarrytown, NY 10591	1601	Description of Proposed Action	II.II
16	Diane P. Tuohy, 11 Storm St., Tarrytown, NY 10591	1602	Community Facilities and Services	II.D
16	Diane P. Tuohy, 11 Storm St., Tarrytown, NY 10591	1603	Traffic & Parking	II.I
16	Diane P. Tuohy, 11 Storm St., Tarrytown, NY 10591	1604	Land Use, Zoning and Public Policy	II.A
16	Diane P. Tuohy, 11 Storm St., Tarrytown, NY 10591	1605	Description of Proposed Action	II.II
17	Diane Maass, 27 Pokahoe Dr., Sleepy Hollow, NY 10591; Yvette Rogers, 6294 Mill St., Apt. B, Rhinebeck, NY 10591; Paul Meck, 240 Lake St., Pleasantville, NY 10570; Amy Kaufman, 163 Palmer Ave., Sleepy Hollow, NY 10591; J. Capozzelli, 315 West 90th st., New York, NY 10024; Andrea Kott, 30 Hudson Terrace, Sleepy Hollow, NY 10591; Michael A. Cornman, 11 Willow St., Irvington, NY 10533; Helaine Meisler, PO Box 614, Handy's Walk, Shady, NY 12409; Patricia L. Mulvey, no address given; James Kovach, 434 3rd St. NE, Apt. 3, Charlottesville, VA 22902; Elizabeth Hegeman, 2340 County Road 7, Copake, NY 12516; Michael Stocker, 100 Riverside 10C, New York, NY 10024-4822	1701	Land, Water and Ecological Resources	II.B
17	Diane Maass, 27 Pokahoe Dr., Sleepy Hollow, NY 10591; Yvette Rogers, 6294 Mill St., Apt. B, Rhinebeck, NY 10591; Paul Meck, 240 Lake St., Pleasantville, NY 10570; Amy Kaufman, 163 Palmer Ave., Sleepy Hollow, NY 10591; J. Capozzelli, 315 West 90th st., New York, NY 10024; Andrea Kott, 30 Hudson Terrace, Sleepy Hollow, NY 10591; Michael A. Cornman, 11 Willow St., Irvington, NY 10533; Helaine Meisler, PO Box 614, Handy's Walk, Shady, NY 12409; Patricia L. Mulvey, no address given; James Kovach, 434 3rd St. NE, Apt. 3, Charlottesville, VA 22902; Elizabeth Hegeman, 2340 County Road 7, Copake, NY 12516; Michael Stocker, 100 Riverside 10C, New York, NY 10024-4822	1701	Open Space, Pedestrian Circulation and Visual Resources	II.F

LIGHTHOUSE LANDING
VILLAGE OF SLEEPY HOLLOW, NEW YORK

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Letter No.	Author	Comment No.	Topic	FEIS Section
17	Diane Maass, 27 Pokahoe Dr., Sleepy Hollow, NY 10591; Yvette Rogers, 6294 Mill St., Apt. B, Rhinebeck, NY 10591; Paul Meck, 240 Lake St., Pleasantville, NY 10570; Amy Kaufman, 163 Palmer Ave., Sleepy Hollow, NY 10591; J. Capozzelli, 315 West 90th st., New York, NY 10024; Andrea Kott, 30 Hudson Terrace, Sleepy Hollow, NY 10591; Michael A. Cornman, 11 Willow St., Irvington, NY 10533; Helaine Meisler, PO Box 614, Handy's Walk, Shady, NY 12409; Patricia L. Mulvey, no address given; James Kovach, 434 3rd St. NE, Apt. 3, Charlottesville, VA 22902; Elizabeth Hegeman, 2340 County Road 7, Copake, NY 12516; Michael Stocker, 100 Riverside 10C, New York, NY 10024-4822	1702	Description of Proposed Action	II.II
18	Maria Canales, PO Box 124, Tarrytown, NY 10591	1801	Land Use, Zoning and Public Policy	II.A
18	Maria Canales, PO Box 124, Tarrytown, NY 10591	1801	Land, Water and Ecological Resources	II.B
18	Maria Canales, PO Box 124, Tarrytown, NY 10591	1801	Traffic & Parking	II.I
18	Maria Canales, PO Box 124, Tarrytown, NY 10591	1801	Description of Proposed Action	II.II
19	Randall J. Fleisher, Metro-North Railroad, 347 Madison Ave., New York, NY 10017-3739	1901	Mass Transit	II.H
19	Randall J. Fleisher, Metro-North Railroad, 347 Madison Ave., New York, NY 10017-3739	1902	Mass Transit	II.H
19	Randall J. Fleisher, Metro-North Railroad, 347 Madison Ave., New York, NY 10017-3739	1903	Mass Transit	II.H
19	Randall J. Fleisher, Metro-North Railroad, 347 Madison Ave., New York, NY 10017-3739	1904	Mass Transit	II.H
19	Randall J. Fleisher, Metro-North Railroad, 347 Madison Ave., New York, NY 10017-3739	1905	Mass Transit	II.H
19	Randall J. Fleisher, Metro-North Railroad, 347 Madison Ave., New York, NY 10017-3739	1906	Construction Impacts	II.L
20	Michael Tedaldi Comments	2001	Traffic & Parking	II.I
20	Michael Tedaldi Comments	2002	Traffic & Parking	II.I
20	Michael Tedaldi Comments	2003	Traffic & Parking	II.I
20	Michael Tedaldi Comments	2004	Traffic & Parking	II.I
20	Michael Tedaldi Comments	2005	Traffic & Parking	II.I
20	Michael Tedaldi Comments	2006	Community Facilities and Services	II.D
20	Michael Tedaldi Comments	2007	Socioeconomic Conditions	II.C
20	Michael Tedaldi Comments	2008	Construction Impacts	II.L
20	Michael Tedaldi Comments	2009	Utilities	II.G
20	Michael Tedaldi Comments	2010	Construction Impacts	II.L
20	Michael Tedaldi Comments	2011	Traffic & Parking	II.I

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20	Michael Tedaldi Comments	2011	Construction Impacts	II.L
20	Michael Tedaldi Comments	2012	Traffic & Parking	II.I
20	Michael Tedaldi Comments	2012	Construction Impacts	II.L
20	Michael Tedaldi Comments	2013	Construction Impacts	II.L
20	Michael Tedaldi Comments	2014	Mass Transit	II.H
20	Michael Tedaldi Comments	2014	Construction Impacts	II.L
20	Michael Tedaldi Comments	2015	Utilities	II.G
20	Michael Tedaldi Comments	2016	Utilities	II.G
20	Michael Tedaldi Comments	2017	Construction Impacts	II.L
20	Michael Tedaldi Comments	2018	Construction Impacts	II.L
20	Michael Tedaldi Comments	2019	Land, Water and Ecological Resources	II.B
20	Michael Tedaldi Comments	2020	Land, Water and Ecological Resources	II.B
20	Michael Tedaldi Comments	2020	Air Quality	II.J
20	Michael Tedaldi Comments	2021	Construction Impacts	II.L
20	Michael Tedaldi Comments	2022	Mass Transit	II.H
20	Michael Tedaldi Comments	2022	Construction Impacts	II.L
20	Michael Tedaldi Comments	2023	Mass Transit	II.H
21	Theodore S. Jako, 22 Continental Street, Sleepy Hollow, NY 10591	2101	Traffic & Parking	II.I
21	Theodore S. Jako, 22 Continental Street, Sleepy Hollow, NY 10591	2102	Mass Transit	II.H
21	Theodore S. Jako, 22 Continental Street, Sleepy Hollow, NY 10591	2103	Traffic & Parking	II.I
21	Theodore S. Jako, 22 Continental Street, Sleepy Hollow, NY 10591	2104	Description of Proposed Action	II.II
21	Theodore S. Jako, 22 Continental Street, Sleepy Hollow, NY 10591	2105	Description of Proposed Action	II.II
22	Richard A. Plano, PMIA President, Philipse Manor Improvement Association, 214 Harwood Ave., Sleepy Hollow, NY 10591	2201	Land Use, Zoning and Public Policy	II.A
22	Richard A. Plano, PMIA President, Philipse Manor Improvement Association, 214 Harwood Ave., Sleepy Hollow, NY 10591	2202	Land Use, Zoning and Public Policy	II.A
22	Richard A. Plano, PMIA President, Philipse Manor Improvement Association, 214 Harwood Ave., Sleepy Hollow, NY 10591	2202	Socioeconomic Conditions	II.C

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22	Richard A. Plano, PMIA President, Philipse Manor Improvement Association, 214 Harwood Ave., Sleepy Hollow, NY 10591	2204	Land Use, Zoning and Public Policy	II.A
23	Alfred Strasser, 17 Pokahoe Dr., Sleepy Hollow, NY 10591	2301	Community Facilities and Services	II.D
23	Alfred Strasser, 17 Pokahoe Dr., Sleepy Hollow, NY 10591	2302	Traffic & Parking	II.I
23	Alfred Strasser, 17 Pokahoe Dr., Sleepy Hollow, NY 10591	2303	Land Use, Zoning and Public Policy	II.A
23	Alfred Strasser, 17 Pokahoe Dr., Sleepy Hollow, NY 10591	2304	Community Facilities and Services	II.D
23	Alfred Strasser, 17 Pokahoe Dr., Sleepy Hollow, NY 10591	2305	Community Facilities and Services	II.D
23	Alfred Strasser, 17 Pokahoe Dr., Sleepy Hollow, NY 10591	2306	Community Facilities and Services	II.D
23	Alfred Strasser, 17 Pokahoe Dr., Sleepy Hollow, NY 10591	2307	Community Facilities and Services	II.D
23	Alfred Strasser, 17 Pokahoe Dr., Sleepy Hollow, NY 10591	2308	Community Facilities and Services	II.D
23	Alfred Strasser, 17 Pokahoe Dr., Sleepy Hollow, NY 10591	2309	Description of Proposed Action	II.II
24	John A. Lynch, 10 Crest Dr., Tarrytown, NY 10591	2401	Socioeconomic Conditions	II.C
25	John A. Lynch, 10 Crest Dr., Tarrytown, NY 10591	2501	Socioeconomic Conditions	II.C
26	John A. Lynch, 10 Crest Dr., Tarrytown, NY 10591	2601	Socioeconomic Conditions	II.C
26	John A. Lynch, 10 Crest Dr., Tarrytown, NY 10591	2602	Socioeconomic Conditions	II.C
26	John A. Lynch, 10 Crest Dr., Tarrytown, NY 10591	2603	Socioeconomic Conditions	II.C
27	Hugh Jones, 253 Hunter Ave., Sleepy Hollow (Director/Officer of the Philipsburg Manor Improvement Association)	2701	Historic, Cultural and Archaeological Resources	II.E
27	Hugh Jones, 253 Hunter Ave., Sleepy Hollow (Director/Officer of the Philipsburg Manor Improvement Association)	2702	Land Use, Zoning and Public Policy	II.A
27	Hugh Jones, 253 Hunter Ave., Sleepy Hollow (Director/Officer of the Philipsburg Manor Improvement Association)	2703	Land, Water and Ecological Resources	II.B
27	Hugh Jones, 253 Hunter Ave., Sleepy Hollow (Director/Officer of the Philipsburg Manor Improvement Association)	2704	Socioeconomic Conditions	II.C
27	Hugh Jones, 253 Hunter Ave., Sleepy Hollow (Director/Officer of the Philipsburg Manor Improvement Association)	2705	Community Facilities and Services	II.D
27	Hugh Jones, 253 Hunter Ave., Sleepy Hollow (Director/Officer of the Philipsburg Manor Improvement Association)	2706	Land Use, Zoning and Public Policy	II.A
27	Hugh Jones, 253 Hunter Ave., Sleepy Hollow (Director/Officer of the Philipsburg Manor Improvement Association)	2706	Land, Water and Ecological Resources	II.B
27	Hugh Jones, 253 Hunter Ave., Sleepy Hollow (Director/Officer of the Philipsburg Manor Improvement Association)	2706	Socioeconomic Conditions	II.C
27	Hugh Jones, 253 Hunter Ave., Sleepy Hollow (Director/Officer of the Philipsburg Manor Improvement Association)	2706	Community Facilities and Services	II.D
27	Hugh Jones, 253 Hunter Ave., Sleepy Hollow (Director/Officer of the Philipsburg Manor Improvement Association)	2706	Historic, Cultural and Archaeological Resources	II.E
28	Michael D. Povman, 56 Fremont Rd., Sleepy Hollow, NY 10591	2801	Mass Transit	II.H

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28	Michael D. Povman, 56 Fremont Rd., Sleepy Hollow, NY 10591	2802	Mass Transit	II.H
28	Michael D. Povman, 56 Fremont Rd., Sleepy Hollow, NY 10591	2803	Mass Transit	II.H
29	Helen Marie Ringeisen, 43 Prospect Ave., Tarrytown, NY 10591	2901	Community Facilities and Services	II.D
29	Helen Marie Ringeisen, 43 Prospect Ave., Tarrytown, NY 10591	2902	Community Facilities and Services	II.D
29	Helen Marie Ringeisen, 43 Prospect Ave., Tarrytown, NY 10591	2903	Community Facilities and Services	II.D
29	Helen Marie Ringeisen, 43 Prospect Ave., Tarrytown, NY 10591	2904	Air Quality	II.J
29	Helen Marie Ringeisen, 43 Prospect Ave., Tarrytown, NY 10591	2905	Community Facilities and Services	II.D
29	Helen Marie Ringeisen, 43 Prospect Ave., Tarrytown, NY 10591	2906	Traffic & Parking	II.I
29	Helen Marie Ringeisen, 43 Prospect Ave., Tarrytown, NY 10591	2907	Socioeconomic Conditions	II.C
30	Klaus Schmidt, 549 Munroe Ave., Sleepy Hollow, NY 10591	3001	Mass Transit	II.H
30	Klaus Schmidt, 549 Munroe Ave., Sleepy Hollow, NY 10591	3002	Mass Transit	II.H
31	Number not utilized			
32	Christopher Skelly, 130 New Broadway, Sleepy Hollow, NY 10591	3201	Open Space, Pedestrian Circulation and Visual Resources	II.F
32	Christopher Skelly, 130 New Broadway, Sleepy Hollow, NY 10591	3202	Open Space, Pedestrian Circulation and Visual Resources	II.F
32	Christopher Skelly, 130 New Broadway, Sleepy Hollow, NY 10591	3203	Open Space, Pedestrian Circulation and Visual Resources	II.F
32	Christopher Skelly, 130 New Broadway, Sleepy Hollow, NY 10591	3204	Open Space, Pedestrian Circulation and Visual Resources	II.F
32	Christopher Skelly, 130 New Broadway, Sleepy Hollow, NY 10591	3205	Open Space, Pedestrian Circulation and Visual Resources	II.F
32	Christopher Skelly, 130 New Broadway, Sleepy Hollow, NY 10591	3206	Open Space, Pedestrian Circulation and Visual Resources	II.F
33	Carolyn Cunningham, Officer & Member of the Board of Directors of Federated Conservationists of Westchester County, FCWC, 78 North Broadway, E House, White Plains, NY 10603	3301	Description of Proposed Action	II.II
33	Carolyn Cunningham, Officer & Member of the Board of Directors of Federated Conservationists of Westchester County, FCWC, 78 North Broadway, E House, White Plains, NY 10603	3302	Land, Water and Ecological Resources	II.B
34	Lynne Shafer, 124 Hunter Ave., Sleepy Hollow, NY 10591	3401	Mass Transit	II.H
34	Lynne Shafer, 124 Hunter Ave., Sleepy Hollow, NY 10591	3402	Land, Water and Ecological Resources	II.B
34	Lynne Shafer, 124 Hunter Ave., Sleepy Hollow, NY 10591	3403	Mass Transit	II.H
34	Lynne Shafer, 124 Hunter Ave., Sleepy Hollow, NY 10591	3404	Traffic & Parking	II.I
34	Lynne Shafer, 124 Hunter Ave., Sleepy Hollow, NY 10591	3405	Socioeconomic Conditions	II.C
34	Lynne Shafer, 124 Hunter Ave., Sleepy Hollow, NY 10591	3406	Description of Proposed Action	II.II
34	Lynne Shafer, 124 Hunter Ave., Sleepy Hollow, NY 10591	3407	Land, Water and Ecological Resources	II.B

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34	Lynne Shafer, 124 Hunter Ave., Sleepy Hollow, NY 10591	3407	Description of Proposed Action	II.II
34	Lynne Shafer, 124 Hunter Ave., Sleepy Hollow, NY 10591	3408	Socioeconomic Conditions	II.C
34	Lynne Shafer, 124 Hunter Ave., Sleepy Hollow, NY 10591	3408	Community Facilities and Services	II.D
34	Lynne Shafer, 124 Hunter Ave., Sleepy Hollow, NY 10591	3409	Open Space, Pedestrian Circulation and Visual Resources	II.F
34	Lynne Shafer, 124 Hunter Ave., Sleepy Hollow, NY 10591	3410	Description of Proposed Action	II.II
34	Lynne Shafer, 124 Hunter Ave., Sleepy Hollow, NY 10591	3411	Socioeconomic Conditions	II.C
34	Lynne Shafer, 124 Hunter Ave., Sleepy Hollow, NY 10591	3411	Community Facilities and Services	II.D
34	Lynne Shafer, 124 Hunter Ave., Sleepy Hollow, NY 10591	3412	Community Facilities and Services	II.D
34	Lynne Shafer, 124 Hunter Ave., Sleepy Hollow, NY 10591	3413	Land Use, Zoning and Public Policy	II.A
34	Lynne Shafer, 124 Hunter Ave., Sleepy Hollow, NY 10591	3414	Description of Proposed Action	II.II
35	Jean E. Schatz, 150 Highland Ave., Sleepy Hollow, NY 10591	3501	Land Use, Zoning and Public Policy	II.A
35	Jean E. Schatz, 150 Highland Ave., Sleepy Hollow, NY 10591	3502	Traffic & Parking	II.I
35	Jean E. Schatz, 150 Highland Ave., Sleepy Hollow, NY 10591	3503	Land, Water and Ecological Resources	II.B
36	Anne Ocone, 66 New Broadway, Sleepy Hollow, NY 10591	3601	Land Use, Zoning and Public Policy	II.A
36	Anne Ocone, 66 New Broadway, Sleepy Hollow, NY 10591	3602	Land Use, Zoning and Public Policy	II.A
36	Anne Ocone, 66 New Broadway, Sleepy Hollow, NY 10591	3602	Socioeconomic Conditions	II.C
36	Anne Ocone, 66 New Broadway, Sleepy Hollow, NY 10591	3603	Land Use, Zoning and Public Policy	II.A
36	Anne Ocone, 66 New Broadway, Sleepy Hollow, NY 10591	3604	Open Space, Pedestrian Circulation and Visual Resources	II.F
36	Anne Ocone, 66 New Broadway, Sleepy Hollow, NY 10591	3605	Traffic & Parking	II.I
36	Anne Ocone, 66 New Broadway, Sleepy Hollow, NY 10591	3606	Traffic & Parking	II.I
36	Anne Ocone, 66 New Broadway, Sleepy Hollow, NY 10591	3607	Traffic & Parking	II.I
36	Anne Ocone, 66 New Broadway, Sleepy Hollow, NY 10591	3608	Traffic & Parking	II.I
36	Anne Ocone, 66 New Broadway, Sleepy Hollow, NY 10591	3609	Land, Water and Ecological Resources	II.B
37	Paul Gallay, Exec. Director, Westchester Land Trust, 11 Babbitt Rd., Bedford Hills, NY 10507	3701	Land, Water and Ecological Resources	II.B
37	Paul Gallay, Exec. Director, Westchester Land Trust, 11 Babbitt Rd., Bedford Hills, NY 10507	3702	Land, Water and Ecological Resources	II.B
37	Paul Gallay, Exec. Director, Westchester Land Trust, 11 Babbitt Rd., Bedford Hills, NY 10507	3703	Land, Water and Ecological Resources	II.B
38	John Norwood (?), 66 New Broadway, Sleepy Hollow, NY 10591	3801	Land Use, Zoning and Public Policy	II.A
38	John Norwood (?), 66 New Broadway, Sleepy Hollow, NY 10591	3801	Open Space, Pedestrian Circulation and Visual Resources	II.F

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38	John Norwood (?), 66 New Broadway, Sleepy Hollow, NY 10591	3802	Traffic & Parking	II.I
39	Beth Gomory-Hanson, 68 Leroy Ave., Tarrytown, NY 10591	3901	Traffic & Parking	II.I
39	Beth Gomory-Hanson, 68 Leroy Ave., Tarrytown, NY 10591	3902	Land, Water and Ecological Resources	II.B
40	Lynne Ward, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4001	Traffic & Parking	II.I
40	Lynne Ward, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4002	Traffic & Parking	II.I
40	Lynne Ward, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4003	Traffic & Parking	II.I
40	Lynne Ward, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4004	Traffic & Parking	II.I
40	Lynne Ward, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4005	Traffic & Parking	II.I
40	Lynne Ward, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4006	Traffic & Parking	II.I
41	Lynne Ward, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4101	Traffic & Parking	II.I
41	Lynne Ward, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4102	Traffic & Parking	II.I
41	Lynne Ward, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4103	Traffic & Parking	II.I
41	Lynne Ward, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4104	Traffic & Parking	II.I
41	Lynne Ward, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4105	Traffic & Parking	II.I
41	Lynne Ward, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4106	Traffic & Parking	II.I
41	Lynne Ward, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4107	Traffic & Parking	II.I
41	Lynne Ward, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4108	Traffic & Parking	II.I
41	Lynne Ward, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4109	Traffic & Parking	II.I
42	Carl Monheit, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4201	Construction Impacts	II.L
42	Carl Monheit, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4202	Construction Impacts	II.L
42	Carl Monheit, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4203	Construction Impacts	II.L
42	Carl Monheit, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4204	Construction Impacts	II.L
42	Carl Monheit, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4205	Construction Impacts	II.L
42	Carl Monheit, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4206	Construction Impacts	II.L
42	Carl Monheit, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4207	Construction Impacts	II.L
42	Carl Monheit, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4208	Construction Impacts	II.L
42	Carl Monheit, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4209	Construction Impacts	II.L
42	Carl Monheit, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4210	Land, Water and Ecological Resources	II.B

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42	Carl Monheit, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4211	Land, Water and Ecological Resources	II.B
42	Carl Monheit, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4212	Land, Water and Ecological Resources	II.B
42	Carl Monheit, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4213	Construction Impacts	II.L
42	Carl Monheit, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4214	Construction Impacts	II.L
42	Carl Monheit, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4215	Construction Impacts	II.L
42	Carl Monheit, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4216	Land, Water and Ecological Resources	II.B
42	Carl Monheit, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4217	Land, Water and Ecological Resources	II.B
42	Carl Monheit, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4218	Land, Water and Ecological Resources	II.B
42	Carl Monheit, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4219	Land, Water and Ecological Resources	II.B
42	Carl Monheit, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4220	Land, Water and Ecological Resources	II.B
42	Carl Monheit, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4221	Land, Water and Ecological Resources	II.B
42	Carl Monheit, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4222	Land, Water and Ecological Resources	II.B
42	Carl Monheit, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4223	Land, Water and Ecological Resources	II.B
42	Carl Monheit, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4224	Land, Water and Ecological Resources	II.B
42	Carl Monheit, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4225	Land, Water and Ecological Resources	II.B
42	Carl Monheit, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4226	Land, Water and Ecological Resources	II.B
42	Carl Monheit, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4227	Land Use, Zoning and Public Policy	II.A
42	Carl Monheit, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4228	Description of Proposed Action	II.II
42	Carl Monheit, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4229	Description of Proposed Action	II.II
42	Carl Monheit, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4230	Description of Proposed Action	II.II
42	Carl Monheit, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4231	Description of Proposed Action	II.II
42	Carl Monheit, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4232	Community Facilities and Services	II.D
42	Carl Monheit, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4233	Community Facilities and Services	II.D
42	Carl Monheit, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4234	Description of Proposed Action	II.II
42	Carl Monheit, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4235	Socioeconomic Conditions	II.C
42	Carl Monheit, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4236	Socioeconomic Conditions	II.C
42	Carl Monheit, Ferry Landings, LLC, 485 West Putnam Ave., Greenwich, CT 06830	4237	Land Use, Zoning and Public Policy	II.A
43	Village of Sleepy Hollow Mayor and Board of Trustees, 28 Beekman Ave., Sleepy Hollow, NY 10591	4301	Description of Proposed Action	II.II

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43	Village of Sleepy Hollow Mayor and Board of Trustees, 28 Beekman Ave., Sleepy Hollow, NY 10591	4303	Description of Proposed Action	II.II
43	Village of Sleepy Hollow Mayor and Board of Trustees, 28 Beekman Ave., Sleepy Hollow, NY 10591	4304	Description of Proposed Action	II.II
43	Village of Sleepy Hollow Mayor and Board of Trustees, 28 Beekman Ave., Sleepy Hollow, NY 10591	4305	Description of Proposed Action	II.II
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43	Village of Sleepy Hollow Mayor and Board of Trustees, 28 Beekman Ave., Sleepy Hollow, NY 10591	4307	Description of Proposed Action	II.II
43	Village of Sleepy Hollow Mayor and Board of Trustees, 28 Beekman Ave., Sleepy Hollow, NY 10591	4308	Description of Proposed Action	II.II
43	Village of Sleepy Hollow Mayor and Board of Trustees, 28 Beekman Ave., Sleepy Hollow, NY 10591	4309	Description of Proposed Action	II.II
43	Village of Sleepy Hollow Mayor and Board of Trustees, 28 Beekman Ave., Sleepy Hollow, NY 10591	4310	Description of Proposed Action	II.II
43	Village of Sleepy Hollow Mayor and Board of Trustees, 28 Beekman Ave., Sleepy Hollow, NY 10591	4311	Description of Proposed Action	II.II
43	Village of Sleepy Hollow Mayor and Board of Trustees, 28 Beekman Ave., Sleepy Hollow, NY 10591	4312	Description of Proposed Action	II.II
43	Village of Sleepy Hollow Mayor and Board of Trustees, 28 Beekman Ave., Sleepy Hollow, NY 10591	4313	Description of Proposed Action	II.II
43	Village of Sleepy Hollow Mayor and Board of Trustees, 28 Beekman Ave., Sleepy Hollow, NY 10591	4314	Socioeconomic Conditions	II.C
43	Village of Sleepy Hollow Mayor and Board of Trustees, 28 Beekman Ave., Sleepy Hollow, NY 10591	4315	Socioeconomic Conditions	II.C
43	Village of Sleepy Hollow Mayor and Board of Trustees, 28 Beekman Ave., Sleepy Hollow, NY 10591	4316	Community Facilities and Services	II.D
43	Village of Sleepy Hollow Mayor and Board of Trustees, 28 Beekman Ave., Sleepy Hollow, NY 10591	4317	Socioeconomic Conditions	II.C
43	Village of Sleepy Hollow Mayor and Board of Trustees, 28 Beekman Ave., Sleepy Hollow, NY 10591	4318	Community Facilities and Services	II.D
43	Village of Sleepy Hollow Mayor and Board of Trustees, 28 Beekman Ave., Sleepy Hollow, NY 10591	4319	Community Facilities and Services	II.D
43	Village of Sleepy Hollow Mayor and Board of Trustees, 28 Beekman Ave., Sleepy Hollow, NY 10591	4320	Community Facilities and Services	II.D
43	Village of Sleepy Hollow Mayor and Board of Trustees, 28 Beekman Ave., Sleepy Hollow, NY 10591	4321	Community Facilities and Services	II.D
43	Village of Sleepy Hollow Mayor and Board of Trustees, 28 Beekman Ave., Sleepy Hollow, NY 10591	4322	Community Facilities and Services	II.D
43	Village of Sleepy Hollow Mayor and Board of Trustees, 28 Beekman Ave., Sleepy Hollow, NY 10591	4323	Community Facilities and Services	II.D
43	Village of Sleepy Hollow Mayor and Board of Trustees, 28 Beekman Ave., Sleepy Hollow, NY 10591	4324	Community Facilities and Services	II.D
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43	Village of Sleepy Hollow Mayor and Board of Trustees, 28 Beekman Ave., Sleepy Hollow, NY 10591	4326	Community Facilities and Services	II.D
43	Village of Sleepy Hollow Mayor and Board of Trustees, 28 Beekman Ave., Sleepy Hollow, NY 10591	4327	Community Facilities and Services	II.D
43	Village of Sleepy Hollow Mayor and Board of Trustees, 28 Beekman Ave., Sleepy Hollow, NY 10591	4328	Community Facilities and Services	II.D
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43	Village of Sleepy Hollow Mayor and Board of Trustees, 28 Beekman Ave., Sleepy Hollow, NY 10591	4341	Construction Impacts	II.L
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43	Village of Sleepy Hollow Mayor and Board of Trustees, 28 Beekman Ave., Sleepy Hollow, NY 10591	4365	Traffic & Parking	II.I
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44	Randall J. Fleisher, Metro-North Railroad, 347 Madison Ave., New York, NY 10017-3739	4404	Mass Transit	II.H
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44	Randall J. Fleisher, Metro-North Railroad, 347 Madison Ave., New York, NY 10017-3739	4406	Utilities	II.G
44	Randall J. Fleisher, Metro-North Railroad, 347 Madison Ave., New York, NY 10017-3739	4407	Utilities	II.G
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45	Danielle Fontaine, 119 Gordon Ave., 2nd Floor, Sleepy Hollow, NY 10591	4517	Description of Proposed Action	II.II
45	Danielle Fontaine, 119 Gordon Ave., 2nd Floor, Sleepy Hollow, NY 10591	4518	Description of Proposed Action	II.II
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46	Martin Ginsburg, Ginsburg Development, LLC, 245 Saw Mill River Rd., Hawthorne, NY 10532	4604	Description of Proposed Action	II.II
46	Martin Ginsburg, Ginsburg Development, LLC, 245 Saw Mill River Rd., Hawthorne, NY 10532	4605	Construction Impacts	II.L
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46	Martin Ginsburg, Ginsburg Development, LLC, 245 Saw Mill River Rd., Hawthorne, NY 10532	4606	Construction Impacts	II.L
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47	Steven P. Scalici & Douglas Swann, STV Inc., no address given	4704	Traffic & Parking	II.I
47	Steven P. Scalici & Douglas Swann, STV Inc., no address given	4705	Traffic & Parking	II.I
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47	Steven P. Scalici & Douglas Swann, STV Inc., no address given	4709	Traffic & Parking	II.I
47	Steven P. Scalici & Douglas Swann, STV Inc., no address given	4710	Traffic & Parking	II.I
47	Steven P. Scalici & Douglas Swann, STV Inc., no address given	4711	Traffic & Parking	II.I
47	Steven P. Scalici & Douglas Swann, STV Inc., no address given	4712	Traffic & Parking	II.I
47	Steven P. Scalici & Douglas Swann, STV Inc., no address given	4713	Traffic & Parking	II.I
47	Steven P. Scalici & Douglas Swann, STV Inc., no address given	4714	Traffic & Parking	II.I
47	Steven P. Scalici & Douglas Swann, STV Inc., no address given	4715	Traffic & Parking	II.I
47	Steven P. Scalici & Douglas Swann, STV Inc., no address given	4716	Traffic & Parking	II.I
47	Steven P. Scalici & Douglas Swann, STV Inc., no address given	4717	Traffic & Parking	II.I
47	Steven P. Scalici & Douglas Swann, STV Inc., no address given	4718	Traffic & Parking	II.I
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49	Michael B. Gerrard, Arnold & Porter, LLP, 399 Park Ave., New York, NY 10022-4690	4902	Land, Water and Ecological Resources	II.B
49	Michael B. Gerrard, Arnold & Porter, LLP, 399 Park Ave., New York, NY 10022-4690	4903	Land, Water and Ecological Resources	II.B
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49	Michael B. Gerrard, Arnold & Porter, LLP, 399 Park Ave., New York, NY 10022-4690	4905	Traffic & Parking	II.I
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49	Michael B. Gerrard, Arnold & Porter, LLP, 399 Park Ave., New York, NY 10022-4690	4908	Traffic & Parking	II.I
49	Michael B. Gerrard, Arnold & Porter, LLP, 399 Park Ave., New York, NY 10022-4690	4909	Traffic & Parking	II.I
49	Michael B. Gerrard, Arnold & Porter, LLP, 399 Park Ave., New York, NY 10022-4690	4910	Traffic & Parking	II.I
49	Michael B. Gerrard, Arnold & Porter, LLP, 399 Park Ave., New York, NY 10022-4690	4911	Noise	II.K
49	Michael B. Gerrard, Arnold & Porter, LLP, 399 Park Ave., New York, NY 10022-4690	4912	Noise	II.K
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49	Michael B. Gerrard, Arnold & Porter, LLP, 399 Park Ave., New York, NY 10022-4690	4918	Land Use, Zoning and Public Policy	II.A
49	Michael B. Gerrard, Arnold & Porter, LLP, 399 Park Ave., New York, NY 10022-4690	4919	Traffic & Parking	II.I
49	Michael B. Gerrard, Arnold & Porter, LLP, 399 Park Ave., New York, NY 10022-4690	4919	Noise	II.K
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49	Michael B. Gerrard, Arnold & Porter, LLP, 399 Park Ave., New York, NY 10022-4690	4921	Description of Proposed Action	II.II
49	Michael B. Gerrard, Arnold & Porter, LLP, 399 Park Ave., New York, NY 10022-4690	4922	Description of Proposed Action	II.II
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50	Village of Sleepy Hollow Planning Board, 28 Beekman Ave., Sleepy Hollow, NY 10591	5014	Description of Proposed Action	II.II
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50	Village of Sleepy Hollow Planning Board, 28 Beekman Ave., Sleepy Hollow, NY 10591	5029	Mass Transit	II.H
50	Village of Sleepy Hollow Planning Board, 28 Beekman Ave., Sleepy Hollow, NY 10591	5029	Traffic & Parking	II.I
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50	Village of Sleepy Hollow Planning Board, 28 Beekman Ave., Sleepy Hollow, NY 10591	5036	Land, Water and Ecological Resources	II.B
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51	Village of Sleepy Hollow Waterfront Advisory Committee, 28 Beekman Ave., Sleepy Hollow, NY 10591	5101	Land Use, Zoning and Public Policy	II.A
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51	Village of Sleepy Hollow Waterfront Advisory Committee, 28 Beekman Ave., Sleepy Hollow, NY 10591	5107	Land Use, Zoning and Public Policy	II.A
51	Village of Sleepy Hollow Waterfront Advisory Committee, 28 Beekman Ave., Sleepy Hollow, NY 10591	5108	Land Use, Zoning and Public Policy	II.A
51	Village of Sleepy Hollow Waterfront Advisory Committee, 28 Beekman Ave., Sleepy Hollow, NY 10591	5109	Land Use, Zoning and Public Policy	II.A
51	Village of Sleepy Hollow Waterfront Advisory Committee, 28 Beekman Ave., Sleepy Hollow, NY 10591	5110	Land Use, Zoning and Public Policy	II.A
51	Village of Sleepy Hollow Waterfront Advisory Committee, 28 Beekman Ave., Sleepy Hollow, NY 10591	5111	Land Use, Zoning and Public Policy	II.A
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53	Lucy R. Waletzky, MD, 1301 Bedford Rd., Pleasantville, NY 10570	5301	Land, Water and Ecological Resources	II.B
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56	Scenic Hudson, Inc., One Civic Center Plaza, Suite 200, Poughkeepsie, NY	5665	Land, Water and Ecological Resources	II.B
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58	Georges Jacquemart, PE, AICP, Buckhurst Fish & Jacquemart, Inc., 115 Fifth Ave., New York, NY 10003	5802	Traffic & Parking	II.I
58	Georges Jacquemart, PE, AICP, Buckhurst Fish & Jacquemart, Inc., 115 Fifth Ave., New York, NY 10003	5803	Traffic & Parking	II.I
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58	Georges Jacquemart, PE, AICP, Buckhurst Fish & Jacquemart, Inc., 115 Fifth Ave., New York, NY 10003	5805	Traffic & Parking	II.I
58	Georges Jacquemart, PE, AICP, Buckhurst Fish & Jacquemart, Inc., 115 Fifth Ave., New York, NY 10003	5806	Traffic & Parking	II.I
58	Georges Jacquemart, PE, AICP, Buckhurst Fish & Jacquemart, Inc., 115 Fifth Ave., New York, NY 10003	5807	Traffic & Parking	II.I
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62	David B. Smith, AICP/Owen Wells, ACIP, Saccardi & Schiff, Inc., 445 Hamilton Ave., Suite 404, White Plains, NY 10601	6206	Description of Proposed Action	II.II
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PM2	John Vernile, Prospect Ave., Tarrytown	PM2001	Socioeconomic Conditions	II.C
PM2	John Vernile, Prospect Ave., Tarrytown	PM2002	Traffic & Parking	II.I
PM2	John Vernile, Prospect Ave., Tarrytown	PM2003	Traffic & Parking	II.I
PM2	John Vernile, Prospect Ave., Tarrytown	PM2004	Traffic & Parking	II.I
PM2	John Vernile, Prospect Ave., Tarrytown	PM2005	Construction Impacts	II.L
PM2	John Vernile, Prospect Ave., Tarrytown	PM2006	Mass Transit	II.H
PM2	John Vernile, Prospect Ave., Tarrytown	PM2007	Community Facilities and Services	II.D
PM2	John Vernile, Prospect Ave., Tarrytown	PM2008	Socioeconomic Conditions	II.C
PM2	John Vernile, Prospect Ave., Tarrytown	PM2009	Socioeconomic Conditions	II.C
PM2	John Vernile, Prospect Ave., Tarrytown	PM2010	Socioeconomic Conditions	II.C
PM2	John Vernile, Prospect Ave., Tarrytown	PM2011	Land, Water and Ecological Resources	II.B
PM2	John Vernile, Prospect Ave., Tarrytown	PM2012	Open Space, Pedestrian Circulation and Visual Resources	II.F
PM2	John Vernile, Prospect Ave., Tarrytown	PM2013	Community Facilities and Services	II.D
PM2	John Vernile, Prospect Ave., Tarrytown	PM2013	Noise	II.K
PM2	John Vernile, Prospect Ave., Tarrytown	PM2014	Traffic & Parking	II.I
PM2	Cynthia Sandler, 139 Palmer Ave.	PM2101	Description of Proposed Action	II.II
PM2	Cynthia Sandler, 139 Palmer Ave.	PM2102	Alternatives	II.IV
PM2	Cynthia Sandler, 139 Palmer Ave.	PM2103	Open Space, Pedestrian Circulation and Visual Resources	II.F
PM2	Cynthia Sandler, 139 Palmer Ave.	PM2104	Description of Proposed Action	II.II
PM2	Linda Viertel, Gracemere area, South Tarrytown	PM2201	Description of Proposed Action	II.II
PM2	Linda Viertel, Gracemere area, South Tarrytown	PM2202	Traffic & Parking	II.I
PM2	Linda Viertel, Gracemere area, South Tarrytown	PM2203	Executive Summary	II.ES
PM2	Jonathan Gleit, 64 Barnes Rd., Tarrytown	PM2301	Mass Transit	II.H
PM2	Jonathan Gleit, 64 Barnes Rd., Tarrytown	PM2302	Open Space, Pedestrian Circulation and Visual Resources	II.F
PM2	Jonathan Gleit, 64 Barnes Rd., Tarrytown	PM2303	Traffic & Parking	II.I
PM2	Jonathan Gleit, 64 Barnes Rd., Tarrytown	PM2304	Description of Proposed Action	II.II
PM2	Kathleen Dolan, New Broadway	PM2401	Traffic & Parking	II.I

LIGHTHOUSE LANDING
VILLAGE OF SLEEPY HOLLOW, NEW YORK

DEIS COMMENT LOG

Letter No.	Author	Comment No.	Topic	FEIS Section
PM2	Kathleen Dolan, New Broadway	PM2402	Open Space, Pedestrian Circulation and Visual Resources	II.F
PM2	Kathleen Dolan, New Broadway	PM2403	Alternatives	II.IV
PM2	Kathleen Dolan, New Broadway	PM2404	Description of Proposed Action	II.II
PM2	Maria Canales, Grove St., Tarrytown	PM2501	Description of Proposed Action	II.II
PM2	Maria Canales, Grove St., Tarrytown	PM2502	Traffic & Parking	II.I
PM2	John Lynch, 10 Crest Dr., Tarrytown	PM2601	Land Use, Zoning and Public Policy	II.A
PM2	Haig Bohigian, 225 Hunter Ave., Sleepy Hollow	PM2701	Socioeconomic Conditions	II.C
PM2	Haig Bohigian, 225 Hunter Ave., Sleepy Hollow	PM2702	Community Facilities and Services	II.D
PH1	Nick Robinson, Chairman, Sleepy Hollow Planning Board	PH2801	Land, Water and Ecological Resources	II.B
PH1	Nick Robinson, Chairman, Sleepy Hollow Planning Board	PH2802	Land, Water and Ecological Resources	II.B
PH1	Nick Robinson, Chairman, Sleepy Hollow Planning Board	PH2803	Open Space, Pedestrian Circulation and Visual Resources	II.F
PH1	Nick Robinson, Chairman, Sleepy Hollow Planning Board	PH2804	Land, Water and Ecological Resources	II.B
PH1	Nick Robinson, Chairman, Sleepy Hollow Planning Board	PH2805	Land, Water and Ecological Resources	II.B
PH1	Nick Robinson, Chairman, Sleepy Hollow Planning Board	PH2806	Description of Proposed Action	II.II
PH1	Nick Robinson, Chairman, Sleepy Hollow Planning Board	PH2806	Energy Conservation	II.VII
PH1	Nick Robinson, Chairman, Sleepy Hollow Planning Board	PH2807	Alternatives	II.IV
PH1	Nick Robinson, Chairman, Sleepy Hollow Planning Board	PH2808	Traffic & Parking	II.I
PH1	Nick Robinson, Chairman, Sleepy Hollow Planning Board	PH2809	Mass Transit	II.H
PH1	Nick Robinson, Chairman, Sleepy Hollow Planning Board	PH2810	Traffic & Parking	II.I
PH1	Nick Robinson, Chairman, Sleepy Hollow Planning Board	PH2810	Alternatives	II.IV
PH1	Nick Robinson, Chairman, Sleepy Hollow Planning Board	PH2811	Air Quality	II.J
PH1	Nick Robinson, Chairman, Sleepy Hollow Planning Board	PH2812	Land Use, Zoning and Public Policy	II.A
PH1	Nick Robinson, Chairman, Sleepy Hollow Planning Board	PH2813	Description of Proposed Action	II.II
PH1	Nick Robinson, Chairman, Sleepy Hollow Planning Board	PH2814	Traffic & Parking	II.I
PH1	Nick Robinson, Chairman, Sleepy Hollow Planning Board	PH2815	Description of Proposed Action	II.II
PH1	Nick Robinson, Chairman, Sleepy Hollow Planning Board	PH2816	Open Space, Pedestrian Circulation and Visual Resources	II.F
PH1	Nick Robinson, Chairman, Sleepy Hollow Planning Board	PH2817	Traffic & Parking	II.I
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LIGHTHOUSE LANDING
VILLAGE OF SLEEPY HOLLOW, NEW YORK

DEIS COMMENT LOG

Letter No.	Author	Comment No.	Topic	FEIS Section
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PH1	Nick Robinson, Chairman, Sleepy Hollow Planning Board	PH2821	Land, Water and Ecological Resources	II.B
PH1	Nick Robinson, Chairman, Sleepy Hollow Planning Board	PH2822	Land, Water and Ecological Resources	II.B
PH1	Nick Robinson, Chairman, Sleepy Hollow Planning Board	PH2823	Land, Water and Ecological Resources	II.B
PH1	Nick Robinson, Chairman, Sleepy Hollow Planning Board	PH2824	Open Space, Pedestrian Circulation and Visual Resources	II.F
PH1	Nick Robinson, Chairman, Sleepy Hollow Planning Board	PH2825	Community Facilities and Services	II.D
PH1	Nick Robinson, Chairman, Sleepy Hollow Planning Board	PH2826	Open Space, Pedestrian Circulation and Visual Resources	II.F
PH1	Nick Robinson, Chairman, Sleepy Hollow Planning Board	PH2827	Open Space, Pedestrian Circulation and Visual Resources	II.F
PH1	Nick Robinson, Chairman, Sleepy Hollow Planning Board	PH2828	Historic, Cultural and Archaeological Resources	II.E
PH1	Nick Robinson, Chairman, Sleepy Hollow Planning Board	PH2829	Historic, Cultural and Archaeological Resources	II.E
PH1	Nick Robinson, Chairman, Sleepy Hollow Planning Board	PH2830	Land, Water and Ecological Resources	II.B
PH1	Nick Robinson, Chairman, Sleepy Hollow Planning Board	PH2831	Socioeconomic Conditions	II.C
PH1	Ned Sullivan, President, Scenic Hudson	PH2901	Open Space, Pedestrian Circulation and Visual Resources	II.F
PH1	Ned Sullivan, President, Scenic Hudson	PH2902	Land, Water and Ecological Resources	II.B
PH1	Ned Sullivan, President, Scenic Hudson	PH2903	Traffic & Parking	II.I
PH1	Ned Sullivan, President, Scenic Hudson	PH2904	Traffic & Parking	II.I
PH1	Ned Sullivan, President, Scenic Hudson	PH2905	Land, Water and Ecological Resources	II.B
PH1	Ned Sullivan, President, Scenic Hudson	PH2906	Land, Water and Ecological Resources	II.B
PH1	Ned Sullivan, President, Scenic Hudson	PH2907	Open Space, Pedestrian Circulation and Visual Resources	II.F
PH1	Ned Sullivan, President, Scenic Hudson	PH2908	Open Space, Pedestrian Circulation and Visual Resources	II.F
PH1	Carolyn Cunningham, Officer & Member of the Board of Directors of Federated Conservationists of Westchester County, FCWC	PH3001	Land, Water and Ecological Resources	II.B
PH1	Chris Skelly	PH3101	Open Space, Pedestrian Circulation and Visual Resources	II.F
PH1	Chris Skelly	PH3102	Open Space, Pedestrian Circulation and Visual Resources	II.F
PH1	Chris Skelly	PH3103	Open Space, Pedestrian Circulation and Visual Resources	II.F
PH1	Mario Belamich, 153 North Washington, Sleepy Hollow	PH3201	Community Facilities and Services	II.D
PH1	Mario Belamich, 153 North Washington, Sleepy Hollow	PH3202	Land, Water and Ecological Resources	II.B

LIGHTHOUSE LANDING
VILLAGE OF SLEEPY HOLLOW, NEW YORK

DEIS COMMENT LOG

Letter No.	Author	Comment No.	Topic	FEIS Section
PH1	Mario Belamich, 153 North Washington, Sleepy Hollow	PH3203	Mass Transit	II.H
PH1	Mario Belamich, 153 North Washington, Sleepy Hollow	PH3204	Description of Proposed Action	II.II
PH1	Mario Belamich, 153 North Washington, Sleepy Hollow	PH3205	Description of Proposed Action	II.II
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PH1	Paul Janos, Mayor, Tarrytown	PH3302	Socioeconomic Conditions	II.C
PH1	Don Dibarr, Vice President of the Ossining Waterfront Alliance	PH3401	Description of Proposed Action	II.II
PH1	Don Dibarr, Vice President of the Ossining Waterfront Alliance	PH3402	Description of Proposed Action	II.II
PH1	Don Dibarr, Vice President of the Ossining Waterfront Alliance	PH3403	Alternatives	II.IV
PH1	Don Dibarr, Vice President of the Ossining Waterfront Alliance	PH3404	Land Use, Zoning and Public Policy	II.A
PH1	Patrick Munroe, 623 New Broadway	PH3501	Description of Proposed Action	II.II
PH1	Patrick Munroe, 623 New Broadway	PH3502	Open Space, Pedestrian Circulation and Visual Resources	II.F
PH1	Patrick Munroe, 623 New Broadway	PH3503	Open Space, Pedestrian Circulation and Visual Resources	II.F
PH1	Patrick Munroe, 623 New Broadway	PH3504	Description of Proposed Action	II.II
PH1	Ray Hernandez	PH3601	Traffic & Parking	II.I
PH1	Ray Hernandez	PH3602	Description of Proposed Action	II.II
PH1	Ray Hernandez	PH3603	Description of Proposed Action	II.II
PH1	Al Strasser, Pokohe Dr., Sleepy Hollow	PH3701	Community Facilities and Services	II.D
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PH1	Hugh Jones, 253 Hunter Ave., Sleepy Hollow (Director/Officer of the Philipsburg Manor Improvement Association)	PH3801	Historic, Cultural and Archaeological Resources	II.E
PH1	Hugh Jones, 253 Hunter Ave., Sleepy Hollow (Director/Officer of the Philipsburg Manor Improvement Association)	PH3802	Socioeconomic Conditions	II.C
PH1	Hugh Jones, 253 Hunter Ave., Sleepy Hollow (Director/Officer of the Philipsburg Manor Improvement Association)	PH3803	Land, Water and Ecological Resources	II.B
PH1	Hugh Jones, 253 Hunter Ave., Sleepy Hollow (Director/Officer of the Philipsburg Manor Improvement Association)	PH3804	Socioeconomic Conditions	II.C
PH1	Hugh Jones, 253 Hunter Ave., Sleepy Hollow (Director/Officer of the Philipsburg Manor Improvement Association)	PH3805	Community Facilities and Services	II.D

LIGHTHOUSE LANDING
VILLAGE OF SLEEPY HOLLOW, NEW YORK

DEIS COMMENT LOG

Letter No.	Author	Comment No.	Topic	FEIS Section
PH1	Mark Frye, 16 Independent St., Tarrytown	PH3901	Traffic & Parking	II.I
PH1	Mark Frye, 16 Independent St., Tarrytown	PH3902	Description of Proposed Action	II.II
PH1	Mark Frye, 16 Independent St., Tarrytown	PH3903	Description of Proposed Action	II.II
PH1	Ray Caetano	PH4001	Description of Proposed Action	II.II
PH1	Ray Caetano	PH4002	Community Facilities and Services	II.D
PH1	Ray Caetano	PH4003	Traffic & Parking	II.I
PH1	Ray Caetano	PH4004	Traffic & Parking	II.I
PH1	John Lynch, 10 Crest Dr., Tarrytown	PH4101	Air Quality	II.J
PH1	John Lynch, 10 Crest Dr., Tarrytown	PH4102	Land Use, Zoning and Public Policy	II.A
PH1	John Lynch, 10 Crest Dr., Tarrytown	PH4103	Community Facilities and Services	II.D
PH1	John Lynch, 10 Crest Dr., Tarrytown	PH4104	Socioeconomic Conditions	II.C
PH1	Linda Viertel, Gracemere area, South Tarrytown	PH4201	Description of Proposed Action	II.II
PH1	Linda Viertel, Gracemere area, South Tarrytown	PH4202	Traffic & Parking	II.I
PH1	Linda Viertel, Gracemere area, South Tarrytown	PH4203	Description of Proposed Action	II.II
PH1	Linda Viertel, Gracemere area, South Tarrytown	PH4204	Description of Proposed Action	II.II
PH1	Linda Viertel, Gracemere area, South Tarrytown	PH4205	Land, Water and Ecological Resources	II.B
PH1	Linda Viertel, Gracemere area, South Tarrytown	PH4206	Alternatives	II.IV
PH1	Linda Viertel, Gracemere area, South Tarrytown	PH4207	Description of Proposed Action	II.II
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PH2	Paul Janos, Mayor, Tarrytown	PH4303	Traffic & Parking	II.I
PH2	Paul Janos, Mayor, Tarrytown	PH4304	Community Facilities and Services	II.D
PH2	Paul Janos, Mayor, Tarrytown	PH4305	Socioeconomic Conditions	II.C
PH2	Sherry Chorost, Tarrytown Trustee, 279H S. Broadway, Tarrytown	PH4401	Land Use, Zoning and Public Policy	II.A
PH2	Sherry Chorost, Tarrytown Trustee, 279H S. Broadway, Tarrytown	PH4402	Traffic & Parking	II.I
PH2	Sherry Chorost, Tarrytown Trustee, 279H S. Broadway, Tarrytown	PH4403	Traffic & Parking	II.I
PH2	Sherry Chorost, Tarrytown Trustee, 279H S. Broadway, Tarrytown	PH4404	Community Facilities and Services	II.D

DEIS COMMENT LOG

Letter No.	Author	Comment No.	Topic	FEIS Section
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PH2	Drew Fixell, Tarrytown Trustee	PH4502	Traffic & Parking	II.I
PH2	Drew Fixell, Tarrytown Trustee	PH4503	Socioeconomic Conditions	II.C
PH2	DennisChillemi, Riverview Ave.	PH4601	Land Use, Zoning and Public Policy	II.A
PH2	DennisChillemi, Riverview Ave.	PH4602	Traffic & Parking	II.I
PH2	DennisChillemi, Riverview Ave.	PH4603	Traffic & Parking	II.I
PH2	DennisChillemi, Riverview Ave.	PH4604	Mass Transit	II.H
PH2	DennisChillemi, Riverview Ave.	PH4605	Socioeconomic Conditions	II.C
PH2	Frank Fish, Planner, Tarrytown	PH4701	Traffic & Parking	II.I
PH2	John Canning, PE, PTOE, Adler Consulting & Steven Pl Scalici, PE, STV Incorporated, 225 Park Ave. South, New York, NY 10003	PH4801	Traffic & Parking	II.I
PH2	John Canning, PE, PTOE, Adler Consulting & Steven Pl Scalici, PE, STV Incorporated, 225 Park Ave. South, New York, NY 10003	PH4802	Traffic & Parking	II.I
PH2	John Canning, PE, PTOE, Adler Consulting & Steven Pl Scalici, PE, STV Incorporated, 225 Park Ave. South, New York, NY 10003	PH4803	Traffic & Parking	II.I
PH2	John Canning, PE, PTOE, Adler Consulting & Steven Pl Scalici, PE, STV Incorporated, 225 Park Ave. South, New York, NY 10003	PH4804	Traffic & Parking	II.I
PH2	John Canning, PE, PTOE, Adler Consulting & Steven Pl Scalici, PE, STV Incorporated, 225 Park Ave. South, New York, NY 10003	PH4805	Traffic & Parking	II.I
PH2	John Canning, PE, PTOE, Adler Consulting & Steven Pl Scalici, PE, STV Incorporated, 225 Park Ave. South, New York, NY 10003	PH4806	Traffic & Parking	II.I
PH2	Waddell Stillman, President, Historic Hudson Valley	PH4901	Land Use, Zoning and Public Policy	II.A
PH2	Waddell Stillman, President, Historic Hudson Valley	PH4902	Land Use, Zoning and Public Policy	II.A
PH2	Waddell Stillman, President, Historic Hudson Valley	PH4903	Land Use, Zoning and Public Policy	II.A
PH2	Victor Tafur, Hudson Riverkeeper	PH5001	Land Use, Zoning and Public Policy	II.A
PH2	Victor Tafur, Hudson Riverkeeper	PH5001	Open Space, Pedestrian Circulation and Visual Resources	II.F
PH2	Victor Tafur, Hudson Riverkeeper	PH5002	Land, Water and Ecological Resources	II.B
PH2	Victor Tafur, Hudson Riverkeeper	PH5003	Socioeconomic Conditions	II.C
PH2	Victor Tafur, Hudson Riverkeeper	PH5004	Land Use, Zoning and Public Policy	II.A

LIGHTHOUSE LANDING
VILLAGE OF SLEEPY HOLLOW, NEW YORK

DEIS COMMENT LOG

Letter No.	Author	Comment No.	Topic	FEIS Section
PH2	Shelley Robinson, 258 Kelbourne Ave., Sleepy Hollow	PH5101	Community Facilities and Services	II.D
PH2	Shelley Robinson, 258 Kelbourne Ave., Sleepy Hollow	PH5102	Community Facilities and Services	II.D
PH2	Shelley Robinson, 258 Kelbourne Ave., Sleepy Hollow	PH5103	Community Facilities and Services	II.D
PH2	Shelley Robinson, 258 Kelbourne Ave., Sleepy Hollow	PH5104	Land, Water and Ecological Resources	II.B
PH2	Shelley Robinson, 258 Kelbourne Ave., Sleepy Hollow	PH5105	Open Space, Pedestrian Circulation and Visual Resources	II.F
PH2	Shelley Robinson, 258 Kelbourne Ave., Sleepy Hollow	PH5106	Land, Water and Ecological Resources	II.B
PH2	Shelley Robinson, 258 Kelbourne Ave., Sleepy Hollow	PH5107	Open Space, Pedestrian Circulation and Visual Resources	II.F
PH2	Shelley Robinson, 258 Kelbourne Ave., Sleepy Hollow	PH5108	Description of Proposed Action	II.II
PH2	Shelley Robinson, 258 Kelbourne Ave., Sleepy Hollow	PH5109	Traffic & Parking	II.I
PH2	Shelley Robinson, 258 Kelbourne Ave., Sleepy Hollow	PH5110	Land, Water and Ecological Resources	II.B
PH2	Marylou Gladstone, 49 Walden Rd., Tarrytown	PH5201	Community Facilities and Services	II.D
PH2	April Best, 107 Cortlandt St., Sleepy Hollow	PH5301	Community Facilities and Services	II.D
PH2	April Best, 107 Cortlandt St., Sleepy Hollow	PH5302	Description of Proposed Action	II.II
PH2	April Best, 107 Cortlandt St., Sleepy Hollow	PH5303	Noise	II.K
PH2	April Best, 107 Cortlandt St., Sleepy Hollow	PH5304	Socioeconomic Conditions	II.C
PH2	April Best, 107 Cortlandt St., Sleepy Hollow	PH5304	Description of Proposed Action	II.II
PH2	April Best, 107 Cortlandt St., Sleepy Hollow	PH5305	Socioeconomic Conditions	II.C
PH2	Frank Occhipinti, 194 Webber Ave., Sleepy Hollow	PH5401	Traffic & Parking	II.I
PH2	Frank Occhipinti, 194 Webber Ave., Sleepy Hollow	PH5401	Description of Proposed Action	II.II
PH2	Frank Occhipinti, 194 Webber Ave., Sleepy Hollow	PH5402	Socioeconomic Conditions	II.C
PH2	Ken Terosian, 420 Bellwood, Sleepy Hollow	PH5501	Description of Proposed Action	II.II
PH2	Ken Terosian, 420 Bellwood, Sleepy Hollow	PH5502	Community Facilities and Services	II.D
PH2	Ken Terosian, 420 Bellwood, Sleepy Hollow	PH5503	Community Facilities and Services	II.D
PH2	Ken Terosian, 420 Bellwood, Sleepy Hollow	PH5504	Socioeconomic Conditions	II.C
PH2	Ken Terosian, 420 Bellwood, Sleepy Hollow	PH5505	Socioeconomic Conditions	II.C
PH2	Sunny McLean, 525 Riverside Dr., Sleepy Hollow	PH5601	Description of Proposed Action	II.II
PH2	Haig Bohigian, 225 Hunter Ave., Sleepy Hollow	PH5701	Land Use, Zoning and Public Policy	II.A
PH2	Haig Bohigian, 225 Hunter Ave., Sleepy Hollow	PH5702	Land Use, Zoning and Public Policy	II.A

LIGHTHOUSE LANDING
VILLAGE OF SLEEPY HOLLOW, NEW YORK

DEIS COMMENT LOG

Letter No.	Author	Comment No.	Topic	FEIS Section
PH2	Haig Bohigian, 225 Hunter Ave., Sleepy Hollow	PH5703	Land Use, Zoning and Public Policy	II.A
PH2	Haig Bohigian, 225 Hunter Ave., Sleepy Hollow	PH5704	Socioeconomic Conditions	II.C
PH2	Haig Bohigian, 225 Hunter Ave., Sleepy Hollow	PH5705	Socioeconomic Conditions	II.C
PH2	Haig Bohigian, 225 Hunter Ave., Sleepy Hollow	PH5706	Community Facilities and Services	II.D
PH2	Haig Bohigian, 225 Hunter Ave., Sleepy Hollow	PH5707	Traffic & Parking	II.I
PH2	Haig Bohigian, 225 Hunter Ave., Sleepy Hollow	PH5708	Description of Proposed Action	II.II
PH2	Haig Bohigian, 225 Hunter Ave., Sleepy Hollow	PH5709	Mass Transit	II.H
PH2	Haig Bohigian, 225 Hunter Ave., Sleepy Hollow	PH5710	Description of Proposed Action	II.II
PH2	Haig Bohigian, 225 Hunter Ave., Sleepy Hollow	PH5711	Description of Proposed Action	II.II
PH2	Haig Bohigian, 225 Hunter Ave., Sleepy Hollow	PH5712	Community Facilities and Services	II.D
PH2	Haig Bohigian, 225 Hunter Ave., Sleepy Hollow	PH5713	Socioeconomic Conditions	II.C
PH2	Haig Bohigian, 225 Hunter Ave., Sleepy Hollow	PH5714	Description of Proposed Action	II.II
PH2	Richard Plano, 215 Harwood Ave., Sleepy Hollow	PH5801	Socioeconomic Conditions	II.C
PH2	Richard Plano, 215 Harwood Ave., Sleepy Hollow	PH5802	Socioeconomic Conditions	II.C
PH2	Tim Grajek, 213 Webber Ave., Sleepy Hollow	PH5901	Land Use, Zoning and Public Policy	II.A
PH2	Mark Frye, 16 Independent St., Tarrytown	PH6001	Open Space, Pedestrian Circulation and Visual Resources	II.F
PH2	Mark Frye, 16 Independent St., Tarrytown	PH6002	Community Facilities and Services	II.D
PH2	Mark Frye, 16 Independent St., Tarrytown	PH6003	Community Facilities and Services	II.D
PH2	Mark Frye, 16 Independent St., Tarrytown	PH6004	Traffic & Parking	II.I

COMMENT LETTER NO. 1

RECEIVED
FEB - 4 2005
MAYOR'S OFFICE

January 20, 2005

Sleepy Hollow
Hon. Philip Zegarelli and
Village Board of Trustees
Village Hall
28 Beekman Ave
Sleepy Hollow, NY 10591

To the Mayor and Board of Trustees of the Village of Sleepy Hollow:

I am pleased that Sleepy Hollow is taking positive steps toward revitalizing its waterfront. There are many aspects of the Lighthouse Landing project that reflect our commitment to the preservation of open space and public access to the Hudson River. 101

I believe that this is a project of major proportions that will change Sleepy Hollow's waterfront for generations. As a Sleepy Hollow-area resident I have concerns about the project that I would like to see the Village address during the environmental review process. 102

I request that special attention be paid to the following issues:

- Linkage of the site to the Village
- Density and traffic
- Site contamination
- Use and design of open space
- Flooding of the Pocantico River

I support Scenic Hudson's recommendation that the village further investigate the potential of greater linkage between Philipsburg Manor, Devries Park, Kingsland Point Park, and the Hudson River as well as the Pocantico River restoration. We have an unprecedented opportunity to create a riverfront that is beautiful, natural, adds to the village's special character and economy, and is accessible to everyone. 103

Let's work together to create a waterfront worthy of the river we love.

Sincerely,

Christine D. Pepe

Christine D. Pepe

COMMENT LETTER NO. 1

Sonja -

Please set up a file Lighthouse Landing correspondence

Sonja Goldstein-Suss

From: Roberta & Adam Straus [bestroad@mcihispeed.net]
Sent: Thursday, January 27, 2005 1:00 PM
To: pzegarelli@aol.com; ssuss@sleepyhollowny.org
Subject: waterfront worthy of the river we love

January 27, 2005

Sleepy Hollow
Hon. Philip Zegarelli and
Village Board of Trustees
Village Hall
28 Beekman Ave
Sleepy Hollow, NY 10591

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Let's work together to create a waterfront worthy of the river we love.

Sincerely,

Roberta Straus

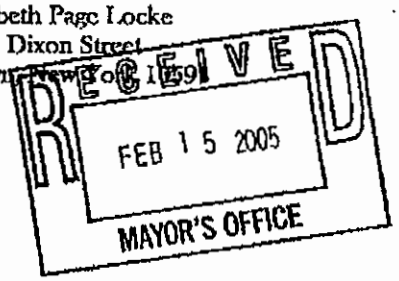
26 Palmer Ave.
Sleepy Hollow, NY 10591
914.631.9168

bestroad@mcihispeed.net

Cc Dana S.
Andy T.

COMMENT LETTER NO. 1

Elizabeth Page Locke
29 Dixon Street
Tarrytown, New York 10591



January 28, 2005

Sleepy Hollow
Hon. Philip Zegarelli and
Village Board of Trustees
Village Hall
28 Beekman Ave
Sleepy Hollow, NY 10591

To the Mayor and Board of Trustees of the Village of Sleepy Hollow:

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- Use and design of open space
- Flooding of the Pocantico River

I support Scenic Hudson's recommendation that the village further investigate the potential of greater linkage between Philipsburg Manor, Devries Park, Kingsland Point Park, and the Hudson River as well as the Pocantico River restoration. We have an unprecedented opportunity to create a riverfront that is beautiful, natural, adds to the village's special character and economy, and is accessible to everyone.

Let's work together to create a waterfront worthy of the river we love.

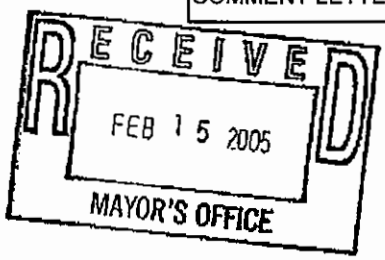
Sincerely,

Elizabeth P. Locke

cc: Dana S.
Judy T.

COMMENT LETTER NO. 1

Jeffrey J. Locke
29 Dixon Street
Tarrytown, New York 10591



January 28, 2005

Sleepy Hollow
Hon. Philip Zegarelli and
Village Board of Trustees
Village Hall
28 Beekman Ave
Sleepy Hollow, NY 10591

To the Mayor and Board of Trustees of the Village of Sleepy Hollow:

I am pleased that Sleepy Hollow is taking positive steps toward revitalizing its waterfront. There are many aspects of the Lighthouse Landing project that reflect our commitment to the preservation of open space and public access to the Hudson River.

I believe that this is a project of major proportions that will change Sleepy Hollow's waterfront for generations. As a Sleepy Hollow-area resident I have concerns about the project that I would like to see the Village address during the environmental review process.

I request that special attention be paid to the following issues:

- Linkage of the site to the Village
- Density and traffic
- Site contamination
- Use and design of open space
- Flooding of the Pocantico River

I support Scenic Hudson's recommendation that the village further investigate the potential of greater linkage between Philipsburg Manor, Devries Park, Kingsland Point Park, and the Hudson River as well as the Pocantico River restoration. We have an unprecedented opportunity to create a riverfront that is beautiful, natural, adds to the village's special character and economy, and is accessible to everyone.

Let's work together to create a waterfront worthy of the river we love.

Sincerely,

02/07/2005 16:17 9143327874 SLEEPY HOLLOW PAGE 15

Sonja Goldstein-Suss

From: Elizabeth Basescu [ebasescu@optonline.net]
Sent: Tuesday, February 01, 2005 4:42 PM
To: PZegarelli@aol.com
Cc: tja3@westchestergov.com; lbb6@westchestergov.com; pmo1@westchestergov.com; lam9@westchestergov.com; ssuss@sleepyhollowny.org
Subject: GM site development concerns

Hi Mayor Zegarelli,

I included a few points of my own on the template of the Scenic Hudson form letter below. Many thanks for your time and please remember that I'm interested in helping out on a think tank for our parks' development (I had emailed you before about the idea of creating an adult exercise station encircling play areas for our kids so we can work out instead of just vegetating while watching our kids and you had suggested that I be a part of the think tank.)

Thanks,
Liz Basescu

February 1, 2005

Sleepy Hollow
Hon. Philip Zegarelli and
Village Board of Trustees
Village Hall
28 Beekman Ave
Sleepy Hollow, NY 10591

To the Mayor and Board of Trustees of the Village of Sleepy Hollow:

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I believe that this is a project of major proportions that will change Sleepy Hollow's waterfront for generations. As a Sleepy Hollow-area resident I have concerns about the project that I would like to see the Village address during the environmental review process. 201

COMMENT LETTER NO. 2

I request that special attention be paid to the following issues:

- Including a community center & pool for Village residents
- Linkage of the site to the Village - I do not want to see a connection to any street in Philipse Manor.
- Density and traffic
- Site contamination/ site stability - I know of residents with family members who worked at the GM site and they said the old course of the Pocantico River was never fully stabilized and required constant new pilings be driven in to help shore up the factory.
- Use and design of open space
- Flooding of the Pocantico River

I support Scenic Hudson's recommendation that the village further investigate the potential of greater linkage between Philipsburg Manor, Devries Park, Kingsland Point Park, and the Hudson River as well as the Pocantico River restoration. We have an unprecedented opportunity to create a riverfront that is beautiful, natural, adds to the village's special character and economy, and is accessible to everyone.

Let's work together to create a waterfront worthy of the river we love.

Sincerely,
Elizabeth Basescu

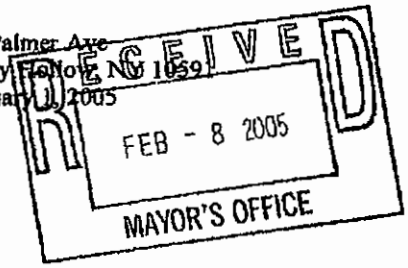
2/2/2005

201 (continued)

COMMENT LETTER NO. 2 (CONTINUED)

COMMENT LETTER NO. 3

139 Palmer Ave
Sleepy Hollow, NY 10591
February 1, 2005



Hon. Philip Zegarelli and
Village Board of Trustees
Village Hall
28 Beekman Avenue
Sleepy Hollow, New York 10591

To the Mayor and Board of Trustees of the Village of Sleepy Hollow:

I have lived in Sleepy Hollow my whole life and am now am a parent of small children currently in the district. I have witnessed, first-hand, our village's sometimes gradual and sometimes more abrupt changes. I remember the active GM site vividly. I am excited for the future that can be Lighthouse Landing, and I thank you for providing the opportunity to comment on the DEIS concerning the waterfront redevelopment project. Having reviewed the DEIS document, I am very interested in making sure that this draft addresses several critical issues and meets certain criteria.

The proposed development is simply too dense for our roads, our schools our historic character and charm and our health in terms of air and water quality. I am extremely concerned about this redevelopment's impact on traffic in our village. We already have a traffic problem along Broadway/Route 9, and the proposal to build over one thousand residential units will certainly exacerbate this situation. In addition to drastically reducing the number of units, I support solutions such as creating a light rail along the current train tracks. 301

Also, I support Scenic Hudson's recommendation to restore the original mouth of the Pocantico River. First, this restoration will provide a critical buffer of open space between the Philipse Manor and Kingsland Point Park and the new development. This is important environmentally as well as aesthetically. Second, the buffer of river will address the density issue by lowering the number of residential units. Third, it will ensure that the floodwaters will not flood the Devries Park area. 302

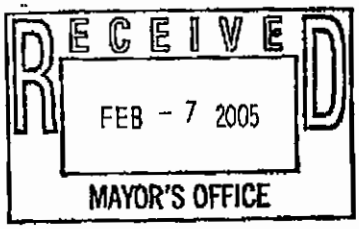
Another key element of the plan should be to restore pedestrian only access to Kingsland Point Park as it was originally. No roads should go anywhere through Philipse Manor or Philipsburg Manor to connect to Kingsland Point Park and the G.M. site. This is unacceptable for safety, environmental, and aesthetic reasons. We are prepared to be very vocal in defending our position of no vehicular access to the park or development through our neighborhoods. 303

I ask you to listen to the residents of Sleepy Hollow, those of us who will be permanently affected once the developers have gone. Let us be pioneers in creating a revitalization effort that sets a trend to lower density, better the environment and provide more open space for my own children and for generations to come. 304

Sincerely,

Cynthia M. Sandler

Cynthia M. Sandler



COMMENT LETTER NO. 4

Sleepy Hollow Families for a
Legendary Waterfront
Philipse Manor and Sleepy
Hollow Manor
Sleepy Hollow, NY 10591
2/3/05

Hon. Philip Zegarelli and
Village Board of Trustees
Village Hall
28 Beekman Ave.
Sleepy Hollow, NY 10591

Dear Mayor Zegarelli and Trustees:

Sleepy Hollow Families for a Legendary Waterfront is a grassroots organization comprised of numerous concerned families in Philipse and Sleepy Hollow Manors. We are committed to the preservation of our community, our environment, and our way of life. We view the Lighthouse Landing project as an opportunity to revitalize our waterfront while maintaining the "charm" and "small-town" character that is "Sleepy Hollow." Our children attend school in town, we swim and boat on the river, volunteer for town events, and have committed ourselves to this community as mothers, fathers, friends, neighbors, and citizens. 401

As such, we ask that you view us as a resource through which to effect the changes to the waterfront. To begin a dialogue, we have reviewed the Draft Environmental Impact Statement (DEIS) submitted to the Mayor and Village Trustees as lead Agency and wish to provide the following three overarching comments. First, when incorporating comments and finalizing the DEIS, please include our organization in the process. Sleepy Hollow Families for a Legendary Waterfront is comprised of citizens who have a wealth of expertise including environmental lawyers, engineers, and community planners. Second, we ask that you proceed with this development with the following "overarching theme": SLEEPY HOLLOW AS A MODEL COMMUNITY FOR 402

COMMENT LETTER NO. 4 (continued)

ENVIRONMENTALISM, DIVERSITY, AND HISTORIC PRESERVATION. Already residents of Philipse and Sleepy Hollow Manors walk to the train station to get to work rather than getting in cars – look at us as a model from which to "spring." Third, we ask that you include the following "specific" comments on the January 11, 2005 DEIS into the public record and that these comments be addressed in the Final Environmental Impact Statement: 402 (continued)

1) Overall, we believe that 1,562 residential units must be reduced to effectuate the kind of development that our organization stands for – that is, one that is environmentally friendly and affords Sleepy Hollow the ability to maintain its character and charm while preserving the Hudson River's ecological integrity. 403

2) Aesthetics – Section III F-13 discusses the impact of the Lighthouse Landing on views from various vantage points around Sleepy Hollow. We are concerned with the development's impacts on all of these views. Particularly, we do not want to see a monolith extending upwards as we try to enjoy walks in Kingsland Point Park. Buildings of different heights should be mixed together. We suggest a significant buffer of green and open space between the development and Kingsland. This will best be effectuated by the restoration of the Pocantico River to its original form as suggested by the Organization Scenic Hudson. Additionally, decreased density and lower heighth buildings can effectuate such a visual buffer. Also, vegetation options should be considered and presented. 404

3) Traffic – Section III-J of the DEIS describes in detail, significant impact the Lighthouse Landing development will have on traffic in the village. Lighthouse Landing in combination with the enumerated, separate developments throughout the area will burden an already "over-burdened" area in terms of traffic congestion. The DEIS lays out the impacts and provides mitigation strategies that include the new Metro North Rail stop (for which there is no guarantee); signal coordination/changes at various intersections; and alternative traffic signals. Our organization includes family members (moms/dads) who shuttle each other and children around town on a daily basis. We are overwhelmed by the amount of traffic in the village right now! Adding over 1500 units with commercial 405

COMMENT LETTER NO. 4 (continued)

facilities is daunting to us. We do not believe the enumerated mitigation efforts on pages III, I-38 through 45 are acceptable. As such, we suggest reducing the number of residential units, reducing the number of parking spaces and establishing other public "intra-village" transportation options including light rail and trolley service and more pedestrian pathways in place of some streets. 405 (continued)

4) Air Quality - Appendix 12, page 3-3 of the DEIS specifically states, "Westchester County is part of a severe ozone non-attainment area that encompasses most of the New York City Metro Area." Increasing traffic into the Lighthouse Landing development coupled with the various other development projects will increase the precursors of ground-level ozone (NOx and VOCs). Though ozone production depends on other factors such as the presence of sunlight, given that we are in non-attainment, the DEIS should better address 1) how the development will impact ozone production; and 2) mitigation efforts. For example, EPA has a Green Roof Tops initiative in New York City. We suggest, in keeping with our theme of Sleepy Hollow as a "showcase" community, Roseland explore and implement the green roof tops concept specifically, and other natural/vegetative air quality mitigation options in general. Again, overall air quality could best be served by reducing the 1,564 housing units and exploring as many public transportation options as possible including light rail. 406

5) Tax Impacts - The addition of over 1,500 residential units to the village will put a strain on municipal services and will require an increase in village taxes. Numerous studies have shown that tax revenues from residential property fails to cover the cost of municipal services such as police, fire, water, sewer, streets and sanitation. Reducing the number of residential units and increasing the commercial and or light industrial uses for the property creates a higher ratable tax base. A more balanced mix use will not only help reduce the tax burden to village residents, but will provide jobs for the residents. We urge the Village and Roseland Development to better balance the uses for the GM site to the benefit of everyone. 407

COMMENT LETTER NO. 5

RECEIVED
FEB - 7 2005
MAYOR'S OFFICE

103 Farrington Avenue
Sleepy Hollow, NY 10591
February 3, 2005

Hon. Philip Zegarelli and
Village Board of Trustees
28 Beekman Avenue
Sleepy Hollow, NY 10591

Dear Mayor Zegarelli and Trustees:

Thank you for providing the opportunity for public comment on the Draft Environmental Impact Statement concerning the Lighthouse Landing waterfront redevelopment project in Sleepy Hollow. The long term impact that this project will have on the Village of Sleepy Hollow necessitates careful consideration of many details by the Village as lead Agency.

During the environmental review process I ask that our Village leaders take the following factors into consideration before making any final decisions about this redevelopment effort:

1) **Traffic** – As all local residents know, the traffic in the Village is already fairly heavy. The proposal to build hundreds of residential units at Lighthouse Landing will most definitely exacerbate this problem. I believe that the number of proposed residential units must be significantly decreased to prevent traffic gridlock in the Village. 501

2) **Air Quality** – The increased traffic that will result from the waterfront redevelopment will have a significant impact on the air quality of the Village. Decreasing the number of units in the redevelopment will go a long way in preserving the overall air quality of the Village. In addition, the use of specific types of vegetation to mitigate air pollution should be investigated. 502

3) **Water Quality** – It is very important that the redevelopment cannot put a strain on the ecological balance of the River. Water quality CANNOT be compromised by any aspect of the redevelopment. 503

4) **Tax Impacts** – Contrary to what many people may believe, it has been proven that increasing the number of residential units costs more in provision of municipal services than what is generated through the newly added tax revenue. These increased costs will be borne by all residents of Sleepy Hollow, who have all had significant tax increases over the last several years. 504

COMMENT LETTER NO. 5 (continued)

5) **Pocantico River** – I support the restoration of the Pocantico River to its original course as suggested by Scenic Hudson. 505

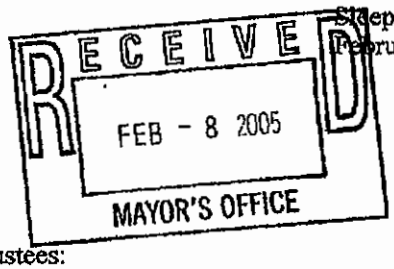
6) **Village Character** – Sleepy Hollow is a charming and historical village. The redevelopment must reflect this character in its style and use of building materials. 506

Thank you very much for your careful attention to this matter.

Sincerely,
Patricia C. Cohen
Ted Cohen except for # 5

COMMENT LETTER NO. 5

107 Farrington Avenue
Sleepy Hollow, NY 10591
February 3, 2005



Hon. Philip Zegarelli and
Village Board of Trustees
28 Beekman Avenue
Sleepy Hollow, NY 10591

Dear Mayor Zegarelli and Trustees:

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COMMENT LETTER NO. 5 (continued)

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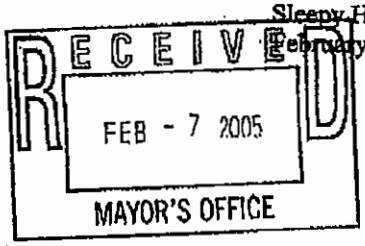
Sincerely,

Susan Uffner

William Lane

COMMENT LETTER NO. 5

111 Farrington Avenue
Sleepy Hollow, NY 10591
February 3, 2005



Hon. Philip Zegarelli and
Village Board of Trustees
28 Beekman Avenue
Sleepy Hollow, NY 10591

Dear Mayor Zegarelli and Trustees:

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COMMENT LETTER NO. 5 (continued)

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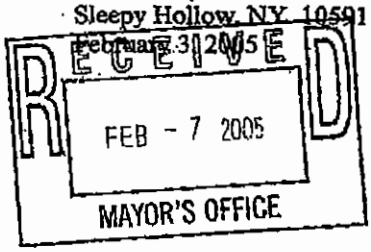
Sincerely,

Elizabeth M. Laite

R. W. Laite

COMMENT LETTER NO. 5

114 Farrington Avenue
Sleepy Hollow, NY 10591
February 3, 2005



Hon. Philip Zegarelli and
Village Board of Trustees
28 Beekman Avenue
Sleepy Hollow, NY 10591

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COMMENT LETTER NO. 5 (continued)

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6) **Village Character** – Sleepy Hollow is a charming and historical village. The redevelopment must reflect this character in its style and use of building materials.

Thank you very much for your careful attention to this matter.

Sincerely,

Julie P. Clayton

Julie P. Clayton

COMMENT LETTER NO. 5

RECEIVED
FEB - 8 2005
MAYOR'S OFFICE

120 Farrington Avenue
Sleepy Hollow, NY 10591
February 3, 2005

Hon. Philip Zegarelli and
Village Board of Trustees
28 Beekman Avenue
Sleepy Hollow, NY 10591

Dear Mayor Zegarelli and Trustees:

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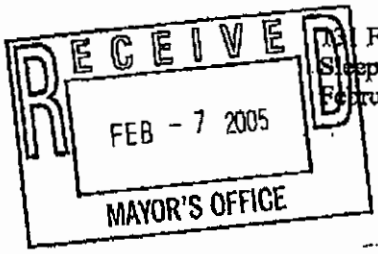
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Sincerely,

120 Farmington Ave
Sleepy Hollow

COMMENT LETTER NO. 5



Farrington Avenue
Sleepy Hollow, NY 10591
February 3, 2005

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Village Board of Trustees
28 Beekman Avenue
Sleepy Hollow, NY 10591

Dear Mayor Zegarelli and Trustees:

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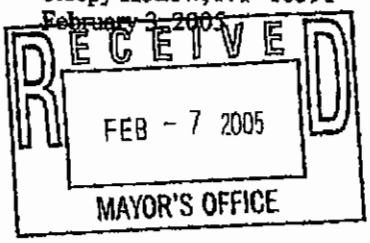
Thank you very much for your careful attention to this matter.

Sincerely,

Jim & Alandra Murphy

COMMENT LETTER NO. 5

146 Farrington Avenue
Sleepy Hollow, NY 10591
February 3, 2005



Hon. Philip Zegarelli and
Village Board of Trustees
28 Beekman Avenue
Sleepy Hollow, NY 10591

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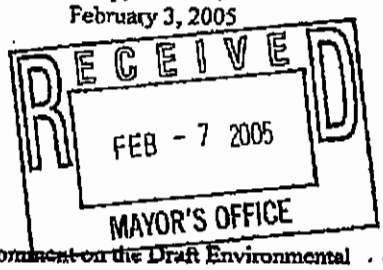
Sincerely,

Rosi Mary Tyczk

Paul Tyczk

COMMENT LETTER NO. 5

166 Farrington Avenue
Sleepy Hollow, NY 10591
February 3, 2005



Hon. Philip Zegarelli and
Village Board of Trustees
28 Beekman Avenue
Sleepy Hollow, NY 10591

Dear Mayor Zegarelli and Trustees:

Thank you for providing the opportunity for public comment on the Draft Environmental Impact Statement concerning the Lighthouse Landing waterfront redevelopment project in Sleepy Hollow. The long term impact that this project will have on the Village of Sleepy Hollow necessitates careful consideration of many details by the Village as lead Agency.

During the environmental review process I ask that our Village leaders take the following factors into consideration before making any final decisions about this redevelopment effort:

1) **Traffic** – As all local residents know, the traffic in the Village is already fairly heavy. The proposal to build hundreds of residential units at Lighthouse Landing will most definitely exacerbate this problem. I believe that the number of proposed residential units must be significantly decreased to prevent traffic gridlock in the Village.

2) **Air Quality** – The increased traffic that will result from the waterfront redevelopment will have a significant impact on the air quality of the Village. Decreasing the number of units in the redevelopment will go a long way in preserving the overall air quality of the Village. In addition, the use of specific types of vegetation to mitigate air pollution should be investigated.

3) **Water Quality** – It is very important that the redevelopment cannot put a strain on the ecological balance of the River. Water quality CANNOT be compromised by any aspect of the redevelopment.

4) **Tax Impacts** – Contrary to what many people may believe, it has been proven that increasing the number of residential units costs more in provision of municipal services than what is generated through the newly added tax revenue. These increased costs will be borne by all residents of Sleepy Hollow, who have all had significant tax increases over the last several years.

COMMENT LETTER NO. 5 (continued)

5) **Pocantico River** – I support the restoration of the Pocantico River to its original course as suggested by Scenic Hudson.

6) **Village Character** – Sleepy Hollow is a charming and historical village. The redevelopment must reflect this character in its style and use of building materials.

Thank you very much for your careful attention to this matter.

Sincerely,

John Whysner

COMMENT LETTER NO. 5

RECEIVED
FEB - 8 2005
MAYOR'S OFFICE

215 Farrington Avenue
Sleepy Hollow, NY 10591
February 3, 2005

Hon. Philip Zegarelli and
Village Board of Trustees
28 Beekman Avenue
Sleepy Hollow, NY 10591

Dear Mayor Zegarelli and Trustees:

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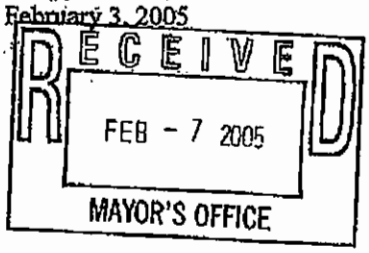
Thank you very much for your careful attention to this matter.

Sincerely,

Dr. + Mrs. William Weber
115 Farrington Ave
Sleepy Hollow

COMMENT LETTER NO. 5

548 Munroe Avenue
Sleepy Hollow, NY 10591
February 3, 2005



Hon. Philip Zegarelli and
Village Board of Trustees
28 Beekman Avenue
Sleepy Hollow, NY 10591

Dear Mayor Zegarelli and Trustees:

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Thank you very much for your careful attention to this matter.

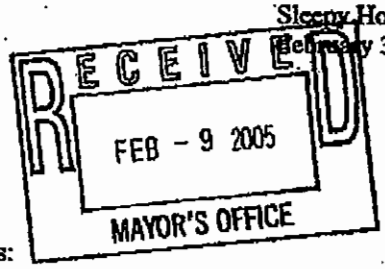
Sincerely,

Stephanie Dunn Fuller

James A Fuller

COMMENT LETTER NO. 5

169 Farrington Avenue
Sleepy Hollow, NY 10591
February 3, 2005



Hon. Philip Zegarelli and
Village Board of Trustees
28 Beekman Avenue
Sleepy Hollow, NY 10591

Dear Mayor Zegarelli and Trustees:

Thank you for providing the opportunity for public comment on the Draft Environmental Impact Statement concerning the Lighthouse Landing waterfront redevelopment project in Sleepy Hollow. The long term impact that this project will have on the Village of Sleepy Hollow necessitates careful consideration of many details by the Village as lead Agency.

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COMMENT LETTER NO. 5 (continued)

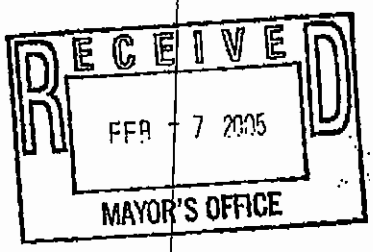
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6) **Village Character** – Sleepy Hollow is a charming and historical village. The redevelopment must reflect this character in its style and use of building materials.

Thank you very much for your careful attention to this matter.

Sincerely,

COMMENT LETTER NO. 6



Sherry A. Bishko, esq.
537 Bellwood Ave.
Sleepy Hollow, NY 10591
(914) 332-7179
2/5/05

Hon. Philip Zegarelli and
Village Board of Trustees
Village Hall
28 Beekman Ave.
Sleepy Hollow, NY 10591

Dear Mayor Zegarelli and Trustees:

Thank you for providing the opportunity to comment on the Draft Environmental Impact Statement concerning the Lighthouse Landing waterfront redevelopment project in Sleepy Hollow. The enormity of this project on the Village of Sleepy Hollow necessitates careful oversight from the Village as lead Agency.

I have lived in Sleepy Hollow for nearly ten years and have committed to raising my children here and building a life in the community. My love for the Village stems from its people, character, proximity to the river and overall beauty. I want to ensure that this character is preserved as the waterfront redevelopment commences.

Specifically, I would like to enumerate some of the concerns that I believe must be addressed by you, as lead Agency, during this important environmental review process:

1) Traffic – As a resident and parent who is constantly on the Village roads transporting children from one event to another, I am extremely concerned about this redevelopment's impact on traffic in the Village. The proposal to build hundreds of residential units will most definitely exacerbate this traffic problem. I believe that the number of proposed condominium/residential units MUST be cut from the number being proposed to a lesser number to prevent traffic gridlock in the Village. 601

2) Air Quality – The enormity of the waterfront redevelopment, its increased traffic, and buildings will have a large impact on the air quality of the Village. The impact on air quality must be studied and mitigated to the greatest extent possible as set forth in the Clean Air Act. How will the redevelopment fit into the current State Implementation Plan? I am concerned about the health of my children and the impact of more mobile sources of air pollution in the Village of Sleepy 602

COMMENT LETTER NO. 6 (continued)

Hollow. I believe, cutting the number of units in the redevelopment will go a long way in preserving the overall air quality of the Village. Additionally, the use of specific types of vegetation to mitigate air pollution must be investigated. 602 (continued)

3) Water Quality/River Access – The quality of the water of the Hudson River is extremely important to this community as the River is an integral part of life in Sleepy Hollow. The redevelopment CANNOT put any strain on the ecological balance of the River. Also, the redevelopment must have as much green space as possible to prevent runoff into the river and provide access to the river for Village residents. 603

4) Tax Impacts – It is established that increasing residential units places more of a burden on the tax structure than the increased revenue that it generates. That is, it will cost more in terms of municipal services for each residential unit that is built at the waterfront. This increased costs will increase our taxes in the Village of Sleepy Hollow. I am extremely concerned about the redevelopment impact on my taxes. The tax issue MUST be addressed. Specifically, I believe building fewer residential units will curtail a tax increase for the residents of Sleepy Hollow who have been burdened with substantial tax increases over the last few years. 604

5) Pocantico River – I support the restoration of the Pocantico River to its original state as per Scenic Hudson's suggested plan. 605

6) Village Character – Sleepy Hollow derives much from its historical character and charm. The redevelopment must reflect this character in its style and use of building materials. Additionally, the redevelopment provides a unique opportunity to use public transportation (via trollies/light rail) to effectuate this preservation. I believe that the use of public transportation will get cars off of the roads and thereby preserve the Village's charm and historic aspects. This suggestion must be investigated and implemented to the fullest extent possible. 606

Thank you in advance for addressing each of these comments. I am overwhelmed by the opportunity we have in the Village of Sleepy Hollow to revitalize a beautiful waterfront while preserving the charm of our community, keeping our environment safe for our children and maintaining the integrity of our air and water.

Sincerely,

Sherry A. Bishko

Sherry A. Bishko, esq.

COMMENT LETTER NO. 7

Kalen Holliday.
457 Bellwood Ave.
Sleepy Hollow, NY 10591

RECEIVED
FEB - 7 2005
MAYOR'S OFFICE

Hon. Philip Zegarelli and
Village Board of Trustees
Village Hall
28 Beekman Ave.
Sleepy Hollow, NY 10591

Dear Mayor Zegarelli and Trustees,

I am writing to express my opinions on the Draft Environmental Impact Statement for Sleepy Hollow's Lighthouse Landing waterfront redevelopment project.

As a resident of this community for the past decade, I have been generally impressed by the commitment made to preserve the best of the Village, while making vital improvements. However, I am concerned about several aspects of the waterfront redevelopment project. As the lead Agency, I know that you are also concerned about the redevelopment project and its impact on the environment and life in our Village.

My greatest concern is that **traffic**, which has grown progressively worse in my decade as a resident, will become a nightmare. The number of residential units proposed will create gridlock. Many of our neighbors chose this community because it was less congested than other parts of Westchester. Do we want to lose that key advantage? 701

Furthermore, the increase in buildings and vehicles will have an enormous impact on the **quality of both our air and water.** The ability to use the Hudson River has attracted many residents to our area. If water quality deteriorates, the area will lose much of its desirability. It would be irresponsible to allow the redevelopment to disrupt the ecological balance of the Hudson, especially after so much effort has been made to clean up the river. 702

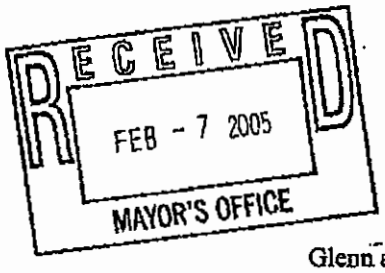
I am also concerned that the proposed residential units will actually increase, not decrease, our already **tremendous tax burden.** Many of our friends have expressed concern that they will no longer be able to afford to live here if taxes continue to increase as they have over the past five years. 703

I appreciate the opportunity to comment on these issues and am hopeful that the decisions made will continue to preserve the quality of life we enjoy in Sleepy Hollow, while being environmentally and fiscally responsible.

Sincerely,

Kalen Holliday

COMMENT LETTER NO. 8



Glenn and Susan Higgins
4 Harwood Avenue
Sleepy Hollow, NY 10591

Hon. Philip Zegarelli and
Village Board of Trustees
Village Hall
28 Beekman Ave.
Sleepy Hollow, NY 10591

Dear Mayor Zegarelli and Trustees:

Thank you for providing the opportunity for us to comment on the Draft Environmental Impact Statement concerning the Lighthouse Landing waterfront redevelopment project in Sleepy Hollow. As citizens who value this community and have committed to a life in the Village, we are excited about a new, revitalized waterfront. We are also, however, concerned about the development's impacts on the community and the Hudson River. As such, please accept the following comments as lead Agency for this DEIS.

We are very concerned about the potential increased traffic that will arise from the development's 1,564 new residential units. As parents who are constantly on the Village roads shuttling our children from one event to another, we are extremely concerned about this redevelopment's impact on traffic in the Village. The proposal to build hundreds of residential units will most definitely exacerbate this traffic problem. We believe that the number of proposed condominium/residential units must be cut from the number being proposed to a lesser number to prevent traffic gridlock in the Village. 801

Additionally, we are concerned about the development's impact on air quality, noise, and the overall environmental quality of our area. The enormity of the waterfront redevelopment, its increased traffic, and buildings will have a large impact on the air quality of the Village. We are also concerned about the quality of the water and the ecological balance of the Hudson River. Over a thousand residential units will surely create a burden on not only the River in terms of runoff, but will tax our municipal services thus impacting our taxes. It is established that increasing residential units places more of a burden on the tax structure than the increased revenue that it generates. That is, it will cost more in terms of municipal services for each residential unit that is built at the waterfront. We are extremely concerned about the redevelopments impact on our taxes. 802 803

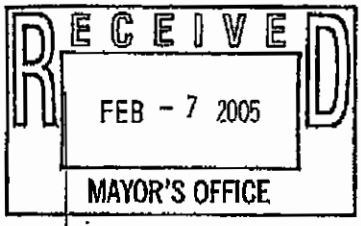
COMMENT LETTER NO. 8 (continued)

Thank you in advance for addressing each of these comments. We are grateful for the opportunity we have in the Village of Sleepy Hollow to revitalize a beautiful waterfront while preserving the charm of our community and preserving the environmental integrity of the land and water for our children.

Sincerely,

Glenn and Susan Higgins

COMMENT LETTER NO. 8



Russell and Hope McAdam
7 Farrington Avenue
Sleepy Hollow, NY 10591

Hon. Philip Zegarelli and
Village Board of Trustees
Village Hall
28 Beekman Ave.
Sleepy Hollow, NY 10591

Dear Mayor Zegarelli and Trustees:

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COMMENT LETTER NO. 8 (continued)

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Sincerely,

Russell + Hope McAdam

Russell and Hope McAdam

COMMENT LETTER NO. 8

RECEIVED
FEB - 8 2005
MAYOR'S OFFICE

David and Rebecca Schroedel
475 Monroe Ave.
Sleepy Hollow, NY 10591

Hon. Philip Zegarelli and
Village Board of Trustees
Village Hall
28 Beekman Ave.
Sleepy Hollow, NY 10591

Dear Mayor Zegarelli and Trustees:

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Additionally, we are concerned about the development's impact on air quality, noise, and the overall environmental quality of our area. The enormity of the waterfront redevelopment, its increased traffic, and buildings will have a large impact on the air quality of the Village. We are also concerned about the quality of the water and the ecological balance of the Hudson River. Over a thousand residential units will surely create a burden on not only the River in terms of runoff, but will tax our municipal services thus impacting our taxes. It is established that increasing residential units places more of a burden on the tax structure than the increased revenue that it generates. That is, it will cost more in terms of municipal services for each residential unit that is built at the waterfront. We are extremely concerned about the redevelopments impact on our taxes.

COMMENT LETTER NO. 8 (continued)

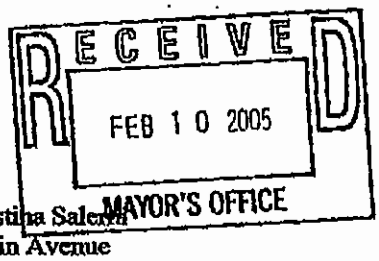
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Sincerely,

Rebecca Schroedel
David Schroedel

David and Rebecca Schroedel

COMMENT LETTER NO. 9



Christina Salerno
21 Merlin Avenue
Sleepy Hollow, NY 10591

Hon. Philip Zegarelli and
Village Board of Trustees
Village Hall
28 Beekman Ave.
Sleepy Hollow, NY 10591

Dear Mayor Zegarelli and Trustees:

Thank you for providing the opportunity for me to comment on the Draft Environmental Impact Statement concerning the Lighthouse Landing waterfront redevelopment project in Sleepy Hollow. I value this community and have committed to a life in the Village. As such, I am both excited and concerned about the waterfront redevelopment. Please accept the following comments as lead Agency for this DEIS.

I am very concerned about the development's impact on the environment. Specifically, I am extremely concerned that 1,564 new residential condominiums will impact air quality, and the overall environment of our area. I am also concerned about the quality of the water and the ecological integrity of the Hudson River. Over a thousand residential units will surely create a burden on not only the River in terms of runoff, but will tax our municipal services thus impacting our taxes. It is established that increasing residential units places more of a burden on the tax structure than the increased revenue that it generates. That is, it will cost more in terms of municipal services for each residential unit that is built at the waterfront. I am extremely concerned about the redevelopments impact on my taxes. 901 902 903

One of my greatest concerns with regards to the redevelopment is the impact it will have on the Village traffic situation. As a parent who is constantly on the Village roads shuttling my children to and from dance, baseball, and piano lessons, I am extremely concerned about this redevelopment's impact on traffic in the Village. The proposal to build hundreds of residential units will most definitely exacerbate an already dire traffic situation. I believe that the number of proposed condominium/residential units must be cut from the number being proposed to a lesser number to prevent traffic gridlock in the Village. 904

COMMENT LETTER NO. 9 (continued)

Thank you in advance for addressing each of these comments. I am grateful for the opportunity we have in the Village of Sleepy Hollow to revitalize a beautiful waterfront while preserving the charm of our community and preserving the environmental integrity of the land and water for our children.

Sincerely,

Christina Salerni

cc Dave Smith
Mayor 2
Andy Twig
report generated from joint Village traffic meeting

COMMENT LETTER NO. 10

STV Incorporated
225 Park Avenue South
New York, New York 10003
(212) 777-4400 fax:(212) 529-5237

RECEIVED
JAN 24 2005
ADMINISTRATOR

Adler Consulting, Transportation Planning & Traffic Engineering, PLLC
235 Main Street
White Plains, NY 10601-2401
Tel # (914) 997-8510
Fax # (914 997-7140

FEB 15 2005

January 7, 2005

Mr. Stephen McCabe
Village of Tarrytown Administrator
21 Wildey Street
Tarrytown, NY 10591

Mr. Dwight Douglas
Village of Sleepy Hollow Administrator
28 Beekman Avenue
Sleepy Hollow, NY 10591

Re: **Existing and Projected Capacity Deficient Roadways in the Villages**

Dear Messrs. McCabe and Douglas:

At your direction, Adler Consulting and STV have reviewed the Ferry Landings and Lighthouse Landing Draft Environmental Impact Statements and have conducted an inspection of both Villages' roads to identify the ongoing sources of traffic congestion and whether these conditions are likely to be improved following the completion of development on the Villages' waterfront.

1001

Not surprisingly, the principal areas of traffic congestion in the Villages are along Broadway and are particularly acute where Broadway is intersected by other important routes. The historical presence and the extent of over-capacity conditions on this two-lane commercial corridor, which is an important component of the Villages' central business districts (particularly in Tarrytown) are demonstrated most clearly in NYSDOT traffic counts for the corridor.

These data show that, when traffic volumes are highest in the corridor, there are several hours of the day when the volume of traffic proceeding along the corridor

deviates only minimally. There is no single rush hour, rather a three-hour rush. This indicates that the number of motorists using the corridor is greater than the corridor's capacity and that more motorists would likely use the corridor in the peak hour if additional capacity were provided. From the relatively limited information available, this condition is most prevalent in both directions between Main and Wildey Streets as well as southbound approaching Prospect Avenue. 1001 (continued)

The NYSDOT data also suggest that this condition has existed for over a decade. A comparison of 1990 with 2003 NYSDOT traffic volumes reveals that traffic activity in the corridor has only increased by 2 percent in that 14-year span. Since there have been no major improvements in the corridor (north of Prospect Avenue) in that timeframe and because traffic volumes on the other surrounding highways have increased substantially, we conclude that the corridor was operating at capacity in 1990 as it is now. 1002

A review of the available DEIS data, which is summarized on the attached table, indicated that the primary choke-points along the corridor are: 1003

Broadway at Beekman Avenue/Bedford Road - Capacity at this six-legged intersection between two state highways is dramatically reduced by the multiple signal phases needed to operate the intersection. Thus, while each of the six approaches continually feed to the intersection (some more heavily than others), there is only a limited amount of time when the motorists on the individual approaches are allowed to proceed.

Broadway at Tarrytown Schools, Depeyster Street - The high concentration of traffic activity, including heavy volumes of bus and pedestrian traffic, associated with the start and end of the school day at the schools located on this campus exceeds the capacity of this signalized intersection for short periods. The problem is further compounded by this intersection's proximity to the intersection of Broadway with Beekman Avenue/Bedford Road and the limited ability to progress vehicles on Broadway. As a result, northbound queuing on Broadway at Beekman Avenue frequently spills back to Depeyster Street, extending the length of time that congestion is experienced at that location.

Broadway Between Wildey Street and Main Street/Neperhan Road - Broadway is extensively developed with commercial properties which are dependant, in part, upon on-street parking between Wildey and Main Streets, while Main/Neperhan

COMMENT LETTER NO. 10 (continued)

1003 (continued)

Road is an important corridor requiring a significant portion of the signal cycle at its intersection with Broadway. The extensive parking and maneuvers along this section of Broadway, combined with considerable pedestrian activity and the effect of the signal at Main Street result in a significant reduction in the capacity of the corridor through this vibrant streetscape.

Broadway at Franklin Street - Broadway and Franklin Street is the confluence of two of the busiest corridors in the Village of Tarrytown. Both roads deliver a significant volume of traffic destined toward the south end of the Village as well as the Tappan Zee Bridge, and there is insufficient capacity to accommodate both streams of traffic in the single southbound receiving lane at this intersection. Congestion on Franklin Street from vehicles exiting the train station has led to large volumes of traffic cutting through the Miller Park neighborhood, only to encounter more congestion approaching Broadway on Park Avenue and Independence and Church Streets.

Broadway at Prospect Avenue - Broadway and Prospect Avenue is arguably the most congested intersection in the Village of Tarrytown. The confluence of two busy corridors leading to the Tappan Zee Bridge (Prospect Avenue is the connection from around the Tarrytown Lakes), there is not enough capacity to accommodate both streams of traffic in the single southbound receiving lane at this intersection.

We trust that this information satisfies your immediate needs and will assist both Villages in defining the nature of local traffic congestion, hopefully with the goal of involving the State Department of Transportation, which has jurisdiction over Broadway, the State Thruway Authority, which operates the Tappan Zee Bridge generating a substantial portion of the traffic on Broadway, as well as the Metropolitan Transportation Authority, which has jurisdiction over the Tarrytown railroad station, also generating a substantial portion of the traffic on Broadway. Should you have any questions, please do not hesitate to contact us.

Sincerely,

Adler Consulting,
Transportation Planning & Traffic Engineering, PLLC

John Canning, P.E., P.T.O.E.
Senior Associate

STV Incorporated

Steven P. Scalici, P.E.
Associate

Existing and Projected Problem Traffic Locations in the Villages of Sleepy Hollow and Tarrytown

(AM, PM, SAT), Uppercase Signalized Intersection Level-of Service
Lowercase Unsignalized Intersection Level-of Service

[AM, PM, SAT] Recorded Capacity-Number of Hours at Capacity
(Existing only, no future projections)

Future Conditions include mitigation measures

NA - No data available

Existing Poor/Failing Conditions	Future Poor/Failing Conditions
Broadway at Beekman Av/Bedford Road	
(E,E,D)	(E,F,D)
Broadway at Wildey Street	
Northbound [580 vph - 2 hrs, 685 vph - 3 hrs, NA]	
Southbound [580 vph - 2 hrs, 685 vph - 3 hrs, NA]	
2-Way AADT, 2003 - 18,400, 1990 - 18,100	
Broadway at Main Street	
	(D,F,F)
Broadway at Franklin Street	
(e,f,e)	(F,F,E)
Broadway at Independence Street	
	(NA,e,NA)
Broadway at Church Street	
(e,e,NA)	(f,f,NA)
Broadway at Prospect Avenue	
Northbound [NA, 1075 vph - 2 hrs, NA]	
Southbound [NA, 1100 vph - 3 hrs, NA]	
2-Way AADT, 2003 - 24,500, 1990 - 24,000	
Franklin Street at Riverview Ave	
	(e,NA,NA)

COMMENT LETTER NO. 11

cc: Dave S
Andy T

RECEIVED
FEB 14 2005
MAYOR'S OFFICE

February 11, 2005

Hon. Philip Zegarelli and
Village Board of Trustees
Village Hall
28 Beekman Avenue
Sleepy Hollow, New York 10591

To the Mayor and Board of Trustees of the Village of Sleepy Hollow:

Thank you for providing the opportunity to comment on the Draft Environmental Impact Statement concerning the Lighthouse Landing waterfront redevelopment project in Sleepy Hollow. As a Sleepy Hollow resident and parent of children in the district, I am very interested in making sure that this draft addresses several critical issues and meets certain criteria.

I am extremely concerned about this redevelopment's impact on traffic in our village. We already have a traffic problem along Broadway/Route 9, and the proposal to build over one thousand residential units will certainly exacerbate this situation. The proposed development is simply too dense for our roads, our schools our historic character and charm and our health in terms of air and water quality. In addition to drastically reducing the number of units, I support solutions such as creating a light rail along the current train tracks. 1101

Also, I support Scenic Hudson's recommendation to restore the original mouth of the Pocantico River. First, this restoration will provide a critical buffer of open space between the Philipse Manor and Kingsland Point Park and the new development. This is important environmentally as well as aesthetically. Second, the buffer of river will address the density issue by lowering the number of residential units. Third, it will ensure that the floodwaters will not flood the Devries Park area. 1102

Another key element of the plan should be to restore pedestrian only access to Kingsland Point Park as it was originally. No roads should go anywhere through Philipse Manor or Philipsburg Manor to connect to Kingsland Point Park and the G.M. site. This is unacceptable for safety, environmental, and aesthetic reasons. We are prepared to be very vocal in defending our position of no vehicular access to the park or development through our neighborhoods. 1103

I ask you to listen to the residents of Sleepy Hollow, those of us who will be permanently affected once the developers have gone. Let us be pioneers in creating a revitalization effort that sets a trend to lower density, better the environment and provide more open space for generations to come.

Sincerely,

Beth Hildick-Smith

Beth Hildick-Smith
114 Harwood Ave
Sleepy Hollow, NY 10591

Westchester gov.com

Andrew J. Spano
County Executive

Department of Health
Joshua Lipsman, M.D. M.P.H.
Commissioner

RECEIVED
FEB 15 2005
ADMINISTRATOR

February 9, 2005

Dwight Douglas, Village Administrator
Village of Sleepy Hollow
28 Beekman Avenue
Sleepy Hollow, New York 10591

Re: Draft Environmental Impact Statement
Lighthouse Landing

Dear Mr. Douglas:

The Westchester County Health Department has reviewed the Draft Environmental Impact Statement dated January 2005 for the Lighthouse Landing development and has the following comments.

Water Supply

1. The existing village pump station has a maximum design capacity of 2.3 mgd and an emergency capacity of 4.0 mgd. The design capacity of 2.3 mgd must be utilized in determining the ability of the public water supply to satisfy current and future demands. The emergency capacity is only for emergencies and cannot be considered available for meeting average daily demand. 1201
2. The reduction in water use due to water saving fixtures cannot be considered when determining the average daily demands of this project. The total project demand of 0.5 mgd, not the reduced demand of 0.4 mgd, must be utilized to determine future daily water demand. 1202
3. The Villages of Sleepy Hollow and Briarcliff Manor have signed an intermunicipal agreement where the Village of Briarcliff Manor could also be utilizing the 30" Catskill pipeline. This demand must be included in the pipeline sizing. Also, future demand in the Village of Tarrytown must be considered in the pipeline capacity evaluation. 1203
4. The existing 80,000 gallon water storage reservoir does not satisfy the minimum average day storage requirement as set forth in Section 7.0.1 of the Recommended Standards for Water Works, 1997 ed. Currently the Village must utilize its emergency Croton Aqueduct supply during scheduled disruptions of its Catskill source. The Croton source does not comply with the Surface Water Treatment Rule and the continued use of this source during scheduled disruptions of the Catskill supply is in non-compliance with the Rule. Thus, the Village of Sleepy Hollow must satisfy water storage requirements before consideration can be given for additional water demands on the system. 1204
5. It is noted that many of these comments were transmitted previously in our September 20, 2004 correspondence relating to the August 2004 Village of Sleepy Hollow Water Supply Improvements DEIS. Copies of these comments are attached. 1205

COMMENT LETTER NO. 12 (continued)

Sanitary Sewage

It is noted that portions of some buildings are proposed to be located over the existing Westchester County sanitary trunk line. Locating buildings above sanitary sewers should be avoided. The Westchester County Department of Environmental Facilities, the owner of the sewer, must approve this arrangement. 1206

Comments relating to the existing environmental conditions at this site will be forwarded under separate cover.

I remain,

Michael J. Sakala, P.E.
Assistant Commissioner
Bureau of Environmental Quality

MJS:LCD:ls

cc: Ed Burroughs, WC Planning
File

COMMENT LETTER NO. 13

Dolph Rotfeld Engineering, P.C.

cc Dave Smith
Audrey Tung

MEMO

TO: DWIGHT DOUGLAS

FYI

FROM: DOLPH ROTFELD, P.E., F.NSPE, DEE

SUBJECT: **Sleepy Hollow – Lighthouse Point**
Public Hearing (Meeting) held 2/8/05

DATE: FEBRUARY 11, 2005

Audrey –
note 2nd page
Flooding issue
for each side.
DD

Citizen with Concerns – 14 Speakers
Issues mentioned by # of speakers
Traffic: 7
Rateable Mix – More Commercial + Industrial: 3
Jobs: 1
Water increases: 2
Sewer increases: 2
Sanitation increases: 2
Coop units: 1
Density: 8
Architecture – (Dutch Infl.): 4
Open Space: 3
Post Office: 1
School population: 5
Residential units: 4
Air Quality: 3
Scenic Hudson – Restore Pocantico River: 1
Community + Cultural Center: 1
Environmental: 3
Scenic: 1
Public Access: 1
Pedestrian walk ways: 2
Light Industrial: 2
Parking: 2
Commercial District: 1
Pocantico River: 2
Flooding Issues: 4
Bridges: 1
Viaduct: 1
Fill Material – Transport: 1

COMMENT LETTER NO. 13 (continued)

Dolph Rotfeld Engineering, P.C.

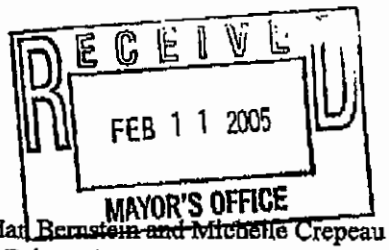
RR -- MTA: 2
Contaminated Areas: 1
Rental Units: 3
Global Warming: 1
Loading – Geology: 1
Taxes: 3
Time Line: 1
Public Safety: 1
Public Library: 1
Recreation Facilities: 2

Some of my issues:

- Flooding issues what elevation is FEMA + record of Floyd. 1301
- Bulkhead – Water front treatment/ What's there now? 1302
- What about railroad car shuttle to Tarrytown vs. Stations. 1303
- What happens to the concrete platform? If left what about under it? 1304
- What was the average/peak water uses by GM. 1305

COMMENT LETTER NO. 14

CC'd to Mr. Andy T.



Jordan Bernstein and Michelle Crepeau
215 Palmer Ave.
Sleepy Hollow, NY 10591

Hon. Phil.p Zegarelli and
Village Board of Trustees
Village Hall
28 Beekman Ave.
Sleepy Hollow, NY 10591

Dear Mayor Zegarelli and Trustees:

Thank you for providing the opportunity for us to comment on the Draft Environmental Impact Statement concerning the Lighthouse Landing waterfront redevelopment project in Sleepy Hollow. As citizens who value this community and have committed to a life in the Village, we are excited about a new, revitalized waterfront. We are also, however, concerned about the development's impacts on the community and the Hudson River. As such, please accept the following comments as lead Agency for this DEIS.

We are very concerned about the potential increased traffic that will arise from the development's 1,564 new residential units. As parents who are constantly on the Village roads shuttling our children from one event to another, we are extremely concerned about this redevelopment's impact on traffic in the Village. The proposal to build hundreds of residential units will most definitely exacerbate this traffic problem. We believe that the number of proposed condominium/residential units must be cut from the number being proposed to a lesser number to prevent traffic gridlock in the Village. 1401

Additionally, we are concerned about the development's impact on air quality, noise, and the overall environmental quality of our area. The enormity of the waterfront redevelopment, its increased traffic, and buildings will have a large impact on the air quality of the Village. We are also concerned about the quality of the water and the ecological balance of the Hudson River. Over a thousand residential units will surely create a burden on the River in terms of runoff. 1402 1403

Such a large number of units will also burden our municipal services thus impacting our taxes. It is established that increasing residential units places more of a burden on the tax structure than the increased revenue that it generates. That is, it will cost more in terms 1404

of municipal services for each residential unit that is built at the waterfront. We are extremely concerned about the redevelopments impact on our taxes. 1404 (continued)

Thank you in advance for addressing each of these comments. We are grateful for the opportunity we have in the Village of Sleepy Hollow to revitalize a beautiful waterfront while preserving the charm of our community and preserving the environmental integrity of the land and water for our children.

Sincerely,

Jordan Bernstein and Michelle Crepeau

Jordan Bernstein and Michelle Crepeau

COMMENT LETTER NO. 15

cc: Dave S.
Andy T.

RECEIVED
JAN 25 2005
MAYOR'S OFFICE

Mr. Klaus Schmidt
549 Munroe Ave.
Sleepy Hollow, NY 10591-1333

Copy to BD
Copy to Board
Rosalind
etc.

January 20, 2005

Q2

Sleepy Hollow
Hon. Philip Zegarelli and
Village Board of Trustees
Village Hall
28 Beekman Avenue
Sleepy Hollow, NY 10591

To the Mayor and Board of Trustees of the Village of Sleepy Hollow:

I am pleased that Sleepy Hollow is taking positive steps toward revitalizing its waterfront. There are many aspects of the Lighthouse Landing project, which reflect our commitment to the preservation of open space and public access to the Hudson River.

I believe that this is a project of major proportions that will change Sleepy Hollow's waterfront for generations. As a Sleepy Hollow-area resident, I have concerns about the project that I would like to see the Village address during the environmental review process.

I request that special attention be paid to the following issues:

- Linkage of the site to the village
- Density and traffic (this is particularly troublesome)
- Site contamination
- Use and design of open space
- Flooding of Pocantico River

I support Scenic Hudson's recommendation that the village further investigate the potential of greater linkage between Philipsburg Manor, Devries Park, Kingsland Point Park, and the Hudson River as well as the Pocantico River restoration.* We have an unprecedented opportunity to create a riverfront that is beautiful, natural, adds to the village's special character and economy, and is accessible to everyone.

Let's work together to create a waterfront worthy of the river we love.

Sincerely,

Print Name

* A widening and rerouting of the Pocantico (Mill) River is almost a MUST!

1501

COMMENT LETTER NO. 16

[redacted]
11 Storm Street
Tarrytown, NY 10591

February 10, 2005

RECEIVED
FEB 14 2005
ADMINISTRATOR

Dwight Douglas, Village Administrator
Village of Sleepy Hollow
28 Beekman Avenue
Sleepy Hollow, NY 10591

RE: **LIGHTHOUSE LANDING**

Dear Mr. Douglas:

I am a resident of your sister village, the Village of Tarrytown, and am sending you this letter to voice my concerns with the proposed Lighthouse Landing developmental project on the old General Motors site.

I am pleased that the 94.5-acre site will have new life on its soil. It will be refreshing to see beautifully landscaped grounds on the barren eyesore as it sits today. I am thrilled about the 33 acres of open space slated for parkland in this project. However, I do have concerns that I feel need to be taken into consideration. 1601

I am greatly concerned with the more than 1,500 (plus) number of residential housing that is currently proposed. I am flabbergasted at that towering number of residential 1602

COMMENT LETTER NO. 16 (continued)

homes! I urge the Village of Sleepy Hollow and Roseland Properties Company to seriously consider scaling back the number of residential homes at Lighthouse Landing. The Village of Sleepy Hollow could not possibly handle such an immediate increase in population. It would place a great burden on an already ailing and insufficient school system in our area. The proposed estimate number of 217 new students entering the school system seems extremely low. If the proposed homes were restricted to a retirement facility, I could somehow see a basis on that number. However, I think the developer has suggested a number that is not at all accurate or reasonable.

1602 (continued)

The traffic in the Village of Sleepy Hollow, along with the Village of Tarrytown, will be greatly impacted by the density of the proposed project. As you know, Route 9 is already a mess. Can you imagine what it will be like if this project is not scaled back? Traffic congestion will be outrageous.

1603

The 180,000 square feet of retail and 50,200 square feet of office space also proposed for this project seems exorbitant. I implore you to also reconsider downsizing that number as well. People will not be willing to shop or do business with an association that is not convenient to get to. Who willingly wants to sit in traffic? Commuters and shoppers will take the path of the least resistance. If it is not convenient to travel to, shoppers will go elsewhere. It is a fact.

1604

COMMENT LETTER NO. 16 (continued)

I beg you to carefully consider the huge changes that this proposed development would bring upon the Village of Sleepy Hollow. The future of a great village is at stake. I believe the vision for Lighthouse Landings in Sleepy Hollow will bring great things for the village. I would like to be sure that the vision is not clouded by a developer's gluttony. Please consider my apprehension with due diligence. I am not entirely against this project but I believe wise, well thought out decisions made today will shape the future of the Village of Sleepy Hollow. One cannot erase a mistake of great magnitude. 1605

Please kindly incorporate my concerns about this project in the developer's draft environmental impact statement.

Sincerely,

Diane P. Tuohy

Diane P. Tuohy

cc: Mayor
Board of Trustees

COMMENT LETTER NO. 17

Diane Maass
27 Pokahoe Drive , Sleepy Hollow, New York 10591

RECEIVED
FEB 22 2005
MAYOR'S OFFICE

February 17, 2005 08:27 PM

Honorable Philip Zegarelli
28 Beekman Avenue
Sleepy Hollow, NY 10591

Subject: Restore the Pocantico

Dear Honorable Zegarelli:

I am pleased that the village is taking positive steps toward revitalizing its waterfront. There are many aspects of the Lighthouse Landing project, which reflect my commitment to the preservation of open space and public access to the Hudson River.

I believe that this is a project of major proportions that will change Sleepy Hollow's waterfront for generations. As a Sleepy Hollow resident, I have concerns about the project that I would like to see the village address during the environmental review process.

I request that special attention be paid to the following issues:

--Linkage of the site to the village --Density and traffic --Site contamination --Use and design of open space --Flooding of Pocantico River

I support Scenic Hudson's recommendation that the village further investigate the potential of greater linkage between Philipsburg Manor, Devries Park, Kingsland Point Park, and the Hudson River as well restoring the Pocantico River.

I specifically request that:

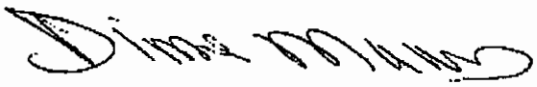
--A buffer area be provided between the Roseland development site and Kingsland Pt Park 1701

--This buffer area be preserved for the potential ecological restoration of the Pocantico River and the linkage of the Horseman's trail to the Hudson River waterfront

We have an unprecedented opportunity to create a riverfront that is beautiful, natural, adds to the village's special character and economy, and is accessible to everyone. Let's work together to create a waterfront worthy of the river we love. 1702

Sincerely,

Diane Maass



Yvette Rogers

6294 Mill St Apt B , Rhinebeck, New York 12572

February 2[illegible]005 10:33 AM



Honorable Philip Zegarelli
28 Beekman Avenue
Sleepy Hollow, NY 10591

Subject: Restore the Pocantico

Dear Honorable Zegarelli:

I am pleased that the village is taking positive steps toward revitalizing its waterfront. There are many aspects of the Lighthouse Landing project, which reflect my commitment to the preservation of open space and public access to the Hudson River.

I believe that this is a project of major proportions that will change Sleepy Hollow's waterfront for generations. As a Sleepy Hollow resident, I have concerns about the project that I would like to see the village address during the environmental review process.

I request that special attention be paid to the following issues:

--Linkage of the site to the village --Density and traffic --Site contamination --Use and design of open space --Flooding of Pocantico River

I support Scenic Hudson's recommendation that the village further investigate the potential of greater linkage between Philipsburg Manor, Devries Park, Kingsland Point Park, and the Hudson River as well restoring the Pocantico River.

I specifically request that:

--A buffer area be provided between the Roseland development site and Kingsland Pt Park

--This buffer area be preserved for the potential ecological restoration of the Pocantico River and the linkage of the Horseman's trail to the Hudson River waterfront

We have an unprecedented opportunity to create a riverfront that is beautiful, natural, adds to the village's special character and economy, and is accessible to everyone. Let's work together to create a waterfront worthy of the river we love.

Sincerely, Yvette Rogers

Yvette Rogers

Paul Meck

240 Lake St , Pleasantville, New York 10570

RECEIVED
FEB 28 2005
MAYOR'S OFFICE

February 23, 2005 02:06 PM

Honorable Philip Zegarelli
28 Beekmar Avenue
Sleepy Hollow, NY 10591

Subject: Restore the Pocantico

Dear Honorable Zegarelli:

I am pleased that the village is taking positive steps toward revitalizing its waterfront. There are many aspects of the Lighthouse Landing project, which reflect my commitment to the preservation of open space and public access to the Hudson River.

I believe that this is a project of major proportions that will change Sleepy Hollow's waterfront for generations. As a Sleepy Hollow resident, I have concerns about the project that I would like to see the village address during the environmental review process.

I request that special attention be paid to the following issues:

--Linkage of the site to the village
--Density and traffic
--Site contamination
--Use and design of open space
--Flooding of Pocantico River

I support Scenic Hudson's recommendation that the village further investigate the potential of greater linkage between Philipsburg Manor, Devries Park, Kingsland Point Park, and the Hudson River as well restoring the Pocantico River.

I specifically request that:

--A buffer area be provided between the Roseland development site and Kingsland Pt Park

--This buffer area be preserved for the potential ecological restoration of the Pocantico River and the linkage of the Horseman's trail to the Hudson River waterfront

We have an unprecedented opportunity to create a riverfront that is beautiful, natural, adds to the village's special character and economy, and is accessible to everyone. Let's work together to create a waterfront worthy of the river we love.

Sincerely,

Paul Meck

COMMENT LETTER NO. 17

RECEIVED
FEB 28 2005
MAYOR'S OFFICE

amy kaufman
163 palmer avenue , sleepy hollow, New York 10591

February 25, 2005 01:55 PM

Honorable Philip Zegarelli
28 Beekman Avenue
Sleepy Hollow, NY 10591

Subject: Restore the Pocantico

Dear Honorable Zegarelli:

I am pleased that the village is taking positive steps toward revitalizing its waterfront. There are many aspects of the Lighthouse Landing project, which reflect my commitment to the preservation of open space and public access to the Hudson River.

I believe that this is a project of major proportions that will change Sleepy Hollow's waterfront for generations. As a Sleepy Hollow resident, I have concerns about the project that I would like to see the village address during the environmental review process.

I request that special attention be paid to the following issues:

--Linkage of the site to the village --Density and traffic --Site contamination --Use and design of open space --Flooding of Pocantico River

I support Scenic Hudson's recommendation that the village further investigate the potential of greater linkage between Philipsburg Manor, Devries Park, Kingsland Point Park, and the Hudson River as well restoring the Pocantico River.

I specifically request that:

--A buffer area be provided between the Roseland development site and Kingsland Pt Park

--This buffer area be preserved for the potential ecological restoration of the Pocantico River and the linkage of the Horseman's trail to the Hudson River waterfront

We have an unprecedented opportunity to create a riverfront that is beautiful, natural, adds to the village's special character and economy, and is accessible to everyone. Let's work together to create a waterfront worthy of the river we love.

Sincerely,

Amy Kaufman

February 28, 2005

RECEIVED
MAR - 2 2005
MAYOR'S OFFICE

The Honorable Philip Zegarelli
28 Beekman Avenue
Sleepy Hollow, NY 10591

Dear Mr. Zegarelli:

Subject: Restore the Pocantico

I am writing to thank Sleepy Hollow Village for taking positive steps toward revitalizing its waterfront. There are many aspects of the Lighthouse Landing project, which reflect a positive commitment to the preservation of open space and public access to the Hudson River.

I agree with those who say that this is a project of major proportions that will change Sleepy Hollow's waterfront for generations.

As a New Yorker who is proud of our state's natural and historic heritage, I would like to see the Village address the following issues during the environmental review process:

- linkage of the site to the village
- density and traffic
- site contamination
- use and design of open space
- flooding of Pocantico River

I support Scenic Hudson's recommendation that the Village further investigate the potential of greater linkage between Philipsburg Manor, Devries Park, Kingsland Point Park, and the Hudson River as well restoring the Pocantico River. Specifically:

- a buffer area be provided between the Roseland development site and Kingsland Pt Park
- this buffer area be preserved for the potential ecological restoration of the Pocantico River and the linkage of the Horseman's trail to the Hudson River waterfront

This is an unprecedented opportunity to create a riverfront that is beautiful, natural, adds to the Village's special character and economy, and is accessible to everyone.

Thank you for your consideration and help in this important matter.

Respectfully,

J. Capozzelli

J. Capozzelli
315 West 90th Street
New York, NY 10024

Andrea Kott
30 Hudson Terrace , Sleepy Hollow, New York 10591

RECEIVED
MAR - 1 2005
MAYOR'S OFFICE
March 01, 2005 12:09 PM

Honorable Philip Zegarelli
28 Beekman Avenue
Sleepy Hollow, NY 10591

Subject: Restore the Pocantico

Dear Honorable Zegarelli:

I am pleased that the village is taking positive steps toward revitalizing its waterfront. There are many aspects of the Lighthouse Landing project, which reflect my commitment to the preservation of open space and public access to the Hudson River.

I believe that this is a project of major proportions that will change Sleepy Hollow's waterfront for generations. As a Sleepy Hollow resident, I have concerns about the project that I would like to see the village address during the environmental review process.

I request that special attention be paid to the following issues:

--Linkage of the site to the village --Density and traffic --Site contamination --Use and design of open space --Flooding of Pocantico River

I support Scenic Hudson's recommendation that the village further investigate the potential of greater linkage between Philipsburg Manor, Devries Park, Kingsland Point Park, and the Hudson River as well restoring the Pocantico River.

I specifically request that:

--A buffer area be provided between the Roseland development site and Kingsland Pt Park

--This buffer area be preserved for the potential ecological restoration of the Pocantico River and the linkage of the Horseman's trail to the Hudson River waterfront

We have an unprecedented opportunity to create a riverfront that is beautiful, natural, adds to the village's special character and economy, and is accessible to everyone. Let's work together to create a waterfront worthy of the river we love.

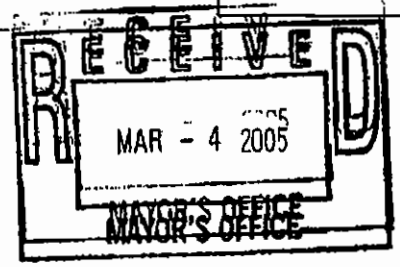
Sincerely,

Andrea Kott

S - needs Response

CC: Andy T
Dave S

COMMENT LETTER NO. 17



Honorable Philip Zegarelli
28 Beekman Avenue
Sleepy Hollow, NY 10591

Subject: Restore the Pocantico

Dear Honorable Zegarelli:

I am pleased that the village is taking positive steps toward revitalizing its waterfront. There are many aspects of the Lighthouse Landing project, which reflect my commitment to the preservation of open space and public access to the Hudson River.

I believe that this is a project of major proportions that will change Sleepy Hollow's waterfront for generations. As an Irvington resident, I have concerns about the project that I would like to see the village address during the environmental review process.

I request that special attention be paid to the following issues:

--Linkage of the site to the village --Density and traffic --Site contamination --Use and design of open space --Flooding of Pocantico River

I support Scenic Hudson's recommendation that the village further investigate the potential of greater linkage between Philipsburg Manor, Devries Park, Kingsland Point Park, and the Hudson River as well restoring the Pocantico River.

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We have an unprecedented opportunity to create a riverfront that is beautiful, natural, adds to the village's special character and economy, and is accessible to everyone. Let's work together to create a waterfront worthy of the river we love.

Sincerely

Michael A. Cornman
11 Willow Street
Irvington, NY 10533
914-591-3245

Copy to Bd + Roseland ETC.

COMMENT LETTER NO. 17

Helaine Meisler

PO Box 614 39 Handy's Walk Shady, New York 12409

February 22, 2005 08:19 AM

Honorable Philip Zegarelli
28 Beekman Avenue
Sleepy Hollow, NY 10591

RECEIVED
MAR 11 2005
MAYOR'S OFFICE

Subject: Restore the Pocantico River

Dear Honorable Zegarelli,

I am pleased that the village is taking positive steps toward revitalizing its waterfront. There are many aspects of the Lighthouse Landing project, which reflect my commitment to the preservation of open space and public access to the Hudson River. I believe that this is a project of major proportions that will change Sleepy Hollow's waterfront for generations. As a Sleepy Hollow resident, I have concerns about the project that I would like to see the village address during the environmental review process.

I request that special attention be paid to the following issues:

- Linkage of the site to the village
- Density and traffic
- Site contamination
- Use and design of open space
- Flooding of the Pocantico River

I support Scenic Hudson's recommendation that the village further investigate the potential of greater linkage between Philipsburg Manor, Devries Park, Kingsland Point Park, and the Hudson River as well restoring the Pocantico River. I specifically request that:

- A buffer area be provided between the Rosecland development site and Kingsland Pt. Park
- This buffer area be preserved for the potential ecological restoration of the Pocantico River and the linkage of the Horseman's trail to the Hudson River waterfront

We have an unprecedented opportunity to create a beautiful and natural riverfront that adds to the village's special character and economy and is accessible to everyone. Please, let's work together to create a waterfront worthy of the river we love.

Thank you.

Sincerely,

Helaine Meisler

COMMENT LETTER NO. 17

Honorable Philip Zegarelli
28 Beekman Avenue
Sleepy Hollow, NY 10591

RECEIVED
MAR - 4 2005
MAYOR'S OFFICE

Subject: Restore the Pocantico

Dear Honorable Zegarelli:

I am pleased that the village is taking positive steps toward revitalizing its waterfront. There are many aspects of the Lighthouse Landing project, which reflect my commitment to the preservation of open space and public access to the Hudson River.

I believe that this is a project of major proportions that will change Sleepy Hollow's waterfront for generations. As an Irvington resident, I have concerns about the project that I would like to see the village address during the environmental review process.

I request that special attention be paid to the following issues:

--Linkage of the site to the village --Density and traffic --Site contamination --Use and design of open space --Flooding of Pocantico River

I support Scenic Hudson's recommendation that the village further investigate the potential of greater linkage between Philipsburg Manor, Devries Park, Kingsland Point Park, and the Hudson River as well restoring the Pocantico River.

I specifically request that:

--A buffer area be provided between the Roseland development site and Kingsland Pt Park

--This buffer area be preserved for the potential ecological restoration of the Pocantico River and the linkage of the Horseman's trail to the Hudson River waterfront

We have an unprecedented opportunity to create a riverfront that is beautiful, natural, adds to the village's special character and economy, and is accessible to everyone. Let's work together to create a waterfront worthy of the river we love.

Sincerely,

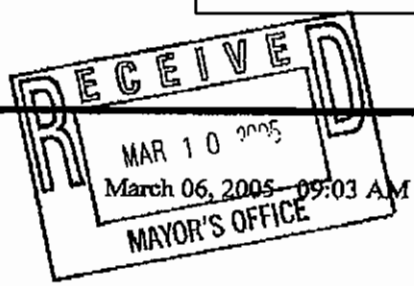
Patricia L. Mulvey, LMSW

RZ

S - Needs a Response
Copy to BD + Roseland etc.

COMMENT LETTER NO. 17

James Kovach
432 3rd Street NE apt 3, Charlottesville, Virginia 22902



Honorable Philip Zegarelli
28 Beekman Avenue
Sleepy Hollow, NY 10591

Subject: Restore the Pocantico

Dear Honorable Zegarelli:

I am pleased that the village is taking positive steps toward revitalizing its waterfront. There are many aspects of the Lighthouse Landing project, which reflect my commitment to the preservation of open space and public access to the Hudson River.

I believe that this is a project of major proportions that will change Sleepy Hollow's waterfront for generations. As a Hudson Valley resident, I have concerns about the project that I would like to see the village address during the environmental review process.

I request that special attention be paid to the following issues:

--Linkage of the site to the village --Density and traffic --Site contamination --Use and design of open space --Flooding of Pocantico River

I support Scenic Hudson's recommendation that the village further investigate the potential of greater linkage between Philipsburg Manor, Devries Park, Kingsland Point Park, and the Hudson River as well restoring the Pocantico River.

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Sincerely,

James Kovach

COMMENT LETTER NO. 17

RECEIVED
APR - 4 2005
MAYOR'S OFFICE

elizabeth hegeman
2340 county road 7 , copake, New York 12516

March 23, 2005 12:51 PM

Honorable Philip Zegarelli
28 Beekman Avenue
Sleepy Hollow, NY 10591

Subject: Restore the Pocantico

Dear Honorable Zegarelli:

I am pleased that the village is taking positive steps toward revitalizing its waterfront. There are many aspects of the Lighthouse Landing project, which reflect my commitment to the preservation of open space and public access to the Hudson River.

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Sincerely,

Elizabeth Hegeman

COMMENT LETTER NO. 17

RECEIVED
APR - 4 2005
MAYOR'S OFFICE

michael stocker
100 riverside 10o, new york, New York 10024-4822

March 23, 2005 12:57 PM

Honorable Philip Zegarelli
28 Beekman Avenue
Sleepy Hollow, NY 10591

Subject: Restore the Pocantico

Dear Honorable Zegarelli:

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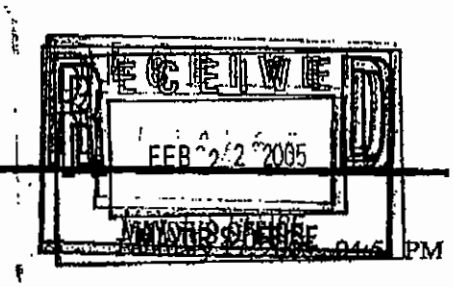
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Sincerely,

M Stocker

COMMENT LETTER NO. 18



Maria Canales
P.O. Box 124, Tarrytown, New York 10591

Honorable Philip Zegarelli
28 Beekman Avenue
Sleepy Hollow, NY 10591

Subject: Restore the Pocantico

Dear Honorable Zegarelli:

I am pleased that the village is taking positive steps toward revitalizing its waterfront. There are few aspects of the Lighthouse Landing project, which reflect my commitment to the preservation of open space and public access to the Hudson River.

I believe that this is a project of major proportions that will change Sleepy Hollow's waterfront for generations. As a Tarrytown resident, I have concerns about the project that I would like to see the village address during the environmental review process.

I request that special attention be paid to the following issues:

--Linkage of the site to the village --Density and traffic --Site contamination --Use and design of open space --Flooding of Pocantico River --Architectural aesthetic as a Historic River Town -- Termination of litigation against Village of Tarrytown --Outreach to the immigrant community of Sleepy Hollow

1801

I support Scenic Hudson's recommendation that the village further investigate the potential of greater linkage between Philipsburg Manor, Devrics Park, Kingsland Point Park, and the Hudson River as well restoring the Pocantico River.

I specifically request that:

--A buffer area be provided between the Roseland development site and Kingsland Pt Park

--This buffer area be preserved for the potential ecological restoration of the Pocantico River and the linkage of the Horseman's trail to the Hudson River waterfront

We have an unprecedented opportunity to create a riverfront that is beautiful, natural, adds to the village's special character and economy, and is accessible to everyone. Let's work together to create a waterfront worthy of the river we love.

COMMENT LETTER NO. 18 (continued)

Sincerely,

Maria Canales

347 Madison Avenue
New York, NY 10017-3739
212 340-3000

Peter A. Cannito
President

COMMENT LETTER NO. 19

FEB 23 2005

Metro-North Railroad

February 22, 2005

Dwight Douglas
Village Administrator
Village of Sleepy Hollow
Village Hall
28 Beekman Avenue
Sleepy Hollow, NY 10591

Re: MNR PRELIMINARY Comments on Draft EIS for Lighthouse Landing at Sleepy Hollow

Dear Mr. Douglas:

Metro-North Railroad submits the following comments on the Draft Environmental Impact Statement for the Lighthouse Landing Riverfront Development in so far as the DEIS relates to matters concerning the construction and funding of a rail station at the site of the development:

1. Construction of a Rail Station

1901

Metro-North and the project's developer are parties to an agreement for the analysis of the feasibility of establishing, maintaining, and operating the rail station. As called for in that agreement, the Developer submitted to Metro-North a Design Definition Report which demonstrates the feasibility of establishing a rail station at Lighthouse Landing from an engineering perspective. It has not yet been determined from an operational perspective if a station is feasible. The proximity of a new rail station between the existing Tarrytown and Philipse Manor Stations will have impacts on Hudson Line service that Metro-North may or may not find acceptable. Operating times, schedules, and levels of service at nearby stations are some of the issues that must be addressed. In previous discussions and correspondence we have indicated this impact should be explored.

The developer has committed to preparing a preliminary design of the proposed station as part of the feasibility study. This has not yet been submitted for MNR review. Any conceptual plan of the station and ancillary facilities contained in the DEIS merely represents the developer's view, not an approved plan.

1902

Since it has not yet been determined that a station is operationally feasible, any reference in the DEIS to the station as a potential mitigation measure is premature.

1903

2. Funding

1904

There are several instances in the DEIS where reference is made to pursuing funding for the construction of a station.

Section III; 11; page III.A-42 – references that "construction of a new Metro-North railroad station has been proposed. A new station may receive federal funding through USDOT/FTA which would make the station a federal action subject to NEPA." 1904 (continued)

Section III. H-8 states "The new station under consideration to be constructed as part of the project, subject to Metro-North approval and availability of sufficient funding..."

The station is not a Metro-North project. The developer has proposed construction of this station as part of the Lighthouse Landing Development. As such, assuming it is determined that a station is fully feasible from both engineering and operational perspectives, and if MNR agrees and permits a station to be constructed, funding for construction, operation, and maintenance of a station must be the responsibility of the developer.

MNR has repeatedly stated in meetings and in correspondence (see response to Scoping Document in letter dated May 16, 2003 and letter of January 11, 2005 to the Village and Developer) with the Developer and Village that MNR will not utilize its capital funding resources for the construction, maintenance, or operation of the station. Nor will Metro-North use limited federal financial assistance or operating funds for the construction, maintenance or operation of the station, at the expense of our infrastructure or operation needs.

3. Parking

1905

Section II; e; page II-12 – reference is made to a 400 space parking lot being sized in response to MNR's desire to address regional parking needs within the Hudson Line Corridor.

A 400-space lot would not be adequate to meet MNR parking demands as shown in the Parking Demand Analysis submitted to the Developer and the Village by MNR in January (see transmittal letter dated January 19, 2005). The analysis indicated that the parking demand requires 1,100 parking spaces by 2020.

In addition, the DEIS indicates that certain adverse impacts will be mitigated by the construction of a 400 space commuter parking lot (Page III.H-14) at the station. However there are no data provided to show that this number of spaces provides sufficient mitigation.

4. Beekman Avenue Bridge

1906

The DEIS calls for replacement of the Beekman Avenue Bridge. Page III L-13 references that developer would be willing to pay its "fair share of the cost for improvements" to the Beekman Avenue Bridge. The bridge would need to be reconstructed to bear more tonnage than it is currently able to handle. This requirement is the result of the project needs. MNR would not fund this construction.

Very truly yours,

Randall J. Fleischer

Randall J. Fleischer
Director – Planning and Development

CC: Roseland/Sleepy Hollow, LLC
233 Canoe Brook Road
Short Hills, New Jersey 07078

H. Permut, MNR
M. Mannix, MNR
K. Timko, MNR
R. Bernard, MNR
D. Buckley, MNR
Andy Tung, Divney Tung Schwalbe
Mayor Philip E. Zegarelli

Lighthouse Landing – DEIS Comments

Item 1 - Traffic

a. High Credit for Mass Transit 2001

The traffic studies take into account high credits for Mass Transit; a study should be done if the Railroad Station is not built. What effect will this be on the traffic, parking and any alternate routes that now will be required?

b. Missing Intersections in Tarrytown 2002

The study does ot evaluate several of the key intersections in Tarrytown; specifically Park Avenue, Independence Avenue and Church Street. The studies should include these intersections

c. Elimination of Parking (Location 7) 2003

The study indicates that there will be an elimination of on street parking (Route 9 at Main Street and Neperan Avenue).This type of "improvement" must be discussed in more detail and potential impacts on overall parking conditions in the Village of Tarrytown must be assessed if such mitigation is proposed.

d. Traffic Study: ReferenceManual 2004

The study references the 6th Edition issue of the ITE Trip Generation Handbook. Since the 7th Edition of this manual was available in November 2003, the study should be revised and the latest manual should be utilized for all trip generation estimates.

e. Ferry Landing – Updated Traffic Analysis 2005

The study includes Ferry Landings; however it does not include the latest development proposal from Ferry Landings which would result in significantly less traffic. A new study should be done incorporating the latest revisions.

Item 2 - Fiscal

a. School Children – Estimated Projection 2006

The Projected number of new school children generated by the Project is extremely low. Please provide alternate methods of determining the numbers of school children, including some actual case studies from Tarrytown and the surrounding Counties of Westchester, Putnam, Rockland and Nassau.

b. Tax Benefits 2007

Please provide a net calculation of tax benefits to Tarrytown after the additional cost of school taxes has been taken into account.

COMMENTS BY : MICHAEL TEDALDI P. 2 of 5

February 22, 2005

Lighthouse Landing – DEIS Comments

Infrastructure (Impact on Tarrytown)
Costs and Schedule

Issue 1. Beekman Avenue Bridge Replacement

Question(s)

a) When is the Bridge going to be replaced? Obviously, the Bridge should be repaired before any construction begins. Otherwise, all traffic can not enter and exit the site over Beekman Ave and will tax the adjacent roads and towns. Have these alternate routes been identified and evaluated for truck loading requirements? 2008

b) Has a study been done of the existing utilities on the bridge (identified as water, sewer, gas and electric) Have the utility Companies approved installing their utilities on this new Bridge? 2009

c) If the Bridge is not going to be replaced immediately and alternate routes are not allowed, how will the Bridge be monitored to insure the weight limit is not exceeded with trucks entering (exiting) the site? 2010

f) If the Bridge is not going to be replaced immediately, has the traffic study included the alternate routes that will be taken by the trucks? 2011

d) How can the surrounding road systems have been designed if Metro North has not agreed to any conceptual plans for the replacement Bridge? 2012

Issue 2. East Access Viaduct Evaluation

Question(s)

a) When is the Viaduct going to be replaced? The Viaduct should be repaired before any construction begins. Is Roseland going to pay for the repairs? 2013

b) Has Metro North been involved with the repair of the Viaduct since is adjacent to their Property. Who is going to pay for the Metro North costs (design review costs, inspection costs, and flag protection) while the Viaduct is being designed and the work is being done? 2014

COMMENTS BY: MICHAEL TEDALDI

Issue 3. Utilities: Water and Sewer

Question(s)

a) Portions of the proposed development will be constructed over the County Sewer. Has the County approved this Plan? 2015

b) There are extensions to the existing watermain planned; both the existing 18" and 10" lines. Has the County approved these plans? The Plan is not clear on where the existing watermain ends. Who is paying the cost to bring the new watermain from its existing location to the proposed site? 2016

Issue 4. Environmental Clean Up

Question(s)

a) Are all the trucks going to exit through Tarrytown if the Beekman Ave. Bridge is not ready? 2017

b) What is the estimated number of trucks exiting the site each day with hazardous material? What kind of plan is in effect to insure the trucking does not use Tarrytown streets during rush (school) hours? 2018

c) How can a Site Plan be developed if DEC has had no input into the proposed remediation (clean up) Plan? 2019

d) How can a study be done on Air Quality if an environmental remediation plan has not been developed? 2020

Issue 5. Railroad Station

Question(s)

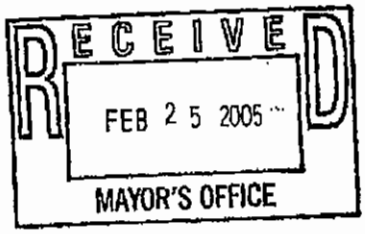
a) The report from McLaren states that Metro North owns and maintains the Beekman Ave Bridge. Is this correct? If they are they Owners, than they will be the agency to issue Permits for the demolition and reconstruction of the new Bridge. Roseland states they are not paying for repair of this Bridge. Who is responsible to secure a new design, get permits and build this new Bridge? 2021

b) Who is going to pay for all the Metro North costs associated with construction of the new Bridge (design review costs, inspection costs, flag protection costs, etc)? Has a "force account" been set up with Metro North to start this work? It seems like the most important access to (from) the site, has not been addressed properly. 2022

c) What is the anticipated Schedule for construction of the Railroad Station? How does this schedule coincide with the Beekman Ave bridge? 2023

COMMENT LETTER NO. 21

CC: Dave Smith
Andy Tung



22 Continental Street
Sleepy Hollow, NY 10591
February, 22 2005

Village of Sleepy Hollow
28 Beekman Avenue
Sleepy Hollow, NY 10591

RE: Lighthouse Landing

To Whom it May Concern,

As a resident of Continental Street I am very concerned about the effect Lighthouse Landing will have on my family and my neighbors lives. I have viewed the current plans and was unable to find any reference regarding the future planes for Continental and Howard Streets. The inclusion of a Metro North railway station and the village DPW yard will cause a large volume of auto and truck traffic to use these residential streets. Drivers rushing to catch trains and the large trucks will create a dangerous situation for the many children residing here. The streets are narrow and there is currently a parking problem. The EPA and the NY DOT should not approve the project until questions about access and egress are fully answered. 2101

If Beekman Ave. becomes a bottleneck for vehicles trying to get to the areas west of the railroad tracks, traffic from the north and east will use this entrance to bypass the congestion.

Please answer the following questions:

- If Metro North builds a station will the Phillips Manor station be closed? 2102
- In order to accommodate traffic from the North why wasn't a route using Deveries Avenue proposed 2103
- What are the possible uses for the area labeled "area for other Village uses". 2104

With over 5000 parking spaces planed, the quality of life will be affected. 2105

Respectfully,

Theodore S. Jako

COMMENT LETTER NO. 22

PHILIPSE MANOR IMPROVEMENT ASSOCIATION

215 Harwood Avenue
Sleepy Hollow, NY 10591
February 22, 2005

Dwight Douglas
Village Administrator
Village of Sleepy Hollow
28 Beekman Avenue
Sleepy Hollow, NY 10591

RE: Rosoland DEIS for development at the former GM plant

Dear Dwight,

The Philipse Manor Improvement Association (PMIA) is deeply concerned about the density of the Roseland proposal for the GM site. The DEIS contains a projection of renters and owners which will increase the village population by over 30%. 2201

At our meeting on February 7, 2005, the Board of the PMIA voted to insist that the number of residential units be reduced by at least one –third with most of the reduction coming from the number of rental units. It is clear from the tax numbers published in the recent DEIS, that the rental units produce less tax income to the village and to the School District and yet will generate a greater demand for police and educational services because of the density of renters and their often transient nature. 2202

The Board also voted to request that a greater attempt be made to make the buildings look like an authentic part of Sleepy Hollow rather than a series of mall-like structures with fake facades hung from them. 2203

We would like to see the DEIS reworked with this reduced number of units. 2204

Sincerely,

Richard A. Plano,
PMIA President

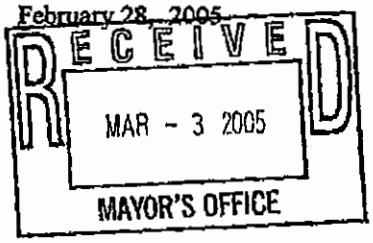
RECEIVED
MAR - 2 2005
ADMINISTRATOR

COMMENT LETTER NO. 23

cc: Dana Smith
Andy Tung
Mayor 3.

17 Pokahoe Drive
Sleepy Hollow, NY 10591

February 28, 2005



Mr. Jonathan Stein
Roseland Properties
233 Canoe Brook Road
Short Hills, NJ 07078

Subject: GM Property Development

Dear Mr. Stein,

At the recent February 19 public hearing on this Subject at the Sleepy Hollow Village Hall I made a verbal comment confirming my prior written comment of July 22, 2004 regarding the need for a second access to the planned Development and a suggestion for implementing it (copy with details attached).

- The currently planned single access to the Development is a significant safety issue that could be alleviated by the second access. 2301
- The second access would also help reduce the downtown, Beekman Ave./Rt.9 traffic congestion, a unanimously accepted potential problem, by providing a by-pass for the northerly traffic. 2302

I look forward to the written reply promised by Mayor Zegarelli.

My second comment at the February public hearing, which I am recording here, is regarding the use of the 7.6 acres of land at the border of the Development and the Philipsburg Manor Restoration property. The current plan appears to be to give this space for expansion to the P.M. Restoration. My comment is to use most or all of this space for an additional recreation area for the residents of the Development and Sleepy Hollow residents in general. The space could be used for athletic fields, regular tennis courts (I commend the plan for paddle tennis courts at another location) and even the consideration of a swimming pool. 2303

The high density population planned for the Development should get all the recreational space that could be made available with a priority significantly higher than for the Restoration and its cows, goats and tourists that might wander through that area. Please give this your serious consideration and I look forward to your response.

Sincerely,

Alfred Strasser

cc Hon. Mayor Philip Zegarelli

COMMENT LETTER NO. 23 (continued)

17 Pokahoe Drive
Sleepy Hollow, NY 10591

July 22, 2004

Mr. Jonathan Stein
Roseland Properties
233 Canoe Brook Road
Short Hills, NJ 070708

Subject: GM Property Development

Dear Mr. Stein,

This letter is to propose a second access to the GM Property Development that your organization is currently planning.

The currently planned single access to the Development via Beekman Avenue across the bridge over the Metro North railroad tracks poses numerous hazards if it is maintained as the single access. 2304

The single access bridge could be blocked due to an accident on the bridge, due to a snow or ice storm, or unexpected problems on the tracks below it. All of these could last either a relatively short time, but could also stop traffic and access for days. The effects would include: 2305

- Inability of emergency vehicles such as fire engines, ambulances and police to enter the area, or in case the vehicles are in the Development they could not exit and take emergency cases to a hospital.
- Inability of service vehicles for power failures, plumbing and electrical failures to enter the area.
- Inability of persons to commute to or from the area by car for work or for other reasons eliminating some vital services.

An emergency or crisis such as a fire, flood, explosion, or serious storm could require a partial or total evacuation of the area and the effects could include: 2306

- Mass exodus blocking the bridge via extensive one way exit traffic and potentially resulting accidents and preventing emergency vehicles from entering as per the first bullet above.
- People exiting by walking across the tracks at significant risks; this would be particularly hazardous to children and the elderly, both a part of the Development population.
- Serious injury or even death of those that could not be assisted or evacuated. This applies to the blocked bridge case above as well.

Just one such incident would depress the real estate values of the Development as an undesirable place to live and could generate lawsuits as well. These of course are not as pressing reasons for a second access as the significant hazards to people and property.

My suggestion for a second access is noted on the attached map. Continental Avenue (highlighted) runs from Route 9 to dead end at the Metro North tracks. This could be continued over the tracks via bridge or under the tracks via tunnel. The tunnel would have the advantage that it could connect directly to the underground parking garage (of course the bridge might also) and give direct access to and from Route 9, especially for traffic coming from and going to the northern direction. THIS IS AN ADDITIONAL ADVANTAGE OF THE SECOND ACCESS, AS IT DIVERTS PART OF THE TRAFFIC FROM "DOWNTOWN" SLEEPY HOLLOW. 2307

COMMENT LETTER NO. 23 (continued)

There could be a disadvantage to residents in the Continental Ave. area, as this street would need to be widened. However, the advantages gained, some necessary to the safety and security of the Development, would be worth that compromise. 2308

A discussion with responsible MTA personnel indicated that if Rosoland were to propose a second access involving a track crossing, that this would be considered and not rejected out-of-hand. 2309

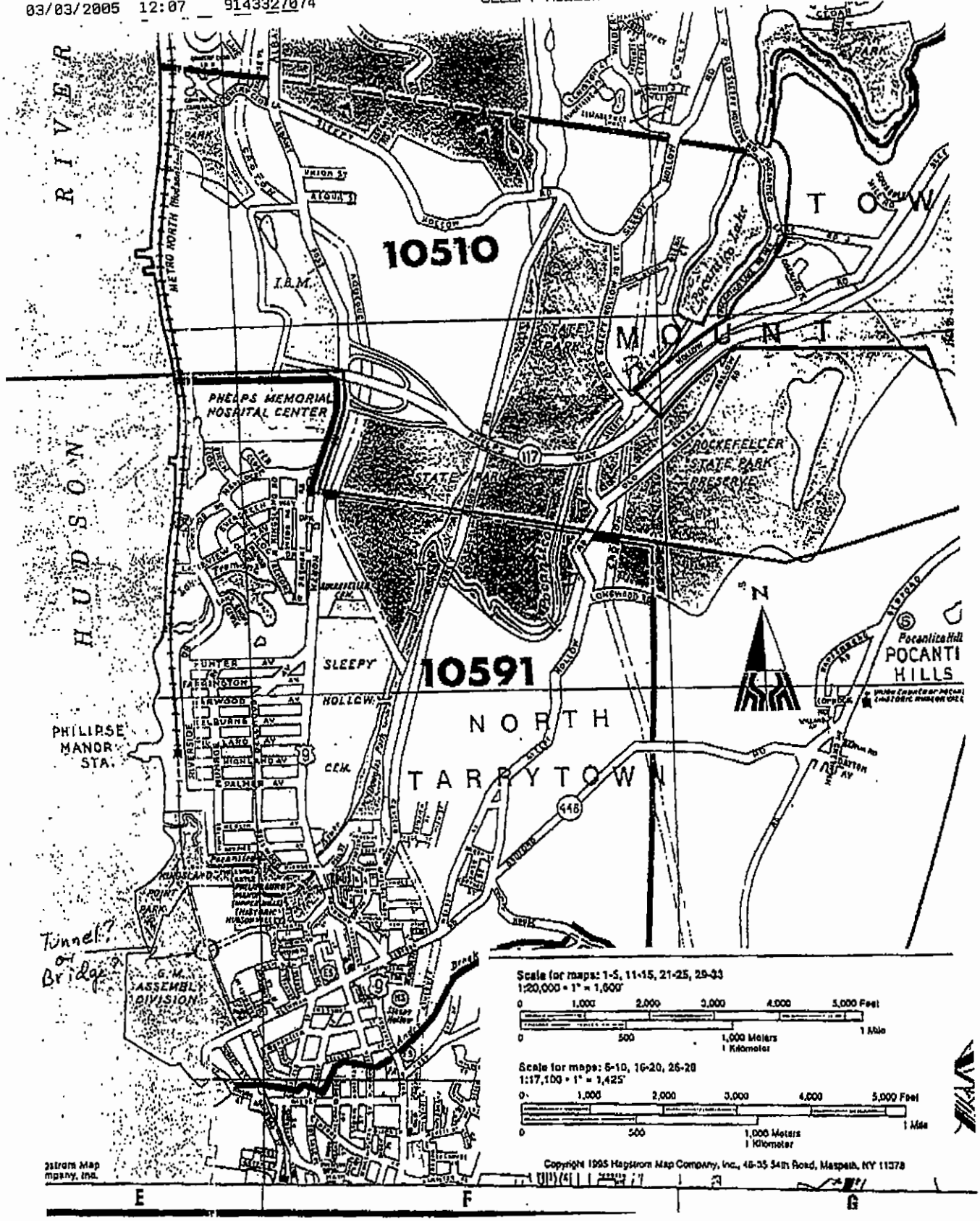
I would be very interested in comments regarding this suggestion.

With best regards,

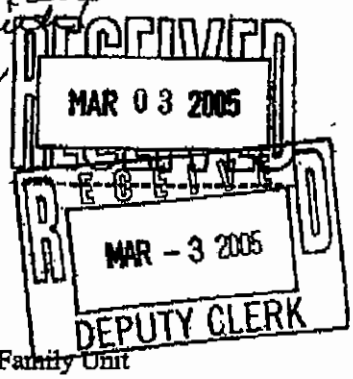
Alfred Strasser
(914) 631-5644
Stras69@att.net

cc Hon. Philip Zegarelli, Mayor, Sleepy Hollow
Mr. Michael Mannix, MTA

COMMENT LETTER NO. 23 (continued)



COMMENT LETTER NO. 24



March 2, 2005

Village of Sleepy Hollow
H. Trustees and Members of the Planning Board
28 Beekman Avenue
Sleepy Hollow NY 10591

Re: Due Upon Receipt – Intrinsic Educational Asset Equalization Levy per Family Unit
Lighthouse Landing Project DEIS

Dear Village Trustees and Members of the Planning Board:

In my assessment, the following governmental bodies have not performed their sworn fiduciary responsibilities to protect the taxpayer and to promote the educational welfare of our community:

- The Village of Tarrytown Board of Trustees
- The Village of Tarrytown Planning Board
- The Village of Sleepy Hollow Board of Trustees
- The Village of Sleepy Hollow Planning Board

and last but not least

- The Board of Education for The Tarrytowns Union Free School District (TUFSD)

While the specifics of this letter address the Lighthouse Landing Project (and the Ichabod Landing Project), the import of an Intrinsic Educational Asset Equalization Levy per Family Unit extends beyond the Sleepy Hollow Waterfront Projects, including, but not limited to, the Ferry Landing Project. Each family unit or home implicitly contains within the asset value or market price an educational component, which reflects, at a minimum, the school district's fixed investment valuation. The educational asset component of your home is as real as a 2nd bathroom or a big backyard and adds true worth to your home. However, this educational asset value of your home did not appear from thin air, but rather through a sacred trust by the community-at-large to educate our young people through the sacrifice of school taxes. From the first schoolhouse to the most recent school construction, the extended family of the community built the intrinsic educational asset value into our homes through a foundation of school taxes. This is where the rub comes in.

2401

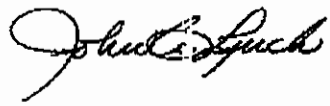
COMMENT LETTER NO. 24

2401

Industrial-zoned real estate, which have only paid a token amount of school taxes, if any, have marginally, if at all, participated in the educational investment of the school district. However on the flipside, when the industrial-zoned parcel is rezoned to residential, the corresponding residential units have unlimited access to the school facilities. The developers' absorb and reap the intrinsic educational asset value into their residential properties by only paying pennies on the dollar in past school taxes, representing an undue windfall to the developer versus an equitable disbursement to the school district. The equitable disbursement to the school district would be the Intrinsic Educational Asset Equalization Levy per Family Unit times the total family units on the rezoned industrial-to-residential parcel. In my assessment, the educational asset component of your home or the Intrinsic Educational Asset Equalization Levy per Family Unit for the Tarrytowns Union-Free School District is $71,500 per family unit. Utilizing this figure and 1562 family units, the total Intrinsic Educational Asset Equalization Levy for the Lighthouse Landing Project represents a $111,683,000 disbursement to the Tarrytowns Union Free School District. The corresponding total Intrinsic Educational Asset Equalization Levy for the Ichabod Landing Project equals a $3,146,000 disbursement to the Tarrytowns Union Free School District. In the case of the Tarrytown Ferry Landing Project with 240 family units, the total Intrinsic Educational Asset Equalization Levy represents $17,160,000.

While there may be some room for fine-tuning of the Education Asset Equalization Levy and the process for payment, there is no substitute for it. The taxpayers and students of the Tarrytowns School District, not only deserve it, they must demand it.

Yours sincerely,



John A. Lynch
10 Crest Drive
Tarrytown, NY 10591

COMMENT LETTER NO. 25

RECEIVED

MAR 3 2005

TARRYTOWN VILLAGE CLERK

March 2, 2005

Village of Tarrytown
H. Trustees and Members of the Planning Board
21 Wildey Street
Tarrytown NY 10591

Re: Due Upon Receipt – Intrinsic Educational Asset Equalization Levy per Family Unit
Ferry Landing Project FEIS

Dear Village Trustees and Members of the Planning Board:

In my assessment, the following governmental bodies have not performed their sworn fiduciary responsibilities to protect the taxpayer and to promote the educational welfare of our community:

- The Village of Tarrytown Board of Trustees
- The Village of Tarrytown Planning Board
- The Village of Sleepy Hollow Board of Trustees
- The Village of Sleepy Hollow Planning Board

and last but not least

- The Board of Education for The Tarrytowns Union Free School District (TUFSD)

While the specifics of this letter address the Ferry Landing Project, the import of an Intrinsic Educational Asset Equalization Levy per Family Unit extends beyond the Ferry Landing Project, including, but not limited to, the Lighthouse Landing Project and the Ichabod Landing Project. Each family unit or home implicitly contains within the asset value or market price an educational component, which reflects, at a minimum, the school district's fixed investment valuation. The educational asset component of your home is as real as a 2nd bathroom or a big backyard and adds true worth to your home. However, this educational asset value of your home did not appear from thin air, but rather through a sacred trust by the community-at-large to educate our young people through the sacrifice of school taxes. From the first schoolhouse to the most recent school construction, the extended family of the community built the intrinsic educational asset value into our homes through a foundation of school taxes. This is where the rub comes in. 2501

COMMENT LETTER NO. 25 (continued)

Industrial-zoned real estate, which have only paid a token amount of school taxes, if any, have marginally, if at all, participated in the educational investment of the school district. However on the flipside, when the industrial-zoned parcel is rezoned to residential, the corresponding residential units have unlimited access to the school facilities. The developers' absorb and reap the intrinsic educational asset value into their residential properties by only paying pennies on the dollar in past school taxes, representing an undue windfall to the developer versus an equitable disbursement to the school district. The equitable disbursement to the school district would be the Intrinsic Educational Asset Equalization Levy per Family Unit times the total family units on the rezoned industrial-to-residential parcel. In my assessment, the educational asset component of your home or the Intrinsic Educational Asset Equalization Levy per Family Unit for the Tarrytowns Union Free School District is $71,500 per family unit. Utilizing this figure and 240 family units, the total Intrinsic Educational Asset Equalization Levy for the Ferry Landing Project represents a $17,160,000 disbursement to the Tarrytowns Union Free School District. In the case of the Sleepy Hollow Lighthouse Landing Project with 1562 family units, the total Intrinsic Educational Asset Equalization Levy represents $111,683,000. 2501

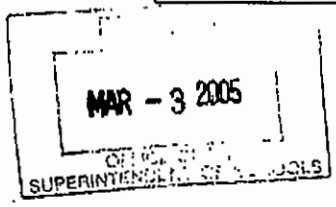
While there may be some room for fine-tuning of the Education Asset Equalization Levy and the process for payment, there is no substitute for it. The taxpayers and students of the Tarrytowns School District, not only deserve it, they must demand it.

Yours sincerely,

John A. Lynch

John A. Lynch
10 Crest Drive
Tarrytown, NY 10591

COMMENT LETTER NO. 26



March 2, 2005

Board of Education – Tarrytowns Union Free School District
200 North Broadway
Sleepy Hollow NY 10591

Re: Cease and Desist The Public Schools of the Tarrytowns School Bond Referendum on March 8, 2005

Dear Members of the TUFSD Board of Education: -

In my assessment, the following governmental bodies have not performed their sworn fiduciary responsibilities to protect the taxpayer and to promote the educational welfare of our community:

- The Village of Tarrytown Board of Trustees
- The Village of Tarrytown Planning Board
- The Village of Sleepy Hollow Board of Trustees
- The Village of Sleepy Hollow Planning Board

and last but not least

- The Board of Education for The Tarrytowns Union Free School District (TUFSD)

Based on the nonfeasance of the Board of Education, I am not only asking, but demanding, on the behalf of my family, the taxpayers, the parents and the students of the Tarrytowns Union Free School District, through a Board of Education vote at the March 3, 2005 meeting or at a called Special Board of Education meeting prior to March 8, 2005, that the Board of Education cease and desist the The Public Schools of the Tarrytowns School Bond Referendum on March 8, 2005 and the public vote to increase school taxes to pay the interest on said bonds of $64,500,000 and $7,7000,000 (i.e., $72,200,000 total), as shown in the attached Bond Proposition No.1 and Bond Proposition No. 2. Moreover, the Bond Propositions coupled with the attached Information Circular, entitled The Public Schools of the Tarrytowns School Bond Referendum, escalate, in my judgment, the Board's nonfeasance to misfeasance, or a lawful act carried out in an unlawful way, which has serious consequences to the Board of Education members and all Public Officers that have participated in the Bond Propositions proceedings. The Information Circular statements, within the understanding the "Revenues, Debt Service & Tax Impact" presentation, demonstrating an expected zero percent (0%) tax increase for the Bond Propositions, transcend mere misinformation to pure

2601

disinformation. Any Board of Education member or TUSFD Public Officer who opposes the presentation of 0% tax increase for the Bond Propositions should do so immediately, publicly and on the record, or otherwise reap the consequences.

The anticipated debt service or the annual interest expense on $72,200,000 of bonds is $5,484,000 or a 15.4% tax increase based on the 2004/2005 net tax levy of $35,563,461. Including the $20,000,000 bond proposition for the pre-K thru 2nd grade facility expansion/modernization scheduled for February 2007, the debt service would increase by $1,519,000. The plain and simple tax increase for the proposed pre-K thru 12th grade master plan is $7,003,000 or 19.7% tax increase based on the 2004/2005 net tax levy. In my judgment, the subterfuge not to state plainly the intended 19.7% tax increase is nothing short of willful deception and intentional fraud perpetrated on the taxpayers and the students of the school district.

However, the betrayal of trust given by the taxpayers and the students of the school district runs deeper than just the tax increase subterfuge by the Board of Education, the underlying brunt of the tax burden on the average school taxpayer in Sleepy Hollow and Tarrytown is misplaced and misguided. The Tarrytowns Board of Education members find it more expedient and convenient to tax Sleepy Hollow and Tarrytown residents to bear the tax burden for the Bond Propositions than to patiently work for and exact the latent, pent-up educational fund disbursements that are rightfully due to the school district from the industrial-to-residential rezoning and real estate development of the waterfront properties, including, but not limited to, the Ferry Landing, the Ichabod Landing and the Lighthouse Landing waterfront projects.

Each family unit or home implicitly contains within the asset value or market price an educational component, which reflects, at a minimum, the school district's fixed investment valuation. The educational asset component of your home is as real as a 2nd bathroom or a big backyard and adds true worth to your home. However, this educational asset value of your home did not appear from thin air, but rather through a sacred trust by the community-at-large to educate our young people through the sacrifice of school taxes. From the first schoolhouse to the most recent school construction, the extended family of the community built the intrinsic educational asset value into our homes through a foundation of school taxes.

Industrial-zoned real estate, which have only paid a token amount of school taxes, if any, have marginally, if at all, participated in the educational investment of the school district. However on the flipside, when the industrial-zoned parcel is rezoned to residential, the corresponding residential units have unlimited access

COMMENT LETTER NO. 26 (continued)

to the school facilities. The developers' absorb and reap the intrinsic educational asset value into their residential properties by only paying pennies on the dollar in past school taxes, representing an undue windfall to the developer versus an equitable educational fund disbursement to the school district. The equitable disbursement to the school district from the waterfront projects would be the Intrinsic Educational Asset Equalization Levy per Family Unit times the total family units on the rezoned industrial-to-residential parcel. In my assessment, the educational asset component of our homes or the Intrinsic Educational Asset Equalization Levy per Family Unit for the Tarrytowns Union-Free School District is $71,500 per family unit. Utilizing $71,500 per family unit and 250, 44 and 1562 family units for the Ferry Landing, Ichabod Landing and Lighthouse Landing waterfront projects, respectively, the Intrinsic Educational Asset Equalization Levies equal $17,875,000, $3,146,000 and $111,683,000, respectively, for a total lump-sum disbursement of $132,704,000 to the Tarrytowns Union-Free School District. 2602

While there may be some room for fine-tuning of the Educational Asset Equalization Levy and the process for payment, there is no substitute for it. The taxpayers and students of the Tarrytowns School District, not only deserve it, they must demand it. By not pursuing the Education Asset Equalization Levy, we are not only shortchanging the taxpayer, but more importantly, we are jeopardizing the educational potential and expectations of our students. As a final comment, the notion of Scenic Hudson approaching Roseland/GM to spend roughly 100 million dollar to restore the original mouth of the Potantico River to the Hudson River as part of the Lighthouse Landing project, represents the same magnitude of educational funds that should be flowing into the coffers of the Tarrytowns School District, and illustrates the absolute absence of financial due diligence for the Bond Propositions. Our kids, over some river, should come first and foremost. The proposed Tarrytowns School Bonds must not be allowed to happen. 2603

Yours sincerely,

John A. Lynch
10 Crest Drive
Tarrytown, NY 10591

COMMENT LETTER NO. 26 (continued)

BOND PROPOSITION NO. 1

RESOLVED:

(a) That the Board of Education of the Union Free School District of the Tarrytowns, in the County of Westchester, New York (the "District"), is hereby authorized to undertake a school building improvement project (the "Project") substantially as described in a report prepared for the District by Thomas Associates, Architects + Engineers and JMOA Engineers, P.C., (the "Report") which is on file with the District Clerk and available for public inspection, consisting of the partial reconstruction of, and construction of additions, alterations and improvements to the following District school buildings and the sites thereof, including (as and where necessary): the construction of new classroom, science, music, art, gymnasium, cafeteria and other space; interior reconstruction and space reconfiguration; the installation of new ceilings, walls, lockers, windows and doors; improvements to the heating, ventilating and site lighting systems; and parking improvements including driveway and emergency access enhancements, at the estimated costs as follows:

Sleepy Hollow Middle/High School	$47,100,000
Washington Irving School	$17,400,000

all of the foregoing to include the furnishings, equipment, machinery, apparatus and ancillary or related site, demolition and other work required in connection therewith; and to expend therefor, including preliminary costs and costs incidental thereto and to the financing thereof, an amount not to exceed the estimated total cost of $64,500,000; provided that the detailed costs of the components of the Project as set forth in detail herein and in the Report may be reallocated among such components if the Board of Education shall determine that such reallocation is in the best interests of the District;

(b) that a tax is hereby voted in an amount of not to exceed the estimated total cost of $64,500,000 to finance such cost, such tax to be levied and collected in installments in such years and in such amounts as shall be determined by said Board of Education; and

(c) that in anticipation of said tax, bonds of the District are hereby authorized to be issued in the aggregate principal amount of not to exceed $64,500,000 and a tax is hereby voted to pay the interest on said bonds as the same shall become due and payable.

BOND PROPOSITION NO. 2

RESOLVED:

(a) **THAT IN THE EVENT PROPOSITION NO. 1 IS APPROVED,** the Board of Education of the Union Free School District of the Tarrytowns, (the "District"), is hereby further authorized to (i) construct a building addition and improvements to the Sleepy Hollow Middle/High School to provide for new auditorium and related classroom space and the construction of further gymnasium improvements, at the estimated maximum cost of $6,300,000; and (ii) construct a building addition and improvements to the Washington Irving School to provide for new library space and auditorium improvements, at the estimated maximum cost of $1,400,000; all of the foregoing to include the furnishings, equipment, machinery, apparatus and ancillary or related site, demolition and other work required in connection therewith; and to expend therefor, including preliminary costs and costs incidental thereto and to the financing thereof, an amount not to exceed the estimated total cost of $7,700,000;

(b) that a tax is hereby voted in an amount of not to exceed the estimated total cost of $7,700,000 to finance such cost, such tax to be levied and collected in installments in such years and in such amounts as shall be determined by said Board of Education;

(c) that in anticipation of said tax, bonds of the District are hereby authorized to be issued in the aggregate principal amount of not to exceed $7,700,000 and a tax is hereby voted to pay the interest on said bonds as the same shall become due and payable; and

(d) **that if this Proposition No. 2 is approved, it shall become effective only in the event that Proposition No. 1 is approved.**

The Public Schools of the Tarrytowns School Bond Referendum

Providing a Quality Education ... Protecting Our District's Physical Assets ... Keeping Our Schools Competitive

Board Adopts Facilities Plan Reduced in Cost & Finalizes Two Propositions

Referendum Date Set for March 8, 2005

On January 20, 2005, the Board of Education unanimously adopted a plan that will allow for expansion and renovation, and infrastructure upgrades at Washington Irving School and Sleepy Hollow MS/HS. This was made possible by two important committees appointed by the board to help us reprioritize our goals and develop a plan that would allow us to meet our most critical facilities needs, and would be affordable to taxpayers. The first, the Value Engineering Committee, was charged with reviewing and recommending possible reductions in project costs and scope, while the Finance Committee was charged with determining the best approaches for borrowing and paying for the project, and showing the likely taxpayer impact and payback options to fund two propositions that have a combined total of $72.2 million.

The Value Engineering Committee scrutinized the scope and costs of the work initially proposed. They also identified possible reductions including:

- Reducing contingency budgets in some areas.
- Reducing non-instructional items such as landscaping and site work.
- Deferring some infrastructure work.
- Eliminating building a new library addition at Washington Irving School.
- Eliminating auditorium renovation work at Washington Irving School.
- Modifying the design at Sleepy Hollow MS/HS.
- Eliminating a new auditorium with a larger stage and more seating, and expanding the high school back stage area only.
- Eliminating a new, larger-capacity high school gym and building a new middle school gym instead.

The board unanimously adopted the plan that called for the expansion and renovation of its existing facilities. Cost, time, and value were the primary considerations for choosing this plan rather than building a new facility because:

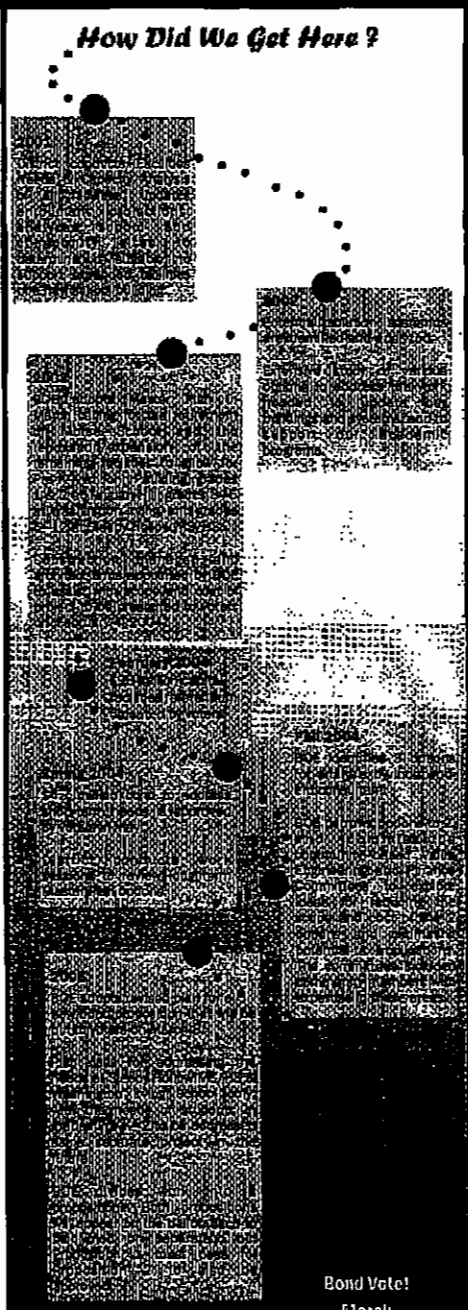
- Building a new school is inherently more costly.
- Four facilities are less costly to operate than five.
- A larger investment in our existing facilities will ensure that they will continue to be used as schools for the indefinite future.
- Building on the Peabody site would delay the work at Sleepy Hollow MS/HS — the campus with our most pressing needs — for three years.
- This plan provides a completely renovated facility at Sleepy Hollow MS/HS while creating a distinct middle school through physical separation by design.

The board further agreed to ask for improvements to Washington Irving School and Sleepy Hollow MS/HS only at this time. A facilities plan for students in grades Pre K–2 will be addressed as a separate project in the future.

The board also agreed to:

- Accept all the reductions identified by the Value Engineering Committee, thereby reducing the initial costs associated with the Washington Irving School and Sleepy Hollow MS/HS projects by almost $17 million.
- Offer some items in a second, separate proposition to give voters a choice between approving the work included in proposition 1, the base proposition, at a cost of $64.5 million, or approving the work included in both propositions, which adds key elements to the base project, for a total of $72.2 million.

Two propositions, on the same ballot, will be presented to the community for approval. Each proposition must be voted on separately; yet, Proposition 1 must pass for Proposition 2 to also be approved.



Understanding the Cost

Charged with determining the best approaches for borrowing and paying for the project, and showing the likely taxpayer impact and payback options, the Finance Committee's basic approach was to determine the cost of debt service for each option, then offset that cost with anticipated revenue from state building aid, and anticipated revenue from new construction projects planned for two waterfront development projects: Ferry Landing and Lighthouse Landing. This was a complex and challenging task that involved numerous conversations with town officials, the tax assessor, and the developers, and detailed research of Draft Environmental Impact Statements for the projects.

The committee determined the most prudent and fiscally responsive approach to calculate debt service, anticipated revenue, and anticipated state aid, would be to present their findings on:

- "Expected case" in which the committee used highly conservative numbers.*
- "Two-year delay" in which the projection of the anticipated revenue stream from the two developments was delayed an additional two years.
- "Indefinite delay" in which only a small amount of new development revenue along with state aid was anticipated.

*** BASIC ASSUMPTIONS FOR DETERMINING NEW REVENUE**

The expected revenue to the school district resulting from the development of the two proposed waterfront developments was determined using the following basic assumptions:

- Fewer taxpaying units than proposed by developers.
- Income flow was projected to begin one year later than projected by the developers.
- Income was used from the two large waterfront projects—Lighthouse and Ferry Landings—only. Revenue from other new developments will be used to help offset future operating costs associated with growth.

BASIC ASSUMPTIONS FOR DETERMINING THE TAX IMPACT

Cost information on the proposed capital facilities project and the estimated tax impact to homeowners is based on the following underlying assumptions:

- Total Project Costs of $64.5 million or $72.2 million
- Repayment of costs over an average term of 25-years
- An assumed interest rate of 3.5% payable on the short-term Bond Anticipation Notes (BANs) and 5.5% payable on the long term bonds, equal to the highest rates the district has paid in 20 years.
- An assumed rate of reimbursement by the state of 25% on eligible project costs.
- Approximately 70% of the total project costs are eligible for state aid.

Project Costs

	PROPOSITION 1	PROPOSITIONS 1 & 2
Program Piece—Prop 1	$15.4 million	
Library, Music, Art, Science, MS gym		
Program Piece—Prop 2		$22.1 million
New Sleepy Hollow auditorium and performing arts classrooms, HS gym, new Washington Irving library and auditorium renovations.		
Infrastructure:	$18.5 million	$18.5 million
Heating, plumbing, electrical windows, clock, lighting, fire safety, etc.		
Alterations, Demolition, Site Work:	$10.1 million	$10.1 million
Redesign and refurbishment of existing areas, cafeteria, parking, playing fields		
Additional Classrooms:	$13.8 million	$13.8 million
Preserves regionally comparable number of students per classroom		
Furniture & Equipment:	$ 2.7 million	$ 2.7 million
TOTAL	$64.5 million	$72.2 million

Accuracy of Project Costs

ESTIMATES were prepared by JAMSA Engineering, the construction management firm retained by the school district, and verified by an independent cost estimator. Costs take into account projected inflation costs, and design and construction contingencies.

Revenues, Debt Service & Tax Impact

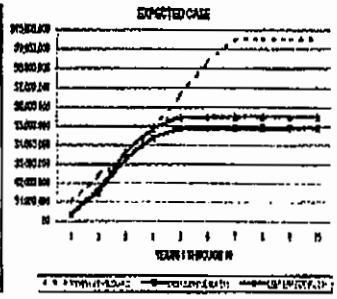
EXPECTED CASE

The revenue estimates indicated on the graph below for future school tax revenues from the Ferry and Lighthouse Landing developments are based upon the following criteria, which the committee believes are realistic and conservative:

- Construction of Ferry Landing will start in early 2006, generating new school tax revenue beginning in 2007 and increasing through 2011 when the site is fully developed and occupied.
- Initial approval for the development of Lighthouse Landing in 2006 will result in reassessment, the payment of school taxes on the undeveloped land beginning in 2008, and increasing development and occupancy between 2007 and 2011, resulting in increasing school tax revenue.

If riverfront development proceeds on this schedule, then new revenue from the developments will exceed debt service. No tax increase would be required to cover the debt for the project.

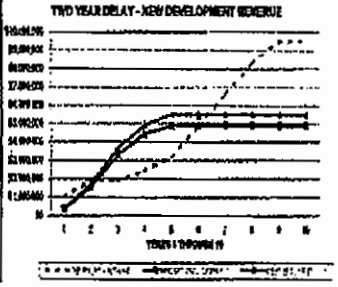
Estimated Tax Increase		
Year	Prop 1	Props 1 & 2
1	0.0%	0.0%
2	0.0%	0.0%
3	0.0%	0.0%
4	0.0%	0.0%
5	0.0%	0.0%
6	0.0%	0.0%
7	0.0%	0.0%



2-YEAR DELAY

If riverfront development is delayed by 2 years, then a tax increase would be needed during the 2 years before new revenue begins to exceed debt service.

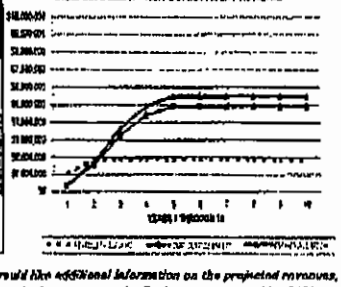
Estimated Tax Increase		
Year	Prop 1	Props 1 & 2
1	0.0%	0.0%
2	0.0%	0.0%
5	0.0%	0.0%
6	0.0%	0.0%
7	0.0%	0.0%



INDEFINITE DELAY

If riverfront development is delayed indefinitely, then a tax increase would be needed for 3 years until the borrowing is completed and the debt service levels off.

Estimated Tax Increase		
Year	Prop 1	Props 1 & 2
1	0.0%	0.0%
2	0.0%	0.0%
6	0.0%	0.0%
7	0.0%	0.0%



If you have questions or would like additional information on the projected revenues, debt service, or tax impact, please contact the Business Office at 631-9401.

Details of the Plan

Scope of Work Encompasses Sleepy Hollow MS/HS and Washington Irving School

Two propositions, on the same ballot, will be presented to the community. Each proposition must be voted on separately; however, Proposition 1 must pass for Proposition 2 to also be approved.

Proposition 1 contains classroom space, appropriate space for science, technology, art and music, and health, safety, code compliance and maintenance issues related to our aging facilities.

Cost: $34.5 million

Sleepy Hollow MS/HS

- New middle school gym*
- New south wing for middle school
- New high school science labs and classrooms
- New library, art rooms, cafeteria
- New nurse's station
- Expansion of auditorium (limited to backstage only)**
- New choral & instrumental rooms
- Heating system replacement
- Ventilation system installation
- Electrical, lighting, & plumbing updates
- New windows

Washington Irving School

- Renovated, enlarged classrooms
- New classroom wing
- New music, art, & computer rooms
- Refurbished library***
- Expanded cafeteria
- New nurse's station
- Heating system replacement
- Ventilation system installation
- Electrical, lighting, & plumbing updates
- Ceiling & floor tile replacement



Left: Sleepy Hollow MS/HS students currently attend chorus classes in the hallway.

Center: Spectators encroach on the court while the game is in play. Proper separation is 3—10 feet.

Far Left: Complete renovation of the auditorium at Washington Irving is included in Proposition 2.

Bottom: The library media center at Washington Irving needs more space to accommodate students, books, and technology.



Proposition 2 supports our athletic and performing arts curriculum, essential components of our K–12 program. Proposition 2 is contingent on the passing of Proposition 1.

Cost: $7.7 million

Sleepy Hollow MS/HS

- New auditorium with stage large enough to accommodate our music and drama programs with more seating
- Larger, new choral & instrumental rooms
- New, larger-capacity high school gym *(Existing gym used for middle school)*

Washington Irving School

- New, larger library *(Existing library converted to 2 classrooms)*
- Renovated auditorium *(Auditorium unchanged in Proposition 1)*

THICK RED LINE IS INBOUND LINE





If Proposition 2 passes:

* A new larger-capacity high school gym would be built and the existing gym would be used for the middle school.

** A new auditorium large enough to accommodate our music and drama programs with more seating would be built.

*** A new library media center with designated computer, instructional, and book areas would be built, and the existing library would be converted to two classrooms.

Bond Referendum

Public Schools of the Tarrytowns
200 North Broadway
Sleepy Hollow, NY 10591
914.631.9404
www.tufsd.org

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White Plains, NY
10605

Board of Education
Mimi Goodwin, President
Marc Kirschner, Vice-President
Sheila Conklin
Laura Copland
B. Joseph Lillis
Vincent Jadile
Paul Rote

Superintendent of Schools
Dr. Howard W. Smith

Postal Customer
Tarrytown-Sleepy Hollow, NY 10591

SCHOOL BOND VOTE! MARCH 8, 2005 7:00 a.m.— 9:00 p.m.

Important FACTS about the BOND

1. This bond reflects a significant reduction in costs associated with Washington Irving School and Sleepy Hollow MS/HS from the initial proposition.

2. The bond addresses the needs at Washington Irving School and Sleepy Hollow MS/HS only. A facilities plan for students in grades Pre K–2 will be addressed as a separate project in the future.

3. This bond has been divided into 2 propositions.

4. Voters are asked to vote on both propositions separately.

5. Proposition 1 focuses on classroom space, appropriate space for science, technology, art and music, and health, safety, code compliance, and maintenance issues related to our aging facilities.

6. Proposition 1 asks for $64.5 million for additions, renovations, and updates, a new middle school gym, expansion of the auditorium at Sleepy Hollow MS/HS limited to backstage area only along with new choral and instrumental rooms, and refurbishing the library at Washington Irving School.

7. Proposition 2 supports our library, athletic and performing arts curriculum, essential components of our K–12 program.

8. Proposition 2 asks for $7.7 million to provide a new auditorium with a larger stage and more seating, larger new choral and instrumental rooms, a new larger-capacity high school gym at Sleepy Hollow MS/HS; a new library at Washington Irving School, converting the existing Washington Irving School library to 2 classrooms, and renovating the auditorium at Washington Irving School.

9. PROPOSITION 2 IS CONTINGENT UPON THE PASSING OF PROPOSITION 1. Proposition 1 MUST pass in order for Proposition 2 to also be Approved.

10. Both propositions address the district's goals of providing a quality education for our students, and keeping our schools competitive with neighboring school districts.

Voter Information

If you have questions about voting or voter registration, call the District Clerk at 914.631.9404

Who is eligible to vote?

You are eligible to vote if you are:

- A Citizen of the United States.
- 18 years of age or older.
- A resident of Tarrytown or Sleepy Hollow for a period of 30 days or more.

Do you have to own a home, or have children in the schools to be eligible to vote?

No. You do not have to own property to be able to vote—renters can vote! Additionally, you do not have to have children attending the Public Schools of the Tarrytowns to be eligible to vote.

How do I register to vote?

Any resident who has voted in a school district election in the past 4 years, or in a general election within the past 5 years, is automatically registered and eligible to vote. Your name will appear on the buff-colored cards found at the tables at your polling location and on the Westchester County Board of Election voter list.

If you are not registered to vote you may do so by following the procedure below:

- Obtain a registration form from the office of the District Clerk in the Administration Building, 200 North Broadway, Sleepy Hollow. Registration forms may be obtained between the hours of 9:00 a.m. and 3:00 p.m. on any day that school is in session. *To be eligible to vote on March 8th, you must register to vote on or before March 9, 2005.*
- Special registration will be held from 4:00 p.m. to 8:00 p.m. on Tuesday, March 1, 2005 in the Board Room of the Administration Building, 200 North Broadway, Sleepy Hollow for both Tarrytown and Sleepy Hollow residents.
- You may register with the County Board of Elections, 25 Quarropas St., White Plains (914.995.5700).

Where do I vote?

- **Tarrytown residents vote at:**
  Washington Irving School Auditorium
  Broadway & Franklin Street
- **Sleepy Hollow residents vote at:**
  Morse School Cafeteria
  Pocantico & Beekman Street

How do I vote if I will be out of town on the day of the vote?

Absentee ballots are available for college students and other registered voters who may be away from the county on the day of the vote. Applications for absentee ballots are available from the District Clerk, 200 North Broadway, Sleepy Hollow, or by calling the District Clerk at 914.631.9404. All absentee ballots must be returned to the District Clerk in the envelope provided no later than 5:00 p.m. on March 8, 2005.

COMMENT LETTER NO. 27

cc: Andy Tung
Doug Smith

RECEIVED
MAR - 3 2005
MAYOR'S OFFICE

Philip A. Zegarelli, Mayor
Village of Sleepy Hollow
28 Beekmar Avenue
Sleepy Hollow, New York 10591

March 3, 2005

Re: Draft Environmental Impact Statement
Public Hearings-February 2005
Lighthouse Landing at Sleepy Hollow

Dear Mayor and Village Board of Trustees:

Thank you for the opportunity to comment on the proposed redevelopment of the GM site which was afforded to me on Saturday, February 19th in Village Hall. This letter is intended to restate what I said.

Firstly I indicated that I was a resident of the village since 1973 and was speaking as resident of 253 Hunter Avenue and as an officer of the Philipse Manor Improvement Association. My first two comments were based on a discussion held at the most recent PMIA board meeting . These comments were to be construed as a reflection of the PMIA board of directors and not as a reflection of our entire constituency since the board did not poll its members due to the lack of time to do so.

The first comment was directed at the issue of density. I noted that on page I-4 of the DEIS, in paragraph 4 it was noted that the density of 16.5 dwelling units per acre was slightly lower than the existing density (17.1) of the "inner-village". My observation was that Lighthouse Landing was compromised primarily of buildings of four stories whereas the existing inner village looks to be primarily 2 and 3 stories. I wondered what the inner village density would be if the two 10 story apartments and the 6 story Beekman Arms apartment complex were eliminated from the inner village calculation. I surmised that the density of the existing buildings would be substantially less than the proposed 16.5 dwelling units of Lighthouse Landing. 2701

My second comment, on behalf of the PMIA, was that the proposed 1,562 housing units was heavily skewed towards rental units (1,122) and against owned units (440). The board's feeling was that owned units tend to encourage longer term involvement in the village community, as opposed to rented units which tend to be more transitory. Our feeling was that when the density is reduced that the reduction of units should result in fewer rental units and not fewer owned units. 2702

Speaking strictly as a resident who once was the Commodore of the Beach Club I urged the Village and the developer to designate a portion of the site, either the East Parcel or alternatively Kingsland Point Park, as an Upland Disposal Site for the receipt of dredged material from the marina at the Beach Club. I reminded those in attendance that the Beach Club was last dredged in 1995 and that the upland site was Phelps Memorial Hospital. Phelps, as a community hospital had stringent standards for accepting fill, the Beach Club had to prove that its fill met those standards (which it did) and that NYSDEC had to approve the upland site (which it did). That site is no longer available, since it has been paved over as a parking lot. Without the 2703

COMMENT LETTER NO. 27 (continued)

cooperation of the management of Phelps Hospital the dredging effort may have been much more difficult to accomplish. They showed their community-minded spirit by making the site available. The Beach Club needs to dredge periodically (every 10 years or so) and each time needs to find a location for 5-7,000 cubic yards. Given that Roseland describes itself as "waterfront experts' and given that the Village is looking for community support for the Roseland project and given that Roseland acknowledges needing to import 200,000 cubic yards of soil for general grading operations it would be beneficial for the Village to require Roseland to make provision for the receipt of dredged material if tested according to NYSDEC standards and found to be acceptable. It would be a wonderful indicator of community-mindedness if Roseland specified an area of the redevelopment site for the disposal of dredged material. 2703 (continued)

Speaking as the husband of a former third grade teacher in the Tarrytown School District I offered my concern for the observation in the DEIS that the net fiscal surplus to the school district of $1.26 million annually would be more than enough to pay the debt service an the proposed bond issue. Given that it was likely for the proposed developement to add 217 public school children to the district I suggested that even at a modest ratio of 22:1 that ten additional teachers would be required and at $100,000 cost per teacher ($65,000 salary plus $35,000 in fringes) that the incremental cost of the added students was $1,000,000 and that this incremental cost excluded the cost of support staff, classroom space, heating cost, etc. Thus it was rather disingenuous to cast the Roseland proposal as the savior of the School Bond Issue. Rather it should be viewed as a modest contributor to the debt service. 2704

My final note was offered as a planner who has been responsible for the 3rd busiest airport in the state of NY (Republic in Farmingdale) for the past 21+ years. I noted that the primary redevelopment of the GM site was west of the Metro North Railroad Tracks with access to the site ONLY over the Beekman Avenue railroad bridge. I expressed my concern that if there was ever damage to the Beekman Ave bridge, resulting from a freight train derailment or fire or whatever that access to the development west of the tracks could make it difficult, if not impossible for emergency workers to respond to a fire,a heart attack or whatever emergency might arise that might need an alternate means of ingress or egress. I felt that a connection via Continental Street, over or under the railroad tracks, could solve this vulnerability. I cited a fire on Howard Street last summer as an example of how important multiple access was when responding to emergencies which could quickly produce gridlock. 2705

In summary please consider:

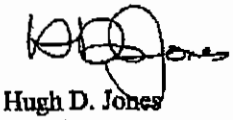
- reducing the density to approximate the existing density without the three tall buildings
- reduce the amount of rental units and maintain the owned units
- provide for disposal of dredge spoil from the Beach Club marina
- downplay the value of school tax coverage of proposed bond interest charges
- provide alternate access via Continental Street for emergencies

2706

Once again thank you for affording Village residents, such as myself, the opportunity for commenting on something we have all long-awaited and will coexist with for many years to come.

COMMENT LETTER NO. 27 (continued)

Very truly yours



Hugh D. Jones
253 Hunter Avenue

cc: PMIA Board Members
PMBC Board Members

COMMENT LETTER NO. 28

Michael D. Povman
56 Fremont Road
Sleepy Hollow, New York 10591
(914) 631-4694

RECEIVED
MAR - 4 2005
ADMINISTRATOR

March 1, 2005

Mr. Dwight Douglas
Village Administrator
Village of Sleepy Hollow
28 Beekman Avenue
Sleepy Hollow, NY 10591

Re: Comments on Roseland Draft Environmental Impact Statement

Dear Mr. Douglas:

I am writing to comment on the Draft Environmental Impact Statement ("DEIS") submitted by Roseland Property in connection with the proposed development of the former General Motors site. While I share the concerns voiced by my fellow residents about the density of the project, I wanted to comment specifically about the Metro North train station proposed for the site.

The DEIS states that a new Metro North train station may be constructed at the site, and that some 400 parking spots would be established for commuters at the new station. I understand from conversations with Mayor Zegarelli that the Village administration will make every effort to ensure that Metro North would continue to provide service to the Phillipse Manor station (from which I currently commute) if a new station is built at the GM site. However, I am concerned that, despite the administration's best intentions, Metro North will seek to terminate or materially reduce service to the Phillipse Manor train station. It is simply not cost effective for it to provide service to two stations that are so close to each other. 2801

Accordingly, I submit that:

- A study should be undertaken to determine whether the 400 proposed parking spots for commuters at the GM site are sufficient to handle the needs of commuters that currently park at the Phillipse Manor station -- both the Village lot and the lot owned by the Phillipse Manor Improvement Association -- AND those of other commuters who may want to use the new station (including residents of new development). If the 400 parking spots are not adequate, then a sufficient number of additional spots should be provided. 2802

- All parking spots for a new Metro North station at the former GM site should be owned by the Village. That would give the Village both an additional source of revenue, and the opportunity to limit parking to Village residents if the demand for spots exceeded the supply. 2803

Thank you for the taking the time to review these comments. This is an exciting time in the Village, and I am confident that the administration will do everything in its power to get the best possible development for our community.

Very truly yours,

Michael D. Povman

cc: Honorable Phillip Zegarelli

COMMENT LETTER NO. 29

Needs Response CC: Supervisor Done S-

RECEIVED
MAR - 4 2005
MAYOR'S OFFICE

Copy to Bd — Copy to Rockland etc.

March 03, 2005 (92)

Mayor Philip E. Zegarelli and Board of Trustees
28 Beekman Ave.
Sleepy Hollow, NY 10591

Dear Mayor Zegarelli and Board of Trustees,

I should appreciate if the following issues were to be included in the Environmental Impact Statement.

HEALTH CARE

How would this development affect the health care in this area? 2901

Phelps Memorial Hospital

How many more beds would be needed? How many more doctors and nurses? How much would the expansion cost? 2902

Ambulance Corps

How would this project affect the ambulance corps? How many more vehicles, equipment and personnel would be needed? How much would it cost? 2903

AIR QUALITY

How much would the additional furnaces, cars, and trucks affect our already poor air quality? 2904

RECREATION

How would this development affect the present recreation services? How many more tennis courts, ball fields, playgrounds would be needed? At what cost and where? 2905

TRAFFIC

How many additional trucks would there be each day to service the apartments, stores, offices, inn, and supermarket? How would this additional truck traffic affect our roads? 2906

SCHOOLS

Please state the impact to the schools for the very worst scenario, not the best. What would the impact be if there were 1,000 additional students? At 20 students per class, 50 additional classrooms would be necessary. How much would the costs be to provide that many new classrooms? How many new school busses and drivers would be needed? How many teachers and administrators would be needed? What would be the cost of maintenance and general expenses, especially heating costs? 2907

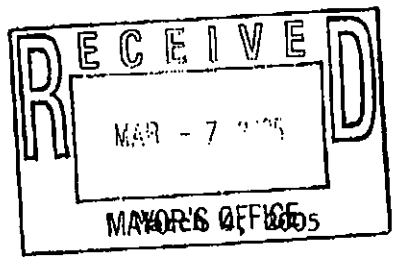
I thank you for your consideration.

Helen Marie Ringeisen

Helen Marie Ringeisen
43 Prospect Ave.
Tarrytown, NY, 10591

COMMENT LETTER NO. 30

Klaus F. Schmidt
549 Munroe Ave.
Sleepy Hollow, NY 10591-1333



Hon. Phil Zegarelli
Mayor
Village of Sleepy Hollow
28 Beekman Ave.
Sleepy Hollow, NY 10591

Dear Mr. Zegarelli,

As a trustee of PMIA and a 41-year resident of our village it was my pleasure last evening at our "Candidates Night" to shake your hand and to listen to your and your experienced team's straightforward, concise and superbly professional presentation - without the mudsling of your opposition.

One question, raised by our president, Richard Plano, last night concerns us all very directly here in Philipse Manor: the future of our railroad station in conjunction with the Lighthouse development. You stated that our depot will remain (I am, of course, aware of the renovations planned by Metro-North). Yet you have suggested an additional depot near Beekman Avenue, obviously much needed for the residents of the new development. 3001

I highly doubt that Metro-North (MTA) will approve construction of such a station unless it is combined with the present Philpse Manor depot.

According to railroad records, the distance between Tarrytown and Philipse Manor stations is 1.28 miles. The distance between Philipse Manor and the new Sleepy Hollow depot at Beekman Avenue would be about 3/4 of a mile, the distance betwen that station and Tarrytown approximately 1/2 mile. There are presently no two stations on the Hudson Line that are so close together:

Morris Heights - University Heights	.68 mile
Ludlow - Yonkers	.81 mile
Ardsley - Irvington	.94 mile

Indeed, it would be difficult for an MU train to accelerate and brake in such a short distance.

Here is a thought or two: (1) Lighthouse Landing may consider building a special walkway upon the presently dead western siding to the Philipse Manor station and a lengthening of its platforms (Yes, I know: Americans don't like to walk like us Europeans...), or (2) to close the PM station (the building is used by the Writers' Center, anyway) and to construct a new station at the northern end of Lighthouse Landing, near the present Bathhouse with walkways both to Beekman Ave. and the present parking lot at the PM Eagle. 3002

Obviously, having commuted from here for some 41 years I love the convenience of our railroad station, but...

Thanks for listening/reading. I am an Independent (albeit that I probably voted more for Democrats since I was naturalized in the USA), but I will vote for your team and wish you the best.

Sincerely,

Klaus F. Schmidt

NUMBER 31 NOT UTILIZED

COMMENT LETTER NO. 32

RECEIVED
MAR 11 2005

March 9, 2005

TO: The Honorable Mayor, Deputy Mayor
and Trustees of Sleepy Hollow Village,
Principals of Roseland Development Corporation,
and all concerned parties

FROM: Christopher Skelly,
130 New Broadway
Sleepy Hollow, NY 10591
Tel: 914-631-5032
email: Skel@InsightResource.com

CONCERNING: Boating and direct Hudson River access remarks made at the Feb 18 Public Hearing.

****

This written document supports the public comments made by Christopher Skelly at the Public Hearing at Sleepy Hollow Village Hall on Feb. 18th, 2005, concerning the GM/Roseland Development project and its impact on direct public Hudson River boating, fishing, swimming and waterfront activity access.

This document is submitted for the public record and suggests a useful interpretation to be placed on issues of "Hudson River access." The implications discussed here are long-term and significant to Sleepy Hollow Village history, and should be considered relevant to any future discussion of Hudson River access for residents of the Village.

Public "access" to the Hudson River has been a major theme of both the LWRP and the Village's other development plans and aspirations, particularly with regard to the future of the current GM property. I suggest that this "access" to the river involves at least *3 distinct and separate "Types,"* defined here as:

3201

Type 1. Viewing Access – the ability to See the river.

Type 2. Walking Access – the ability to Walk by the river.

Type 3. Boating, Fishing, Swimming and Direct Water Access – the ability to gain direct access to the Hudson River for small motorboats, sailboats,

fishing craft; and including fishing, swimming and other shore water recreational activities.

3201 (continued)

This document emphasizes the need for the 3rd of these access Types to be given increased attention in the rest of the planning process. So far, Access Type number 3 appears to be something of the "lost sheep" in the river access discussion. Where consideration of Type 3 access has been given, it has been largely oriented towards the existing, but not fully functional, boat-launch at Horan's Landing. The discussion has generally not focused on the question of direct water access as regards both Ichabod's Landing and in the current Roseland proposal.

3202

I believe strongly that Type 3 River Access should be included in all future discussion of waterfront development. If, for example, Roseland is exempted from having to provide any provision for public direct water access, then this should be viewed as a serious omission in their development plan. Such an omission might be acceptable IF and only if other plans involving Horan's Landing, Ichabod's landing and/or Kingsland Point Park are put in place and accomplished. It is not essential exactly WHERE the boating access will be; what is essential is that *at the end of the day there is some real boating, sailing, fishing and perhaps swimming direct water access provided for Village residents.*

Since the Hudson River continues to become cleaner and cleaner year by year, the question of swimming access should not be overlooked, as it will become more desirable, not less, over time. Many older Village residents can recall a time when swimming in the River was a regular recreational pastime.

Regarding boating, It would be a tragedy if the entire development of the waterfront failed to provide even a single inexpensive, public, boating access point onto the river for village residents.

3203

A pair of supporting points should also be noted:

1. Canoes and kayaks are lovely crafts, but they are suitable only for very limited river access. They are NOT generally ideal craft for the conditions found in the Tappan Zee or on the Hudson River. It is essential that kayak and "car-top" access not be mistaken or substituted for small motorized and sail boat access.

3204

2. A public marina would be a fine addition to the Roseland development plan, but only if it guaranteed inexpensive public river access. This would be

3205

distinctly *unlike* the private marinas which currently exist in Tarrytown, both of which require substantial fees for even simple boat launch and retrieval.

3205 (continued)

Finally, as I mentioned in public comment, the oldest known place name from which the name Sleepy Hollow derives is found in the 1655 work of Adrian Van Der Donck, manager of the entire local Hudson Valley region for the Dutch Patroon, William Van Rensalaaer. In his 1655 work, Van Der Donck refers to the "Slaepershavenskill," or the "kill" at the "Slaeper's Haven." "Slaeper's Haven" literally translates to the "Sleeper's Haven," and there can be little doubt that the name is a maritime reference, and refers to a safe and peaceful harbor where those on sailing craft traveling from New Amstersdam to Fort Orange (Albany) would be able to spend the night. Those living on land in the "Hollow" (the original "Slaperig Hol") surrounding the Harbor would have little need for a Sleeper's Haven, but boatsmen on the Tappan Zee would know exactly the purpose of such a spot. Thus, our Village in its oldest and most essential history has a strong connection with sailing, boating and direct use of the great Hudson River.

3206

I urge all concerned to ensure that such an orientation is enhanced and preserved in the magnificent historic development opportunity facing the Village at this exciting time.

Thank you for your careful consideration of these ideas,

Christopher Skelly

Christopher Skelly

Sleepy Hollow, NY 10591

COMMENT LETTER NO. 33

Federated Conservationists of Westchester County, Inc.

Dedicated to Environmental Protection and Education for the Preservation of Our Natural Resources

RECEIVED
MAR 14 2005
MAYOR'S OFFICE

March 10, 2005

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RICHARD L. OTTINGER
DREW PANKO
NICHOLAS A. ROBINSON
DR. JAMES UTTER
STANLEY WECKER

Additional Statement of FCWC to the Sleepy Hollow Board of Trustees (see last paragraph) for submission as written comments
Re: Lighthouse Landing DEIS

My name is Carolyn Cunningham. I am an officer and member of the Board of Directors of Federated Conservationists of Westchester County (FCWC) and am speaking on behalf of the organization.

FCWC is a 40-year old coalition of individuals and member organizations that works on County issues, and has worked throughout its history, to protect Westchester County's natural resources. We currently represent hundreds of individual members and over 40 local and regional member organizations. Two of FCWC's major objectives, and most persistent efforts over the years have been directed towards the protection and restoration of the county's wetlands and the protection and enhancement of the County's parklands.

Pocantico River Restoration Proposals

FCWC is pleased that the village is taking positive steps towards revitalizing its waterfront with this development proposal. The Lighthouse Landing project has many aspects; however, we wish to speak to only one aspect at this time. Since the project will change the Sleepy Hollow waterfront for years to come, FCWC urges your careful consideration of this development proposal as a unique opportunity to restore a wetland estuary and reduce Pocantico River flooding. This is an opportunity to restore wetlands and create a buffer between Kingsland Point Park boundary and the proposed development to allow further investigation of the potential ecological restoration of the area. 3301

One major benefit of such restoration would be to better handle Pocantico River flooding, which has been disastrous in recent years, causing economic losses. Proposals to create a small biologically active estuary stream that can connect with the Pocantico and the Hudson River should be carefully considered and implemented. It could not only potentially restore valuable ecological systems and natural habitats, but would also provide important recreational, cultural and educational benefits for the community and the proposed development.

- If obtaining the benefits of the wetlands restoration requires a small reduction in the number of housing units proposed, we recommend that the village require this reduction to be able to further investigate the rest

78 North Broadway, 2E House • White Plains, NY 10603 • Tel (914) 422-4053 • Fax (914) 289-0539 • www.FCWC.org • fcwc@fcwc.org

03/14/2005 11:30 9143327074 SLEEPY HOLLOW PAGE 05/06

as a separate undertaking. This opportunity is unique and very significant. 3301 (continued)

We wish to add for these written comments our specific support for studying the feasibility of reopening the branch of the Pocantico River, as proposed by Scenic Hudson, as this opportunity would undoubtedly have major flood control benefits, as well as providing new recreational and educational opportunities to the residents. 3302

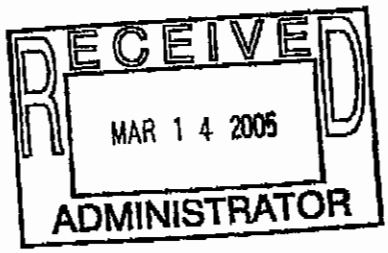
We thank you for allowing us to present our concerns and recommendations.

E House, Pace University School of Law • 78 North Broadway • White Plains, NY 10603 • Tel (914) 422-4053 • Fax (914) 289-0539 • lcwc@law.pace.edu

COMMENT LETTER NO. 34

124 Hunter Avenue
Sleepy Hollow, New York 10591
March 13, 2005

Mr. Dwight Douglas
Village Administrator
Village of Sleepy Hollow
28 Beekman Avenue
Sleepy Hollow, New York 10591



Dear Mr. Douglas,

RE: **Lighthouse Landing DEIS/Project Review**

I am submitting the following comments in response to the Lighthouse Landing DEIS and project review, open to public commentary over the past month or so.

First, I applaud the open forum and discussion that has taken place to date. Roseland appears genuinely interested in community input, much to its credit. However, with no results of onsite test borings to review, nor meaningful response from the Metropolitan Transit Authority (MTA) with regard to the possibility and/or feasibility of a new onsite train station, much of the discussion can only be considered preliminary at best at this point. 3401

My concerns are that:

---We need to reconvene this forum, once the surface and test boring chemical and sediment analysis has been completed, since the results may well have an impact on location and type of construction on the site. 3402

---We need to also flush out some response from the MTA. Without their commitment to, or at least interest in a new train station, discussions of traffic pattern/flow, etc. change dramatically. 3403

---That said, the project appears too dense. With or without a train station, the existing gridlock on route 9 would extend to the river. I do not think the village can withstand the traffic from 1,562 units. Roseland mentioned an anticipated 1,000-car increase. I'd have to think that virtually all units would generate 2 cars, with the possible exception of senior housing. This would pump up that estimate to at least a 3,000-car increase. Even Roseland's minimum estimate of 1,300 units is extremely high. I'd advocate 1,100 units as a maximum limit, with preference for the 900-1000 I have heard discussed. 3404

---I support comments in the public meetings that ownership units be maximized, minimizing rental units in the project. This will promote better community involvement and commitment among residents, and improve the tax base for the community and the school system. 3405

COMMENT LETTER NO. 34 (continued)

--- Aesthetically, I applaud Roseland's interest in making the project look consistent with existing architecture in the area. However, I have to agree with comments at the public hearings that the proposed rooflines were insufficiently varied. The overall appearance was akin to a suburban sprawl mall, compromising the desirability of the units. 3406

---Finally, I have not heard enough from Roseland about community "givebacks", for lack of a better term. Yes, there is much talk of 33 acres of the site returning to the Village or the Historic Hudson Valley organization. However, there is also talk of high methane levels on at least 27 of those acres. 3407

Where is the improvement to the land? It is clear what Roseland stands to gain from 1,000+ units constructed and sold, but what does Sleepy Hollow get/gain? These new residents may work in New York City or surrounding Westchester, Rockland or Connecticut sites. However, they are all going to seek recreation in Sleepy Hollow! That number of residents will overrun our existing facilities many times over, Green Crescent or no Green Crescent! 3408

Roseland must work with the Village to get ownership, not just administrative control, of Kingsland Point Park. County Executive Spano might be open to a land swap. Governor Pataki and Roseland could be very influential in making this happen. 3409

Then, improvements to Kingsland and to neighboring Devries Parks would truly benefit Sleepy Hollow residents, rather than ushering in more county residents to strain the new, expanded fields and facilities that may be developed.

My request would be for Roseland to refurbish the Boat House at Kingsland, which would become a hub for all areas of the village. The reconstructed, expanded Boat House could include boat launches, as it does now, for sailboats and kyacks out of the garage areas. It could also include some sort of refreshments and/or light restaurant fare, and working bathrooms. Finally, it would incorporate multi-purpose rooms for Seniors to meet, dance and exercise classes to take place (You may recall that the former dance classes were so popular that they went to double-shift when held in the central fire house, but they were kicked out!), non-profit community groups to meet and sports facilities such as basketball courts and ping-pong, pool and foosball or air hockey tables on the first floor to help develop a safe, youth program. Such a facility would greatly enhance sales of the Lighthouse Landing units, and create a much more desirable living environment throughout the Village. 3410

Recreation has often served as the "glue" that holds the wonderful diversity of our population together! A dollar invested in recreation can save many more in police supervision! I think Roseland would see a much more positive attitude on the part of the general population, if they invested in Village infrastructure in such a way. 3411

I'd be pleased to serve on a committee to investigate designs for such a Community Center. With the diversity of our population, I believe there may also be Federal and/or State or County funding that could help launch this project. When traveling to other

COMMENT LETTER NO. 34 (continued)

towns and cities to sporting events with my sons' teams, I have been very impressed by their community facilities and programs, often thanks to generous grants. A development project the size of the Lighthouse Landing moves the idea of a Community Center from the "wish" list to the must-do, top-priority pile. The existing diversity of our community puts the prospect of a Federal/State/County partnership within our reach. We should not miss this opportunity! 3412

Thank you for your consideration of my ideas. I look forward to hearing from Roseland Property Co. and you on them.

Sincerely,

Lynne Shafer

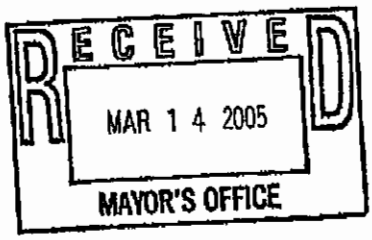
Lynne Shafer
Home: 914/631-1290
Off: 914/846-3463
Cell: 914/714-4412

cc: Nicholas Robinson, Planning Committee

P.S. Dwight, How are the village's new development recreation fees assessed to the Lighthouse Landing project? and the Schabot Landing project, for that matter? 3413

The recreation center outlined above would naturally be free-standing. However, I'd expect the police/fire substation that is intended to serve this new epicenter to also be included by Roseland in their construction design. 3414

COMMENT LETTER NO. 35



March 11, 2005

Honorable Philip Zegarelli
28 Beekman Avenue
Sleepy Hollow, NY 10591

Dear Mayor Zegarelli:

As you know, Lighthouse Landing is a developmentt so large that it will inevitably alter our small village of Sleepy Hollow. As a Sleepy Hollow resident, I have concerns about the project that I would like to see the village address during the environmental review process.

The most important issue is density. Roseland's proposal would overwhelm our village, in terms of size, traffic, services needed, and views. I hope that the *only* Roseland proposal you will consider is the second alternative they mention—the lowest density alternative of 1362 dwelling units, with the height of any of the buildings (including the hotel) to be *three stories at most* and some buildings to be two stories high. And I urge you to negotiate with Roseland to further decrease the number of units, using the 1362 number as a starting point. 3501

The second issue is traffic, and I believe that Roseland has not properly addressed this. Lowering the density of the project will help the traffic issue, but more needs to be done. Wider streets and wider sidewalks would be of some help. 3502

The third issue is Roseland's not providing a buffer area between their development and Kingsland Point Park. This buffer area is very important, and should be used for the restoration of the Pocantico River to its original route to the Hudson. If Roseland provides for the Pocantico restoration, they will have a second waterfront to further enhance the value of their property. The buffer area will also add to the open spaces of the project, and I believe the project needs more open space than its proposal provides. 3503

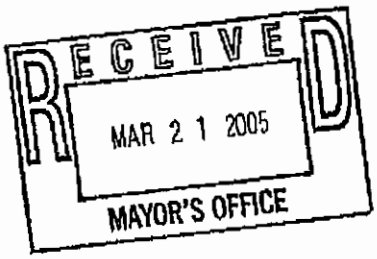
While Lighthouse Landing *will* alter our village, we have an opportunity to make sure that the alteration is a positive one that adds to our village's special character and that creates a beautiful and accessible riverfront. Mayor Zegarelli, thank you for all your work on the project, and thank you for soliciting the input of the residents of Sleepy Hollow.

Sincerely,

Jean E. Schatz

Jean E. Schatz
150 Highland Avenue
Sleepy Hollow, NY 10591

COMMENT LETTER NO. 36



March 9, 2005

66 New Broadway
Sleepy Hollow, NY 10591

Sleepy Hollow
Hon. Philip Zegarelli and
Village Board of Trustees
Village Hall
28 Beekman Avenue
Sleepy Hollow, NY 10591

To the Mayor and Board of Trustees of the Village of Sleepy Hollow,

I am contacting you regarding Lighthouse Landing at Sleepy Hollow and the current Draft Environmental Impact Statement. As a resident of Sleepy Hollow, I have concerns about the project that I would like to see the Village address during the environmental review process.

My main concern is the proposed density of buildings and subsequent population growth. 3601

- It is like a separate town on the waterfront with its own commercial center.

-It would change the character of the town substantially by increasing Sleepy Hollow's population by a huge percentage increase. 3602

-The buildings are too high and close together. Roseland stated that they looked at other river towns such as Cold Spring, but Cold Spring and other local river towns don't have buildings on this scale and density. What about separate buildings and single family homes? 3603

-It will substantially alter the view of the river. 3604

Related to the project density is my concern about the additional traffic that will be generated. Traffic and parking are already a major problem in our area. 3605

-The traffic generated would be more that this area could handle. The only way in or out of Lighthouse Landing is through the streets of Sleepy Hollow and Tarrytown.

COMMENT LETTER NO. 36 (continued)

-The increase in traffic will make it more difficult and dangerous for our children getting to and from school. 3606

-The proposed train station should not be depended upon for traffic statistics. There has been no confirmation from Metro-North that there will be a station. And if a train station is built, who else will be using the station? The huge parking lot proposed will again generate a lot of traffic rushing through Sleepy Hollow. 3607

-The proposed loss of parking spaces in Tarrytown and Sleepy Hollow, to improve traffic flow, would be a true loss for the town and businesses and can make key intersections harder to cross. Parking is already difficult and it is important that our towns remain friendly to walkers. 3608

Finally, I would like to add that I support Scenic Hudson's proposal to restore the Pocantico River, as this could alleviate flooding and increase wildlife habitat. 3609

Thank you.

Sincerely,

Anne Ocone

COMMENT LETTER NO. 37

WESTCHESTER LAND TRUST
Preserving Westchester's lands and communities

11 Babbitt Road
Bedford Hills NY 10507
Phone: 914-241-6345
Fax: 914-241-4508
E-mail:
Info@westchesterlandtrust.org
Web: westchesterlandtrust.org

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MAR 21 2005
MAYOR'S OFFICE

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EXECUTIVE DIRECTOR:
Paul Gallay

March 17, 2005

Mayor Philip Zegarelli
Village of Sleepy Hollow
28 Beekman Ave.
Sleepy Hollow, NY 10591

Re: Lighthouse Landing

Dear Mayor Zegarelli,

Westchester Land Trust supports the restoration of the Pocantico River as part of the Lighthouse Landing project. The redevelopment of the site presents a unique opportunity to make real improvements to an ecosystem that has been impaired for decades. Public access, fish and wildlife habitats and flood control would all benefit if the Pocantico were restored. 3701

Redevelopment of the GM site is important for Sleepy Hollow and Westchester in general. To complete the project in a way that benefits the Pocantico would vastly improve the project. 3702

As Westchester's leading private land preservation organization and a strong supporter of smart growth, we applaud the Village of Sleepy Hollow for its careful approach to redeveloping the site, and we hope the village gives careful consideration to the Pocantico restoration. 3703

Yours truly,

Paul Gallay
Executive Director

COMMENT LETTER NO. 38

RECEIVED
MAR 22 2005
MAYOR'S OFFICE

March 16, 2005

66 New Broadway
Sleepy Hollow, NY 10591

Sleepy Hollow
Hon. Philip Zegarelli and
Village Board of Trustees
Village Hall
28 Beekman Avenue
Sleepy Hollow, NY 10591

To the Mayor and Board of Trustees of the Village of Sleepy Hollow,

I am contacting you regarding Lighthouse Landing at Sleepy Hollow and the current Draft Environmental Impact Statement. As a resident of Sleepy Hollow, I have concerns about the project that I would like to see the Village address during the environmental review process.

My main concern is the proposed density of buildings and subsequent population growth. It is like a separate town on the waterfront with its own commercial center. It would change the character of the town and substantially and increase Sleepy Hollow's population.

It will also substantially change the town's view of the river. The buildings are too high and close together. Roseland stated that they looked at other river towns such as Cold Spring, but Cold Spring and other local river towns don't have buildings on this scale and density. What about separate buildings and single family homes? 3801

Related to the project density is my concern about the additional traffic that will be generated. Traffic and parking are already a major problem in our area, and the additional traffic would be more that this area could handle. The loss of parking spaces in the towns, proposed to improve traffic flow, would be a true loss for local businesses and the towns. 3802

The proposed train station should not be depended upon for traffic statistics. There has been no confirmation from Metro-North that there will be a station. And if a train station is built, who else will be using the station? The huge parking lot proposed will again generate a lot of traffic rushing through Sleepy Hollow.

Finally, I would like to add that I support Scenic Hudson's proposal to restore the Pocantico River, as this could alleviate flooding and increase wildlife habitat.

Thank you,

John Howard

RECEIVED
MAR 24 2005
MAYOR'S OFFICE

COMMENT LETTER NO. 39

March 14, 2005

Sleepy Hollow
Hon. Philip Zegarelli and
Village Board of Trustees
Village Hall
28 Beekman Ave
Sleepy Hollow, NY 10591

To the Mayor and Board of Trustees of the Village of Sleepy Hollow:

As you consider the details of the Lighthouse Landing Development, I urge you to look carefully at the impact that 1,500 new apartments, their owners, and especially the cars they drive, will have on Sleepy Hollow and Tarrytown. I believe that this number of new vehicles will make what is now an often unpleasant walking and driving experience truly untenable. A trip north or south on route 9 through our towns can be infuriating, and trying to cross route 9 on foot OR car is very dangerous because of the current volume of traffic. An additional 2,000 or 3,000 cars making their way through our main and side streets each day would be a disaster. Several thousand new residents will also have a tremendous impact on our schools, parking, and other local services. **Please require GM/Rossland to significantly reduce the number of units they build at Lighthouse Landing.** 3901

In addition, I support Scenic Hudson's recommendation that the village further investigate the potential of greater linkage between Philipsburg Manor, Devries Park, Kingsland Point Park, and the Hudson River as well as the Pocantico River restoration. We have an unprecedented opportunity to create a riverfront that is beautiful, natural, adds to the village's special character and economy, and is accessible to everyone. **Please support the restoration of the Pocantico River to its original course.** 3902

Sincerely
Beth Hanson

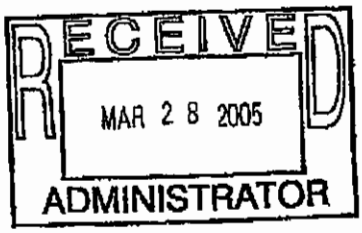
Beth H

68 Leroy Ave
Tarrytown, NY 10591

cc: Donald
Andy T.

COMMENT LETTER NO. 40

Ferry Landings, LLC
485 West Putnam Avenue
Greenwich, CT 06830
(203) 661-0055 Office
(203) 661-8071 Fax



Mr. Dwight Douglas
Village Administrator
Village of Sleepy Hollow
28 Beekman Avenue
Sleepy Hollow, NY 10591

Re: Lighthouse Landings DEIS Comments

Dear Mr Douglas:

We are forwarding the attached comments relative to the (DEIS) Draft Environmental Impact Statement regarding Lighthouse Landings, the GM/Roseland Property proposal. We are formally submitting them for consideration, review and response as part of the State Environmental Quality Review Act (SEQRA).

The comments pertain to the traffic issues and were professionally prepared by Mr. Philip J. Grealey, PhD., P.E.; of traffic consultants, John Collins Engineers, P.C. The comments are in Memorandum format, dated February 14, 2005.

Respectfully,

Lynne Ward.

Lynne Ward

Attachment

COMMENT LETTER NO. 40 (continued)

JOHN COLLINS ENGINEERS, P.C. TRAFFIC • TRANSPORTATION ENGINEERS

11 BRADHURST AVENUE • HAWTHORNE, N.Y. • 10532 • (914) 347-7500 • FAX (914) 347-7266

MEMORANDUM

TO: Lynne Ward

FROM: Philip J. Grealy, Ph.D., P.E.

DATE: February 14, 2005

SUBJECT Lighthouse Landing
DEIS Traffic and Parking Consideration

PROJECT No.781

****

We have completed a cursory review of the DEIS for the above referenced development and are hereby outlining some of our preliminary concerns regarding the analysis presented. Note that a more detailed technical review will be undertaken however, we are forwarding these to assist in the initial review of the project.

1. The discussion regarding the trip generation for the proposed development identifies very high credits for mass transit as well as adjustments for pass-by traffic estimates. Many of these credits take into account the proposed transit oriented type of community however, no evaluation or sensitivity analysis is presented if the mass transit percentages turn out to be to high more single occupancy vehicle trips are experienced as a result of the project. This should be analyzed as a sensitivity analysis with only about half of the credit taken. Furthermore, while there are discussions of the mass transit usage, there is no detailed evaluation as to the adequacy of such facilities or any details regarding the jitney or public bus transportation needed to serve the development. It should also be noted that the study references the use of the 6th Edition of the ITE Trip Generation Handbook. Since the 7th Edition of this manual is now available as of November 2003, this latest manual should be utilized for all trip generation estimates. 4001

2. The study does not evaluate several other intersections in Tarrytown which could be adversely effected by increases in traffic including Park Avenue, Independence Avenue and Church Street. These locations should be evaluated as part of any sensitivity analysis since 4002

COMMENT LETTER NO. 40 (continued)

if the traffic projections identified above are too low because of less mass transit usage, traffic will seek alternate travel routes such as those identified above. 4002 (continued)

3. The traffic analysis includes consideration of the Ferry Landings development however, it does not include the latest development proposal which would result in a significant reduction in office space. This information should be incorporated into the updated traffic analysis for Lighthouse Landing. 4003

4. The level of service analysis summary tables identify only a comparison of overall intersection Levels of Service for each of the intersections. These tables should be expanded to indicate the Levels of Service and delays by movement and by approach so that a comparison of No-Build to Build conditions can be more meaningful. 4004

5. Mitigation Measures

The study indicates that the ability to complete significant mitigation may be restricted by physical conditions and right-of-way and also indicates traffic impacts are the result of other growth or from other developments such as Ferry Landings. Note that the Ferry Landings project has significantly reduced its office component and therefore will generate less traffic. Revised analysis should be undertaken to correctly identify the project impacts of the Lighthouse Landing development. 4005

6. While we have not reviewed each of the mitigation measures identified in the study, the discussion regarding Location 7 (Route 9 at Main Street and Neperan Avenue) refers to the elimination of on-street parking spaces (up to 15 metered spaces) along Route 9. This type of improvement must be discussed in more detail and potential impacts on overall parking conditions in the Village of Tarrytown must be assessed if such mitigation is proposed. 4006

A more detailed technical review will be completed. However, the above items should be noted and considered critical relative to accurately assessing the potential traffic impact of the Lighthouse Landing development.

COMMENT LETTER NO. 41

Ferry Landings, LLC
485 West Putnam Avenue
Greenwich, CT 06830
(203) 661-0055 Office
(203) 661-8071 Fax

RECEIVED
MAR 2 8 2005
ADMINISTRATOR

Mr. Dwight Douglas
Village Administrator
Village of Sleepy Hollow
28 Beekman Avenue
Sleepy Hollow, NY 10591

Re: Lighthouse Landings DEIS Comments

Dear Mr. Douglas:

We are forwarding the attached comments relative to the (DEIS) Draft Environmental Impact Statement regarding Lighthouse Landings, the GM/Roseland Property proposal. We are formally submitting them for consideration, review and response as part of the State Environmental Quality Review Act (SEQRA).

The comments pertain to the traffic issues and were professionally prepared by Mr. Philip J. Grealey, PhD., P.E.; of traffic consultants, John Collins Engineers, P.C. The comments are in Memorandum format, dated March 15, 2005.

Respectfully,

Lynne Ward

Lynne Ward

Attachment

COMMENT LETTER NO. 41 (continued)

JOHN COLLINS
ENGINEERS, P.C. TRAFFIC • TRANSPORTATION ENGINEERS
11 BRADHURST AVENUE • HAWTHORNE, N.Y. • 10532 • (914) 347-7500 • FAX (914) 347-7266

MEMORANDUM

TO: Ms. Lynne Ward
FROM: Philip J. Grealy, Ph.D., P.E.
DATE: March 15, 2005
SUBJECT: Lighthouse Landing -Technical Review of DEIS Traffic Sections
PROJECT: No.781

****

The following summarizes our technical review of the Lighthouse Landing Traffic Impact Study.

1. As shown on the Trip Generation Summary Table (Table No. 10-13), without any trip credits the proposed development was shown to generate a total of 1211 trips during the Weekday Peak AM Hour, a total of 1378 tips during the Weekday Peak PM Hour and a total of 1587 trips during the Saturday Peak Hour. However the Trip Generation Summary Table identifies very high credits (reduction in trips) for mass transit and interplay. These credits equated to a total Weekday Peak AM Hour reduction of 39%, a total reduction of 37% during the Weekday Peak PM Hour and a total reduction of 30% during the Saturday Peak Hour and could result in an underestimation of the projected trips for this development. Typically these credits would be in the 20%-25% range. It is suggested that a sensitivity analysis be conducted utilizing a more typical credit of 25%. 4101

In addition, the trip generation for the retail uses (a total of some 145,617 s.f.) utilizes a specialty retail rate which is significantly lower than the typical retail rates for this amount of retail space (ITE Land Use 820 for shopping centers). For example, the Weekday Peak PM Hour generation utilizing typical retail rates would be a total generation of some 802 trips for the retail uses whereas the study estimates a total generation of some 377 trips. Similarly, for the Saturday Peak Hour the generation utilizing typical retail rates would be a total generation of some 1,105 trips whereas the study estimates a total generation of some 718 trips. Again this could result in a 4102

COMMENT LETTER NO. 41 (continued)

significant underestimation of the projected trips for this development. A sensitivity analysis is also suggested utilizing the more typical retail rates. 4102 (continued)

It should also be noted that the study references the use of the 6th Edition of the ITE Trip Generation Handbook. Since the 7th Edition of this manual is now available as of November 2003, this latest manual should be utilized for all trip generation estimates.

2. A review of the arrival and departure distributions indicates a significant amount of traffic is projected to use the H-Bridge (some 40% of the project traffic) and also travel through the local streets in the Village of Tarrytown for access to and from U.S. Route 9. For example, during the Weekday Peak AM Hour, their study projects that some 283 trips would utilize the H-Bridge with some 380 trips during the weekday Peak PM Hour and some 497 trips during the Saturday Peak Hour. It should also be noted that these traffic projections reflect the significant trip credits taken as discussed in Item 1 above. With more typical trip credits, these projections would be significantly higher. The study does not provide an evaluation of the H-Bridge intersections. A detailed analysis should be conducted for each of these locations since they could be adversely effected by the increase in traffic due to the project. In addition to the H-Bridge, based on a review of the arrival and departure distributions, the Cortlandt Street and Wildey Street intersection should also be analyzed. 4103

Furthermore, due to the potential impact of a slight shift in the distribution patterns through the Village of Tarrytown, a sensitivity analysis is suggested which would evaluate a 5% to 10% shift in the arrival/departure patterns.

3. The study does not evaluate several other intersections in Tarrytown which could be adversely effected by increases in traffic including Park Avenue, Independence Avenue and Church Street. These locations should be evaluated as part of any sensitivity analysis since the traffic projections may be underestimated as discussed in Item 1, above and 4104

COMMENT LETTER NO. 41 (continued)

traffic may seek alternate travel routes through the Village of Tarrytown such as those identified above. 4104 (continued)

4. While the Traffic Study discusses the use of mass transit usage, there is no detailed evaluation as to the adequacy of such facilities or any details regarding the jitney or public bus transportation needed to serve the development. In addition, if no Sleepy Hollow train station is built, more trips will be destined to the Tarrytown train station via the H-Bridge and this should be evaluated in detail. 4105

5. The traffic analysis includes consideration of the Ferry Landings development however, it does not include the latest development proposal which would result in a significant reduction in office space. This information should be incorporated into the updated traffic analysis for Lighthouse Landing. 4106

6. The Level of Service Summary Tables identify only a comparison of overall intersection Levels of Service for each of the intersections. These tables should be expanded to indicate the Levels of Service and delays by movement and by approach so that a comparison of No-Build to Build Conditions can be more meaningful. 4107

7. The Lighthouse Landing study indicates that the ability to complete significant mitigation may be restricted by physical conditions (i.e., parking, etc.) and right-of-way at certain locations. In addition there are several locations that the Levels of Service are projected to operate at a Level of Service "E" or "F" with no mitigation discussed, such as U.S. Route 9/Central Avenue and West Franklin Street/Riverview Avenue, etc. In addition as previously discussed, the traffic generation and traffic projections may be underestimated and the impacts of the project may be greater and more mitigation may be required. Also, additional mitigation may be required for the intersections outlined in Items 2 and 3, above as well as to address the sensitivity analysis results. 4108

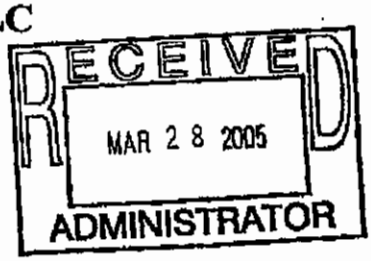
COMMENT LETTER NO. 41 (continued)

8. Lastly, due to the size of the proposed development and the potential variability of assumptions (generation, credits, distributions) used in determining the traffic projections, a monitoring type program should be adopted as part of any approvals to make sure that the project does not exceed the projected traffic estimates and that the mitigation measures are appropriate to accommodate the traffic level. 4109

d:\ltr\a.technicalreview.wpd

COMMENT LETTER NO. 42

Ferry Landings, LLC
485 West Putnam Avenue
Greenwich, CT 06830
(203) 661-0055 Office
(203) 661-8071 Fax



Mr. Dwight Douglas
Village Administrator
Village of Sleepy Hollow
28 Beekman Avenue
Sleepy Hollow, NY 10591

Re: Lighthouse Landings DEIS Comments

Dear Mr. Douglas:

We are forwarding the attached comments relative to the (DEIS) Draft Environmental Impact Statement regarding Lighthouse Landings, the GM/Roseland Property proposal. I attended the February 8, 2005 meeting and read my comments into the record. I also had given a copy of my written comments to the stenographer for the record. We are providing an additional copy as a formal submission for consideration, review and response as part of the State Environmental Quality Review Act (SEQRA).

Respectfully,

Carl Moelheit

Attachment

Page 1 of 4

Lead Lead Agency Record # Submitted 2/8/05 Meeting C. Monhart

Lighthouse Landing – DEIS Comments

COMMENT LETTER NO. 42 (continued)

Item 1. Appendix Section 4C Beekman Avenue Bridge Evaluation – Executive Summary

DEIS Statement: The load rating analysis revealed that the Bridge is not capable of carrying construction vehicles in its current condition. The capacity of the Bridge is approximately 12 tons, assuming that the thickness of the asphalt overlay is only 4 inches. It is recommended that the superstructure be replaced.

Question(s)

a) Has the actual thickness of the Bridge been measured? Since the quantity of truck traffic for this Project will be excessive, it is imperative that the rating not be compromised — 4201

b) When is the Bridge going to be repaired? The Bridge should be repaired before any construction begins. Otherwise, all traffic can not enter and exit the site over Beekman Ave and will tax the adjacent roads and towns. Have these alternate routes been identified and evaluated for truck loading requirements? — 4202

c) Has a study been done of the existing utilities on the bridge (identified as water, sewer, gas and electric) Have the utility Companies approved installing their utilities on this new Bridge? — 4203

d) When will the soil borings and geotechnical report be done for the new Bridge so a design can be submitted to Metro North for approval? Roseland is indicating they will not be paying for this Bridge, so who is going to pay for the design? — 4204

e) If the Bridge is not going to be replaced immediately and alternate routes are not allowed, how will the Bridge be monitored to insure the weight limit is not exceeded with trucks entering (exiting) the site? — 4205

f) If the Bridge is not going to be replaced immediately, has the traffic study included the alternate routes that will be taken by the trucks? — 4206

f) How can the road system have been designed if Metro North has not agreed to any conceptual plans for the Bridge? — 4207

Item 2. Appendix Section 4D East Access Viaduct Evaluation

DEIS Statement: The east access viaduct is in fair to poor condition. The load rating for the northern span is 10 tons... it is recommended that the northern span be replaced.

Question(s)

a) When is the Viaduct going to be replaced? The Viaduct should be repaired before any construction begins. Is Roseland going to pay for the repairs? — 4208

b) Has Metro North been involved with the repair of the Viaduct since is adjacent to their Property. Who is going to pay for the Metro North costs (design review costs, inspection costs, and flag protection) while the Viaduct is being designed and the work is being done? — 4209

COMMENT LETTER NO. 42 (continued)

c) Has a design been done for the new Viaduct? Will the footings for new viaduct encroach on Metro North property?

Item 3. Section II - Description of Proposed Action

DEIS Statement: In order to reach the proposed roadway and building construction subgrade elevations, approximately 350,000 cy of fill material will be required, of which approximately 150,000 cy is to be generated from on site demolition spoils. Thus, it is expected that approximately 200,000 cy of imported material will be required to bring the site up to its proposed grade. In total it is estimated that approximately 18 acres of the site will require surcharge and as a result some 150,000 cy of surcharge material will be required

Question(s)

a) Is there a grading plan for the Project? What are the proposed grades for this site compared to the existing grades? 4210

b) Do the quantities of fill include excess unsuitable material from the clean up of the site? Where are the figures that show where the excess material is coming from to insure it is not coming from a contaminated area? 4211

c) Have borings been done for the site to insure existing on site material can be used as structural backfill? 4212

d) The schedule shows bringing in 150,000 cy of material for surcharging before any Bridge repairs are done? Is this correct, all truck traffic will go through Tarrytown? 4213

Item 4. Section IID Permit and Approvals

DEIS Statement: Metro North Railroad will review and approve Railroad Station facilities; review and approval of construction or demolition activities.

Question(s)

a) The report from McLaren states that Metro North owns and maintains the Beekman Ave Bridge. Is this correct? If they are they Owners, then they will be the agency to issue Permits for the demolition and reconstruction of the new Bridge. Roseland states they are not paying for repair of this Bridge. Who is responsible to secure a new design, get permits and build this new Bridge? 4214

b) Who is going to pay for all the Metro North costs associated with construction of the new Bridge (design review costs, inspection costs, flag protection costs, etc)? Has a "force account" been set up with Metro North to start this work? It seems like the most important access to (from) the site, has not been addressed properly. 4215

Item 5. Section III Environmental Analysis

DEIS Statement: There are six (6) areas identified as contaminated with high levels of lead, chromium, PCB's and petroleum.

COMMENT LETTER NO. 42 (continued)

Question(s):

a) Show how the development site plan will lay out relative to these known areas of contamination? 4216
b) Will there be residential units over these contaminated areas?
c) Can we review all the environmental studies? 4217
d) Have there been any test borings? 4218
e) Have there been any samples taken from the Hudson River? 4219

DEIS Statement: The former plant concrete floor slabs were milled down to the rebar and stockpiled on site with other demolition materials on site. These millings are contaminated with years of industrial spills and wastes during manufacturing processes.

Question(s):

a) Were they milled off the top layer of the concrete floor slabs because they were soaked with contamination? 4220
b) What are you going to do with these contaminated millings? 4221

The stockpiles of these contaminated materials are along the Hudson River. 4222

Question(s):

a) What is being done to prevent leaching of these contaminants into the Hudson?

Regarding the efforts to work with the NYSDEC: 4223

Question(s):

a) What is the exact status of the environmental clean up?
b) Has the project been accepted into the VCA or BCA? 4224
c) Who is the volunteer/participant? (Roseland/GM??) 4225
d) If you do not have an accepted remediation plan for clean-up of all the contamination on the site, how can you have a meaningful site plan? 4226

Item 6 Miscellaneous:

The size of this project will increase the number of homes in Sleep Hollow by about 50%. 4227

Question(s):

a) How will this increase in population be accommodated within the community?

Public walking access to the waterfront is limited except by car. 4228

COMMENT LETTER NO. 42 (continued)

Question(s)

a) How will parking be made available? Is there going to be public parking available? 4228 (continued)
b) Will you make a shuttle bus available to the public? 4229

There is a navigation channel along the east shoreline.

Question(s) 4230

a) Where are you are planning to put the fishing pier?
b) How will the public access it?
c) How will you separate the public access to the river from the residential units along the river? 4231

The addition of some 1,500 residential units will only generate 217 additional students to the school system. This sounds totally understated. 4232

Question(s)

a) How was this number arrived at?
b) What would happen if this forecast was wrong and twice as many students enrolled in the school system? 4233
c) What would be the impact to the forecasted tax revenues/expenses?
d) How do the proposed heights of the buildings compare to the heights of existing buildings along Beekman and Broadway? 4234

When the projection of tax generation was made there was a net surplus of tax identified. 4235

Question(s)

a) How will this surplus be distributed back amongst the current homeowners?
b) Since taxes are established to meet projected expenditures how could there be a net surplus of tax from this project? 4236

Question(s)

a) What are all the zoning changes and the variances that will be required for this project? 4237
b) Put together a comprehensive list or table that is easily understood.

COMMENT LETTER NO. 43

Village of Sleepy Hollow

Philip E. Zegarelli
Mayor
(914) 366-5107

Mario DiFelice
Deputy Mayor
(914) 366-5107

TRUSTEES
Kay Brown Grala
Thomas Capossela
Andrew T. Murray
Richard J. Spota
Richard Zieja
(914) 366-5107

New York
1874
More than a Legend

Dwight H. Douglas
Administrator
(914) 366-5105

Angela Everett
Village Clerk
(914) 366-5106

Robyn G. DeCarlo
Treasurer
(914) 366-5144

Robert Ponzini
Village Attorney

TO: Jonathan Stein, Rosecland Property Company

FROM: Village of Sleepy Hollow Mayor and Board of Trustees

DATE: March 29, 2005

RE: Substantive Review Lighthouse Landing DEIS

The Mayor and Board of Trustees of the Village of Sleepy Hollow, acting as the Lead Agency under the State Environmental Quality Review laws of the State of New York, do hereby transmit the following substantive comments on the Lighthouse Landing Draft Environmental Impact Statement. On February 22, 2005, the Village Board closed the public hearing on the DEIS. Since that time the various members of the Village Board met as sub-committees on seven separate occasions along with members of the public, Village staff, village consultants and the Applicant and their representatives to discuss specifics topical sections of the DEIS document. On March 22, at a duly noticed work session of the Village Board, the Board members did discuss various aspects of the DEIS relative to additional information that they would like to see provided as part of the Final EIS, and overall comments and concerns with respect to the Proposed Action as outlined in the DEIS document. Based upon all of the public input provided to date, and the Board's own initial assessment of the Proposed Action with mitigation as identified in the DEIS document, it is clear that the proposed development is too dense and will benefit from an overall reduction in the residential density. Provided herein are substantive comments raised during the course of the review period that the Board, after due consideration and deliberation, would like to have addressed as part of the Final EIS document.

The Village Board views the DEIS as one more important step towards the eventual redevelopment of the former General Motors site. The DEIS builds upon the other efforts of the Village including the Local Waterfront Redevelopment Program, the underlying RF-Riverfront Development District and the Waterfront Linkage Study.

The Village Board thanks the Applicant for its cooperation and participation in this important process.

COMMENT LETTER NO. 43 (continued)

Building Design and Visual Impacts

1. The site layout should respond differently to Kingsland Point Park (KPP). There should be more of a buffer between KPP and the proposed development, including the potential idea of allowing the green space to penetrate somewhat into the development, breaking up the parallel parking, and altering the character of the roadway and landscaping so that it has a more natural feel that responds to the Park and provides a contrast to the formalized boulevards. Any additional buffer provided should be set aside and plantings or other suitable screening installed as part of the initial stages of site development so as to better protect the park from the effects of site development. 4301

2. The Village Board is generally satisfied with the design concept and treatment for Beekman Place, although the Applicant will need to identify how loading and refuse removal would be accommodated. However, the interior residential blocks have not yet received the same level of detail and basically represent potential building templates. Additional analysis regarding scale, massing, and place-making for the multifamily residential buildings is necessary, including the precedent examples of multi-family development (e.g., Bronxville, Scarsdale and Forest Hill Gardens were cited as examples). The Applicant is encouraged to work with Village staff and their consultants in preparing an alternate neighborhood design concept(s). This would include such issues as roadway design, façade treatments, use of materials and relationship to landscape treatments and open space. 4302

3. The Village Board is particularly concerned about the uniform four-story bulk throughout the site. The project should be designed to include much more variety in building height, something that is allowed for in the RF District regulations and is in keeping with the Village character which contains many varied building heights from two to five stories. For instance, the area along the railroad tracks has zoning limitations that need to be reconsidered given the lack of development activity along the East Parcel. In some instances, such as the area abutting Ichabod's Landing, there needs to be a different scale of development (see also comments raised by the Planning Board), the selected use of five stories and other signature vertical elements needs to be evaluated. 4303

4. It will be vitally important for the interior residential buildings to exhibit variety. Additional discussion or visuals of how this effect will be achieved are necessary. The Village Board also notes that there may be the potential for different architects to execute the different blocks. This could be a method to produce the minor variations that will create a place that feels "real". The use of unifying elements throughout the development such as building materials consisting of wood, stone and brick would be consistent with the "old Hudson River Village" theme identified in the LWRP and RF District, and subsequently illustrated in the Waterfront Linkage Study. The Applicant has indicated 4304

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that they intend to use EIFS as a building material. Comments raised during design sub-committee meetings indicated the inappropriateness of this material in certain instances and its potential inability to hold up over time. The Village needs to require that the Applicant be very specific about the use of this material, if at all, as part of the design palette. 4304 (continued)

5. The consensus of the Village Board was that design concept relative to the "spirit of an old Hudson River waterfront community" does not necessarily preclude the use of more modern features. While the residential area should generally have a historic style, the Village Board feels that it is important that some contemporary elements be introduced in the residential blocks to provide emphasis or visual interest. Hudson River communities developed over time and it is not necessarily out of character to have these different elements. 4305

6. There is a small cove below Kingsland Point Park. The possibility for adding some water-related use in this area should be further explored, including a possible boathouse for hand launching. Precedent examples of boathouses need to be provided for further evaluation. 4306

7. The application of the RF zoning district height regulation results in a situation where buildings with lower heights are located nearer the railroad tracks. We understand that this provision was created to allow for views from development on the east side of the tracks. Now that circumstances have changed (i.e., no development proposed on the east side) it seems that having shorter buildings near the tracks does not make as much sense. The Village, along with the Applicant, needs to reconsider the appropriateness of the height regulations for this part of the site. The buildings along the tracks could be of a different configuration /use such that they could be used for business incubator type uses, live/work lofts and the like. This would introduce the potential for opportunities for increased employment and tax generation. Any residential use proposed along the railroad tracks needs to have a landscaped buffer. In the event that the proposed senior housing is moved away from the currently proposed location along the tracks, other potential locations need to be identified, such as the South Parcel. 4307

8. During the course of the discussions, it was generally recognized that the hotel offers an opportunity to create a "jewel" for the site and the Village; the design concept for this building should be fleshed out in greater detail; the architectural treatment of the façade facing the Hudson River is of particular importance. We recommend the Applicant review historic hotel precedents from the region to identify elements that could create a distinctive architecture for this building. There have been some general concerns regarding hotel related uses such as conference space and events. Given that the RF District allows for valet parking arrangements for hotel uses, the Applicant should 4308

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provide some indication of how those types of hotel related functions could be accommodated on site, even if in a limited format. 4308 (continued)

9. The Applicant should present street designs that introduce a few minor shifts to the grid or flaring that could introduce variation and interest. A narrower roadway pattern could be explored for certain sections of the site, particularly in the areas serving the townhouses. This could be viewed as a consistent design approach for a historic Hudson River village development pattern. 4309

10. A general question was raised as to the appropriate time to install landscaping and street trees; the Applicant needs to outline an installation program relative to other site improvements, including Beckman Place. 4310

11. There should be some comparison relative to the typical size for different units such as apartment vs. condominium. 4311

12. The Applicant has indicated during the sub-committee meeting process that a potential location for a fire/ambulance/police substation could be the lower level of the proposed parking garage just off of Beekman Avenue and adjacent to the proposed train station. The Village should have some general indication of what that would look like, conceptually. Further, the Applicant may want to explore a design concept that would have residential units built along the face of the parking garage, providing a screen to the balance of the parking facility and potentially to capitalize on views given existing elevation. Additionally, the potential for a free standing "civic" building should be considered. Said building would be provide support facilities such as a kitchen and bunkroom and be designed to serve future potential full time/part time paid fire and ambulance personnel. 4312

13. As part of the site development and construction sub-committee, there is an opportunity to replace the existing Beekman Avenue Bridge with a bridge designed to handle heavier loads necessary for site construction purposes. This also presents an opportunity to create a gateway feature as part of the new bridge design. The Applicant needs to provide precedent examples of bridge designs for the Lead Agency's consideration and indicate how the bridge replacement will be factored into the construction-phasing plan. 4313

Community Facilities

Schools:

14. What happens to the proportionate share of the school tax load between Sleepy Hollow and Tarrytown as a result of the proposed development? The Superintendent indicated that it fluctuates every year depending on changing market conditions. The District's 4314

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total tax levy is approximately $35 million. The GM project will potentially result in approximately $6 million in school tax revenue, which is a major portion. This effect will provide some relief for residents, but will also likely increase Sleepy Hollow's value and could affect the municipalities' proportions. The extent of this effect needs to be evaluated. 4314

15. The recent bond referendum passed by the School District included improvements that are expected to be complete by fall 2008. Another proposal will come out over the next couple of years for the other two schools at the primary school level. This will allow the District to get a sense of the magnitude of Lighthouse Landing (i.e., number of units) and take that into account in it's planning. The potential impact of the closure of the Morse School and its reuse needs to be evaluated as it relates to the Beekman Avenue corridor. The Applicant should consider the previous efforts of the Village regarding the reuse of Morse School, including parking and commercial reuse of the building. 4315

16. The Superintendent noted anecdotally, that local trends indicate increased family occupancy of condos, which might not necessarily be included in schoolchild generation figures. There was also a question as to whether there is pricing sensitivity (more expensive units do not produce as many schoolchildren). For example, Wyldwood (recently approved townhouse development in Tarrytown School District) has only 5 students. The Applicant noted their own experience with high end, smaller units in Port Imperial and Jersey City has been that the units produce very few kids. The Applicant provided examples of buildings with approximately 300 units and 2-5 kids, generally non-school age. Surveys of these types of units, and developments such as the Tallyrand Crescent community located on the south side of Route 119 in Tarrytown should be included as part of the evaluation of anticipated impacts. 4316

17. The question was raised whether new taxes would provide suitable mitigation, or is other mitigation required? The District indicated that with the improvements it is doing now, the capacity should be sufficient for the interim. In two years, the District can look and see what else they need to do. The District indicated that it felt confident that there will be enough new tax revenues to cover what they are doing now, and what they expect to do in two years. 4317

Fire:

18. Can Kingsland Point Park provide a second emergency access? Road may need to be upgraded and should be evaluated. What other potential upgrades would be needed to: enhance emergency access by ambulance, fire and police; and, to assist in the evacuation of the site in the event of an emergency. The FEIS should also consider water route for evacuation. Fire Department noted that it is looking for location for docking/storage of 4318

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its rescue boat. Fire Department will provide boat specifications to the Applicant so they can try to incorporate. 4318 (continued)

19. The garage area under the grocery store has a 22' clear height at the lower level. Village would like to move a company down to Lighthouse Landing, plus boat storage and low-profile vehicle. Department noted that apparatus bays should be sized to accommodate new vehicles. Existing firehouses don't have living quarters and can't accommodate residential volunteers who would potentially live at the firehouse in shifts full-time. The Department feels it would be prudent to consider bunkhouse and meeting room in new firehouse or community service building. There needs to be an evaluation of whether the Village should move a fire company down to the project site, or create a new company and the attendant impacts on Village fire fighting requirements and insurance regulations. 4319

    To serve the new development effectively, the Village has indicated that it wants to have a full company, specialized equipment and the necessary accessory space for support at the site. The Applicant notes that the potential space identified for a fire substation not be viewed necessarily, as just a garage. It could have a masonry face and be sheetrocked and finished out inside. The Applicant will provide a conceptual floor plate. The Village is requesting an alternative design be included with the FEIS that incorporates a free standing building that would be designed to support the requirements of a new substation.

20. The Applicant noted that garages will be sprinklered and have standpipes. It was further noted that the current design has changed from the original proposal in that the project now has individual garages and bigger floor to ceiling heights. The Applicant claims that in approximately ½ the garages, normal fire equipment will be able to access the specific parking facility. There needs to be an evaluation, based on site plan revisions, as to the necessity for specific pieces of apparatus to serve the site. 4320

Police:

21. The Police Chief indicated that the project would require two posts, one to patrol the residential portion and one to patrol the commercial portion. The Chief indicated two posts would be adequate to handle commuters from new train station. However, the Applicant has indicated they would be providing their own security service. Would full-time security service affect the need for municipal police service? How would a full time security service interface with the Police Department? 4321

22. The Police Department participates in a joint marine unit (Zodiac-type boat) that has a seasonal staffing effect. Can this use be accommodated on-site? 4322

23. Given the new development and enhanced connections to Kingsland Point Park will the Department need to send additional bike patrols to the newly created open space and 4323

COMMENT LETTER NO. 43 (continued)

Kingsland Point Park? Should park rangers be considered for this expanded waterfront area? 4323 (Continued)

24. There needs to be an additional evaluation as to the presence of a Police substation, either for a full-time or part-time office. The Chief has indicated that a full time substation would have the two posts and a desk officer reporting there. A part-time substation would not need lockers, since staff would use the Village's existing facility. For seasonal/special events, the Police Department indicated that it would like some place for officers to gather to receive assignments and take breaks. The design of part-time substation could be incorporated as part of one of the proposed open space outbuildings/information center in the vicinity of the lighthouse. The Applicant should coordinate with the Village and the Police Department regarding more specific details. 4324

Ambulance:

25. The Ambulance Corps noted an approximately 15% annual increase in calls over the past years. The Corps indicated that they currently meet the needs of the Village and provide many mutual aid calls to other surrounding municipalities and is one of the last volunteer services in the area. Average 3-5 minute response time. Existing facility is just basically a garage, although it is well located for accessibility of volunteers to ambulance and accessibility of ambulance to incidents. 4325

    The Corps expect calls for service would increase approximately 30% with the new development. This needs to be confirmed based on existing ratio of calls for service vs. population.

26. The Corps noted national trend of decline in volunteerism, which suggests it is not unreasonable to see a partial pay emergency service in the future. The Ambulance Corps has access to reports that identified staffing costs for full time and part time service. Current ambulance corps budget is approximately $50,000, switching to a professional service would be a major change. Given the anticipated demands on the Ambulance Corps, the Village needs to better understand the cost implications of going to a part time and full time ambulance service to cover the Village, including the establishment of an ambulance district. 4326

27. The Ambulance Corps noted that there were a number of variables related to Ambulance Corps facilities: whether to split ambulances or centralize, adequacy of facility. Whether the Village goes to a paid staff or not, it would make sense to keep an ambulance with the fire apparatus, so that they could cross-staff and handle EMT calls. These issues need to be outlined in greater detail in the FEIS. 4327

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Public Works:

28. The DPW is currently in space that is inadequate for their needs and a new facility is needed, particularly as a result of the proposed action. There is an opportunity, as indicated on the conceptual plan, to relocate the DPW facility to the East Parcel. Could the school district be accommodated, in a limited way, as part of the proposed expansion of the DPW facility? The Village needs to be provided with a clear evaluation of the sub-surface conditions under the East Parcel in the vicinity of the proposed DPW facility location. 4328

29. The issue of snow removal was discussed. A designated snow emergency road needs to be identified. DPW can probably stockpile snow on the east parcel and open space areas at Lighthouse Landing. 4329

30. The DPW indicated that to handle sewer, street and open space maintenance they would likely require 10 additional personnel and three trucks. The Department requests that the pathways and esplanade be designed to handle a pickup truck. 4330

31. Trash pickup and recycling will need to be detailed, including the use, general location, and specification of compaction dumpsters. Pickup for individual townhouses units will need to be detailed. The Applicant needs to provide some additional details as to garbage collection for the retail establishments, including the proposed restaurants and other food establishments. 4331

32. The Applicant needs to confirm that the main thoroughfares will be owned and maintained by the Village and that the private areas are essentially just the rear drives providing access to the townhomes. 4332

33. The Applicant needs to provide additional details relative to water metering. Typically townhouses will have one meter and apartment building will have one meter. How will the mixed-use commercial buildings along Beekman Place be metered? 4333

Other Community Facility Issues:

34. Is there sufficient space on the site, or in the proposed community center or proposed theatre to include space for a community facility to be shared by various local Village organizations? 4334

35. The Applicant has, to date, and in the opinion of the Lead Agency proposed limited public water dependent uses as part of the proposed plan. In an effort to address this issue, the Applicant needs to explore: a. onsite amenities such as a boat house in the vicinity of the cove area between KPP and the GM site, creation of a wharf/pier that 4335

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could be used during the site development process and then turned over to the Village for use as a fishing pier or dockage for excursion ferries, interpretive/support facility for the 1813 Lighthouse, and replacement of a portion of the existing rip-rap with bulkhead to accommodate a potential area for transient boat tie ups; b. efforts to promote water dependent uses off site such as at Horan's Landing where the Village may need some assistance in disposing of dredged material; and c. exploring with the County and the Village improvements to Kingsland Point Park such as: the creation of dingy docks that would support a potential mooring field for transient boat traffic, restoration of the beach area and expanding the parking to serve the park facility. Further the Applicant should explore further the concept of the temporary use of the existing bathhouse at KPP for project offices (construction, sales) and then turning it over to the Village for park support activities. 4335

36. The NYSDOT has prepared a preliminary report on the feasibility of reusing the existing pedestrian overpass connecting DeVries Park with KPP. In an effort to enhance and promote future water related access to the KPP beach the Applicant should explore the repair and restoration of the existing pedestrian footbridge. 4336

Site Development and Construction

37. The Applicant needs to further explore additional measures to minimize the amount of truck traffic that will be required during the construction period. During subcommittee discussions, the Applicant indicated that it would not likely be feasible to utilize barges or the railroad to bring in much of the construction materials. An explanation of the factors that limit the feasibility of these alternatives should be included in the FEIS. Those materials that could be supplied effectively by rail or barge also need to be identified. Who owns the rail sidings located in proximity to the East and West parcels? 4337

38. It was noted during discussions that using barges would require building a wharf out over the riprap. Contact should be made with the ACOE and DEC to discuss what permitting issues are involved, as this type of structure could have potential for adaptive reuse, after construction is complete, as a valuable water-dependent use and public amenity. The Applicant needs to confirm and verify the location of the Federal channel needs to be confirmed with the appropriate sources (ACOE and or the Coast Guard) and through a survey instrument. 4338

39. In order to accommodate construction vehicles, the Beekman Avenue Bridge needs to be upgraded. The Applicant should describe the extent of the upgrade required, the anticipated timing to complete as part of the overall project, and potential traffic or utility impacts from this construction. Ownership of the bridge also needs to be definitively determined. The Applicant should also identify height or other Metro-North related issues 4339

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with the bridge reconstruction. Is it possible to construct a new bridge next to the existing bridge and then roll over to minimize disruption? Potential design features to create a more appealing and distinctive gateway should also be discussed and provided. A construction routing plan needs to incorporate potential disruption to the Beekman Avenue Bridge. 4339

40. What steps will the Applicant take to encourage local contractors and skilled workforce as part of developing and implementing local programs for hiring initiatives? 4340

41. Significant portions of the waterfront open space are proposed to be improved in years 4 and 5. The Village is interested in the opportunity to provide at least a rudimentary open space connection and access along the River from Horan's Landing through to Kingsland Point Park, as early as possible. It is suggested that the installation of buffering and plantings near Kingsland Point Park also be incorporated into the earliest stages of construction (year 1). Year 2 should be the completion of the open space area at the adjacent to and in the vicinity of the extension of Beekman Avenue with the balance (with the exception of the plaza area in front of the hotel by year 3. In this way the completed riverwalk component is open to the public as soon as possible at the end of the year 3 construction cycle. 4341

42. The Applicant needs to provide an indication as to why the hotel and accompanying plaza could not be completed as part of the year 3 construction phasing. 4342

43. The construction of the public works facility should occur in Phase 1 fit into the proposed construction-phasing plan to enable the orderly relocation of the DPW onto the East Parcel. 4343

44. The Applicant should provide details relative to current ownership of the viaduct and describe the condition of the viaduct leading to the east parcel and any repairs that would be necessary for it to serve as an access for DPW trucks, construction vehicles, etc. The Applicants should undertake improvements as part of the Phase 1 construction activity and discuss the benefits of undertaking the improvements prior to commencement of improvements to the Beekman Avenue Bridge. Further, the Applicant needs to consider other mitigation relative to site construction impacts to the community, such as installing recreation amenities on the East Parcel as part of the first phase of the development and constructing the public works garage, thus permitting DPW's relocation and expediting the redevelopment of the old site on River St. 4344

45. Given that the Village is seeking to relocate its DPW facilities to the east parcel, the soil bearing capacities on this parcel should be investigated to ensure the viability of constructing new buildings in that location. Is there the potential for capture and use of energy production from methane from the East Parcel? 4345

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46. The Applicant has indicated that they could set up a concrete batch plant on-site. This could help limit the impact from large numbers of trucks arriving in a concentrated period for big pours, and reduce the amount of regional truck trips. An on-site asphalt plant would not be viewed as favorably by the subcommittee since it has more significant dust and noise impacts. The Applicant needs to identify impacts related to the operation of such construction-related operations as a concrete batch plan and rock crushing. 4346

47. The NYSDEC has approved a conceptual remedial plan for the site. When will a detailed plan be prepared and how does the environmental cleanup factor into the timing of the site development? The Village also refers to the technical review prepared by Roux Associates and separately transmits to the Applicant that report for review and comment. 4347

48. The Applicant expects that replacement of 30% of the piles will be required. The potential impacts from this pile driving activity should be more fully evaluated relative to hours of operation, noise and length of operation. 4348

49. A county trunk sewer runs across the project site. The Applicant has indicated that the sewer, which will pass under/through buildings, will be framed out with a clear area around to provide full access. Is this a typical and reasonable solution to this issue? Does the County have any comments or concerns with this solution? 4349

50. The Applicant should indicate how the construction-related timing would affect the installation of Beekman Place. Certain portions of the adjoining development (buildings 2, 6 and 8) are scheduled to be constructed in years four and five. Is it correct in assuming that the foundations for these buildings will also act as the foundation for Beekman Place? 4350

Fiscal & Socio-economics Impacts

51. As currently proposed, the project contains 1,122 rental units (including senior buildings) and 440 ownership units. The Village Board feels that the ratio of rental to owner-occupied units should be adjusted to include more ownership units. Economic impacts associated with the ownership/rental change needs to be documented. 4351

52. It does not appear that the fiscal analysis presented in the DEIS used the non-homestead tax rate for rental units. The Applicant should present the fiscal results using the non-homestead rate and with the conversion of some apartments to condominium units. 4352

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53. The cost projections utilized in the DEIS should be refined by coordinating responses from the department heads regarding equipment and staffing needs to relevant standards (e.g., police officers/capita, calls to service/capita). 4353

54. The analysis employed in the DEIS is based on a per capita/worker average of current General Fund expenditures. The Village Board notes that the Village is currently functioning with a relatively austere budget and provision of services related to the loss of revenue from the GM site. The methodology employed might not accurately capture a more accurate picture of Village service costs. Cost estimates from comparable communities should be factored into the analysis of the cost to service the new development. 4354

55. Given the Village's concern with respect to taxes and jobs, the Applicant should explore in greater detail the ability to incorporate some flex office, live/work lofts, business incubators uses to provide tax ratables and potential employment opportunities for area residents? Further, the Applicant should prepare a matrix of the alternate uses that could be accommodated on site and provide anticipated impacts of each, to the extent known. 4355

56. During subcommittee discussions, the Applicant indicated that a Master Association would be providing landscaping maintenance. What other services would the Master Association provide the new development and residents? Would a master association preclude the potential use of a business improvement district for the Beekman Place area? 4356

57. The Village is concerned that the proposed development may not have a positive impact on the balance of the Village's commercial district given the proposed removal of on-street parking, the increased traffic congestion which could impact the pedestrian environment and the potential competition of uses. What impact will the development of this project have on the upper Beekman Avenue corridor? It is noted that the ERA report contains several recommendations that could help strengthen and organize the existing Beekman Avenue businesses. The Applicant should identify how these recommendations could be incorporated. The Village would request that the Applicant consider providing assistance relative to preparing design plans for improving the appearance of the Beekman Avenue corridor as it is a gateway to the new development, provision of additional off-street parking, and help form and partially fund a merchant's association. 4357

58. The Village is currently in the process of reviewing a 65-unit affordable senior housing proposal. Since some of the need for senior housing will be satisfied by this other project, the Lighthouse Landing mix should be adjusted to include a different mix of affordable units, with more non-senior households. 4358

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59. The Applicant should indicate if, and for what elements of the project, a PILOT is being considered. How would this potentially affect sales tax projections? 4359

60. The Applicant should provide examples of the contemplated commercial tenant mix for Beekman Place and provide examples of how they have incorporated such tenants into other projects. Fast food uses are not in keeping, in general, with a historic Hudson River community and should be restricted or eliminated from any future retail mix. Zoning ordinance codifications to effect this change should be considered. 4360

61. With the now contemplated inclusion of 5 or 6 new restaurants, plus other stores, including national retailers, the potential effects of the proposed development on immediate and secondary market area (basically the inner village and Tarrytown) should be examined more closely so that the Village has a better understanding of potential impacts. 4361

62. The Applicant needs to work with the Village to provide locations of on-street parking meters and an analysis of the project revenues. Additionally, revenues for the proposed commuter lot should be projected and allocated to the Village as a potential positive economic impact. 4362

Traffic and Transportation

63. Since one of the major reasons for increased traffic is the significant density of the Development, the Applicant should consider ways to decrease density in a beneficial manner so as not to deteriorate significantly tax revenue generation. This concern is discussed elsewhere by other Committees but is reinforced by the comments made at the Traffic Subcommittee hearing. One alternative discussed was a recommendation to see what happens to traffic analysis if some apartment units are substituted with townhomes (maintaining the same s.f. of development, but fewer units). 4363

Traffic Mitigation Measures and Parking Impacts:

64. Traffic improvements at selected intersections in the Village of Sleepy Hollow would result in the loss of 26 parking spaces (approximately 10 at the Beekman/Route 9 intersection and 16 at the Beekman/Pocantico/Cortlandt intersections). However, recommendations included use of full-length tapers and discussions with NYSDOT suggest these could likely be reduced, which would reduce the loss of on-street parking along the Route 9 section. 4364

Because on-street parking is at such a premium, particularly in the inner-village, any loss of parking will need to be replaced on at least a one for one basis. The Applicant needs

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to evaluate how improvements could be made while eliminating as few parking spaces as possible. The Applicant indicated that they are willing to help provide or finance, but are limited in what they can do relative to the ability to acquire property for parking. The Village would potentially need to help identify and acquire land that could be used for parking in proximity to the lost spaces if that is the direction taken. As an example, the area along the Route 9 frontage for the High School was identified as a possible area for parking expansion and should be evaluated. 4364 (continued)

65. The Applicant's traffic study also included recommendations for problematic intersections within Tarrytown (Rt. 9/Neperhan, Rt. 9/Franklin and Rt. 9/Rt. 119). Recommended improvements include similar measures (restriping, turn lanes, etc.) that could result in loss of parking spaces at certain Tarrytown intersections. What kind of coordination has there been between the Applicant and the Village of Tarrytown regarding anticipated impacts and proposed mitigation? We encourage continued discourse among the Sleepy Hollow Board, Applicant and the new Tarrytown Board to develop mutually agreed upon traffic mitigation matters. 4365

Railroad:

66. The traffic analysis used estimates that 40% of peak hour trips will be via rail. This appears fairly conservative based on survey data from other comparable developments and results in a calculation of approximately 195 train commuters from Lighthouse Landing during the peak hour. However, the Applicant should provide additional background as to transit-oriented developments and how the proposed development could be further enhanced so as to further reduce potential vehicle trips. 4366

67. The commuter lot indicated on the plan is sized at 400 spaces. Metro-North would like to see even more (up to 1200 spaces) due to existing and anticipated demand along the Hudson Line. The Applicant and Village felt that this would draw additional, potentially undesirable traffic and would be unfair for the Village to provide for the Hudson Line's entire parking need. Who would ultimately own and maintain the commuter lot? It was noted that users of a commuter lot would likely be diversions of existing traffic and wouldn't be adding more volume to Route 9. There is the possibility that operation of Route 9 to the south could be improved with commuter lot at Lighthouse, however this still needs to be confirmed. 4367

Parking:

68. There was general concern with the limitations of parking along Beekman Avenue and that the potential removal of on-street parking would create issues with the businesses in that area. Sub-committee members described alternative concepts: to provide parking at 4368

COMMENT LETTER NO. 43 (continued)

the Morse School; remove some of the Beekman Avenue sidewalk width to allow for the ability to maintain and or increase parking; and utilizing the area behind the stores along Beekman Avenue to create more parking. These alternative design approaches need to be evaluated further. 4368 (continued)

Development Parking:

69. It was noted that the development provides approximately 1.5 spaces per unit. Should the Applicant provide 2 per unit, or conversely would it be better to try to limit parking to a more commuter-oriented focus with 1 car per unit? The parking areas for the mixed-use portion can also potentially be used as a shared parking resource for residents/guests although there needs to be more details provided, such as how would the retail lots operate – municipal lots, metered, permits, Applicant owned? 4369

Miscellaneous:

70. Following up on recommendations in the Village's Linkage Study what is the potential for a trolley loop system linking other local attractions and the Sleepy Hollow, Tarrytown downtowns? What volume would be necessary to support? Has Westchester County offered any opinions as to its feasibility? 4370

71. In the event a shuttle system is used, can the Lighthouse Landing shuttle be an electric vehicle? Applicant has discussed with GM and it remains a possibility that they may produce a vehicle that could be used. Who will be responsible for operating the shuttle? What would be the hours and days of week for its operations? 4371

72. What is the effect to the level of service at the intersection of Beekman Avenue/Route 9 if Hudson Street is made into a one-way eastbound? 4372

73. The Applicant has indicated that several of the intersections will need to be monitored in the future, after the project is complete. Who will be responsible for the monitoring? What happens if, during the course of time, or at full build-out the intersection in question fails, or is severely impacted? 4373

Next Steps – Community Outreach

Regarding next steps, the Applicant has indicated that they are looking for guidance and direction from the Village regarding alternative planning concepts for site layout. It is suggested that the Applicant work together with the Village, its staff and consultants to begin shaping an alternative design layout that better responds to issues raised as part of the environmental review process.

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The sub-committee discussed different ways the Village could consider to broaden the outreach efforts, including use of cable television, notices in bulletins and newspapers. The Village Board would recommend that, after the close of the public comment period, a publication be prepared in a simple question and answer format that will address specific issues. The Village may also want to think about preparing incremental progress reports to keep the public updated during the balance of the review.

It was also suggested that it might be useful to have issue oriented meetings every couple of weeks to allow for revisions to be made and further discussion. These meetings could also include representatives of the various involved agencies such as Westchester County, NYSDOT and NYSDEC.

Efforts were made to engage the Village of Tarrytown in the past, given recent events, the Village should consider an approach that would allow for meaningful dialogue between both communities.

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COMMENT LETTER NO. 44

Metro-North Railroad

APR - 4 2005

SENT VIA
AIRBORNE EXPRESS AND FASCIMILE

March 30, 2005

Dwight Douglas
Village Administrator
Village of Sleepy Hollow
Village Hall
28 Beekman Avenue
Sleepy Hollow NY 10591

RE: **Metro-North Comments on Draft EIS for Lighthouse Landing at Sleepy Hollow**

Dear Mr. Douglas:

Metro-North submits the following comments on the Draft Environmental Impact Statement (EIS) for the Lighthouse Landing Riverfront Development. These comments reiterate and supplement comments in our previous letters of February 22, and January 11, 2005, (attached and referenced herein), concerning the funding and construction of a proposed rail station as part of the development.

1. Construction of a Rail Station

4401

Metro-North and the project's developer are parties to an agreement for the analysis of the feasibility of establishing, maintaining, and operating the rail station. As called for in that agreement, the Developer submitted to Metro-North a Design Definition Report which demonstrates the feasibility of establishing a rail station at Lighthouse Landing from an engineering perspective. It has not yet been determined from an operational perspective if a station is feasible. The proximity of a new rail station between the existing Tarrytown and Philipse Manor Stations will have impacts on Hudson Line service that Metro-North may or may not find acceptable. As part of the DEIS, impacts from ridership diversion, operating times, schedules, and levels of service at nearby stations must be addressed.

For example, the DEIS assumes that 820 of the peak AM boarders at the proposed station at Sleepy Hollow will not originate from Lighthouse Landing, (page III.H-12). These may be riders diverted from other stations or new riders from the Village of Sleepy Hollow. The DEIS needs to specify the number of riders diverted from other stations so that Metro-North can review the impact on existing peak schedules with the addition of a

new station. If the vast majority of diversions are projected from Tarrytown, AM and PM peak ridership from Tarrytown station may be significantly affected and require modifications to service levels. 4401 (continued)

The developer has committed to preparing a preliminary design of the proposed station as part of the feasibility study. This has not yet been submitted for MNR review. The conceptual plan of the station and ancillary facilities contained in the DEIS merely represents the developer's view, not an approved plan. With respect to the conceptual plan, which we understand will be the basis for the design, the following comments are offered: the commuter parking lot must be located further south than shown on the site plan, adjacent to the existing viaduct and as close as possible to the platform. In addition, the new pedestrian overpass should be located to equalize walking distance from the parking lot to the overpass and to equalize boardings at both the north and south end of the platform. 4402

Since it has not yet been determined that a station is operationally feasible, any reference in the DEIS to the station as a potential mitigation measure is premature.

2. Funding

There are several instances in the DEIS where reference is made to pursuing funding for the construction of a station. 4403

Section III; 11; page III.A-42 – references that "construction of a new Metro-North railroad station has been proposed. A new station may receive federal funding through USDOT/FTA which would make the station a federal action subject to NEPA."

Section III. H-8 states "The new station under consideration to be constructed as part of the project, subject to Metro-North approval and availability of sufficient funding..."

The station is not a Metro-North project. The developer has proposed construction of this station as part of the Lighthouse Landing Development. As such, assuming it is determined that a station is fully feasible from both engineering and operational perspectives, and if MNR agrees and permits a station to be constructed, funding for construction, operation, and maintenance of a station must be the responsibility of the developer.

MNR has repeatedly stated in meetings and in correspondence (see response to Scoping Document in letter dated May 16, 2003 and letter of January 11, 2005 to the Village and Developer) with the Developer and Village that MNR will not utilize its capital funding resources for the construction, maintenance, or operation of the station. Nor will Metro-North use limited federal financial assistance or operating funds for the construction, maintenance or operation of the station, at the expense of our infrastructure or operation needs.

3. Parking

Section II; e; page II-12 – reference is made to a 400 space parking lot being sized in response to MNR's desire to address regional parking needs within the Hudson Line Corridor. 4404

A 400-space lot would not be adequate to meet MNR parking demands as shown in the Parking Demand Analysis submitted to the Developer and the Village by MNR (submitted January 19, 2005). The analysis indicated that the parking demand requires 1,100 parking spaces by 2020.

This need for 1,100 parking spaces is exclusive of those required by the residents of Lighthouse Landing. The DEIS assumes that these residents will access the station via a bus shuttle. However, the number of resident boardings estimated per train and the frequency of the MNR peak period train schedule reflected in the DEIS may not allow the majority of residents to use the shuttle. This may result in utilization of the proposed 400-space commuter parking lot at the station by many of the residents of Lighthouse Landing rather than commuters as intended and suggested in the DEIS.

The DEIS needs to consider how the long-term parking needs identified by Metro-North can be achieved. Shared parking uses with off setting peaks, such as the station and the proposed cinema, could be utilized to meet a portion of this demand. This approach allows parking at the station during nights and weekends for other uses and maximizes parking, while limiting the amount of paved areas for such use.

Given the severe shortage of parking at the surrounding stations, one of the benefits of a new station is to provide unrestricted access to it by railroad customers. Metro-North makes all efforts to ensure open access at all stations. The DEIS does not specify whether parking at the proposed station will be available to all commuters, regardless of residency and who will operate parking and proposed fee levels. Open access, including parking fees and commutation cost for its customers are key factors to Metro-North in determining establishment of a new station.

In addition, the DEIS indicates that certain adverse impacts will be mitigated by the construction of a 400 space commuter parking lot (Page III.H-14) at the station. However there are no data provided to show that this number of spaces provides sufficient mitigation.

4. Beekman Avenue Bridge

The DEIS calls for replacement of the Beekman Avenue Bridge. Page III L-13 references that developer would be willing to pay its "fair share of the cost for improvements" to the Beekman Avenue Bridge. The bridge would need to be reconstructed to bear more tonnage than it is currently able to handle. This requirement is the result of the project needs. MNR would not fund this construction. 4405

Adjacent to the Beekman Avenue Bridge, is the East Access viaduct and a 24" diameter drainage pipe that carries water runoff beneath the Metro-North Railroad tracks. This pipe extends through the Lighthouse Landing site and during a heavy rain storm water from the property to the east backs up and washes silt and sand onto the railroad tracks. As part of the development of Lighthouse Landing, the developer will need to construct a culvert through the site that is properly sized to prevent it from washout of and sediment deposition on the railroad tracks. 4406

The DEIS does not indicate whether the former GM employee/pedestrian overpass is to be retained or removed. There is a 10" gas main mounted on the overpass that serves the site. If the overpass is removed, a new gas line may have to be constructed at a different location. Funding for this action will not be the responsibility of Metro-North. Additionally, Metro-North will require an agreement from the developer that identifies who will be responsible for maintaining and/or ultimately removing the gas main. 4407

If you have any questions on any of the above, please do not hesitate to contact me, or our coordinator for this effort, Robin Geller (212) 340-2359.

Very Truly Yours,

Randall J. Fleischer,
Director
Business Development & Facilities

Encl: Copies of previous letters dated January 11 and February 22, 2005

cc: H. Permut
R. Bernard
K. Timko
M. Mannix
D. Buckley
Jonathan Stein/Roseland
Mayor Zegarelli/Village of Sleepy Hollow
Andy Tung/Consultant

347 Madison Avenue
New York, NY 10017-3739
212 340-3000

Peter A. Cannito
President

COMMENT LETTER NO. 44 (continued)

Metro-North Railroad

January 11, 2005

Mr. Jonathan Stein
Roseland/Sleepy Hollow, LLC
233 Canoe Brook Road
Short Hills, New Jersey 07078

Dwight Douglas
Village Administrator
Village of Sleepy Hollow
28 Beekman Avenue
Sleepy Hollow, NY 10591

Re: January 5 meeting follow up, Sleepy Hollow: Proposed Station at Light House Landing

Dear Mr. Stein and Mr. Douglas:

Thank you for meeting with us on January 5 to discuss the status of the Lighthouse Landing development in Sleepy Hollow and related DEIS. This letter is a follow-up to our meeting and contains several comments that MNR considers essential to consideration of a new station at Sleepy Hollow. As we look forward to the opportunity to comment on the soon to be issued DEIS, there remain several items that we feel are critical to your submission:

1. Role of Metro-North

Subject to the findings of the feasibility study and DEIS review, MTA/Metro-North Railroad (MNR) will need to review and approve the design and construction of a new station, and any demolition and construction activities proposed within, adjoining or over its property, including developer improvements to Beekman Bridge, any proposals concerning existing sidings, etc.

2. Proximity of Rail Stations

The proximity of a new rail station between the existing Tarrytown and Philipse Manor Stations has impacts on service operations not only for the schedules, which may add commute time for other Hudson line station customers, especially north of Sleepy Hollow, but also level of service afforded at the nearby stations. In previous discussion

and correspondence we have indicated this impact should be reviewed in the DEIS. Specifically adjustments may be advisable to train schedules at neighboring stations after the commencement of service at the Sleepy Hollow Station to maintain the present travel times as much as possible.

3. Location of Platforms and Overpass

As we discussed on January 5, the location of the proposed platforms should be consistent with that submitted in the Design Definition Report prepared by Edwards and Kelcey Engineers dated July 26, 2004 and revised September 23, 2004. Metro-North recommends that the commuter parking lot be located further south, adjacent to the existing viaduct and as close as possible to the platform. In addition, the pedestrian overpass should be located to equalize walking distance from the parking lot to the overpass and to equalize boardings at both the north and south end of the platform. This layout will make boarding and leaving the train easier for our customers.

4. Adequate Parking

A key MNR consideration for a new station is its ability to meet long-term corridor needs and appropriate parking to support those needs. MNR's parking demand is typically prepared with an 8 – 10 year horizon so that the capital investment committed is adequate to meet the long term projected ridership growth. We understand from our discussion that you are projecting that the project will be completed by 2012. As such, our parking demand projections will be based on a demand year of 2020.

- Parking Demand

You noted that a 400-commuter space lot would be constructed at the station. As we discussed at our recent meeting, pursuant to our joint review efforts, MNR has conducted a Parking Demand Study, based on unconstrained conditions, that indicates the parking demand is much greater than this number. Details contained in the study draft report will follow under separate cover. The DEIS needs to carefully consider demand numbers that we will provide on how this inventory could be achieved, other impacts including revised ridership projections and derivation of final commuter inventory that is ultimately brought through the EIS process. As it stands now, we have suggested timeliness of a dialogue between MNR, Roseland and the Village to reach a decision on the final parking inventory that will be reviewed for the environmental review process.

MNR has also supported shared parking for uses with opposite parking demand peaks. While this can result in allowing free parking at nights and weekends at station parking lots, it can also allow commuter parking at lots close to a station with alternative peak uses, for example movie theaters, bowling alleys. This approach can maximize the use of parking, while limiting the amount of paved areas for such a use.

5. Open Access/Parking Management

Given the severe shortage of parking at the surrounding stations, one of the benefits of a new station is to provide unrestricted access to it by railroad customers. MNR makes all efforts to ensure open access at all MNR stations. Parking at the proposed station must be available to all commuters, regardless of residency and is a key factor to MNR in establishing any new station. Issues linked to open access include parking fees and parking operations/management. MNR develops parking fees taking into account many factors including the commutation cost for its customers. Effective parking operations management is also critical to maximize parking availability, affordability, maintenance and good customer service. Given these issues, we would like to discuss in detail operation of commuter parking, consideration of MNR's system-wide private parking program deployment and overall consistency with MNR parking policies.

6. Ridership

We look forward to better understanding the total number of new riders and the number of diverted riders your project anticipates. This should be identified clearly by modal split (by car, walkers, by bus, employees, etc.) so that traffic impacts, train schedules, and parking demand, can be analyzed. For example, if the vast majority of diversions are projected from Tarrytown, AM and PM peak ridership from that station may be significantly affected. MNR would also need to be assured that the ridership projections are consistent with the amount of parking demand MNR has projected.

7. Funding

As you know, in the proposed MNR Capital Program, approved by the MTA Board, there is no funding identified for the design/construction of the proposed station or support costs (such as flagging) or to make improvements to facilities within, adjoining or over the MNR right-of-way, (for example, the bridge on Beekman Avenue). Furthermore, if a station is built, you have confirmed to MNR that the sponsor/developer would fund the station/parking and related infrastructure components from its own sources.

We very much look forward to reviewing the DEIS when published and appreciate the continuation of our ongoing dialogue.

If you have any questions, please feel free contact me at 212-340-3153.

Very truly yours,

Randall J. Fleischer
Director
Business Development & Facilities

CC:

H. Permut
K. Timko
M. Mannix
D. Buckley
W. Johnston
Andy Tung, Divney Tung Schwalbe
Mayor Philip E. Zegarelli

347 Madison Avenue
New York, NY 10017-3739
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Peter A. Cannito
President

COMMENT LETTER NO. 44 (continued)

Metro-North Railroad

February 22, 2005

Dwight Douglas
Village Administrator
Village of Sleepy Hollow
Village Hall
28 Beekman Avenue
Sleepy Hollow, NY 10591

Re: MNR PRELIMINARY Comments on Draft EIS for Lighthouse Landing at Sleepy Hollow

Dear Mr. Douglas:

Metro-North Railroad submits the following comments on the Draft Environmental Impact Statement for the Lighthouse Landing Riverfront Development in so far as the DEIS relates to matters concerning the construction and funding of a rail station at the site of the development:

1. Construction of a Rail Station

Metro-North and the project's developer are parties to an agreement for the analysis of the feasibility of establishing, maintaining, and operating the rail station. As called for in that agreement, the Developer submitted to Metro-North a Design Definition Report which demonstrates the feasibility of establishing a rail station at Lighthouse Landing from an engineering perspective. It has not yet been determined from an operational perspective if a station is feasible. The proximity of a new rail station between the existing Tarrytown and Philipse Manor Stations will have impacts on Hudson Line service that Metro-North may or may not find acceptable. Operating times, schedules, and levels of service at nearby stations are some of the issues that must be addressed. In previous discussions and correspondence we have indicated this impact should be explored.

The developer has committed to preparing a preliminary design of the proposed station as part of the feasibility study. This has not yet been submitted for MNR review. Any conceptual plan of the station and ancillary facilities contained in the DEIS merely represents the developer's view, not an approved plan.

Since it has not yet been determined that a station is operationally feasible, any reference in the DEIS to the station as a potential mitigation measure is premature.

2. Funding

There are several instances in the DEIS where reference is made to pursuing funding for the construction of a station.

Section III; 11; page III.A-42 – references that "construction of a new Metro-North railroad station has been proposed. A new station may receive federal funding through USDOT/FTA which would make the station a federal action subject to NEPA."

Section III. H-8 states "The new station under consideration to be constructed as part of the project, subject to Metro-North approval and availability of sufficient funding..."

The station is not a Metro-North project. The developer has proposed construction of this station as part of the Lighthouse Landing Development. As such, assuming it is determined that a station is fully feasible from both engineering and operational perspectives, and if MNR agrees and permits a station to be constructed, funding for construction, operation, and maintenance of a station must be the responsibility of the developer.

MNR has repeatedly stated in meetings and in correspondence (see response to Scoping Document in letter dated May 16, 2003 and letter of January 11, 2005 to the Village and Developer) with the Developer and Village that MNR will not utilize its capital funding resources for the construction, maintenance, or operation of the station. Nor will Metro-North use limited federal financial assistance or operating funds for the construction, maintenance or operation of the station, at the expense of our infrastructure or operation needs.

3. Parking

Section II; e; page II-12 – reference is made to a 400 space parking lot being sized in response to MNR's desire to address regional parking needs within the Hudson Line Corridor.

A 400-space lot would not be adequate to meet MNR parking demands as shown in the Parking Demand Analysis submitted to the Developer and the Village by MNR in January (see transmittal letter dated January 19, 2005). The analysis indicated that the parking demand requires 1,100 parking spaces by 2020.

In addition, the DEIS indicates that certain adverse impacts will be mitigated by the construction of a 400 space commuter parking lot (Page III.H-14) at the station. However there are no data provided to show that this number of spaces provides sufficient mitigation.

4. Beekman Avenue Bridge

The DEIS calls for replacement of the Beekman Avenue Bridge. Page III L-13 references that developer would be willing to pay its "fair share of the cost for improvements" to the Beekman Avenue Bridge. The bridge would need to be reconstructed to bear more tonnage than it is currently able to handle. This requirement is the result of the project needs. MNR would not fund this construction.

Very truly yours,

Randall J. Fleischer

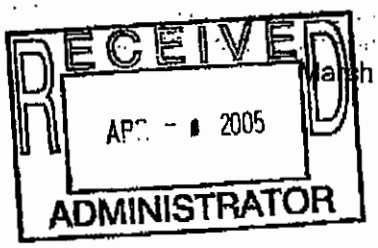
Randall J. Fleischer
Director – Planning and Development

CC: Roseland/Sleepy Hollow, LLC
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Mayor Philip E. Zegarelli

COMMENT LETTER NO. 45

Danielle Fontaine
119 Gordon Avenue, 2nd Floor
Sleepy Hollow, N.Y. 10591
914-631-1845



March 31, 2005

Dwight Douglas
Administrator
Village of Sleepy Hollow
28 Beekman Avenue
Sleepy Hollow, N.Y. 10591

Dear Mr. Douglas:

This letter is my contribution to the Lighthouse Landing public comment period. I would like to thank the Mayor, the Board of Trustees, General Motors and Roseland for extending the allotted time for comment and commend them on their degree of transparency in the overwhelming task of executing this project. I have attended many public discussions and meetings throughout this long process and feel privileged to be given the opportunity as a citizen to be part of this "once in a hundred years" plan. I would encourage the Village to entertain the idea of releasing all printed and transcribed materials in the multiple languages of the Village residents (including subtitles on community cable access channels).

I have concerns about the density of Lighthouse Landing as proposed. I support the idea of reducing residential units by <u>at least</u> 40%. Please extend the courtesy of offering the proposed housing for seniors and Village volunteers in a more desirable location, with a bit more distance from the Metro North train line. 4501

I have been a renter in this Village for eight years and I echo April Best's comments that renters give as much to the community as property owners. I ask that the developer does not lose site of the tenant's value – not everyone has a lifestyle that facilitates owning a home, but that does not lessen our contributions to the Village. 4502

I have lent my signature to a letter, presented by Mary Lou Gladstone, President of the Tarrytown and Sleepy Hollow Arts Council (submitted to the stenographer) at the February 8th meeting. **I would like to reiterate my individual support of a community cultural center**, such as proposed by the Arts Council, The Writers Center and Sunny McLean (in varying manifestations). The village needs a home for arts-related non-profits and a place to showcase the creative work of local artisans. A street-side kiosk of brochures does not replace a cultural gathering place or a visitors' center. 4503

The impact of increased vehicular traffic from this project, compounded by that of the other riverfront developments is also worrisome. In providing adequate alternative venues of transportation (i.e bicycle/walking paths) there could be a significant reduction in automobile use. Policy numbers 19D & F on Table no. III.A-1 in the D.E.I.S. indicate that there would be access via foot trails; however, unless the trails mentioned are significantly improved, these pedestrian connections are not navigable by most. The Headless Horseman Trail does not allow through access when the Philipsburg Manor site is closed to the public; it lets out into a gated parking area. An alternative trail could be offered in addition to this one, which could be paved at a width that could be 4504

COMMENT LETTER NO. 45 (continued)

serviceable by Village trucks and usable by pedestrians, bicyclists, wheelchairs and strollers. To further reduce traffic, perhaps the Village could offer a tax reduction to those residential units that maintain 2 vehicles or less per family space (in and out of the new development). The reinstitution of the trolley to the train stations during rush hours would reduce both commuter traffic and the need for parking. 4504

In addition to everyday traffic issues, **I have serious concerns about access for evacuation procedures in the event of an emergency or disaster.** The proximity of the Indian Point power plant seems to be grossly down played. Entergy Nuclear Northeast has just expanded Indian Point 3 and has proposed plans to use our river shorelines for waste storage; we should carefully weigh the ramifications of having this potentially deadly neighbor directly to the north of us. 4505

The Volunteer Cleanup Agreement filed by Roseland and G.M. should be transitioned to a Brownfield Cleanup Agreement, making G.M. the participant rather than a volunteer. It seems that both Roseland and G.M., as volunteers on the V.C.A. are conducting thorough investigations as demonstrated by their due diligence analysis and ongoing Sediment Quality investigations respectively. Transitioning to a B.C.A. at this point, prior to submission of a formal remediation investigation report would be more fitting and expedient. The findings of the aforementioned investigations (as of the writing of the D.E.I.S) give me further concerns about the use of "historic fill" and capping of hot spots during the construction phase of Lighthouse Landing. The anticipated use of 35,000 cubic yards of fill with +10% of that fill coming from crushed demolition materials and an additional 85,000 cubic yards from construction soils that could contain potentially higher amounts of contaminants than found in preliminary testing would be taking one step forward and two back. Reusing, rather than removing "historic fill" will not only affect runoff but also cause migratory particular air pollution during construction. It is not acceptable for ball fields and municipal buildings to exist on land that is high in contaminants – commercial, residential and recreational properties should be built on clean, restored land. 4506

I would like to ask the Village to support Scenic Hudson's proposal to partially reestablish the path of the Pocantico River. This is our chance to reverse the exacerbated flooding and silting conditions caused by the river having been re-routed. The effects of a heavy rain, in conjunction with a full moon and high tide, have caused the river to, very rapidly, rage to the level of the water pipe that spans the river on the Philipsburg Manor property, swallow half of the pasture on its north shore and the Headless Horseman trail on its south. Ordinary flood situations, such as this, pale in comparison to the effects of natural disasters, such as the devastation caused by hurricane Floyd. If the statutes of limitation on mitigation under the Wetlands Act extended historically to the time of G.M.'s initial impact on the river and it's boundaries, restoration of the river would be mandatory. Partial restoration of the river would also necessitate addressing contaminants in the soil rather than recycling them back into the land as fill or simply paving over them. 4507

In respect to the actual reference to wetlands in the D.E.I.S.: I have to question Roseland's understanding of the function of wetlands and their value. Mitigation mentioned in the D.E.I.S would be filling in 0.23 acres of man made ditches, replacing them with drainage pipes and instituting a 0.46-acre meadow (a very generous 2:1 ratio by Roseland's standards). The presence of pavement on the northeast corner, it seems, negates the definition of wetland; perhaps this is why they have determined that our "Wetlands are of low ecological quality". The fact that the East Parcel property is defined a "Ditch/Artificial Intermittent Stream" under the New York National Heritage Programs classification system seems only due to the fact that the Pocantico was re-routed. There is no Tidal Wetland mapping north of the Tappan Zee Bridge, however, this does not morally exonerate us from 4508

COMMENT LETTER NO. 45 (continued)

addressing this property as such. Wetlands are an intrinsic part of the ecological system. They filter contaminants, provide erosion and flood water control, promote nutrient recycling and provide necessary and productive habitats for many species. We have the opportunity to make a true reconciliation with our ecosystem at this important juncture. Paving and water filtration systems do not replace the natural function of wetlands. Please check the proposed compliance with the New York Wetlands Act (A.7905/S.04480), which has just passed into law. 4508 (continued)

We have an opportunity for Sleepy Hollow to become a forerunner in ecological study and a riverfront sanctuary for many species that have been misplaced or blocked from their natural migratory paths. Our closest neighboring Wildlife Habitat is Piermont Marsh. With careful handling of this construction and restoration, Sleepy Hollow could also be labeled as such. The studies compiled for the D.E.I.S. by Ecolsciences, Inc. fall short being adequate. Only one third of the possible 136 species inclined to inhabit the property noted in field observations is accurately proportionate, since only one season was observed (October and December 2003). Studies should be completed thoroughly prior to issuance of the Final Environmental Impact Statement. In section III.B-47 it is stated, "Certain species identified within the existing records as being observed near the project site are not listed [in the D.E.I.S.] due to absence of suitable habitat". Will there be a suitable habitat when construction is finished? Light pollution should be taken into account when planning the residential and commercial portion of Lighthouse Landing as it, too, has a profound effect on nesting and migratory patterns of many birds. A nature museum could be installed at the Boat House in Kingsland Point Park, to be used as a checkpoint for testing of river water and an educational facility supporting the restoration of the watersheds, wetlands, salt marshes, tidal pools and their inhabitants. 4509

Low impact, non-motorized recreational boats should be welcomed on our shores. Inviting this type of water craft to our riverfront could also lead to participation in other river related venues such as the Hudson River Ferry-Go-Round and the Clearwater Revival Festival. 4510

I support the donation of land to Historic Hudson Valley, the public benefits from its presence in Sleepy Hollow. With the addition of a few more acres they could expand their presentation of pre-Revolutionary colonial life and increase visitation in the Village. Philipsburg Manor is not only a preservation of historic land, but also a major link to other heritage trails. A donation to H.H.V. would protect this property and subsequent tidal salt marsh, in the event that future administrations are not as historically and ecologically minded as this one. 4511

I have concerns about the types of retail space mentioned in the plan. I see no need for a supermarket, movie theatre, or hotel. The Village may benefit more from a market place (similar to the one in Grand Central Station) for local vendors of Hudson Valley produce and a modest Bed and Breakfast. Visitors to Philipsburg Manor often request 18th century-style food and lodging – this could be a way to incorporate appropriate themes into the development without involving large chains. Disproportionately sized commercial properties would increase un-welcome traffic and compromise the integrity of our Riverfront Village façade. The installation of a movie theatre would detract from the great efforts that the Tarrytown Music Hall has made in its restoration of their space and facilities. 4512

On March 10th, I was a civic member of the Community Facilities Sub-committee addressing police, fire, ambulance, school enrollment, public works and recreation (including open space). I felt that, although there was an amazing amount of communication between all parties, there was not sufficient time to discuss all the topics addressed in the agenda. The fact that the Parks and Recreation department was not represented at that meeting and that the allotted time was insufficient to discuss such a dense itinerary leads me to request a second meeting (as expressed in 4513

COMMENT LETTER NO. 45 (continued)

prior emails between you, myself and Dare Thompson of the Writer's Center). I request, again, a continuance of that meeting with any and all parties invited who, either weren't present, or, ran out of time to discuss their concerns. 4513

As a result of the aforementioned meeting, I would like to address the following topics: 4514

I am trusting that Dr. Smith is confident in his projection of the public school population. The passing of Propositions 1 & 2 gives me hope that we will have adequate facilities and learning space for our students, in all disciplines. I have great concern that very modest projections of school-aged children may leave us with insufficient resources.

In respect to the requests by the local police, fire and E.M.T. representatives: I hope that Roseland takes into consideration the health and safety of our entire community, without making sacrifices for what they deem "reasonable, necessary and fair". I would like to feel confident in the fact that they are not just concerned with the safety of those living in Lighthouse Landing, but with the entire Village. Police and Fire Departments need to moor a rescue vessel on the Hudson and should be provided with a facility to do so. 4515

I **would like to petition for a community garden** somewhere in the 'green crescent'. Produce could be sold at the green market to benefit local endeavors. 4516

In reference to the landscaping use within the new development, I ask that you consider xerescaping techniques, harvested rainwater, expanded use of recycled green materials and alternative power sources. Sleepy Hollow has the opportunity to be a forerunner in green building/living technologies. It is my hope that sustainable energy practices can be incorporated into the construction concepts, in addition to low flow water fixtures. Tax dollars "lost" by downsizing the residential and retail aspects of the development could be made up for with energy credits and grants supporting ecological restoration and green building. Wind and solar power could be harnessed and built on green space discreetly or quite overtly as ornamental sculptures. I am very proud of this Village's efforts in recycling. I applaud Roseland's proposals for the use of indigenous plants on the site. I hope we can catapult this into a much more comprehensive environmental effort. 4517

We have, in effect, paved paradise and put up a parking lot. This IS a truly "once in a hundred year" chance leave our impression on the future of our Village and the next generations. Our green space is rapidly being absorbed, creating a situation where wildlife has become a nuisance rather than a part of the ecological system – please don't exacerbate this condition. We have enough "Mc Mansions" defacing our hillsides. We don't need a city within the Village or a gated 'bedroom' community, segregating our citizenship further. It is my sincerest wish to see this project come to fruition, with minimum or reverse impact to the environment and significant impact on the betterment of the Village and its people. 4518

Sincerely,

Danielle Fontaine

Danielle Fontaine

COMMENT LETTER NO. 46

GDC

GINSBURG DEVELOPMENT, L.L.C.

APR - 4 2005

March 31, 2005

Mayor Zegarelli and Members of the
Village Board
Village of Sleepy Hollow
28 Beekman Avenue
Sleepy Hollow, New York 10591

RE: LIGHTHOUSE LANDING DEIS

Dear Mayor Zegarelli and Village Trustees:

First, GDC wants to commend the Village for the thoughtful and thorough approach that you are undertaking to ensure that your waterfront will be developed in a way that future generations will be able to enjoy and appreciate. We would also like to commend Roseland Property Company for its attempts to encourage community participation in the process and for presenting a proposal that we believe is essentially sound and contains many positive elements that will result in an overall enhancement of the Village's waterfront. The following are what we hope will be received as constructive comments on the DEIS for the Lighthouse Landing development. We would be glad to discuss them in greater detail with the Village and Roseland, as the process moves forward.

Lighthouse Landing/Ichabod's Landing Interface at Beekman Avenue Corridor - As you know, when we first proposed Ichabod's Landing some four years ago, the manner in which our project related to the future development of the GM site was one of the Village's paramount considerations. After a collaborative effort, we believe that the final design for Ichabod's Landing is setting a high standard of architectural quality and site design and we are sure that you and Roseland will seek to build on that precedent. We would request that the same level of attention be given to the area of the Lighthouse Landing site where it interfaces with Ichabod's Landing. This is important not only to the future residents of Ichabod's Landing, but also because the area is a significant gateway to the River from the Village's Beekman Avenue corridor. 4601

Also, an important consideration, from a practical standpoint, is the fact that although the DEIS refers to Ichabod's Landing as a "future" project, the reality is that Ichabod's Landing will most likely be fully occupied by new residents before construction is commenced on the GM site. Since Building 4 at Ichabod's Landing, which is closest to Lighthouse Landing, is already well along in its construction, it will undoubtedly be fully occupied prior to the start of construction of Lighthouse Landing. Therefore, any design or construction activity to be done in proximity to the common boundary must consider that residents will be directly effected. 4602

245 SAW MILL RIVER ROAD, HAWTHORNE, NY 10532 • TELEPHONE: (914) 747-3600 • FAX: (914) 747-1608

We believe that the general configuration of the area adjacent to Ichabod's Landing, with the proposed open space that preserves the important river view corridor down Beekman Avenue, and with the proposed roadway extension located northward, is the appropriate approach to the development of this area. We appreciate Roseland's and the Village's sensitivity to Ichabod's Landing in this regard. Since Building 4 will no longer have retail space at the lower level there is no longer the need for a roadway in close proximity to that building. The lower level will either be used for residential purposes or for home offices, with pedestrian access afforded by a sidewalk on Ichabod's Landing along our common boundary with Lighthouse Landing. The concept of a formal garden in the area just north of Ichabod's Landing, that had been proposed on the Village's open space plan, also has merit. However, rather than bordering, and potentially isolating, that garden by an additional road on its southerly side, the Village might instead consider expanding the sidewalk that is being provided at Ichabod's Landing to create a promenade, by widening it onto the Lighthouse Landing site and thereby enhance pedestrian access to the gardens and to the waterfront. Grading of this area also needs to be carefully done to ensure that no adverse drainage impacts result. We would also request that the proposed trees to be planted in this "garden area" and along the waterfront in immediate proximity to Ichabod's Landing, be selected so as to have a minimal impact on River views from the new residences and from Beekman Avenue. 4603

Architecture and Scale – We know firsthand of the Village's high expectations for architectural quality, and in order for Lighthouse Landing to be all that it should be, attention to the details is paramount. We appreciate that Lighthouse Landing is a large project and arriving at all of the details so early on can seem like a daunting task. But critical elements and details of the site's architecture style and scale, landscape architecture and streetscapes all should be addressed early in the design process. For example, very little information was provided with respect to the architecture that will face the southwesterly riverfront or face to the south toward Ichabod's Landing, where we were encouraged to provide mercantile/wharf style architecture. Careful consideration should be given as to the appropriate architectural approach for this gateway corridor from the community via Beekman Avenue to the River and how it relates to Ichabod's Landing. Detailed information regarding the scale of the proposed buildings along this corridor has not yet been provided, but it appears that the buildings closest to Ichabod's Landing could be as high as 5 stories toward the River (4 stories over parking). We believe that the buildings should step down the topography from Beekman Avenue to the River so as not to exceed the four stories (three stories over parking) that was permitted on the south side of this corridor and to better relate to and not adversely effect Ichabod's Landing. 4604

Construction Phasing - Other aspects of the project that warrant comment include construction phasing and impacts. Again, considering the effect on residents of Ichabod's Landing, as well as the overall benefit to all Village residents, we believe that it would be appropriate for the open space immediately north of Ichabod's Landing, and the continuation of the waterfront along the southerly portion of the Lighthouse Landing site, to be completed as part of the proposed Riverfront Phase 1 instead of Riverfront Phase 2. The waterfront at Ichabod's Landing, and the reconstruction of Horan's 4605

Landing park, will be completed within 18 months, and it is only logical that the waterfront be extended at the earliest possible time so that it can be enjoyed by the community. It is also desirable that the buildings closest to Beekman Avenue and to existing Village neighborhoods, including Ichabod's Landing, be completed as early in the project's phasing as possible so that the duration of direct construction impacts is minimized and so that the community is effectively buffered from subsequent phases of construction activities. At this point, we are speaking as the developer, but shortly there will be Ichabod's residents who would undoubtedly support the early completion of these improvements in Phase 1.

4605 (continued)

Construction Impacts and Mitigation – Additional detail is needed with respect to the mitigation measures that will be provided to protect the buildings and residents at Ichabod's Landing and adjacent neighborhoods, such along Hudson Street, from dust; construction noise from pile driving, slab crushing and other activities; vibrations from pile driving and other activities; any potential release of contaminants; construction vehicle traffic, etc. Ichabod's Landing does not appear to be identified as a receptor for the noise impact analyses or for specific mitigation measures that would be needed due to its proximity to construction activities. Alternatives to the trucking of construction materials, such as by rail as suggested in the DEIS, should be explored further.

4606

Waterfront Features – It is apparent that the Village is very focused on making the best use of its waterfront and in an effort to do so has developed its initial conceptual comprehensive plan. As you know, we have always suggested that a pier on the River, at a straight line extension of Beekman Avenue, should be a feature that the Village seriously considers. We offered to provide the vessel tie up at Ichabod's Landing to accommodate smaller river excursion boats and even the Sloop Clearwater to re-introduce a connection between the River and the Village. A pier would significantly enhance that connection by possibly accommodating a ferry stop that could bring tourists, shoppers and other visitors to Sleepy Hollow. The feasibility of providing this pier, which can take advantage of the existing Federal Channel, deserves to be investigated further. GDC believes that every village and town on the Hudson River should have a ferry pier. Surely, Sleepy Hollow, with one of the most significant riverfront projects, should have one.

4607

To ensure that the new waterfront is adequately accessible to all Village residents, adequate on street and/or off street parking should be provided in close proximity to the water. On-street parking is proposed along the riverfront road and its adequacy should be verified.

South Parcel – We believe that the concept of a small fine arts cinema on the south parcel is an idea that has merit. We would request that the architecture and siting of any building on this parcel be carefully evaluated since this is a "gateway" location. We also would request that the driveway from River Street be shifted as far southward as possible to improve the separation from the Ichabod's Landing entrance and to avoid having the parking entrance directly across River Street from the residences in our Building 1.

4608

We appreciate the opportunity to comment on the Lighthouse Landing project. We would be pleased to work closely with the Village and its design consultants and with Jon Stein of Roseland Property Company and his design team, to assist with the development of the design and the responses to the comments above.

Very truly yours,

Martin Ginsburg

cc: Dwight Douglas, Village Administrator
David Smith, AICP, Village Planner
Fred Bland, Beyer Blinder Belle
Jon Stein, Roseland Property Company
Andy Tung, Esq., Divney, Tung and Schwalbe

COMMENT LETTER NO. 47

STV Incorporated

Engineers/Architects/Planners/Construction Managers

To: Village of Sleepy Hollow
David B. Smith; Saccardi and Schiff

From: Steven P. Scalici, P.E.; STV Inc.
Douglas Swann; STV Inc.

Reference: **Traffic- and Air/Noise Quality-Related Comments on 1/11/05 Lighthouse Landing DEIS**

Date: March 31, 2005

Traffic-Related Comments

1. Section III.I.1A, Page III.I-1 – No basis of selecting the specific analysis locations is given; please include a discussion of how the traffic study area was determined. If preliminary distribution routes were used, please provide this information. 4701

2. Section III.I.1E and H.2 – The discussion of traffic volumes should include text on actual volumes measured during each peak analysis hour so a reader does not have to refer to another EIS volume. Typically, EIS documentation includes text such as the following samples: 4702

For existing conditions section
First Avenue carries the highest recorded traffic volumes in the area, with between 1,700 and 2,200 vehicles per hour (vph) northbound. York Avenue processes significantly less traffic, typically in the 600-1,000 vph range either direction throughout the day. Both eastbound 72nd and 79th Streets are used by 350-600 vph, while westbound volumes (from each street's dead-end) are between 100 and 200 vph. Eastbound 76th Street carries between 100 and 200 vph during each peak study period, with the higher volume noted to occur during the AM peak period when parents drop off their children to the school situated at the street's far east end. Westbound volumes out of 76th Street's dead-end peak coincident with the school's starting and ending times (200 vph, 8-9 AM; 100 vph, 3-4 PM). Both 75th and 76th Streets process less than 50 vph westbound.

For future No Build conditions section
There would be a modest increase in traffic volumes expected along the streets included in the traffic study area. The largest increases of 20-25 vph were noted to occur along the 1st Avenue and about 10 vph along York

Avenue. Along study area cross streets, traffic increases would be very low, in the range of five to ten vehicles in all time periods.

3. Section III.I.3A, Page III.I-26 – Reference was made to the 6th edition of the ITE *Trip Generation Manual*. The 7th edition of that reference was made available in November 2003. Please perform a cross reference with that later document to ascertain whether the rates used in these analyses have remain unchanged; document findings of that comparison. If updated trip generation rates are indicated, the analyses of future conditions should be redone using the updated figures. 4703

4. Section III.I.3A – A previous DEIS document used the word "interplay" in the discussion of vehicle trip generation. My previous comment inquired whether this was a reference to either pass-by or linked trip credits. This word no longer appears within the text; clarification of this point is needed. If pass-by or linked-trip credits were included, please indicate supporting text and the basis of any assumption. Appendix Table 10-13 does not clearly indicate such factors. Also, a consistency check should be performed with other ongoing major development projects. Significant differences should be cited and reasons for such differences explained. 4704

Please discuss arrival and departure percentages and actual volumes for individual approaches, starting with trips to and from the outer areas (e.g., southbound on Route 9 at Beekman Avenue), and then aggregated at locations closer to the site. Include a reference as to specific percent increases as compared to future No Build volumes. 4705

5. Section III.I.2A, Page III.I-16 – Besides the Ferry Landing project, was mitigation (if specified and approved) for other specified Projects 1-3 and 5-8 included as part of the future No Build condition.

6. Section III.I.4A, Page III.I-38 to -42 – A lengthy discussion is provided regarding 13 intersections that would be affected by background or adjacent development traffic (including Ferry Landing). Per typical EIS methodologies, mitigation is only performed for a proposed project's significant impacts, not for background projects. 4706

Why was this entire mitigation (for background projects) completed within the confines of the mitigation of the potential impacts of this Lighthouse Landing DEIS?

The fourth paragraph on Page III.I-38 is confusing. Does the County have LOS impact criteria or not? To espouse that a LOS F is acceptable for some individual movements or intersections but operate at better LOS during other times of the day is unacceptable. A LOS F is indicative of failure operations with long delays and lengthy queues.

The mitigation section discusses a number of strategies that were analyzed along the US Route 9 corridor at specific intersections. The corridor itself is composed of many closely spaced locations, where operations at one location can have deleterious effects at upstream intersections. To ensure that the entire affected corridor functions properly (i.e., ensuring that spillback impacts are identified, if any), a Synchro computer simulation must be performed of the each study period.

Comments 6 through 10 refer to this DEIS discussion that ensues on pages III.I-39 to -43. Reading through this text, mention is then made of without and with the proposed project. This is confusing since it contradicts the last paragraph at the bottom of Page III.4A-38. 4706

7. Section III.I.4A, Page III.I-40, Items 3 – The last paragraph is inappropriate since such a suggested mitigation strategy is not needed to relieve potential impacts and no quantification is then given within the EIS. Please remove this paragraph. 4707

8. Section III.I.4A, Pages III-I-41 and -42, Items 5, 6, and 10 – Please provide the actual signal warrant studies for review. 4708

9. Section III.I.4A, Page III.I-42, Item 9 – While the mitigation discussion indicates that no physical improvements were possible, left-turn restrictions could be considered. Were analyses of such restrictions analyzed? 4709

10. Section III.I.4A, Page III.I-42, Item 10 – A previous DEIS submission indicated that if a traffic signal is installed at the Rte. 9/Franklin Street intersection, increased gaps in the traffic stream along Route 9, which will benefit the Church, Independence, and Park intersections to the near south along Route 9. This same reference is missing in the 1/11/05 DEIS. Yet the question still remains: How was this incorporated in capacity analyses for these latter three intersections? How were the "benefits" to the Church, Independence and Park intersections determined and indicate the specific nature of such benefits? Was a computer simulation completed to ascertain these improvements for these very close intersections? 4710

11. Section III.I.4A, Page III.I-42 and 43, Items 7 and 11 – Reference is made indicating that mitigation achieves LOSs better than future No Build conditions. It appears that too much mitigation was applied beyond what the developer would be responsible for. Please check that the mitigation provided (i.e., lane restriping and signal timing adjustments) needs to be provided in tandem for the intersection to function acceptably. 4711

12. Section III.I.3 – Intersection capacity analyses should be performed for the peak period of construction, given that as many as 700 employee vehicles and 160 truck trips each day would be generated. Specify the duration of the peak-construction period. Please indicate construction-related vehicle trip generation for the daily peak hours. If mitigation is required, please specify. This is a significant omission of the DEIS. 4712

13. Section III.I.5, Page III.I-45 – The use of a 40 percent commuter rail percentage (Page III.I-27) was predicated for a train station directly within walking distance of the new development. Please assess and document whether shuttle service into the existing Tarrytown MNR station would result in a lower commuter rail percentage. If any significant decrease is identified, what effect would this have on the auto share and on intersection analyses for the proposed Build condition? 4713

14. Section IV 4C, Page IV-20 – More details of a possible shuttle service should be provided. How many buses would be need for given bus seating capacities? What would be the preferred routing between the development site and the Tarrytown station? Where would 4714

people be dropped off at the Tarrytown station? Will there be dedicated pickup locations within the confines of that station? Where would buses be stored on the development grounds during off hours? 4714 (continued)

15. General Comment – The DEIS should offer some suggestion as to where off-street parking could be situated in lieu of spaces eliminated by recommended mitigation. Would such lots be near shopping areas they would serve? Further, the DEIS should indicate the overall number of lost spaces to better understand the where such off-street parking can be sited. 4715

16. General Comment Regarding DEIS Scope Items Not Addressed in the Study 4716
   a. Evaluation of Annual Average Daily Traffic (AADT) volume data for Broadway between Benedict Avenue and NYS Route 119 to compare future traffic levels with the level of activity that prevailed when General Motors was in operation. (Scope P. 11, Item 3.a.)
   b. Consideration of Village re-striping and resigning Main Street and Franklin Street to create an east-west, one way couplet. (Scope P. 12, Item B in 1st paragraph)

17. General Comment – An incremental LOS/approach delay change table should be added to properly identify potential traffic impacts. Such a table is customary in the conduct of an EIS document. 4717

18. General Comment – An assessment of pedestrian conditions both on- and off-site should be addressed. 4718

19. General Comment – Regarding capacity analysis worksheets, documentation should be provided supporting the use of a peak hour factor (PHF) of 0.92 at many of the signalized study intersections under Existing, No Build (2007), and Build (2007) conditions. Also, the percentage of heavy vehicle traffic appears to be shown as two and five percent on all intersection approaches. It should be explained whether truck traffic is proportionally higher on Route 9 than on some of the other streets. 4719

Appendix Comments

1. Section III (in entirely) – Reference LOS tables should include individual lane group results since mitigation is typically provided on a lane-group basis. Inclusion of these tables will allow a reviewer with an easy understanding of differences, say, between Existing and future No Build conditions. The attached DEIS appendix indicates approach analysis results; it is difficult to distinguish which exact approach is being referenced. For example, "WB" indicates the westbound movement, but of which street. Please update the appendix tables to indicate direction and approach (e.g., WB Pocantico). 4720

Air/Noise Quality-Related Comments

Air Quality

All comments with regard to air quality previously put forward were properly addressed in the latest version of the DEIS. As a result, with regard to these issues the applicant has adequately addressed the completeness aspect of the DEIS. The findings and conclusions of the DEIS that no air quality impacts will occur as result of the project seem appropriate. 4721

Noise

HUD noise exposure standards were correctly applied to assess potential rail based noise impacts on the Proposed Action. However, the DEIS also uses FTA procedures to determine potential noise impacts related to the Proposed Action. Unfortunately, these FTA procedures are not compatible with respect to an assessment of a proposed housing development near an existing rail line. As a result, its use (other than to predict existing noise levels due to the Metro North main line and to predict future noise levels of its associated parking lot) is inappropriate. This section therefore requires revision. 4722

Concerning the conclusions reached from the noise impact assessment using the HUD noise exposure standards, the resulting noise exposure at Buildings 13 & 17 would be in the "Normally Unacceptable" range. The DEIS in paragraph 7 of section 5.2.2 characterizes it as being just over the "Acceptable" range. While technically correct, this is confusing to persons reviewing the text. Therefore, the text should be changed to accurately reflect the exact HUD noise rating and a table presenting the actual HUD noise exposure standards should also be included in the text for clarification. As a result, the text should also elaborate further on why mitigation measures are being considered.

With the exception of the above, the findings and conclusions of the DEIS with respect to noise-related issues seem appropriate.

1. General Comment – If traffic analyses change as a result of comments made above in the traffic-related section, then both air- and noise-quality analyses would need to be rerun. 4723

COMMENT LETTER NO. 48

RECEIVED
APR - 4 2005
ADMINISTRATOR

Review of

Draft Environmental Impact Statement
For
Lighthouse Landing at Sleepy Hollow
Westchester County, New York

March 28, 2005
Final Comments

Prepared For:
Saccardi & Schiff
On Behalf of the Village of Sleepy Hollow,
Westchester County, New York

Prepared By:
Real Estate Solutions Group, LLC

RealEstate *Solutions Group*
Real Estate Advisory Services

COMMENT LETTER NO. 48 (continued)

Review of DEIS Sections III.C and III.D
for Lighthouse Landing, Sleepy Hollow, New York

Introduction and Overview

Real Estate Solutions Group, LLC ("RESG") has completed a substantive review of Sections III-C, III-D, Appendix 7 A, B, and C of the Draft Environmental Impact Statement ("DEIS") for Lighthouse Landing at Sleepy Hollow (the "Proposed Development") dated January 11, 2005. As part of the review RESG reviewed the methodologies and accuracy of the model utilized by the applicant in completing the economic and fiscal impact analyses for the Proposed Development. At the request of the client, RESG did not provide an opinion on the adequacy or relevance of the methodology or data employed by the applicant to estimate the ongoing operating and capital costs that would be incurred by the Village of Sleepy Hollow both with and without the Proposed Development. However, a review was completed to review the methodology and accuracy of the analysis. Nor did RESG analyze the assumptions regarding the estimates of NY State school aid revenue to the Tarrytown School district (also at the request of the client).

A more detailed description of the tasks completed by RESG appears in the Scope of Work section of this report. The Appendix provides a detailed description of each issue reviewed with the applicant and the resolution of that issue as it relates to the FEIS.

Report Under Review:

Draft Environmental Impact Statement ("DEIS") for Lighthouse Landing at Sleepy Hollow, Village of Sleepy Hollow, Westchester County, New York, dated January 11, 2005 and prepared by Divney Tung Schwalbe, LLC and their subcontractors on behalf of Roseland/Sleepy Hollow, LLC and General Motors Corporation (the "Applicant").

Client & Intended Users:

The client is Saccardi & Schiff ("S&S"), who is the lead consultant performing the review of the DEIS document. S&S is performing the review on behalf of the Village of Sleepy Hollow, who is the ultimate intended user of this document.

Purpose of the Assignment:

The purpose of this review is to assist the Village of Sleepy Hollow in determining the socioeconomic and fiscal impacts of the proposed lighthouse landing on the identified municipalities.

Scope of Work

RESG has read the identified sections of the report and associated appendices or addenda to assist S&S in identifying questions or highlighting any

COMMENT LETTER NO. 48 (continued)

inadequacies in the analysis provided by the Applicant. In addition, RESG has viewed the proposed Lighthouse Landing development site from the street and driven through the surrounding neighborhoods. No other information was analyzed or researched unless specifically requested by the client and identified herein.

The report was considered acceptable if it appeared to contain a clear description of the subject and the facts, provided an acceptable methodology and assumptions, and provided an accurate analysis with logical and relevant conclusions. Unless specifically identified, factual data presented in the report has not been verified. RESG assumed that the information provided within the report is in fact, the best and most current information available and that all pertinent market data has been considered and provided. As part of the review RESG has:

1. Assessed the completeness of the sections of the report as requested in the original scoping document, as outlined in the Introduction and Overview of this document. (The original scoping document, dated 4/02/03, is an outline provided to the Applicant by the Village of Sleepy Hollow, detailing all of the issues to be addressed by the applicant in the DEIS).

2. Reviewed the methodology and techniques used to analyze the economic and fiscal impacts and developed the reasons for any disagreement.

3. Contacted and communicated in writing with the Applicant's consultants to clarify our understanding of the methodology and assumptions; and identify possible oversights/errors in the analysis.

4. Provided an opinion on whether the analyses, opinions and conclusions in the sections of the report under review are appropriate and reasonable, and developed the reasons for any disagreement.

In the analysis that follows, RESG has noted where sections of the DEIS report reviewed are considered to be complete, and that the analyses, opinions and conclusions in the report under review are appropriate and reasonable. In the event that portions of the DEIS were noted as unacceptable, reasons for this conclusion are provided.

As stated above, with respect to estimates of ongoing operating and capital costs for the Village of Sleepy Hollow with and without the Proposed Development, RESG has developed an understanding of the methodology employed within the DEIS and checked the mathematical calculations. However, at the request of the client, RESG has not developed an opinion as to the adequacy or relevance of the methodology or data utilized since this analysis was to be undertaken by a separate subcontractor. Similarly, at the request of the client, RESG has not

COMMENT LETTER NO. 48 (continued)

developed an opinion as to the adequacy or relevance of the methodology or data utilized regarding NY State school aid to Tarrytown School District.

A variety of mathematical and financial models were employed within the original DEIS analysis prepared by Divney Tung Schwalbe, LLC and their subcontractors. The models themselves were not provided as a part of the DEIS submission. In an effort to check the accuracy of the mathematical and financial models, RESG reviewed the data, methodology, and analysis associated with those models and attempted to recreate portions of the models based on the assumptions presented within the DEIS analysis. Due to constraints of time, only sample components of the models have been checked. It was assumed that the same model was used by the Applicant throughout the analysis: therefore, it was not necessary to replicate each analysis. Specifically, RESG recreated the models of following sections of the DEIS:

- Appendix 7A, Exhibits 1-10, 12, & 13 for the Build-out, Initial Phase, and Initial and Intermediate Phases using District Multipliers[1], (Note: Exhibit 11 was not recreated since it presented assumptions used within the financial model.)
- Appendix 7B Exhibits 1, 2, 4-7 and 11 and Appendix 7C Appendix Table A.

Slight discrepancies were found between the results reported in Appendix 7 of the DEIS and those developed by RESG. However, only four discrepancies were in excess of 3% of any calculation and all discrepancies were considered to be the result of differences in rounding.

Since the ultimate unit mix and density has not yet been determined, RESG has not replicated the exhibits relating to the alternate scenarios presented in the DEIS relating to various unit mixes and densities. Nor has RESG replicated exhibits relating to the County Multipliers or Region Multipliers (which are alternate multipliers used for estimating the number of school children generated by different housing types). These alternate multipliers indicate fewer school children generated than the District Multipliers.

In the course of review RESG contacted David Listokin of Burchell•Listokin & Associates (the research organization who prepared Appendix 7A of the DEIS [the Fiscal Impact analysis]) and Tom Marten of Economics Research Associates (the consultants who prepared Appendix 7B and 7C of the DEIS [the Operational Risk Analysis Technical Report and the Socioeconomic Section Technical Report, respectively]) for purposes of clarifying underlying methodology and assumptions employed in the respective analyses. Table 1 in Appendix 1 of this report presents a summary of the issues raised, the resolution of each issue (if

[1] These exhibits represent the supporting calculations behind the results presented in Table III.C-6 of the DEIS (Section III.C).

COMMENT LETTER NO. 48 (continued)

any), and the resulting anticipated action for revisions to the Final Environmental Economic Impact ("FEIS") for Lighthouse Landing at Sleepy Hollow.

RESG attended the February 8, 2005 public hearing in Sleepy Hollow pertaining to the proposed Lighthouse Landing development, in addition to several internal meetings with S&S, Joe DeMilia of DeMilia & Honigman, LLP, and representatives of the Village of Sleepy Hollow. The Westchester County Finance Department was contacted for additional information and clarification. RESG left phone messages with the Tarrytown School District's Superintendent's office to clarify certain issues, but messages were not returned.

The public hearing provided RESG with a further understanding of Roseland's plans and goals for the Proposed Development as well as insight into the concerns of the general public pertaining to the Proposed Development. The internal meetings with S&S, Joe Demilia, and Sleepy Hollow officials provided additional understanding of historic and ongoing costs for the Village with and without the Proposed Development, as well as an understanding of potential concerns for the Village.

RESG also attended meetings with the Fiscal and Socio-economic Subcommittee meetings on March 9 and March 17, 2005 for more in-depth discussions of these topics with the Applicant.

Findings

For those portions of the DEIS reviewed by RESG, all were considered acceptable with the exception of the following seven issues. The following findings are presented in order of priority regarding the level of potential impact on the Net Fiscal Impact estimates for the Village of Sleepy Hollow, the Town of Mount Pleasant, Tarrytown Schools, or Westchester County.

1. In the DEIS, the homestead tax rate was applied to all rental apartments resulting in lower than necessary tax revenues. Therefore, the non-homestead tax rate should be applied to all rental apartments in calculating real estate tax revenues to the Village of Sleepy Hollow. 4801

2. No differentiation for unit size and configuration is utilized within the analysis of residential rental rates and sale prices per square foot. Unit size and configuration (especially relating to the number of bedrooms) are typically important factors in determining rental rates and sale prices. Since rental rates and sales prices ultimately influence various revenue estimates within the Net Fiscal Impact Analysis, these assumptions should be substantiated and possibly refined based on additional market data and analysis. This differentiation is especially important when comparing the 4802

COMMENT LETTER NO. 48 (continued)

various alternatives currently and potentially under consideration for Project densities and unit mixes since the results of the analysis will provide estimates of potential revenues to the Village and will impact public costs. 4802 (continued)

3. Various inconsistencies were found among interrelated assumptions within Appendix 7: Economic Reports. Such inconsistencies should be clarified and are identified as follows: 4803
   - Average retail sales volumes of $200 per square foot are assumed for the retail space when estimating sales tax revenue generated by the retail component in Appendix 7A (detailed in fax from David Listokin dated January 19, 2005).
   - However, tables 13, 15, and 16 of Appendix 7C assume $350 per square foot.
   - In addition, it is unclear how the estimated retail sales volumes relate to the estimated retail rental rate of $25 per square foot presented in Exhibit 1 of Appendix 7A (page 41 of Appendix 7C indicates that a retail industry rule-of-thumb is that retail sales equal ten times the rent per square foot (implying an average retail sales volume of $250 per square foot)).

   Since the assumptions and rules-of-thumb identified above are interrelated, the lack of consistency among them may have various implications, including timing of development, project financial feasibility, and the estimated net fiscal impact. Therefore, these assumptions should be substantiated and possibly refined based on additional market data and analysis.

4. Estimates of rental rates, sale prices, occupancy rates, operating expenses, and absorption for each of the proposed uses are supported only by general secondary market data without adequate analysis of potential competition in the market or the impact of specific site characteristics of the Proposed Development (i.e. location, access, visibility, view, condition, quality, and amenities). Although (as a proposed project) certain elements of the design and configuration of the Proposed Development remain uncertain, a full market analysis should be provided to support the rent and phasing assumptions which impact the estimated revenues to the Village and other jurisdictions. Therefore, it is recommended that additional information be provided concerning the potential impact of competitive projects in the primary market areas, as well as the impact of known site characteristics on the operation of each use, the estimated rent levels and timing of absorption. 4804

5. Insufficient data has been provided to determine the feasibility of obtaining a sufficiently different retail tenant mix so as not to have a negative impact 4805

COMMENT LETTER NO. 48 (continued)

on the existing Sleepy Hollow and Tarrytown retail tenants, as indicated in Section III.C.3.d.(3) of the DEIS. 4805 (continued)

In addition, Section III.C.4.c identifies several potential mitigation measures for the retail use in the area, such as creating a tenant mix where the majority of retailers will be "national, regional and local chains, rather than independently-owned neighborhood-serving retailers", "creating a link between Lighthouse Landing and Beekman Avenue", streetscape improvements along Beekman Avenue, and reinvestment in storefronts, awnings and signage, low-interest loans, an initiative to promote food-related businesses on Beekman Avenue as a means for developing an "anchor" identity for the area. While these concepts are generally viewed as logical and likely to help minimize negative impacts on the local retail industry, RESG has identified two key areas of concern:

A. With minimal visibility of the Proposed Development due to its location on tertiary roadways and the nearest egress from the I-287/I-87 highways approximately 2.4 miles south, the Project may have difficulty attracting the number and types of national and regional chain retailers assumed as tenants in the DEIS analysis.

B. The developer does not propose to cover the costs associated with creating the link between Lighthouse Landing and Beekman Avenue, streetscape improvements along Beekman Avenue, reinvestment in storefronts, awnings and signage, and promotion initiative for the food-related businesses on Beekman Avenue. In addition, the impact of these costs on the local municipality and private property owners have not been captured in the DEIS.

6. RESG has become aware that at least some of the equalization rates and real property tax rates used in the estimates of Net Fiscal Impact are dated. Any changes in these rates will have an impact on the final results. If cost budgets are updated and tax rates are imputed to account for those changes, this issue may become irrelevant. 4806

7. When calculating the impact of Mortgage Recording taxes on the revenues of the Village of Sleepy Hollow and Westchester County, BurchellaListokin & Associates applies a 2.5% annual turnover ratio to all rental apartments and condominiums, although a 5% annual turnover ratio is applied to townhomes. Data pertaining to turnover ratios, such as those available from the census pertaining to average length of residence, should be used to support these assumptions. In addition, any difference in rollover ratios between the unit types (if any) should be explained, since any difference between assumptions applied to different unit types will create different net fiscal impact results in comparison to other unit types. 4807

COMMENT LETTER NO. 48 (continued)

Appendices

Appendix 1 – Issues Raised During RESG Review

Report Section	Issue	Firm Contact Name	Resolution	Anticipated Action for FEIS
Appendix 7A	Unable to check components of non-property tax revenues since results from all components are shown as a single number	Burchell Listokin, Associates	Provided a fax dated 1/19, indicating individual calculations and results for 3 property type samples.	None required
Appendix 7A	Unclear whether 0.75 revenue coefficient was applied to sales tax revenue	Burchell Listokin, Associates	Yes it is	None required
Appendix 7A	Rental rate estimates for reduced price condos not provided for purposes of estimating Town of Mt. Pleasant Modified Market Value.	Burchell Listokin, Associates	Reduced price rental rates are 85% of market rent or $28.90 per SF per year ($34 x 85%).	Will identify this assumption in the revised text.
Appendix 7A	Unclear whether the impact of inflation is included in the estimates	Burchell Listokin, Associates	The impact of inflation is not considered in the analysis. In general, revenues are anticipated to keep pace with costs, minimizing the impact of inflation.	Additional text will clarify the issue of inflation.
Appendix 7A	Estimates of incremental sales tax revenue to Westchester County towns and villages is $166k based on assumptions provided, rather than $212k stated on 1/19 fax	Burchell Listokin, Associates	Assumptions pertaining to additional sales tax revenue from the retail component based on retail sales of $200 per SF x 50% net new sales ratio were not provided in the original analysis although they were included in the calculations. Likewise, retail sales from generated by the hotel component based on an estimated ADR of $120 and an average occupancy of 75% were not detailed but were included in the calculations.	Additional text will clarify the issue of inflation.

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COMMENT LETTER NO. 48 (continued)

Review of DEIS Sections III.C and III.D
for Lighthouse Landing, Sleepy Hollow, New York

Appendix 1 – Issues Raised During RESG Review

Report Section	Issue	Firm Consultant Name	Resolution	Anticipated Action for HLD
Appendix 7A	Unclear why the retail sales volume is estimated at an average of $200 per square foot for purposes of estimating sales tax revenues, while retail rents are estimated at $25 per square foot for purposes of estimating market value. In addition, Appendix 7C p. 41 indicates that sales volumes should be approximately 10 times the rent per square foot. Finally, Appendix 7C estimates average retail sales volume at $350 per SF (Tables 13, 15, and 16).	Burchell Listokin, Associates	Open	
Appendix 7A	Appendix 7C indicates that retail sales volume of $350 per square foot is required to warrant new construction. This is much less than the $200 per SF estimated for purposes of estimating sales tax revenue. Support should be provided indicating that the project is feasible. Similarly office and hotel components should be proven feasible.	Burchell Listokin, Associates	Open	

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Appendix 1 – Issues Raised During RESG Review

Report Section	Issue	Firm Contact Name	Resolution	Anticipated Action for FEIS
Appendix 7A	Pricing for condominium flats and townhomes is estimated at an average of $350 per square foot (or $34 per square foot as a rental for Mt. Pleasant valuation). This does not allow for the accurate measurement of the impact from different unit mixes.	Burchell Listokin, Associates	Open	
Appendix 7A	1/19 fax p.2/5. Mortgage recording tax. Appendix 7A p. 83 says residential turnover rate is .05, not .025 used in 1/19 fax. (The footnote on p.83 says 1/2 of the turnover rate is applied to RENTAL residential.	Burchell Listokin, Associates	1/25/05. A more conservative estimate was applied to the condominium uses. The .05 turnover rate was applied to townhomes.	Will revise the footnote relating to 0.05 turnover ratio.
Appendix 7A Appendix C Fiscal Impacts by Phase	Assumes that incremental increase in Sleepy Hollow population resulting from the project impacts the redistribution of Sales Tax revenue immediately. This cannot occur until approximately 2012.	Burchell Listokin, Associates	Revised estimates for the initial phase and the Initial and Intermediate Phase of the project were sent to RESG on March 4, 2004.	The revised estimates are to replace the originals in the FEIS.
Appendix 7A	1/19 fax p.3/5 state aid. Appendix 7A p.46 indicates that a 0.75 revenue coefficient should be applied, but it is not included in this calculation.	Burchell Listokin, Associates	The multiplier already reflects the revenue coefficient	None required

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COMMENT LETTER NO. 48 (continued)

Appendix 1 – Issues Raised During RESG Review

Report Section	Issue	Firm Contact Name	Resolution	Anticipated Action for FEIS
Appendix 7A	No support is provided for the multiplier per student used in the state aid formula	Burchell Listokin, Associates	The multiplier is a state-mandated figure not based on a formula.	Explanation of source required.
Appendix 7A	No formulas are provided for calculation of school State aid, wealth based. It is only a gross number allocated to the units by value.	Burchell Listokin, Associates	Text response provided on 2/16/05 with oral discussion on 3/1/05.	None required
Appendix 7A	Appendix 7A, Exhibit 3, p.34. No data support for Workers per household.	Burchell Listokin, Associates	The estimate is based on discussions with developers, etc. The figure represents the number of workers associated with the residential component itself (janitor, bookkeeping, etc.)	None required
Appendix 7A	Appendix 7A, Exhibit 3, p.34. Workers per Senior Unit should be less than workers per condo or townhome?	Burchell Listokin, Associates	Generally, seniors require more services than typical renters	None required
Appendix 7A	Assumptions for the non-property tax revenue for Westchester County generated by the hotel component are not clear. Further explanation is required.	Burchell Listokin, Associates	The hotel tax rate for Westchester County of 3% was applied to the estimated rooms revenue.	Additional text will explain the methodology

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COMMENT LETTER NO. 48 (continued)

Appendix 1 – Issues Raised During RESG Review

Report Section	Issue	Firm Contact Name	Resolution	Anticipated Action for FEIS
Appendix 7A	Assumptions for the non-property tax revenue for Sleepy Hollow and Westchester County generated by the townhome component provide revenue lower than that identified in Exhibit 11. Further explanation is required of the assumptions and calculations.	Burchell Listokin, Associates	Applies 5% annual turnover rate to townhouse units, rather than 2.5% annual rate applied to rental apartments and condominiums.	Verbiage in FEIS will be revised to properly reflect the assumptions used with regard to turnover rates for each property type.
Appendix 7A	The revised estimates for the Initial Phase as well as the Initial and Intermediate Phases are now overly conservative since they do not account for the impact on sales tax revenue from any increase in retail spending to the Village of Sleepy Hollow.	Burchell Listokin, Associates	RESG estimates the under-statement of sales tax revenue to the Village of Sleepy Hollow in the Initial Phase as well as in the Initial and Intermediate Phases to be minimal.	None required
Appendix 7B	Support for estimated rents & sale prices	Economic Research Associates (ERA)	Source was chamber of commerce, brokers, and Roseland. Existing retail supply is old, with very narrow storefronts and therefore very diminished utility.	
Appendix 7B	Market Value/Annual Rent per SF on Appendix Table 5 p.15 do not reflect affordable housing prices identified in the Burchell Listokin report	ERA	ERA includes all 216 condos at market rate, rather than 21 at 85% of market. However, this is more than made up for by the fact that the 100 affordable senior units are not included at all.	None required

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COMMENT LETTER NO. 48 (continued)

Appendix 1 – Issues Raised During RESG Review

Report Section	Issue	Firm Contact Name	Resolution	Anticipated Action for FEIS
Appendix 7B	Total HH spending on p.16 does not match p.17.	ERA	This issue was resolved in the revised draft received 1/14/05.	None required
Appendix 7B	p.22 SF office space per employee is 275, but footnote says typical is 250 SF.	ERA	The footnote is incorrect. It should say 275 SF.	Footnote will be revised.
Appendix 7B	Total economic impact - Output, p.17 & p.18. Does this consider output from retail office & hotel?	ERA	Output from these sectors would be very minimal due to overseas manufacturing, etc. Did not include due to minimal impact & difficulty in estimating that impact.	None required
Appendix 7B	Cannot reconcile estimated employment generated from household spending on p.17 & p.18. Please show the math.	ERA	This issue was resolved in the revised draft received 1/14/05.	None required
Appendix 7B	Estimated SF per employee for service/convenience retail and eating & drinking places on p. 15 not supported by comps on p.14	ERA	Emphasis was placed on Regis, radio shack, Duane Reade for service stores. Rite Aid is not comparable due to recent acquisition of western chain with very large store sizes. Also allows for some mom & pop stores in the subject, with none in the comps. For Eating & Drinking, is conservative.	None required
Appendix 7C	p.13, Appendix Table 2. No support is provided for the estimated staffing & wages.	ERA	Minor issue	None required

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COMMENT LETTER NO. 48 (continued)

COMMENT LETTER NO. 48 (continued)

Appendix 2 –Limiting Conditions

All work completed is subject to the following general assumptions and limiting conditions

1. Information furnished by others, upon which all or portions of this report are based, is assumed to be reliable and accurate. RESG will make no effort to verify the accuracy of data provided by third parties, which are assumed to be reliable and accurate. No warranty is given as to the accuracy of such information.

2. Any financial analyses to be contained in the work papers or report are not considered to be forecasts or projections as these terms are defined by the American Institute of Certified Public Accountants ("AICPA"). Rather, they are used in the sense contemplated by the Uniform Standards of Professional Appraisal Practice ("USPAP"). As used in any analysis in this engagement and any report that follows, terms such as "project", "projections", or "forecast" relate to broad and generally perceived expectations of future events or market conditions. All such estimates and assumptions are inherently subject to uncertainty and variation depending on the unfolding of future events, which cannot be accurately foreseen. Consequently, we will not represent these estimates as results that will be achieved. Some assumptions inevitably will not materialize and unanticipated events and circumstances may occur. Therefore, actual results achieved may vary materially from those presented as estimated results.

3. No architectural or engineering study, soil or subsoil study, property survey, or environmental investigation was be made and no liability is assumed in connection with such matters.

4. Our work did not include ascertaining the legal and other state and local government regulations, permits and licenses and American with Disabilities Act ("ADA") regulations pertaining to the properties and sites. Furthermore, no effort will be made to determine the possible effect on the proposed development in relation to present or future federal, state or local legislation, including environmental, zoning or ecological matters or interpretations thereof.

5. Neither RESG nor any individuals signing or associated with this report shall be required by reason of this report to give testimony or appear in court or other legal proceedings unless specific arrangements therefore have been previously made.

6. Reports are made only for the purpose stated and shall not be used for any other purpose.

7. The scope of our work did not include an accountant's audit or examination of either historical or prospective financial data in accordance with standards established by the AICPA. The scope of our work did not include a property appraisal or valuation as performed in accordance with standards established by the USPAP as developed by the Appraisal Standards Board of the Appraisal Foundation.

COMMENT LETTER NO. 48 (continued)

Appendix 2 –Limiting Conditions

8. The client(s) by receipt of this analysis, shall indemnify and hold harmless RESG and/or its individual staff members or subcontractors from and against all damages, expenses, claims, demands and costs, including legal fees incurred in investigating and defending any claims arising from or in any way connected to the inclusion of the aforesaid reference to RESG and/or its individual staff members or subcontractors.

9. In any event, the maximum damages recoverable from RESG or its employees or subcontractors relative to this engagement shall be the amount of the money actually collected by RESG for this assignment and under no circumstances shall any claim for consequential damages be made. In addition, there is no accountability or liability to any third party.

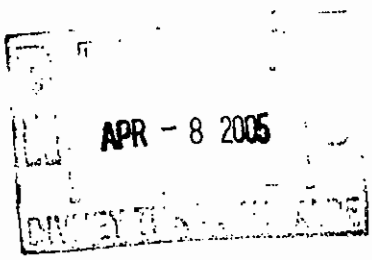
10. In no event will RESG or its subcontractors be liable for punitive or special damages (including loss of profits, data, business or goodwill), regardless of whether such liability is based on breach of contract, tort, strict liability, breach of warranties, failure of essential purpose or otherwise, and even if advised of the likelihood of such damages. Camden Redevelopment Agency shall have no recourse against, and shall bring no claim against, RESG or any of the assets thereof.

11. Our report has been based on facts as we know them, estimates, assumptions and other information developed from our review of the indicated documents, knowledge of the industry and meetings with the Village of Sleepy Hollow or their advisors during which RESG was provided with certain information. The sources of information and basis of the estimates and assumptions have been stated in the report. All direct and indirect information supplied by the client, the client's agents and assigns concerning the engagement and the underlying properties have been assumed to be true, accurate and complete. Information identified as supplied or prepared by others has been believed to be reliable; however, we have performed no procedures to evaluate the reliability or completeness of the information obtained, unless specifically stated in the report.

COMMENT LETTER NO. 49

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April 1, 2005

Dwight H. Douglas
Village Administrator
Village of Sleepy Hollow
28 Beekman Avenue
Sleepy Hollow, New York 10591

Re: Lighthouse Landing at Sleepy Hollow – Comments on DEIS

Dear Mr. Douglas:

Enclosed are the comments of Historic Hudson Valley ("HHV") on the draft environmental impact statement for Lighthouse Landing at Sleepy Hollow. These comments are in addition to the statement delivered orally by HHV's president, Waddell W. Stillman, at the public hearing on February 22, 2005.

As you know, HHV operates Philipsburg Manor, a 25-acre living history museum composed of a late 17th/early 18th century milling, farming and trading complex. Philipsburg Manor and HHV's other nearby historic sites (Kykuit, the Rockefeller estate, and Union Church of Pocantico Hills) are significant drivers of economic activity and heritage tourism in our area.

HHV's first objective in these comments is to make sure that the final environmental impact statement accurately assesses the impacts that the Lighthouse Landing project would have on Philipsburg Manor and Kykuit – their historic integrity, visitor experience, functioning and operations.

HHV's second objective in these comments is to ensure a full assessment of the effects of Lighthouse Landing on HHV's long-announced plans to expand the Philipsburg Manor site by creating an authentic 18th-century tenant farmstead, where the lifestyle and experience of the European immigrants who rented and cultivated land in this area would be accurately portrayed. The eastern portion of the GM site is the ideal location for this farmstead.

In addition to the technical review comments, enclosed are an alternative conceptual master plan showing our proposed location for the farmstead, and an illustrative plan of the expansion site. (These are labeled Exhibits E and F, respectively, so as not to be confused with Exhibits A-D of our June 5, 2003 comments on the Draft Scoping Document.)

HHV looks forward to continuing to work cooperatively with the Village of Sleepy Hollow, Roseland, General Motors, and other interested parties as the Lighthouse Landing project moves forward.

Sincerely,

Michael B. Gerrard

Enclosures

cc:

Mayor & Board of Trustees
Angela Everett, Village Clerk
Joel Sachs, Esq., Special Village Counsel, Keane and Beane
David Smith, AICP, Saccardi & Schiff, Inc., Village Planning Consultant
James Hahn, P.E., Hahn Engineering, Consulting Village Engineer
Richard Mahadeen, ASLA, EDAW, Inc.
Frederick Bland, Partner, Beyer Blinder Belle
Nicholas A. Robinson, Chair, Village Planning Board
Marshall B. Tycher, President, Roseland Property Company
Jonathan Stein, Operating Partner, Roseland Property Company
Mark Chertok, Esq., Sive Paget Riesel
Mark Weingarten, Esq., DelBello Donnellan Tartaglia Weingarten & Wise
Andrew Attinson, Partner, Street-Works LLC
Andrew V. Tung, Partner, Divney Tung Schwalbe
David A. Robson, General Director, Worldwide Real Estate, General Motors Corp.
Mark Sloan, Property Manager, Worldwide Real Estate, General Motors Corp.
Cheryl Hines, General Motors Corp.
Ruth Roth, Esq., Cuddy & Feder
Nanette Bourne, AKRF
Waddell W. Stillman, President, HHV
David Parsons, Vice President, HHV
Thom Thacker, Philipsburg Manor Site Director
Mark F. Rockefeller, Chairman, HHV
Joanne P. Meder, AICP, Vice President, FPCA
Charles Granquist, Rockefeller Brothers Fund
Kim Miller, Rockefeller Brothers Fund
Gerard E. Mulligan, Commissioner of Planning, Westchester County

LIGHTHOUSE LANDING AT SLEEPY HOLLOW
DEIS DATED JANUARY 11, 2005

SUBSTANTIVE REVIEW COMMENTS
SUBMITTED BY HISTORIC HUDSON VALLEY

The DEIS prepared for the Lighthouse Landing project was reviewed by Historic Hudson Valley and its advisors with two principal objectives in mind:

- To assess whether the Proposed Action would have an impact on the historic character, functioning and operation of Philipsburg Manor, a 25-acre living history museum composed of a late 17th/early 18th-century milling, farming and trading complex of great historical importance at the local, regional and national levels; and

- To assess whether plans for the future development of the GM East Parcel would have an impact on Historic Hudson Valley's previously submitted proposal to expand the Philipsburg Manor site for the purpose of re-creating an authentic 18th-century tenant farmstead that accurately portrays–on a modified scale–the lifestyle and experience of the European immigrants to this area who rented and cultivated land on Philipsburg Manor. This would complement the story of African slavery in the northern U.S., which is currently being interpreted at the existing Philipsburg Manor site.

With that as background, Historic Hudson Valley (HHV) offers the following comments on the DEIS and requests that these comments be addressed in the FEIS prepared for the Proposed Action, if not sooner:

A. Technical Comments on DEIS Discussion of Proposed Action

1. Land, Water and Ecological Resources (DEIS Section III.B): The DEIS discussion of existing environmental contamination conditions and environmental remediation measures to be undertaken as a result those conditions is not complete, as discussed below:

    a. The DEIS describes the results of various site investigations that have been conducted over a period of years for the purpose of identifying the presence of hazardous materials. The DEIS also discusses remediation measures that have already been undertaken to mitigate impacts associated with those conditions and measures that will still need to be undertaken in the future. It appears that some of those investigations are not yet complete, as described below:

i. There is limited data available to characterize the shallow fill soil (0 to 5 feet below grade) on the GM East Parcel. Since the available on-site data for this fill includes only four sampling points, the acceptability of leaving this fill exposed will need to be documented by additional sampling. It is recommended that the Applicant be required to complete those additional site investigations so that the results can be included in the FEIS. 4901

ii. Methane gas has been reported in the soil beneath the paved portions of the GM East Parcel. The presence of methane is reported to be associated with the areas underlain by a former municipal refuse area. No specific information has been provided on the distribution of methane or the concentrations detected. This information is reported to have been obtained during a Supplemental Site Investigation performed in 2003 and 2004, but the results of those investigations have not been made available for public review. It is recommended that the Applicant be required to submit those additional studies so the results can be included in the FEIS. 4902

b. The DEIS includes a "Draft Conceptual Remedial Action Work Plan" (RAWP) and notes that final development of the RAWP will be supported by supplemental investigations to be conducted during Spring 2004. It is recommended that the Applicant be required to include a copy of the full RAWP in the FEIS. 4903

2. Open Space, Pedestrian Circulation and Visual Resources (DEIS Section III.F): The analysis of existing conditions does not adequately examine views of the project site from the core of the existing Philipsburg Manor site. As previously noted in comments submitted in June 2003 on the proposed DEIS Scope, vantage points of great significance to HHV include the view of the project site from the existing mill and manor house on the Philipsburg Manor site (identified as "View #1" in Viewshed Map 1 attached to a June 5, 2003 letter from Arnold & Porter) and the view from the existing bridge over the Pocantico River (identified as "View #2" in Viewshed Map 1 attached to a June 5, 2003 letter from Arnold & Porter). Those views were not identified at all in the DEIS, and potential impacts to them were not examined. The only view analyzed was taken from the westerly side of the existing Philipsburg Manor site in an area that is used for overflow parking (as illustrated in DEIS Figures III.F-6 and III.F-17). Even that analysis is deficient because the location of an existing temporary 4904

"snow fence" obscures the clarity of structures that are proposed to be constructed behind it. Therefore, the discussion of mitigation of potential visual impacts from the vantage point of Philipsburg Manor is not complete or adequate. 4904

The analysis of visual impacts taken from Kykuit indicates that the proposed buildings on the GM West Parcel will be visible from that site. Proposed mitigation of those impacts (as well as those relating to the closer vantage point of Philipsburg Manor itself) is described in the narrative portion of the DEIS but no plans or viewshed analyses are included to enable one to evaluate the effectiveness of the proposed landscape buffering. These deficiencies in the analysis of visual impacts should be addressed. It is also noted that the Applicant is proposing to exceed the permissible building height is some locations. Additional viewshed analyses should also be undertaken based upon proposed building heights that are in full compliance with the Village's zoning regulations.

3. Traffic and Parking (DEIS Section III.I): Given the scale of development proposed for Lighthouse Landing, the accuracy of the traffic study methodology and conclusions needs to be studied very carefully. The results of the study are entirely dependent on a variety of assumptions that have been made by the Applicant. Based upon a detailed review of the Applicant's traffic study by HHV's traffic engineers, we believe that some of the Applicant's assumptions and, therefore, its conclusions about potential traffic impact may not be accurate and may underestimate the amount of traffic that would use Continental Street, as described below:

   a. Assuming that Metro-North approves the construction of a new railroad station, it is more likely that the primary access route to the proposed 400-space commuter parking lot on the GM East Parcel would be via Continental Street. The Applicant's traffic study identified this route as the secondary approach, carrying 15 percent of the total external commuter trips (10 percent arriving via the Pocantico Street/U.S. Route 9 intersection). Owing to Continental Street's closer proximity to U.S. Route 9 and the number of stop signs along Beekman Avenue, it is believed that the distribution of site-generated traffic is underestimated in the analysis. It is more likely that Continental Street would serve as the primary access route to the 400-space commuter parking lot and could carry as much as 75 percent of the total external commuter trips if motorists traveling along U.S. Route 9 elect to avoid Beekman Avenue. Therefore, it is recommended that the Applicant be required to reanalyze the potential impacts under these conditions and identify 4905

any mitigation that may be needed for Continental Street and nearby Howard Street. 4905 (continued)

b. The traffic study should also address the potential impact created by the construction process for the commuter parking lot. For the same reasons previously stated, the analysis should include a scenario where Continental Street, via the Pocantico Street/U.S. Route 9 intersection, serves as the primary access route for construction-related traffic. The Applicant should provide details regarding the frequency, intensity and duration of construction-related traffic for significant stages of construction. 4906

c. Two parameters of the Applicant's traffic study that directly impact operations at the Pocantico Street/U.S. Route 9 intersection are (i) the projected distribution of site-generated traffic and (ii) the projected split between the internal and external trips created by the proposed development. The traffic study indicates that traffic volumes passing through the Pocantico Street/U.S. Route 9 intersection will increase by approximately 191, 205 and 249 trips for the weekday morning, weekday afternoon and Saturday midday peak hours, respectively. During the weekday morning peak hour, these projections are based on the assumption that approximately 20 percent of the total external site-generated traffic will approach the project site passing via the Pocantico Street/U.S. Route 9 intersection and approximately 21 percent of the total site-generated traffic will be considered internal trips. Similar projections are made for the weekday afternoon and Saturday midday peak periods. 4907

Proposed mitigation for the projected increase in delays created by the additional trips includes modifying the existing traffic signal at the Pocantico Street/U.S. Route 9 intersection. These modifications are projected to maintain a level of service comparable to what is currently experienced.

A major concern is the possibility that the assumptions that serve as the basis for these projections will not be realized. Changes to either or both parameters ("i" or "ii" above) could create a significant impact to operations of the overall intersection and specifically to the eastbound (i.e., Pocantico Street) approach, which currently operates (and is projected to continue to operate) with significant delays, a poor Level of Service and a volume-to-capacity ratio well in excess of 1.0.

To better describe the implications of using incorrect assumptions, HHV's traffic engineers have conducted a supplementary analysis of potential traffic impacts. Attached Tables 1, 2 and 3 provide illustrative examples of the sensitivities associated with the projections. For example, a weekday morning peak hour scenario indicates that a change to the percent distribution by 10 percent (from 20 percent to 30 percent) combined with a change to the percent of internal trips by 11 percent (from 21 to 10 percent) would result in an increase in site-generated traffic by 71 percent. Under this scenario, the projected site-generated traffic passing through the Pocantico Street/U.S. Route 9 intersection would change from 191 trips to 327 trips, an increase of 136 trips. Similar increases would be experienced during the weekday afternoon and Saturday midday peak periods. 4907 (continued)

Due to the poor current and projected future operating conditions of the Pocantico Street/U.S. Route 9 intersection, it is recommended that the Applicant be required to address how this intersection would operate and what mitigation measures could be implemented if the site-generated traffic volumes varied in accordance with the previous example.

d. It is also noted that the Applicant's traffic study does not include analysis of any future uses of the GM East Parcel, other than the proposed 400-space commuter parking lot proposed by the Applicant. Therefore, the impacts associated with the construction of a new Village DPW Site and the expansion of DeVries Park on the GM East Parcel are not addressed at all. Based upon recently disclosed information that is not identified in the DEIS, it appears that the future use of the "viaduct" providing access to the GM East Parcel from Beekman Avenue appears to be in question because of recently identified structural deficiencies. It is HHV's understanding that those conditions may prevent use of the "viaduct" by trucks and possibly other vehicles as well. If the "viaduct" cannot be used for access to the GM East Parcel, the traffic study conclusions would be inaccurate and even more traffic would be using the Pocantico Street/U.S. Route 9 intersection and Continental Street. 4908

e. HHV is very concerned about potential increases in traffic and associated noise from traffic along Continental Street, and the effect that such traffic would have on the historic character, functioning and operation of Philipsburg Manor–both the existing site and the proposed Expansion Site. HHV believes that it is essential that the 4909

"viaduct" be maintained in a condition that would allow it to at a minimum accommodate as much site-generated traffic as possible, including the amount of commuter traffic projected under the Applicant's traffic study. 4909

f. For Philipsburg Manor (which also serves as the visitor center for Kykuit) to remain an attractive destination that contributes to the success of the heritage tourism industry in the Village, it is important that visitors be able to travel to the site with a minimum of inconvenience. HHV is concerned about features of the Proposed Action that would result in additional traffic congestion and/or delays at the Philipsburg Manor site driveway. As indicated in the attached Tables 4, 5 and 6, it is projected that increased delays would be experienced at the HHV driveway in the future once the Applicant's proposed traffic signal timing adjustments are made at that intersection. 4910

4. Noise (DEIS Section III.K): The DEIS does not fully address potential noise impacts or proposed mitigation measures related to those impacts, as discussed below:

a. The DEIS does not examine the relationship between proposed building locations, building architecture and/or building materials and potential noise impacts. 4911

b. The DEIS does not address the noise impacts associated with use of Continental Street for construction traffic access. 4912

c. The DEIS does not address the long-term noise impacts on Philipsburg Manor that would result from increased use of Continental Street once the project is occupied. If the results of a revised traffic study reveal that more traffic will use Continental Street to access the GM East Parcel than currently envisioned, additional analysis of noise impacts associated with that change should also be examined. 4913

d. The DEIS does not address the impacts of noise associated with the operation of the new Village DPW Site that is proposed to be located on the GM East Parcel, nor does it address potential impacts associated with the features of the proposed DeVries Park expansion on that same parcel (i.e., two new soccer fields, two new basketball courts and a new 100-space parking lot). 4914

e. The DEIS does not identify the use of acoustic buffering techniques to minimize noise impacts resulting from the construction of future uses on the GM East parcel. 4915

5. Alternatives (DEIS Section IV): During the public scoping process on the proposed DEIS, HHV submitted two alternative site plans for the GM East Parcel (labeled Exhibits B-1 and C in a letter dated June 5, 2003 from Arnold & Porter). Exhibit B-1 depicted HHV's original concept for expansion of the Philipsburg Manor site as of 2001. Exhibit C was prepared in 2003 following additional consultations with the Village concerning its desire to expand DeVries Park and relocate the existing DPW Site to a portion of the GM East Parcel. HHV requested that those plans be considered in the "Alternatives" discussion of the DEIS. While the DEIS includes a copy of Exhibit B-1 (labeled DEIS Figure III.A.7A) and a brief narrative discussion of that site plan, it does not include a copy of or any discussion of Exhibit C. It is noted that the alternative site plan concept identified on Exhibit C depicted land areas for the prospective DeVries Park expansion and the new Village DPW Site that were consistent with the Village's objectives as expressed at that time. It also identified a 9.9-acre site for the proposed expansion of Philipsburg Manor, consistent with HHV's objectives. The site plans prepared for the Proposed Action (labeled DEIS Figure II.C-1) and in connection with the Village's open space master planning efforts (labeled DEIS Figure II.C-54) depict the further expansion of DeVries Park and the proposed DPW Site beyond what was contemplated in 2003. It is noted that a reduction in the amount of land that might be available for expansion of Philipsburg Manor could jeopardize HHV's longstanding plan to re-create an authentic 18th-century tenant farmstead on that land. 4916

B. Additional Comments Relating to Proposed Philipsburg Manor Expansion

1. Based upon a review of the proposed site plan for the Lighthouse Landing development (as depicted in DEIS Figure II.C-1) as well as the information presented on the Village's open space master plan (as depicted in DEIS Figure II.C-54), a few issues have been identified that could adversely affect HHV's proposal to expand the Philipsburg Manor site for the re-creation of an authentic 18th-century tenant farmstead. These include the following potential areas of concern:

a. The conceptual plan that has been prepared for the future development of the GM East Parcel reflects changes to the Village's previously expressed "vision" for that property. Included among those changes are increases in the amount of land associated with the 4917

proposed Village DPW Site (from an area of about 5.0 acres as identified by the Village in 2003 to a currently proposed size of 7.4 acres) and the proposed DeVries Park expansion (from an area of about 4.3 acres as generally illustrated in the Village's Linkage Study to a currently proposed size of about 7.6 acres[1]). The effect of those changes is to shrink the amount of land that might be available for expansion of the Philipsburg Manor site. Although the proposed site plan for the Proposed Action (DEIS Figure II.C-1) does not specifically identify the boundary of a prospective Philipsburg Manor Expansion Site, the Village's open space master plan (DEIS Figure II.C-54) depicts an area of 7.6 acres that might be available for that purpose in the northeasterly portion of the GM East Parcel. As previously discussed, a total of 9.9 acres will be needed by HHV to re-create an authentic 18th-century tenant farmstead, including all of its essential elements. Those elements include the features identified in attached Table 7. Historical records show that the tenant farms originally ranged in size from 70 to 300 acres. HHV believes that it can re-create a plausible tenant farmstead utilizing approximately 10 acres. Even at this size, it will be necessary to substantially modify the size of the agricultural features that would have actually existed as part of such a tenant farm. If the land available for the proposed tenant farmstead is smaller than that, the establishment of an authentic 18th-century tenant farmstead may no longer be viable because it will be historically inaccurate and compromise HHV's ability to present an important aspect of local history to the highest standards of interpretation.

4917 (continued)

b. The conceptual site plan for the proposed DPW Site on the GM East Parcel (DEIS Figure III.A-9) depicts several features that could have impacts of concern to HHV. In comparison to a conceptual plan that was reviewed in 2003, the proposed composting area would be moved much further to the north rather than being more centrally located on the proposed DPW Site as previously shown. Because of its closer proximity to the Philipsburg Manor site, there is concern about odors that may emanate from that area. In addition, the latest proposed site plan for the DPW Site depicts a structure for the storage of salt, as did the earlier conceptual plan. It is important to recognize that the GM East Parcel is susceptible to flooding and the introduction of a salt storage facility on that site needs to be carefully evaluated since the salt, if spread by flooding, would

4918

[1] These figures are identified on page I-4 of the DEIS. However, it is noted that the DEIS contains discrepancies in these figures, with one set of numbers sometimes appearing on the graphic illustrations and a different set of figures being identified in the text. It is recommended that these discrepancies be corrected in the FEIS.

4917 (continued)

potentially contaminate the GM East Parcel and cause severe damage to surrounding vegetation. 4918 (continued)

c. The conceptual site plan for the DeVries Park expansion (DEIS Figure II.C-54) identifies two new soccer fields, two new basketball courts and a new 100-space parking lot, with primary access to DeVries Park proposed to be changed from DeVries Avenue to Continental Street. When HHV originally met with the Village to discuss the DeVries Park expansion in 2003, the need for one soccer field and a swimming pool at that location was identified and both of those features were incorporated into the alternative conceptual site plan prepared by HHV and submitted for the Village's consideration as part of the DEIS scoping process. The combination of including more recreational facilities and creating a new access road to DeVries Park would result in more traffic using Continental Street in the future as well as additional noise from use of the recreational facilities and the added traffic. Those changes would have an impact on Philipsburg Manor unless they are adequately mitigated. 4919

d. HHV has historically benefited from a neighborly and cooperative arrangement with General Motors Corporation, which has permitted the use of the GM East Parcel for overflow parking needed by HHV on a limited number of days during the year when very popular events are held at Kykuit or Philipsburg Manor, such as "Legend Weekend" in late October. HHV hopes to be able to continue this practice on the GM East Parcel and would like some assurance that such an arrangement can be accommodated, particularly since it appears that the 400-space commuter parking lot is proposed to be privately-owned and it is likely that the proposed 100-space parking lot on the expanded DeVries Park would be frequently occupied by soccer and/or basketball players as well as spectators. 4920

2. It has been HHV's hope all along that the land needed for expansion of Philipsburg Manor would be donated to HHV by General Motors Corporation since neither GM or the developer have any plans to develop the GM East Parcel with the exception of the area identified for the construction of the 400-space commuter parking lot. It is therefore of some concern to HHV to see that the site plan for the Proposed Action (DEIS Figure II.C-1) identifies the entire eastern half of the GM East Parcel as an "Area for Other Village Uses." HHV would like some further assurance that its plans for expansion of the Philipsburg Manor site can and will be taken into account as part of the future planning for the GM East Parcel. 4921

3. In order to effectively plan for and implement the proposed re-creation of the tenant farmstead on an adjacent portion of the GM East Parcel, HHV needs to own that land. It will be necessary for HHV to raise substantial funds in order to undertake and execute this ambitious proposal, and it is anticipated that some of those funds would come from bond financing. HHV may not be able to raise sufficient funds to undertake this project if it does not own and have control over that land. In addition, HHV needs to be able to operate and manage its facilities without the need to secure approvals from a landlord. 4922

4. HHV believes that its proposal to re-create an authentic 18th-century tenant farmstead on land adjacent to its existing Philipsburg Manor site represents a unique opportunity that should not be lost. It will become a public/private amenity that will serve the public interest by preserving land and by providing public access to that land. It will also serve the Village by allowing for the linkage of "green space" and by drawing more people to local commercial establishments as part of a trip to Philipsburg Manor. 4923

Based on its review of the information included in the DEIS, HHV has undertaken additional independent site planning work for the purpose of identifying a new conceptual site plan for the GM East Parcel that would address HHV's need for a 9.9-acre site on which to re-create an authentic 18th-century tenant farmstead, including all of the essential elements identified in attached Table 7, while still accommodating the facilities that are identified in the DEIS as being part of the proposed DeVries Park expansion and the proposed DPW Site. The plan that resulted from that new initiative and its relationship to the larger GM East Parcel is presented in Exhibit E.[2] A plan that depicts the details of the proposed Philipsburg Manor Expansion Site is presented in Exhibit F. HHV requests that both of these plans be included and discussed in the FEIS for the Proposed Action.

As illustrated in Exhibit E, the DeVries Park expansion would continue to accommodate two new soccer fields, two new basketball courts and a new 100-space parking lot. To make more efficient use of the available land, reduce the amount of unnecessary impervious surfaces, and minimize potential adverse traffic and noise impacts on the adjacent proposed Philipsburg Manor Expansion Site, the location of those facilities would be slightly reorganized and the new parking lot would be further to the south and closer to the extension of Continental Street. HHV expects that it will also be possible to accommodate the facilities that have been identified for

[2] The exhibits included in this report begin with the letter "E" so as to avoid confusion with other exhibits that have previously been submitted by HHV and were included in a letter dated June 5, 2003 from Arnold & Porter. The June 5, 2003 letter contained Exhibits A through D inclusive.

4923

the proposed DPW Site under this revised conceptual site plan. In order to accommodate all the facilities that are identified for the proposed DeVries Park expansion in DEIS Figure II.C-54 and still create the opportunity for a 9.9-acre Expansion Site for Philipsburg Manor, the revised conceptual site plan shows a more southerly realignment of the proposed extension of Continental Street.

The details of the revised conceptual site plan for the authentic 18th-century tenant farmstead that HHV hopes to re-create on a 9.9-acre portion of the GM East Parcel are illustrated on a site plan that is identified as Exhibit F. This new plan includes the essential features of the tenant farmstead: a tenant farmhouse, a barn, a stable and a smokehouse as well as the minimum amount of land necessary to establish a garden, an orchard, a grain field, and a pasture and hay field containing appropriate ancillary structures, such as a sheepcote and hay barracks. Based on historical research, it has been determined that the tenant farmstead should also include a salt marsh and fish flakes, where freshly caught fish from the river was historically placed to dry outdoors. The revised site plan includes both of those features as well.

Because of the essential need to preserve the visitor experience of being able to travel back in time to an earlier century with as few 21st century intrusions as possible, HHV would propose to create a substantial woodland buffer and berm along the southerly and westerly boundaries of the proposed 9.9-acre Expansion Site. This buffer/berm would be designed to mitigate visual and noise impacts from the proposed DeVries Park expansion and the increased number of facilities now proposed for that site and well as from the proposed DPW Site. In addition, the Philipsburg Manor Expansion Site would contain a similar feature for the purpose of creating an internal buffer for a relocated parking lot that would accommodate approximately 100 spaces.

The revised site plan also identifies a new seasonal/special events entrance to the Philipsburg Manor site at the southwestern corner of the Expansion Site. The revised site plan could also accommodate the proposed wetlands mitigation area identified in the DEIS (Figure II.B-8) if determined to be required or desirable. The DEIS states that several existing drainage ditches on the GM East Parcel are proposed to be filled for the construction of a new 400-space commuter parking lot and the new recreational facilities in the expanded DeVries Park. While those drainage ditches apparently do not have any ecological value, the Applicant has proposed a "wetlands creation area" on the GM East Parcel in an area located adjacent to the Pocantico River. The "mitigation salt marsh" identified on Exhibit F would

represent that same feature and would be large enough to satisfy the 2:1 wetlands replacement ratio that is discussed in the DEIS. 4923

4907 (continued)

Table 1
SENSITIVITY ANALYSIS – WEEKDAY MORNING PEAK HOUR
Lighthouse Landing
Sleepy Hollow, New York

Site-Generated Traffic at Pocantico Street/U.S. Route 9 Intersection

PERCENT DISTRIBUTION	PERCENT INTERNAL			
	25%	21%	15%	10%
15%	136	144	154	163
20%	**182**	**191**	206	218
25%	227	239	257	272
30%	272	287	309	327

Change in Site-Generated Traffic

PERCENT DISTRIBUTION	PERCENT INTERNAL			
	25%	21%	15%	10%
15%	-55	-48	-37	-28
20%	**-10**	**0**	15	27
25%	36	48	66	81
30%	81	96	118	136

Percent Difference

PERCENT DISTRIBUTION	PERCENT INTERNAL			
	25%	21%	15%	10%
15%	-29%	-25%	-19%	-14%
20%	**-5%**	**0%**	8%	14%
25%	19%	25%	35%	43%
30%	43%	50%	62%	71%

Notes:

(1) Projections provided as part of the Applicant's traffic study are shown in bold and highlighted.
(2) Percent Distribution – percent of overall site-generated traffic passing through the Pocantico Street/U.S. Route 9 intersection.
(3) Percent Internal – percent of overall site-generated traffic with origins-destination within the proposed development.
(4)

Frederick P. Clark Associates, Inc.

4907 (continued)

Table 2
SENSITIVITY ANALYSIS – WEEKDAY AFTERNOON PEAK HOUR
Lighthouse Landing
Sleepy Hollow, New York

Site-Generated Traffic at Pocantico Street/U.S. Route 9 Intersection

PERCENT DISTRIBUTION	PERCENT INTERNAL			
	25%	18%	15%	10%
15%	155	169	176	186
18%	**189**	**205**	214	226
25%	258	281	293	310
30%	310	337	351	372

Change in Site-Generated Traffic

PERCENT DISTRIBUTION	PERCENT INTERNAL			
	25%	18%	15%	10%
15%	-50	-36	-29	-19
18%	**-16**	**0**	9	21
25%	53	76	88	105
30%	105	132	146	167

Percent Difference

PERCENT DISTRIBUTION	PERCENT INTERNAL			
	25%	18%	15%	10%
15%	-24%	-18%	-14%	-9%
18%	**-8%**	**0%**	4%	10%
25%	26%	37%	43%	51%
30%	51%	64%	71%	81%

Notes:

(1) Projections provided as part of the Applicant's traffic study are shown in bold and highlighted
(2) Percent Distribution – percent of overall site-generated traffic passing through the Pocantico Street/U.S. Route 9 intersection.
(3) Percent Internal – percent of overall site-generated traffic with origins-destination within the proposed development.

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4907 (continued)

Table 3
SENSITIVITY ANALYSIS – SATURDAY MIDDAY PEAK HOUR
Lighthouse Landing
Sleepy Hollow, New York

Site-Generated Traffic at Pocantico Street/U.S. Route 9 Intersection

PERCENT DISTRIBUTION	PERCENT INTERNAL			
	25%	30%	15%	10%
15%	179	167	202	214
22%	**266**	**249**	302	320
25%	298	278	337	357
30%	357	334	405	428

Change in Site-Generated Traffic

PERCENT DISTRIBUTION	PERCENT INTERNAL			
	25%	30%	15%	10%
15%	-70	-82	-47	-35
22%	**17**	**0**	53	71
25%	49	29	88	108
30%	108	85	156	179

Percent Difference

PERCENT DISTRIBUTION	PERCENT INTERNAL			
	25%	30%	15%	10%
15%	-28%	-33%	-19%	-14%
22%	**7%**	**0%**	21%	28%
25%	20%	12%	35%	43%
30%	43%	34%	63%	72%

Notes:
(1) Projections provided as part of the Applicant's traffic study are shown in bold and highlighted.
(2) Percent Distribution – percent of overall site-generated traffic passing through the Pocantico Street/U.S. Route 9 intersection.
(3) Percent Internal – percent of overall site-generated traffic with origins-destination within the proposed development.

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Table 4
DETAILED LEVEL OF SERVICE SUMARY – WEEKDAY MORNING PEAK HOUR
POCANTICO STREET/U.S. ROUTE 9 INTERSECTION
Lighthouse Landing
Sleepy Hollow, New York

LANE GROUP/ MOVEMENT		EXISTING CONDITIONS		NO-BUILD CONDITIONS		BUILD CONDITIONS		BUILD w/ IMPROVEMENTS	
		LOS/ Delay	V/C Ratio	LOS/ Delay	V/C Ratio	LOS/ Delay	V/C Ratio	LOS/ Delay	V/C Ratio
Eastbound	LTR	F/149.0	1.18	F/258.4	1.45	F/436.5	1.86	F/195.4	1.31
Westbound	LTR	C/30.5	0.24	C/31.0	0.29	C/30.9	0.28	C/28.1	0.19
Northbound	LTR	B/11.7	0.30	B/13.4	0.46	B/13.6	0.48	B/14.6	0.47
Southbound	LTR	B/10.7	0.54	B/16.0	0.81	B/18.8	0.87	B/19.0	0.86
Philipsburg Manor	LTR	C/33.2	0.02	C/33.2	0.02	C/33.2	0.02	D/43.0	0.05
Overall		C/33.8	0.00	D/49.1	0.00	F/85.1	0.00	D/46.5	0.00

Frederick P. Clark Associates, Inc.

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4910 (continued)

COMMENT LETTER NO. 49 (continued)

Table 5
DETAILED LEVEL OF SERVICE SUMARY – WEEKDAY AFTERNOON PEAK HOUR
POCANTICO STREET/U.S. ROUTE 9 INTERSECTION
Lighthouse Landing
Sleepy Hollow, New York

LANE GROUP/ MOVEMENT		EXISTING CONDITIONS		NO-BUILD CONDITIONS		BUILD CONDITIONS		BUILD w/ IMPROVEMENTS	
		LOS/ Delay	V/C Ratio	LOS/ Delay	V/C Ratio	LOS/ Delay	V/C Ratio	LOS/ Delay	V/C Ratio
Eastbound	LTR	F/189.8	1.28	F/309.3	1.57	F/512.8	2.03	F/191.1	1.31
Westbound	LTR	C/29.6	0.11	C/29.7	0.13	C/29.7	0.13	C/25.7	0.08
Northbound	LTR	B/12.8	0.42	B/16.1	0.63	B/16.2	0.64	B/19.0	0.66
Southbound	LTR	B/10.1	0.48	B/12.5	0.66	B/14.2	0.74	B/17.0	0.76
Philipsburg Manor	LTR	C/33.1	0.01	C/33.1	0.01	C/33.1	0.01	D/42.8	0.02
Overall		D/41.6	0.00	E/57.6	0.00	F/100.9	0.00	D/47.8	0.00

Frederick P. Clark Associates, Inc.

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4910 (continued)

COMMENT LETTER NO. 49 (continued)

Table 6
DETAILED LEVEL OF SERVICE SUMARY – SATURDAY MIDDAY PEAK HOUR
POCANTICO STREET/U.S. ROUTE 9 INTERSECTION
Lighthouse Landing
Sleepy Hollow, New York

LANE GROUP/ MOVEMENT		EXISTING CONDITIONS		NO-BUILD CONDITIONS		BUILD CONDITIONS		BUILD w/ IMPROVEMENTS	
		LOS/ Delay	V/C Ratio	LOS/ Delay	V/C Ratio	LOS/ Delay	V/C Ratio	LOS/ Delay	V/C Ratio
Eastbound	LTR	E/67.1	0.90	F/125.5	1.11	F/305.7	1.56	D/48.2	0.87
Westbound	LTR	C/29.5	0.10	C/29.7	0.12	C/29.6	0.12	C/22.8	0.07
Northbound	LTR	B/11.8	0.32	B/13.2	0.44	B/13.5	0.47	B/19.3	0.54
Southbound	LTR	A/9.5	0.42	B/11.0	0.57	B/12.3	0.66	B/19.3	0.73
Philipsburg Manor	LTR	C/33.6	0.08	C/33.6	0.09	C/33.6	0.09	D/44.1	0.20
Overall		B/19.1	0.00	C/27.6	0.00	E/61.1	0.00	C/24.1	0.00

Frederick P. Clark Associates, Inc.

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4910 (continued)

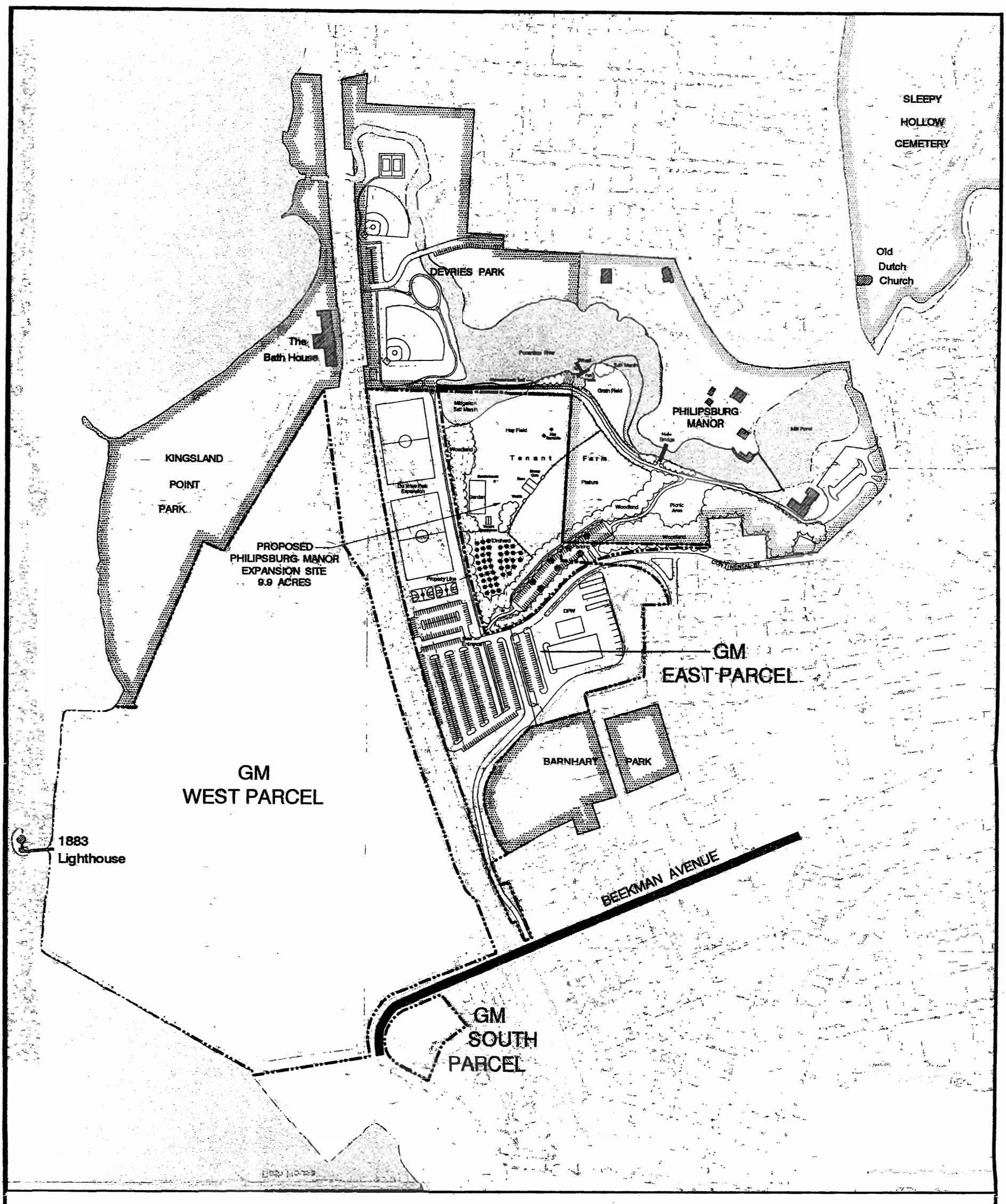
COMMENT LETTER NO. 49 (continued)

4923 (continued)

Table 7
PHILIPSBURG MANOR
NATIONAL HISTORIC LANDMARK SITE

PROGRAMMATIC REQUIREMENTS FOR EXPANSION SITE TO ACCOMMODATE PROPOSED 18th-CENTURY TENANT FARMSTEAD

Overall Site Planning Objectives
• Contiguous land for Philipsburg Manor expansion (9.9 acres)
• Viewshed protection and buffer screening
• Mitigation of noise impacts generated by surrounding 21st century land uses
• Adequate parking for visitors for daily usage and special events
• Continued easy vehicular access to Philipsburg Manor
Specific Features & Functions of Importance
• 9.9 acres for representational c. 1750 tenant farmstead (scaled to minimal size for authentic re-creation)
• Land components as follows (based on relative proportions in historical lease documents): - 3.0 acres for cattle and sheep pasture with sheepcote - 2.0 acres for woodland - 1.0 acre for hay meadow with hay barracks - 1.0 acre for wheat field - 1.0 acre for salt meadow - 0.8 acres for orchard (e.g., apple and pear trees) - 0.5 acres for grain field (e.g., flax, rye, other grains and corn) - 0.2 acres for vegetable garden - 0.4 acres for tenant farmhouse, barn, stable and smokehouse
• Seasonal demonstrations of plowing, planting, harrowing, haying, harvesting, food preservation and other typical activities
• Walking trail with interpretive signage
• Wharf on Pocantico River for possible future Hudson River Sloop anchorage
• Horseman's Trail Improvements
• Entrance along Village Greenway providing pedestrian access within walking distance to Lighthouse Landing Train Station



Programmatic Requirements for Expansion Site to Accommodate Proposed 18th Century Tenant Farmstead

Specific Features & Functions of Importance

- 9.9 acres for representational c. 1750 tenant farmstead (scaled to minimal size for authentic re-creation)
- Land components as follows (based on relative proportions in historical lease documents):
  - 3.0 acres for cattle and sheep pasture with sheepcote
  - 2.0 acres for woodland
  - 1.0 acre for hay meadow with hay barracks
  - 1.0 acre for wheat field
  - 1.0 acre for salt meadow
  - 0.8 acres for orchard (e.g., apple and pear trees)
  - 0.5 acres for grain field (e.g., flax, rye, other grains and corn)
  - 0.2 acres for vegetable garden
  - 0.4 acres for tenant farmhouse, barn, stable and smokehouse
- Seasonal demonstrations of plowing, planting, harrowing, haying, harvesting, food preservation and other typical activities
- Walking trail with interpretive signage
- Wharf on Pocantico River for possible future Hudson River Sloop anchorage
- Horseman's Trail Improvements
- Entrance along Village Greenway providing pedestrian access within walking distance to Lighthouse Landing Train Station

Overall Site Planning Objectives

- Contiguous land for Philipsburg Manor expansion
- Viewshed protection and buffer screening
- Mitigation of noise impacts generated by surrounding 21st century land uses
- Adequate parking for visitors for daily usage and special events
- Continued easy vehicular access to Philipsburg Manor

GM East Parcel
Alternative Conceptual Master Plan Including Proposal for Philipsburg Manor Expansion Site

LIGHTHOUSE LANDING
Sleepy Hollow, New York

Δ

FREDERICK P. CLARK ASSOCIATES, INC.
Planning/Development/Environment/Transportation

Scale in Feet
400 0 400

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3/31/05

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COMMENT LETTER NO. 49 (continued)

COMMENT LETTER NO. 50

RECEIVED
APR - 4 2005
ADMINISTRATOR

VILLAGE OF SLEEPY HOLLOW
PLANNING BOARD

COMMENTS OF THE PLANNING BOARD
REGARDING
THE DRAFT ENVIRONMENTAL IMPACT STATEMENT
FOR THE PROPOSED
"LIGHTHOUSE LANDING AT SLEEPY HOLLOW"
(DEIS dated Jan. 11, 2005)

April 4, 2005

TO: The Mayor and Board of Trustees
Village of Sleepy Hollow
c/o **Dwight Douglas, Village Administrator**
28 Beekman Avenue, Sleepy Hollow, N.Y.

Please consider these comments on the Draft Environmental Impact Statement (DEIS) dated January 11, 2005, prepared for the proposed "Lighthouse Landing At Sleepy Hollow" development proposed by General Motors Corporation (GM) and Roseland/Sleepy Hollow, LLC, ("Roseland"), the applicants. The Planning Board requests that these comments be considered closely in connection with the revision of the proposals set forth in the DEIS, and that the Planning Board's recommendations be reflected in the revised proposal that will be set forth in the draft Final Environmental Impact Statement (FEIS), when prepared. The Planning Board will undertake to review the draft FEIS when available and looks forward to providing further comments on the draft FEIS so that the Board of Trustees, as lead agency under the State Environmental Quality Review Act (SEQRA), can have the benefit of the Planning Board's evaluation in determining whether or not the draft FEIS is complete and sufficient for acceptance as final in order to provide the foundation for the Board of Trustees' Special Permit Approval and Consistency Findings for the Village's Local Waterfront Revitalization Program (LWRP).

The Planning Board of the Village of Sleepy Hollow is an involved agency under SEQRA, with respect to the application by GM and Roseland for the development of the 96+/- acres comprising the former General Motors assembly plant situated in the Waterfront "RF" District, and subject to the Village LWRP's coastal zone policies. The Planning Board will consider and act upon any site plan application for the development after the Board of Trustees has granted the special use permit, will consider any required wetlands/water course permit. These written comments on the Draft Environmental Impact Statement supplement and are a complement to the oral comments presented on behalf of the Planning Board on February 19, 2005, by the Planning Board Chairman, Nicholas A. Robinson. The FEIS should respond to these comments as well as to the

5001

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comments in the statement delivered orally. The Planning Board recommends that the applicants and the Village Board consider closely, and give the appropriate deference to, the findings and recommendations of the Village of Sleepy Hollow's Waterfront Advisory Committee, and understands that the FEIS should conform as fully as possible to the Waterfront Advisory Committee's findings with respect to the Village's LWRP policies. The basic objectives for any development of the site are to be guided by the Village's LWRP, which any FEIS under SEQRA should discuss. Roseland's conclusory statement in the DEIS that the developer believes its plan conforms to the LWRP needs to be elaborated and explained. 5001 (continued)

These comments were prepared following a discussion of the DEIS in the Planning Board's regularly scheduled meetings of February 17, And March 17, 2005, and in an open work session attending by Roseland and members of the public on Saturday, February 19, 2005, and from 7-8:30 pm in a sessions jointly with the Waterfront Advisory Committee on February 17, 2005. The draft of these comments, dated March 17, 2005, was reviewed by the Planning Board on March 17th, in open session at its regular meeting, and since then the Chairman of the Board has received written comments from Roseland's environmental legal counsel, and from Historic Hudson Valley and Scenic Hudson. The Chairman of the Planning Board made adjustments to the March 17th draft Planning Board's DEIS analysis, based upon these comments, where consistent with the positions that the Planning Board has taken.

The preparation and acceptance of the FEIS are critical to the success of the proposed redevelopment of the former GM assembly plant site. SEQRA requires that the Board of Trustees take a hard look at all reasonable alternatives that can ensure that the proposed "Lighthouse Landing" project meets the developmental needs of Sleepy Hollow while avoiding, or mitigating as much as possible, all adverse environmental effects associated with the development. The DEIS does not present enough data to take a hard look at the two major "legacy" environmental conditions on the existing site, for which GM is largely responsible: the clean up of all site contamination (in fully compliance with applicable federal and NY State environmental laws), and coping with the flood waters associated with a site at which the historic bay, estuary and mouth of the Pocantico River once met the Hudson River, but which first the railroad tracks and then GM deliberately filled over the years. Development of the site requires restoring a site that is safe for the public from any hazardous chemicals that may be found there, and is safe for the public from floodwaters such as those experienced with Tropical Storm Floyd. These two prerequisites are not adequately set forth in the DEIS, and before the adequacy of developments can be understood, both will need to be described in sufficient detail to permit meaningful evaluation of any development proposed. The FEIS must remedy this deficiency in the DEIS. Beyond these threshold evaluations, the FEIS will need to set forth reasoned alternatives, other than the project proposal as set forth in the DEIS, in order: (i) to reduce the density of site development to conform to the density of the existing and approved Ichabod's Landing project; (ii) present alternative configurations for the building and street locations to enhance views and design; (iii) propose a more detailed presentation of alternative ways to address transportation; (iv) identify and elaborate suitable alternative options for water-dependent uses and 5002 5003

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recreational access from the site to the Hudson and Pocantico Rivers; and (v) set forth alternative analysis as to how the establishment of a n estuarine mouth for the Pocantico River could address both flood control and the need to provide water-dependent recreational uses, while buffering the project from Kingsland Point. 5003 (continued)

The planning Board is pleased to explain and elaborate these points in the following comments.

General Comments:

At the outset, the Planning Board commends the applicants, GM and Roseland, for their careful work in studying the GM site and for making imaginative and positive recommendations for its adaptive reuse pursuant to the RF District zoning requirements. We commend Mayor Philip Zegarelli and the Board of Trustees for their careful organization of the public hearing and comment process, which has been respectful of the views of Village residents, Village civic organizations, such as the Philipse Manor Garden Club, an association with over 75 years of caring for the Village's environment, and the Philipse Manor Improvement Association (PMIA), as well as citizens and public officials from neighboring communities such as Tarrytown, and the public in general, including the major civic organizations that have testified such as the Federated Conservationists of Westchester County, Historic Hudson Valley, the Riverkeeper, and Scenic Hudson. The Planning Board commends the Board of Trustees for the development of its substantive review memo on the DEIS (March 29, 2005), which addresses many of the same issues that the Planning Board has considered.

The Planning Board notes that GM has managed this site for many decades, and commends GM for the careful demolition of its former assembly plant buildings, and the care it gave to the recycling of the materials from the former facility. GM has developed a well-elaborated set of environmental corporate policies, set forth at GM's website (www.gm.com/company/gmability/sustainability/...and /environment/plan...and other sections of the company's website). The Board expects that GM has exercised prudence with respect to the site contamination clean-up, as its policies indicate, and that the site can be fully remediated in accordance with applicable federal and state law, and that GM can assure the Village that GM has established a reserve adequate to finance the rehabilitation of the site. The Planning Board also notes that GM's corporate social responsibility policies contain a careful delineation of its corporate policies for supporting biodiversity in connection with the restoration of its former GM assembly plant sites, as well as for its open and constructive engagement with the Village and the community in thinking through the optimal design of the development of the Sleepy Hollow. It appears to the Planning Board that GM's corporate social responsibility policies would support a stronger use of the Village LWRP policies than Roseland has presented in the DEIS, and in the FEIS these inconsistencies should be eliminated. We would urge Roseland to conform its revised proposals more closely to the corporate social responsibility policies of GM. 5004

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Assuming the FEIS addresses the comments here to the satisfaction of the Village Board of Trustees, and once the Village Trustees adopt their SEQRA Findings and grant the Special Permit for the development of the GM site, the Planning Board is prepared to review thoroughly the site plan, in a phased and detailed way, to move the development of the plan that the Board of Trustees will have approved, as quickly as possible.

This DEIS comment period is a major step on the path to the formulation of an optimal development plan for the site. The Planning Board's comments here are part of the review of alternatives under SEQRA, and the review of ways to mitigate adverse environmental impacts and enhance the environmental imprint of the development. The Planning Board expects that the development plan ultimately approved will guide the project; where it may differ from the comments discussed herein, the Planning Board understands that its responsibility, under the applicable New York State and Village laws, will be to take the project to the next steps, through the refinement and approval of a site plan, and the grant of associated wetlands and watercourse permits. These advisory comments then are not a final determination by the Planning Board with respect to any of the issues that may come before the Planning Board in its subsequent decision-making role, and are made here in a planning and advisory role for the benefit of the Village Board of Trustees, as the lead agency under SEQRA.

Above all, we agree with the Mayor, and the many other commentators in their review of the DEIS, that this is a "once in a century" opportunity. The Westchester edition of the New York Times (February 27, 205, p. 13, "Build Me A River") was in sync with Village thinking when it called for an imaginative and innovative development. This location of this unique site, environmentally and socially and culturally and economically, calls for a design that exceeds the thinking of usual development sites. Accordingly, attention needs to be given in the FEIS to reasoned alternatives for its development, so that the Board of Trustees has the basis in the FEIS to make the findings of fact and the ultimate choices about the development that are best for the Village and, as the local stewards of this site for the people of the State of New York, for the environment for present and future generations. The State Environmental Quality Review Act (SEQRA), in Article 8 of the Environmental Conservation Law, is explicit about the Village's duties here. Sleepy Hollow has adopted the SEQRA rules for use within the Village and takes SEQRA seriously. SEQRA requires the presentation of a full factual basis for all the proposed development aspects presented, as well as a presentation of reasonable alternatives for different development options. The Planning Board does not find the reasoned elaboration of such alternatives in the DEIS at present, and considers this a defect of the approval of the DEIS which can and must be corrected in the preparation of the FEIS. 5005

The SEQRA documents are ultimately the responsibility of the Village Board of Trustees. This is the Board's EIS and, although the applicants are preparing the DEIS and will prepare the FEIS, it is the Board that must adopt the FEIS. The public policy, normative choices, and legal compliance in adopting the FEIS, rests squarely under SEQRA with the Board of Trustees. In order to make such choices, the Board will need to consider thoroughly reasonable alternative development visions, such as the very 5006

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plausible and even conservative proposals made by Scenic Hudson, for the establishment of an additional outlet for the Pocantico River, near the bed through which it once flowed. The various alternative ways of restoring the Pocantico estuary, for enhancing biodiversity, for water-dependent recreation, as a buffer to Kingsland Point Park and certainly for flood control, should be identified, and studied and set forth in the FEIS. Scenic Hudson appeared before the Planning Board and presented a detailed analysis of its proposal. This is the sort of imaginative restoration biology that the development of the GM site permits, and even invites given its environmental setting on the Hudson River and the preservation over the years of the geological wonder that is Kingsland Point.

5006 (continued)

The Planning Board notes that Kingsland Point is not just "any" local park. Mayor Zegarelli is to be commended for the restoration of the Park under the stewardship of the Village. The FEIS needs to recognize the Point's critical geomorphology and its original role as a landscape feature that helped, along with the Pocantico River, to make early settlement by Native Americans possible in the neighborhoods of Sleepy Hollow, and then attract the early Dutch settlers, who with their enslaved work force built and operated the Upper Mills of Philipsburg Manor. Unlike the bulk of the former GM site, Kingsland Point is itself bedrock, projecting far from the mainland shore out into the Hudson. North of the Point are some of the original oyster beds, allocated by the NYS DEC, and oysters still breed in the Tappan Zee. Commercial and recreational fishing for shad is about to begin, as the shad runs abound in April and May. Other recreational fishing continues in the Tappan Zee. This area is rich in aquatic resources, and the development of the GM site needs to identify more fully and respect the biodiversity of the Hudson River and Tappan Zee, Kingsland Point, the Pocantico River and how the GM site-redevelopment can enhance biodiversity, as through the restoration of an estuary. In March, eagles returned to Kingsland Point, as the NY Times reported.

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For furthering cultural and historic presentation values, akin to those of the biodiversity values, the Planning Board also finds the proposals of Historic Hudson Valley, to expand its interpretive site and to restore and safeguard a small further portion of the original agricultural land uses of the area, to be an important and reasonable alternative for the development and use of a part of the site. Historic Hudson Valley (HHV) has proposed expanding its Philipsburg Manor Upper Mills site (presented by Waddell W. Stillman at the public hearing on February 22, 2005). The Village should enthusiastically embrace this expansion offer and endeavor to accommodate the full proposal on the east parcel. Philipsburg Manor constituted the first major settlement by Europeans and enslaved Africans of the lands encompassing Sleepy Hollow today. Its Upper Mills were originally a thriving milling, trading and farming complex, operated principally by enslaved Africans. Beyond the Philipses' 750-acre farm and mill were hundreds of farms that were leased to tenants of culturally diverse European heritage. HHV's proposal for a portion of the GM land is to portray a tenant farmstead circa 1750, using HHV's customary living history methods with costumed museum guides that demonstrate how the European settlers developed this part of the Hudson River Valley. Such farms typically consisted of fresh and salt meadow, plow and pasture lands, woodland, orchard and vegetable gardens and usually included a farmhouse, barn and

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stable, hay barrack and sheepcote. Given the substantial archaeological and documented evidence of hundreds of tenant farms that existed on the Philipses' 52,000 acre land grant, strong consideration should be given to Historic Hudson Valley's proposal for a portion of the GM land to portray a tenant farmstead. 5008 (continued)

The Historic Hudson Valley proposal needs to be identified as an alternative development option in the FEIS. The Planning Board notes that the applicant has indicated that it will deed much of the part of the GM site east of the railroad tracks to the Village, or use such as that HHV proposal indicates, to be complete the FEIS must indicate the potential uses that area will have. While the details can be left for a subsequent project, which would go through its own SEQRA compliance, the HHV proposal should be identified as an alternative, and adequate factual description provided, so that it can be considered as a part of any allocation of uses in the GM site. More broadly, the FEIS should describe adequately all of the historic features contained within the site. They are not at present (the omission of the now unique engineering features of the Kingsland Point Park Footbridge, an amenity not only available for reuse since the MetroNorth engineers find it to be structurally sound, but also as being eligible for listing on the National Register of Historic Places; see the nomination report provided by the Planning Board at the February 19th public hearing on the DEIS, a copy of which is incorporated herein by reference). The FEIS also should include data regarding all the uses on the east parcel of the site, over different periods, and where the use of that site as a parking lot may have permitted archeological features of those land uses to remain. The Village's history is important not only for the Dutch colonial era; Beekmantown and North Tarrytown also have a rich and varied record of development throughout the 19th century, much of it on this site before the coming of the automobile assembly plant. The FEIS needs to recall and comment the Village in that century, including the existence of the former 19th century estates as well as small industrial uses that once were the featured land uses on the east parcel, upland of where the railroad tracks now are located. 5009

The Planning Board is concerned that not all of the statements contained in the DEIS are supported by data, either in the text of the DEIS or in the appendices, and thus often present unsubstantiated opinions on the part of the applicants. Under the NY State Environmental Quality Review Act (SEQRA), the DEIS must provided a factual foundation for the proposed development plans, as well as reasonable alternatives to the plans. Since under SEQRA the DEIS is the Statement of the Village Board of Trustees, and not of the applicants, it will be necessary to ensure that the FEIS is complete and conforms to the requirements of SEQRA in all respects. The Planning Board notes that the DEIS should have reflected the environmental data on the Pocantico River reflected in the Planning Board's FEIS prepared for the dredging of the Pocantico River by HHV, especially in the region between the dam and the Hudson River. The data on the installation of cellular services set froth in the in the Planning Board's Generic Environmental Impact Statement, and cellular findings, with respect to the provision of cellular services (DEIS at vol. III.G-15) needs to be applied to indicate where and how the GEIS coverage will be provided within the Lighthouse Landing site. The Village Board of Trustees' Special Permit, and the Planning Board's Site Plan approvals, for the Ichabod's Landing development, need to be more harmoniously reflected, so that the 5010 5011 5012

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compatibility of the Lighthouse Landing site can be clearly ascertained with respect to the density of residential development on the site (Ichabod's Landing is much less dense than the proposed project in the DEIS), to the esplanade, the waterfront along the federal navigation channel, and the maintenance of the bulkhead along the Hudson, as well as the scale of the adjacent buildings in relation to the town houses in Ichabod's Landing. The applicants need to study and set forth their own project in light of the existing SEQRA analyses that the Village had already undertaken in the immediate vicinity of the GM site. This should include the traffic studies for NY Route 9 that are set forth in the environmental assessments for the Kendall on Hudson and the Phelps Memorial Hospital expansion, since incremental additional vehicle use of Route 9 at Route 117 may exacerbate an already unsafe conditions for motorists. The DEIS does not reflect the Village's assessment of environmental conditions in these other SEQRA reviews, nor the findings based upon them. The FEIS needs to do so.

5012 (continued)

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Specific Comments:

Roseland has done a commendable amount of work in preparing the DEIS, and the study of the GM site. The level of attention given by Street-Works Development and Consulting, is a valuable contribution to the analysis of the site. Further, and analysis comparable to that of Streetworks, needs to be set forth with respect to the structural engineering aspects of this challenging and unique former industrial site, and the architectural aspects of the interior residential units. With the reconfiguration of the overall project that adherence to these and other comments will necessitate, the missing details and data can be set forth in the FEIS sufficient to permit the Village Board of Trustees to make the findings it will need to make in order to determine whether and on what conditions to grant the Special Permit for the development of the site.

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The Planning Board is pleased to set forth its specific comments under the following headings:

1. Transportation Issues

The site will need new vehicular access and new mass transit systems. For public safety, a second crossing of the railroad tracks should be studied, in addition to Beekman Avenue. We recommend a reasonable alternative would be to continue Continental Street toward the western part of the GM site, and build a multi-purpose bridge, which can serve, in separate lanes, pedestrians, bicyclists, and motorists. Since the Beekman Avenue overpass above the railroad tracks may need to be rebuilt, the two crossings should be given the same architectural design. An architecturally distinguished design should be employed for each bridge.

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Since the MetroNorth may not approve or pay for a new full-service railway station, other reasonable options for using the existing track system should be explored, such as installing an electric shuttle train or trolly that could run on the existing railroad

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tracks (GM has several side tracks which might be used), and between the existing Philipse Manor Station, a new stop for Kingsland Point Park, a new stop for the new Lighthouse Landing development, and the existing Tarrytown Station. The fixed rail shuttle should consider having the option of being eventually linked to other new fix rail trolleys or other fixed rail shuttles that might run up the hill to Route 9, and some day link to fixed rail crossing the Tappan Zee Bridge. In addition, routing for the Westchester County bus system and the 13 Bus Route to reach the Lighthouse Landing area should be explained. 5016 (continued)

In addition to access to the site from River Road and from Beekman Avenue, all other feasible options for site access should be compared, including access from Continental Street and from other possible access points (e.g. from Andrews Lane, Barnhart Avenue, Devries Avenue) should be evaluated with their pros and cons set forth. The impacts of the alternatives on the suggested uses of the east parcel for HHV or for athletic fields should be set forth. The intersection of Pocantico Street and North Broadway serves among other things as the entry point to Philipsburg Manor, which HHV maintains as one of the single largest cultural attractions in Westchester County. Its visitor center attracts approximately 120,000 visitors a year, who come to see the Upper Mills, Kykuit, the Rockefeller estate, and the Union Church of Pocantico Hills nearby. That intersection, which also gives access to Continental Street, needs to be carefully studied, to ensure that traffic is not hindered or choked off. 5017

Within the site on the west parcel, loading bays and access for commercial vehicles to service the commercial areas, stores, restaurants and hotels will need to be shown. The truck access to the site will limit the amount of parking that the DEIS now shows. As discussed below, there should be provision for 2 cars per residential unit, and not 1.5 as in the DEIS, as is now required for such developments in the rest of the Village. 5018

If a parking garage, designed to resemble an historic Hudson town warehouse or past manufacturing building, were built near the existing viaduct, it could be designed to fit into the scale of the hillside, and could provide ample parking for persons visiting the site adjacent to the fixed rail shuttle, to move individuals to the parklands at the far end of the eastern parcel, Kingsland Point Park and Devries Park, and the existing MetroNorth railway stations. 5019

Since the viaduct to the east parcel from Beekman Avenue may need to be rebuilt if used for access, and there may need to be a new bridge across the railroad tracks, as well as possibly rebuilding the Beekman Avenue railroad bridge, some consideration should be given in the FEIS to alternative financing for these projects. If a parking garage was built, the Village could operate the garage through the Village Parking Authority and collect fees sufficient to help to retire any bonds needed to finance these vehicular access projects.

The FEIS will need to consider a range of alternatives to reduce the number of motor vehicles used in Lighthouse Landing, as per the comments below, as well as was to 5020

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mitigate the off-site impacts. A second access point can divert traffic from the site, such as GM previously employed along Continental Street and Pocantico Street out to Route 9, for traffic flowing north. Improvements in Route 9 for safety and for enhancing the smooth flow of traffic north (and north to east along NY Route 117) and south, as well as east along NY Route 448. The FEIS should identify a range of improvements that could be considered in Tarrytown to facilitate traffic seeking access to NY Route 119 and the Interstate I-287 and I-87. Although not yet determined, the proposed alternative locations of the reconstructed Tappan Zee Bridge, and its possible fixed rail mass transit, should be noted in the FEIS; future SEQRA reviews for the Tappan Zee Bridge reconstruction will need to consider the cumulative impacts of increased traffic flows as environmental impacts. The cumulative impacts of the traffic from the Lighthouse Landing, in conjunction with the other residential and commercial projects in the area, needs to be evaluated. Ways to mitigate these cumulative impacts, such as by providing for extensions and links of the fixed rail systems proposed new Tappan Zee Bridge, and with any fixed rail or trolley systems in Tarrytown and Sleepy Hollow, and with a possible shuttle rail system between Philipse Manor and Tarrytown, with stops within the GM site.

5020 (continued)

2. Kingsland Point Park

The parking from Kingsland Point Park should not be in the Park, nor adjacent to it. The original site for the parking was across the railroad tracks from the park, and should be reinstalled there. This would leave the park for pedestrians only. The historic pedestrian bridge linking Kingsland Point Park and Devries Park should be restored and put into use. The Kingsland Point Park Footbridge and the bathhouse, were built together and are eligible for listing on the National Register of Historic Places. Provision should be made for their restoration, in connection with the increase in the numbers of users for Kingsland Point Park that will result from the development of Lighthouse Landing. The project proposal should explain alternatives for how to eliminate cars from Kingsland Point Park and the areas adjacent to the park, and restore the park to his original and intended design as purely for pedestrian use. The DEIS suggestion that a road could be built through the park, for access to the GM site, should be discarded as an unacceptable adverse environmental impact, and a violation of Section 4(f) of the federal Transportation Act. It would be incompatible with park uses for the applicant to propose that a shuttle bus for commuters should run through the park. While Westchester County did build some road access was built into the Park, here is presently no road through the Park to the GM site. Not only should there be no such road, but the existing vehicular access should be eliminated (except for disability access, maintenance and emergency vehicles from across the existing Palmer Avenue bridge). Dedicated park lands are not to be used for non-park purposes under New York law.

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There must be a buffer zone between the townhouses of the Lighthouse Landing development and the park. A buffer of varying widths should be considered, but with a 70-100 yard average width. The units that are now proposed to front on the park need to be eliminated, to avoid the evident adverse impact on the parklands. The proposal for

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establishing a second estuary entrance for the Pocantico River, along the southeast side of what was once the peninsula of Kingsland Point, should be carefully considered as a possible key component of the buffer proposal. The bedrock of the Kingsland Point is stable and a small estuary and wetlands could be restored. The FEIS should engage appropriate biologists, such as Boyce Thompson Labs at Cornell University (formerly in Yonkers), which had restored the wetlands at Camp Smith on the Hudson River, to scope out the possibility of restoring an estuary mouth for the Pocantico River. Wetlands historically appeared on maps of the area adjacent to Kingsland Point, and thus could be restored there in the future.

The FEIS should show a biological restoration of the area. This would establish a buffer between the park and the development, and would also allow for establishing water dependent uses, which could be accessed from the parkland itself. The FEIS should show an appropriate shorefront walkway on the southeast side, and appropriate water dependent uses (e.g. canoe and kayak launch sites, nature walks into wetlands, etc.) on the southwest side of a new Pocantico estuary. This new Pocantico River access also ties into using the new waterway as an outlet for floodwaters from the Pocantico watershed. The comparison of a river access as opposed to a culvert or covered storm pipe might usefully be set forth, in order to assess the advantages and disadvantages of each. If the river estuary were established, a further pedestrian bridge would be needed to cross the new Pocantico estuary for access to the park from the west parcel of Lighthouse Landing.

The Planning Board has had a presentation by the planner for Scenic Hudson and finds its proposals to be reasoned and based on careful hydrological and other studies. Analysis of the Han Padron report on flooding, and the data that it compiles, submitted by Scenic Hudson, will be essential to an understanding of the flooding conditions in the Pocantico watershed and lower Pocantico, and a precautionary approach based on that data needs to be built into the redesign of the proposal in order to comply with SEQRA. The Planning Board views the Scenic Hudson proposal for the Pocantico River to be a plausible alternative that requires full analysis in the FEIS, in order for the Village Board of Trustees to weigh the viable alternatives as to flood control, a buffer next to the Kingsland Point Park, and other related aspects of the development adjacent to the Park and relevant to the confluence of the waters of the Hudson and the Pocantico. Historic Hudson Valley's proposal to recreate a tenant farmstead on the east parcel with mostly open land and few buildings would appear to be an appropriate use of the parts of the east parcel, given the propensity of the east parcel to flood. The design of athletic fields on the east parcel should be done so as to ensure that any flooding of these areas would not endangered children or other members of the public who would have access to those facilities.

The DEIS at present is lacking in data on the estuarine nature of the Hudson, its relationship to the Pocantico River, and the viable alternative choices for handling these flooding, public safety, biodiversity enhancement, water dependent recreational uses, and aesthetics.

The Planning Board notes that the Roseland proposals presently impact adversely on Kingsland Point Park in ways that are inconsistent with GM's obligations in the land use, biodiversity and cleanup requirements (EN25, and EN32) of its Property Redevelopment policies (GM website accessed 2/17/05). GM is a codeveloper of the Lighthouse Landing, and the Planning Board would expect that Roseland would ensure that its submissions are consistent with, and reflect, the corporate social responsibility policies of GM in this respect. 5022 (continued)

3. Flood Control

GM over the years filled in the bay from which the Pocantico once flowed into the Hudson. The railroad had cut off the eastern parcel before much of that filling took place. GM secured the site for a beneficial industrial use, which it abandoned. GM has the burden of justifying, in 2005, what public benefits can be served by reusing the filled bay for a new use, such as the proposed Lighthouse Landing. Just as GM must clean up the former industrial site under applicable federal and state contaminated land and water laws (RCRA, CERCLA, NYS ELC, etc,), so GM must should show how new commercial and residential and transportation uses at the site can protect the Hudson from storm water discharges. At the same time, the GM site needs to be protected from the flooding, such as Tropical Storm Floyd. The Planning Board has required that all development in the Village take into account the likelihood that Tropical Storm Floyd levels of flooding will be a recurring event, and condition development on having designs to cope with such floodwaters. The DEIS ignores the issue of flooding, and does not reflect how the storm drains will prevent pollution of the Hudson. 5023

Since GM and Roseland will need to either put in a storm over-flow culvert or pipe to accommodate flood waters and move them off the east side and under the railroad tracks and off the west side of the project, or open a new mouth for the Pocantico with design capacity to move the same flood waters out to the Hudson, the factors such as engineering, environmental trade-offs, costs, and other relevant issues, will need to be set forth in the FEIS, so that the Village Board can make a reasoned and substantiated set of findings on how the flood waters can be accommodated. This could include measures take in the Rockefeller State Park Preserve, to hold back floodwaters and release them more slowly. The design criteria for the flood bypass at the Upper Mills of Phillipsburg Manor should be considered, along with the FEIS by the City of New York Department of Environmental Protection for the DEP's Croton Aqueduct projects within the Pocantico River watershed.

4. Sewage and Water Infrastructure

Lighthouse Landing will need to reconfigure the location or design buildings 3, 8 and 9, now located on top of the trunk sewer line, so that they are not built on top of the sewer line, or else relocate the trunk sewer line, or else show how access to the sewer line can be maintained at all times under any of its buildings or roads. These alternatives need 5024

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to be set forth with the engineering, environmental trade-offs, costs, and other relevant issues, in the FEIS. 5024 (continued)

The DEIS does not discuss the provision of water for the site in sufficient detail to permit an understanding of the challenges that providing water for drinking, sanitation and fire prevention may present. The FEIS should do so.

5. View sheds in the project, across the project, and of the project from beyond it 5025

The DEIS does not maximize the views of the Hudson in accordance with the LWRP. The FEIS should show all internal roads as wide and pedestrian friendly roads, flaring out as they reach their ends toward the Hudson, so as to maximize views, The buildings at the flared ends should be recessed.

Computer simulations of the views from the roads out to the River, and from the west parcel across the tracks to the east parcel, and from the heights of Barnhart Park and Beekman Avenue down across the site, and from the high rooftops within the site, all need to be provided. Computer simulations of the view of Lighthouse Landing from vantage point of craft in the River and from the Tappan Zee Bridge need to be provided. The views of the project from Kingsland Point park across a buffer (both with and without a possible Pocantico River estuary) need to be provided. In addition, besides more careful study of the immediate view sheds from the Old Dutch Church and Philipsburg Manor, studies of the view sheds from other nearby sites, such as Kykuit, a National Trust Historic Site, must be examined more closely. The location of Kykuit was carefully selected by John D. Rockefeller and his son, John D. Rockefeller, Jr., who chose the site in part because of its spectacular views and later led the effort to preserve the Palisades beyond. Now that Kykuit is a historic site open to the public, it is especially important that its view shed be protected for the public to enjoy.

Only with such reasonable viewshed analyses can the Board of Trustees properly weight the alternatives and make the viewshed findings needed under the LWRP and for the mitigation of adverse effects under SEQRA. The Village Board required such computer simulations for the FEIS for the Kendall on Hudson project, and should do so here also.

No parking should be allowed along the esplanade, so that the views to/from the Hudson are not compromised by parked cars, and so that the pedestrian is the primary user of the space. The cars can be parked on the west parcel, or in the spaces for the commercial areas.

6. Water Dependent Uses

The DEIS does not provide for water dependent uses. The walking path and new parkland esplanade along the Hudson is a commendable feature permitting open space for 5026

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the appreciation of the views from the site of the Hudson and Tappan Zee, but does not facilitate use of the Hudson River. The design of a new mouth of the Pocantico River and the design of water dependent uses to such an estuarine river area at an expanded Kingsland Point Park would provide some such uses. 5026 (continued)

The availability of the Hudson's federal navigation channel at the end of Beekman Avenue would permit the design and provision of a significant pier. This could be designed like the historic pier in Yonkers, and accommodate ferries, and other vessels. It could have a pedestrian viewing area, and even provide an area for recreational fishing. The availability of a pier or wharf should take into account the mooring at Ichabod's Landing that has been provided for the Clearwater or other ships, to dock and have access to the esplanade walkway. The applicant's own project title, "Lighthouse Landing" suggests that a landing will be provided, but none is shown. As a key water dependent use, providing water landing access for ferries and larger vessels, using the navigation channel, as well as small craft, access by water to the site needs to be set forth. The Planning Board had not had presented to it any of the preliminary studies by the Village's open space planners, and to the extent such thinking is relied upon by the applicants, this reliance may well be premature. The views of the Village's consultants needs to reflect the views of the Planning Board and the Waterfront Advisory Committee, and ultimately the Village Board of Trustees, before the applicant can rely on such views to the exclusion of examining reasonable alternatives.

The relationship of the site to the possible moorings and expanded small craft access at Horan's Landing needs to be discussed. The options of providing such moorings for visiting smaller craft (there is no navigation channel at this location to accommodate larger craft) at the small bay off the tip of Kingsland Point Park on the north-west edge of the GM site (where the paint shop was), needs to be considered, both with and without locating a new estuary from the Pocantico River. The availability of marinas in Tarrytown and elsewhere, or along a part of the shore where the new estuary for the Pocantico River might be established, should be considered.

The riprap frontage along the Hudson needs to be evaluated in terms of its engineering and capacity to withstand storm surges and winter ice. A maintenance plan for the riprap should be provided, and these measures should be coordinated with the riprap and bulkhead protection that the Village already has required at Ichabod's Landing. Since the applicant intends to transfer title to the riverfront to the Village, the FEIS needs to consider how to finance the maintenance of the riverfront. What are the estimated costs? Will the annual real property taxes for the Village be sufficient to cover these costs? Should the FEIS offer alternatives, such as the establishment of a special taxing district comprised of the Lighthouse Landing and Ichabod's Landing, to assess the properties a tax to pay for the maintenance and repairs of the riprap, bulkhead and esplanade park and walkways along the Hudson River shore. There may well be significant future costs involved in the maintenance of this artificial shorefront, which can be the fiscal responsibility of the properties west of the railroad tracks that enjoy the immediate access to the River. 5027

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7. Commercial Space

Some market studies to ensure that the commercial space as proposed wil attract tenants needs to be provided. The parking for the commercial space needs to be re/ised to reflect the provision of loading bays for trucks to service the space. The relatio :ship of ground-floor shops to any residential space above the shops needs to be spelled c.ut. The use of rooftops for amenities, such as restaurants overlooking the site and the Hudson, should be considered. The boutique hotel or small inn should not have excess park ing and not be an events hotel. The proposed convention center use should be eliminated, .n order to minimize the traffic impacts. Scenic Hudson has proposed that the ideal locati :n for a hotel would be close to a new railroad station to maximize access and reduce the :hrough site traffic that would be associated with such a facility, and this alternativ: might usefully be discussed. 5028

Other aspects of commercial travel with respect to "vehicle miles trave led" by customers should be assessed, for instance commercial space vs. hotels vs. groce y stores all generate different traffic volumes, but the DEIS homogenizes them all as one commercial use. For movement within the site, it might be desirable to consider having a trolley or other fixed rail shuttle between the train tracks, through the shopping street, to the hotel, so that shoppers, as well as guests and their luggage could come and go without the need for taxis or cars. 5029

8. Residential Space

The buildings next to Icabod's Landing should reflect the Village E oard of Trustees' decisions to have town houses along the Hudson, not large apartmen blocks. The frontage along the Hudson should be townhouses of 2-4 stories, to provi le some variety in design, and not make a monolithic wall along the River. The residenti l spaces on the interiors should be more varied in design, to reflect the inner village, a id some single family residential units such as found along Beekman Avenue or as fou id along Andrews Lane, should be included, along with the larger buildings such as f und on Cortland Street. Alternatives should be provided to the choice in the DEIS of large apartment blocks for the interior space. The space should also mix "affordab e" units throughout the site, so as not to make a single area for only "affordable" uni s. Some indicated from the real estate brokers in the region should be given as to what th market for a condominium, an apartment, or a town house. 5030

Parking should meet the requirement of 2 parking spaces per residential unit. The number of such units should be reduced by 25% from what is proposed in the DEIS, in order to meet this required provision of parking spaces. Density of residential units should be on the same scale as the Ichabod's Landing development, or even le s dense. The Planning Board considers that the building density on the site contains t o much bulk, and is not in keeping with the patterns of use in the rest of the Village of Sleepy Hollow, or other nearby river towns. A mix of building designs should be provi ed, as a reasonable alternative to the apartment blocks indicated in the DEIS. The patte n of the 5031

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inner Village in Sleepy Hollow, and in other river towns, is small lanes, which reflect historical evaluation, and not the formal planned grid of a large city such as in Manhattan. If the intent in the residential sector is to simulate the design of an historic Hudson community, the streetscapes, building heights and designs, should be reconsidered. Alternatives to the proposed design should be provided in the FEIS. 5031 (continued)

9. Energy

The site should exceed the NYS energy efficiency codes, and be LEAD certified once it is completed, as is required for Icabod's Landing. The project should include a "green roofs" provision, as being developed in New York City, Chicago and elsewhere. The site should be an exemplar of energy savings, to minimize the environmental impact of the site's operation and to benefit the persons who will live and use the Lighthouse Landing site. Since the state of the art in energy efficiency is advancing, Lighthouse Landing should be expected to exceed that which is required and attained at Ichabod's Landing. 5032

Since the GM site is within a non-attainment area for purposes of the federal Clean Air Act, and the site as a whole is an indirect source of air emissions from the many motor vehicles congregating there, under SEQRA the FEIS should show how the development will minimize or reduce atmospheric emissions that cause non-attainment of the national ambient air quality standard for public health. This is another reason for studying use of a trolly or other fixed rail system, as well as cutting back on the density of the site. 5033

10. Historic sites and archaeology

The DEIS needs to go beyond the phase one literature review of the historic values of the site. The DEIS discounts and disregards the eligibility of the pedestrian bridge now linking Devries Park and Kingsland Point Park; the Historical Society's report on the eligibility of the Kingsland Point Park Footbridge was made a part of the record at the public hearing on 19, 2005, and needs to be reflected in the FEIS. 5034

The original path of the Pocantico needs to be delineated, and the probable site of any historic wharves and other land uses from the Dutch colonial period should be indicated. Where maps and written records are inadequate to document this, the phase two archeological analysis should be undertaken. Areas where archeological assets are likely to be found should be identified and no buildings allowed to be constructed on those sites that would compact or harm the archeological assets. Given the waterfront activity around Philipsburg Manor in the 18th and 19th centuries, special attention should be paid to the shoreline of the original harbor. This should be delineated on maps in the FEIS, so that measures can be taken to secure any archaeological sites therein and safeguard them from having buildings, new roads, or other heavy construction activity on top of them that might impacts and destroy the archeological heritage buried within.

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Safeguards such as those employed in the City of New York by the NYC Landmarks Commission should be provided in the FEIS for such archaeological sites. 5034 (continued)

11. Brownfields

The FEIS should indicate the nature of the contamination on the site, the extent of the methane gas, and any other contaminants, and the remediation required by the State of New York Department of Environmental Conservation. A part of the public hearings on the FEIS should explain the hazardous waste site contamination remediation so that the public can be assured that the project development will protect the public health and welfare. The Board of Trustees should require public hearings on the contaminated site restoration, as a special part of considering the draft FEIS, in order to assure the public and future residents of the Lighthouse Landing, that the restoration has been complete and effective. 5035

Beneficial use of the cement millings, such as for the foundations for new roadbeds such as the proposed Beekman Place, should be explored, and if the cement millings can be encapsulated in such as use, this may be a possible recycling of the millings. The environmental aspects of using the millings on site as opposed to moving them off-site, should be considered. 5036

General Motors has the responsibility under federal and state law (CERCLA, etc.), to ensure the remediation of the site for its intended Lighthouse Landing development, and while the NYS Department of Environmental Conservation may have the lead on the site remediation, it is the responsibility of the Village of Sleepy Hollow Board of Trustees under SEQRA to satisfy itself that the remediation in a brownfields program is adequate to permit the redevelopment of the site for a project such as the Lighthouse Landing proposal. Logically, until the dimensions of the brownfields remediation is known, the Trustees cannot determine if it is sufficient to protect the public health during and after construction of a major project such as Lighthouse Landing, with its projected seven-year construction phase. 5037

12. Public Amenities

The provision of parks lands, and lands through which a Pocantico River estuary might be reestablished, is a most important measure to mitigate adverse environmental impacts associated with the development of the GM site. The applicants are to be commended for the provision of new open space and parklands. The RF District does not require a recreation fee, unlike other developments in the Village, and thus the dedication of new parkland can be viewed as a sort of equivalent to the recreation fee. In addition, the applicants should also be commended for their endorsement of the expansion of Philipsburg Manor Upper Mills, as HHV as proposed. 5038

The FEIS should consider some provision of a civic center, perhaps on the east parcel, in addition to the village Department of Public Works yard. The availability of

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another small auditorium and exhibit space, to supplement what is now available through the public school district's buildings or HHV's Upper Mills auditorium, is needed, as the Arts Council and others have recommended. The growth in the Village population will make demand for such a new cultural space increase, and this demand needs to be anticipated in the FEIS. 5038 (continued)

13. Emergency Services

In addition to the police and fire facilities proposed in the DEIS, there will need to be an ambulance building on the west parcel in order to ensure emergency health services. Fire protection and ambulance services can be co-located. The FEIS should indicate that preparation of an emergency preparedness plan for evacuation of the east side would need to be a condition for the occupancy of the Lighthouse Landing There will need to be a second bridge across the railroad tracks to accommodate the normal traffic and pedestrian flows, as well as for emergency services. Assessment of the need for police and public safety personnel for the water dependent uses, such as the docks or marinas, as well as the commercial and residential uses, needs to be elaborated. 5039

The Planning Board commends the applicant for its willingness to consider substantially different alternatives to the proposal set forth in the DEIS, and to submit new proposals in the draft FEIS.

The Planning Board has given the DEIS careful attention and submits these comments following deliberations at its regular monthly meetings on February 17th and March 17th, and work sessions on Saturday, February 12, 2005, and Thursday, February 17th. The Planning Board will continue to assess it during the preparation of the FEIS in order to be of assistance to the Village Board of Trustees as lead agency under SEQRA.

Respectfully submitted,

Village of Sleepy Hollow Planning Board

Nicholas Cicchetti
Gary Malunis
Ed McCarthy
Ed Napoleon
David Perlmutter
Nicholas Robinson, Chairman
George Tanner

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COMMENT LETTER NO. 51

Village of Sleepy Hollow
Waterfront Advisory Committee
28 Beekman Avenue
Sleepy Hollow, New York, 10591

PRELIMINARY CONSISTENCY FINDINGS
Lighthouse Landing

At its meeting on March 2, 2005, which was continued on March 15, 2005, the Waterfront Advisory Committee of the Village of Sleepy Hollow (the "Committee") considered the Draft Environmental Impact Statement ("DEIS") for the proposed construction of the project designated as "Lighthouse Landing" (the "Project") at the former General Motors site in the Village of Sleepy Hollow (the "Village"). Mr. Jonathan Stein, representing the applicant, Roseland/Sleepy Hollow, LLC ("Applicant"), responded to questions from the Committee with respect to the Project.

The Project

The Project site consists of three parcels. The largest of the three would be developed to include approximately 1,562 residential units, approximately 180,000 square feet of retail space, approximately 50,200 square feet of office space, an inn with approximately 147 rooms, possibly a train station, and related parking. A portion of the second parcel would be donated to the Village for uses that would include parks expansion and a new Village Department of Public Works facility. The third parcel would contain a cinema/retail building. Approximately 30% of the 94.5-acre site would become publicly accessible open space, including waterfront parks and paths.

Consistency Findings

The Committee found the Project as currently envisioned by the DEIS to be consistent with some of the goals and policies of the Sleepy Hollow Local Waterfront Revitalization Plan ("LWRP") and inconsistent with others. The Committee determined that it would be advisable, in order to provide appropriate guidance to the Applicant, to the Lead Agency for the Project and to other Village agencies, boards and committees having oversight responsibility with respect to the Project, to consider whether the Project as presently contemplated by the DEIS was, on the whole, consistent or inconsistent with the LWRP. The Committee concluded that its concerns over elements of the Project that were found to be inconsistent with certain LWRP policies outweighed its findings of consistency with respect to other policies. The Committee advised that modifications to the Project would have to be made before the Committee could find it consistent with the LWRP. The principal policies forming the basis for the Committee's findings are described below, in numerical sequence as such policies appear in the LWRP. Findings explained below were unanimous, unless otherwise indicated below. 5101

POLICY 1 – RESTORE, REVITALIZE AND REDEVELOP DETERIORATED AND UNDERUTILIZED WATERFRONT AREAS FOR COMMERCIAL, INDUSTRIAL, 5102

COMMENT LETTER NO. 51 (continued)

5102 (continued)

CULTURAL, RECREATIONAL, AND OTHER COMPATIBLE USES.

POLICY 1A – RESTORE, REVITALIZE AND EXPAND RECREATIONAL USES OF KINGSLAND POINT PARK AND THE TARRYTOWN LIGHTHOUSE, INCLUDING THE UNDEVELOPED PARK LAND ADJACENT TO THE POCANTICO RIVER BETWEEN PHILIPSBURG MANOR AND THE RAILROAD.

POLICY 1F – DEVELOP A WATERFRONT PEDESTRIAN ACCESS TRAIL ALONG THE WATERFRONT PERIPHERY OF THE GENERAL MOTORS PROPERTY THAT CAN SERVE TO LINK WITH OTHER TRAILS WITHIN THE VILLAGE AND OF ADJOINING MUNICIPALITIES AND GOVERNMENTS.

POLICY 1G – RESTORE, REVITALIZE, AND REDEVELOP THE VILLAGE'S CENTRAL BUSINESS DISTRICT WITH EMPHASIS ON STABILIZING AND STRENGTHENING EXISTING BUSINESSES, FURTHERING A WATERFRONT IMAGE FOR THE VILLAGE, AND PRESERVING ITS HISTORIC COMMUNITY CHARACTER.

POLICY 1H – ANY REDEVELOPMENT OF THE GENERAL MOTORS PROPERTY, AND THE WATERFRONT AREA IMMEDIATELY SOUTH OF THE GENERAL MOTORS PROPERTY ALONG THE WATERFRONT AND ADJACENT TO RIVER STREET, SHOULD BE A COMPREHENSIVELY PLANNED DEVELOPMENT THAT INCLUDES A MIX OF LAND USES AND ACHIEVES A HIGH STANDARD OF SITE PLANNING, ARCHITECTURAL DESIGN AND IS IN KEEPING WITH THE EXISTING CHARACTER OF THE VILLAGE.

THE MIX OF LAND USES SHOULD INCLUDE, AS A PRIORITY, WATER DEPENDENT COMMERCIAL, WATER DEPENDENT AND WATER RELATED RECREATIONAL USES, AND WATERFRONT RELATED PUBLIC EDUCATION AND ENTERTAINMENT. THE MIX OF USES MAY ALSO INCORPORATE RESIDENTIAL AND COMMERCIAL (WITH PREFERENCE FOR SMALL-SCALE COMMERCIAL RETAIL USES WHICH ARE IN KEEPING WITH A WATERFRONT IMAGE).

The explanation of policies applicable to the **Policy 1** group of policies emphasizes that "The intent, especially for areas along the Hudson River and Pocantico River, is to enhance and make the best use of the valuable visual and water resources, and to increase physical and visual access, increase recreational use and attract people to the waterfront and Beekman Avenue businesses. Waterfront walkways, green areas, connecting trails, and multiple use parks (with orientation or primary uses to the water), are all strongly encouraged."

The site for the proposed development consists of a former industrial site that, for many years, has been paved over. The Project would create a significant residential and commercial use for this underutilized and deteriorated site. Significant waterfront park space and trails would link the site to Kingsland Point Park to the north and the Ichabod's Landing waterfront path to the

COMMENT LETTER NO. 51 (continued)

south and the siting of the Beekman Place main commercial street would provide visual and physical access to the Village's historic Lighthouse. For these and other such reasons, the Committee found the Project to be consistent with **Policies 1, 1A, 1F** and, since the Project presents an opportunity for an expanded customer base for Beekman Avenue businesses, **1G**. With respect to **Policy 1G**, it was proposed that the Applicant consider a shuttle or similar public transportation system to facilitate access between new commercial operations at the Project site and established business enterprises on Beekman Avenue.

5102 (continued)

The Committee was, however, unable to find the Project consistent with **Policy 1H**, one of the LWRP policies specifically addressing the General Motors property. While recognizing that the park areas included in the Project plan and the inclusion of a waterfront hotel facility would qualify as water related uses, the Committee was troubled by the failure of the Project to make water dependent commercial uses a priority as required by the policy. And although **Policy 1H** permits the incorporation of uses that are "residential and commercial", these are permissive uses, not the priority uses contemplated by the **LWRP**. Essentially, the "mix" of uses for the Project as described in the DEIS consists of a large-scale housing plan of substantial density and physical scale, with a significant overlay of retail and office space. The single water dependent use presently contemplated by the DEIS is a fishing pier of still-undetermined size at a still-undetermined location at the site. The Committee appreciated that the potential river access improvements to be afforded by the addition of riverside parkland would be a valuable water related use, but could not find that the principal land uses contained in the proposal would "maximize possible ties to the water", give priority to "uses which are dependent on a location adjacent to the water", concentrate "on a mix of land uses that would include as a priority, water dependent commercial, water dependent and water related public recreation, and waterfront related public education and entertainment activities that serve residents of Sleepy Hollow as well as the region, and also develop the Village's tourism potential" [Explanation of Policies]. The Committee also did not find that the scale and density of the proposed development would be "compatible with the character of the area" or would "foster and maintain the small scale historic character of the Village" [*id*], although the Committee was cognizant that the proposal did appear to comply with zoning requirements for the area.

POLICY 2 – FACILITATE THE SITING OF WATER-DEPENDENT USES AND FACILITIES ON OR ADJACENT TO COASTAL WATERS.

5103

POLICY 2A – DOCKS, BOAT RAMPS, MOORING FACILITIES, AND OTHER SIMILAR STRUCTURES OR FACILITIES WILL BE DESIGNED AND SITED TO PROTECT NAVIGATION, ASSURE ACCESS BETWEEN WATER AND SHORE, AND MINIMIZE VISUAL AND ENVIRONMENTAL IMPACTS.

The Committee found the Project to be inconsistent with **Policies 2** and **2A**, due to the failure of the Project to include, to any material extent, significant water-dependent uses adjacent to the Hudson River and the lack of any designs for docks, boat ramps, mooring facilities, and other similar structures or facilities.

POLICY 5 – ENCOURAGE THE LOCATION OF DEVELOPMENT IN AREAS WHERE

5104

COMMENT LETTER NO. 51 (continued)

PUBLIC SERVICES AND FACILITIES ESSENTIAL TO SUCH DEVELOPMENT ARE ADEQUATE.

5104 (continued)

POLICY 5A – DISCOURAGE THE DEVELOPMENT OF USES WHICH, BY REASON OF THEIR DEMAND FOR NEW COMMUNITY SERVICES AND FACILITIES OR THEIR IMPOSITION OF BURDENS ON EXISTING SERVICES AND FACILITIES, WOULD REQUIRE DISPROPORTIONATE PUBLIC COST IN COMPARISON TO PUBLIC BENEFIT.

The Committee gave careful consideration to the impact of the proposed Project on existing services and facilities in the Village. The Committee was satisfied that sewer and gas and electric needs of the Project components could be adequately served by available facilities. The Committee noted, however, that points to be "considered in assessing the adequacy of an area's infrastructure and public services" included the following: "Streets and highways serving the proposed site can safely accommodate the peak traffic generated by the proposed land development" and "Development's water needs (consumptive and fire fighting) can be met by the existing water supply system". One member of the Committee observed that the adequacy of water resources for the site might be dependent on the Village's still-unresolved efforts to find an appropriate location for the additional water storage facility recently mandated by the State of New York. Of still greater concern to the Committee was the fact that it could not find that, given the size and scale and resulting density of the proposed uses at the Project site, the existing Village streets would be adequate to serve the resulting demand if the Project were developed as outlined in the DEIS. The Committee was not convinced that the traffic studies conducted by or on behalf of the Applicant presented a realistic view of the likely impact of the Project on existing roadway facilities.

5105

POLICY 7A – THE PHILIPSBURG MANOR AND DEVRIES FIELD WETLAND/WATERCOURSE AREAS OF THE POCANTICO RIVER SHALL BE PROTECTED, PRESERVED, AND, WHERE PRACTICAL, RESTORED SO AS TO MAINTAIN ITS VIABILITY AS A LOCALLY SIGNIFICANT HABITAT.

POLICY 7D – THE HUDSON RIVER IMMEDIATELY ADJACENT AND WITHIN 1000 FEET OF THE VILLAGE'S SHORELINE SHALL BE PROTECTED, PRESERVED AND, WHERE PRACTICAL, RESTORED SO AS TO MAINTAIN ITS VIABILITY AS A LOCALLY SIGNIFICANT HABITAT.

Policy 7D was found by the Committee to be relevant to a limited extent and the Project to be consistent with this policy in that the existing riprap along the edge of the Hudson River would be restored where necessary, with potential benefit to marine life in the River. The Committee did not find any inconsistency of the Project with Policy 7A since the Project as presently designed would not affect the Pocantico River. However, certain parties have suggested that the original course of the Pocantico River could be restored. The Committee urged the Applicant to continue to study this possibility, which would have the potential to re-create a locally significant habitat.

POLICY 8 – PROTECT FISH AND WILDLIFE RESOURCES IN THE COASTAL AREA FROM THE INTRODUCTION OF HAZARDOUS WASTES AND OTHER POLLUTANTS WHICH BIO-ACCUMULATE IN THE FOOD CHAIN OR WHICH CAUSE SIGNIFICANT SUB LETHAL OR LETHAL EFFECT ON THOSE RESOURCES. 5106

POLICY 8A – CONTROL THE INTRODUCTION OF NEW INDUSTRIES OR TECHNOLOGY WHICH COULD INCREASE THE PRESENCE OF HAZARDOUS MATERIALS WITHIN THE SLEEPY HOLLOW WATERFRONT AREA.

The Committee found that the reduction of the current impermeable surface at the site would reduce run-off to the River from the site and would tend to protect fish and wildlife resources. The Applicant has also undertaken to remove lead present at the site and to cap contaminated soil. The Committee found these actions to be consistent with Policies 8 and 8A.

POLICY 9 – EXPAND RECREATIONAL USE OF FISH AND WILDLIFE RESOURCES IN COASTAL AREAS BY INCREASING ACCESS TO EXISTING RESOURCES, SUPPLEMENTING EXISTING STOCK, AND DEVELOPING NEW RESOURCES. 5107

The Committee observed that the proposed inclusion of a fishing pier as part of the Project would constitute expansion of recreational use of fish resources in the coastal area. It was the recommendation of the Committee that the pier should be made as capacious as possible.

POLICY 11 – BUILDINGS AND OTHER STRUCTURES WILL BE SITED IN THE COASTAL AREA SO AS TO MINIMIZE DAMAGE TO PROPERTY AND THE ENDANGERING OF HUMAN LIFE CAUSED BY FLOODING AND EROSION. 5108

The Committee believed that the setbacks from the Hudson River and the elevations of the structures on the site were consistent with Policy 11.

POLICY 13A – THE EXISTING BULKHEADS ALONG THE HUDSON RIVER SHALL BE MAINTAINED IN GOOD CONDITION. NEW OR EXPANDED WATERFRONT DEVELOPMENT SHALL BE REQUIRED TO RESTORE AND MAINTAIN EROSION AND FLOOD CONTROL STRUCTURES ALONG THEIR RIVER FRONTAGE. 5109

POLICY 13B – THE CONSTRUCTION OR RECONSTRUCTION OF DOCKS, BOATHOUSES, BOAT HOISTS, PUBLIC ACCESS FACILITIES AND OTHER SHORELINE STRUCTURES SHALL BE UNDERTAKEN IN A MANNER WHICH WILL, TO THE MAXIMUM EXTENT PRACTICABLE, PROTECT AGAINST OR WITHSTAND THE DESTRUCTIVE FORCES OF WAVE ACTION AND ICE MOVEMENT.

POLICY 14 – ACTIVITIES AND DEVELOPMENT, INCLUDING THE CONSTRUCTION OR RECONSTRUCTION OF EROSION PROTECTION STRUCTURES, SHALL BE UNDERTAKEN SO THAT THERE WILL BE NO

COMMENT LETTER NO. 51 (continued)

MEASURABLE INCREASE IN EROSION OR FLOODING AT THE SITE OF SUCH ACTIVITIES OR DEVELOPMENT, OR AT OTHER LOCATIONS.

5109 (continued))

It was noted that most riprap along the River was in good condition and that the Applicant would makes repairs where necessary, making the Project consistent with **Policy 13A.** The placement of the proposed pier at the site has not been decided and other shoreline structures have not been proposed in the DEIS. The Committee therefore found that the Project was conditionally consistent with **Policies 13B and 14** subject to the Applicant's use of appropriate construction materials and the placement of the pier and any other shoreline structure at appropriate locations.

POLICY 17 – NON-STRUCTURAL MEASURES TO MINIMIZE DAMAGE TO NATURAL RESOURCES AND PROPERTY FROM FLOODING AND EROSION SHALL BE USED WHENEVER POSSIBLE.

5110

POLICY 17A – PROTECT THE STEEP SLOPES AND HILLSIDES THROUGHOUT THE VILLAGE THROUGH THE USE OF NONSTRUCTURAL MEASURES, WHERE PRACTICAL, TO PREVENT EROSION, ESPECIALLY THROUGH THE RETENTION OF VEGETATIVE COVERS.

The Committee noted that these policies were marginally applicable to the Project and found that the proposed use of vegetation to stabilize soil and mitigate run-off would make the Project consistent with Policies **Policy 17** and **17A**, conditional on Applicant's installation of appropriate vegetative cover at appropriate locations on the site.

POLICY 18 – TO SAFEGUARD THE VITAL ECONOMIC, SOCIAL AND ENVIRONMENTAL INTERESTS OF THE STATE AND OF ITS CITIZENS, PROPOSED MAJOR ACTIONS IN THE COASTAL AREA MUST GIVE FULL CONSIDERATION TO THOSE INTERESTS, AND TO THE SAFEGUARDS WHICH THE STATE HAS ESTABLISHED TO PROTECT VALUABLE COASTAL RESOURCE AREAS.

5111

POLICY 18A – PROTECT THE VITAL ECONOMIC, SOCIAL, CULTURAL, AND ENVIRONMENTAL INTERESTS OF THE VILLAGE IN THE EVALUATION OF ANY PROPOSAL FOR NEW ROADS, ROAD WIDENING OR INFRASTRUCTURE.

POLICY 18B – TO PROTECT THE SOCIAL INTERESTS OF THE VILLAGE, PROPOSED ACTIONS MUST GIVE FULL CONSIDERATION TO THE IMPACTS OF SUCH ACTIONS ON THE COMMUNITY AND CULTURAL RESOURCES OF THE VILLAGE AND THE QUALITY OF LIFE SUCH RESOURCES SUPPORT.

POLICY 18C – TO PROTECT THE ENVIRONMENTAL INTERESTS OF THE VILLAGE, PROPOSED ACTIONS MUST GIVE FULL CONSIDERATION TO THE IMPACTS OF SUCH ACTIONS ON VALUABLE AND SENSITIVE NATURAL RESOURCES OF THE VILLAGE.

COMMENT LETTER NO. 51 (continued)

The Committee found no inconsistency between the Project and these policies and noted, in particular, that the improved recreational access provided by the plan, including playing fields and public open spaces, and the reservation of part of the site for a new Village Department of Public Works facility were protective of the Village's social and environmental interests and quality of life. The Committee's findings on these policies were unanimous, except that the finding of consistency with respect to **Policy 18B** had one dissenting vote, based on the member's view that the Project's adverse impact on roads and traffic (see findings with respect to **Policy 5 and 5A)** would have an unacceptably adverse effect on the quality of life in the Village.

5111 (continued)

POLICY 19 – PROTECT, MAINTAIN, AND INCREASE THE LEVELS AND TYPES OF ACCESS TO PUBLIC WATER-RELATED RECREATION RESOURCES AND FACILITIES SO THAT THESE RESOURCES AND FACILITIES MAY BE FULLY UTILIZED BY ALL THE PUBLIC IN ACCORDANCE WITH REASONABLY ANTICIPATED PUBLIC RECREATION NEEDS AND THE PROTECTION OF HISTORIC AND NATURAL RESOURCES. IN PROVIDING SUCH ACCESS, PRIORITY SHALL BE GIVEN TO PUBLIC BEACHES, BOATING FACILITIES, FISHING AREAS, AND WATERFRONT PARKS.

5112

POLICY 19A – PROTECT, MAINTAIN, AND INCREASE THE LEVEL AND TYPES OF ACCESS TO THE PUBLIC WATER-RELATED RECREATION RESOURCES AND FACILITIES OF KINGSLAND POINT PARK AND ENCOURAGE THEIR INCREASED UTILIZATION AND DEVELOPMENT.

POLICY 19B – RECOGNIZE THE REGIONAL AND STATE-WIDE HISTORIC IMPORTANCE OF PHILIPSBURG MANOR, SLEEPY HOLLOW CEMETERY, THE OLD CROTON AQUEDUCT, THE OLD DUTCH CHURCH, PATRIOTS PARK, AND KINGSLAND POINT LIGHTHOUSE AND ENCOURAGE PROTECTION AND PUBLIC UTILIZATION OF THESE PROPERTIES AND RESOURCES.

POLICY 19C – ENCOURAGE, DEVELOP, PROTECT, AND MAINTAIN LINEAR PEDESTRIAN WATERFRONT ACCESS TO AND LINKAGES BETWEEN THE VILLAGE'S RIVERFRONT PARK ON RIVER STREET TO KINGSLAND POINT LIGHTHOUSE AND KINGSLAND POINT PARK.

POLICY 19D – ENCOURAGE, DEVELOP, PROTECT, AND MAINTAIN APPROPRIATE PUBLIC ACCESS TO AND LINKAGES BETWEEN KINGSLAND POINT PARK, DEVRIES FIELD, PHILIPSBURG MANOR, DOUGLAS PARK, SLEEPY HOLLOW CEMETERY, THE OLD CROTON AQUEDUCT, THE ROCKEFELLER STATE PARK PRESERVE LANDS, AND ALONG THE HUDSON RIVER AND RIVERSIDE DRIVE NORTH OF THE MOUTH OF THE POCANTICO RIVER.

POLICY 19E – THE CURRENTLY UNDERUTILIZED VILLAGE RIVERFRONT PARK PROPERTY ALONG RIVER STREET SHOULD REMAIN PUBLICLY OWNED WITH FUTURE IMPROVEMENTS PROVIDING FOR PUBLIC ACCESS TO THE RIVER AND WATER-RELATED RECREATION.

COMMENT LETTER NO. 51 (continued)

POLICY 20 – ACCESS TO THE PUBLICLY-OWNED FORESHORE AND TO LANDS IMMEDIATELY ADJACENT TO THE FORESHORE OR THE WATER'S EDGE THAT ARE PUBLICLY OWNED SHALL BE PROVIDED AND IT SHALL BE PROVIDED IN A MANNER COMPATIBLE WITH ADJOINING USES.

5112 (continued)

At present, the General Motors site is fenced and there is no public access to the Hudson River from this property. The Project would include public parklands and walkways along the River with a possible opportunity to touch the River using a pedestrian stairway to the water's edge. New access to Kingsland Point Part would be afforded by a new approach to the park from through the Lighthouse Landing site, with parking made available for Kingsland Point Park visitors. Access to the Kingsland Point Lighthouse would also be facilitated, with the new Beekman Place artery leading directly to the Lighthouse. The pedestrian access provided along the shoreline portion of the site would effectively provide linkages between the Village's park at Horan's Landing and the Ichabod's Landing development to the south of the Project site and Kingsland Point Park to the north of the site. The Committee recognized that, since the Project site is not publicly-owned, the Project would not itself provide access to publicly-owned foreshore or water's edge points, but noted that the improved access to the Kingsland Point Park, which is publicly-owned, would give better access to the waterside at that location.

POLICY 21 – WATER-DEPENDENT AND WATER-ENHANCED RECREATION WILL BE ENCOURAGED AND FACILITATED, AND WILL BE GIVEN PRIORITY OVER NON-WATER RELATED USES ALONG THE COAST PROVIDED IT IS CONSISTENT WITH THE PRESERVATION AND ENHANCEMENT OF OTHER COASTAL RESOURCES AND TAKES INTO ACCOUNT DEMAND FOR SUCH FACILITIES. IN FACILITATING SUCH ACTIVITIES, PRIORITY SHALL BE GIVEN TO AREAS WHERE ACCESS TO THE RECREATION OPPORTUNITIES OF THE COAST CAN BE PROVIDED BY NEW OR EXISTING PUBLIC TRANSPORTATION SERVICES AND TO THOSE AREAS WHERE THE USE OF THE SHORE IS SEVERELY RESTRICTED BY EXISTING DEVELOPMENT.

5113

POLICY 21A – WATER-DEPENDENT AND WATER-ENHANCED RECREATION SHALL BE ENCOURAGED AND SHALL BE GIVEN PRIORITY OVER NON-WATER RELATED USES AT THE FOLLOWING PUBLICLY-OWNED SITES:

- **THE VILLAGE'S RIVERFRONT PARK PROPERTY ON RIVER STREET; AND**
- **KINGSLAND POINT PARK AND LIGHTHOUSE.**

POLICY 21B – ENCOURAGE THE DEVELOPMENT OF ADDITIONAL SUPPORT FACILITIES, AND MAINTENANCE OF EXISTING FACILITIES, AT KINGSLAND POINT PARK TO INCREASE ITS ATTRACTIVENESS AND ITS CAPACITY AS A WATERFRONT PARK FOR PASSIVE AND ACTIVE RECREATIONAL USES, INCLUDING BOATING, SWIMMING, AND FISHING.

COMMENT LETTER NO. 51 (continued)

POLICY 21C – IN ASSOCIATION WITH ANY REDEVELOPMENT OF THE GENERAL MOTORS PROPERTY AND THE WATERFRONT AREA IMMEDIATELY SOUTH OF THE GENERAL MOTORS PROPERTY, WATER-DEPENDENT AND WATER-ENHANCED RECREATIONAL USES SHALL BE ENCOURAGED AND SHALL BE GIVEN PRIORITY OVER NON WATER-RELATED USES.

5113 (continued)

PURSUE ESTABLISHMENT OF A SYSTEM OF PUBLIC ACCESS RECREATIONAL TRAIL LINKAGES FROM AND BETWEEN THE TARRYTOWN/SLEEPY HOLLOW VILLAGE BOUNDARY, THE VILLAGE'S RIVERFRONT PARK PROPERTY ON RIVER STREET, KINGSLAND POINT PARK, DEVRIES FIELD, PHILIPSBURG MANOR, DOUGLAS PARK, SLEEPY HOLLOW CEMETERY, THE OLD CROTON AQUEDUCT, THE ROCKEFELLER STATE PARK PRESERVE LANDS, AND ALONG THE HUDSON RIVER AND RIVERSIDE DRIVE NORTH OF THE MOUTH OF THE POCANTICO RIVER.

POLICY 22 – DEVELOPMENT, WHEN LOCATED ADJACENT TO THE SHORE, WILL PROVIDE FOR WATER-RELATED RECREATION, WHENEVER SUCH RECREATIONAL USE IS COMPATIBLE WITH REASONABLY ANTICIPATED DEMAND FOR SUCH ACTIVITIES AND THE PRIMARY PURPOSE OF THE DEVELOPMENT.

POLICY 22A – IN ASSOCIATION WITH ANY REDEVELOPMENT OF THE GENERAL MOTORS PROPERTY AND THE WATERFRONT AREA IMMEDIATELY SOUTH OF THE GENERAL MOTORS PROPERTY, WATER-RELATED RECREATION SHALL BE PROVIDED AS A MIXED USE, PROVIDED SUCH RECREATIONAL USE(S) IS (ARE) COMPATIBLE WITH THE PRIMARY PURPOSE OF THE DEVELOPMENT.

The impact of the Project in creating linkage trails as contemplated by **Policy 21C** has been noted in connection with the Committee's findings under prior policies. The Committee also noted that parks and fishing piers, as well as pedestrian trials and scenic overlooks (all part of the Project), are specifically recognized in the applicable Explanation of Policies for **Policy 21** and its sub-policies as water-related recreational facilities. In general, the Committee found the Project consistent with the foregoing policies and **Policies 22** and **22A** because these policies did not explicitly create a hierarchy giving water-dependent uses priority over water-related uses but, rather, gave both types of use priority over non water-related uses. Nevertheless, several members of the Committee found that the Project paid insufficient attention to water-dependent recreation, such as "adequate boating services", "launch sites" and "docking facilities". Accordingly, the Project was found to be consistent with **Policies 21, 21A** and **21C** with two dissenting votes.

POLICY 23 – PROTECT, ENHANCE AND RESTORE STRUCTURES, DISTRICTS, AREAS OR SITES THAT ARE OF SIGNIFICANCE IN THE HISTORY, ARCHITECTURE, ARCHAEOLOGY OR CULTURE OF THE STATE, ITS COMMUNITIES OR THE NATION.

5114

POLICY 23A – PRESERVE AND ENHANCE THE STRUCTURES, AREAS, OR SITES WITHIN THE VILLAGE OF SLEEPY HOLLOW THAT ARE CURRENTLY LISTED ON THE STATE AND/OR NATIONAL REGISTER OF HISTORIC PLACES.

5114 (continued)

The Committee took note of the fact that the Kingsland Point Lighthouse is listed on the National Register of Historic Places and is considered to be of significance to the history of the Village. Although the Lighthouse lies outside the boundaries of the Project site and is not within the scope of the Project, so that the Applicant cannot take steps to protect, preserve or enhance the site, the Committee observed that the site configuration would direct public attention to the Lighthouse, which would be the focal point of the Beekman Place "main street". It was observed that the prominence thus given to the Lighthouse might encourage the public authorities responsible for the Lighthouse site to take steps to protect, preserve and enhance the Lighthouse and its site.

POLICY 25 – PROTECT, RESTORE OR ENHANCE NATURAL AND MAN-MADE RESOURCES WHICH ARE NOT IDENTIFIED AS BEING OF STATEWIDE SIGNIFICANCE, BUT WHICH CONTRIBUTE TO THE OVERALL SCENIC QUALITY OF THE COASTAL AREA.

5115

POLICY 25A – PROTECT OR ENHANCE VIEWS OF THE HUDSON RIVER, THE HUDSON RIVER VALLEY, AND THE OPPOSITE SHORE FROM THE IMMEDIATE RIVERFRONT AS VIEWED FROM PUBLICLY OWNED PROPERTY.

POLICY 25B – PROTECT OR ENHANCE THE FOLLOWING IDENTIFIED SCENIC RESOURCES AS AREAS AND VIEWSHEDS [citing the General Motors Plant Complex and Property as one of nine identified scenic landscape subunits and the Hudson River from the corner of Beekman Avenue and Hudson Street as one of twenty-three viewsheds of local importance].

The Committee acknowledged that, although the Project site has, since the demolition of the General Motors plant structures, afforded open views of the Hudson River, at the time of the adoption of the LRWP, the identified scenic resources and Hudson River views were significantly (and adversely) impacted by the then-existing plant structures. The Committee understood that any construction at the site will interrupt the current open views and, consequently, "diminish the scenic quality of an identified scenic resource [Explanation of Policies], but also recognized that the protection of River views and identified viewsheds contemplated by the LWRP was not intended totally prohibit development. The Committee noted the efforts of the Applicant to preserve and frame River views by use of the street layout developed for the site. In addition, the "scales, forms, and materials" proposed by Applicant for its Beekman Place development seemed "compatible with and [seemed to] add interest to the landscape" [*id.*]. The Committee concluded that the Project would be consistent with Policies 25, 25A and 25B, but encouraged the Applicant to consider alternative designs – both with respect to size and placement of structures – that would more fully provide visual protection for views of the River, the Hudson River Valley and the opposite shore and would more effectively

5115 (continued)

enhance identified scenic resources.

POLICY 32A – FUTURE DEVELOPMENT IN THE VILLAGE SHALL BE REQUIRED TO USE STATE OF THE ART LOW FLOW WATER FIXTURES AND WATER SAVING DEVICES TO REDUCE THE DEMAND FOR WATER AND REDUCE THE FLOW TO THE SEWAGE TREATMENT FACILITIES. WHERE PRACTICABLE, THE GUIDELINES IN THE NEW YORK STATE MUNICIPAL MODEL WATER CONSERVATION PLAN SHOULD BE FOLLOWED.

5116

POLICY 33 – BEST MANAGEMENT PRACTICES WILL BE USED TO ENSURE THE CONTROL OF STORM WATER RUNOFF AND COMBINED SEWER OVERFLOWS DRAINING INTO COASTAL WATERS.

POLICY 37 – BEST MANAGEMENT PRACTICES WILL BE UTILIZED TO MINIMIZE THE NON-POINT DISCHARGE OF EXCESS NUTRIENTS, ORGANICS AND ERODED SOILS INTO COASTAL WATERS.

POLICY 39 – THE TRANSPORT, STORAGE, TREATMENT AND DISPOSAL OF SOLID WASTES, PARTICULARLY HAZARDOUS WASTES, WITHIN COASTAL AREAS WILL BE CONDUCTED IN SUCH A MANNER SO AS TO PROTECT GROUNDWATER AND SURFACE WATER SUPPLIES, RECREATION AREAS, AND SCENIC RESOURCES.

POLICY 41 – LAND USE OR DEVELOPMENT IN THE COASTAL AREA WILL NOT CAUSE FEDERAL OR STATE AIR QUALITY STANDARDS TO BE VIOLATED.

POLICY 41A – LAND USE AND DEVELOPMENT IN SLEEPY HOLLOW SHALL NOT DEGRADE EXISTING AIR QUALITY OR CONTRIBUTE TO AN INABILITY TO MAINTAIN OR ATTAIN NATIONAL AMBIENT AIR QUALITY STANDARDS AND SHALL NOT GENERATE OR CAUSE MORE THAN ONE TON PER YEAR OF TOXIC AIR POLLUTANTS TO BE EMITTED INTO THE ATMOSPHERE.

The Committee recognized that, as a matter of law, the Applicant will be legally required to comply with **Policies 32A, 37, 41** and **41A**. With respect to **Policy 33**, it was noted that the Project will result in the replacement of part of the site's current impervious surface with green spaces containing permeable vegetation. Storm water will be adequately handled by use of the three existing General Motors outfalls. The Committee observed that waste collection and disposal is handled by the Village. However, the Committee noted that solid wastes, including hazardous wastes, could be generated during the Project's construction phase. The Applicant was advised that, in order to comply with **Policy 39**, it should give strict instructions to its construction contractors that no wastes are to be dumped in the Hudson River.

POLICY 44 – PRESERVE AND PROTECT TIDAL AND FRESHWATER WETLANDS AND WETLAND/WATERCOURSE COMPLEXES AND PRESERVE THE BENEFITS DERIVED FROM THESE AREAS.

5117

COMMENT LETTER NO. 51 (continued)

The Committee noted that the Pocantico River constitutes a tidal wetlands/watercourse and that the replacement of paved areas adjacent to the River with green open space would be beneficial for the area. The Committee observed, however, that the anticipated construction of a new Village Department of Public Works facility by the Village on the so-called "East Parcel" as part of the Project can affect the Pocantico River wetlands. Accordingly, the Committee's finding that the Project is consistent with **Policy 44** is conditional with respect to the Department of Public Works portion of the Project and the Committee will retain jurisdiction to consider the Village's proposal for that construction when it is developed.

5117 (continued)

On the basis of its consistency review, the Committee found that the Project, as currently proposed in the DEIS, was consistent with some of the policies of the **LWRP** and inconsistent with other policies. The Committee, therefore, considered whether the elements of the Project as outlined in the DEIS were, in the aggregate, consistent or inconsistent with the policies and goals of the **LWRP**. The Committee determined, by a vote of 6-0 with one abstention, that the Project, as a whole, was not consistent with the **LWRP**. The Committee recommended to the Applicant that it modify its proposal by incorporating additional water-dependent uses and by reducing the size and density of the Project, in order to achieve consistency with critical **LWRP** goals and policies. The Committee emphasized that its current findings were *preliminary* based on a *draft* environmental impact statement and that final consistency findings would be made by the Committee on the basis of a final environmental impact statement that might differ significantly from the DEIS. Mr. Stever abstained from the vote and signified his intention to submit a dissenting consistency finding.

5118

Richard D. Weiss, Chairman

Village of Sleepy Hollow
Waterfront Advisory Committee

Separate Statement of Donald W. Stever
Dissenting in Part and Concurring in Part With Preliminary Consistency Findings
Lighthouse Landing

5119

There Should Not Have Been a Straw Vote on
Consistency with the Local Waterfront Revitalization Plan

I abstained from participating in the Committee's straw vote on Lighthouse Landing because I do not believe that taking a straw vote at such an early stage of review of the project is either necessary or in the best interests of the Village. Procedurally, the purpose of early stage review is for the Committee to provide specific comments to the Applicant on the Applicant's initial proposal. In the case of a large scale development project such as Lighthouse Landing it is a given that the scope and design of the project that emerges after completion of the State Environmental Quality Review Act (SEQRA) process will differ, in many ways materially differ, from the initial proposal. The Committee was asked to review and comment on the initial proposal, with respect to which the Board of Trustees, as the Lead Agency under SEQRA, has authorized the circulation of a Draft Environmental Impact Statement for comment. It is not necessary for the Waterfront Advisory Committee to make formal LWRP Consistency Findings in connection with review of a draft EIS. Neither SEQRA nor Village law require any such action and it amounts to nothing more than an academic exercise that is unfortunately subject to misuse.

Formal findings at this early stage of the project are likely to be misinterpreted or, worse, misused by opponents or supporters of the project, members of the public and the press. The straw vote is not legally binding because the project has not yet been submitted to the WAC by the Board of Trustees for a consistency recommendation. I am very concerned, moreover, that members of the Committee may consider themselves "locked in" to a position by a preliminary straw vote, which will have the effect of clouding their judgment later when the project, as reconfigured as the result of SEQRA review, is submitted for formal consideration.

What is most helpful to an applicant and the Village in the preliminary review exercise is the back and forth discussion concerning the initial proposal and the LWRP policies. This discussion provides guidance to the applicant as to those policies with which the Committee thinks the proposal might not be consistent, and ways for the project to be reconfigured or otherwise changed to make it consistent with the LWRP policies. That information can be communicated, and in fact was communicated in this case, without a vote on overall project consistency.

I believe that the Committee acted well outside of its mandate when the majority voted on the proposition, as stated on the first and last pages of the "Preliminary Consistency Findings" that "its concerns over elements of the Project that were found to be inconsistent with certain LWRP policies outweighed its findings of consistency with respect to other policies." Such a sweeping

COMMENT LETTER NO. 51 (continued)

generalization is not the role of the Waterfront Advisory Committee. The Committee's task, at the appropriate time, is to provide specific recommendations concerning consistency with the various policies contained in the LWRP to the lead agency. It is the lead agency's job to balance the pluses and minuses and determine, overall, whether special circumstances outweigh any inconsistencies and whether the project must be modified or rejected based on LWRP consistency issues. Finally, I would not reach the same conclusion the majority of the Committee appears to have reached on the "balancing" issue for this project. I would strike the balance differently, weighing several policies the Committee appears to discount to be more important, and placing less weight on several policies the Committee seems to have relied upon heavily. Moreover, except for one, the policies with which the Committee seems to have placed the greatest emphasis on are, in my opinion, trumped by the Riverfront Zoning District law, which was adopted in conjunction with the Local Waterfront Revitalization Plan and allows development on the subject property as of right, based on development guidelines that are themselves not "consistent with" certain of the policies on which the majority of the Committee seems to place great stock.

Notwithstanding the foregoing criticism, it is not my intention to criticize the Committee members nor to suggest that the Committee is in any way not performing its civic function in an admirable and straightforward manner. The Waterfront Advisory Committee is one of the most effectively functioning, hard-working volunteer municipal bodies on which I have ever had the privilege of serving, and I have nothing but praise for the Committee and its chairman, Richard Weiss. The Committee is a model for citizen participation in local government. My comments, to the extent they represent disagreement with the Committee's actions, simply reflect a substantive or in some cases a legal disagreement with the majority's views, much as the dissenting opinion of a member of an appellate court, even if harshly worded, is intended to enlighten or shapen the debate rather than criticize. It is in this spirit that I offer this set of largely concurring and partly dissenting views.

Comment on Specific Preliminary Policy Determinations

Policies 1-1A, 1F, 1G, and 1H

5120

I would concur in part and dissent in part with the Committee's view on these policies. I am in agreement with the Committee's views concerning policies 1, 1A, 1F and 1G. With respect to Policy 1H, I would concur with the Committee's sentiment that the development, as proposed, provides inadequate water dependent use. There are significant opportunities for water dependent uses since the site is adjacent to Hudson River and a portion of the shoreline runs parallel to and not far from a federally maintained navigation channel. Commitment by the developer to construct a public pier providing access to the site from the vessels would satisfy this policy.

I dissent, however, from the Committee's statement that the "scale and density of the proposed development" would not be "compatible with the character of the area" or would "foster and maintain the small scale historic character of the Village." The development is large, to be sure, but so is the site and the developer is not utilizing the entirety of the site, but is in effect leaving

COMMENT LETTER NO. 51 (continued)

more than 30% of the site undeveloped. The developer has carefully designed the streetscape to Village proportions and aesthetics. Finally, it is very important to understand that the proposal, except as noted above, precisely tracks the *mandate* of the Riverfront Zoning District development standards and guidelines. It is less dense than those standards and guidelines provide, and the guidelines were adopted in conjunction with, and must be viewed as inextricably tied to, the Village's LWRP. As such, the specific development guidelines trump inconsistent, more general provisions, of the LWRP Policies. 5120 (continued)

Policies 2, 2A 5121

I would generally concur with the Committee's sentiment concerning the Project's consistency with these policies, as discussed in connection with Policy 1H above.

Policies 5 & 5A 5122

For the same basic reasoning behind my dissent from the Committee's conclusions regarding Policy 1H, I would dissent from the Committee's conclusions concerning Policy 5. The Riverfront Development District standards and density guidelines of necessity assume that traffic generated by a development that meets those standards can be assimilated by the available roadway capacity. The Committee possesses no traffic management expertise and is not in any position to criticize the Applicant's traffic analyses. At the time the LWRP and the accompanying rezoning of the parcel in question by the Riverfront Development District impacts of traffic that resulted from multi-shift operation of a 3.5 million square foot automobile assembly plant employing more than 2,000 workers was considered the relevant comparison for future re-use traffic impacts. The impacts from the proposal are far less than those that resulted from the prior use. It is certainly the case that traffic impacts from this Project will have to be carefully studied, and that the SEQRA process may result in the imposition of some sort of mitigation requirement. However, that fact does not translate into a lack of consistency with Policies 5 and 5A.

The Committee's brief mention of the Village's water supply is simply premised on an erroneous set of factual assumption on the part of Committee members.

Policies 7A and 7D 5123

I would generally concur with the Committee's view, except that it is not the responsibility of the private developer Applicant to study creation of a new outlet for the Pocantico River. The proposal that is referred to suggest that the Project set aside additional open space southeast of Kingsland Point Park between the Hudson River and the railroad right-of-way so that land would be available for future creation of an additional outlet for the Pocantico River should further studies *by third parties* and funding (presumably by some Government entity) make that feasible. Thus, I would clarify the statement.

COMMENT LETTER NO. 51 (continued)

Policies 8, 8A, 9, 11, 13A, 13B, 14, 17, 17A, 18, 18A, 18B, 18C, 19, 19A, 19B, 19C, 19D and 19E 5124

I would concur with the Committee's sentiment on these policies.

Policies 20, 21, 21A, 21B, 21C, 22 and 22A 5125

These are highly significant policies to the site of the Proposal, and in my view the majority of the Committee, while finding the Project consistent with these policies, gives them far too little weight in the overall scheme of things. It is extremely beneficial to the public that the Project will restore full public access to the foreshore of the Hudson River. This policy should carry significantly more weight than the policies the majority of the Committee relied upon in its misguided attempt to balance the weight of consistency vs. inconsistency.

Policies 23 and 23A 5126

I would concur with the Committee's views with respect to these policies.

Policies 25, 25A, and 25B 5127

I would concur with the Committee's sentiment with respect to these policies.

Policies 32A, 33, 37, 39, 41, 41A 5128

I would concur with the Committee's sentiment with respect to these policies.

Policy 44 5129

I would concur with the Committee's sentiment with respect to this policy.

Donald W. Stever

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COMMENT LETTER NO. 52

April 4, 2005

Mr. David B. Smith, AICP
Vice President
Saccardi & Schiff, Inc.
445 Hamilton Avenue, Suite 404
White Plains, NY 10601

Re: Lighthouse Landing – Comments on DEIS

Dear Mr. Smith:

We have reviewed portions of the January 11, 2005 DEIS for Lighthouse Landing at Sleepy Hollow relevant to transportation structures and geotechnic engineering and comment as follows:

1. Beekman Avenue over MNCR tracks – We concur the structure must be significantly upgraded or replaced to adequately serve during construction and for final access over MNCR tracks for the area. This should be addressed as soon as practical as significant impacts on the project costs and construction schedule are anticipated due to its location over active MNCR tracks, its use as primary access during and after construction, and limited work area. 5201

2. Beekman Viaduct – The November 1, 2004 Viaduct Evaluation only recommends the northern span be replaced and the concrete deck repaired. The structure appears from the description to be the original components from 1960 with a design loading of H15 (two-axle truck). Current design loading would be HS20 (three-axle truck) as a minimum with a recommended design loading of HS25. If the concrete deck is the original, it is 44 years old. Concrete roadway decks can have a life span ranging from 25 to 50 years depending on loads, freeze-thaw cycles, deicing agents, and structure stiffness. The existing deck may be at the end of its useful life. Additionally the adjacent sheetpile retaining wall and cribwall at the east side of the structure is in poor condition with undermining at the cribwall evident in one location. If the east side access is to be retained, further studies into its load carrying capacity, the need for the viaduct, cost benefit analysis of rehabilitation versus replacement based on the capacities and needs, and stability and future reliability of the adjacent retaining wall and cribbing should be pursued. 5202

HARDESTY & HANOVER, LLP
ENGINEERING

Mr. David B. Smith, AICP
Vice President
Saccardi & Schiff, Inc.

April 4, 2005
Page No. 2

COMMENT LETTER NO. 52 (continued)

3. Site Access during Construction - The applicant should be encouraged to explore the possibility for using rail and/or waterborne means for delivery of materials and equipment to the site, especially with respect to large loads, given the 12-ton load posting on the Beekman Avenue Bridge over MNCR. Any reduction in the number of truck trips on local streets represents a significant benefit. 5203

4. Vibration – We note that the latest version of the DEIS shows a number of the roadways previously supported by common structures adjacent to buildings to now be on fill or structures independent of the buildings. Care must be taken during design to determine if vibration isolation is required for upper residential and commercial stories of structures from adjacent or underground stories or roadways conveying vehicular traffic. 5204

5. Geotechnical Considerations – Within the area underlain by soft compressible deposits, the DEIS calls for preloading and surcharging the roadway areas to deal with the potential settlement caused by placement of the fill required to achieve the proposed grades. The general staging plan for the development indicates such 'site improvement' work will be accomplished in the first stage prior to constructing any buildings. Any new piles should be driven only after the required settlement due to preload and surcharge has been achieved to mitigate against downdrag on the new piles. It should be noted, however, that where this preload and surcharge is placed adjacent to existing piles that are to be re-used, the potential and effect of any downdrag loading should be accounted for in the final design of the project. 5205

We are available to discuss any of the comments at your convenience.

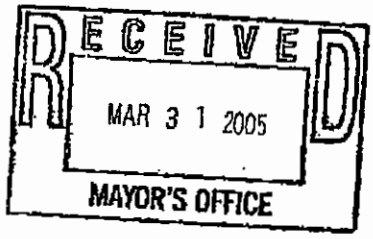
Very truly yours,

HARDESTY & HANOVER, LLP

Andrew W. Herrmann, P.E.
Managing Partner

COMMENT LETTER NO. 53

LUCY ROCKEFELLER WALETZKY, M.D.
1301 BEDFORD ROAD
PLEASANTVILLE, NEW YORK 10570
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BIRDS31534@AOL.COM



March 30, 2005

Honorable Philip Zegarelli
Mayor
Village of Sleepy Hollow
Village Hall
28 Beekman Avenue
Sleepy Hollow, NY 10591

Dear Mayor Zegarelli:

I am writing to request your active leadership in pursuing the restoration of the Pocantico River as an integral component of the redevelopment of the General Motors site. 5301

The Friends of the Rockefeller Park Preserve have carefully studied the vision of this restoration initiative proposed by Scenic Hudson and will be submitting formal comments on the Draft Environmental Impact Statement, urging the Village as lead agency to include it in the Final Environmental Impact Statement for Lighthouse Landing. I wholeheartedly support this position.

This is a once-in-a-century opportunity to restore the historical corridor that linked Philipsburg Manor to the river and beyond, to restore the ecology of the site, and to create recreational and aesthetic benefits that will make this a world-class development.

Finally, this is an opportunity for you to establish your legacy as a visionary leader – not just in Sleepy Hollow – but throughout the Hudson Valley and the nation. I urge you to rise to the challenge.

Best wishes,

Lucy

Lucy R Waletzky M.D.

Comm to Bd etc.

COMMENT LETTER NO. 54

Philipse Manor Beach Club

RECEIVED
APR - 1 2005
MAYOR'S OFFICE

April 1, 2005

The Hon. Philip Zagerelli, Mayor
The Hon. Village Trustees
Village of Sleepy Hollow
28 Beekman Ave.
Sleepy Hollow, NY 10591

PZ

Re: DEIS and SEQRA for GM Redevelopment

Dear Mayor Zagarelli and Village Trustees:

5401

The Philipse Manor Beach Club, a community-based not-for-profit corporation founded in the 1920s, provides recreational opportunities to the Sleepy Hollow community. Of the 279 families who are members, almost half – 124 – are not residents of the Philipse Manor neighborhood. In addition to offering access to a lifeguard-staffed beach, the club also offers a small boat marina. The boat basin requires periodic dredging in order to maintain sufficient depth for our member boats.

In reviewing the DEIS for the Lighthouse Landing project on the site of the former General Motors Assembly Plant we noted that the developers are planing to import over 200,000 cubic yards of clean fill as part of the construction of the development.

The PMBC has started the process of applying for a permit from the state and federal agencies that have jurisdiction over dredging projects on the Hudson River. Part of this application procedure involves the testing of the sediments to be removed for the presence of contaminants. Provided that the testing shows that the material to be removed poses no risk to the public health or the environment, the PMBC will seek a beneficial use determination (BUD) from the New York State Department of Environmental Conservation. Pending the issuance of a BUD for this material, the PMBC would like the Village of Sleepy Hollow to consider encouraging the developers of the GM property to use this material to satisfy a portion of their requirements for clean fill.

PMBC will be happy to share the results of our discussions with the regulatory agencies that will be reviewing our dredging permit application and the results of testing that the PMBC will be conducting as part of the permit application.

Please feel free to contact our organization and our Vice-Commodore, Tim Judge, who will be coordinating the permit application if you have any questions. Mr. Judge can be reached at 914-366-4218.

Sincerely,

Ed Burke, President

Copy to Bd. et.

Village of Sleepy Hollow

COMMENT LETTER NO. 55

Philip E. Zegarelli
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Mario DiFelice
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Richard Zieja
(914) 366-5107



New York
1874
More than a Legend

Dwight H. Douglas
Administrator
(914) 366-5105

Angela Everett
Village Clerk
(914) 366-5106

Robyn G. DeCarlo
Treasurer
(914) 366-5144

Robert Ponzini
Village Attorney

April 1, 2005

Mr. Andrew Tung
Divney Tung & Schwalbe
One North Broadway
White Plains, NY 10601

RE: DPW Garage

Dear Andy:

Enclosed please find two 11" x 17" schematic plans for the location and construction of DPW facilities on the East parcel. These plans have been reviewed by the Board of Trustees and we are now desirous of having them analyzed as part of the FEIS review, particularly as it concerns surface conditions which might impact on our proposed schematic plan. 5501

Let me know if you need additional information.

Sincerely,

Dwight H. Douglas

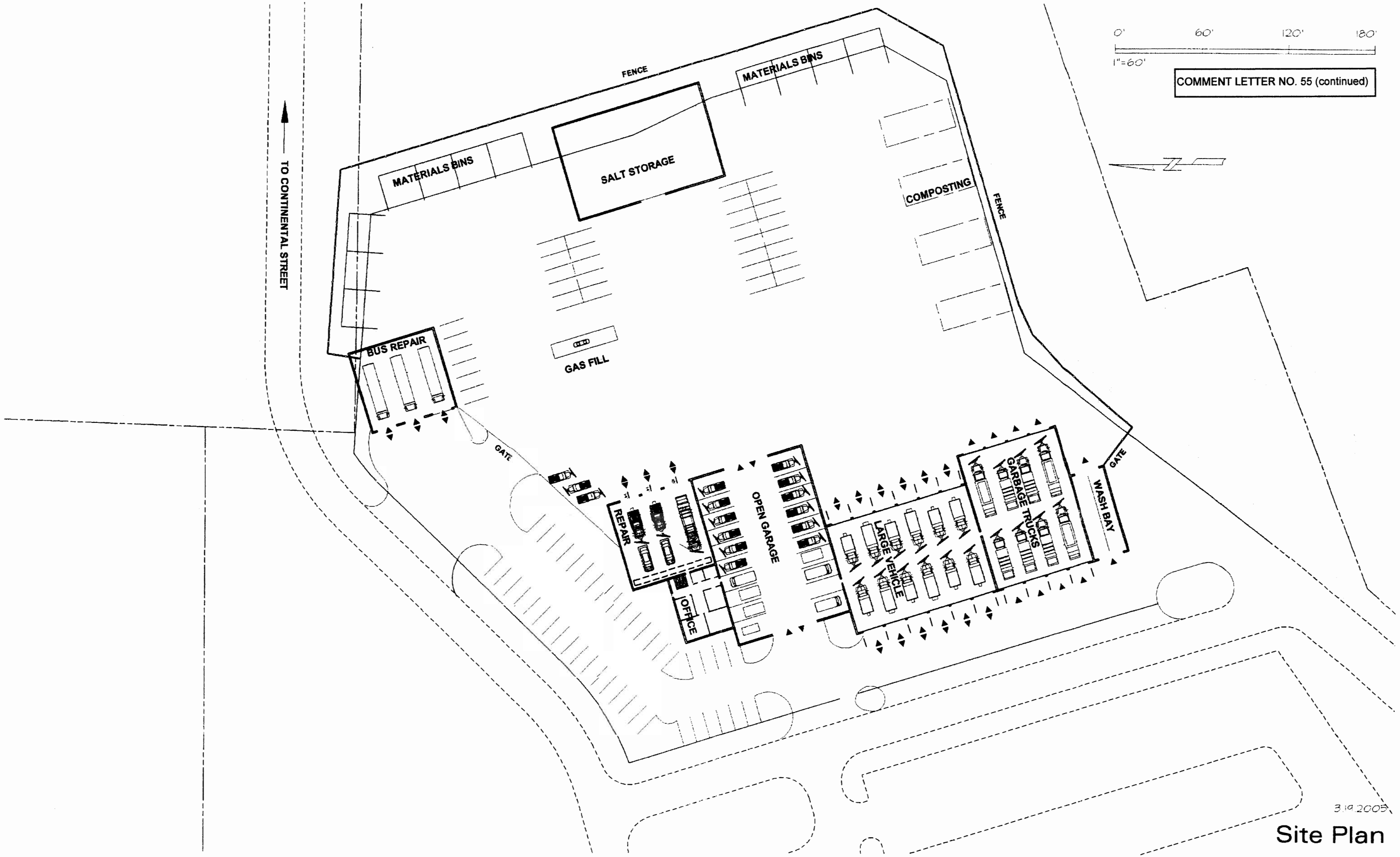
Dictated, but not read
Enclosures
DHD:sgs

28 Beekman Avenue • Sleepy Hollow, New York 10591
Telephone (914) 366-5100 • Fax (914) 631-5880
www.sleepyhollowny.org

0' 60' 120' 180'

1"=60'

COMMENT LETTER NO. 55 (continued)



3rd 2005

Site Plan

DEPARTMENT OF PUBLIC WORKS CENTRAL FACILITY

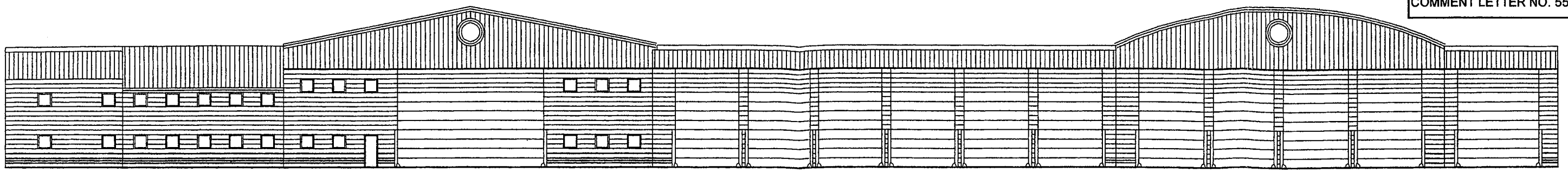
The Village of Sleepy Hollow

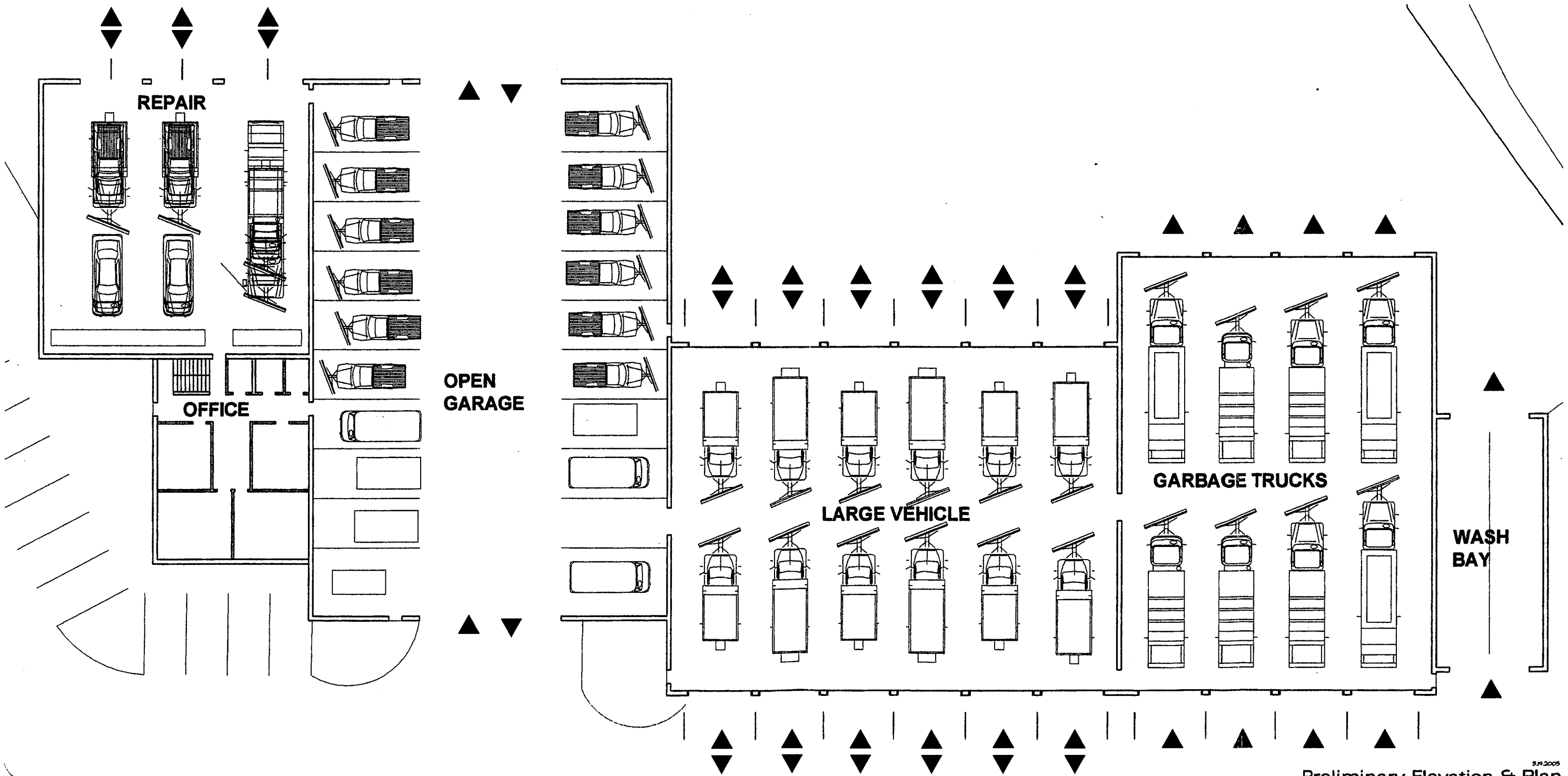
Sleepy Hollow, New York

Consulting Engineer:
HAHN ENGINEERING
20 Milltown Rd., Suite 10, Brewster, NY 10509 845 279 2220 fax 845 279 8909

RICHARD DALEY ARCHITECT
1431 Second Avenue Suite 3A NY NY 10021-3309 212 794 6151 fax 794 1920

COMMENT LETTER NO. 55 (continued)





1431 Second Avenue Suite 3A NY NY 10021-3309 212.794 6151 fax 794 1920
20 Milltown Rd , Suite 10, Brewster, NY 10509 845 279 2220 fax 845 279 8909
RICHARD DALEY ARCHITECT
Consulting Engineer:
HAHN ENGINEERING

5.19.2005

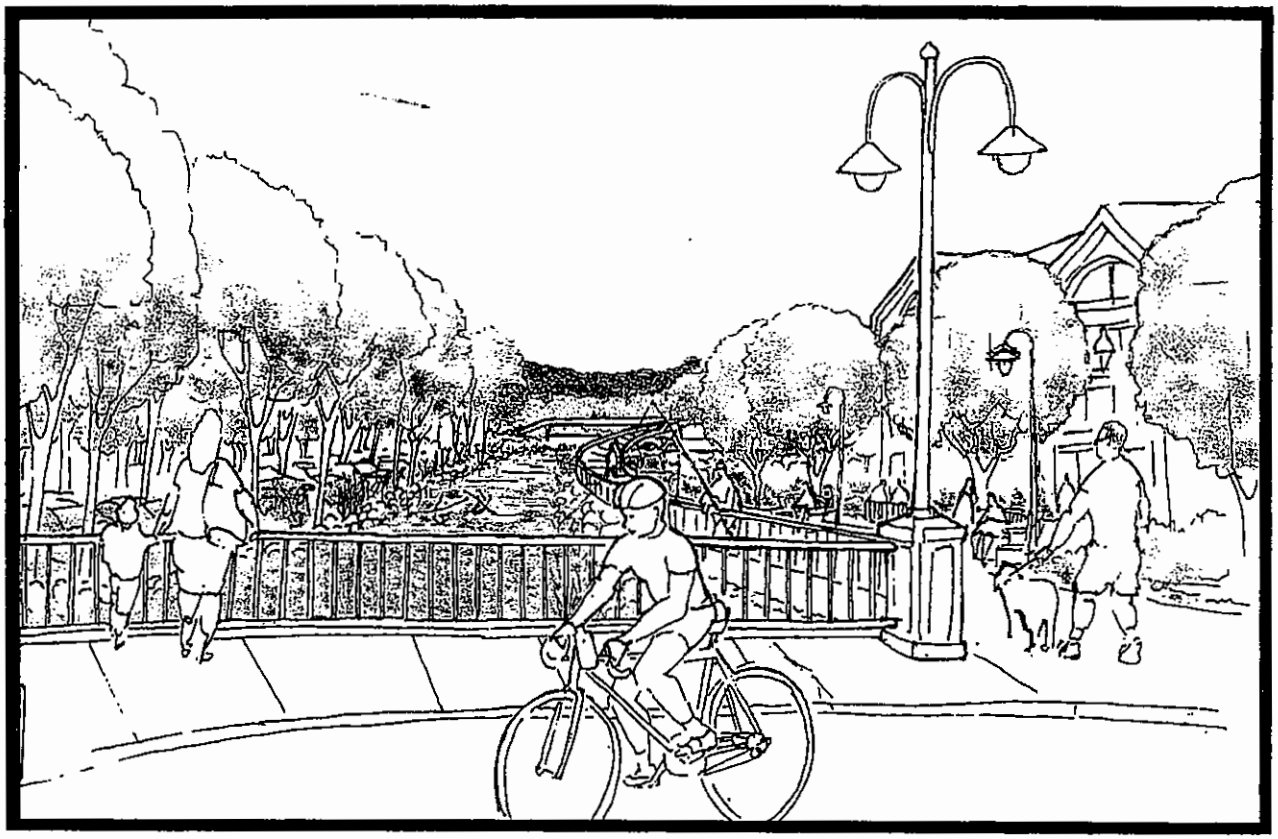
Preliminary Elevation & Plan

DEPARTMENT OF PUBLIC WORKS CENTRAL FACILITY

The Village of Sleepy Hollow — Sleepy Hollow, New York

COMMENT LETTER NO. 56

Comments of Scenic Hudson, Inc. on the Draft Environmental Impact Statement For Lighthouse Landing



Potential Concept for the Creation of a Second Course for the Pocantico River

RECEIVED
APR - 4, 2005
ADMINISTRATOR

April 4, 2005

Scenic Hudson, Inc.
One Civic Center Plaza, Suite 200
Poughkeepsie, NY 12601-3157
Tel: 845 473 4440
Fax: 845 473 2648
email: info@scenichudson.org
www.scenichudson.org

COMMENT LETTER NO. 56 (continued

SCENIC HUDSON

COMMENTS OF SCENIC HUDSON, INC. ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR LIGHTHOUSE LANDING

APRIL 4, 2005

Scenic Hudson commends the Village for its commitment to planning for the redevelopment of the GM site and for conducting a meaningful public process to ensure that the resulting development meets mutual objectives of the Village, the community, the developer and Scenic Hudson. We believe that this will serve as a model for other communities throughout the Hudson Valley.

Over the past five years, Scenic Hudson has consistently supported the planned redevelopment of the GM site. Further, we have always recognized the opportunity this development presents for the Village and share the Village's excitement for this landmark project. Likewise, we have been consistent and clear about our goals for the site. In order to ensure that these goals are met, we have sought the input of leading experts to ensure our positions are based on sound science and planning. Hence, we contracted with several outside experts to conduct various studies to address traffic, environmental, and visual impacts likely to result from the redevelopment of the site.

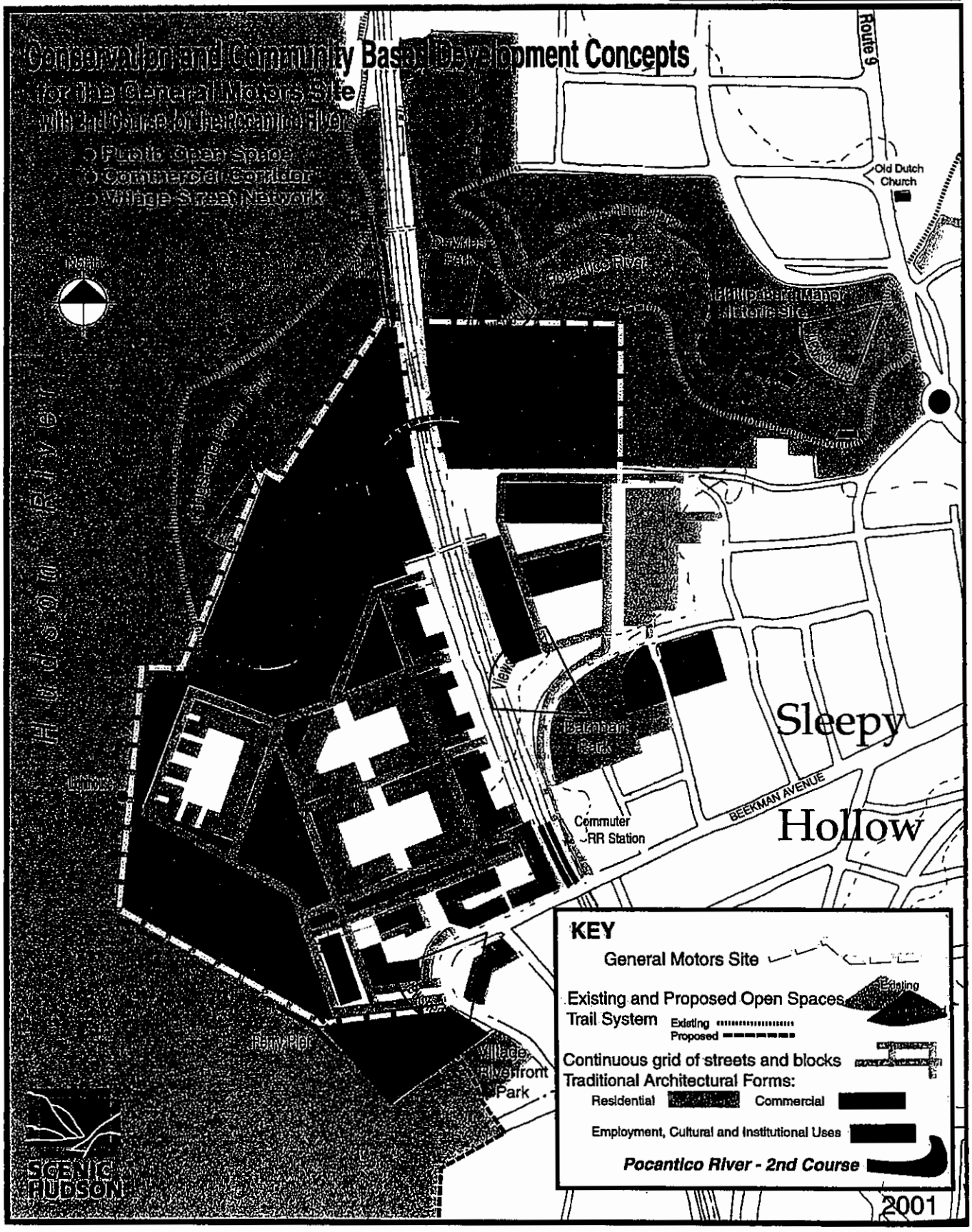
Through a collaborative process involving Scenic Hudson, Sleepy Hollow, GM and Roseland, village residents, Historic Hudson Valley, and other stakeholders several objectives were identified and illustrated in a concept plan (see Illustration: Conservation and Community Based Development Concept). The objectives include but were not limited to:

5601

1) A world-class development that provides public access to the Hudson through a green crescent of interconnected open spaces and trails.
2) The development of a transit-oriented, pedestrian-friendly neighborhood that functions as an extension of the lower Village.
3) The development of a commercial district that is integrated into the existing village and Beekman area corridor.

Because of this collaborative process, many of these ideas have been incorporated into the Roseland development proposal that is the subject of this DEIS. A significant quantity of land

COMMENT LETTER NO. 56 (continued



GM-Final-2.ai

has been set aside for public use both along the Hudson River and upland of the Metro North railroad; the layout of the development using a traditional grid of interconnected streets that function as extensions of the existing streets of the adjoining lower village; the use of traditionally inspired architecture; the location of retail uses at the southern end of the site as an extension of Beekman Avenue, are all successful reflections of the shared goals developed during the collaborative process.

The following are comments on the DEIS that further address these specific goals and a number of other related issues that we believe are critical to the successful outcome of this proposal including traffic impacts; density and building heights; architectural treatment, housing types and mix of uses; street definition, widths and layout; site contamination; visual impacts on Kingsland Point Park; and consistency with the village's LWRP.

Traffic Impacts

5602

The new traffic generated by Lighthouse Landing will be a function of the type and density of development on the site. Unfortunately, the site is not well connected to existing highway networks with spare capacity to accommodate the traffic generated by 1,562 dwelling units plus an additional 180,000 sf of commercial development, 50,200 sq ft. of office space, and a 147-room hotel. Everyone knows that Route 9 is choked with traffic now – and not just during rush hour. Beekman Avenue and other local streets connecting the site with Route 9 are not much better. Several intersections operate at Level of Service F and E – even without this development. This is how engineers describe intersections that are failing or nearing failure.

The traffic study would have us believe that if a few lanes are restriped, traffic lights added or retimed, and left turns restricted, traffic will actually be better – even with this mammoth project. This seems to defy common sense. Our traffic consultant Georges Jacquemart has indicated that the traffic study is based on assumptions that underestimate project's traffic and overestimate the effectiveness of proposed mitigation.

For example, the DEIS proposes a 40% reduction in traffic because people could take the train to work. However, this figure is based on other projects in New Rochelle and Yonkers and may not apply at Sleepy Hollow where the level of transit service may not be equal to those communities. Our consultant has indicated that a more conservative estimate of a 30% reduction is reasonable. However, if a train station is not constructed on-site, residents of Lighthouse Landing would have to ride shuttles or walk more than ½-mile to the Tarrytown or Philipse manor stations, in which case even the 30% trip reduction figure is sure to be substantially lower.

While an on-site train station and transit-oriented design could conceivably reduce the need for residents to drive to work, an associated 400-car garage for commuter parking would attract commuters in their cars from surrounding municipalities. Therefore, these commuters would inevitably offset trip reductions of residents Lighthouse Landing forgoing their cars in favor of the train. If a train station is not established, the project density should be substantially reduced.

Given the fact that it is not presently known whether or not the train station proposal is viable, or agreed to by Metro North, it is imperative that this option be pinned down before a proper SEQRA review may be concluded.

Below are specific technical comments on the DEIS' Traffic Analysis and related Site Plan Issues:

1) The site plan proposes three intersections along Beekman Avenue within about 400 feet (Hudson Street, Beekman Place and River Street extension). This is likely to create conflicts between the various turning movements at these intersections. 5603

   Scenic Hudson suggests that this arrangement of intersections should be analyzed in more detail using a traffic simulation program, such as Synchro.

   In addition, an alternative configuration consisting of the creation of one single intersection between Beekman Avenue with River Street and Beekman Place should be investigated. Finally, this single intersection should be studied as a roundabout.

2) The right turn from westbound Beekman Avenue onto Beekman Place is designed with a wide radius and, thus, could encourage drivers to enter the project site at unsafe speeds. 5604

   Scenic Hudson suggests that the radius be reduced and traffic calming measures, such as bollards, a neck down, or textured pavement, etc, be implemented into the intersection's design to slow vehicles rounding the corner and entering Beekman Place to speeds of less than 15 mph.

3) The applicant proposes separate parking areas for each use in the project. This typical suburban pattern is inconsistent with the objectives of transit-oriented developments and would undermine the advantages of Lighthouse Landing's proximity to transit, as well as its mix of uses. 5605

   The project's design should maximize opportunities for shared parking and encourage a "park-and-walk philosophy" on the site. Parking should be provided to capitalize on sharing space with residents, commuters, office employees, shoppers and movie patrons. For instance, the parking areas for the residential buildings 13, 14 and 17 would be ideal for commuters. Since some of the parking spaces will become available during the day, these could be leased on a monthly or quarterly basis to commuters.

   Parking spaces should not be individually assigned. Rather, parking spaces should be restricted to permit holders and accessed with a magnetic card. The shared parking policy would reduce the overall number of parking spaces needed on the site.

4) DEIS indicates (Page III.I-12, last paragraph and page III.I-38, fourth paragraph) that the majority of the intersections currently operate at an overall Level of Service "E" (LOS E) or better. This statement implies that LOS E may be an acceptable level. However, Scenic Hudson believes that LOS E, which is approaching intersection failure, is not acceptable. The public has consistently expressed grave concern regarding existing traffic congestion. Scenic Hudson suggests that the Village should require mitigation that would improve intersection performance to LOS D or better. 5606

To provide more objective information, the FEIS should provide a complete and comprehensive list of intersections and turning movements with projected LOS of each. 5606 (continued)

5) The project proposes 145,600 sf of retail uses. The traffic study uses the category of "specialty retail center" in order to determine trip generation rates for the 145,600 sf of retail uses. While this category may be acceptable for some retail uses proposed on the site, this category does not accurately represent traffic generation from a supermarket, which results in 2 to 3 times greater traffic rates than specialty retail centers. Therefore, Scenic Hudson suggests that new trip generation rates (that separate the amount of specialty retail uses from the supermarket) should be plugged into the model used in the traffic study. The supermarket should be extracted out of the retail category and analyzed separately and added to trips generated by all other uses to determine traffic impacts and LOS. 5607

   a. The DEIS is based on standard ITE trip reduction rates of 40% to account for the percentage of residents that would use the transit services rather than drive cars. This credit was taken on the basis of survey of residents at the Avalon project in New Rochelle and at the Scrimshaw building in Yonkers. The Avalon survey did not conclude that 55% of the residents use the train, as indicated in the DEIS. Rather, that survey found that 55% of the residents had "their job in New York City in close proximity to Grand Central." 5608

It is a leap of faith to conclude that since 55% of residents of Avalon work near Grand Central Station, that all (55%) of these residents take the train. Further, not all peak hour trips are work trips, as some people may use their cars for non-work related (e.g. shopping, school, recreation, appointments, etc.) during peak hours.

The survey conducted at the Scrimshaw House in Yonkers did not take into consideration vehicle occupancy of the vehicles that were counted. If we assume a vehicle occupancy rate of 1.15 people/vehicle, the percentage modal split for that building would be 40% on foot or by transit.

It is not certain that the level of transit service at the new station would be as high as it is in Yonkers or New Rochelle. Both of these stations have also Amtrak service and substantial bus service.

Finally, the calculations made by the DEIS authors assume that the ITE rates are based on a 100% split by auto. This is not the case, especially not for apartments and townhouses. While a 40% reduction may be possible, it is probably optimistic. Therefore, we recommend a worst-case estimate of 30%, which is probably more reasonable at a mixed-use site with the rail station.

   b. The DEIS estimates the percentage of internal trips (trips made between the various uses on the project site) based on the gravity model used to distribute traffic in the region. The gravity model distributes traffic in proportion to the 5609

attractions in each traffic analysis zone, and in inverse proportion to the distance between those zones and the project site.

5609 (continued)

Whereas a gravity model is appropriate for regional traffic distribution, it is not appropriate to estimate the percentage of internal traffic. Table 10-8 indicates that 45% of internal trips is based on the population forecast of 2,961 in the project zone and on an average travel distance of 0.10 mile. In this case this distance should be zero, which would lead to 100% of internal traffic, given the gravity model methodology.

The selection of the 0.10-mile distance is an aleatory choice. If the analyst had picked an average distance of 0.05 miles the percentage of internal trips would have been 62%, and with a 0.2 mile distance the percentage would have been 29%.

Using the gravity model is contrary to the procedures recommended by Institute of Traffic Engineers (ITE), as explained in the Trip Generation Handbook Second Edition, June 2004 (An ITE Recommended Practice). The procedure used in the DEIS is incorrect because the "gravity model reduction" results in numbers of inbound trips and outbound trips that are different. The internal traffic reduction must be the same for inbound and outbound trips, since each internal trip represents a trip produced by one use (an outbound trip end) and attracted to another use (an inbound trip end) within the project site. We attach a spreadsheet that shows the traffic generation calculation for a mixed-use project in New Jersey. This spreadsheet shows a separate credit taken for transit and walk modes, and an estimation of internal trips for each possible exchange between pairs of uses. In that case the internal capture rate was estimated at 15% of the lowest of the trip exchanges. The internal capture rate may be different for the Lighthouse Landing uses.

6) In Tables III.I-5 through III.I-10 there are many intersections shown with "N/A" in the future "Build w/improvements" scenario. It is not clear whether these intersections did not need any mitigation or whether the mitigation was not applicable or not appropriate. The DEIS needs to be more explicit and must explain the degree to which proposed mitigation measures will be effective.

5610

7) In the mitigation section (pages III.I-39 through III.I-43) the DEIS implies that, at several intersections, delays will decrease from the no-build to the build conditions. This needs to be corrected. The reduction is from the no-build to the build with mitigation condition.

5611

Overall Traffic Impact and Mitigation Issues

1) The traffic impact study assumes that all traffic that circulates between this project site and areas south of Wildey Street, including all vehicles to and from I-287 and the Tappan Zee Bridge, will circulate via Franklin Street, Main Street and Wildey Street, to and from the Lighthouse Landing site, rather than staying on Rte 9 to Beekman Avenue. While this assumption may be correct may be correct in that the route represents the fastest path, it raises the prospect that Tarrytown may be disproportionately impacted by project-generated traffic. These impacts may

5612

need additional mitigation measures beyond the typical level of service improvements at affected intersections. 5612 (continued)

2) The DEIS' traffic impact analysis is based on the assumption that a new train station would exist at the project site. This is a serious flaw. 5613

First, Metro North has not agreed to construct a new station on the site.

Second, even if a new station were to be built, the 40% credit taken for the presence of the train station (too high in our estimation) is based on a situation where residents walk to the train station, and do not need to take a shuttle bus. Traffic generation rates will be higher if no rail station is on-site and residents must catch trains at stations at Tarrytown or Philipse Manor.

The DEIS discusses a scenario without a rail station, however, it only addresses the impacts of non-project commuters that would shift back to the Tarrytown and Philipse Manor Stations. The DEIS appears to assume that if a train station is not built on the Lighthouse Landing site, traffic generation rates would not increase. On one hand, the DEIS describes the new station as a major mitigation measure; on the other hand the DEIS implies that it would not affect traffic generation rates. This must be resolved.

We believe that a train station at Lighthouse Landing would represent a significant mitigation measure, not only because it would reduce the traffic generation of the proposed development, but also because it would attract some existing commuter vehicles from the adjacent train stations (Tarrytown and Philipse Manor), thus mitigating some of the negative traffic impacts created in Tarrytown. However, Metro North has not agreed to build a new station. Unless the applicant commits to building the new station, and Metro North agrees, the DEIS must analyze the traffic impacts without the proposed station.

(See Attachment no.1: Report from Buckhurst, Fish and Jacquemart, Inc.)

Density and Building Heights

The current proposal, 1562 units of residential construction, 180,000 sq ft of commercial space, 50,000 sq ft office space and a 147 room hotel is far too dense for the size of the site and the traffic constraints it must work with. The residential portion alone represents a density of 24.2 units per acre based on the area of the parcel west of the MetroNorth easement where the development will occur (64.5 acres - including the 8 acres for the park - as opposed to the 97 acres that includes the eastern parcel) . This density is substantially above the adjoining Ichabod's Landing at 15 units per acre and the Lower Village at 15.5 units per acre. With the addition of the commercial and office space as well as the hotel and without including the park area, the actual density that will be perceived and experienced will be substantially higher than 24.2 units per acre. This represents approximately a 60% higher density than either the Lower Village or Ichabod's Landing, and as such will bear little relationship to Sleepy Hollow or any 5614

place in the Hudson River valley north of Yonkers. As discussed above, we believe that should the project be built at the proposed density, significant negative impacts to an already stressed traffic situation would occur. We strongly urge the Village to insure that the ultimate project is in scale with both the limitations of the property, and the larger Village context in which it is sited. Unfortunately, the DEIS only examined alternatives that were slightly smaller (and larger) than the preferred alternative. We believe that additional analyses of smaller, less dense, alternatives should be provided. We believe that alternative analyses of both 750 and 900 residential units should be provided prior to the Village making a final determination. A density similar to the Lower Village for example would mean only 1000 units without counting the commercial, office and hotel space. With that additional component, a Lower Village density would put the unit count closer to 750 units. 5614

In keeping with the character of the existing village we believe that it would be desirable to keep the building heights of this development lower than is proposed or is permitted in the zoning law. In particular this should apply to the buildings at the periphery of the development including the northern side facing Kingsland Point Park. We recommend limiting the buildings to three stories or 35 feet in these areas. The townhouses as proposed are of equal massing and height to all the other buildings proposed.

Architectural Treatment, Residential Types and Mix of Uses 5615

Concerning the architectural treatment of the facades, we recommend a greater variety of treatments than is proposed. While a variety of treatments are proposed for buildings 1 through 9 along Beekman Place, the other facades of these and all the other buildings are virtually identical. The 'Palette of colors' illustrated in Figure II.c-17 for example shows how even a change of color could help provide greater variety. Additional variety in height, roof treatment and details could also be applied throughout. We also recommend the application of the most advanced conservation materials and technologies better known as 'green architecture'.
To make this development accessible to the widest range of people, we also recommend that there be a wider mix of building types and sizes and that there be a larger number of affordable units. Currently this is limited to 100 senior units and 21 'incentive-priced' condominiums. This is well below the 10 to 15% that is commonly provided in developments today.

Street Definition, Widths and Layout 5616

While we agree with and support the layout of streets as a grid that essentially reflects the existing streets in the Lower Village, we do not believe that there is any justification for any travel lanes to be 14 feet wide. A width of 10 to 12 feet should suffice in all instances and would contribute to keeping the development compatible with pedestrian use. We support the concept of parallel on-street parking on most of the streets and particularly along the waterfront. This makes the use of sidewalks more secure for pedestrians while also providing needed parking, particularly for the waterfront. Additionally we strongly support the recommendation in the Village's Open Space Framework Plan that the Beekman Avenue extensions to the waterfront include a loop along the northern side of the Ichabod's Landing development defining a landscaped space. This additional roadway and landscaped space will not only provide an appropriate terminus to the protected visual corridor of Beekman Avenue but we believe that it is essential to creating a seamless connection with that smaller development. Otherwise it will remain isolated from the Roseland development segmenting a waterfront that should function as

a whole into unrelated fragments. Additionally we believe that this loop should be extended to the river's edge to provide access to a public pier as discussed below under Consistency with the LWRP. 5616 (continued)

Site Contamination

This site contains significant contamination, both from the fill used to create the site and from decades of industrial activity at the GM auto plant. But the full investigation of both on-site and off-site contamination is not yet complete, nor has the public been given the opportunity to comment on an agreed-upon remediation plan. The investigation and ultimate remediation of the site are currently being addressed via the DEC's Voluntary Cleanup Program ("VCP"). We understand, however, that it may become part of the State Brownfield Cleanup Program ("BCP"). 5617

Our review of the DEIS reveals significant gaps with regards to site contamination and remediation. The document is extremely vague regarding the areal extent of contamination and the characterization of the particular contaminants. Furthermore, significant contamination, well above State cleanup standards, will remain at the site. The cleanup levels referenced in the Draft Conceptual Remedial Action Work Plan Summary (DCRAWP) are unacceptable as is GM/Roseland's rationale for using such standards.

The DCRAWP is extremely vague on how this site will be remediated. It offers little to no reassurance that public health and the environment will be protected based on site remediation and the extensive development proposed for the site. This is particularly disturbing because it is stated in the DEIS that the "DEC has reviewed and conditionally approved a Conceptual Remediation Work Plan (Conceptual RAWP)." (III.B-20). This is confirmed in an April 12, 2004 letter from the DEC site Project Manager to GM's site consultants, AMEC Earth and Environmental, Inc., in which it is stated that, following consultation with the NYS Department of Health, "conceptually, the approach and the scope presented in the work plan summary are appropriate."

Site Characterization

We are extremely concerned with some of the characterization of the contamination as described in the DEIS. 5618

Although a single "pre-SI sample" found 43,500 ppm and a second sample found 1,270 ppm in Area of Concern (AOC) 1 -the DEIS concludes that "high pre-SI lead data from these locations (AOCs 1 and 9) are outliers representing no appreciable volume of high concentration of lead."

While total carcinogenic PAHs (c-PAHs) were found as high as 103 and 167 ppm in AOCs 34 and 35 (TAGM for total c-PAHs is 10ppm) it is stated that: "The observed concentrations of c-PAHs fall within the range of other historic fill segments on the West Parcel, as well as the stockpiled concrete millings."

GM/Roseland is characterizing the site primarily based on historic fill and certainly appears to be justifying the position that significantly high levels of contamination can be left in place due to the fact that the site is largely made of fill material. The contamination that has resulted from

industrial activity at this site is being downplayed as is the potential health and environment risks associated with the extent of contamination. 5618 (continued)

We question GM/Roseland's approach in determining what is typical and atypical contamination in fill material found along the Hudson River shoreline. We also question the basis on which GM/Roseland is determining site investigation, site cleanup objectives and potential remedial activities

Only four Areas of Concern (AOCs) are identified as possibly needing some type of remediation. We believe there are additional AOC's at this site that are in need of further investigation and possibly remediation.

Lead Contamination

The most glaring example of GM/Roseland's misguided approach to remediating this site is their rationale for remediation of lead contamination. 5619

It is indicated in the DEIS that a "10,000 ppm lead threshold was selected as a logical dividing line for this investigation because soils yielding results above this number are anomalous, relative to the typical lead concentration encountered at this Site, and therefore warranted further investigation." The DEIS also states that lead found up to 10,000ppm are "generally within the range of concentrations that are typically encountered within common fill materials and do not warrant additional investigation."

It is perplexing and disturbing that GM/Roseland cites the New Jersey Administrative Code to determine the makeup of common fill materials. This approach, rationale and cleanup threshold are unacceptable.

To protect public health, the State cleanup standard for lead ranges from 200 to 500 ppm, with 400 ppm being commonly used. GM/Roseland's proposal would result in lead concentrations remaining at this site that are 25 times higher than the 400 ppm state guidance value or, or 50 times above the 200 ppm level. We strongly urge that the TAGM 200-500 ppm range be used as a cleanup objective for site particularly due to the proposed high-density residential development and the risk of human exposure. Certainly a 10,000ppm guidance value is considerably too high, unreasonable and unacceptable.

While the DEIS indicates that there are "relatively few samples" of lead ranging from 1,200 ppm to 10,000 ppm - GM/Roseland's should identify the percentage of results that are above 200 ppm lead.

To protect ecological resources, cleanup would have to achieve significantly lower levels of lead. In addition, though the plan discusses the presence of volatile organic compounds ("VOCs") and chlorinated solvents at the site, it fails to discuss or propose any mitigation for the presence of the chemicals, before, during, or after construction. These impacts must be thoroughly analyzed and dealt with to protect the health of workers at the site and subsequent residents of the project.

Both a human health risk assessment and an ecological risk assessment are warranted at this site.

Future Remediation Related Documents

5620

Although it is the State, and not the Village that will be working with GM to prepare the Remedial Action Work Plan (RAWP), we want to take this opportunity to offer the following concerns regarding the RAWP. We look forward to the release of a draft Remedial Investigation Report, a draft RAWP and a draft Proposed Remedial Action Plan (PRAP) that the public will have a opportunity to provide input on.

Cleanup Goals

Specific cleanup goals should be articulated in the RAWP. Cleanup goals should be based on:

- Technical and Administrative Guidance 4046 Soil Cleanup Objectives
- PCB cleanup criteria in 40 CFR Part 761
- ambient groundwater quality standards

Cleanup levels for contaminants of concern should be clearly defined. The cleanup goal for PCBs in surface soils should be 1ppm and 10 ppm for subsurface soil. In addition, since the site is made up largely of fill, the cleanup objectives for the semi volatile organic compounds (polycyclic aromatic hydrocarbons) and the metals should be more clearly spelled out. The cleanup goal for lead should be no greater than 400ppm. Specific cleanup levels should also be identified for other metals. The proposed remedy should provide assurance that specific cleanup levels can be met. The Draft Conceptual RAWP does not meet the remediation soil cleanup objectives goals as outlined in the NYSDEC TAGM 4046.

Source Removal to Enhance Groundwater Remediation

5621

Based on limited site data and the need for better site characterization we question the conclusion that the "only source area that still contains a significant volume of residual petroleum is the immediate vicinity of an abandoned 10,000-gallon underground No. 6 fuel oil tank."

This conclusion can only be drawn after final site investigation is complete. The remaining contaminated fill in this area should be excavated. The contaminated material should either be treated on-site or properly disposed of off-site. Material should only be "recycled" on-site if it is below health standards or properly treated to ensure that it is decontaminated prior to re-use on or off-site.

We question the efficacy of groundwater contamination being remediated through natural attenuation. We would like to see a thorough evaluation of active groundwater remedies, which may speed the recovery of the groundwater. Full justification must be provided if active remediation is not chosen and groundwater contamination is allowed to "naturally attenuate."

A proposed groundwater-monitoring program for "a 2-3 year period" is insufficient. A long-term groundwater-monitoring program should be established to examine the concentrations and movement of contaminants. Monitoring should only cease after several years of data reveal no measurable levels of contamination.

Restricted use of Recycled Concrete Millings

5622

We disagree with the statement in the DEIS that the concrete millings "are acceptable for re-use on site as structural fill..." While levels of PAHs and PCBs may meet subsurface standards, we believe the levels are high enough (PCBs up to 4.4ppm) to render this material as unacceptable

for use as fill. Roseland/GM have offered a flawed justification for the use of contaminated fill, particularly with contaminants such as PCBs which are very persistent in the environment. Just because the site is contaminated, further use of contaminated material should not be permitted. The concrete millings should be properly treated and/or disposed of at an appropriate facility. 5622 (continued)

Site-Wide Engineering and Institutional Controls

Due to existing groundwater contamination, the extent of contamination that will remain at the site and the potential for recontamination of groundwater, there should be an institutional control that prohibits the use of groundwater from this site for any purpose, especially as a drinking water source. 5623

There is also a need for an institutional control that clearly spells out a long-term cap maintenance program.Other institutional controls may be necessary depending on further investigation and characterization on both on-site and off-site contamination. For example an institutional control may be necessary to assure the protection of riprap or a bulkhead that may be necessary to contain site contamination. The monitoring, maintenance and enforcement of these controls will dictate their value. Therefore, the annual certification of these controls, including deed notices, access controls and long term monitoring, is imperative. We urge the developer to work closely with the State and the Village to see that these controls are strictly enforced.

Former Municipal Landfill

Based on the brief description of the former municipal landfill in the DEIS, additional soil and groundwater investigation are warranted in this area. 5624

The soil gas investigation found concentrated combustible methane. Remediation of this area is not addressed in the Draft Conceptual Remedial Action Work Plan. However it is significant to the use and development of the entire site. A draft RAWP should ensure the proper handling and treatment of this combustible gas. The collection and reuse of methane gas as a source of energy for the Public Works building, which may be constructed in this area, should be considered.

Soil Gases

Additional soil vapor investigations should be conducted in this area as well as for the entire site. 5625

The NYSDEC currently has out for public review and comment a soil vapor guidance document. It appears this proposed guidance was not used to examine this site. Based on the finding of TCE in the groundwater, this site should be scrutinized based on the proposed soil vapor guidance to better understand current and potential exposures to contaminated subsurface vapors and to determine actions that may be necessary to prevent or mitigate exposures and to remediate vapor contamination.

Contamination and Remediation of Hudson River Sediment

The DEIS indicates that a Sediment Quality Investigation in the Hudson River in 1997 revealed that that there are "no area-wide impacts." It is important to note, however that this investigation did not include analysis of any contaminants other than metals. In addition this investigation did find elevated levels of arsenic, barium and lead in sediment. Other contaminants – primarily 5626

PAHs and c-PAHs should be investigated. The DEIS alludes to a July 2004 "localized investigation. " which has not been made publicly available.

5626 (continued)

While Section III.B very briefly discusses the sediment investigation, and indicates that "there are elevated concentrations of metals immediately adjacent to outfall one (OF-1)", the Draft Conceptual Remedial Action Work Plan fails to address remediation of sediment contamination. It is indicated in the DEIS that "Even if it is determined that some remediation of sediments is necessary, it would not affect the proposed project."

We maintain that adequate and appropriate investigation and characterization of contamination in Hudson River sediment is of critical importance. It is unacceptable to not consider the possible characterization and remediation of contaminated river sediments during this SEQRA review.

Based on preliminary sediment data, high levels of metals in Hudson River sediments, at least at OF-1, do indicate the need for active removal of contaminated sediment. Proper planning and timing of remedial activities for both on and off-site contamination is essential to protection of public health and the long-term recovery of the Hudson River.

It is also not clear as to whether contaminants are migrating from this site into the Hudson River. There is 1,250 feet of riprap embankment along the entire length of the property with some localized deficiencies. Does the riprap serve to prevent contamination from migrating into the river? Will additional containment methods be necessary? This must be ascertained prior to site development.

Handling and Processing of Soils

The DEIS does not adequately address the handling and processing of contaminated materials. This should be addressed in the draft RAWP that will be released for public comment. All contaminated materials should be handled in a way that is protective of public health and the environment.

5627

The development of a Health and Safety Plan and a Community Air Monitoring program as discussed in the DEIS are important aspects in the design and implementation of a remedy. The local community and other interested stakeholders should be closely involved in the development and implementation of these plans. All data must be easily accessible to the public.

Appropriate controls should be required to contain dust and the potential loss of contaminants to the air. Containment should occur during excavation of soils. Storage and transportation systems and equipment should be enclosed to minimize unnecessary release of contaminants into the environment during the remediation process. Containment and air protections can include simple cover such as tarps, evacuating trapped air, using negative pressure in storage buildings and running air through filters before it is released. The public should be given more information regarding the handling and processing of contaminated and treated material.

It is indicated in the DEIS that "contaminated soils would be excavated and transported to an off-site facility for recycling or disposal." At other sites, potential contaminated soil treatment

options have been explored. Practical alternatives to landfilling that are protective of the environment and public health should be examined. 5627 (continued)

Treatment can increase the overall effectiveness of the cleanup and reduce the need for landfilling. Any short-term increased costs of applying treatment technologies over landfilling provide long term benefits and reduce costs of maintaining and monitoring hazardous waste landfills for years into the future.

Long-term Monitoring

If this cleanup proceeds as is conceptualized in the DEIS, and significant contamination is left in place, such residual contamination must be monitored. The details of the approach to periodically evaluating the short and long-term impacts of residual contamination should be part of the draft RAWP. The goals of the cleanup, the design of the cleanup, and the elements of a long term monitoring program need to be clearly articulated in a draft RAWP to ensure success of remediation. We urge that this be done with considerable public input. 5628

In addition, the details of the approach to establish a long-term monitoring program for groundwater must be part of the draft RAWP. As previously mentioned, only a 2-3 year groundwater monitoring effort is insufficient. Again, this should be done with considerable public input.

Due to the groundwater and other contamination that may remain at this site, we would suggest the establishment, at a minimum, of a 5-year monitoring and maintenance program. If after 5 years, data reveals that groundwater contamination persists, the monitoring and maintenance program should be extended for a longer period of time. Monitoring data should be readily available to the public. If the Department moves forward with this cleanup as is proposed and contamination is left in place, we urge that the Department allow for the possibility that a future remedy may prove to be more effective.

Fish Advisories

The draft RAWP should recognize that a potential route of exposure to contaminants of concern is through the consumption of contaminated fish. 5629
Determining if the GM/Roseland property is a source of contaminants to the Hudson River is critical to carrying out a comprehensive remedial effort that is protective of public health and the environment and will ultimately restore this site and the river.

The risk to human health from the consumption of contaminated fish is not being addressed by fish consumption advisories. Two separate Hudson River angler surveys, (Health Consultation: 1996 Survey of Hudson River Anglers - New York State Department of Health 2000), and (Hudson River Angler Survey, Hudson River Sloop Clearwater, 1993) have shown that the majority of people who catch fish are eating them, or sharing them with others, despite these advisories. We strongly suggest that the posting and maintenance of fish consumption warning signs be part of the intuitional controls required for this site.

The DEC and the DOH and the Village should recognize that human health risks are much greater as there is the potential for anglers to catch and consume and share contaminated fish that

can be regularly caught in the section of the River. We strongly suggest that the posting and maintenance of fish consumption warning sign be part of the institutional controls required for this site. 5629 (continued)

In addition, the risks to human health from the consumption of contaminated fish underscore the overwhelming need to remove the source of contamination to the fish (contaminated sediment) to speed the recovery of this resource.

'Green' Cleanup

The remedy should be designed so that implementation minimizes the impact on the environment and the local community. We urge that the following principles be incorporated into the design and implementation of this remedial action. 5630

Energy efficiency

Equipment used in all phases of remedial action and construction should be energy efficient.

Low-sulphur fuels

To minimize odors and other air emissions emitted to the local community low-sulphur fuel should be used in remediation and construction equipment.

Air Emissions

The strictest air emissions standards must be adhered to in operation of the thermal desorption unit. Any exceedances of such standards should force the shutdown of the unit until the problem can be remedied and strict air emissions standards can be meet.

Timing of SEQRA Review and Remedial Action Work Plan

As Lead Agency, the Village must take the requisite 'hard look' at all environmental impacts of the project, seek to mitigate them, and then ultimately make the requisite SEQRA findings. Given, that the final remedial plan will not be agreed upon for some time, it would be difficult, if not impossible for the Village to make such findings in the absence of an appropriate and agreed-upon remedial plan. At a minimum, we believe that the SEQRA process for approval of the project itself cannot be considered complete unless and until a full investigation and characterization of the contamination is completed, and there is in place an appropriate and binding cleanup agreement which is fully protective of human health and the environment. 5631

(For further comments concerning site contamination and remediation please see report by Ecosystems Strategies attached here as Attachment 2, part 1.)

Impacts to Kingsland Point Park

As currently proposed, this project would include a significant number of substantial four story buildings directly adjacent to Kingsland Point Park. While these are referred to as townhouses they are in fact the height and size of the apartment buildings in the adjoining blocks. As shown by the photo simulations included in the DEIS, they present a dominant visual element as viewed from the Park. We believe this project would actually diminish rather enhance use of the park We believe that these massed buildings, directly adjacent to and looming over this vital public resource, create a significant adverse impact, and should be mitigated. At a minimum, we 5632

believe that the buildings should be lowered and set back from the edge of the Park, and a buffer zone of at least 200 feet should be mandated. 5632 (continued)

Consistency with the LWRP

Sleepy Hollow's adopted, approved and concurred Local Waterfront Revitalization Program (LWRP) is based on the premise that "uses requiring a location on the shoreline must be given priority in any development effort" (Explanation of Policy 1, page III-5). Likewise, this approach is consistent with New York State's Coastal Management Program. 5633

Several aspects of Lighthouse Landing's design are inconsistent with policies contained in the Village's LWRP. However, the predominance of residential and retail uses not requiring a waterfront location, and relative lack of water-dependant uses, such as wharves, piers, boat docks, marinas, and fishing facilities, render the proposal wholly inconsistent with the this critically important fundamental premise of the Village's LWRP.

Scenic Hudson believes that, as proposed in the DEIS, Lighthouse Landing is inconsistent with several policies contained in the Village's LWRP:

- Lighthouse Landing proposes few water dependent uses and many uses that do not require a waterfront location;
- Lighthouse Landing's site plan would encroach upon Kingsland Point Park;
- Uses in close proximity to the Kingsland Point Park would likely impose visual and noise impacts on the Park;
- Lighthouse Landing's site plan would preclude the possibility of a trail linking the Hudson River with Philipse Manor Restoration along the interface between the former GM site and Kingsland Point Park; and
- The design of buildings is inconsistent with the scale and character of existing development in Sleepy Hollow.

Below is an analysis of each of the LWRP's relevant policies and the project's consistency with them:

Policy 1A: Restore, revitalize, and expand recreational uses of Kingsland Point Park and the Tarrytown Lighthouse, including the undeveloped parkland adjacent to the Pocantico River between Philipsburg Manor and the railroad. 5634

As described in the DEIS, the tall, multi-story buildings proposed in close proximity to the site's northern border are likely to loom over and encroach upon Kingsland Point Park. As such, the development would impose significant and adverse visual and noise impacts the park, and would likely diminish the public's enjoyment of this critical recreational resource. These impacts directly contradict Policy 1A, which calls for the restoration and revitalization of the park and would undermine public investment in the park.

Scenic Hudson suggests that establishing an "ecological and recreational corridor" between the Lighthouse Landing project and Kingsland Point Park could mitigate these impacts. This corridor should be designed to serve as a buffer between Kingsland Point Park and Lighthouse Landing to mitigate visual and noise impacts. 5634 (continued)

Policy 1F: Develop a waterfront pedestrian access trail along the waterfront periphery of the General Motors property that can serve to link with other trails within the Village and adjoining municipalities and governments. 5635

While Lighthouse Landing proposes a waterfront walkway along the Hudson River shore along the western portion of the site, connections are not provided to other trails within the Village, as this policy requires. The Village's Linkage Study and the Open Space Study call for trail connections between the Hudson River and Philipse Manor along the interface between the former GM site and Kingsland Point Park. As proposed, the design of Lighthouse Landing would preclude the possibility of this trail connection in the future.

As suggested above, the project could be made consistent with this policy by incorporating into its design an "ecological and recreational corridor" between the site and Kingsland Point Park. In addition to serving as a visual and noise buffer, the corridor should be designed to provide pedestrian and bicycle trail connection between the waterfront esplanade along the Hudson River and Philipsburg Manor and The Horseman's Trail.

Policy 1H: Any redevelopment of the General Motors property, and the waterfront area immediately south of the General Motor's property and adjacent to River Street, should be a comprehensively planned development that includes a mix of land uses and achieves a high standard of site planning, architectural design, and is in keeping with the existing character of the Village. The mix of land uses should include, as a priority, water dependent commercial, water dependent and water related public recreational uses, and waterfront related public education and entertainment. The mix of uses may also incorporate residential and commercial (with preference for small-scale commercial retail uses, which are in keeping with a waterfront image). 5636 (continued)

The DEIS' mix of land uses proposed at Lighthouse Landing includes very few water-dependent uses. No water-dependent commercial uses are proposed. With the exception of the public esplanade, which is a water-enhanced use, the remainder of the 99-acre site, including more than 1,500 residences and over 180,000sf of retail space, are not water dependent. Indeed, despite the name of the proposed project, there is no "landing" at Lighthouse Landing. While a fishing pier is proposed in the DEIS, no further mention is made nor are plans shown as to where this could occur. We firmly believe that a pier at the end of Beekman Avenue is highly desirable component for the development of this site with water-dependant uses as required in the LWRP. Being adjacent to the federal navigation channel makes it possible to accommodate ferries and other commercial craft.

Further, the proposed layout of four- and five-story equivalent buildings would dominate much of the 99-acre site. In contrast, the Village of Sleepy Hollow consists of a predominance of 2-3 story building with an occasional building of five-, six- and in rare cases, more stories. The

density, intensity, mass, and scale of development proposed in the DEIS, would, in effect, result in the construction of a new city on the waterfront, and would overwhelm the existing character of the Village. 5635 (continued)

In order to make the project consistent with this policy, the project's mix of uses should be expanded to include commercial uses, such as docking facilities for tour boats, marina, boat rentals, bait and tackle shop, etc, and recreational uses, such as fishing pier, fishing stations along the esplanade, transient dock, etc. In addition, building heights should be more varied – with lower two- and three- story structures sited around the site's periphery.

Further, the reestablishment of a second course of the Pocantico River in the aforementioned ecological and recreational corridor would provide an opportunity to expand the existing esplanade along the new watercourse, and provide additional opportunities for water-dependent uses, such as boating and fishing, at the project site.

Policy 2: Facilitate the siting of dependent uses and facilities on or adjacent to coastal waters. 5637

As indicated in our analysis of Policy 1H above, the mix of land uses proposed at Lighthouse Landing does not include sufficient water-dependent uses. The vast majority of uses proposed for this 99-acre site – residential, retail, and office – do not require a waterfront location and, thus, are not water dependent.

The project could be made consistent with this policy by expanding the scope and scale of water-dependent uses with the establishment of a new outlet for Pocantico River, which would flow through an ecological and recreational corridor between Lighthouse Landing and Kingsland Point Park. The new outlet of the Pocantico would create approximately 1,500 feet of new waterfront, thus expanding opportunities for water-dependent uses, such as boating, fishing, and nature observation.

Policy 7B: The Philipsburg Manor and Devries Field wetland/watercourse areas of the Pocantico River shall be protected, preserved and, where practical, restored so as to maintain its viability as a locally significant habitat. 5638

With the exception of minor improvements to wetlands at Devries Field, the proposed development at Lighthouse Landing does not protect, preserve or restore the Pocantico River's watercourse or associated wetlands. In fact, as proposed, the redevelopment of this highly disturbed site, which for the most part was "created" by filling in of a bay, misses a critical opportunity to preserve, protect, and restore the Pocantico River.

The project's design should capitalize on this opportunity to seriously consider the benefits and costs of a restoration, where feasible, of the Pocantico River's original course. Such an approach would likely support far greater biological diversity and would better protect the floodplain below the dam at Philipsburg Manor, including addressing existing flooding of Devries Park. This enhanced approach would be consistent with Policy 7B and would substantially advance this policy.

Policy 21: Water-dependent and water-enhanced recreation will be encouraged and facilitated and will be given priority over non-water related uses along the coast, provided it is consistent with the preservation and enhancement of other coastal resources and takes into account demand for such facilities. Priority shall be given to areas where access to recreational opportunities of the coast can be provided by new or existing public transportation services and to those areas where the use of the shore is severely restricted by existing development.

5639

Policy 21C: In association with any redevelopment of the General Motors property and the waterfront area immediately south of the General Motors property, water-dependent and water enhanced recreational uses shall be encouraged and shall be given priority over non water-related uses.

The Lighthouse Landing proposal described in the DEIS does not place a priority on water dependent and water enhanced recreational uses and, thus, is inconsistent with these policies. With the exception of the waterfront esplanade, and the fishing pier, which is briefly alluded to in the DEIS with no commitment to build, no other water-dependent or – enhanced uses are proposed at Lighthouse Landing. The explanation of this policy specifically identifies boating, swimming and fishing as water-dependent activities. The project 's design should include some provision for these activities, particularly a fishing pier and docking facilities for tour boats.

Policy 22A: In association with any redevelopment of the General Motors property and the waterfront area immediately south of the General Motors property, water-related recreation shall be provided for as a mixed use, provided such recreational use(s) is (are) compatible with the primary purpose of the development.

5640

As indicated above, the Lighthouse Landing does not place a priority on water dependent and water enhanced recreational uses and, thus, is inconsistent with this policy. The explanation of Policy 21 specifically states boating, swimming and fishing as water-dependent activities; thus, the project 's design should be revised to include additional provisions for these activities.

Policy 25: Protect, restore or enhance natural and man-made resources, which are not identified as being of Statewide Significance, but contribute to the overall scenic quality of the coastal area.

5641

The former GM site, on which Lighthouse Landing is proposed, is located in the Tappan Zee East Scenic District and, as such, development on this 99-acre site will have an impact on the scenic quality of the coastal area. The final provisions of Lighthouse Landing's site plan and the design of its buildings will determine whether the project contributes – or detracts – from the Tappan Zee East Scenic District. As proposed, the scale and massing of buildings on the 99-acre site and the buildings' close proximity to Kingsland Point Park would dominate the view of Sleepy Hollow and the project site from the Hudson River.

The project can be made consistent with this policy by reducing building height to two- and three-stories around the periphery of the site, planting large trees in the open space along the

Hudson River and establishing an ecological and recreational buffer between Kingsland Point Park and the project site. 5641 (continued)

Policy 25A: Protect or enhance views of the Hudson River, the Hudson River Valley, and the opposite shore from the immediate riverfront as viewed from publicly owned properties. 5642

Policy 25B: Protect or enhance the following identified scenic resources as areas and view sheds of local importance: Hudson River from Kingsland Point Park

The view from Kingsland Point Park of the Hudson River would include tall buildings proposed at Lighthouse Landing. This design is likely to degrade park visitors' quality of experience. Thus, this project's proposed design is inconsistent with this policy. Larger setbacks and a substantial buffer from Kingsland Point Park, as well as more variation in building height on the site, are needed to mitigate these impacts and bring the project into consistency with this policy.

LWRP Summary

As discussed above, Lighthouse Landing is inconsistent with several policies contained in the Village's LWRP because the project proposes few water dependent uses, encroaches upon Kingsland Point Park, imposes visual and noise impacts on the park, precludes the possibility of a trail linking the Hudson River with Philipse Manor Restoration, and is out of the scale and character with development in Sleepy Hollow. 5643

Modification in design that would better buffer Kingsland Point Park, lower building heights at the site's periphery, and additional water-dependent uses would mitigate these inconsistencies.

Scenic Hudson has proposed an alternative that creates an ecological and recreational corridor between Kingsland Point Park and Lighthouse Landing. We hope that the Lead Agency and applicant will incorporate the key elements of this alternative into Lighthouse Landing's design. In addition to enhancing the project's consistency with the Village's LWRP, these modifications would provide additional benefits to the Village, its residents and visitors, the developer, and residents of and visitors to Lighthouse Landing. These benefits include:

- More water-dependent recreational uses;
- More effective mitigation of visual impacts;
- Enhanced habitat for flora and fauna;
- Enhanced water quality;
- Protection against flooding;
- Direct pedestrian and bicycle connection between the riverfront and Philipsburg Manor and sites accessible by the Horseman's Trail; and
- Better buffering of Kingsland Point Park.

Stormwater Management

A Stormwater Report, in Appendix 5 of the DEIS, indicates that a combination of stormwater management measures, including new landscaping and pervious surfaces, sediment traps and 5644

hydrodynamic separators will be the primary methods for stormwater treatment." These measures "will reduce the post-development pollutant loads" of Total Suspended Sediment (TSS), Total Phosphorous (TP) and Total Nitrogen (TN).

5644 (continued)

The report indicates that there will be "an overall decrease in impervious area on the site", which will lead to "a decrease in nutrient and sediment loading to the Hudson River" and that a reduction of impervious surface from 93 to 67 acres will lead to a decrease in the "the total volume of runoff." Yet the 100-year storm increases by 2 cubic feet per second due to additional storm sewer piping resulting in more direct runoff. This increase in direct runoff can lead to an increase in pollutant loadings.

While it may be true that the total amount of impervious surface may decrease, the makeup of stormwater runoff will change considerably even if there is less impervious surface. There will be a greater potential for additional development and site-related pollutants to end up in the stormwater. The actual quality of the stormwater pollution should be considered based on the extensive development proposal – not just a change in impervious surface. Post-construction stormwater management should seek to improve upon pre-development runoff conditions. Consideration should be given to utilization of "green" stormwater management systems, including vegetated swales and pervious substrates.

Best Management Practices

5645

The DEIS states that with the use of Best Management Practices (BMP's) it is "expected" that pollutant loads for TSS will be reduced by 80%. Other reductions in pollutants loadings are also identified except for no change in metals. Yet the only two stormwater management measures identified in the report are hydrodynamic separators and catch basin sumps. It is indicted that these "will meet best attainable treatment results."

The efficiency and effectiveness of hydrodynamic separators should be proven for this site and clearly stated. Are hydrodynamic separators best suited for use at this site? What storm will they be designed for? Will they need a bypass system and if so, what will the water quality impact be?

The report lacks details on "new landscaping and pervious surfaces." To what extent will pervious surfaces be used and where? What impact may that have on the movement of groundwater, taking into consideration the extensive contamination that is proposed to be left on site? What landscaping techniques, such as wetlands and grassed swales, will be used to reduce runoff? Will roads be curbed?

BMP's for this site must be designed to maximize pollutant removal. Other BMP's that should be considered include but are not limited to:

Limiting infiltration to storm sewers, elimination or effective and minimal use of deicing chemicals, stream bank erosion prevention and maintenance, spill prevention and response, street cleaning.

Information and education such as catch basin stenciling, landscaping information to reduce runoff, maintenance of parking lots, proper storage of chemicals - hazardous waste and motor oils, proper yard waste disposal, and proper pet waste management. 5645 (continued)

Other Stormwater Pollutants

Due to the historic nature of the fill at this site, the history of industrial activity and the limited remediation that is proposed, other pollutants should be analyzed as part of the stormwater management plan. In addition to TSS, TP and TN, stormwater should be monitored for chemical oxygen demand (COD)(mg/L); pH; acute whole effluent toxicity; total recoverable lead (mg/L); total recoverable cadmium (mg/L); total recoverable copper (mg/L); total recoverable arsenic (mg/L); total recoverable chromium (mg/L); and carcinogenic PAHs. In addition to nutrients, stormwater planning must also consider oil and grease, pesticides and heavy metals. 5646

Operation and Maintenance

The long term operation and maintenance of the hydrodynamic separators and catch basin sumps and other BMP's is critical. A stormwater management program to protect water quality will only work if it includes a long-term enforceable maintenance agreement. Hydrodynamic separators and catch basin sumps can trap pollutants that will need to be disposed of in environmentally safe manner. Pollutants that get trapped, such as metals and PAHs can harm fish and wildlife. Cleaning and maintenance of these systems is critical. Other maintenance issue can include odor, insects, weeds and garbage. 5647

Stormwater Pollution Prevention Plan

We request that the Stormwater Pollution Prevention Plan that will prepared as part of the permitting processes be made available for public review and input. 5648

River Restoration and Stormwater Management

We urge the Village to also consider how the restoration of a new Pocantico River through this site may impact stormwater management and the control of nonpoint source pollution. Changes to stormwater management planning may be necessary to protect this new River. 5649

Wastewater Management

The DEIS indicates that the Yonkers Joint Wastewater Treatment Plant as well as the Tarrytown Pump Station and the Tarrytown and Saw Mill Valley Trunk Sewer all have capacity to handle the wastewater from this proposed development. 5650

The DEIS however fails to consider the cumulative impacts of other development proposals that also propose to hook into this same wastewater system. We strongly encourage the Village to consider the fact that there of other development proposals that plan to connect to the Yonkers Joint Wastewater Treatment Plant and to examine the cumulative impacts from a capacity and water quality perspective.

We also urge the Village to examine the environmental justice concerns related to this and other wastewater being sent to the same location and require the applicant to examine alternative wastewater management plans

Restoration of the Pocantico

5651

Scenic Hudson has long advocated for the project to include the restoration of the historic channel of the Lower Pocantico River. There are many reasons for this. In addition to undoing some of the ecological damage done over the past century to what was once the Bay and the original course of the Pocantico, we believe that this action would also serve to significantly mitigate some of the adverse impacts caused by the proposed project, as discussed below. Unfortunately, the DEIS summarily rejects this option. We believe that the project sponsors and the Village should give serious consideration to and ultimately adopt this alternative.

This restoration could take the form of a second outlet following the approximate historical alignment of the river before General Motors filled it in the late 1920's. Additionally, we have advocated for the connection of the Horseman's Trail through this buffer area as included in the Village's Linkages Committee Plan. This would include the development of a new user-friendly pedestrian bridge over the MetroNorth railroad easement as also illustrated in the village's Open Space Framework Plan. The existing General Motors pedestrian bridge located about 2000 feet to the south of this location could potentially be relocated for this purpose rather than demolished. Ramps could be added on each side making this a user-friendly crossing for the Horseman's Trail.

(See Illustration: Potential Integration of Restored Pocantico River in Roseland Plan)

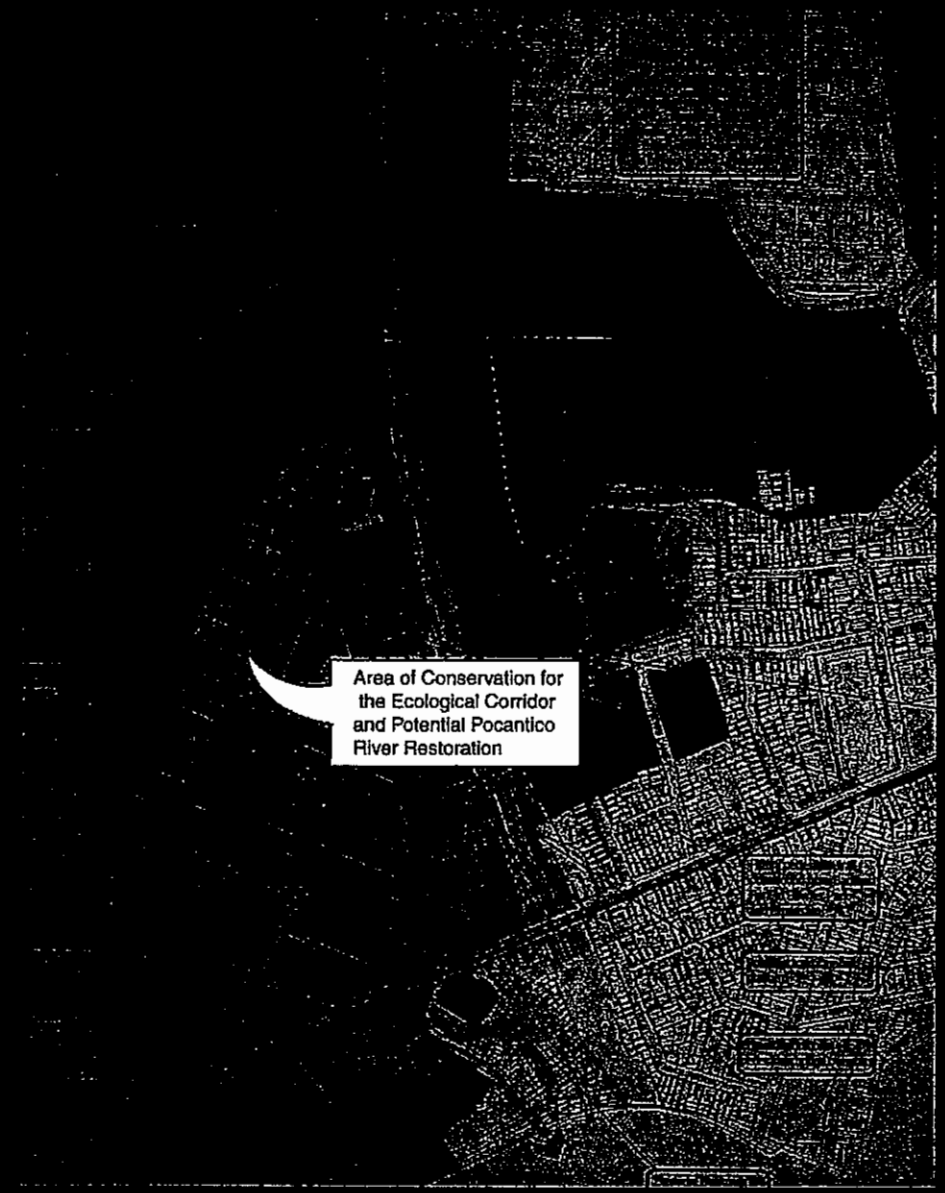
As discussed in the attached report by Han Padron Associates, an additional outlet to the Hudson would assist in preventing flooding on portions of the site both east and west of the railroad tracks, including DeVries Park and portions of the project site intended for future Village use. While it may be true that the project itself, as opposed to prior activities by General Motors, will not exacerbate the existing flooding conditions of the Lower Pocantico, General Motors should fulfill its global policy commitment to restore the natural features and biodiversity of its former plant sites in this case.

HPA performed a comprehensive flood study of the Lower Pocantico River, including portions of the Lighthouse Landing site. (See Attachment no.3, "Flood Mitigation Feasibility Study – Lower Pocantico River – Sleepy Hollow, New York," dated April 2004.)

As described in the study report the FEMA flood mapping of the lower reaches of the Pocantico River significantly understates the extent of the local flood conditions. The FEMA study, which was performed in the 1980's, considers only the effects of extreme flood levels in the Hudson caused by hurricane storm surge (100 yr storm = El. 7.8 NGVD). Although coastal flooding is certainly an important consideration at this site, severe flooding of the study area is caused mainly (and most frequently) by the combined effects of high river discharge from the Pocantico River and coincident high water levels in the Hudson River.

A number of different scenarios were analyzed in the HPA study for a range of high water level conditions in the Hudson coincident with high river flow in the Pocantico, for various return period flood events. In all cases the maximum flood levels were significantly higher than El. 7.8 ft. Likewise, the mapping of the flood prone areas indicated potential inundation of much larger areas compared to the FEMA mapping - extending into much of the east portion of the proposed

Potential integration of restored Pocantico River in Roseland Plan



COMMENT LETTER NO. 56 (continued

development. If the existing site grades are maintained, portions of the new development will be prone to flooding. Alternatively, if the grade elevations are increased, this implies encroachment of the flood plain with an increase of the local flood levels that could adversely impact adjacent areas. (See Illustration: Flooding: 10 year Discharge)

The proposed new development does nothing to alleviate or significantly mitigate the flood problems. Portions of East Parcel will still be prone to periodic flooding that can cause damage to parked cars, maintenance facilities, ball fields, and other facilities located within the flood plain. The costs of this damage will be borne by the Village. 5651

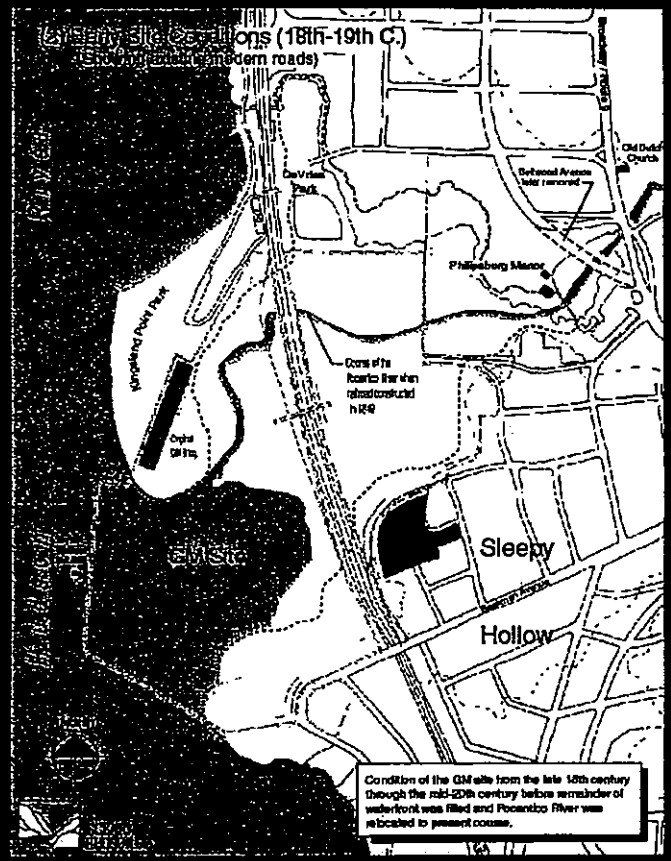
As more fully described in the above-mentioned report by Han Padron Associates, the creation of a second Pocantico River outlet would help mitigate these flooding impacts. One of the more interesting facts to emerge from General Motor's study of the hydrology of the site, as stated in the DEIS, was the recognition that the groundwater underlying the site is still affected by the historic water regime of the now-filled bay and the historic route of the Pocantico through the site. In essence, though the site has been filled for decades, **the Pocantico still runs through it!** While there is insufficient data in the DEIS to confirm this, it is possible that this vestigial river through the site is a conduit for movement of contaminants from the site back into the River. As more fully described above, further characterization of the River sediment's and hydrology should be required of the applicant, including the area where the Pocantico historically emptied in the River.
(see Illustration: Flood mitigation: restoration Alternative B)

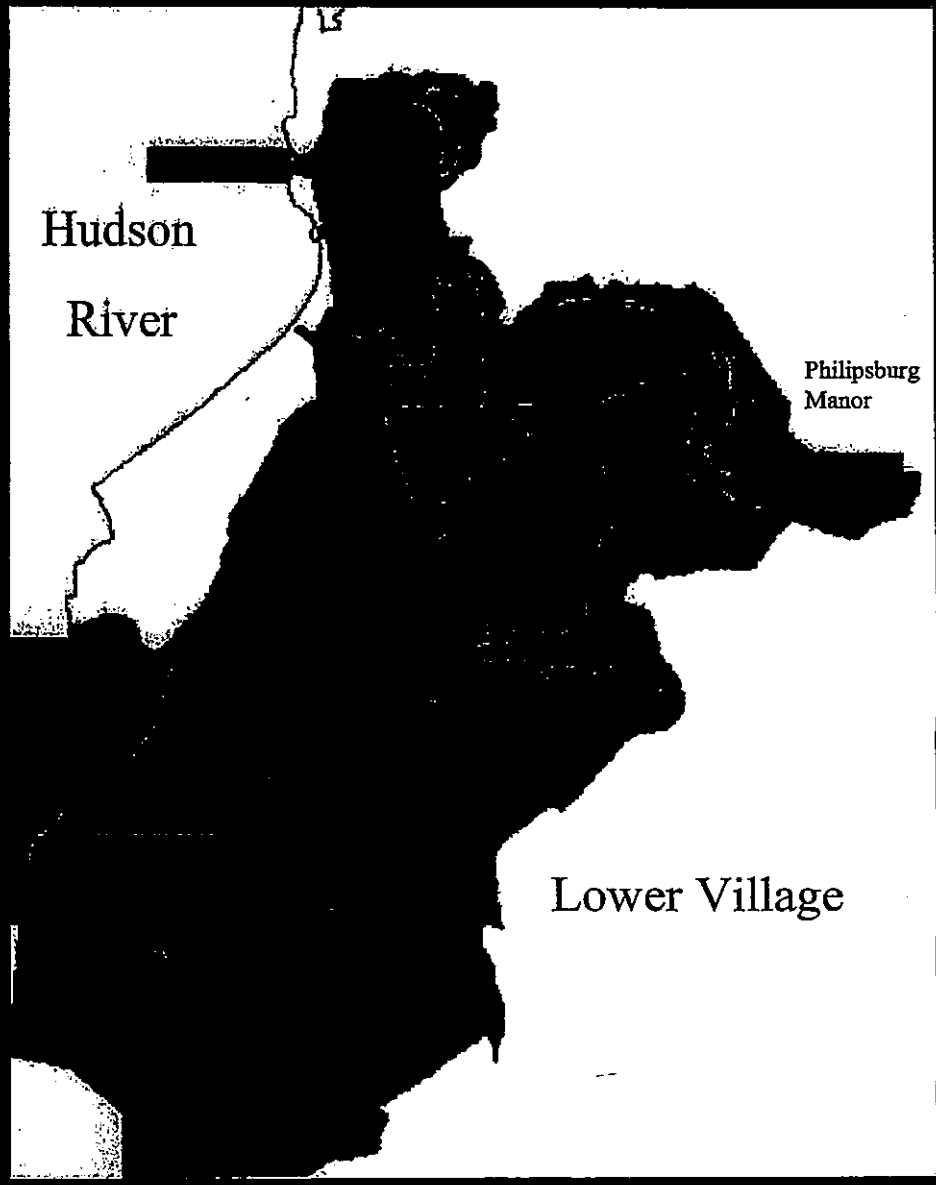
As more fully described in the attached report from Ecosystems Strategies, the restoration of the Pocantico is indeed feasible. (See "Feasibility Report", March 31, 2005, attached hereto as Attachment no.2, Part 2.) Though it seems that some of the soils excavated from the historic Pocantico Channel would need to be disposed of off-site due to contamination, it is also possible that some could be reused on site. Concerns over the potential for contamination to leach into the future river can be addressed through proper buffering or over-excavation of the nearby areas of contamination. A preliminary estimate of the soils needed to be excavated is between 60,000 and 80,000cubic yards, with an attendant cost of approximately $4.8 million. This is but a small fraction of the project's estimated cost of one billion dollars.

Flooding relief is far from the only benefit to be derived from rerouting the Pocantico. This would also mitigate the adverse impacts of the project on Kingsland Point Park discussed above. Without the buffering effect of an ecological corridor, the massive scale of the residential structures will visually dominate the Park, and will generate noise impacts that will impair the Park's use as a passive recreation area.

Recreation of the historic route of the Pocantico could also provide significant benefits regarding the project's inconsistency with the Village's LWRP. As discussed above, Lighthouse Landing is inconsistent with several policies contained in the Village's LWRP because the project proposes few water dependent uses, encroaches upon Kingsland Point Park, imposes visual and noise impacts on the park, precludes the possibility of a trail linking the Hudson River with Philipse Manor Restoration, and is out of the scale and character with development in Sleepy Hollow. Restoration of the Pocantico provides the opportunity to mitigate these inconsistencies. 5652

Flood mitigation: restoration Alternative B

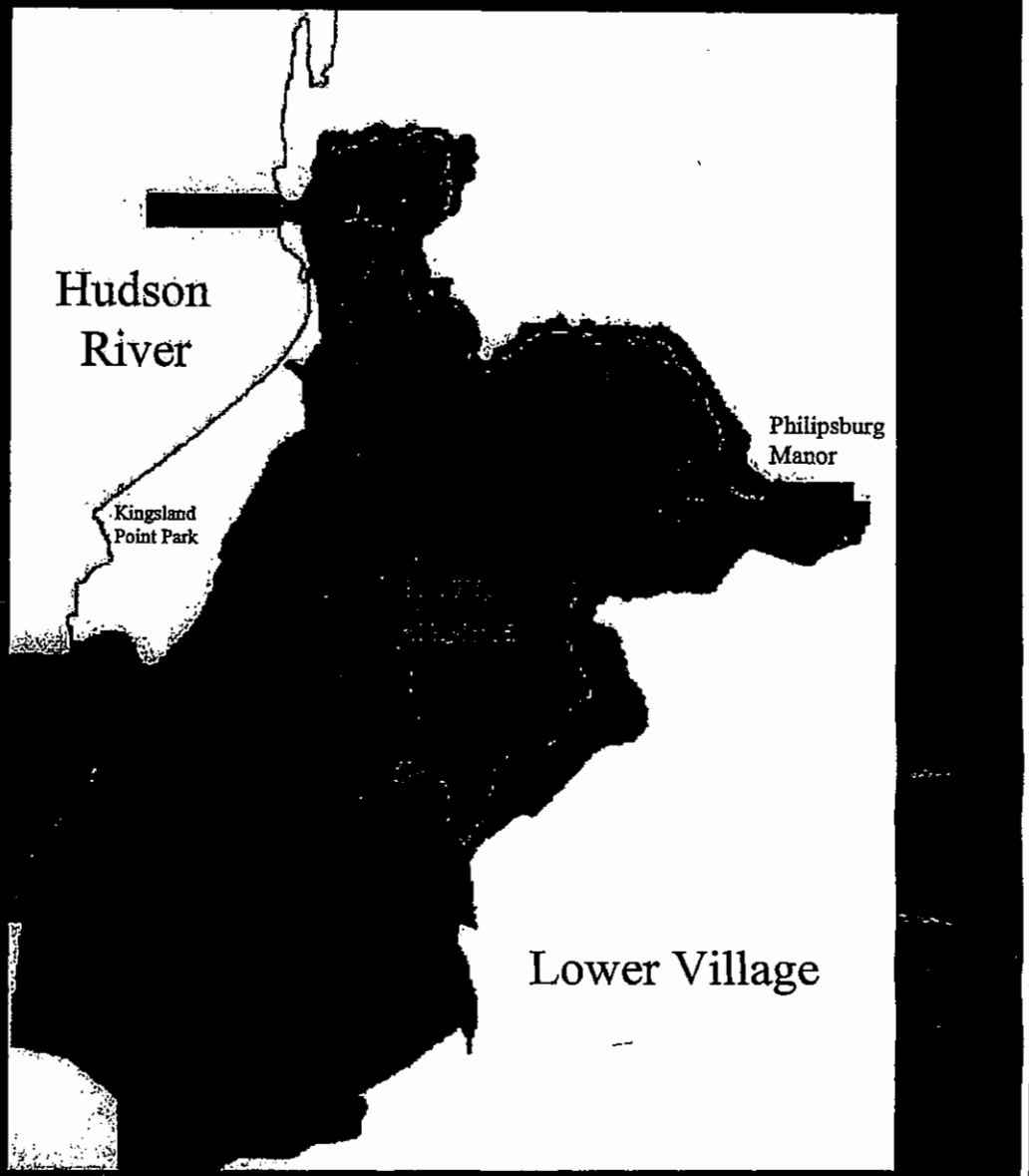




COMMENT LETTER NO. 56 (continued)

Flooding:
10-year discharge





COMMENT LETTER NO. 56 (continued)

The restored River could, depending on its exact design, provide greatly enhanced water-dependent uses, including but not limited to recreational use by small hand powered craft, fishing and environmental education. Also consistent with the LWRP, Kingsland Point Park would be further enhanced with restoration of the original beach for swimming on the north side of the peninsula and restoration of the historic bathhouse as a bathhouse.

5652 (continued)

Thus far Scenic Hudson has identified several beneficial and measurable goals for the proposed project that include: an increase in native biodiversity; the restoration of functioning wetlands; an increase in available and suitable aquatic and terrestrial habitat; the creation of a riparian buffer zone; proper sediment flushing; natural stormwater control; an increase in tourist activity; an increase in educational opportunities, and biologically engineered flood plain control.

The new ecological corridor would provide significant wildlife habitat in an area that is highly urbanized. The creation of the buffer zone with a restored river provides numerous benefits to the ecology of the area, residents of the development and members of the community who visit Kingsland Point Park. Han Padron, Creative Habitats and MCA investigated the potential benefits to the existing condition of the Pocantico River. The results of these studies illustrated the potential ecological enhancement opportunities for the proposed development's adjacent lands bordering Kingsland Point Park. These enhancements included a potential doubling in bird and fish species similar to what is known to exist in the nearby Croton River. The results indicate the potential to increase the viability and density of those species. Increasing the viability of populations in the entire Hudson River estuary and offering additional habitat to the already marginalized species in the estuary. Bird utilization of the site has been compromised for generations. The restoration and introduction of native plantings would provide an under-story that would result in an increase of foraging and nesting habitat for the native songbirds as well as additional habitat as part of the migratory flyway. If properly designed and implemented, the restoration will aid in the creation of a more natural functioning ecological system.
(see Attachment No.4: Report by MCA, Biodiversity and Ecological Considerations in the Development of the General Motors Site, Sleepy Hollow, NY, and Attachment No.5 by Creative Habitat Corp." Options for Restoring the Ecosystems Along the Lower Portion of the Pocantico River.")

Conclusion

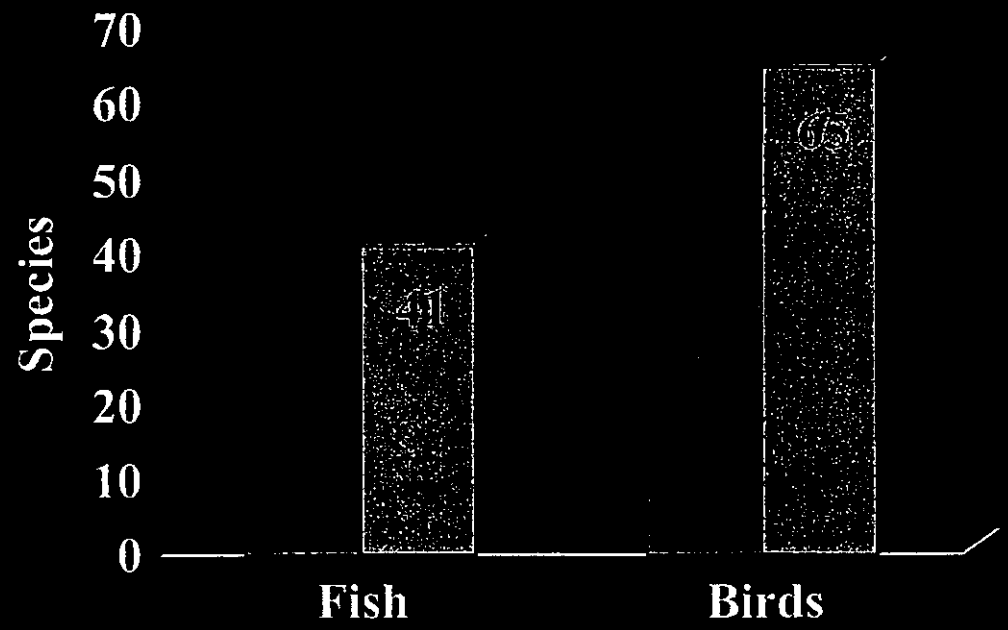
For the reasons stated above, we believe that the FEIS should include an analysis of restoration of the Pocantico and its adoption as the preferred alternative. At a minimum, the FEIS should set aside the necessary land as a buffer between the project and Kingsland Point Park, thus preserving the option of full restoration at a later date.

5653

Setting aside the necessary land for such a project would also be one way to reduce the density of the project. This could take the form of an approximately 1500 foot long strip of land along the northern edge of the GM site 200 feet in width. An alternative to this could potentially place part of the proposed river channel within the lower parking lot area of Kingsland Point Park.

This option deserves a hard look. We will be entering into the record the above mentioned engineering and ecological studies that show significant benefits from this option, including

Potential increase of wildlife



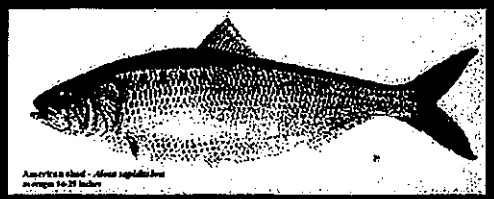
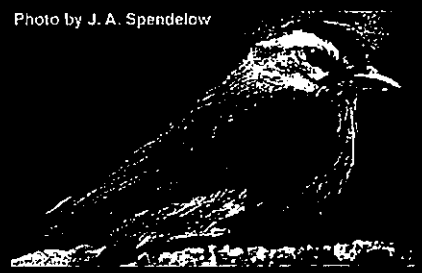


Photo by J. A. Spendelow



COMMENT LETTER NO. 56 (continued

Benefits of restoring Pocantico River

- Mitigate flooding problem
- Reconnect village and Hudson River
- Restore natural areas and wildlife
- Protect water quality
- Provide educational experiences at the river's edge
- Increase recreational opportunities



COMMENT LETTER NO. 56 (continued)

flood mitigation, recreational benefits, and restoration of the ecological diversity that was taken away when GM rerouted the Pocantico decades ago. 5653 (continued)

We urge you to see this as an opportunity to join a growing number of communities right here in Westchester and the Hudson Valley to restore riverfront sites as vibrant, healthy places for people to walk, picnic, and enjoy nature, where they live and work. In Yonkers, Governor Pataki, the City, and their selected developer are working with Scenic Hudson to uncover portions of the Saw Mill River that have been paved over for generations. Outside of the State, Providence Rhode Island and San Antonio Texas now have river walks in their downtown areas that have become national attractions, adding vibrancy to once depressed city centers and drawing visitors from all over the world.
(see Illustration: Potential Site Plan for Creation of a Second Course for the Pocantico River)

Roseland/GM and the Village have before them a unique opportunity to right some of the wrongs of the past, and to create a project that will benefit current and future generations. It is an opportunity that should be taken.

Circulation: Sun. (112,000)

The New York Times

COMMENT LETTER NO. 56 (continued

EDITORIALS

Build Me a River

The Hudson River Valley is not all sludge and smokestacks anymore, but neither is it pristine. Like the river itself, which reverses its flow with the tides, the region is slowly changing direction. Communities that turned their backs on the Hudson generations ago are now reclaiming the long-abused waterfront for a post-industrial age.

It is hard work, and progress is piecemeal. There is no overarching strategy. Towns and villages are working with developers on various projects, some better than others. The best will be those enriched by a sense of history, an abundance of ambition and a touch of dreamy audacity.

All three are present in a proposal by Scenic Hudson to restore the historic flow of the Pocantico River through a development planned for Sleepy Hollow, on the site of an abandoned General Motors plant. At nearly 100 acres, it is one of the biggest, most tempting parcels on the river, and thus presents one of the best opportunities to get this river rebirth thing right.

The developer, Roseland Properties of New Jersey, wants to build more than 1,500 condominiums or apartments, along with a hotel, restaurants, shops and a theater. With a historic lighthouse at one edge of the property and a county park next door, the development promises to be a milestone in the re-emergence of a greener, cleaner waterfront.

But Scenic Hudson wants to go the developers one better. It has offered them an alternative plan, one that cuts a path for the Pocantico River right through the old General Motors property, between the county-owned Kingsland Point Park and the Roseland development. Instead of skirting the park to the north, the Pocantico would barrel to the Hudson where its mouth used to be, before the area was lost to landfill and the G.M. factory went up.

It's bold and it might not work. But think of what it could mean: A restored Pocantico — not a tamed rivulet trickling into the Hudson, but a healthy river and a new home for river-loving species of birds, mammals and plants. Better flood control, as the river and restored wetlands offer new outlets for storm runoff. Financial benefits for the developer, as homes and restaurants go up on the riverside, commanding premium prices. A lush, tree-strewn river walk for residents.

Roseland, which has worked closely with local officials and residents, has so far been dubious. The Scenic Hudson plan is sure to cost more, and making room for the river could mean 50 fewer housing units. On top of that, the site is a brownfield, and remediation might be too expensive. But the G.M. site is so big, and the project so important in the example it sets for the river valley in Westchester and beyond, that Scenic Hudson's proposal deserves serious study. We urge General Motors, Roseland Properties and Mayor Philip Zegarelli of Sleepy Hollow to considerwhether the new-river proposal might make a decent redevelopment plan even better.

As Scenic Hudson's president, Ned Sullivan, has argued, the decisions we make today in places like Sleepy Hollow will be felt for years to come. Recapturing the glory of the preindustrial Hudson River is an astoundingly difficult job — all the more reason to set our hopes for it as high as possible.

Attachments

1. Report by Buckhurst Fish & Jacquemart Inc.(regarding Traffic analysis)

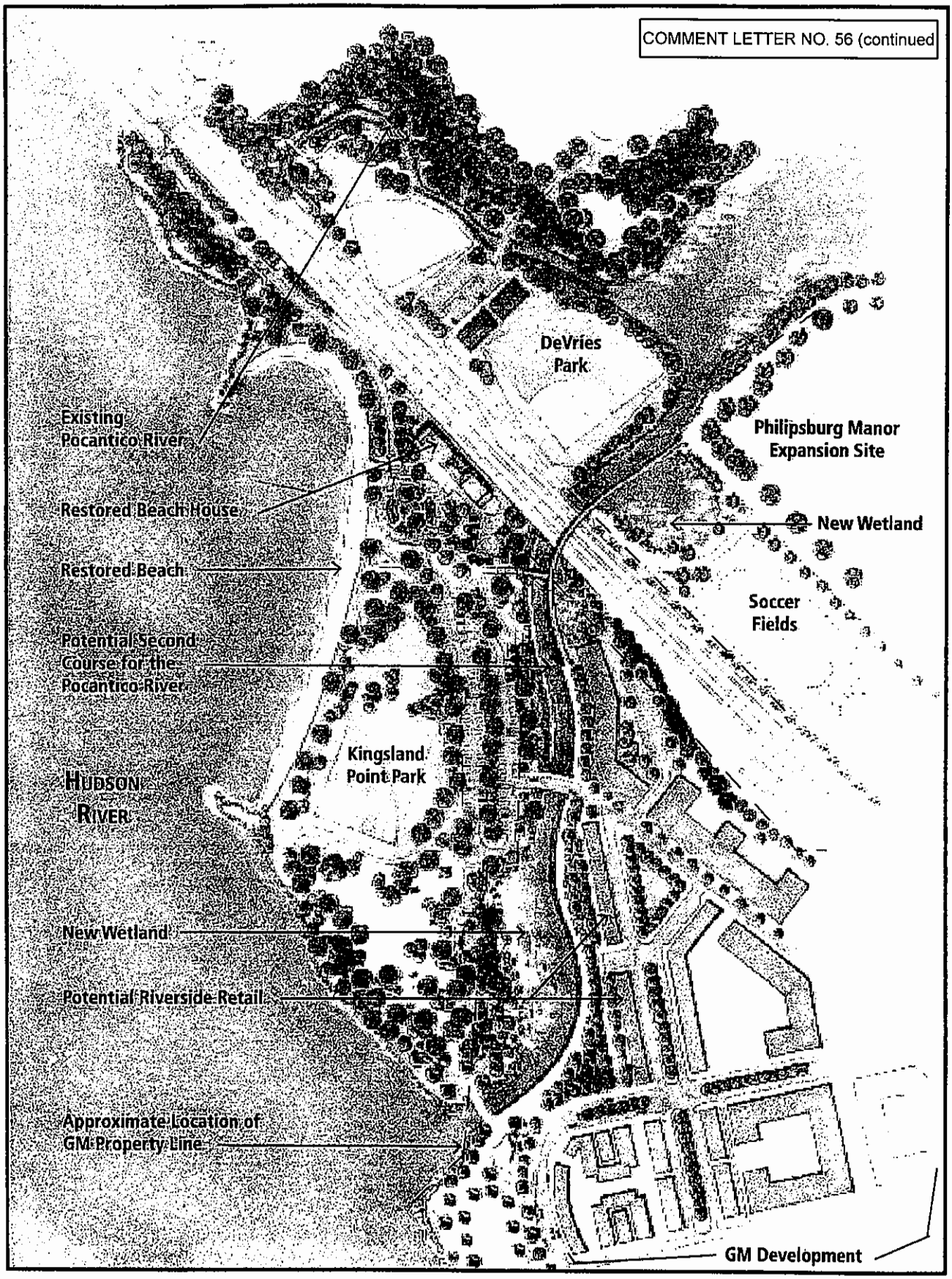
2. Reports by Ecosystems Strategies, Inc.: Part 1; Proposed Former General Motors Site (dealing with site contamination); Part 2; Preliminary Feasibility Study to Re-Establish the Pocantico River.

3. Report by Han-Padron Associates: Flood Mitigation Feasibility Study

4. Report by Metropolitan Conservation Alliance (MCA): Biodiversity and Ecological Considerations in the Development of the General Motors Site, Sleepy Hollow, NY.

5. Report by Creative Habitat Corp.: Options for Restoring the Ecosystem Along the Lower Portion of the Pocantico River.

COMMENT LETTER NO. 56 (continued



Potential Site Plan for Creation of a Second Course for the Pocantico River

COMMENT LETTER NO. 56 (continued

BFJ
Buckhurst Fish & Jacquemart Inc. 115 5th Avenue New York, NY 10003 Tel (212) 353-7474
Fax (212) 353-7494

Memorandum

To: **Ray Curran, Scenic Hudson**

From: **Georges Jacquemart, P.E.,AICP**
Tel (212) 353 7477
Email g.jacquemart@bfjplanning.com

Subject:Traffic Impacts of Roseland/GM Development

Date: **March 10, 2005**

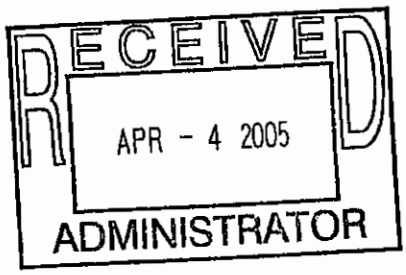
We have reviewed the Draft EIS sections of the Lighthouse Landing project that relate to traffic and parking (Section I, Summary, Section III.I Traffic and Parking and Appendix 10). The following are our comments. They are organized in three parts: A) Site Plan Issues, B) Technical Issues with DEIS, and C) Overall impact and mitigation issues.

A) Site Plan Issues

A-1) The site plan proposes three intersections along Beekman Avenue within about 400 feet (Hudson Street, Beekman Place and River Street extension). This may create conflicts between the various turning movements and should be analyzed in more detail using a traffic simulation program such as Synchro. The creation of one single intersection between Beekman Avenue with River Street and Beekman Place should be investigated. This could possibly be a roundabout.

A-2) The right turn from westbound Beekman Avenue into Beekman Place is too fast and leads to high entry speeds into the project site.

A-3) The applicant proposes separate parking areas for each use in the project. This typical suburban pattern is contrary to the objectives of transit oriented developments and does not take advantage of the mix of uses provided on the site. The applicant should provide for shared parking and encourage a park-and-walk pattern on site. There are excellent sharing opportunities between the residents and the commuters, between the office employees and the shoppers and movie patrons. For instance, the parking areas for the residential buildings 13, 14 and 17 would be ideal for commuters. To the degree that some of the parking spaces will free up during the commuter hours they could be leased on a monthly or quarterly basis to commuters. This means that parking spaces should not be individually assigned, but would be restricted to permit holders and parking could be accessed with a magnetic card. The shared parking policy would reduce the overall number of parking spaces needed on the site and provides for an opportunity to either increase the density or add open space.



Attachment # 1

B) Technical Issues with Traffic Section of DEIS

B-1) On page III.I-12 the DEIS mentions in the last paragraph that "the majority of the intersections currently operate at an overall Level of Service "E" or better". This statement implies that level E may be an acceptable level (this is also stated in the fourth paragraph of page III.I-38). This is not a generally accepted feeling or policy. To provide more objective information, the DEIS author should mention the number of intersections that have as their worst LOS levels F, E, D and C or better.

B-2) Table 10-1 shows a V/C ratio of 1.09 for existing conditions. This is not possible by definition and should be corrected. Maybe the capacity has been underestimated. 5654

B-3) For the 145,600 SF of retail the DEIS uses the category of specialty retail center. This category may be acceptable for parts of the retail uses in the project, however, it does not represent the traffic loads from a supermarket. Supermarkets have about 2 to 3 times higher traffic rates than specialty retail centers. The supermarket should be extracted out of the retail category and analyzed separately.

B-4) The traffic consultant reduces the standard ITE rates by 40% to account for the percentage of residents that would use the transit services. This credit was taken on the basis of surveys taken at the Avalon project in New Rochelle and at the Scrimshaw building in Yonkers, NY. The Avalon survey did not conclude that 55% of the residents use the train, as mentioned in the DEIS, but stated that 55% of the residents had "their job in New York City in close proximity to Grand Central". Our conclusion from reading the text in the appendix is that 55% of the residents work in Manhattan. This does not mean that 55% of the trips generated during peak hours by the Avalon project are transit trips, because not all residents working in Manhattan necessarily use transit and not all peak-hour trips are work trips. There are also school trips and other types of trips being made during peak hours. For the Scrimshaw building in Yonkers the analyst did not take into consideration vehicle occupancy of the vehicles that were counted. If we assume a 1.15 vehicle occupancy then the percentage modal split for that building would be 40% on foot or by transit. It is not certain that the level of transit service at the new station would be as high as it is in Yonkers or New Rochelle. Both of these stations have also Amtrak service and substantial bus service. Finally, the calculations made by the DEIS authors assume that the ITE rates are based on a 100% split by auto. This is not the case, especially not for apartments and townhouses. To conclude, we feel that the 40% reduction is optimistic. A reasonable worst-case estimate is probably closer to 30% for a scenario with the rail station on-site.

B-5) The DEIS consultant estimates the percentage of internal trips (trips made between the various uses on the project site) based on the gravity model used to distribute traffic in the region. The gravity model distributes traffic throughout the region in proportion to the attractions in each zone, and in inverse proportion to the distance between those zones and the project site. Whereas a gravity model is appropriate for regional traffic distribution, it is not appropriate to estimate the percentage of internal traffic. As can be seen in table 10-8, the 45% of internal trips is based on the population forecast of 2961 people in the project zone and on an average travel distance of 0.10 mile. In this case this distance should be zero, which would lead to 100% of internal traffic, given the gravity model methodology. The selection of the 0.10 mile distance is an aleatory choice. If the analyst had picked an average distance of 0.05 miles the percentage of internal trips would have been 62%, and with a 0.2 mile distance the percentage would have been 29%. Using the gravity model is contrary to the procedures recommended by ITE, as explained in the Trip Generation Handbook Second Edition, June 2004 (An ITE Recommended Practice). The procedure used in the DEIS is incorrect in that the "gravity model reduction" results in numbers of inbound trips and outbound trips that are different. The internal traffic reduction must be the same for inbound and outbound trips, since each internal trip represents a trip produced by one use (an outbound trip end) and attracted to another use (an inbound trip end) within the project site. We attach a spreadsheet that shows the traffic generation calculation for a mixed-use project in New Jersey. This spreadsheet shows a separate credit taken for transit and walk modes, and an estimation of internal trips for each possible exchange between pairs of uses. In that case the internal capture rate was estimated at 15% of the lowest of the trip exchanges. The internal capture rate may be different for the Lighthouse Landing uses.

B-6) In Tables III.I-5 through III.I-10 there are many intersections shown with "N/A" in the future Build w. Improvements scenario. It is not clear whether these intersections did not need any mitigation or whether the mitigation was not applicable or not appropriate. The DEIS needs to be more explicit and needs to explain to what degree any mitigation measures mentioned is effective.

B-7) In the mitigation section (pages III.I-39 through III.I-43) the DEIS implies for several intersections that delays will decrease from the no-build to the build conditions. This needs to be corrected. The reduction is from the no-build to the build with mitigation condition.

C) Overall Impact and Mitigation Issues

C-1) The traffic impact study assumes that all traffic that circulates between this project site and areas south of Wildey Street, including all vehicles to and from I-287 and the Tappan Zee Bridge will circulate via Franklin Street, Main Street and Wildey Street to and from the Lighthouse Landing site, rather than staying on Rte 9 to Beekman Avenue. Whereas this traffic assignment may be correct in that this may represent the fastest path, it raises the issue of impacting a neighboring community to a disproportionate degree. This impact may need additional mitigation measures beyond the typical level of service improvements at affected intersections.

C-2) The most serious flaw with the traffic impact analysis is the fact that the DEIS assumes in its traffic generation calculation that the new train station would exist at the project site. The 40% credit taken for the presence of the train station (too high in our estimation) is based on a situation where residents walk to the train station, and do not need to take a shuttle bus. Traffic generation rates will be higher if no rail station is on-site. The scenario without rail station that is presented in the DEIS only discusses the impacts caused by non-project commuters driving to/from the new station and shifted from other stations (Tarrytown and Philipse Manor), but it seems to assume that traffic generation rates would not increase if there was no station on-site. On one hand the DEIS features the new station as a major mitigation measure and discusses it among the traffic mitigation measures, and on the other hand it implies that it would not affect traffic generation rates. This is a major flaw. The proposed on-site train station is a significant mitigation measure, not only because it would reduce the traffic generation of the proposed development, but also because it would attract some existing commuter vehicles from the adjacent train stations (Tarrytown and Philipse Manor). This may offset some of the negative traffic impacts created in Tarrytown. Unless the applicant commits to building the new Metro-North station, the DEIS must analyze the traffic impacts without the proposed station.

COMMENT LETTER NO. 56 (continued

Traffic Generation for New Development

Building Use	Size 1000 Sq. Ft. or Dwelling Unit	ITE Rate AM Peak Hour In	ITE Rate AM Peak Hour Out	ITE Rate PM Peak Hour In	ITE Rate PM Peak Hour Out	Adjustment due to transit, walk or bike	Vehicle Trips AM Peak Hour In	Vehicle Trips AM Peak Hour Out	Vehicle Trips PM Peak Hour In	Vehicle Trips PM Peak Hour Out
Block 2 - Supermarket	65	2.74	1.75	5.21	5	0.6	107	68	203	195
Block 3 - Retail	90	1.26	0.81	3.8	4.12	0.5	57	36	171	185
Subtotal Retail							**164**	**105**	**374**	**380**
Block 3A - Apartments	218	0.1	0.41	0.4	0.22	0.8	17	72	70	38
Block 3B - Apartments	128	0.1	0.41	0.4	0.22	0.8	10	42	41	23
Block 4 - Apartments	200	0.1	0.41	0.4	0.22	0.8	16	66	64	35
Subtotal Apartments							**44**	**179**	**175**	**96**
Additional Commuter Parking	274	0.29			0.55	1	79	-	-	151
Gross Total							**287**	**284**	**549**	**627**
Minus Internal Trips						**Internal %**				
Retail to Apartments						15%	7	7	26	26
Apartments to Retail						15%	25	25	14	14
Commuter Parking to Retail						15%	-	-	23	23
Retail to Commuter Parking						15%	12	12	-	-
Internal Trips							**44**	**44**	**63**	**63**
Net Total							**243**	**240**	**486**	**564**

COMMENT LETTER NO. 56 (continued)

Ecosystems Strategies, Inc.

Environmental Services and Solutions

24 Davis Avenue, Poughkeepsie, New York 12603-2332

TEL: 845-452-1658 • FAX: 845-485-7083

•EMAIL: mail@ecosystemsstrategies.com

March 31, 2005

Ray Curran
Scenic Hudson, Inc.
One Civic Center Plaza, Suite 200
Poughkeepsie, NY 12601 via EMAIL: rcurran@scenichudson.org

Re: Preliminary Feasibility Study to Re-Establish the Pocantico River through the Former General Motors Site, Village of Tarrytown, Westchester County, New York
VCP Number V00598-3
ESI File: ST03144.51

Dear Mr. Curran:

This letter constitutes a final report by Ecosystems Strategies, Inc. (ESI) on the feasibility of re-establishing the Pocantico River through the former General Motors Site in Sleepy Hollow. This analysis is limited to environmental contamination considerations and should not be considered a feasibility study relative to engineering (e.g., slope stability), ecological (e.g., impacts to habitat) or hydrologic (e.g. culvert adequacy) issues.

In completing this Study, ESI reviewed documents provided by Scenic Hudson, Inc. and secured additional historic maps. Opinions expressed in this Letter Report are subject to revision as new information becomes available.

Our comments are as follows:

1. Historic documents indicate that the Pocantico River emptied out into the Hudson River at a point near the northeast corner of the Site. The Site itself is almost completely created land; historic maps indicate that only the small portion of the Site fronting on Kendall Avenue was upland. After the completion of the railroad (mid-1800s), that portion of the Site to the east of the railroad tracks began to fill in form sedimentation of the Pocantico River as well as from organized land-creating activities. Lands to the west of the railroad were filled in to meet the industrial space requirements of General Motors (GM) until the entire riverbed of the Pocantico River was filled in (the River itself was rerouted to the north). 5655

2. Groundwater data from GM indicate that the Pocantico River continues to exist. Flow maps show that groundwater contours change to reflect the more porous characteristics of the fill in the former riverbed as well as the continued hydraulic pressure from water collecting up-river (at Phillipsburg Manor). 5656

3. The area of the former Pocantico River is estimated on the attached figure, based on previous historic maps and groundwater flow maps. The width of this prospective River is narrower than the original, in deference to feasibility considerations (e.g., cost, site control). Any discussions below referencing the prospective Riverbed will be referring to this drawing. 5657

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APR - 4 2005
ADMINISTRATOR

Attachment # 2

There is documentary evidence of a culvert that had existed (and may still be present) under the Metro-North train tracks. The exact location of this culvert is not known, but it is assumed that the Riverbed would utilize this prior channel. 5657 (continued)

4. Laboratory data in GM reports indicate that fill soils currently in the former Pocantico River bed contain elevated (i.e., concentrations greater than TAGM levels) metals and petroleum hydrocarbons. These concentrations are not the most elevated levels found on the Site for each contaminant, but there are data which would suggest that some of the fill within the footprint of the prospective riverbed should be disposed of off-site. At the same time, it is possible that some of the fill soils in the riverbed can be reused on-site (current plans call for the net importation of 200,000 cubic yards). 5658

5. Groundwater contamination has been identified in the proposed Riverbed corridor, but the concentration of dissolved organic contamination does not at this time appear to be at levels warranting active remediation. Additional groundwater testing will be conducted to document the presence or absence of localized groundwater contamination. However, it is not clear if the groundwater contamination is the result of soils within or proximal to the proposed Riverbed corridor. 5659

6. The presence of groundwater contamination in the vicinity of the prospective Riverbed raises the potential for contaminants to leach into the future river and thereby become more available to aquatic organisms. The current data would suggest that this concern can be mitigated through proper buffering of the Riverbed or even over excavation of the nearby areas of contamination; however, it is raised at this preliminary stage in project design so that it can be properly considered in future design phases. 5660

7. The proposed reopening of the Pocantico River corridor will result in the excavation and disposition of contaminated soil. The area of the Site where the proposed Pocantico River would run is situated in an area of soils with elevated metals and petroleum. It is reasonable to anticipate that soils excavated in this area will contain elevated concentrations of these compounds. Based on our overlay of the proposed Pocantico River relocation, its current proposed configuration appears to impact soils that are marginally contaminated; that is, moving the proposed Pocantico River to the north may result in encountering soils with significantly higher concentrations of contaminants. 5661

8. A preliminary estimate of the amount of soil necessary to be excavated to relocate the Pocantico River is between 60,000 and 80,000 cubic yards. As stated above, it is possible that at least some of these soils could be reused on-site; however, the worst-case scenario is that all of these soils would require off-site disposition as non-hazardous solid waste. The cost of waste disposal (total cost including excavation, testing, transportation, and disposal) is estimated for budgetary purposes at between 90 and $150 per cubic yard; therefore, off-site disposition of these soils could cost as much as $9,000,000. A more reasonable estimate of likely costs to re-establish the Pocantico are the following: 5662

Ecosystems Strategies, Inc.
Environmental Services and Solutions

Excavation:	$160,000 - $240,000
Off-site Disposal (60%):	$3,000,000
On-site relocation:	$160,000
Slope stabilization:	$450,000 - $600,000
Subtotal	$4,000,000
Admin (5%)	$200,000
Contingency (15%)	$600,000
	$4,800,000

5662 (continued)

These costs do not include any expenses associated with re-establishing the River under the railroad tracks as well as stabilizing the channel prior to the tracks.

Please review this document and call me at (845) 452-1658 should you have any questions or comments. I appreciate the opportunity to provide this service to you and look forward to working with you in the future.

Sincerely,

ECOSYSTEMS STRATEGIES, INC.

Paul H. Ciminello
President

PHC:cpr
cc: File

COMMENT LETTER NO. 56 (continued

Ecosystems Strategies, Inc.

Environmental Services and Solutions

24 Davis Avenue, Poughkeepsie, New York 12603-2332 TEL: 845-452-1658 • FAX: 845-485-7083 •
EMAIL: mail@ecosystemsstrategies.com

March 31, 2005

Ray Curran
Scenic Hudson, Inc.
One Civic Center Plaza, Suite 200
Poughkeepsie, NY 12601 via EMAIL: rcurran@scenichudson.org

Re: Proposed Former General Motors Site, Village of Tarrytown,
Westchester County, New York
VCP Number V00598-3
ESI File: ST03144.51

Dear Mr. Curran:

Ecosystems Strategies, Inc. (ESI) was retained by Scenic Hudson, Inc. to review the Draft Environmental Impact Statement (DEIS) prepared to Divney, Tung & Schwalbe on the proposed "Lighthouse Landing at Sleepy Hollow" for the Roseland/Sleepy Hollow, LLC. The Site is the former location of the General Motors Assembly Plant. ESI is providing commentary on two specific issues:

1. Adequacy and accuracy of information provided in the DEIS (and appended or referenced [and therefore incorporated] documents) on the environmental integrity of the Site; and
2. Feasibility of recreating the original channel of the Pocantico River as a natural site feature in any future development plan.

This letter report summarizes all comments and concerns identified in our review of the DEIS. A discussion of the feasibility of recreating the Pocantico River is provided under separate cover. Comments on the DEIS reference are specific page numbers in that document, with the relevant portion of the DEIS reprinted in italics for your convenience.

1. Soils (Page III B-6)

From 1920s through the 1960s, a series of bulkheads, along with a large quantity of fill, were used to extend the shoreline....

5663

a. This qualitative statement should be expanded to include a detailed discussion of the characteristics of the fill material. Laboratory data should be analyzed to provide average concentrations of organic contaminants (primarily heavy petroleum hydrocarbons, or PAHS) and inorganic compounds (primarily metals). This discussion is critical to the assertions made by the Applicant that the fill material does not represent a source of significant environmental contamination and, therefore, does not become the focus of an environmental response actions (e.g., removal of the fill, capping). Without this analysis, such assertions cannot be critically assessed by the Lead Agency.

b. Fill generated in the 1920s has the potential to contain a different matrix of environmental contamination than fill imported in the 1960s. It is recommended that the Applicant provide additional information to define spatially the Site filling activities; i.e., what areas of the Site were filled in the 1920s, 1930s, 1940s , 1950s and 1960s. There are qualitative statements made on Page B III-7, but these are undefined and may be

more clearly presented graphically (e.g., on a map). Based on this spatial definition, the Applicant should reassess the laboratory data from fill soils to determine if there is any relationship between contaminant concentrations and age of fill. 5663 (continued)

2. Soils (Page III B-6)

Clay is located along the former Pocantico River bed and is highly compressible with layers of peat. 5664

Were any chemical tests conducted of the peat layer ? Peat is known to absorb organic contamination and may therefore report a "sink". If no data exist, it is recommended that additional testing of the peat layer be conducted to determine the need for any remedial action.

3. Environmental Site Investigations (Pages B III-7 – B III – 9)

... a number of environmental assessments were undertaken on behalf of GM between 1996 and 1997 to identify areas of the Site that might require remediation, removal and/or special handing (Page BIII-7) in 2002. Roseland's consultants conducted investigations of the Site as part of that company's precontract due diligence (Page BIII-8)....The results of all the investigations conducted on the Site under the VCP will be described in the Remedial Investigation Report that will be submitted to DEC (Page BIII-9). 5665

a. The overall objective of these investigations is to accurately and comprehensively describe on-site and off-site environmental contamination with the intent of designing and implemented appropriate remedial actions. As stated in the DEIS, this investigative process is not completed and therefore, the need for and the extent of remedial actions cannot be provided by the Applicant. The admission that these investigations are still on-going is an admissions that the information necessary to make critical project decisions is still outstanding and is therefore an admission that the DEIS with respect to this issue is incomplete. The public, therefore, cannot comment on the appropriateness of these "yet to be determined" remedial actions. It is recommended that the comment period on the DEIS be extended until the relevant information to be contained in the Remedial Investigation Report can be incorporated.

b. The more extensive environmental investigations documents several areas of significant soil contamination which are not included in the DEIS (e.g., compare data presented in the "Phase III Extent of Contamination Study" to Figure III B-2). All areas of concern should be identified in the DEIS so that an open and comprehensive discussion of necessary site remediation activities can be conducted. Significant areas of concern that have not been included in the DEIS include:

- Several areas of fill soils containing elevated levels of lead and several PAHs.
- References to outfalls and sediments testing, which are not fully identified.
- Groundwater contamination at interior wells, which may imply more general groundwater contamination.

4. Summary of Existing Conditions (Pages III B-10 through III B-14). 5666

   Levels of lead at the Site are well in excess of the background level for lead set forth in NYSDEC's RSCOs or the general background of lead at the Site. For the purposes of sampling, soils containing more than 10,000 ppm of lead have been characterized as a typically elevated.

   Detailed comments follow:

   a. There is no technical basis for this statement. The use of 10,000 ppm (or 1%) as a guidance value should be fully explained by the Applicant. Further, the Applicant similarly proposes to use 5,700 ppm as a site-specific "action level" (see Phase III Extent of Contamination Study, page 4-4). The Applicant should specify how this guidance value is proposed to be used. Will Soils containing lead above this level be excavated and removed from the Site? Will any soils with lead levels below this level be permitted to remain on-site without additional cover soils? No information is provided in the DEIS. It is further stated that the use of 10,000 ppm as a guideline for on-site investigations or remedial actions has been rejected by the NYSDEC (see comment #3 of J. Moras' letter of April 12, 2004).

   b. The spatial patter of elevated lead cannot be determined unless the Applicant presents all of the data on a figure.

   c. No information is provided to ascertain the potential for these soils to affect groundwater. The Applicant should be directed to conduct TCLP testing on soils containing elevated lead.

   d. Site data indicate an average level of lead in surface soils of slightly under 1,000 ppm. Current NYSDEC guidance documents as well as recent NYSDEC decisions for residential properties recommended remedial action for lead levels above 400 ppm and the USEPA has recommended that an "action level" for lead in residential soils be set at 1,200 ppm. It is recommended that the Applicant plot on a figure all lead data generated on the Site, highlighting those areas where concentrations exceed either the NYSDEC or the USEPA "action levels".

   e. The DEIS does not specify the remedial actions being proposed for areas of elevated lead, stating in a general statement: "These areas are being addressed under the VCA" (Page III B-10). This should not be accepted by the Lead Agency. It is recommended that the Applicant be directed to specify how each area of concern is proposed to be addressed (e.g., soil removal, capping, etc...) and how the effectiveness of each response action will be documented.

5. *Lead appears to be associated with construction and demolition type materials, furnace slag or ash in the historic fill (Page III B-10).* 5667

   It is possible that the elevated metals (as high as 167,000 ppm, or 16.7%) are the result of paint wastes disposed of on the Site. Car paints are known to have contained several metals including lead at concentrations between 1% and 10% (10,000 ppm to 100,000

ppm). Historic fill is not known to contain lead at the levels identified on this Site and therefore should not be considered the source of elevated lead. It is recommended that the Applicant remove language from the DEIS that implies that the source of on-site contamination is from any activity other than the GM industrial activities. 5667 (continued)

6. *The Investigation also indicated several areas where soil exhibited petroleum odors or staining. All three of these areas are being addressed under the VCA (Page III B-12).* 5668

   The following comments are made:

   - Have these releases been reported as petroleum spills to the NYSDEC, as required (see 6 NYCRR, Part 613)? If so, please provide the spill numbers. If not, please provide an explanation.
   - Have the volumes of contaminated soils impacted in these areas been determined through laboratory testing of soil samples or field screening? Data should be provided.
   - Can these areas be identified on the maps, with an estimate of the lateral extent of soil contamination?
   - What remedial actions are being proposed? Generally, soil removal is warranted for areas that are proposed for residential resuse.
   - Has any determination been made regarding the presence or absence of soil gas in the area of documented soil contamination? Discussions are provided documenting the absence of elevated methane; however, no soil gas survey is known to have been conducted to document organic (including gasoline constituents) compounds.

7. *The initial investigations revealed a limited area (one monitoring well) containing chlorinated volatile organic compounds (typically from solvents) and chromium (a metal) in groundwater near the northwestern corner of the Site (Page III B-12).* 5669

   This statement is not accurate. Groundwater contamination was identified at two on-site monitoring wells: OW-10, down-gradient of the former on-site tank farm (Benzene at 24 µg /L, ethylbenzene at 17 µg /L and xylene at 11 µg /L), as well as at OW-13 (the northeast corner of the Site).

   Additional comments are the following:

   - What data exist over time to document any trends in groundwater quality? Data presented in the DEIS is from 1997; do more recent data exist?
   - Reference is made to gasoline release on the adjoining Westchester County Department of Public Works (WCDPW) Site, implying that the contamination identified at OW-13 is from the off-site source. This conclusion appears to be logical; however, please explain what actions have been taken by the Applicant or by the WCDPW to correct this on-site documented condition?

- Does the Applicant conclude that the groundwater condition at OW-10 is from the same source as OW-13? If not, what is the source of the VOCs in OW-10?
- What response actions are proposed to address the known contamination near OW-10?

5669 (continued)

8. *...sampling identified a subsurface concrete slab (about 6 feet below grade) with pronounced greenish color and nearby soil with concentrations of chromium. This chromium source will be address under the VCA.*

5670

No data are provided in the DEIS to clarify this statement. It is recommended that the Applicant provide the following:

- A map identifying the location of the contamination, with soil samples located to assist the reviewer in determining the magnitude of this area of concern;
- Laboratory data in table format to assist the reviewer;
- A description of the proposed remedial action that the proposed remedial action that will be taken to respond to the known site conditions, including the "action level" that will be set for chromium.
- The greenish hue may also indicate the presence of elevated cyanides. Though not likely, it is recommended that soil testing be conducted in this area to document the presence or absence of cyanides.

9. *"low levels of PCBs were found in milled concrete" (Page IIIB-12).*

5671

This statement is not entirely correct, as PCBs have been found at other locations on the Site. The Phase II Environmental Site Investigation (March 1997) identifies 1,800 ppb of PCBs at the sample OGB (10-12') and in soil samples near an electrical substation in the central portion of the Site. 19A, 0-0.5 feet (9,900 ppbs) and 19A, 4-4.5 feet (830 ppb). In the Phase III Extent of Contamination Study (August 2001), sample CP-10 identified 990 ppb of PCBs. The soil in this area was removed and post-excavation samples documented the absence of PCBs.

Additional comments are the following:

- Additional sampling in the vicinity of the former electrical substation is warranted.
- Sample ID 19A (0-0.5) documents the levels of PCBs in excess of NYSDEC guidance values. The presence of PCBs in the sample was attributed to spilled oil. Are there other stained areas where PCB contamination is present?
- PCBs are known to have been used in paints by GM. Is there any record of PCBs being used by GM at this facility? In deference to the footnote on Page III B-12/13, the issue is <u>not</u> PCB manufacture but on-site PCB use, storage or disposal.

10. GM also conducted a Sediment Quality Investigation in the Hudson River in 1997, specifically for metals associated with historic wastewater. The study indicated no area-wide impacts (Page III B-13).

5672

These data are not provided in any format and therefore are difficult to review. The Applicant should provide a separate sediment report as an attachment to the DEIS. There is no valuable information provided in the DEIS on sediment quality and the impacts to this sediment from prior on-site industrial activities. The DEIS references "preliminary data" (not provided) for "three outfalls" (not shown), concluding that "elevated concentrations of metals" (undefined) are present near one of the outfalls (OF-1). The DEIS then concludes that the "evaluation of the sediment data investigation is on-going (Page III, B-14).

- This information is insufficient to make a reasoned analysis of the extent of sediment contamination, the need for and design of any response actions, and the potential secondary impacts of this contamination on River flora and fauna.

- The admission that the evaluation is ongoing is an admission that, on this issue, the DEIS is incomplete. There is a potential for the NYSDEC to require dredging of the River to remove contaminants discharged by GM. This is an important concern but it is unaddressed by the DEIS.

11. Future Conditions. Without the project, site conditions would remain essentially in their current conditions…If redevelopment does not proceed, neither GM or Roseland is obligated to remediate the Site pursuant to the VCA (Page III, B-16).

5673

This statement is not complete. In addition to the referenced clean-up of the petroleum spill area (Spill # unknown), GM could be compelled through legal action to clean-up lead-contaminated areas, the area of chromium contamination, any additional areas of PCB contamination, areas of metals in the sediment and the area where chlorinated VOCs were identified in the water. In short, environmental restoration of the Site is still the legal responsibility of GM since it was GM's actions that caused the contamination initially. It is an accurate statement that, within the narrow confines of the Voluntary Clean-up Program, neither GM nor Roseland can be forced to clean up the Site, other programmatic options (e.g., Hazardous Site Control) exist to compel at least GM to remediate the Site.

12. Cut and Fill Analysis (Page III, B-17)

5674

The Applicant should clarify what quality control measures will be implemented to ensure that only certified clean fill will be imported. Further, the Applicant should clarify what testing will be conducted to determine the appropriateness of on-site reuse of both on-site demolition spoils (estimated at 35,000 cubic yards) and construction-generated excavated fill (estimated at 85,000 cubic yards). These details are contained within the Soil Management Plan which should be submitted to the Village as part of the DEIS for review and approval; currently, this document is proposed to be submitted only to the NYSDEC.

13. Import and Export of Material (Page III, B-17/18)

The Applicant should explain how the estimate of 20,000 cubic yards of "excavated remediation materials" was generated. No information is provided in the descriptions of the contaminated areas, which would permit a reviewer to critically assess the accuracy of this estimate. 5675

14. Phasing (Page III, B-18)

It is important to emphasize that dust generated at the GM site will contain elevated concentrations of lead, PAHs, and possibly other contaminants. A rigorous Community Air Monitoring Plan should be implemented by the Applicant, including particulate monitoring at the property line and organic vapor (e.g. PID) screening in the work zone. 5676

15. Environmental Conditions...certain limited areas containing residual contamination from releases of petroleum or petroleum products or that have elevated concentrations of lead will be remediated prior to or during project construction. The plans and specifications reviewed and approved by DEC will govern not only remediation but the subsequent construction and occupancy of the development (Page III, B-18). 5677

This statement can be interpreted as saying that the Village will have no influence or oversight of environmental remediation. If this is, indeed, the Applicant's position, it should be more clearly stated. The implication of submitting the DEIS prior to the completion of the remedial investigation report implies that no information that will be contained in that report will be relevant to the SEQR determination. This is, however, contrary to the basic principles of SEQR, which require that existing conditions be fully understood before a project's impacts can be estimated. Since environmental contamination is a basic element in defining a site's environmental conditions. This DEIS as submitted is incomplete.

16. Draft Conceptual Remedial Action Workplan (RAWP)

The proposed RAWP recommends a combination of limited soil removal, importation of clean fill soils, and construction of barrier layers to address known on-site soil contamination. No active response action is proposed for groundwater contamination, proposing instead to monitor groundwater quality for 2-3 years. The Applicant further accepts the need for institutional controls (generally, deed restrictions, easements or some other form of public notification of residual contamination).

Comments on the RAWP are the following:

- In concept, the RAWP is considered by this office to be a reasonable approach to site remediation. As detailed below in specific comments, the RAWP omits critical details or proposes actions that are not considered by this office to be sufficiently protective of either the environment or the health of future residents/users. 5678

- Clean-up standards are not defined in this RAWP. Therefore, the total amount of soil to be removed and, equally important, the integrity (defined as concentrations of contaminants in the "end point" samples) of remaining soils has not been established. Rather, the RAWP states: "On an area and use-specific basis, the RAWP will identify clean-up levels to be attained" (Page 8). As stated above, this is an admission by the Applicant that the information necessary to make a reasoned determination is not currently being provided; therefore, it is an admission that the DEIS is incomplete. 5679

- It is recommended that the Lead Agency compel the Applicant to select action levels that are consistent with TAGM 4046 and that all reasonable actions be taken by the Applicant to remove soils containing concentrations of contaminants above TAGM levels. This recommendation is consistent with the RAWP which states in reference to petroleum-
contaminated areas, that "contaminated fill will be excavated, to the extent practical, and recycled or disposed of at an off-site permitted facility" (Page 9). It is important that a guidance value recognized by the NYSDEC, the Lead Agency, and future residents/users be identified and agreed upon before the SEQR process is closed. 5680

- The selection of an "action level" will determine the amount of soil subject to excavation and removal. The Applicant has estimated that 20,000 cubic yards of soil will require off-site disposition. How was this number arrived at, if not from the use of "action levels"? What levels were used to reach that estimate and why are those levels not included in the RAWP? 5681

- The use of TAGM levels, if selected, will likely result in contaminated soils remaining on the Site. Petroleum release sites that have been cleaned up using TAGM levels often leave soils with petroleum odors on the Site. If TAGM levels are selected for this Site, will the Applicant be permitted to leave soils exhibiting petroleum odors? How will the Lead Agency and the Applicant assure future residents that vapors emanating from these remaining soils will not enter on-site buildings? 5682

- If odorous soils are permitted to stay on-site, it is recommended that the Applicant be required to install subslab depressurization systems under on-site buildings to intercept and properly vent vapors. 5683

- The referenced to using "atypically high lead levels" as a guideline for clean-up is inappropriate, as stated by the NYSDEC in their commentary letter of April 12, 2004. "Atypical" refers back to the Applicant's assertion that only levels above 10,000 ppm should be subject to response action consideration. This assertions technically unjustified and should be removed from the DEIS and RAWP. A reasonable level to determine the need for a response action (e.g., removal, capping, etc.) for lead is 400 ppm. Soils containing lead at levels less than 400 ppm would not be the subject of any response action; conversely, soils containing lead at levels above 400 ppm would be subject to some defined response. This is not to say that all soils with lead levels above 400 ppm would require removal; however, it should be incumbent upon the Applicant to 5684

justify keeping soils present on the Site with levels of lead above this concentration and the Applicant should specify the response actions that will be taken to protect the health of future residents. 5684 (continued)

- On Page 5, the RAWP implies that TAGM has a 10 ppm guidance value for total carcinogenic PAHs (c-PAHs) which is incorrect. The Applicant should establish background levels of PAHs through soil sampling and then utilize those concentrations as the "action level". This approach to setting the Site's clean-up levels at the concentrations of specific contaminants present in surrounding soils is a well established procedure and would make sense to adopt here. Background samples could be collected on the adjoining County Park Site or at other nearby accessible properties. 5685

- The RAWP proposes groundwater monitoring as its only response action to document groundwater contamination. This office concurs that the levels currently identified in on-site groundwater are not at concentrations that would warrant active groundwater remediation. However, this office disagrees with the proposal to monitor groundwater for only 2-3 years. Continued monitoring for five years after the completion of all remedial efforts (to confirm no change in groundwater quality due to site disturbance activities) is considered more appropriate. 5686

Please review this document and call me at (845) 452-1658 should you have any questions or comments. I appreciate the opportunity to provide this service to you and look forward to working with you in the future.

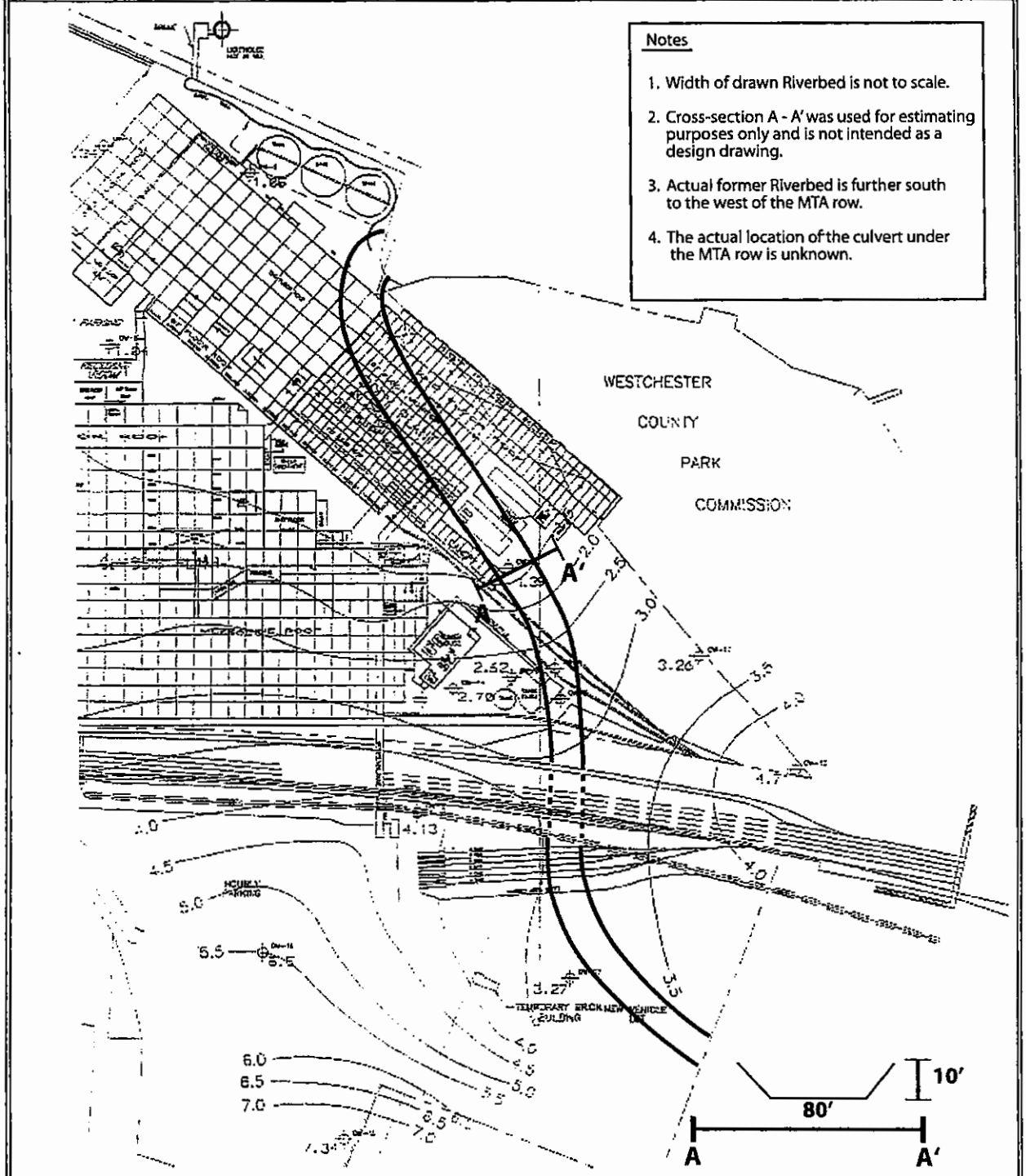
Sincerely,

ECOSYSTEMS STRATEGIES, INC.

Paul H. Ciminello
President

PHC:ndc/cpr

cc: File



All feature locations are approximate. This map is intended as a schematic to be used in conjunction with the associated report, and it should not be relied upon as a survey for planning or other activities.

Schematic Drawing of Possible Pocantico River Map

Former General Motors Site
Village of Tarrytown
Westchester County, New York

ESI File: ST03144.51
March 2005
Not to Scale
Attachment

COMMENT LETTER NO. 56 (continued)

Ecosystems Strategies, Inc.
Environmental Services and Solutions
24 Davis Avenue, Poughkeepsie, New York 12603-2332
TEL: 845-452-1658 • FAX: 845-485-7083
•EMAIL: mail@ecosystemsstrategies.com

March 31, 2005

Ray Curran
Scenic Hudson, Inc.
One Civic Center Plaza, Suite 200
Poughkeepsie, NY 12601 via EMAIL: rcurran@scenichudson.org

Re: Preliminary Feasibility Study to Re-Establish the Pocantico River through the Former General Motors Site, Village of Tarrytown, Westchester County, New York
VCP Number V00598-3
ESI File: ST03144.51

Dear Mr. Curran:

This letter constitutes a final report by Ecosystems Strategies, Inc. (ESI) on the feasibility of re-establishing the Pocantico River through the former General Motors Site in Sleepy Hollow. This analysis is limited to environmental contamination considerations and should not be considered a feasibility study relative to engineering (e.g., slope stability), ecological (e.g., impacts to habitat) or hydrologic (e.g. culvert adequacy) issues.

In completing this Study, ESI reviewed documents provided by Scenic Hudson, Inc. and secured additional historic maps. Opinions expressed in this Letter Report are subject to revision as new information becomes available.

Our comments are as follows:

1. Historic documents indicate that the Pocantico River emptied out into the Hudson River at a point near the northeast corner of the Site. The Site itself is almost completely created land; historic maps indicate that only the small portion of the Site fronting on Kendall Avenue was upland. After the completion of the railroad (mid-1800s), that portion of the Site to the east of the railroad tracks began to fill in form sedimentation of the Pocantico River as well as from organized land-creating activities. Lands to the west of the railroad were filled in to meet the industrial space requirements of General Motors (GM) until the entire riverbed of the Pocantico River was filled in (the River itself was rerouted to the north).

2. Groundwater data from GM indicate that the Pocantico River continues to exist. Flow maps show that groundwater contours change to reflect the more porous characteristics of the fill in the former riverbed as well as the continued hydraulic pressure from water collecting up-river (at Phillipsburg Manor).

3. The area of the former Pocantico River is estimated on the attached figure, based on previous historic maps and groundwater flow maps. The width of this prospective River is narrower than the original, in deference to feasibility considerations (e.g., cost, site control). Any discussions below referencing the prospective Riverbed will be referring to this drawing.

There is documentary evidence of a culvert that had existed (and may still be present) under the Metro-North train tracks. The exact location of this culvert is not known, but it is assumed that the Riverbed would utilize this prior channel.

4. Laboratory data in GM reports indicate that fill soils currently in the former Pocantico River bed contain elevated (i.e., concentrations greater than TAGM levels) metals and petroleum hydrocarbons. These concentrations are not the most elevated levels found on the Site for each contaminant, but there are data which would suggest that some of the fill within the footprint of the prospective riverbed should be disposed of off-site. At the same time, it is possible that some of the fill soils in the riverbed can be reused on-site (current plans call for the net importation of 200,000 cubic yards).

5. Groundwater contamination has been identified in the proposed Riverbed corridor, but the concentration of dissolved organic contamination does not at this time appear to be at levels warranting active remediation. Additional groundwater testing will be conducted to document the presence or absence of localized groundwater contamination. However, it is not clear if the groundwater contamination is the result of soils within or proximal to the proposed Riverbed corridor.

6. The presence of groundwater contamination in the vicinity of the prospective Riverbed raises the potential for contaminants to leach into the future river and thereby become more available to aquatic organisms. The current data would suggest that this concern can be mitigated through proper buffering of the Riverbed or even over excavation of the nearby areas of contamination; however, it is raised at this preliminary stage in project design so that it can be properly considered in future design phases.

7. The proposed reopening of the Pocantico River corridor will result in the excavation and disposition of contaminated soil. The area of the Site where the proposed Pocantico River would run is situated in an area of soils with elevated metals and petroleum. It is reasonable to anticipate that soils excavated in this area will contain elevated concentrations of these compounds. Based on our overlay of the proposed Pocantico River relocation, its current proposed configuration appears to impact soils that are marginally contaminated; that is, moving the proposed Pocantico River to the north may result in encountering soils with significantly higher concentrations of contaminants.

8. A preliminary estimate of the amount of soil necessary to be excavated to relocate the Pocantico River is between 60,000 and 80,000 cubic yards. As stated above, it is possible that at least some of these soils could be reused on-site; however, the worst-case scenario is that all of these soils would require off-site disposition as non-hazardous solid waste. The cost of waste disposal (total cost including excavation, testing, transportation, and disposal) is estimated for budgetary purposes at between 90 and $150 per cubic yard; therefore, off-site disposition of these soils could cost as much as $9,000,000. A more reasonable estimate of likely costs to re-establish the Pocantico are the following:

Excavation:	$160,000 - $240,000
Off-site Disposal (60%):	$3,000,000
On-site relocation:	$160,000
Slope stabilization:	$450,000 - $600,000
Subtotal	$4,000,000
Admin (5%)	$200,000
Contingency (15%)	$600,000
	$4,800,000

These costs do not include any expenses associated with re-establishing the River under the railroad tracks as well as stabilizing the channel prior to the tracks.

Please review this document and call me at (845) 452-1658 should you have any questions or comments. I appreciate the opportunity to provide this service to you and look forward to working with you in the future.

Sincerely,

ECOSYSTEMS STRATEGIES, INC.

Paul H. Ciminello
President

PHC:cpr
cc: File

COMMENT LETTER NO. 56 (continued)

SCENIC HUDSON

FLOOD MITIGATION FEASIBILITY STUDY

LOWER POCANTICO RIVER SLEEPY HOLLOW, NEW YORK

APRIL 2004

HPA
HAN-PADRON ASSOCIATES
ENGINEERS

RECEIVED
APR - 4 2005
ADMINISTRATOR

Attachment 3

COMMENT LETTER NO. 56 (continued

SCENIC HUDSON

FLOOD MITIGATION FEASIBILITY STUDY
LOWER POCANTICO RIVER
SLEEPY HOLLOW, NEW YORK

MAY 2004

Prepared by:
HAN-PADRON ASSOCIATES, LLP
22 Cortlandt Street
New York, NY 10007

EXECUTIVE SUMMARY

Han-Padron Associates, LLP (HPA) has been retained by Scenic Hudson, Inc. to perform a feasibility study to analyze the existing flood conditions in the lower Pocantico River and to evaluate alternative schemes to mitigate these flood conditions. The site is located in Sleepy Hollow, New York and the primary study area is the section of flood plain located upstream of the confluence with the Hudson River and downstream of the Philipsburg Manor Dam at Pocantico Lake. This area has had a long history of flooding events, the most recent being associated with Hurricane Floyd in 1999.

The flood conditions in the study area are complex and are affected by three major factors. (1) Peak river discharge downstream of the dam at Pocantico Lake, during extreme rainfall storm events. (2) The coincident high water level conditions in the Hudson River, at the mouth of the Pocantico River. (3) The backwater effects of hydraulic control structures in the lower Pocantico River - particularly a box culvert located near the mouth of the river, running underneath the Metro-North railroad tracks. The complexity and severity of these considered flood conditions are not in the present FEMA flood study for the lower Pocantico River, which considers only the effects of coastal flooding from the Hudson River.

This study included the investigation of historical flooding events, hydrological analysis to estimate peak flood flows for the Pocantico River and the analysis of extreme high water levels in the Hudson River. Flooding of the lower Pocantico River is then analyzed using a numerical model, taking into account the combined effects of high stream flow discharge from the Pocantico River and elevated water levels on the Hudson River. The model is also utilized to provide results for two alternative flood control schemes developed to alleviate the flooding problem. Following the initial simulations, an additional scenario, Alternative C, was included to test the sensitivity of the flood mitigation to the number of culverts that are provided. The alternatives are:

Alternative A — Construction of a second entrance channel to the Pocantico River, located approximately 90 m south of the existing entrance. This requires a relatively short section of new channel (approximately 60 m) together with a series of new culverts passing underneath the Metro North railroad tracks and the adjacent access road.

Alternative B — Construction of much longer supplemental channel that restores (approximately) the original (historical) course of the lower Pocantico River, before the site was artificially land filled, and also provides secondary enhancements such as the creation of adjacent wetlands areas. The proposed new river channel has a total length of approximately 720 m and discharges approximately 700 m south of the existing entrance. Similar to 'Alternative A', this new channel will require the installation of a series of culverts underneath the railroad.

Alternative C — Identical to 'Alternative A' in terms of topography, but adds three additional 84in culverts to the original three present in 'Alternative A', for a total of six.

All scenarios have significant effectiveness in reducing the areas of flood inundation during high intensity rainfall events. However, this is more recognizable in the 10 year event than compared to the 100 year event. Alternative A is more economical from a flood control viewpoint. 'Alternative B' offers important secondary features such as restoration of the historic course of the river, it provides an important focal point and amenity for future development of the site and provides environmental enhancement of the existing site. The ecological benefits are addressed in a separate report prepared by Creative Habitats, and the information included within this report was considered in the design of 'Alternative B'. 'Alternative C' was more effective in flood mitigation than the other scenarios for both the 10-year and 100-year flood conditions (discharge from Pocantico River). The performance of 'Alternative B' could be also be improved by adding more culverts, but this specific scenario was not included in the scope of this study.

FLOOD MITIGATION FEASIBILITY STUDY
LOWER POCANTICO RIVER
SLEEPY HOLLOW, NEW YORK

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1. INTRODUCTION

Han-Padron Associates, LLP (HPA) has been retained by Scenic Hudson, Inc. to perform a feasibility study to analyze the existing flood conditions in the lower Pocantico River and to evaluate alternative schemes to mitigate these flood conditions. The site is located in Sleepy Hollow, New York (Fig 1-1) and the primary study area is the section of flood plain located upstream of the confluence with the Hudson River and downstream of the Philipsburg Manor Dam at Pocantico Lake (Fig 1-2). This area has had a long history of flooding events, the most recent being associated with Hurricane Floyd in 1999.

The technical approach for this study involves the following major elements:

1. Hydrological analysis to estimate peak flood flows for the Pocantico River, discharging over the dam at Pocantico Lake and into the lower branch of the river. Flood flow hydrographs from extreme rainfall events are estimated using standard empirical methods for hydrological analysis based on FEMA guidelines. This approach has been adopted since historical stream flow gauging data is not available for the Pocantico River from the USGS or other sources. Flood flows in the range of 10-year to 100-year frequency return period are considered.

2. Analysis of extreme high water levels in the Hudson River caused by the combined effects of storm surge, high astronomical tide and high river flows, based on the results of previous FEMA studies. Such flooding conditions on the Lower Hudson are generally associated with Northeaster type storms or tropical storms. Coincident flood levels in the range of 10-year to 100-year frequency return period are considered in addition to a more typical high water level condition (El. +1 m NGVD).

3. Flooding of the lower Pocantico River is analyzed using a two dimensional numerical modeling approach, taking into account the combined effects of high stream flow discharge from the Pocantico River (Item 1 below) and elevated water levels on the Hudson River (Item 2 below).

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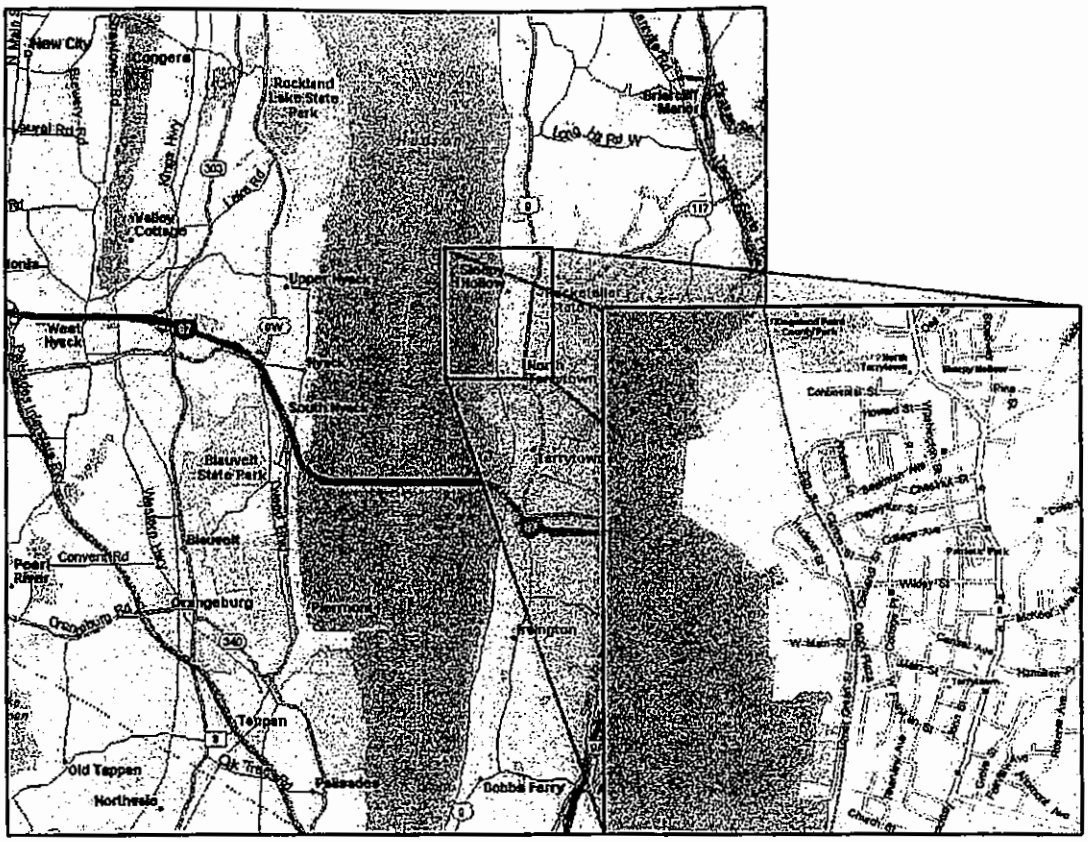


Fig 1-1 Site Location Maps

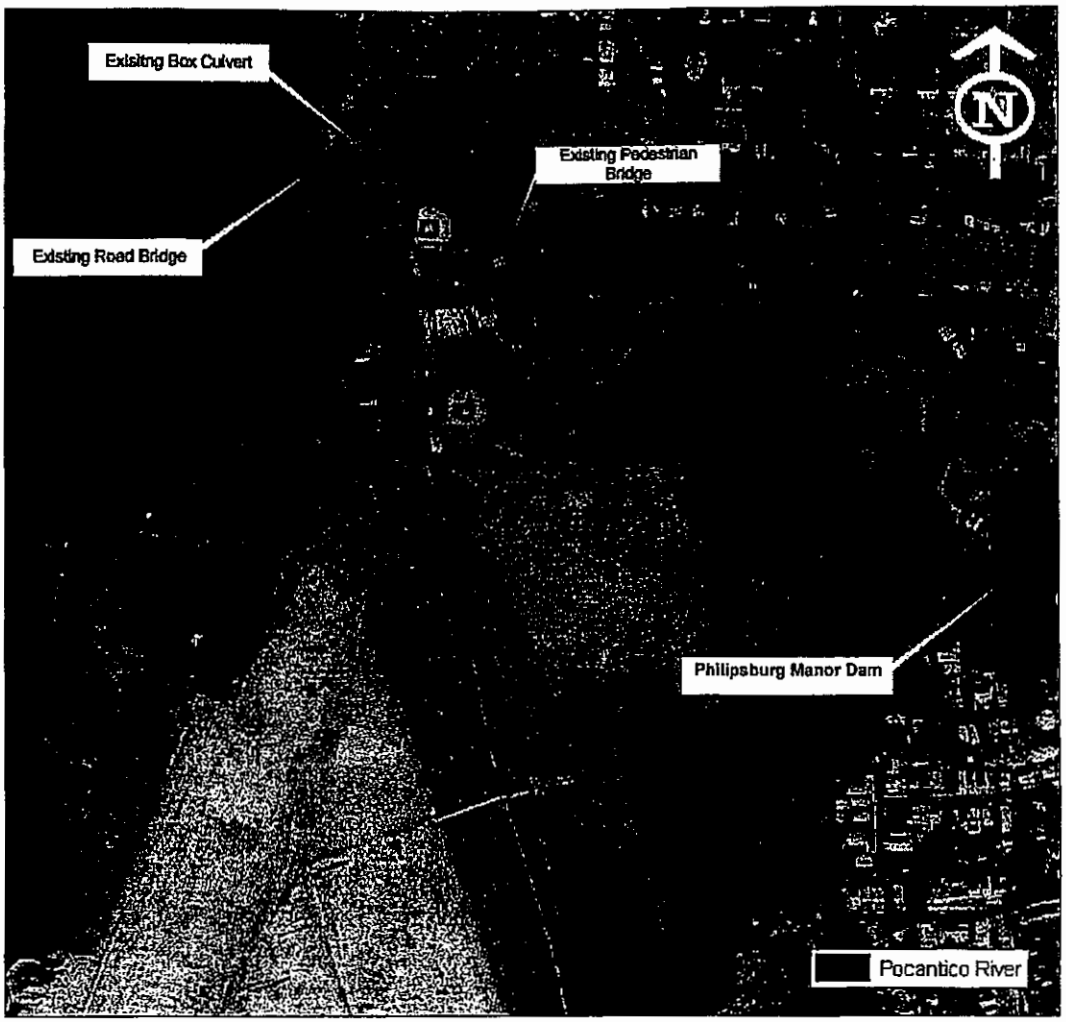


Fig 1-2 Existing Conditions Lower Pocantico River

Alternative flood control schemes are developed and modeled to alleviate the flooding problems of the lower Pocantico River by providing a supplemental entrance channel - as described in the following section and shown schematically in Figs 1-3 and 1-4. All schemes require the installation of a new series of culverts or tunnels to be installed underneath the Metro-North railroad tracks.

4. Construction cost estimates and analysis of the pros and cons of the alternative schemes.

The initial flood modeling studies are performed for a total of twelve scenarios - for three different river channel schemes (existing and two alternatives) and four different sets of hydrologic and hydraulic conditions. Following the initial simulations and discussions with Scenic Hudson, an additional flood control scheme 'Alternative C', was added and two different sets of conditions simulated to evaluate the sensitivity of the results to the number of culverts that are installed (this scheme was not included in cost estimations).

Alternative A — Construction of a second entrance channel to the Pocantico River located approximately 90 m south of the existing entrance. This requires a relatively short section of new channel (approximately 60 m) together with a series of 3 new culverts passing underneath the Metro North railroad tracks and the adjacent access road (Fig 1-3).

Alternative B — Construction of much longer supplemental channel that restores (approximately) the original (historical) course of the lower Pocantico River, before the site was artificially landfilled, and also provides secondary enhancements such as the creation of adjacent wetlands areas. The proposed new river channel has a total length of approximately 720 m and discharges approximately 700 m south of the existing entrance. Similar to 'Alternative A', this new channel will require the installation of a series of culverts underneath the railroad (Fig 1-4)

Alternative C — Used for sensitivity analysis, 'Alternative C' is identical to 'Alternative A' (Fig 1-3) in terms of topography, but adds three more

84in culverts in addition to the original three present in 'Alternative A', for a total of six. Only two of the four conditions were simulated for this alternative as these adequately indicate the sensitivity of the system.



Fig 1-3 Flood Control 'Alternative A'

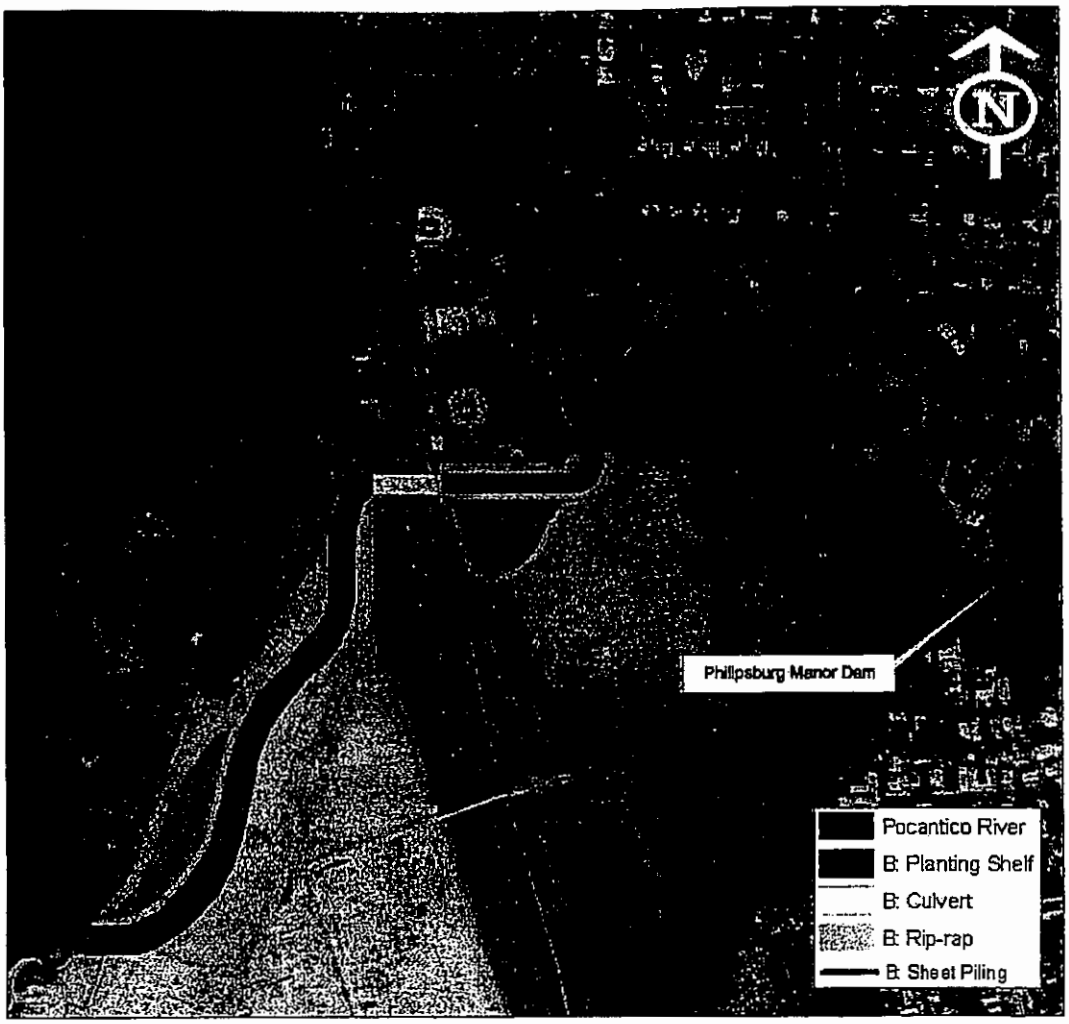


Fig 1-4 Flood Control 'Alternative B'

2. HYDROLOGIC ANALYSIS AND HYDRAULIC MODELING

The flood conditions in the study area are complex and are affected by three major factors.

- Peak river discharge downstream of the dam at Pocantico Lake, during extreme rainfall storm events.
- The coincident high water level conditions in the Hudson River, at the mouth of the Pocantico River.
- The backwater effects of hydraulic control structures in the lower Pocantico River - particularly a box culvert located near the mouth of the river, running underneath the Metro-North railroad tracks.

2.1 HISTORICAL FLOODING OF THE STUDY AREA

The area is frequently subject to inundation due to the combined effects of stream flow and coastal flooding from the Hudson River. The most recent major flooding event was during Hurricane Floyd which occurred in September 1999 and is documented in detail in Appendix C. The local flood related damages from this storm were reportedly in the range of $1 million. Other significant flooding events, as documented in previous FEMA flood insurance studies for the area, include Hurricane Doria (1971), Hurricane Agnes (1972), and Hurricane Eloise (1975).

During Hurricane Floyd the coastal flooding in the lower Hudson River was relatively minor, with a maximum water level recorded at the Battery of approximately El. +1.3 m NGVD (The National Geodetic Vertical Datum of 1929 formerly referred to as "Sea Level Datum of 1929" or "Mean Sea Level"). However, the local rainfall intensity was extremely severe with approximately 16 cm of precipitation recorded over a nine hour period (measured at Yorktown Heights) (Ref. 1). Based on regional rainfall duration - intensity statistics (Ref. 2) this rainfall corresponds to a storm of approximately 50-year frequency return period.

2.2 HYDROLOGIC ANALYSIS OF PEAK RIVER FLOW

Under normal (non-storm) conditions the flow in the lower Pocantico River is controlled almost entirely by reversing tidal flows, because of the direct connection with the Hudson River. However, during high intensity rainfall events the stream flows are high and can be a major factor contributing to flooding of the lower river.

Hydrologic analysis has been performed to estimate the peak flood flows for the upper Pocantico River. This corresponds to the maximum discharge received into Pocantico Lake - which then flows over the Philipsburg Manor Dam and into the lower branch of the river. Flood flow hydrographs from extreme rainfall events have been estimated using standard empirical methods for hydrologic analysis based on FEMA guidelines. This approach has been adopted since historical stream flow gauge data is not available for the Pocantico River from the USGS or other sources.

The methodology adopted for the hydrologic calculations is presented in detail in Appendix D, together with the resulting flood hydrographs. A representative hydrograph for the 10-year frequency flood is shown in Fig 2-1. The analysis is based on empirical flood flow - frequency relationships that have been developed by the USGS for lower New York State. Adjustments are made to account for the local drainage basin characteristics, using a seven-parameter regression equation. A key parameter in these calculations is the surface area of the drainage basin, which was estimated at 42.7 sq km, based on analysis of USGS topographic maps and aerial photographs of the study area. The calculated basin lag time, which controls the shape of the hydrograph and total volume of flood flow, is approximately 9 hours. The calculated peak flood flows are as follows (see Appendix D):

10-year flow -	51 m^3/s
50-year flow -	93 m^3/s
100-year flow -	116 m^3/s

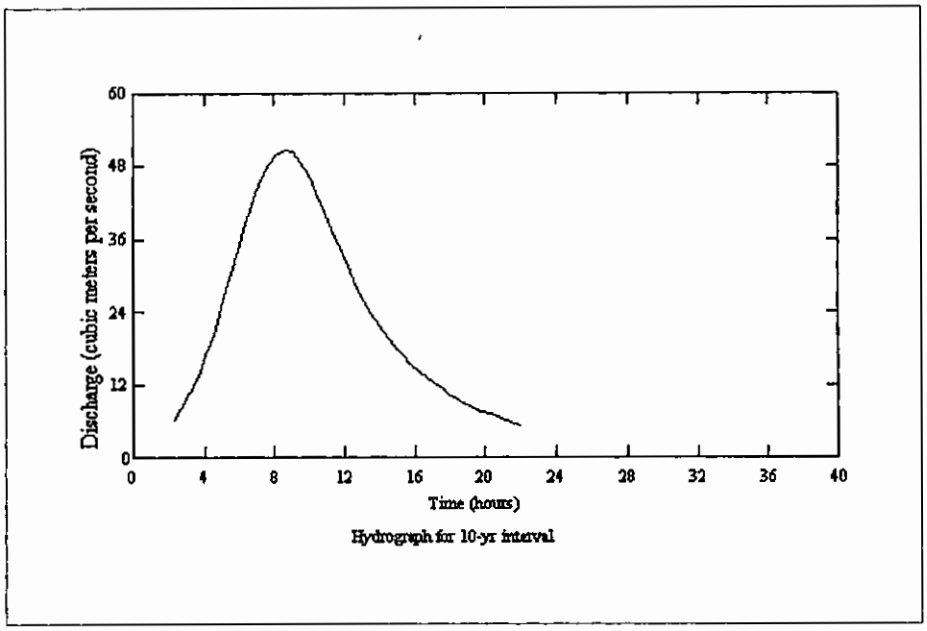


Fig 2-1 Hydrograph for 10-Year Frequency Flood

2.3 FLOOD LEVELS ON THE HUDSON RIVER

Extreme flood levels for the Hudson River in the Tarrytown - Sleepy Hollow area have been evaluated by FEMA based on extreme value analysis of long-term tide gauge data for the lower Hudson River (Ref. 3). The results are as follows:

10-year flood Level - El. +1.9 m NGVD
50-year flood Level - El. +2.2 m NGVD
100-year flood Level - El. +2.4 m NGVD

2.4 HYDRAULIC MODELING OF LOWER POCANTICO RIVER

Based on the scope of work for this study it was originally planned to use a one dimensional river modeling approach, using DHI MIKE11 (developed by Danish Hydraulic Institute). However, based on our analysis of the detailed site topography data that was later received, it was clear that the flood conditions in the study area are quite complex and are highly two-dimensional. For this reason, a more sophisticated modeling approach was adopted for this study using DHI MIKE FLOOD. MIKE FLOOD

is a hybrid 1D-2D model that simulates the river flood plain hydraulics as two dimensional and analyzes structural elements such as culverts as one dimensional links (see Appendix E). A detailed description of the model setup used for this study is described in Appendix H. The major elements of the hydraulic model include:

- Digital terrain model of the river and flood plain (see Fig H-1, Appendix H).
- Upstream boundary conditions - consisting of the river flow hydrographs (Appendix D).
- Downstream boundary conditions - flood level in the Hudson River.
- Schematic 1-D models of hydraulic structures in the system, including culverts and bridges, taking into account the potential for inundation and overtopping.
- Surface roughness coefficients and other modeling parameters.

3. ALTERNATIVE SCENARIOS AND COST ESTIMATES

3.1 GENERAL DESIGN CONSIDERATIONS FOR NEW CHANNEL

Apart from the hydrologic and hydraulic design issues, there are several other important considerations for the design and construction of a new entrance channel to the Pocantico River:

- The need to install a series of culverts underneath the existing Metro-North railroad tracks.
- The geotechnical nature of the site soil conditions and the elevation of bedrock.
- The "design cross-section" for the new channel.
- Contamination of the soil, permitting requirements, and treatment and disposal requirements for the excavated material.

3.1.1 Culvert Installation

The construction of culverts underneath the existing railroad tracks is a critical design consideration for the new channel. A number of factors need to be considered in addition to construction costs:

- Potential for excessive vertical settlements and the likely acceptability of the proposed construction technique to Metro-North.
- Ability to readily penetrate through underground obstructions (e.g. boulders) using the proposed technique - since the site consists primarily of fill and is likely to contain such obstructions.
- The maximum pipe diameter that can be installed and the available options concerning the type of pipe (concrete vs. steel or HDPE). In general, large diameter pipe is more efficient from a hydraulic viewpoint, and concrete pipe is preferred from a durability and maintenance viewpoint.

- Requirements for dewatering and jacking pits.

Appendix F includes a detailed description of alternative techniques that are available for installation of the culverts, including a discussion of the relative costs and pros and cons of the different methods. For this study we are assuming that a series of 84 inch diameter concrete pipes will be installed by jacking ('Alternative A' and 'B' – 3 pipes, 'Alternative C' – 6 pipes). Though somewhat expensive, this technique is selected for preliminary planning purposes for the following reasons:

- Settlements are generally minimal and the technique is likely to be acceptable to Metro-North.

- Larger diameter pipe can be installed by this method, compared to other methods, which are more efficient from a hydraulic viewpoint.

- Moderately sized underground obstructions can generally be removed at reasonable cost.

- Concrete pipe can be installed by this method.

3.1.2 Geotechnical Conditions

The other key geotechnical design consideration for this project is the potential for bedrock at high elevation - which could significantly affect the costs of channel excavation or culvert installation (requiring tunneling). A bedrock contour map is available for most of the General Motors site, based on analysis of available soil borings, and shows that the bedrock surface is generally located at considerable depth below the level of the proposed channel construction. Bedrock data is not available for the northwest portion of the site, near the existing entrance to the Pocantico River. Based on visual observations of rock outcroppings in this area it is assumed that bedrock elevation is high and potentially problematic for new channel and culvert construction.

3.1.3 Design Cross-Section

Two types of cross-sections are considered for this study: 1) a standard trapezoidal cross-section with riprap slopes (for 'Alternative A' and 'C') and 2) a

compound cross-section (for 'Alternative B') that consists of riprap slope sections, vertical channel sections (with sheet pile bulkhead walls), and flat sections of variable width, elevated near mean sea level, that will be used for the creation of artificial wetland areas adjacent to the channel. The elements of this compound cross-section are shown schematically in Appendix G and were developed in collaboration with Scenic Hudson and their ecological consultant.

3.1.4 Soil Contamination and Disposal

Once a non-hazardous contaminated soil is moved from its original state, it is by definition a solid industrial waste and must be managed according to New York State Department of Environmental Conservation (DEC) regulations. There are several alternatives available to properly handle the contaminated soil, however clearly the most economical method would be to place the excavated soil elsewhere within the confines of the site. Depending on the extent of the contamination this may possibly require the treatment of soils with methods such as soil venting, bioremediation or soil washing. Highly contaminated excavated soil must be placed on an impervious surface with the sides banked so as to control run-off and during periods when no treatment is on-going, and the surface of the stockpile must be covered with an impervious material. It may be that the level and nature of contaminants within the soil do not require treatment and covering the stockpile with a sufficient layer of 'clean soil' may be sufficient. During the excavation contaminant levels would be monitored to ensure the correct disposal methods are being adopted. Very high levels of contaminant may result in the soil being classified as a "hazardous waste". The methods for dealing with hazardous waste are much more costly and involve offsite treatment/disposal.

At the General Motors site a preliminary investigation of the soil contaminant levels was conducted in 2003 by Ecosystems Strategies, Inc. This study identified a number of 'hotspots' for lead contamination with peak levels found up to 200 times the DEC '*a priori*' action level. Caution has been taken in the layout of 'Alternative B' to avoid these areas. Other areas throughout the site were found to have between 5 and 10 times the action level, which implies that the majority of soil excavated through this site will be required to adopt the procedures described above. Test data also identified elevated petroleum

hydrocarbons in some locations. However, the lateral extent of this contamination was not fully identified.

3.2 ALTERNATIVE FLOOD CONTROL SCHEMES

Three alternative flood control schemes have been developed for this study, Alternative 'A', 'B' and 'C' - as described in Section 1 and shown schematically in Figs 1-3 and 1-4. For 'Alternatives A' and 'B' the design objective from a hydraulic engineering viewpoint is to achieve roughly a 50% split in the flood flow carrying capacity between the existing channel and the new channel.

The objective with 'Alternative A' is to alleviate the flooding problems in the lower Pocantico River with a scheme that has minimum construction costs. As shown in Fig 1-3 this scheme involves the construction of a new (second) entrance channel located approximately 90 m south of the existing entrance. This appears to be the optimal entrance channel location at the north end of the site for two reasons:

- Rock outcroppings are observed at the extreme north end of the site, in the vicinity of the existing entrance. Tunneling and channel construction through such rock would be cost prohibitive.

- At the proposed entrance location, further to the south, the access road is located immediately adjacent to the railroad. At this location one "long" series of culverts can be installed, passing under both the road and railroad, in lieu of two separate culvert or bridge structures that would have higher costs. Note that at the existing entrance channel there are two crossings: a box culvert passing underneath the railroad plus an arch bridge passing underneath the access road (see Photographs – Appendix B).

The objective with 'Alternative B 'is to alleviate the flooding problems in the lower Pocantico River with a scheme that offers important secondary features such as restoration of the historic course of the river. It also provides an

important focal point and amenity for future development of site and provides environmental enhancement of the existing site.

'Alternative C' is identical to 'Alternative A' in terms of topography, but adds three more 84in culverts in addition to the original three present in 'Alternative A', for a total of six.

3.3 MODELING RESULTS

The maximum inundation occurring during the course of all simulations is shown in Appendices I, J, K and L. The peak flooding elevations occurring during the simulation in the center of the lower reservoir of the Pocantico River are shown in Table 3-1. It is seen that flooding levels are significantly improved, for the 10-year events for all proposed alternatives, however the mitigation of flooding for the 100-year runoff events is less pronounced. 'Alternative C' shows a better flood response than the other schemes for both 10 year and 100 year events.

Table 3-1

Peak flood elevations (meters NGVD) in the center of the lower reservoir of the Pocantico River.

	10-year runoff Hudson +1 m	10-year runoff Hudson +1.92 m	100-year runoff Hudson +1 m	100-year runoff Hudson +2.38 m
Existing	3.03 m	3.55 m	4.22 m	4.24 m
Alternative A	2.01 m	2.53 m	3.74 m	4.03 m
Alternative B	1.88 m	2.51 m	3.77 m	3.87 m
Alternative C	untested	2.33 m	2.93 m	untested

Table 3-2 shows the resulting coverage of maximum inundated areas. Values are tabulated only between the railway line and the spillway upstream. Areas which are wet under normal conditions (below 0 m NGVD) are not included in the calculation of inundated area. The results again show flood

mitigation for all proposed alternatives relative to the existing layout, in particular for the more frequent 10-year return period events. Alternative C again appears to be more effective in mitigation than the other two schemes.

Table 3-2

Spatial coverage of maximum inundation area during simulations.

	10-year runoff Hudson +1 m	10-year runoff Hudson +1.92 m	100-year runoff Hudson +1 m	100-year runoff Hudson +2.38 m
Existing	127,300 m^2	164,400 m^2	185,900 m^2	186,500 m^2
Alternative A	45,900 m^2	86,100 m^2	173,200 m^2	181,600 m^2
Alternative B	37,700 m^2	80,300 m^2	171,700 m^2	174,900 m^2
Alternative C	untested	43,500 m^2	126,300 m^2	untested

The flooding events considered here all consist of extreme runoff from the local catchment, in combination with moderately high or extremely high Hudson water levels. It is noted that Hurricane Floyd (September 1999), which resulted in damage to the spillway bridge and adjacent historical buildings, fits this profile well. The results of these simulations show universal improvement in flooding levels upstream of the railway for all proposed scenarios.

For completeness, it should be noted that in the event that flooding originates dominantly from the Hudson (with only minor contribution from local Pocantico runoff), the system is likely to react differently. For Hudson surges/flooding events having a relatively slow rise, it is expected that the low-lying area east of the rail line will rise more or less in equilibrium with the Hudson water level for both existing and future layouts. For sudden, sharp surges in Hudson levels occurring in the absence of strong local runoff, it is expected that the future layouts will respond more quickly to the Hudson forcing than the existing layout, resulting in a modest increase in flooding levels east of the rail line for the future scenarios relative to existing conditions.

3.4 CONSTRUCTION COST ESTIMATES

Budgetary construction cost estimates have been prepared for 'Alternatives A' and 'B' ('Alternative C' not included in cost estimations). These estimates are based on the following assumptions:

- For both alternatives the flow conveyance under the railroad tracks is accomplished using a series of three 84 inch diameter concrete culverts jacked in place.
- Costs for testing, treatment, and disposal of contaminated soils (if any) are not included.
- The earthwork costs include only excavation and stockpiling of the material onsite. The costs for re-handling and re-grading are not included.

The construction cost breakdown for each of the two alternatives is documented in Appendix M Preliminary construction cost estimates for the two 'Alternatives A' and 'B' is as follows:

Alternative A - $ 2,600,000.00

Alternative B - $ 13,000,000.00

4. CONCLUSIONS AND RECOMMENDATIONS

A feasibility study has been performed to analyze the existing flood conditions on the lower Pocantico River and evaluate alternative schemes to mitigate this flooding. Two alternatives have been developed and evaluated:

Alternative A Provide new entrance channel adjacent to the existing entrance (Fig 1-3).

Alternative B Provide new entrance channel to the south, restoring (approximately) the original course of the Pocantico River and providing various secondary environmental benefits (Fig 1-4).

Alternative C Provide new entrance channel adjacent to the existing entrance similar to 'Alternative A', but with additional culverts (6 vs. 3).

All of the alternatives have significant effectiveness in reducing the areas of flood inundation during high intensity rainfall events. This benefit is realized whether extreme Pocantico runoff is combined with either moderate or extreme water levels in the Hudson River. The proposed alternatives show more striking improvement in flood response for the 10-year event compared to the 100-year event. In general, these alternatives are quite effective in mitigating the effects of high river flow on the Pocantico River but are expected to have no benefit in the mitigation of coastal flooding from the Hudson River.

Preliminary construction cost estimates for the alternatives A and B are as follows:

Alternative A - $ 2,600,000.00

Alternative B - $ 13,000,000.00

Alternative A is clearly more economical from a flood control viewpoint. However, Alternative B offers important secondary benefits that require further evaluation. These benefits include:

- Restoration of the original (historic) course of the Pocantico River.

- Provides an important focal point and amenity for future development at the abandoned General Motors facility.

- Provides environmental enhancement of the existing site, including the development of artificial wetlands.

- Alternative C shows significant improvement than other alternatives in flood mitigation for both 10 and 100-year rainfall events.

- Scenic Hudson identified that there may be additional development of the General Motors site (residential area to south of site), which may involve additional landfill in order to raise the potential development foundations above elevations prone to frequent flooding. If it is the case that none of the above flooding mitigation schemes are undertaken and development does take place including this landfill, the consequences could be severe. By reclaiming/raising a significant portion of land within the flood plain, the horizontal extent of the flood plain would be reduced and therefore it is likely that flood elevations in the remaining flood plain would be increased. This would be expected to cause more extensive flooding in areas with lower vulnerability to flooding. However, an additional study would be required to assess the extent of flooding for such a scenario.

4.1 NEEDS FOR ADDITIONAL DATA AND ANALYSIS

The scope of the present study is limited to a preliminary feasibility level study. Significant additional data and analysis will be needed for final design, permitting, and construction cost estimating. Areas of particular focus will include:

- Improved estimates of peak flood flows for the upper Pocantico River.

- Detailed analysis of joint occurrence frequencies for high river flows on the Pocantico River and high tide levels on the Hudson River.

- Modeling of tidal circulation in the new two-channel system during periods of low river flow.
- Detailed analysis of soil contamination conditions, permitting requirements, and disposal costs.
- Approval of culvert installation underneath the railroad by Metro-North.
- Cost-benefit analysis of alternative flood control schemes.

4.1.1 Flood Flow Estimates

The present study relies on empirically-based (and probably conservative) estimates of peak river flows and hydrographs. For detailed design more refined flow estimates will be needed, based on detailed rainfall-runoff modeling of the Pocantico River watershed. Preferably, this modeling should be supplemented by field measurements of actual flow rates observed during storms. This could be accomplished relatively easily by monitoring the water level at the Philipsburg Manor Dam for a period of time and then using the observed stream flow and precipitation data to calibrate the rainfall-runoff model.

4.1.2 Joint Occurrence of High River Flows and High Tide Levels

Several scenarios have been analyzed to evaluate the combined effects of high river flow on the Pocantico River and high water levels in the Hudson River. More refined analysis will be needed to assess the joint probability of these events. A Monte Carlo simulation study is a rigorous probabilistic approach that could be adopted for final design of the flood control system, once joint probability distributions have been established for these key parameters.

4.1.3 Analysis of Tidal Circulation

Tidal circulation modeling is needed to confirm that the proposed two-channel system will provide adequate flushing for both channels during the normal periods of low river flow, when the circulation is controlled by small tidal gradients between the two entrances. Other options such as the installation of weir systems to retain a minimum water depth in both waterways during times of low water may be investigated.

4.1.4 Soil Contamination and Disposal

Preliminary information suggests that soils at the old General Motors site are moderately to highly contaminated at some locations. This is an important design and feasibility issue that will require extensive testing and detailed analysis. In addition, the onsite disposal and possible treatment and capping of the excavated material is a critical design issue. The placement of such material within the flood plain will require further modeling studies.

4.1.5 Culvert Approval by Metro-North

Obviously, the basic feasibility of either alternative is dependent on obtaining approvals from Metro-North to install a series of culverts underneath the existing railroad tracks. We do not anticipate that this is will be a problem but it needs to be confirmed.

4.1.6 Cost-Benefit Analysis

Once the proposed flood control design concept has been further refined, a comprehensive cost-benefit analysis is needed to confirm the viability of the project. The project costs include the initial costs for design, permitting, and construction as well as the present value of future maintenance costs. The project benefits include the direct savings from future reduction in flood damages as well as the indirect benefits of environmental enhancements such as wetland creation.

4.1.7 Approval of Flood Plain Modifications by FEMA

Any proposed flood plain modifications will likely require approval from FEMA. This is not expected to present regulatory problems since the basic intent of the project is to improve the local flood conditions - not aggravate them. However, the time required obtaining such approvals from FEMA and other regulatory agencies would have to be considered.

5. REFERENCES

1. National Oceanic and Atmospheric Administration (NOAA), "Hourly Precipitation Data New York", September 1999, Volume 49 Number 9.

2. U.S. Weather Bureau, Technical Paper No. 40, "Rainfall Frequency Atlas of the Eastern United States for Durations from 30 Minutes to 24 Hours and Return Periods from 1 to 100 Years" (www.erh.noaa.gov/er/hq/Tp40s.htm)

3. Federal Emergency Management Agency (FEMA), "Flood Insurance Study - Village of North Tarrytown, New York, Westchester County", February 17, 1981.

APPENDIX A

MAPS OF STUDY AREA

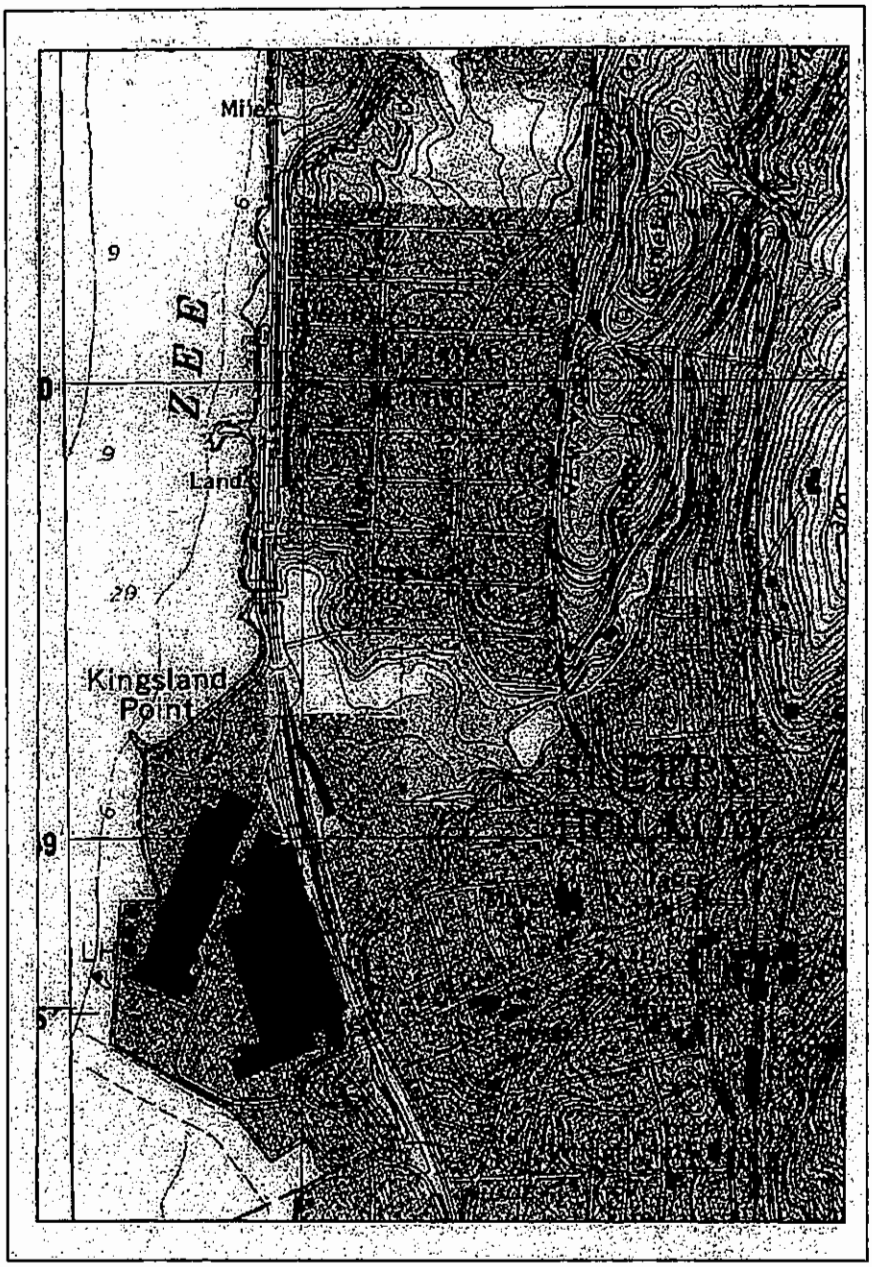


Fig A-1 Topographic Map (USGS)

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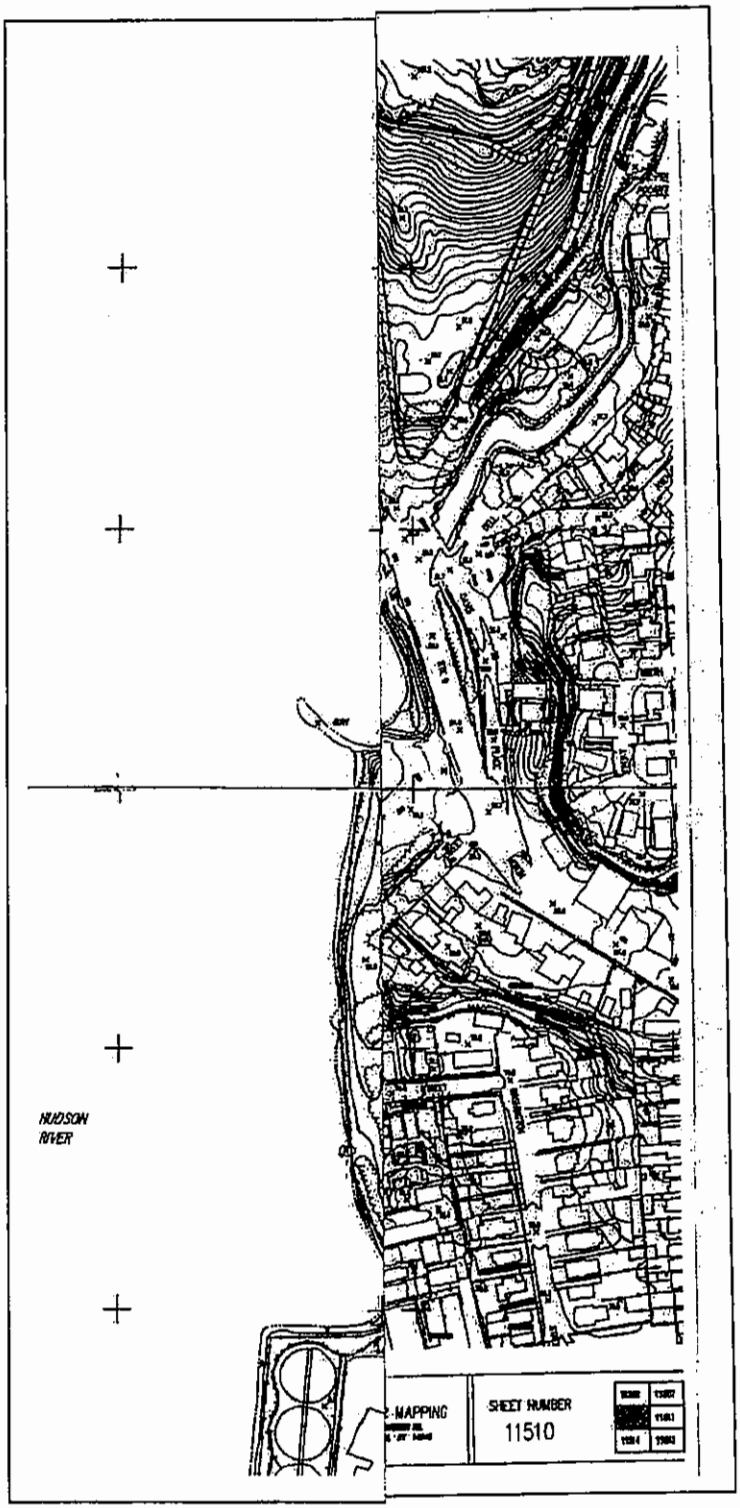


Fig A-2 Topographic Ma

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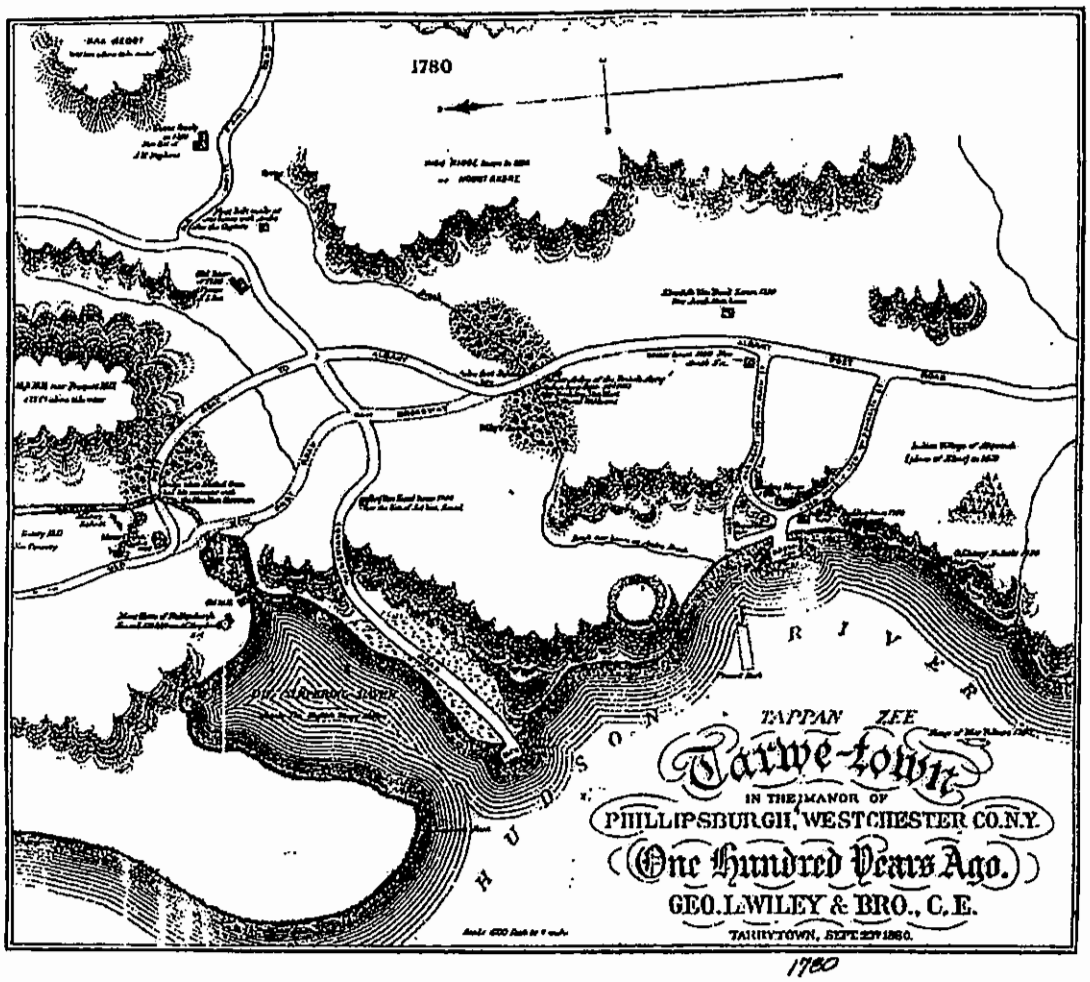


Fig A-3 Historical Map of Study Area (1780)

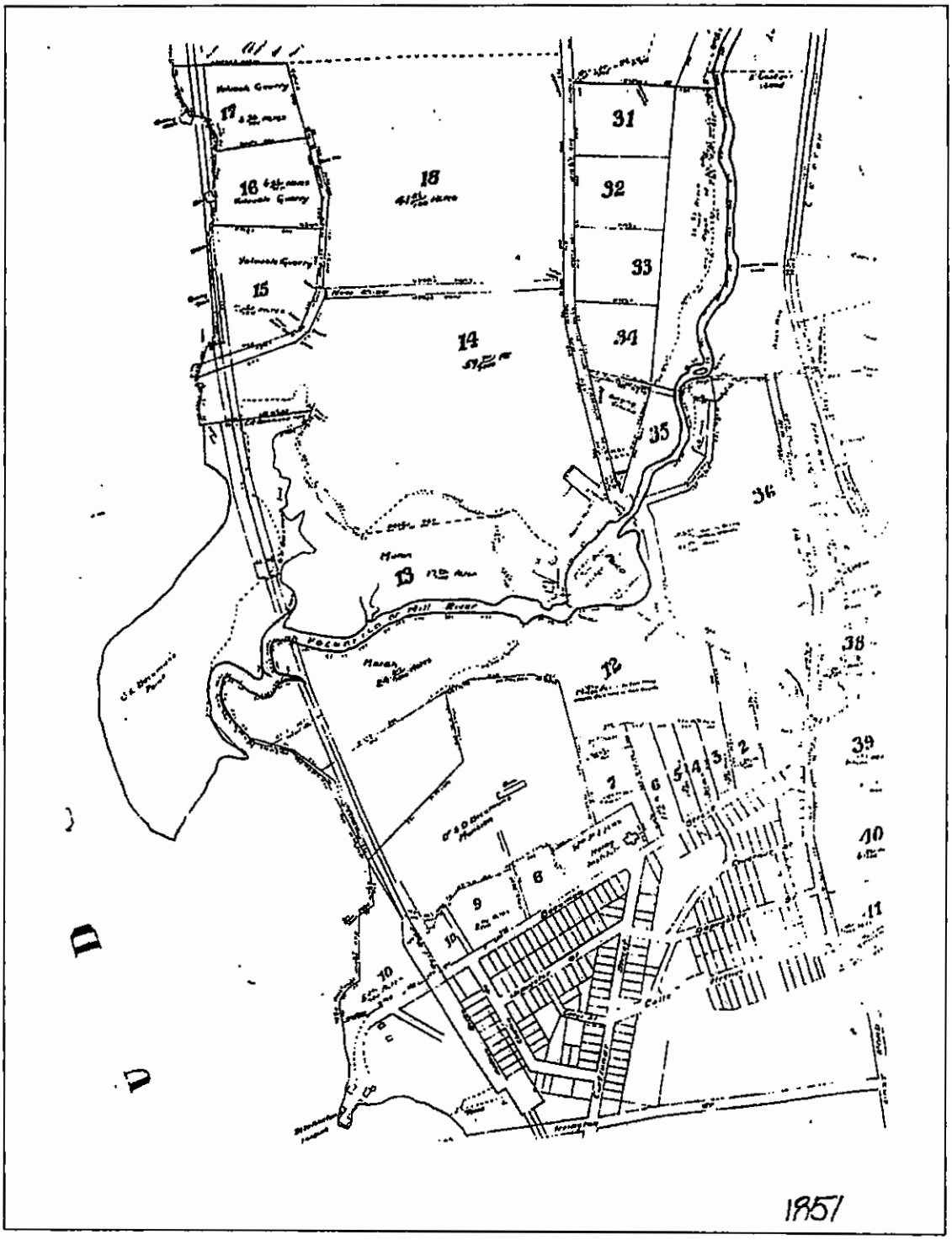


Fig A-4 Historical Map of Study Area (1851)

COMMENT LETTER NO. 56 (continued

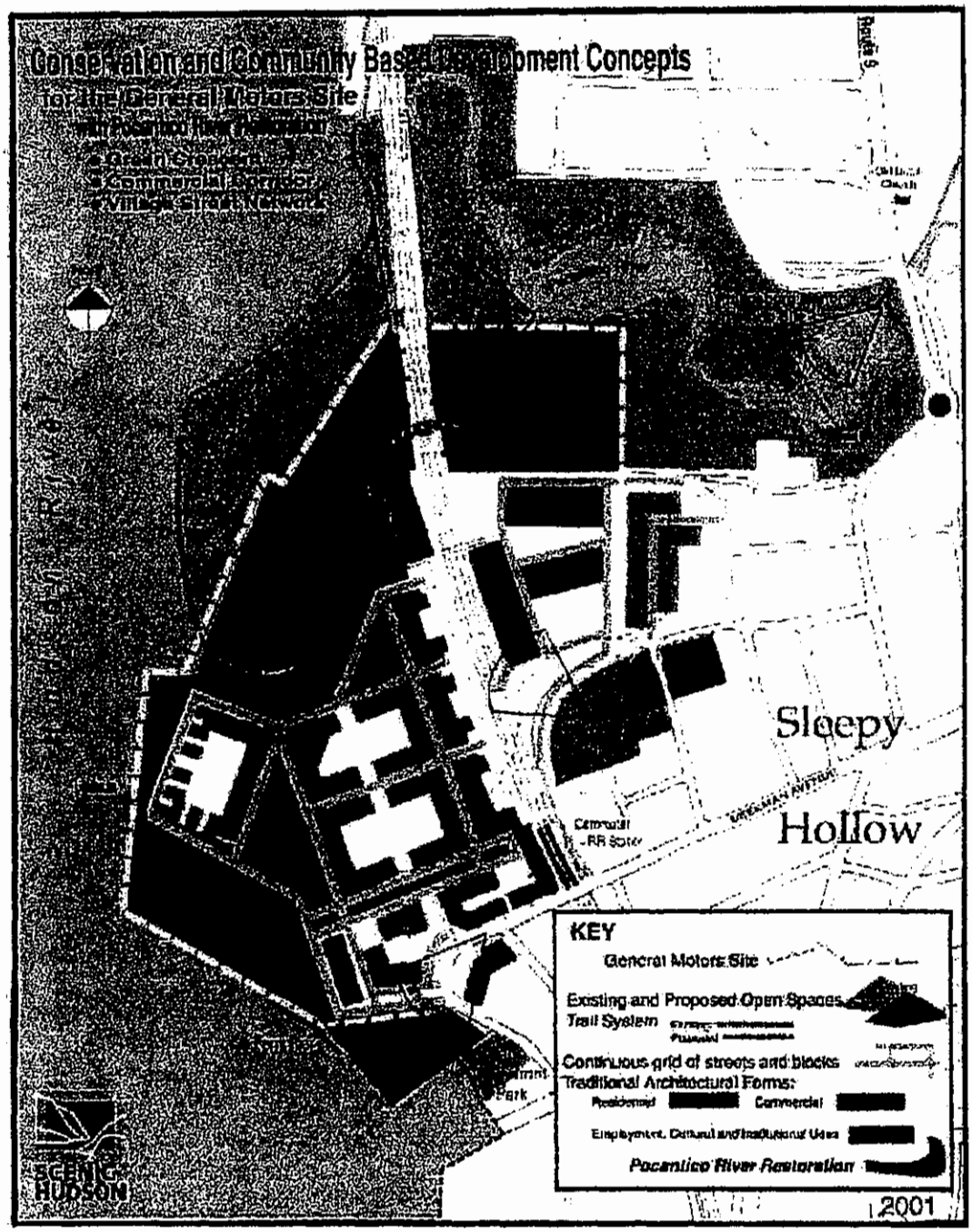


Fig A-5 Scenic Hudson Schematic Drawing 1

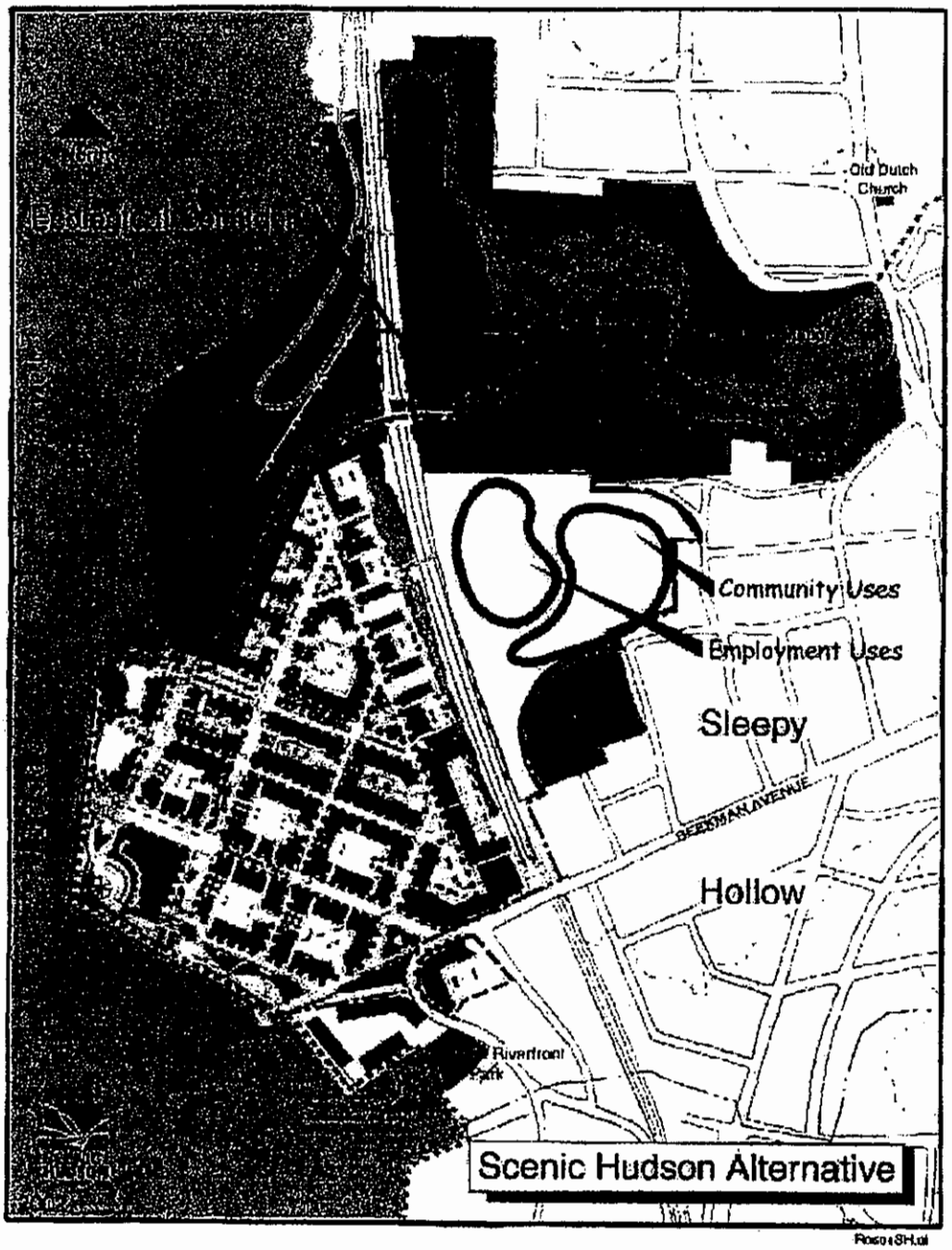


Fig A-6 Scenic Hudson Schematic Drawing 2

COMMENT LETTER NO. 56 (continued

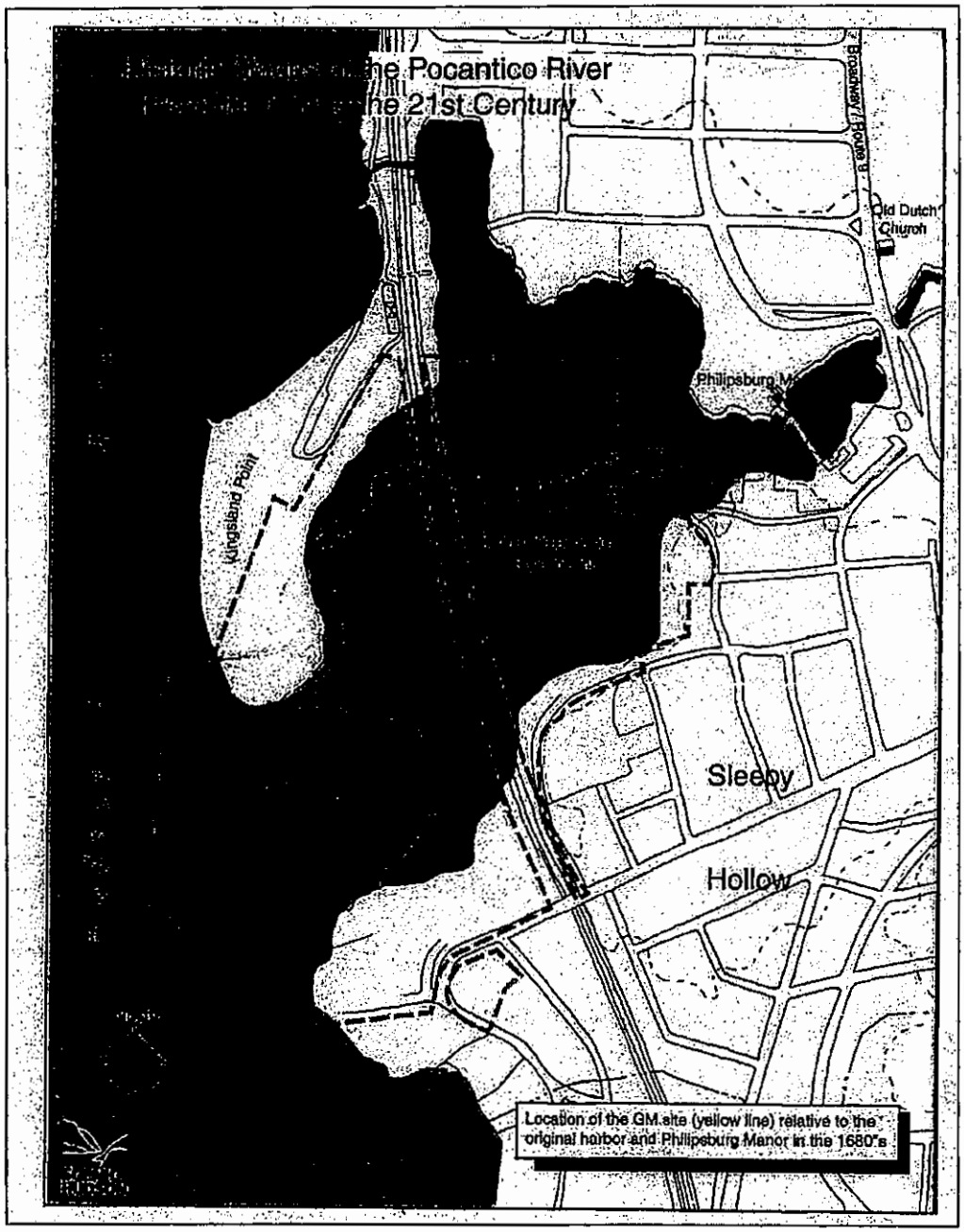


Fig A-7 Scenic Hudson Schematic Drawing 3

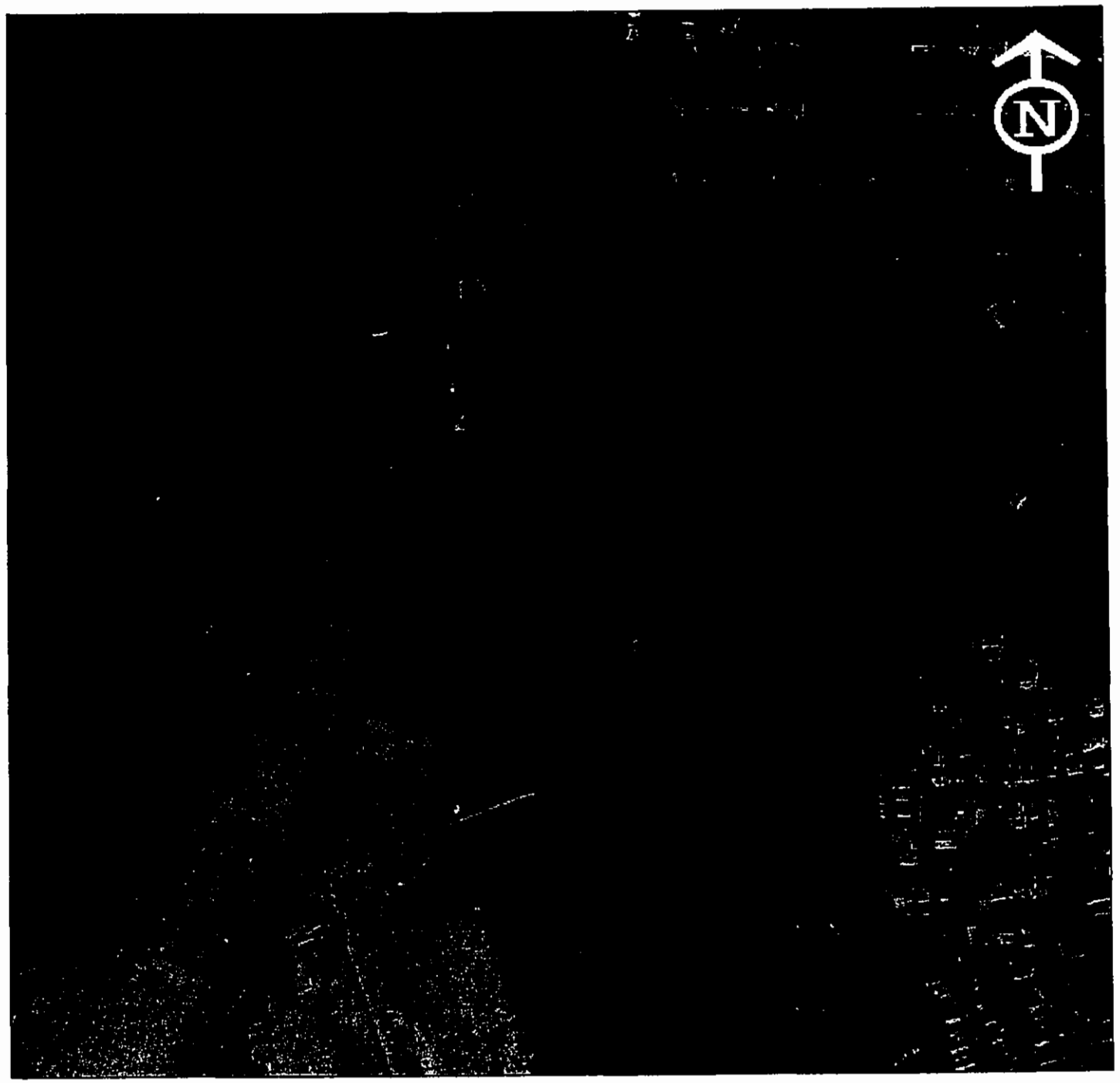


Fig A-8 Aerial Photograph of Study Area

APPENDIX B

PHOTOGRAPHS OF STUDY AREA

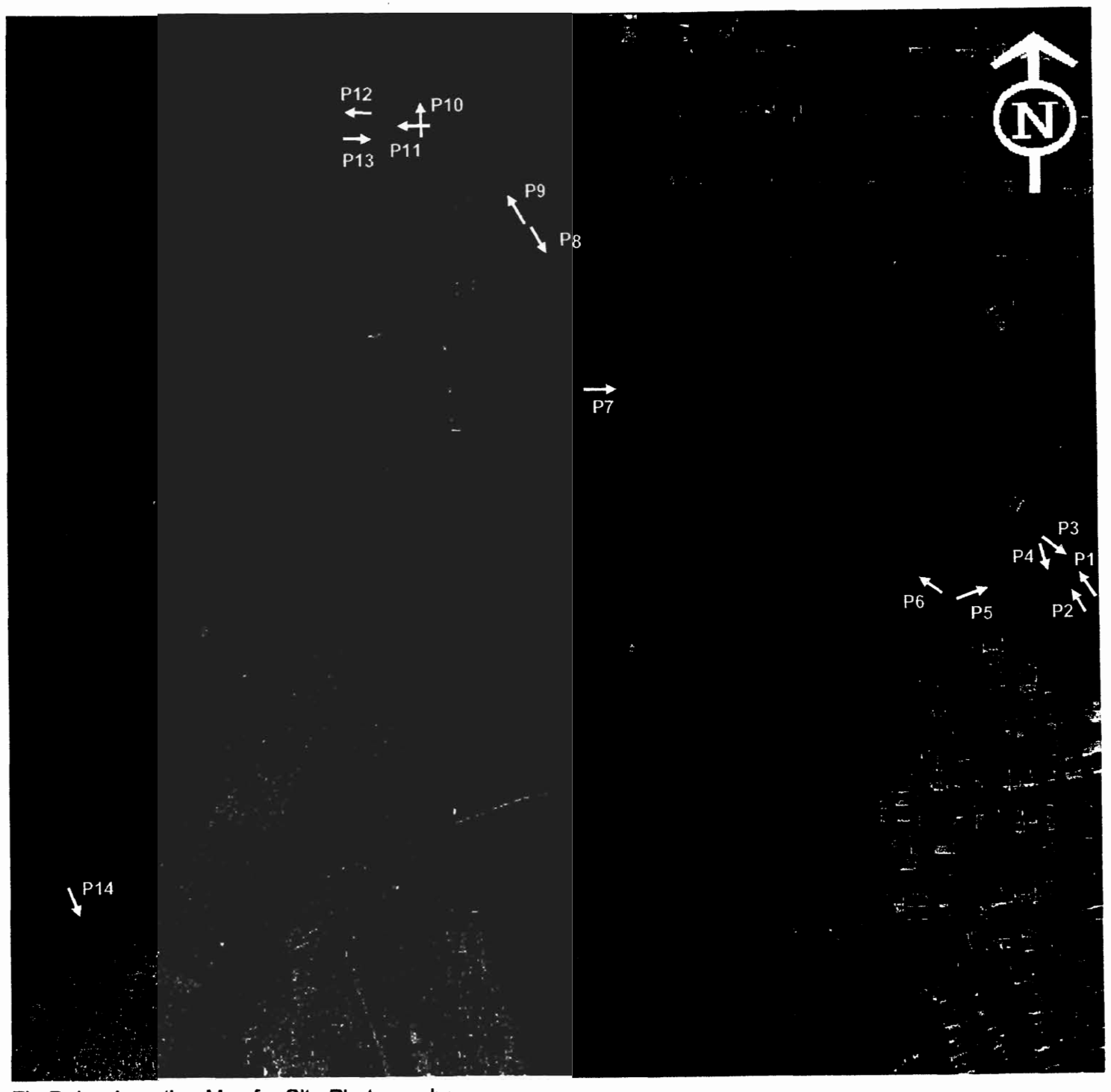


Fig B-1 Location Map for Site Photographs

PHOTOGRAPHS

P1 View of dam (east side)

P2 View of dam (west side)

P3 Dam culvert (entry)

P4 Dam culvert (exit)

P5 View of river below dam (looking northeast)

P6 View of river below dam (looking northwest)

P7 Lower reservoir from recreation ground

P8 View of river by recreation ground (looking south)

P9 View of river by recreation ground (looking north)

P10 View of river above box culvert

P11 Box culvert (looking west)

P12 Road bridge (looking west)

P13 Box culvert (looking east)

P14 Alternative B: proposed exit point



Photo P-1. View of dam (east side)

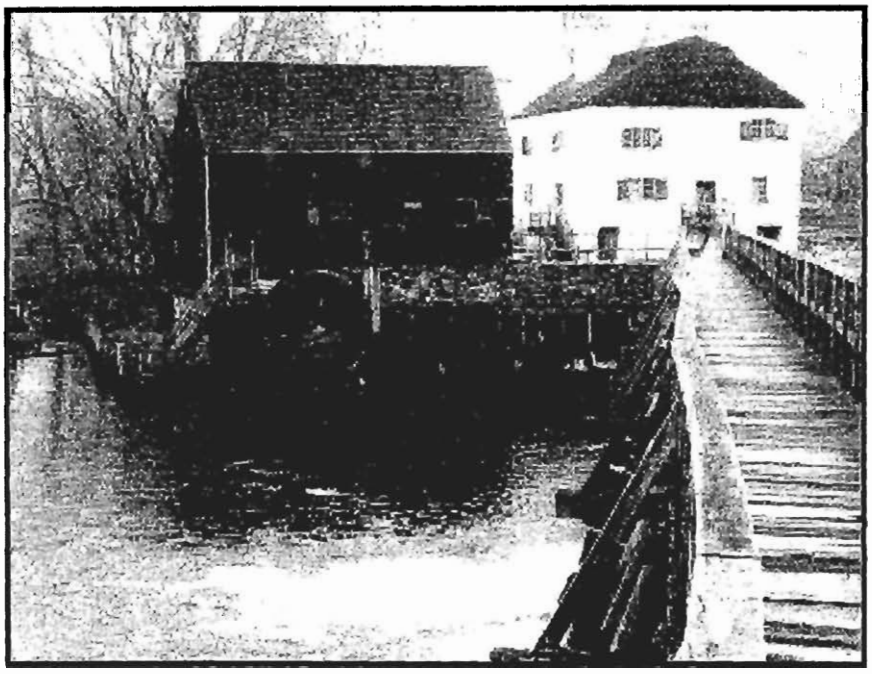


Photo P-2. View of dam (west side)

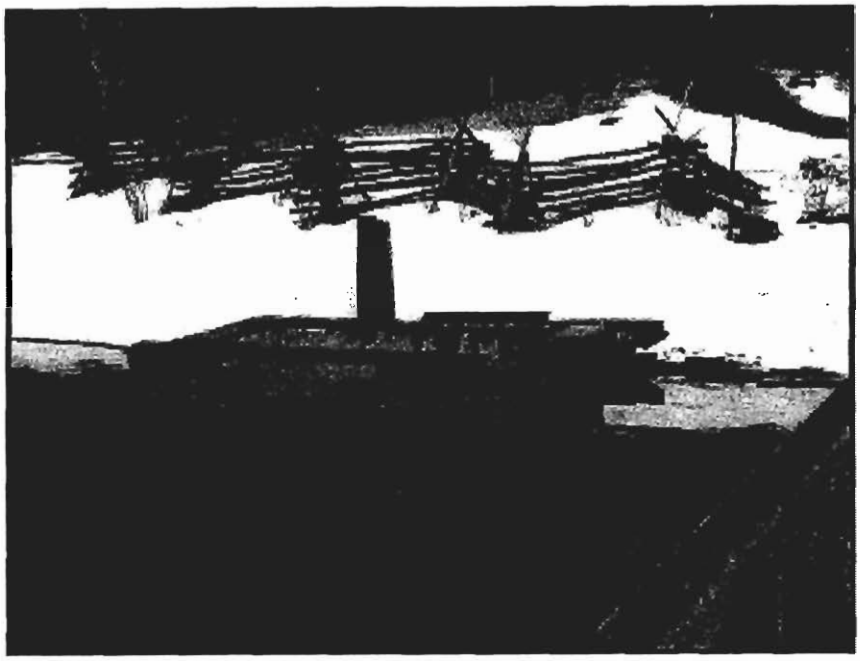


Photo P-3. Dam culvert (entry)



Photo P-4. Dam culvert (exit)



Photo P-5. View of river below dam



Photo P-6. View of river above lower reservoir



Photo P-7. Lower reservoir from recreation ground



Photo P-8. View of river by recreation ground (looking south)



Photo P-9. View of river by recreation ground (looking north)



Photo P-10. View of river above box culvert



Photo P-11. Box culvert (looking west)



Photo P-12. Road bridge (looking west)



Photo P-13. Box culvert (looking east)



Photo P-14. Alternative B: proposed exit point

COMMENT LETTER NO. 56 (continued

APPENDIX C

HISTORICAL FLOODING OF POCANTICO RIVER

Historical Accounts and Contacts

A significant effort was made to gather historic reports of flooding problems encountered at Sleepy Hollow. Unfortunately, we were unable to gather detailed information of flooding events other than the flood that occurred on September 17, 1999 as a result of Hurricane Floyd. However, for this event very little detail was available for flooding which occurred downstream of the Philipsburg Manor dam. There is a general awareness from those we contacted that the General Motors site flooded regularly, but information on the extent and timing of such events is not available. In addition, the region immediately south of the lower reservoir has also been known to flood regularly. At one time (mid 1990s), there were plans in place to construct a wooden walkway through this area, but due to repetitive flooding the project was eventually abandoned.

The various parties/persons contacted regarding flooding problems at Sleepy Hollow are listed below:

- Scenic Hudson
- Historic Hudson Valley
- Westchester Historical Society
- Huskie Engineering
- Village Historian - Mr. Henry Steiner
- Superintendent of Public Works - Mr. Joe DeFaoe
- Village Engineer - Mr. Toni Capicatto

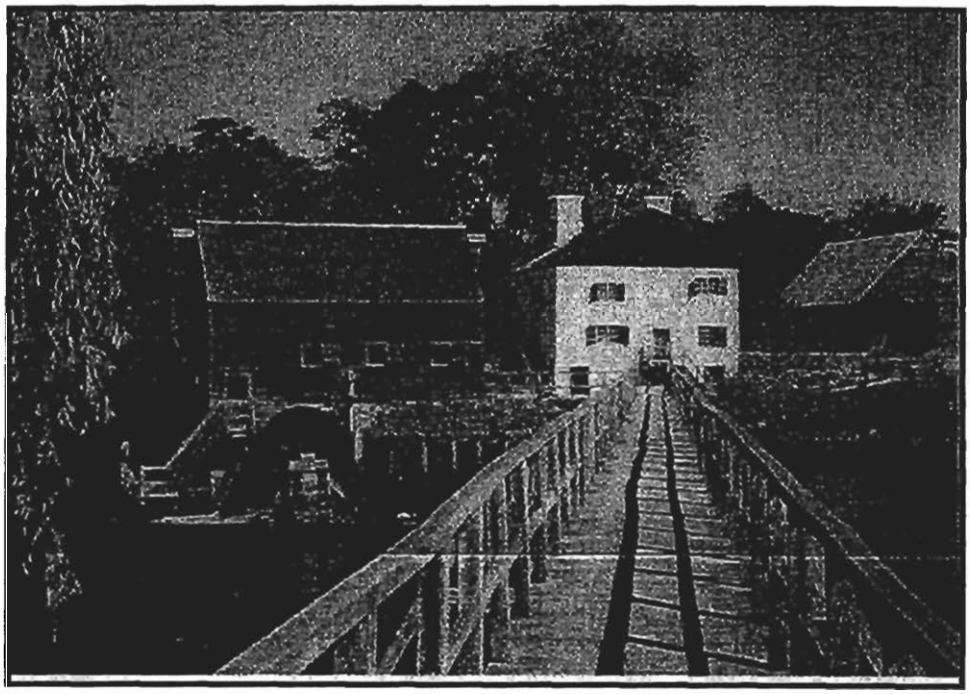


Photo C-1. Historic Hudson photograph: prior to flood



Photo C-2. Historic Hudson photograph: during flood

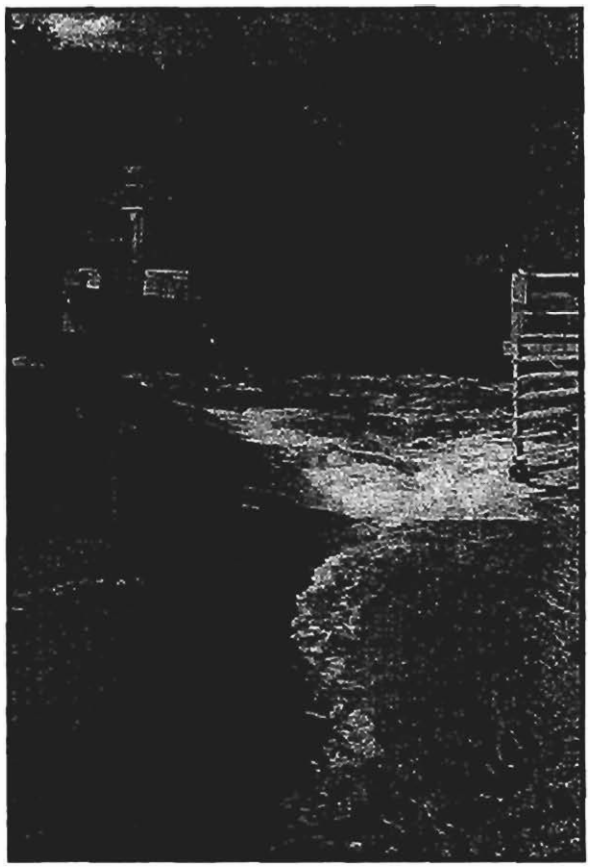


Photo C-3. Historic Hudson photograph: new channel created by flood

Local heritage is gone with the rain

Severe storms like the one that roared through the region last week destroy homes and ruin livelihoods, but they also do irreparable damage to the less visible but vulnerable historical treasurers of the region.

Old homes, houses of worship and other historic structures are vulnerable to the elements, especially when they bring 5 inches of rain and howling winds. The Sept. 16 storm, which ravaged hundreds of homes and businesses, tore at the thin thread of history that connects our age to a time when Dutch traders and Indians called this place home.

Though they may not compare in value to the millions of dollars lost to storm damage, a 19th-century brass milk jug and the oldest oak tree in Pleasantville were also victims of the storm.

It could have been worse — far worse.

At Philipsburg Manor in Sleepy Hollow, an old manor house nearly crumbled into the rising floodwaters, threatening to obliterate a structure whose walls date to the 1680s.

The preserved farmstead was founded along the Pocantico River near the Hudson River by Frederick Philipse,



ROBERT MARCHANT

once the richest man in New York state. The manor house lies at a confluence of two rivers, a configuration that Dutch colonists always favored despite its potential for flooding. Legend has it that the area flooded periodically when Dutch colonists farmed the region, washing away dams on a regular basis, until a church was built on the estate as a slave had suggested.

The Dutch, whose own history was marked by disastrous floods and massive reclamation projects, were accustomed to the water and its terrible dangers.

"It's something they were used to, using water and fighting water," said Kate Johnson, curator for Historic Hudson Valley. The nonprofit organization manages the historic property and six other ones along the Hudson Valley.

The water that came rushing down the Pocantico on Sept. 16 might have surprised even the Dutch, carrying trees and even a small garage in its path. Historical records indicate it was the biggest flood on record for the Pocantico.

The old stone manor house was only inches away from losing its footing and tumbling into the flood waters, but a strong effort by staff, neighborhood volunteers, a girls' soccer teams and a local construction company saved the building from destruction. With sandbags, rocks and gravel, the workers defended the manor house, where African slaves once made cheese and butter from a herd of 12 dairy cows.

"This was the worst natural disaster we've ever had to deal with," said Geoffrey Carter, the director of preservation at the site. "There's nothing in our recent history that could've prepared us for this."

Since the storm passed, workers and preservationists have been cleaning out mud and flood water from the old house with an Old World meticulousness, inch by inch.

The walls of the old stone house have seen heavy cleaning before. Johnson, the curator, said the scrubbing and cleaning now under way recreates, in an odd way, the work that went on inside the house almost 300 years ago.

The building was the site where enslaved African milkmaids churned out butter and cheese for export to New York City and the West Indies. Historical documents show that the Africans were scrupulously clean and scrubbed down their workplace with regularity. In an age when Europeans bathed infrequently, perhaps a few times a year, the African laborers were considered unusual for their dislike of dirt, according to diaries and letters that have survived from the period.

"We're kind of following in that tradition — scrubbing, scrubbing, scrubbing," Johnson said. "Africans had a much higher interest in cleanliness, in their persons and surroundings. Europeans were disgusting."

The total damage to Philipsburg Manor could cost $1 million to repair — some of it to be recouped from the insurance company, the rest from community fund raising.

The historic estate also lost an antique Dutch milk jug to the flood. "If anyone finds it, we'd love to get it back. It's probably halfway back to the Netherlands," Johnson said.

The storm also brought down a number of historic trees in the area, including the oldest oak trees in Pleasantville. The white oak had been standing near Bedford Road for almost 300 years, and succeeding generations of Pleasantville families have watched its foliage turn.

"At one point it was said that the tree had been the site of Indian trading," said Carsten Johnson, an authority on Pleasantville history. "Its loss certainly diminishes the natural history of the area."

Old trees are often the most vulnerable to big storms. Lyndhurst, the Gothic mansion in Tarrytown built in 1838, lost an 87-foot walnut tree to the storm. "The old ones are particularly susceptible, because they have such large canopies that catch the wind," said Suzanne Pandich, Lyndhurst's director.

Downed trees, missing artifacts and severely damaged buildings all tell the story of lost history that can't be replaced. They also tell of another inescapable fact of history: Nothing lasts forever.

Robert Marchant's column, On History, appears every Saturday. He can be reached at 694-3515, or e-mail him at marchant@earthlink.net.

Fig C-1 Newspaper Account of 1999 Flood (Local Newspaper)

COMMENT LETTER NO. 56 (continued

The New York Times

NEW YORK, TUESDAY, SEPTEMBER 21, 1999

Neighbors Wade In to Save Old Manor

SLEEPY HOLLOW, N.Y., Sept. 20 — Philipsburg Manor, one of the oldest historic sites in New York State, came close to being swept away in the flood from Tropical Storm Floyd, but was saved when museum curators and security guards, neighbors and history buffs and even a local girls' soccer team all pitched in to divert the flow of a furious river.

Volunteers returned today to shovel debris, clean colonial knickknacks and carefully excavate antiques from the caked mud. Burns Patterson, director of public relations for Historic Hudson Valley, which operates the manor and five other historic sites, said the support was gratifying.

"A lot of people you sit side by side with at a computer desk were hip deep in water getting their khakis wet," he said. "I sacrificed a pair of wingtips, but it was worth it."

The trouble started Thursday night when uprooted trees and debris caught on the supports of a 17th-century-style wooden footbridge here and obstructed the flow of the Pocantico River, a small tributary of the Hudson. Blocked from its course, the river turned east and cut a wide swath through a hillside right between the manor manor house built in 1893 and a 1957 reproduction of a colonial-era grist mill.

Nearly five feet of water flooded the first floor of the manor house, cracked the foundation and sent some antiques, including a brass milk pitcher, floating downstream. A rare 18th-century Dutch cupboard was bobbing in the kitchen when Geoffrey B. Carter, the director of preservation, was summoned by security guards around 4 A.M. on Friday.

"There were huge trees coming down the Pocantico River, and they were battering the side of the mill," Mr. Carter said this afternoon. "I thought for sure we were going to lose it. We didn't, but we lost a retaining wall and a dock."

By 9 A.M. on Friday, nearly 70 employees of Historic Hudson Valley were enlisted to don life jackets, loosen the logjam and load sandbags in front of the manor house, which was once one of the busiest commercial centers in New York and is now a living museum of colonial life popular with school groups. Later in the day, museum volunteers and neighborhood residents arrived and offered their services. By 3 P.M., a dozen girls from the Hackley School, a private school in Tarrytown, gave up their soccer practice to load sandbags.

"We had a good time," said Emily H. Cleveland, a junior who plays offense. "We felt like we were helping people, and we were happy not to be at practice for once."

Their efforts stemmed the tide until later that night when a nearby company, County Asphalt, filled the river's channel with 12 truckloads of rock.

"I wonder if this had been a computer factory, if people would have chipped in like they did," Mr. Burns said. "I think it shows what history means to people."



G. Paul Burnett/The New York Times

Sandbags were used in Sleepy Hollow, N.Y., to redirect the Pocantico River and save the 17th-century Philipsburg Manor. Fallen trees had become a dam that diverted and strengthened the water's flow.

Fig C-2 Newspaper Account of 1999 Flood (New York Times)



Historic Hudson Valley
1999 Annual Fund

October 6, 1999

Dear Friend:

I know that you have recently received a letter from, Historic Hudson Valley, asking for your support for our educational programs. The reason I am writing to you so soon again is that on September 17th, Hurricane Floyd caused **an estimated one million dollars worth of damage** to Philipsburg Manor, our historic site near the banks of the Hudson River in Tarrytown.

This is what happened:

After many hours of heavy rain, the Pocantico River, which runs through Philipsburg Manor, flooded. The bridge from the Visitor's Center to the Manor House was seriously damaged by the power of the water and the debris it carried.

Next, the ground floor of the Manor House was flooded with nearly 5 feet of water. Fortunately, most of the historic objects in the lower kitchen and dairy were rescued by volunteer and staff efforts and are now stored safely. However, the foundation of the house and all of the grounds will need extensive work.

A third major calamity caused by the cresting river was the Mill, which is the major educational attraction for school groups. Students observe corn meal being ground and packed for shipping and learn that the Philipsburg Mill engaged in trade with clients as far away as Europe. The mill wharf was partially destroyed, and the pilings on which the mill sits are shaky.

The only bright spot in the dismal day was the spontaneous support of volunteers from the community during the flood. All during the emergency, they shoveled sand into bags to hold the river at bay, transported valuable artifacts out of harms way, and worked to open the dam. At one point, the Girls' Soccer Team from a local school was sand bagging shoulder to shoulder with HHV staff.

Fig C-3 Damage Account of 1999 Flood

Now we must rebuild:

To bring Philipsburg Manor back, we need your support. All of the educational programs about which we wrote you just a few weeks ago, have had to be temporarily cancelled. Government, foundation and corporate funds are all designated and are not available to HHV in emergencies such as the one I have just described. Insurance will only partially cover expenses.

Only our individual friends such as you can make an immediate difference. Please let us hear from you as soon as you can.

Thank you for your continued commitment and loyal support. We very much need your help.

With best wishes,

Waddell W. Stillman
President

Encs (3)

Fig C-3 Damage Account of 1999 Flood (Continued)

APPENDIX D

HYDROLOGIC ANALYSIS OF UPPER POCANTICO RIVER

Hydrologic Analysis of Pocantico River

In order to estimate 10-, 50-, and 100- year discharge hydrographs for the Pocantico River basin, the Urban Flood-Frequency Estimating Techniques of the National Flood Frequency (NFF) Program, Version 3 of the USGS, were used. The estimation of the urban peak discharge consists of seven-parameter nationwide equations, as described in USGS Water-Supply Paper (WSP) 2207. The equations are based on urban runoff data from 199 basins in 56 cities and 31 states. The techniques have been thoroughly tested and proven to give reasonable estimates for floods having recurrence intervals between 2 and 500 years. Equations are based on multiple regression analysis of urban flood-frequency data from 199 urbanized basins.

The seven parameters include contributing drainage area (A), main channel slope (SL), rainfall in inches for the 2-hour, 2-year recurrence interval (RI2), percentage of basin storage (ST), basin development factor (BDF), percentage of impervious surfaces (IA), and rural drainage basin peak discharge (RQT) for a pre-determined recurrence interval T. The parametric equations are used to calculate the peak flow at the entrance to the reservoir for events with a recurrence interval of 10, 50, and 100 years.

The drainage basin area was determined from USGS topographic quadrangle maps (Scale 1:24,000), for the areas of White Plains, Glenville, Ossining, and Mount Kisco. The main channel and tributaries flowing into the Pocantico River were identified, and the extent of the drainage area around them sketched. Basin areas and impervious surfaces were located, and their areas estimated. The main channel slope was calculated between points on the main river channel, 10 percent and 85 percent of the length upstream from the reservoir. The rainfall for the 2-hour, 2-year recurrence interval was obtained from Rainfall Frequency Atlas Maps produced by the U.S. Weather Bureau's (USWB) Technical Paper 40 (1961). The basin development factor is an index of the amount of urban drainage improvements within the study area. As there is little or no development in the Pocantico River drainage basin upstream of Tarrytown, this factor reduced to zero.

The peak discharge for an equivalent rural drainage basin was obtained from equations developed for the State of New York. The Pocantico River drainage basin is located in Region 3 of the USGS flood-frequency region map for New York. To obtain the rural peak discharge, drainage area, basin storage area, mean annual precipitation, and shape factor are needed. Using these parameters the rural peak discharges for a 10-, 50- and 100-year recurrence event were calculated. The mean annual precipitation was found by interpolating between rainfall contours on the mean annual precipitation map of New York from the Water-Resources Investigations Report 94-4002 of the USGS NFF Program. The shape index is a ratio of the square of the main channel length to the drainage area.

Once rural peak discharges were quantified, the urban peak discharges were calculated. The same values were used to produce the hydrograph plots for the 10-, 50-, and 100-year recurrence events using software developed by the NFF Program. The results show peak discharges of 51, 93, and 116 m^3/s for events with return periods of 10, 50, and 100 years, respectively. The basin lag time, defined as the elapsed time from the center of mass of rainfall excess to the center of mass of the resultant runoff hydrograph, was found to be 9 hours. Using these values for urban peak discharge and lag time, 10-, 50-, and 100-year return event hydrographs for the Pocantico River basin were generated.

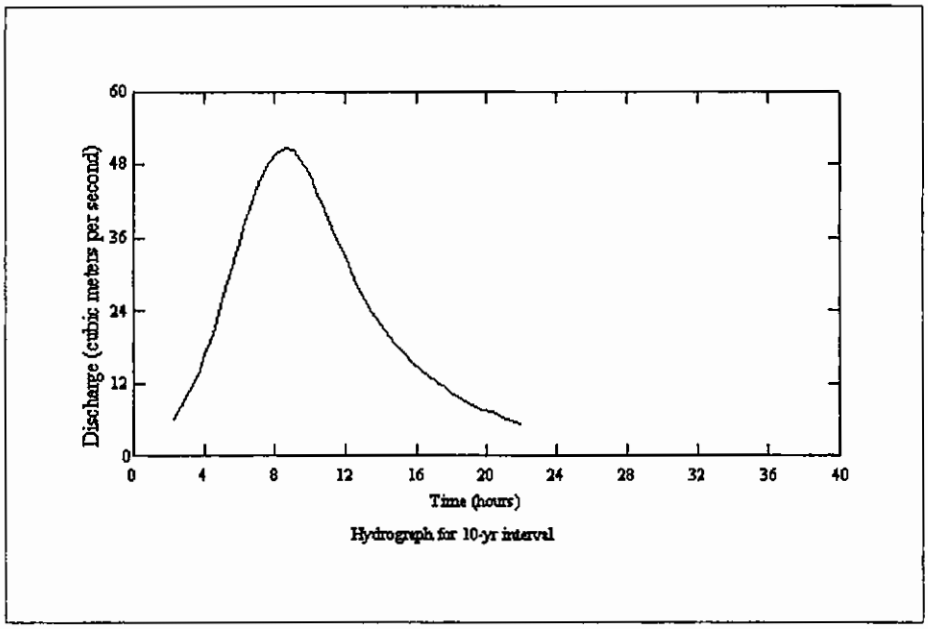


Fig D-1 Hydrograph for 10-Year Frequency Flood

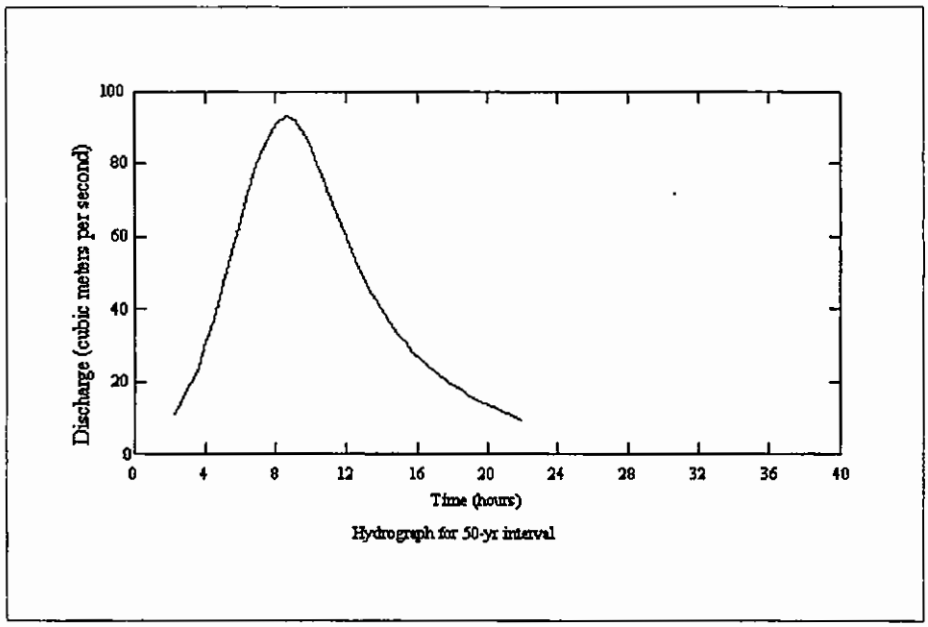


Fig D-2 Hydrograph for 50-Year Frequency Flood

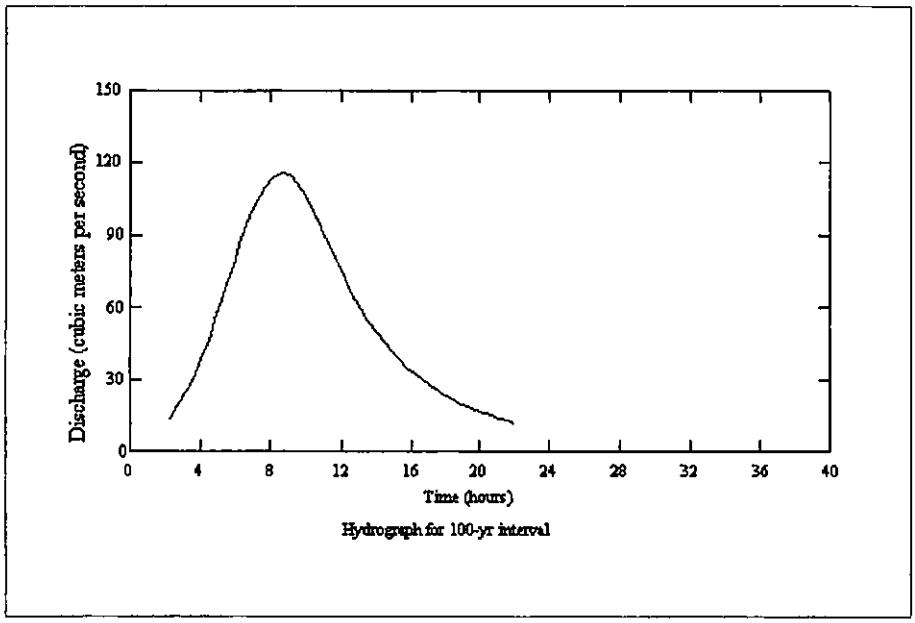


Fig D-3 Hydrograph for 100-Year Frequency Flood

APPENDIX E

GENERAL DESCRIPTION OF HYDRAULIC MODEL

DHI
WATER & ENVIRONMENT

COMMENT LETTER NO. 56 (continued

MIKE FLOOD Model

MIKE Flood is an integrated tool for flood plain and storm surge studies. The core elements in MIKE Flood are DHI's one-dimensional model (MIKE 11) and two-dimensional model (MIKE 21) which have been dynamically coupled to form a unique modelling tool.

Both the MIKE 11 and MIKE 21 models are recognised as state-of-the-art tools and world leading within their fields. The combination of these well-proven tools provides an exciting new approach to floodplain modelling.

The many advantages of these packages are of course also included in the MIKE Flood package. Special features of MIKE Flood relevant to flood plain and storm surge applications are:

- Comprehensive hydraulic structures package
- Efficient flooding and drying facility
- Fast and robust solution technique
- Supercritical flow
- Dam break failure
- Embankment failure
- GIS integration

MIKE Flood has an advanced Windows graphical user interface standard as used by the MIKE 11 and MIKE 21 packages allowing for easy data input and output as well as data preparation and analysis. A thorough on-line help system, user manual and technical reference documentation provide the basis of DHI's back-up support for the basic components in MIKE Flood, i.e. MIKE 11 and MIKE 21.

Basic Model Parameters

The Basic Coupling Parameters are in two sections

- Definition of the set-up of the MIKE 11 model and MIKE 21 model, respectively, to be coupled.
- The number of link points as well as the location (address) of these in MIKE 11 and MIKE 21 respectively

Models to Couple

A complete MIKE 21 set-up has to be established and tested prior to setting up the MIKE FLOOD. This is done by selecting from the mikezero interface File New MIKE21 Flow Model. The set-up of the 2-D model is defined in the usual way. The path and file name of the resulting parameter file (*.m21) is provided in this menu. A button allows for browsing the parameter file. Furthermore, a button allows for opening the existing MIKE 21 parameter file for further editing.

In addition, a complete MIKE 11 set-up has to be established and tested prior to setting up the MIKE FLOOD. As with the 2D model, this is done in the usual way using the mikezero interface to create MIKE 11 parameters files and simulation file. The path and file name of the simulation file (*.sim11) is provided in this menu. A button allows for browsing the parameter file. Furthermore, a button allows for opening the existing MIKE 11 simulation file for further editing.

Note! The name of the MIKE 21 parameter file (e.g. **newmodel**.m21) must not be the same as the name of the MIKE 11 simulation file (e.g. **newmodel**.sim11) as both models produces their own log file (e.g. **newmodel**.log), which would then collide.

Boundary Coupling

The number of link points defines the number of open MIKE 11 boundaries from the initial MIKE 11 set-up, which are coupled to a corresponding point (or area) in MIKE 21, which must be internal points.

The **coupling type** can be one of the three options:

- HD only
- AD only
- HD and AD (requires that both HD and AD is defined in MIKE 11 and MIKE 21 set-up)

The **River Name** and **Chainage** are the address of the MIKE 11 boundary point. Thus, the same boundary location should exist in the MIKE 11 boundary file (*.bnd11). The coupled MIKE 11 boundaries must be defined as water level boundaries in the initial MIKE 11 set-up.

The **M21 Area no., First Point** and **Last Point** are the address of the MIKE 21 internal point(s). Note, that the points do not have to be associated with a boundary in MIKE 21. The only requirement for the MIKE 21 set-up is, that at least one source/sink point exists in the model (for data memory allocation). It does not have to be associated with the link points and may for instance use a dummy source discharge of 0 m^3/s. The first point (j,k) denotes the lower left corner of the rectangular area defined as a link point, whereas the last point (j,k) denotes the upper right corner of the rectangular area.

MIKE FLOOD computes the discharge from MIKE 11 and distributes it to the associated point(s) in MIKE 21. If the link in MIKE 21 consists of more points, the discharge is distributed uniformly to all points. If the time step in MIKE 11 is a multiple of the time step in MIKE 21, an interpolated discharge is transferred to MIKE 21. The discharge from MIKE 11 influences the continuity equation as well as the momentum equation. The direction of the flow is derived from comparison of the orientation of the MIKE 21 grid and the direction of the MIKE 11 branch.

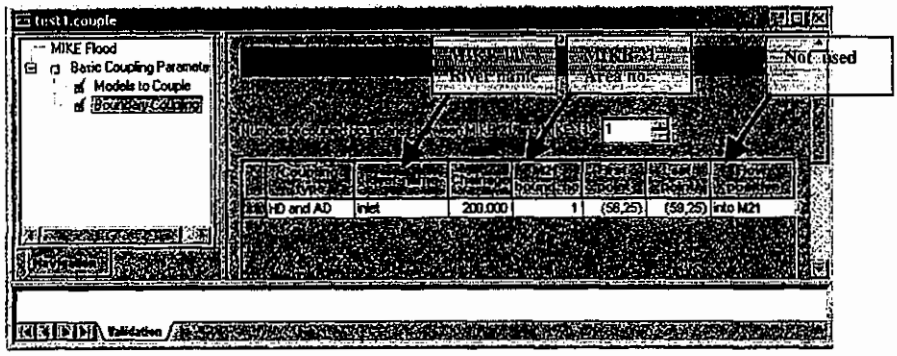
MIKE FLOOD computes the water level from the link point/area in MIKE 21 and assigns it to the associated boundary point in MIKE 11. If the MIKE 21 link consists of more points, the average value from these points is transferred to MIKE 11. In general, more MIKE 21 grid points than just one in the link will tend to smoothen and stabilise a coupling.

Release Notes – 4 Dec. 2001

COMMENT LETTER NO. 56 (continued

User Interface

The user dialog as shown below has a few changes, which are not included in the present version:



Result Presentation

The results from MIKE FLOOD (water levels, discharges, fluxes, AD components etc.) can be viewed as usual using the Plot Composer (MIKE 21) and MIKE VIEW (MIKE 11).

In addition, a new tool has been developed: **Result Viewer**, which is activated from MikeZero File New Result Viewer. The viewer can present 1D, 2D and 3D results from different DHI Software models at the same time, including *.res11 result files from MIKE11 and *.dfs2 results files from MIKE 21. The manual is not completed yet. A brief introduction is provided below.

New files are added to the Result Viewer project by using Result Viewer Tools Add files to project Data Manager and press the new "page" icon to the right. The "File Type" is a scroll-down menu, where the wanted result file, e.g. MIKE 11 result file or MIKE 21result file is chosen.

The work area is defined under Result Viewer Properties Work Area. The maximum co-ordinates will automatically be detected by the application, whereas the minimum will always be zero. By trial and error, the actual position of e.g. the MIKE 21 area may be found by using the zoom button (right click, or bar).

In order to display the results together, the two models need to be based on the same geo-reference. Thus, the MIKE 11 network must be described in the same UTM metric grid as the MIKE 21 bathymetry file.

The type of result data to display (contours and/or vectors) is selected in Result Viewer Properties Result Data. On-line animation as well as production of videos can be done. Time series can be extracted by using the time series button at the upper toolbar (to the right). Use double click on the left mouse button to select a point graphically and display the time series in a separate window. Use Ctrl + Left click to select more points graphically, and display all the time series in a separate window by use Ctrl + Double Left mouse click.

Trouble shooting

Initial Condition: To obtain a stable MIKE FLOOD simulation, it is important that the hydraulic conditions are in dynamic equilibrium at the link point. This is obtained by using e.g. hotstart files in the MIKE 11 and the MIKE 21 setup.

Boundary condition: The MIKE 11 boundaries which are linked to MIKE 21 must be water level boundaries. This may give a warning when the MIKE 11 is run isolated (when only water level boundaries exist in the MIKE 11 setup), whereas the warning disappears once the boundary is coupled to MIKE 21.

Link points in MIKE21: They must be wet from the beginning. Link to dry points in MIKE 21 will not be effective until the points become flooded through the normal wetting and drying routines in MIKE 21.

A predictor is applied for obtaining proper time centering of the values which are exchanged between MIKE 11 and MIKE 21. The predictor assumes that the flow between the last two cross-sections in MIKE 11 before the coupling is based on normal bed resistance flow (i.e. no structures). To improve stability of couplings, it is therefore not recommended to use structures in the last MIKE 11 Q-points before the coupling point.

Courant numbers (in the MIKE 11 branch) of up to 2-3 can be present, although the coupling is inherently explicit. The time step in the two models can be different (MIKE 11 time step a multiple of the MIKE 21 time step), although it is recommended to use the same time step to avoid mass errors.

The coupling programme will modify the MIKE 21 parameter file *.m21 (but not MIKE 11), by including statements in the OPTION section. Thus, if the MIKE 21 parameter file is applied as part of MIKE FLOOD first and afterwards used as a separate 2D simulation, it is necessary to enter the *.m21 file with a text editor to remove the options manually.

---o---

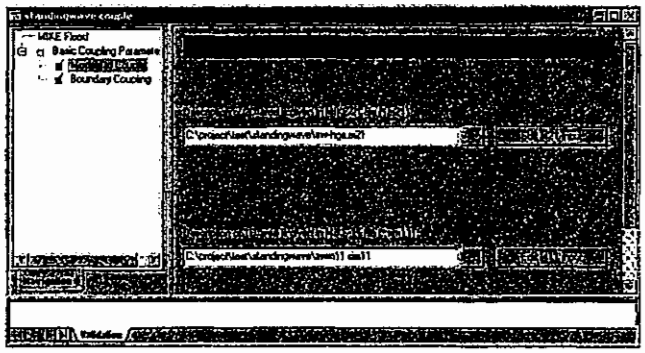
Example – Standing Wave

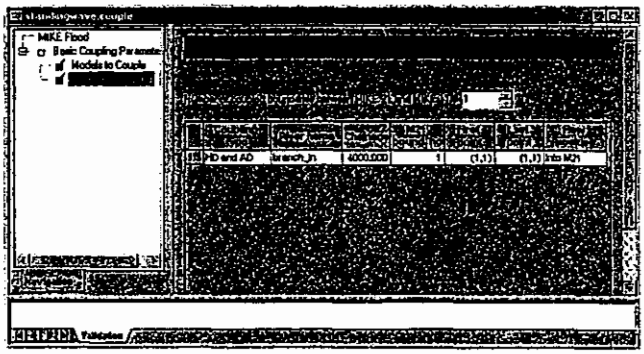
Consider an 8 km long basin closed in both ends.



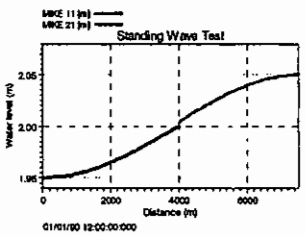
The width of the basin is 100 m, the depth is 2.0 m. The bed resistance is C=50 $m^{1/2}/s$. An initial disturbance of the surface is imposed corresponding to water level difference of 0.10 m.

The basin is described using MIKE FLOOD. 4 km is described in MIKE 11, and 4 km is described in MIKE 21. In both models, the longitudinal grid spacing is 100m. The coupling set-up is displayed below.

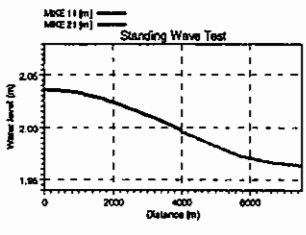




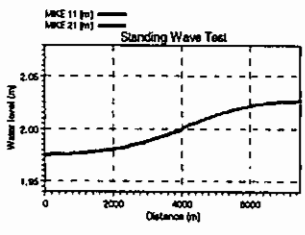
MIKE FLOOD simulates the transfer of mass as well as momentum between the 1D MIKE 11 model and the 2D MIKE 21 model . The water level at different times after start of the simulation is depicted below.



12:00



12:23



14:53

APPENDIX F

CULVERT INSTALLATION AND TUNNELING TECHNIQUES

Trenchless Pipe Installation

Trenchless technologies for installation of large diameter pipes were evaluated. A main problem identified in relocating the river consists of the need to advance the Pocantico River flow path beneath an embankment for the existing Metro North railroad tracks. The developed idea would consist of a number of large diameter pipes installed side by side to permit adequate flow of the river. At the crossing location, it was determined that the embankment is approximately 61 m wide. Topographic information shows top of embankment at El +3.4 m, and at the sides, grades generally vary from approximately El +1.5 m to El +2.7m. Currently, we do not have any subsurface information at the proposed river crossing location other than a plan showing contours of top of bedrock elevation. In general, top of bedrock varies form El -15 m to El -23 m. In the evaluations, it was assumed that subsurface soils consist mostly of granular materials. The railroad track embankment, most likely consists of granular fill materials.

Various trenchless pipe installation techniques were researched. In addition, trenchless pipe installation specialty contractors were contacted as part of the evaluations. Trenchless techniques evaluated included the following:

- Directional drilling
- Pipe ramming
- Pipe jacking
- Symmetrical overburden drilling
- Microtunneling

In order to collect detailed information regarding these various methods, the following contractors were contacted:

- Kmetz Inc. - specializes in directional drilling, pipe ramming, and pipe jacking.
- All State Underground, Inc. - specializes in pipe ramming.
- Bortech - specializes in pipe ramming.
- Caron Pipe Jacking, Inc. - specializes in pipe jacking.
- Rotex Oy, - is a symmetrical overburden drilling equipment manufacturer.
- Northeast Construction Co., Inc. - specializes in microtunneling.

The various investigated trenchless techniques are discussed in detail below.

Directional Drilling

Directional drilling consists of advancing a remotely controlled pilot drill bit throughout the extent of the required pipe length to be installed. Typically, the pilot hole is 4 to 8 inches in diameter. After the bit has daylighted at the end of the embankment, a reamer is attached to the drill equipment and pulled back to the original start of drilling location. As the hole is being reamed to the required pipe diameter, the new pipe is also being pulled into place. Typically, pipes installed by directional drilling are either HDPE or steel. Typical pipe sizes installed using this method are up to 36 inches in diameter, although there are some contractors that can install pipes up to 60 inches in diameter. Since drilling is remotely controlled, line and grade are maintained fairly accurately. Directional drilling is one of the most economical means for trenchless pipe installation. Cost for installation of a 24 inch diameter pipe is typically in the range of $225 per linear foot. Typically, increase in cost for larger diameter is mostly associated with the additional pipe materials costs rather than drilling. Although this technique is attractive from a cost stand point, most railroad companies dislike or do not permit this drilling technique since the drill holes are typically overreamed to allow for the installation of the required pipe. As a result, settlement may occur.

Pipe Ramming

Pipe ramming is a technique consisting of advancing pipes horizontally by the ramming energy of the installation equipment. The equipment used is similar to pile driving equipment. Pipes as large as 80 inches can be installed; however, typical maximum diameters do not exceed 72 inches since the operation becomes more susceptible to problems as the diameter increases. Since pipes are installed by the ramming energy of the equipment, only steel pipes may be used for this technique. With large diameter pipes, the developed friction during installation could be substantial, so it is typical to weld small diameter pipes to the outside of the large diameter pipe being installed. During installation, bentonite is pumped through these small pipes to lubricate the area around the pipe and facilitate installation. Typically, a minimum one diameter distance is kept between top of embankment and the pipe. After the pipe is installed, the soil inside the pipe is removed. The soil may be removed by hand along with the use of conveyors, or may be jetted using high pressure water. Railroad companies typically approve of this installation method since the resulting settlement is minimal or non-existent. However, some of the disadvantages of this method include the requirement to use only steel pipe. Also, it is difficult to clear obstructions if encountered during installation. If this condition does occur, then the soil inside the pipe needs to be removed prior to completely installing the pipe, which is an unfavorable condition. When using pipe ramming, pipe finished line and grade are adequate, but usually not as accurate as some of the other remotely controlled techniques (e.g. microtunneling). Cost for pipe

ramming is typically very attractive, although not as competitive as directional drilling. Cost for installation of various size pipes is as follows: $340 per linear foot for 24 inch diameter pipe; $425 per linear foot for 36 inch diameter pipe; $530 per linear foot for 42 inch diameter pipe; $800 per linear foot for 60 inch diameter pipe; $1,000 per linear foot for 72 inch diameter pipe; and $1,500 per linear foot for 80 inch diameter pipe.

Pipe Jacking

Pipe jacking is a technique consisting of advancing pipes horizontally by jacking them. Since pipes are jacked, both jacking and receiving pits are required. Dewatering is required if these pits are beneath the groundwater table. Also, the pipe route is typically dewatered as a result of the pit dewatering, or treated with sodium silicate to control groundwater flow. Typically, a concrete reaction block is cast in the jacking pit so that it can be used as reaction for the jacking equipment. Pipes, either steel or concrete, with diameters up to 84 inches can be installed. As with pipe ramming, a minimum one diameter distance is kept between top of embankment and the pipe. The soil inside the pipe may be removed by hand and conveyors, or as an alternate, the soil may be augered as the pipe is being jacked. This technique of advancing pipe and removing the inside soil is particularly attractive if obstructions are encountered. Typically, the equipment, such as the auger, is removed and workmen enter the pipe and attempt to remove the obstruction. Similar to pipe ramming, railroad companies typically approve of this installation method since the encountered settlement is minimal or non-existent. When using pipe jacking, pipe finished line and grade are adequate, but usually not as accurate as some of the other remotely controlled techniques (e.g. microtunneling). Cost for pipe jacking is typically twice that of pipe ramming. As an example, installation of a 60 inch pipe would cost in the range of $1,200 to $1,500 per linear foot; installation of a 72 inch pipe would cost in the range of $1,500 to $1,800 per linear foot; and installation of an 84 inch pipe would cost in the range of $1,800 to $2,100 per linear foot. These prices do not include the cost for the pits and dewatering, so a price of approximately $500 per linear foot should be included to the above prices.

Symmetrical Overburden Drilling

Symmetrical overburden drilling is a technique consisting of horizontally drilling the required casing into the embankment. The technique consists of welding a ring bit to the required pipe casing and drilling horizontally with a pilot bit connected to the ring bit. Once the pipe has been installed, the pilot bit is removed, and the ring bit is burned off the pipe and reused for other pipe installations. The cuttings are removed by flushing air which is circulated from the drill bit; the cuttings are removed in the annular space between the drill rod and the pipe or casing. Maximum pipe diameter that may be installed is 1.2

meters or approximately 47 inches. This method is particularly attractive if the overburden material is known to contain a large amount of obstructions such as cobbles and boulders. In addition, minimal or no settlement at the top of embankment can be expected with this method. However, the main disadvantage, as with pipe ramming, is that only steel pipe may be used. When using symmetrical overburden drilling, pipe finished line and grade are adequate, but usually not as accurate as some of the other remotely controlled techniques (e.g. microtunneling). For a 47 inch diameter pipe cost is approximately $610 per linear foot.

Microtunneling

Microtunneling is a technique consisting of advancing pipes horizontally by a microtunnel boring machine. Since the microtunnel boring machine and installed pipe sections behind the machine are jacked, both jacking and receiving pits are required. Dewatering is required only in the jacking and receiving pits. Typically, a concrete reaction block is cast in the jacking pit so that it can be used as reaction for jacking the pipes behind the microtunnel boring machine. As the microtunnel boring machine is advanced, bentonite slurry from a tank kept at ground surface is pumped at the face of the machine; the bentonite slurry stabilizes the earth and groundwater pressures at the face as the machine is advanced. The bentonite slurry along with the soil cuttings are returned to another tank at ground surface where cuttings or the drilled soil is removed and the bentonite slurry is pumped back to the first tank to repeat the circulation process. Pipes, either steel or concrete, with diameters up to 96 inches can be installed. However, if using this method, diameters larger than 60 inches should not be considered. Equipment larger than 60 inches in diameter is difficult and expensive to obtain for the project; not too many contractors would have access to such large diameter equipment. The microtunnel boring machine used has to be the same diameter as the pipe being installed. Typically, microtunneling and installation of the required pipe should be located two to three pipe diameters beneath grade; this depth is required so that there is sufficient overburden so that the machine can be controlled. If the required depth is not feasible, ground modification techniques, such as chemical grouting (the use of sodium silicate), are used to improve the condition of the overburden.

This technique of advancing pipe and removing soil will be acceptable to the railroad companies, but it is typically a very expensive operation. Some of the advantages of microtunneling are that any kind of pipe (e.g. steel, concrete, etc.) can be installed. Also, settlement encountered is typically minimal or non-existent since the face of the excavation is always stabilized. This trenchless technique is best for controlling settlement. Microtunneling is excellent for maintaining pipe finished line and grade; it is the most accurate pipe installation trenchless technology since the microtunnel boring machine is remotely controlled. As indicted above, a disadvantage of microtunneling is that it is very expensive, especially for large diameter pipes. Further, problems may occur if

the subsurface soils are mixed. If the soils contain cobbles and boulders, the microtunnel machine may be veered off track, and not drill as required. Cost for microtunneling a 72 inch pipe is approximately $1,500 to $1,800 per linear foot; this cost does not include mob/demob, pipes, and shafts.

When evaluating the cost of the various methods presented above, it is suggested that the final cost be increased by approximately 10%, since the contractor installing the pipes will probably be a subcontractor to the General Contractor relocating the river.

TABLE F-1
Tarrytown Flood Study - Pocantico River Relocation
Trenchless Pipe Installation Techniques

	Trenchless Drilling Technique	Pipe Material Installed	Special Requirements	Line and Grade	Cost	Advantages	Disadvantages
1	Horizontal Directional Drilling	HDPE or Steel	- None	Good	Very Low	- Cost is most economical	- Settlement could occur as a result of overreaming pipe drill hole during installation process - Fairly small diameter pipes installed - Most railroad companies will not permit this technique since settlement will occur
2	Pipe Ramming	Steel only	- Dewatering along pipe length might be required, especially if obstructions are encountered	Moderate	Low	- Cost is economical - Fairly large diameters can be installed - Railroad companies typically approve of this technique	- Only steel pipe may be used
3	Pipe Jacking	Concrete or Steel	- Jacking and Receiving Pits Required - Dewatering of Pits Required - Dewatering along pipe length might be required	Moderate	Moderate to High	- Various types of pipe may be installed - Obstructions may be removed fairly easily - Fairly large diameters can be installed - Railroad companies typically approve of this technique	- Not as economical as some other techniques
4	Symmetrical Overburden Drilling	Steel only	- None	Moderate	Low	- Cost is economical - Obstructions very easily removed	- Only steel pipe may be used
5	Microtunneling	Concrete or Steel	- Jacking and Receiving Pits Required - Dewatering of Pits Required - Ground Modification may be required if pipe is too shallow	Excellent	Very High	- No settlement at ground surface - Line and grade typically very good - Various types of pipe may be installed	- Very difficult to steer the Microtunnel Boring Machine if subsurface soil contains cobbles and boulders - Cost is very high - Required pipe installation depth might be too large - Not very practical if large pipe diameters are required

COMMENT LETTER NO. 56 (continued)

APPENDIX G

CHANNEL DESIGN CONCEPT FOR ALTERNATIVE B

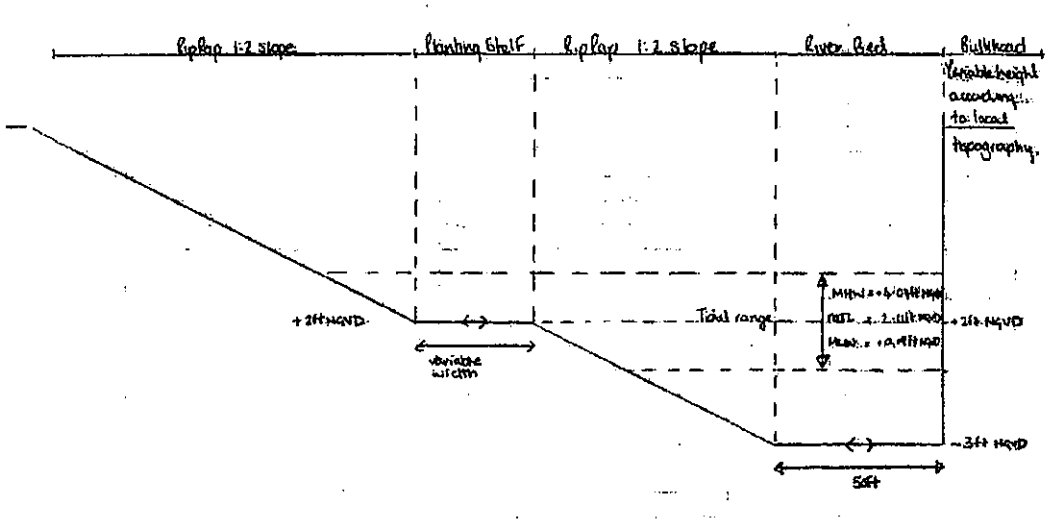


Fig G-1 Conceptual Cross Section Incorporating all Elements of River Channel

APPENDIX H

HYDRAULIC MODEL OF LOWER POCANTICO RIVER

Numerical Model Setup

Purpose

Numerical modeling has been performed to assess the impact which the proposed re-routing of the lower Pocantico River will have on flooding levels between the existing spillway (upstream) and the rail line (downstream) near the mouth of the Pocantico.

Model System

A coupled 1D - 2D model system was generated for the lower Pocantico River with the MIKE FLOOD modeling system, developed by DHI Water & Environment. MIKE FLOOD allows for full coupling of the 2-D (depth-integrated) hydrodynamic model MIKE21 with the 1-D open channel flow model MIKE11. A short description of the system is provided in Appendix E. MIKE FLOOD has been reviewed by FEMA and is approved for use in National Flood Insurance (FIS) studies.

The MIKE FLOOD model has been constructed such that the entire study area, from the dam spillway to the mouth of the Pocantico, is covered by a rectangular MIKE21 model grid. Within the area, hydraulic structures are handled by small MIKE11 branches which link to MIKE21 on either side of the given structure. For example, water exiting through the rail box culvert will flow toward the culvert in the 2-D grid, be passed into a 1-D branch for the calculation of the flow rate through the culvert, and will then be passed back into the 2-D model in the culvert tailwater. Overtopping of the railway embankment may also occur if the water level exceeds the level of the railway. The overtopping flow and the flow through the culvert are calculated separately.

Model Setup

- The bathymetry/topography applied in the study is based upon a DEM developed from the digital topographic data provided by the Client. The vertical datum of this dataset has not been definitively confirmed. Following consultation with the surveyor, the project has proceeded under the assumption that the vertical levels in this data are relative to NGVD29.

- Streambed bathymetry data is not available for the Pocantico River. For the purpose of the model, a constant bed elevation of -1 m NGVD has been applied from the spillway to the downstream railway box culvert.

- The dominant structures in terms of the flood response of the system, namely the railway box culvert and the road bridge at the Hudson confluence, have been included in the model. The geometry of the structures has been input into the model based upon visual inspection from a preliminary site visit.

- The road bridge crossing the Pocantico adjacent to the playground ballfields has not been included in the present simulations. However, this structure has a fairly small profile and is not expected to play a dominant role in the flood response of the system.

- Bed roughness in the model has been assigned as a uniform Manning value of n=0.03

- Inflow hydrographs have been developed using standard FEMA methods considering rainfall frequency statistics and a bulked description of the local catchment area (Appendix D). No consideration has been given to the routing and storage which likely occurs in the Pocantico upstream of the spillway. Quite possibly a more detailed hydraulic description of the upper Pocantico would result in hydrographs which show lower and more delayed peak flows for a given return period.

The above simplifications have been made in order to allow the present work to progress given limitations in data, time, and budget in the existing feasibility study contract. It is assumed that work performed during detailed design will include additional data gathering and effort to review, and if necessary revise, the above assumptions.

The reclamation activities ongoing during the site visit in February 2004 are assumed to be completed, and are considered as part of the "existing" baseline simulations as well as all future alternatives. The three model bathymetries are shown in Fig H-1 through H-3.

Flooding simulations have been performed for two combinations of Pocantico runoff vs. Hudson water levels. Based upon the rainfall/runoff analysis performed in Appendix D, Pocantico runoff hydrographs corresponding to 10-year exceedance (peak Q = 51 m^3/s) and 100-year exceedance (peak Q = 116 m^3/s) were developed. The simulations cover a total period of 24 hours, which brackets the full flood hydrographs for 10-year and 100-year return periods.

For each return period, simulations have been performed for Hudson water levels of +1 m NGVD (slightly above MHHW) as well as for the respective 10-year or 100-year exceedance water levels. The extreme Hudson water levels have been applied as a constant throughout the simulation. The scenarios simulated are summarized in Table H-1.

Table H-1
Combinations of Pocantico Discharges and Downstream Hudson Water Levels Applied in the Simulations.

	Hudson Level +1 m NGVD	10-year Hudson Level +1.92 m	**100-year Hudson Level +2.38 m**
10yr Pocantico, peak Q = 51 m^3/s	✓	✓	
100yr Pocantico, peak Q = 116 m^3/s	✓		✓

For Figures H-1 to H-3 the following color schemes apply:

- Yellow area denotes Hudson River, most omitted from model area to save CPU time.
- White area denotes elevations above +5 m NGVD.
- Blue lines denote locations of downstream (Hudson) water level boundary condition.
- Red line denotes location of upstream (Pocantico) discharge hydrograph boundary.

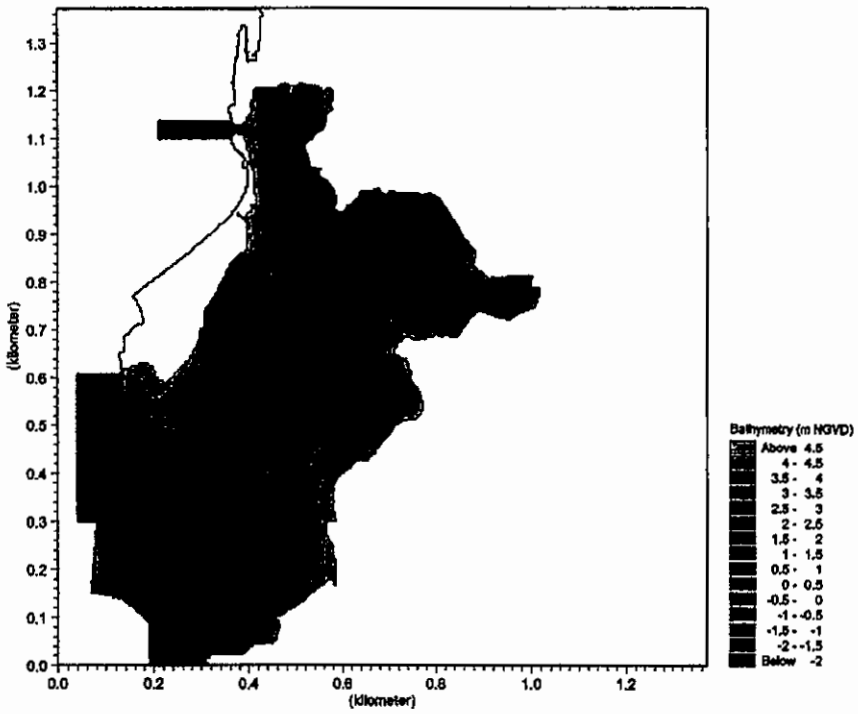


Fig H-1 Bathymetry/Topography for Existing Layout.

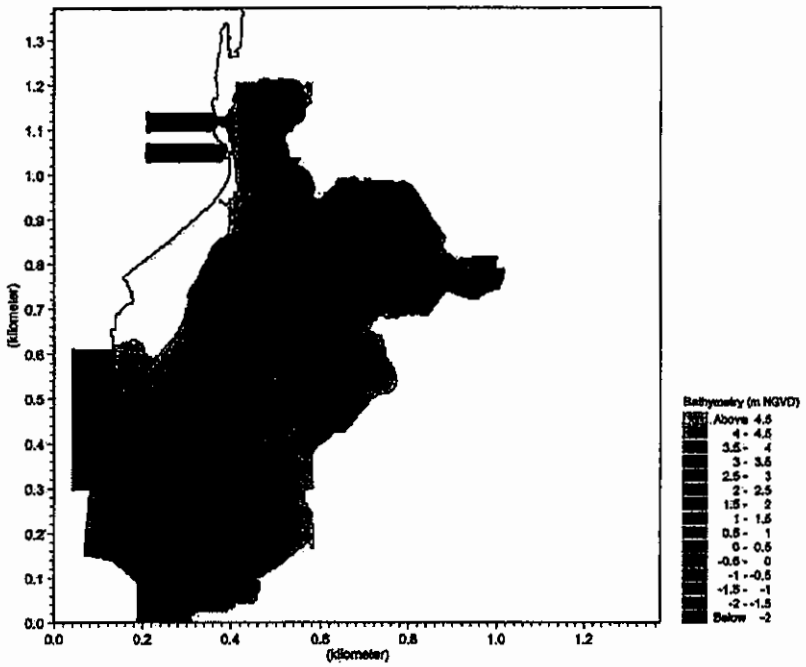


Fig H-2 Bathymetry/Topography for Proposed Alternative A.

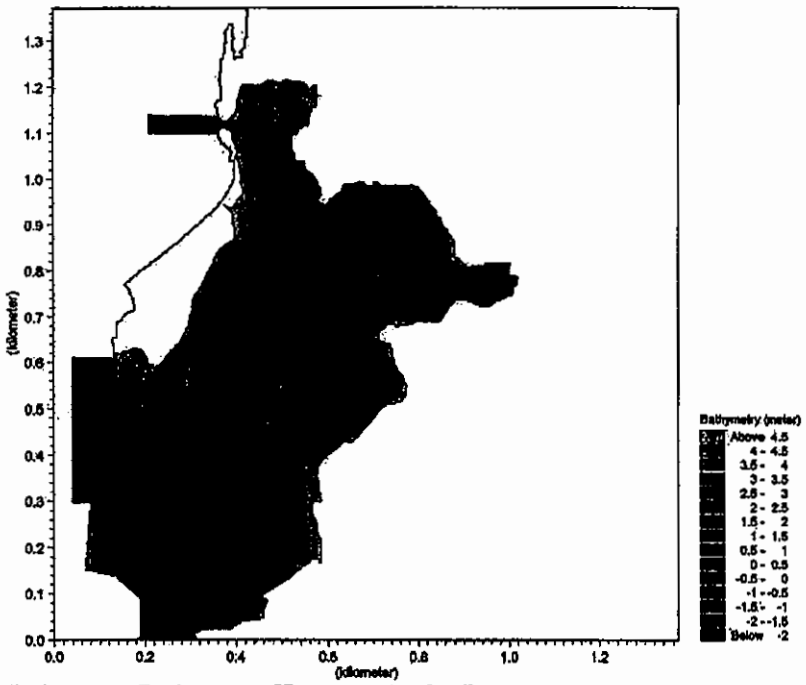


Fig H-3 Bathymetry/Topography for Proposed Alternative B.

APPENDIX I

MODEL RESULTS - HIGH TIDE PLUS 10 YEAR RIVER FLOW

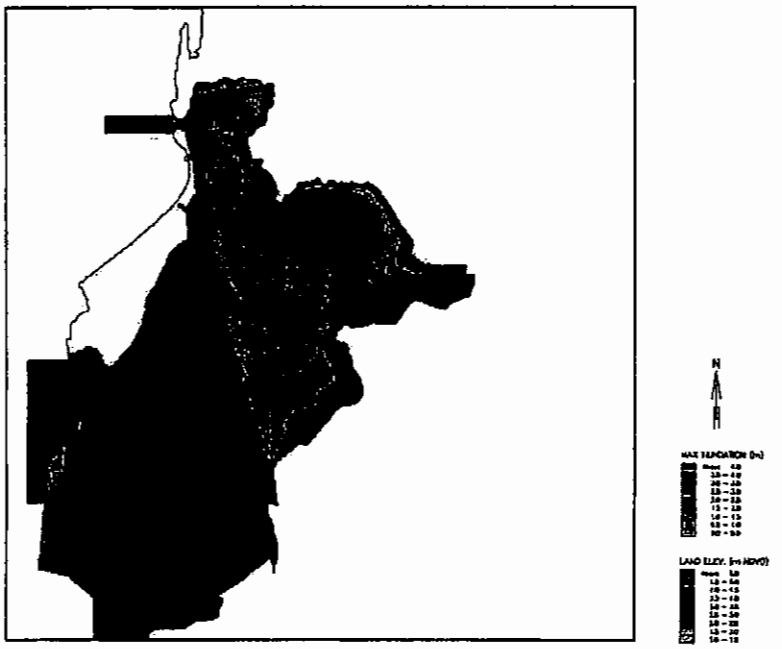


Fig I-1 Maximum Inundation Area for the Simulation: Existing Layout, 10-Year Discharge, Hudson +1 m.

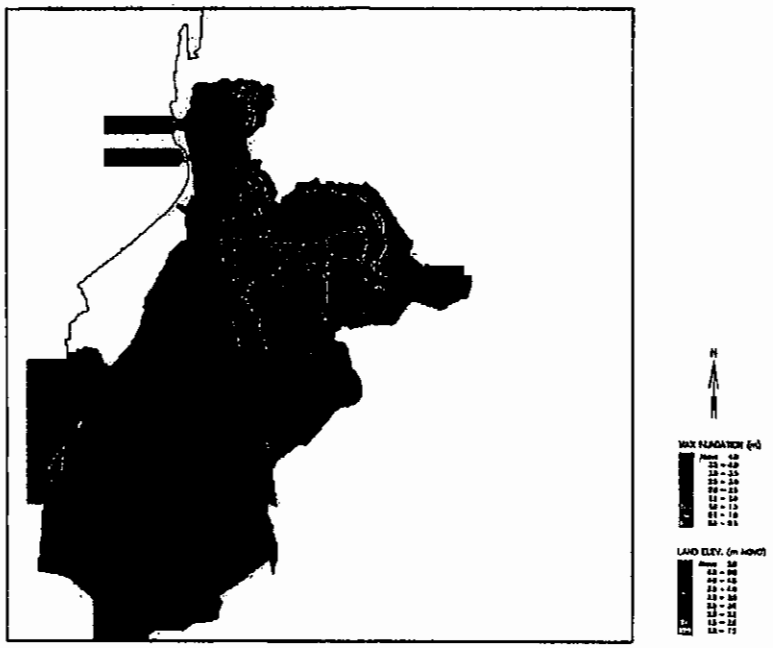


Fig I-2 Maximum Inundation Area for the Simulation: Alternative A, 10-Year Discharge, Hudson +1 m.

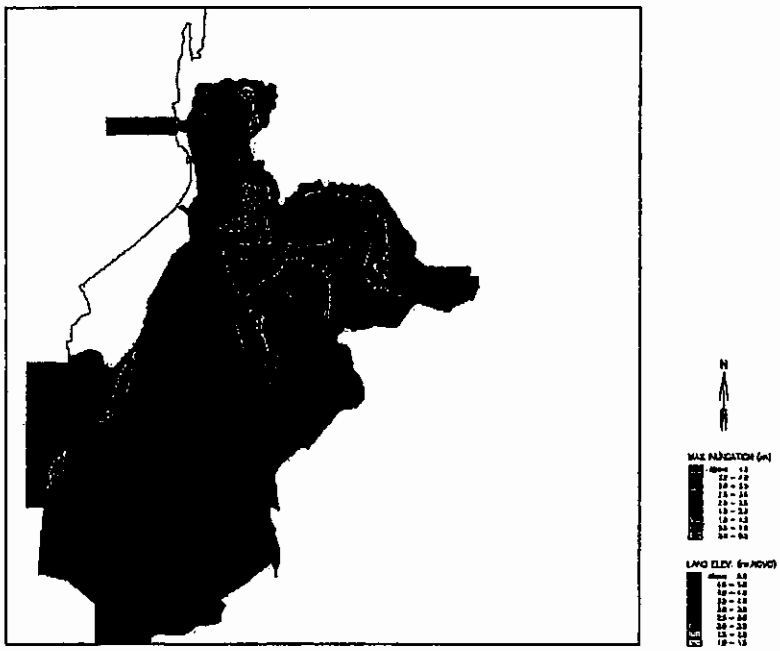


Fig I-3 Maximum Inundation Area for the Simulation: Alternative B, 10-Year Discharge, Hudson +1 m.

APPENDIX J

MODEL RESULTS - HIGH TIDE PLUS 100 YEAR RIVER FLOW

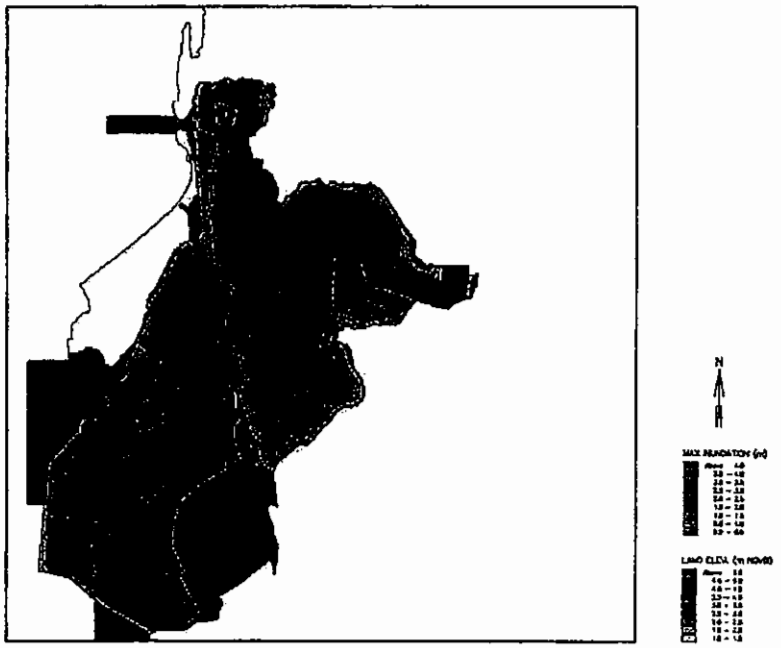


Fig J-1 Maximum Inundation Area for the Simulation:
Existing Layout, 100-Year Discharge, Hudson +1 m.

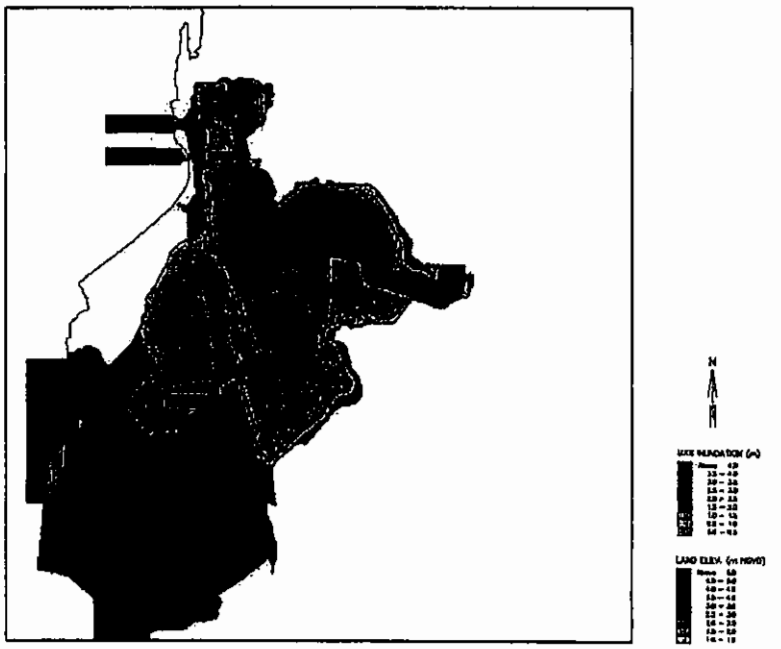


Fig J-2 Maximum Inundation Area for the Simulation:
Alternative A, 100-Year Discharge, Hudson +1 m.

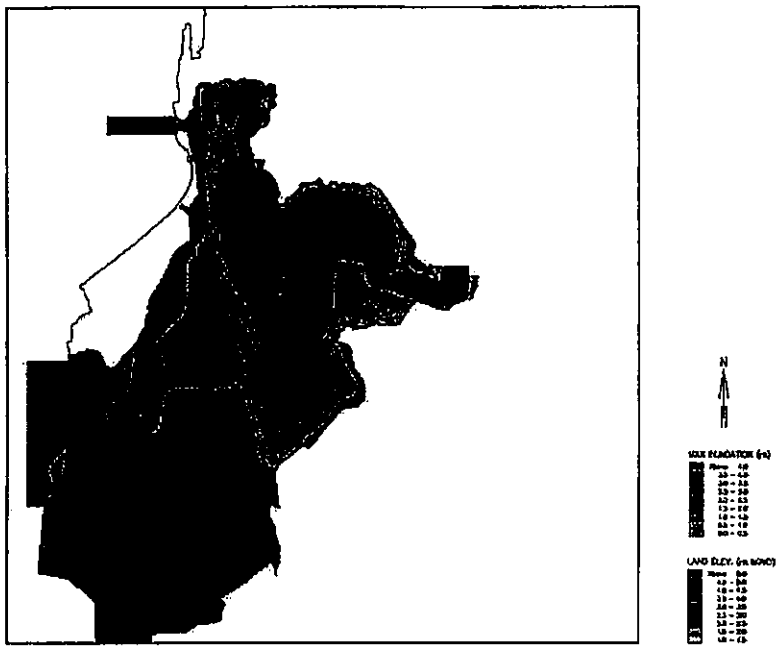


Fig J-3 Maximum Inundation Area for the Simulation: Alternative B, 100-Year Discharge, Hudson +1 m.

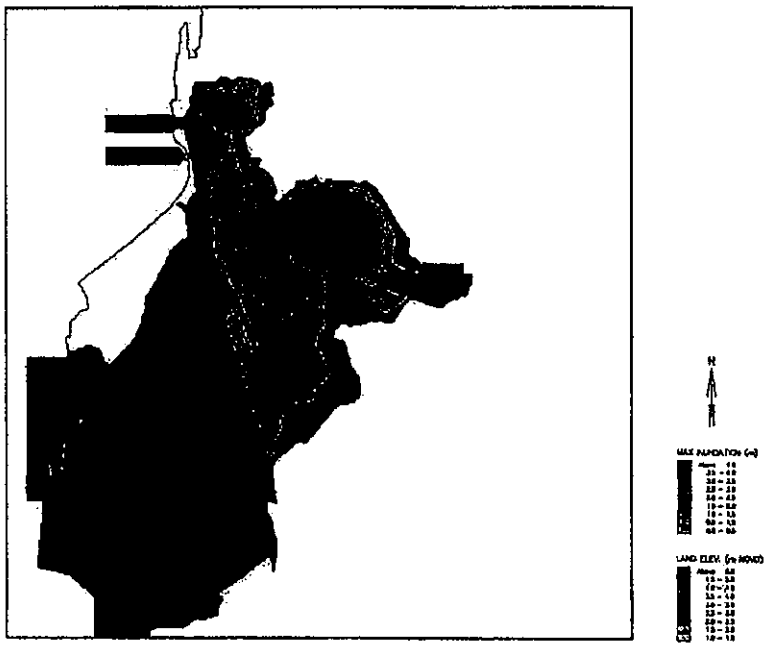


Fig J-4 Maximum Inundation Area for the Simulation: Alternative C, 100-Year Discharge, Hudson +1 m.

APPENDIX K

MODEL RESULTS - 10 YEAR SURGE PLUS 10 YEAR RIVER FLOW

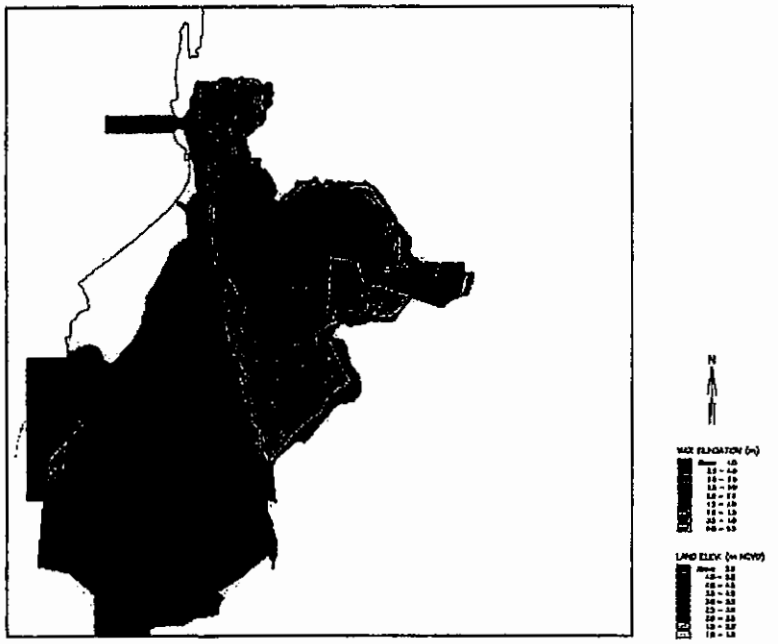


Fig K-1 Maximum Inundation Area for the Simulation:
Existing Layout, 10-Year Discharge, Hudson +1.92 m.

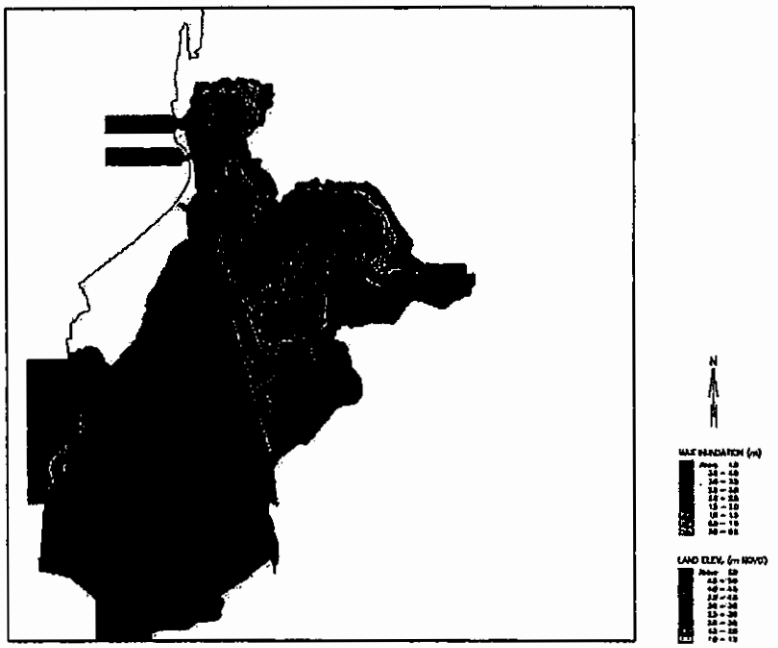


Fig K-2 Maximum Inundation Area for the Simulation:
Alternative A, 10-Year Discharge, Hudson +1.92 m

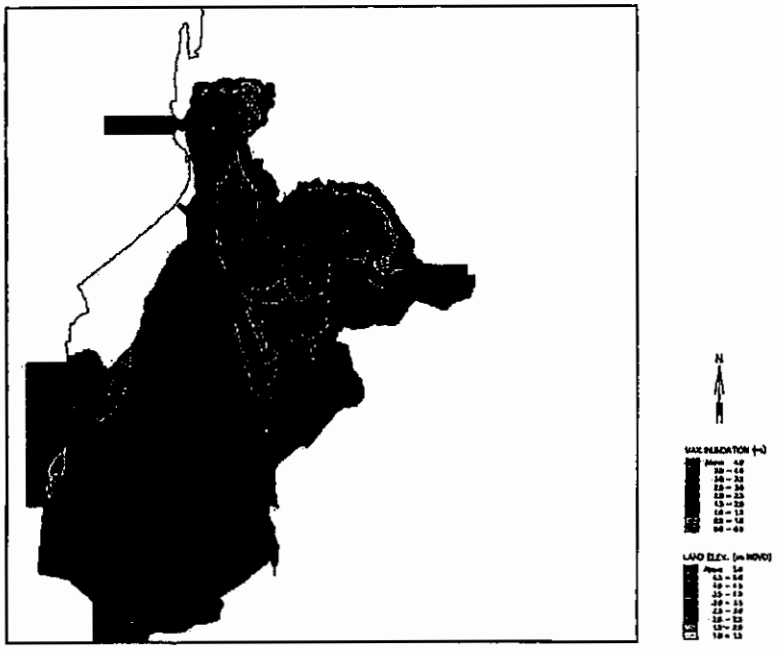


Fig K-3 Maximum Inundation Area for the Simulation:
Alternative B, 10-Year Discharge, Hudson +1.92 m.

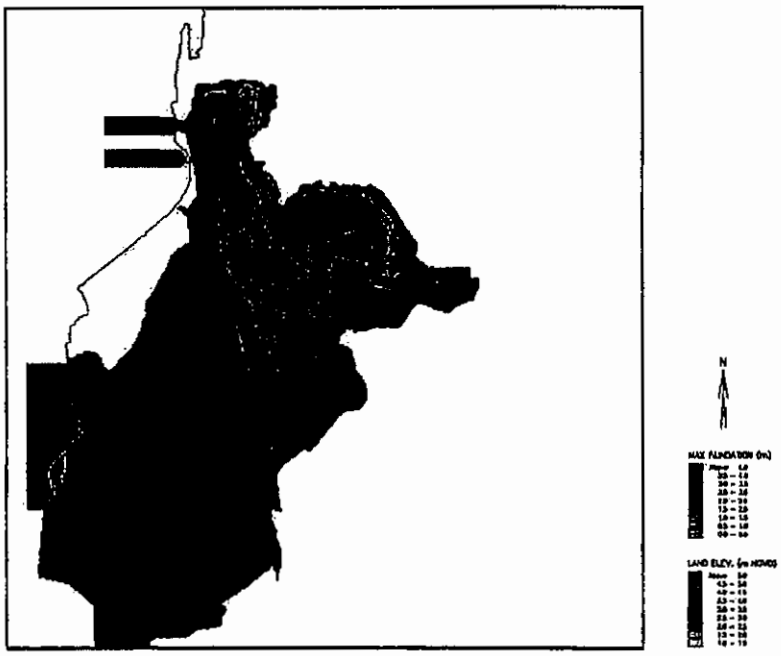


Fig K-3 Maximum Inundation Area for the Simulation:
Alternative C, 10-Year Discharge, Hudson +1.92 m.

COMMENT LETTER NO. 56 (continued

APPENDIX L

MODELING RESULTS - 100 YEAR SURGE PLUS 100 YEAR RIVER FLOW

COMMENT LETTER NO. 56 (continued

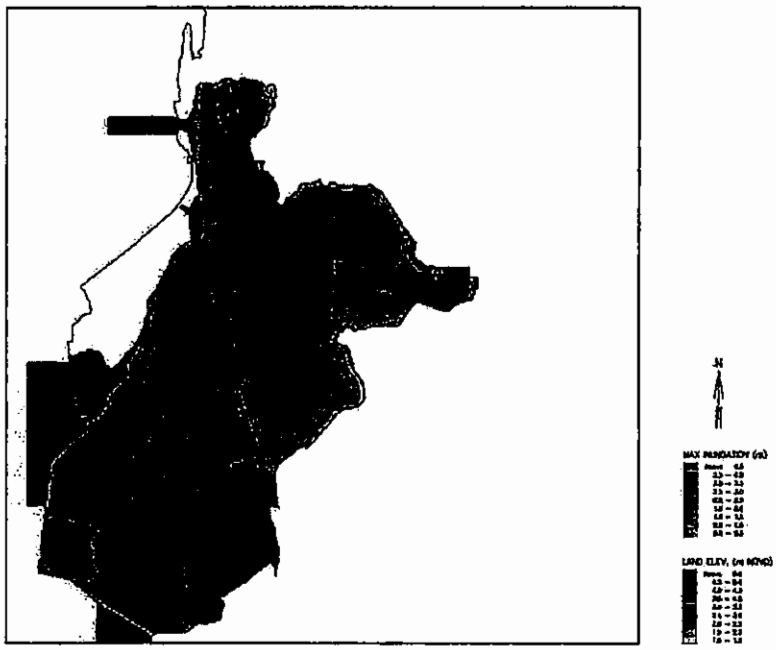


Fig L-1 Maximum Inundation Area for the Simulation:
Existing Layout, 100-Year Discharge, Hudson +2.38 m.

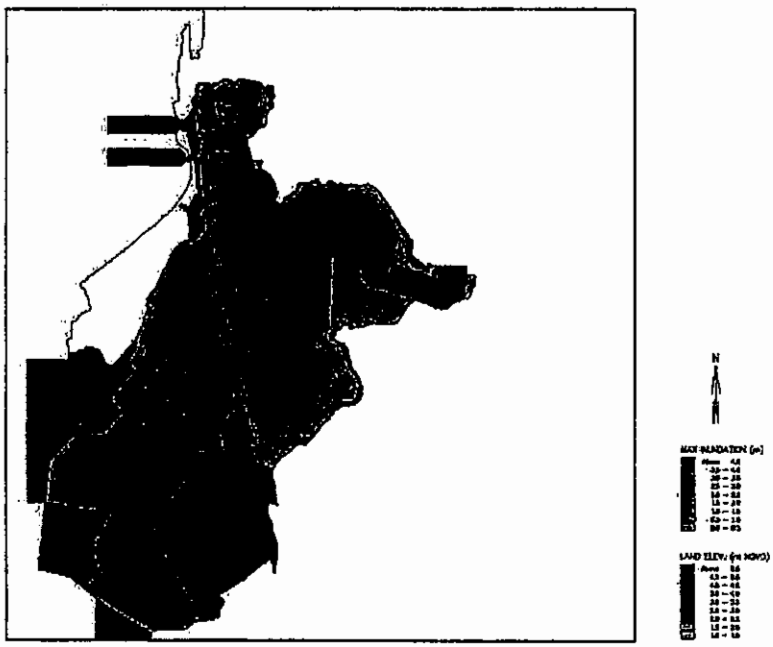


Fig L-2 Maximum Inundation Area for the Simulation:
Alternative A, 100-Year Discharge, Hudson +2.38 m.

COMMENT LETTER NO. 56 (continued

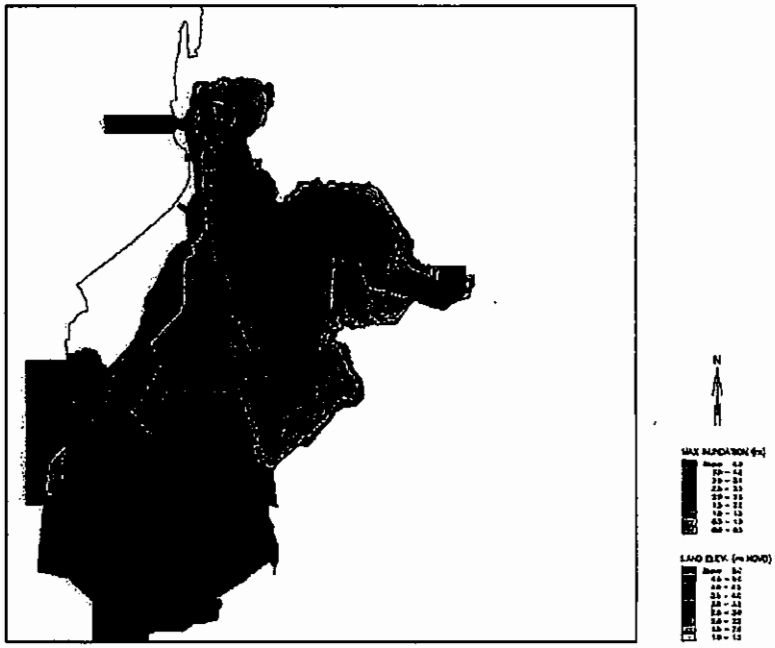


Fig L-3 Maximum Inundation Area for the Simulation:
Alternative B, 100-Year Discharge, Hudson +2.38 m.

COMMENT LETTER NO. 56 (continued

APPENDIX M

CONSTRUCTION COST ESTIMATES

COMMENT LETTER NO. 56 (continued)

SCENIC HUDSON, INC.
SLEEPY HOLLOW, NY
POCANTICO RIVER FLOOD MITIGATION STUDY

11-May-04
HAN-PADRON ASSOCIATES, LLP
JOB NO. 1240-01

SCHEMATIC COST ESTIMATE- NEW RIVER ALIGNMENT

ITEM NO.	DESCRIPTION	QTY	UM	UNIT COST	TOTAL COST
A	ALTERNATIVE A				
	CULVERT THROUGH RAILROAD BED				
	CONCRETE HEADWALLS AND WINGWALLS, AND BACKFILL	200	LF	1,100	220,000
	80' X 10' PEDESTRIAN BRIDGE	1	LS	80,000	80,000
	3 CONCRETE 84 IN. I.D. PIPES	500	LF	2,900	1,450,000
	SUBTOTAL				1,750,000
	EAST AREA				
	PAVEMENT REMOVAL AND DISPOSAL	1,700	SY	8	13,600
	EXCAVATE AND SHAPE NEW RIVER ALIGNMENT. STOCKPILE SPOILS ONSITE.	6,100	CY	10	61,000
	10 IN. RIPRAP SHORELINE (2 LAYERS) ON 1 ON 2 SLOPE	500	CY	70	35,000
	SUBTOTAL				109,600
	TOTAL				1,859,600
	MOBILIZATION AND DEMOBILIZATION @ 5%				92,980
	CONTINGENCY @ 35%				683,403
	GRAND TOTAL (ROUNDED)				2,600,000
B	ALTERNATIVE B				
	EAST AREA				
	PAVEMENT REMOVAL AND DISPOSAL	12,000	SY	8	96,000
	EXCAVATE AND SHAPE PLANTING AREA. STOCKPILE SPOILS ONSITE.	10,000	CY	10	100,000
	EXCAVATE AND SHAPE NEW RIVER ALIGNMENT. STOCKPILE SPOILS ONSITE.	11,500	CY	10	115,000
	10 IN. RIPRAP SHORELINE (2 LAYERS) ON 1 ON 2 SLOPE	1,400	CY	70	98,000
	SUBTOTAL				409,000
	CULVERT THROUGH RAILROAD BED				
	CONCRETE HEADWALLS AND WINGWALLS, AND BACKFILL	200	LF	1,100	220,000
	3 CONCRETE 84 IN. I.D. PIPES	660	LF	2,900	1,914,000
	SUBTOTAL				2,134,000
	WEST AREA				
	CLEAR AND GRUB	32,000	SY	4	128,000
	STEEL SHEET PILING	1,900	LF	3,000	5,700,000
	EXCAVATE AND SHAPE PLANTING AREA. STOCKPILE SPOILS ONSITE.	16,000	CY	10	160,000
	EXCAVATE AND SHAPE NEW RIVER ALIGNMENT. STOCKPILE SPOILS ONSITE.	29,000	CY	10	290,000
	10 IN. RIPRAP SHORELINE (2 LAYERS) ON 1 ON 2 SLOPE	2,400	CY	70	168,000
	SUBTOTAL				6,446,000
	TOTAL				8,989,000

COMMENT LETTER NO. 56 (continued

SCENIC HUDSON, INC.
SLEEPY HOLLOW, NY
POCANTICO RIVER FLOOD MITIGATION STUDY

11-May-04
HAN-PADRON ASSOCIATES, LLP
JOB NO. 1240-01

SCHEMATIC COST ESTIMATE- NEW RIVER ALIGNMENT

ITEM NO.	DESCRIPTION	QTY	UM	UNIT COST	TOTAL COST
	MOBILIZATION AND DEMOBILIZATION @ 5%				449,450
	CONTINGENCY @ 35%				3,303,468
	GRAND TOTAL (ROUNDED)				13,000,000

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COMMENT LETTER NO. 56 (continued

Biodiversity and Ecological Considerations in the Development of the General Motors Site, Sleepy Hollow, NY

Final Report

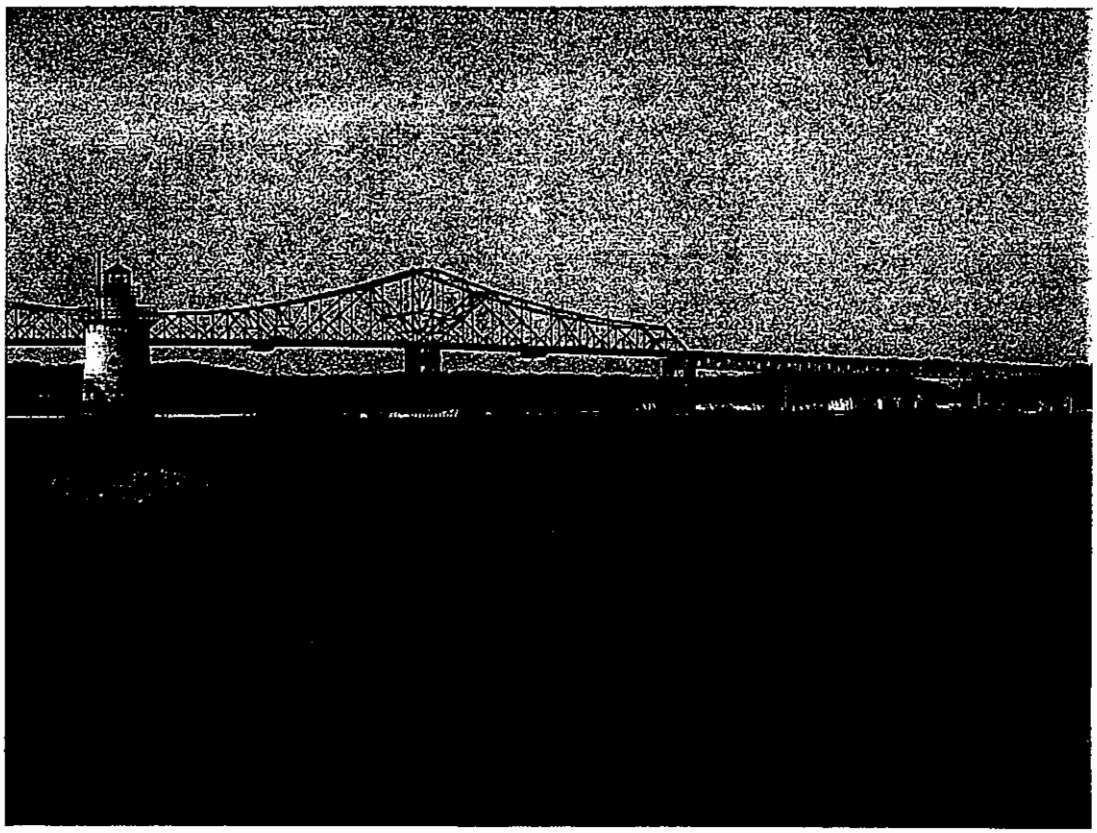
prepared by

Metropolitan Conservation Alliance
Wildlife Conservation Society

for

Scenic Hudson, Inc.

November 2002



WILDLIFE CONSERVATION SOCIETY

Metropolitan Conservation Alliance

MCA Site Reports: No. 1

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Attachment # 4

Biodiversity and Ecological Considerations in the Development of the General Motors Site, Sleepy Hollow, NY

Final Report

Introduction

Scenic Hudson, Inc. has developed a concept plan for the development of the General Motors site in Sleepy Hollow, New York. If the site is developed in accordance with that plan, up to 30% of the land could be designated as open space. In addition, major ecological manipulations might be made to those areas designated as open space (e.g., removal of fill material, re-creation of a former channel of the Pocantico River, and/or creation of riverine wetland and floodplain habitats). Because of these proposed plans and activities, there exists a significant opportunity to increase biological diversity and ecological integrity, both onsite and within the surrounding region. Staff members of the Metropolitan Conservation Alliance (MCA), a program of the Wildlife Conservation Society (WCS), conducted biological surveys at the site on May 20th, 2002, and visited the site on two other occasions to discuss site-related issues with Scenic Hudson staff. The purpose of these investigations was to determine existing baseline ecological conditions, to consider the effects of the concept plan on those existing conditions, and to make recommendations that would increase the ecological viability of restorations proposed by Scenic Hudson. The potential for multiple uses of open space and created habitats was also considered. The following report discusses the results of MCA/WCS's investigations. This report is intended as a scoping document, providing a broad overview of issues and ecological concerns that should be factored into the redevelopment of this waterfront site.

The Context of the General Motors Site

The quality of habitat at any given site is very much a function of the context in which it occurs. Restored and re-created habitats resulting from Scenic Hudson's concept plan at the GM site would occur within the densely urbanized context of southern Westchester County. The potential for this site—in this context—to support high levels of biodiversity is relatively low. However, it is critical to understand that this site has the potential to support more biodiversity than at present, and that the relative importance of biodiversity as a public amenity within such a highly urbanized context is very great. Attempts to augment biodiversity at the GM site would result in increased environmental awareness and education opportunities in an area that currently has few such prospects. Increasing the biological and structural diversity of habitats in this area would also improve the quality of water in the Pocantico River which, in turn, would improve water quality in the Hudson River. Improving the quality and extent of habitats would also help to maintain populations of wildlife species that, although not rare or endangered, are rapidly

COMMENT LETTER NO. 56 (continued)

disappearing from our urban landscapes. Any habitat restoration or re-creation attempts at the GM site must factor in conditions within the greater Pocantico River watershed.

The GM site is nested within an array of habitats that border the Pocantico River, which flows through the Pocantico Hills, Douglas Park, Philipsburg Manor, DeVries Park, and Kingsland Point Park before emptying into the Hudson River. While habitat restoration and re-creation efforts at the GM site would add to the value of these habitats, it is also important to consider, conversely, the influence of these surrounding habitats on the success of restoration efforts within the GM site. Surrounding habitats can act as a source for plants and animals that may disperse into newly created habitats. However, existing environmental degradations at nearby sites have the potential to limit the success of habitat creation attempts at the GM site. For example, invasive plant species (e.g., *Phragmites australis*) may spread from surrounding habitats and dominate newly created habitat, thus reducing the value for wildlife. In addition, sedimentation and hydrologic issues upstream from the GM site would affect water and habitat quality onsite.

In light of these concerns, MCA/WCS biologists conducted preliminary assessments of habitats and wildlife surrounding the GM site. Surveys were conducted at Kingsland Point Park, DeVries Park, on portions of Philipsburg Manor, and at Douglas Park. The following paragraphs discuss findings from these sites, provide recommendations, and also consider connectivity via the Pocantico River corridor to habitats and environmental issues further upstream, in the Pocantico Hills.

Kingsland Point Park

Existing Conditions

Kingsland Point Park (KPP) contains a variety of mature trees widely spaced across the park. There is little or no understory vegetation, apart from some shrubs along the perimeter. Most of the understory is open and maintained as lawn. KPP is ideally situated for striking panoramic views of the Hudson River and the Palisades; therefore, primary uses of the park appear to be walking, sitting, and picnicking.

Wildlife species detected at KPP include a suite of birds associated with suburban parks (e.g., northern flicker, yellow warbler, American goldfinch, chipping sparrow, and downy woodpecker). The presence of Baltimore orioles and warbling vireos was particularly noteworthy. A complete list of bird species detected during MCA/WCS surveys is provided in Appendix 1. Because of the unvegetated understory and well-maintained lawn, KPP does not contain viable habitat for amphibians and reptiles; therefore, no surveys for these taxa occurred at this site. Representative photographs of KPP are provided in Appendix 2 (Figures 1 and 2).

Recommendations

Due to the waterfront location of KPP and the associated views, it seems likely that the primary uses for the park will continue to include passive and active recreation (e.g.,

walking, picnicking), as opposed to providing optimal wildlife habitat. Despite this, it would be feasible to enhance the vegetative structural complexity within the park, to make it more attractive and useful to wildlife. Wildlife habitat values could be increased by landscaping the park with native shrubs, grasses, and herbs. These plantings could form islands and corridors of habitat under the existing tree canopy. Walking paths could meander among these plantings, resulting in an aesthetically-pleasing atmosphere for park users. Careful selection of native plants, planted in a pattern that mimics natural habitats, would reduce maintenance requirements; therefore, these changes would be cost-effective. Accumulation of duff (i.e., leaf litter) in these restored microhabitats would favor insect populations, which would in turn bolster populations of vertebrates (i.e., birds, small mammals, and potentially amphibians). A few relatively inexpensive changes in landscaping and maintenance practices would benefit wildlife at KPP; this benefit would extend to nearby habitats.

DeVries Park

Existing Conditions

From an ecological and land use standpoint, DeVries Park (DVP) can be divided into two main areas: (1) the more intensively used recreation areas to the south and west of the Pocantico River (including the playground, ballfield, and Horseman's Trail) and (2) the less disturbed habitats to the north and east of the river.

The mowed portions of the recreation areas provide little or no wildlife habitat, besides open areas for Canada geese and American crows. *Phragmites australis*, a common invasive plant of wetlands, has dominated the wetland habitat along Horseman's Trail, south of the wide portion of the Pocantico River (before it veers to the north). Tall grasses to the north and east of the ballfield provide habitat for eastern garter snakes, American goldfinches, and song sparrows, among other wildlife; this is in stark contrast to the unvegetated west bank of the Pocantico River, adjacent to the playground, which contained almost no wildlife species (see Appendix 2, Figure 3). This is a prime example of how open spaces—even if they are part of, or in close proximity to actively used recreation areas—can provide viable habitats. The key consideration is maintaining more diverse vegetation; in this case, less-frequently mown tall grasses and forbs are supporting greater biodiversity than the denuded and regularly mown areas.

The less disturbed habitats to the north and east of the river contain hilly second-growth forest, interspersed with forested wetland, shrub swamp, and open water (see Appendix 2, Figure 4). This is by far the highest quality habitat near the proposed open space of the GM site. As such, it contains the greatest biodiversity and can serve as a source for various species that may disperse into restored and re-created habitats of the GM site. Amphibians found within this area include the American toad and the redback salamander; reptiles include the painted turtle; birds include the American redstart, common yellowthroat, swamp sparrow, warbling vireo, and white-breasted nuthatch, among others (see Appendix 1 for a complete list). The presence of a territorial pair of

COMMENT LETTER NO. 56 (continued)

northern waterthrushes, considered an area-sensitive bird of more rural forested wetlands, is particularly noteworthy.

Recommendations

Overall, DVP has struck an appropriate balance between the recreation needs of the surrounding village and the habitat needs of wildlife. Therefore, we have few recommendations for the site.

We highly recommend that the unvegetated portion of the riverbank be re-vegetated. This would benefit wildlife by directly providing habitat. Perhaps more importantly, it would also help to stabilize the bank, reducing the existing bank erosion problem.

There is a high probability that *Phragmites* will invade any wetlands created as part of the GM site redevelopment. However, MCA/WCS does not recommend that *Phragmites* be removed from DeVries park or any other surrounding site. Such removal practices are often effective during the early stages of establishment of this species, but are rarely successful on a long-term basis once the rhizomes of this aggressively-spreading species have become well-established. Removal of the existing large stand of *Phragmites* would disturb existing wetland habitats (which are currently used by a variety of important wildlife species, such as the willow flycatcher) and would cause soil compaction; in addition, removal would result in exposure of wetland substrates—an ideal condition for re-colonization by the same species. Therefore, instead of removing existing *Phragmites*, we recommend that any habitats created on the GM site be closely monitored for invasion by this species. Through regular monitoring, it should be possible to remove the species before it has a chance to establish and dominate the created habitats.

Philipsburg Manor

Existing Conditions

Current conditions at the Philipsburg Manor site (e.g., the lack of a vegetated buffer area surrounding water courses) contribute to the degradation of local water quality and habitats. However, a great potential exists to improve water quality at this site, and to expand and improve upon existing wildlife habitat. These same restorations and improvements would benefit the aesthetic and natural history education goals of Historic Hudson Valley (HHV). See "Paraphrased Comments," below, for more details.

Recommendations

Revegetation of banks along the river and the impoundment would significantly improve existing conditions. Further details and specific recommendations are provided below.

The proposed disposal of dredge spoil on land owned by HHV along the Pocantico River (immediately adjacent to the GM site) is a major concern and should be reconsidered. Further details are provided below.

Gray water was discovered flowing out of a sewage pipe on the steep slope south of the impoundment and river. The water formed a small but defined channel, which eventually flowed to the river floodplain. This could contribute to water quality impacts in the Pocantico River; if the problem has not yet been fixed, we recommend that the local DPW be contacted.

See the section entitled "Pocantico River" for further discussion about the potential for fish run restoration at Philipsburg Manor.

Paraphrased comments re: Philipsburg Manor, 3 June 2002:

The following paragraphs contain paraphrased comments sent via email to Scenic Hudson on 3 June 2002, in regards to ecological issues at Philipsburg Manor (i.e., Historic Hudson Valley [HHV] property). The comments were prepared at the request of Scenic Hudson, with the understanding that an opportunity existed to influence HHV's environmental planning process for the site. The original comments were relayed by Scenic Hudson to David Parsons of HHV, who subsequently contacted MCA/WCS staff to discuss the issues in more detail.

1. *HHV property (i.e., the Philipsburg Manor site), when considered as part of the Pocantico River corridor, has the potential to pay a critical role in providing wildlife habitat in this highly urbanized area. The condition of the HHV property will have major ramifications for any habitats (e.g., wetlands) restored or created as part of the redevelopment of the GM site. In its current degraded condition, impacts associated with the HHV property would likely extend into the open space parcels that Scenic Hudson has proposed on the GM site (particularly in the 10-acre parcel immediately adjacent to the HHV property). If certain key environmental degradations (i.e., those described below) were remedied, habitats on HHV property would, instead, add to the value of re-created habitats on the GM site. The potential exists to establish a relatively uninterrupted corridor of fish and wildlife habitat along this reach of the Pocantico River. This can only be achieved via cooperation among all of the land-holding groups (i.e., GM/Roseland, County Parks, Town Parks, and HHV).*

2. *There is currently a plan to dredge the impoundment on the HHV property. Disposal of the dredged material immediately downstream in the Pocantico River floodplain is ecologically unsound. It may be a requirement of the Army Corps of Engineers to dispose of dredged materials onsite; however, a permit obtained from the Corps does not ensure that an activity is free of environmental impacts. On the contrary, placing dredge spoil (i.e., fill material) in the floodplain will reduce the natural flood storage capacity of the floodplain, and will exacerbate existing downstream flooding problems. We highly recommend that alternative sites be sought out and considered for disposal of dredge spoil.*

3. *The natural riverbank vegetation has been removed in many areas. Natural vegetation (e.g., native grasses, herbs, shrubs, and trees) performs a variety of functions. It helps to filter out sediments that wash down into the river during storm events, it also filters out nutrients and pollutants (e.g., manure, etc. from pastures), it provides habitat for wildlife (e.g., riparian breeding birds), it helps to maintain lower water temperatures (important for fish habitat), and it serves as a "screen" for in-river wildlife (i.e., it provides a physical barrier to visual disturbances associated with HHV's education and recreation activities). Runoff from HHV's agricultural pastures may be a major issue for water quality. The solution for this problem is fairly simple; the riverbank should be planted with native, flood-tolerant vegetation. In addition to restoring ecological functions, this activity could be used as a platform for environmental education and would result in a more aesthetically-pleasing landscape.*

4. *Runoff and sedimentation from overland flow during storm events are also major issues on HHV property. This is particularly true in areas immediately surrounding the impoundment, and on the steep slopes (e.g., the very steep slopes to the south). These issues could be addressed by establishing continuous native groundlayer vegetation—beneath the tree canopy. Planting of native shrubs around the pond would also help (these could be low-profile shrubs, so as not to impair the viewshed). Turbidity/clarity of water has a substantial impact on whether or not watercourses are suitable as fish habitat. Quality fish habitat translates into quality bird habitat, especially for piscivorous species such as the Great Blue Heron and the Belted Kingfisher, both of which occur onsite or nearby. If a fish ladder or some other fish-passage device were to be installed at the dam on HHV property, it would only make sense that efforts were also undertaken to make the existing aquatic habitats suitable for fish populations. These efforts should go hand-in-hand. This same runoff problem has been contributing to the gradual sedimentation problem in the impoundment. It does not make sense to address symptoms (i.e., dredging the impoundment) while ignoring the causes (i.e., sedimentation from denuded areas surrounding the water). If the impoundment is to be dredged, then HHV should also address the sedimentation problem at its source (a large portion of which is on their own property). Again, these are relatively simple solutions that, beyond their benefits to fish and wildlife, could serve educational and aesthetic purposes. In the long term, they could also prove to be very cost-effective, by reducing the frequency at which the impoundment needs to be dredged.*

Douglas Park

Existing Conditions

Until recently, Douglas Park contained some of the most productive, healthy habitats in the area. The park is situated on steep slopes on the east bank of the Pocantico, northeast of the GM site. It is dominated by mature and old-growth trees, including tulip tree, red/black oak, sugar maple, American beech, red maple, and eastern hemlock. Closer to

the river, there are some examples of slope forested wetland, containing red maples and skunk cabbage.

At the time of MCA/WCS surveys, this park was undergoing a major redevelopment, which included removal of many healthy, mature trees and clearing of almost all of the understory and groundlayer vegetation (i.e., shrubs, etc.). This clearing was accomplished by heavy machinery. The result is a forest floor that has essentially no vegetation and a substrate that is extensively rutted, compacted, and experiencing significant erosion and runoff problems. Hay bales and silt fencing have been installed to address these erosion problems, but due to inappropriate installation, breaching of silt fences, and the extremely steep slopes, most of the sediments are flowing directly into the Pocantico River. Although rip-rapping of stream channels (tributary to the Pocantico) may have alleviated a small portion of the erosion problems, it has made them unsuitable for wildlife.

Despite the mature and diverse forest canopy, very few wildlife species were observed in Douglas Park. Only 15 bird species were observed (see Appendix 1), including the scarlet tanager and the red-eyed vireo. Ground-nesting species, which would have been expected in a forest of this age and structure, were entirely absent. The extensive damage to the forest floor has rendered the park unsuitable for amphibians and reptiles.

Recommendations

Given the level of effort recently devoted to conversion of this prime habitat into a highly manicured park, it seems unlikely that any steps will be taken to restore habitat values. However, re-planting the native shrub and understory species that were removed would alleviate erosion problems and encourage re-establishment of the healthier and more diverse wildlife community that once existed here. This could be done in such a way as to promote biodiversity, while still enabling recreation opportunities.

Any attempts to restore the Pocantico's capacity as a fish run must address sedimentation/erosion problems arising from Douglas Park.

Pocantico River/Fish Run Restoration Opportunities

Existing Conditions

Of all of the tributaries to the Hudson River estuary, the Pocantico River has been ranked as the second highest priority for restoration of anadromous fish runs. This is based on a 1996 report by Hudsonia Limited to the Hudson River Foundation, entitled "A Catalog of Barriers to Upstream Movement of Migratory Fishes in Hudson River Tributaries." This ranking factors in current and historic fish populations, water quality, and the ease of circumventing barriers, among other factors. The report encourages installation of a fish ladder at Sleepy Hollow Dam, located at Philipsburg Manor, and around a natural falls at the north end of Douglas Park. We understand that DEC has also expressed an interest in restoring this fish run. This would open up extensive fish spawning habitat. The presence of spawning fish in the upper Pocantico and its tributaries would, in turn, add to the base

of the food chain, thus supporting a wide array of wildlife and contributing to overall ecosystem health of this watershed.

Recommendations

We recommend installation of fish passage facilities at both locations identified by Hudsonia. However, prior to their construction, we highly recommend that upstream habitats be assessed, to determine their suitability for spawning fish. If they are deemed unsuitable, there is no need to install fish ladders.

Wherever possible along the Pocantico River, attempts should be made to reduce sedimentation/erosion problems. Installation of fish ladders will not be effective unless attempts are made to halt further water quality degradation. Most of the water quality problems result from de-vegetation along the riverbank, and could be solved by re-planting native riparian vegetation. This would increase water clarity and decrease water temperature—two factors essential to a productive fish run. Specific locations have been identified and recommended for such restoration attempts (see recommendations for individual parks, above).

Pocantico Hills

Like most of the Hudson Valley, agriculture was once a primary land use in the Pocantico Hills. As a result of farming practices, many of the wetlands in the Pocantico Hills were drained. These wetlands once provided habitat for wetland-dependent wildlife and helped to purify water and offset flooding. Since the wetlands have been drained, those ecological services are no longer provided. Historic changes to the headwater regions of the Pocantico River are still affecting ecological conditions downstream at the GM site and in surrounding habitats.

In a separate project, MCA/WCS is collaborating with Rockefeller State Park Preserve (RSPP) staff, and with private landowners within the Pocantico Hills, to assess biodiversity and ecological conditions in this area. As part of this project, habitats in need of restoration, including wetlands, are being identified. Restoration of these wetlands would greatly enhance water quality and ecosystem health within the Pocantico River and its entire watershed.

Options for Habitat Enhancement at the General Motors Site

Scenic Hudson has identified three alternative configurations, or scenarios, that would address open space and ecological issues in their concept plan for the redevelopment of the GM site. These include (1) restoration of a 10-acre parcel of floodplain adjacent to HHT property, (2) designation of open space along the former river channel (without re-creation of the original river channel), and (3) re-creation of the former river channel. These three scenarios are not mutually exclusive. Within these scenarios, the proportion of the site that would be dedicated to open space and ecological issues would range from

about 10% to approximately 30% of the entire GM site. Potential uses for these open spaces would range from passive and active recreation to wildlife habitat. The scale of restoration, landscaping, and habitat re-creation activities in these scenarios would range from minor habitat enhancements to re-routing of the Pocantico River to its historic channel. The following paragraphs contain the results of MCA/WCS's investigations, as they pertain to these three scenarios.

Current Site Conditions

Before discussing open space goals and target habitat types, it is important to understand the existing site conditions. Since the site consists almost entirely of continuous concrete slabs, a comprehensive site assessment was not difficult to complete.

The most valuable habitat on site is in the northeast corner, in the former parking area which has been slated for restoration (see Scenario 1, below). Due to slumping of the concrete and fill material, and due to flooding issues in this area, two small, shallow wetlands have formed on top of the concrete. These small marshes contain cattail and common reed, and support a breeding population of American toads (see Figures 5 – 7, Appendix 2).

A ditch, containing stagnant water and some vegetation, was observed near the center of the GM site (see Figure 8, Appendix 2). This ditch may have provided habitat for snapping turtles; bone fragments of this species were found strewn about in the nearby vicinity. It is unlikely that this ditch supports further viable wildlife populations.

A few bird species were observed directly using the GM site. On one visit, a flock of snow buntings was observed. It is unlikely that the buntings actively used the habitat; it is more likely that they were temporarily attracted to the site based on its resemblance to the open tundra of their breeding grounds in the Arctic. A killdeer nest scrape was observed in the gravel along an abandoned portion of railroad track (see Figure 9, Appendix 2). This was the only evidence of avian breeding on the site. Two species of gull were also observed loafing on the site.

Beyond these sightings, none of which were particularly significant (with the exception of the breeding toad population), the site provides habitat only for mammals that are considered pest species. Extensive chambers below the cement slabs contain abundant sign of raccoons and Norwegian rats.

Our conclusion is that, overall, the site is extremely degraded and its habitat values are almost non-existent. Birds that use the site have more suitable habitat in nearby parks. The one exception to this conclusion is the presence of the American toad; however, the toad population could benefit from habitat re-creation and enhancement efforts, which would require destruction of its current artificial wetland habitat. Habitat restoration and re-creation efforts would essentially start with a clean slate. Almost any of these efforts would result in increased on-site biodiversity.

COMMENT LETTER NO. 56 (continued

Scenario 1: Restoration of northeastern 10-acre parcel (east of railroad tracks)

To the best of our knowledge, this portion of the GM site will definitely be set aside as open space during re-development. Therefore, the following discussion is relevant to all three of the scenarios.

This area is located in the floodplain of the Pocantico River. Because of its floodplain location and the fact that it floods on a fairly regular basis, this area is unsuitable for development. It is, however, well-suited to wetland habitat restoration. The flooding will provide fairly reliable hydrologic inputs—a factor that is usually limiting in wetland restoration and creation efforts. Restoration plans should include input from experts, including hydrologists and wetland biologists. One of the primary goals should be to expand and enhance the existing American toad habitat; therefore, input should also be sought from a herpetologist. Note that, due to the destructive steps needed to remove the existing concrete slabs, it may be necessary to first capture the existing toad population, and later "seed" the newly-created habitat with these individuals. We highly recommend that flood-tolerant vegetation (i.e., native floodplain vegetation) be used in this habitat. All of these factors will benefit the toad population; in addition, bird species will be attracted due to the same factors. After the wetland has been constructed, *Phragmites* is likely to invade from nearby habitats (e.g., from DeVries Park); therefore, the wetland may require close monitoring and occasional removal of young *Phragmites* stands before they become well-established. DeVries park contains some relatively healthy wetland habitats and may also serve as a source for desirable, native wetland wildlife and plants.

If restored, this area will be able to function as more than just wildlife habitat. It will also offset flooding problems during storm events, benefiting the new residents of the redeveloped GM site. If properly designed, it will also be aesthetically pleasing. A walkway could be constructed around its perimeter, to enhance enjoyment of the area and to provide environmental education opportunities. This walkway can be carefully designed so as to minimize impacts to the wetland wildlife. Again, an expert should be consulted to achieve this.

A concept map developed by Saccardi and Schiff, Inc., for the Village of Sleepy Hollow shows this area under the expanded ownership of both DeVries Park and Philipsburg Manor. In addition, the southern portion of this area would be used for parking. We caution that, if located adjacent to an active parking lot, the re-created floodplain wetland would likely be reduced to a stormwater detention pond. Runoff from the parking lot would negatively impact wildlife populations and facilitate invasion by exotic species. However, if Low Impact Development techniques (i.e., LID—innovative stormwater management techniques developed and widely applied in the mid-Atlantic region) were integrated into the design of the parking lot—and, preferably, for the entire GM site—these impacts would be negligible or non-existent.

In addition, we strongly urge that the area be restored to the wetland floodplain habitat described above, regardless of ownership. If the area is used to expand the existing recreation and historical education activities of DeVries Park and HHV, it seems likely

that the site would be filled and would not provide important ecological services such as wildlife habitat, environmental education opportunities, water purification, and flood abatement. The education opportunities could be woven into the ongoing educational activities at Philipsburg Manor.

Scenario 2: Designation of open space along former river channel (no river re-creation)

If re-creation of the historic Pocantico River channel should not prove to be feasible (see below), land along the former channel may still be set aside as open space. This could greatly improve connectivity of terrestrial habitats between the banks of the Hudson River, Kingsland Point Park, DeVries Park, Philipsburg Manor, and the 10-acre parcel described in Scenario 1, above. Habitat connectivity is extremely important for maintaining viable populations—particularly for individuals and species that require larger areas, such as the area-sensitive northern waterthrush found in DeVries Park. This connectivity would also enable dispersal of species among habitats, thereby helping to maintain populations in each of the parks and habitats.

As stated previously, this corridor currently has no habitat value; it is a concrete slab. Therefore, any attempts to remove the concrete and re-establish native vegetation would be beneficial to ecosystem health and wildlife populations. However, the specific design of this corridor will determine the extent of its ecological value. For example, if the area is designed as a promenade, consisting of impervious surfaces (e.g., paving or flagstones) interspersed with a few ornamental trees and shrubs, it will have little or no ecological value. Instead, it would contribute to problems by increasing the total area of impervious surface at the site. Besides eastern gray squirrels, wildlife species would not be able to utilize such a promenade design for dispersal. If, however, the corridor contains native trees, shrubs, and other species planted in soils—and maintained as a more natural habitat—it could contribute ecological functions. In either case, the corridor could accommodate human foot traffic on paths, and therefore could function as a passive recreation area. As with Scenario 1, we strongly recommend that appropriate experts be consulted during the design and construction phases. Expertise, in particular, in landscaping with native plants (with thought given to wildlife habitat) is required for this corridor restoration to be a success.

Our overall conclusion for this scenario is that, in combination with Scenario 1, it provides opportunities to significantly improve habitat connectivity and ecosystem functions in an area of the region where these factors are much needed.

COMMENT LETTER NO. 56 (continued

Scenario 3: Re-creation of the historic Pocantico River channel (including riverbank habitats)

This scenario is, by far, the most ambitious of the three. Because it involves the greatest manipulation of existing habitats and hydrologic conditions, it simultaneously presents a potential for the greatest ecological gain and the greatest ecological risk. In a restoration effort of this scale, it is important that all aspects, including ecological trade-offs, be considered.

If successful, the restoration could alleviate existing flooding problems—problems that could persist if the site were redeveloped without re-routing the river. We recommend conducting a hydrologic study to weigh the benefits of river restoration in terms of flood abatement. The restoration, in combination with the installation of fish ladders further upstream, could greatly enhance this anadromous fish run. We recommend further conversations with Betsy Blair of NYS DEC to determine the effect of the re-routing on fish migratory patterns. A fisheries biologist should also be consulted to help design the river course to optimize its potential as a fish migration route. Streambank habitats could serve as dispersal corridors for terrestrial wildlife, in the same way as the upland corridor discussed in Scenario 2. Please note, however, that the same caveats regarding design elements apply. Impervious surfaces and boat slips would not be conducive to maintaining fish and wildlife populations.

It is critical to note that re-routing the river could also cause some problems. The mouth of the re-routed channel, as mapped by Scenic Hudson in their concept plan, is fairly constricted and it joins the Hudson River after turning around a sharp bend (at the tip of Kingsland Point Park). Due to the configuration of the proposed open space and the developed areas, there is no room to create a more gentle meander in the Pocantico before it empties into the Hudson. Our concern is that, during storm events, the force of water could be too great in this constricted, twisting channel. A hydrologist should be consulted to determine the magnitude of this problem. In fact, the expertise of a hydrologist is necessary for many aspects of this project. For example, it is critical to understand what the effect of creating a second channel would be on the existing channel and its surrounding wetland habitats. Some of these habitats (e.g., those in the northern end of DeVries Park) support a diversity of wildlife; it would be unfortunate if these wetlands dried up as a result of river re-routing activities.

In conclusion, although this scenario could provide great ecological gain, it should be carefully scrutinized to determine if the ecological costs outweigh the benefits.

Overall Conclusions and Recommendations

- There are three primary scenarios for creation of open space in the redevelopment of the GM site (see "Options for Habitat Enhancement," above). None of the scenarios are mutually exclusive. It would be possible to simultaneously: (1) restore wetlands in the northeastern 10-acre parcel, (2) restore terrestrial habitat in the "corridor" along the former course of the Pocantico River, and (3) also re-create the former river channel. The first two scenarios could be accomplished with great ecological gain and little or no ecological risk. The third scenario also presents the potential for great ecological gain, but is accompanied by potential ecological risks. Therefore, MCA/WCS strongly recommends implementation of Scenarios 1 and 2, and recommends further investigations before considering Scenario 3.
- Given the almost complete lack of habitat on the GM site, any habitat restorations will increase the ecological value of the site and, at the same time, add value to surrounding habitats.
- Surrounding natural areas and parks could be managed more effectively to increase the biological value of any habitats restored at the GM site (see the "Context" section for further details).
- It is possible to create multiple use opportunities in open spaces on the GM site, maintaining an appropriate and realistic balance between competing goals. In general, passive recreation opportunities such as walking and wildlife-watching have little impact on the wildlife species that would be found in urban natural areas such as these. These activities could and should be integral to open spaces. Active recreation opportunities such as ballfields and picnic areas do exert a negative impact on wildlife. However, that does not mean that these activities should be excluded; their "footprint" should just be limited to specific, contained areas that are managed to minimize environmental damage (from runoff, etc.).
- Since most of the proposed and recommended activities in this report involve hydrologic manipulations, it is imperative to consult with a hydrologist specializing in these types of manipulations. In particular, the hydrologist should investigate: (1) the effect of Pocantico River re-routing on the existing channel and its associated habitats, (2) flow patterns at the mouth of the re-routed river, and (3) the hydrology of the proposed wetland restoration in the 10-acre parcel (see Scenario 1). It would also be helpful to understand the impacts of disposing dredge spoil in the floodplain of the river (on HHV property).
- All landscaping, planting, fill-removal, and other habitat enhancement efforts should be closely coordinated with wildlife biologists, to ensure that appropriate habitats are created and sustained. MCA/WCS also recommends developing a monitoring and maintenance plan for restored and re-created habitats, to ensure long-term success.

COMMENT LETTER NO. 56 (continued)

Appendix 1

Wildlife Species Observed

GM Site

Reptiles & amphibians
American Toad
Snapping Turtle

Birds
Herring Gull
Ring-billed Gull
Snow Bunting
Killdeer
Song Sparrow
American Crow

Kingsland Point Park

Birds
American Crow
American Goldfinch
American Robin
Baltimore Oriole
Blue Jay
Brown-headed Cowbird
Canada Goose
Chipping Sparrow
Downy Woodpecker
European Starling
Fish Crow
Gray Catbird
House Sparrow
Killdeer
Mourning Dove
Northern Cardinal
Northern Flicker
Northern Mockingbird
Warbling Vireo
Yellow Warbler

DeVries Park

Reptiles & amphibians
American Toad
Redback Salamander
Painted Turtle
Eastern Garter Snake

Birds
American Goldfinch
American Redstart
American Robin
Baltimore Oriole
Black-capped Chickadee
Brown-headed Cowbird
Canada Goose
Carolina Wren
Common Grackle
Common Yellowthroat
Downy Woodpecker
Eastern Kingbird
European Starling
Fish Crow
Gray Catbird
Killdeer
Northern Waterthrush
Red-bellied Woodpecker
Red-winged Blackbird
Song Sparrow
Swamp Sparrow
Warbling Vireo
White-breasted Nuthatch
Willow Flycatcher
Yellow Warbler
Yellow-rumped Warbler

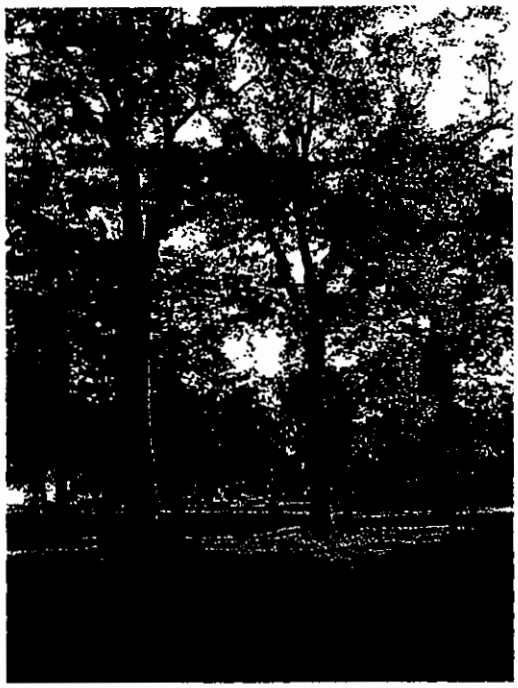
COMMENT LETTER NO. 56 (continued

Douglas Park

Birds
American Crow
American Goldfinch
American Robin
Black-capped Chickadee
Blue Jay
Brown-headed Cowbird
Cedar Waxwing
House Wren
Mourning Dove
Northern Mockingbird
Red-bellied Woodpecker
Red-eyed Vireo
Scarlet Tanager
Song Sparrow
Tufted Titmouse

Appendix 2

Representative Photographs



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Figure 1. Habitat at Kingsland Point Park consists of a mature tree canopy with highly manicured lawn beneath. The understory vegetation could be diversified to enhance wildlife habitat, while maintaining aesthetic and recreation opportunities.



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Figure 2. Scenic view from Kingsland Point Park. The Palisades are an appropriate backdrop for the park's primary use—passive recreation.



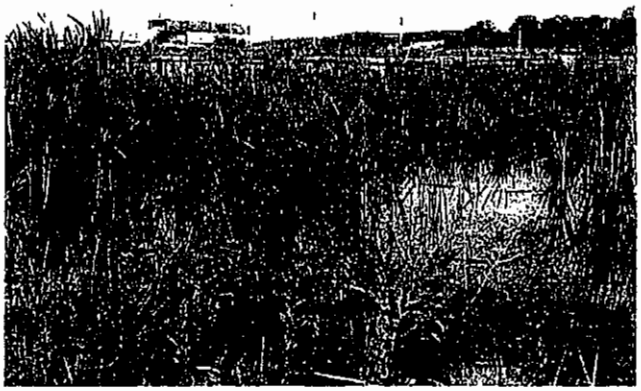
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Figure 3. In this portion of DeVries Park, lack of streambank vegetation results in erosion problems and reduced wildlife habitat availability. Streambank planting with native riparian shrubs would stabilize soils and provide wildlife habitat.



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Figure 4. Relatively healthy habitats occur in DeVries Park, along the existing, re-routed portion of the Pocantico River. Maintaining the condition of these habitats must be considered in any scenario that may reduce water flow in this channel.



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Figure 5. Wetland habitat in northeastern portion of GM site, containing a breeding population of American Toads.

Figure 6. Second wetland on the GM site containing breeding population of American toads.



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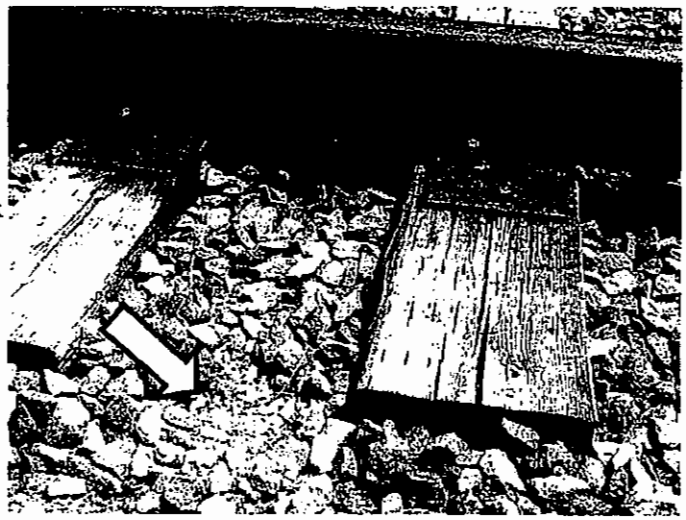
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Figure 7. Strings of American toad eggs in second wetland.



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Figure 8. Ditch in middle of GM site.

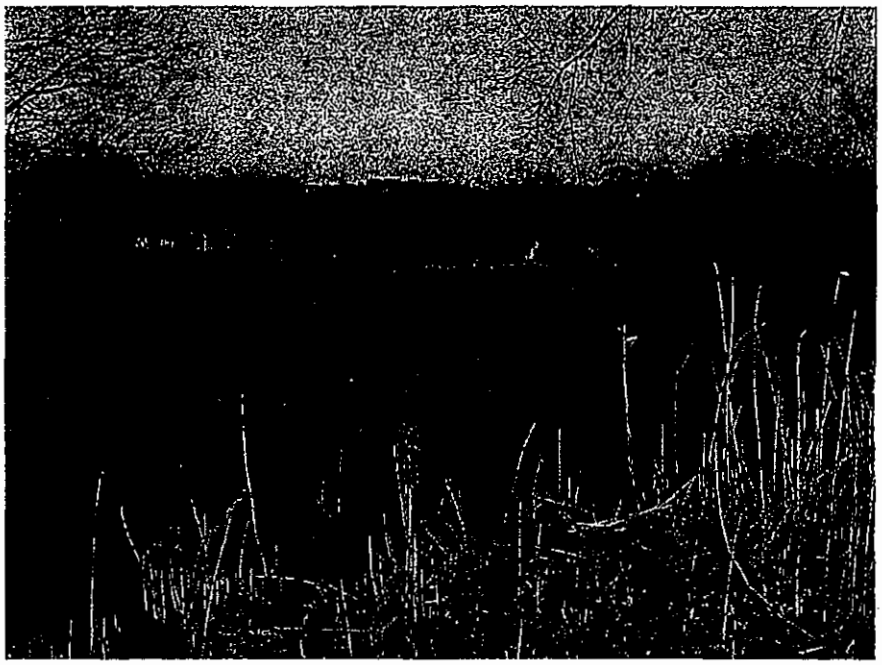


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Figure 9. Nest scrape of killdeer along abandoned track in GM site.

COMMENT LETTER NO. 56 (continued)

Options for Restoring the Ecosystem along the Lower Portion of the Pocantico River



A Report Prepared for

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JUNE 2004

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Attachment # 5

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Introduction

As part of a feasibility study by Scenic Hudson, Inc., to evaluate the hydrology associated with periodic flooding problems and to propose options for addressing this issue, Creative Habitat Corp. explored features, which provide the opportunity for the restoration of the ecosystem of the lower Pocantico River in Sleepy Hollow, New York. This report was compiled in winter and early spring 2004 (between January and April), so that there was no opportunity for significant ecological fieldwork. The report has therefore been assembled from information available in the literature and from personal communications with several researchers. Special thanks for their cooperative support go to Erik Kiviat, Bob Schmidt and Gretchen Stevens of Hudsonia Limited, to George Kraemer of SUNY Purchase College, to Stuart Finlay, David Strayer and Nina Caraco of the Institute for Ecosystem Studies, to Chuck Nieder of the Hudson River National Estuarine Research Reserve, Bob Walters, of the Beczak Environmental Education Center, David Parsons and Michael Lord of Historic Hudson, and Norman Brower of the South Street Seaport Museum. Our thanks also goes to the Hudson River Foundation for the use of their library facility and to Aaron Schlechter, independent consultant, who helped compile some of the information contained in this report.

The ecological past of the lower Pocantico River

Historically the lower Pocantico River was a shallow bay of the Hudson River, known as Sleepy Harbor (Dutch: Slapershaven). The bay was protected from major waves by Kingsland Point peninsula. It is very likely that the fringes of this bay were occupied by tidal marshes similar to those still found near the mouth of the Croton River today, located only 6 miles north of the Pocantico River, or at the Piermont marsh, just three miles to the south. The mill at the Philipsburg Manor serviced small river sloops and periaugers directly. This seems to indicate that the water was very shallow. Both types of boats displace only limited amounts of water, and may have had a draft of 2 feet or less when fully loaded.

Ecologically the lower portion of the Pocantico River was part of the tidal Hudson estuary. Judging by the current distribution of the submerged aquatic plant *Vallisneria americana* (water celery, Stuart Finlay personal communications) and its physiological constraints (G. KRAEMER et alt.,1999), we can assume that historic salinity levels in the Pocantico River must have reached into the mesohaline range (between 5 and 12 ppt of salt in solution). The assumption that the water quality is predominantly mesohaline at this stretch of the Hudson can further be gleaned from a report on linkages between submerged aquatic vegetation and water quality in the tidal Potomac River (USGS 2000). It would be reasonable to assume that the Sleepy Harbor was a significant fish and bird habitat until its marshes were destroyed by filling-in.

Other stages in the development of the current situation involve the building of the railroad in the mid nineteenth century and later, in 1929, the final abandonment of the original access to the Hudson, when the General Motors site was filled in and a new outlet for the Pocantico River was blasted through bedrock at the narrowest section of Kingsland Point. None of the transitional stages are well documented and it is likely that

predetermined goals. They will require more in-depth research into the biology of target species and into the mechanics and physiology of the river.

Flood control recommendations as ecological restoration opportunities.

When the Pocantico River was rerouted in 1929, the outlet through Kingsland Point Park was dimensioned too small to handle severe storms, resulting in occasional serious flooding of low lying, filled-in areas within the former Sleepy Harbor. Han Padron Associates examined this issue in a technical report in 2004. Essentially the report recommends the creation of additional water exchange openings to the Hudson River. The report offers two technically and economically feasible locations for these openings. One design alternative would add a second opening near the existing one through a portion of Kingsland Point Park. The second alternative would recreate a scenario similar to the one that existed prior to the filling-in of the General Motors site, whereby the northwestern edge of the former Pocantico Bay/Sleepy Harbor would be excavated to function as a new stream channel that follows a historical path. In either case the outflow capacity of the river would be dramatically increased. Simultaneously the tidal exchange with the Hudson would be increased. Such a scenario would then present an opportunity to maximize the potential for the restoration of historic ecosystem components of the lower Pocantico River.

Framework for the restoration of historic ecological functions

1) The River Water:

The lower Pocantico River is tidal. Its tidal range is significantly narrower then that of the Hudson. While the difference between mean high and mean low tides in the Hudson is approximately 3.9 feet (Keith Wallace of Han Padron, verbal communications), I estimate that the tidal fluctuations within the pond-like river widening at DeVries Park is no more then 12 to 18 inches. This means that the Pocantico River currently exchanges water only during the highest one third of each Hudson River tide cycle (see Appendix A, Figure 1). Historically the tidal exchange was the same as that of the Hudson. Ecological restoration may therefore strive to reduce or eliminate the currently existing gap in tidal amplitudes between the Hudson and the Pocantico.

The water quality is mostly fresh (<0.5 salt ppt), as deducted from the vegetation and from the absence of typical brackish and saltwater indicators. This classification does not preclude the occasional salt incursion in those months when the salt concentration in the Hudson is highest. Under these conditions portions of the Pocantico River could potentially turn oligohaline (0.5 – 5 salt ppt). According to modeling by the United States Geological Service that tracks a shifting "salt front" location, the salinity of this stretch of the Hudson changes dramatically during the course of the year. The salt front dips below river mile 15 (the lowest stretch of river at which it is being recorded) and reaches as far upriver as river mile 75, which is approximately where Poughkeepsie is located (see Appendix A, Figures 2 and 3, for reference) . The salt front is determined at 0.1 parts of chlorides (salts) per thousand parts of water. That concentration is very low when compared to full strength seawater (35 ppt) and even in the context of the estuary where

some aquatic freshwater plants can tolerate occasional saltwater incursions of up to 15 parts per thousand (KRAEMER et alt., 1999). The salt front measurements indicate that the Pocantico River, located at river mile 28, is in the lower third of a zone of the estuary that undergoes severe swings of salinity during the course of the year. The majority of the fishes observed by Hudsonia (SCHMIDT 1999) indicate that the river water can be classified as fresh with access to the estuary with its saline tidal waters.
SCHMIDT et alt. (1991) report a neutral pH and relatively high levels of dissolve oxygen from Pocantico Brook (presumably the portion of the stream above the dam) and temperatures that rose from 4 degrees Celsius on March 18 to 22 degrees Celsius on June 23.

The restoration of a historic tidal amplitude would change the water quality significantly, favoring brackish over fresh conditions. Such a change could set the stage for far-reaching ecological changes in the direction of historic ecological conditions. The restoration of a full Hudson River tide does not preclude the absence of freshwater refugia, that would maintain characteristics similar to those currently present.

2) Flora and Fauna

The flora of the Pocantico River is poorly documented. From personal observations and from communications from Chuck Nieder of the New York State Department of Environmental Conservation I gather that it is a typical freshwater stream edge vegetation with willows, elms, alders, poplars, sycamores, dogwoods, Phragmites, Purple Loosestrife and possibly some floating leaf aquatic plants. Extensive areas of trees are overgrown with invasive vines and there are ample of indicators of disturbed site conditions.

The fauna is partially described in documents by the Wildlife Conservation Society's METROPOLITAN CONSERVATION ALLIANCE (2002) and by Hudsonia (SCHMIDT 1999 , SCHMIDT et. alt. 2002). According to theses documents the fauna represents a typical cross-section of animals that are adaptable to suburban sites and that are either not greatly specialized or that are very adaptable. A mix of typical estuarine and freshwater species, without documented rarities, represents the fishes. The number of amphibian species found was very low and typical for disturbed suburban sites. Of the two documented species, the American Toad tolerates salinity to some degree. The list of documented reptiles is similarly short with only three species; two are very adaptable aquatic turtles and one a snake species commonly found in gardens. The bird list is similarly short and indicative of disturbance. Most observed species are generalists within their respective grouping, such as the Canada Goose, the American Robin or the American Crow. Mammals are not documented, but that appears to be just an omission, since the site could easily support several rodent species, deer, foxes, raccoons, etc.. We saw the muskrat (including evidence of its activities, such as trails, one lodge) and one Eastern Gray Squirrel.

In conclusion, the lower Pocantico River does support a diverse flora and fauna, but there is little reason to believe that any of the observed and reported species would be

indicative of special environmental concern or status as a biologically significant area. The ecology is freshwater dominated and the river's edges are mostly "disturbed". The restoration of normal Hudson River tides into the lower Pocantico River would change the water quality and with it this change would set the stage for the restoration of a highly specialized set of animal and plant species that are adapted to live in the brackish intertidal zone.

3) Embankment and soils

The northerly edge of the Pocantico River appears to be a natural edge that has persisted since colonial days. The southerly edge however consists entirely of imported fill (including rocks and concrete slabs) and very recent alluvial materials. Currently the southerly edge of the stream is low lying, providing for wet growing conditions and frequent flooding. The edge is mostly vegetated in a natural state; only at DeVries Park is it maintained by mowing and tree plantings. The embankments of the stream are undercut at its narrower sections. Portions of the farm at Phillipsburg Manor are grazed up to the river's edge.

The water in the Pocantico River is generally shallow, with some deeper spots where the water circumnavigates obstacles, such as tree roots and a man-made floating debris barrier. The pond-like portion of the river north of DeVries Park is particularly shallow. Sedimentation at the inflow section to the lake has resulted in a long sediment bar that is firm under foot and can be walked on during low tide. The water column in the lake itself appears to be mostly 12 to 24 inches deep at low tide.

The County Soil maps (USDA-SCS 1994) identify the entire General Motors site as Urban Land, which means that it is mostly covered with structures and impervious surfaces. Areas abutting the Pocantico River are classified as poorly drained soils that have been altered by filling, as well as deep level soils that are frequently flooded. The high perimeter of the former Sleepy Harbor is identified as moderate to steep slopes of well draining Riverhead loam.

To create tidal marshes and mudflats existing wetland elevations would have to be lowered or fill removed. The shallows in the lake also warrant mentioning as candidates for dredging.

Design solutions shared mutually by engineers and ecologists

Under the current conditions the Pocantico River is primarily a freshwater tributary to the Hudson. During times of high tide Hudson water flows into the Pocantico. Some of the tidal effect seen in the Pocantico is due to freshwater backing up when tidal Hudson water blocks its outflow. This situation gets to be critically important during major storms, during which flooding of low lying areas occurs in the vicinity below the milldam at the Philipsburg Manor. The hydrological report by HAN-PADRON (2004) discusses technical constraints and proposes to fit the Pocantico with additional outflow facilities in the form of culverts. These additional openings would in effect work like pressure release valves. The openings are of course tidally inundated and they offer therefore additional

passageways for fish and other water born animals, plants and materials that float and drift in the water.

While engineers are primarily concerned with structural issues and with the hydrology of the out-flowing water, ecologists have to concern themselves with the inflowing waters as well. It is the exact nature of the tidal exchange that will ultimately frame the ecological decisions for achievable goals of restoration efforts at this site. Based on the HAN PADRON report we foresee two basic scenarios that could be implemented:

The engineering alternative A, as shown in Appendix B, Figure 4, would leave the current hydrology and water quality between DeVries Park and the milldam more or less as is, although there might be a non-substantial increase in tidal exchange. The ecological implications are discussed below.

The engineering alternative B, as shown in Appendix B, Figure 5, has the potential to restore a full tidal exchange with the Hudson River, from its new mouth at culverts south of DeVries Park to the milldam. Alternative B also offers the additional opportunity to restore replicas of Hudson River tidal marshes at the mouth of the Pocantico River. With alternative B comes the restoration of chemical water qualities that are typical of the Hudson but different from today's freshwater characteristics. Not shown in the Han-Padron report, but technically feasible, will be the retention of freshwater refugia along the course of the Pocantico.

The success of ecological restoration objectives depends on very specific engineering details, such as the diameter or shape of a culvert, its elevation with respect to the tide cycle, the absence of physical barriers to migration. Alewifes, for example, are one of the fish species mentioned in Hudsonia's report (SCHMIDT, et alt. 2002) recommending the Pocantico River as a high priority for the restoration of river-herring spawning runs. Alewifes, like other herring, will not migrate through a culvert entirely full of water (Schmidt, personal communications). It will therefore be necessary to place the culverts relatively high in the tidal cycle to make them Alewife-friendly, if indeed that species would be targeted to benefit from restoration work. Research also suggests, that low light conditions in culverts may be an impediment to river-herring (alewifes and blueback herring) migrations (MOSER 1999). Consequently flood control culverts may need to be designed "fish-friendly".

Engineering decisions affect the substrate of a restored river. Or vice versa, ecological proposals may influence the selection of engineering details. The materials used as substrates in the tidal channel are good examples of such an interrelationship. Rocky substrates may favor certain fish and invertebrate species, while soft substrates may shift the emphasis to others. Intertwined with the substrate is the ability to establish vegetation. The presence of vegetation in turn has significant habitat implications for invertebrates and all animals that depend on invertebrates for food, etc. The interconnections are complex and change along a gradient up and down the Hudson, as documented in a study of the value of Submerged Aquatic Vegetation to fishes of the Hudson River by

ECKERLIN et alt. (2000-2002). The current state of ecological research is just beginning to pinpoint basic relationships.

Dredging of sediment accumulations, channel modifications to reduce bank erosion, the introduction or removal of barriers, and the intentional placement of habitat structures (boulders, logs, root wads), all are potentially desirable ecological design elements. In each case the engineering implications have to be considered and feedback from engineers has to be considered for its ecological consequences.

The engineering of tidal marshes and the planting of submerged aquatic vegetation have a number of precedence setting projects to fall back on. Previous restoration projects are however no boiler plate prescriptions for new projects. Each site has its ecological peculiarities, topo- and geographical frame, cultural tie-in, and political and financial ramifications.

In Table 1 (see Appendix B) we attempt to bring together some of the basic information that might be considered in the decision making process determining the fate of the lower Pocantico River. As is evident there are various possibilities to choose from, and any one decision will affect further considerations and outcomes.

Restoration opportunities for selected ecosystem components

The ecosystem of the lower Pocantico River has been altered so much during the past 200 years, that opportunities of restoring it to its historical size and overall function have been lost. Selected ecosystem functions can possibly be restored along the following lines:

Hudson River fishes

The historical abundance of fishes in the Hudson River Estuary has long been diminished through a combination of anthropogenic factor, not the least of which are over-fishing, the introduction of foreign competitive and predatory species, infilling of marshes, mechanical disturbance (dredging), the building of obstacles in the tributaries (dams, weirs), pollution, and development. The list goes on.

In his report on the fishes found in the Pocantico River SCHMIDT (1999) makes casual mention of the fact that juvenile Striped Bass were found summering in the lower river even though "he was quite sure" that the fish were not hatched there (they spawn in the deeper waters of the Hudson and their eggs remain suspended in the water column until the larvae are strong enough to move at will). Juvenile Striped Bass found their way into the tidal portion of the river to fatten up and grow to be ready to join the adults at sea. With declining Striped Bass populations in other estuaries of the Atlantic US coast, the success of the Hudson River population is becoming increasingly more important as a source for commercial and recreational fishing of this species. The Pocantico is apparently already contributing to this success by serving as a fish nursery. This function of the Pocantico River must be maintained at current levels and, if possible, it should be strengthened.

SCHMIDT et alt. (2002) found 8 species that migrated into the Pocantico River in an apparent attempt to reproduce. Under the current conditions it is unlikely that many of the

individual fishes were successful, given the fact that the dam at the Phillipsburg Manor is blocking their way to suitable spawning grounds. Those that were successful undoubtedly contributed to the food web and ultimately to the raising of Hudson River fish, such as the Striped Bass. If the Pocantico River were to be opened up to more tidal activity and easier access for fish from the Hudson, the Hudson fishes in larval, juvenile and adult stages would undoubtedly make increased use of its resources and would therefore contribute to a further rebounding of fish stocks.

The birds

The current bird fauna of the lower Pocantico River is dominated by songbirds (METROPOLITAN CONSERVATION ALLIANCE, 2002). The water body and its surrounding meadows have resident Canada Geese and a few Mallards. In the tidal flats and shallow water of the "lake" I also observed the Great Blue Heron and a few Great Egrets. The overall list of species recorded from the lower Pocantico does not indicate any particular affinity to the Hudson. The same or similar lists can be found in many park-like setting and freshwater wetlands anywhere in suburban New York City. Restoration activities favoring the fishes of the Hudson would undoubtedly bring an increase in bird species diversity. This diversity can be expected to center around wading birds taking advantage of tidal flats and marshes.

Mammals, Reptiles and Amphibians

The documented fauna of either of these groups is minimal. Restoration efforts favoring the fishes of the river are unlikely to significantly benefit any of these three groups. We do not expect additional species to be recruited to the site, nor do we expect that any restoration efforts would change the current population levels much.

Invertebrates

This wide-ranging group encompasses a lot of very different types of animals, from the tiny single and multi-celled organisms of the open water – like paramecia and water fleas – to bottom dwelling amoeba, "worms" and "shellfish" – to the larval stages of many a kind of insect. Most invertebrates are hard to identify and few scientists specialize in their classification. Under such circumstances it is not surprising that we have no record of the current invertebrate fauna of the Pocantico River. A restoration project geared toward improving fish habitat must also improve living conditions for invertebrates, since they are the primary source of food for larval fish. Even though we do not have records of the existing invertebrate fauna, we can make projections about the kind of habitat features that would increase the overall number of invertebrates over the current level. These features will most likely center on substrates, plantings and structural changes and will be guided by the desire to improve the overall habitat for one or more target species of fish.

Relating technical design alternatives to ecological opportunities
Options for ecological restoration exist within the constraints of the two basic engineering alternatives by HAN PADRON (2004) that are based on the need to provide flood relief. These options differ widely and provide very diverse ecological trajectories. Design alternative A offers little room for historical restoration efforts, but does provide opportunities to improve existing ecological conditions. Option B was modified after consultation with us, to reflect some of the ecological restoration potential with an eye on historic conditions that such a flood relief project could offer.

Much of the historic restoration potential derives from the magnitude of tidal exchange. The exchange volume is directly correlated to the time (hours and minutes) that the Hudson tides flow back into the Pocantico River. This time, the inundation period, is tied to the elevations of the stream bottom in relationship to the tide elevation. Figure 1 (see Appendix A) shows the difference in tidal wave shape (amplitude) between the Hudson and the Pocantico River.

Engineering alternative A opens up an additional in- and outflow for the Pocantico River. This can undoubtedly increase the amount of Hudson River water influence in the Pocantico. Engineering Alternative A does not likely offer a substantial change in the tide curve (see Figure 1) from current conditions. Without a change in this measure of exchange capacity, it is unlikely that the future water quality of the tidal Pocantico River will be much different from its current fresh to oligohaline condition; yet it is a change in water quality that we see as the best predictor of ecological restoration potential.

The HAN PADRON 2004 report does not mention the current bed elevation of the Pocantico River. It is apparent from visual observations that portions of the river near its mouth are substantially higher then the low tide in the Hudson. Dredging to improve fish migration may not be possible near the proposed new culvert location; a fish ladder on the other hand is a potential alternative to overcome the elevation difference between the culvert invert and the streambed.

The opportunity for the creation of additional tidal wetlands would be minimal. There would be no chance to add tidal mudflats as a restoration option. Submerged and floating-leave aquatic vegetation could be restored to the freshwater portion of the Pocantico River – Which is an option that does have potential for quantitative fisheries improvements.

Engineering alternative B has the potential to restore the full tidal exchange to the Pocantico, bringing its tide curve near that of the Hudson. It offers the closest resemblance of former ecosystem functions overall and was derived at in consultation with Creative Habitat Corp.. The sole fact that this alternative envisions tidal marshes at various places along the proposed stream channel goes a long way to providing spawning and feeding areas for fishes and birds. The channel can be further enhanced as fish habitat through the proper choices of substrate materials, channel wall alignments, deliberately placed habitat structures, fish ladders or dredging. Which of these enhancement

opportunities would or should be chosen will ultimately depend on the animal species targeted for special attention under an ecological restoration program.

Under a full tidal regime it should also be possible to create mudflats suitable for foraging by wading birds. Given the Pocantico River's location in a protected bay such mudflats could provide sheltered areas for migrating birds (resting and loafing).

Deepwater areas within the proposed new channel could be restored with submerged aquatic vegetation, possibly providing additional habitat value for invertebrates, such as the Grass Shrimp (TASHIRO et alt., 1994) and additional shelter for juvenile fish.

Applicable to both engineering alternatives is the fact that dredging of the main channel within the current lake would likely increase the rate of anadromous fish migration. Fish passage through long culverts remains a main development objective. A preliminary review of the literature suggests, that technical solutions can be found to solve this problem.

Projected increases in biodiversity

In Appendix C we list various biota known to occur in or near the tidal Pocantico. Table 4 contrasts a list of animals documented from nearby tidal brackish marshes at Croton Point, with species documented from the Pocantico River (Table 3). The overlap between both lists is small, meaning that a change in the tidal characteristics and water quality could potentially enrich the species diversity of the lower Pocantico River significantly. Given the best-case scenario of full tidal flushing, functional fish passages, mudflats, tidal marshes, freshwater refugia, submerged aquatic vegetation and habitat structures, we estimate that the number of fish species utilizing the lower Pocantico River could rise from currently 19 to 40 or more. We also project that the bird list could double.

Table 5 lists plant species that could potentially benefit from ecological modifications of the Pocantico River. There is currently only a very narrow overlap between residents and those plants that have the potential to thrive at the site. This table clearly shows how much the Pocantico River has changed from its early days when it probably was Hudson River tidal marshland similar to the marshes at Croton Point. The list is based on our own observations at the Pocantico River (see Table 2), from observation in created wetlands, and on lists of plant species documented from the marshes at the Croton River estuary. Overall we estimate that the number of plant species utilizing the lower Pocantico River could expand dramatically to include 40 to 50 marsh species that are currently absent from the site.

System stability

Since natural systems are what nature put in place, a common misconception is, that they are intrinsically stabile. While it is true that a well established saltmarsh or freshwater wetland can often maintain itself for centuries or even millennia (as proven from soil cores), what often gets overlooked is the fact that outward appearance is not always reflecting the competitive interactions within the system. Environmental changes are reflected in the plant composition of a marsh, which in turn will trigger changes in the animal assemblages. As long as the system is large enough to swing back and forth between extremes the overall balance will remain the same. Hudson River tidal marshes are far and few between these days. Not only are they isolated and therefore susceptible to permanent damage, cut off from potentially complementary seed sources, they are also under thread of invasion by alien – non-system – plants and animals that cause significant changes. They are also under constant duress from increased energy (boat wakes etc) and pollution (toxic chemicals as well as excessive nutrients). Increased sediment loads from ongoing upland development also affect the health of a marsh.

There are enough reference sites and restoration projects in place to know not only what to expect from an intertidal marsh in the Pocantico River, but also to foresee the pitfalls associated with their construction. A certain problem is the presence of Phragmites australis on site. The species is native to the US east coast, but recent research has shown that most stands in the Hudson River and up and down the east coast are derived from a European gene pool with very aggressive characteristics. The species has overrun many freshwater and tidal saltwater marshes completely and in recent years has greatly expanded its presence in all natural marshes near the Pocantico River, such as the Piermont marsh (downstream of the Pocantico) and the Croton marshes (upstream of the Pocantico). Any marsh restoration effort in the lower Pocantico River must take Phragmites into account, i.e. provide for the eradication of the existing stands and anticipate continued removal of spontaneous seedlings for at least 5 to 10 years after initial plantings. Similarly animal predators and interlopers brought on by favorable substrate conditions can also cause harm. Typically these problems are manageable as long as they are anticipated up front and sufficient maintenance is allowed in the project concepts.

Restoration monitoring

A restoration project benefits from monitoring of its progress. Monitoring may start in advance of the restoration to record a baseline conditions, but most often it gets started only after the project is finished. It then goes on for a number of years evaluating and tracking the development of plant or animal species. In some cases it will be helpful to use a "natural" reference site for comparison of seasonal or exceptional occurrences. Monitoring can be done on individual "indicator" species (such as fish) or on cross-sectional and permanent plot basis (plants and invertebrates), depending on the aim of the investigator. Ultimately the project sponsors and designers want to know if their original goals and objectives have been met. If trends emerge that threaten the goals, corrective action can be taken – this is then called "adaptive management". Adaptive management

addresses the need to eliminate invasive species or replacement plantings after destruction by animals, and it designs and installs retrofits if for example a culvert does not function properly for fish migration. It is therefore important to monitor as many facets as closely as possible to adequately judge the functioning of the restoration effort with respect to its objectives. Monitoring also serves as a measure of system function as it slowly increases its productivity and wildlife value over the course of years. Monitoring is part of the project documentation – the better the documentation, the easier future restoration projects with similar goals and objectives will find it to be successful.

Conclusion

The flood control engineering alternatives proposed by Han Padron Associates offer opportunities to restore lost ecological functions to the lower Pocantico River. Neither of the two study proposals will return the river to its historic condition. However options exist to shape the engineering of a flood control project in ways that would significantly alter the current ecology and return key ecological functions of the tidal Hudson estuary to a site that has historically been rich in them. Along with some gains in biological productivity we foremost see the potential for significant increases in biodiversity.

Creative Habitat Corp. was provided an opportunity to comment on the flood relief proposals by Han Padron Associates and was therefore able to provide input into the shaping of their conceptual proposal. In this process it became clear that a preliminary study couldn't go into the necessary depth to explore all potential options and impediments. Many technical questions of materials, elevations, structures, flows, water quality and much more remain to be evaluated in light of future ecological restoration goals.

Our evaluation of the restoration opportunities are preliminary in nature and should be substantiated with additional data gathering of existing conditions, literature searches and field research about target species, formulation of realistic goals, evaluation of possible technical solutions and the locating of comparison projects.

We would like to emphasize that Scenic Hudson's approach to exploring the ecological goals and objectives should continue to be incorporated into engineering mandates before the engineering work begins. All too often are ecological plans superimposed onto engineering projects, only to result in poorly fitting ghosts of the possibilities that existed, had they only been considered in full at the project's inception.

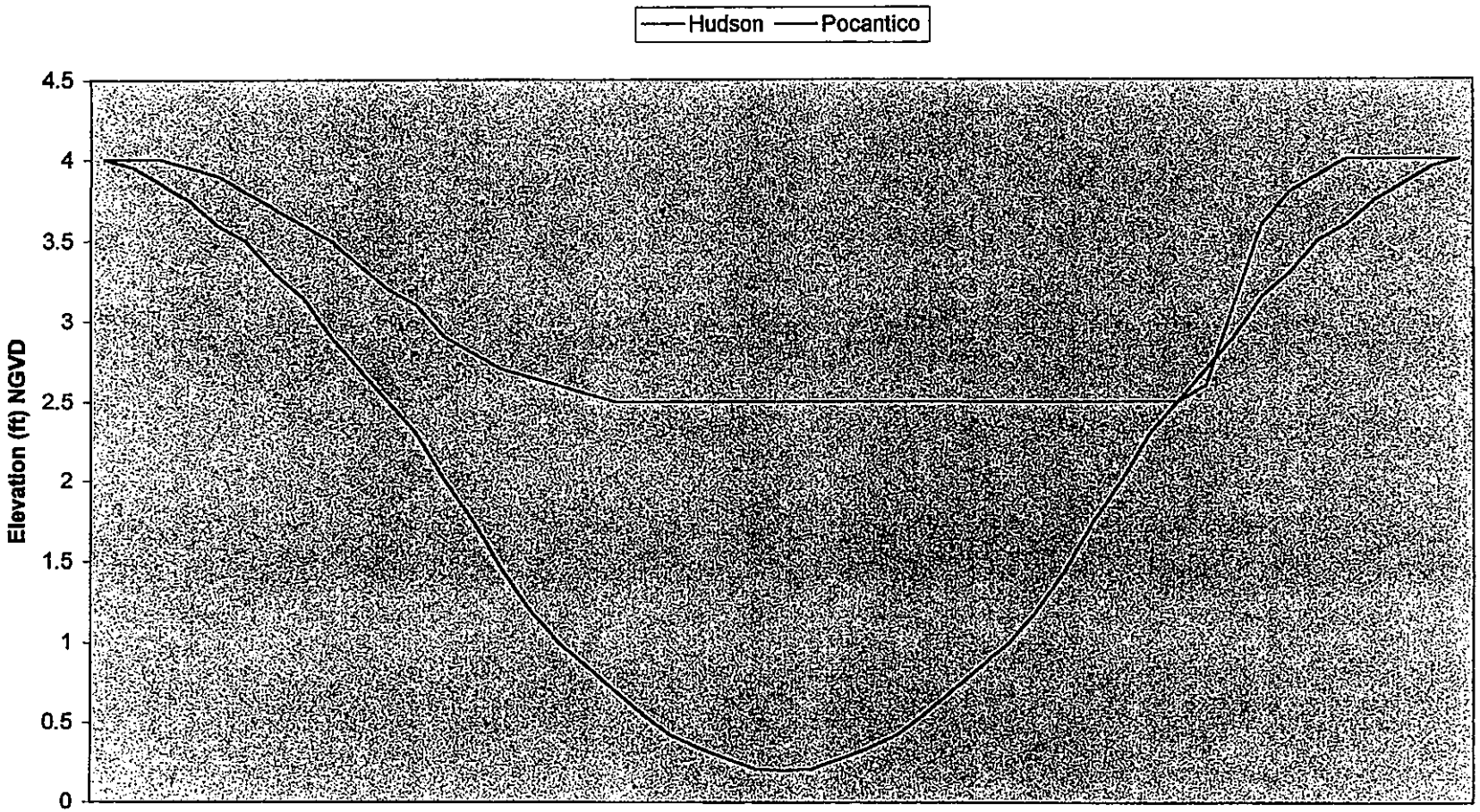
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Appendix A

Location and Tide Curve

Figure 1: Comparative Tidal Curves of Pocantico and Hudson Rivers
Figure 2: Salt Front Location in the Tidal Hudson River
Figure 3: Location of Reference Sites in River Miles

Figure 1: Existing Tidal Wave Chatacteristics (estimated averages)



This theoretical graph serves to demonstrate the difference in tidal characteristics. The restoration of a full tidal amplitude would greatly benefit the establishment of tidal marshes and improved fisheries to the Pocantico River.

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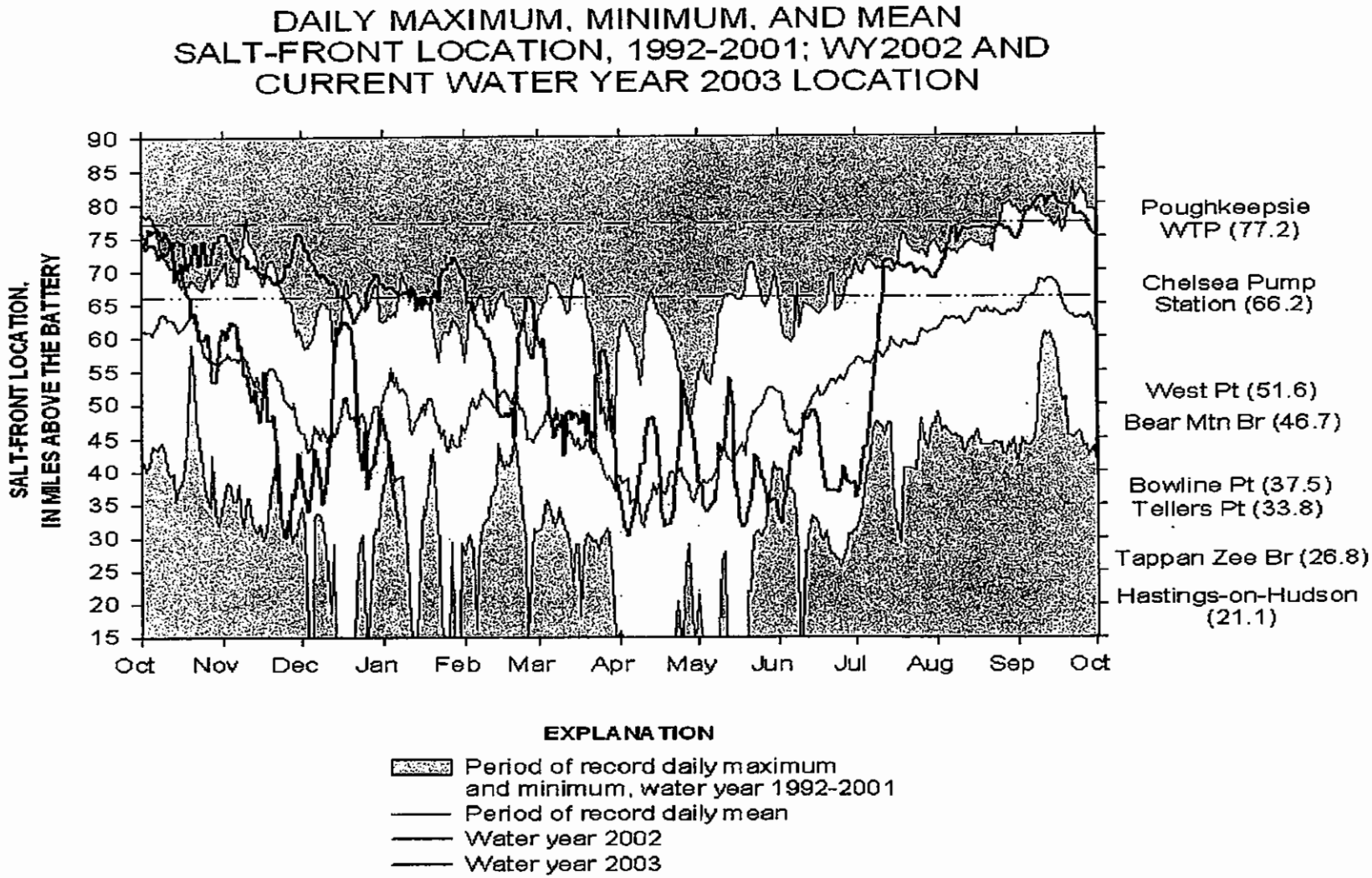


Figure 2: Salt Front Location in the Tidal Hudson River (Source: http://ny.water.usgs.gov)

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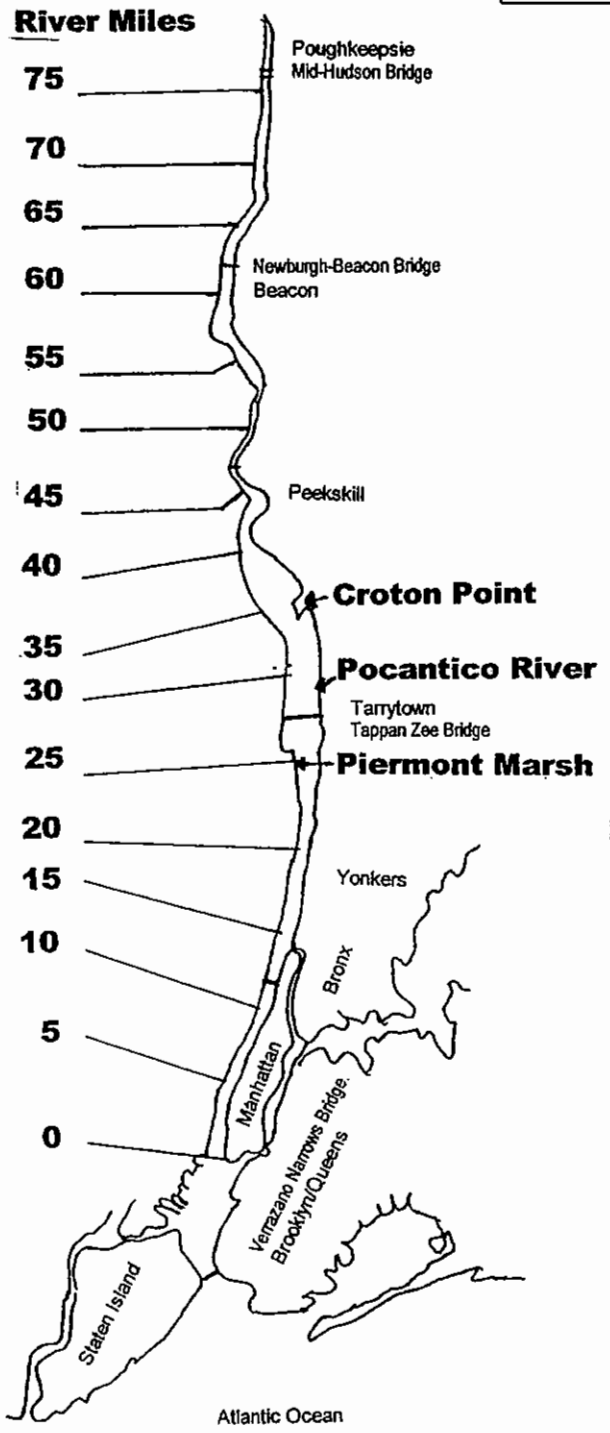


Figure 3: Location of Reference Sites in River Miles as measured from the Battery upstream along the Hudson River

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Appendix B

Engineering and Ecological Design Elements

Table 1 – Overview of selected Restoration Design Elements
Figure 4: Flood Control Alternative A
Figure 5: Flood Control Alternative B

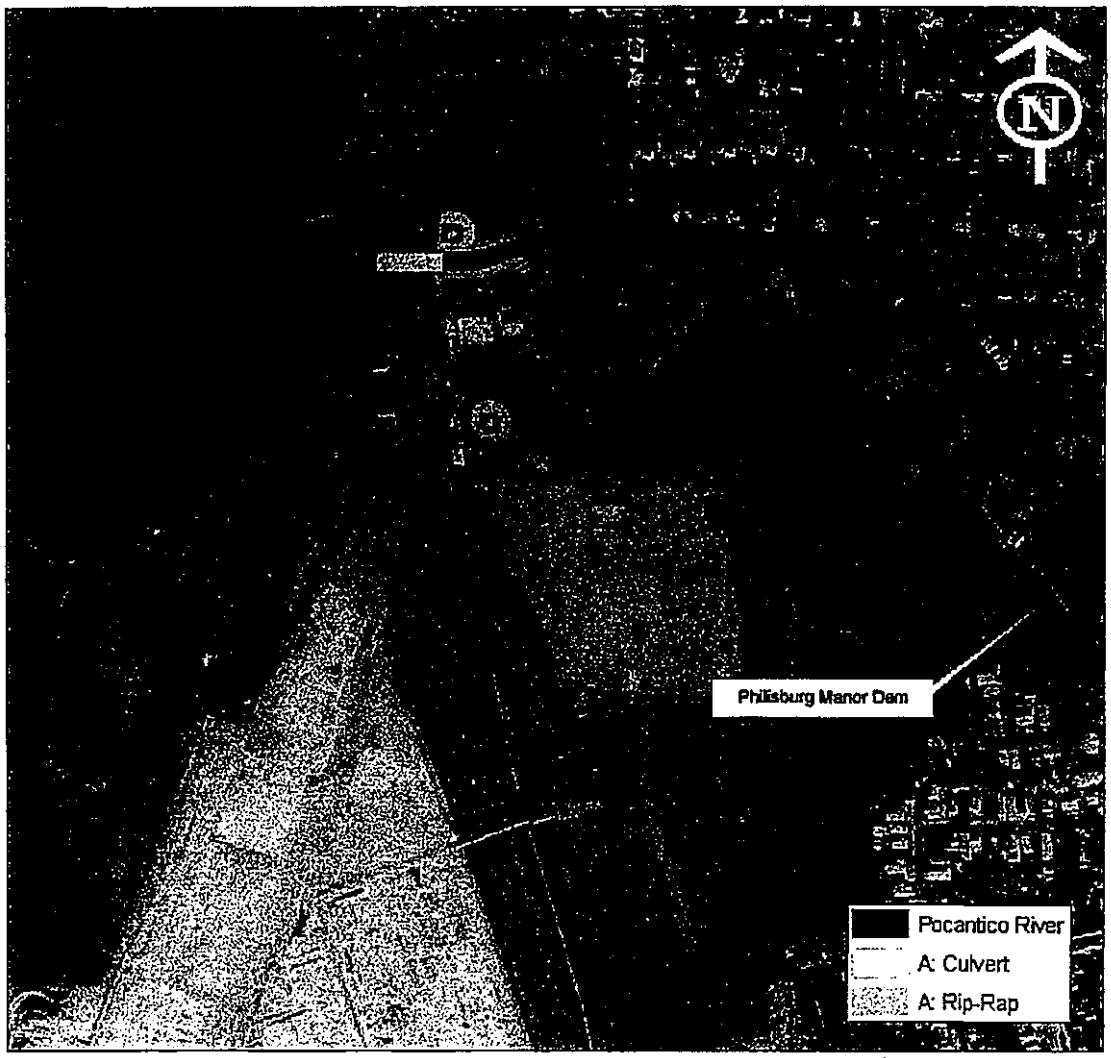


Figure 4: Flood Control Alternative A (graphic courtesy Han-Padron Associates) Flooding would be alleviated by an opening parallel to the current mouth of the Pocantico River (just south, as indicated by culvert under rail road). This alternative has the potential to serve for flood control purposes while having little potential to contribute to ecological improvements.

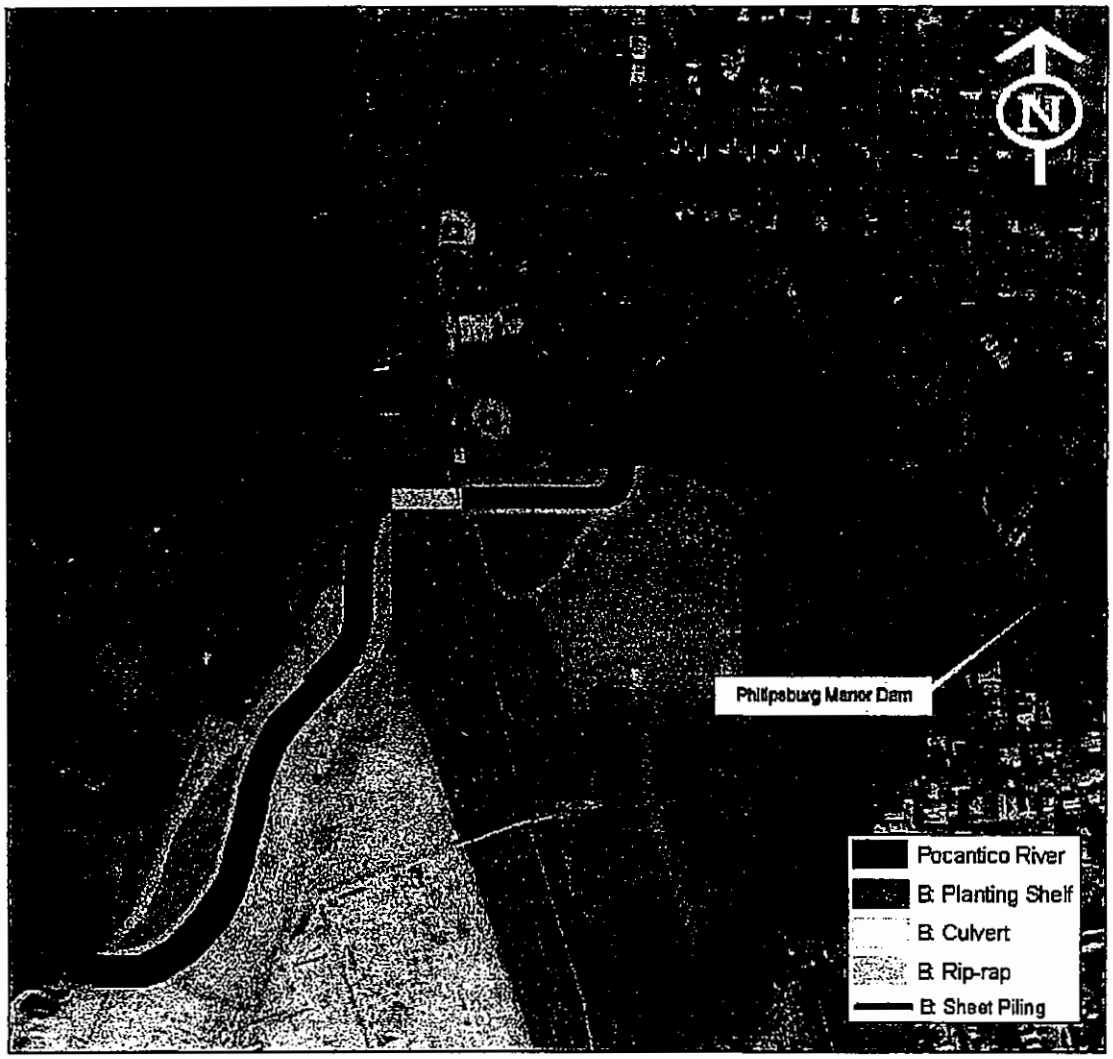


Figure 5: Flood Control Alternative B (graphic courtesy Han-Padron Associates) Flooding would be alleviated by a new tidal channel through the GM fill site along the eastern shore of Kingsland Point Park. The channel would restore the historical path of the Pocantico River in portions of its former estuary (see multicolored representation at bottom left of graphic). This alternative has the potential to serve for flood control purposes while simultaneously having much potential to contribute to ecological improvements of the lower Pocantico River below the milldam at the Phillipsburg Manor historic site.

Table 1:

Overview of Selected Pocantico Restoration Design Elements

	Technical design elements to be addressed:	*Han Padron Alternative A*	*Han Padron Alternative B*
1	Tunneling under rail road tracks	X	X
2	Sediment removal or retention east of DeVries Park	X	X
3	Bank stability and alignment	X	X
4	Additional topographical information required	X	X
5	Dredging north of DeVries Park	X	
6	Hard embankment armor north of DeVries Park	X	
7	Modifications to bridge abutments for Access to DeVries Park	X	
8	Excavation of restored river channel		X
9	Embankment armor of restored river channel		X
10	Size, location and treatment of constructed intertidal marshes		X
	Ecological design elements and opportunities		
11	List of target species for restoration	X	X
12	Derivative list of target habitats and passageways	X	X
13	Tidal wetlands east of railroad	X	X
14	Mudflats east of railroad		X
15	Channel conditions east of railroad	X	X
16	Buffer zones	X	X
17	Tidal wetlands southwest of railroad		X
18	Channel conditions southwest of railroad		X
19	Number of bird species targeted to benefit	0 - 5	> 20
20	Number of fish species targeted to benefit	0 - 5	> 20
21	Number of plant species targeted to benefit	0 - 5	> 40

Note: This listing is incomplete. As each item gets evaluted subsequent issues arise.

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Appendix C

Biological Data Collections

Table 2 – Animals documented from Tidal Pocantico River
Table 3 – Vegetation documented from Tidal Pocantico River
Table 4 – Animals from Selected Tidal Freshwater Hudson River Marshes
Table 5 – Plants from Selected Tidal Freshwater Hudson River Marshes

Table 2: Animals documented from Lower Pocantico River

Mammals	Source	Occurrence	Status
1 *Ondatra zibethicus* Muskrat	HOEGER, S 2004	Pocantico marsh	evidentiary proof
2 *Procyon lotor* Raccoon	HOEGER, S 2004	Pocantico marsh	evidentiary proof
3 *Sciurus caroliniensis* Eastern Gray Squirrel	HOEGER, S 2004	Pocantico marsh edge	recorded present

Birds	Source	Occurrence	Status
1 *Agelaius phoeniceus* Redwing Blackbird	HOEGER, S 2004	Pocantico marsh	recorded present
	MCA 2002	DeVries Park	recorded present
2 *Anas platyrhyncos* Mallard	HOEGER, S 2004	Pocantico river	recorded present
3 *Ardea alba* Great Egret	HOEGER, S 2004	Pocantico river	recorded present
4 *Ardea herodias* Great Blue Heron	HOEGER, S 2004	Pocantico river	recorded present
5 *Branta canadensis* Canada Goose	HOEGER, S 2004	Pocantico river	recorded present
	MCA 2002	DeVries Park	recorded present
6 *Carduelis tristis* American Goldfinch	MCA 2002	DeVries Park	recorded present
7 *Charadrius vociferus* Killdeer	HOEGER, S 2004	Pocantico river/upland	recorded present
	MCA 2002	DeVries Park	
8 *Corvus brachyrhyncos* American Crow	HOEGER, S 2004	Pocantico upland	recorded present
9 *Corvus ossifragus* Fish Crow	MCA 2002	DeVries Park	recorded present
10 *Dendroica coronata* Yellow-rumped Warbler	MCA 2002	DeVries Park	recorded present
11 *Dendroica petechia* Yellow Warbler	MCA 2002	DeVries Park	recorded present
12 *Dumetella carolinensis* Gray Catbird	MCA 2002	DeVries Park	recorded present

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Table 2, continued:

Birds, continued:	Source	Occurrence	Status
13 *Empidonax traillii* Willow Flycatcher	MCA 2002	DeVries Park	recorded present
14 *Geothlypis trichas* Common Yellowthroat	MCA 2002	DeVries Park	recorded present
15 *Icterus galbula* Baltimore Oriole	MCA 2002	DeVries Park	recorded present
16 *Melanerpes carolinus* Redbellied Woodpecker	MCA 2002	DeVries Park	recorded present
17 *Melospiza georgiana* Swamp Sparrow	MCA 2002	DeVries Park	recorded present
18 *Melospiza melodia* Song Sparrow	MCA 2002	DeVries Park	recorded present
19 *Molothrus ater* Brown-headed Cowbird	MCA 2002	DeVries Park	recorded present
20 *Pandion haliaetus* Osprey	HOEGER, S 2004	Pocantico river	flying over
21 *Parus atricapillus* Black-capped Chickadee	MCA 2002	DeVries Park	recorded present
22 *Passer domesticus* House Sparrow	HOEGER, S 2004	Pocantico upland	uncertain identification
23 *Picoides pubescens* Downy Woodpecker	HOEGER, S 2004 MCA 2002	Pocantico marsh DeVries Park	recorded present
24 *Quiscalus major* Common Grackle	HOEGER, S 2004 MCA 2002	Pocantico upland DeVries Park	recorded present
25 *Sciurus noveboracensis* Northern Waterthrush	MCA 2002	DeVries Park	recorded present
26 *Setophaga ruticilla* American Redstart	MCA 2002	DeVries Park	recorded present
27 *Sitta carolinensis* White-breasted Nuthatch	MCA 2002	DeVries Park	recorded present
28 *Sturmus vugaris* European Starling	MCA 2002	DeVries Park	recorded present

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Table 2, continued:

Birds, continued:	**Source**	**Occurrence**	**Status**
29 *Thryothorus ludovicianus* Carolina Wren	MCA 2002	DeVries Park	recorded present
30 *Turdus pilaris* American Robin	MCA 2002	DeVries Park	recorded present
31 *Tyrannus tyrannus* Eastern Kingbird	MCA 2002	DeVries Park	recorded present
32 *Vireo gilvus* Warbling Vireo	MCA 2002	DeVries Park	recorded present
33 *Zenaida macroura* Mourning Dove	HOEGER, S 2004	Pocantico upland	recorded present

Reptiles	**Source**	**Occurrence**	**Status**
1 *Chelydra serpentina* Snapping Turtle	MCA 2002	GM site	recorded present
2 *Crysemys picta* Painted Turtle	MCA 2002	DeVries Park	recorded present
3 *Thamnophis sirtalis* Eastern Garter Snake	MCA 2002	DeVries Park	recorded present

Amphibians	**Source**	**Occurrence**	**Status**
1 *Bufo americanus*	HOEGER, S 2004	GM site	breeding, tadpoles
American Toad	MCA 2002	DeVries Park & GM	breeding
2 *Plethodon cinereus* Redback Salamander	MCA 2002	DeVries Park	observed

Fish	**Source**	**Occurrence**	**Status**
1 *Alosa pseudoharenhus* Alewife	SCHMIDT et alt. 2002	tidal Pocantico	recorded present
2 *Anguilla rostrata*	SCHMIDT et alt. 2002	tidal Pocantico	recorded present
American Eel	SCHMIDT 1999	tidal Pocantico	juveniles
3 *Carassius auratus* Goldfish	SCHMIDT 1999	tidal Pocantico	Young of the Year

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Table 2, continued: Fish	Source	Occurrence	Status
4 *Catostomus commersoni*	SCHMIDT et alt. 2002	tidal Pocantico	recorded present
White Sucker	SCHMIDT 1999	tidal Pocantico	Young of the Year
5 *Cyprinus carpio*	SCHMIDT et alt. 2002	tidal Pocantico	recorded present
Carp	SCHMIDT 1999	tidal Pocantico	Young of the Year
6 *Dorosoma cepedianum*	SCHMIDT et alt. 2002	tidal Pocantico	recorded present
Gizzard Shad			
7 *Esox niger*	SCHMIDT et alt. 2002		recorded present
Chain Pickerel	SCHMIDT 1999	tidal Pocantico	adults
8 *Etheostoma olmstedi*	SCHMIDT 1999	tidal Pocantico	Young of the Year
Tessellated Darter			
9 *Fundulus heteroclitus*	SCHMIDT 1999	tidal Pocantico	Young of the Year
Mummichog			
10 *Lepomis auritus*	SCHMIDT et alt. 2002	tidal Pocantico	recorded present
Redbreast Sunfish			
11 *Lepomis gibbosus*	SCHMIDT et alt. 2002	tidal Pocantico	recorded present
Common Sunfish, Pumkin Seed			
12 *Lepomis macrochirus*	SCHMIDT et alt. 2002	tidal Pocantico	recorded present
Bluegill	SCHMIDT 1999	tidal Pocantico	adults
13 *Micropterus salmoides*	SCHMIDT et alt. 2002	tidal Pocantico	recorded present
Largemouth Bass			
14 *Morone americana*	SCHMIDT et alt. 2002	tidal Pocantico	recorded present
White Perch			
15 *Morone saxatilis*	SCHMIDT 1999	tidal Pocantico	Young of the Year
Striped Bass			
16 *Notemigomus crysoleucas*	SCHMIDT et alt. 2002	tidal Pocantico	recorded present
Golden Shiner			
17 *Perca flavescens*	SCHMIDT et alt. 2002	tidal Pocantico	recorded present
Yellow Perch	SCHMIDT 1999	tidal Pocantico	Adults
18 *Pomoxis nigromaculatus*	SCHMIDT et alt. 2002	tidal Pocantico	recorded present
Black Crappie			
19 *Salmo trutta*	SCHMIDT et alt. 2002	tidal Pocantico	recorded present
Brown Trout			

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Table 3: Vegetation documented from Lower Pocantico River

Subtidal macrophytes	Source	Occurrence	Status
None documented			

Intertidal macrophytes	Source	Occurrence	Status
1 *Alliaria petiolata* Garlic Mustard	HOEGER, 2004	embankment tidal Pocantico	common
2 *Allium vineale* Field Garlic	HOEGER, 2004	embankment tidal Pocantico	common
3 *Artemisia vulgaris* Mugwort	HOEGER, 2004	embankment tidal Pocantico	common
4 *Arctium spec* Unidentified Burdock	HOEGER, 2004	embankment tidal Pocantico	uncommon
5 *Cirsium spec.* Unidentified Thistle	HOEGER, 2004	embankment tidal Pocantico	uncommon
6 *Epilobium spec.* Unidentified Willow-herb	HOEGER, 2004	embankment tidal Pocantico	uncommon
7 *Iris pseudacorus (tent.Id.)* Yellow Iris	HOEGER, 2004	embankment tidal Pocantico	uncommon
8 *Juncus effusus* Soft Rush	HOEGER, 2004	embankment tidal Pocantico	uncommon
9 *Juncus tenuis (tent. Id.)* Slender Yard-rush	HOEGER, 2004	embankment tidal Pocantico	uncommon
10 *Lythrum salicaria* Purple Loosestrife	HOEGER, 2004	embankment tidal Pocantico	recorded present
11 *Oenothera biennis* Common Evening Primrose	HOEGER, 2004	embankment tidal Pocantico	common
12 *Phragmites australis* Comon Reed	HOEGER, 2004	embankment tidal Pocantico	very common
13 *Polygonum cuspidatum* Japanese Knotweed	HOEGER, 2004	embankment tidal Pocantico	common
14 *Polygonum pensylvanicum* Pennsylvania Smartweed	HOEGER, 2004	embankment tidal Pocantico	uncommon

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Table 3, continued:

Intertidal macrophytes, cont.	Source	Occurrence	Status
15 *Ranunculus repens* Buttercup	HOEGER, 2004	embankment tidal Pocantico	very common
16 *Rumex obtusifolius* Bitter Dock	HOEGER, 2004	embankment tidal Pocantico	uncommon
17 *Rumex patientia* Patience Dock	HOEGER, 2004	embankment tidal Pocantico	common
18 *Solanum carolinensis* Horse-nettle	HOEGER, 2004	embankment tidal Pocantico	rare
19 *Solanum dulcamara*	HOEGER, 2004	embankment tidal Pocantico	common
20 *Solidago spec* Unidentified Goldenrod	HOEGER, 2004	embankment tidal Pocantico	rare
21 *Taraxacum officinalis* Dendelion	HOEGER, 2004	embankment tidal Pocantico	common
22 *Urtica dioica* Stinging Nettle	HOEGER, 2004	embankment tidal Pocantico	uncommon
22 *Trifolium pratensis* Red Clover	HOEGER, 2004	embankment tidal Pocantico	uncommon
23 *Verbascum thapsus* Common Mullein	HOEGER, 2004	embankment tidal Pocantico	uncommon
24 *Unidentified Grass*	HOEGER, 2004	embankment tidal Pocantico	common

Trees, shrubs & vines	Source	Occurrence	Status
25 *Acer rubrum* Red Maple	HOEGER, 2004	embankment tidal Pocantico	common
26 *Ailanthus altissima* Tree-of-Heaven	HOEGER, 2004	embankment tidal Pocantico	uncommon
27 *Alnus glutinosa* Black Alder	HOEGER, 2004	embankment tidal Pocantico	common
28 *Ampelopsis brevipedunculata* Porcelain Berry	HOEGER, 2004	embankment tidal Pocantico	very common
29 *Berberis thunbergii* Japanese Barberry	HOEGER, 2004	embankment tidal Pocantico	uncommon

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Table 3, continued:Tree, shrubs, vines	Source	Occurrence	Status
30 *Cornus amomum* Silky Dogwood	HOEGER, 2004	embankment tidal Pocantico	uncommon
31 *Fraxinus pennsylvanica (tent. Id.)* Green Ash	HOEGER, 2004	embankment tidal Pocantico	uncommon
32 *Lonicera japonica* Japanese Honeysuckle	HOEGER, 2004	embankment tidal Pocantico	common
33 *Lonicera tatarica* Tatarian Honeysuckle	HOEGER, 2004	embankment tidal Pocantico	common
34 *Morus alba (tent. I.d.)* White Mulberry	HOEGER, 2004	embankment tidal Pocantico	common
35 *Platanus occidentalis* Sycamore	HOEGER, 2004	embankment tidal Pocantico	uncommon
36 *Populus deltoides* Cottonwood	HOEGER, 2004	embankment tidal Pocantico	common
37 *Pyrus spec.(tent. Id.)* Unidentified Crab-apple	HOEGER, 2004	embankment tidal Pocantico	uncommon
38 *Robinia pseudoacacia* Black Locust	HOEGER, 2004	embankment tidal Pocantico	common
39 *Rosa rugosa* Multiflora Rose	HOEGER, 2004	embankment tidal Pocantico	common
40 *Rubus phoenicolasius* Wineberry	HOEGER, 2004	embankment tidal Pocantico	uncommon
41 *Salix babylonica* Weeping Willow	HOEGER, 2004	embankment tidal Pocantico	uncommon
42 *Salix discolor (tent. Id.)* Pussy Willow	HOEGER, 2004	embankment tidal Pocantico	common
43 *Salix nigra (tent. Id.)* Bleak Willow	HOEGER, 2004	embankment tidal Pocantico	common
44 *Sambucus canadensis* Elderberry	HOEGER, 2004	embankment tidal Pocantico	not common
45 *Toxicodendron radicans* Poison Ivy	HOEGER, 2004	embankment tidal Pocantico	common
46 *Ulmus americana* American Elm	HOEGER, 2004	embankment tidal Pocantico	very common
47 *Ulmus rubra (tent. I.d.)* Slippery Elm	HOEGER, 2004	embankment tidal Pocantico	common

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Table 4: Animals from Selectected Tidal Freshwater Hudson River Marshes and Tributaries

highlighted are the occurrences at the Pocantico River:

Mammals	Source	Occurrence	Status		Presence at Pocantico
1 *Odocoileus virginianus* White-tailed Deer	WESTON 1990	Croton Marsh	recorded present		
2 *Ondatra zibethicus* Muskrat	WESTON 1990	Croton Marsh	recorded present	1	Pocantico marsh
3 *Procyon lotor* Racoon	WESTON 1990	Croton Marsh	recorded present	2	Pocantico marsh
4 *Sciurus caroliniensis* Eastern Gray Squirrel	HOEGER 2004			3	Pocantico marsh edge
5 *Sylvilagus floridanus* Eastern Cottontail	WESTON 1990	Croton Marsh	recorded present		

Birds	Source	Occurrence	Status		Presence at Pocantico
1 *Actitis hypoleucos* Common Sandpiper	WESTON 1990	Croton Marsh	recorded present		
2 *Actitis macularia* Spotted Sandpiper	WESTON 1990	Croton Marsh	recorded present		
3 *Agelaius phoeniceus* Redwing Blackbird	KIVIAT 1988 WESTON 1990	Croton/Hudson confluence Croton Marsh& Upland	recorded present	1	Pocantico marsh DeVries Park
4 *Ammodramus caudacutus* Shar-tailed Sparrow	WESTON 1990	Croton Marsh	recorded present		
5 *Anas discors* Blue-winged Teal	WESTON 1990	Croton Bay&Marsh	recorded present		
6 *Anas platyrhyncos* Mallard	KIVIAT 1988 WESTON 1990	Croton/Hudson confluence Croton Bay&Marsh	recorded present	2	Pocantico river
7 *Anas rubripes* Black Duck	WESTON 1990	Croton Bay&Marsh	recorded present		
8 *Ardea herodias* Great Blue Heron	KIVIAT 1988 WESTON 1990	Croton/Hudson confluence Croton Marsh	recorded present		
9 *Aythya marila* Greater Scaup	WESTON 1990	Croton Bay	recorded present		
10 *Bubulcus ibis* Cattle Egret	WESTON 1990	Croton Marsh	recorded present		

COMMENT LETTER NO. 56 (continued

Table 4, continued:

Birds, continued:	Source	Occurrence	Status		Presence at Pocantico
11 *Butoridesvirescens* Green-backed Heron	KIVIAT 1988	Croton/Hudson confluence			
12 *Branta canadensis* Canada Goose	WESTON 1990	Croton Bay	recorded present	3	Pocantico river DeVries Park
13 *Cardinalis cardinalis* Northern Cardinal	WESTON 1990	Croton Marsh& Upland	recorded present		
Carduelis tristis American Goldfinch	MCA2002			4	DeVries Park
14 *Cathartes aura* Turkey Vulture	WESTON 1990	Croton Bay&Marsh&Upl.	recorded present		
15 *Ceryle alcyon* Belted Kingfisher	KIVIAT 1988 WESTON 1990	Croton/Hudson confluence Croton Marsh	recorded present		
16 *Charadrius vociferus* Killdeer	KIVIAT 1988 WESTON 1990	Croton/Hudson confluence Croton Upland	recorded present	5	Pocantico river upland DeVries Park
17 *Circus cyaneus* Northern Harrier	WESTON 1990	Croton Marsh& Upland	recorded present		
18 *Cistothorus palustris* Marsh Wren	KIVIAT 1988 WESTON 1990	Croton/Hudson confluence Croton Marsh	recorded present		
19 *Cistothorus platensis* Sedge Wren	WESTON 1990	Croton Marsh	recorded present		
20 *Colaptes auratus* Common Flicker	WESTON 1990	Croton Upland	recorded present		
21 *Corvus brachyrhyncos* American Crow	WESTON 1990	Croton Upland	recorded present	6	Pocantico upland
Corvus ossifragus Fish Crow	MCA2002			7	DeVries Park
22 *Cyanocitta cristata* Blue Jay	WESTON 1990	Croton Upland	recorded present		
23 *Cygnus columbianus* Tundra Swan	WESTON 1990	Croton Bay	recorded present		
24 *Cygnus olor* Mute Swan	WESTON 1990	Croton Bay	recorded present		
Dendroica coronata Yellow-rumped Warbler	MCA2002			8	DeVries Park

COMMENT LETTER NO. 56 (continued

Table 4, continued:

Birds, continued:	Source	Occurrence	Status		Presence at Pocantico
25 *Dendroica petechia* Yellow Warbler	WESTON 1990	Croton Marsh	recorded present	9	DeVries Park
26 *Dumetella carolinensis* Gray Catbird	WESTON 1990	Croton Marsh& Upland	recorded present	10	DeVries Park
Empidonax traillii Willow Flycatcher				11	DeVries Park
27 *Egretta thula* Snowy Egret	WESTON 1990	Croton Marsh	recorded present		
28 *Falco columbarius* Merlin	WESTON 1990	Croton Marsh& Upland	recorded present		
29 *Falco sparverius* American Kestrel	WESTON 1990	Croton Marsh& Upland	recorded present		
30 *Gallinago gallinago* Common Snipe	WESTON 1990	Croton Marsh	recorded present		
31 *Geothlypis trichas* Common Yellowthroat	WESTON 1990	Croton Marsh	recorded present	12	DeVries Park
32 *Hirundo rustica* Barn Swallow	KIVIAT 1988	Croton/Hudson confluence			
Icterus galbula Baltimore Oriole	MCA2002			13	DeVries Park
33 *Ixobrychus exilis* Least Bittern	WESTON 1990	Croton Marsh	recorded present		
34 *Larus argentatus* Herring Gull	KIVIAT 1988	Croton/Hudson confluence			
Melanerpes carolinus Red-bellied Woodpecker	MCA2002			14	DeVries Park
35 *Melospiza georgiana* Swamp Sparrow	KIVIAT 1988	Croton/Hudson confluence		15	DeVries Park
36 *Melospiza melodia* Song Sparrow	KIVIAT 1988 WESTON 1990	Croton/Hudson confluence Croton Marsh& Upland	recorded present	16	DeVries Park
37 *Mimus polyglottos* Northern Mockingbird	WESTON 1990	Croton Marsh& Upland	recorded present		
38 *Mniotilta varia* Black&White Warbler	WESTON 1990	Croton Upland	recorded present		

COMMENT LETTER NO. 56 (continued

Table 4, continued:

	Birds, continued:	Source	Occurrence	Status		Presence at Pocantico:
	Molothrus ater Brown-headed Cowbird	MCA2002			17	DeVries Park
39	*Nycticorax nycticorax* Black-crowned Nightheron	KIVIAT 1988	Croton/Hudson confluence			
40	*Oporornis philadelphia* Connecticut Warbler	WESTON 1990	Croton Marsh	recorded present		
41	*Pandion haliaetus* Osprey	KIVIAT 1988 WESTON 1990	Croton/Hudson confluence Croton Bay	 recorded present	18	Pocantico river
42	*Parus atricapillus* Black-capped Chickadee	WESTON 1990	Croton Upland	recorded present	19	DeVries Park
43	*Parus bicolor* Tufted Titmouse	WESTON 1990	Croton Upland	recorded present		
44	*Passer domesticus* House Sparrow	WESTON 1990	Croton Upland	recorded present	20	Pocantico upland
45	*Phalacrocorax auritus* Double-crested Cormorant	KIVIAT 1988 WESTON 1990	Croton/Hudson confluence Croton Bay	 recorded present		
46	*Picoides pubescens* Double-crested Cormorant	WESTON 1990	Croton Upland	recorded present	21	Pocantico marsh DeVries Park
47	*Quiscalus major* Common Grackle	WESTON 1990	Croton Marsh& Upland	recorded present	22	Pocantico upland DeVries Park
48	*Rallus limicola* Virginia Rail	WESTON 1990	Croton Marsh	recorded present		
	Seiurus noveboracensis Northern Waterthrush	MCA2002			23	DeVries Park
49	*Setophaga ruticilla* American Redstart	WESTON 1990	Croton Upland	recorded present	24	DeVries Park
	Sitta carolinensis White-breasted Nuthatch	MCA2002			25	DeVries Park
50	*Sturnus vugaris* European Starling	WESTON 1990	Croton Upland	recorded present	26	DeVries Park
	Thryothorus ludovicianus Carolina Wren	MCA2002			27	DeVries Park

COMMENT LETTER NO. 56 (continued)

Table 4, continued:

Birds, continued:	Source	Occurrence	Status		Presence at Pocantico
51 *Tringa melanoleuca* Greater Yellow-legs	KIVIAT 1988	Croton/Hudson confluence			
	WESTON 1990	Croton Marsh	recorded present		
52 *Turdus pilaris* American Robin	WESTON 1990	Croton Marsh& Upland	recorded present	28	DeVries Park
Tyrannus tyrannus Eastern Kingbird	MCA2002			29	DeVries Park
Mniotilta varia Warbling Vireo	MCA2002			30	DeVries Park
53 *Zenaida macroura* Mourning Dove	WESTON 1990	Croton Upland	recorded present	31	Pocantico upland

Reptiles	Source	Occurrence	Status		
1 *Chelydra serpentina* Snapping Turtle	KIVIAT 1988	Croton/Hudson confluence	single observation	1	GM site
2 *Crysemys picta* Painted Turtle	KIVIAT 1988	Croton/Hudson confluence	single observation	2	DeVries Park
Thamnophis sirtalis Eastern Garter Snake	MCA2002			3	DeVries Park

Amphibians	Source	Occurrence	Status		
Bufo americanus American Toad	MCA2002			1	GM site DeVries Park & GM
Plethodon cinereus Redback Salamander	MCA2002			2	DeVries Park

Fish	Source	Occurrence	Status		Presence at Pocantico
1 *Alosa aestivalis* Bueback Herring	KIVIAT 2001	Six marsh summary 97/99	some caught		
	TASHIRO 1994	Croton/Hudson confluence	some caught		
	WESTON 1990	Croton Point	recorded present		
2 *Alosa pseudoharenhus* Alewife	WESTON 1990	Croton Point	recorded present	1	tidal Pocantico

COMMENT LETTER NO. 56 (continued

Table 4, continued:

Fish, continued:	Source	Occurrence	Status		Presence at Pocantico
3 *Alosa sapidissima* American Shad	KIVIAT 2001	Six marsh summary 97/99	few individuals		
	TASHIRO 1994	Croton/Hudson confluence	some caught		
	WESTON 1990	Croton Point	recorded present		
4 *Ambloplites rupestris* Rockbass	WESTON 1990	Croton Point	recorded present		
5 *Ameiurus nebulosus* Brown Bullhead	KIVIAT 2001	Six marsh summary 97/99	some caught		
	TASHIRO 1994	Croton/Hudson confluence	few individuals		
	WESTON 1990	Croton Point	recorded present		
6 *Anchoa mitchilli* Bay Anchovy	WESTON 1990	Croton Point	recorded present		
7 *Anguilla rostrata* American Eel	KIVIAT 2001	Six marsh summary 97/99	few individuals	2	tidal Pocantico
	WESTON 1990	Croton Point	recorded present		tidal Pocantico
8 *Apeltes quadracus* Fourspine Stickleback	KIVIAT 2001	Six marsh summary 97/99	few individuals		
	WESTON 1990	Croton Point	recorded present		
9 *Bairdiella chrysoura* Silver Perch	WESTON 1990	Croton Point	recorded present		
10 *Brevoortia tyrannus* Atlantic Manhaden	WESTON 1990	Croton Point	recorded present		
11 *Caranx hippos* Crevalle Jack	TASHIRO 1994	Croton/Hudson confluence	few individuals		
	WESTON 1990	Croton Point	recorded present		
12 *Carassius auratus* Goldfish	WESTON 1990	Croton Point	recorded present	3	tidal Pocantico
13 *Cyprinus carpio* Carp	KIVIAT 2001	Six marsh summary 97/99	few individuals	4	tidal Pocantico
	TASHIRO 1994	Croton/Hudson confluence	few individuals		tidal Pocantico
	WESTON 1990	Croton Point	recorded present		
14 *Catostomus commersoni* White Sucker	WESTON 1990	Croton Point	recorded present	5	tidal Pocantico
					tidal Pocantico
15 *Cynoscion regalis* Weakfish	WESTON 1990	Croton Point	recorded present		
16 *Dorosoma cepedianum* Gizzard Shad	KIVIAT 2001	Six marsh summary 97/99	few individuals	6	tidal Pocantico
	WESTON 1990	Croton Point	recorded present		
17 *Esox americanus* Redfin Pickerel	WESTON 1990	Croton Point	recorded present		
18 *Esox niger* Chain Pickerel	WESTON 1990	Croton Point	recorded present	7	tidal Pocantico

COMMENT LETTER NO. 56 (continued)

Table 4, continued:

Fish, continued:	Source	Occurrence	Status		Presence at Rocantico
19 *Etheostoma olmstedi* Tessellated Darter	KIVIAT 2001	Six marsh summary 97/99	common	8	tidal Rocantico
	TASHIRO 1994	Croton/Hudson confluence	few individuals		
	WESTON 1990	Croton Point	recorded present		
20 *Fundulus diaphanus* Banded Killifish	KIVIAT 2001	Six marsh summary 97/99	common		
	TASHIRO 1994	Croton/Hudson confluence	few individuals		
	WESTON 1990	Croton Point	recorded present		
21 *Fundulus heteroclitus* Mummichog	KIVIAT 2001	Six marsh summary 97/99	common	9	tidal Rocantico
	TASHIRO 1994	Croton/Hudson confluence	common		
	WESTON 1990	Croton Point	recorded present		
22 *Gasterasteus aculeatus* Threespine Stickleback	WESTON 1990	Croton Point	recorded present		
23 *Hippocampus erectus* Lined Seahorse	WESTON 1990	Croton Point	recorded present		
24 *Ictalurus catus* White Catfish	WESTON 1990	Croton Point	recorded present		
25 *Leiostomis xanthurus* Spot	WESTON 1990	Croton Point	recorded present		
26 *Lepomis auritus* Redbreast Sunfish	TASHIRO 1994	Croton/Hudson confluence	common	10	tidal Rocantico
	WESTON 1990	Croton Point	recorded present		
27 *Lepomis gibbosus* Common Sunfish	KIVIAT 2001	Six marsh summary 97/99	some caught	11	tidal Rocantico
	TASHIRO 1994	Croton/Hudson confluence	common		
	WESTON 1990	Croton Point	recorded present		
28 *Lepomis macrochirus* Bluegill	KIVIAT 2001	Six marsh summary 97/99	some caught	12	tidal Rocantico
	WESTON 1990	Croton Point	recorded present		tidal Rocantico
29 *Membras martinica* Rough Silverside	WESTON 1990	Croton Point	recorded present		
30 *Menida berrylina* Inland Silverside	WESTON 1990	Croton Point	recorded present		
31 *Menida menida* Atlantic Silverside	WESTON 1990	Croton Point	recorded present		
32 *Menticirrhus saxatilis* Northern Kingfish	WESTON 1990	Croton Point	recorded present		
33 *Microgadus tomcod* Atlantic Tomcod	WESTON 1990	Croton Point	recorded present		

COMMENT LETTER NO. 56 (continued

Table 4, continued:

Fish, continued:	Source	Occurrence	Status		Presence at Pocantico
34 *Micropterus dolomieu*	KIVIAT 2001	Six marsh summary 97/99	few individuals		
Smallmouth Bass	WESTON 1990	Croton Point	recorded present		
35 *Micropterus salmoides*	KIVIAT 2001	Six marsh summary 97/99	few individuals	13	tidal Pocantico
Largemouth Bass	TASHIRO 1994	Croton/Hudson confluence	few individuals		
	WESTON 1990	Croton Point	recorded present		
36 *Morone americana*	TASHIRO 1994	Croton/Hudson confluence	common	14	tidal Pocantico
White Perch	WESTON 1990	Croton Point	recorded present		
37 *Morone saxatilis*	TASHIRO 1994	Croton/Hudson confluence	some caught	15	tidal Pocantico
Striped Bass	WESTON 1990	Croton Point	recorded present		
38 *Notemigomus crysoleucas*	KIVIAT 2001	*Six marsh summary 97/99*	*some caught*	16	tidal Pocantico
Golden Shiner	WESTON 1990	Croton Point	recorded present		
39 *Notropis analostanus*	WESTON 1990	Croton Point	recorded present		
Satinfin Shiner					
40 *Notropis atherinoides*	WESTON 1990	Croton Point	recorded present		
Emerald Shiner					
41 *Notropsis hudsonius*	KIVIAT 2001	Six marsh summary 97/99	common		
Spottail Shiner	TASHIRO 1994	Croton/Hudson confluence	common		
	WESTON 1990	Croton Point	recorded present		
42 *Osmerus mordax*	WESTON 1990	Croton Point	recorded present		
Rainbow Smelt					
43 *Perca flavescens*	WESTON 1990	Croton Point	recorded present	17	tidal Pocantico
Yellow Perch					tidal Pocantico
44 *Pomatomus saltatrix*	TASHIRO 1994	Croton/Hudson confluence	some caught		
Bluefish	WESTON 1990	Croton Point	recorded present		
45 *Pomoxis nigromaculatus*	WESTON 1990	Croton Point	recorded present	18	tidal Pocantico
Black Crapple					
Salmo trutta				19	tidal Pocantico
Brown trout					
46 *Strongylura marina*	WESTON 1990	Croton Point	recorded present		
Atlantic Needlefish					
47 *Syngnathus fuscus*	WESTON 1990	Croton Point	recorded present		
Northern Pipefish					
48 *Trinectes maculatus*	WESTON 1990	Croton Point	recorded present		
Hogchoker					

COMMENT LETTER NO. 56 (continued

Table 4, continued:

Invertebrates	Source	Occurrence	Status
1 Mollusca - Unionidae	TASHIRO 1994	Croton/Hudson fish stomach	rare
2 Mollusca - Pelecopoda	STRAYER et al 2003	Associated w. Vallesneria a.	very common
3 Mollusca - Gastropoda	TASHIRO 1994	Croton/Hudson fish stomach	rare
4 Annelida - Oligochaeta	TASHIRO 1994	Croton/Hudson fish stomach	rare
	STRAYER et al 2003	Associated w. Vallesneria a.	faily uncommon
5 Annelida - Polychaeta	TASHIRO 1994	Croton/Hudson fish stomach	rare
6 Ostracoda	TASHIRO 1994	Croton/Hudson fish stomach	common
7 Cladocera	TASHIRO 1994	Croton/Hudson fish stomach	common only in Blueback Herring
	STRAYER et al 2003	Associated w. Vallesneria a.	common
8 Cirripedia	TASHIRO 1994	Croton/Hudson fish stomach	rare
9 Copepoda	TASHIRO 1994	Croton/Hudson fish stomach	faily uncommon
10 Cumacea	TASHIRO 1994	Croton/Hudson fish stomach	faily uncommon
11 Amphipoda	TASHIRO 1994	Croton/Hudson fish stomach	common
	STRAYER et al 2003	Associated w. Vallesneria a.	faily uncommon
12 Decapoda	TASHIRO 1994	Croton/Hudson fish stomach	rare
Palaemonetes pugio Grass Shrimp	TASHIRO 1994	Croton/Hudson confluence	common
13 Insecta	TASHIRO 1994	Croton/Hudson fish stomach	very common
	STRAYER et al 2003	Associated w. Vallesneria a.	common
14 Nematoda	STRAYER et al 2003	Associated w. Vallesneria a.	common
15 Cnidaria	STRAYER et al 2003	Associated w. Vallesneria a.	common

COMMENT LETTER NO. 56 (continued

Table 5: Plants from Selectected Tidal Freshwater Hudson River Marshes and Tributaries

highlighted are the occurrences at the Pocantico River:

bolded are the occurrences found both at Croton and at the Pocantico River: **example**

Subtidal macrophytes	Source	Occurrence	Status	Presence at Pocantico
1 *Ceratophyllus demersum* Coontail	TASHIRO 1994	Croton/Hudson confluence	rare	
2 *Characeae* Stonewort	TASHIRO 1994	Croton/Hudson confluence	rare	
3 *Elodea nuttalii* Waterweed	TASHIRO 1994	Croton/Hudson confluence	abundant	
4 *Lemna minor* Common Duckweed	TASHIRO 1994 WESTON 1990	Croton/Hudson confluence Croton marsh	rare recorded present	
5 *Myriophyllum spicatum* Watermilfoil	TASHIRO 1994	Croton/Hudson confluence	rare	
6 *Potamogeton crispus* Curlyleaf Pondweed	TASHIRO 1994	Croton/Hudson confluence	rare	
7 *Potamogeton pectinatus* Sago Pondweed	TASHIRO 1994	Croton/Hudson confluence	rare	
8 *Potamogeton perfoliatus* Redhead-grass	TASHIRO 1994	Croton/Hudson confluence	fairly common	
9 *Vallisneria americana* Water-celery	TASHIRO 1994	Croton/Hudson confluence	uncommon	
10 *Zannichellia palustris* Horned Pondweed	TASHIRO 1994	Croton/Hudson confluence	fairly common	

Intertidal macrophytes	Source	Occurrence	Status	Presence at Pocantico
11 *Agrostis alba* Redtop Bentgrass	WESTON 1990	Croton marsh	recorded present	
Alliaria petiolata Garlic Mustard	HOEGER 2004		common	1 embankment tidal Pocantico
Allium vineale Field Garlic	HOEGER 2004		common	2 embankment tidal Pocantico
12 *Amaranthus cannbinus* Water Hemp	TASHIRO 1994 WESTON 1990	Croton/Hudson confluence Croton marsh	locally common recorded present	
13 *Amaranthus tuberculatus* Rough-fruited Water Hemp	WESTON 1990	Croton marsh	recorded present	

COMMENT LETTER NO. 56 (continued

Table 5, continued:

Intertidal macrophytes, cont.	Source	Occurrence	Status	Presence at Pocantico
14 *Amsonia amsonia* Amsonia	WESTON 1990	Croton marsh	recorded present	
15 *Apogynum sibiricum* Dogbane	WESTON 1990	Croton marsh	recorded present	
Artemisia vulgaris Mugwort	HOEGER 2004		common	3 embankment,tidal,Pocantico
Asclepias species Unidentified Milkweed	HOEGER 2004		uncommon	4 embankment,tidal,Pocantico
16 *Asclepias incarnata* Swamp Milkweed	TASHIRO 1994 WESTON 1990	Croton/Hudson confluence Croton marsh	rare recorded present	
17 *Aster subulatus* Annual Saltmarsh Aster *NHP listed	WESTON 1990	Croton marsh	recorded present	
18 *Bidens laevis* Bur-marigold* NHP listed	WESTON 1990	Croton marsh	recorded present	
19 *Boehmeria cylindrica* False Nettle	WESTON 1990	Croton marsh	recorded present	
20 *Calystegia sepium* Hedge Bindeweed	TASHIRO 1994	Croton/Hudson confluence	uncommon	
21 *Carex hormatoides* Marsh Straw Sedge	WESTON 1990	Croton marsh	recorded present	
Cirsium species Unidentified Thistle	HOEGER 2004		uncommon	5 embankment,tidal,Pocantico
22 *Cyperus engelmanii* Engelman's Cyperus * NHP listed	WESTON 1990	Croton marsh	recorded present	
23 *Cyperus esculentus* Yellow Nutsedge	WESTON 1990	Croton marsh	recorded present	
24 *Cyperus erythrorhizos* Red-rooted Cyperus * NHP listed	WESTON 1990	Croton marsh	recorded present	
25 *Cyperus odoratus* Michaux's Cyperus	WESTON 1990	Croton marsh	recorded present	
26 *Cyperus strigosus* Staw-colored Cyperus	WESTON 1990	Croton marsh	recorded present	
27 *Deschampsia caespitosa* Tufted Hairgrass	WESTON 1990	Croton marsh	recorded present	

Note: NHP listed indicates that this species is under observation by the New York Natural Heritage Program

COMMENT LETTER NO. 56 (continued

Table 5, continued:

Intertidal macrophytes, cont.	Source	Occurrence	Status	Presence at Rocantico
28 *Digitaria ischaemum* Smooth Crabgrass	WESTON 1990	Croton marsh	recorded present	
29 *Distichlis spicata* Spike Grass	WESTON 1990	Croton marsh	recorded present	
30 *Echinocloa walteri* Walter's Barnyard Grass	WESTON 1990	Croton marsh	recorded present	
31 *Eleocharis acicularis* Needle Spikerush	WESTON 1990	Croton marsh	recorded present	
32 *Eleocharis calra* Spikerush	WESTON 1990	Croton marsh	recorded present	
33 *Eleocharis intermedia* Matted Spikerush	WESTON 1990	Croton marsh	recorded present	
34 *Eleocharis olivacea* Bright Green Spikerush	WESTON 1990	Croton marsh	recorded present	
35 *Eleocharis spec A* Spikerush	TASHIRO 1994	Croton/Hudson confluence	locally abundant	
36 *Eleocharis spec B* Spikerush	TASHIRO 1994	Croton/Hudson confluence	locally abundant	
Epilobium spec Unidentified Willow Herb	HOEGER 2004	uncommon	6	embankment/tidal Rocantico
37 *Eragrostis hypnoides* Marsh Lovegrass	WESTON 1990	Croton marsh	recorded present	
38 *Eupatorium perfoliatum* Boneset	WESTON 1990	Croton marsh	recorded present	
39 *Eupatorium serotimum* Late-flowering Toroughwort	WESTON 1990	Croton marsh	recorded present	
40 *Galium palustre* Bedstraw	WESTON 1990	Croton marsh	recorded present	
41 *Galium tinctorium* Dye Bedstraw	WESTON 1990	Croton marsh	recorded present	
42 *Glyceria pallida* Manna Grass	WESTON 1990	Croton marsh	recorded present	
43 *Gratiola neglecta* Hedgehyssop * NHP listed	WESTON 1990	Croton marsh	recorded present	

Note: NHP listed indicates that this species is under observation by the New York Natural Heritage Program

COMMENT LETTER NO. 56 (continued

Table 5, continued:

Intertidal macrophytes, cont.	Source	Occurrence	Status		Presence at Rocantico
44 *Hibiscus mocheutos* Rose Mallow	TASHIRO 1994 WESTON 1990	Croton/Hudson confluence Croton marsh	uncommon recorded present		
45 *Hydrocotyle umbellata* Marsh Pennywort * NHP listed	WESTON 1990	Croton marsh	recorded present		
46 *Impatiens capensis* Spotted Jewelweed	TASHIRO 1994 WESTON 1990	Croton/Hudson confluence Croton marsh	uncommon recorded present		
Iris pseudacorus (fertile) Yellow Iris	HOEGER 2004		uncommon	7	embankment tidal Rocantico
47 *Juncus acuminatus* Sharp-fruited Rush	WESTON 1990	Croton marsh	recorded present		
48 *Juncus canadensis* Canada Rush	WESTON 1990	Croton marsh	recorded present		
49 *Juncus effusus* Soft Rush	WESTON 1990 HOEGER 2004	Croton marsh	recorded present uncommon	8	embankment tidal Rocantico
Juncus tenuis Path Rush	HOEGER 2004		uncommon	9	embankment tidal Rocantico
50 *Leersia oryzoides* Rice Cutgrass	WESTON 1990	Croton marsh	recorded present		
51 *Limosella subulata* Mudwort	WESTON 1990	Croton marsh	recorded present		
52 *Lobelia cardinalis* Cardinal Flower	WESTON 1990	Croton marsh	recorded present		
53 *Lythrum salicaria* Purple Loosestrife	TASHIRO 1994 WESTON 1990	Croton/Hudson confluence Croton marsh	locally common recorded present	10	embankment tidal Rocantico
54 *Mikania scandens* Climbing Hempweed	WESTON 1990	Croton marsh	recorded present		
Oenothera biennis Common Evening Primrose	HOEGER 2004		common	11	embankment tidal Rocantico
55 Onoclea sensibilis Sensitive Fern	WESTON 1990	Croton marsh	recorded present		
56 *Panicum lucidum* Bog Panicgrass	WESTON 1990	Croton marsh	recorded present		
57 *Panicum microcarpon* Barbed Panicgrass	WESTON 1990	Croton marsh	recorded present		

Note: NHP listed indicates that this species is under observation by the New York Natural Heritage Program

COMMENT LETTER NO. 56 (continued

Table 5, continued:

Intertidal macrophytes, cont.	Source	Occurrence	Status	Presence at Pocantico
58 *Panicum virgatum* Switchgrass	TASHIRO 1994 WESTON 1990	Croton/Hudson confluence Croton marsh	rare recorded present	
59 *Peltandra virginica* Arrow Arum	TASHIRO 1994 WESTON 1990	Croton/Hudson confluence Croton marsh	uncommon recorded present	
60 *Phallaris arundinacea* Reed Canarygrass	TASHIRO 1994	Croton/Hudson confluence	rare	
61 *Phragmites australis* Comon Reed	TASHIRO 1994 WESTON 1990 HOEGER 2004	Croton/Hudson confluence Croton marsh	abundant recorded present very common	12 embankment,tidal,Pocantico
62 *Pluchea odorata* Saltmarsh Fleabane	TASHIRO 1994 WESTON 1990	Croton/Hudson confluence Croton marsh	locally common recorded present	
63 *Poa pratensis* Kentucky Bluegrass	WESTON 1990	Croton marsh	recorded present	
64 *Polygonum amphibium* Water Smartweed	WESTON 1990	Croton marsh	recorded present	
65 *Polygonum cuspidatum* Japanese Knotweed	TASHIRO 1994 HOEGER 2004	Croton/Hudson confluence	rare common	13 embankment,tidal,Pocantico
66 *Polygonum hydropiperoides* Mild Waterpepper	WESTON 1990	Croton marsh	recorded present	
67 *Polygonum lapathifolium* Dock-leaved Smartweed	WESTON 1990	Croton marsh	recorded present	
68 *Polygonum pensylvanicum* Pennsylvania Smartweed	WESTON 1990 HOEGER 2004	Croton marsh	recorded present uncommon	14 embankment,tidal,Pocantico
69 *Polygonum persicaria* Lady's Thumb	WESTON 1990	Croton marsh	recorded present	
70 *Polygonum punctatum* Dotted Smartweed	WESTON 1990	Croton marsh	recorded present	
71 *Polygonum sagittatum* Arrow-leaved Tearthumb	WESTON 1990	Croton marsh	recorded present	
72 *Polygonum scandens* False Buckweed	WESTON 1990	Croton marsh	recorded present	
73 *Polygonum sp.* Smartweed	TASHIRO 1994	Croton/Hudson confluence	uncommon	
74 *Ptilimnum capillaceum* Mock Bishopweed	WESTON 1990	Croton marsh	recorded present	

COMMENT LETTER NO. 56 (continued)

Table 5, continued:

Intertidal macrophytes, cont.	Source	Occurrence	Status		Presence at Pocantico
Ranunculus repens Creeping Buttercup	HOEGER 2004		very common	15	embankment tidal Pocantico
75 *Rumex altissimus* Tall Dock	WESTON 1990	Croton marsh	recorded present		
Rumex obtusifolius Bitter Dock	HOEGER 2004		uncommon	16	embankment tidal Pocantico
76 *Rumex pallidus* Large-tubercled Dock	WESTON 1990	Croton marsh	recorded present		
Rumex patientia Patience Dock	HOEGER 2004		common	17	embankment tidal Pocantico
77 *Rumex traingulivalvis* Dock	TASHIRO 1994	Croton/Hudson confluence	uncommon		
78 *Rumex verticillatus* Swamp Dock	WESTON 1990	Croton marsh	recorded present		
79 *Sabattia campanulata* Slender Swamp Pink *NHP listed	WESTON 1990	Croton marsh	recorded present		
80 *Sagittaria calycina* Spongy Arrowhead	TASHIRO 1994	Croton/Hudson confluence	locally abundant		
81 *Sagittaria latifolia* Broad-leafed Arrowhead	WESTON 1990	Croton marsh	recorded present		
82 *Samolus valeriandii*	TASHIRO 1994	Croton/Hudson confluence	rare		
Water Pimpernel	WESTON 1990	Croton marsh	recorded present		
83 *Saxifraga pennsylvanica* Swamp Saxifrage	WESTON 1990	Croton marsh	recorded present		
84 *Scirpus americanus*	TASHIRO 1994	Croton/Hudson confluence	locally abundant		
Three-square	WESTON 1990	Croton marsh	recorded present		
85 Scirpus robustus Saltmarsh Bulrush	WESTON 1990	Croton marsh	recorded present		
86 *Scirpus tabernaemontanii*	TASHIRO 1994	Croton/Hudson confluence	rare		
Soft-stem Bulrush	WESTON 1990	Croton marsh	recorded present		
87 *Setaria glauca* Yellow Foxtail	WESTON 1990	Croton marsh	recorded present		
88 *Sium suave*	TASHIRO 1994	Croton/Hudson confluence	uncommon		
Water Parsnip	WESTON 1990	Croton marsh	recorded present		

Note: NHP listed indicates that this species is under observation by the New York Natural Heritage Program

COMMENT LETTER NO. 56 (continued

Table 5, continued:

Intertidal macrophytes, cont.	Source	Occurrence	Status		Presence at Pocantico
Solanum carolinense L. Horse-nettle	HOEGER 2004		rare	18	embankment tidal Pocantico
Solanum dulcamara Bittersweet	HOEGER 2004		common	19	embankment tidal Pocantico
89 *Solanum spec.* Unidentified Nightshade	WESTON 1990	Croton marsh	recorded present		
90 *Solidago rugosa* Rough-leafed Goldenrod	WESTON 1990	Croton marsh	recorded present		
Solidago spec. L. Unidentified Goldenrod	HOEGER 2004		rare	20	embankment tidal Pocantico
91 *Spartina alterniflora* Smooth Cordgrass	WESTON 1990	Croton marsh	recorded present		
92 *Spartina cynosuroides* Big Cordgrass	WESTON 1990	Croton marsh	recorded present		
93 *Sparina patens* Saltmarsh Cordgrass	WESTON 1990	Croton marsh	recorded present		
94 *Spartina pectinata* Prairie Cordgrass	WESTON 1990	Croton marsh	recorded present		
Taraxacum officinale G. Dandelion	HOEGER 2004		common	21	embankment tidal Pocantico
95 Thelypteris palustris Marsh Fern	WESTON 1990	Croton marsh	recorded present		
Trifolium pratense L. Red Clover	HOEGER 2004		uncommon	22	embankment tidal Pocantico
96 *Typha angustifolia* Narrowleaf Cattail	TASHIRO 1994	Croton/Hudson confluence	common		
97 *Typha x glauca* Hybrid Cattail	TASHIRO 1994 WESTON 1990	Croton/Hudson confluence Croton marsh	abundant recorded present		
Urtica dioica L. Stinging Nettle	HOEGER 2004		uncommon	23	embankment tidal Pocantico
Verbascum thapsus L. Mullein	HOEGER 2004		uncommon	24	embankment tidal Pocantico
98 *Verbena hastata* Blue Vervain	WESTON 1990	Croton marsh	recorded present		
Unidentified Grass	HOEGER 2004		common	25	embankment tidal Pocantico

COMMENT LETTER NO. 56 (continued)

Table 5, continued:

Trees, shrubs & vines	Source	Occurrence	Status	Presence at Pocantico
Acer rubrum Red Maple	HOEGER, 2004		common	26 embankment tidal Pocantico
Allanthus altissima Tree-of-Heaven	HOEGER, 2004		uncommon	27 embankment tidal Pocantico
Alnus glutinosa Black Alder	HOEGER, 2004		common	28 embankment tidal Pocantico
Ampelopsis brevipedunculata Porcelain Berry	HOEGER, 2004		very common	29 embankment tidal Pocantico
Berberis thunbergii Japanese Barberry	HOEGER, 2004		uncommon	30 embankment tidal Pocantico
Cornus amomum Silky Dogwood	HOEGER, 2004		uncommon	31 embankment tidal Pocantico
Fraxinus pennsylvanica (tent. Id.) Green Ash	HOEGER, 2004		uncommon	32 embankment tidal Pocantico
Lonicera japonica Japanese Honeysuckle	HOEGER, 2004		common	33 embankment tidal Pocantico
Lonicera tatarica Tatarian Honeysuckle	HOEGER, 2004		common	34 embankment tidal Pocantico
Morus alba (tent. Id.) White Mulberry	HOEGER, 2004		common	35 embankment tidal Pocantico
Platanus occidentalis Sycamore	HOEGER, 2004		uncommon	36 embankment tidal Pocantico
Populus deltoides Cottonwood	HOEGER, 2004		common	37 embankment tidal Pocantico
Pyrus spec (tent. Id.) Unidentified Crab-apple	HOEGER, 2004		uncommon	38 embankment tidal Pocantico
Robinia pseudoacacia Black Locust	HOEGER, 2004		common	39 embankment tidal Pocantico
Rosa rugosa Multiflora Rose	HOEGER, 2004		common	40 embankment tidal Pocantico
Rubus phoenicolasius Wineberry	HOEGER, 2004		uncommon	41 embankment tidal Pocantico
Salix babylonica Weeping Willow	HOEGER, 2004		uncommon	42 embankment tidal Pocantico

COMMENT LETTER NO. 56 (continued

Table 5, continued:

Trees, shrubs & vines, cont.:	Source	Occurrence	Status		Presence at Pocantico
Salix discolor (cont'd.) Pussy Willow	HOEGER, 2004		common	43	embankment tidal Pocantico
Salix nigra (cont'd.) Black Willow	HOEGER, 2004		common	44	embankment tidal Pocantico
Sambucus canadensis Elderberry	HOEGER, 2004		uncommon	45	embankment tidal Pocantico
Toxicodendron radicans Poison Ivy	HOEGER, 2004		common	46	embankment tidal Pocantico
Ulmus americana American Elm	HOEGER, 2004		very common	47	embankment tidal Pocantico
Ulmus rubra (cont'd.) Slippery Elm	HOEGER, 2004		common	48	embankment tidal Pocantico

COMMENT LETTER NO. 56 (continued)

Appendix D

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COMMENT LETTER NO. 57

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APR 0 4 2005

Memorandum

TO: Tarrytown Village Board of Trustees

FROM: Frank Fish

SUBJECT: Lighthouse Landing at Sleepy Hollow

DATE: April 1, 2005

We have reviewed the Draft Environmental Impact Statement (DEIS) for the proposed Lighthouse Landing Development in the Village of Sleepy Hollow. The DEIS is dated January 11, 2005. As you know, I also testified on behalf of the Board at a public hearing on February 22, 2005.

This memorandum further develops the testimony given on February 22nd. This should also be read in the context of traffic comments of Georges Jacquemart of BFJ Planning and John Canning of Adler Consulting.

1. Background Context for Comments

5701

We have viewed the DEIS for Lighthouse Landing quite differently from our comments for the Ferry Landing waterfront project within the Village of Tarrytown. Lighthouse Landing is totally within an adjacent municipality. Therefore, we have viewed detailed design and site plan review issues as primarily issues for the Village of Sleepy Hollow. What is of primary importance to Tarrytown and to the greater region are issues that affect the adjacent municipalities and the surrounding environment. These primarily fall into four general areas: (1) traffic (2) the school district, which serves both municipalities (3) the input of Lighthouse Landing retail on the existing downtowns and (4) viewsheds in as much as the proposed development can be seen from the surrounding area. All four of these concerns are directly affected by density.

2. Lower Density Alternative

5702

The Chairman of the Sleepy Hollow Planning Board, Nick Robertson, has done a fairly detailed site review of the proposed development. The net result of his site planning concerns is the call for a development alternative that is approximately 40% less in density than what is proposed. Since Mr. Robertson's analysis, John Canning has undertaken a detailed traffic analysis of road impacts, particularly in the

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5702 (continued)

Village of Tarrytown. Mr. Canning's analysis indicates that impacts cannot be reasonably mitigated without a 50% reduction in density. This is particularly important with retail development which has a higher traffic generation number than residential development. This alternative should be formally developed in the Final Environmental Impact Statement (FEIS) for the project. This is perhaps the single most important mitigation that can be developed. A 50% reduction in density will have a commensurate reduction in traffic, public school students impacts on existing downtowns in Tarrytown and Sleepy Hollow and building scale (e.g. most heights could be reduced from five stories to four stories).

Lighthouse Landing is on 94.5 acres. However, only 66.2 acres are developable consisting of the west parcel (64.5 acres) and the south parcel (1.7 acres). The 28.3 acre east parcel has wetlands and methane gas issues (the site was formerly a land fill). As a result, the table below lists figures for the net developable acreage for the Lighthouse Landing proposal. The net developable acreage is the realistic measure of the project. We read the present proposal as follows:

Existing Proposal:

Use	Units/Sq.Ft.	Net Unit/Acre
Residential	1,562	24 units/acre
Commercial		
Retail	180,000	
Office	50,200	
Inn	147,000	
	377,200	5,698 sq.ft./acre

A 50% reduction in density at Lighthouse Landing could mean the following:

50% Reduction Alternative:

Use	Units/Sq.Ft.	Net Unit/Acre
Residential	781	11.8 units/acre
Commercial	188,600	2,849 sq.ft/acre

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The reduction in density will produce less impact on all four areas of regional concern. It is particularly important that the commercial component, especially the retail uses be reduced at least 50%. These are the greatest traffic generators and they have the greatest potential to harm the commercial viability of the existing downtowns. The retail component of 180,000 needs to be reduced to at least 90,000 square feet. The Community Builders' Handbook and the Urban Land Institute (ULI) have traditionally defined neighborhood shopping to be in the range of 50,000 to 75,000 sq. ft. If the retail component is larger than this, the FEIS should contain a study of impacts on existing downtowns. 5702 (continued)

It is also of interest to Tarrytown to compare the above to the Ferry Landing project on the Village's own waterfront. While the 30 acre Ferry Landing may change further, its current configuration is as follows:

Use	Units/Sq.Ft.	Unit/Acre
Residential	238	7.9 units/acre
Commercial	80,000	2,700 sq.ft/acre

As can be seen from the numbers above, the Ferry Landing proposal is already at a density that is less than half of the proposed densities of Lighthouse Landing. The 50% reduced density alternative needs to be compared to the proposal in the FEIS impact category by impact category. This should be done in chart form as well as narrative. At the end of the day, the Trustees of Sleepy Hollow must make the following SEQR finding:

"certify that consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable."

SEQR 617.11(b)(5)

3. Traffic

Because there are no realistic plans for significantly improving Route 9 or other major roads serving the Lighthouse Landing, a reduced density alternative may be the most effective mitigation measure for traffic. 5703

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4. Schools

5704

The FEIS needs to be more specific on school capacity versus projected enrollments. At present, the DEIS states that the total school building capacity is 2,215 students versus a student enrollment of 2,502. Thus, the school district is presently over capacity. No significant mitigation is offered to this situation other than a fiscal analysis. A 50% density reduction should have a commensurate reduction in school children.

5. Impact on downtowns

5705

With 90,000 sq. ft. of retail or less the retail shopping at Lighthouse Landing would primarily serve the residents and would not unduly compete with existing downtowns. A mixed use development, including retail should be encouraged but the retail component should serve primarily neighborhood needs.

6. Viewshed

5706

A 50% reduction in density might give Sleepy Hollow the ability to achieve an overall four story height to the proposed Lighthouse Landing development. This would put the development into better conformance with other Hudson River developments in the riverfront villages and towns of Westchester.

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APR 04 2005

COMMENT LETTER NO. 58

BFJ Planning

MEMORANDUM

Date: April 1, 2005

Project Name: Tarrytown Lighthouse Landing Review
Project Number: 361.02
Subject: Comments on Traffic Impacts

From: Georges Jacquemart, P.E.,AICP
Contact Information: T. 212.353.7477 F. 212.353.7494 E. G.Jacquemart@bfjplanning.com

To: Village of Tarrytown Trustees
Jeffrey S. Shumejda

T. F. (914) 631-5388 E.

Filename: j:\bfj projects\361 tarrytown advisory\361.02 tarrytown gm site\traffic review memo 3-31-05.doc

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Discussion:

We have reviewed the Draft EIS sections of the Lighthouse Landing project that relate to traffic and parking (Section I, Summary, Section III.I Traffic and Parking and Appendix 10). We have organized our comments in three parts: 1) Technical Issues with DEIS, 2) Traffic Issues in Tarrytown, and 3) Overall impact and mitigation issues.

Technical Issues with Traffic Section of DEIS

On page III.I-12 the DEIS mentions in the last paragraph that "the majority of the intersections currently operate at an overall Level of Service "E" or better". This statement implies that level E may be an acceptable level (this is also stated in the fourth paragraph of page III.I-38). This is not a generally accepted standard or policy. The Village of Tarrytown does not accept LOS E as an acceptable level, and requires mitigation measures to bring traffic conditions to level D or better. To provide more objective information the DEIS author should mention the number of intersections that have as their worst LOS levels F, E, D and C or better. 5801

Table 10-1 shows a V/C ratio of 1.09 for existing conditions. This is not possible by definition and should be corrected. Maybe the capacity has been underestimated.

For the 145,600 SF of retail the DEIS uses the category of specialty retail center. This category may be acceptable for parts of the retail uses in the project, however, it does not represent the traffic loads from a supermarket. Supermarkets have about 2 to 3 times higher traffic generation rates than specialty retail centers. The supermarket should be extracted out of the retail category and analyzed separately.

The traffic consultant reduces the standard ITE traffic generation rates by 40% to account for the percentage of residents that would use the available transit services. This credit was taken on the basis of surveys taken at the Avalon project in New Rochelle and at the Scrimshaw building in Yonkers, NY. The Avalon survey did not conclude that 55% of the

residents use the train, as mentioned in the DEIS, but stated that 55% of the residents had "their job in New York City in close proximity to Grand Central". Our conclusion from reading the text in the appendix is that 55% of the residents work in Manhattan. This does not mean that 55% of the trips generated during peak hours by the Avalon project are transit trips, because not all residents working in Manhattan necessarily use transit and not all peak-hour trips are work trips (for instance some are school trips, as well as other travel purposes). For the Scrimshaw building in Yonkers the analyst did not take into consideration vehicle occupancy of the vehicles that were counted. If we assume a 1.15 vehicle occupancy then the percentage modal split for that building would be 40% on foot or by transit. It is not certain that the level of transit service at the new station would be as high as it is in Yonkers or New Rochelle. Both of these stations have also Amtrak service and substantial bus service. Finally, the calculations made by the DEIS authors assume that the ITE rates are based on a 100% split by auto. This is not the case, especially not for apartments and townhouses. To conclude, we feel that the 40% reduction is optimistic. A reasonable worst-case estimate is probably closer to 30% for a scenario with the rail station on-site.

The DEIS consultant estimates the percentage of internal trips (trips made between the various uses on the project site) based on the gravity model used to distribute traffic in the region. The gravity model distributes traffic throughout the region in proportion to the attractions in each zone, and in inverse proportion to the distance between those zones and the project site. Whereas a gravity model is appropriate for regional traffic distribution, it is not appropriate to estimate the percentage of internal traffic. As can be seen in Table 10-8, the 45% of internal trips is based on the population forecast of 2961 people in that particular zone and on an average distance of 0.10 mile between the center of gravity of that zone and the center of gravity of the project site. In this case the two centers of gravity are the same, and in theory the distance should be zero, which would lead to 100% of internal traffic, given the gravity model methodology. The selection of the 0.10 mile distance is an aleatory choice. If the analyst had picked an average distance of 0.05 miles the percentage of internal trips would have been 62%, and with a 0.2 mile distance the percentage would have been 29%. Using the gravity model is also contrary to the procedures recommended by ITE, as explained in the Trip Generation Handbook Second Edition, June 2004 (An ITE Recommended Practice). The procedure used in the DEIS is also incorrect in that the "gravity model reduction" results in numbers of inbound trips and outbound trips that are different. The internal traffic reduction must be the same for inbound and outbound trips, since each internal trip represents a trip produced by one use (an outbound trip end) and attracted to another use (an inbound trip end) within the project site. We attach a spreadsheet that shows the traffic generation calculation for a mixed-use project near a rail station in New Jersey. This spreadsheet shows a separate credit taken for transit and walk modes, and an estimation of internal trips for each possible exchange between pairs of uses. In that case the internal capture rate was estimated at 15% of the lowest of the trips exchanges. The internal capture rate may be different for the Lighthouse Landing project.

In Tables III.I-5 through III.I-10 there are many intersections shown with "N/A" in the future Build w. Improvements scenario. It is not clear whether these intersections did not need any mitigation or whether the mitigation was not applicable or not appropriate. The DEIS needs to be more explicit and needs to explain to what degree any mitigation measures mentioned is effective.

In the mitigation section (pages III.I-39 through III.I-43) the DEIS implies for several intersections that delays will decrease from the no-build to the build conditions. This needs to be corrected. The reduction is from the no-build to the build with mitigation condition.

We have compared the levels of service estimated for existing traffic conditions in this DEIS to those estimated in the Ichabod's Landing DEIS. These evaluations generally agree, except for the following discrepancies: 5802

At the intersection of US Rte 9/Beekman Ave/Hudson Terrace the Lighthouse Landing EIS estimates levels of service E for weekdays whereas the Ichabod's Landing EIS estimates LOS C. It appears that Ichabod's Landing does not take into consideration the Hudson Terrace leg.

For the Main Street/Cortland St intersection the Lighthouse Landing EIS estimates an existing LOS A for the am peak hour, whereas the Ichabod's Landing EIS estimates an LOS C. This discrepancy should be investigated in the Lighthouse Landing FEIS.

For information purposes we have summarized the total traffic generation of the three projects being considered:

BFJ Planning

MEMORANDUM

Date: April 1, 2005

Project Name: Tarrytown Lighthouse Landing Review
Project Number: 361.02
Subject: Comments on Traffic Impacts

Comparative Traffic Generation
(as per respective EIS documents)

	AM			PM			Sat Midday		
	Inb	Outb	Total	Inb	Outb	Total	Inb	Outb	Total
GM Lighthouse Landing	303	436	739	485	381	866	594	519	1113
Ichabod's Landing	35	55	90	46	35	81	43	40	83
Ferry Landing (FEIS)	123	118	241	119	134	253	98	93	191

Traffic Issues in Tarrytown

5803

The DEIS does not analyze a certain number of streets that are of concern in the Village of Tarrytown. These are streets that will be used by the project traffic, or at least will be affected by the deteriorating congestion on the main travel paths that have been analyzed in the DEIS. How can the DEIS author add 300 more vehicles onto W. Franklin Street when it is already operating at LOS F? Some traffic shifts will occur beyond the immediate network. The following streets will be affected by the project and need to be analyzed:

Riverview Ave
Miller Ave
Park Ave
Independent Street
Church Street
Glen Street
H-Bridge intersections
Central Avenue (affected by trucks)
Prospect Av

Today some of the worst traffic conditions and delays at the intersections along Rte 9 in Tarrytown occur during the afternoon school peak, i.e. before the 3:30 pm start of the traffic counts that have been performed for the DEIS. Given the extensive retail uses proposed in the Lighthouse Landing Project, the DEIS needs to analyze the traffic impacts during the pm school peak hour (2:30 to 3:30 pm).

The DEIS also needs to address the impacts of this project on emergency vehicles in Tarrytown. Emergency vehicles rely heavily on Broadway as a major access route for emergencies, as well as on the critical side streets affected by this project. With more and more intersections deteriorating to LOS F over longer time periods, emergency service may become delayed substantially. This needs to be addressed and mitigated. One potential mitigation measure that needs to be investigated is a signal preemption treatment for emergency vehicles at signalized intersections whereby emergency vehicles can activate the signal controller and obtain a faster green. 5804

Overall Traffic Impacts and Mitigation Issues

The traffic impact study assumes that all traffic that circulates between this project site and areas south of Wildey Street, including all vehicles to and from I-287 and the Tappan Zee Bridge will circulate via Franklin Street, Main Street and Wildey Street to and from the Lighthouse Landing site, rather than staying on Rte 9 to Beekman Avenue. For instance the DEIS projects that peak-hour traffic volumes on W. Franklin will increase by 287 vehicles during the am peak hour, 326 vehicles during the pm peak hour and 403 vehicles during the Saturday peak hour. On Main Street peak-hour volumes will increase by 77 vehicles, 84 vehicles and 106 vehicles during the respective peak hours. Whereas this traffic assignment may be correct in that this may represent the fastest path, it raises the issue of impacting Tarrytown to a disproportionate degree. This impact may need additional mitigation measures beyond the typical level of service improvements at affected intersections. 5805

Given the high number of intersections that operate at unacceptable levels of service (E or F) in this corridor, and given the magnitude of the proposed project, it is incumbent on the applicant to analyze other large-scale mitigation measures. The impacts and feasibility of the Rte 9A bypass needs to be addressed. 5806

Traffic mitigation measures are needed for the Miller Avenue neighborhood, since this neighborhood will receive a substantial portion of the overflow traffic that tries to avoid the bottlenecks further north along Broadway. We expect that a large portion of the vehicles that have been assigned in the DEIS to Franklin Street will actually intrude into the Miller Avenue neighborhood, since there is no available capacity at the Broadway/Franklin intersection. 5807

The DEIS consultant recommends to mitigate some of the traffic impacts caused by the Lighthouse Landing project along Rte 9 by eliminating on-street parking at certain locations to create additional turn lanes at the key intersections. On-street parking is critical for the retail vitality of the village and should not be eliminated. There are currently parking shortages in the downtown that may worsen as the result of the additional population at the Lighthouse Landing. In addition, the parking lane acts as a buffer between the pedestrians on the sidewalks and the Rte 9 traffic. On-street parking is important in maintaining the 5808

BFJ Planning

MEMORANDUM

Project Name: Tarrytown Lighthouse Landing Review
Project Number: 361.02
Subject: Comments on Traffic Impacts

pedestrian friendly environment. 5808 (cont.)

One of the most serious issues with the traffic impact analysis is the fact that the DEIS assumes in its traffic generation calculation that the new train station would exist at the project site. The 40% credit taken for the presence of the train station (too high in our estimation) is based on a situation where residents walk to the train station, and do not need to take a shuttle bus. Traffic generation rates will be higher if no rail station is on-site. The scenario without rail station that is presented in the DEIS only discusses the impacts caused by non-project commuters driving to/from the new station and shifted from other stations (Tarrytown and Philipse Manor), but it implies that traffic generation rates would not increase if there was no station on-site. On one hand the DEIS features the new station as a major mitigation measure and discusses it among the traffic mitigation measures, and on the other hand it implies that it would not affect traffic generation rates! The proposed on-site train station is a significant mitigation measure, not only because it would reduce the traffic generation of the proposed development, but also because it would attract some existing commuter vehicles from the adjacent train stations (Tarrytown and Philipse Manor). This may offset some of the negative traffic impacts created in Tarrytown. As mentioned earlier the DEIS assumed that the new station would be in place and that some vehicle trips would be diverted from the Tarrytown station. Traffic reductions are projected along Wildey Street (minus 88 vehicles in each am and pm peak hour), along Washington Street (very small reductions) and along Cortland Street. Unless the applicant commits to building the new Metro-North station, the DEIS must analyze the traffic impacts without the proposed station.

The other critical issue is the fact that the Beekman Avenue bridge has a weight limit and does not allow any heavy trucks to use it, because of structural deficiencies. This forces all the trucks generated by the Lighthouse Landing project to use Central Avenue through Tarrytown. This includes all construction trucks as well as future trucks making deliveries to the project site. This impact is unacceptable. The Beekman Avenue bridge must be repaired prior to the start of construction. 5809

Attachments:

Tarrytown Fire Department

COMMENT LETTER NO. 59

Chief: **JOSEPH F. McCARTHY, JR.**
First Assistant: **JAMES G. LENNOX, SR.**
Second Assistant: **ROBERT SCOGNA**

JAMES MURPHY
Secretary

LOUIS TUCCI, JR.
Treasurer

RECEIVED
APR 4 2005
VILLAGE ADMINISTRATOR

RECEIVED
APR 04 2005

To: Jeffrey S. Shumejda, Village Attorney

From: Joe McCarthy, Chief Tarrytown Fire Department

Dated: April 4, 2005

Re: Emergency Response Times

This Memorandum is in response to your request regarding the impact of congestion on Broadway and the effect this problem has on emergency response times for the Fire Department.

At least four to five times a year the traffic on Route 9 is so bad that the Fire Chief has to call upon members of the Department to move our fire trucks out of the firehouses to a different location in the Village so that the Department can respond to emergencies promptly. Usually, the fire trucks are moved to the General Foods property on South Broadway when Route 9 between the Thruway overpass and the business district of the Village is impassable. 5901

There is significant potential impact from the proposed Lighthouse Landing Development in Sleepy Hollow given the large number of residential units and

commercial uses proposed and the net increase in traffic which will result if the plan as currently envisioned is fully implemented. 5901 (continued)

Lastly, the Fire Department has been looking into a signal preemption system which could aid our response times on Broadway.

TARRYTOWN-ON-HUDSON

21 Wildey Street • Tarrytown, New York 10591-3199

Mayor
PAUL JANOS
Deputy Mayor
DOMENIC J. MORABITO
Trustees
THOMAS BASHER Sr.
DENNIS CHILLEMI
SHERWOOD CHOROST
DREW FIXELL
SUSAN SINCERO

Village Administrator
914-631-1885
Village Treasurer
914-631-7873
Village Clerk
914-631-1652
Building Inspector
914-631-3668
Public Works Department
914-631-0356
Fax No. 914-631-8770

COMMENT LETTER NO. 60

RECEIVED
APR 04 2005

April 4, 2005

Hon. Philip Zegarelli, Mayor
Village of Sleepy Hollow
28 Beekman Avenue
Sleepy Hollow, New York 10591

Re: Lighthouse Landing DEIS Comments

Dear Mayor Zegarelli:

First, I want to assure you that it is the Village of Tarrytown's desire to see the site of the former General Motors plant developed to the benefit of the residents of the Village of Sleepy Hollow. I and the Tarrytown Board of Trustees have been pleased with the openness and professionalism of your review thus far, and we are confident that we can continue to work cooperatively as the environmental review process moves forward. At the same time, as Mayor of the Village of Tarrytown, it is my responsibility to insure that the development will not have a severe adverse impact on the health, safety and welfare of the residents of the Village of Tarrytown. Therefore, enclosed please find the reports of Adler Consulting and BFJ Planning, the traffic and planning consultants for the Village of Tarrytown regarding the Village of Tarrytown's comments on the Lighthouse Landing Draft Environmental Impact Statement [DEIS]. I will summarize some of the key findings below.

The first of these regards the Village of Tarrytown's official status in the environmental review process. The DEIS and the reports by Adler Consulting and BFJ Planning conclude that Lighthouse Landing will have significant traffic and parking impacts in Tarrytown. The Applicant has described physical road improvements in the DEIS to mitigate some of these impacts, many of which require approval of the Village of Tarrytown. Given these circumstances, we have been advised that, as defined in Section 6 of New York Codes Rules and Regulations (NYCRR), since the Village of Tarrytown

6001

Tarrytown Uses Recycled Paper

is "an agency that has jurisdiction by law to fund, approve or directly undertake an action" [§617.2(s), also page II-100 of the DEIS], we are an "involved" agency. The DEIS should be corrected on Page I-5 and in Section ID to reflect this status. 6001 (continued)

Our consultants also have advised us that, because of the Lighthouse Landing project's size and the environment in which it is situated, mitigation of its significant adverse impacts on car and truck traffic, parking, and emergency response is not practically possible Consequently, we urge your Board to require the evaluation of a development program half the size of the current proposal to see if resulting traffic volumes and mitigation measures will temper the Project's impacts to tolerable levels. We further urge your Board to require the Applicant to repair/replace the Beekman Avenue Bridge and install an emergency-response, signal-preemption system, along with traffic calming measures in the vicinity of the Miller park neighborhood, to mitigate the impacts of most concern to the Village. 6002

Our more specific comments are as follows:

Both Adler Consulting's and BFJ's analysis conclude that the traffic generated by the proposed development in the critical peak PM highway hours will result in considerably greater negative impacts than those described in the DEIS. Even at the lower traffic levels of the DEIS, the Applicant describes a series of mitigation measures to be undertaken in Tarrytown, including the elimination of parking spaces to provide for vehicle turning lanes and the installation of traffic control devices at intersections where only stop signs exist today. Specifically: 6003

[a] The installation of a traffic light at the County House Road/Neperan Road intersection located by the Tarrytown Lakes;

[b] The elimination of 15 on-street parking spaces to create north and southbound left-turn lanes at the intersection of Broadway and Main Street;

[c] Signal timing modifications at Main Street by Depot Plaza due to a reduction in operating conditions during the Peak AM/PM and Saturday hours;

[d] The implementation of left turn restrictions on Riverview Avenue at Franklin Street due to reduced level of operating conditions – this mitigation measure may also effect traffic operations at the intersection of Miller Avenue and Franklin Street, which will need to be analyzed;

[e] The installation of a traffic light and the elimination of approximately 20 on-street parking spaces to create a northbound left-turn lane at the intersection of Franklin Street at Broadway;

[f] The conversion of the existing northbound right-turn lane at Benedict Avenue at Broadway into a through/right-turn lane. This conversion would also necessitate the elimination of parking spaces for Franklin Street at Broadway;

6003 (continued)

[g] The re-striping of Route 119 approach at Broadway to permit right turns from the middle lane as well as the right-hand lane;

[h] Signal timing modifications on Route 119 at the I-287 Westbound Ramps;

[i] Yet to be determined mitigation measures at the intersection of Central Avenue and Broadway in order to address operating conditions anticipated to be "failing" during the Peak PM and Saturday hours;

[j] Yet to be determined mitigation measures at the intersection of Prospect Avenue and Broadway. This intersection is arguably the "most congested intersection in the Village of Tarrytown" and given that the DEIS already notes that significant traffic impacts will occur to the signalized intersections upstream and downstream from those for which the need for mitigation has been identified;

[k] Yet to be determined mitigation measures for the Miller Park neighborhood. The DEIS fails to recognize and mitigate potential impacts to this area; however, it is anticipated that more than 100 trips will be added unless specific and effective traffic calming measures are identified and implemented.

We have reviewed these proposed mitigation measures and have concluded that the Village of Tarrytown will not implement [as listed above] [a], [b], [d], [e], [f] and [g]. Further, the Village of Tarrytown cannot respond to items [i], [j] and [k] because no mitigation measures have been proposed for the impacts at these locations.

With respect to [a], the installation of a traffic light at the County House Road/Neperan Road intersection located by the Tarrytown Lakes would negatively impact the scenic character of the lakes. Moreover, in 1997 this measure was considered and rejected as both inappropriate and ineffective in a series of public hearings reviewing roadway improvements to Neperan Road.

With respect to [b], [e] and [f], the elimination of on street parking and the creation of dedicated turning lanes would harm local businesses and residences by exacerbating the existing parking shortage and would also severely negatively impact the "small town" character of our business district. On street parking is not only critical to the Tarrytown central business district but also acts as a pedestrian barrier, and as such is a vital component of the pedestrian friendly character of our Village. Its removal would amplify the "highway" aspects of Broadway and would lead to a situation currently experienced by Villages such as Ossining where Route 9 has become a major high-speed boulevard and pedestrian traffic is minimal.

With respect to [d] the implementation of turn restrictions simply moves the problem to another location and does not mitigate the impact.

With respect to [g], New York Department of Transportation Regulations prohibit double right-hand turn lanes across a crosswalk such as that which is proposed by the applicant. 6003 (continued)

We are also concerned that the proposed addition of over 1500 residential units will undoubtedly create parking impacts in the Tarrytown central business district, which currently is already near or at capacity on Saturday and at times during the week. The proposed addition of over 1500 residential units at the Lighthouse Landing site can only make the condition worse. Therefore, it is important that Sleepy Hollow and Tarrytown to work together in the environmental review process of this major development proposal to insure that negative impacts on parking in the Village of Tarrytown are adequately addressed. 6004

Our consultants also have informed us that a fundamental shortcoming of the DEIS is its overly optimistic projections of future traffic generated by the development. In particular, they point out that the DEIS has utilized very liberal assumptions made with regard to the trip-generation estimates, the level of mass transit use, as well as the level of synergy created on the site, and that support for these assumptions is lacking. We believe that the Village of Sleepy Hollow should require that that Applicant conduct a conservative analysis (i.e., a reasonable worst-case analysis), not a liberal one, to insure that if the projections do not materialize as forecast, the traffic impacts would be better than expected rather than worse. 6005

The development's negative impacts on the Miller Park neighborhood, as well as its adverse impact on emergency response times, are also highlighted by our consultant's reviews. As indicated in a January 2005 joint letter from both Villages' traffic consultants, there already is extensive traffic congestion in both Villages, a situation that hinders emergency response vehicles when called to an incident. Consequently, we urge that the Applicant be required to more carefully review both of these areas of concern 6006

Our consultants also have noted that the DEIS has not adequately addressed the impacts of truck traffic during both the construction and post-construction periods. Because of the current weight restrictions on the Beekman Avenue bridge, all heavy truck traffic must use Central Avenue to get to Broadway (an unsignalized intersection). This situation seriously destabilizes the Broadway corridor and is of paramount concern to the Village of Tarrytown. Therefore, we believe that it is incumbent upon the Village of Sleepy Hollow to require that the Beekman Avenue bridge be repaired prior to any construction at the site so that the weight limitation on the bridge can be lifted. This would allow a more appropriate distribution of truck traffic throughout our two Villages and alleviate a portion of the negative impacts on Central Avenue and its intersection with Broadway. 6007

In sum, our consultants' reviews indicate that the measure proposed by the Applicant in the DEIS are not likely to adequately mitigate the serious negative environmental impacts to be generated by the project. Based on our consultants' analyses, we believe that the Final Environmental Impact Statement (FEIS) should include a review of an alternative 6008

that would include a 50 percent reduction in density, or an alternative that would provide for similar levels of mitigation. 6008 (continued)

I and the Board of Trustees look forward to working with the Village of Sleepy Hollow in order to insure that the needs and concerns of both municipalities are carefully reviewed and addressed. Working together, I am certain we can help create a waterfront development that will benefit all of our residents.

Very truly yours,

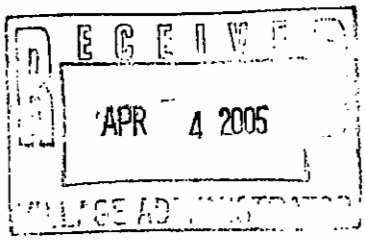
Drew Fixell, Mayor
Village of Tarrytown

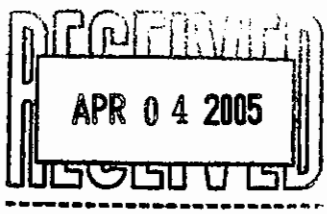
Enclosures:

Report of Adler Consulting, dated April 4, 2005
Report of BFJ Planning, Georges Jacquemart, dated April 1, 2005
Report of BFJ Planning, Frank Fish, dated April 1, 2005
Memorandum of Joe McCarthy, Chief Tarrytown Fire Department, dated April 4, 2005

COMMENT LETTER NO. 61

Adler Consulting, Transportation Planning & Traffic Engineering, PLLC
235 Main Street
White Plains, NY 10601-2401
Tel # (914) 997-8510
Fax # (914) 997-7140





April 4, 2005

The Honorable Drew Fixell, Mayor
Village of Tarrytown
21 Wildey Street
Tarrytown, NY 10591

Re: Review of Proposed Lighthouse Landing Development
Village of Sleepy Hollow, New York

Dear Mayor Fixel:

Adler Consulting has conducted a careful and balanced review of the Lighthouse Landing Draft Environmental Impact Statement (DEIS). Based on this review, it is concluded that the DEIS does not present a complete and accurate picture of the impact the development will have on the Village of Tarrytown. Specifically, the Project's traffic impacts have been underestimated, no attempt was made to estimate the Project's impact on parking in the Tarrytown central business district (or, for that matter, in the Sleepy Hollow business district), no attempt was made to estimate the Project's impact on emergency response times in the village and no mitigation was proposed for the impacts associated with truck traffic generated by the Project, either before or after its completion. Even with these deficiencies, it is clear that the Project will have both traffic and parking impacts in Tarrytown which must be mitigated, either by practical physical improvements or through a major reduction in the Project size.

Given that the Project will have impacts in Tarrytown and that the Applicant has identified physical improvement measures to mitigate these impacts, some of which may require Village of Tarrytown approval (page III.I-44), the DEIS should recognize the Village as an involved agency in Section II.D. 6101

The following is a brief discussion of the primary areas of concern which the Applicant must address in the Final Environmental Impact Statement (FEIS) to ensure that the Project's impacts are properly identified and mitigated:

A INCONSISTENCY IN PROJECT SIZE

Table 1 of the DEIS parking analysis performed by Walker Parking Consultants indicates that there will be 30,000 sf. of restaurant space at Lighthouse Landing, over and above the 146,600 sf. retail component. This additional 30,000 sf. is not mentioned elsewhere in the DEIS and was not evaluated in the Traffic Impact Study. This inconsistency should be resolved. 6102

B. UNDERESTIMATION OF PROJECT TRAFFIC

The most fundamental element in determining a project's impact is estimating the amount of traffic that it will generate. Since traffic projections are just that, "projections", and because every site is unique, there will always be a margin of error. Therefore, to prevent impacts from being worse than predicted, the analyses should tend toward the conservative, rather than the liberal. Critical to the determination of project trip generation are the various "assumptions" that go into formulating a project's traffic generation potential. These assumptions are often made, not based on hard facts, but on analogous comparisons. For these reasons, assumptions made in determining a project's impact should also favor the conservative. Many of the comparisons made to support the trip assumptions in the DEIS are tenuous and, consequently, the resulting assumptions are more liberal than conservative.

B.1 Retail Trip Generation

Traffic generated by the project is underestimated during the critical Peak PM Highway Hour (of the nine instances where current traffic operating conditions are operating at Level-of-Service "D" or worse, eight are in the PM). Trip generation for the retail component of the development was for Specialty retail (Land Use 814), yet the retail component of the project (which is listed as 180,000 square feet [sf.] and is analyzed as 170,000 sf., 146,000 sf. Specialty Retail and 24,000 Movie Theater), includes a 24,000 sf. market/supermarket (pages II-11, III.I-23 and III.I-24). Supermarkets are not included in Land Use 814 and trips associated with this use should be calculated separately. Furthermore, retail trip projections for the critical Peak PM Hour were based on surveys of only five (5) sites, three of which were less than 25,000 sf. in size, and the handbook for the publication from which the data was taken recommends the use of caution in such incidents. (Incidently, as detailed on page III.I-26, there was no data at all for this Land Use for the AM and Saturday Peak Hours). 6103

Alternatively, based on our experience in these matters, we believe that using the weighted average trip rate for shopping centers (Land Use 820) is also a more appropriate means of determining the number of trips that will be generated by the retail component of the development. Data for this land use was collected from over 400 sites during the peak PM hour and applying the weighted average trip rate it is calculated that the retail component of the development would generate 45 percent more traffic than projected in the DEIS. 6103 (continued)

It is further estimated that the 145,000 sf. retail component of the development will generate half as much off-Site traffic as the remainder of the Project's various components, combined, and only 25 percent less off-Site traffic than the volume generated by the Project's residential component. This indicates that, the retail component of the Project is disproportionally large compared to the remainder of the Project and that the Lighthouse Landing development is, primarily, a residential and retail development, not just a residential development with a complementary retail component.

To provide a reasonable and conservative evaluation of the traffic impact of the Project, as proposed, the traffic study performed for the DEIS should be revised to reflect the greater level of trip activity that will be generated by the retail component of the development. It should also be revised to reflect the correct size of the retail component of the development, if necessary.

B.2. Retail Trip Credit for Lighthouse Landing Patrons

6104

The DEIS used a gravity model to project that 45 percent of the retail trips would come from within the Lighthouse Landing development. Yet this model was overly sensitive to one single, critical variable, the average distance from the proposed retail to the on-Site residences. The gravity model assumed this distance to be 530 feet (1/10 th of a mile) without any data demonstrating how this value was reached. **Adler Consulting** examined the gravity model and discovered that for every 50-foot change in the average distance from the proposed retail to the on-Site residences there is a 2.2 percent change in the proportion of retail trips that come from the residences at Lighthouse Landing. Without a detailed evaluation of the relative location of each residence to each retail store, the model is prone to widely varying results. Based on a review of information provided in the DEIS, **Adler Consulting** determined that the weighted average distance from the center of each residential block to the center of the Project's retail core (Beekman Place) is actually 0.15 miles.

6104 (continued)

Using this value, the model predicts that only 35 percent of trips will come from on-Site residences.

On page III.I-24 of the DEIS, the DEIS discusses the results of "a zip code survey at an existing Turco's Supermarket in Yorktown heights" and notes that "although the centroids for some zip codes fall outside the 5-mile radius, a significant portion of the areas encompassed by those zip codes lies within the five-mile radius." These statements and the information provided in Table 16-6 of the DEIS are remarkable. Considering that 15 percent of the surveyed customers came from as far away as Fishkill, Harrison, Mamaroneck, Mahopac, Cross River, Carmel and Briarcliff Manor, it is reasonable to assume that a substantial portion of the surveyed customers from Somers, Ossining, Katonah and Croton, whose zip codes straddled the five-mile radius, also came from greater than five miles away. Based on a review of the data as well as the zip codes and their location relative to a five-mile radius from Turco's Yorktown Heights store, it is calculated that approximately 35 percent of the surveyed customers probably came from outside the five-mile radius.

Furthermore, and perhaps more importantly, the survey revealed that 47 percent of the supermarkets customers came from the Yorktown Heights zip code, which is estimated to have a population of approximately 25,000. Based on this information, it seems most unreasonable and certainly not conservative to assume that 45 percent of Lighthouse Landing retail shoppers will come from the on-Site resident population of 2,961.

The Institute of Transportation Engineers' (ITE) *Trip Generation Handbook* contains data which indicates that, for a 145,000 sf. retail facility, 35 percent of PM and Saturday trips are captured from passing traffic. Based on this information and a review of the gravity model, it is **Adler Consulting's** opinion that it is more appropriate to assume that 35 percent of retail traffic will come from the other components of the Lighthouse Landing development. In performing our analyses, which are attached, we determined that the use of this value is slightly elevated when compared with the overall proportion of the remainder of Site traffic which would be expected to be retail oriented (22 percent). A value of 20 percent would, in our opinion, be more reasonable and conservative. This, again indicates that the retail component of the development is disproportionate to the remainder of the Project.

To provide a reasonable and conservative evaluation of the Project's traffic impacts, the traffic study performed for the DEIS should be revised to reflect the lower level of retail trip activity that will be generated from the other on-Site components of the development. 6104 (continued)

B.3. Residential Trip Credit for Mass Transit

In addition to the DEIS's overly optimistic estimates of the level of traffic generated by the retail component of the development, it also was overly optimistic in assuming how many motorists would opt to use mass transit. A trip credit of 40 percent was taken for all residential trips to account for mass transit use. This value was based on a single morning's survey at one building located in close proximity to the Yonkers train station and on a study of workers' places of employment at a single development next to the New Rochelle inter-modal center. 6105

Neither of these studies provides a complete picture of trip patterns and neither is sufficiently comparable with the configuration of Lighthouse Landing to be used for analysis purposes. The Scrimshaw building is an eight-storey building next to the Yonkers train station and no data was provided for the PM hour. Lighthouse Landing consists of two-storey townhouses and three- to five-storey apartments and condominiums. Further, if a new station is not built, these residences will be 0.6 miles from the Philipse Manor station and 0.7 miles from the Tarrytown station (DEIS at page III.I-45). The Avalon Development is a 28-storey development next to the New Rochelle inter-modal center and the study only considered where employees worked. According to the DEIS (page III.h-10) 1,349 of Lighthouse Landing's 2,999 resident population (45 percent) will not be in the workforce and many of them will be driving to other activities.

Based on our experience, it is reasonable to assume a 35 percent credit for exiting trips and a 5 percent credit for entering trips in the morning and the reverse in the evening at the Site's apartments and condominiums, assuming the new station is built next to the development. This credit could be significantly less for the "No-Station" if an effective and shuttle service is not provided (as discussed later in this report), since it would place the Lighthouse Landing residences a half mile further from the train.

To provide a reasonable and conservative evaluation of the Project's traffic impacts, the traffic study performed for the DEIS should be revised to reflect the lower level of mass transit use by the residents of Lighthouse Landing.

B.4. Senior Housing Trip Generation

Based on a review of the data published by the Institute of Transportation Engineers, which showed two groups of data sources, as well as studies Adler Consulting has performed at two senior apartment developments on the Westchester-Putnam border, it is our opinion that senior housing, such as that proposed at the Lighthouse Landing Site, will generate traffic at a rate of 0.2 trips per unit in the morning peak highway hour, 0.23 trips per unit in the evening peak highway hour and 0.3 trips per unit in the peak highway hour on a Saturday. 6106

To provide a reasonable and conservative evaluation of the Project's traffic impacts, the traffic study performed for the DEIS should be revised to reflect the greater level of trip activity that will be generated by the senior housing component of the development.

B.5 New Trips to a New Station

The trip-generation calculations that took into account the construction of a new train station did not properly factor in the impact of constructing 400 hundred new commuter parking spaces at the new station. As detailed on page III.I-27 of the DEIS, it is calculated that 200 trips will arrive at and 20 trips will depart from this parking lot during the morning peak hour, while the reverse will occur during the evening peak hour. Yet the DEIS incorrectly claims that "a new station does not necessarily result in new vehicle trips" (DEIS page III.I-25) and generously assumes that all of these trips just transfer from the Philipse Manor or (primarily) the Tarrytown train stations. 6107

Yet the proposal to provide 400 parking spaces comes "in response to Metro-North's desire to address area parking needs within the Hudson line Corridor" (DEIS, page II-12), emphasis added. As documented on page III.I-37 of the DEIS, "there is currently a significant demand for parking at the Tarrytown station" and most of this demand is generated by out-of-town motorists. Unfortunately for the communities in the vicinity of Metro-North stations, it truly is a case of "if you build it, they will come" where parking is concerned. The DEIS should have assumed that almost all of the 220 peak-hour trips at the new station would be new trips on the roadway network, not just a reassignment of existing motorists. To provide a reasonable and conservative evaluation of the Project's traffic impacts, the traffic study performed for the DEIS should be revised to reflect this.

Taking all of these factors into consideration, **Adler Consulting** reevaluated the projected trip generation of the proposed Lighthouse Landing development. This analysis leads us to conclude that the Peak AM and Saturday trip projections in the DEIS are reasonable but that traffic generated by the development during the critical Peak PM Highway Hour, which is attached, will be 43 percent greater than evaluated in the DEIS. To properly evaluate the Project's impact, the DEIS intersection capacity analyses need to be re-executed with the revised trip generation values. 6107 (continued)

C. LIMITED STUDY AREA

The scope of the study included in the DEIS omits several key intersections along and surrounding the south end of Broadway in the Village of Tarrytown which the traffic analysis in the DEIS identifies as being significantly adversely impacted by the proposed Lighthouse landing development. Based on the results of the DEIS, the scope of the traffic analysis performed for the environmental review of this Project should be expanded, as described below.

C.1 Miller Park Neighborhood

On page 2 of correspondence dated June 6, 2003, concerning the scoping document for Lighthouse Landing, **Adler Consulting** noted that "many of the Village of Tarrytown's intersections and thoroughfares are already overburdened" and that any significant increase in traffic will end up "driving more non-locals to the local residential streets." This will significantly impact the quality of life for the residents of these otherwise tranquil neighborhoods. At that time, **Adler Consulting** requested that "the Environmental Impact Statement (EIS) for the proposed development must adequately document these impacts and identify measures which will adequately mitigate them." 6108

The DEIS has neither identified nor mitigated these impacts, although it does reveal that they will be impacted. It indicates that 4 percent of trips generated by Project will come from and return to the Miller Park neighborhood. Based on our experience, which has been corroborated repeatedly in conversations with Village of Tarrytown officials, not only will almost all of these trips pass straight through the neighborhood, but the proportion of Project traffic that will do so will be far in excess of the 4 percent projected. Existing traffic volumes in the Ferry Landings development DEIS indicate that 33 percent of Franklin Street traffic diverts through the Miller Park neighborhood in the peak direction and 15 percent diverts through the neighborhood in the off-

6108 (continued)

peak direction. Based on this information, it is calculated that the Lighthouse Landing development will add 120 cars to this residential neighborhood during the peak hours.

Table 10-15 of the DEIS traffic study indicated that it will take 211 seconds, on average, to make the right turn from Franklin Street to Broadway in the a.m. and that it will take another 70 seconds, on average to pass southbound through the intersection of Benedict Avenue with Broadway. Add to that the estimated 30 seconds that it will take to pass eastbound through the intersection of Franklin Street with Washington Street (which is not analyzed in the DEIS) and one realizes that it will take over five (5) minutes to travel from Riverview Avenue along Franklin Street to Broadway and then south past Benedict Avenue during the morning peak-hour. It won't take very long for the residents of Lighthouse Landing, the majority of whom will be leaving via this route to go to work at this time, to realize that there is an alternative route through Miller Park.

In the opposite direction, Table 10-15 indicates that it will take 147 seconds, on average, to travel north along Route 9 through Benedict Avenue and 35 seconds, on average, to turn onto Franklin Street. Add to this the estimated 50 seconds that it will take to pass westbound through the intersection of Franklin Street with Washington Street and it is apparent that it will take almost four (4) minutes to travel from Benedict Avenue along Broadway to Franklin Street and then west past Riverview Avenue. Employees and patrons traveling to work and shop at Lighthouse Landing in the morning will be quick to discover the alternate route through Miller Park.

In the evening, the situation is projected to be even worse. Based on the information provided in Table 10-16, and assuming that it takes 50 seconds to pass through the intersection of Franklin Street with Washington Street in the eastbound direction and 40 seconds in the westbound direction, the DEIS indicates that it will take over nine (9) minutes to travel from Riverview Avenue along Franklin Street to Broadway and then south past Benedict Avenue, while it will take over five (5) minutes to travel from Benedict Avenue along Broadway to Franklin Street and then west past Riverview Avenue. Table 10-17 indicates that conditions on Saturday will be the same as during the weekday mornings.

On page 12 of the June 6, 2003 letter on the Project Scoping, **Adler Consulting** requested that "the EIS should document why and how motorists divert" to these local roadways. The information provided in the DEIS supports the conclusion that the impact on the Miller Park neighborhood must be accurately quantified in the FEIS and that a real program of improvements must be identified and evaluated to mitigate this impact. A traffic simulation model of the following streets and all the intersections thereon should be developed: 6108 (continued)

- Franklin Street, from Riverview Avenue to Broadway;
- Broadway from Franklin Street to Church Street;
- Church Street;
- Independence Street;
- Park Avenue;
- Miller Avenue;
- Riverview Avenue;
- Glen Street;
- Bridge Street; and,
- MacArthur Lane (south of Bridge Street).

The simulation analysis should show the current flow patterns through these streets, how they will change with time, how they will be impacted by the Project and how the Project's impact will be mitigated by improvement measures. Measures to be considered include traffic calming devices and a closed-loop, coordinated signal system which would incorporate the existing signal at the intersection of Broadway with Benedict Avenue, the new signal at the intersection of Broadway with Franklin Street and possibly a new signal at the intersection of Washington Street with Franklin Street.

C.2 Broadway at Prospect Avenue

As documented in the January 2005 joint communique from the traffic consultants for the Villages of Tarrytown and Sleepy Hollow, the intersection of Prospect Avenue with Broadway is "arguably the most congested intersection in the Village of Tarrytown" (page 3). On page 12 of the June 6, 2003 letter on the Project Scoping, **Adler Consulting** specifically requested that this intersection be included for analysis in the DEIS. 6109

The DEIS analyses revealed that the Project will have a significant adverse traffic impact at the closest signalized intersecting streets upstream and downstream from this intersection and that improvements were identified to mitigate these impacts. It is, therefore, clear that the Project will also have a significant adverse traffic impact at the intersection of Broadway with Prospect Avenue. The FEIS should include an analysis of this intersection and identify necessary mitigation measures as appropriate. 6109 (continued)

C.3 Broadway at Tappan Landing Road

The intersection of Tappan Landing Road with Broadway is unique to the study area in that there is no other outlet for traffic from this residential neighborhood and Broadway has only one through-lane per direction at its intersection with Tappan Landing Road. Because of the very heavy existing volumes of traffic on Broadway at this location are confined to a single lane in each direction, there are very few gaps in traffic for vehicles to make a left turn out of Tappan Landing Road. The DEIS indicates that the Lighthouse Landing development will add almost 400 new trips to Broadway during the peak hours which will represent an increase of approximately 15 percent. This will clearly worsen an already bad condition for the residents of this neighborhood who have no alternative route to avoid the difficulties of exiting on the Route 9. 6110

C.3 The H-Bridge

The Ferry Landings DEIS identified that "visibility and conflicting turning movements reduce the efficiency and capacity of the H-Bridge Ramps. Therefore, it is recommended that new interconnected traffic signals be installed at the H-Bridge Ramp intersections." Although the Village of Tarrytown is hopeful that the proposed Ferry Landing development will proceed to completion, it is still possible that the development program will come undone, with the result that no improvements will be made to the H-Bridge. 6111

Since the Lighthouse Landing development is projected to generate almost three times as much traffic across the H-Bridge as the Ferry Landings development, it stands to reason that, if the Ferry Landings development falters, the Lighthouse Landing development would have similar impacts requiring the same mitigating measures, yet no analyses of the two intersections at either end of the H-Bridge were performed. The FEIS must

either perform a contingency analysis, indicating the Project's impacts and proposed mitigation measures in the event that the Ferry Landings development does not materialize, or it must commit in writing to implementing the improvements identified in the Ferry Landings DEIS at the H-Bridge if such a circumstance arises.

6111 (continued)

D. MISREPRESENTATION OF EXISTING TRAFFIC CONDITIONS

6112

On page III.I-12, the DEIS indicates that the majority of intersections operate at level of service "E" or better. This statement, taken together with the statement of page III.I-10 that "in downtown areas similar to the study area, Level of Service E is generally the limit of acceptable delay" would imply that current traffic operating conditions in the study area are generally acceptable. There is no accepted engineering standard that postulates that Level of Service E conditions are "acceptable". The Highway Capacity Manual 2000, upon which the traffic study analyses are based, states that "most design or planning efforts typically use service flow rates at LOS C or D, to ensure an acceptable operating service for facility users" (page 2-3). Certainly, waiting between 55 and 80 seconds to pass through a signalized intersection may be tolerated with some frustration but it should not be characterized as "acceptable" and the DEIS should be revised to reflect the criteria documented in the Manual from which the software was developed.

As indicated in a joint January 2005 correspondence from the traffic consultant's for the Villages of Tarrytown and Sleepy Hollow, "the principal areas of traffic congestion in the Villages are along Broadway," that "there is no single rush hour, rather a three-hour rush" (emphasis added) and that "the number of motorists using the corridor is greater than the corridor's capacity." It is under these already-at-capacity conditions that the impact of the more than 1,000 peak-hour trips that will be added to the area's roadways by the Lighthouse Landing development must be considered.

E. INADEQUATE EVALUATION OF TRUCK TRAFFIC

6113

Item 3.b. of the approved scope for the Project requires that the DEIS "analyze existing and future truck traffic activity, including numbers of trucks." The DEIS contains no quantitative evaluation of post-construction truck traffic, no analysis of traffic operating conditions during construction, no recognition of the current limitations of only the available truck route, and only a passing discussion regarding

what is quoted on the very first page of the DEIS (I-1) as "perhaps most importantly, ... an extraordinary opportunity to reconnect the Hudson River waterfront to the downtown core of Sleepy Hollow."

6113 (continued)

E.1 Connecting Beekman Avenue to Lighthouse Landing

6114

Access across the Beekman Avenue Bridge is presently restricted by a 12-ton weight limit. This restriction has many ramifications, the most important of which could involve life and death consequences and others which relate to the nature of the development and the fair-share burden placed upon the neighboring community.

If the Beekman Avenue Bridge over the Metro-North Railroad has a structural deficiency that is compromised by vehicles exceeding the 12-ton limit, then emergency response apparatus, such as pumpers with 500+ gallon water tanks, may not be able to cross the bridge in response to calls at the Lighthouse Landing development, as indicated by the Fire Chief on page III.D-9 of the DEIS. This issue is of paramount importance. With the repopulation of this site with approximately 3,000 people, the fire department will have to respond to the development with all units on a regular basis. Even with the potential relocation of Union Hose Company #2 to the property, as indicated on pages III.D-9 and III. D-13, it is irresponsible to require the remaining five companies to go to Tarrytown and return across the H-bridge to the Site, especially during rush hours. In the event of a significant incident, such a situation could have significant and far reaching consequences if it is not properly addressed in the Project design and approval process.

The FEIS must include the structural engineer's "load ratings analysis" and not just a statement that the capacity of the bridge is "approximately 12 tons". The FEIS should also contain a comparison with the loads exerted by the Village's largest emergency response vehicles when crossing the bridge. Only through this analysis can the Village determine its needs for the long-term safety and welfare of its new residents, as well as others that will visit the retail, office, theater and hotel components of the Project. Furthermore, since the Village intends to service the refuse needs of the development with its own trucks across the Beekman Avenue bridge (as indicated on page III.D-11 of the DEIS), a similar weight analysis should be performed for loaded garbage vehicles.

E.2 Analysis of Future (post-construction) Traffic

6115

The DEIS essentially concludes that truck activity "cannot be precisely determined" (page III.I-28) and does not even offer an opinion on whether post-construction truck traffic will impact traffic operating conditions. This is not an analysis. The FEIS should quantify the expected volume of peak-hour truck traffic that will be generated at the Site, discuss how it will access the Site, and detail the impacts that it will have along these routes. In addition to the refuse trucks, UPS trucks, FedEx trucks and buses that will service all components of the development, the FEIS should provide reasonable estimates of the number and size of delivery vehicles, serving the retail and hotel components of the Site as well as the number of moving vehicles that will be traveling to the Site as the 1,500 residential units initially are occupied. As a rough estimate, it can be expected that 1 percent of the peak-hour trips will be large or heavily-loaded trucks and that an additional 2 percent will be panel-type trucks. Based on these values, and accounting for the DEIS's underestimation of the Project traffic, it is preliminarily estimated that 40 trucks will enter or exit the development during the peak hour.

Despite the fact the intersection of Broadway with Central Avenue is the only legitimate way out of the Site for truck traffic, the DEIS traffic study assigns absolutely no traffic, trucks or otherwise, to this intersection. This oversight should be corrected in the FEIS and of the concentrated impact of Project truck traffic at this location should be accounted for, as described above.

E.3 Limitations of Existing Truck Route

6116

With the current 12-ton weight restriction on the Beekman Avenue Bridge, all access to the Tarrytown and Sleepy Hollow waterfront is via the H-Bridge only, from whence all trucks are required to proceed up Central Avenue in Tarrytown to Broadway. At that point, trucks heading north must turn left while trucks heading south must turn right.

The intersection of Central Avenue with Broadway requires particular attention in evaluating the future traffic impact of the proposed development. It is an unsignalized intersection, with a considerable upgrade approaching the intersection and tight curb radii. These conditions place an exceptional burden on trucks. It takes a long time for larger and heavier trucks to start on the Central Avenue upgrade after they stop at the stop sign. Consequently, they must wait for exceptionally long gaps in the traffic stream before they can

proceed. Furthermore, because of the tight curb radii, larger vehicles wishing to turn right must cross over into the northbound lane of traffic on Broadway to make the turn. As a result, both left and right-turning large or heavy vehicles typically have to wait for suitably long gaps in both directions of traffic on Broadway simultaneously. These vehicles have a tremendous impact on the operation of this intersection that is not adequately accounted for in the intersection capacity analyses performed for the DEIS. 6116 (continued)

The Highway Capacity analysis for the intersection of Broadway with Central Avenue calculates that the intersection can accommodate 50 percent more cars than it can trucks. In fact, for the combination of large and small trucks (3 and 7 percent, respectively) that are expected to pass through this intersection from the development, it is estimated that the intersection could accommodate four (4) times as many cars as it could trucks. It is, therefore, concluded that the heavy-vehicle factor used in the intersection capacity analyses underestimates the effect of truck at this intersection by a factor of eight. It is therefore, recommended that the percentage of trucks entered into the software used to evaluate this intersection be eight-times the actual truck percentage. Furthermore, in determining the actual percentage of trucks at this intersection, the Applicant should specifically project how many additional large and small trucks (together constituting the truck percentage) the project will add to each movement at this intersection. The FEIS should quantitatively evaluate the impact of truck-traffic generated by the Lighthouse Landing development on the intersection of Central Avenue with Broadway using the above-describe procedures.

E.4 Fair-Share Burden

The 12-ton wight limit on the Beekman Avenue Bridge restricts access to the waterfront in both Villages via the Tarrytown roadway network. For qualitative evaluation purposes only, it is roughly estimated that the Lighthouse Landing development will generate three times as much truck traffic as the Ferry Landings development. Similarly, it is roughly estimated that two-thirds of all waterfront development-generate trucks wish to travel to the south of the waterfront and one-third want to travel to the north. 6117

Were there no weight restriction on the Beekman Avenue Bridge, it is, therefore, calculated that for every nine overweight trucks leaving the Lighthouse Landing development, there would be three leaving the Ferry

6117 (continued)

landings development, that three of the Lighthouse Landing Trucks would use the Beekman Avenue Bridge and six would use the H-Bridge, that one of the Ferry Landings Trucks would use the Beekman Avenue Bridge and two would use the H-Bridge. Thus, without the weight restriction, there would be four trucks on Beekman Avenue for every eight on Central Avenue, one of the four trucks would be from the Ferry Landings development and six of the eight trucks would be from the Lighthouse Landing development. The trucks on Beekman Avenue would be headed to the north, while those on Central Avenue would be headed to the south. Clearly, under this condition, the Village of Tarrytown would already be carrying the greater burden of truck traffic.

With the current weight restriction, there will be no large trucks on Beekman Avenue and twelve trucks on Central Avenue, increasing the burden of truck traffic on Tarrytown Roads by 50 percent. The impact of these additional trucks, would likely be even greater, since the intersection of Beekman Avenue with Broadway is signalized and has wide turning radii, while the intersection of Central Avenue with Broadway is unsignalized and has small turning radii. As a result, left-turning trucks can be accommodated with reasonable ease at Beekman Avenue, while they can only be accommodated with extreme difficulty at Central Avenue.

Parenthetically, it is noted that the Bridge's clearance over the railroad is documented in the report as only 21 feet. New York State Department of Transportation has recently implemented a policy to increase the clearance of Bridges on the Hudson Line to at least 22"-6" as funds become available, to allow taller freight cars to use the line. The development of Lighthouse Landing provides a unique opportunity to both achieve this goal and to put the bridge back to work the way it was originally intended, providing access to riverfront properties for the transport of goods.

On page III.l-13 of the DEIS it is stated that "the Applicant is amenable to contributing its fair share of the cost to improve the Beekman Avenue Bridge." Without the repair of the Bridge, it is estimated that the Lighthouse Landing development would more than double the level of truck traffic on Central Avenue in Tarrytown. **In order that the already heavy burden of this additional truck traffic is not placed entirely on the Village of Tarrytown, the Lead Agency should require, as a condition of approval, that the**

Applicant repair/replace the Beekman Avenue Bridge and that this work is done before construction commences. 6117 (continued)

F. INADEQUATE EVALUATION OF CONSTRUCTION TRAFFIC IMPACTS 6118

Based on the information provided on page III.L-2 of the DEIS, it is estimated that construction of the development will generate up to 350 peak-hour employee trips and 160 or more truck trips per day (80 entering and 80 exiting trips). It is noted that this is more traffic that will be generated by any other project recently approved in either Village and is even more traffic than will be generated by the entire Ferry Landings development. Furthermore, because of the weight restriction on the Beekman Avenue Bridge, it can be expected that almost all of the truck trips will be added to the H-Bridge and Central Avenue corridor in Tarrytown. The DEIS provided no further analysis of the impact of these trips, other than to say (also on page III.L-2) that other modes of transporting construction materials "may be feasible" but will be "dependant on a variety of factors."

Clearly, the addition of just the employee traffic to the Study area will, in and of itself, have a significant adverse impact, which will be exacerbated by the addition of truck traffic. The FEIS should acknowledge these impacts and identify real mitigation measures, not ones that may or may not be feasible, depending on prevailing economic conditions. Failing this, the lead agency should require the Applicant to complete the ultimately-identified traffic mitigation measures, including the repair/replacement of the Beekman Avenue Bridge, prior to the commencement of a significant level of construction activity.

G. FUTURE CONDITIONS WITHOUT THE PROJECT 6119

It is noted that the DEIS made projections for future traffic conditions without the Project by estimating the volume and assignment of the original Ferry Landings application, which included 250,000 sf. of office or Research and development space, along with 98 condominiums/townhomes, a new Village Hall, an aquatic center and some restaurant space. The Ferry land development has since been changed considerably to reduce the volume of traffic that it will generate by approximately half.

While the DEIS Traffic Study did account for the reoccupancy of the former IBM building by New York Life, which is outside the study area, it did not anticipate the

reoccupancy of the former Grand Union Supermarket, which is in the heart of the study area, by Walgreens. 6119 (continued)

The DEIS traffic study did not include anticipated development in the Eastview section of Mount, Pleasant and Greenburgh, including, but not limited to, the recently approved 113,500 sf. Home Depot. The Home Depot study shows that this development will generate traffic around the Tarrytown Lakes.

By not accounting for the large volumes of traffic that will be generated by these projects in the Study area, the DEIS traffic study does provide a sufficiently accurate baseline fo future traffic operating conditions without the project from which the Lighthouse Landing's development can be evaluated. The traffic study should be revised to more accurately reflect the traffic that may be generated by the Ferry Landings development and to include the traffic that will be generated by these other projects.

H. How will Shuttle Service Function

The DEIS makes multiple references to a shuttle service that will ferry Lighthouse Landing residents to the Philipse Manor and Tarrytown train stations if a train station is not built (pages II-13, II-24, III.I-26, and III.I-37), but provides no specific information regarding this service, which will be vital to mitigate the Project's impact if a new train station is not built, other than that the vehicle used will seat 20 passengers. On Page III.H-10, the DEIS indicates that there would be between 400 and 500 shuttle riders during the peak hours in the morning and evening. The FEIS must detail how this system will operate. Information that needs to be provided includes: 6120

- How long will it take for each shuttle to make a round trip?
- How many stops it will make?
- Which trains will be serviced?
- How many shuttle buses will be needed? and,
- How funding for the service will be self sustaining?

I. Impact on Emergency Response Times

The DEIS indicates that some of the major corridors in the Village of Tarrytown, namely Broadway Franklin Street, are currently operating at capacity, that existing 6121

congestion will only worsen with the passage of time and that the Lighthouse Landing development will only exacerbate the problem. Emergency response providers are already encountering problems on Broadway, particularly Cobb Lane to Franklin Street, with overcrowded conditions. When an emergency response vehicle is trying to travel through these areas, there are not sufficient places for the heavy volume of traffic on the roadways to let them pass. This issue was raised in our June 3, 2003 correspondence and is again apparent in the review of the DEIS, yet there was no attempt to address the issue. The FEIS must identify acceptable measures to relieve the additional congestion caused by Project traffic, such as the installation of a fire-preemption-system at the key signalized intersection, to mitigate for the impact of the additional Project traffic. 6121 (continued)

J. PROJECT PHASING AND MONITORING

Little could be found in the DEIS regarding phasing of the Project. If the Project is to be built in phases, the Applicant should be required to monitor the level of traffic generation that occurs after each phase is built and to compare it to what was projected. In the event that the monitoring program indicates that the impacts of the Project will be greater than projected in the DEIS, the developer should be required, as a condition of approval, to further mitigate the Project's impact or reduce the ultimate size of the Project accordingly. 6122

Similar to monitoring Project-traffic during phasing, the Applicant should be required to monitor the level of traffic activity along Broadway as various regional projects such as the Route 9A Bypass are completed. The final Project build-out could be conditional upon the materialization of beneficial impacts to the US Route 9 corridor from other regional projects. These issues should be addressed in the FEIS.

K. PRELIMINARY IDENTIFICATION OF PROJECT TRAFFIC IMPACTS

Based on a review of the DEIS, it is clear that the proposed Lighthouse Landing development will have a significant impact on traffic at the following locations in the Village of Tarrytown, the locations of which are shown on the attached map: 6123

1. **County House Road at Neperan Road (around the Tarrytown Lakes)** - Overall failing ("f") conditions will be worsened by approximately 13 percent in the morning peak hour and by 10 percent in the evening peak hour, although greater increases in delays will be encountered on some of the

6123 (continued)

individual movements. The analyses indicate that it will take longer than a minute to pass through this intersection and the Project's impact can be mitigated by the installation of a traffic signal (p III.I-41).

2. **US Route 9 at Main Street** - Borderline tolerable ("E") conditions at this intersection are projected to be worsened to clearly failing ("F") conditions during the morning peak hour at this location, with delays projected to increase by 45 percent. During the evening peak and Saturday hours, clearly failing conditions are projected to be worsened by approximately 25 percent. The analyses indicate that it will take longer that 3 minutes to pass through this intersection and the Project's impact can be mitigated by the elimination of 15 on-street parking spaces to create north and southbound left-turn lanes on Broadway (p III.I-41). Even with these improvements, overall failing conditions are still projected to prevail after the Lighthouse Landing development is completed.

3. **Main Street at Depot Plaza** - The DEIS indicates that the addition of Project, traffic to this intersection will reduce operating conditions from a Level-of-Service "B" to a Level-of-Service "F" during the Peak AM and Saturday Hours and the prevailing failing conditions in the PM will be worsened by a factor of almost 2. These increases in delays will be experienced almost exclusively by motorists leaving the Lighthouse Landing development. The DEIS indicates that signal timing modifications will be required "to accommodate the future traffic volumes" and mitigate for the Project's impacts (p III.I-42).

4. **Riverview Avenue at Franklin Street** - The DEIS indicates that the addition of Project traffic to this intersection will reduce operating conditions from a Level-of-Service "c" to a Level-of-Service "f" during the Peak AM and PM Hours and that one possible improvement to mitigate for the impact of project traffic "would be the restriction of left-turn movements from the Riverview Avenue approach" (p III.I-42). Furthermore, the Applicant should indicate the impact of the prohibition of left-turns at this location on traffic operating conditions at the adjacent intersection of Miller Avenue with franklin Street.

5. **Franklin Street at Broadway** - Although the DEIS acknowledges on page III.I-42 that "a police officer is stationed at this intersection to direct traffic during critical time periods" the Existing and No-Build analyses do not reflect this condition. They should be revised accordingly so that the Project's true

6123 (continued)

impact and the actual benefit of the proposed mitigation can be evaluated. The DEIS "identified improvements" (page III.I-42) for this intersection include the installation of a traffic signal and the elimination of approximately 20 on-street parking spaces to create a northbound left-turn lane. The DEIS analysis of the Build conditions, with the traffic signal, indicates that overall failing conditions will continue to prevail at this location during the Peak PM Highway Hour, even with the mitigation, with an average wait of more than two minutes to get through this intersection.

6. **Benedict Avenue at Broadway** - The Applicant should indicate whether the Build analyses of this intersection have included the left-turns that are proposed to be prohibited at the intersection of East Franklin Street with Broadway. Regardless, the DEIS indicates that operating conditions will be reduced from "D" to failing "F" Levels-of Service during the Peak AM and Saturday Hours as a result of the Lighthouse Landing development. During the Peak PM Hour, operating conditions are projected to be reduced from "E" to failing "F" conditions. To "accommodate future traffic volumes at this intersection (page III.I-43) the DEIS recommends that the northbound right-turn lane be converted to a through/right-turn lane. This recommendation also requires the elimination of the on-street parking as discussed for the previous intersection.

7. **NY Route 119 at Broadway** - The DEIS indicates that the addition of Project traffic to this intersection will reduce operating conditions from a Level-of-Service "C" to a Level-of-Service "E" during the Peak PM Hour. To mitigate for this impact, the DEIS recommends that the Route 119 approach be restriped to permit right turns from the middle lane as well as from the right-hand lane (p III.I-43).

8. **NY Route 119 at the I-287 Westbound Ramps** - The DEIS indicates that the addition of Project traffic to this intersection will increase the average delay on "E" level-of-Service operating conditions by 32 percent during the Peak PM Hour. To mitigate for this impact, the DEIS recommends that slight signal timing modifications be implemented.

9. **Central Avenue at Broadway** - Although the DEIS does not assign any traffic to the intersection of Central Avenue with Broadway (as previously discussed) it does note that prevailing operating conditions will be at failing ("f") levels

6123 (continued)

during the Peak PM and Saturday Hours, suggesting that the addition of Project traffic to this intersection will also have an impact at this location, which should be mitigated.

10. **Broadway at Prospect Avenue** - Although the DEIS does not analyze the intersection of Broadway with Prospect Avenue, the FEIS should include an analysis of this intersection. This intersection is listed in the joint January 2005 correspondence from the Villages' traffic consultants as "arguably the most congested intersection in the Village of Tarrytown." The DEIS analyses revealed that the Project will have a significant adverse traffic impact at the closest signalized intersecting streets upstream and downstream from this intersection, for which mitigation was identified. It is, therefore, clear that the Project will also have a significant adverse traffic impact at this intersection. The FEIS should include an analysis of this intersection and identify necessary mitigation measures as appropriate.

11. **Broadway at Church Street, Independence Street and Park Avenue** - Although the DEIS does not analyze the intersection of Broadway with Prospect Avenue, the FEIS should include an analysis of this location. It is expected that, cumulatively, 100 peak-hour trips will be added to these unsignalized approaches to Broadway, which already experience considerable delays during the Peak PM Highway Hour, and that these additional trips will have a significant impact at these locations.

12. **Broadway at Tappan Landing Road** - Although the DEIS does not analyze the intersection of Broadway with Prospect Avenue, the FEIS should include an analysis of this intersection. It is expected that, the development will increase traffic volumes by approximately 15 percent at this intersection, which is currently experiencing poor operating conditions and where residents have no alternative means of accessing the surrounding roadway network.

13. **Miller Park Neighborhood** - The DEIS fails to recognize or mitigate for the Project's traffic impacts on the already overburdened Miller Park neighborhood where, based on the data available in the Lighthouse and Ferry Landing's developments, it is calculated that more than 100 trips will be added to these local residential streets unless specific and effective traffic calming measures are identified and implemented.

14. **The H-Bridge** - The Ferry Landings DEIS identified that that Project would impact the H-Bridge but that the impact could be mitigated by the installation of new, interconnected traffic signals at the H-Bridge Ramp intersections. Since the Lighthouse Landing development is projected to generate almost three times as much traffic across the H-Bridge as the Ferry Landings development, it stands to reason that the Lighthouse Landing development will also impact the H-Bridge and will require the same mitigation. 6123 (continued)

These are the impacts that were identified with the DEIS-projected traffic volumes. With actual Project-volumes expected to be 40 percent greater during the critical PM hour, the resulting impacts will be even worse than predicted. A detailed review of the intersections in Sleepy Hollow is not provided, although it is noted that the Project will have similar impacts in that municipality.

L. IMPACTS OF IDENTIFIED MITIGATION MEASURES

6124

In reviewing the DEIS, it is clear that the proposed Lighthouse Landing development will have a significant adverse traffic impact on many intersections in the neighboring Village of Tarrytown. On page III.I-36 the DEIS indicates that "mitigation measures have been identified for certain of the locations impacted by the Lighthouse Landing Project." In reviewing these measures it has been determined that many of them will require Village of Tarrytown approval and some will have their own, unintended impacts. These mitigation measures are:

- Installing a traffic signal at the intersection of County House Road with Neperan Road - signalizing this intersection, which falls under the jurisdiction of the Village of Tarrytown, would significantly impact the bucolic nature of the Tarrytown Lakes, particularly on quiet evenings and mornings. Both sides of the Tarrytown lakes are popular recreational zones. The FEIS should identify an alternative means of mitigating the Project's traffic impact at this location.

- Modifying the signal timing at the intersection of Main Street with Depot Plaza to accommodate traffic leaving the Site would require the consent of the Village of Tarrytown.

- Prohibiting left turns from Riverview Avenue to Franklin Street, which is a Village-owned intersection, would push all of the left-turning vehicles to Miller Avenue, creating an even greater impact at that location. Prohibiting left turns

6124 (continued)

at Miller Avenue would, in turn, push all the traffic over to the intersection of Main Street with Washington Avenue, requiring a reanalysis of that intersection. The FEIS should identify an alternative means of mitigating the Project's traffic impact at the intersection of Riverview Avenue with Franklin Street.

- Prohibiting left turns from East Franklin Street to Broadway may require a modification of Village Code to permit enforcement;

- The elimination of on-street parking at the intersection of Main Street with Neperan Road will have an adverse impact on the businesses in those neighborhoods where, as demonstrated in the DEIS, there is already a shortage of parking in this area. It will also alter the character of the Village at this location, as indicated on page III.I-1, where it is stated that "the retention of parking is sometimes desirable to maintain low traffic speeds in these areas, and thus increase pedestrian safety." The Village should determine whether any action is required on its behalf to eliminate parking at this location. The FEIS should identify an alternative means of mitigating the Project's traffic impact at this location.

- The elimination of on-street parking on Broadway from Benedict Avenue through Franklin Street will have an adverse impact on the businesses along that portion of Broadway, many of which do not have off-street parking. The Village should determine whether any action is required on its behalf to eliminate parking at this location. The FEIS should identify an alternative means of mitigating the Project's traffic impact at this location.

- Allowing two lanes of traffic to turn right from NY Route 119 to Broadway concurrently with a "WALK" phase on for the crosswalk across Broadway is in contravention of New York State Department of Transportation (NYSDOT) design criteria, as detailed in Subsection 272.6(c)(2) and Subsection 273.7(d)(1) of New York Codes Rules and Regulations, as well as inferred in Subsection 5.10.5.5.E of the NYSDOT *Highway Design Manual*. The proposed mitigation presents an adverse safety impact to pedestrians using the crosswalk. As indicated on page III.I-13 of the DEIS, this was the intersection that experienced the highest number of accidents (25) in the 3-year study period. The FEIS should identify an alternative means of mitigating the Project's traffic impact at this location.

M. IMPACT OF Additional Parking on Tarrytown's Business District

6125

The DEIS contained a 21-page study on the adequacy of parking at Lighthouse Landing yet not a single sentence, as far as we could ascertain, regarding the impact of the additional vehicles that will visit and park in the central business districts of the Village's of Tarrytown and Sleepy Hollow.

The DEIS indicates the destination of seven percent of Lighthouse Landing residential trips will be in the Sleepy Hollow central business district and a further two percent will be in the Tarrytown central business district. Applying the DEIS gravity model to the main Street area in Tarrytown indicates that Lighthouse Landing will increase retail parking demand in the Tarrytown Main Street area by approximately 7.5 percent (this was conservatively assuming a distance of 0.15 miles from Main Street residential to Main Street retail).

A review of the parking survey data provided in Table 12-3 of the DEIS revealed that there was barely enough parking on the February Saturday afternoon that the survey was conducted. Nine (9) of the 10 block-faces on Broadway from College Avenue to Elizabeth Street were effectively fully-parked and that a total of 98 percent of these spaces were occupied. Furthermore, the two municipal lots in this area were at 87 percent of capacity. It is our experience that demand is even greater in the spring, summer and fall. Interestingly, although there was a parking survey of Beekman Avenue (which indicated that 12 of the 16 block faces were fully parked), there was no survey of Main street Parking in Tarrytown. However, a survey of the municipal lot at Main and Washington indicated that it was completely full from 12:00 p.m. to 2:00 p.m. on same Saturday. Clearly, the DEIS indicates that there is no room for additional parking in the Village of Tarrytown's central business district on Saturdays (conditions are not much better on weekdays at lunchtime). It also indicates that the residential component of the Lighthouse Landing development will generate additional parking in this area, impacting the area's residents. The FEIS needs to identify how much additional parking will be generated and how the impact of this additional parking will be mitigated, possibly by reducing the size of the Project.

N. TRAFFIC SAFETY

6126

On page III.I-13, the DEIS notes that "the locations that did exceed the Statewide average accident rates were along US Route 9 at Benedict Avenue, (signalized), and West Franklin Street and Central Avenue (both unsignalized) ..... and Main at Washington Street and Cortlandt Street/Depot Plaza (both signalized)." It is noted

that the DEIS indicates that the Project will have a significant adverse impact at all of these intersections (except for the intersection of Main Street with Washington Street), yet there was no attempt to quantitatively assess the impact of these additional trips on traffic safety or to identify potential mitigation, other than the capacity-related improvements previously described. 6126 (continued)

As indicated in Table 12-1, the documented accident rates were particularly high at the intersections of Central Avenue with Broadway (where it was more than two times the average rate) and Main Street with Washington Street (where it was 36 percent higher than the average rate). These two locations are of particular concern because, in the first instance, all of the Project's truck traffic will pass through this intersection, and, in the second instance, there is a high level of pedestrian activity.

The FEIS should provide a quantitative analysis of the Project's impacts at these intersections, which should include identifying factors that are contributing to the elevated accident rates and identifying any necessary mitigation measures.

O. PROJECT DENSITY

As revealed by the DEIS, the proposed Lighthouse Landing development is projected to add a significant volume of additional traffic to the already overburdened roadways in the Village of Tarrytown, resulting in the traffic, safety and parking impacts previously described. Many of the mitigation measures identified in the DEIS have their own, unintended consequences or are not in keeping with the Village's vision for the future of Tarrytown. No mitigation measures have been identified for some of the impacts. An alternative means of mitigating the Project's impact is to reduce the volume of traffic that it will generate through scaling back the size of the various components of the development. 6127

At your direction, **Adler Consulting** conducted a sensitivity analysis to determine what level of development on the property might result in an impact-level which the Village of Tarrytown could consider tolerable and, thus, minimize the need for impactful mitigation measures. It is noted that the sensitivity analysis was essentially a linear comparison of the increase in Project traffic (adjusted to account for errors in the DEIS) with the projected increase in delays. As such, it requires a far more detailed analysis to confirm our findings.

This sensitivity analysis strongly suggests that a 50 percent reduction in the overall program size (or some other combination of reductions yielding the same decrease in traffic, e.g., a 60 percent reduction in the size of the retail and residential components of the Project but no change in the office, hotel or cinema components), would reduce the increases in delays attributable to the Project to a level that the Village of Tarrytown may be willing to consider in a favorable light. 6127 (continued)

As an example, included are Tables 1.0 and 1.1 of the Ferry Landings FEIS, indicating how the downsizing of that development was accomplished. Coincidentally, it is noted that the net reduction in off-Site traffic associated with the downsizing was 50 percent. It is also noted that only a 20 percent reduction was taken for mass transit and only a 20 percent reduction was taken for on-Site synergy between the various development components.

It is, therefore, recommended that the FEIS include intersection capacity analyses for a development alternative in which the volume of peak-hour traffic generated by the Lighthouse Landing development is 50 percent less than would actually be generated by the program proposed in the DEIS.

P. CONCLUSIONS

Based on the information presented in the DEIS, it is clear that the Project will have significant adverse impacts on the Village of Tarrytown in four specific ways and that suitable mitigation has not yet been proposed.

The additional traffic generated by the development will impact the residents of Miller Park as well as area motorists, primarily on Broadway from Main Street to NY Route 119 and on Franklin Street. There are no means of increasing capacity at most of the impacted intersections without other adverse impacts and the only way to practically reduce the impact at these locations is to reduce the size of the Project.

The traffic generated by the development will impact emergency response times along Broadway and Franklin Street as well as response times to Phelps Memorial Hospital from Irvington and the south end of the Village of Tarrytown. This impact cannot be mitigated but can be minimized by installing a traffic signal preemption system and by reducing the density of the Project.

The additional truck traffic generated by the project will significantly adversely impact residents and motorists along the Central Avenue corridor and in particular at the intersection of Broadway with Central Avenue, a high accident location. This impact cannot be mitigated but can be minimized by replacing/repairing the Beekman Avenue Bridge and by reducing the density of the Project.

The increased population in Sleepy Hollow will adversely impact the ability of residents in the Main Street area in Tarrytown to find parking within a reasonable distance of their homes. This impact can be mitigated by the construction of additional parking in the Main Street area or by reducing the density of the Project.

Based on our detailed evaluation of the information provided in the DEIS, we believe that reducing the density/traffic generation of the Project by 50 percent will likely limit the project's impacts to three areas, for which mitigation can be provided:

- The Miller Park neighborhood - where traffic calming devices, new signals at the intersections of Franklin Street with Broadway and, possibly, Washington Street, and a closed-loop coordination system may mitigate for the Project's impact;

- Emergency response times - where the installation of a traffic signal preemption system may mitigate for the Project's impact; and,

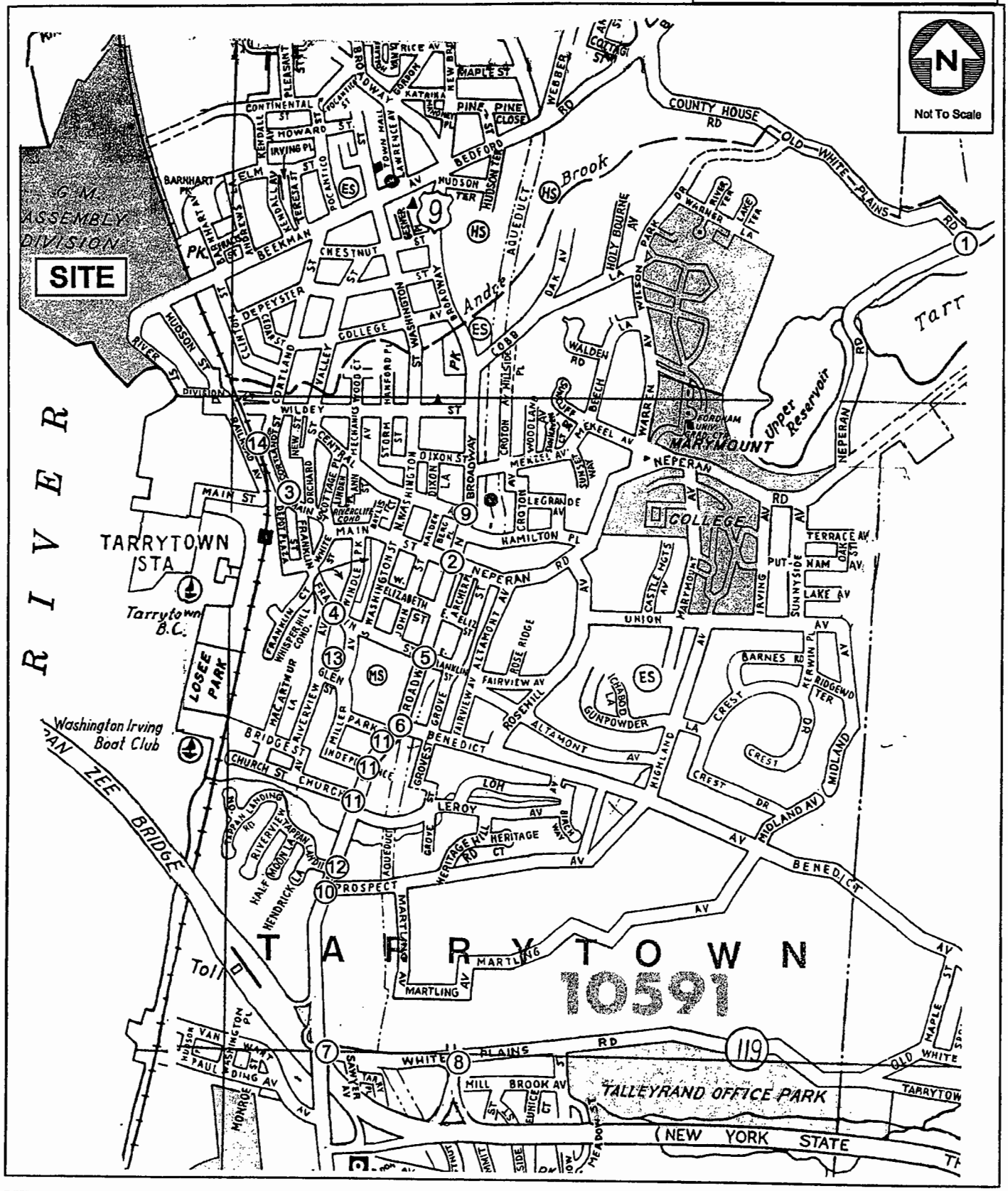
- Truck traffic - where the repair/replacement of the Beekman Avenue Bridge may mitigate for the Project's impact.

It is noted that all of the Project's impacts will commence when construction of the Project begins in earnest. Therefore, mitigation for these impacts should be in place prior to this. Furthermore, for a project of this size and timeframe, it is appropriate that traffic in successive phases be monitored to ensure the effectiveness of the mitigation measures, in particular of the shuttle service to the train if the proposed new train station is not built.

We trust that this information will assist you in your continued review of this important project. Please do not hesitate to contact us if should you have any questions.

Sincerely,
Adler Consulting,
Transportation Planning & Traffic Engineering, PLLC

John Canning, P.E., P.T.O.E
Senior Associate



Project:
Lighthouse Landing
Sleepy Hollow, NY

Title:
Impacted Intersections in Tarrytown

TABLE NO. 1.0

HOURLY TRIP GENERATION RATES AND ANTICIPATED SITE GENERATED TRAFFIC VOLUMES

COMMENT LETTER NO. 61 (continued)

BASED ON SITE PLAN

FERRY LANDINGS	ENTRY HTGR*	ENTRY VOLUME	EXIT HTGR*	EXIT VOLUME
128 CONDOMINIUM UNITS (1) (ITE LAND USE 230)				
WEEKDAY PEAK AM HIGHWAY HOUR	0.08	10	0.36	46
WEEKDAY PEAK PM HIGHWAY HOUR	0.35	45	0.17	22
SATURDAY PEAK HOUR	0.25	32	0.22	28
280,000 S.F. OFFICE SPACE (1) (ITE LAND USE 710)				
WEEKDAY PEAK AM HIGHWAY HOUR	1.36	381	0.19	53
WEEKDAY PEAK PM HIGHWAY HOUR	0.25	70	1.24	347
SATURDAY PEAK HOUR	0.20	56	0.20	56
10,000 S.F. COMMERCIAL SPACE (2) (ITE LAND USE 814)				
WEEKDAY PEAK AM HIGHWAY HOUR	1.35	14	1.35	14
WEEKDAY PEAK PM HIGHWAY HOUR	1.35	14	1.35	14
SATURDAY PEAK HOUR	1.35	14	1.35	14
SUB TOTAL				
WEEKDAY PEAK AM HIGHWAY HOUR	**----**	**405**	**----**	**113**
WEEKDAY PEAK PM HIGHWAY HOUR	**----**	**129**	**----**	**383**
SATURDAY PEAK HOUR	**----**	**102**	**----**	**98**
EXISTING OFFICE SPACE 60,000 S.F. OFFICE SPACE (1) (ITE LAND USE 710)				
WEEKDAY PEAK AM HIGHWAY HOUR	1.36	82	0.19	12
WEEKDAY PEAK PM HIGHWAY HOUR	0.25	15	1.24	75
SATURDAY PEAK HOUR	0.20	12	0.20	12
TOTALS				
WEEKDAY PEAK AM HIGHWAY HOUR	----	487	----	125
W/ CREDIT		**390**		**100**
WEEKDAY PEAK PM HIGHWAY HOUR	----	144	----	458
W/ CREDIT		**115**		**366**
SATURDAY PEAK HOUR	----	114	----	110
W/ CREDIT		**91**		**88**

* - THE ABOVE HOURLY TRIP GENERATION RATES (HTGR) ARE BASED ON DATA PUBLISHED BY THE INSTITUTE OF TRANSPORTATION ENGINEERS (ITE) AS CONTAINED IN THE TRIP GENERATION HANDBOOK, 7TH EDITION, 2003.

(1) - INCLUDES A 20% MASS-TRANSIT CREDIT AND (2) INCLUDES A 20% INTERPLAY CREDIT.

TABLE NO. 1.1

HOURLY TRIP GENERATION RATES AND ANTICIPATED SITE GENERATED TRAFFIC VOLUMES

COMMENT LETTER NO. 61 (continued)

ALTERNATE 3

FERRY LANDINGS	ENTRY HTGR*	ENTRY VOLUME	EXIT HTGR*	EXIT VOLUME
228 CONDOMINIUM UNITS (1) (ITE LAND USE 230)				
WEEKDAY PEAK AM HIGHWAY HOUR	0.08	18	0.36	82
WEEKDAY PEAK PM HIGHWAY HOUR	0.35	80	0.17	39
SATURDAY PEAK HOUR	0.25	57	0.22	50
0 OFFICE SPACE (1) (ITE LAND USE 710)				
WEEKDAY PEAK AM HIGHWAY HOUR	1.36	0	0.19	0
WEEKDAY PEAK PM HIGHWAY HOUR	0.25	0	1.24	0
SATURDAY PEAK HOUR	0.20	0	0.20	0
40,000 S.F. COMMERCIAL SPACE (2) (ITE LAND USE 814)				
WEEKDAY PEAK AM HIGHWAY HOUR	1.35	54	1.35	54
WEEKDAY PEAK PM HIGHWAY HOUR	1.35	54	1.35	54
SATURDAY PEAK HOUR	1.35	54	1.35	54
SUB TOTAL				
WEEKDAY PEAK AM HIGHWAY HOUR	**----**	**72**	**----**	**136**
WEEKDAY PEAK PM HIGHWAY HOUR	**----**	**134**	**----**	**93**
SATURDAY PEAK HOUR	**----**	**111**	**----**	**104**
EXISTING OFFICE SPACE 60,000 S.F. OFFICE SPACE (1) (ITE LAND USE 710)				
WEEKDAY PEAK AM HIGHWAY HOUR	1.36	82	0.19	12
WEEKDAY PEAK PM HIGHWAY HOUR	0.25	15	1.24	75
SATURDAY PEAK HOUR	0.20	12	0.20	12
TOTALS				
WEEKDAY PEAK AM HIGHWAY HOUR	----	154	----	148
W/ CREDIT		123		118
WEEKDAY PEAK PM HIGHWAY HOUR	----	149	----	168
W/ CREDIT		119		134
SATURDAY PEAK HOUR	----	123	----	116
W/ CREDIT		98		93

* - THE ABOVE HOURLY TRIP GENERATION RATES (HTGR) ARE BASED ON DATA PUBLISHED BY THE INSTITUTE OF TRANSPORTATION ENGINEERS (ITE) AS CONTAINED IN THE TRIP GENERATION HANDBOOK, 7TH EDITION, 2003.

(1) - INCLUDES A 20% MASS-TRANSIT CREDIT AND (2) INCLUDES A 20% INTERPLAY CREDIT.

COMMENT LETTER NO. 62

Saccardi & Schiff, Inc.

Planning and
Development
Consultants

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sands@saccschiff.com

MEMORANDUM

TO: Mayor and Board of Trustees
Village of Sleepy Hollow

FROM: David B. Smith, AICP / Owen Wells, AICP

DATE: April 1, 2005

RE: Lighthouse Landing DEIS

Our office has reviewed the January 11, 2005 Lighthouse Landing DEIS and associated plans. We have also attended the numerous public hearings/meetings and subcommittee meetings held to discuss the DEIS. We commend the Village Board for engaging in this thorough and open review process. The result has been the compilation by the Village Board of a comprehensive series of substantive issues that cover most areas of concern. To supplement these comments, we have noted several other items that the Applicant should respond to in the FEIS.

1. It has been noted during the review process that some consideration should be provided regarding the introduction of vertical elements, so as to avoid a somewhat monotonous roofline throughout the development. The zoning for the RF district allows for architectural features to extend beyond the zoning limits for building height. The Applicant should consider introducing a vertical element(s) that rises above the roofline to provide a signature statement to the development (spire, clock tower, bell tower). 6201

2. The development should be designed to permit accommodation of wireless communication facilities within the buildings so as to avoid monopole or rooftop installations. Certain buildings should incorporate decorative features or elements such as those noted in Comment 1, which could provide "stealth" locations for wireless antennae. 6202

3. The Applicant should provide additional detail regarding the potential to incorporate innovative green building concepts and high performance building designs. (e.g., high albedo paving and rooftops and shading of impervious surfaces to reduce heat island effect, use of rooftops for gardens or water collection, stormwater reuse for landscape irrigation Source: University at Buffalo High Performance Building Guidelines, a portion of which is attached hereto.) 6203

4. The Applicant should provide a description of the design treatment for the rear of Building 4 and the parking entrance. Since this side of the building 6204

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Land Development
Comprehensive Planning
Zoning
Real Estate Economics
Environmental Studies
Housing
Community Development

COMMENT LETTER NO. 62 (continued)

faces an adjacent residential development, it should have an appropriate and compatible treatment. In order to further explain the relationship of Ichabod's to the balance of the development, a cross section from Ichabod's Landing through to Building 3S would also be helpful. 6204 (continued)

5. The zoning table should be completed to indicate conformance for building coverage and impervious surface coverage. The amount of impervious coverage is listed as TBD in the table and as 67.59 acres later in the document. This would result in a coverage of 71.5%, slightly over the permissible maximum. This should be clarified. The RF district also requires a perimeter buffer of 75' required except along Beekman Avenue, River Street and the Hudson River. The plan's conformance with this requirement should also be confirmed. The zoning table should also be adjusted to indicate conformance for height within the 20' and 100' of the Hudson River categories base upon the open space plan and the revised site plan. 6205

6. The Applicant should provide more detail on the proposed landscaping plans and the measures taken to ensure plant diversity and reduce maintenance needs. This should include a more detailed evaluation of the selected planting materials and their appropriateness for a location on the Hudson. 6206

7. Since the project is intended to be a transit-oriented development, it should include a comprehensive set of features to accommodate and encourage bicycling. The Applicant should discuss to what extent bicycling amenities will be installed for both residents and visitors to Lighthouse Landing, including possible features such as bike lanes connecting the residential to the open space and Beekman Place, secure storage areas at the train station and/or residences, shower facilities, bike racks along Beekman Place, etc. 6207

8. The Applicant has indicated that it will provide 21 condominium units with pricing incentives for community service workers. Is there an indication of what level of incentive will provided, and whether it will be sufficient to allow the targeted employees to afford the units? The Village Board should also consider whether this provides for affordability in perpetuity and a long-term method to promote volunteerism. Conceivably, once the units are sold, the Village would no longer have that resource to offer as an incentive. Would it be desirable to have some of the affordable units as rentals? 6208

9. The Applicant should provide additional detail regarding how drainage will be handled on the east parcel, and any related modification to the Horseman's Trail. 6209

10. The Applicant should provide additional information regarding the shuttle bus operations. Who will operate the shuttle and when will it run (hours of operation/days of the week)? Will the project include shuttle bus shelters to protect riders during inclement weather? 6210

11. The site plan and the open space plan depict a different street pattern surrounding the formal garden area near Ichabod's Landing. The layout and circulation pattern for this area should be clarified. 6211

12. The plan currently shows a storm sewer outlet in the cove just south of Kingsland Point Park. The Applicant should consider whether the outfall can be redirected or extended to avoid having discharges in an area with the potential to provide water-related recreation. 6212

13. In an effort to further activate the contemplated open space area, the Applicant should investigate the potential for creating an additional pier or vessel tie-up area at the point near the hotel for potential ferry, excursion boat, and/or transient boat use. 6213

COMMENT LETTER NO. 62 (continued)

14. The operation of the hotel should be clarified. Will it include limited conference and formal functions? Has valet parking been considered to increase parking efficiency? Section 62.5.1.V.12 of the zoning code includes valet parking as one of the suggested alternate methods to meet the site parking requirements. 6214
15. The Applicant should indicate what types of paving and road surface treatments are anticipated, particularly for crosswalks and courtyards. Consideration should be given to the placement and use of materials to provide pedestrian safety and reflect a historic Hudson River community. 6215
16. The Applicant should provide more detail of the proposed lighting plan and examples of the type of lighting proposed for use in the residential and riverfront portion of the development. 6216
17. The Applicant should prepare a construction routing plan identifying how materials will be brought to the site. 6217
18. The Applicant anticipates that the project will generate 217 school age children. The Applicant needs to project Pre-K class levels generated from the project as well, since these children also attend the school district. 6218
19. Is there potential to incorporate a visual attraction as part of playground space for children and at an elevated position to view out over the open space? (e.g., Belvadere Castle, Central Park) 6219
20. Based on comments raised during the subcommittee review process, it is likely the concept plan will include changes that may affect building height. The Applicant and the Village Board should consider how these changes might relate to the incentives provided for in Section 62.5.1.W. 6220
21. The proposed wetland mitigation area is located on land considered for donation to the Philipsburg Manor Restoration. Are there any other locations along the lower Pocantico River, either on the General Motors site or off-site, that could provide suitable locations for wetland creation? 6221
22. Typical hours of operation for construction activity should be provided. The Applicant should also identify those elements of the project where variation would potentially be needed. 6222
23. In the event that a train station is not approved, the Applicant should evaluate an alternative including a fixed route trolley feeder line linking the commuter lot with the Tarrytown Metro-North station. It is noted that the City of Kingston has a similar trolley system. 6223
24. Site generated traffic may have an impact on the Upper Beekman Avenue pedestrian environment. Are there any recommended traffic-calming options (e.g., textured crosswalks, bulb-outs) that could help maintain pedestrian comfort and safety? 6224
25. The Applicant should indicate where a Bee-Line bus stop could be located to provide connections to the new train station and the commercial corridor. The desirability/feasibility of creating a taxi service zone with fixed-rate runs from the station to residences should also be discussed. If a resident knows there is convenient taxi service, it may provide an incentive not to bring a car with them. 6225

During the DEIS review period, some commenters raised concerns regarding the amount of parking provided. Attached please find several articles relating to parking standards, shared

COMMENT LETTER NO. 62 (continued)

parking and transit-oriented development, for the Village Board's consideration during its evaluation of the appropriate level of parking for the site.

Lastly, the Planning Board during its worksession to discuss the Proposed Action, received copies of reports prepared on behalf of Scenic Hudson. It is suggested that these documents be included as part of the public record that the Village Board considers as part of this action.

Volume 1
January 2004

BUILDING SUSTAINABLE COMMUNITIES

Transit-Oriented Development

COMMENT LETTER NO. 62 (continued)

This *Sustainable Development Series* is a product of the Northeastern Illinois Planning Commission and the Campaign for Sensible Growth with funding by the Illinois Department of Commerce and Economic Opportunity. It is intended primarily to assist local government officials in making sustainable community decisions and secondarily as guidelines for those working with local governments such as developers, civic organizations, and the private sector.

By definition, development is sustainable if it meets the needs of the present without compromising the ability of future generations to meet their own needs.

Sustainable development in action aims to satisfy three guiding principles: economic prosperity, ecological integrity, and community livability. Truly sustainable actions are those that satisfy all three of these principles and enhance rather than deplete the long-term quality of life in our communities.

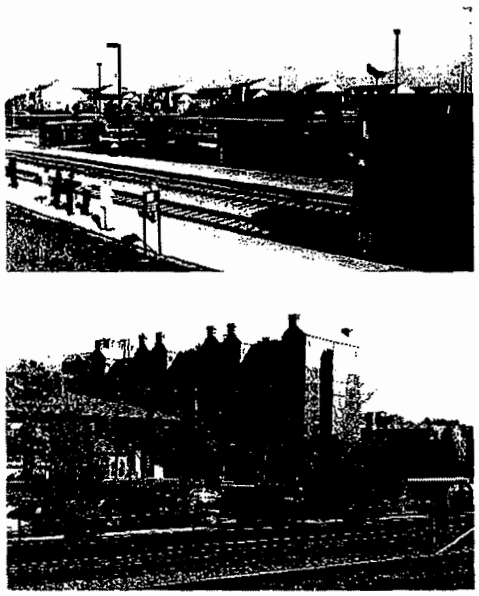
Sustainable development fosters economic growth without sacrificing the natural resource assets of the community. It promotes double bottom-line investments, providing returns for investors as well as social and economic benefits for residents. It creates active, walkable, and full service communities within compact neighborhoods and town centers. It fosters easy access to community amenities and services regardless of location or socioeconomic status. It reduces disparities between cities and suburbs. And it encourages meaningful community participation, leadership, and ownership in the decision-making process.

IN BRIEF

Transit-oriented development creates mixed-use, higher density communities that encourage people to live near transit services and decrease their dependence on driving.

WHY IS THIS IMPORTANT?

Transit-oriented development increases pedestrian activity around transit stations, which increases the customer base of local businesses and generates additional tax revenues. Transit stations in a community give a comparative advantage over non-transit communities by generating customers and development opportunities. Local property values also rise near transit centers as residents pay a premium to live near alternatives to the congestion and frustration of automobile commuting. Transit systems benefit from a level of traffic provided by local workers, commuters, shoppers, and residents, while residents benefit through easy access and convenience to jobs, retail, schools, and other destinations. This takes advantage of transit infrastructure while relieving pressure on congested roadways and decreasing air pollution associated with automobile travel. Transit-oriented development revitalizes older communities by bringing people back into neighborhoods where housing, shopping, and transportation to other destinations are available, thereby reducing pressure for developing in more remote locations.



Higher density development near the Mokena (top) and Elmhurst Metra train stations provide nearby living space for commuters and others.

Transit-oriented development typically includes the following elements:
- ~ A mix of land uses around and near transit stations including residential, commercial, and retail.
- ~ Moderate to high residential densities surrounding transit stations.
- ~ Easy and nearby access and walking routes to transit stations.

IDEAS FOR IMPLEMENTATION

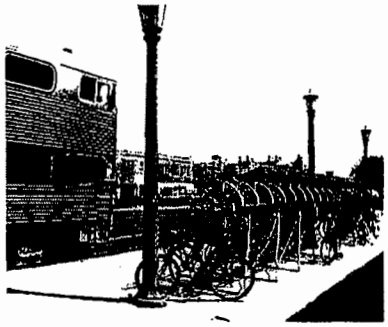
See Creating Livable Communities for additional and related ideas.

Functionally integrate parking and transit stations into the immediate and wider community transportation network.

1. Avoid surrounding transit stations with parking.
2. Design commercial centers as convergence points for transit systems.
3. Coordinate safe and easy transfers between transit, car, bicycle, and pedestrian travel ways.
4. Develop increased parking capacity on less land to accommodate additional transit volume and to reduce valuable space devoted to parking.
   a. Take advantage of shared parking, which is parking utilized by multiple businesses and/or transit stations where peak parking times differ.
   b. Build multi-level commuter parking structures on the periphery of the development area to accommodate transit riders and shoppers and promote pedestrian traffic through commercial centers.
5. Provide preferred parking for carpools or van pools.
6. Provide sufficient access facilities, such as separated paths and loading zones, for fixed-route or feeder buses, taxis, and drop-offs.
7. Organize local transit systems (i.e., buses) to coordinate with regional transit systems (i.e., Metra trains and PACE buses.)
8. Provide shuttle services from transit stations to major employment locations.

Promote pedestrian and bicycle traffic near transit stations.

1. Minimize distance to transit stops and create convenient, safe, and attractive pedestrian paths between residential areas, commercial areas, and transit stations.
2. Concentrate employment, retail, and entertainment activities within walking distance and between the station, parking, and residential areas.
3. Use grid street and sidewalk patterns that allow origins and destinations to be accessed by foot.
4. Connect stations and nearby activity centers with attractive, pedestrian-friendly streetscapes.



Bicycle parking at the Elmhurst train station promotes transit use.

5. Integrate developments with bike path systems and provide bike locking and storage facilities near transit systems. Provide continuous access routes for bicyclists within a two- to four-mile radius.

Require mixed uses and locate appropriate businesses and amenities near and within transit stations.

1. Integrate commercial centers with the transit facility, focusing commuter-oriented convenience retail services on ground level in and around the depot. Include businesses such as cafés, convenience markets, banks, post offices, newsstands, book stores, restaurants, dry cleaners, video stores, florists, and hair salons. Day care centers allow easy child drop-off on the way to and from work. Also include government services and administrative centers near transit.



Bicycle parking, benches, and sidewalk cafes enhance this transit-oriented development in Oak Park.

2. Locate concentrated commercial and residential development within one-quarter to one-half mile from transit facilities.
3. Encourage medium and high residential densities near transit and commercial districts, including multifamily and apartment high rises that will provide people to use nearby stores, public amenities, and transit. Successful transit-oriented development requires six to seven units per acre for a bus stop, and nine to twenty-five units to the acre for rail stations.



Landscaping and pedestrian-level lighting enhances the transit station's appeal and safety.

4. Select infill and redevelopment sites around transit hubs and along transit corridors for mixed-use projects.
5. Make public open spaces and pedestrian plazas accessible to transit riders.

Enhance station-area safety and aesthetics to make it an attractive destination.

1. Use ground floor retail and varied building heights, textures, and facades to enhance the walking experience.
2. Use attractive landscapes, continuous and paved sidewalks, street furniture, urban art, adequate lighting, weather protection, and safe street crossings.
3. Site transit shelters, benches, and route information in convenient locations.
4. Create an active environment with restaurants, shops, and services near transit stations to increase pedestrian traffic.
5. Install information kiosks at stations advertising local businesses and providing community information and maps.
6. Locate small community policing stations in or near the transit station.
7. Implement traffic-calming strategies around transit stops to increase pedestrian safety.

Adopt community policies and programs to assist transit-oriented development projects.

1. Form public/private partnerships in which the community, transit provider, and a private investor participate in a project.
2. Encourage developers to incorporate transportation alternatives into site plans. This can include bike paths linked to trail networks, showers and secure bicycle storage areas, bus stops, and prioritized parking for car pools and fuel efficient vehicles.



Attractive townhomes near the Palatine train station.

3. Ensure pedestrian-friendly development sites by incorporating sidewalks, street crossings, and compact design.
4. Provide grants, low-interest loans, infrastructure improvements, and other incentives to developers to supply the capital needed for undertaking transit-oriented development projects and to attract additional private investment. Common financing tools include tax increment financing, location-efficient mortgages, transportation funds, and special service areas.
5. Reduce traffic impact fees for development projects that incorporate transit-oriented development principles.
6. Acquire and assemble sites near transit stops for transit-oriented development projects.
7. Adopt development standards and zoning ordinances that encourage transit-oriented development and unlock the development potential around stations. For example, modify Planned Unit Development ordinances and adopt transit-orientated development overlay zones near rail stations.



Higher density development near Evanston's el and Metra train stations.

8. Involve the community in area beautification and enhancement projects.
9. Evaluate existing transportation systems and relocate routes or stops to serve those areas with high densities, a variety of uses, and good pedestrian access.

SUCCESS STORIES

Bethel New Life, a faith-based community development corporation, is leading an effort to redevelop an economically depressed area of West Garfield Park on the west side of Chicago. The redevelopment strategy takes advantage of the Chicago Transit Authority's decision to rebuild the Green Line El and station at Pulaski and Lake Streets rather than shutting it down. This highly collaborative project is expected to link residents of the neighborhood with commercial and industrial development and employment opportunities. An agreement with a nearby industrial park will bring 285 new jobs to the neighborhood. Mixed-use development around the train station includes new commercial, industrial,

and residential spaces, as well as a day care center and health care facility. One new commercial facility will feature solar panels, recycled construction materials, and a green roof. 200 new affordable, energy-efficient homes, some of them built on previously vacant properties, will be integrated into the community along with additional green space such as gardens, landscaping, and six new parks. Traffic calming techniques such as traffic circles enhance the safety of the area for pedestrians.

Bethel New Life began implementing the project by buying vacant land around the transit stop and rehabilitating a commercial building. The City of Chicago assisted with land purchases, infrastructure improvements, enhancement of a nearby industrial park, and establishment of an industrial tax increment financing district, in which tax increases due to local improvements are fed back into the community. Bethel also provides assistance to the community in the form of workforce training, counseling, and placement; crime reduction programs; nutrition programs for women and children; child care facilities and programs for youth; and home ownership assistance.

Partners on this project include the Center for Neighborhood Technology, Farr Associates architecture firm, Argonne National Laboratories, US Department of Housing and Urban Development, and the City of Chicago. The collaborative participatory neighborhood planning process involved neighborhood churches and schools, aldermen, other government representatives, local businesses, and neighborhood organizations. For more information about Bethel New Life and the West Garfield Park redevelopment project contact Bethel New Life at 773.473.7870 or www.bethelnewlife.org.

After the downtown began to decay in the 1970s, the **Village of Arlington Heights** began to revitalize its town center. The area was designated with two tax increment financing districts, as well as a zoning ordinance designed to allow for a creative mix of densities. The commuter rail station was moved and rebuilt to make it a more integral part of the downtown. The revitalization has resulted in over 600 new residential units and mixed-use development that offers restaurants, retail, and entertainment options in the central business district near transit. For more information on the Village of Arlington Heights' efforts to enhance its downtown contact their Planning and Community Development Department at 847.368.5200.





Residential apartments and condominiums (top) and commercial and retail development near the Arlington Heights train station.

RESOURCES

Building a Regional Framework: Transit-Oriented Development (NIPC, 2002) provides guidance for development that takes advantage of the Chicago region transit system.

Developing Stories: Homegrown Innovations on Growth (Center for Neighborhood Technology, www.cnt.org) offers ten case studies from northeastern Illinois demonstrating a number of smart growth and sustainable development principles.

Driven to Spend: The Impact of Sprawl on Household Transportation Expenses (Surface Transportation Policy Project, 2000) demonstrates how less sprawling places with an array of transportation choices cost families as much as thousands of dollars less each year.

Getting to Smart Growth: 100 Policies for Implementation (Smart Growth Network, 2002) provides techniques to help policymakers put smart growth principles into practice.

The Intermodal Surface Transportation Efficiency Act (ISTEA) is a federal transportation initiative intended to stimulate the development of alternative, environmentally sound transportation projects. Funding is available through this program.

Land Use in Commuter Rail Station Areas: Guidelines for Communities (Metra and Northeastern Illinois Planning Commission, 1991) assists local jurisdictions in maximizing the community development opportunities provided by the presence of commuter rail stations.

Local Economic Benefits of Commuter Rail Stations for Communities and Businesses (Metra, 1994) describes current and potential relationships among commuter rail stations, commuters, station-area businesses, residences, and other activities around stations.

The National Neighborhood Coalition (202.408.8553 www.neighborhoodcoalition.org) serves as a link between neighborhood and community-based organizations and the federal government for community development, housing, and a wide range of other neighborhood issues. In their publication *Smart Growth, Better Neighborhoods: Communities Leading the Way* community-based organizations and coalitions share in their own words the lessons they have learned from working on such regional issues as sprawl and disinvestment in neighborhoods, making growth smarter for low-income neighborhoods and communities of color, public transportation, affordable housing, brownfields, and schools.

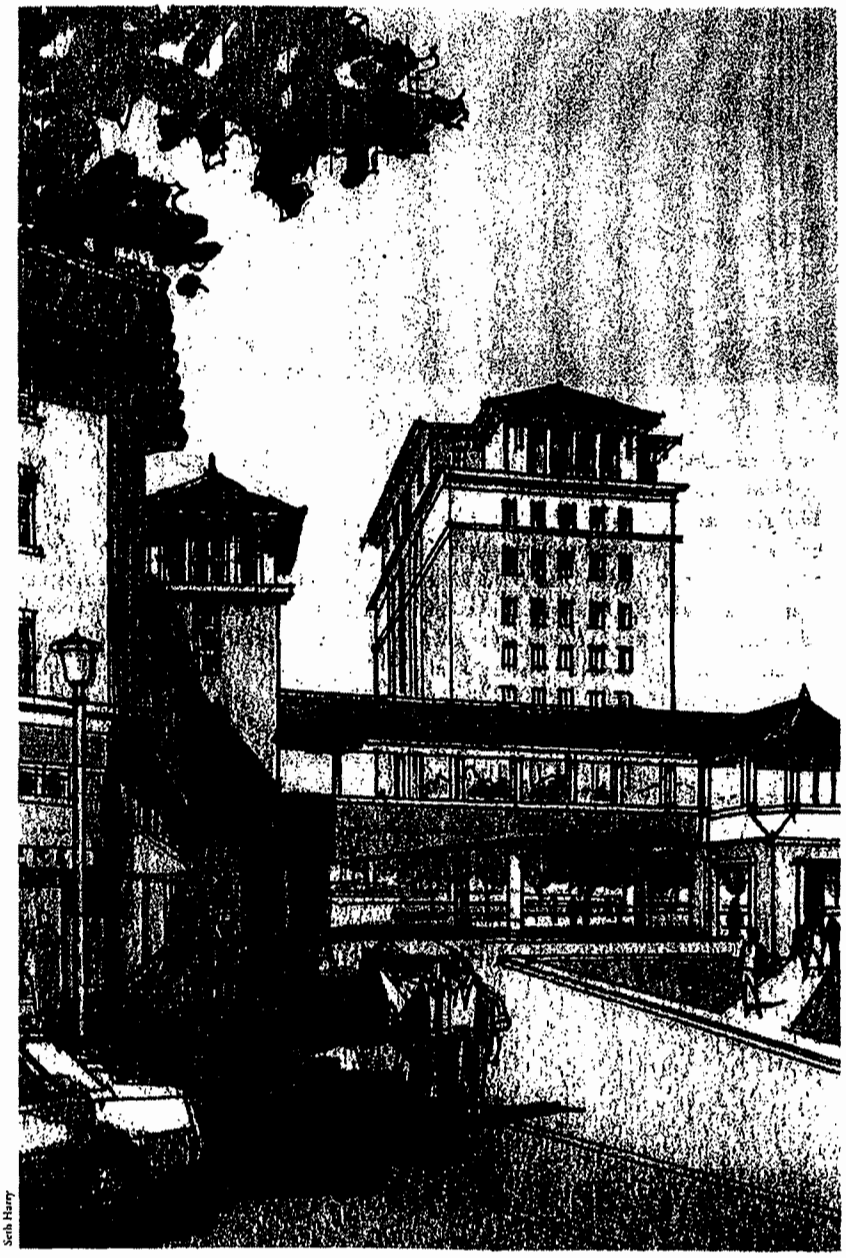
Residential Development Near Commuter Rail Stations (Metra) offers guidelines for residential development that encourage use of commuter rail and provide practical benefits to the surrounding community.

Smart Communities: Zoning for Transit-Oriented Development (part of the Campaign for Sensible Growth Ideas@Work series. See www.growingsensibly.org.)

COMMENT LETTER NO. 62 (continued)

How to Make Transit-Oriented

Number one: Put the transit back.



Seth Harry

San Francisco's Bay Area Rapid Transit District is now putting a high priority on a walkable environment. This is

Even a cursory glance around the country suggests that transit-oriented development is hot; new TODs are on the drawing boards everywhere, from Alaska to Florida. Its advocates tout benefits ranging from more compact development and less automobile dependence to new retail opportunities and improved quality of life.

But the same quick survey raises some basic questions about just how fundamentally different many TODs are from their auto-oriented counterparts. We now have "transit-oriented" big box stores and single-story office parks, set in seas of parking. In many cases, developments with just six housing units to the acre are being advertised as TODs.

"The amount of hype around TOD far exceeds the progress to date, with many transit proponents selling new transit investments on the basis of land-use changes yet to come," writes Hank Dittmar, president of the Great American Station Foundation, in a forward to a discussion paper prepared for the foundation and the Brookings Institution Center on Urban and Metropolitan Policy.

Most often, he continues, "TODs have conventional suburban single use development patterns, with conventional parking requirements, so that the development is actually transit-*adjacent*, not transit-*oriented*."

Instead of branding anything that is built near transit a successful TOD, Dena Belzer and Gerald Autler of Strategic Economics, the principal authors of the paper, suggest that projects should be judged against specific desired outcomes:

Those outcomes include choice (for example, diverse housing and transportation); livability (less pollution per capita); and financial return (for instance, to developers and transit agencies).

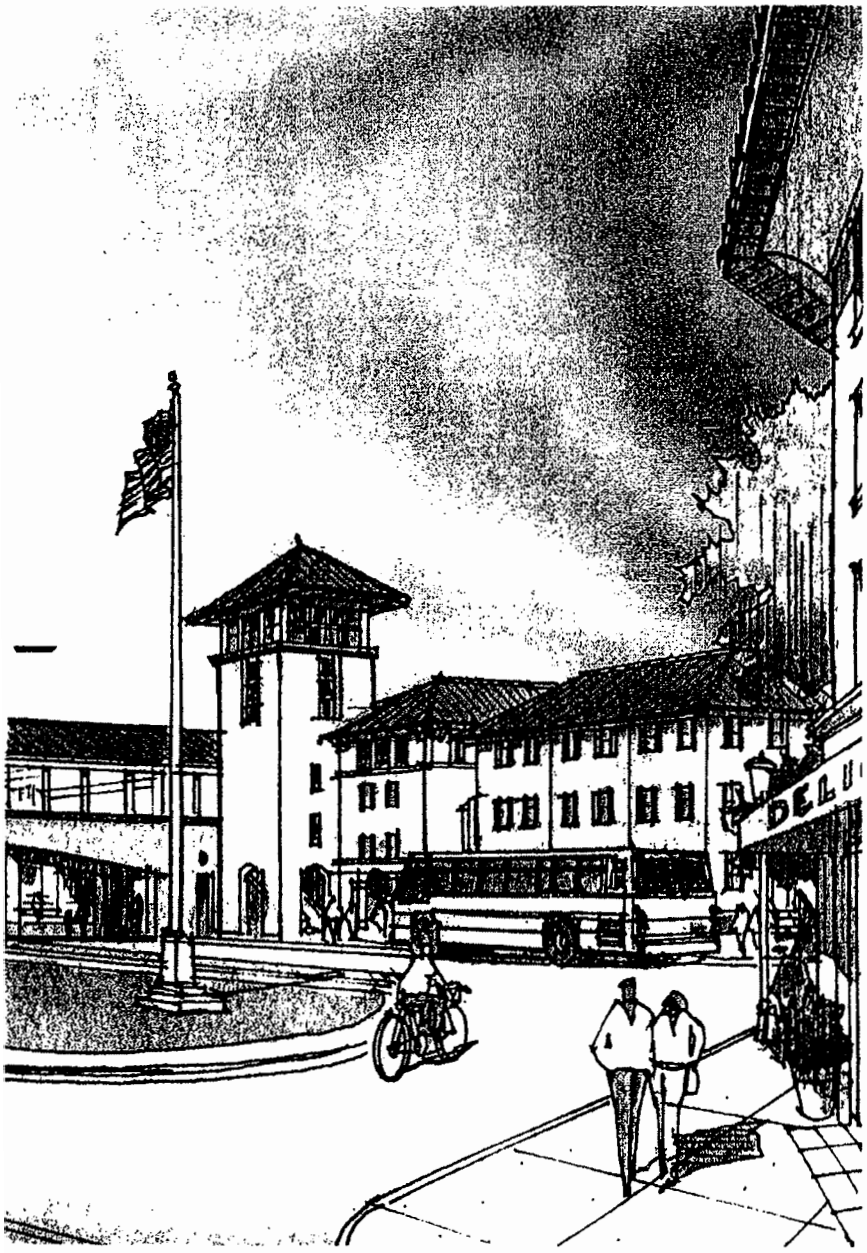
First on the list

What can planners do to ensure that TODs actually achieve these outcomes? Robert Cervero, a professor of city planning at the University of California, Berkeley, talks about what he calls the 3Ds, or three dimensions (density, design, and diversity) that are needed for a TOD to work. Of these, says Tom Margro, general manager of the San Francisco Bay Area's BART system, the first is most

COMMENT LETTER NO. 62 (continued)

Development Work.

By Jeffrey Tumlin and Adam Millard-Ball



Station Square in Pleasant Hill, designed by LCA Town Planners & Architects of Portland, Oregon.

important. "From the point of view of a transagency, density is paramount," he says.

In fact, density is a key criterion in the new BART system expansion policy, which was adopted last December. "We're being courted by cities that want BART extensions," says Margro. "The policy helps us reward those communities that make the zoning and land-use changes that we're looking for."

Density is partly a matter of geometry. All else being equal, the more housing and jobs within a short walk of a transit station, the greater the ridership. Nationally, a 10 percent increase in population density has been shown to correspond to a five percent increase in boardings, while doubling density can reduce vehicle travel by 20 percent, according to a 1996 report published by the Transit Cooperative Research Program.

Density has even farther reaching implications. Residents of denser communities are more likely to be able to walk to shops and services and thus to be able to live with just one car—or with none. According to research conducted for Fannie Mae's Location Efficient Mortgage program, vehicle ownership falls rapidly as density increases, reaching an average of just one car per household when density climbs to 20 to 30 housing units per acre.

Many of the best-performing TODs—such as those around Metro stations in Arlington County, Virginia—focus high density immediately around the station. Building height drops rapidly and housing forms change from attached to detached as they approach the existing single-family neighborhoods that surround many of these stations.

The same pattern is seen at the newly built King Farm development in Maryland, close to the Shady Grove Metro station. "We have a gradient away from the village center and a potential future light rail stop," says Neal Payton, director of town planning ar Torti Gallas & Partners in Silver Spring, the architecture firm responsible for the King Farm town plan.

"At the center, we have the greatest mix of uses and the highest densities, with town houses and single-family houses appearing as one moves away from the center," he says.

Mixing it up

Not all land uses are equal when it comes to generating transit ridership. Office or retail development tends to employ more workers and thus to produce more riders than industrial uses, for instance.

A less obvious example is affordable housing. Since low-income households tend to own fewer cars and are more likely to use transit, an affordable housing component of a transit-oriented development can add more riders, as well as furthering other public policy objectives.

A case in point is Alma Place in Palo Alto, California, where peak-hour parking demand has been measured at just four-tenths of a parking space per unit, even though parking is free. The location of this affordable housing development, just two blocks from the Caltrain commuter rail station in downtown Palo Alto, allowed many residents to sell their cars altogether.

It is mixed use ("diversity" on Robert

COMMENT LETTER NO. 62 (continued)

The Car-Sharing Solution

A promising new addition to the transit-oriented development armory is car sharing. Members of car-sharing programs have access to a fleet of vehicles on a per-use basis, allowing them to live without a second or third car—or to do without a car altogether. In turn, developments need less parking, allowing increased densities and bringing down the cost of housing.

"Car sharing is one of the most practical ways to reduce vehicle ownership," says Gabriel Metcalf, deputy director of the nonprofit San Francisco Planning and Urban Research Association, and chair of City CarShare. "We're not telling people they have to give up their cars," he says. "We recognize that a car is essential for many trips. We're giving them an attractive alternative."

According to Metcalf, surveys show that each City CarShare vehicle takes five to six privately owned vehicles off the road, as members sell or scrap their cars after joining.

CarShare joins forces with Bay Area developers to win approval for reduced parking. The group has negotiated agreements with developers and the city planning department? for more than a dozen developments, totaling more than 3,000 units that have been built or approved in San Francisco. A recent approval: a 98-unit affordable housing complex on Folsom Street that will provide just 16 parking spaces. More projects are under way in Oakland, Berkeley, and San Jose, says Metcalf.

According to the San Francisco planning department, the city is now seeking to amend its zoning code to support the development of car-sharing programs, through reductions in minimum parking requirements, and exemptions from planned impact fees and parking maximums for car-sharing spaces.

Adam Millard-Ball



City CarShare

Programs like City CarShare offer an alternative for occasional car use.

Cervero's 3D list), however, that has demonstrated some of the highest ridership gains. Dennis Leach, a consultant with the firm of TransManagement is currently researching the performance of TODs in the Washington, D.C., region. "Mixed use is where you get the real payoff in reduced vehicle trips," he says. "It allows residents to walk to shops and services, and it allows employees to take transit to work, since they can do without a car during the day."

In addition, says Leach, mandating or encouraging mixed use helps to avoid a dull monoculture. "Very high land costs tend to push a single use, such as offices," he notes. "That makes for a dead downtown" at night and on the weekends.

Managing demand

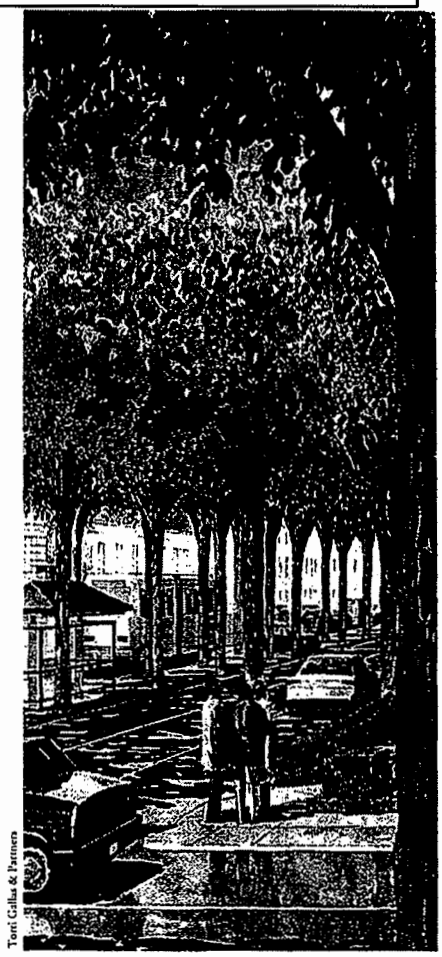
Even the densest mixed-use developments will have only a limited impact if financial incentives discourage residents and employees from taking transit. To achieve the greatest success in reducing vehicle trips, projects need to encompass TOD + TDM, that is, both transit-oriented development and transportation-demand management.

Perhaps the most critical element of a TDM package is parking management. After all, unlimited free (to the user, but not the transit agency) parking is one of the biggest incentives to drive, and also encourages people to own a vehicle in the first place. Conversely, research by UCLA urban planning professor Donald Shoup has shown that ending parking subsidies is an effective way to get people out of their cars, reducing vehicle trips by an average of 25 percent.

Another demand management strategy, used to great effect in Portland, Oregon; Boulder, Colorado; and Santa Clara County, California, is to provide free or discounted transit passes for residents and employees. In 1997, Shoup reported on a survey of Silicon Valley companies that gave their employees Eco-Passes, good for unlimited rides on the Santa Clara Valley buses and light rail. Employee parking demand at these work sites declined by about 19 percent as transit ridership swelled.

Increasingly, parking management strategies are being incorporated into TOD plans from the outset. At San Francisco's Balboa Park BART station, for example, the city's draft neighborhood plan proposes that new development on city-owned land be required to "unbundle" the cost of parking from rents.

"Currently most new ownership housing and some new rental housing has parking included in the base price of a unit," the plan says. "Individuals and families who do not own or may not need a car must pay for the space anyway, needlessly driving up the cost of their housing."



Torti Gallas & Partners

The numbers are there at Maryland's 440-acre, mixed-use King Farm

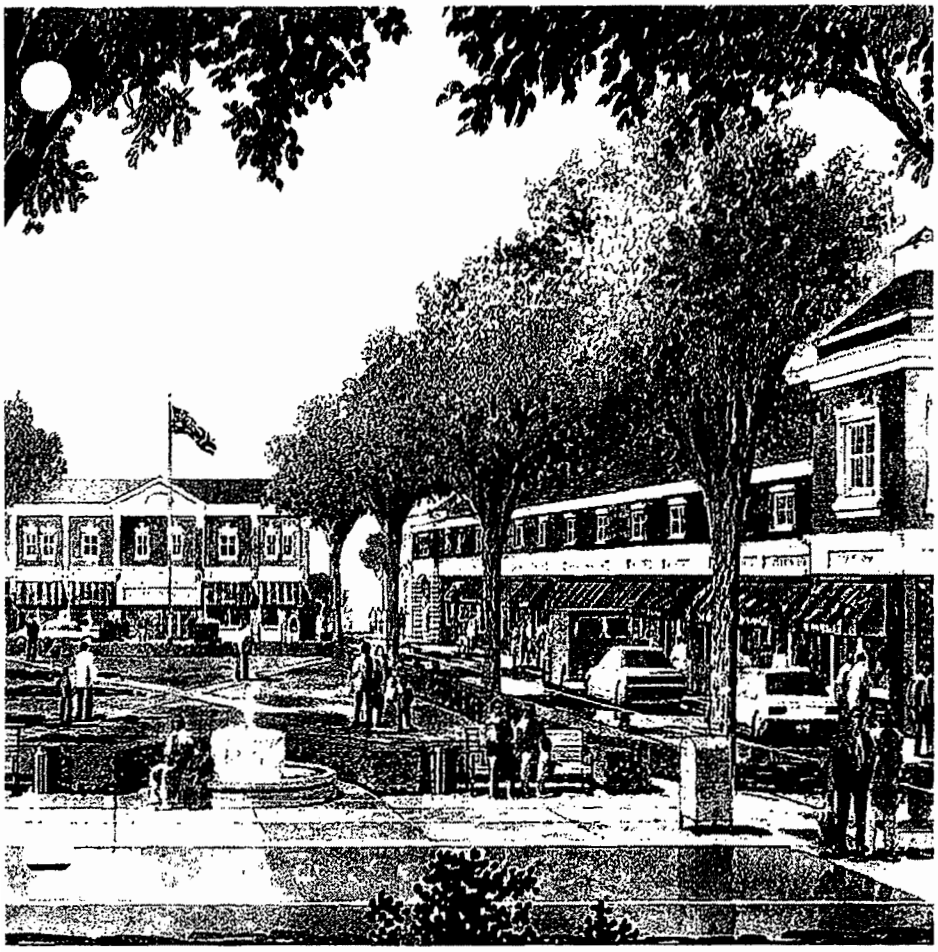
Considering TDM, and particularly parking management, in the earliest stage of planning lets its benefits affect a development's design and allows less parking to be provided. Moreover, if fewer vehicle trips are expected, streets can be designed for lower traffic volume, helping to improve the pedestrian environment.

"TDM is often used as a mitigation strategy," notes Peter Albert, station-area planning manager for BART. "Neighbors and others always use parking as a reason to kill a project. TDM can give local planning commissioners the elbow room to approve a project with less parking."

'Don't even think of parking here'

In the end, TOD and parking are inextricably entwined. "If the parking requirement doesn't reflect the transit resource, it's not TOD," says Albert. "It's just development close to a

COMMENT LETTER NO. 62 (continued)



development, near the Shady Grove Metro station: 3,200 residential units, 3.17 million square feet of office and employment space, and 125,000 square feet of retail.

transit station." Most conventional development, after all, uses parking ratios derived from suburbs that have little or no transit and where everyone is assumed to have a car.

Building projects with reduced parking is another matter. Larger projects are often constrained by the attitudes of developers and lenders. Nevertheless, an increasing number of small-scale developments are selling well with little or no parking. Examples include the 91-unit Gaia Building in Berkeley, California, and the Seaboard Building, where offices have been converted to apartments in Seattle's Westlake Mall.

"In almost every case, parking requirements aren't an issue with local jurisdictions," says architect Neal Payton. "They're willing to provide less parking." Developers are more hesitant. "They don't want to risk not being able to rent a unit because there isn't enough parking."

Transit agencies themselves are often a source of pressure to provide more parking, in the form of heavily subsidized commuter parking for their riders. The surface parking lots owned or leased by these agencies are often a source of conflict. On the one hand, they're prime sites for transit-oriented development. However, the transit agencies often insist that any spaces lost must be fully replaced as part of the project.

"The ability of the market to support development that includes 100 percent replacement parking, with no revenue to support that parking, has been a huge hurdle to TOD," says Peter Albert. BART is now beginning to charge for reserved spaces at many stations, where before virtually all parking was free.

Resources

The Authors. E-mail Adam Millard-Ball at *amillard-ball@nelsonnygaard.com.* Patrick ɜman is at *psiegman@nelsonnygaard.com.* ...illard-Ball's article on parking standards appeared in the April 2002 *Planning*; his viewpoint on TODs is in the December 2002 issue. For a list of resources, see APA's website: www.planning.org.

Is It Really TOD?

What's the difference between a true transit-oriented development, which will deliver promised social and economic benefits, and a transit-adjacent development? A true TOD will include most of the following:

- The transit-oriented development lies within a five-minute walk of the transit stop, or about a quarter-mile from stop to edge. For major stations offering access to frequent high-speed service this catchment area may be extended to the measure of a 10-minute walk.
- A balanced mix of uses generates 24-hour ridership. There are places to work, to live, to learn, to relax and to shop for daily needs.
- A place-based zoning code generates buildings that shape and define memorable streets, squares, and plazas, while allowing uses to change easily over time.
- The average block perimeter is limited to no more than 1,350 feet. This generates a fine-grained network of streets, dispersing traffic and allowing for the creation of quiet and intimate thoroughfares.
- Minimum parking requirements are abolished.
- Maximum parking requirements are instituted: For every 1,000 workers, no more than 500 spaces and as few as 10 spaces are provided.
- Parking costs are "unbundled," and full market rates are charged for all parking spaces. The exception may be validated parking for shoppers.
- Major stops provide BikeStations, offering free attended bicycle parking, repairs, and rentals. At minor stops, secure and fully enclosed bicycle parking is provided.
- Transit service is fast, frequent, reliable, and comfortable, with a headway of 15 minutes or less.
- Roadway space is allocated and traffic signals timed primarily for the convenience of walkers and cyclists.
- Automobile level-of-service standards are met through congestion pricing measures, or disregarded entirely.
- Traffic is calmed, with roads designed to limit speed to 30 mph on major streets and 20 mph on lesser streets.

Patrick Siegman

Siegman is a principal associate with Nelson\ Nygaard in San Francisco.

COMMENT LETTER NO. 62 (continued)

TOD Is Working in Surburban D.C.

Readers of *Planning* are surely familiar by now with Arlington County's award-winning efforts to manage growth and encourage transit-oriented development. Less well-known is a recent initiative aimed at making walking in the county's urbanized areas a practical and pleasurable alternative.

Once-rural Arlington has grown rapidly since the late 1960s, with most of the new development centered on the four-mile-long, half-mile-wide Rosslyn-Ballston Corridor. Today, the urbanized strip encompasses over 18.3 million square feet of office space, 3.4 million square feet of retail and commercial space, 3,000 hotel rooms, and 22,500 residential units.

In the early 1970s, county officials made a momentous decision to focus new commercial development in the corridor around five below-ground stations planned as part of Metro, the Washington areas's subway and elevated system. By the time Metro opened in 1979, the county had established a broad set of regulations to guide the shape and form of this development. The plan called for centering the highest density within a quarter-mile of the stations.

Ten years later, when the corridor was half-developed, the county board asked for a "mid-course review" to guide remaining projects. The review made clear that streetscape improvements were needed if the original goal of a walkable urbanized area was to be realized. Arlington's 1997 Pedestrian Transportation Plan picked up on one idea developed in the mid-course review: a landscaped pedestrian walkway along half the corridor, from Ballston and Clarendon. Tom Korns, an Arlington planning commissioner, promoted the concept of an "Arlington Greenway" that would extend the full length of the corridor.

The idea took root when county arts staff, working with the Arlington Commission for the Arts, recognized that it would provide an ideal outlet for developers to incorporate public art and public space into their projects. (Such enhancements are often negotiated during site plan negotiations.) In 1999, a core group of county staff and citizens was formed, and consultants Jennifer McGregor and Todd Bressi were hired to study the idea.

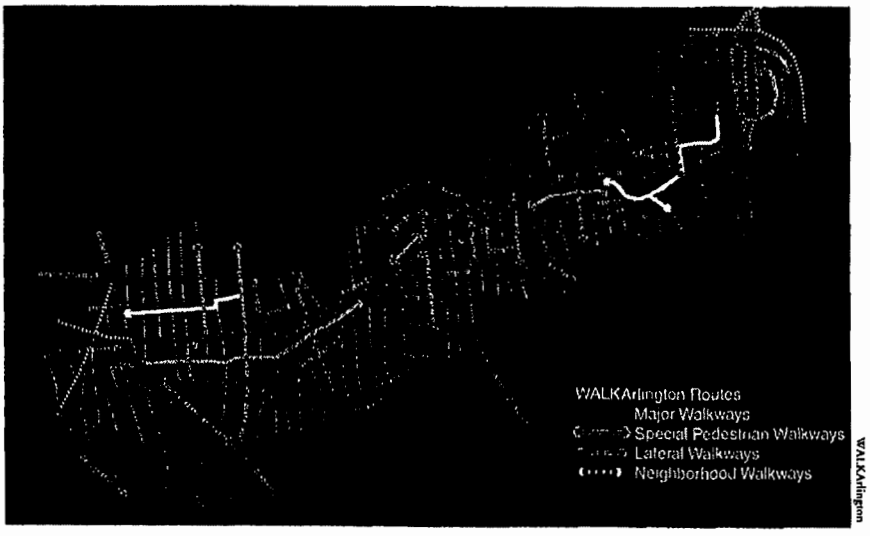
A community design charrette involving more than 100 citizens and officials produced a far more encompassing strategy: a network of walkable streets rather than a fixed greenway. The WALKArlington initiative is the result. It calls for the creation of a variety of pedestrian environments, including civic squares, performance spaces, play areas, and neighborhood gardens—all connected to the county's bike and walking trails.

To implement the initiative the county engaged a project manager and a resident urban designer. Working with the divisions of Cultural Affairs and Public Works, they have started a pilot project for the Ballston Sector of the corridor. Its major goals are to build a sense of place through innovative design and to invigorate the pedestrian environment.

Charles Zucker

Zucker is director of planning for Lee & Associates in Washington, D.C., and WALKArlington's Urban Designer in Residence.

Pedestrian routes proposed by WALKArlington for the Rosslyn-Baltimore corridor.



The new revenue may be helpful in supporting the construction of parking structures to replace the lots, he suggests.

In other parts of the country, agencies are moving away from a strict one-to-one replacement policy. In the D.C., region, WMATA's Joint Development Policies and Guidelines, revised last year, now allow projects to be approved with less than full replacement parking. In some cases, the agency is even authorized to cover part of the cost of parking garages.

Such a policy makes sense from the point of view of increasing ridership and revenue for transit agencies, as well as promoting TOD. After all, an acre of dense, mixed-use development is likely to generate more transit trips than an acre of surface parking. More important, TOD helps to spread ridership more evenly throughout the day, compared to peak-oriented park-and-ride lots. That's a major concern for agencies facing crushing peak-hour loads.

Looking good

Even better is a transportation-demand policy that invests in alternatives. Pedestrian improvements, bicycle paths, and feeder transit often provide more bang-for-the-buck than parking.

Even with the best of management, however, most TODs still require huge amounts of parking, either in lots or structures. The question then becomes, how can planners reduce its impact?

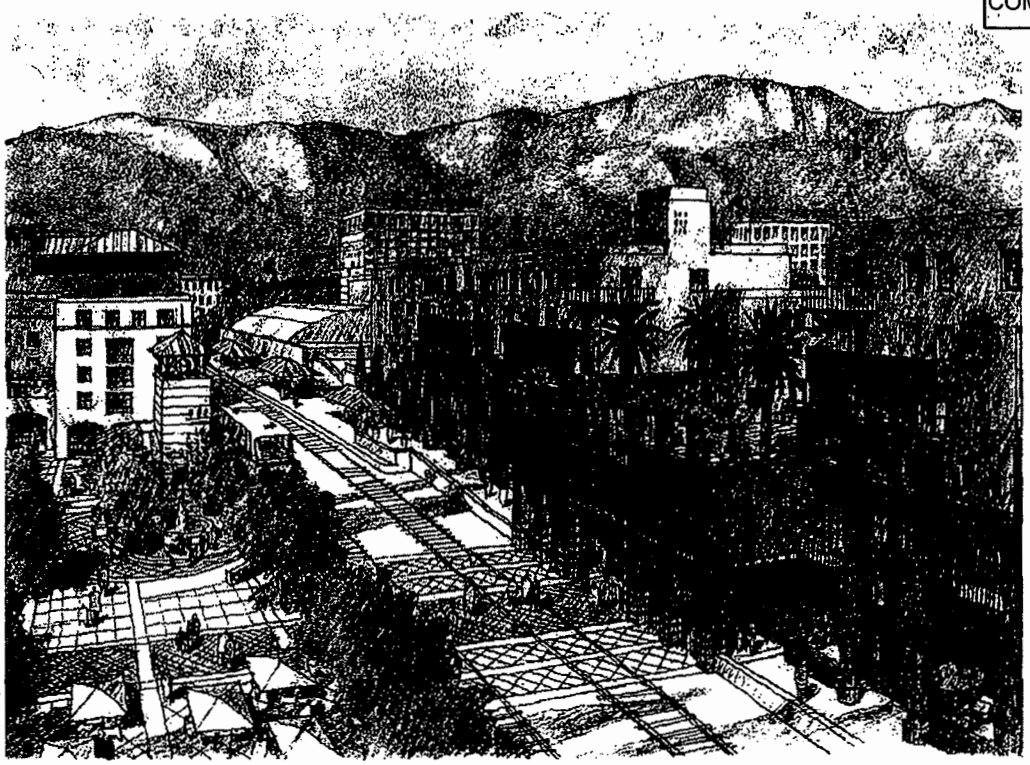
Neal Payton sees ground-floor uses as key to reducing the impact of parking structures. At Harrison Commons, a planned TOD in Harrison, New Jersey, Payton's firm designed a 2,500-space garage that will accommodate commuters on the PATH commuter rail line. the development will include 3,000 apartments and 100,000 square feet of retail.

The garage will be wrapped on three sides with narrow "liner buildings" containing loft apartments above convenience retail. "You won't be able to see the garage from the street," he says.

In California, liner buildings will wrap around both existing and new garages at Bay Area Rapid Transit's Pleasant Hill station. The garages are part of a transit-oriented development designed by Lennertz, Coyle & Associates of Portland, Oregon.

The location of the parking facility is also important. At Harrison Commons, the mass of the largest garage will serve as a soundwall to buffer neighboring residences from the railroad. Payton warns, however, that this strategy may not be applicable everywhere. "In the New York area, people are used to having their car some distance from their

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Moule & Polyzoides Architects

Urban village: Del Mar Station in Pasadena is one of 13 stops on the Los Angeles area's new light rail line, the Gold Line. The station and 600 parking spaces are expected to be ready in July. Phase II, scheduled for early 2004, will add 347 apartments (some affordable), 10,000 square feet of shops, and underground parking for residents. The developer is Urban Partners of Los Angeles. Project architect is Moule & Polyzoides. Melendrez Design Partners designed the plaza and open space. The square block site was vacant except for the city's historic Santa Fe Depot, which is being restored. It is adjacent to Pasadena's celebrated Old Town shopping district.

apartment, which gives you a lot of flexibility in the design," he says. "This isn't true in most other places."

Design solutions

Even the third of Cervero's 3Ds—design—comes back to parking. "Reduced parking allows a finer grain of development," says Payton. "With smaller garages, you can achieve smaller block sizes. And small blocks create variety and and interest," he says, encouraging walking.

Dennis Leach says the street pattern and other design factors help to explain why some of the most walkable developments are often in established urban areas. He cites Washington's Dupont circle as an example. "The framework of the street and building pattern is extremely strong," he says.

That's less true in suburban neighborhoods like Bethesda, Silver Spring, and Arlington County, where wide arterials, surface parking, and the lack of a fine-grained street grid make walking a challenge. "The framework for urban development isn't really there," he says. "It has to be retrofitted."

All else being equal, walkability is maximized when streets are designed to accommodate lower traffic volumes in the first place. The key, then, is to factor the reduced trip-making benefits of TOD back into the street design—avoiding the error of widening roads for traffic that never arrives, or worse still, only arrives *because* of the widening.

Many agencies grant generic trip generation credits for transit-oriented development. The Los Angeles Metropolitan Transportation Authority, for example, offers a 15 percent credit for residentially oriented, mixed-use projects that have at least 24 units per acre and that are within a quarter-mile of a light tail station.

An important tool for creating a framework for walkable streets is likely to be the street hierarchy and design standards currently being written by the Congress for the New Urbanism, together with the Institute for Transportation Engineers and the U.S. Environmental Protection Agency. These standards envisage a new hierarchy of streets – from mews and lanes up to main streets and boulevards, rather than local, collector and arterial.

While many of these techniques have been used by new urbanist designers, engineers, and planners—and others—for years, they have generally resulted in one-time exceptions rather than fundamental change. That could change with these new standards.

Jeffrey Tumlin is a partner of Nelson\Nygaard, a transportation consulting firm. Adam Millard-Ball is a senior associate with the firm.

Harrison Commons, a transit-oriented development in Harrison, New Jersey, will include 3,000 apartments, 100,000 square feet of retail space—and a 2,500-space parking garage for commuters bound for New York City on the PATH rail line.



Torti Gallas & Partners

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April 2002

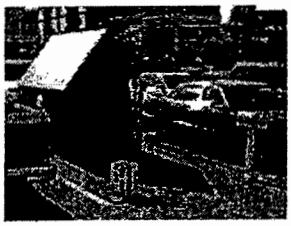
Putting on Their Parking Caps

Cities around the nation are saying they want less parking, not more.

By Adam Millard-Ball

Affordable housing, transit-oriented development, smart growth, better water quality, reduced congestion, and more walkable, livable communities. The connection? All are issues that planners are seeking to tackle through parking policy, by limiting the number of spaces that may be provided as part of new development.

Parking is no exception to the rule that you can have too much of a good thing. The past few years have seen cities such as Eugene, Oregon, Cambridge, Massachusetts, and Gainesville, Florida, adopt limits on parking.



San Francisco is poised to follow suit, while Seattle is considering extending its parking restrictions to the areas around new light rail stations. In Portland, Oregon, maximum parking standards have been adopted on a regionwide basis by 30 cities and counties, as mandated by Metro, the region's metropolitan government.

Such moves may signal a complete reversal of direction in planners' attitudes. For the last half century at least, planners have been specifying minimum parking requirements for a myriad of different land uses, from convents to massage parlors, in a bid to ensure that developers will provide sufficient off-street parking.

These minimum requirements are simply a recipe for more cars, says Donald Shoup, professor of urban planning at the University of California Los Angeles, who has published extensively on the subject. In an effort to limit traffic overspill, he notes, minimum standards require developers to provide unlimited free parking, attracting more cars and resulting in lower development densities.

Shoup draws an analogy between minimum parking requirements and the 18th century practice of using lead to treat gunshot wounds, ulcers, and other ailments. While lead has local antiseptic properties, its toxic effects come at a high price to the rest of the body.

"Like lead therapy, minimum parking requirements produce a local benefit — they ensure that every land use can accommodate all the cars 'drawn to the site,'" Shoup wrote in a 1999 paper published in *Transportation Research*. "But this local benefit comes at a high price to the whole city." This price is paid in the form of traffic, congestion, and a less dense, auto-oriented city.

Drugs for cars

"Minimum parking requirements are truly drugs for cars," says Dom Nozzi, senior planner for the city of Gainesville, Florida. "They ought to be a controlled substance. They breed car trips."

Consequently, Gainesville has sought to turn the logic of parking standards on its head by introducing maximum parking requirements as a tool for limiting automobile trips, and persuading people to use carpools, transit, bicycles, and their own two feet.

"Unless we have priced parking, which we generally don't, the only way to discourage people from driving is to restrict the supply," says Nozzi. "If we're really serious about reducing single-occupancy vehicle trips, and we don't have the political will to charge for parking, we need to control the supply."

Maximum parking standards also are being used to support a range of other objectives. Work on Portland's regional standards was initiated by the state Department of Environmental Quality in 1993 to help meet air quality standards for ozone. Subsequently, the work was moved forward by Metro as a tool to encourage compact development. Final standards were adopted in

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1996.

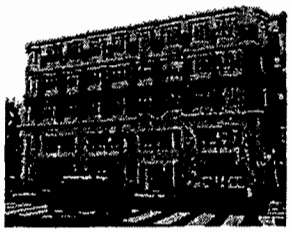
Some suburban Portland cities, such as Beaverton, also see the parking standards as a way to raise densities, tackling sprawl and creating more compact, walkable neighborhoods. Beaverton's regulations target the amount of land devoted to parking, rather than the number of spaces provided, by allowing developers to build parking structures rather than surface lots, and thus exceed the maximum.

In Eugene, Oregon, the focus is as much on promoting greater densities and reducing the amount of land paved over for parking — and hence reducing surface runoff and improving water quality — as on reducing traffic.

And in Seattle, planners are now considering applying maximum parking standards outside the downtown core to bolster transit-oriented development around stations on the planned light rail system, where construction is due to start this year. "We see reduced parking as driving the success of transit," says Jemae Hoffman, strategic advisor for the city of Seattle.

"A lot of us would be really interested in switching to maximums," she continues. But even if they prove to be politically infeasible, she adds that the city will almost certainly take other steps to restrict the supply of parking.

Seattle is lucky to be considering these issues well in advance, rather than waiting for the first trains to start running, she notes, with station area overlay zoning ordinances in place since last July to prohibit auto-oriented uses. "I think that most other places with light rail are more reactive," Hoffman says.



Cambridge, Massachusetts, just outside Boston, has taken perhaps the most radical steps in limiting parking. While it has had parking maximums in place for around 20 years, a few years ago it adopted an ordinance forcing developers to reduce auto use to 10 percent below the 1990 average for that census tract, with a resulting decrease in the need for parking. The initial program was adopted in 1998 for an evaluation period of three years, but its success led to a reauthorization in fall 2001.

Under Cambridge's regulations, developers must draw up a transportation demand management (TDM) plan to achieve this 10 percent cut, pledging measures such as appropriate parking supply, subsidized transit passes, and parking charges. In addition, parking maximums for office and research and development uses were revised to reflect the 10 percent reduction.

"It's a tough balance," says Catherine Preston, the city's parking and TDM officer. "We don't want to ratchet it down so much that there's overspill, but a surplus encourages people to drive."

Developers who don't meet the targets for car use can be fined. In a worst-case scenario, their parking facilities can be shut down by the city.

More parking means pricier housing

San Francisco is one of the most recent converts to maximum parking standards. While it has long maintained low maximum parking standards in the downtown core, in the rest of the city developers are generally required to provide at least one space per dwelling unit. Minimum standards also are set for commercial and industrial developments.

Here, the move to parking maximums is being driven in part by concerns over housing affordability. Even after the collapse of the dot-com boom, which many blamed for soaring home prices and rental vacancy rates of virtually zero, the San Francisco Bay Area is still suffering from an acute shortage of housing, particularly affordable housing.

"Parking requirements are a huge obstacle to new affordable housing and transit oriented development in San Francisco," says Amit Ghosh, the city's chief of comprehensive planning. "Nonprofit developers estimate that they add 20 percent to the cost of each unit, and reduce the number of units that can be built on a site by 20 percent."

Pointing to census data and other studies that show low-income households tend to own far fewer cars than the parking requirements assume, he adds: "We're forcing developers to build parking that people cannot afford. We're letting parking drive not only our transportation

COMMENT LETTER NO. 62 (continued)

policies, but jeopardize our housing policies, too."

San Francisco's current proposals, developed by the planning department and consultant Nelson\Nygaard, are to eliminate minimum parking requirements completely for projects within a half mile of rail stations or a quarter mile of major transit streets, and for all below market rate, elderly, and institutional units. These would be replaced by maximum standards, varying from one per unit for new housing in less developed parts of the city, to 0.5 in the central Market/Octavia neighborhood, where a bus or streetcar arrives every minute at peak times.

Interestingly, the link between restricting parking and encouraging new housing has caught the imagination of local residents, to the extent that spontaneous applause erupted at one neighborhood meeting when the parking plans were presented earlier this year.

Most innovative of all are the base standards of 0.75 per unit the city is considering in several downtown neighborhoods, with a slightly higher level of one space per unit allowed if developers apply through the city's conditional use permit process. The aim is to force developers and landlords to "unbundle" parking, by allowing tenants and homeowners to rent or purchase it separately from the housing itself.

The city's reasoning is that, with less than one space per unit, developers won't automatically add a parking space to the cost of an apartment, but will choose to unbundle instead. And if they want to provide one space per unit, unbundling parking and housing costs will be required as part of the conditional use permit.

"We want to get away from the situation where people are forced to pay for parking, regardless of whether they have a car," Ghosh says. "The true costs of car ownership need to be made visible to owners and renters."

Attacking the minimum

One concrete example of how to provide attractive housing with little or no parking is located across San Francisco Bay in downtown Berkeley. The $11 million, seven-story Gaia Building was completed in fall 2001 by a for-profit developer, Panoramic Interests. The building houses 91 apartments, 10,000 square feet of commercial space (including a theater), and just 41 off-street parking spaces.

Patrick Kennedy, founder of Panoramic Interests, is clear about the benefits of eliminating as much parking as possible. The savings made in both dollar terms and floor area have allowed the addition of amenities such as the theater, and for 20 percent of the apartments to be rented at below market rates to low-income households.

"That would never have happened if we'd provided 1:1 parking," he says. "This project would never have been built."

While Berkeley still has minimum parking requirements, the Gaia Building benefited from one of the exemptions granted by the city on a case-by-case basis. Kennedy would prefer to see these minimums abolished altogether, as the city is in fact considering in some neighborhoods as part of its new general plan, now being written.

A case-by-case approach gives far more scope for local objectors to stop the whole development on the grounds of lack of parking, Kennedy says. "Parking is one of the favored weapons of obstructionists."

Spillover can be avoided

The Gaia Building is located in downtown Berkeley, where on-street parking is metered or otherwise heavily controlled. This means there is little chance of spillover parking — that is, parking from a development that overflows into surrounding areas. Spillover parking can infuriate neighbors and other local residents. Communities that allow reduced parking or introduce maximum parking standards should pay attention to possible spillovers.

After all, avoiding spillover was the justification for specifying minimum requirements in the first place. Forget about setbacks and design guidelines. What the public wants to know is this: Will a new development increase traffic, and, above all, will it make it harder to find a parking spot?

For many planners, regulating on-street parking is an essential complement to the introduction of parking maximums. Seattle's Jemae Hoffman points to meters and time limits, as well as

effective enforcement, as crucial to the success of parking restrictions around future light rail stations.

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And then there are residential permit parking programs, which restrict on-street parking to local residents. "The program has really reduced spillover problems," says Teresa Bishow, senior planner with the city of Eugene.

In San Francisco, planners are considering radical surgery for the city's residential permit parking program, as a complement to maximum parking requirements. These changes would acknowledge that parking woes are often caused by the number of cars owned by residents themselves, not just the commuters that the program targets for restrictions.

The proposed legislation would restrict the number of permits issued to the number of on-street spaces, and — this is controversial — charge for them at market rates, with revenue channeled to neighborhood improvements and transit.

In some dense residential neighborhoods, planners estimate the price could rise from the current $27 per year flat rate to $200 per month. City officials are currently trying to determine whether the revised permit charges can be treated as a fee rather than a tax, and therefore avoid the state requirement for approval by a two-thirds popular vote.

Part of Ghosh's aim is to persuade people to clear the junk from their garages and use them for cars — and in the longer term to achieve a better match between households with cars and housing with parking. Market pricing of on-street parking means that automobile owners will be willing to pay extra for a garage, and at the same time help car-free households to find cheaper housing.

This matching of cars to parking spaces helps to explain the Gaia Building's success in attracting 237 residents with just 20 cars among them. "It's a matter of self-selection," says Patrick Kennedy. After all, how many car owners would want to live in a building marketed as a "car-free development" and on top of that pay $150 a month for one of the limited number of parking spaces?

There is nothing to stop developers and landlords giving preference to households that don't have a car, Kennedy adds. Because car owners are not a protected class under state or federal law, this practice is perfectly legal. Alternatively, as in some of Kennedy's other Berkeley developments, the city can prohibit residents from obtaining an on-street resident's parking permit.

Many cities, such as Eugene, Cambridge, and Portland, have elected to retain some minimum parking requirements alongside maximums, to alleviate concerns about spillover parking.

"It's a comfort zone," says Susan Christensen of Oregon's Department of Environmental Quality, which was instrumental in developing Portland's regional standards. "This was still a fairly radical idea when we introduced it, and the minimums gave the comfort of knowing there won't be parking in the neighborhoods."

Developers save money

One of the hallmarks of the Portland process for drawing up maximum parking standards was the involvement of developers and the wider business community. The state Department of Environmental Quality established three advisory committees, bringing lenders, developers, real estate brokers, and other private sector interests to the table, as well as city officials and environmentalists.

While it meant the standards took longer to create — a year and a half in the Portland case — the region is now reaping the benefits of including the business community, says Susan Christensen. "They're the ones that have to live with it. They're the ones that have to make this work," she says. "Our approach was to get buy-in before the ink was dry, rather than shove it down people's throats."

In many cases developers may realize major rewards from new parking standards that force them to think more creatively about the amount of parking they actually need. After all, substantial amounts are at stake, with each space in a parking garage in urban centers such as Los Angeles costing about $30,000.

"Developers assume a certain travel mode mix," says Eugene's Teresa Bishow. "If they understand the local area and its travel patterns, they can build less parking and save money."

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In Cambridge, the new parking and transportation demand management (TDM) legislation has helped developers overcome public anti-growth sentiment by demonstrating that they were taking action to reduce traffic impacts. "There was a real surge of support in the community for measures to reduce traffic," says the city's Catherine Preston.

"Developers started to realize that they had to be part of the solution," she continues. "When push comes to shove, they would prefer to implement TDM programs and provide less parking than lose leasable space."

Nor have the new requirements risked pushed development to other parts of the Boston region, according to Preston. "Cambridge is a uniquely attractive place to do business," she says.

Indeed, parking policies that reduce traffic and help raise densities will ultimately create a city more attractive to business, argues Gainesville's Dom Nozzi. "To the extent we build in a compact, walkable ambience, we're encouraging people to locate in the downtown because of the higher quality of life," he says. "We're saying to developers that we want to provide a walkable, human-scale community, and if you don't want to go along with that, we're not going to kill ourselves trying to keep you here."

Standards out of thin air?

Any city that seeks to introduce maximum parking standards should learn from the mistakes made in establishing minimums, advises Donald Shoup of UCLA. Often the minimums are simply copied from nearby cities, a practice that runs the risk of repeating someone else's mistakes.

Alternatively, they are based on parking generation rates published by the Institute of Transportation Engineers, which typically draw on survey data for peak demand at suburban sites that offer ample free parking and little in the way of public transit. Although demand is heavily influenced by price, the ITE takes no account of this-but simply assumes there will be no charge to the user, says Shoup.

Moreover, the sample sizes used to calculate these rates are often tiny; half are based on only four or fewer surveys, Shoup continues. "Without training or research, urban planners know exactly how many parking spaces to require for bingo parlors, junkyards, pet cemeteries, rifle ranges, slaughterhouses, and every other land use," he wrote in Transportation Research.

Rather than simply abolish these minimums and leave developers to determine how many spaces they want, however, many cities jump to replace them with maximums, even though they may still have little idea of demand. "Planners simply do not know how many parking spaces are needed," he says. "It's the old Soviet maxim: 'What is not required must be prohibited.'"

However, many cities — particularly Portland and Cambridge — have based their new maximums on significant research. And maximum standards are appropriate in many instances, Shoup argues.

But, he suggests, in the absence of hard data, a more sensible approach might be simply to take an intermediate step and abolish parking minimums. Leaving parking supply up to developers, who have a financial interest in not overbuilding, may lead to better planning than what's in place now, Shoup says.

Adam Millard-Ball is a San Francisco-based transportation planner with Nelson\Nygaard, a consulting firm specializing in transit, multimodal transportation, and transit-oriented development. Contact him at 415-284-1544, or via e-mail at amillard-ball@nelsonnygaard.com.

Resources

Photos. Top: San Francisco's 1:1 parking requirement is said to reduce the number of residential units that can be built on a given parcel by 20 percent and add 20 percent to rent. A community advocate drew attention to the policy by moving into a makeshift "home" in a parking space. Picture by Marshall Foster, San Francisco Planning Department. Bottom: Cambridge, Massachusetts, requires developers to reduce auto use to 10 percent below the 1990 average Harvard Law School and the U.S. Postal service share space at 125 Mount Auburn Street, developed by the Bulfinch Companies. Picture by Catherine Preston, City of Cambridge.

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Reading. Donald Shoup's "Truth in Transportation Planning" is forthcoming in the *Journal of Transportation and Statistics*. His "The Trouble With Minimum Parking Requirements" was published in *Transportation Research* in 1999.

"Reducing Housing Costs by Rethinking Parking Requirements" is a policy paper from the San Francisco Planning and Urban Research Association.

"Parking Requirement Impacts on Housing Affordability" is by Todd Litman of the Victoria Transport Policy Institute.

Planning's last story on residential parking was "Don't Park Here," October 2000.

Local ordinances. Click here for information about the Portland region.

Contact Susan Christensen, Oregon Department of Environmental Quality, 503-229-5518; christensen.susan@deq.state.or.us.

Click here for information about Cambridge, Massachusetts.

Click here for Eugene, Oregon's city site

Click here for the Gainesville, Florida, website.

Models. The computer model created by the Non-Profit Housing Association of Northern California helps developers and planners to assess likely parking demand. The site also includes a policy briefing, "Rethinking Residential Parking."

Excerpt - Full document available at
http://wings.buffalo.edu/ubgreen/guidelines.html



Part Three -

Technical Strategies

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COMMENT LETTER NO. 62 (continued)

A. SITE SELECTION AND DESIGN

Site considerations are critical to creating an environmentally friendly building as well as an aesthetically pleasing campus that will attract and retain students and faculty. The siting of green buildings should take into account the surrounding natural environment and minimize adverse impacts on natural features. Careful design of a green building within an undeveloped natural setting ("greenfield" site) can mitigate the damage inflicted on natural systems, wildlife habitat and biodiversity. The use of previously developed "brownfield" sites that have been disturbed and contaminated by past uses, also benefits the environment, since it avoids impacts on natural resources, provides for site remediation, and capitalizes on existing infrastructure.

Site design should also encourage sustainable transportation alternatives such as walking and bicycling, thereby minimizing automobile use. Green site design also involves sustainable landscaping practices that use hardy, indigenous plant species that do not require potable water for irrigation, or the use of pesticides.



University at Buffalo, South Campus quadrangle facing Health Sciences Library.
photo credit: Doug Levere, 1999

COMMENT LETTER NO. 62 (continued)

A. SITE SELECTION AND DESIGN

1.0 Selecting Appropriate Sites

1.1 AVOID DEVELOPMENT OF INAPPROPRIATE SITES AND REDUCE THE ENVIRONMENTAL IMPACTS FROM THE LOCATION OF A BUILDING ON A SITE.

LEED SS Credit 1

- ❑ a. **Select sites without sensitive natural features and restricted land uses.** Avoid prime farmland, wetlands, parkland, land in a floodplain, endangered species habitats, etc.
- ❑ b. **Consider reuse of existing building space whenever possible.**

1.2 DIRECT DEVELOPMENT TO URBAN AREAS. USE URBAN AREAS WITH EXISTING INFRASTRUCTURE, PROTECT GREENFIELDS AND PRESERVE HABITAT AND NATURAL RESOURCES.

LEED SS Credit 2

- ❑ a. **Give preference to urban and urbanized sites** during the site selection process.
- ❑ b. **Site the building near mass transit** whenever possible, minimizing transportation impacts.
- ❑ c. **Centrally locate sites** to encourage walking and/or the use of bikes on campus.
- ❑ d. **Joint use of facilities.** Program for building use by community or other appropriate organizations. Consider integrating building function with a variety of uses, to improve community integration, increase campus security, and achieve other benefits.

1.3 CONSIDER BROWNFIELDS REDEVELOPMENT. REHABILITATE PREVIOUSLY UTILIZED AND/OR DAMAGED SITES WITH SUSPECTED OR CONFIRMED ENVIRONMENTAL CONTAMINATION, THEREBY REDUCING PRESSURE ON UNDEVELOPED LAND.

LEED SS Credit 3

- ❑ a. **Give preference to brownfields sites** during the site selection process.
- ❑ b. **Develop and implement a site remediation plan** using strategies such as pump-and-treat, bioreactors, land farming and in-situ remediation.

COMMENT LETTER NO. 62 (continued)

2.0 Sustainable Site Analysis and Development

2.1 **EVALUATE THE SITE** TO DETERMINE HOW BEST TO CONSERVE AND RESTORE ECOLOGICAL HABITATS, PRESERVE CULTURAL RESOURCES, AND SUPPORT BUILDING ENERGY AND RESOURCE EFFICIENCY.

- ❑ a. **Inventory and analyze** microclimate characteristics, surface and underground hydrology, flora and fauna biodiversity, existing air quality and ground level wind patterns and man-made landscapes.
- ❑ b. **Map habitat corridors and stimulate healthy microclimates.** Explore opportunities to connect surrounding open space with proposed green space on the site.
- ❑ c. **Map sun and shade patterns** associated with new construction. Design landscaping features to take advantage of sun/shade for plants.
- ❑ d. **Examine opportunities to minimize disruption to existing hydrological features** such as creeks, streams, ponds, lakes and/or wetlands. Contact the U.S. Army Corps of Engineers, NYS DEC and local agencies for watershed and wetlands protection requirements.
- ❑ e. **Test soil and groundwater** to determine pollution levels, depth to water table, soil-bearing capacity, and what types of fertilizers or soil amendments may be required for planting.
- ❑ f. **Examine opportunities to restore the surface cover of impacted areas** where existing topsoil is fertile and contains nutrients that support plant life, filters contaminants, and neutralizes and binds many air and water pollutants.
- ❑ g. **Map natural hazard zones** with exposure to high winds and storms, floods, unstable soils, steep slopes, earthquake fault lines, former (buried) water features, etc.
- ❑ h. **Design building, parking, and roadways to complement existing site contours** by limiting cut and infill.
- ❑ i. **Prioritize the site's natural and cultural attributes** for protection, conservation or restoration.

3.0 Site Design

3.1 CREATE IMPORTANT BUILDING AND SITE SYNERGIES.

- ❑ a. **Complement the building with site features** that minimize negative environmental impacts and restore natural systems.
- ❑ b. **Organize building mass, orientation and outdoor spaces** to provide efficient access, service, and recreational areas with multiple functions in addition to visual value. For example, rooftops can be used as gardens and for water collection; outdoor water features can be used for ambient evaporative cooling and as recreational space where students can gather.

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3.0 Site Design

3.1 CREATE IMPORTANT BUILDING AND SITE SYNERGIES. (continued)

- ❑ c. **Use earth forms, plantings, drainage, water detention systems, and soils** to support the functions of the building and site (e.g., screening, windbreaks, etc.).
- ❑ d. **Coordinate landscape design with building envelope.** Orient building, windows, and outdoor spaces to take advantage of light, airflows, and interesting views.
- ❑ e. **Use deciduous shade trees and exterior structures** such as arbors and trellises, louvers, overhangs and light shelves to reduce cooling load of the building.

3.2 REDUCE POLLUTION AND LAND DEVELOPMENT IMPACTS FROM AUTOMOBILE USE BY ENCOURAGING ALTERNATIVE TRANSPORTATION.

LEED SS
Credit 4.1

- ❑ a. **Survey future building occupants** to identify transportation needs and facilitate car-pooling.
- ❑ b. **Provide bus stop seating areas** that are covered and wind-sheltered, or provide waiting areas within enclosed building lobby where appropriate.

3.3 PROMOTE BICYCLING FOR LOCAL TRANSPORTATION TO REDUCE POLLUTION AND LAND DEVELOPMENT IMPACTS FROM AUTOMOBILE USE.

LEED SS
Credit 4.2

- ❑ a. **Extend bike lanes and sidewalks** to the edges of the campus to protect pedestrians and bicyclists.
- ❑ b. **Encourage bicycle or pedestrian access with site design features** such as attractive landscape elements, walking and cycling paths, public squares, and public seating.
- ❑ c. **Provide bicycle amenities for building occupants,** such as centrally located, secure bicycle racks and shower/changing facilities.
- ❑ d. **Work with the larger community** to make bicycling safe and convenient, both to and from on- and off-campus roads.



University at Buffalo, bicycle path
credit: Walter Simpson, 2003

3.0 Site Design

3.4 PROMOTE THE USE OF ALTERNATIVE FUEL VEHICLES TO REDUCE POLLUTION IMPACTS FROM AUTOMOBILE USE.

LEED SS Credit 4.3

- ❑ a. **Provide alternative fuel refueling/charging stations** for the campus or facility.
- ❑ b. **Consider sharing the costs and benefits of refueling stations** with neighbors or other institutional or governmental agencies.

3.5 PROVIDE CREATIVE PARKING SOLUTIONS TO REDUCE POLLUTION AND LAND DEVELOPMENT IMPACTS FROM AUTOMOBILE USE, ESPECIALLY SINGLE OCCUPANCY VEHICLES.

LEED SS Credit 4.4

- ❑ a. **Provide preferred site parking** for hybrid and alternative fuel vehicle owners, and vehicles used for car-pools or vanpools.
- ❑ b. **Minimize parking lot/garage size.** Consider sharing parking facilities with adjacent buildings. Excess parking spaces encourage increased automobile use, contribute to urban heat island effects, and can increase pollution from stormwater runoff.
- ❑ c. **Design parking with overspill areas.** Consider "Grasscrete™" (grass paving) or grass areas that are used infrequently for use as overspill parking and therefore do not require conventional paving.

3.6 PROTECT OR RESTORE OPEN SPACE, HABITATS AND BIODIVERSITY TO REDUCE SITE DISTURBANCE.

LEED SS Credit 5.1

- ❑ a. **Limit "greenfield" site disturbance** (including earthwork/clearing of vegetation) to no more than:
  - 40 feet beyond the building perimeter (where the building perimeter includes adjacent paved areas and parking)
  - 5 feet beyond primary roadway curbs, walkways and main utility branch trenches
  - 25 feet beyond constructed areas with permeable surfaces.
- ❑ b. **On previously developed sites restore a minimum of 50% of the site area** (excluding the building footprint) by replacing impervious surfaces with native or adaptive vegetation.

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3.0 Site Design

3.7 MINIMIZE THE AREA OF THE DEVELOPMENT FOOTPRINT IN ORDER TO REDUCE SITE DISTURBANCE. CONSERVE EXISTING NATURAL AREAS TO PROVIDE HABITAT AND PROMOTE BIODIVERSITY.

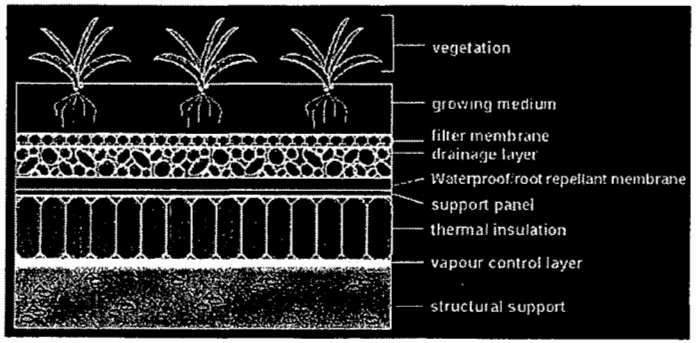
LEED SS
Credit 5.2

- ❑ a. **Design the building with a minimal footprint** to minimize site disruption. Strategies include stacking the building program, tuck-under parking and sharing facilities with neighbors.
- ❑ b. **Designate an open space area** adjacent to the building, equal to or greater than the size of the building footprint (for areas with no local zoning requirements).
- ❑ c. **Avoid negative impacts on adjacent facilities or open area properties.** Typical impacts include reflected glare, waste heat, light spill, noise from cooling towers, air handling equipment, and generators, as well as the shading of adjacent green space or buildings, and gusty winds at grade from wind tunnels created by new structures.
- ❑ d. **Cluster underground utilities running in conduits,** such as telephone, cable, electric, water, wastewater.
- ❑ e. **Locate underground utilities in fire lanes,** as appropriate, to minimize site disturbance. (Separate sewer/water and high temperature piping as required.)

3.8 REDUCE OR ELIMINATE STORMWATER RUNOFF TO LIMIT DISRUPTION AND POLLUTION OF NATURAL WATER FLOWS.

LEED SS
Credit 6.1

- ❑ a. **Maintain natural stormwater flows** by designing the project site to promote infiltration.
- ❑ b. **Specify garden roofs and pervious paving** to minimize impervious surfaces. Pervious paving includes such materials as gravel, sand, "Grasscrete™" and "geo-block."
- ❑ c. **Reuse stormwater** for non-potable uses such as landscape irrigation, and exterior site washing. Establish with the appropriate regulatory body that no adverse health effects would be associated with this water reuse. Underground cistern storage is preferable.



Garden Roof Components
credit: Collaborative for High Performance Schools, 2003

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3.0 Site Design

3.8 REDUCE OR ELIMINATE STORMWATER RUNOFF TO LIMIT DISRUPTION AND POLLUTION OF NATURAL WATER FLOWS. (continued)

LEED SS Credit 6.2

- ❑ d. **Prevent non-point source pollution** by planting watershed buffers, allowing infiltration via porous surfaces, and minimizing paved parking areas.
- ❑ e. **Design roads and parking lots without curbs,** or with curb cuts and openings, that drain to stormwater treatment and infiltration features.
- ❑ f. **Minimize paved areas for sidewalks, roadways, and parking lots** to the extent practicable to minimize stormwater runoff and also meet the needs of the building program.

3.9 TREAT STORMWATER ON SITE. LIMIT CONTAMINATION OF NATURAL WATER FLOWS BY ELIMINATING CONTAMINANTS AND INCREASING ON-SITE INFILTRATION. NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION STATE POLLUTION DISCHARGE ELIMINATION SYSTEM (SPDES) REQUIREMENTS APPLY.

LEED SS Credit 6.2

- ❑ a. **Provide on-site stormwater treatment systems** to remove suspended solids and phosphorus, and other contaminants.
- ❑ b. **Comply with Federal US EPA regulations - Stormwater Runoff Phase II and Stormwater Pollution Prevention Plan.** Submit a NOI (Notice of Intent) to NYSDEC to obtain a SPDES permit. See NYSDEC website: www.dec.state.ny.us/website/dow/mainpage.htm
- ❑ c. **Consider natural treatment systems** such as constructed wetlands, vegetated filter strips and bioswales to promote infiltration and "bio-remediate" the site's stormwater flows. Such natural features remove gasoline, oil, grease, herbicides, fertilizers, etc., and reduce the need for constructed drainage channels and stormwater piping.
- ❑ d. **Provide grading and drainage** via vegetated buffers to reduce the need for artificially constructed drainage channels and stormwater piping.

COMMENT LETTER NO. 62 (continued)

3.0 Site Design

3.10 LANDSCAPE AND PAVE TO REDUCE "HEAT-ISLAND EFFECT," WHERE HIGHER AMBIENT TEMPERATURES OCCUR IN DEVELOPED AREAS WITH IMPERVIOUS SURFACES AND STRUCTURES.

LEED SS Credit 6.2

- ❑ a. **Provide shade within five years** on at least 30% of the site's non-roof impervious surfaces.
- ❑ b. **Utilize light colored paving** (high-albedo[8] materials) or open grid pavement for the site's impervious surfaces, including parking lots, walkways, plazas, etc.

LEED SS Credit 7.1

3.11 UTILIZE SUSTAINABLE LANDSCAPE PRACTICES TO PROMOTE THE CONSERVATION AND RESTORATION OF EXISTING BIOLOGICAL AND WATER RESOURCES, INCLUDING SPECIES DIVERSITY, SOIL FERTILITY, AND AERATION.

LEED WE Credits 1.1, 1.2

- ❑ a. **Emphasize plant diversity.** Select plants native or adapted to the region and microclimate. Consider those that grow together naturally, and are self-sustaining (i.e., can reseed and spread without much maintenance). Refer to campus landscape master plan for preferred plant lists.[9] Avoid invasive plant species and those that threaten local native ecosystems.
- ❑ b. **Reduce the use of plant species that require frequent maintenance.**
- ❑ c. **Avoid plants that require chemical treatment, especially pesticides.** Use plant combinations and maintenance methods that do not require chemicals.[10]
- ❑ d. **Avoid allergy-causing plantings** adjacent to building openings such as air intakes, entries or operable windows.
- ❑ e. **Use plants that contribute nitrogen to the soil** (clover, honey locusts, black locusts, and legumes) to reduce dependence on fertilizers.
- ❑ f. **Promote large common root systems.** Cluster rather than scatter site plantings to provide adequate root space for plants, especially street trees, and to help protect other plants from wind, sun, and reflected heat, and prevent erosion. Wherever possible, locate trees so that rooting zones of more than one tree can be combined. Create larger planting islands.
- ❑ g. **Salvage native plants** to be replanted on the site (or elsewhere) to preserve biodiversity.

[8] Albedo - ratio of reflected light to total amount falling on a surface. A high albedo indicates high reflectance properties.
[9] Contact UB Facilities Planning and Design to request the Master Plan plant palette in UB Site Design Guidelines Winter 2002. See also Resources section for website references.
[10] Plants that have few pests, or "companion" planting.

COMMENT LETTER NO. 62 (continued)

3.0 Site Design

3.12 REDUCE WATER USE FOR PLANT IRRIGATION.

LEED WE
Credits 1.1, 1.2

- ❑ a. **Use plants that do not require irrigation** or that have water requirements that can be provided by natural precipitation patterns.
- ❑ b. **Reduce irrigation inefficiency** by developing "planting zones" based on water use requirements. Clearly identify such areas on site plan drawings.
- ❑ c. **Consider drip irrigation** where irrigation is necessary, or other water efficient irrigation systems. Avoid misting sprinklers, which waste water.

3.13 IMPROVE SOIL QUALITY.

- ❑ a. **Analyze planting soil** to identify contamination and determine if remediation is needed.
- ❑ b. **Implement soil remediation measures** as needed for the site such as introducing earthworms if they are sparse, adding organic matter and microorganisms to break down pollutants, and removing toxic materials.
- ❑ c. **Use mulch** to conserve soil moisture, restore soil fertility, and reduce need for fertilizers.
- ❑ d. **Allow grass clippings,** small plant debris and fallen leaves to decompose on the ground.
- ❑ e. **Obtain compost** for soil amendment from on-site sources when available in lieu of peat moss (essentially a non-renewable resource due to over-exploitation).
- ❑ f. **Provide space and bins** for composting landscape materials.

3.14 SELECT APPROPRIATE MATERIALS FOR LANDSCAPING FEATURES.

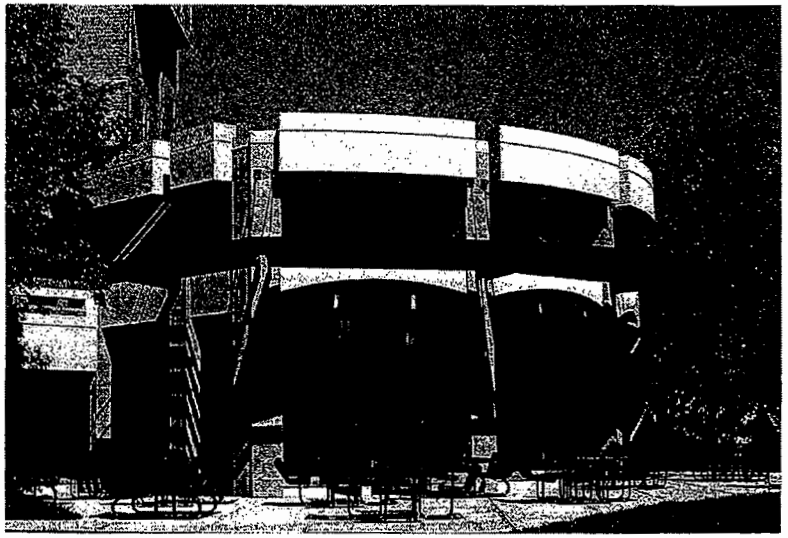
LEED MR
Credits 3.1 - 7.0

- ❑ a. **Use recycled, renewable and/or locally available materials** when constructing landscaping features (e.g., recycled timber, plastic, rubber tires).
- ❑ b. **Use chromated copper arsenate-free pressure-treated wood.** Although there are only two companies presently manufacturing CCA-free pressure treated wood, additional major manufacturers will be switching to non-arsenic formulations in the next two years based on a voluntary agreement with the US EPA.)
- ❑ c. **Consider natural woods that have rot resistance, such as Ipe ("Ironwood").** To be environmentally sound, the Ipe wood should come from a sustainably-harvested forest.

COMMENT LETTER NO. 62 (continued)

B. ARCHITECTURAL DESIGN FOR SUSTAINABILITY

Our society is nearly fully dependent on fossil fuels - coal, oil and natural gas - the use of which contributes to global climate change. Other environmental and social costs associated with energy protection and consumption (from fossil fuel and nuclear power) include air and water pollution, acid rain, loss of wilderness, the generation of radioactive waste, and even the risks of war. Finding sustainable ways of meeting our energy needs is therefore imperative, and is the mandate embodied in Governor's Executive Order 111. Energy sustainability will require enhanced energy conservation and efficiency as well as a transition to clean, renewable energy resources. Reducing energy loads and incorporating renewable energy in campus building design is possible by optimizing site plans, building orientation and envelope, and by incorporating architectural features which enhance the potential for daylighting, solar heating, and passive cooling. These strategies will allow campus buildings to be less dependent on mechanical systems and to operate more in harmony with nature.



University at Buffalo, North Campus Ellicott Complex
Food court addition with exterior shading devices.
photo credit: Walter Simpson, 2003

COMMENT LETTER NO. 62 (continued)

1.0 Siting for Passive Design

1.1 OPTIMIZE SITE PLACEMENT AND BUILDING FORM TO REDUCE ENERGY LOADS.

- ❑ a. **Utilize topography.** On hilly sites, utilize or modify existing topography to obtain the insulating effect of earth through berming, and other manipulations of the section.
- ❑ b. **Utilize/control wind on site.** Whenever possible, orient buildings to protect entrances and minimize infiltration from prevailing winter winds. During other seasons, take advantage of non-winter air movement by utilizing prevailing winds for natural ventilation.
- ❑ c. **Trees.** Review location of existing and proposed deciduous and evergreen trees on site. Where feasible, locate buildings so that deciduous trees block summer sun to the south and west, and evergreens block winter wind, which in the Buffalo, N.Y. region, is from the southwest.
- ❑ d. **Building Form/Massing.** Maximize solar opportunities by elongating the building structure on its east-west axis. This orientation will allow use of sun-controlled natural daylight and winter solar gain, while minimizing summer heat gains and resulting cooling loads on the east and west facades of the building.
- ❑ e. **Avoid use of large glass atria or large glazed surfaces** that cannot be justified from a programmatic perspective or by operating savings returns (e.g., from passive solar heating).

LEED EA
Credit 1

2.0 Daylighting/Sun Control

2.1 OPTIMIZE USE OF DAYLIGHT IN NEW AND RENOVATED CAMPUS FACILITIES.

LEED EQ
Credits 8.1, 8.2

Configure the fenestration system to achieve a minimum daylight factor of 2 percent (excluding all direct sunlight penetration) for most occupied spaces that are contiguous to an exterior wall, day lit atrium wall or roof, as a starting point in the design. Windows located below 30" and above 7'6" do not qualify for this cal-

- ❑ a. culation.

Consider glare-protection strategies that minimize the time when interior-shading devices must be drawn (e.g., light shelves per 2.2.g.), and if vertical shading devices on the exterior are unacceptable for east and west orientations (e.g., due to first cost, views or aesthetics). If necessary, perform a daylighting analysis

- ❑ b. accounting for the entire window area, including the surfaces above 7' - 6" (as described below).

Achieve a line of sight to vision glazing for regularly occupied spaces, creating views and connecting indoors and outdoors. Exceptions would include copy rooms, storage areas, mechanical, laundry and other low occupancy support areas.

- ❑ c. **Consider computer modeling** of daylight spaces and design features to ensure that daylight spaces will be comfortable areas (with no glare) and that energy gains in terms of avoided electric lighting costs are greater than the energy costs from increased cooling loads. The heating load may decrease for south or even east-facing fenestration, or may be higher for other orientations. Enhance the favorable effect of

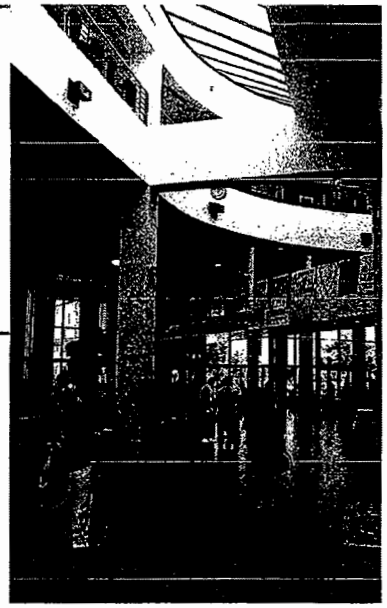
LEED EA
Credit 1

COMMENT LETTER NO. 62 (continued)

2.0 Daylighting/Sun Control

2.1 OPTIMIZE USE OF DAYLIGHT IN NEW AND RENOVATED CAMPUS FACILITIES. (continued)

glazed areas with glass selection, daylight harvesting systems and coordination with HVAC controls. When evaluating additional energy loads caused by daylighting features, include the impact of additional square footage and increased surface area caused by spacious design elements like atria. Seek design improvements to mitigate these loads so that daylighting and solar features reduce the energy load of the building, and do not add to it by creating additional space.



University at Buffalo, naturally lit interior of North Campus Student Union.
photo credit: Walter Simpson, 2003

2.2 ORIENT BUILDING TO OPTIMIZE DAYLIGHT.

LEED EQ
Credits 8.1, 8.2

- ❑ a. **Create an elongated massing allowing for daylighting** using north-facing and south-facing glass. An east-west elongated building with an appropriate overhang will permit effective daylighting while increasing winter solar gain through south glass, and reducing the direct penetration of summer sun.
- ❑ b. **Avoid exposed, eastern- and western-facing glass** because of the large variation in light levels throughout the day and greater solar gains in the warmer months, resulting in increased cooling requirements. Eastern exposures are less problematic than the western ones in terms of heating and cooling costs.
- ❑ c. **Consider north facing glazing** for occupants requiring more uniform levels of diffuse daylight.

2.3 SHAPE FORM TO GUIDE DAYLIGHT.

LEED EQ
Credits 8.1, 8.2

- ❑ a. **Incorporate courtyards** or other daylight-enhancing techniques to bring light into interior spaces.
- ❑ b. **Evaluate such design elements to ensure that they do not add to building heating and cooling loads.** Make design improvements as necessary to mitigate these loads.
- ❑ c. **Place and size glazing apertures appropriately.** Maximize daylight through location and size of windows, roof monitors and skylights, and through use of glazing systems and shading devices appropriate to building orientation and space use.

COMMENT LETTER NO. 62 (continued)

2.0 Daylighting/Sun Control

2.3 SHAPE FORM TO GUIDE DAYLIGHT. (continued)

LEED EQ
Credits 8.1, 8.2



Shading devices at GSW Headquarters
Berlin, Germany
courtesy of Sauerbruch Hutton

- ❑ **d. Design to avoid glare by using top lighting** such as monitors in the roof or ceiling plane that allow a greater quantity and more even distribution of daylight within classrooms, libraries, gymnasia, and other campus and institutional spaces. Flat, bubble and low-slope skylights have a negative heat balance, but provide glare-free light with light-deflecting devices installed underneath them.
- ❑ **e. Consider high clerestory windows** (often preferable to skylights) to provide deep daylight penetration especially for space types needing useable wall space, e.g. libraries.
- ❑ **f. Consider light pipe technology** for top lighting in areas with relatively deep roof cavities to transmit natural light to deep interior spaces not reachable by other means.
- ❑ **g. Consider the use of interior and/or exterior light shelves,** especially on south-facing windows, and on appropriate east or west facades for deeper daylight penetration. Light shelves avoid solar gain and glare of direct-beam penetration and may eliminate need for use of mini-blinds on south facades. Some type of room darkening might be required in certain space types with audio-visual uses.
- ❑ **h. Provide exterior shading devices** (overhangs, vertical fins, projecting light shelves, etc.) where solar gain and direct light are undesirable.

2.4 PROVIDE DAYLIGHTING CONTROLS.

LEED EA
Credit 1

- ❑ **a. Design appropriate daylight harvesting controls.** Review alternatives for reducing electric lighting use through daylight harvesting. Continuous daylight dimming has broad occupant acceptance, especially if, in individual spaces, it is coupled with a manual dimmer that allows for adjustment for maximum intensity of the artificial light from lamps. On/off or three-stage controls are appropriate for spaces with transitory occupancy (e.g., corridors) and where the glazed areas are large, so that the change from one light level to another rarely occurs. Manual dimming and switching lights on and off is typically done by occupants to enhance visual comfort rather than save energy.
- ❑ **b. Wire luminaires, where practicable, in parallel to the window walls,** so they can be dimmed or turned off row by row.

COMMENT LETTER NO. 62 (continued)

3.0 Passive Solar Heating

3.1 UTILIZE PASSIVE SOLAR HEATING TO REDUCE FOSSIL FUEL ENERGY USE.[11] PASSIVE SOLAR STRATEGIES ARE MOST EFFECTIVE IF THE SPACE TEMPERATURE IS ALLOWED TO FLUCTUATE OVER 5-10° F DURING OCCUPIED PERIODS.

LEED EA Credit 1

- ☐ a. **Design for direct solar gain for appropriate space types.** Direct solar gain should be considered for all south-facing spaces where critical visual activities are not typically conducted, including public spaces such as atria, food courts, circulation areas, etc.
- ☐ b. **Utilize sunspaces** where programmatically appropriate and net energy producers.
- ☐ c. **Consider mass walls.** Consider the use of interior south-facing opaque mass walls exposed to direct sunlight in the interior of a passive solar space or as a trombe wall to provide thermal storage during the day and passive heating at night. Consider different design solutions for storing heat in the building structure or materials.
- ☐ d. **Perform computer energy modeling** to determine if a passive solar configuration saves energy in a cost-effective manner. Issues to be explored in this analysis include:
  - determining whether energy gains from passive solar heating will exceed energy loss due to additional fenestrations.
  - investigating the effect of south-facing glass with low U-value but high solar heat coefficient.
  - assessing the effectiveness of thermal mass.

4.0 Passive Cooling and Natural Ventilation

4.1 EVALUATE THE POTENTIAL OF THERMAL MASS FOR BOTH EXISTING SHELLS AND NEW BUILDINGS.

See Part 3, Section B.3 - Passive Solar Heat, for comment on temperature variation.

- ☐ a. **Moderate interior temperatures** where appropriate through the use of sufficient thermal mass. Consider different design solutions for storing heat (or cooling) in the building structure or materials.

[11] Passive solar heating strategies are considered energy efficiency improvements in LEED™ and as such are not applicable to achieving LEED EA Credits 2.1, 2.2 and 2.3, which are reserved for measures that generate electricity from renewable technologies like photovoltaics.

COMMENT LETTER NO. 62 (continued)

4.0 Passive Cooling and Natural Ventilation

4.2 MINIMIZE COOLING LOADS THROUGH SOLAR CONTROL OF GLAZED OPENINGS.

LEED EA Credit 1

- ❑ a. **Balance solar heat gain properties of glass** by selecting high performance glass. Consider different types according to orientation and consider specifying appropriate solar heat gain coefficients and visible transmittances to reduce unwanted solar gain cooling loads.[12]
- ❑ b. **Balance solar heat gain properties of glass** with the effectiveness of other solar controls such as shading devices.
- ❑ c. **Use shading devices.** Consider shading to let in natural light but exclude heat and glare and control contrast ratios. Shading strategies include vertical fins on east and west fenestration, overhangs or light-shelves on south fenestration, as well as arcades, trees, "brise-soleils," and deep window insets.

4.3 NATURALLY VENTILATE THE FACILITY TO THE EXTENT POSSIBLE IN APPROPRIATE BUILDING TYPES, BUILDING ZONES AND/OR LOCATIONS.

LEED EA Credit 1

- ❑ a. **Consider natural ventilation strategies** in design of HVAC and exterior window and wall openings to reduce reliance on mechanical ventilation at least during swing seasons. Take local air quality and prevailing winds into consideration.
- ❑ b. **Design for cross ventilation.** Develop other ventilation strategies where appropriate for the interior building space and its function. These include cross ventilation through narrow floor plates, solar chimneys or other types of stack ventilation.
- ❑ c. **Consider providing operable windows with appropriate HVAC interlocks or occupant annunciation systems** to avoid HVAC operation and energy loss when windows are open.
- ❑ d. **Carefully balance the deficits of operable windows,** which may compromise the efficiency and maintenance of central systems, with the psychological benefits of operable windows.
- ❑ e. **Consider fan-powered night ventilation** in lieu of operable windows. Employ computer modeling to decide on the period for nighttime ventilation. In many situations, one or two hours of fan operation would be sufficient; longer run times may be ineffective and can waste energy. Night ventilation must be enthalpy-controlled, to avoid introducing excessive humidity in the building.
- ❑ f. **Utilize stack effect for cooling** through high vent reliefs on stairwells, and other high outlets where smoke evacuation will not be compromised.
- ❑ g. **Design for maximum benefit from economizer cooling** in mechanical systems.

[12] Avoid the use of darkly tinted or reflective glass. Use glass products that allow for the facility to be an open and inviting environment when viewed from outside.

COMMENT LETTER NO. 62 (continued)

5.0 Building Envelope

5.1 OPTIMIZE WINDOW FRAME PERFORMANCE.

LEED EA Credit 1

- ❑ a. **Provide thermal break** in metal window frames for best thermal performance and to minimize condensation.
- ❑ b. **Consider security issues and water intrusion** in glazing and design details.
- ❑ c. **Provide high performance, durable weather stripping** to minimize infiltration.
- ❑ d. **Consider wood windows frames** that provide a natural thermal break where appropriate in new construction (e.g. residential), and in window replacement on historic buildings.
- ❑ e. **Consider "pultruded" fiberglass window frames,** which are insulated and are higher performance than wood or metal, for appropriate applications.

5.2 SELECT GLAZING FOR OPTIMAL PERFORMANCE.

LEED EA Credit 1

- ❑ a. **Select appropriate high performance energy characteristics.** Consider U-value, solar heat gain coefficient, and visible light transmittance.[13]
- ❑ b. **Optimize glazing by orientation using energy modeling.** Glass on south, east and west facades should be highly protective against solar heat gain, except glazing that is protected by shading devices, or south-facing glazing being utilized for passive solar heating.
- ❑ c. **Consider specifying glazing with high visible light transmittance and high shading coefficients** on north walls where glare is much less of a problem. Glass on north facades can be clear or lightly tinted.
- ❑ d. **Consider fritted, and spectrally selective glazing** tuned to use and orientation on south, east or west elevations.
- ❑ e. **Select appropriate color.** Tinted glass for south, east, and west orientations should be in the blue/green family, which is ideal for daylit buildings since they have a high coolness index (visible light transmittance divided by solar heat gain coefficient).

5.3 PROVIDE EFFECTIVE INSULATION TO MINIMIZE HEATING, COOLING AND ENERGY USE LOADS.

LEED EA Credit 1

- ❑ a. **Optimally insulate the building shell** (walls, roof, basements/foundation). Utilize computer modeling to determine cost-effectiveness of adding insulation beyond code requirements.
- ❑ b. **Avoid thermal bridging** in metal-framed assemblies through exterior wall, roof, and floor details and components.
- ❑ c. **Avoid irregular exterior building shapes or soffits,** which increase surface area, resulting in unwanted heat loss. Compensate for extra surface area with additional insulation.

[13] Each of these performance characteristics are tested and labeled on manufactured windows in accordance with standards of the National Fenestration Rating Council.

COMMENT LETTER NO. 62 (continued)

5.0 Building Envelope

5.4 CONTROL AIR AND MOISTURE IN THE BUILDING ENVELOPE.

- ❑ a. **Detail the building envelope** to minimize infiltration and to prevent moisture build-up within the walls due to condensation. In humidified spaces that have masonry walls, do not place the insulation on the winter-cold surface of the concrete masonry wythe. If the insulation must be placed on the winter-cold surface of the masonry wythe, examine potential moisture condensation (dewpoint position).
- ❑ b. **Ensure that all internal sources of humidity are properly ventilated.**

5.5 REDUCE "HEAT-ISLANDS" ON CAMPUS FOR ALL BUILDINGS AND ROOF REPLACEMENTS.

LEED SS
Credit 7.2

- ❑ a. **Install new or replace existing roofs with high albedo[14] roofs.** Use highly reflective ENERGY STAR compliant and high emissivity roofing[15] for the greatest amount of roof surface.
- ❑ b. **Consider installing new or replacing existing roofs with vegetated roofs.** Review combinations of high albedo and vegetated.

5.6 MINIMIZE HEAT LOSSES THROUGH STACK EFFECT.

- ❑ a. **Seal building areas** between floors, stairwells, corridors, and elevator shafts to reduce convective heat losses through stack effect.
- ❑ b. **Plan air pressure relationships between rooms** as appropriate (i.e., laboratories).
- ❑ c. **Detail for ductwork and fireplaces** (where applicable) to reduce convective heat loss and for energy efficiency.

[14] Albedo - ratio of reflected ligh to total amount falling on a surface. A high albedo indicates high reflectance properties.
[15] Emissivity of at least 0.9 when testing in accordance with ASTM 408.

COMMENT LETTER NO. 62 (continued)

6.0 Interior Facility Layout

6.1 ORGANIZE PROGRAMMED SPACES FOR MAXIMUM ENERGY AND RESOURCE EFFICIENCY AS WELL AS COMFORT.

- ❑ a. **Program the facility for efficient use of built areas** (multi-functional spaces and appropriate net-to-gross). Avoid adding non-productive square footage to the building.
- ❑ b. **Group similar program functions** to concentrate heating/cooling and simplify HVAC zoning loads. Consider this zoning strategy for differing uses: i.e. classroom, office, lab, and public functions.
- ❑ c. **Utilize public areas and circulation zones as thermal collectors and buffers.** Such spaces tolerate a wider range of temperatures and greater temperature swings than continuously occupied spaces.
- ❑ d. **Design building layout to utilize natural systems.** Arrange occupied spaces for daylighting and natural ventilation whenever possible. Locate open occupied spaces adjacent to exterior windows and use borrowed light for interior offices. Utilize low partitions adjacent to window walls to enhance daylight penetration to interior areas.
- ❑ e. **Provide well-lit, pleasant, secure stairwells/staircases** to encourage the use of stairs instead of elevators.
- ❑ f. **Provide vestibules at major entries** with minimal heat but no cooling, consistent with freeze protection.
- ❑ g. **Combine water-use zones for plumbing** to decrease heating and pumping requirements and reduce construction costs.

COMMENT LETTER NO. 62 (continued)

C. INDOOR ENVIRONMENTAL QUALITY

Green buildings are healthy buildings that improve the human as well as the natural environment. Indoor environmental quality can be achieved with improved air quality and comfort. Occupants typically experience a greater sense of well being if they have greater control over their immediate environment, as well as access to windows that provide daylight and a visual connection to the outdoors. Studies have shown that these design features reduce sick time, improve productivity, increase the test scores of school children, and reduce the liability risks associated with "sick building syndrome." Similar results can be expected in a University setting where commitment to indoor environmental quality will benefit the teaching and learning functions while enhancing the enjoyment students, faculty and staff experience while inside campus buildings.



Daylit atrium, Center for the Arts, UB North Campus
photo credit: Doug Levere, 1999

COMMENT LETTER NO. 62 (continued)

UB HIGH PERFORMANCE BUILDING GUIDELINES

C. INDOOR ENVIRONMENTAL QUALITY



PART THREE - TECHNICAL STRATEGIES

1.0 Good Air Quality

1.1 REDUCE INDOOR AIR QUALITY (IAQ) PROBLEMS AT THE SOURCE (A PRIMARY STRATEGY).

- ❑ a. **Test and remediate soil gases and other contaminants.** Identify potential presence of soil gases such as methane, as well as radon, excessive dampness and mold, and incorporate measures to prevent any soil gas or other contaminants from being drawn into the building. Damp proof the slab-on-grade to also limit moisture transport.
- ❑ b. **Reduce potential water problems.** Design surface grades, drainage systems, and HVAC condensate collection systems to prevent accumulation of water under, in, or near buildings.
- ❑ c. **Control unwanted moisture.** Prevent condensation of water vapor inside the building envelope by proper use of air retarders, vapor retarders, proper location and amount of thermal insulation, control of indoor-to-outdoor pressure differences, and control of moisture-generating activities at the source.
- ❑ d. **Specify non-offgassing materials.** Specify construction materials with no or low volatile organic compounds and low odor emissions.
- ❑ e. **Prohibit smoking** within the building and locate any exterior designed smoking areas away from entries, operable windows, and HVAC air intakes. (Smoking is prohibited in all SUNY Buildings.)

See Part 3, Section B.5 - Building Envelope.

See Part 3, Section G - Materials.

LEED EQ
Prerequisite 2

1.2 PROVIDE INDOOR SOURCE CONTROL FOR POTENTIAL CONTAMINANTS.

LEED EQ
Credit 5

- ❑ a. **Isolate exhaust and plumbing systems** in rooms with contaminants.
- ❑ b. **Install permanent architectural entryway systems** such as grills or grates to prevent occupant-borne contaminants from entering the building.
- ❑ c. **Segregate chemical use areas.** Where chemical use occurs (including housekeeping areas, laboratories, art rooms, floor cleaning machine recharging area, and copying/printing rooms), provide segregated areas and separate outside exhaust. Provide heat recovery or other efficiency strategy where cost-effective.
- ❑ d. **Provide drains at janitorial chemical mixing areas** plumbed for appropriate disposal of liquid waste in spaces where water and cleaning chemical concentrate mixing occurs.

COMMENT LETTER NO. 62 (continued)

2.0 Thermal Comfort

2.1 ENSURE THERMAL COMFORT TO SUPPORT OCCUPANT PRODUCTIVITY AND WELL-BEING.

See Appendix G - UB Energy Policies.

LEED EQ Credit 7.1

LEED EQ Credit 7.2

- ❑ a. **Provide a thermally comfortable environment** through compliance with campus heating and cooling season temperature policies.
- ❑ b. **Meet requirements of ASHRAE Standard 52-1992 Addenda 1995 for buildings whose special activities or functions require humidity control.** Winter humidification is not appropriate for most projects and should be considered only when particular space functions (or users) specifically require it.
- ❑ c. **Consider installing and maintaining a temperature and/or humidity monitoring and control system** in special use buildings (for music, research, special collections, etc.).
- ❑ d. **Consider utilizing ceiling fans in high ceiling spaces** to provide thermal comfort during winter months by destratifying room air. Ceiing fans will also enhance comfort in summer months by increasing air movement, thus reducing or eliminating the need for mechanical cooling. Fans should have motion sensor operating controls.

3.0 Light and Daylight Quality

SEE ALSO PART THREE, SECTION B.2 DAYLIGHTING/SUN CONTROL FOR DAYLIGHT STRATEGIES.

3.1 PROVIDE OCCUPANTS WITH DIRECT VIEWS TO THE OUTDOORS.

LEED EQ Credits 8.1, 8.2

- ❑ a. **Design the building to maximize views** for students, faculty, staff and other personnel through direct line of sight to perimeter glazing in all regularly occupied spaces. Such views are important to physiological as well as psychological well-being.

3.2 USE INTERIOR AND EXTERIOR ELEMENTS TO OPTIMIZE DAYLIGHT.

- ❑ a. **Place windows adjacent to perpendicular walls** to increase interior reflection through wall wash.
- ❑ b. **Design flat (or slightly sloped) ceilings** directly adjacent to light shelves. Consider that shaped or textured ceilings will reduce light reflectance.
- ❑ c. **Consider interior material color and reflectance.** Choose light-colored flooring (a trade-off since it requires greater cleaning and maintenance) to enhance lighting levels. Ceilings should be white for high reflectance. Walls adjacent to windows should be light in color. Avoid saturated colors except as accents, or special effects in corridors.

COMMENT LETTER NO. 62 (continued)

C. INDOOR ENVIRONMENTAL QUALITY

3.0 Light and Daylight Quality

3.2 USE INTERIOR AND EXTERIOR ELEMENTS TO OPTIMIZE DAYLIGHT. (continued)

- ❑ **d. Avoid glare for video display terminals (VDTs).** Avoid placing VDTs where they face windows. For south-facing glazing, a 45° position with respect to the window is preferable. Other methods for avoiding glare include tilting monitors down to avoid light fixture reflectance and using energy-efficient flat screens that do not reflect ambient light.
- ❑ **e. Consider reflectance and color of exterior materials.** Use appropriate reflectance for roofing or paving for adjacent interior surfaces. Select colors to improve light levels while avoiding unwanted reflections and glare inside the space.

3.3 OPTIMIZE QUALITY OF ELECTRIC LIGHTING.

- ❑ **a. Consider designing with predominantly indirect lighting if required lighting efficiency can be achieved.** Use of an indirect light fixture to reflect off the ceiling creates a light distribution closer in nature to daylight, and produces a softer visual environment with less glare potential. However, spaces lit exclusively with indirect lighting fixtures tend to have walls and floors that are perceived as too dark. To avoid this undesirable effect, balance the indirect lighting with downlights at the perimeter or use direct/indirect fixtures. Good direct/indirect design can achieve a superior luminous environment while attaining a lighting density comparable to that of direct lighting.
- ❑ **b. Avoid over-lighting spaces.** Spaces should be lit to UB standards as appropriate for use.
- ❑ **c. Balance local variation and uniformity of light levels** to create a dynamic and comfortable visual environment. Consider varying lighting in response to general building organization and special features.
- ❑ **d. Wire luminaires that are placed parallel to the window walls** so they can be dimmed or turned off row by row.
- ❑ **e. Employ daylighting harvesting control strategies** for efficiency and to reduce over-lighting.
- ❑ **f. Select lighting fixture diffusers, louvers and baffles for glare reduction.**
- ❑ **g. Provide lamps with high color rendering index** (e.g. high quality tri-phosphor fluorescent lamps). Campus specifies 841 series T-8 lamps that have a 4100 K correlated color temperature and a CRI of 82. A CRI of 82 or higher is desirable.
- ❑ **h. Use photometric analysis** for design of all significant spaces.

See also Part 3, Section E.1 - Energy Efficient Lighting.

See Appendix H - Lighitng Level Guidelines.

See Part 3, Section E-1.2-C.

COMMENT LETTER NO. 62 (continued)

4.0 Control of Building Systems

4.1 PROVIDE HIGHER LEVEL OF STAFF CONTROL OVER THERMAL COMFORT, LIGHTING, AND VENTILATION SYSTEMS.

LEED EQ Credits 6.1, 6.2

- ❑ a. **Provide temperature and lighting controls** for each occupied space to manage comfort variation according to orientation and other factors as well as occupant preferences. Controls should be consistent with UB heating and cooling policies. Integrated controls systems for temperature will allow variation within a range 68 +/- 2°F in the heating season and 76 +/- 2°F in the cooling season.
- ❑ b. **Provide interlock controls with HVAC to turn off heating and cooling** when windows are open.

See also Part 3, **Section B-4.3-d.**

5.0 Acoustic Quality

5.1 CONTROL NOISE.

- ❑ a. **Reduce exterior noise** (traffic, other loud noise) through appropriate building orientation, landscaping, insulation or other means of attenuating sound.
- ❑ b. **Isolate equipment.** Locate noisy mechanical equipment and functions (e.g. shops, music rooms) away from noise-sensitive spaces (i.e. classrooms, libraries, and offices), and reduce noise transmission by placing vibrating equipment on isolation pads and enclosing noisy equipment inside rooms with sound-absorbing walls, floors, and ceilings.
- ❑ c. **Use offset studs and deck-to-deck partitions** around noisy functions, incorporating sound-attenuating insulation, floating floor slabs, and sound-absorbent ceiling systems as appropriate.
- ❑ d. **Achieve appropriate background noise levels** for locations/uses sensitive to noise. Achieve background noise levels not exceeding noise criteria (NC) indicated in the Environmental Program Matrix by utilizing appropriate assemblies for walls, floors and ceilings and appropriate sound transmission class ratings.
- ❑ e. **Use external insulation or sound attenuators** for sound control on ducts. Avoid internal lining to prevent airborne fibers and IAQ problems.

See also Part 3, **Section B-4.3-d.**

See Appendices C.1 & C.2 - Environmental Program Matrices.

COMMENT LETTER NO. 62 (continued)

C. INDOOR ENVIRONMENTAL QUALITY



5.0 Acoustic Quality

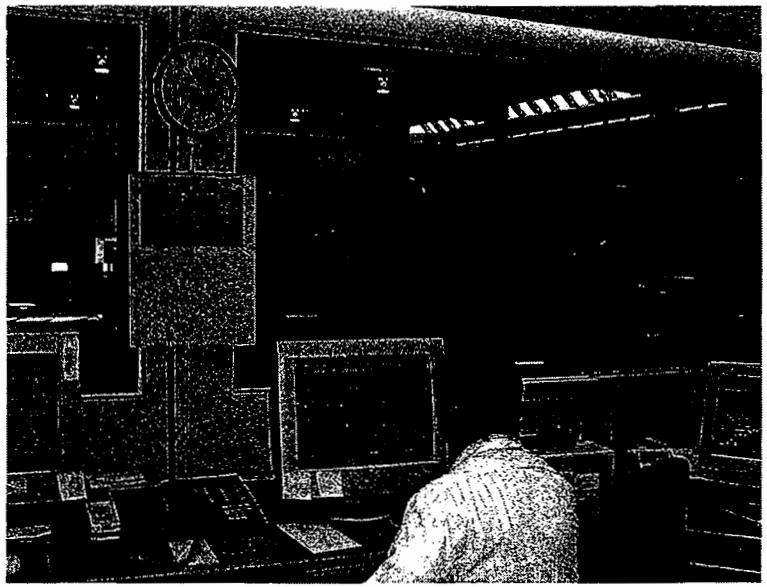
5.2 CONTROL NOISE IN INTERIOR SPACES.

- ❑ a. **Select appropriate surfaces** (ceilings, floors, walls) to achieve good classroom acoustics for resonance, with reverberation time between .4 and .8 seconds.
- ❑ b. **Abate corridor noise** through use of resilient floor surfaces, ceiling tiles, and other interior surface materials that minimize noise.

COMMENT LETTER NO. 62 (continued)

D. BUILDING ENERGY USE - MECHANICAL SYSTEMS

Mechanical and lighting systems consume the lion's share of energy used by our buildings. We cannot significantly reduce our dependence on fossil fuels without optimizing HVAC, hot water, process utilities, controls and energy management systems. Our experience in retrofitting these systems underlines the need to design them to energy efficient green standards in the first place. The first step in HVAC system design is to reduce heating and cooling loads and to determine to what extent a new building can run on sunlight or meet occupant needs in a passive manner. Having minimized the need for mechanical systems, life cycle analysis can help decide the appropriate systems for a building. Fuel type is critical as is the selection of high efficiency heating or cooling equipment of the right size. Certain types of campus facilities, such as laboratory buildings with substantial ventilation requirements, deserve special attention in design. Opportunities for heat recovery and distributed generation should not be overlooked.



University at Buffalo, energy management system control room. North Campus, Baker Chilled Water Plant
photo credit: Walter Simpson, 2003

COMMENT LETTER NO. 62 (continued)

UB HIGH PERFORMANCE BUILDING GUIDELINES

D. BUILDING ENERGY USE - MECHANICAL SYSTEMS

PART THREE - TECHNICAL STRATEGIES

1.0 Energy Sources

Best design practices must first address load reduction, then capitalize on solar heating, natural ventilation, daylight use, and other renewable strategies. Systems designers should explore renewable energy sources before resorting to conventional fossil fuel technologies. The benefits, in addition to the reduction of atmospheric pollution, include decreasing the State's expenditures on imported fuel and power while augmenting investments in local jobs and materials related to renewable energy sources.

1.1 REDUCE USE OF CONVENTIONAL FUEL SOURCES.

LEED EA
Credits 2.1, 2.2, 2.3

- ❑ a. **Minimize heating, cooling, lighting and other energy loads.**
- ❑ b. **Minimize electric space or water heating.**
- ❑ c. **Maximize use of passive solar heating and cooling** in the design of new facilities and additions. Investigate passive solar technologies with the architect for heating portions of buildings such as lobbies, corridors, gymnasiums, cafeteria and other public areas. Consider the use of external shading of windows (particularly those on south, west and east facades) to reduce summer solar gain.
- ❑ d. **Maximize daylighting in conjunction with reduction of electric lighting.**
- ❑ e. **Consider building-integrated photovoltaic systems.**
- ❑ f. **Consider Ground Source Heat Pump (GSHP) systems** where subsurface conditions allow and where cost-effective and practical from a maintenance and operation perspective.
- ❑ g. **Consider ground cooling or cooling to a body of water as alternative to cooling towers,** and ensure that this type of cooling will not have adverse environmental effects. In making the determination, consider (1) reduction in chemical treatment due to elimination of cooling tower, (2) increase in cooling equipment efficiency with associated reduction in emissions, (3) increase in ground water or water body temperature, which is a problem if the increase is likely to be significant, (4) whether the subsurface water or the surface water body is polluted.
- ❑ h. **Consider use of combined heat and power and distributed generation**, e.g. micro turbines.
- ❑ i. **Encourage the use of purchased Green Power.** Use grid-source, renewable energy technologies such as wind energy produced on grid-connected wind farms.

LEED EA
Credit 6

- ❑ j. **Investigate cleaner forms of hydrocarbon-based distributed generation systems,** such as natural gas powered fuel cells and micro-turbines, particularly when waste heat is recovered.

COMMENT LETTER NO. 62 (continued)

2.0 HVAC Systems

The following general approaches to use of Heating, Ventilating and Air Conditioning (HVAC) systems are recommended for new buildings, additions, and major rehabilitations of existing buildings to ensure an integrated approach to building and systems design for optimal energy efficiency and indoor air quality.

2.1 OPTIMIZE HVAC SYSTEMS THROUGH DESIGN INTEGRATION.

LEED EA
Credit 1
See also Part 3, Sections B-2.1-d, B-3.1-d, B-4.3-e, B-5.2-b, B-5.3-a.

- ❑ a. **Design the architectural features** (orientation, exposure, height, neighboring structures, present and future landscaping, performance of the building envelope, daylighting) in concert with selecting appropriate HVAC alternatives and sizing the systems. Use acceptable computer modeling for all system choices.
- ❑ b. **Assess the interaction** between the HVAC equipment and other related systems such as lighting, office equipment, fire protection, security, etc. in order to optimize design and energy efficiency.
- ❑ c. **Use separately zoned HVAC systems** to serve areas with different users, loads, orientations, and hours of operation.
- ❑ d. **Keep computer server rooms on separate cooling systems** when rooms require continuous cooling.
- ❑ e. **Locate thermostats or other sensors** to cover areas of similar load (similar occupancy and similar solar exposures).
- ❑ f. **Design for "diversity of use"** assuming that not all spaces will be used at all times or with full occupancy or at full load.
- ❑ g. **Consider distributed air-handling mechanical rooms** to reduce the size and complexity of ductwork systems. Special attention should be paid to noise control.
- ❑ h. **Evaluate the potential use of heat-wheels by performing a cost-effective analysis.** Heat wheels are more energy efficient than glycol loops, but cost more and require additional space. Care should be taken to select systems appropriate for use in contaminated air streams such as laboratories.
- ❑ i. **Evaluate heat recovery with glycol loops by performing a cost-effective analysis.** Ideally, the glycol loops should have a summer bypass, so, during periods when the temperature differential is small (and sensible heat recovery is very inefficient), the heat recovery coil is bypassed- - thus avoiding unnecessary increase in the fan energy.
- ❑ j. **Isolate building air intakes**, placing them upwind and away from building exhaust air, loading dock, or parking lot vehicular exhaust air, as well as away from adjacent roadways, sewer vents, cooling tower spray, combustion gases, sanitary vents, trash storage and other sources of undesirable air contaminants.
- ❑ k. **Locate and design air intakes** for the best air supply source for the HVAC system and in favorable direction for full airside economizer mode operation, as well as for minimizing snow intake in winter.
- ❑ l. **Avoid use of ceiling plenums as return air ducts.** (These are prohibited by SUCF directives.)

COMMENT LETTER NO. 62 (continued)

UB HIGH PERFORMANCE BUILDING GUIDELINES

D. BUILDING ENERGY USE - MECHANICAL SYSTEMS

PART THREE - TECHNICAL STRATEGIES

2.0 HVAC Systems

2.1 OPTIMIZE HVAC SYSTEMS THROUGH DESIGN INTEGRATION. (continued)

- ❑ m. **Provide low-leak outside air dampers**, which utilize separate dampers for minimum outside air and main outside air functions in order to accurately control minimum outside air intake quantities. Do not use main outside air damper to set minimum fresh air level.
- ❑ n. **Provide modulating dampers to ensure minimum outside air.**
- ❑ o. **Implement demand control ventilation.**
- ❑ p. **Avoid rooftop units** that preclude other roof top uses and add maintenance difficulty, which may result in inefficient operation. Always install air-handling units in accessible locations where they can be maintained.

LEED EA Credit 1

See Part 3, D-8.3-f.
See Part 3, E-3.2-d.

3.0 Heating Equipment Optimization

With building loads minimized, designers should select heating systems and equipment based on meeting those loads at maximum efficiency.

LEED EA Credit 1

3.1 OPTIMIZE HEATING EQUIPMENT EFFICIENCY.

- ❑ a. **Use variable flame burners on all boilers.** On/off and two-position boilers cycle too often and lose heat in the process.
- ❑ b. **Consider high efficiency condensing boilers** where return water is cold enough to produce efficiency benefit. In addition to their high efficiency (over 90%) at rated capacity, condensing boilers are even more efficient at low part-load ratios. Most boilers operate for most of the time at a fraction of their capacity, so part-load efficiency is more important than peak-load efficiency.
- ❑ c. **Consider boiler stack heat recovery** for feedwater and/or combustion air on large systems.

3.2 "RIGHT SIZE" BOILERS.

LEED EA Credit 1

- ❑ a. **Do not over-size boilers more than recommended by ASHRAE.**
- ❑ b. **Consider the installation of multiple modular boilers**, or multiple boilers of different sizes, that provide redundancy and are often easier to fit into existing buildings because of their smaller individual size.

COMMENT LETTER NO. 62 (continued)

3.0 HVAC Systems

3.3 SELECT APPROPRIATE BOILER CONTROL STRATEGIES FROM AMONG THE FOLLOWING:

LEED EA Credit 1

- ❑ a. **Oxygen trim control** for larger non-condensing boilers to improve combustion efficiency.
- ❑ b. **Draft control inducers** tied to combustion air makeup to reduce off-cycle losses.
- ❑ c. **Water temperature reset control** based on the outside air temperature. Alternatively, specify supply water temperature reset based on return water temperature (more efficient than that based on OA).

3.4 DESIGN FOR HEAT RECOVERY.

LEED EA Credit 1

- ❑ a. **Explore waste heat recovery options** to reclaim waste heat from air handling and other equipment, including enthalpy wheels, run around loops, heat wheels, heat pumps, and the "Lydell Cycle," as well as any opportunities for stack heat recovery. Consider both latent and sensible heat to reduce mechanical system loads. (The "Lydell Cycle" uses chilled water coils during the heating season to recover heat from the chilled water loops to transfer it to air handling systems to preheat incoming outside air.)

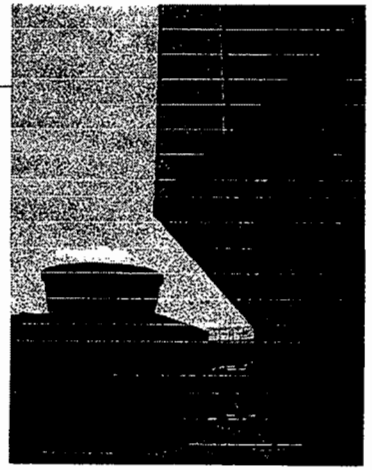
4.0 Cooling Equipment Optimization

With building loads minimized, designers should select cooling systems and equipment based on meeting those loads at maximum efficiency.

4.1 MAXIMIZE COOLING EQUIPMENT EFFICIENCY.

LEED EA Credit 1

- ❑ a. **Select electric chillers that operate at high efficiency** at full and anticipated part loads. Model overall chiller efficiency based on seasonal ton-hours at likely load profile (not just peak load). Consider variable speed drive chillers in this investigation.
- ❑ b. **Consider alternative cooling technologies**, e.g. passive cooling and natural ventilation, natural gas-fired absorption or engine drivens chillers with heat recovery or cogeneration, ground source heat pumps, etc.
- ❑ c. **Select high efficiency cooling towers**, generally draw-through style. Provide variable speed drives on all cooling tower fans.



University at Buffalo, North Campus chilled water plant cooling tower.
credit: Walter Simpson, 2003

COMMENT LETTER NO. 62 (continued)

D. BUILDING ENERGY USE - MECHANICAL SYSTEMS

4.0 Cooling Equipment Optimization

4.1 MAXIMIZE COOLING EQUIPMENT EFFICIENCY. (continued)

- ❑ d. **Control the cooling tower operation with wetbulb reset instead of constant temperature.**
- ❑ e. **Consider thermal energy storage** (e.g. ice storage) as a means to avoid peak loads for cooling, especially if equipment sizes can be reduced.
- ❑ f. **Consider water-cooled vs. air-cooled** condensers on a systems efficiency basis. Also consider maintenance issues (for cooling towers and cost of chemical treatment, water, and maintaining additional equipment). For water-cooled condensers, consider heat rejection to ground (open loop or standing column if water table is less than 50 ft deep, or closed loop) or to adjacent water body.
- ❑ g. **Consider winter free-cooling** from air economizers that can reduce district chilled water use and cost.
- ❑ h. **Consider enthalpy heat recovery** in conjunction with a reduction in the size of the chiller plant.
- ❑ i. **Consider enthalpy-based economizers** vs. sensible heat only.
- ❑ j. **Consider desiccant dehumidification.** Address indoor air quality issues and operational lifecycle costs.
- ❑ k. **Provide variable speed drives on chillers and chilled water pumps.**

4.2 "RIGHT SIZE" COOLING EQUIPMENT.

LEED EA Credit 1

- ❑ a. **Avoid over sizing chillers** or other cooling equipment more than recommended by ASHRAE.
- ❑ b. **Consider chillers of different sizes** that could allow for more efficient part-load operation of the system, or chillers with variable speed drives.
- ❑ c. **Segregate spaces that need cooling from spaces that do not need it**, thus providing cooling only where required. Downsize cooling equipment accordingly.
- ❑ d. **If an increase in cooling load is possible in the future, provide space in the central plant for another chiller, if and when it becomes necessary.** Avoid purchasing an additional chiller now, since future chillers will be more energy efficient and more environmentally friendly. If you must purchase the additional capacity by significantly over sizing one of the chillers for the current facility, provide that chiller with a variable speed drive.

4.3 DO NOT USE ENVIRONMENTALLY DAMAGING REFRIGERANTS.

LEED EA Prerequisite 3
LEED EA Credit 4

- ❑ a. **Comply with zero use of CFC-based refrigerants** in new base building HVAC & R systems.
- ❑ b. **Minimize use of hydro-chlorofluorocarbons (HCFCs).** Consider installing fire suppression systems that do not contain HCFCs or Halon if alternate systems are consistent with safety requirements.

COMMENT LETTER NO. 62 (continued)

4.0 Cooling Equipment Optimization

4.3 DO NOT USE ENVIRONMENTALLY DAMAGING REFRIGERANTS. (continued)

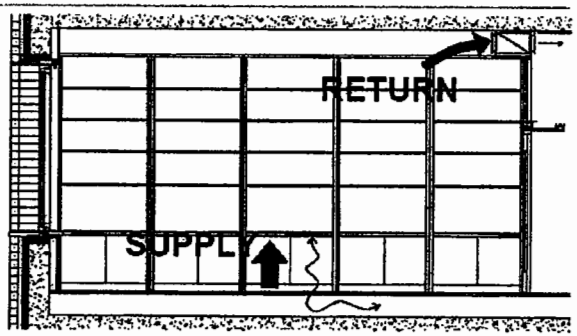
- ❑ c. **Consider the replacement of refrigerants** with those of preferred environmental performance. Be sure that system capacity and efficiency will not be adversely affected.
- ❑ d. **Consider replacement of equipment that uses CFCs.** Be sure that efficiency will not be adversely affected. Refrigerants such as R123 is preferable to R134a in terms of efficiency and CO2 emissions. Ozone depletion is not as great with R123.

5.0 Distribution System Optimization

5.1 OPTIMIZE DISTRIBUTION SYSTEM.

LEED EA
Credit 1

- ❑ a. **Use premium efficiency motors for fans and pumps** to reduce operating costs and energy consumption.
- ❑ b. **Use variable air volume (VAV) systems** to reduce operating energy cost of main air handling units unless analysis clearly indicates that an alternative system would be more cost-effective over the life cycle. Note that because of typical over sizing for AHU's, a VAV system may even reduce the peak Kw demand by the fan.
- ❑ c. **Use variable speed drives to vary air and water volumes** in order to reduce fan and pump energy requirements.
- ❑ d. **Consider displacement-cooling methods** to reduce cooling loads.
- ❑ e. **Consider the use of under-floor air distribution systems** in applications where this design produces efficiency, occupant controllability, reliability, and renovation ease and cost benefits sufficient to justify added costs.
- ❑ f. **Design energy efficient ductwork,** minimizing duct runs, duct velocity and duct resistance in order to reduce horsepower requirements and energy use.
- ❑ g. **Locate ductwork to avoid exposure to building skin or outside temperatures.**
- ❑ h. **Avoid three-way by-pass valves** in order to reduce needless pumping.



Displacement ventilation combined with raised floor, credit: Vanderweil Engineers, Inc. M/E/P; Frank O. Gehry and Associates Architects; and McKay, Conant, Brook Inc. Acoustical Engineers.

COMMENT LETTER NO. 62 (continued)

UB HIGH PERFORMANCE BUILDING GUIDELINES

D. BUILDING ENERGY USE - MECHANICAL SYSTEMS

5.0 Distribution System Optimization

5.1 OPTIMIZE DISTRIBUTION SYSTEM. (continued)

- ❑ i. **Consider Direct Digital Controls to the VAV boxes,** especially if the boxes have reheat coils. Minimize the reheat by increasing the air temperature when most boxes are in reheat mode.
- ❑ j. **Design for supply water temperature reset** in heating and cooling loops.
- ❑ k. **Find ways to insure high ΔT on chilled water loops.**
- ❑ l. **Install flow or BTU meters** to analyze distribution loads.

5.2 OPTIMIZE USE OF SENSORS.

LEED EA
Credit 1

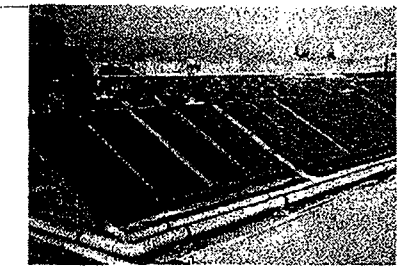
- ❑ a. **Consider providing a thermostat** in every room (with digital readout and the ability for occupants to adjust temperature within a limited range consistent with temperature policy).
- ❑ b. **Locate sensors proximate to occupants** for readings of temperature and carbon dioxide.

6.0 Domestic Hot Water

6.1 OPTIMIZE HOT WATER SYSTEM.

LEED EA
Credit 1

- ❑ a. **Utilize low-flow water fixtures.**
- ❑ b. **Utilize energy efficient water heaters.** Consider condensing water heaters to maximize efficiency. Consider retrofitting large, non-condensing DHW heaters with oxygen trim control.
- ❑ c. **Do not oversize water heaters or hot water tanks.**
- ❑ d. **Utilize heat recovery methods** when available, to provide service or domestic hot water.
- ❑ e. **Consider utilizing point-of-use water heaters** for small loads and where hot water demand is spread out within a building.
- ❑ f. **Consider solar water heating.**
- ❑ g. **Consider alternatives to re-circulating hot water systems** or employ an automatic control for re-circulating hot water systems to reduce temperature or cycle pumps off during hours of non-use.



Solar Hot Water System
credit: Hong Kong University

COMMENT LETTER NO. 63 (continued)

7.0 Building Process Utilities

7.1 PRODUCE AND USE PROCESS STEAM EFFICIENTLY.

LEED EA Credit 1

- ❑ a. **Use high efficiency boilers.**
- ❑ b. **Consider smaller, instantaneous point-of-use boilers** instead of a single boiler with a large distribution system.
- ❑ c. **Specify high efficiency autoclaves, sterilizers and dishwashers** so that steam is used efficiently at end-use.
- ❑ d. **Optimize pipe insulation.**
- ❑ e. **Use removable insulation on valves and on all components;** such insulation may need occasional repair.
- ❑ f. **Design system for easy maintenance,** which will help maintain efficiency.

7.2 PRODUCE AND USE COMPRESSED AIR EFFICIENTLY.

LEED EA Credit 1

- ❑ a. **Select an energy efficient compressor.**
- ❑ b. **Avoid once-thru water-cooled compressors.**
- ❑ c. **Size and select compressor(s) based on anticipated full and part-load conditions.**
- ❑ d. **Design and install piping system to highest standards** so that it is leak-free.
- ❑ f. **Specify piping size and receiver tanks** so that compressor generation pressure is as close to the end-use pressure as possible. Do not undersize these critical components.
- ❑ g. **Use dryers to remove moisture from the air** in order to avoid maintenance problems and efficiency loss in temperature control systems.

7.3 PRODUCE PURIFIED WATER EFFICIENTLY.

- ❑ a. **Use reverse osmosis (RO) water purifying machines** instead of distillation.

COMMENT LETTER NO. 62 (continued)

UB HIGH PERFORMANCE BUILDING GUIDELINES

D. BUILDING ENERGY USE - MECHANICAL SYSTEMS

8.0 Ventilation/Indoor Air Quality

8.1 DESIGN VENTILATION SYSTEMS TO EFFICIENTLY RESPOND TO ACTUAL BUILDING AND SPACE OCCUPANCY.

LEED EQ
Prerequisite 1

- ❑ a. **Meet the minimum requirements of voluntary consensus standard ASHRAE 62-1999,** Ventilation for Acceptable Indoor Air Quality, and approved Addenda using the Ventilation Rate Procedure. See ASHRAE 62-2001, Appendix H, for a complete compilation of Addenda.
- ❑ b. **Prevent uptake of and opportunity for cultivation of contaminants** in the ventilation system
- ❑ c. **Locate outdoor air intakes remote from contaminant sources.**
- ❑ d. **Meet or exceed outdoor air ventilation rate** for institutional (or residential) spaces.

8.2 PROVIDE INDOOR AIR QUALITY (IAQ) MONITORING TO HELP SUSTAIN LONG-TERM OCCUPANT COMFORT AND WELL-BEING.

LEED EQ
Credit 1

- ❑ a. **Provide CO_2 or other IAQ sensors** for variable occupancy spaces (including classrooms) identified in the Environmental Program Matrix, to accurately reflect interior conditions and control outside air in take quantities. Feedback on space ventilation performance allows possible operational adjustments. System design must address sensor placement, number and failure modes.

See Appendices C.1 & C.2 - Environmental Program Matrices.

8.3 PROVIDE FOR THE EFFECTIVE DELIVERY AND MIXING OF FRESH AIR TO SUPPORT THE SAFETY, COMFORT AND WELL-BEING OF BUILDING OCCUPANTS.

LEED EQ
Credit 2

- ❑ a. **Consider design ventilation systems that result in an air change effectiveness (Eac) greater than or equal to 0.9** as determined by ASHRAE 129-1997 for mechanically ventilated buildings.
- ❑ b. **Comply with recommended design approaches** in ASHRAE 2001 Fundamentals Handbook Chapter 32, Space Air Diffusion.
- ❑ c. **Eliminate short-circuiting and dead air zones** by careful study of air supply and return locations and their effect on airflow.
- ❑ d. **Provide economizer cycle in ventilation system** to allow 100% of outdoor air in supply airstreams during mild weather and for periodic building flushing. Design and control HVAC economizers to prevent moisture problems.
- ❑ e. **Avoid use of ozone-generating devices** to clean or purify indoor air.
- ❑ f. **Provide modulating dampers in air distribution systems,** with airflow measurement devices or those activated with CO_2 sensors to ensure minimum outside air intake during all operating conditions. Minimum outside air dampers should be sized and controlled separate from the main outside air dampers. Size minimum O.A. dampers on free area of return dampers.

COMMENT LETTER NO. 62 (continued)

8.0 Ventilation/Indoor Air Quality

8.4 UTILIZE NATURAL VENTILATION WHENEVER POSSIBLE.

- ❑ a. **Where appropriate, design to provide effective cross-ventilation in rooms,** but specify tightly closed windows to avoid a significant increase in air infiltration in winter.

8.5 PROVIDE APPROPRIATE FILTRATION AND DUCT LINING.

- ❑ a. **Provide multi-gradient polyester filtration** to intercept all make-up air. If outdoor air has high dust levels, use higher efficiency air filters. (80-85% ASHRAE standard efficiency with 30% efficiency pre-filters).
- ❑ b. **Consider use of low-pressure drop high efficiency air filters**[16] with pressure drop monitoring.
- ❑ c. **Avoid use of fibrous duct or duct liners** and loose mineral fibers for internal ductwork insulation because of the potential for dirt accumulation and dampness, leading to mold growth and potential fiber release into conditioned spaces.
- ❑ d. **Avoid use of internal lining on ducts for sound control.** Instead use external insulation, sound attenuators or acoustical baffles in lieu of linings.

9.0 Central Heating and Cooling Systems vs. Satellite Systems

9.1 UTILIZE EFFICIENT CAMPUS-WIDE HEATING AND COOLING.

- ❑ a. **Investigate providing building heating and cooling** from campus-wide steam, hot water, or chilled water when more energy efficient and cost-effective.

[16] Extended surface pleated air filters are available that allow greater air filtration without a significant increase in fan horsepower requirements.

COMMENT LETTER NO. 62 (continued)

UB HIGH PERFORMANCE BUILDING GUIDELINES

D. BUILDING ENERGY USE - MECHANICAL SYSTEMS

10.0 Laboratory building-specific HVAC strategies

10.1 MAXIMIZE ENERGY EFFICIENCY WHILE PREVENTING OCCUPANT EXPOSURE TO POTENTIALLY HAZARDOUS CHEMICALS.

LEED EQ Credit 5 & **LEED EA** Credit 1

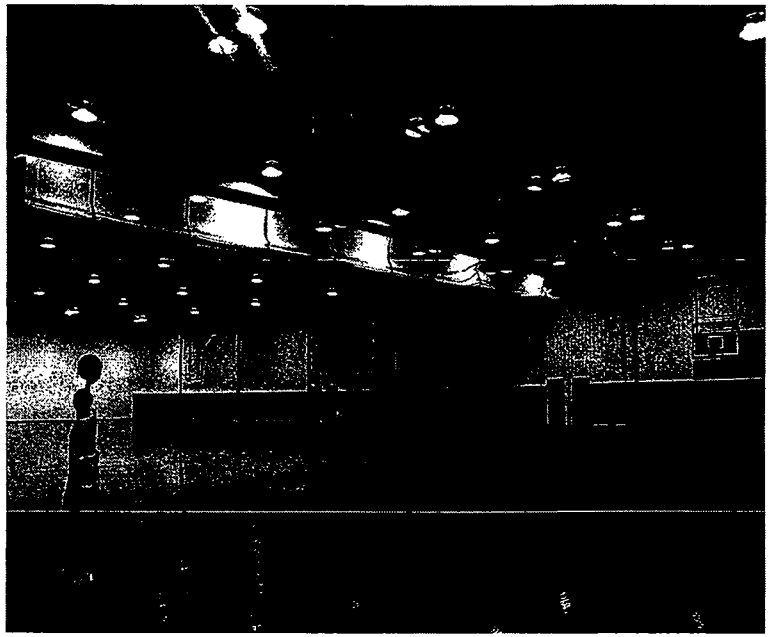
- ❑ a. **Design fume hood exhaust systems for maximum energy efficiency** while maintaining safety.
- ❑ b. **Incorporate VAV or multiple speed designs** to reduce outside air and exhaust air volume.
- ❑ c. **Incorporate heat recovery** to extract heat from exhaust air streams.
- ❑ d. **Select fume hoods based on efficiency.** Consider low flow hoods. Consider non-by-pass type hoods, which can maintain face velocity while reducing airflow when hood sash is closed.
- ❑ e. **Design exhaust systems and controls allowing individual fume hoods or appropriate groupings of hoods to be safely turned off or slowed down** to produce an energy savings.
- ❑ f. **Consider re-circulating air that passes through non-lab spaces** into laboratory zones for fume hood make-up air, to reduce exhaust air volume.
- ❑ g. **Separate general lab exhaust from fume hood exhaust** to permit heating and cooling reclamation through the use of thermal wheels.
- ❑ h. **Refer to the *Labs for the 21st Century program*** for additional energy efficiency strategies for laboratory buildings. Labs for the 21st Century is a program of the U.S. Environmental Protection Agency and the U.S. Department of Energy.

See http://www.epa.gov/-labs21century/index.htm.

COMMENT LETTER NO. 62 (continued)

E. BUILDING LIGHTING, EQUIPMENT, ENERGY MANAGEMENT AND UTILITIES

Lighting design begins with daylighting. Why light interior spaces with electricity if better quality lighting can be provided by sunlight? Electric lighting should be designed to maximize savings from daylighting. Because lamp, ballast and light fixture efficiencies keep improving each year, it is possible to design high quality lighting systems with lower and lower wattage densities. More efficient plug load and hard-wired equipment is also now available, in part due to the Energy Star program. Building process utilities - like steam, compressed air, and purified water - can also be provided more efficiently. On-site co-generation of electricity can offer efficiency advantages. Electricity can also be provided from renewable sources with the purchase of grid-supplied "green power" or the on-site generation of electricity from building integrated photovoltaic solar electric panels.



University at Buffalo, Alumni Arena, North Campus,
where HID lighting was retrofit to fluorescent, incorporating smart energy controls, multiple lighting levels, occupancy sensors, and timers.
photo credit: Walter Simpson, 2004

COMMENT LETTER NO. 62 (continued)

UB HIGH PERFORMANCE BUILDING GUIDELINES

E. BUILDING LIGHTING, EQUIPMENT, ENERGY MANAGEMENT AND UTILITIES

PART THREE - TECHNICAL STRATEGIES

1.0 Energy Efficient Lighting

1.1 UTILIZE ENERGY EFFICIENT INTERIOR LIGHTING.

LEED EA
Credit 1
&
See Appendix H -
UB Light Level Guidelines.

- ❑ a. **Select the most energy efficient lamps, ballasts and fixtures** to achieve low lighting densities (e.g. 1.0 watt per square foot or less in offices). Current lighting technology makes it possible to achieve foot-candle thresholds with lighting wattage densities approaching 0.6 watts per square foot.
- ❑ b. **Use lamps with a high color-rendering index** (CRI) for indoor use. The 841 series T-8 lamps are the current UB campus standard; these have a CRI of 82 and color temperature of 4100 K.
- ❑ c. **Incandescent lights should not be used except when required in historic structures.**
- ❑ d. **Use compact fluorescent lights** in all "high hat" can-type fixture applications. High CRI, dimming, compact fluorescent lamps are available.
- ❑ e. **Use T-5 lamps only where cost effective and where their higher lumen output can be utilized without creating glare.** (T-5 fixtures may be appropriate for high bay lighting.)
- ❑ f. **Select fluorescent fixtures on the basis of efficiency.** Consider reflectorized fixtures (with fewer lamps) to maximize fixture efficiency. Consider high efficiency lenses to improve fixture efficiency. Avoid inefficient parabolic and paracube fixtures.
- ❑ g. **Consider indirect or direct/indirect fixtures** only if the watts per square foot efficiency is comparable to or lower than what would be achieved with direct fixtures.
- ❑ h. **Utilize task lighting** to permit reduced ambient lighting and lower lighting power density (watts per square foot).
- ❑ I. **Select LED (light emitting diode) exit lights.**
- ❑ j. **Strictly minimize any decorative electric lighting.**



University at Buffalo, Indoor T-8 lighting in Crofts Hall, North Campus
photo credit: Walter Simpson, 2003

COMMENT LETTER NO. 62 (continued)

1.0 Energy Efficient Lighting

1.2 USE LIGHTING CONTROLS TO REDUCE LIGHTING "BURN HOURS"/HOURS OF OPERATION.

LEED EA Credit 1

- ❑ a. **Provide multi-zone and multi-level switching** for multiple use spaces.
- ❑ b. **Incorporate time clock or energy management system controls, or infrared, ultrasonic or combination occupancy motion detectors** in spaces where cost-effective.
- ❑ c. **Properly zone lighting circuits and switches** to optimize energy efficient operation including perimeter zones using photocell control, dimming controls and daylight harvesting.

1.3 PROVIDE ENERGY EFFICIENT OUTDOOR LIGHTING.

LEED EA Credit 1 & **See Appendix H -** UB Light Level Guidelines.

LEED SS Credit 8

- ❑ a. **Use energy efficient high-pressure sodium fixtures** to illuminate streets, parking lots, and walkways to achieve foot-candle thresholds.
- ❑ b. **Strictly minimize any outdoor decorative lighting.**
- ❑ c. **Eliminate light trespass from building site** by using energy efficient fixtures which direct light downward. Also consider cut-off luminaires, low-reflectance surfaces, etc., to prevent light trespass.
- ❑ d. **Meet IESNA standards.** Provide outdoor light levels and uniformity ratios that meet or are lower than those recommended by the Illuminating Engineering Society of North America (IESNA) *Recommended Practice Manual: Lighting for Exterior Environments (RP-33-99).*

2.0 Energy Efficient Equipment

2.1 SELECT ENERGY EFFICIENT EQUIPMENT AND LOAD-CONSUMING DEVICES.

LEED EA Credit 1

- ❑ a. **Specify only energy efficient plug load equipment** for office, lab, kitchen, food service, vending, etc. Specify Energy Star label when available and/or equipment with built-in timers or power management features set as default to maximize likelihood of use.
- ❑ b. **Purchase liquid crystal display (LCD) low wattage flat screens** in lieu of conventional CRT monitors for computers.
- ❑ c. **Use premium efficiency motors and controls.**
- ❑ d. **Use variable speed drives to control all motors 5hp. or greater** that run for extended hours, and where reduced, variable flow is possible.
- ❑ e. **Identify and use energy efficient alternatives** for all other energy using equipment in building, e.g. elevators, compressors, and motors.

COMMENT LETTER NO. 62 (continued)

UB HIGH PERFORMANCE BUILDING GUIDELINES

E. BUILDING LIGHTING, EQUIPMENT, ENERGY MANAGEMENT AND UTILITIES

2.0 Energy Efficient Equipment

2.2 UTILIZE EFFICIENT POWER DISTRIBUTION SYSTEMS.

LEED EA Credit 1

- ❑ a. **Distribute electricity at high voltage, consistent with safety and other applicable codes.**
- ❑ b. **Consider utilizing direct current** (DC) from photovoltaic systems, fuel cells, or other sources in lieu of conversion to alternating current (AC). DC may be appropriate for certain applications such as discrete lighting circuits or computer equipment.
- ❑ c. **Avoid electromagnetic pollution/exposure.** Locate high voltage and high current electrical feeders, panel boards, transformers or motors away from occupants/personnel. Provide electromagnetic interference (EMI) shielding if necessary.

3.0 Energy Load Management

3.1 PROVIDE APPROPRIATE ENERGY MANAGEMENT.

LEED EA Credit 1

- ❑ a. **Use direct digital control energy management systems.**
- ❑ b. **Provide building automation systems** with the following characteristics:
  - Computerized monitoring and control of all major HVAC systems and equipment, capable of implementing full range of energy conservation and efficiency strategies. These should include setback strategies for when spaces are unoccupied.
  - Energy consumption monitoring and trend logging through hourly graphs to follow the effect of operational changes and monthly graphs to analyze historical data.
  - Load tracking and load anticipation capability to optimize system response to building pickup and power demand level.
  - Load shedding and demand control through scheduled equipment cycling.
  - Local controllers able to manage equipment operation independently and gather data for reporting.
  - Appropriate interconnection with campus central energy management systems.
- ❑ c. **Employ all appropriate peak-shaving strategies** to reduce demand and flatten load profile when electricity is most costly.
- ❑ d. **Consider shifting electric power consumption by utilizing thermal storage system** in conjunction with a conventional chiller system.
- ❑ e. **Provide equipment controls** for vending machine, water cooler and other refrigeration loads.

COMMENT LETTER NO. 62 (continued)

3.0 Energy Load Management

3.2 IMPROVE STRATEGIES FOR CONTROLLING HVAC AND VENTILATION.

LEED EA Credit 1

- ❑ a. **Operate based on need.** Do not air condition all spaces. Do not air condition spaces when not in use.
- ❑ b. **Eliminate or strictly minimize simultaneous heating and cooling.** Design for zero reheating during the cooling season.
- ❑ c. **Turn off non-essential electric equipment** during peak hours to limit electric demand.
- ❑ d. **Install CO2 sensors and implement demand control ventilation** to allow for the reduction of outside ventilation air in large spaces with variable occupancy. Verify that recommendations are consistent with code requirements.
- ❑ e. **Provide supply air temperature reset controls** for air distribution systems based on space occupancy. (Use appropriate control algorithms on VAV systems to avoid losing fan horsepower savings.)

3.3 PROVIDE FOR THE ONGOING ACCOUNTABILITY AND OPTIMIZATION OF BUILDING ENERGY AND WATER CONSUMPTION PERFORMANCE OVER TIME.

LEED EA Credit 5

- ❑ a. **Develop a measurement and verification plan** to enable continuous optimization of building energy performance by installing continuous metering equipment for appropriate end-uses specified.

4.0 Electrical Power Systems

4.1 PROVIDE THE MOST EFFICIENT SOURCES OF POWER.

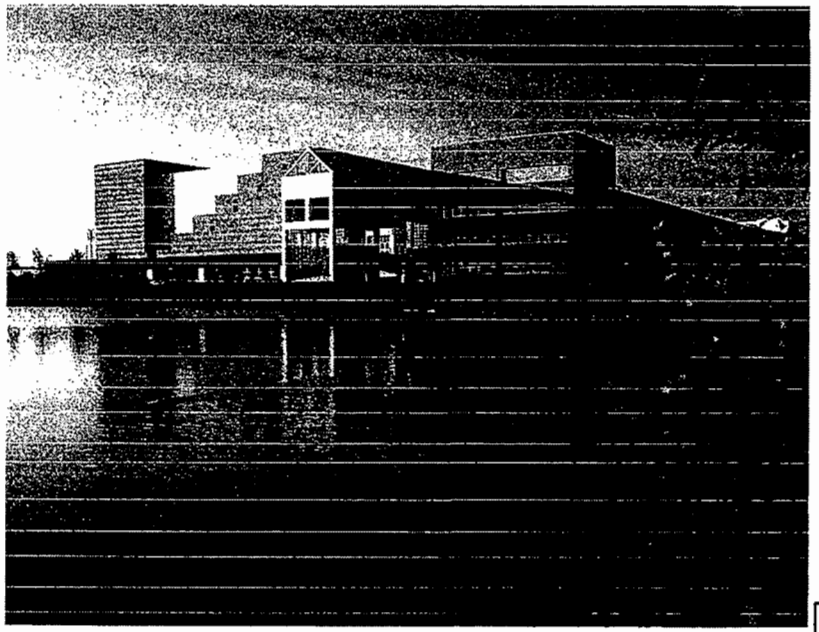
LEED EA Credit 1

- ❑ a. **Avoid electric space and water heating.**
- ❑ b. **Evaluate the cost-effectiveness in existing facilities** of converting electric space and/or water heating to natural gas or some other energy source.
- ❑ c. **Explore cogeneration and distributed power generation applications.**
- ❑ d. **Explore renewable energy sources and technologies.**
- ❑ e. **Explore the use of gas-fired micro-turbines or fuel cells.**
- ❑ f. **Improve power factor** by specifying appropriate equipment.
- ❑ g. **Use high-efficiency and K-Rated transformers** to serve non-linear equipment.
- ❑ h. **Avoid electromagnetic radiation exposure.** Locate high voltage and high current electrical feeders, panel boards, transformers or motors away from campus occupants and school personnel. Provide electromagnetic interferences (EMI) shielding.
- ❑ i. **Install adequate metering** to monitor electric loads.

COMMENT LETTER NO. 62 (continued)

F. WATER MANAGEMENT

While we are blessed with ample fresh water supplies in the Great Lakes region, all new design should conserve water and protect water quality. There are many energy and environmental costs associated with wasting potable water. Green design measures conserve water by increasing fixture efficiency and by avoiding technologies that waste water. With proper design, landscaping can be accomplished in a water efficient manner. Harvested storm water or recycled tap water (gray water) can provide irrigation when required.



University at Buffalo, North Campus
Lake LaSalle with Center for the Arts in the backgound.
photo credit: Doug Levere, 1999

COMMENT LETTER NO. 62 (continued)

F. WATER MANAGEMENT

1.0 Water Efficiency

1.1 CREATE WATER EFFICIENT LANDSCAPING.
LIMIT OR ELIMINATE THE USE OF POTABLE WATER FOR LANDSCAPE IRRIGATION.

- ❑ a. **Perform a soil/climate analysis.** Determine appropriate landscape types and design the landscape with indigenous plants to reduce or eliminate irrigation requirements.
- ❑ b. **Eliminate permanent irrigation systems** through exclusive use of indigenous plant materials, allowing for temporary "quick couple" systems during the establishment period or extreme drought.
- ❑ c. **Consider high-efficiency irrigation systems** such as drip irrigation or soaker hoses.
- ❑ d. **Collect and use rainwater** or gray water for landscape irrigation, urban gardening, and site washing purposes.



Rain water catchment system at the LEED Platinum Chesapeake Bay Foundations headquarters in Annapolis, MD.
photo credit: Robb Williamson, DOE, and NREL

LEED WE
Credits 1.1, 1.2

1.2 IMPLEMENT WATER USE REDUCTION STRATEGIES TO CONSERVE WATER. MAXIMIZE WATER EFFICIENCY WITHIN BUILDINGS TO REDUCE THE BURDEN ON MUNICIPAL WATER SUPPLY AND WASTEWATER SYSTEMS.

LEED WE
Credits 3.1, 3.2

- ❑ a. **Estimate the potable and non-potable water needs for the building.**
- ❑ b. **Use high-efficiency fixtures or dry fixtures.** Consider the use of low flow toilets and urinals (increasingly available), waterless urinals, and/or composting toilets.
- ❑ c. **Consider occupant sensors** to reduce the potable water demand for lavatories.
- ❑ d. **Consider reusing stormwater and gray water** for non-potable applications such as toilet and urinal flushing, mechanical systems, and custodial uses.
- ❑ e. **Consider use of automatic, usually spring loaded shut-off controls on sinks** to lower water usage.
- ❑ f. **Improve water efficiency of HVAC equipment.** Do not utilize "one pass" cooling units that use potable water and discharge it to a drain, as typically used for computer room installations and supplementary space cooling.

COMMENT LETTER NO. 62 (continued)

1.0 Water Efficiency

1.2 IMPLEMENT WATER USE REDUCTION STRATEGIES TO CONSERVE WATER. (continued)

LEED WE
Credits 3.1, 3.2

- ❑ g. **Improve water efficiency of water-cooled cooling towers.** Provide metering for both the makeup and the blowdown rate. Use a water analysis program to monitor water quality and to minimize blowdown rate. Install systems designed with delimiters to reduce drift, but note that this may increase energy use.
- ❑ h. **Consider ozonation for laundering systems and cooling tower make-up water.** Using ozone in lukewarm water reduces the need for detergents and bleaches in hot water and reduces energy use of laundering. For CT[17], ozonation reduces blowdown consumption by 50-70%; it also controls corrosion. Consider for use in gymnasium and kitchen laundering systems, as well as other special uses.
- ❑ i. **Use only horizontal axis Energy Star compliant clothes washers.**
- ❑ j. **Install foot pedals to operate rising heads at all large-scale dishwashing areas.**
- ❑ k. **Specify dishwashing equipment that recycles rinse water.**

1.3 USE INNOVATIVE WASTEWATER TECHNOLOGIES. REDUCE GENERATION OF WASTEWATER AND POTABLE WATER DEMAND, WHILE INCREASING LOCAL AQUIFER RECHARGE.

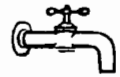
LEED WE
Credit 2

- ❑ a. **Consider reusing stormwater or gray water** for sewage conveyance by installing a dual plumbing system for gray water use.
- ❑ b. **For taller buildings, consider a black water system in lieu of gray water.** The black water system will have a lower first cost, and its water saving features are more advanced.
- ❑ c. **Consider roof water harvesting.** Avoid lead, copper, or terne roofing, which can contaminate water sources.
- ❑ d. **Recover groundwater.** Use excess groundwater from sump pumps to provide a source of recycled water.
- ❑ e. **Consider a solar-aquatic installation or artificial wetlands** to treat wastewater on site to tertiary standards.

[17] "CT" value is the product of the disinfectant concentration [in mg/L] and the time (T) [in minutes] which must be maintained in the water for effective results in cooling towers.

COMMENT LETTER NO. 62 (continued)

F. WATER MANAGEMENT



2.0 Water Quality

2.1 ENSURE WATER QUALITY AT THE TAP BY PROVIDING POTABLE WATER THAT IS BOTH SAFE (NON-TOXIC), AND AESTHETICALLY PLEASING (TASTE, COLOR, ODOR).

- ❑ a. **Meet plumbing standards.** Specify plumbing components certified to meet ANSI/NSF Standard 61 - Drinking Water System Components-Health Effects.
- ❑ b. **Achieve NSF certification.** Obtain proof of NSF certification[18] for each plumbing component. NSF testing data pertaining to a particular component should be issued
- ❑ c. **Test water quality.** During design, conduct water sampling at service line entering the facility. Upon completion of plumbing system and to ensure adequate water quality, flush the systems and conduct water sampling at taps and service line entering facility. Test at a minimum for lead, copper, pH, and turbidity. Water quality results should be within EPA maximum contaminant levels and action levels (EPA 40 Code of Federal Regulations Parts 141-149).
- ❑ d. **Locate filtration devices at point of entry and/or use.** To achieve highest quality water for cooking and drinking, consider installation of filters at taps and/or service line or house main.

3.0 Miscellaneous

3.1 USE ALTERNATIVE TREATMENTS SYSTEMS FOR SWIMMING POOLS.

- ❑ a. **Consider using biological filtration** followed by an ultraviolet light (UV) disinfection unit. Blowdown water (from steam boilers), as well as steam condensate, can be treated and used for pool make-up water. Also note that UV disinfection requires frequent changes of UV bulbs.
- ❑ b. **Provide pool covers** to reduce evaporation and save pool water-heating energy.

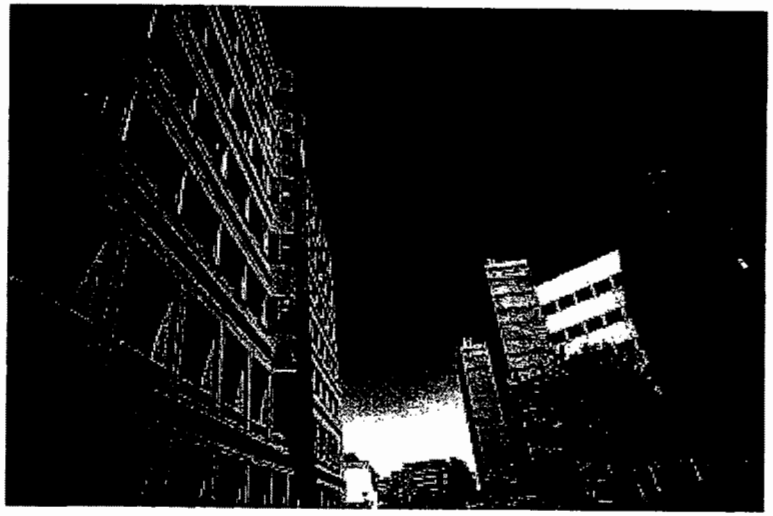
[18] NSF International, The Public Health and Safety Company™, is a not-for-profit, non-governmental organization, performing standards development, product certification, education, and risk management for public health and safety, focusing on national standards development for food, water, indoor air, and the environment.

COMMENT LETTER NO. 62 (continued)

G. MATERIALS AND RESOURCES

The materials used in the construction of buildings have life cycles that include harvesting, extraction, refining, manufacturing, transportation, use, and eventual disposal. At every step of the way, energy is used and there are environmental impacts that include resource depletion, air and water pollution, disruption to wildlife, and damage to the land, forests, and ecosystems generally. Most materials are being used globally at an exponential rate that is not sustainable. Green design emphasizes strategies to increase the efficiency of materials use, so that less material is required.

Environmentally friendly materials are those that are reused; recycled; low in embodied energy; renewable; sustainably harvested; non-toxic in production, use and disposal; and local (to reduce transportation impacts). Carefully selected materials can significantly reduce the environmental impact of new construction. In addition, planning recycling collection spaces and strategies for building occupants in the original design can reduce material waste over the life cycle of the building.



University at Buffalo, Natural Sciences building and Cooke Hall, North Campus
photo credit: Bob Waion, 1994

COMMENT LETTER NO. 62 (continued)

UB HIGH PERFORMANCE BUILDING GUIDELINES

G. MATERIALS AND RESOURCES



1.0 Waste Prevention

1.1 CONSIDER RENOVATING EXISTING BUILDINGS INSTEAD OF NEW CONSTRUCTION TO EXTEND LIFE OF EXISTING BUILDING STOCK, CONSERVE CULTURAL RESOURCES, AND REDUCE NEW BUILDING ENVIRONMENTAL IMPACTS.

LEED MR
Credits 1.1, 1.2 & 1.3

- ❑ a. **Consider reuse of existing buildings,** including structure, shell and non-shell elements, and upgrading outdated components such as windows, mechanical, electrical and plumbing systems.
- ❑ b. **Remove elements that pose contamination risk** to building occupants, and upgrade outdated components.
- ❑ c. **Quantify the extent of anticipated building reuse.**

1.2 USE MATERIALS EFFICIENTLY AND PREVENT WASTE.

- ❑ a. **Maximize resource conservation through efficient space design.** Explore options for smaller buildings that still meet program through tight net-to-gross, compact form and use of multi-purpose spaces.
- ❑ b. **Consolidate program uses wherever possible,** and co-locate communal spaces to reduce building area.
- ❑ c. **Design to accommodate future needs** and anticipate future retrofit requirements.
- ❑ d. **Reduce material used and waste generated** through efficient design and detailing.
- ❑ e. **Design for disassembly and reuse of materials** where possible, particularly for applications that are likely to change frequently.
- ❑ f. **Eliminate unnecessary finishes** in areas where not required.
- ❑ g. **Design using modular sizing of spaces and materials** (as an organizing concept) to the extent practicable.
- ❑ h. **Select products for durability,** reducing replacement costs, occupant disruption and waste disposal.
- ❑ i. **Consider use of moveable partition systems** and/or raised-floors systems to reduce churn costs and material waste.

COMMENT LETTER NO. 62(continued)

1.0 Waste Prevention

1.3 REUSE MATERIALS. USE SALVAGED, REFURBISHED OR REUSED MATERIALS AS PART OF BUILDING MATERIALS PALETTE.

LEED MR Credits 3.1, 3.2

- ❑ a. **Establish a project goal** for the incorporation of salvaged, refurbished or reused materials into the building design.
- ❑ b. **Identify materials and suppliers** that can achieve the project goal.
- ❑ c. **Retain nonstructural elements** such as roofing material, and portions of interior walls, doors, flooring, and ceiling systems, when doing major renovation of an existing building.
- ❑ d. **Consider salvaged materials** such as beams and posts, floor coverings, paneling, doors and frames, cabinetry and furniture, brick and decorative items.
- ❑ e. **Do not reuse materials and/or systems that contain toxins** (e.g. lead, asbestos) and/or are not efficient (e.g. single-pane windows).

1.4 PROMOTE STORAGE AND COLLECTION OF RECYCLABLES.

LEED MR Prerequisite 1

- ❑ a. **Provide a dedicated recycling area, appropriately sized and easily accessible** to serve the entire building for separation, collection and storage of materials including (at a minimum) paper, cardboard, glass, plastics, and metals. Provide appropriate access for collection vehicles.
- ❑ b. **Provide areas on each floor or in each major department** for recycling collection stations consistent with facilities recycling program.
- ❑ c. **Consider employing cardboard balers, aluminum can crushers, recycling chutes** and other waste management technologies to further enhance the recycling program.
- ❑ d. **Provide easy to understand graphics and/or text for each material.**

1.5 DIVERT CONSTRUCTION AND DEMOLITION DEBRIS FROM LANDFILLS BY RECOVERING USABLE RESOURCES.

LEED MR Credit 2

- ❑ a. **Develop quantifiable waste management goals** to redirect recoverable and recyclable materials back to secondary waste handlers.
- ❑ b. **Research local waste recycling market.**
- ❑ c. **Develop appropriate specification language and details** for the required Construction and Demolition Waste Management Plan for the Contractor (General or Prime Contractor or Construction Manager) to implement.

COMMENT LETTER NO. 62 (continued)

G. MATERIALS AND RESOURCES

2.0 Materials for a Healthy Indoor Environment

2.1 SELECT LOW-EMITTING MATERIALS TO REDUCE QUANTITY OF INDOOR AIR CONTAMINANTS, FOR A HEALTHY INDOOR ENVIRONMENT.

LEED EQ
Credits 4.1-4.4

- ❑ a. **Prioritize sensitive program areas.** Identify and prioritize spaces where selection of building materials is of particular concern because of intended occupancy[19].
- ❑ b. **Meet VOC limitation requirements for adhesives, sealants, paints, composite wood products and carpet systems** according to LEED™ referenced product consensus standards which define emission limits for specific material types. Where possible, select products for further reduced emissions.
- ❑ c. **Develop specification criteria.** Provide specification criteria for "healthy" material selection and for their appropriate methods of installation.
- ❑ d. **Consider review by experienced indoor air quality professionals,** including certified industrial hygienists. Such evaluation is useful for critical materials in critical areas (e.g., for spaces serving people with health problems such as asthma or lung disease.)
- ❑ e. **Review MSDS/manufacturer certifications.** For materials that are deemed critical for the project and for which standards or other references do not exist, obtain and review material safety data sheets (MSDSs) and/or manufacturer's certifications or test data. But note that MSDS documents don't always have desired data. Contact manufacturers for clarification as needed.

3.0 Materials for Reduced Environmental Impacts

3.1 GIVE PREFERENCE TO MATERIALS WITH LIFE-CYCLE ANALYSES INDICATING AVOIDED OR REDUCED ENVIRONMENTAL DAMAGE.

- ❑ a. **Avoid materials that may cause environmental damage in their manufacture, use or disposal.**
- ❑ b. **Give preference to materials with low-embodied energy,** where other performance criteria have been satisfied. Products with higher embodied energy involve more air emissions and pollution.

[19] Since children and the elderly, as well as chemically sensitive persons, are especially susceptible to indoor air pollutants, these spaces may include client and visitor-occupied areas of health care facilities, day care centers, senior citizen centers, schools, libraries and other community buildings.

3.0 Materials for Reduced Environmental Impacts

3.2 USE MATERIALS MANUFACTURED AND/OR HARVESTED REGIONALLY (WITHIN A RADIUS OF 500 MILES).

LEED MR
Credits 5.1, 5.2

- ❑ a. **Establish a project goal** for the incorporation of locally manufactured materials into the building design and identify local materials suppliers that can achieve this goal.
- ❑ b. **Establish which of those materials are also locally harvested.**

3.3 SELECT MATERIALS WITH RECYCLED CONTENT.[20] CONSIDER BOTH POST-CONSUMER AND POST-INDUSTRIAL RECYCLED CONTENT.

LEED MR
Credits 4.1, 4.2

See Current LEED™ version for standards

- ❑ a. **Establish a project goal** for the incorporation of recycled content materials into the building design and identify material suppliers that can achieve this goal.
- ❑ b. **Conform to the most current consensus product standards**[21] for given product types and resource efficient materials. These standards have been developed by government agencies, environmental certification services, or trade organizations for environmentally preferable material selection.
- ❑ c. **Consider alternative materials to plywood,** such as composite boards, which use milling by-products, recycled paper, wood scraps, and/or agricultural waste.
- ❑ d. **Consider composite products made from recycled materials,** such as wood and plastic.
- ❑ e. **Develop specification criteria.** Provide specification criteria for resource efficient material selection and for their appropriate methods of installation. Criteria can be developed from product consensus standards and from additional materials guidelines.

[20] Recycled content materials shall be defined in accordance with the Federal Trade Commission document, Guides for the Use of Environmental Marketing Claims, 16 CFR 260.7 (e). See also Resources section for website references.
[21] The following standards, taken from the US Green Building Council LEED™ rating system Version 2.1, are subject to periodic review and upgrade:

- Recycled content materials shall be defined in accordance with the Federal Trade Commission document, Guides for the Use of Environmental Marketing Claims, 16 CFR 260.7 (e). See also Resources for website references.
- The VOC content of adhesives and sealants must be less than the current VOC content limits of South Coast Air Quality Management District (SCAQMD) Rule #1168, and all sealants used as fillers must meet or exceed the requirements of the Bay Area Air Quality Management District Regulation 8, Rule 51.
- VOC emissions from paints and coatings must not exceed the VOC and chemical component limits of Green Seal's Standard GS-11 requirements.
- Carpet systems must meet or exceed the requirements of the Carpet and Rug Institute's Green Label Indoor Air Quality Test Program.
- Composite wood and agrifiber products must contain no added urea-formaldehyde resins.

COMMENT LETTER NO. 62 (continued)

UB HIGH PERFORMANCE BUILDING GUIDELINES

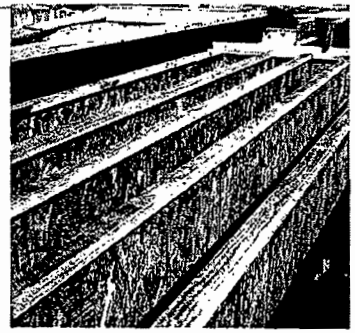
G. MATERIALS AND RESOURCES

3.0 Materials for Reduced Environmental Impacts

3.4 **USE CERTIFIED WOOD** TO REDUCE NEGATIVE ENVIRONMENTAL IMPACTS ON FORESTS.

LEED MR Credit 7

- ❑ a. **Specify Forest Stewardship Council (FSC) certified wood materials** including but not limited to structural and general dimensional framing, mill-work, flooring, finishes, furnishings, and non-rented temporary construction applications such as bracing, concrete form work, and pedestrian barriers.
- ❑ b. **Establish a project goal for the incorporation of FSC-certified wood products** into the building design.
- ❑ c. **Identify material suppliers** that can achieve this goal.
- ❑ d. **Reduce the use of large timbers** by utilizing assemblies that require smaller pieces of wood, and by using glue-laminated beams and other types of prefabrication.
- ❑ e. **Reduce emission of toxic preservatives,** such as ACQ (ammonium copper quaternium) or CDDC (copper hydroxide sodium dimethyldithiocarbamate) by using safer alternative chemicals, and ensure that treated wood is sealed or not located where physical contact may occur. Alternately, use Ipe wood that has been harvested in a sustainable manner (FSC-certified).



Manufactured wood floor joists made from recycled content.
credit: Collaborative for High Performance Schools

3.5 **USE RAPIDLY RENEWABLE BUILDING MATERIALS** (MADE FROM PLANTS THAT ARE TYPICALLY HARVESTED WITHIN A 10-YEAR OR SHORTER CYCLE) FOR THE MAXIMUM AMOUNT OF BUILDING MATERIALS AND PRODUCTS USED IN THE PROJECT.

LEED MR Credit 6

- ❑ a. **Establish a project goal** for the incorporation of rapidly renewable materials into the building design and identify material suppliers that can achieve the project goal.
- ❑ b. **Consider rapidly renewable materials** such as linoleum, cork or bamboo flooring, poplar Oriented Straw Board (OSB), straw board or wheat grass for cabinetry materials, and others.
- ❑ c. **Consider the source of the material,** with its effect on embodied energy, (e.g. bamboo from Asia, cork from Europe) and the toxicity of binders in the product (e.g. some bamboo flooring contains urea-formaldehyde binders).

COMMENT LETTER NO. 62 (continued)

4.0 Assessment of Materials

4.1 PROVIDE COORDINATED IMPLEMENTATION OF ENVIRONMENTALLY PREFERABLE MATERIALS DURING DESIGN AND CONSTRUCTION.

- ❑ a. **Develop specification criteria.** Provide specification criteria for environmentally preferable materials selection and for their appropriate methods of installation. Criteria can be developed from product consensus standards and from additional materials guidelines.
- ❑ b. **Conform to the most current consensus product standards**[22] for low-emitting and resource efficient materials. These standards have been developed by government agencies, environmental certification services, or trade organizations for environmentally preferable material selection.
- ❑ c. **Identify material suppliers** that can achieve these goals.
- ❑ d. **Research manufacturer or third-party certification.** Check for third party certification for manufacturer
- ❑ claims.
- ❑ e. **Quantify the total percentage** of salvaged, recycled content, local and regional, rapidly renewable, sustainably harvested, low-embodied energy, and non-toxic low-emitting materials that are installed during construction.
- ❑ f. **Provide documentation and manufacturers' certifications.**

LEED EQ
Credit 4
&
LEED MR
Credits 3, 4, 5, 6, & 7

4.2 CONSIDER LIFE CYCLE COSTS IN PRODUCT AND ASSEMBLY SELECTION.

- ❑ a. **Consider life cycle cost**[23] when selecting products. Durable, low maintenance products are often less expensive over time than other products that require frequent replacement.

[22] See footnote on page 81.

[23] "Life cycle cost" typically means the amortized annual cost of a product, including capital costs, installation costs, operating costs, maintenance costs, and disposal costs discounted over the lifetime of the product. Also consider environmental and health issues associated with product manufacture, use and disposal.

COMMENT LETTER NO. 62 (continued)

COMMENT LETTER NO. 63

RIVERKEEPER®

Via Fax and Regular Mail

April 4, 2005

Village of Sleepy Hollow
Mayor and Board of Trustees
Attn: Dwight Douglas, Village Administrator
Village Hall, 28 Beekman Avenue, NY 10591

Re: Lighthouse Landing DEIS

Dear Mayor and Village Board Trustees:

Below please find Riverkeeper's comments on the January 2005 Draft Environmental Impact Statement ("DEIS") for the proposed Lighthouse Landings project ("proposed project") by General Motor Corporation ("GM") and Roseland/Sleepy Hollow, LLC ("Roseland") (collectively, the "applicant") in the Village of Sleepy Hollow.

Riverkeeper is an independent, member supported, not-for-profit environmental group with offices in Garrison and White Plains, New York. Our mission is to protect the environmental, recreational, and commercial integrity of the Hudson River and its tributaries and to safeguard the New York City drinking water supply. We carry out this mission through litigation, advocacy, and public education. Our members and constituents include a diverse array of Hudson Valley citizens: from urban dwellers in New York City, to local Hudson fishermen, to residents of Sleepy Hollow, Tarrytown, Nyack and its surroundings, many of whom may be adversely affected by the proposed expansion. We support appropriate redevelopment of waterfront land, provided that such projects restore and protect the Hudson River and its waterfront and provide adequate opportunity for public access.

Our comments are addressed to the Mayor and the Village Board Trustees, as lead agency, even if the applicant is responsible for the proposed project, because under Article 8 of the Environmental Conservation Law of New York – SEQRA – the lead agency is responsible for the preparation of the Final Environmental Impact Statement ("FEIS").[1] Accordingly, the lead agency "must prepare or cause to be prepared and must file a final EIS," which makes it ultimately responsible for the preparation and content of the FEIS.[2] Thus, the Mayor and Village Board Trustees must take control of the process and ensure that the application complies with SEQRA, local laws and other legal requirement.

[1] By contrast, SEQRA allows either the applicant or the lead agency to prepare the DEIS. ECL § 8-0109 (2), (3); 6 NYCRR §§ 617.2 (u), 617.9 (a)(5)(6).
[2] 6 NYCRR § 617.9 (a)(5).

COMMENT LETTER NO. 63 (continued)

We trust that the FEIS will do more than respond to comments submitted by involved agencies and interested parties. The FEIS must assemble all relevant and material facts upon which the lead agency's decision will be made. "It must analyze the significant adverse impacts and evaluate all reasonable alternatives."[3] Most important, it must strictly follow the scoping document and incorporate all significant issues raised during the public comment period. The Village's public policy and local laws, as well as other relevant state and federal policy document and legal requirements must be fully analyzed as well.

Our comments are divided in the following sections: Summary of Comments / Riverkeeper's Vision for the GM site; Part I - General Comments; and, Part II - Specific Comments to the Lead Agency. Part II of the comments is structured according to the main determinations imposed by local laws on the lead agency. Nonetheless, our comments apply to the proposed project generally, and therefore must be considered in the broader SEQRA context.

Summary of Comments

The project site is the Village's single vacant coastal resource of Hudson River waterfront investing its administration with a unique opportunity and corresponding responsibility to reclaim the Village's physical and visual connection with the Hudson River. Moreover, this historic opportunity requires consideration of the local vision for the site as well as the regional vision of the Hudson's revitalization. Strict adherence to the Village's Local Waterfront Revitalization Program ("LWRP") and the State's Coastal Management Program are essential to strike a balance between local and regional goals.

While the proposed project has the merit of returning the former GM industrial site to partial beneficial use, there are significant flaws in the proposed project which undermine the efforts of the Village to properly develop the site and make the Hudson River the focal point of the community. 6301

The biggest problem with the proposed development is that it is illegal in that it violates a significant number of provisions of the Village's LWRP and various local laws meant to support it: The GM-Roseland proposal to construct "Lighthouse Landing", a dense riverfront project packing in a 147-room hotel, 180,000 square feet of retail space, 50,200 square feet of office space and 1,562 residential units which will increase by 25 percent the existing population of around 9,000 residents, violates the spirit and the letter of the LWRP (Policies 1, 2 and 5, among others), the Village's

[3] 6 NYCRR § 617.9 (b)(1).

COMMENT LETTER NO. 63 (continued)

Waterfront Consistency Review Law ("WCRL")[4] and the corresponding zoning for the waterfront – Riverfront Development District ("RF District" – Village Code § 62-5.1 et seq). 6301 (continued)

1.) The LWRP's chief requirement is that any development on the GM site place a priority on "water dependent uses," – in other words, those activities that require direct access to, and use of, the water (e.g., marinas, moorings, boat ramps, boatyards, boathouses, ferry or water taxi landings). In particular, the LWRP places emphasis on water dependent commercial, water dependent and water-related public recreational uses, and waterfront related public education and entertainment activities that serve residents of Sleepy Hollow as well as the region (LWRP Policy 1H). With nearly the entire site devoted to residential and retail development, and only a few water-focused amenities -- a small fishing pier and a single set of steps to the river's edge -- the water-dependent use standard has not been met. 6302

2.) The developers boast that 30 percent of the 95-acre site will be devoted to open space, but most of it – except for a sliver of parkland squeezed between the condos and the river -- is in a floodplain on the upland side of the railroad tracks, thus denying the public a meaningful amount of open space along the waterfront. This is another violation of the LWRP (Policies 19, 20 and 21) and the standards for the RF District. 6303

3.) There are many problems with the GM proposal related to traffic, sewage and storm water controls, schools and the possibility that the added infrastructure costs will overwhelm any tax revenue, causing local property taxes to increase. (SEQRA, LWRP Policy 5). 6304

4) Under the Public Trust Doctrine, which is recognized by the LWRP, the Village has a responsibility to ensure that use of traditionally public lands benefits the public. In this case, the public land at issue is that formerly underwater area of the 95-acre parcel west of the railroad tracks that GM created by dumping "fill" material into the river. Unfortunately, the development as currently proposed confers limited benefits on the public. 6305

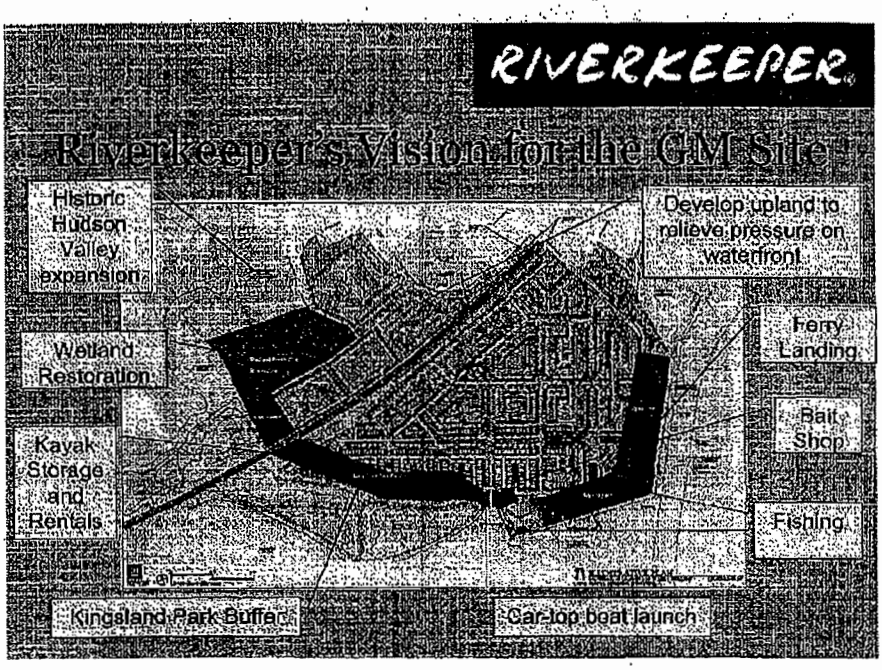
If the applicant cannot commit to major changes to the project necessary to address LWRP goals and significant adverse environmental impacts, the project cannot go forward. However, Riverkeeper believes it is still possible to incorporate alternative design and use elements to make the project consistent with the LWRP and other legal requirements. Below find Riverkeeper's vision for the GM site, with access to the Hudson, meaningful open space along the River, and other features.

[4] Local Law No. 7, 1997, Waterfront Consistency Review Law (hereinafter "WCRL"), adopted by the Village of Sleepy Hollow on 01/28/97, § 59A-1 et seq.

COMMENT LETTER NO. 63 (continued)

6305 (continued)

Riverkeeper's Vision for the GM Site in Sleepy Hollow[5]



- Access:
  - Create a hand-held boat launch with public access and available nearby parking (LWRP- RF District);[6]
  - Provide a fishing pier (LWRP - RF District); and
  - Create fishing access points (LWRP - RF District).

- Open Space Along the River:
  - Increase buffer space along the river with public access and landscaping to 300 feet for the entire riverfront (LWRP - RF District).

- Ecological Restoration:
  - Soften the riverfront with riprap (NYS Grant);
  - Create an ecological/buffer corridor between the site and Kingsland Point Park (consider restoration of the Pocantico's original outlet); and

[5] Riverkeeper's vision for the GM site accommodates the Scenic Hudson proposal to restore the Pocantico, and the Village's green crescent mandate.
[6] Nearby launching sites are: Washington Irving Boat Club Tarrytown and Ossining Municipal Launch Ramp Ossining. Source: http://www.hrfanj.org/Ramps.htm (accessed Mar. 10, 2005).

COMMENT LETTER NO. 63 (continued)

- Restore wetlands to the northeast of the development (flood prevention) (LWRP).

6305 (continued)

- Sustainable Design
  - Use green roof technology where possible (LWRP);
  - Increase the permeable surfaces[7] using more permeable landscaping materials[8] (LWRP);
  - On-site (or otherwise adequate) sewage management;
  - BMP/Phase II storm-water management; and
  - Increase the permeable surfaces using permeable paving materials[9] and techniques (LWRP - RF District).

- Water dependent uses
  - Marinas/boatyards/boathouses (with boat ramps) (LWRP- RF District);
  - Moorings (LWRP - RF District); and
  - Ferry boat uses/facilities or water taxi landings (LWRP - RF District).

Part I. General Comments

At the close of the public comment period for the proposed redevelopment at the General Motors site in the Village of Sleepy Hollow, it is important to look at the project in the larger context of the past — and future — history of the Hudson River waterfront.

For over a nearly two centuries, New Yorkers have been largely cut off from the Hudson — separated by rail lines and industrial activity along both shores. By the middle of the 20th century, the lack of public access didn't matter since the Hudson had become so polluted with chemical and sewage waste that few had much interest in getting out on — let alone in — the river. In the Village of Sleepy Hollow, as recorded in the book The Riverkeepers, by Robert Kennedy Jr. and John Cronin, "the paint from the [North] Tarrytown's GM plant dyed the river."[10]

With the passage of the Clean Water Act and other federal statutes, concerned citizens and environmental organizations banded together and used the new laws to clean up the Hudson. With the restoration of the Hudson nearly complete, people are returning to the river in droves. It is not an exaggeration to suggest that the economic renaissance of the Hudson River Valley over the last decade is due largely to the fact

[7] Although the developer claims that the surface is currently impermeable and that any change will improve permeability, based on visual observation, that is simply not the case. The concrete surface is rife with cracks and holes and the fill on the subsurface is a ready conduit to the River.
[8] *See* http://www.owencell.com/watershed3.html (accessed Mar. 10, 2005).
[9] *See* http://www.lid-stormwater.net/permeable_pavers/permpavers_benefits.htm (accessed Mar. 10, 2005).
[10] ROBERT KENNEDY, JR. & JOHN CRONIN, THE RIVERKEEPERS, at 41 (Scribner, 1997).

6305 (continued)

COMMENT LETTER NO. 63 (continued)

that the Hudson is clean again and that people want to be near it — to live and work, and to swim, fish, kayak and canoe, and watch the return of the bald eagles.

But we are in danger of repeating our mistakes from the past and once again allowing ourselves to be severed from the Hudson, perhaps for the next century. As the waterfront opens up, developers are seeing dollar signs and rushing in to build massive developments along the shore and extract as much profit out of these parcels as they can get away with. The colossal development slated for the former GM plant site in Sleepy Hollow is no exception.

The GM-Roseland proposal to construct "Lighthouse Landing", a dense riverfront project packing in a 147-room hotel, 180,000 square feet of retail space, 50,200 square feet of office space and 1,562 residential units, will increase by 25 percent the existing population of around 9,000 residents. The developers boast that 30 percent of the 95-acre site will be devoted to open space, but most of it -- except for a sliver of parkland squeezed between the condos and the river -- is in a floodplain on the upland side of the railroad tracks, thus denying the public a meaningful amount of open space along the waterfront. There are many problems with the GM proposal related to traffic, sewage and storm water controls, schools and the possibility that the added infrastructure costs will overwhelm any tax revenue, causing local property taxes to increase. 6306

Yet, the biggest problem with the proposed development is that it is illegal in that it violates a significant number of provisions of the village's Local Waterfront Revitalization Plan and various local laws meant to support it. The Plan's chief requirement is that any development on the GM site place a priority on "water dependent use," – in other words, those activities that require direct access to, and use of, the water (e.g., marinas, moorings, boat ramps, boatyards, boathouses, ferry or water taxi landings, kayak outfitters). A desire to acquire river views for condominium owners that could be achieved from sites further upland doesn't count. With nearly the entire site devoted to residential and retail development, and only a few water-focused amenities -- a small fishing pier and a single set of steps to the river's edge –the water-dependent use standard has not been met. The Village's Waterfront Advisory Committee corroborated our concerns in recently issuing an independent finding that the project, "overall," is inconsistent with the waterfront plan. 6307

Moreover, under the Public Trust Doctrine, a rule of law with roots in the Roman Empire, the state has a responsibility to ensure that use of traditionally public lands benefits the public. In this case, the public land at issue is that formerly underwater area of the 95-acre parcel west of the railroad tracks that GM created by dumping "fill" material into the river. Unfortunately, the development as currently proposed confers limited benefits on the public. 6308

At the hearings, local residents offered a number of thoughtful suggestions for the site, including a cultural center, more affordable housing and expanded recreational opportunities. The proposal for restoring part of the Pocantico River to its historic route through what is now the northwest corner of the GM site, voiced by many, also warrant serious consideration.

6308 (continued)

The developer has no choice but to sit down with the lead agency and interested parties to figure out how to move their project forward while complying with the law. They should work with the community to devise a plan that dedicates a significant portion of the waterfront to public uses. This would involve, at a minimum, substantially increasing river access and open space along the shore, including a buffer corridor between the development and Kingsland Point Park. It would also include returning ecological function to the site by, for instance, replacing the existing bulkhead with riprap (i.e., rocks) and restoring wetland habitat.

We underscore the fact that, as noted at the outset of our comments, the Mayor and the Village Board Trustees are responsible for the preparation and content of the FEIS, even if the applicant is the sponsor of the project.[11] It is the lead agency which "must prepare or cause to be prepared and must file a final EIS," which makes it ultimately responsible for the preparation and content of the FEIS.[12] The FEIS must assemble all relevant and material facts upon which the lead agency's decision will be made. It must analyze the significant adverse impacts and evaluate all reasonable alternatives, and the possibilities for ecological restoration at the site.[13] Thus, the Mayor and Village Board Trustees have control over the process and must ensure that the application complies with SEQRA, the LWRP and other local laws.

6309

What happens in Sleepy Hollow will dictate how the rest of the Hudson waterfront is developed in the next few years and will be a test of how we will treat the river — and thus ourselves — for the next century.

Part II. Specific Comments to the Lead Agency

As lead agency, the Mayor and the Village Board of Trustees is responsible for the FEIS and is charged with making the following determinations for the proposed project: (1) Local Waterfront Revitalization Program consistency determination; (2) Riverfront District Requirements (Development Concept Plan; and Special Permit approval for projects with the RF District).

[11] ECL § 8-0109 (2), (3); 6 NYCRR §§ 617.2 (u), 617.9 (a)(5)(6).
[12] 6 NYCRR § 617.9 (a)(5).
[13] 6 NYCRR § 617.9 (b)(1).

COMMENT LETTER NO. 63 (continued)

1. Local Waterfront Revitalization Program Consistency Determination

Pursuant to Chapter 59A of the Village Code, titled Waterfront Consistency Review, whenever a proposed action is located in the Village's Coastal Area, the Mayor and the Board of Trustees, as lead agency, must prior to approving the proposed action make a determination that it is consistent with the LWRP's policy standards and conditions.[14] Such policy standards and conditions are set forth the Village's WCRL §59A-5(G) and in the LWRP itself.

1.1 WCRL Standards and Conditions

Pursuant to the Village's WCRL, actions to be undertaken within the Sleepy Hollow Coastal Area shall be evaluated for consistency in accordance with the following policy standards and conditions, which are derived from and further explained and described in Section III of the LWRP:[15]

(1) Revitalize the deteriorated and underutilized waterfront area (Policies 1, 1A, 1B, 1C, 1E, 1F, 1G, 1H, 1J and 1K).

(2) Retain and promote commercial and recreational water-dependent use (Policies 2, and 2A).

(3) Strengthen the economic base of Sleepy Hollow smaller harbor areas by encouraging traditional uses and activities (Policy 4).

(4) Ensure that development occurs where adequate public infrastructure is available to reduce health and pollution hazards (Policies 5, 5A, and 5B).

(5) Expedite local permit procedures and use performance standards for development within the waterfront area (Policy 6).

(6) Protect significant and locally important fish and wildlife habitats from human disruption and chemical contamination (Policies 7, 7A, 7B, 7C, 8, 8A and 8B).

(7) Encourage and expand commercial fishing facilities to promote commercial and recreational fishing opportunities (Policies 9, 10).

(8) Minimize flooding and erosion hazards through nonstructural means, carefully selected, long-term structural measures and appropriate siting

[14] WCRL, § 59A-5(A), *supra* note 4.
[15] *Id.* § 59A-5(G)

COMMENT LETTER NO. 63 (continued)

of structure (Policies 11, 13, 13A, 13B, 14, 15, 16, 16A, 16B, 17 and 17A).

(9) Safeguard economic, social and environmental interests in the coastal area when major actions are undertaken (Policy 18, 18A, 18B and 18C).

(10) Maintain and improve public access to the shoreline and the water-related recreational facilities while protecting the environment (Policies 1, 1A, 1B, 1D, 1E, 1F, 1H, 2, 2A, 4, 9, 19, 19A, 19B, 19C, 19D, 19E, 19F, 20, 20A, 20B, 21, 21A, 21B, 21C, 22 and 22A).

(11) Protect and restore historic and archeological resources (Policies 23, 23A, 23B and 23C).

(12) Protect and upgrade scenic resources (Policies 25, 25A, and 25B).

(13) Site and construct energy facilities in a manner in which will be compatible with the environment and contingent upon the need for a waterfront or water location (Policies 27, 30, 31, 33, 35, 35A, 35B, 35C, 35D, 35E, 36, 37, 38, 39, 39A, 40, 40A, 41A, 42, 43 and 44).

(14) Protect surface and groundwaters from direct and indirect discharge of pollutants and from overuse (Policies 30, 31, 33, 35, 35A, 35B, 35C, 35D, 35E, 36, 37, 38, 39A, 40, 40A, 41, 42, 43 and 44).

(15) Perform dredging and dredge spoil in a manner protective of natural resources (Policies 15, and 35, 35A, 35B, 35C, 35D, and 35E).

(16) Handle and dispose of solid and hazardous wastes and effluents in a manner which will not adversely affect the environment nor expand existing landfills (Policies 34, 34A, 35, 35A, 35B, 35C, 35D, 35E, 36, 39 and 39A).

(17) Protect air quality (Policies 41, 41A, 42 and 43).

(18) Protect freshwater wetlands (Policy 44).

COMMENT LETTER NO. 63 (continued)

1.2 LWRP Standards and Conditions for the GM Site

The LWRP contains the following specific standards and conditions for the reuse of the GM site:[16]

> In the event General Motors were to vacate their property and/or the use of the land were to change, future redevelopment of the site shall proceed in conformance with the following standards:
>
> a. Public access to and along the Hudson River and the Pocantico River water's edge and water related recreational uses must be an integral part of any development of the site.
>
> b. Proposed development must improve and diversify as much as possible, the existing economic base of the Village, concentrating on a mix of land uses that would include as a priority, water dependent commercial, water dependant and water related public recreational uses, and waterfront related public education and entertainment activities that serve residents of Sleepy Hollow as well as the region, and also develop the Village's tourism potential. The mix of uses may also incorporate residential and commercial with a preference for small-scale commercial retail uses which are in keeping with a waterfront image.
>
> c. Vistas of the Hudson River and its western banks from the site, and from other parts of the Village must be protected and maintained to the maximum extent possible. The site shall be developed in such a way as to maximize important views and to provide view opportunities at the river's edge and view corridors throughout the development. Site layout and design shall consider view corridors identified in the Local Waterfront Revitalization Program and shall also consider important views from the Hudson River towards the shore.
>
> d. Activities on the site should appeal to a variety of age groups and economic levels.
>
> e. Any future development of the site should function as a way of linking waterfront properties and continuing the concept of a linear public waterfront trail extending from the Village's Riverfront Park on River Street, north around General Motors property to Kingsland Point Lighthouse and Kingsland Point Park. Future development of the site should also serve to link public access to the park land adjacent to the

[16] LWRP, p. III-8 to III-10.

Pocantico River between Philipsburg Manor and the Railroad (DeVries Field), Philipsburg Manor, and the Village's Barnhart Park.

f. Provision for signed public access linkages to the rest of the Village, in particular to the downtown commercial districts and to the Philipse Manor Train Station should be established.

g. All future development of the site shall be undertaken in a manner consistent with the preservation and enhancement of other Village coastal resources as identified in the Village's Local Waterfront Revitalization Program.

h. Future land uses at the site shall relate visually and functionally with surrounding land uses.

i. The various elements of any future development project shall be integrated by cohesive architectural treatment and compatible design.

j. Buildings shall be designed in consideration of appearance from all vantage points.

k. Architectural elements shall be used to provide visual interest, reduce apparent scale of the development, and promote integration of the various design elements in the project.

l. Building lines shall be varied to the extent practicable in order to provide an interesting interplay of buildings and open space.

m. Project features which may have negative impacts upon adjacent properties, such as parking lots, service entrances, loading zones, mechanical equipment, etc., shall be visually buffered.

n. Future development of the site shall be designed and arranged in such a way as to promote energy conservation and efficiency to the maximum extent practicable for all buildings.

o. All plants, trees, and shrubs shall be installed in accordance with a planting schedule provided by the developer and approved by the Village Tree Commission and the Village Planning Board as part of the site plan review. Landscape materials shall be appropriate to the growing conditions of the shoreline environment, and this climatic zone.

COMMENT LETTER NO. 63 (continued)

p. All signs shall be of a size and scale, as determined to be appropriate by the Village Planning Board to accomplish their intended purpose. All signs shall be planned and designed in accordance with an overall comprehensive signage plan, which shall be subject to Village Planning Board approval as part of site plan review.

q. The rights-of-way and pavement widths for all internal streets, drives, walks, or other access-ways for vehicles and/or pedestrian trails shall be in accordance with existing Village standards (when applicable), or as determined by the Village Planning Board on the basis of sound current planning and engineering standards, which shall accommodate projected demand but minimize impervious surfaces to the maximum extent possible.

1.3 Preliminary Consistency Review

The Village's Waterfront Advisory Committee ("WAC") conducted a preliminary consistency review based on the DEIS, as required by Local Law No. 14-2002.[17] To review the DEIS, the WAC held two public sessions to carefully analyze the proposed project's consistency with the LWRP.[18] The WAC made a policy-by-policy consistency review, reached an overall finding and made recommendations. It found the project to be inconsistent with the LWRP, in particular with the development policies (policies 1H, 2 and 5), and offered "suggestions concerning the modifications of the proposed action to make it consistent with LWRP policy standards and conditions or to better advance them," as required by the LCRL (Local Law No. 14-2002).[19] 6310

The WAC is an involved agency and therefore its preliminary consistency determination must be incorporated in the FEIS. Moreover, the FEIS must explain whether the lead agency concurs or disagrees with the WAC's preliminary findings and recommendations, and develop a comprehensive waterfront consistency review to overcome the DEIS' deficient LWRP analysis.[20]

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[17] WCRL, §59A-5(E)(1), *supra* note 4 (Amended by Local Law No. 14-2003 on 10/18/2002).
[18] On 03/02/05 and 3/20/05.
[19] WCRL, §59A-5(E)(1), *supra* note 4 (Amended by Local Law No. 14-2003 on 10/18/2002).
[20] As the WAC's preliminary consistency determination shows, and is discussed further below, the DEIS did not offer a substantial analysis of consistency with the LWRP. In the DEIS, the applicant included a single paragraph on LWRP consistency - at page III-A-20 - and a summary table (Table I-A). Further, the applicant did not provide any analysis on many policy standards because it inappropriately assumed that many policies were inapplicable to the project.

6310 (continued)

1.4 Riverkeeper's LWRP Consistency Comments

Riverkeeper supports the WAC's overall conclusion that the proposed project is inconsistent with the LWRP, and respectfully submits additional comments on the applicant's failures to meet or advance the LWRP's standards and conditions for this particular site.

To start, we underscore the LWRP's vision for the GM site as follows:

> *The General Motors property has been identified as suitable for redevelopment with a strong orientation toward water-dependent and water related recreational development: and with uses that will allow public access to the Hudson River and attract people to the immediate waterfront within the Village.*
>
> *By promoting and encouraging the re-establishment of a maritime identity for the Village and encouraging such activities as recreational boating, commercial water transportation, commercial and recreational fishing, marinas and docking facilities for transient boaters, the Village can expect to see not only increasing use of it's waterfront, but also ancillary economic benefits for small business within the Village.*[21]

This LWRP vision for the reuse of the GM site is certainly not the applicant's view. As the analysis below demonstrates, the project fails to comply with the LWRP's standards and conditions for the site.

6310 (continued)

1.4.1 Revitalize the deteriorated and underutilized waterfront area (Policies 1, 1A, 1B, 1C, 1E, 1F, 1G, 1H, 1J and 1K).

The key development policies applicable to the redevelopment of the GM site are:

Policy 1: Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.

The applicant seeks approval for a massive residential redevelopment and few non-water dependent commercial and retail uses along the Hudson waterfront. Policy 1, however, mentions explicitly the following uses: "commercial, industrial, cultural, recreational, and other compatible uses." As in the State's coastal policies, LWRP Policy 1 places clear emphasis on non-residential uses. Thus, the proposed project is flatly inconsistent with Policy 1.

[21] LWRP, at II-35 (emphasis added).

COMMENT LETTER NO. 63 (continued)

6310 (continued)

Policy 1H: Any redevelopment of the General Motors property, and the waterfront area immediately south of the General Motors property along the waterfront and adjacent to River Street, should be a comprehensively planned development that includes a mix of land uses and achieves a high standard of site planning, architectural design, and in keeping with the existing character of the village.

The mix of land uses should include, *as a priority*, water dependent commercial, water dependent and water related public recreational uses, and waterfront related public education and entertainment. The mix of uses may also incorporate residential and commercial (with preference for small-scale commercial retail uses which are in keeping with a waterfront image. (emphasis added).

This policy, specifically tailored for the redevelopment GM site, categorically states that the mix of land uses must include, *as a priority*, *water dependent commercial*, *water dependent and water-related public recreational uses*, and *waterfront-related public education and entertainment*. In sharp contrast with this requirement, the proposed project does not feature any water dependent commercial uses, water dependent recreational uses, or waterfront related public education and entertainment.[22] Instead, the community is given a riverfront walkway – a thin sliver of land the developer cynically hopes will universally fill every aspect of the LWRP's waterfront demands.

Moreover, while the LWRP also allows a mix of uses that include some non-water depended uses such as residential, it indicates a preference for "small-scale commercial retail uses." The applicant proposes quite the opposite: a massive development dominated by an excessive and unsustainable number of residential units. Indeed, the large residential development, composed of 1,562 rental and condominium ownership units in three to five-story apartment buildings and townhouses, occupies all except 2 building blocks designated for retail (5 have residential above retail).[23] Affordable units are limited, in violation of the requirement that development on the GM site should "*appeal to a variety of age groups and economic levels.*"[24]

1.4.2 Retain and promote commercial and recreational water-dependent use (Policies 2, and 2A).

6310.1

[22] *See* DEIS, Proposed Site Map, Figure II-C-1 & Section II-C-1.
[23] *Id.*
[24] LWRP, Policy 1, Condition (d) for the GM Site.

COMMENT LETTER NO. 63 (continued)

Water dependent use, as defined by New York's Executive Law, means an "activity which can only be conducted on, in, over or adjacent to a water body because such activity requires direct access to that water body, and which involves, as an integral part of such activity, the use of the water."[25] With nearly the entire site devoted to residential development, and only a few water-focused amenities -- a small fishing pier and a single set of steps to the river's edge –the water-dependent use standard has not been met.

6310.1 (continued)

The LWRP states, "[w]ith redevelopment of the General Motors site in the future, the RF – Riverfront Development Zoning District provides a strong emphasis and encouragement for water-dependent commercial uses such as marinas. Thus, it is anticipated that associated with redevelopment of the General Motors site will be additional marina types of uses and related small retail boat service uses."[26] The plan contains no dock, no marinas or moorings – only the most minimal connection to the Hudson River, and no reason this development should be sited on this priceless piece of the Hudson River waterfront.

Many water dependent uses are possible at the GM site. For instance, a 1996 Reuse Plan for the General Motors North Tarrytown Plan Site Prepared for the Governor's Task Force on General Motors site by Arthur Andersen proposed various water dependent uses for the site: marinas, tour boats, charter boats, water taxies, "to enhance residential, retail and tourism development.[27] Riverkeeper's vision for the reuse of the GM site, *supra*, provides further examples of water dependent uses for the site.

1.4.3 Strengthen the economic base of Sleepy Hollow smaller harbor areas by encouraging traditional uses and activities (Policy 4).

Not applicable.

1.4.4 Ensure that development occurs where adequate public infrastructure (Policies 5, 5A, and 5B).

As a former industrial site, the project site certainly has public utility connection and services that may be restored for redeveloping the site. However, public infrastructure for a massive mixed-use complex prioritizing residential uses requires a different set of conditions. In order to have adequate public infrastructure, access to/from the GM site, road networks, and traffic generation, have to be seriously

6311

[25] Article 42 of New York Executive Law § 911 (7).
[26] LWRP, p. IV-7.
[27] 1996 Reuse Plan for the General Motors North Tarrytown Plan Site Prepared for the Governor's Task Force on General Motors site prepared by Arthur Andersen, at 6-7 and 48-51.

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6311 (continued)

factored and measured.[28] Also potable water demand and sewage output (including combines sewage overflow considerations – see discussion on sewage (G-14) below), must be looked at in that context.

The explanation of this policy sets forth standards to be used in making a determination that the infrastructure is adequate for a development on the coastal area, and provides must accomplish the following:

- strengthen existing residential, industrial and commercial centers;
- foster an orderly pattern growth;
- increase the productivity of existing public services and moderate the need to provide new public services in outlying areas;
- preserve open space in sufficient amounts; and
- foster energy conservation.

Further, as noted above, pursuant to the LWRP it is mandatory that any "[f]uture development of the site shall be designed and arranged in such a way as to promote energy conservation and efficiency to the maximum extent practicable for all buildings.[29] The DEIS does not adequately assessed the project's compliance with these standards and conditions.

Most important, the lead agency must overcome the popular myth that increased development brings increased tax revenue into a community. A recent report by Riverkeeper illustrates the myth as follows:[30]

> Simply stated, some citizens and local government officials make the faulty assumption that more money can be brought into a community with increased development. However, study after study shows that massive residential development ultimately increase property taxes, and that property tax growth exceeds population growth. While communities may see a short-term increase in revenue, the long-term expenditures necessary to provide increased services overwhelmingly outweigh these short-term benefits. This is because providing services for new homes costs a community more than those homes generate in property tax revenues (or rateables) – services frequently cost 125 to 150% of the tax revenue, and local governments are forced to raise taxes to cover the shortfall.[31]

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[28] Concerned with adequate access in and out of the site the LWRP established that *"public access linkages to the rest of the Village, in particular to the downtown commercial districts and to the Philipse Manor Train Station should be established." See* LWRP, Policy 1, Condition (f) for the GM Site.

[29] LWRP, Policy 1, Condition (n) for the GM Site.

[30]

[31] RIVERKEEPER, PAVE IT OR SAVE IT (2005), [*Available at* http://riverkeeper.org/campaign.php/watershed/we_are_doing/1058], Part E.1, page 1 of 6. (footnotes omitted – references are to: Brett Hulsey, Sprawl Costs Us All: How Uncontrolled Sprawl Increases Your

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> ... The impacts on the costs of providing school services present an additional burden. In New York, school districts are authorized to collect school taxes, yet school districts often overlap town and village boundaries. While municipalities may make development decisions based on a desire to raise revenue through property taxes, they often ignore the fiscal impacts on schools districts burdened with new development – new development adds children to already-burdened schools, which leads to significant expansion costs. So, while a rise in property taxes may slow, any potential benefit often is lost to subsequent increases in school district taxes.[32]
>
> ... Assessing the fiscal impact of new developments is difficult and must be based on existing local factors. However, several formulas for doing so have been developed by planning organizations, universities and environmental groups. Some sources include: 6312
>
> - Allagash Environmental Institute Center for Research & Advanced Study, The Comparative Economics of Residential Development & Open Space Conservation;
> - Potawatomi Land Trust, A Cost of Community Services Study of Scio Township, Michigan; and
> - Natural Resources Defense Council, Development and Dollars: An Introduction to Fiscal Impact Analysis in Land Use Planning.[33]

Assessing the fiscal impacts of the proposed development is one of the greatest challenges for the lead agency in this case. We hope the FEIS offers an independent analysis on this key issue.

1.4.5 Expedite local permit procedures and use performance standards for development within the waterfront area (Policy 6).

Not applicable.

1.4.6 Protect significant and locally important fish and wildlife habitats from human disruption and chemical contamination (Policies 7, 7A, 7B, 7C, 8, 8A and 8B). 6313

Property Taxes and Threatens Your Quality of Life (Sierra Club Feb. 1996), http://www.sierraclub.org/sprawl/articles/hulsey.asp (last visited Feb. 9, 2005); Paul Kerlinger, Economics of Open Space Conservation, in STRATEGIES FOR BIRD CONSERVATION: THE PARTNERS IN FLIGHT PLANNING PROCESS (Rick Bonney et al. eds., Cornell Lab of Ornithology 1999), available at http://birds.cornell.edu/pifcapemay/ (last visited Feb. 9, 2005).

[32] *Id.* Part E.1, page 2 of 6.

[33] *Id.* Part E.1, page 5 of 6.

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Several measures must be taken to ensure this policy is complied with including measures to avoid site run-off. See discussion below for 1.4.13 and 1.414. 6313 (continued)

1.4.7 Encourage and expand commercial fishing facilities to promote commercial and recreational fishing opportunities (Policies 9, 10). 6314

In the DEIS, the applicant discusses the possibility of providing a small fishing pier, but does not make a firm commitment of its construction. We agree with the WAC's recommendation that a larger pier be required for this site.

1.4.8 Minimize flooding and erosion hazards through nonstructural means, carefully selected, long-term structural measures and appropriate siting of structure (Policies 11, 13, 13A, 13B, 14, 15, 16, 16A, 16B, 17 and 17A). 6315

Two issues must be considered with regards to these policies. First, the applicant (GM) is required, under a NYS letter patent, to have rip-rap along the shoreline.[34] Therefore, Village must enforce this condition at the approval stage.[35] Second, flooding control measures, including the opening of a second-mouth to the Pocantico must be analyzed. The DEIS does not provide enough information on the baseline condition or possibilities for minimizing impacts from flooding.

1.4.9 Safeguard economic, social and environmental interests in the coastal area when major actions are undertaken (Policy 18, 18A, 18B and 18C). 6316

See discussion above for policies 1H (G-1) and 5 (G-4).

1.4.10 Maintain and improve public access to the shoreline and the water-related recreational facilities while protecting the environment (Policies 1, 1A, 1B, 1D, 1E, 1F, 1H, 2, 2A, 4, 9, 19, 19A, 19B, 19C, 19D, 19E, 19F, 20, 20A, 20B, 21, 21A, 21B, 21C, 22 and 22A). 6317

The LWRP provides precise definitions and standards in relation to these policies. It defines "access" as "the ability and right of the public to reach and use public coastal lands and waters."[36] The proposed project fails to provide access to the

[34] NYS Letter Patent, December 21st, 1957.

[35] Riprap is defined *by the Natural Resources Commission* in 312 IAC 11-2-20, Sec. 20, as follows: "Riprap" means angular, limestone rock that satisfies each of the following conditions: (1) No individual piece weighs more than one hundred twenty (120) pounds. (2) At least ninety percent (90%) of the material passes through a twelve (12) inch sieve. (3) Between twenty percent (20%) and sixty percent (60%) of the material passes through a six (6) inch sieve. (4) Not more than ten percent (10%) of the material passes through a one and one-half (1½) inch sieve.

[36] LWRP, at III-36. Public lands are lands "held by Federal, State, Village or County in fee simple or less-than-fee simple ownership and to which the public has access or could have access, including underwater lands and the foreshore." *Id.* at III-36. And "public water-related recreational resources or facilities" are

COMMENT LETTER NO. 63 (continued)

Hudson, which is the first requirement for a redevelopment of the GM.[37] It also lack meaningful waterfront recreational areas. By providing a 250-300 buffer/recreational area along the Hudson River and Kingsland Point Park, the project would function as a true linkage of waterfront properties and continue the concept of a linear public waterfront.[38] 6317 (continued)

1.4.11 Protect and restore historic and archeological resources (Policies 23, 23A, 23B and 23C). 6318

The proposed project has to make a better job in protecting and enhancing the lighthouse and other historic sites in the coastal area.

1.4.12 Protect and upgrade scenic resources (Policies 25, 25A, and 25B). 6319

The LWRP contains visual standards and conditions for the GM redevelopment which have not been met. Particularly important, "Vistas of the Hudson River and its western banks from the site, and from other parts of the Village must be protected and maintained to the maximum extent possible. The site shall be developed in such a way as to maximize important views and to provide view opportunities at the river's edge and view corridors throughout the development."[39] The current design preserves partial views of the Hudson from the GM site, but it does not maximize views to the Hudson or protect view from the Hudson maximum extent possible to the maximum extent possible. Various alternative designs should be studies in order to ensure this standard is met.

1.4.13 Site and construct energy facilities in a manner in which will be compatible with the environment and contingent upon the need for a waterfront or water location (Policies 27, 30, 31, 33, 35, 35A, 35B, 35C, 35D, 35E, 36, 37, 38, 39, 39A, 40, 40A, 41A, 42, 43 and 44).

Not applicable.

1.4.14 Protect surface and groundwaters from direct and indirect discharge of pollutants and from overuse (Policies 30, 31, 33, 35, 35A, 35B, 35C, 35D, 35E, 36, 37, 38, 39A, 40, 40A, 41, 42, 43 and 44). 6320

"all public lands or facilities that are suitable for passive or active recreation that requires either water or a waterfront location." *Id.*

[37] *Id.*, Policy 1, Condition (a) for the GM Site.

[38] *Id.*, Policy 1, Condition (e) for the GM Site. *See also* LWRP, Policy 1, Condition (g), which states, "All future development of the site shall be undertaken in a manner consistent with the preservation and enhancement of other Village coastal resources as identified in the Village's Local Waterfront Revitalization Program."

[39] LWRP, Policy 1, Condition (c) for the GM Site (emphasis added).

COMMENT LETTER NO. 63 (continued)

6320 (continued)

> *The leading source of water quality impairments in surveyed estuaries in the United States is runoff from urban areas. The Hudson River Estuary is no exception. The majority of remaining pollution in the Hudson River and its tributaries is derived from stormwater runoff from impervious surfaces (compacted lawns, parking lots, roofs, driveways, etc).*[40]

The project is located along the Hudson River shoreline and associated near shore habitat. The proposed development would impair such habitat by maintaining several acres of impervious area. It also fails to "minimize impervious surfaces to the maximum extent possible," as required by the LWRP.[41] Impervious surfaces transport high loadings of pollutants and pathogens to adjacent waterbodies by increasing rates of runoff, increase the scouring ability of run-off, and adding new sources of pollution. Roads, driveways and rooftops reduce the infiltration capacity of previously pervious surfaces, facilitate the concentration and scouring of pollutants to surface waters, and accelerate stormwater runoff velocities

There is no meaningful discussion or analysis of the effects of the expected runoff or ways to reduce the amount of impervious surface. It is not sufficient for the applicant to rely on the reduction of impervious surface from its current state. A meaningful Stormwater Pollution Prevention Plan should be incorporated into the FEIS which thoroughly examines anticipated stormwater impacts and utilizes green development alternatives and best management practices.[42]

The applicant should be required to reduce the amount of planned imperviousness, both through alternative site design and use of pervious surfaces wherever possible. Various methods of reducing impervious surface area, including use of pervious surfacing, should be seriously considered. According to the Hudson River Estuary Program - Watershed Conservation and Stormwater Program:

> *Many tools are available for communities and community-based watershed groups to protect surface and groundwater resources. Individual communities and community-based watershed groups can focus on some, or all, of the 12 tools listed below in their pursuit of healthy rivers, streams, lakes, and estuary waters or they can cooperate in a shared vision of water resource protection with neighboring communities.*
>
> - *Reduce the amount of impervious surface in new development*

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[40] *See* Hudson River Estuary Program - Watershed Conservation and Stormwater Program *at* http://www.dec.state.ny.us/website/hudson/watershed.html.
[41] LWRP, Policy 1, Condition (q) for the GM Site.
[42] The DEIS refers to appendix for a "detail discussion of the stormwater management plan, but provides scant information in Appendix 5.

COMMENT LETTER NO. 63 (continued)

- *Practice land conservation or conduct acquisition to protect sensitive areas*
- *Create and/or protect stream and wetland buffers*
- *Enact or enforce a strict erosion and sediment control program*
- *Require stormwater best management practices (BMPs) for new development*
- *Restore degraded stormwater systems, retrofit where necessary*
- *Use best available technology for sewage treatment plants and septic systems*
- *Initiate a community-based education and outreach program to landowners*
- *Monitor and assess your water to provide baseline data and identify changes in water quality*
- *Create a local enforcement program for stormwater violations and illicit connections*
- *Develop an operation and maintenance program to reduce pollutant loading from your municipality's buildings, roads and parks that includes training for municipal employees*
- *Work with neighboring communities at a watershed level to implement and accomplish goals.*[43]

6321

Perhaps a more significant impact from the proposed project is untreated sewage. It is clear that the project would add significant amounts of sanitary waste to the Yonker's combined sewage system, a system which is already so overburdened that it discharges raw sewage to the Hudson River. Sewage generation from this project will increase the volume (and perhaps the frequency) of these polluted – and illegal – discharges, resulting in additional pathogens and oxygen demand in the Hudson River to the detriment of its aquatic life and recreational uses. The DEIS's conclusion that "no significant impacts to existing facilities are anticipated from this project" is erroneous and unsupported.[44] By requiring on-site treatment and implementing available "green development" practices in the project area, the Village could and should mitigate or entirely eliminate this impact.

Under the current proposal, this sewage will not be collected or treated on-site, but will be conveyed to the Yonker's combined sewer system. Significantly, the Yonker's system lack of adequate wet weather storage and treatment capacity causes combined sewer overflow (CSO) events per year (i.e., an average of more than one per week), discharging million gallons untreated of untreated raw sewage polluted stormwater runoff to local waterways in an average rainfall year.

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[43] *See id. See also* CENTER FOR WATERSHED PROTECTION, BETTER SITE DESIGN: A HANDBOOK FOR CHANGING DEVELOPMENT RULES IN YOUR COMMUNITY (1998).
[44] DEIS, at III-G-10.

COMMENT LETTER NO. 63 (continued)

These CSO discharges exact an enormous cost – health costs, financial costs, quality-of-life costs – on residents, tourists and other visitors. CSOs are an enormous environmental problem and a serious threat to human health. In its August 2003 report to Congress, *Impacts and Control of CSOs and SSOs*, the U.S. Environmental Protection Agency Explained that "because CSOs contain untreated wastewater and storm water, they contribute microbial pathogens and other pollutants to surface waters ... [and] can impact the environment and human health. Specifically, CSOs can cause or contribute to water quality impairments, beach closures, shellfish bed closures, contamination of drinking water supplies, and other environmental and human health problems."[45] For comprehensive information on the environmental, social and human health costs of sewer overflows, see a February 2004 report entitled *Swimming in Sewage* prepared by the Natural Resources Defense Council and the Environmental Integrity Project.[46]

The redevelopment of the GM site is a prime opportunity to embrace progressive efforts to reduce water pollution while pioneering to achieve new levels of environmental stewardship. The project should adopt the goal of eliminating net increases in sewage overflows from the project site to the sewage system serving the Yonker's Water Pollution Control Plant.

6321 (continued)

In Hunters Point, San Francisco, engineers and officials favored a decentralized system as the outcome of a year-long feasibility study linking new development to the city's CSO problem. After technical review, the San Francisco Hunters Point project settled on membrane bioreactors (MBR) as the most effective system. MBR combines multiple treatment processes into one step where grit and nitrogen are removed from the wastewater and then microorganisms are screened out via submerged synthetic membranes or layers. The MBR scored higher than the other methods in terms of footprint, water reuse potential, highest quality effluent, capital and operational costs, and public benefits such as health, safety, and odors.[47] We recommend that the Village, in the FEIS, examine the potential use of MBR and similar technologies for the purpose of designing a system that treats all wastewater flows from the project, including providing treated water to meet reuse demand.

1.4.15 Perform dredging and dredge spoil in a manner protective of natural resources (Policies 15, and 35, 35A, 35B, 35C, 35D, and 35E).

Not applicable.

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[45] Report available on-line at http://cfpub.epa.gov/npdes/cso/cpolicy_report2004.cfm.
[46] Report available at http://www.nrdc.org/water/pollution/sewage/contents.asp.
[47] San Francisco Public Utilities Commission, Hunters Point Shipyard Decentralized Wastewater Treatment Study, www.sfwater.org.

COMMENT LETTER NO. 63 (continued)

1.4.16 Handle and dispose of solid and hazardous wastes and effluents in a manner which will not adversely affect the environment nor expand existing landfills (Policies 34, 34A, 35, 35A, 35B, 35C, 35D, 35E, 36, 39 and 39A).

Not applicable.

1.4.17 Protect air quality (Policies 41, 41A, 42 and 43). 6322

Air impacts have not been adequately studied in the DEIS; the FEIS must quantify air impacts and discuss ways to minimize traffic and other sources of air pollution on the site.

1.4.18 Protect freshwater wetlands (Policy 44). 6323

Riverkeeper believes wetlands protection and restoration for the GM site also deserves further analysis in the FEIS.

1.5 Riverkeeper's Comment on the Public Trust Doctrine

The LWRP was adopted to assure the protection and beneficial use of the coastal resources. It specifically requires that municipal, State and federal agencies "consider the public's rights under the Public Trust Doctrine during their regulatory review of development proposals."[48] It goes on to say that "[i]n many cases it can provide a rationale for modifying or denying permits when an activity would impair public trust resources or if the use is inconsistent with the Public Trust Doctrine."[49]

Under New York law, for every purpose which may be useful, convenient or necessary to the public, the state has the right to make grants in fee or conditionally for the beneficial use of the grantee, or to promote commerce according to their terms.[50] The contemplated use, however, must be reasonable and one which can fairly be said to be for the public benefit or not injurious to the public.[51] The landmark case *Scenic Hudson Preservation Conference v. FPC* set a precedent explaining that the phrase beneficial public uses [in addition to recreational uses] "undoubtedly encompasses the conservation of natural resources, the maintenance of natural beauty, and the preservation of historic sites."[52]

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[48] LWRP, at II-49.
[49] *Id.*
[50] *Coxe* v. *State of N. Y.*, 144 N. Y. 396, 407.
[51] *Id.*
[52] *Scenic Hudson Preservation Conference v. FPC, 354 F.2d 608 (2d Cir. 1965).*

COMMENT LETTER NO. 63 (continued)

GM was granted land-under-water by the state of New York at a time when the consequences of landfilling on the river were largely unknown or ignored. The location of the plant required the rerouting of the mouth of the Pocantico River to the north, and the filling of a bay. The Public Trust Doctrine, a rule of law with its roots in the Roman Empire, is very clear that land under water, up to mean high tide is held by the state for the benefit of the public. Understandably, the public was benefited by the GM Plant, which brought the automobile industry to the state. When that use was discontinued the property was no longer used to benefit the public; the property owners are no longer making the beneficial use of the land that they were required to under the Grant; and the development proposed is in no sense, a public benefit. Former lands under water must be used to benefit the public. 6324

For almost a century, GM used this parcel for an industrial water-dependent use. Since 1997, this coastal resource was designated primarily for water-dependant commercial, cultural, educational, entertainment and recreational uses. GM/Roseland's proposal disregards the nature of this unique natural/man-made coastal resource. This coastal resource is priceless, unlike upland real estate property. GM/Roseland and the Village and cannot view it as a moneymaker by or as a tax-generator. The developer must return the landfilled-River to public beneficial uses with water-dependent, cultural, educational, entertainment and recreational elements and provide an access system to and along the Hudson River and the Pocantico River.

2. RF District Requirements

The Generic Environmental Impact Statement for the LWRP, which also reviewed the impacts of the RF District, states: *"Among the primary objectives of the RF District ... is the transformation of the existing manufacturing character along the Village's Hudson River waterfront into an area suitable for water-dependent and water-enhanced uses, featuring a balanced mix of uses, including small retail, offices, restaurants, residential, recreational and public uses."* [53] The Riverfront Development District (Local Law 4/97) was enacted under authority of the New York Coastal Program (Article 42 of the Executive Law of New York) to promote the policies and purposes of the LWRP.[54] The project's inconsistency with the LWRP causes a violation of the RF District requirements as well. 6325

Without LWRP consistency the lead agency cannot approve the Development Concept Plan or grant the Special Permit approval for projects with the RF District, requested by the applicant. Moreover, it fails the criteria for the RF District, the specific requirements for the special permit (it does not provide "meaningful permanent public access"), and the Riverfront development design standards.[55]

[53] GIES, LWRP p.6.
[54] Village Code, §62-5.1(A).
[55] *Id.*, §62-5.1(B)(E)(V).

COMMENT LETTER NO. 63 (continued)

Conclusion

As the decision-making agency, the Mayor and Board of Trustees must comply with SEQRA by taking a "hard look" at the "relevant areas of environmental concern and [taking] those concerns into account 'to the fullest extent possible.'" *Glen Head - Glenwood Landing Civic Council, Inc. v. Town of Oyster Bay*, 453 N.Y.S.2d 732 (App. Div. 1982). In considering the adequacy of an environmental impact statement, "[t]he test of its sufficiency is whether the EIS was compiled with objective good faith and whether the resulting statement would permit a decision maker to fully consider and balance the environmental factors." *Webster Assocs. v. Town of Webster*, 447 N.Y.S.2d 401, 414 (N.Y. Sup. Ct. 1981), *rev'd on other grounds*, 59 N.Y.2d 220 (1983). As it stands, this DEIS is clearly insufficient to provide the Mayor and the Board with the true environmental impacts of the proposal, and the range and detail of alternatives necessary to take the required "hard look" and make reasoned decisions under SEQRA, the LWRP and local laws. For this reason, the lead agency must address the numerous deficiencies in the DEIS and to provide fuller analysis. From the information gleaned from this DEIS, it appears the applicant must drastically revise the proposal to minimizing impacts to the full extent. Until and unless this is achieved, the proposal cannot go forward.

Riverkeeper appreciates this opportunity to submit comments. We anticipate the Mayor and the Board's continued deliberate and informed consideration of this proposal. If I may provide any clarification regarding the above comments, or additional information, please contact me at the address provided above.

Respectfully submitted,

Victor M. Tafur

Victor Tafur
Staff Attorney

COMMENT LETTER NO. 64

STATE OF NEW YORK
DEPARTMENT OF STATE
41 STATE STREET
ALBANY, NY 12231-0001

RECEIVED
APR 14 2005
ADMINISTRATOR

GEORGE E. PATAKI
GOVERNOR

RANDY A. DANIELS
SECRETARY OF STATE

April 5, 2005

Mr. Dwight Douglas
Village Administrator
Village of Sleepy Hollow
Village Hall
28 Beekman Avenue
Sleepy Hollow, NY 10591

Dear Mr. Douglas:

Thank you for sending to our office the Draft Environmental Impact Statement (DEIS) for Lighthouse Landing at Sleepy Hollow and for discussing the Village's concerns with the project. Our comments, which follow, reinforce the major points raised by the Village.

Sleepy Hollow's Local Waterfront Revitalization Program (LWRP) provides a detailed comprehensive land and water use plan for the Village's waterfront area. The Village's vision for the redevelopment of the General Motors (GM) site, as presented in the LWRP, provides for a mix of uses which should include, as a priority, water dependent commercial, water dependent and water related public recreational uses, and waterfront related public education and entertainment (see LWRP Policy 1H). The LWRP also calls for development on the waterfront to be compatible with the character of the area, with consideration given to among other things, scale, density and protection of nearby residential areas from traffic. This concept for the site is carried throughout the LWRP and is implemented, in large part, through the Village's Riverfront Development (RF) zoning district. 6401

The Lighthouse Landing project does not reflect the foregoing, and appears to conflict with this vision. The DEIS does not sufficiently justify redevelopment of the GM site without water-dependent commercial or a wider range of water-related public recreational uses. Table III.A-1 in the DEIS summarizes the LWRP policies and the proposed plan to redevelop the GM site, but neither the table nor any other part of the DEIS, adequately analyzes the effects of the redevelopment plan on, and its consistency with, the polices and purposes of the LWRP and the land and water uses plan contained in it. In addition to the policy statements themselves, the project must be evaluated for consistency with the LWRP policy standards and conditions included as policy explanations. This is important because the policies are implemented, in large part, through the proposed land and water use and zoning maps included in the LWRP. All specify that redevelopment of the GM site provide for some type and level of water-dependent uses. Other than a potential recreational fishing pier, the current proposal does not provide for water-dependent uses. Alternatives providing for more water-dependent uses should be included in the EIS.

The Division of Coastal Resources is also concerned with the density and intensity of uses being proposed at the site. The project includes more than 1,500 residential units, 180,000 square feet of retail space, 50,200 square feet in office space and a 147-room inn. As proposed, we believe it is not in keeping with the 6402

COMMENT LETTER NO. 64 (continued)

existing character of the Village. Maintaining this existing character, as "in the spirit of an old Hudson River waterfront community image," is required throughout the LWRP and is reinforced by the State's Coastal Management Program policies. 6402 (continued)

The DEIS also does not provide a satisfactory description and evaluation of the range of feasible, reasonable alternatives to redevelopment of the site primarily for residential uses. The lower density alternatives presented in the DEIS simply decreases the number of residential uses on the site by approximately 6% (100 units) or 12% (200 units) without any reconfiguration of the project or reduction in site building coverage. The FEIS should analyze more scaled back alternatives, with a greater reduction in residential units, a mix of commercial and other water-dependent and water-related uses, and increased open space, especially adjacent to Kingsland Point Park. Such alternatives may mitigate traffic issues and help to bring the development more in line with the existing community character of the Village. With a greater reduction in residential units at the site, and an increase in water-dependent uses, alternatives should be able to be identified that would advance implementation of the Village's LWRP. 6403

If commercial water-dependent and water-related uses would not be appropriate at the GM site, the FEIS should include a detailed summary of assessments leading to, or supporting, such a conclusion.

Notwithstanding the above, please note that if any element of this proposal will require authorization from a federal agency, the proposed activity would be subject to the consistency provisions of the federal Coastal Zone Management Act and implementing regulations in 15 CFR Part 930. In that instance a complete copy of the application to the involved federal agency, a completed Federal Consistency Assessment Form and certification, and all necessary supporting data and information should be provided to the Department of State at the same time it is provided to the involved federal agency. Additional information regarding these requirements is available from the Department's web site at nyswaterfronts.com. 6404

If you have any questions regarding these comments, please contact me at 518-473-0353.

Sincerely,

Bonnie Devine
Coastal Resources Specialist
Division of Coastal Resources

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COMMENT LETTER NO. 65

Westchester ...ov.com

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APR - 4 2005
ADMINISTRATOR

Andrew J. Spano
County Executive

County Planning Board
April 4, 2005

Dwight Douglas, Village Administrator
Village of Sleepy Hollow
28 Beekman Avenue
Sleepy Hollow, NY 10591

Subject: **Referral File No. SLH 05-001 – Lighthouse Landing at Sleepy Hollow**
Draft Environmental Impact Statement

Dear Mr. Douglas:

The Westchester County Planning Board has received a notice of completion of a draft Environmental Impact Statement (EIS), notice of SEQR hearings, a copy of a draft EIS dated accepted January 11, 2005 and a set of site plans for the proposed Lighthouse Landing at Sleepy Hollow development. We have summarized our understanding of the components of the application in the attached "Background on Referral" report.

The County Planning Board has reviewed the draft Environmental Impact Statement and site plans under the provisions of Section 239 L, M and N of the General Municipal Law and Section 277.61 of the County Administrative Code. We have the following comments and recommendations.

1. RELATIONSHIP TO PATTERNS

This project concept is consistent with ***Patterns for Westchester***, the County Planning Board's long-range land use policy document which calls for the channeling of development whenever possible to centers where infrastructure can support growth, where public transportation can be provided efficiently and where redevelopment can enhance economic vitality. The placement of a mixed-use community on a vacant, industrial parcel along the waterfront in the center of an existing village, with the potential for easy access to transit, meets these goals.

Careful consideration must be given to various aspects of the proposal including density, layout, design and off-site impacts. Two aspects which relate directly to the policies of ***Patterns*** are density and public access.

a. **Density**. The provision of 1,562 dwelling units for the site translates to 16.5 dwelling units per acre, a figure which is in the general range recommended by ***Patterns***, assuming potential impacts can be addressed. Beyond the provision of municipal services, an obvious impact of density is often traffic. However, in determining appropriate density, a balancing is required. While a development on this site with much lower density would likely equate to fewer residents driving

6501

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into and out of the site, the lower number of residents could have negative effects on the viability of the retail element to serve a local market that may be in walking distance. For example, fewer customers in the immediate area would require retailers to sell higher-order goods and services to reach a wider geographic market area in order to make a profit. This would then necessitate people from other parts of the region to drive in to shop at these stores and thus add to the local traffic. The success of Lighthouse Landing will rely on matching a density with a mix of retail that can minimize automobile trips. The optimal density approved for the project should be one that addresses these impacts most efficiently. 6501 (continued)

b. **Public access**. Part of what defines a community is the fact that much of the space within it is open to the public, including roads, walkways and parks. From the descriptions in the draft EIS, it is clear that the waterfront open space and the Devries Park expansion are to be placed under public ownership while the pocket parks are to stay privately owned. What is not discussed is ownership of, and access provisions for, roads within the development, walkways and other public-appearing facilities. This aspect should be addressed and defined. 6502

2. DESIGN CONSIDERATIONS

The proposed site plan makes good use of the traditional grid street pattern for the creation of a transit oriented development that would be an extension of the village. However, it is difficult to fully envision the overall impact of a development of this scale and to appreciate all of its aspects based on a review of site plans. We encourage the Village to request the applicant to prepare a model that could provide a three dimensional view of the project along with other forms of elevations and perspectives. Part of this effort should include means to show how the new development will relate to the existing village uphill of the site and address sightlines and viewsheds, such as the view from Barnhart Park. 6503

Based solely on the material presented in the draft EIS and shown on the site plans, we have identified several aspects that we believe could be revised so as to improve the overall design concept, to promote greater walkability, to better integrate the mix of uses and to promote transit use. We recommend that the Village consider the following:

a. **Location and features of train station access**. As shown on the plans, the proposed Metro-North station platform access point is located behind Building 13, tucked away from view. This location will prevent residents from having a direct walk to the station as, in all cases, they will be required to walk around Building 13 and through a parking area in order to access the trains. In addition, beyond the construction of platforms, the draft EIS does not discuss the construction of a station building or the provision of station amenities such as a newsstand or coffee bar. 6504

We recommend that the proposed train platform access point be relocated and placed at a new formal east end of Road Three so that it – and some type of station building - could form a prominent anchor at the end of this street. One alternative means to accomplish this anchor concept would be a switch in the locations of Building 13 and Building 14 (the proposed community center). Building 14 could be integrated with, or expanded to serve as, a new station building. This combination of community center/train access point could be ideal as such a

6504 (continued)

building would become a natural focal point for residents. We note that train stations and community centers are focal points for many Hudson River communities.

6505

b. **Location of Bridgeview Boulevard (Road Two)**. The site plan shows the layout of a long boulevard-style street (named "Bridgeview Boulevard") located in the west section of the site where it would be flanked by town homes for the majority of its length. This type of boulevard would create an axis and provide views of the river and the Tappan Zee Bridge through Lighthouse Landing. However, the north end of the boulevard will not have a defining feature as it is show to end with an entrance to a parking lot for Kingsland Point Park. In addition, a wide boulevard may not provide the most appropriate road frontage for low-rise town homes.

We recommend that consideration be given to switching the location of "Bridgeview Boulevard" to Road Three. By moving the boulevard layout eastward one block, the axis discussed above with regard to the train station/community center would be enhanced with the river/bridge at the south end and the train station/community center at the north (east) end. Furthermore, the use of a boulevard layout may be more appropriate with the higher density buildings shown to be located along Road Three. The wide boulevard would serve to break up the larger building masses presented by the multi-family apartment buildings and would make Road Three more suitable for ground floor retail uses. Placing additional, local-oriented retail along this relocated boulevard would allow residents to purchase basic goods and services without needing use of a car. Stores located along Road Three would be within a short walk of all of the proposed dwelling units and would be on the walking path to the train station.

6506

c. **Streetscape features**. The streetscapes along Beekman Place and a relocated Bridgeview Boulevard warrant additional attention to maximize their "walkability." The proposed building cut-throughs in buildings 2n, 3n, 6s and 7s should be designed to be prominent pedestrian friendly places that are wide and inviting. In addition, we recommend that sidewalk bump-outs be placed on Beekman Place at those locations with mid-block pedestrian crosswalks to connect the cut-through on each side of the street. Such revisions would create a more pedestrian friendly environment.

We note that the site drawings show proposed tree-pits for street trees measuring six feet by twelve feet in size. If these tree pits were to be constructed as above ground pits and double as bollards, their large size could create obstacles for pedestrians. The applicant should be requested to provide more information about these features and the type of plantings. (If the proposed tree pits are to be flush with the sidewalk surface, then they should not present a problem.)

6507

d. **Layout of supermarket**. The site plan appears to show that the proposed supermarket (Building 8) will have its primary entrance from the second level of a parking structure at the rear of the building. It is not clear if there would be any pedestrian access from either Beekman Place or Road Four. An orientation of this store toward a parking structure and not toward the new streets would undermine the overall Lighthouse Landing design concept. While it is probably necessary to maintain a rear vehicular-oriented entrance and drop-off area for the supermarket

(since many supermarket trips involve carrying large amounts of groceries), easier access to the supermarket should be provided for people who wish to walk to the store. 6507 (continued)

In addition to access, we are concerned that the architectural renderings appear to show that the supermarket will have either a blank wall or window treatments with no pedestrian access along the street frontages, creating a dead streetscape. As an alternative, we recommend that consideration be given to placing supermarket entrances on both Beekman Place and Road Four either as direct entrances or as entrances via specialty shops (e.g. floral department, pharmacy) that may be part of the supermarket. The appearance and visual impact of the two-story parking garage, which is shown to extend 400 feet along the south side of Road Four, should also be carefully considered. Blank facades could be enhanced with art work, murals, window displays or similar type improvements.

e. **Beekman Avenue train station access**. The site plan shows the provision of stairways from Beekman Avenue to the new train station platforms as a means to facilitate pedestrian to the trains. While we consider this a necessary component of the new station, we are concerned about how this section of Beekman Avenue will function when used as a drop off/pick up location for train passengers. We encourage the Village to require the applicant to address this aspect. One possible solution could involve creation of a pull-off area or half-circle driveway where vehicles – and buses - could drop-off or pickup passengers out of the flow of Beekman Avenue traffic. In addition, consideration needs to be given to improvements that meet ADA requirements. 6508

f. **Beekman Avenue/Beekman Place intersection**. The proposed intersection of Beekman Avenue and Beekman Place is shown unsignalized with traffic channelized through a proposed triangle. According to the plans, westbound traffic on Beekman Avenue would enter Lighthouse Landing/Beekman Place via a yield condition along the side of the supermarket. The remainder of traffic at this intersection would be directed toward a T-intersection with a stop condition for vehicles traveling out of the development. No stop conditions are proposed for Beekman Avenue traffic. 6509

The proposed intersection layout may not present an optimal or safe scenario for pedestrians. Adjacent to the intersection are three potentially heavy pedestrian traffic generators: the supermarket, a movie multiplex theater and a retail building. Given the arrangement of the intersection, it is questionable if crosswalks can be placed to connect the new uses to each other in a way that will allow pedestrians to safely cross the various traffic lanes. We recommend that this intersection be redesigned to specifically accommodate pedestrian needs. The provision of a traffic signal may be warranted.

g. **Architectural standards**. We commend the applicant's efforts in compiling the extensive examination of the proposed architectural standards for the project. However, we encourage the applicant to employ a greater amount of depth variation with the various buildings to prevent them from looking like singular structures with varying applied facades. In addition, as much attention should be focused on all buildings as has been placed on the building facades along Beekman Place. 6510

3. OPEN SPACE PROVISIONS

The draft EIS states that the applicant and the Village have agreed that the Village should lead the site planning and design effort for the riverfront open space within the West Parcel and the open space and municipal uses within the East Parcel. The Village engaged the design firms of Beyer Blinder Belle and EDAW to develop a master plan for those areas of Lighthouse Landing, as well as the adjoining parklands to the north. The site plans discussed in the draft EIS incorporate the plans for the waterfront prepared for the Village through the Village Open Space Master Plan (2004). The draft EIS does not discuss funding, timing and responsibility for implementing the improvements.

a. **Westchester RiverWalk**. It is anticipated that the Village will agree that a portion of the eight-acre waterfront area will be used for a segment of the Westchester RiverWalk. We note, however, that the concept of RiverWalk is not specifically mentioned in the draft EIS. The public open space along waterfront is proposed to be between 80 and 250 feet wide. The riverfront open space would be owned by the Village and the activities occurring within that area would be determined by the Village. The draft EIS states that, at the request of the Village, the applicant would be willing to provide playground areas within the riverfront open space. The plans shown in the draft EIS propose a dual riverfront walkway system with one path to be shared with bicyclists generally running along the perimeter roadway and the second located closer to the river's edge, primarily for pedestrians only. No bicycle lanes are proposed on any of the streets to connect to the multi-use path. 6511

The funding, timing and responsibility for implementing improvements along the waterfront should be discussed as part of the EIS process. This discussion should include a focus on increasing activity, particularly water and river based activities, along the riverfront, including the potential of a dock(s). The applicant should be expected to make a major contribution to this effort that goes beyond the setting aside of land. In addition, the RiverWalk component should incorporate appropriate recommendations of the RiverWalk Guidelines manual. Consideration should be given to bicycle route linkages to the waterfront from nearby neighborhoods including the designation of bicycle lanes. 6511 (continued)

b. **Devries Park Expansion**. Within the East parcel, 7.6 acres are envisioned by the Village for the expansion of the Village's Devries Park while 7.6 acres are contemplated by the Village for other public uses. The plans show that the Devries Park expansion would contain two soccer fields and two basketball courts along with a parking area. The draft EIS does not discuss financial responsibility for the construction of new facilities or the timing for construction. 6512

c. **Transition to Kingsland Point Park**. The site plans show that the West Parcel's boundary with Kingsland Point Park will be paralleled by "Road One" and on the opposite side will be blocks of town homes. The town homes are shown to face in towards each other in entry courtyards with garage entrances placed in alleys running perpendicular to the park border. The northernmost corner of the West Parcel is shown developed with a new entry point to Kingsland Point Park and an expanded parking area. 6513

The relationship of Kingsland Point Park to the new development requires discussion, particularly between the Village (the park operator) and the County (the park owner). The function of the park and its role in the community should be defined. While many passive urban parks meet the neighborhood at the street line and serve as open extensions of the community and walkways, in other situations certain park uses may warrant separation from development. Views from the park are as important as views to the park. The treatment of the long, shared border should reflect the outcome of this discussion. The current site plan does not appear to reflect an acceptable approach. In addition, if the environmental review results in a reduction of density for the development, we would recommend that buildings be moved away from the border of Kingsland Point Park as well as along the riverfront so as to create broader expanse of riverfront open space. 6513 (continued)

4. NEW METRO-NORTH RAILROAD STATION

The development plans include establishment of a new Metro-North Railroad station located on the Harlem Line tracks that separate the site's East and West Parcels. The station would also be accessible via stairways from Beekman Avenue where the street bridges over the tracks. The south end of the station would be located under Beekman Avenue while the north end of the station would feature a pedestrian overpass providing a direct connection to the station from both the East and West Parcels. Vehicular access to the station would be via the existing viaduct from Beekman Avenue to the East Parcel, which would connect to a proposed 400-space parking lot for rail users. Vehicular access from the West Parcel would be limited to a drop-off zone as it is intended that residents of the West Parcel with either walk to the station or take a shuttle bus which would be provided by the applicant. In addition to the comments above on train station access, we highlight several other aspects for more consideration:

a. **Public funding for station**. The draft EIS states that the new station is subject to Metro-North approval and the availability of sufficient public funding, implying that the cost of station construction and maintenance would be the responsibility of Metro-North, the Village or other public entity. Because this station will directly serve and benefit project residents and is presented in the draft EIS as a form of traffic mitigation (coupled with the likelihood that such a station could not be justified without the Lighthouse Landing project), it is not clear why the applicant does not propose to fund or to contribute funding to pay for station construction and maintenance. This aspect should be examined. 6514

b. **Operational issues for station**. Due to the short distance (1.3 miles) between the existing Philipse Manor and Tarrytown stations, the placement of a new station in the middle (approximately 0.6 and 0.7 miles from each, respectively) may cause operational problems for the railroad since trains may not have sufficient time and distance to properly accelerate and decelerate. The draft EIS notes that the impact on travel times and passenger capacities may be negligible to minor. If closely spaced stations prove problematic for train operation, perhaps something similar to a skip-stop service could be used. The applicant and Metro-North should work together to come up with an operations plan that would permit the new station since a station would best support increased mobility and reduce reliance on private cars. 6515

c. **Parking at station**. The applicant is proposing the construction of a 400-space parking lot for the new station on the east parcel. The potential users of this parking facility should be identified and traffic impacts considered. The draft EIS states that consideration could be given to allowing shared use of the parking lot on weekday evenings and on weekends by non-permit holding residents, users of the open space/soccer fields on the East Parcel and Beekman Avenue retail customers. This is a very reasonable idea. 6516

d. **Alternatives if station is not built**. In the event that a new train station is not constructed, the draft EIS presents an alternative. Under this scenario, the applicant would provide shuttle service for project residents and employees to either or both the existing Philipse Manor train station and the Tarrytown train station. According to the draft EIS this shuttle service would eliminate demand for commuter parking at the existing train stations by project residents. This may be an unrealistic, and unenforceable, outcome. 6517

5. TRAFFIC IMPACTS

According to the traffic study in the draft EIS, existing conditions for 25 intersections within the study area range between levels of service (LOS) A through C for peak travel periods with the exception of two intersections which fare poorly with LOS E and F. These two intersections are Route 9 at Beekman Avenue (signalized) and Route 9 at Franklin Street (unsignalized). 6518

The traffic study then describes future "no-build" conditions if the project were not to be constructed. This analysis does include in the calculations as given the new traffic from several other developments in the area, including Ferry Landing in Tarrytown. Under this scenario, six of the 25 study intersections would fail (LOS F) in the AM peak, nine intersections would fail in the PM peak and five intersections would fail in the Saturday peak. These calculations do not reflect any possible mitigation measures that might be required to be put in place by applicants of the other proposed projects.

For the build scenario with the new train station, the traffic analysis found 12 intersections would fail in the AM peak, 13 would fail in the PM peak and nine would fail in the Saturday peak. This represents a cumulative impact from the project which will result in three additional intersections failing in the AM peak, four additional intersections failing in the PM peak and four additional intersections failing in the Saturday peak. The draft EIS states that the applicant would contribute a fair share to mitigate these identified impacts at 13 intersections. The mitigation measures range from traffic signal re-timings to turn lane additions. It should be noted, that in most locations the addition of a turn lane to an intersection would require the loss of on-street parking.

For the build scenario without the new train station, the traffic analysis found results very similar to the scenario with a new train station, reflecting the study's assumption that no one would drive from Lighthouse Landing to an adjacent train station, but would instead take the proposed shuttle bus.

6518 (continued)

Failure of Intersections (LOS F) Out of 25 Intersections Studied

	Peak AM	Peak PM	Saturday Peak
No-build	6	9	5
Build w/ train station	12	13	9
Build w/o train station	11	13	9

The traffic analysis does not address the potential role of non-motorized transportation (bicycling and walking) for local trips. These trips could be facilitated through expanded bicycle facilities such as bicycle lanes on roads and bicycle parking, on and off the Lighthouse Landing site.

6. RETAIL COMPONENT

6519

The draft EIS states that the types of retailers planned for Lighthouse Landing will be significantly different than those currently operating in the immediate area. The majority of the new retailers are described as being national, regional and local chains rather than independently-owned neighborhood retailers such as those now found along Beekman Avenue, Main Street and Route 9. The draft EIS states that because of this proposed retail mix, the development of Lighthouse Landing is not anticipated to have a negative impact on the commercial character of the immediate area. It is also significant to note that all of the proposed retail use is shown to be located along the new Beekman Place. Both the EIS description of the proposed retailers and the site plan location of the retail space fit the overall outline of a shopping mall proposal. This raises questions that should be further explored as the establishment of a retail magnet could present inconsistencies with other parts the EIS analysis. Stores should be built and designed in flexible modular components that will provide the greatest options in the future if the concept of national chain stores is not successful or in the converse allows for the expansion of those stores that succeed without redesigning or rebuilding.

6520

a. **Market area for proposed retailers.** The draft EIS traffic study states that "45% of the retail traffic would originate from on-site during the peak AM and peak PM hours and 44% of the retail traffic would originate from on-site during the peak Saturday hour." This statement may or may not conflict with another observation in the draft EIS that the mix of retailers will include a substantial portion of higher order goods and services, which presumably draw from a larger geographical area. While a final tenant mix for project is not determined, the draft EIS indicates that the project will likely include several tenants often considered destination anchors including a 26,000 square food market, a 24,000 square foot multi-screen cinema and a 20,000 square foot bookstore. In addition, approximately 40,000 to 50,000 square feet will be devoted to national, regional and local restaurants. Much of the remaining space will be targeted toward retailers selling apparel and accessories, gifts and home furnishings. Most of these uses could be expected to draw costumers from neighboring towns and villages.

As the types of retail establishments that are proposed become more defined, the applicant should clarify more precisely the types of retail tenants which are proposed. The final retail mix will ultimately determine a substantial portion of the traffic that will be generated, as well as the ability

of the retail portion to meet the needs of local residents without requiring them to make a vehicular trip. 6520 (continued)

b. **Integrating retail to serve future residents**. As noted, the proposed layout places almost all of the new retail uses along the proposed Beekman Place which is to be the "Main Street" of the new development. While residential apartments will be located above the stores along Beekman Place, the majority of new dwelling units will be located in buildings containing only residential uses in the area to the north of Beekman Place. While the aim of the development is to create a walkable downtown environment similar to other Hudson riverfront communities, the proposed layout may not accomplish this goal. Placing all retail along Beekman Place will create a long walk for most residents who may be unwilling to walk for the purchase of certain goods, particularly convenience-type items (assuming that such retailers will be present on Beekman Place). Perhaps this is one reason why the traffic analysis identifies "45% of the retail traffic would originate from on-site during the peak AM and peak PM hours." 6521

Something seems to be lost if these new residents are assumed to drive and not to walk in this new downtown. A seemingly more appropriate layout would place some retail throughout Lighthouse Landing, mimicking the "corner store" and neighborhood restaurant. Placing retail along a relocated Bridgeview Boulevard as describe above, would be one way to do that. This change could address goals of improving the pedestrian environment, decreasing on-site traffic and improving air quality.

c. **Relationship to existing commercial uses**. While the presence of national chain retailers may serve to compliment the existing businesses in the Village, they could also have an opposite effect, depending on the types of goods and services offered. As this project moves through the approval process, careful attention should be paid to the types of retailers to ensure that they do not undercut existing businesses. 6522

In addition, page III C-20 of the draft EIS offers several ideas as to how the Village could integrate its existing Beekman Avenue retail district into the new development. As it stands now, this text serves as advice and not a description of action that the applicant can take to ensure integration. The Village should consider requiring the applicant to help make some of these ideas a reality through financial or other assistance.

7. REGIONAL AND LOCAL BUS TRANSIT SERVICE

Bee-Line bus route #13 currently stops 1,300 feet east of the West Parcel on Beekman Avenue. This bus runs between Port Chester and Ossining via White Plains. An additional 20 runs of Route 13 originate or terminate at the Tarrytown train station, cutting out the Ossining service. The draft EIS suggests that a change in the route used by the 13 bus may be possible so as to include a stop at or near the intersection of Beekman Avenue and Beekman Place adjacent to the site. This matter should be pursued in discussion with the County Department of Transportation as it would be beneficial to provide direct bus transit service to Lighthouse Landing. 6523

There may also be an opportunity to provide a local circulator bus service through both Sleepy Hollow and Tarrytown that would link all waterfront developments with the "uphill" downtowns. Such a service could be planned in concert with the train station shuttle service proposed by the applicant and with access plans advanced by other waterfront project developers in both villages. Combining the resources and opportunities in both villages to create a unified bus circulator or shuttle service would be efficient and practical. Potentially such a locally supported service could utilize, at least in part, the existing Bee-Line route #13 service to Tarrytown by possibly extending the service from its current terminus in Tarrytown to include a circular run through the two villages. Now is the best opportunity for the villages, along with the private developers, to explore this and other local transit possibilities. 6523 (continued)

8. WATERFRONT BOAT ACCESS

The draft EIS dismisses potential ferryboat access to the site via a new ferry pier due to duplication at nearby sites that are better located on a deep water channel. While this is a reasonable conclusion, the Village should consider the need/suitability for access point(s) for smaller boats such as canoes and kayaks. Currently, the Hudson River Valley Greenway is developing a Hudson Water Trail for use by canoes and kayaks traveling up and down the Hudson River. The applicant should consider adding an amenity to the site so as to be a part of this proposed tourism effort. This could perhaps be done as part of the proposed fishing pier, if the fishing pier is deemed feasible. 6524

9. AFFORDABLE HOUSING

The inclusion of 100 senior affordable units as part of this proposal is commendable. The draft EIS also states that 21 of the condominium units will be "offered with pricing incentives for local public employees and volunteer fire fighters and local ambulance corps members," however no further definition of "pricing incentives" is given. The Village and applicant should consider making these units comply with Westchester County's affordable housing guidelines so that they will stay affordable for successive generations. 6525

10. EMERGENCY PLANNING AND RESPONSE

During scoping, we recommended that the draft EIS include a discussion of emergency planning and response to provide an analysis of how a community of this size, located within an area of limited access, could be evacuated or cared for in the event of a natural or man-made disaster. This topic is not discussed in the draft EIS to any detail. Since it is likely that evacuations or emergency supplies would involve water transportation at this location, it may be appropriate that aspects of project design take this into consideration. For example, features such as gates in protective fencing along the waterway and a bulkhead design that allow boats to pull in flat are recommended by emergency service planners for inclusion in waterfront developments. 6526

11. SCHOOL IMPACTS

The draft EIS notes that between 109 and 217 school age children may ultimately reside in the proposed development. According to a Tarrytown Union Free School District report shown in the 6527

draft EIS, the total pre-K-12 building capacity is about 2,425 students while current student enrollment is 2,493. At the current time, the report notes, general capacity has been increased at the expense of art, music, library, student support programs and storage space. The report also noted insufficient cafeteria space at middle/high school. While the additional school-age children that will live at this project will likely create a burden for the local school system, the draft EIS states that a significant amount of additional tax revenue will become available to the school district from the project.

6527 (continued)

Thank you for providing us with the opportunity to comment. We would be happy to work with you to provide solutions to the topics identified here.

Respectfully,
WESTCHESTER COUNTY PLANNING BOARD

By:

Edward Buroughs, AICP
Deputy Commissioner

EEB/LH

BACKGROUND ON REFERRAL

PURSUANT TO SECTION 239 L, M, N of the GENERAL MUNICIPAL LAW
and SECTION 277.61 of the COUNTY ADMINISTRATIVE CODE

REF. FILE NO.: **SLH 05-001** PUBLIC HEARING: various dates

MUNICIPALITY: Village of Sleepy Hollow COMMENT PERIOD ENDS: April 4, 2005

Name of Action:	**Lighthouse Landing**
Application Stage:	**Draft Environmental Impact Statement**
Lead Agency:	Sleepy Hollow Board of Trustees
Referral Jurisdiction:	Special Permit, Site Plan

Property size and location: 94.5 acres (96.22 acres total includes 1.72 acres of underwater land) of the former GM plant site located along the Hudson River in the southwest corner of the Village. The property is divided into three distinct parcels:

- *West Parcel*: 64.5 acres bounded by the railroad tracks to the east, Kingsland Point Park to the north, the Hudson River to the west and Beekman Avenue and the Ichabod's Landing development to the south.
- *East Parcel*: 28.3 acres bounded by the railroad tracks to the west, Devries Park and the Pocantico River to the north, Philipsburg Manor and Kendall Avenue to the east and Barnhardt Park to the south.
- *South Parcel*: 1.7 acres bounded by Beekman Avenue to the north, River Street to the west, Hudson Street to the east and an adjacent property to the south.

Site history and characteristics: The property was the site of the General Motors Tarrytown plant, which ceased operation in 1996. Shortly thereafter, the plant was demolished. The site currently consists of concrete slabs (40-45% of the West Parcel) that are on grade or with crawl space below, sitting above a pile system that supported the buildings. The spaces beneath the slabs range from zero to approximately six feet in height. The slabs, which formed the floors of the former GM plant buildings, are surrounded by asphalt paving, previously used for plant circulation and parking. In 1997, the Village rezoned the property into the RF District, which permits "riverfront development" by special permit granted by the Village Board.

Proposed development: The draft EIS describes the proposed mixed use development as being "the signature example of Hudson River waterfront redevelopment in Westchester County." (The applicants are General Motors and the Roseland Property Company; Roseland's largest development in the region is Port Imperial, a two-mile long 200-acre master planned community along the Hudson River across from midtown Manhattan.) Fifteen major buildings would be constructed, a new internal road network would be created with parking for 3,700 vehicles and a new Metro-North train station is contemplated. Building heights are described as between three and five stories with the predominant height being four stories (40 to 65 feet). Construction is anticipated to be completed in seven years.

The proposal includes the following elements:

Retail - 180,000 square feet. The retail element is proposed to be located in buildings along a new road on the West Parcel called "Beekman Place" which would connect directly to Beekman Avenue and be oriented toward the lighthouse on the river. The plans call for all buildings along Beekman Place to have ground floor retail, restaurants and personal service establishments along the street frontage. A 26,000 square foot supermarket would anchor Beekman Place at its eastern end. A 24,000 square foot movie theater is proposed for the South Parcel.

Residential- 1,562 units. All residences would be located on the West Parcel - 922 rental apartments owned by the applicant, 216 condominium apartments, 224 town home units and 200 senior apartments. Some apartments would be located above the retail along Beekman Place while additional apartments would be located in multi-family buildings in new blocks to the north. Town home units would generally be placed along the western portion of the property near the waterfront. The senior apartments would be located on the eastern edge of the West Parcel adjacent to the Metro-North tracks. Of the senior apartments, 100 are described as meeting the definition of affordable units as per Westchester County guidelines. Of the condominium units, 21 are described as to be "offered with pricing incentives for local public employees and volunteer fire fighters and local ambulance corps members." The proposed unit mix is:

Rental apartments:	461 1BR, 369 2BR and 92 2BR with den units
Condominium apartments:	22 1BR, 172 2BR and 22 2BR with den units
Town homes:	224 3BR
Senior apartments:	120 1BR, 80 2BR

Office- 50,200 square feet. A single, two-story office building is proposed to be located at the southeast corner of the West Parcel along Beekman Avenue.

Hotel – 147 guest rooms. A boutique hotel is proposed for the southwest corner of the West Parcel at the end of the proposed Beekman Place on the Hudson.

Open space – 26.7 acres. Of the land area shown to be set aside as open space, three acres on the West Parcel would become publicly accessible open space in the form of pocket parks and landscaped medians owned by the developer and 23.2 acres are described as being offered to the Village:

- 8 acres along the waterfront on the West Parcel would be donated for waterfront access and a potential segment of RiverWalk, to be developed as recommended by the Village's Open Space Master Plan.
- 7.6 acres on the East Parcel would be donated for an expansion of Devries Park for additional playing fields.
- 7.6 acres of the East Parcel would be donated for a potential expansion of the Philipsburg Manor Restoration or other municipal uses.

Municipal use – 9.3 acres. The applicant proposes to dedicate 7.4 acres on the East Parcel to the Village as a site for a new Public Works facility. An additional 1.9 acres on the East Parcel located under an access viaduct would be donated to the Village; the viaduct would remain to provide access to the East Parcel from Beekman Avenue.

Private uses for residents. A number of internal courtyards within buildings would be provided for exclusive use by residents. A one-story 14,100 square foot community building is proposed to house activity rooms and health club facilities for use by residents. The community building may include a business center, conference room, fitness center, indoor basketball court, game room, etc

Proposed access: Vehicular access to the West Parcel would be via Beekman Avenue and River Street which would connect into the proposed Beekman Place. The East Parcel would be accessed via Continental Street as well as the existing access viaduct from Beekman Avenue. The South Parcel would have vehicular access from River Street.

Transit access to the site is proposed through the construction of a new rail station for service on the Metro-North Railroad Hudson Line. The station would provide a pedestrian connection between the East and West parcels and would also have direct stair access from the platforms to the sidewalk along Beekman Avenue. If the rail station were to be constructed, approximately 3.8 acres of the East Parcel will be retained by the applicant for the construction of the 400-space commuter parking area, which will be open to public use but owned by the applicant. The parking area would be accessed from Continental Street or the viaduct from Beekman Avenue. Establishment of a new rail station is subject to Metro-North approval and, as per the EIS, the availability of sufficient public funding. If it is not constructed, the EIS notes that shuttle bus service would be provided by the applicant to link residents to the Tarrytown and Philipse Manor stations.

Density: The establishment of 1,562 dwelling units for the site would result in an approximate density of 16.5 dwelling units per acre, a density slightly lower than the existing density of 17.1 dwelling units per acre within the adjacent neighborhoods. The ***Patterns*** map places the site in an area appropriate for a density of between 13 and 51 dwelling units per acre. Under current zoning, the maximum theoretical yield is 1,904 dwelling units. The overall proposed floor-area-ratio (FAR) for the development is 0.67. The appropriate FAR identified by ***Patterns*** is 0.4 to 1.6.

The draft EIS includes three alternatives with different densities - a higher density plan with 1,662 dwelling units, a lower density plan with 1,462 dwelling units and a second lower density plan with 1,362 dwelling units.

Utilities: Three new direct connections to a County sanitary trunk line are proposed. The draft EIS states that the County Department of Environmental Facilities has advised the applicant that the sanitary sewer system has sufficient capacity for the higher flow. Portions of some proposed buildings are shown to be located over the existing County sanitary trunk line.

The draft EIS states that there is sufficient public water supply capacity for the proposed project but also notes that the existing Village water storage tank is currently undersized to meet regulatory storage requirements, even in the absence of the project. The EIS states that the Village is currently evaluating sites within the Village boundaries and neighboring areas within the Town of Mount Pleasant to locate a new Village water storage facility. It further notes that in the event implementation of a new Village water storage facility is delayed, an on-site water storage facility to serve the needs of

the project could be constructed on the East Parcel. In letters dated September 20, 2004 and February 9, 2005, the County Health Department advised the Village that the Village must satisfy water storage requirements before consideration can be given for additional demands on the system.

Compliance with zoning: The project is described by the draft EIS as complying with all Village zoning requirements although it notes that the applicant may seek a height variance for portions of two buildings that are within an area limited to 42 feet in height.

Design approach: The draft EIS documents a research effort by the applicant to document and define "the spirit of an old Hudson River waterfront community" through an analysis of seven communities (Cold Spring, Hudson, Nyack, Ossining, Sleepy Hollow, Tarrytown and Troy. Based on the research, a set of "exterior design principles" was developed that includes consideration of LEEDS certification. Extensive visual examples and details of potential building facades with sample building materials are presented in the draft EIS, including façade treatments and elevations for the buildings that would front on the new Beekman Place. However, similar detail and considerations are not presented for buildings on all of the other new streets, including structures that would front on the waterfront park and Kingsland Point Park.

Structural system: The draft EIS describes construction as requiring the removal of all existing concrete slabs so as to allow the construction of new one-level "subsurface" parking garages beneath most buildings. The parking garage level would actually be at elevation 7 feet. This activity will require the removal of 40,000 cubic yards of concrete slabs and 13,000 cubic yards of existing asphalt. As all new roadways are proposed to be built on earth fill, the EIS estimates that a net of 200,000 cubic yards of fill material will need to be imported to the site. All new buildings and roads will be placed above the 100 year flood elevation.

Relationship to Kingsland Point Park: The northwest property line of the site is shared with Kingsland Point Park over a length of 1,500 feet. This 18-acre riverfront park is owned by Westchester County and is currently operated by the Village. The Lighthouse Landing site plan proposes the establishment of a new roadway entry point at this shared border and shows the establishment of a new parking area for approximately 200 cars, part of which is shown within the park and replacing an existing parking area. The shared property line would be paralleled by a new internal road with on-street parking border that would come within five feet of the property over 350 feet and be setback 30 feet over the remaining shared border. New town homes are shown to be located on the opposite side of the road within the Lighthouse Landing development.

4/9/05

COMMENT LETTER NO. 66

Timothy K. Judge

250 Highland Avenue, Sleepy Hollow, New York 10591 tjudge@bestweb.net
phone 914-366-4218 fax 914-366-0244

RECEIVED
APR - 4 2005
ADMINISTRATOR

April 3, 2005

Dear Mayor Zegarelli and the Hon. Village Trustees
Village of Sleepy Hollow
28 Beekman Ave.
Sleepy Hollow, NY 10591

Re: Light House Landing DEIS

Dear Mayor and Trustees:

The redevelopment of the former General Motors assembly plant property is an opportunity full of promise. The Village of Sleepy Hollow (Lead Agency) has a great responsibility in reviewing the proposed plans and ensuring the future of the Village for generations to come. The choices that are made will determine the character of the Village and will effect the quality of our environment and our lives. I urge the Village Board of Trustees as the Lead Agency, and Roseland Development Corporation (Roseland) as the developer, to consider the following comments.

The greatest concern most residents of the Village have is around traffic. While this is major concern, what drives traffic numbers is also of concern, namely density. The current proposal of 1,562 units has the potential to add over 3,000 people to the population of the Village. That additional population has the potential to cause significant impacts on traffic, water usage, solid waste disposal and demand for services, that can in many cases exceed tax revenues generated by the development. 6601

Fundamental to any Draft Environmental Impact Statement (DEIS), is the baseline data that is used to model the impacts of the proposed development. The population density baseline that has been used in this DEIS may not be reflective of actual population density of the surrounding community. While the consultant authors of the DEIS do make a compelling argument for using the density numbers they have, I am not confident that they reflect the existing condition in the community. The numbers used are reflective of the density taken from averages derived from a wide geographic area that includes counties where the overall population density is well below that found in our community. (DEIS uses 2 persons per two-bedroom unit, whereas the United 6602

COMMENT LETTER NO. 66 (continued)

State Census for Zip Code 10591 shows 2.54 person per household for all households and 3.13 persons per family). 6602 (continued)

Comparing these two sets of population densities yields significantly different impact outcomes from the proposed development. Please note that the following calculation is for one, two and three bedroom units combined, but does not include the 200 units of senior housing.

	DEIS 1 BR	DEIS 2 BR	DEIS 3 BR	CEN POP/HH	CEN POP/FAM
Density	1.75	2.0	2.42	2.54	3.13
No. Units	483	655	224	1317	1317
Total Individuals	845	1310	542		
	TOTAL DEIS POPULATION		2697	3345	4122

Looking at the various potential impacts based on the numbers presented above, the following should be considered carefully by the Lead Agency when reviewing the DEIS and before accepting the Final Environmental Impact Statement.

- Water Usage
- Solid Waste
- Fire Protection
- Police Protection
- School Children

Each of these specific impacts can be mitigated to lessen the effects on the current residents without adversely effecting the economic viability of the project and the developers return on their investment.

I would encourage the Lead Agency and Roseland to take into consideration alternative uses when adopting the FEIS and the final plans for the redevelopment. 6603

- Reduction of the number of housing unit by increasing per square footage of each unit, while keeping the overall project footprint constant.
- Diversifying the uses of the property to include residential, commercial and either light industrial or a business incubator.

The addition of a more mixed use for the project will lessen the number of residential units, decrease demand on services, increase the non-residential property and the higher tax rate that commercially assessed property yields. Furthermore, a business incubator can provide additional jobs with pay scales that far exceed those associated with the retail jobs envisioned for this development.

I would encourage the Lead Agency to urge Roseland to adopt and incorporate environmentally sustainable and green building technologies into the construction and operation of the buildings. 6604

6604 (continued)

These could include the use of environmentally friendly materials used for construction, to the use of smart energy technologies such as photovoltaic roofing systems and fuel cells for energy needs. I would also encourage the use of fill materials such as dredge spoils that have received a beneficial use determination from the appropriate environmental regulatory authorities.

6605

Additionally, I would suggest that the Lead Agency and Roseland seriously consider the feasibility of the restoration of the Pocantico River as outlined by Scenic Hudson. Providing that the engineering is sound, that the cost is reasonable and that issues of contamination of the existing soils dose not pose a significant risk to human health or the environment, the restoration of the Pocantico River would have significant benefits to the community. The restoration would provide an additional river front access, would act as a buffer between Light House Landing and Kingsland Point Park, provide crucial habitat for many aquatic and terrestrial species and would provide an additional outflow that would provide flood mitigation.

6606

While I can only speak for myself, I do believe that most residents in the Village want the redevelopment to proceed. Returning this valuable property to the tax rolls, restoring access to the river and providing a source of jobs and economic development are vital to the future of the Village for generations to come. I applaud the efforts of the Lead Agency and Roseland for their willingness to address the concerns of the residents of Sleepy Hollow and to make Lighthouse Landing an example of a smart, environmentally sound development project beneficial to everyone involved.

Sincerely Yours,

Timothy K. Judge

COMMENT LETTER NO. 67

RECEIVED
APR - 5 2005
by mail
ADMINISTRATOR

Sleepy Hollow Cemetery
540 North Broadway
Sleepy Hollow, New York 10591
(914) 631-0081
www.sleepyhollowcemetery.org

April 4, 2005

Mayor Phillip Zegarelli
Village of Sleepy Hollow
28 Beekman Ave.
Sleepy Hollow, NY 10591

Re; Draft Environmental Impact Statement for the General Motors Development

Dear Mayor Zegarelli:

6701

On behalf of the Board of Directors of Sleepy Hollow Cemetery, we urge General Motors, Roseland Properties and the Village of Sleepy Hollow to consider whether Scenic Hudson's proposal regarding the Pocantico River might be part of the solution regarding the river's flooding.

The Pocantico River flows through the Cemetery and, other than near Dell street, remains as it was in the days of Washington Irving. Since there can be no gravesites along its banks, it will be well preserved for future generations. There have been changes in the river's flow caused by the embankments supporting houses on Dell Street. When the Pocantico overflows its banks, the Cemetery's garage and workshops are flooded. This has occurred with greater frequency in recent years. With additional erosion, the problem will only worsen.

The Cemetery's bridge which spans the river has been attractively designed to look and sound like an original wooden structure, but is actually concrete. This has been necessary to permit trucks, including concrete trucks, to service the easterly portion of the Cemetery. While this bridge survived Hurricane Floyd, we are concerned that it may not survive future flooding.

We therefore urge that, whether Scenic Hudson's proposal is accepted or not, that any and all restoration investigations take a comprehensive look at the Pocantico on a watershed level. Since there must be consideration of protecting the lands adjacent to Kingsland Point Park, there will be time to conduct the needed research to address the restoration needs of the entire Pocantico River system, both upstream and downstream of the project area. Researching of restoration potential will therefore not delay the development.

COMMENT LETTER NO. 67 (continued)

Scenic Hudson's proposal provides an ideal opportunity solve Pocantico River flooding, which should not be missed. We are pleased that the Village is taking positive steps toward revitalizing its waterfront; we hope it will not neglect the rest of the river within its borders.

Sincerely,

Leonard D. Andrew
Member, Board of Directors

cc: Nicholas Robinson, Esq.
Chairman, Planning Board
Village of Sleepy Hollow
28 Beekman Ave.
Sleepy Hollow, NY 10591

Ms. Jeanne Gural
Scenic Hudson, Inc.
Environmental Associate
One Civic Center Plaza, Suite 200
Poughkeepsie NY 12601-3157

COMMENT LETTER NO. 68

RECEIVED
APR 04 2005

April 4, 2005

Mayor Philip Zegarelli
H. Trustees and Members of the Planning Board
Mr. Dwight Douglas, Village Administrator
Village of Sleepy Hollow
28 Beekman Avenue
Sleepy Hollow NY 10591

Mayor Drew Fixel
H. Trustees and Members of the Planning Board
Mr. Steve McCabe, Village Administrator
Village of Tarrytown
21 Wildey Street
Tarrytown NY 10591

Re: Solution of the Financial/Education Imbalance Between Sleepy Hollow and Tarrytown Contributions to the Tarrytowns Union Free School District (TUFSD) or the Dissolution of TUFSD Dissolution
-Lighthouse Landing Project DEIS-

Dear Mayors, Village Trustees and Members of the Planning Boards:

The shuttering of the General Motors Automobile Assembly Plant and the Proposed Roseland/GM "Residential" Lighthouse Landing Project has created a structural dislocation in the "Wholesome Neutrality" of taxes levied per student for the respective villages that is unsustainable. The attached Tables 1 thru 3 depict the TUFSD Population and Tax Levy by Village evaluations for the Current/Actual 2004-2005 TUFSD Year (Table1), the Proposed 2005-2006 TUFSD Year (Table 2), and the Proposed 2005-2006 TUFSD Year including the recently passed ($72.2 million) School Facilities Bond Referendum (Table3). Tables 1 thru 3 demonstrate, in and of themselves, a massive and growing disparity between the tax burden on the residents of Tarrytown versus the residents of Sleepy Hollow. Tarrytown's tax levy per student for the proposed 2005-2006 budget with the inclusion of School Facilities Bond is $27,177 per Tarrytown student, which is a mind-numbing number from anyone's point of view. The corresponding tax levy per student for Sleepy Hollow is $12,628 per Sleepy Hollow student. 6801

Considering the gravity and the necessity of maintaining a "Wholesome Neutrality" with respect to the fiduciary responsibility to the taxpayers and the moral obligation to our school children, for these reasons and others, that go beyond the initial scope of the letter, the Village of Tarrytown must be an **"Involved Party"** in the Roseland/GM Lighthouse Landing Project's SEQRA deliberation process to ascertain and ensure upon mitigating measures to restore the educational equity of the TUSFD with respect to each village. Without an amicable and equitable arrangement and agreement to the funding imbalance between the villages to the TUFSD, the only realistic recourse for the Village of Tarrytown would be to proceed with the dissolution of the TUFSD and the formation of a separate school district for the Village of Tarrytown. 6801 (cont.

Yours sincerely,

John A. Lynch
10 Crest Drive
Tarrytown, NY 10591

TABLE 1

TUFSD School Population and Tax Levy by Village

(Actual 2004-2005 TUFSD without School Construction/Capital Allocation)

Grade	Tarrytown	Sleepy Hollow	TT + SH
Grade pK	32	32	64
Grade K	87	116	203
Grade 1	74	105	179
Grade 2	68	126	194
Grade 3	75	109	184
Grade 4	64	105	169
Grade 5	77	97	174
Grade 6	70	120	190
Grade 7	71	131	202
Grade 8	79	115	194
Grade 9	76	107	183
Grade 10	64	111	175
Grade 11	59	123	182
Grade 12	69	91	160
Out-of-District(SE)	23	19	42
Total	988	1507	2495
Student Distribution	40%	60%	
04-05 Tax Levy	$ 20,904,085	$ 14,653,630	$ 35,557,715
PILOT	$ 30,000	$ 920,000	$ 950,000
Tax+PILOT	$ 20,934,085	$ 15,573,630	$ 36,507,715
Tax/Student	$ 21,188	$ 10,334	$ 14,632
Avg Tax Burden	57%	43%	

Tarrytown "Wholesome Neutrality" Overage $ 6,477,323

30.9%

Avg Tarrytown Homeowner w/$5500 School Taxes is Overpaying $ 1,702

Irvington 2004-05 Tax Levy/Student ($31,669,123/1998) = $15,850

TABLE 2

TUFSD School Population and Tax Levy by Village

(Proposed 2005-2006 TUFSD without School Construction/Capital Allocation)

Grade	Tarrytown	Sleepy Hollow	TT + SH
Grade pK	32	32	64
Grade K	87	116	203
Grade 1	74	105	179
Grade 2	68	126	194
Grade 3	75	109	184
Grade 4	64	105	169
Grade 5	77	97	174
Grade 6	70	120	190
Grade 7	71	131	202
Grade 8	79	115	194
Grade 9	76	107	183
Grade 10	64	111	175
Grade 11	59	123	182
Grade 12	69	91	160
Out-of-District(SE)	23	19	42
Total	988	1507	2495
Student Distribution	40%	60%	
04-05 Tax Levy	$ 23,286,276	$ 15,795,111	$ 39,081,387
PILOT	$ 30,000	$ 1,170,000	$ 1,200,000
Tax+PILOT	$ 23,316,276	$ 16,965,111	$ 40,281,387
Tax/Student	$ 23,599	$ 11,258	$ 16,145
Avg Tax Burden	58%	42%	
Incremental Tax Burden	$ 2,382,191	$ 1,391,481	$ 3,773,672
Incremental Tax Burden	63%	37%	
Tarrytown "Wholesome Neutrality" Overage			$ 7,365,170
			31.6%
Avg Tarrytown Homeowner w/$6128 School Taxes Is Overpaying			$ 1,936

COMMENT LETTER NO. 68 (continued)

TABLE 3

TUFSD School Population and Tax Levy by Village

(Proposed 2005-2006 TUFSD with School Construction/Capital Allocation)

Grade	Tarrytown	Sleepy Hollow	TT + SH
Grade pK	32	32	64
Grade K	87	116	203
Grade 1	74	105	179
Grade 2	68	126	194
Grade 3	75	109	184
Grade 4	64	105	169
Grade 5	77	97	174
Grade 6	70	120	190
Grade 7	71	131	202
Grade 8	79	115	194
Grade 9	76	107	183
Grade 10	64	111	175
Grade 11	59	123	182
Grade 12	69	91	160
Out-of-District(SE)	23	19	42
Total	988	1507	2495
Student Distribution	40%	60%	
04-05 Tax Levy	$ 26,821,366	$ 17,860,021	$ 44,681,387
PILOT	$ 30,000	$ 1,170,000	$ 1,200,000
Tax+PILOT	$ 26,851,366	$ 19,030,021	$ 45,881,387
Tax/Student	$ 27,177	$ 12,628	$ 18,389
Avg Tax Burden	59%	41%	
Incremental Tax Burden	$ 3,535,090	$ 2,064,910	$ 5,600,000
Incremental Tax Burden	63%	37%	
Tarrytown "Wholesome Neutrality" Overage			$ 8,682,704
			32.3%
Avg Tarrytown Homeowner w/$7058 School Taxes is Overpaying			$ 2,282

COMMENT LETTER NO. 68 (continued)

COMMENT LETTER NO. 69

Dolph Rotfeld Engineering, P.C.

RECEIVED
APR - 4 2005
ADMINISTRATOR

MEMO

To: **Dwight Douglas, Village Administrator**

FROM: **Dolph Rotfeld, P.E., F.NSPE, DEE**

DATE: **April 4, 2005**

SUBJECT: **Lighthouse Landing**
Draft Environmental Impact Statement (DEIS)
Sleepy Hollow, New York

As requested, our office has reviewed the Draft Environmental Impact Statement (DEIS) for the above referenced project and we offer the following comments:

1.) It appears that the floor elevation of several of the underground garages may be below the 100-year flood elevation. What type of drainage systems will be provided? 6901

2.) The 100-year flood boundary does not appear to be correct since it crosses both the 10' to 25' contour elevations. A separate drawing should be prepared showing the actual areas within the 100 year flood plain based upon actual elevations, not FEMA maps, for the pre- and post-developed conditions. 6902

3.) The location of the trash and recycling bin areas should be provided for both the residential and commercial buildings. 6903

4.) DEIS Section III-L: With the number of anticipated construction vehicle trips the project will generate, how will the construction traffic impact the condition of the existing infrastructure (i.e. roadways, utilities, bridges, etc.)? A traffic circulation plan should be provided for the construction traffic into and out of the Village. 6904

5.) In addition to the hydrodynamic separator and deepened catch basin sumps, will other methods be utilized to improve stormwater quality, i.e., sand filters, catch basins hoods, filter systems, bioswales, bioretention, etc. The stormwater collection system should have connections from catch basins to drain manholes; not catch basin to catch basin. 6905

6.) As stated in our June 28, 2004 letter, Comment 2-b: Section III-G.1.c. (1) indicates a fire flow of 4,000 gpm; however, calculations must be provided which demonstrates that if a hydrant on-site is capable of flowing at full capacity (4,000 psi), a minimum of 20 psi is maintained at all points in the public distribution system in accordance with American Water Works Association (AWWA) M31. 6906

7) The water demand analysis needs to be verified by conducting flow tests to determine compliance with NYSDOH and Ten States Standards Section 8.2.1 throughout the Village system. Pending flow test results it may be necessary to make off-site water system improvements other then connecting to the 10" main on Beekman Avenue. 6907

8) With regard to water storage tank drawdown during fire flows it was stated in the DEIS that the Village pump station will be operating at its capacity of 5.0 mgd. It should be noted that the Village allocation from the Catskill Aqueduct Connection shared with Tarrytown is only 3.6 mgd. 6908

9) If the addition to the Village water storage system is delayed what is the proposal for an on-site storage tank with regard to capacity, dimension and location? 6909

10) Is there any information available as to the quality of the 85,000 CY to be generated from on-site construction since it could be contaminated? Where will the additional fill material to be imported coming from? 6910

11) How and when will left in place structural slabs and piles be tested for suitable use in the proposed construction? 6911

12) A more detailed description of proposed stormwater quality treatment equipment including location and size should be provided. 6912

13) Even though the Pocantico River flows into the Hudson River, pollutant loads from stormwater run-off into the Pocantico River should be reported separately. 6913

If you have any questions, please feel free to contact our office.

DMJM HARRIS

COMMENT LETTER NO. 70

Introduction

DMJM Harris engineers have reviewed the following documents:

- McLaren Engineering Group, "General Motors Site - Waterfront Condition Assessment" report dated June 2004
- McLaren Engineering Group, "Feasibility Study on Pier Construction" dated November 17, 2004
- Han-Padron Associates LLP (HPA), "Flood Mitigation Feasibility Study – Lower Pocantico River, Sleepy Hollow, New York" dated May 2004
- "Draft Environmental Impact Statement, Lighthouse Landing at Sleepy Hollow, Village of Sleepy Hollow, Westchester County, New York", January 11, 2005, sections relating to stormwater drainage and flooding

Additionally, we have performed a site inspection of the riprap embankment and visible storm drainage outfalls along the full river frontage of the subject site (which extends from the outfall at the approximate projected foot of Beekman Avenue in Tarrytown Harbor north to the shoreline return adjacent to the neighboring Kingsland Point Park). We offer the following:

Riprap Embankment

7001

The gradation of stone used to create the embankment along the western frontage south of the lighthouse as well as adjacent to the North Channel (Reach C) of Tarrytown Harbor is poor with stones in the tidal zone susceptible to shifting under wave, current and/or ice loadings, as is evident by the shifting of several stones while inspector walked the slope and by visual observation. The riprap embankment in this area appears to be at a 1:1 slope. For a 1:1 riprap slope to be stable in aquatic environment, a properly placed riprap embankment would have a complementing gradation of appreciably-sized stones to fill the voids between the larger stones and prevent shifting, a process called chinking, essentially to wedge/lock stones together. These frontages are not well-chinked, at a minimum in and above the tidal zone, and as a result we contend that localized shifting of stones is occurring, resulting in localized top of slope failures (see attached photo). In addition, a safety issue would exist if this area were opened to public use.

We recommend chinking the riprap embankment south of the lighthouse. Absent of chinking the slope, we anticipate and recommend periodic, localized placement of new, properly graded riprap under a maintenance program where slope failures have and/or where they may occur. We additionally recommend a dive survey be performed along these frontages as well as around the lighthouse to determine the slope of the embankment below mean low water to toe of slope and evaluate conditions that are possibly exacerbated below water.

The visible western frontage north of the lighthouse as well as the shoreline return adjacent to the neighboring Kingsland Point Park appear to be a more conservative and well-gradated 1.5:1 slope with no noticeable shifting of stones occurring. These frontages should also be diver-surveyed to confirm slope adequacy below water.

Existing Storm Water Outfall

The outfall timber sheet wall and/or cribbing infrastructure at the approximate projected foot of Beekman Avenue in Tarrytown Harbor is in disrepair. We recommend new sheet piling be driven adjacent to the outfall, returning into the adjacent embankment slope and connecting to the existing adjacent steel sheet pile wall. From a permitting perspective, the New York State Department of Environmental Conservation (NYSDEC) will need to review and approve this outfall work. 7002

Two other existing stormwater outfalls from the site to the Hudson River are proposed for reuse. These outfalls were not found in the field, and are probably submerged.

New Fishing Pier

7003

The Village Open Space Framework Plan proposes a recreational pier to be aligned with Beekman Avenue. Although sheltered in Tarrytown Harbor, the proposed location of the pier is problematic due to its proximity to the North Channel (Reach C) and therefore vessel traffic. Over-water construction will require approval from various permitting agencies, including USACE, USCG and NYSDEC, which will be difficult to obtain or not be approved if the proposed pier extends too close to or into the nearby paralleling channel. We estimate that this constraint will limit pier length to roughly 80 feet. However, locating a fishing pier in proximity to areas subject to repeated vessel traffic (essentially anywhere in Tarrytown Harbor) is a conflict in use as fishing requires ample surrounding areas to cast lines; having the potential to develop into a safety issue.

A more appropriate alternative may be to locate the fishing pier along the west frontage south and/or north of the lighthouse to distance it from vessel traffic. As this frontage will seasonally receive appreciable ice flow due to lack of sheltering, a concrete pier supported on steel pipe or concrete piling is justified and/or ice-breaker piling could be driven north of the structure to break-up the larger contiguous sections of ice. The pier may be topped with timber decking and ornamental railings to retain natural aesthetic qualities. We recommend the pier not extend beyond the lighthouse, but rather be T-shaped to provide for appreciable lengths of pier for fishing, yet continue to allow the lighthouse to be the focal point; being the furthest construction offshore (see attached sketches).

Permitting – Pier Construction

7004

As permitting reviews tend to focus on avoiding and minimizing over water construction (coverage), it remains the task of the design team to justify the length, width and orientation of a new pier to obtain permit approval. Quite often, the reviewing agencies may require that pier construction (viewed as a negative and therefore referred to as a taking) be offset through a process called mitigation, which would provide other areas/lands returned (given-back) to the aquatic environment at a preferable 1.5:1 ratio, but typically no less than 1:1 ratio. The absence of available areas/lands to give-back, through the generation of inter-tidal or other means, may result in required additional new construction, such as pile fields or other sub-aqueous structural habitat, which are viewed positively by the agencies as they promote marine habitat.

Generally speaking, a 15-foot wide pier may be justifiable for bidirectional passage of persons walking the pier adjacent to bench seating and/or persons fishing; a wider pier may be desirable if also intending to provide access of maintenance and/or emergency vehicles. It's anticipated that a reduction in pier length is often the means by which regulatory agencies will look to reduce open water coverage. These types of details should be determined and a strategy formulated prior to meeting with the various agencies to discuss the project and submission of permit applications. 7004 (continued)

Construction Access

7005

Increasing the allowable load rating of the existing upland infrastructure (i.e. Beekman Avenue Bridge or other load limited access bridges/routes) through a repair or replacement program, as may already be a consideration of the Master Plan, would additionally benefit the vehicular transport of construction materials that may otherwise need to arrive or be produced on-site by barge (by water transport) which would increase construction costs.

Flooding Conditions at Philipsburg Manor and the Lower Pocantico River

7006

As mentioned above, we reviewed the study by Han-Padron Associates LLP (HPA), "Flood Mitigation Feasibility Study – Lower Pocantico River, Sleepy Hollow, New York" dated May 2004. HPA's study was commissioned by Scenic Hudson, Inc. to analyze existing flood conditions in the lower Pocantico River and to evaluate alternative schemes to mitigate flood conditions.

Understanding the geographic boundaries of HPA's river model, and structures incorporated into the model, is crucial to evaluating the results of the study. HPA performed numeric modeling of the "lower" Pocantico River - from the spillway of Philipsburg Manor Dam downstream to the mouth of the Pocantico (Page H-1). If the modeling included the Pocantico Lake, upsteam of the dam spillway, this is not stated in the report. Appendix H of the report appropriately lists structures that were included and excluded in/from the model (the railway box culvert and downstream road bridge at the Hudson confluence are included while the road bridge at the playground ballfields are excluded), but the dam spillway is not mentioned.

The study, under the heading "Historical Flooding of the Study Area," cites flooding damage during Hurricane Floyd which "were reportedly in the range of $1 million," while referencing Appendix C of the report, which documents damage to Philipsburg Manor. According to the New York Times article found in Appendix C, "uprooted trees and debris caught on the supports of a 17th-century –style wooden foot bridge here [a the Philipsburg Manor dam] and obstructed the flow of the Pocantico River, a small tributary of the Hudson. Blocked from its course, the river turned east and cut a wide swath through a hillside . . ." Based on this account, the cited flood damage resulted from flood elevations *upstream* of the dam, not the lower Potantico River that was studied by HPA. The flood profile upstream of the dam appears to have been controlled by blockage at the footbridge that rests upon the dam, and not backwater effects downstream of the dam, as implied by the HPA report.

HPA recommends mitigation measures in the lower Potantico River. For need and justification, HPA rests heavily upon the Philipsburg Manor disaster. Indeed, the report states that "very little detail was available for flooding which occurred downstream of the Philipsburg Manor dam." Nonetheless, the lower Potantico River is known to be subject to flooding - this was indicated in the Draft Environmental Impact Statement (EIS) for the former General Motors site. But property damage from flooding in the lower Potantico is not cited in either the EIS or the HPA study. Thus, the HPA study falls short of documenting a need for mitigation measures in the lower Potantico. 7006 (continued)

In spite of the foregoing, if documentation of flood damage in the lower Potantico River exists warranting flood mitigation, then alternatives for reducing peak discharge to this area should be sought. This would require a study of flood routing and storage throughout the watershed. The HPA report did not consider such alternatives; moreover it states that "no consideration has been given to the routing and storage which likely occurs in the Pocantico upstream of the spillway" (Page H-2).

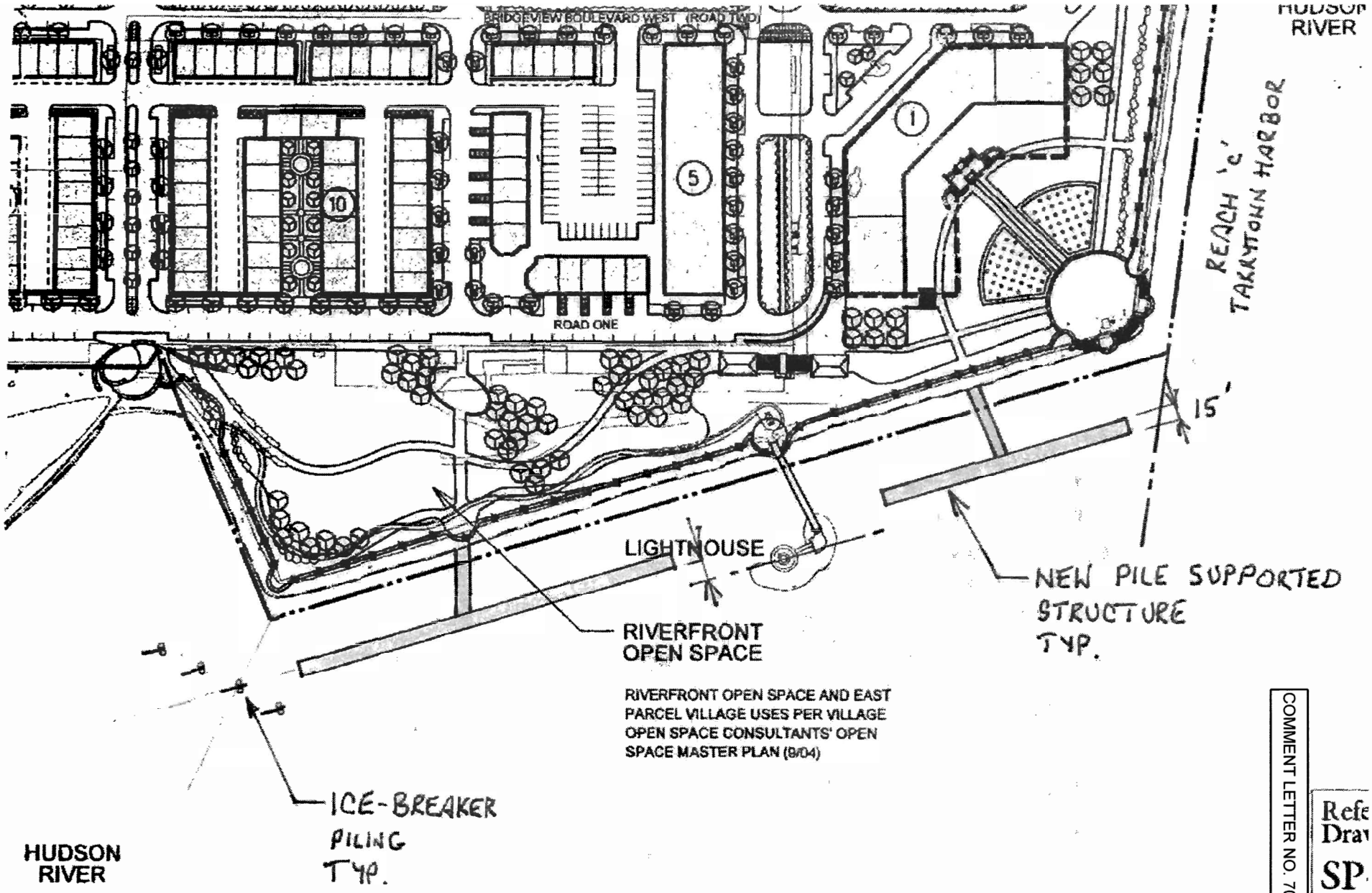
Potential Stormwater/Flooding Impacts from the Proposed Lighthouse Landing at Sleepy Hollow 7007

Federally regulated 100-year floodplains of the Hudson River exist on and adjacent to the site, and floodplains of the Potantico River exist adjacent to the East Parcel of the site. The EIS states that "because the project will result in a reduction in the total amount of the impervious coverage from 93.53 acres to 67.59 acres there will be an overall reduction in the peak rate of stormwater runoff . . . " (EIS Page III.B-34). However, the potential impacts to flooding potential from the proposed project is not fully addressed.

The East Parcel is outside of the federally-delineated floodplain of Pocantico River (based on EIS figure III.B-5). However, the Pocantico River is known to have flooded during Hurricane Floyd onto the East Parcel up to Elevation 8.0 or 9.0 (EIS Page III.B-31). Therefore, proposed re-grading below these elevations could potentially impact actual flooding conditions by displacing flood storage area. The EIS should provide an analysis of this potential impact irrespective of the parcel's relationship to the regulated area.

COMMENT LETTER NO. 70 (continued)

SKETCHES



COMMENT LETTER NO. 70 (continued)

Refe
Drav
SP
SP
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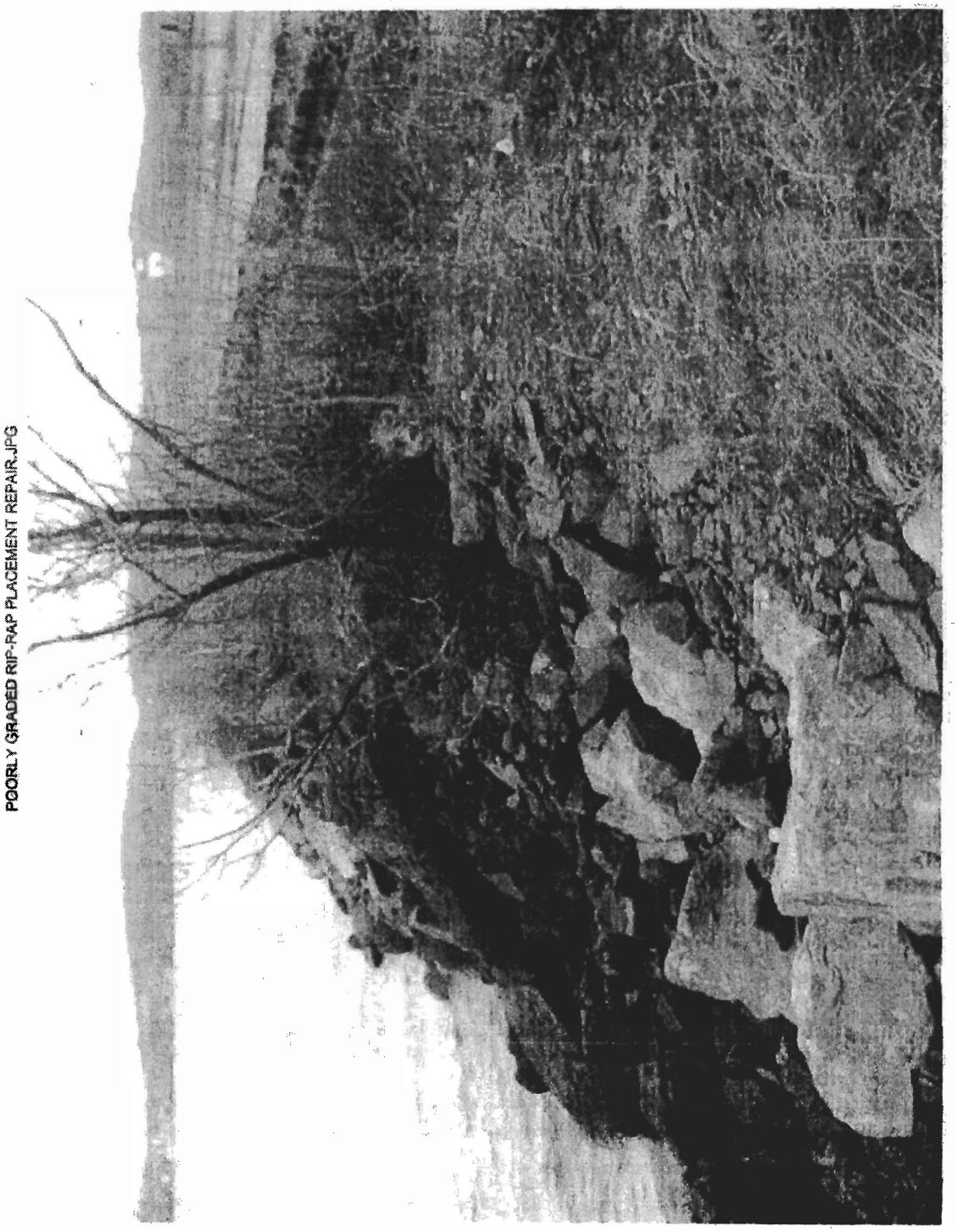
COMMENT LETTER NO. 70 (continued)

SITE PHOTOS

COMMENT LETTER NO. 70 (continued)

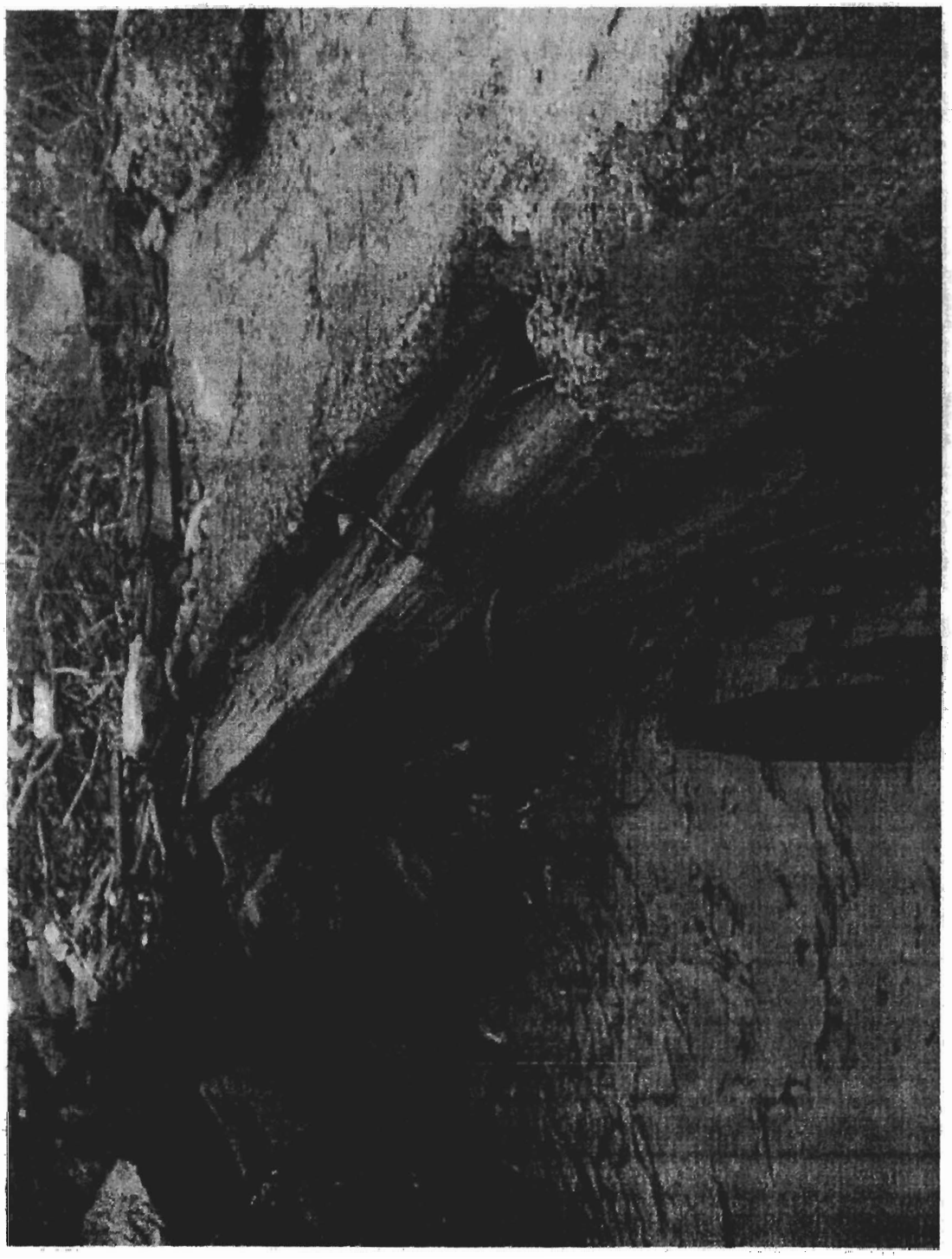
RIP-RAP EMBANKMENT ADJACENT TO TARRYTOWN HARBOR CHANNEL.JPG

COMMENT LETTER NO. 70 (continued)



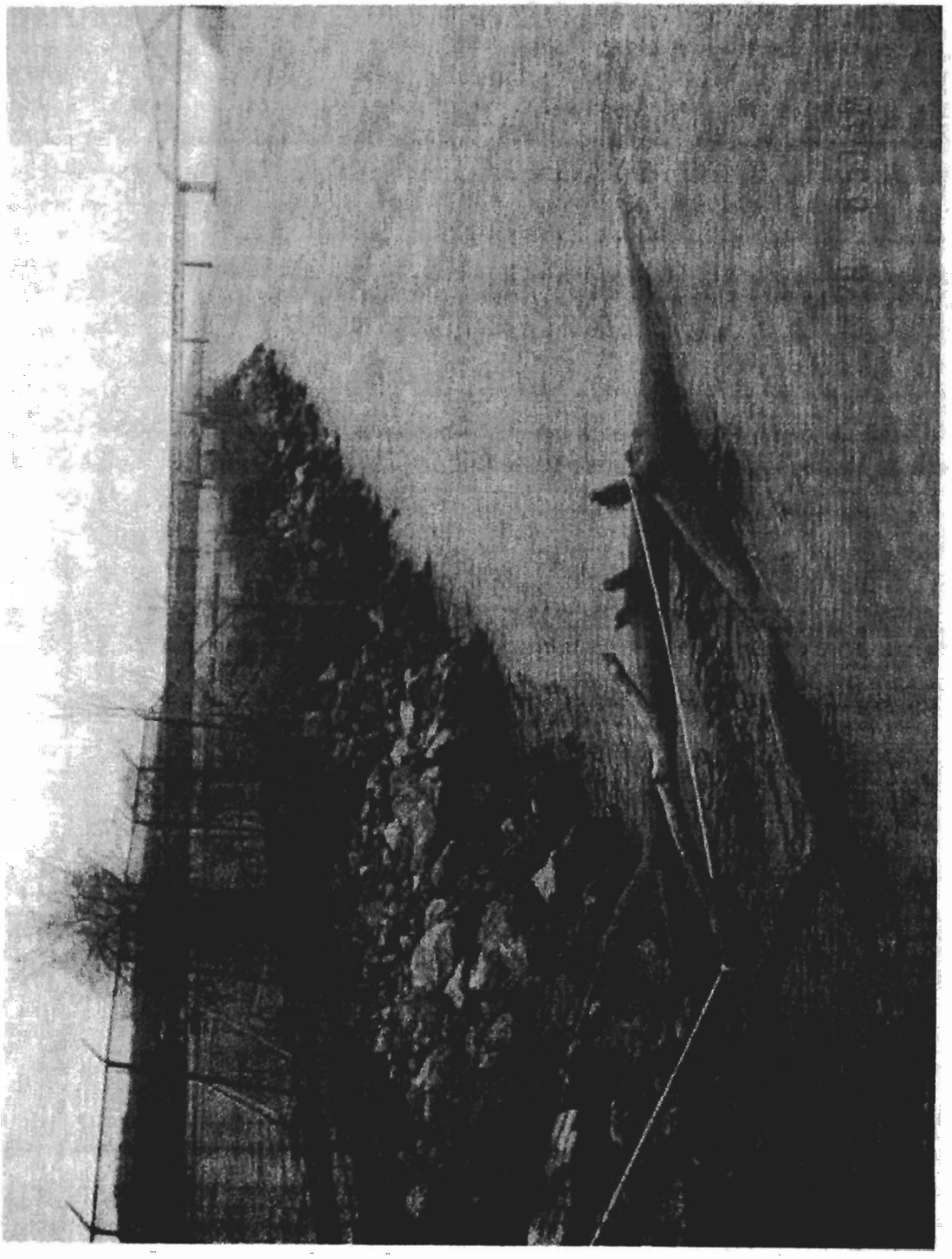
POORLY GRADED RIP-RAP PLACEMENT REPAIR.JPG

COMMENT LETTER NO. 70 (continued)



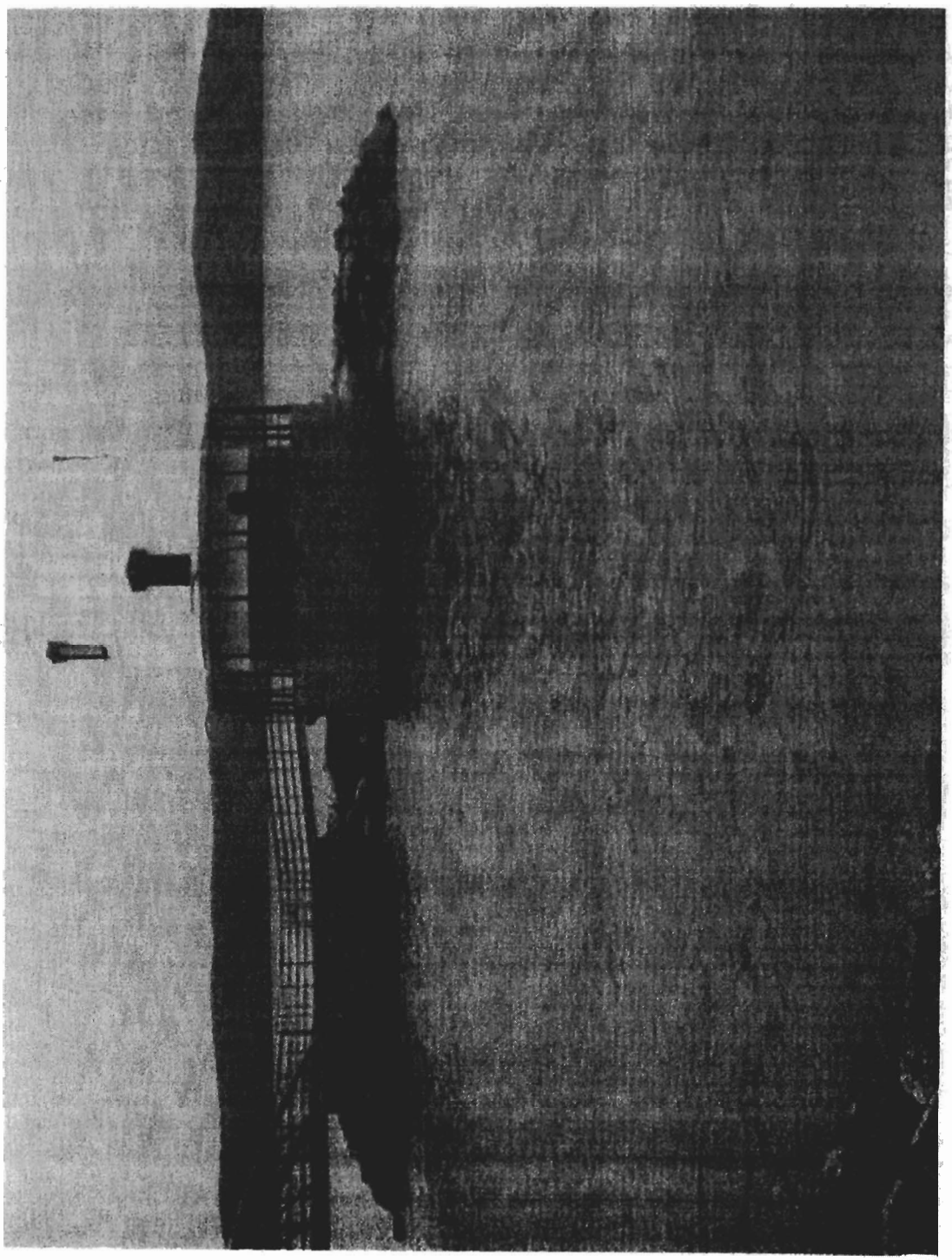
STORM WATER OUTFALL.JPG

COMMENT LETTER NO. 70 (continued)



WEST FRONTAGE RIP-RAP EMBANKMENT SOUTH OF LIGHTHOUSE.JPG

COMMENT LETTER NO. 70 (continued)

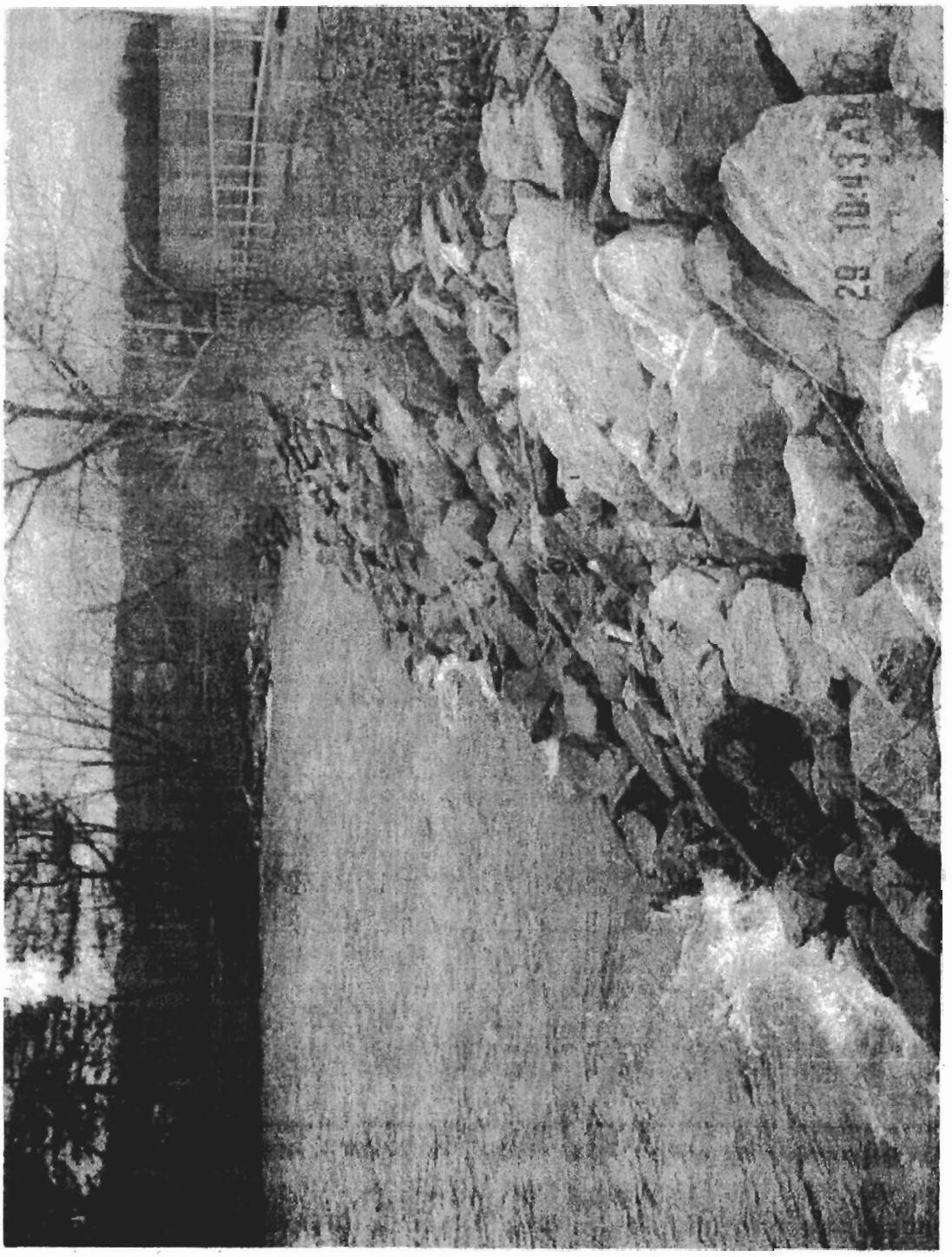


LIGHTHOUSE.JPG

COMMENT LETTER NO. 70 (continued)

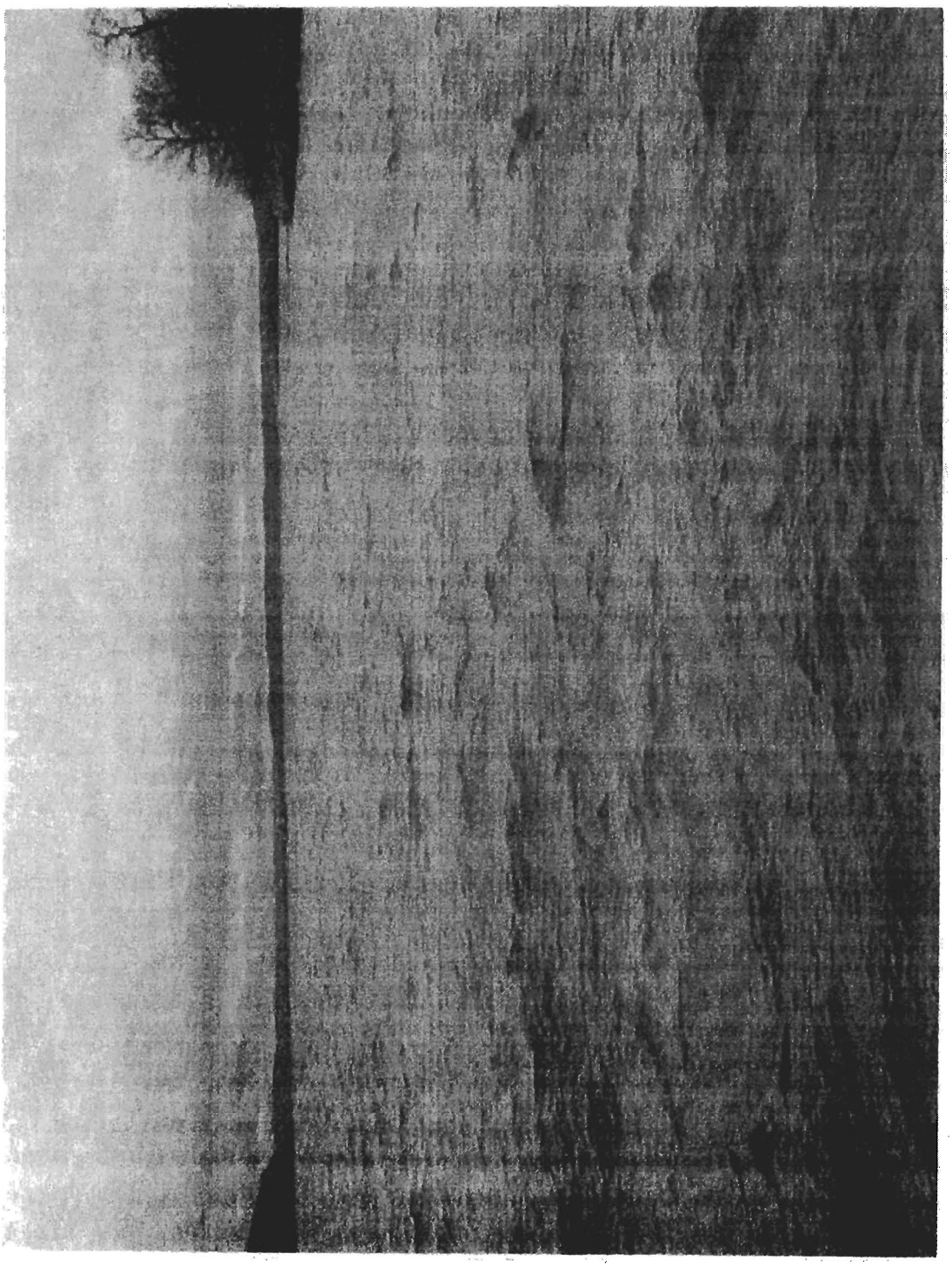
WEST FRONTAGE RIP-RAP EMBANKMENT NORTH OF LIGHTHOUSE.JPG

COMMENT LETTER NO. 70 (continued)



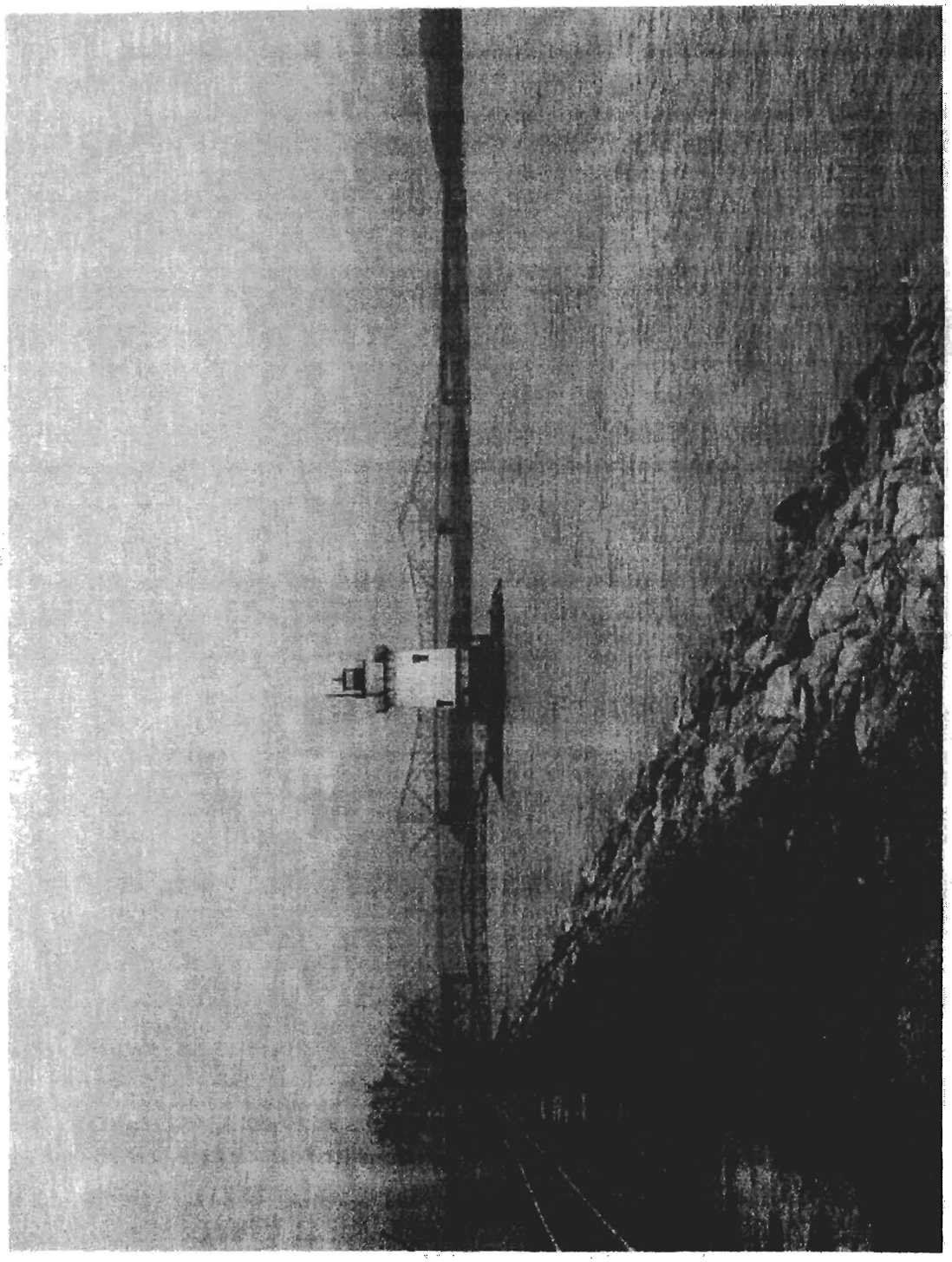
RIP-RAP EMBANKMENT RETURN ADJACENT TO NEIGHBORING KINGSLAND POINT PARK.JPG

COMMENT LETTER NO. 70 (continued)



FETCH LOOKING NORTH.JPG

COMMENT LETTER NO. 70 (continued)



FETCH LOOKING SOUTH.JPG

COMMENT LETTER NO. 70 (continued)

USACE
MAPS & CHANNEL
INFORMATION

COMMENT LETTER NO. 70 (continued)

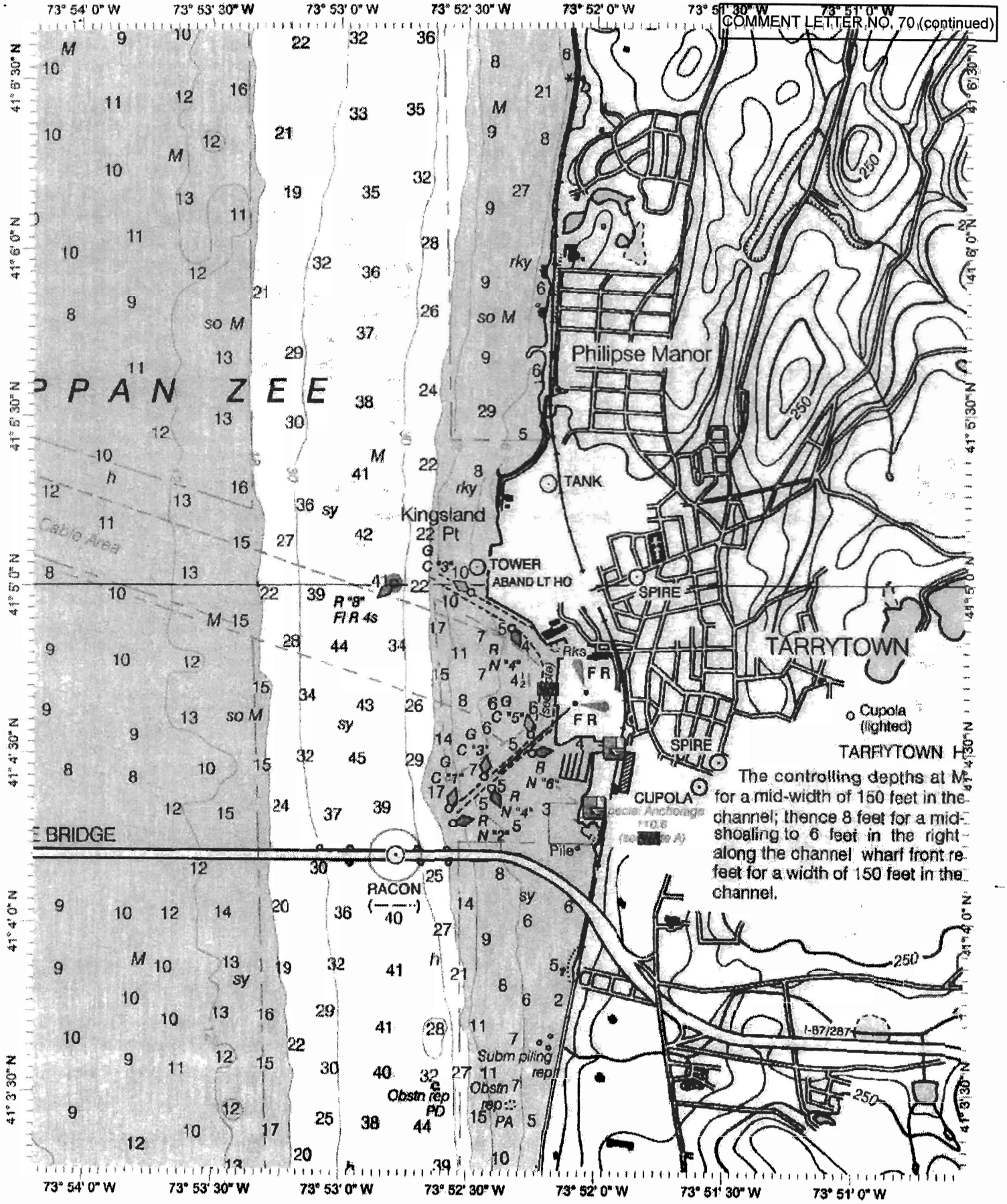


Chart Name:	HUDSON RIVER N.Y.-WAPPINGER CREEK-RIGHT PANEL
Chart ID:	12343_1
Top Left:	41° 6' 38" N 73° 54' 11" W
Bottom Right:	41° 3' 16" N 73° 50' 34" W

® MAPTECH, INC

COMMENT LETTER NO. 70 (continued)

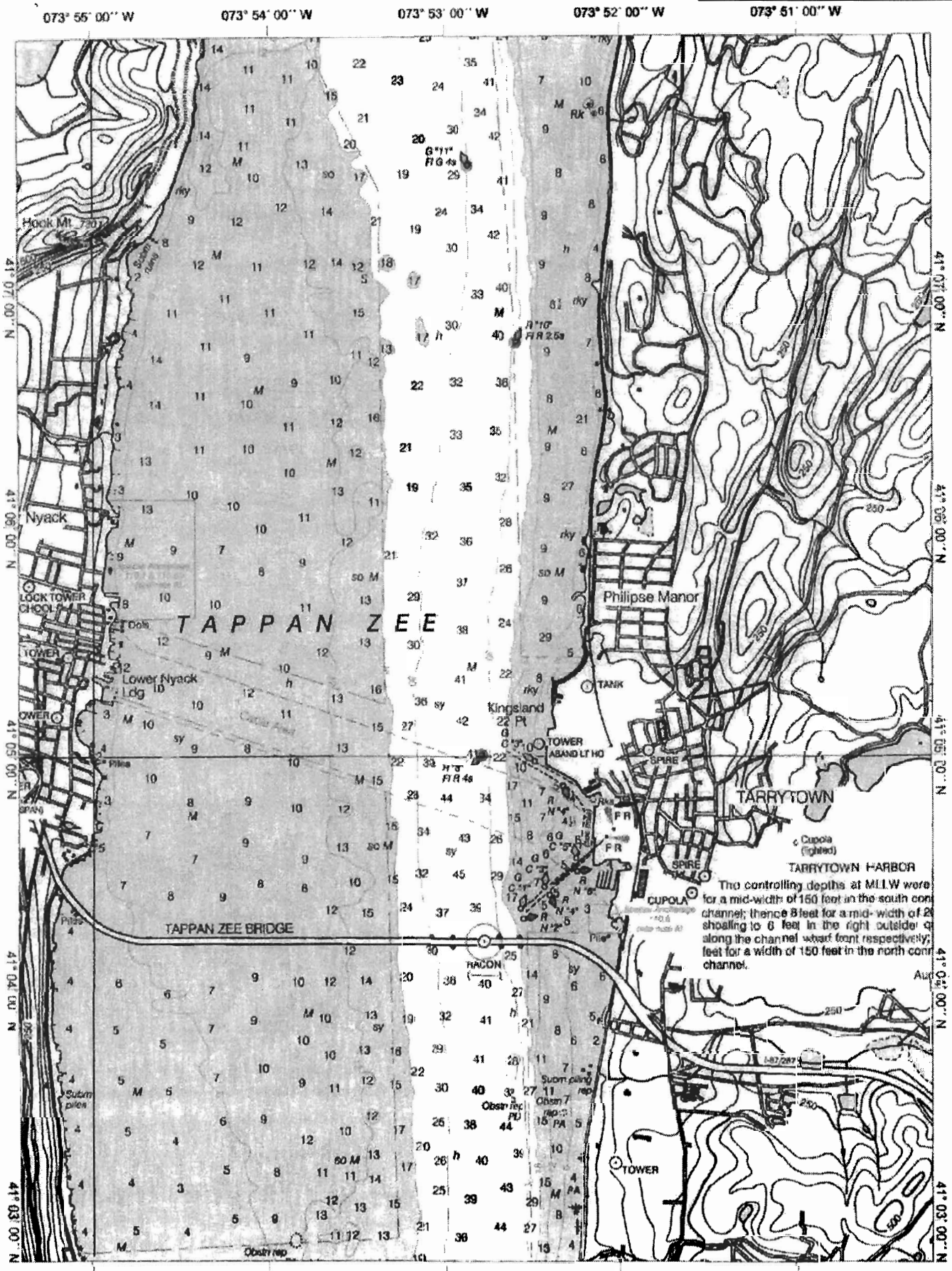


Chart Number: 12343_1 Revision Number: 24 Cleared Date: 11/30/2002 Date Printed: 03/29/2005 NOT FOR NAVIGATION Page: B1

COMMENT LETTER NO. 70 (continued)

REPORT OF CHANNEL CONDITIONS
100 TO 400 FEET WIDE
(ER 1130-2-3165)

PAGE 1 **OF** 1
DATE April 27, 2004

TO: The Record

FROM: U.S. Army Corps of Engineers
26 Federal Plaza, ATTN: CENAN-OP-ST
New York, NY 10278-0090

NEW YORK HARBOR, NEW YORK:
Tarrytown Harbor Condition Survey

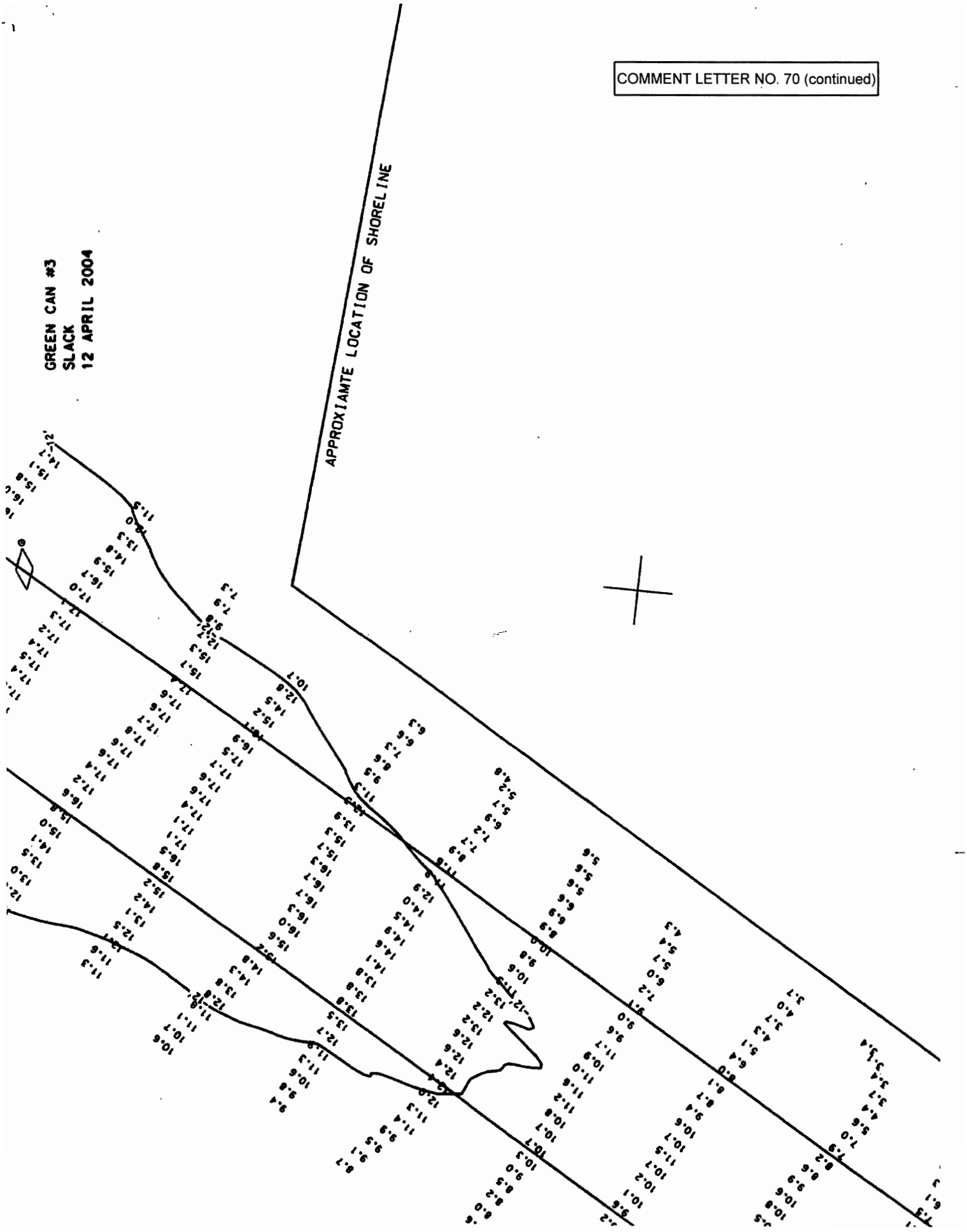
NAME OF CHANNEL	DATE OF SURVEY	AUTHORIZED PROJECT			MINIMUM DEPTHS IN CHANNEL ENTERING FROM SEAWARD		
		WIDTH (feet)	LENGTH (nmiles)	DEPTH (feet)	LEFT OUTSIDE QUARTER (feet)	MIDDLE HALF (feet)	RIGHT OUTSIDE QUARTER (feet)
Reach A (South Channel) 0.0 MI to .34 MI	Map 2576N 8 & 12 Apr 2004	150	.3	12	7.7	7.8	7.4
Reach B (Wharf) .34 MI to .72 MI	Map 2576N 8 & 12 Apr 2004	250	.33	12	6.7	6.9	2.6
Reach C (North Channel) .72 MI to 1.0 MI	Map 2576N 8 & 12 Apr 2004	150	.24	12	8.1	8.7	8.1

REMARKS:

- All depths in MLW
- Channel length is in nautical miles
- The entire channel is shoaled in except for a few pockets.

ENG FORM 4021-R, Nov 90 EDITION OF JUL 59 IS OBSELETE (Proponent: CECW-OM)

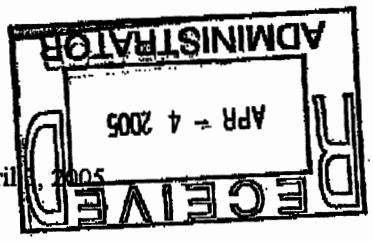
COMMENT LETTER NO. 70 (continued)



COMMENT LETTER NO. 71

4/4/05

Jerome Fine
25 Highland Avenue
Tarrytown, New York 10591



April , 2005

Village of Sleepy Hollow
28 Beekman Avenue
Sleepy Hollow,New York 10591

Re: General Motors EIS

This letter is in response to the comment period for the subject EIS. I have reviewed portions of the EIS at Warner Library. Please find my comments below: 7101

The basic premise regarding water supply is that if there was enough for General Motors when they were operating, and the proposed project requires less water, then everything has to be satisfactory. However, the water utilized by GM originated from the Croton aqueduct, which is no longer available to Sleepy Hollow.

This new water requirement will be extracted from the Catskill aqueduct. The Catskill aqueduct is connected to the Villages by a tap and 30" main from Elmsford to the Tarrytown lakes. This tap and main are jointly owned by both Villages and there is a multi-municipal Agreement to that effect.

It is my opinion that a comprehensive hydraulic analysis of the system is required including all proposed future flows. Tarrytown needs to be assured that its future capacity for it's waterfront development and other growth and the hydraulic integrity of the main will be preserved

Similarly for other growth in Sleepy Hollow. The system should be completely analyzed regarding the capacity for Briarcliff Manor. From it's inception in the 1970's, the joint water system has been a model of cooperation. Since both Villages own the water supply jointly, then, in accordance with SEQRA, Tarrytown is an "involved" agency, since it requires a vote of Tarrytown to modify the environment of the pipeline. Prior to GM and Briarcliff Manor, the flows utilized by each Village and the flows established in the Agreement were approximately one half each. It is my understanding that one member of the Agreement cannot arbitrarily utilize a greater portion of the main.

Regarding sewage, the EIS indicates correctly that a County interceptor traverses the site and ultimately discharges to the Yonkers Sewage Treatment Plant. Sewage will be collected from the various sources of the proposed project and discharged to the interceptor. 7102

It is my opinion that an analysis is required of the hydraulics of the system to the County pump station under the bridge. The reason for this is that both Sleepy Hollow and

COMMENT LETTER NO. 71 (continued)

Tarrytown need assurance that during peak flows and heavy rainfall that the interceptor has the required capacity.

7102 (continued)

The fact of the interceptor being there doesn't mean it has the capacity for all the flow that could enter the pipeline including Kendal, IBM, hospital expansion, infiltration, etc. If the interceptor does not have the necessary capacity, the level of sewage will rise through the manholes and discharge to the surface at the lowest points of grade, which could possibly be the Tarrytown Railroad Station.

Several years ago I recommended to the developer that he install several level recorders in manholes so we would have some real data on which to base the hydraulic analysis. If that hasn't been done, it should be done now, it's not very expensive

The sewage from the proposed project will eventually enter the Yonkers plant. The Yonkers plant has long labored to maintain the plant odor free, with limited success. The County has turned down access to the plant of flows much smaller than the proposed project.

The applicant should indicate some authorization from the County that indeed they have access to the plant. It may not be a simple matter.

I noticed in perusing the sewer and water sections of the EIS that certain sewer pipes would remain under buildings. Based on 50 years experience, don't accept that is the correct and safe way for the village to proceed.

7103

We have just had a new election. I am a long time resident of both Villages and I think back to the past and other successful joint ventures which at the time we deemed unsolvable, eg., the school district, the library, the water system, recreation, parades, etc. And now we have waterfront developments in each Village. Isn't time we did some joint planning.

Very Truly Yours,

Jerome Fine, P.E.

cc: Mayor Elect Fixell

COMMENT LETTER NO. 72

CC: Andy T
Dave S.

John Hough
1102 Bedford Road
Pleasantville. NY 10570-3911

Mayor Phili> E. Zegarelli
Village of S.eepy Hollow
28 Beekman Avenue
Sleepy Holl:w, NY. 10591

11 March 2005

Dear Mayor .egarelli,

Proposed Development of GM Site

On behalf of the Board of the Friends of the Rockefeller State Park Preserve I would like to register our support for the proposal to restore the Pocantico River estuary as it increases connectivity for both wildlife and recreation. 7201

We would be concerned about any plan which might lead to the need for water retention systems upstream in the Park Preserve and would want to see the potential impacts of these, both positive and negative, carefully examined.

Yours sincerely

John Hough
for Board of the Friends of the Rockefeller State Park Preserve

RECEIVED
MAR 2 8 2005
MAYOR'S OFFICE

PEZ Redevelopment
Pete Sant 3/28/05

New York State Department of Environmental Conservation
Division of Environmental Permits, Region 3
21 South Putt Corners Road, New Paltz, New York 12561-1696
Phone: (845) 256-3054 **FAX:** (845) 255-3042
Website: www.dec.state.ny.us

Denise M. Sheehan
Acting Commissioner

RECEIVED
APR 11 2005
ADMINISTRATOR

April 4, 2005

Dwight Douglas
Village Administrator
28 Beekman Avenue
Sleepy Hollow, NY 10591

RE: Draft Environmental Impact Statement (DEIS) Comments
Lighthouse Landing at Sleepy Hollow
DEC File No. 3-5534-0127

Dear Mr. Douglas:

The Department has reviewed the Draft Environmental Impact Statement (EIS) for the Lighthouse Landing proposal and has the following comments.

The Draft EIS fails to consider comments numbered 3 and 4 of our Draft Scope comment letter dated May 23, 2003, which recommended that the applicant assess the feasibility of restoring the hydrology and habitat of the Pocantico River's existing channel, and impairments to the river caused by the historic GM site development. We continue to believe that this project offers opportunities for potentially significant benefits to aquatic habitat and flood mitigation which should be thoroughly explored. We continue to be available to assist the village and the applicant in this effort. 7301

The Draft EIS makes reference to the need for 200,000 cubic yards of fill material to be imported and placed on the site. Please consider the use of dredged material as all or part of the necessary fill. The Department would be glad to assist and can identify sources of dredged material to facilitate this effort. 7302

Please feel free to contact me at bbrinald@gw.dec.state.ny.us if you require any additional information.

Very truly yours,

Barbara B. Rinaldi

Barbara B. Rinaldi

cc: Roseland/Sleepy Hollow, LLC
M. Moran
B. Blair
B. Rudge
J. Isaacs
P. Ferracane
T. Kerpez
S. Joule
F. Dunwell
M. Duke
K. McGuckin

PUBLIC MEETING NO. 1
February 8, 2005

PUBLIC MEETING NO. 1

STATE OF NEW YORK
VILLAGE OF SLEEPY HOLLOW
X----------X

Public Meeting Before The Board of Trustees of Sleepy Hollow, New York, in Connection with Lighthouse Landing DEIS

X----------X

8:05 p.m. Sleepy Hollow Village Hall
28 Beekman Avenue
Sleepy Hollow, New York

BOARD MEMBERS:

Philip Zegarelli
Mayor

Mario DiFelice
Deputy Mayor

Richard J. Spota
Trustee

Thomas Capossela
Trustee

Richard Zieja
Trustee

Andrew Murray
Trustee

Kay Brown Gala
Trustee

REPORTED BY: Lori Ann Schirripa
Official Court Reporter

MAYOR ZEGARELLI: I want to thank everybody for turning out tonight. I would like to go through a few things before we go into the formal session, and that is, a few explanations.

By copy to many of you, you received notice that this was going to be a public hearing. Through a technical problem not associated with the Village itself, the public hearing itself to be posted in the newspaper did not make it in on time. Now, normally you would say all right and postpone it. We decided not to. The applicant has agreed to an additional hearing. So that the hearing will be tonight, which will be really considered a meeting, but we are going to run it as if it is a hearing. Meaning all comments will be recorded. In fact, we have a stenographer here. They will be on cable TV. All comments

made by anyone here present will be recorded, will be responded to in the form of inquiries or questions.

There will be a meeting a week from tonight at Sleepy Hollow High School at 8:00 p.m. There will then be another hearing on Saturday, February 9th, excuse me, 19th at 10:00 a.m. here. The additional hearing that the applicant has agreed to, due to the technical aspect of the proper hearing, will then be on February 22nd at 8:00 p.m. here. So, think of it as for the next, including tonight, three Tuesdays and a Saturday sort of in between there will be hearings.

We feel this is proper. It will meet all the statutory needs of SEQRA. We have run it by so many lawyers, I don't even want to count. And given the fact that it will be properly documented and reported and all comments, questions so on will

be addressed within the context of the applicant's need to do so under the SEQRA law and the DEIS and eventually the FEIS, we feel it would more than sufficiently avoid any legal conflicts or restrictions.

The comment period is a period of time for anyone to submit in writing additional comments to the Board, which is set at this point in time as March 16th. That is approximately five weeks from today. What we mean by that is as you will see within the context of the documentation, that any individual here present or otherwise who would like to submit in writing questions, inquiries, comments, statements can do so by addressing them to Dwight Douglas, who is our village administrator. Dwight, would you take a stand. He's hiding in the back there. In care of Village Hall, 28 Beekman Avenue, Sleepy

Hollow, New York, 10599. Again, those comments will be included in the package that will be given over to the applicant for response.

There will also be a series of other meetings. I know that I see different individuals here. I would like to recognize Nick Robinson. Nick is chairman of the Planning Board. There is a series of events and meetings ongoing there. This is an ongoing series of meetings and discussions.

We have had, in all of the meetings that we have had and other applications, other developments and so on, a wide open book. I see many attorneys here, many advisors who have actually been advisors or consultants to other applicants that have come before this Village Board. The Village Board is of the firm opinion that no matter what is being proposed, the applicant has the

opportunity, and indeed is required to do so, to present their proposal and receive the comments, questions, yea or nay thoughts that people may have about it. This is the first meeting to do that.

I want to make sure that everybody also understands that the Village Board, myself as Mayor and the entire Board has not made any decisions. Has not made any -- reached any conclusions, reached a threshold of how big, how small in the applicant's proposal. That proposal has been revised because we have reviewed it and we have had a series of meetings with citizen groups and so on to assist them to that point. But really the scrutiny of the applicant's proposal comes tonight, because this is -- it's their show. They will have the opportunity to propose and explain everything as best as they see it,

knowing full well that it is subject to public scrutiny from both yourself and from the Village Board. So, tonight we are going to offer the public that opportunity.

Now, what I would like to do is first of all introduce members of the Board. We have a full house here. My Deputy Mayor, Trustee DiFelice. Trustee Spota. Trustee Capossela. Trustee Zieja. Trustee Murray. And Trustee Gala.

We have Corporation Counsel, Robert Sponzini. Special counsel for environmental and legal aspects, Joel Sachs. I had already introduced Dwight Douglas, our administrator. And in the back we have our series of consultants that when I get to, I'll mention all the names. Oh, we have them all here. They're not all here. I already mentioned Joel, David Smith, Patty Addell. Is Molly MacQueen here?

There she is. You're suppose to be over here, but I guess there is not enough chairs. Dolph Rotfeld, Andrew Herrmann. I don't think anyone is here from Roux Associates. Han Padron, Joe Dimilia, Fred Bland, I don't see from Beyer, Blinder, Belle, also our village architect Sean McCarthy, who has been in on many of the meetings.

The importance of allowing people to speak is paramount in our mind. We have a court stenographer. And when someone would like to, and I'll mention the rules again, when someone would like to speak, at the end of the presentation, you will be asked your name and address and if you are representing someone other than yourself, like an organization, so on, if you could state that so we can have it for the record.

This entire stenographic record will be made to the public, but it

will particularly be used for the applicant to address all the responses that have to come back. Even if a comment or a question may not be answerable at the time, they still have to come up with a way of dealing with a suggestion or thought that may come up.

We are going to have, shortly we'll have the presentation on the part of the applicant, but I would like to just take a few moments to go through the genesis or the time table of how we got here.

The history of the plant goes way back. I'm not going to go through all of that. Many of you know that. The plant closed in 1996. There was a governor's task force on General Motors for the reuse, to study the reuse of the plan. That was in July of 1996.

The Village adopted its local waterfront revitalization program in

1997. In fact, several people here, Nick in particular, Don Steeright, who I don't think is here tonight, were part of that. It really set the stage for how we are addressing things today, because that became sort of the blueprint.

A waterfront district was adopted in 1997. A linkage study was done in 2002. I don't see anyone per se that was on it here tonight. But what we did is we took citizens and others, parties of interest, to see how the Village should interface with GM. We did not want to have an isolated development. We wanted to see the linkages that you should have and you should address when you have a massive undertaking such as this size.

In 2004 there was a draft open space plan between the Village and Roseland as to how we were going to

address this and really leading up to today.

In April of 2004 a DEIS was filed with the Village. And by mutual consent, because we felt it needed some work, we utilized the services of our consultants to make sure that since it had to be addressed, so many areas had to be addressed, that they were done in a timely fashion and leading up to really what today is the DEIS. There is a time frame, but I must say in my response to anyone who says well, why is it taking so long or whatever, the Board has conscientiously decided and we have been working with the applicant, that if it takes longer to do it, we are going to take the time to do it and do it right. That's not to say that everything you're going to hear tonight is going to fit everybody's preconceived notions of what should

or should not be done down there. But rather it is a best guess, a best oriented proposal from the applicant's point of view as to how to tackle such a massive undertaking.

I would like to recognize John Stein. John, could you come up. Mr. Stein, representing the applicant, Roseland Developers, will take the floor to present their proposal.

Again, what I would like is that people take the opportunity to listen. I know that after the presentation, that the questions will be forthcoming. Statements would like to be made. I will monitor that. We will utilize the mike that is right there on the table for that. We'll try to keep this as amenable and open and friendly as possible.

I want to thank Roseland

Developers, I must say for their constant effort and attention to meeting the requirements of what we have tried to do here in the form of addressing the needs of the Village. Again, knowing full well that this is the applicant's proposal and it's really for Mr. Stein to do your work next.

If you would also introduce your colleagues and consultants, I would appreciate it.

MR. STEIN: Good evening everyone. Thank you Mayor, members of the Village Board of Trustees and all of our guests, certainly all of the Village consultants I've gotten to know very well over the past couple of years and my consultants that are here. We have got Andrew Tung, our lead engineer, from Divney, Tung and Schwalbe, Mark Weingarten from --

MR. WEINGARTEN: Lots of names.

MR. STEIN: -- lots of different names. Mark is our leading counsel. Mark Schurtok is our lead environmental counsel. Peter Weis from Mark Weingarten's firm as well. We have got Raymond Keyes Associates back here, our traffic consultants, TRC/Raymond Keyes. We have got -- I know that Annette Borne from AKRF is suppose to be here. She participated in our process on behalf of General Motors. We have got General Motors counsel here, Cuddy, Feder. And did I miss anyone else? I think we are in pretty good shape. And I too want to thank the court stenographer.

We were invited to this process several years ago by General Motors. My firm is Roseland Property Company, and I'm one of the partners of Roseland Property Company. And it's my responsibility to make sure that we have a process here at

Sleepy Hollow, the Lighthouse Landing, which ultimately culminates in development improvements for this site.

Well, as the Mayor indicated and everybody knows, there is a plant on this site which existed for hundreds of years everybody likes to say, and the plant was demolished in 1996. From 1996 through '98 it was demolished. Since then nothing. We have got really 94 acres of concrete slab and asphalt waiting for an opportunity. Waiting to arise back from the depths of despair to recreate this village and, you know, become an extension of this village. Those are some of the terms we have heard through the linkage study.

The linkage study is really a very impressive group of meetings. When we came to the Board, the Mayor had already started the background for the linkage study, gathering

resources with the New York Department of State, Scenic Hudson and Historic Hudson. Lots of interested parties. Members of Tarrytown showed up, senior citizen groups, Chamber of Commerce people all got together, and this is really quite a bold, bright initiative of the Village, to bring everybody together, including myself, to talk about what's going to be developed at the waterfront. As the Mayor likes to say, this is a once in a lifetime opportunity. It's a one and a hundred year opportunity is what he is saying. Frankly, it's longer than a one and a hundred year opportunity, because none of us will be here in 100 years on this site still building.

So, we really appreciate the significance of the site. We appreciate the significance where we are in history, where the General

Motors plant was. And ultimately we have tried to create and participate in a consensus building process. It's really the theme of the night and the theme of the plans, as some of you have seen on the boards tonight and what I will be presenting. It's that consensus that it's about, working with our neighbors, not only within the village confines, but outside the village confines, to make sure that we have a viable development that is sustainable so that the village railroad base can be broadened so that we have an extension of the village. So we can restore the waterfront and bring the residents of Sleepy Hollow back to the waterfront.

This site has been gated off for about 100 years. It wasn't actually a site in the beginning. It was just a bay. Ultimately it was

filled and became a site. It was an automobile manufacturing facility, industrial use. Unless you were one of the 2,000 or so people that came in during each of the shifts, 4,000 people working in a plant really didn't get down to the waterfront and be able to see it.

The waterfront opportunities at Sleepy Hollow were Horan's Landing and Kingsland Point Park, which is obviously part of the Westchester County park system, but now it's under village control, which is a good thing by the way.

Roseland Property Company is headquartered in Short Hills, New Jersey. We have got a staff of about 300 full-time professionals working on development opportunities throughout six states in the northeast. We specialize in master plan communities, many of them waterfront master plan communities

and old ground field redevelopment areas. Ground field is a formal industrial site that you're trying to redevelop to create positive uses for those sites as opposed to letting them sit sallow and vacant.

We have got developments in six northeast states running from Virginia through Massachusetts. Just to show you a couple of them. Some of them are fairly significant. This is Port Imperial in New Jersey. It's a two mile long, 200 acre site that we have been developing. We acquired it in 1995. We have been redeveloping it for the past several years.

This site is the port site at peer one in Boston. This was a -- We wanted to develop one of nine shipping piers.

This is Hingham shipyard in Hingham, Massachusetts. It's a former navy shipyard. Actually

PT109 was built here. It is being developed by us in conjunction with several other developers. We have got a spattering of other development opportunity that we are working on through north Jersey, south Jersey, Pennsylvania, Virginia, Connecticut, New York and Massachusetts.

So, we have got quite an extensive development experience, master plan communities, ground hill redevelopment, waterfront properties and of course now we have got the General Motors site. So, we have been working for the past four years in earnest.

When I tell you we have been working with this, we have really been out there, attending building consensus. Not only did we participate in the linkage study, I met with groups, attended dozens of meetings, senior citizens, had a

concert series in the park, Historic Hudson, Scenic Hudson. We've had conversations with Riverkeeper. We have had -- Every place that we can go, everyone that we can touch, we have done that. We have enrolled the development into the voluntary cleanup program up at the EEC, to make sure the cleanup of the site is under state guidance.

But now let's talk about the site itself. What you see on the board in front of you is a concept plan that was arrived at the linkage study. The linkage study followed the RF, riverfront, District zoning, which is applicable to this site. What we have come up with is, not just through our planning process at Roseland property, but through the landing study based on guidance of the RF zone, is a master plan mixed use community.

As you can see on here, it's

important to go through this for a quick minute -- Is this moveable? -- to orient you. You can see the site. Coming down Metro North Railroad tracks. What this essentially describes is Beekman Avenue extending into the site for a mixed use corridor. Showing here in blue (indicating), in these areas. With the village green, with a medium style open space in the middle, hotel conference center over here (indicating). We have got parking opportunities and a significant mix of residential uses. That's all on the west parcel.

On the east parcel we have got parking, additional community uses, residential development and parking space.

The goals of the linkage study, aside from creating census necessary to do a master plan community like this, were really to define the

extension of the village. What does it mean to bring in new development into the existing village? How do we do that? How do we go about that? What are the links between signage, consistent signage, consistent lighting. Just a point of arrival as you go down to the site. What's the impact on the existing retail, if you develop new retail. All of those different elements were studied through the linkage study. What we really want to do at the site, how it should be done to create the best economic situation for the village and re-enforce the village base.

Bring people back to the river was a big hit. Create the open space of the waterfront. Make this a viable part of the community again. It's been locked off for 100 years. Establish new corridors that when you're on the development, you

have the ability to see to the river, see the lighthouse. Of course, create a Metro North train station. We proposed with Metro North, in order to mitigate some of the traffic concerns, that we should have a train station on this site. Now, we have gotten pretty far with Metro North, but it's still a proposal at this point. So, nobody call the Metro North and say hey, approve this. It's clear from Metro North's sake that it's just a proposal on the table, but it's viable at this juncture. We would like to see it happen. We have given our commitment to the Village to push it through as we can on the private side.

In February 2003, as the Mayor said, we submitted our original application site plan. And as you can see, this site achieved all of the goals of the linkage study. We

have created significant open space along the waterfront here (indicating). One of the things you'll see on this plan, that it's just a concept at this point. A design of the open space. These circles on here (indicating), these are just designs at that point, drawn onto a plan, because we said to the Village, we don't want, as a private developer, to create your open space for you. This is going to be a dedicated public amenity here. You tell us what you want. We'll work with you. We'll work with your designers. You go ahead and hire your designers. We'll incorporate whatever you design in the open space over here.

So, we created an extension of Beekman Avenue down to the riverfront. Created new corridors directly down to the historic lighthouse. So, as you're driving

down this new boulevard, what we call Beekman Place, you can see the lighthouse as you're coming down. Create what we call Bridge Boulevard. You can see the bridge here, driving on the site. This is a mixed use corridor, office building, grocery store, fine arts cinema, things we have heard through the linkage study that the Village wants to incorporate. A hotel on the point.

This is for those of you who have gone down to the site, know this is a startling view from this point. This is going to be the biggest public amenity that we have over here, the most attractive public amenity, a big open plaza. We have got mixed residential uses throughout the site in this area. And, of course, on the east course we have additional residential uses and other residential opportunities

throughout.

Well, after four years of planning and consensus building, we delivered our February 2003 plan. And we heard some great reactions to it, and we also heard some constructive criticisms.

One of the things that we heard is that we should move all of the development off of the east parcel. People thought that by putting the -- some houses over there, that we were secluding people from the greater use of this site over here (indicating). So, we moved it over. Low and behold, that created a full 20 acre parcel that the Village can now design itself. It becomes open space. The Village has the opportunity to design the entire east parcel at this point.

What we heard criticism on, on the prior plan, was Beekman Avenue didn't extend straight down to the

waterfront. It came on an angle and splayed out. What we have done is extended that down. So, we'll preserve that corridor and now you can enjoy that drive down Beekman Avenue. We consistently held this new corridor down to the lighthouse. Some of you have seen the perspectives, and I'll show you them again in a minute. You can see the lighthouse as you drive down Beekman Place. Bridge View Boulevard is preserved.

We have got fine arts theater, the office, the grocery store. Mixed use corridor shown here in yellow. Different residential uses. Green represents apartments. The blue representing condominiums. The yellow with the blue outline being retail on the bottom with condominiums on top. The yellow with the green outline is retail on the bottom with apartments on top.

We have got a hotel over here in the corner. We have got town homes. We have got 200 age restricted units.

The reason we have -- we added the age restricted unit, the Mayor came to us and said we have got a significant aging population here in town that wants to stay. Let's do something. We went ahead and agreed to do that. Then the Mayor turns around and says, by the way, those units, we have a significant amount that needs affordable housing. So, we created half of them, 100 units, affordable units. Then, by the way, we have got a significant local municipal employee, teacher volunteer work force that also needs some housing opportunities. So, we have designated additional units for local municipal volunteer units so they can stay in town. They have

places to live.

Some of the main focus of the linkage study is obviously preserve. We have a significant open space. One of the biggest goals was to bring people back to the river, really create an extension of the village. And bringing them back to the river means doing something down to the waterfront for them to enjoy.

As we indicated earlier, the Village retained Beyer, Blinder and Belle and a firm named EDAW, two very significant, very well known, international recognized planning firms. And we worked with them to achieve a waterfront that would become viable and active. We have got a mixed use on the waterfront. Those mixed uses include a formal garden, a great lawn, a playground, a fishing pier, walking/bicycle trails, connection to the Horseman's Trail, a public plaza. I'll show

you another visual of that.

We still have the large public plaza here. A water beach here. The concept we are working on is the ability to remove the water so we can have concerts overlooking the Hudson River, the Pallisades. Have a concert series on the park. It would be fantastic to bring them over to the Lighthouse Landing. In addition to having a park, you'll have a Lighthouse Landing where you're looking out over the Pallisades. It would be fantastic.

Along with the consensus, all the planning we have done, we have had to incorporate some other issues into our site work. And good planning doesn't mean that you do what you want and ignore all the impacts. Obviously the SEQRA process is designed to make sure you attend to all the impacts.

Some of the greatest impacts

here are density and traffic. Everybody knows it. Everybody talks about it. The Mayor used to like to say the three greatest challenges for this site are traffic, traffic and traffic. Well, look, this is all a balancing act. What we have done is, through planning, is try to design a plan that balanced the uses and the traffic impacts.

Traffic, so everybody understands, is tied to the uses. You've got retail uses, commercial uses. They generally generate four to five cars per thousand square feet. And residential use brings in one and one and a half cars for every thousand square feet. So, you've got four or five versus one, one and a half for every thousand square feet. So, it was clear that we needed to create, we were going to create what the Village needed.

We need to create significant

residential housing here. So, that was our first design issue. Secondly, what does that residential design consist of. We have 200 senior units, and those age restricted units are off peak traffic times. We have got a retail component that has a fine arts theater, grocery store. What we are trying to do is keep the traffic away from the peak commuter periods to make sure that while we do have significant development here, we have minimal impacts on the road systems.

We have proposed 500,000 square feet of commercial that will bring in 4,000 cars -- 3,000 cars. We have created a balance development that achieves economic stimulus and at the same time looks at traffic mitigation. Of course, as I said before, we are working with Metro North to see if we can promote a

train station on the site and achieve a train station on site.

Along with that, we are committed to bringing a shuttle system to the site so residents of the Sleepy Hollow, Lighthouse Landing to the extent that there is an on-site Metro North station. They could be shuttled to the on-site station. To the extent we are not able to achieve the new on-site station, we'll shuttle them to one of the two existing stations just to the north or just to the south of our site. We are working on ways to mitigate traffic.

We are also working, as you'll see in our DEIS, on road improvements that we suggested as part of our traffic improvement program. What you have before you is one of the most significant waterfront parks that I think you'll come across. That park doesn't just

consist of the park at Lighthouse Landing. We will be adding 2,100 linear feet of park space that reaches a depth of 250 feet all along the waterfront of the Hudson River. But importantly our park system will link to the other park systems in town. So that you will have what the Mayor likes to call the green crescent running from Horan's Landing Park through the new open space at Ichabod's Landing, through the General Motors site, up to Kingsland Point Park, over to DeVries Park and then over to Barnhart Park as well.

We'll be expanding DeVries Park and also be providing other opportunities of dedicated land to the Village that may be used for potentially other park expansions such as Philipsburg Manor restoration. But the green crescent is probably going to be achieved.

I'm sure a lot of you heard the Mayor's speech about the magnificent recreation package that we have for Sleepy Hollow.

Another impact that we have looked at is economics. And the economics I'm pleased to say works out extremely well for our proposal.

The school system has been talked about a lot. One of our consultants, Professor David Listein, of Rutgers University, the man that actually wrote the book, literally wrote the book on socioeconomic analysis. Dr. Listein worked extensively with not only the Village, but worked with the Town of Mount Pleasant, worked with the School Board as well to determine what will be the fiscal impacts of our development.

For the Village, after covering services, our projections are they will have a one million dollar per

year surplus. One million dollars in addition, after covering the expenses for the new development. That's after covering the expenses for the new fire station that we are going to have and after covering expenses for the new police station, and after covering the existing services that are going to be needed to expand to provide services for Lighthouse Landing.

The school system, I'm also pleased to announce, that under our economic analysis, we have a school surplus in a variety of instances. We analyzed the school children that are going to be generated in Lighthouse Landing three different ways. The most conservative way, analysis leading to the greatest number of school children, provides just under a two million dollar surplus annually for the school system. Two million dollars

annually surplus, after covering costs of the children that are generated from Lighthouse Landing.

UNIDENTIFIED SPEAKER: Starting when?

MR. STEIN: The most aggressive analysis with the least amount of school children that are generated will bring over four million dollars of surplus dollars to the school system annually after covering expenses for the school children here.

So, when you hear people talk about density, about, you know, the density of the site, what's the density of the site, it doesn't always have to be a bad thing. Density brings people to the site. You need a presence on the site in order to make it viable. If you don't have people shopping, living there, you won't have a viable downtown area.

Office workers come and go. They come in the morning. They leave in the afternoon. They have got significant traffic impacts. We have got 50,000 square foot office buildings as part of our proposal. We had 100,000 but the traffic impacts were too great. So, we cut it down to 50,000 square feet.

But the residential housing is what makes this place active. These people are going to not only eat, shop and dine on site, but eat, shop and dine on Beekman Avenue and Fulton Street. They're going to watch a play in Tarrytown. Have dinner in Irvington. These people are going to be economic stimulus not just on site but throughout the entire region.

I guess in closing what I would like to say is we worked hard over the past four years to make sure we built a consensus plan that really

achieves a lot of things for the Village as far as this site. It provides economic stimulus. It provides an active waterfront. It restores the open space to the public and creates a green crescent.

As far as the architectural, a lot of you have seen the visuals. I'm not going to go too much into depth except to stay the linkage study asked us to identify what is special about the historic Hudson town, and we have done that. They said go out to Cold Springs, Nyack, Ossining, Hudson, Sleepy Hollow, Troy, Tarrytown. Go analyze them. We want a historic village look down here. Those towns have it. Go find out what it is.

So, we have gone, done studies. They're all in the packages that hopefully you have all received. There should be more than enough for everybody here this evening. Some

of the things we have done is added cornices, horizontal and vertical articulation, height of the buildings, setbacks on some of the floors, setbacks of the building faces are all different.

We have got significant use of masonry. We have got a variety of colors on the site. And very importantly, on mixed use corridor, the first level, which is dedicated to the retail space, has to allow the merchant to merchandise his space.

We also studied the street scape with the sidelines. How wide should the sidewalks be. Where are the opportunities for people to come and dine on the sidewalk in front of the restaurant, because we do intend to have six restaurants on the site, which by the way, is another opportunity to calm traffic, to mitigate traffic, because it's again

off peak commuter hours. How far the trees are going to be spaced.

As you can see from the building elevations, again these are all in your package, I won't spend too much time on it, we have taken some large buildings and broken them down and make them look like smaller buildings. That was a term of art that came out of the linkage study. Plan eclecticy. Make it look like it's built over time. But, you're obviously going to build it all at once. But Don't make it look that way. But don't make it look Disneyiak.

So, what we have done is gone through studies, and we have gone back to the many members of the Village Board, to members of the public, and shown these designs. And we have reworked them and refined them just like the site plan. We have created something

that people said, that's the look we are trying to achieve.

And you can see this is the view of Beekman Avenue as we look down towards the lighthouse (indicating). I think it really says a thousand words.

Mayor.

MAYOR ZEGARELLI: Yes.

MR. STEIN: Thank you. I appreciate everyone taking time out to come this evening.

MAYOR ZEGARELLI: Would you get that light. I changed the agenda around a bit in order to facilitate the presentation. What I would like to do is go back in the agenda to item two, which is the environmental review process. And in hindsight, having made up the agenda, maybe this is the better way to go. What we would like to do is, I'm going to call on David Smith, who is our special consultant of Saccardi and

Schiff, to walk everyone through what is the SEQRA, the State Environmental Quality Review Act, procedures. A series of steps, very methodical, very organized, but is in such a way to enable people to come up, comment, for the applicant to propose and for the Village as lead agency to dispose. Mr. Smith.

MR. SMITH: Thank you, Mayor. For the record, Dave Smith, vice president of the firm of Saccardi and Schiff, planning consultants to the Village of Sleepy Hollow.

As the Mayor has hilighted in his opening remarks, it's important for the public to understand, the presentation that you've heard tonight from the applicant, to understand that the documentation that's been provided to the Village and circulated to the other involved agencies, to understand the comments that will be raised tonight in the

context of the process. That's the State Environmental Quality Review Act, the SEQRA process. It's a process that is structured and it's a process that is statutory.

What I will review very quickly is the various steps that the Village must follow throughout the course of the environmental review. On the back of your handout, on the agenda, there is a flowchart. Again, it's pictured here to my right. It essentially outlines the various steps that the Village must conduct as part of the review.

Now, as John had mentioned in his presentation, their process, the SEQRA process actually started two years ago in February with the submission of their riverfront development special permit conservation plan application. From that application again the Mayor and the Board of Trustees needed to

circulate a Notice of Intent to act as lead agency. The lead agency is essentially the body that will be coordinating the environmental review with the other admissions involved agencies. That may include such folks as DEC, New York State DOT, Army Corps and others in Westchester County.

Now after submission of the initial application, there was what's called a scoping process. Essentially that outlines and provided the public with the opportunity to comment on the type of information that will be included in what's called a Draft Environmental Impact Statement. And essentially once the scoping outline is adopted, that becomes the outline and the table of contents for the DEIS document.

The DEIS serves three major functions. First, it considers the

relevant adverse environmental impacts of the proposed action. It discusses measures to reduce or avoid identified adverse impacts. And three, it attempts to assess a range of reasonable alternatives to the proposed action, including a no action alternative.

Now, our preliminary version of the DEIS document was submitted in April of 2004, and it was up to the Village Board acting as the lead agency along with the village staff and consultants to review that document and compare it against the scoping outline. Essentially there were pieces of information and various studies and analyses that needed to be supplemented as part of the DEIS. So, essentially for the last eight months the applicant has been revising and perfecting the DEIS document.

Now, it's important to note

under SEQRA the DEIS is not meant to be perfect. It's intended to provide sufficient information to allow the public to react and comment on the proposed action.

Now, the submission of the DEIS document is not the end of the process. All of the substantive comments that are raised tonight as part of this public hearing and part of the subsequent public hearings to be held throughout the course of February and essentially throughout the comment period, which ends on March 16th, all those substantive comments will be responded to in writing in a Final Environmental Impact Statement.

Now, the FEIS has a particular format. There will be a comment raised and there will be a specific response to that comment. That document will be submitted to the Mayor and Board of Trustees. They

will again review it and make sure that all the comments have been responded to adequately and in sufficient detail.

Once the FEIS is accepted, it's circulated to the public. And as in past practice with this Village, they will hold a public hearing on the FEIS. That's not a requirement under SEQRA, but it's something that the Mayor and Board of Trustees have always promoted as a way of incorporating additional public comment.

After the FEIS is circulated and the public hearing is concluded, the lead agency, the Mayor and Board of Trustees prepares an Environmental Findings Statement. Again, the Environmental Findings Statement is the conclusion of the environment to review. Under SEQRA an environmental findings must consider relevant environmental impacts.

They must weigh and balance relevant environmental impact with social, economic and other considerations. Again, to provide a balance. To provide a rationale for the agency's decision. To certify the requirement of SEQRA have been met. And lastly, to certify that consistent with the social, economic and other essential considerations, among the reasonable alternatives available, that the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable.

Now, what all this means is that the project you're seeing presented tonight may in fact not be the project that ultimately gets approved. And one of the benefits of the SEQRA process is that it provides opportunities for meaningful input from the public and other governmental agencies and

other groups and provides that information to the Village prior to any consideration for a decision being made.

Now, the Village has requested anybody asking or requesting to provide a comment tonight, we do have a sign-in sheet over at the table. Owen. Perhaps anybody else would like to try to comment, see Owen. But there is a court stenographer present. We would ask to provide your name, address and if you're here representing somebody, so it becomes part of the record.

Mayor, that provides an overview of the process with respect to the proposed action.

MAYOR ZEGARELLI: I'll also ask Joel Sachs from the law firm of Keane and Beane, our special counsel for environmental matters, to address you on a few of the other aspects.

MR. SACHS: Thank you, Mr. Mayor. I'll try not to be repetitive, but I just do want to go over some of the ground rules once again so there is no misunderstanding.

As the Mayor indicated, this is the first of four public meetings and public hearings wherein the Village Board of Trustees as lead agency is soliciting comments on the Lighthouse Landing DEIS. And this is part of a statutory process that is required by state law. And in addition to the public comments that will be coming in tonight, there is also an opportunity for written comments to come in from members of the public as well as from governmental agencies. Very often agencies such as the state DEC, County Health Department, et cetera, submit comments in writing as opposed to getting up and giving

statements at these hearings.

Again, you're going to hear, I believe, one additional short presentation from the applicant tonight, and after that, each speaker will be given a maximum of five minutes to make a presentation tonight in the way of comments or questions. And as was stated previously, the purpose of tonight's meeting and subsequent meetings is to hear your questions and comments. The applicant is not required to respond tonight. And in fact, we have advised the applicant not to respond orally tonight, because under the state law, the applicant must respond in writing to each and every substantive comment and each and every substantive question raised during the public comment period either at the public hearings or by reason of the written comments which will be coming in. And again,

as Dave mentioned, there is a stenographer here who will be taking a verbatim transcript.

There is a sign-in sheet. In addition to the five minute cut off, I think, Mr. Mayor, you are going to have a time where you're going to stop the hearing this evening.

MAYOR ZEGARELLI: When it looks reasonable. We were initially thinking 10:00, 10:15 depending on how it goes. The idea of the five minutes is to allow everybody a first crack. If somebody has a statement, wants to go longer, you'll get that opportunity. We want to give everybody a chance to make a comment, if a person has a simple question or a desire. We don't want to have potentially somebody speaking for 10, 15 minutes and people waiting.

As we said, we'll also be having a meeting next Tuesday up at the

high school at 8:00, a week Saturday, being the 19th, at here at 10:00 a.m., then on the 22nd again here at 8:00 p.m.

MR. SACHS: Thank you.

MAYOR ZEGARELLI: Before we go into that, I just want to frame a few issues. This is a map of -- a use map of the Village of Sleepy Hollow. What we mean by use is really by zoning. What it has, these are the boundaries of the village. General Motors, the hospital, Rockefeller State Park, et cetera, cemetery.

What we want to do is to show in particular the zoning and the different compartments, shall I say, of the village. What I mean by that is there are naturally communities, like Sleepy Hollow Manor, like Philipse Manor, like Brigsville, like the whole Barnhart Park area or down on Valley Street, the park

area, areas of schools and so on and so forth.

What we have done also is to prepare what we call the red map. And the red map is, despite what the map shows and what potential use by zone, the red map is what the village will look like in about three, four years tax exempt versus tax paid. Now, this is not, since there is red and blue, this is not red states, blue states. This is tax exempt, water and the white being the different clusters of neighborhoods, tax paying, public. We show this because we want to make sure, because we also have to look at this from a point of view of what our desire is and weigh those benefits as we are also asking you and we have told the applicant to as to, as to how we are going to manage or otherwise facilitate what we all would like to see.

The Village Board has made a very conscious decision, even though it means more red, to have more open space. More tax-exempt property. Fully one-third of the entire General Motors site will be tax exempt. We have carved out the waterfront, and we did that very consciously. We want it. We want it for our posterity.

This whole area here is Rockland State Park. There are other donations in turn that will happen. That's all the land that maybe doesn't pay much taxes now but will not be ever developed. It will be park preserved. Not just park land, but park preserved. I know many of you are here and know the difference. It is a significant difference in its ability and uses.

The other red areas are different parcels that are tax exempt. This is the hospital. We

made this sort of stripe because that's Kendal, the CCRC. They will be paying a pilot, but it's really still tax-exempt property. The east parcel of General Motors we anticipate as part of that one-third will be tax exempt. We have been in discussions. I see Goidel here from HHV. We are in discussions that some of the land may be passed through us to Historic Hudson Valley for incorporation expansion of Philipsburg.

These are part of our legacy, you know, Philipsburg Manor, the hospital, the cemetery, all the parks. We have restored virtually something in every park. This is Peabody Field. This is school property. If you look at it here (indicating), it's zoned as if for Sleepy Hollow Manor, but it's school property. It's tax exempt. These things have to be looked at too

because we have to jungle. We have to weigh. We have to make a determination what's best for the village.

By the same token, I want to reiterate again, we have decided to go for more open space, more park land, et cetera. So, I want to make sure people understand that this is not just how many units can you shoehorn into a site. There is a balance here. There is an economic potion that should be met. As we look, and while it is a totally separate issue as to what the developmental plans are within the school district, there is again that weighing that has to be made.

We also made that decision by having and telling, as Mr. Stein said, that we want low cost housing for our citizens. Something affordable. Now, we can all laugh on what is affordable in Westchester

County. But everybody's property values have gone up. But by the same token, we are pricing out people who have and families who have lived here for generations. There are many people, working families, volunteers, volunteers in our fire department, volunteers in our ambulance corp, et cetera who, you know, it's hard to live here economically, financially. Let alone the quality of the housing.

We anticipate by some of the developments that are going on, especially with General Motors, there will be secondary and tertiary investments. Some of the older areas of the village we anticipate will be rejuvenized. People buy property. We have it. So you see that already.

These are things that we face every day, and I want to use that and set that stage, because as

people come up and make comments, I want you to understand that as I said before, the presentation was that of the applicant. The decisions and the decision making and how we disposed of is on the part of the Mayor and the Board. In between is yourself, whether you're residents of Sleepy Hollow or Tarrytown or some other place, whether you have a vested interest in what goes on or just interested in general on what should be done and what should be done right.

Now, a lot of -- there is a lot of rumors out there. I want to try to, you know, make people feel a little better. There is a rumor that, you know, well, the GM site, there will be a road going through Kingsland Point Park and over onto the Palmer Avenue Bridge. First of all, Kingsland Point Park is a park. And in fact what has been developed

at our request is that parking in Kingsland Point Park will be taken out of the park, and they're actually giving us a piece of property of parking outside of Kingsland. And that there will be no interconnection roads. No thoroughfares. No interconnection at all.

Concern about the Philips Manor railroad station and/or the Tarrytown railroad station. My goodness, if you put a station at Sleepy Hollow somewhere along the way here, you know, they're going to cut off either station. That's not the case. The Village has gone on record to state that we would give up any idea of a Sleepy Hollow station at the GM site if it jeopardized Philips Manor or Tarrytown. And, in fact, while it's not in this year's capital budget, we understand it will be in next

year's capital budget.

There are between four to four and a half million dollars being allocated for the rehabilitation of Philips Manor station. Not to meet ADA deadlines or requirements, but rather just to fix it up and make it better. With Kendal being developed, with expansion at the hospital -- many of you -- I don't see anybody from the hospital here, but this proposal is a foot for about a 40 million dollar expansion at the hospital including parking and a newer emergency room. This village is going to be more active shall I say. And we should be thankful that we have, with all the other hospital closings going on, that we have a hospital that's actually going to be expanding.

So, I wanted to say a few things like that. I get concerned because while we try to keep the public

record open, I know people, you know, are always concerned and they may grasp onto a tidbit or a side conversation and unnecessarily understand or appreciate that we share always those concerns. We want to make sure that the concerns of the people are addressed, but at the same time looking forward too. As I would like to say, it's really a once in a hundred year opportunity. We decide to do what we decide to do. It's some measure. It's some length. It's some breath. And we move on. And I think that what you see here is really, you know, the first set and it's for the Board to decide thereafter.

So, Owen, do you have that list? Andy, were you going to -- All right. I got to hold it. See I had you down here with Jonathan, but Jonathan turned it over to me. Let me have the consultant to the

planner from Roseland speak. Sorry.

MR. TUNG: No problem. Thank you, Mr. Mayor. Good evening. I will -- My name is Andy Tung from Bivney, Tung, Schwalbe. What I will do is give a very brief overview of Section III of the DEIS. The handout you may have picked up at the front desk contains the front end if you will of the DEIS. The title page, the table of contents, which is a summary, the list of figures, the list of drawings, the DEIS and the summary, Section I of the DEIS, and the overview of the entire document. Section II is a description of the action, which John Stein reviewed, what's proposed. Section III are the environmental issues that the Village Board in its findings, rather in its DEIS scope, adopted August of 2003, which asked the applicant to study 12 different

chapters of potential environmental impacts that could be the result of the property being developed, what those impacts were, what the existing condition is today and what potential measures could be implemented to either avoid, minimize or mitigate those impacts.

Those twelve chapters are also presented in Volume II of the DEIS. This being the full document. This is Volume I, the main text, and this is Volume II, the studies.

Some of what I will go over very briefly was presented first in Section III and then in greater detail in Volume II.

The site that John explained is a former General Motors assembly plant site. It's divided by Beekman Avenue and Metro North Railroad into three parcels. The DEIS talks about the west parcel along the river where the plant used to be. The

east parcel, on the east side of the tracks, where parking and vehicle storage was. And the south parcel, which is divided by Beekman Avenue, which is where what was another parking area for General Motors employees and staff.

This map is oriented with north generally to the left, Kingsland Point Park, DeVries Park along the north. Along the east side, the inner village and Barnhart Park. And on the south side of the property, Beekman Avenue, the industrial area along the water and the Village of Tarrytown further to the south.

The first of the twelve chapters in Section III, which is land use, zoning and public policy. The Village, as the Mayor and John have outlined, adopted in 1996, moved it forward three important documents or studies that have guided us in our

planning and thinking about this site. The RF district zoning, the riverfront development district, which was made part of the zoning in 1997 in anticipation of this area, not only the site, other industrial areas along the waterfront being redeveloped into more of a mixed use, mixed use area instead of an industrial area as it had been for the last 80 to 100 years.

The second document was the LWRP, the Local Waterfront Revitalization Program, which applies to the entire Village of Sleepy Hollow, but has certain policies that are directly applicable to this site and all sites along the waterfront.

The third program which some of you may have participated in this room in 2001, 2002 was the linkage study, community based group discussion as to how those

objectives in both the LWRP and the RF district could be applied specifically to this site, tie it back to the balance of Sleepy Hollow.

The second chapter is land, water and ecological resources, which basically looks at the physical conditions of the site. This is a survey of the property with the former footprint of the two assembly plant buildings shown in white. That's the concrete slab as you see today as you look out over the site, and it's surrounded by, for the most part, by asphalt paving. Ninety-three percent of the site is concrete slab or asphalt paving. That was roadways to serve the factory, parking for employees and storage for vehicles.

On the east parcel along the base on the east side of the east parcel there is a wooded hillside at

the base of Barnhart Park. That's pretty much the only green space currently on the property. There is a small wetlands ditch, actually a drainage ditch that drains to the east parking lots that flows to Pocantico. We have the Hudson River and Pocantico on the north side.

We have looked at things in terms of the physical characteristics, in terms of flooding. We have studied the FEMA flood maps and also the experience of our recent Floyd tropical storm to understand where the flood levels are on the site. And as a result, are raising the lowest habitable space of the future residences four feet above that flood level.

We also, John mentioned, in cooperation or in association with General Motors, Roseland has signed a voluntary cleanup agreements, a VCA, with New York State DEC. And

they are undergoing studies on the site to see if any remediation is required based on the past industrial use of the site. That process is ongoing, concurrent with this environmental review process. In Volume II of the document there are a number of documents, including an investigational work plan that has been approved by DEC and are currently being further investigated, further researched as we move forward.

The third chapter in Section III is socioeconomic conditions. I'll look at that together with the fourth chapter. Some of these chapters have overlapping issues, and that's been done both to allow them to be looked at in detail and also in combination, because at the end of the day, all the environmental issues, as the Mayor said, has to be balanced in order to

find a point where things are looked at in balance together.

In terms of land use study areas and community facilities, our consultant, Dr. Listein, has looked at the impacts of the project, what services will be needed, what school children will be sent from this site to the public schools and balanced that against both the tax revenue, property tax and other permit and license fees that will come from the site, sales tax from the site. Jobs will be created both during construction and during operation of the retail. To see how those things balance.

We looked at the various community service providers, spoken to them. As John mentioned, there will be substations for the police department and fire department on the site. There will be seven acres set aside on the east parcel for a

knew DPW storage yard and also recreational facilities on both the east and west parcels.

We also looked at the -- in the fifth chapter at historical cultural and archaeological resources. We looked very carefully at the inner village in terms of the land use, where the retail is, where the housing is, what the housing types are as well as the architectural resources of the inner village to see what could be gleaned both from Sleepy Hollow as well as other Hudson River communities, to flesh out what the RF district zoning calls for in terms of an old waterfront, historic waterfront, historic Hudson River waterfront community. How does -- how does that translate into what will be built today. And some of the architectural, as John showed previously, I think are our

architects best attempts to take what we have learned from those villages and translate it to you.

The next chapter is open space and visual resources. We looked at the existing open space around the site, including Kingsland Point Park to the north and then to the south and working closely in conjunction with Beyer, Blinder, Belle and EDAW, two consultants hired by the Village to design an open space plan.

We looked at the riverfront of Lighthouse Landing, which is here (pointing), which connects to Kingsland Point Park here and the promenade at Ichabod's Landing and Horan's Landing here (indicating) to see how all of those activities would work together and how a visit to the waterfront at any of these locations would have different experiences. And as they moved along the waterfront, they would

have complementary experiences so that not everything was the same at each particular frontage but as a whole that would work together to provide an unmatched resource along the Hudson River.

And these are drawings prepared by EDAW, Beyer, Blinder and Belle, which has been incorporated showing the types of activities that would occur at different locations along the riverfront.

We also looked, per the LWRP, at specific vantage points within the village where views of the site and to the site were deemed to be important. Those views, vantage points are listed here. Ten vantage points looking from the river, back to the site. And we took existing photos from those vantage points as shown here at the top and prepared architectural simulations of how, given the proposed Lighthouse

Landing site plan and architecture, how that view would look from that same vantage point. So, here at the top, standing at Beekman Avenue, looking out, towards the lighthouse, over the existing slab in the existing condition. And then in the proposed condition looking down Beekman Place, as John described, a new retail street to the lighthouse at the end.

In a similar view, now looking directly west along Beekman. This is Beekman looking out to the river. Hudson's restaurant is here on the left (indicating). And also here on the left in the proposed slide, with a new cinema and a mixed use district on the right side, still with that extension to the river of Beekman Avenue.

Utilities was the seventh chapter. We looked at utilities both on a village wide basis in

terms of the infrastructure at the former GM site. Go back for just a moment. The former GM plant was served by water, sewer, gas and electric. So, that had a great demand on those particular utilities. And we looked at how to adapt that and prepare -- provide an infrastructure within a site to serve a new residential and mixed uses proposed.

Next two chapters, mass transit and traffic, are closely linked. Mass transit, we are blessed by the presence of the Hudson line of the Metro North Railroad, Philips Manor station directly to the north, Tarrytown station directly to the south. And we are proposing, in conjunction with Metro North, and this is another instance where a parallel track is ongoing during this environmental review process, where Metro North is reviewing our

proposal for a station at Lighthouse Landing. It will begin at the Beekman Avenue bridge, where it currently crosses over the tracks and extends on both sides of the tracks 850 feet north. So that from Beekman Avenue, people will walk down the stairs to the platform and get on the platform going either northbound or southbound to the city or northbound. At the sound end or north end of the platform there will be an overpass and a commuter parking lot on the east parcel.

Our consultants, Edwards and Kelcey have prepared what Metro North calls a defined definition report. A first phase of a feasibility study. That document is in the appendix as well.

We are proceeding with Metro North under its review to see how the station might work both physically and also operationally.

We looked at boardings in Tarrytown and Sleepy Hollow, for the entire rush hour period, to see how do people use those stations today so we can try to project how the new residents of Lighthouse Landing as well as the people from the inner village can now have readily access to the stations, who would also use the train.

Mass transit goes hand in hand with traffic. There would be traffic from any development on this site. Right now obviously there is no traffic generated. When there was a GM plant, there was certainly traffic at that time. But here the main -- one of the main issues resulted in twenty-five intersections being studied by our consultants, TRC/Raymond Keyes Associates, who worked very closely with the Village's traffic consultants to identified how the

study would be done. Intersections along Beekman Avenue. Intersections up and down Route 9 all the way to the 287 ramps as well as intersections to our south within the Village of Tarrytown. We looked at lane alignments, current signalization, traffic accidents, traffic volumes both today, in the future, if there were to be no Lighthouse Landing and with Lighthouse Landing in place to identify where there is an opportunity to propose mitigating measures such as additional signals, signal timing changes, lane changes, all in an effort to make the traffic system work better than it does in that future date. Clearly this is something that's beyond the purview of a single project, and Roseland and GM look forward to continuing to work with the Village and other interested parties to try to solve

this larger issue.

The last three sections are also interlinked of Section III, three chapters of Section III, noise, air quality and construction. Noise and air quality both in the existing condition. With a concrete slab there is very little noise and very little air impact of air quality. After construction, as shown here in the proposed plan (indicating), there will also be a fairly limited amount of noise and air quality impact. During construction, however, there is an opportunity for both air quality and noise impacts. Our study looks at how those noise and air quality impacts construction are controlled and also how the timing and phasing of construction is critical to having control over that.

And so we have done time tables looking at each of them on the left

here, even the individual blocks, and the infrastructure of Lighthouse Landing spread out over a seven year anticipated construction time line. And also done in plan view from year one, two, three, four, five, six seven to show how the construction activities move across the site so to better be able to control all the construction related impacts.

Thank you, Mr. Mayor.

MAYOR ZEGARELLI: Okay. What I would like to do is try to take this in order. The first person I see signed up is Nick Robinson. For purposes of the -- I'll move this back. For purposes of your questions, since it's a hearing, if you could take the microphone and stand and address myself and in particular the stenographer, because with all due respect to ourselves, that's more important, that everything be recorded.

MR. ROBINSON: Thank you very much Phil. I'm the Chairman of the Planning Board of the Village and I want to commend the Mayor and trustees for the open process that they have cultivated, the linkages studies that preceded this. I also want to pay tribute to people who set the stage for what we do tonight, in particular the late Richard Swede. He was very influential with Don Steifer in developing the waterfront revitalization plan. The legislation Don and I and others worked on the abandoned industrial property act of this village.

I want to commend General Motors for the very careful way in which they demolished the old buildings. They recycled the metal from that General Motors plant, and they took the metal out by railroad car. There was not a single industrial

accident in tearing down that plant. It was an extraordinary success story that General Motors should be praised for.

And I also want to again thank the Mayor for popularizing the green crescents and building the open space and planning elements here. We are very lucky to have you for a second term, Phil. I think it's very important that we acknowledge that we could not have the plan to critique without these accomplishments.

The Planning Board is an involved agency. We are not the ones doing this planning, but we will have to eventually provide site plan review and do the final site plan approval. We have done a number of planning measures such as a generic environmental impact assessment, would adopt policies on cellular services that will apply to

this site so we will not have industrial cellular tours. All of them have to be camouflaged and so on.

I really only want to tonight announce that we are having sessions to develop the advice the Planning Board will give to the trustees with respect to the Draft Impact Statement. We have a work session here in Village Hall on the 12th of February at 8:30 a.m., where we will walk through the plan. We have a special meeting with the Waterfront Advisory Council from 7:00 to 8:00 on Thursday, the third Thursday of the month, our regular meeting, at which we'll look at how the waterfront revitalization coastal zone policies that the Village has adopted apply to this site. These are open meetings. And we will arrive in the position of the Planning Board in those open

meetings and take whatever comments people may have. You're welcome to attend them.

Our job, as the Planning Board, is to give the most careful and fully professional critique of this Draft Environmental Impact Statement, to help strengthen it, to strengthen the consideration of all reasonable alternatives during the aspects of the planning. And we look forward to discharging that responsibility and helping the process move along quickly. Thank you.

MAYOR ZEGARELLI: Next on the list I believe is Timothy Judge.

MR. JUDGE: Thank you. I'm Timothy Judge, 250 Highland Avenue here in the Village of Sleepy Hollow. Thank you for the opportunity to address this public hearing. I will submit written remarks which will go into more

detail on concerns that I have. But to address and a quick overview of the main things.

Traffic certainly is a large issue. I think the DEIS needs to examine not only the traffic impacts here but also with other developments occurring in the Village of Tarrytown and also with the rebuilding of the Tappan Zee Bridge. All of those things are going to have long-term impacts in traffic in this area. PM101

Another situation which I think needs to be addressed is to look at what the rateable mix will be within this development. Residential tax dollars do not provide enough coverage for cost of services. They usually fall short somewhere between $1.25 and $1.40 on average. And that has been demonstrated in multiple municipal studies. So, we need to take a look at increasing PM102

commercial and industrial, light industrial development within this proposed redevelopment of the GM site, A, to increase the tax base and also to provide jobs for local individuals.

PM102 (continued)

Finally I would just say that we need to address issues related to water, sewer and sanitation increases that will come with the proposed number of residents. I would urge that the residential load be dropped, lowered, and the mixed use, more commercial, and light industrial uses being put in. Thank you.

PM103

MAYOR ZEGARELLI: Along those lines, we are looking at as a separate issue on water rates, sewer rates. I appreciate your comments.

Next is John Edwards.

MR. EDWARDS: Hi. My name is John Edwards. My family has been in this village since the 1840's and

1850's. So, I'm speaking on their behalf as well as projects I've been working on myself for the Village.

I have several concerns. The first one, I would hope in this application you're going to include co-ops, because co-ops are going to be a very vital way for first time owners to become owners instead of renters and generate tax money for the village. It's also a very viable way for seniors to continue to own something and stay in their hometown. PM201

The reason I don't live here anymore at this time is because I couldn't afford to live in my hometown. There was nothing affordable for me to buy.

Second issue, on the density issue. Fifteen thirty-two in my opinion is way too big. What that's going to generate is like a mini Hoboken on the river for us. I PM202

lived in Hoboken for five years and it was just a bit too crowded.

The style of the buildings was way too similar. They're attractive. It's a very pretty village. It's actually a city, but it's going to look too much of the same on some of the designs that I'm seeing.

PM202 (continued)

And in regard to the designs, I think 1,350 as I said might be an acceptable number. The design, I think I saw a lot of references to French influence. Now, I haven't got anything against the French, but this town was based on Dutch characters. I would hope that you would include enough Dutch influence in the architect, in the styles of the parks and whatever else, that we can stay historically correct.

PM203

As Phil has said many times, this is a once in a 100 year opportunity. And if we blow it, we

blow it big. I hope we would include more of a Dutch influence into the overall appearance of what is going on.

PM203 (continued)

I don't think I need that. Thank you.

The next issue. When I was growing up in this village, there was a real bay around the lighthouse. I would hope that as a part of this overall project we can put more water between the lighthouse and the land, because as I was growing up, the land kept creeping up and up, to the point all you have to do is jump over and you're right on the lighthouse. Again, this is just give us back what we gave up in order to have General Motors in our town.

PM204

I need to also make a couple more comments, one being acknowledgment of the commitment, the absolute hard core commitment of

PM205

the Mayor, Roseland and the trustees both past and present to giving open space a major part of the deal. Far too many places give up all their open space in the name of progress, and they just totally obliterate all the things that really made that village an important and pleasant place to live. I hope that you do not in any way do this, because it's very important. Because when you lose the green space, you lose your history and you lose the soul of your village.

PM205 (continued)

Finally this one is particularly dear to my heart. I did not hear in any way any inclusion of a new post office in this village. As some people know, I have this nickname of Mr. Zip. That's because in 1996 I started the zip code movement to get zip code 10593 returned to this village. It was originally suppose to be returned to us on February 7,

PM206

1981. We are still under the wrong zip code, almost 24 years to the day.

To that end, the mail that's going to be generated from this project will be in the tune of somewhere between 24 to 30 million new pieces of incoming and outgoing mail. This is based on figures that Phil and I computed very recently based on the newest figures and based on the figures given to me by the post office as to how to do this. So, I know they're accurate.

We need to have a post office here. We also need to get down to the bottom line, what is the number of units that are going to be there. Because without that figure, Phil and I are kind of stymied on getting the last major part of the proposal to the post office together so we can get our zip code back.

We have got all the other parts

PM206 (continued)

in place, but this is a single biggest issue to stopping us from getting our zip code back. We need the figure. We need the post office. Please keep all of these things in mind. Thank you very much. PM206 (continued)

MAYOR ZEGARELLI: I have Richard Plano next.

MR. PLANO: My name is Richard Plano. I live at 215 Harwood in Sleepy Hollow. I'd like to make a statement on behalf of the Village PMIA, of which I am president. I would like to add my thanks to all the other previous speakers, to the Mayor, Board of Trustees, all the involved parties to have these open hearings to allow people to view plans, to express their opinions in an open and forthright manor.

However, we are deeply concerned about the density of this proposal which will increase the population PM301

of the village by about a third. At our meeting last night the PMIA Board voted to insist that the residential units be reduced by at least a third, with most of the reduction coming from the residential section. These are the units that will likely generate lower tax revenue with respect to greater needs for police and school taxes and have a more transient population.

PM301 (continued)

Furthermore, we would like a greater attempt be made so that the buildings would look like an authentic extension of Sleepy Hollow rather than a series of mall like structures with fake facades hanging from them.

PM302

Now, that is the end of my statement from the PMIA. As an individual living in Sleepy Hollow, I would like to ask some questions about the numbers concerning the

PM303

PM303 (continued)

school population increase, 217 I believe is what the report comes out with.

If you notice the numbers, there is 224 town houses. I don't know who they think will buy the town houses. Perhaps it's going to be a flock of flying nuns coming in to buy them up. I don't think so. I think it's going to be families. I think it's going to be quite a few students. I would like to know how the 217 was derived. Was it derived from a broad base statistic or was it derived from something more specific with respect to the school system here and the population here. Because we do, I think, generate quite a few more school age kids than that. Thank you.

MAYOR ZEGARELLI: Your points are well taken, and I'm sure the applicant will provide the sufficient detail to answer your

question.

I can't make this out well, but the person lives at 22 Farrington Avenue. Fits something. I just can't read what it says, but the address is 22 Farrington Avenue. I'll skip over.

Cynthia Sandle and Sherry Bishko.

MS. BISHKO: Hi. My name is Sherry Bishko and I live at 537 Bellwood Avenue.

MS. SANDLE: I'm Cindy Sandle. I live at 139 Palmer Avenue.

MS. BISHKO: We represent an organization that we founded called Sleepy Hollow Families for a Legendary Waterfront. We are a grass roots organization that's comprised of families from Philips Manor and Sleepy Hollow Manor.

And we also would like to commend your work, Mayor, and the Board of Trustees. We are committed

to the preservation of our community and our environment and our way of life. We are family members, mothers, fathers. We have children that attend schools in the town. We swim on the river, boat on the river, volunteer. We are neighbors, citizens, family members, friends. And as such, we want you, as the Board of Trustees, as a resource we would like to be involved in the process. We would like the development to proceed with an over arching theme. Sleepy Hollow as a model community for environmentalism, diversity and historic preservation.

We prepared a letter dated February 3rd that we would like included in the record. You must have received it. And those comments are specific to the draft EIS, and some of them include comments on specifically the number

PM401

of residential units which our organization believes should be reduced. We think it's too many. And that also goes to specific impacts on traffic, air quality. PM401

I just would like to say something that someone said to me that struck me. We have children that live in the community. And if you have to take your children to a baseball game at 5:00 o'clock at Washington Irving School, we have friends that leave at 4:15, 4:00 o'clock. It's unacceptable.

MAYOR ZEGARELLI: That late?

MS. BISHKO: That late. We really are extremely concerned about the traffic in the community as parents who are shuttling our children back and forth to events. I can't reiterate enough how 1,500 residential units is overwhelming to us. We can't get our kids back and forth to events with the traffic PM402

impacts that we view and that the EIS I do not believe sufficiently addresses. PM402

Additionally we have submitted comments on air quality, on the potential that we have here to include environmentally friendly building products. We suggest something called green rooftops initiative that is provided by EPA. I mean, this is an opportunity to build a community that is unprecedented, trend setting. And we would like you to include us in the process, and we hope that you will. PM403

MS. SANDLE: We just also like to support Scenic Hudson's investigation of restoring the Pocantico River and seeing what that would entail and keeping it as something to consider. PM501

MAYOR ZEGARELLI: As a response, I had to get a copy of it, we are

opening up, as we have before, the analysis of the DEIS into six study groups. Various trustees will be heading them up. As you can tell just by the shear volume of paper, this is no little, you know, one acre subdivision. The six areas are fiscal and social economic impacts, community facilities, traffic and transportation, something very interesting, because it dovetails what you said, building designs and visual impacts, site development construction and communications and process. And this is open to really anyone who would like to do this. We just enacted this ourselves as a study group. So, by next week, being the next hearing, we'll have sign-up sheets for people, if they would like, to be part of it.

What we'll do is break up into groups literally and dissect everything, because again we can't

just do it all at one time. We want to break it up and have citizen input. So, your points are well taken. Thank you.

Sunny McLean.

MS. MC LEAN: Good evening everybody, Board of Trustees. My name is Sunny McLean, 525 Riverside Drive, Sleepy Hollow, New York. I'm here representing a concept idea for a community cultural center to benefit the Village of Sleepy Hollow and the new development as a magnet facility for the new property.

I'm just going to read this. It really isn't this long. And this has already been documented into the first scoping session last year. So it's a couple of corrections. It's been already submitted to the developers in the village.

The Lighthouse Landing --

UNIDENTIFIED SPEAKER: Speak a little bit louder.

MS. MC LEAN: Lighthouse Landing, cultural community center, river stage. The document is based on the proposal of September 1997 requested by Phyllis Rina and Marsha Magee of General Motors.

Thank you for your recent comments on the creation of a cultural center on the former General Motors site in Sleepy Hollow, New York.

Excuse me. Could Daniel hand me that other piece of paper? Just hand me the file. It's kind of hard to have all of your notes in order. Okay. Consider the dedication of a small parcel of General Motors employee parking lot, as noted in the LWRP, the "amenities package", for the purpose of constructing a shared use Village of Sleepy Hollow Community Center with a film/cinema, river stage.

PM601

The facility would be

established through a partnership between business and government and the local nonprofit community at large. The building would provide a needed community center space including a general meeting area and an auditorium, cinema, both with views of the river and the lighthouse. A miniature art gallery, this is on the commercial area, and a restaurant.

PM601 (continued)

The visitor's center might welcome our own residents as well as tourists. We could have our feature artifacts reflecting the rich, historical Sleepy Hollow and Hudson River heritage.

Why a community cultural center. The Sleepy Hollow Community Cultural Center would provide the very much needed community space for our residents, recreation department, seniors, new Chamber of Commerce, government committees, educational

institutions, ethnic, fraternal, religious, cultural, arts and literary groups plus provide entertainment and extended facilities to the escalating Sleepy Hollow community.

Furthermore, it would provide a level of cultural, visual and literary arts, capability and internet media capability. Offer conference space to accommodate our community organizations and corporate business. Provide arts and education venue for river communities along the Tappan Zee corridor - including multiple transportation modes, as in the proposed train station. Offer east bank river towns a "unique focal point" for tourism development in the Hudson Valley.

Excuse me for a second here. Benefits. To provide national recognition for vision in site

redevelopment and community relations and establish Roseland, Streetscapes, General Motors and other entities I've not written in here and the Village as natural patrons of the arts.

Increase the site's value, attracting to it a diversity of business interests to blend with the arts complex and the tourist, corporate and residential elements.

Expand commerce, encourage tourism in the area by providing an attractive destination linked to businesses located on the site.

Make Lighthouse Landing an integral part of the greater area by providing a dedicated community center facility for the Village of Sleepy Hollow's local community groups, recreation department, arts organizations, residents, commerce and local government.

Create a local destination for

residents to congregate, to enjoy the magnificent view shed and community meeting area equipped with fire place, pool tables and comfortable chairs.

Provide an opportunity for Roseland and Lighthouse Landing to develop links with area schools and colleges by having facilities where educational and cultural programs can take place.

Provide a needed facility space for a media/television station for the purpose of promoting Sleepy Hollow community groups, non profits, local and state government offices and Lighthouse Landing commerce through cable television production, cable and internet transmission of programming generated at the facility.

Provide a level of cultural, visual and literary arts, capability and broadcasting not now seen

anywhere else in the local area.

Provide an arts and education venue for river communities along the Tappan Zee corridor - including multiple transportation options.

Offer east bank river towns a unique focal point for development of Hudson Valley tourism.

Create a flexible exhibition for the community, exhibition performance space with catering capability and office space for a home base for village cultural organizations. For example, community media, TSH Arts Council, Sleepy Hollow Performing Arts Center and others.

Almost to the end. A wide interest has already been expressed for this project over the years from many and varied entities such as the following. Sleepy Hollow Recreation Department, Sleepy Hollow Seniors, Sleepy Hollow Fire Department,

Portuguese Club, French Club, VFW, Eagles, Open Door, Religious Sacred Heart of Mary, Sleepy Hollow Performing Arts Center, Tappan Zee Dance Company, Historic Hudson Valley, Scenic Hudson, Historic River Towns of Westchester, Tarrytown/Sleepy Hollow Arts Council, the Hudson Valley Writers' Center, Neighborhood House, Public Schools of the Tarrytowns, the Sleepy Hollow Society, Westchester Arts Council, Lyndhurst, The Rockefeller State Preserve, Old Dutch Church, Sleepy Hollow National Bank, the Sleepy Hollow Chamber of Commerce, Council of Agencies, the Tarrytown and Sleepy Hollow Rotary, Philipse Manor Association and Sleepy Hollow Association.

MAYOR ZEGARELLI: Thank you.

MS. MC LEAN: Thank you. I want to thank you, Mr. Stein, Mr. Attinson, Mr. Tung and Mr.

Sachs, Dave Smith, Dwight Douglas, Mayor of Sleepy Hollow, the trustees. We wish to have this proposed use included in the scoping document, now in the DEIS, as this was read in. The friends of the proposed Lighthouse Landing Cultural Center and Riverstage at Sleepy Hollow believe that this type of facility will provide a valuable attraction to the proposed development and offer a much needed community space for our village residents and community organizations.

MAYOR ZEGARELLI: Thank you.

MS. MC LEAN: Thank you very much.

MAYOR ZEGARELLI: I do want to thank though Sunny, because she does do all the filming. So, I gave her what I will call a long five minutes.

Lisa Amato and Ray Curran.

MR. CURRAN: Good evening. I want to read the statement in the interest of time.

MAYOR ZEGARELLI: Would you also leave a copy with the stenographer.

MR. CURRAN: Yes, we will.

"Good evening, Mayor Zegarelli and Village Trustees. My name is Ray Curran. I am Senior Urban Planner for Scenic Hudson.

Scenic Hudson commends the Village for its commitment to planning for the redevelopment of the GM site and for conducting a meaningful public process to ensure that the resulting development meets mutual objectives of the Village, the developer and Scenic Hudson, and will serve as a model for other communities throughout the Hudson Valley. We particularly commend Mayor Zegarelli for his vision and leadership throughout the six-year planning process of this site. He

has not only kept the Village on sound financial footing after the loss of the GM manufacturing site; he has also had an open and inclusive process for developing a vision for the site that has the potential to set the standard for waterfront development in the 21st century.

We also commend Roseland for its openness to the input of the Village, Scenic Hudson, and Historic Hudson Valley, and for beginning its relationship with the Village and interested parties by listening to the input of those who have worked so hard to develop a vision and Master Plan for the redevelopment of the site.

1. Over the past five years, Scenic Hudson has consistently supported the planned redeveloped of the GM site. Further, we have always recognized the opportunity

this development presents for the Village and share the Village's excitement that this landmark project will serve as a model for sound waterfront development to be emulated by riverfront communities up and down the Hudson.

Likewise, we have been consistent and clear about our goals for the site. In order to ensure that these goals are met, we sought the input of leading experts to ensure our positions are based on sound science and planning. Hence, we contracted with several outside experts to conduct various studies to address traffic, environmental, and visual impacts likely to result from the redevelopment of the site.

Through a collaborative process involving Scenic Hudson, Sleepy Hollow, village residents, Historic Hudson Valley, and many other stakeholders several objectives were

developed, including, but not limited to:

1. A world-class development that provides public access through a green crescent of interconnected open spaces and trails.

2. The development of a transit-oriented, pedestrian-friendly neighborhood that functions as an extension of the lower Village consistent both internally and externally with the Village's LWRP.

3. The development of a commercial district that is integrated into the existing village and Beekman area corridor.

Because of this collaborative process, the large majority of these ideas has been incorporated into the Roseland's development proposal that is now the subject of the DEIS, which is the subject of public comment tonight.

To this Scenic Hudson has added

PM701

the potential of restoring the Pocantico River to the course it ran for over one hundred years. To date, Roseland Properties has not incorporated this concept into its development and it is not reflected in the DEIS. We look forward to presenting the results of research that demonstrates the potential for significant benefits associated with this option.

PM701 (continued)

Scenic Hudson will provide comprehensive comments on the Lighthouse Landing DEIS before the end of the comment period on March 8. These comments will address issues related to:

PM702

Our assessment of site contamination and our initial response to the remedial plan. The need for a buffer between Kingsland Point Park with a potential for ecological restoration, including the restoration of the Pocantico

PM702 (continued)

River for flood control, recreational and aesthetic benefits. Water and wastewater capacity issues. And finally the density of the development and impacts on traffic and village services.

Scenic Hudson respectfully requests that the Village Board provide us extra time at the February 15th public hearing to do a Power Point presentation addressing the flooding issue which we have analyzed and demonstrating the benefits of potentially restoring the course of the Pocantico River along the northern edge of the project site among other issues.

Scenic Hudson remains committed to our shared principles and goals for this important site. We stand ready to work with you in your critical leadership role, with GM, Roseland, residents, the county and state to achieve a world-class

development that sets the highest standards for waterfront development in the Hudson Valley and indeed the entire country.

Thank you for providing this opportunity to comment tonight, and for your vision and for the Sleepy Hollow waterfront."

MAYOR ZEGARELLI: I thank my friends from Scenic Hudson for your kind words. We have worked together long and hard, and I know a lot of what has been proposed was a collaborative effort that originally started with the Village of Scenic Hudson. There are differences of opinion about the Pocantico River, but that's what the process is for. I appreciate your comments.

It was suggested to me, as I give the name, give the guy who is coming up on deck. I'm going to give two names. Carl Monheit, and on deck is Jonathan Glert.

MR. GLECT: Gleit.

MAYOR ZEGARELLI: Gleit, all right. Hard reading. Carl.

MR. MONHEIT: Good evening. My name is Carl Monheit, 7 River Street in Sleepy Hollow, and I represent the property owner. I have a number of questions, and I want to thank everyone for the opportunity to speak, ask questions. And I certainly appreciate and understand personally all of the hard work and effort that's gone into this project to date.

First question has to do with the Beekman Avenue bridge. I understand from the DEIS that the capacity of the bridge is limited, and that there is a recommendation that the superstructure be replaced. If that's the case and the bridge is owned by, according to the McClaren report, Metro North, I think that there should be more information

PM801

provided concerning what the plans are, what the schedule is and what the level of repair or replacement of that bridge will be. I have a few questions that address that.

PM801 (continued)

The second item has to do with the viaduct associated with the bridge and the same kind of questions concerning its condition, its need for repair, whose going to pay for it, how is it going to be done, schedule, fines, et cetera.

PM802

Next question has to do with the fill discussed in the DEIS stating something like 350,000 cubic yards of fill material will be required. There is 150,000 cubic yards that will be generated by the demolition process and 200,000 cubic yards will be imported. This goes to the issue of not only the grading issues, the fill, the flood drains, but how are you going to transport the materials into and out of the site considering

PM803

the issues of Beekman Avenue bridge, viaduct, et cetera. PM803 (continued)

Concerning Metro North's involvement, have they reviewed the railroad station facilities that you talked about and the construction demolition activities associated with the project including the bridge and the viaducts, et cetera. I have a number of questions regarding that. PM804

Turning to the environmental analysis, the DEIS talks about six areas identified as contaminated with high levels of led, chromium, PCBs and petroleum. I have a number of questions that ask for a more comprehensive discussion on how they relate to the site development. In other words, is there an overlay that shows where the siting of the buildings will be with respect to these contaminated zones. Will there be residential units over PM805

these contaminated areas. Can we review the environmental studies. Have they been provided. Test for samples in the Hudson River, et cetera. The floor plans. The concrete floor slabs I understand were built down to the rebar and those foils from the milling process were stockpiled on site with other demolition materials. These millings are contaminated of years of industrial spills and wastes during that manufacturing process. My questions relate to, with the top layer of the millings from the floor slabs, because they were soaked with contamination. And what are you doing with these contaminated millings? And what are the future plans for them?

PM805 (continued)

The stockpile materials, which I believe is where these foils are contained, are stockpiled along the Hudson River. My question has to do

with preventing leaching of these contaminants into the Hudson and what is being done in the meantime over these years.

PM805 (continued)

Regarding the efforts with work with the DEC, I have a couple of questions that have to do with the status of the environmental cleanup, whether you're in a voluntary cleanup agreement. Identify who is the volunteer or participants. Was it Roseland, GM or is it joint? And if you do not have an accepted remediation plan for cleanup of all contamination on the site, how could you have a meaningful site plan. It seems like you have the cart before the horse. And I'll submit my questions.

PM806

MAYOR ZEGARELLI: You have a very detailed listing. Could you provide us a copy of that for the record. I'm sure the stenographer got it.

MR. MONHEIT: I didn't read all of it, and I will provide a copy.

MAYOR ZEGARELLI: Thank you. John.

MR. GLEIT: Hello. Jonathan Gleit, 64 Barne Road in Tarrytown. My first time comment is really to the public in general. You know, you see projects, that the amount of work that's gone into this, and you see the photographs, and you see the studies and the paperwork and the diagrams. And you kind of say oh, my gosh, it's like a done deal. All of this work has been put into it and what can I do about it. The whole point of this process is that it is a public dominated process. The company that's doing this development is going to make a billion dollars or whatever. I'm just throwing that number out.

MAYOR ZEGARELLI: Can the camera scan over to their side?

MR. GLEIT: They're balancing their checkbooks. You can make changes. You can demand changes be made of your elected representatives. And they can demand those changes be made of the developer, and they will make the changes. They're not walking away from this project. I'm not suggesting that anyone would, but you can reduce the scope of this project by 50, 60 percent. They will be upset about it, but they will do it, because they're still going to make hundreds of millions of dollars.

So, you have the power to do it. That's what this process is about. If you want something changed, you demand it of them, of your elected representatives, and they will demand it of the developer, and it will get done. You shouldn't be intimidated by this process no

matter how intimidating it is. You can make changes and get it done. You have to be aggressive and make sure the elective representatives do that.

With that in mind, I'm a resident of Tarrytown. I know that you're very concerned about traffic. I am very concerned about traffic. From 119 up through the Village of Tarrytown on any given Saturday it's a parking lot. It's the train station. And on the weekend it's terrible. The scope of this project is mind boggling, and I mean that in a negative sense. It is far, far too dense. PM901

The idea of -- And I don't trust the traffic numbers. I don't think there is going to be 1,000 more cars on the weekend. I think it would be a lot higher. But even considering 500 more cars or 750 more trips through these villages on any given PM902

Saturday will make the area a parking lot. And it will change the character of the entire area in a very negative way.

PM902 (continued)

The scope of this project has to be reduced. With respect to the reduction, one of the things I want to suggest is there just does not seem to be -- first of all, 180,000 square feet is ridiculous to me. But in any case, there does not seem to be any closer need of the rental units that you're talking about here. Rental units are -- There is a certain value to having rental properties, but renters are a transient population generally speaking. They don't have the roots in the community that homeowners have. And I also believe there is difference in property taxes and school taxes as well. I would suggest a vast reduction in the amount of rental units.

PM903

PM903 (continued)

Someone suggested co-ops, and I think that's much more appropriate. But I think 1,500 residential units is far too many. It should be reduced by, I think, 50 percent.

The scope of the project is too big. It seems to me like it's almost a -- despite the concessions they have said they have made with respect to senior centers and senior housing, whatnot, it seems like a giveaway to the developer. And to paraphrase inappropriately the Rolling Stones, you can't always get what you want, but if you try, sometimes you get what you need. The scope should be reduced. They will live with it. They won't be happy, but they will walk away in the end happy.

Green space, I think you had mentioned 30 or 40 percent green space.

MAYOR ZEGARELLI: Open space.

MR. GLEIT: Open space.

MAYOR ZEGARELLI: Municipal use.

MR. GLEIT: Does that include the park?

MAYOR ZEGARELLI: No. Just the GM site. Virtually the entire east parcel will be public.

MR. GLEIT: To me, just looking at the drawings, I think the open space, the public green space could be enlarged. There is no reason why it shouldn't be enlarged except to -- the only negative would be it would limit the profits of the developer. The community interest overrides that. PM904

I see, with respect to one of the maps, legends or the site plan, community building is on one of these, and it's number 14 in one of these things. And, I mean, you look at this project and you say that's it for a community building. That little tiny thing. It seems PM905

PM905 (continued)

inadequate.

PM906

With respect to the traffic, I don't think we need to pull in traffic from 119 and the Tappan Zee Bridge through Tarrytown. I see no reason to have a hotel down there. All that's going to do is pull in traffic. If it is going to be, it should be smaller. The height of these buildings are far too high. You don't need five, six stories there. You could limit it to three, three and a half stories. It should look like a little village not a city.

I guess I'm just reiterating too much, but in my opinion the scope of the project is far too big. It should be significantly reduced. Thank you for the opportunity to speak.

MAYOR ZEGARELLI: Next two are Maria Canales and Charles Zekus. Maria first.

MS. CANALES: Mr. Mayor, I think this is a very exciting project. I'm a resident of Tarrytown.

MAYOR ZEGARELLI: Your name please and the address.

MS. CANALES: Maria Canales, 34 Grove Street.

MAYOR ZEGARELLI: You're representing yourself?

MS. CANALES: I'm representing myself and I'm also a consultant to National RE Resources. I think obviously this is a very exciting project for the Village. There are a number of areas, particularly three that are of major concern. Certainly the one is the proposed 1,500 units. The first being that the Village of Sleepy Hollow, I believe, has 3,000 units existing. So, you're maximizing the number of units. That's a substantial increase. PM1001

The other items, of course, are PM1002

schools. The impact on the schools. You're showing 1,500 -- 217 added additional students. That's kind of an odd number considering the total number of units.

PM1002 (continued)

The last item that I wanted to mention is the public notice to the immigrant community of the Village of Sleepy Hollow. You have quite a large population of Latino residents. I don't see representation here. I might be incorrect, but I think that it is important to promote. You know, if we are talking about promoting a public forum, there has to be more outreach to that community.

PM1003

And the last certainly is the 50 percent increase in housing, which I mentioned, which is part of that 1,500 increase in total units.

PM1004

MAYOR ZEGARELLI: Thank you.

MS. CANALES: Thank you.

MAYOR ZEGARELLI: Mr. Zekus.

MR. ZEKUS: I'm Charles Zekus. I live in Sleepy Hollow, 149 Depeyster Street. I too am against the scope of the project. It is way too dense. You have 1,122 rental units in this project, which is 1,122 too many. Rentals do not work in the Village of Sleepy Hollow. You can go and walk in the inner village, and you'll see the effects of rental units in the village. We have a chance of making a jewel on the Hudson instead of just another tin can. PM1101

The open space that is allotted, if you know, Mr. Tung alluded to, after hurricane Floyd, it had some flooding projects. Mr. Tung, come up after any rainfall. It will still be flooding. What are you going to do for the wetlands by raising the houses four feet? PM1102

The scope of the project, like I said, before is way too large. Less PM1103 (continued)

density is needed for the village. The village at this point is way too dense. A hotel up by Beekman Avenue would be nice, not down by the river.

PM1103 (continued)

What I also notice with the project, there is only one way in, one way out. It is like one big cul-de-sac. It's very, very -- you know, not a good spot for a cul-de-sac. Basically that's it.

PM1104

MAYOR ZEGARELLI: Thank you. Haig, I forgot to give you advance warning.

MR. BOHIGIAN: That's some advance warning. Hi everybody. With respect to Phil, I'm Haig Bohigian, 225 Hunter Avenue, Sleepy Hollow. He mentioned three T's. I've got ten T's that I would like to bring up.

PM1201

The first one is traffic. Anyone on a Friday traveling through here, anyone who remembers the

General Motors situation, when the plant was in session, when it let out, it was impossible to drive through the town at that time, and it's going to be worse and magnified. That's a very key issue. And just surveying traffic lights and lanes is not going to be sufficient. You're going to have to do some eminent domain and put some new roadways in.

PM1201 (continued)

Point number two is the train situation. Now I know it's been mentioned if we get the new train station, it will not affect the other two train stations. But that's at the present time. What will happen a year from now or two years from now or five years from now, all bets might be off. Are we going to get full assurances that that won't be affected?

PM1202

Three. Tarrytown has to be brought into this. What cooperation

PM1203

do we have between the two governments? Because we have to work cooperatively with them, more to make sure these things advance properly. PM1203 (continued)

Four, temperature. Everybody knows about global warming. And what will be the effects of increased water levels? Will four feet be enough? Current conditions could create flooding down there at the present time. So, that has to be a consideration. PM1204

Five, terrain. Much of that facility was built on landfill. How do we know that it can withstand the building of all the bricks and mortar that's going up there. That the structure will be sound and be able to support that? PM1205

Six. This concerns me a lot, as it should all of you. The question of taxes. Now, according to the School Board figures, which I have PM1206

in front of me, they claim a million dollars is going to come in from 206 to 207. 1.42 million is going to come in from 207 to 208. 2.175, 208 to 209. 3.925, 209 to 210. 210 to 211, 5,680 million. And then finally and thereafter, from 211 to 212, 8.76 million per year.

Now, that includes all the new developments in the area. But from what I'm reading about the time lines that are on the back of this, the project may not begin until 2012. So, all of these figures that the School Board is planning for their -- There are people looking around. All School Board figures that are being planned here are off by maybe ten years. So, the taxpayer is going to have to pick up that burden in the interim unless the developers will pay the taxes up front early. I don't know. It doesn't seem to be a likely point.

PM1206 (continued)

And seven, the time line. Specifically it's related to what I just said, a little bit more in that direction. What's going to happen with these taxes? When are they really going to come on line to us? PM1207

Eight. The question of tax exempt worries me a little bit. I can understand if the hospital has tax exempt property or a church, but if this property is owned by the developers and they use part of it for public facilities or green areas, why is that area tax exempt? Why should that be tax exempt or does the Village own that property? PM1208

MAYOR ZEGARELLI: The Village will own that property, the red zones.

MR. BOHIGIAN: Give it back to them and let them pay taxes on it. Otherwise my neighbors and I, what if we got together and had our backyards for all of public use, et

cetera, will we get an exemption?

MAYOR ZEGARELLI: I love you, Haig.

MR. BOHIGIAN: Number nine, too tall. I mean, I saw in this report that one building is going to be 65 feet tall. That's about a six story structure. It seems to be too large a facility. PM1209

And finally, number ten, taste. The structures that I've seen do look pretty much like a mall, and there is no variety and not enough of the essence of what we have here in the community. What we develop over the years, whether it be Dutch or French influence, I don't think it's as important as that it has some versatility. Thank you very much. PM1210

MAYOR ZEGARELLI: Haig, I love you. For one thing, on the time line, they will provide the time line, but I know they anticipate

building and being out of there by the time you mentioned.

MR. BOHIGIAN: By 2012?

MAYOR ZEGARELLI: Well, what the school -- the way the school has done their analysis, I think from the process of -- what was put on the slates there, you know, this time next year the FEIS could be done, and it would then be their decision on when they get the permit to go and start building.

MR. BOHIGIAN: What about the environmental issues?

MAYOR ZEGARELLI: They have to address everything along the way before anything was granted.

MR. BOHIGIAN: What is a conservative estimate of what the start time will be?

MAYOR ZEGARELLI: That they will answer. Next two names, Donald Caetano and John Lynch.

MR. CAETANO: Good evening,

ladies and gentlemen, Board of Trustees. I'm here 47 years in the village. I've served on the Planning Board. I'm looking at this project, and I've listened a lot about the project. I think we need a very, very heavy traffic study. And I have to thank Mr. Robinson as a member of the Planning Board, because he does a good job. And I think you should look into this a little further. PM1301

The density of this, I think, is way too much. Our parking situation in the community today is not the greatest. And putting this place down there in General Motors, it seems to be showing me that we are separating our village, the inner village to the lower, downtown. I don't like to think that way, but I feel that way. And they say there is not going to be any traffic or highway going through there. When PM1302

it comes, I would like to see that day. PM1302 (continued)

Another thing is your transportation, your buses, your taxi cabs, your public safety is a big thing to take into consideration. Environmental, as it is today, with the last snow storm we had, we see things that snow removal, truck, light trucks, they will be taking this, dumping it down there and go into the Hudson River. We don't need this. We have to look for a better facility. PM1303 PM1304

Also I would like to see down there in our village, rather than pay money here for our library, I would like to see this corporation, if they do come through with this project, to put a public library down there for the Village of Sleepy Hollow. PM1305

Also your private sanitation. I don't know if you'll have private PM1306

sanitation down there or village sanitation. We have to look into that, and we have to spend $1,000, thousands and thousands of dollars for removal of sanitation. We are going to have to raise our sanitation prices quite a bit and put it on the tax bill. PM1306 (continued)

Our taxes are getting stronger every day, so really think about us, Mr. Roseland, whoever it is that is putting this project out there and putting it together. I know you people have worked very hard in doing what you've done, but study it. Like as they say, once in 100 years, when you get a chance, let the chance come to once in 100 years we can say it's done and we don't have to worry for another 100 years, because we have got a lot of youth coming into our community, especially our schools. PM1307

Housing, it's too much housing PM1308

down there. I own four homes in the village, and I have rentals. And half the time they're empty. And they're well taken care of and well preserved. But the parking situation is very bad. I thank you very much. PM1308 continued

MAYOR ZEGARELLI: Mr. Lynch.

MR. LYNCH: John Lynch, 10 Crest Drive, Tarrytown, New York. One thing I wanted to mention, the idea for the green crescent was a good one.

The density is not even remotely reasonable. A lot of people are talking about traffic and, you know, congestion. I'm going to approach it from a different angle that GM could understand. This will be from the standpoint of the emissions of ethanol and contamination of Pocantico River and health impacts of Sleepy Hollow and Tarrytown. PM1401

Elliott Spitzer recently, within

PM1401 (continued)

the past year, banned MTB. What was done here was basically traded one people for another. When MTB happens, ethanol has an implication on health impacts. It basically effects particularly the elderly and the unborn. Woman should understand the negative aspects of ethanol, particularly in pregnancy. And the emissions coming from gasoline is an impact, even though you think you're not drinking it, you're breathing it with every breath.

So, in any case, the impact from a standpoint of the ethanol issues and also from the standpoint that particularly certain sections of Sleepy Hollow and particularly Tarrytown are being booked in from an overall pollution envelope, because of the tollbooth that we are proposing here. And if we look along with the environmental impact, what the emissions are for the

vehicle population, I'm not talking about the flow right now, I'm talking about the total vehicle population in this area versus also relative to the bridge, whoever does that analysis is going to find some wide opening facts. PM1401 (continued)

MAYOR ZEGARELLI: Okay. I have two last names, Victor Tafur and Eric Perlman on deck.

MR. TAFUR: Good evening. I'm here on behalf of Riverkeeper, Hudson Riverkeeper. My name is Victor Tafur. I have not prepared comments today. I was not planning on speaking here tonight. So, you won't hear --

MAYOR ZEGARELLI: I'm sorry. I have you on the list.

MR. TAFUR: -- me commenting or criticizing the project. I came here to listen and to ask a few questions. However, I was struck by the City taking the position, I'm PM1501

PM1501 (continued)

sorry, the Village taking the position that some questions would not get answers until the very end of the process. And I believe some comments can wait until the end, but some questions that are important about how the applicant has reached certain figures are important. So that the public, you know, gets some answers and can contribute better in producing better comments.

This is massive, very important project. And we are full of questions, and we deserve some answers. For example, the guy, the fellow that preceded me earlier had a question about how the applicant reached a figure of 200 students. That deserves an answer. We wait until the end of the process, then, you know, I think it's going to be frustrating for many and it's not going to help.

So, other planning boards, other

villages have established mechanisms of trying to resolve certain questions that are helpful. So, I commend you and urge you to reconsider. And since you're establishing certain groups, you may figure out a way of resolving it. I think it's going to be helpful for that process. That's all I have for tonight.

PM1501 (continued)

MAYOR ZEGARELLI: Thank you. Eric.

MR. PERLMAN: Yes. Thanks. Eric Perlman, 128 Palmer Avenue, Sleepy Hollow. I just put this together tonight, so it's a little disjointed. I want to talk basically about three things, parking, the proposal Scenic Hudson gave last week, the week before and schools, recreation in the village.

Parking. The residential units, and we know that there are probably way too many in this proposal, need

PM1601

parking at night. I came here about ten minutes after 8:00. Could not find a spot. I actually ended up almost near my house again to park. It was crazy. I drove around longer than if I just walked. It's not going to get any better when we add 1,500 units.

PM1601 (continued)

I don't see any parking facility anywhere except the Metro -- the new proposed Metro North station, which we are not allowed to park there anyway until it's Friday, after Friday night and before Monday morning. So, that doesn't help anyone anywhere, empty spots sitting there at nights when we could use those or some spots.

Some alternative might be a parking lot up by Route 9 with public transportation, free shuttles to go to and from south and north, down to the river and back again.

Bike lanes would help a lot.

PM1602

Pedestrian, make sure pedestrian walkways are usable. Right now there is no way to bicycle safely on Route 9. If I want to take my bicycle up on my sidewalks, they are decrepid, big holes over by the base of 448, on the foot of Beekman Avenue -- the top of Beekman Avenue. Basically anything that helps, anything that makes alternatives to people driving a car.

PM1602 (continued)

A gentleman earlier spoke about the village looking like Hoboken. I can actually see that. I see his reference, and it makes a lot of sense that that's what it will look like. I liked what Mr. Judge said. Light industry would bring in tax dollars, reduce the residential units and hopefully pay for a school that this village could use, constantly being battered about. What are we going to do about the schools. Schools are inadequate.

PM1603

PM1604

Now we are adding minimum 217. I'm sure that number is an extremely conservative number. We are creating at least 200 something students to a school system that we are already in a crisis now. We know we are adding more. Something has to be done with that. PM1604 (continued)

A school site would be phenomenal. Something with a recreational facility parents could use. Driving all the way out to -- I don't even know, like Mount Pleasant pool, out in the middle of nowhere takes forever. You're driving longer than you're in the pool. It's crazy. The village needs a place for families to go and in the village and not have to travel out. PM1605

The presentation that Scenic Hudson gave was very impressive. I like what they had to say. I had a discussion with a gentleman about PM1606

PM1606 (continued)

the flood problem, raising the buildings four feet. Yes, that answers the problem of those particular buildings that are sitting right there. It does nothing for upstream. The hurricane Floyd did what; one to two million dollars worth of damage to Philipsburg Manor. The next hurricane might leave Philipsburg Manor just fine, but just a little further upstream could do a tremendous amount of damage to Route 9. That bridge over there, we were lucky that the damaged spot at Philipsburg Manor didn't go uphill. Who knows what could happen if the homes and little businesses over there in that area were hit.

As we know, anything could be hit at any time. Just because this hurricane effected that, doesn't mean the next hurricane won't effect this. We have no idea what's going

to happen.

And also it wasn't talked about here at all tonight by anybody in -- the Scenic Hudson plan wasn't talked about from anybody from Roseland or the Village. And I have concern. I like a lot of --

MAYOR ZEGARELLI: No. To correct the record, this is the applicant's proposal.

MR. PERLMAN: Right.

MAYOR ZEGARELLI: That is what is on the agenda.

MR. PERLMAN: I understand.

MAYOR ZEGARELLI: You can question like you are, but because they didn't present it as an alternative, that's not the way.

MR. PERLMAN: Not necessarily an alternative I understand. But there are things that they talked about. I'm not saying oh, well Roseland should throw their proposal away. But there are things in the Scenic

Hudson which are very valid.

MAYOR ZEGARELLI: Unless I'm misunderstanding what you're saying, this is the applicant's proposal. It's their time. They get to throw it up here, and people get to say exactly what you're saying.

MR. PERLMAN: To say you know what, they have a good plan. We should look at that, incorporate some things, because with the density issue that everybody has, I think some of the things they brought up about and then, of course, I talked about the schools being crowded. Aging. This is a perfect opportunity to put a beautiful school with all facilities that these kids need to be educated properly. The president just said the other day, high school education is the key thing. Let's give them, let's give the kids the opportunity to compete on a level.

PM1607

MAYOR ZEGARELLI: I'm sure they can address the issues of to build a school, how much land, open space you have to have.

MR. PERLMAN: Since I would like to see less residential units, some light industrial, that might free up some space. PM1608

MAYOR ZEGARELLI: Be on the west side of the tracks. Okay. Thank you.

I said 10:00, 10:15. It's 10:30. I exhausted the list of those who have signed.

MR. BOHIGIAN: Second comments?

MAYOR ZEGARELLI: We have another meeting next week and Saturday and so on. We have been here, most of us have been here since 6:00 going over other things. Unless it's one comment, I'll let you wrap up, because I love you, Haig.

MR. BOHIGIAN: Very quick. How PM1701

about reverse engineering from the 217 students, doubling that to 434, assuming that will be the number of residents, and only 50 percent of them would have children. So, the proper figure, instead of 1,562 probably would be around 400 --

PM1701 (continued)

MAYOR ZEGARELLI: You are an engineer, aren't you?

MR. BOHIGIAN: Yes. 434 units would be appropriate maybe.

MAYOR ZEGARELLI: I'll entertain a motion to close the public hearing. Mr. DiFelice, Mr. Capossela.

MR. WEINGARTEN: Adjourn.

MAYOR ZEGARELLI: Excuse me. To adjourn. All those in favor say aye.

(A chorus of ayes.)

MAYOR ZEGARELLI: The close carried. Thank you ladies and gentlemen.

(Time noted: 10:30 p.m.)

Certified to be a true and accurate transcript of the above-captioned stenographic minutes.

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Lori Ann Schirripa

Official Court Reporter

PUBLIC MEETING NO. 2
February 15, 2005

PUBLIC MEETING NO. 2

STATE OF NEW YORK
VILLAGE OF SLEEPY HOLLOW
X----------X

Public Meeting Before The Board of Trustees of Sleepy Hollow, New York, in Connection with Lighthouse Landing DEIS

X----------X

8:10 p.m. Sleepy Hollow High School
200 North Broadway
Sleepy Hollow, New York

BOARD MEMBERS:

Philip Zegarelli
Mayor

Mario DiFelice
Deputy Mayor

Richard J. Spota
Trustee

Thomas Capossela
Trustee

Richard Zieja
Trustee

Andrew Murray
Trustee

Kay Brown Gala
Trustee

REPORTED BY: Lori Ann Schirripa
Official Court Reporter

MAYOR ZEGARELLI: I would like to call the meeting to order. This is really a carry over of the first meeting that we held, which was exactly a week ago. What has occurred, I would like to make it part of the record, is that in a, just a really technical aspect, the public notice itself for the public hearings was not put into the newspaper in a timely fashion. And so consequently we are running these meetings as if they were hearings, but are not exactly hearings in the sense of following the State Environmental Quality Review Act, which calls for public hearings.

I know that sounds a little whatever. But what we have decided to do is to have a series of meetings, this is the second of the meetings, this coming Saturday at 10:00 a.m. in the Village Hall. The same place that we had the meeting

last week. And in the firehouse section of the second floor will be the first of the official hearings. Again, Saturday at 10:00 a.m. And then a week from tonight, 8:00 p.m., in Village Hall. Again, the same firehouse section that we had the previous week there will be a meeting. That's on the 22nd.

So, we have a meeting tonight. We have a hearing on Saturday at 10:00 a.m. and a week from tonight at 8:00 p.m. in the municipal building.

When we had that meeting last week, we started off with a series of presentations on the part of the applicant and also myself as Mayor. Before we go into sort of a recitation of the ongoing process of the meetings and presentations, I would like to take this opportunity to introduce members of the Village Board that are here. In fact, the

entire Board is here. Mario DiFelice, Trustee and Deputy Mayor. Andy Murray, Trustee. Richard Spota, Trustee. Richard Zieja, Trustee. Kay Gala, Trustee. And Tom Capossela, Trustee.

We have Village Counsel Sponzini. We have Special Counsel Joel Sachs from Keane and Beane. We have one of our primary consultants from Saccardi and Schiff, David Smith. I see Nick Robinson, who is Chair of the Planning Board. Jimmy Galgano on the Zoning Board. I don't know if anyone is from the -- Oh, Vera Lagoia is here from Architectural Review. If I missed somebody, somebody throw a shoe at me.

But we've had a series of also work sessions with all the primary Boards of the Village. What I mean by primary, those are the statutory Boards such as Zoning, Planning,

Waterfront, Parking and Architectural Review.

These sessions were held also to bring all these committees and groups up to speed and be an intracal part of the decision making process. The Board of Trustees and the Mayor are the lead agency in analyzing the applicant's proposal, Roseland, GM's proposal. As a result of other discussions that we had, but primarily of last week, we have announced last week in particular that we, the Board, has broken up into a series of six, at least at this point, six study groups dealing with various topical areas. And we mentioned at the last meeting that residents in particular, but it would be open to others, meaning from out of town or agencies or interested groups, will have the ability to sign up and be a part of the analysis. In fact, we

welcome that, because the study of the applicant's proposal, if you were to sort of stack it up, it's about a foot tall. And it's not just that we are talking about quantity, but rather what is the quality of it. It needs to be analyzed. And it sort of fits into six different study groups.

So, you will see on the pallets against the east wall here of the auditorium, there is really six, because there is two for each pallet, you will see different study groups. What their sort of mandate is, the trustees that will be chairing it. And we have like three trustees along the way and different consultants and also a series of lines, I think, five, six -- seven lines. If there are interested citizens who would like to sign up.

We ask you to sign up with your name, obviously your address and

phone number. But in today's world almost more importantly you're e-mail address, if you have it. We will then, over a relatively short period of time, after all the hearings occur, well the last one is next week anyway, is to then break up into some subcommittees and essentially take the DEIS apart by its topical areas, such as economics or transportation or development, open space and so on and so forth. So, afterwards, or as we break up, please feel free to sign up.

When we met last week, the applicant gave their presentation. I would just like to summarize a few things. First of all, even though people have spoken and the applicant must respond in writing to the comments or questions, there were some topical areas brought up that from the applicant's perspective, and I will ask the applicant to

correct me if I'm in error, that they would like to address tonight also. In other words, sort of give I won't say a half way answer, but at least address some of the points that were made, whether from a factual point of view or from just a commentary point of view. Knowing full well that no matter what, the applicant must nevertheless provide in writing commentary comments and/or answers to what was addressed last week, this week, this coming Saturday and next Tuesday. Let alone, if people who are here or even people who are not here, desire to submit in writing in addition to oral presentation or not, any other additional questions or comments.

We have decided to leave it to what; March --

MR. SACHS: Sixteenth.

MAYOR ZEGARELLI: -- March 16th. That is a month and a day from today

for the submission of written comments from the public at large. So, in other words, even if you're not here, even if you speak today, even if you spoke yesterday or sometime in the future, you still want to add or as they say on C-Span extend my remarks and comments, you can do so by putting it in writing and sending it in care of Village Hall. We are utilizing Dwight Douglas, who I saw before, but I don't see him here, as our Village administrator, as the point person for the collating of all the remarks. Okay. Those then would be turned over to the applicant for response.

Before I turn the floor over to the applicant, I would just like to frame a few points. When we met last week, I showed you two maps, two maps of the village. And one which is this one (indicating) is a

zoning map of what the land of the village looks like from a zoning perspective. Meaning, that notwithstanding who owns what land or what it could be used for, this is what the map of the village looks like from a zoning, a permitted use bases. And we will, you know, move these around later if you would like to see it.

The second map (indicating), which the Board and I asked our advisors and consultants to put together, is what we call the red map. And the red map is essentially one year we think from today or one year from the ending of all the hearings and the commentary period wherein it is expected that under some guise or not, the applicant will have had a completed EIS, what we call a FEIS, and will have sought its permits to go and build or otherwise develop what has been

approved.

That being the case, the red represents from about a year from today what we expect we think will be tax exempt property in the village. The red being tax exempt. As you can see from, you know, both a blessing and curse point of view, depending on your perspective, is that we are blessed with quite a bit of park land and perspectively knew park land.

The Board has made a conscious effort to extend open space and create more park land not only from the GM site but Rockland State Park. Virtually all of it is tax exempt in one way, shape or form today. These are the things that we have to weigh.

When the applicant comes in with a proposal and these meetings and/or hearings are held, these meetings and hearings respectfully respond to

the applicant's proposal. The Mayor and the Board of Trustees, based on citizen input and analysis, consultants' work and so on, determines what will be accepted or not. These meetings and hearings are the applicant's time to propose what they would like to do. Whether it be the number of units, the methodology, the balance of housing versus park land or whatever. These hearings are held for them. It is their proposal. The Village Board and Mayor will dispose of what they have applied for based on our own analysis, citizen, input and the normal processes of SEQRA.

The Mayor and Board of Trustees are devoted to the SEQRA process. We have gone through this process before in having meetings here, such as on Kendal, on Ichabod's Landing, on meetings dealing with Hammond House Road. In the case of

Ichabod's Landing, the initial submission on the part of GDC, Ginsburg Development Corporation, asked for 90 some odd units. Came back with 60, and 44 were ultimately approved. That's not a rule of thumb. That's not a yardstick to measure on. What it's really suppose to tell you is that the Board responds to citizen input but also common sense and what can be done and what are the trade offs for having building versus park land, open space and a series of amenities, not just Sleepy Hollow residents would enjoy, but really as a legacy to greater Sleepy Hollow or the region as to what we leave behind and let our children, our children's children see that in this once every hundred years type of opportunity, that we made the right decision.

So, with that, and I'm using

that as my yardstick, I would like to ask Jonathan Stein from Roseland to come up. Just a few additional, if I could, just guidelines. We have a court stenographer here who will be taking everything down as if you were in court. And we'll have a written record of it. This is also being taped for cable TV, and we thank cable TV for their efforts.

When we get to the question point or the commentary point, I have a list of people that have signed up thus far that will be able to speak. We would like to utilize, for the first go around, a five minute rule, especially those who haven't spoken at all since from the first meeting to let everybody get a chance to speak.

We'll continue as long as is necessary, knowing full well that if you would indulge with us, that the questions or commentary that you

will be proposing will not be answered per se. Most of it cannot be. It will be analyzed and responded to over time. We are permitting, and at their suggestion, Roseland, to give a commentary on some of the remarks that were made last week, because from their perspective they would like to clarify or otherwise explain a few things, knowing still that they have to provide a response in writing.

Lastly, in talking to the applicant tonight, if there are civic or just neighborhood associations or families in the neighborhood that would like to have a private session or a meeting with the applicant, the applicant has agreed to be as flexible as possible and provide those opportunities. So, if a neighborhood association or a civic group is interested in having shall I say a private seance

or otherwise a type of discussion with them that they would be amenable to for purposes of trying to reach out into the community and have as much dialogue and discussion as possible.

I turn the meeting over to Jonathan Stein of Roseland, who will introduce his group that is here and take the time to explain or otherwise present their proposal.

MR. STEIN: Thank you, Mayor. I appreciate everyone turning out this evening. And we do have quite a nice number of people turning out this evening. It is a pleasure to be here. Thank you, members of the Board of Trustees. I would like to just take a quick minute, if I can, to introduce some of my professionals that are here. Mark Chertok with Sive, Paget. Mark is our environmental counsel. Andy Tung, Donna Maiello and Jim DeRito

from Divney, Tung, Schwalbe. They're my professional engineers. Mark Weingarten, who is my zoning counsel. Ruth Roth from Cuddy, Feder is here representing General Motors. And I think that's about our crew for this evening.

We have lots and lots of other professionals that have worked on this. Andy will speak in a couple of minutes about the significant numbers of studies we have done to show you the magnitude of this undertaking.

If I can, Donna, the slide, please. First I would like to take another moment and tell you a little bit about Roseland in case you don't know. I am a partner at Roseland Property Company. We are specialized experts in brown field and waterfront redevelopment, mixed use opportunities, master plan opportunities. That's our

expertise. That's where we concentrate our business. We operate in six states. We have got over 200 full-time professional people on our staff.

Donna. Just to give you a broad example of some of our different sites. This is Port Imperial, a 200 acre site in New Jersey. It's a master plan, waterfront community, not unlike this. A former brown field that we redevelop, and we remediate as we proceed through a very long, this is a ten year build out period.

Next side, please. Port side at Pier One in Boston. This is a mass port RFP that we participated in. We were designated the redeveloper on another site, which includes piers and uplands. Another large, waterfront, master plan, brown field site.

Next slide, please. Hingham

Shipyards in Hingham, Massachusetts. Just another example of another waterfront site. This is a former shipping terminal that was actually used to make PT109.

And next slide, please. And here's just another example of some of our different developments. We are currently in the process of developing over 10,000 redevelopment sites and brown field sites throughout the northeast. One of the things we have learned over the past 15 years of doing this is that we're nowhere if we don't have cooperation. We are going in with an open mind. That's really going to be the theme of my discussion tonight.

I will try to keep this much briefer for those of you who attended the other night. My team has been harassing me all week that I tend to get a bit verbose. So,

they're actually having an over and under bet as I speak now. They gave me 11 minutes before. That's where the betting now sits. I hear them raising it to 15. But I'll try to proceed fairly quickly through this, so I don't end up boring you with some of the details which I tend to get into.

This is a once in a lifetime opportunity. We appreciate that. We understand that. We are blessed and pleased to come into your community and present you with our plans that we think this development can achieve. We think this should be no less than a world class development with a world class waterfront, with public access, public amenities, recreational amenities and achieving all the targets of all the different zoning, the RF district zone, the LWRP, the linkage study, everything you folks

have told us to do after four years. We have come into the process looking for cooperation, guidance, looking to follow your zones and meet not only the expectations in the zone but to exceed those expectations.

When we came onto the site -- Go ahead, Donna -- in 2001, obviously we came across a slab. Everyone knows the plant was shut down in '96. Demolished in '98. That's what we came upon (indicating).

Our first meetings with the Village were really discussions about direction. About cooperation. What we could possibly redevelop. Follow the zone. What's the waterfront going to be like. What's the open space going to be like. Follow the LWRP. And, by the way, the Mayor had already started with the linkage study process, where he gathered up members of the public,

various civic source associations, Department of the State of New York, and got together and really debated, sat down in round table discussions and debated, what does the public want on this site.

We didn't come in with a plan. It's not our intention to force a plan of somebody. Every step of this way, we are following the guidance. And I mentioned earlier Victor, is it, Tabor from Riverkeeper, who criticized us during the last public meeting and said that there should be an opportunity for us to respond to questions. Well, I took that to heart and I said you know what, constructively that's right. We should be able to respond, and we want to be able to respond to you. And that's why to the extent that this is not the appropriate forum to get into debates about certain

topics, we will sit down. Please call the Mayor. It's a sincere request. If you would like to have informal meetings with us, please call the Mayor. We'll organize what we can. We'll be as responsive as we can to sit down with you and talk about the different issues. It's not the appropriate opportunity here. We have got over a thousand page DEIS. We can't debate every line of it, but the reports are there publicly. We are trying to put them onto a CD so they're more accessible for you. That's really the message. We are looking to cooperate. We have come in here with an open mind. Been working with the Village.

Mark, I don't know how I'm doing on timing. Am I going to make the 11 minutes?

MR. WEINGARTEN: Great.

MR. STEIN: When we came in, we

were talking about the linkage study. This is the concept plan that was adopted after the linkage study. The important elements of this are a very large, expansive open space, the creation of what has been termed green crescent, which is a park crescent between Horan's Landing Park, the open space on Ichabod's Landing, the 2,100 linear feet of waterfront, open space on the GM site, connecting to Kingsland Point Park, connecting across the Metro North tracks to DeVries Park and Philipsburg Manor restoration beyond. Also a connection hopefully to Barnhart Park, up in this area (indicting). Those were the open space goals of the linkage study.

As far as the development itself, it's primarily a residential based development. It's got a mixed use corridor as an extension of Beekman Place. One of the key

elements you'll hear me talk about tonight is the linkage between the existing village and the development at Lighthouse Landing. That's really an important goal, to make sure these are intergraded, to make sure they look seemless between the existing village and the downtown village. That the architecture has to blend to make it look like an old historic village. It's what's required in the LWRP. We have gone out and done studies on things like that.

We are going to interconnect the road system, make an extension of Beekman Place directly onto the site so that you'll have a natural transition from the existing village down to the waterfront. We are going to make it open, accessible and public on the waterfront. We're going to buy the land. We're going to create the open space on the

waterfront, and we're going to donate it to you, because it's going to be your land. You're going to tell us, I'll get into it in a minute, the details in the open space. You've provided through the Village, the Mayor a process where you've hired your own consultants and told us what to do on the waterfront. We have adopted that mindset and said, you know what, we don't want to lead this. This is your waterfront. You've got to come back, because a successful Lighthouse Landing will bring you back to the waterfront.

The site has been locked off to the public for it's entire existence. Parts of it for a hundred years. And we really need to restore the public ability to go down, touch the water, use the waterfront actively.

Just a quick slide. When we

first came into -- after the linkage study, we created the concept plan. We created the first site plan. This was our first site plan. And I'm only showing it now because you'll see there have been a bunch of changes. Again, working with you, hearing comments, meeting with the various Boards, meeting with different organizations, we have made a lot of changes to that plan. And as we continue through the process -- That was February 2003. That was two years ago.

So, we have been continuing to refine the plan as time proceeds, always following the lead of the zone, the RF district zone and the waterfront LWRP.

Go ahead, Donna. This is our current proposal. And as you can see, just to orient you on the site, we consider this -- We call this the west parcel, east parcel -- this

little parcel over here the south parcel. This is about 66 acres. Somewhere about 28 acres. And about 1.4 acres or so.

Some of the goals of the LWRP, the straight extension of Beekman Avenue down to the waterfront. The prior plan didn't have this extension over here, Beekman Avenue, directly to the waterfront. That was important as part of LWRP. We delivered it.

View corridors. We have established this bend in Beekman Place to again take that down, establish a view corridor directly to the lighthouse. That was important. So we established it. Of course, creating a green crescent (indicating). This large, again 2,100 linear feet, waterfront open space park. I think I'm dying on my pointer.

Over here on Kingsland Point

Park there is a new gateway and parking area for the park. So that the Mayor wanted to eliminate vehicular traffic through the park. So, we have accommodated a parking area over here.

On the east parcel we had a significant development parcel over here (indicating), but we had heard some feedback, that we should incorporate the development onto the west parcel and allow the Village to entirely design the east parcel. And the east parcel again, which consists of about 28 acres, is now completely dedicated to the public use.

On the northern side of the east parcel you have an expansion of DeVries Park. And the Village went out and hired its own open space consultants, as I mentioned a few minutes ago, and decided they wanted two soccer fields, two basketball

courts, additional parking opportunities over on the east parcel. So, we delivered that.

The Village is considering donating a portion of the property that I donate to the Village for expansion of Philipsburg Manor restoration. So, that's shown on the plan.

One of the important elements that we have heard consistently -- Thank you -- is to create a Metro North station on the site. We have been working in earnest with Metro North to establish a new station on the site. We have heard many times loud and clear that that station shouldn't cause the termination of this station at Philips Manor or in fact the Tarrytown station. And we have conveyed those thoughts to Metro North. Metro North is studying our designs. I don't have any feedback one way or the other

from Metro North yet except to tell you they have been very cooperative and are participating in those studies.

We have a commuter parking lot over here, on the east parcel. If that parking lot is not necessary, because Metro North is unable to deliver a station for us, or to give us approval for the station, that commuter parking lot, in accordance with the LWRP, the linkage study, will have a flex building on it, because that's one of the targets of that particular parcel. And importantly for the Village, an area for a new DPW. We have again created that.

Go ahead, Donna. The open space plan. Just to take a couple minutes, because we have heard consistently time and again that the open space is really critical. The open space design. So, we have let

the Village lead that. And we have got on the site over 33 acres of publicly dedicated space. And a lot of it you see, all of it you'll see here in green. Kingsland Point Park is in green. The existing portion of DeVries Park is in green. Most of the rest of it is in green that you can see on the display that we'll be donating to the Village as part of their park program.

The Village told us they want obviously to create the green crescent. They want a fishing pier, a public plaza with a water feature, which you could see over here. We have got a hotel at the point of the site over here (indicating), which has a water -- it looks small on this map. It's actually about 250 feet in depth from the water to the hotel. A public plaza. We'll be able to have concerts and bring people again back down to the

waterfront. That is critical, to create an inviting place to bring the public down, because this development will not be successful if we don't have the opportunity to bring the people back down to the river.

We have got a playground design here on the waterfront, walking and biking paths throughout with connection to the Horseman's Trail. Again parking for Kingsland Point Park up at the top over here and, of course, the east parcel uses that I described a couple minutes ago.

Go ahead, Donna. What that amounts to is what we think is a world class recreation amenity on the waterfront at Lighthouse Landing. You can see the expansive park areas. The depth of the waterfront park does range, as I said, 250 feet in depth. The 2,100 linear feet of water frontage,

that's seven football fields in length. It's huge. It's an extraordinary opportunity. As the Mayor likes to say, it's a once in a lifetime opportunity. It's a once in a hundred year opportunity. It's about creating a vibrant waterfront, to bring people back. And those people will support the retail uses on the site.

Go ahead, Donna. Just to bring you through, there was some discussion last week about some of the architecture on the site. We have done a significant study of the architecture. Not to get into too much detail, but we did go out, pursuant to the linkage study. They asked us to go out and study some of the neighboring communities, Cold Spring, Nyack, Ossining, Hudson, Sleepy Hollow, Troy and Tarrytown. We went out, did design studies. Go ahead, Donna. Did design studies,

talking about articulation, heights.

Generally we are four floors. I think there was some confusion about that last week. Generally we're at four floors throughout the development. Our height is consistent with the RF zone. In fact, most cases we are under the zoning. Similar to the density issue.

The density proposed in the RF zone, permitted in the RF zone is 20 units to an acre. We're at 16. To give you a scale of that, the existing Beekman corridor down by Village Hall, in that area, down towards the waterfront, is about 17.1 units to the acre. So, on pure acreage comparisons even the density is slightly less than what's permitted under the zone and slightly less than what you already have in downtown Sleepy Hollow.

Go ahead, Donna. So, you can

see we studied the streetscape guidelines, width of the streets, width of sidewalks. And you can see, we have done elevations. And these are all in your packages that you hopefully picked up at the front of the room or out in the corridor. And you can see some of our designs. We have articulated a lot of these designs to really create, while we have some large footprints on the buildings, we made them look like smaller buildings that are built over a period time that was suggested in the linkage study. And we have created some significant articulation to the elevations. We have also created plan eclecticism. That's a term that's been thrown around a lot throughout the linkage study.

Go ahead, Donna. This is a perspective looking from Beekman Avenue down towards the lighthouse.

As I mentioned to you, one of the nice assets that we have been able to incorporate into our design is a perspective where you look straight down to the new Beekman Place, as it extends off Beekman Avenue, straight down to the waterfront. So, you've got this tremendous view of the lighthouse, which obviously it really gives you a great snapshot of not only the unique opportunity, but what can really be realized from a 100 acre slab and asphalt site, and what the possibilities are to redevelop it, to restore it, to take the brown field and remediate it and create a world class environment down at the waterfront at Lighthouse Landing in Sleepy Hollow.

I would like to have the opportunity, just for a minute, I'm going to invite my engineer, Andy Tung, up to the podium to just respond to a couple issues that were

brought up last week. As we said, we still want to -- you know, I really took it to heart that there was some comments that we weren't being open to the process. This isn't as transparent that it should be. I wanted to give Andy the opportunity to speak for a minute and clear up some of the issues that were brought up last week. It's not the forum for debates about, is this the right thing or that the right thing, because it's a huge process. A huge DEIS. We just don't have the time to be doing that nor is it the process.

We are here to take your comments. Please read the DEIS. Please participate in the workshops, and we'll be there to continue this dialogue for you. Thank you.

MR. TUNG: Thank you, John. Good evening. My name is Andy Tung from Divney, Tung and Schwalbe in

White Plains. I've been asked to shorten my remarks. I will use one slide to give you an idea of the breath of the technical studies and reports and analyses of the environmental issues which the Village Board asked us to look at when they adopted the scope of the DEIS back in August of 2003.

My firm has coordinated the work of approximately 20 separate consultants of Lighthouse Landing, as we sought to look both cohesively together and individually at the different components of the project and how those components related to the environmental issues we were asked to study.

Section III of the DEIS, highlighted in blue up here (indicating), lists the 12 different environmental issues, which the Village Board broke down the project into and asked to look at four

components. The existing conditions as they are today. What those conditions would be if Lighthouse Landing were not to be built. Thirdly, what potential impacts could result from the construction of Lighthouse Landing that would effect these particular issues. And fourth, what types of measures could be used to avoid, minimize or mitigate any of those potential impacts, and which of those had been incorporated into the proposal that is Lighthouse Landing.

To back up these 12 sections, we also have the Volume II, technical studies. And I would invite you to, if you're interested in those particular topics, to look both at the Section III chapters and the technical studies, because this is the detail that our consultants put together that we then incorporated into Section III. For one aspect of

Section III, I'm going to ask one of my colleagues, Mark Chertok, to come up and briefly describe some of the environmental studies that have been taken place on the site. But again, just to provide an indication of the breath of the studies and ask you to look at the documents itself for the depth.

The first subchapter or chapter of Section III, 3-A is land use, zoning and public policy. John touched on this somewhat in his presentation. Here we looked at the various policy documents, regulations and other studies that the Village has engaged in since the closing or the anticipated closing of the plant back in 1996. These include the riverfront district, RF district, development requirements and guidelines for not only this site but other sites surrounding GM, the GM property along the

waterfront, the LWRP, local waterfront revitalization program, which sets policies applicable to the entire Village, but perhaps especially to the waterfront areas. And finally the linkage study, which Roseland and GM participated in during 2002 and 2003, that looks specifically at this site and how it might link to the rest of the Village.

III B is land, water and ecological resources. These are the existing physical conditions at the site both above, on and below the surface. One of the aspects is the environmental condition of a former industrial site. I'll ask Mark Chertok in just a moment to stand up and talk about that. But we also looked at aspects such as the existing impervious area, 93 percent of the site, some vegetation along the east portion of the site,

conditions along the waterfront, the riprap edge and the flood conditions both from the Hudson and the Pocantico and wetlands that exist on site for which are primarily drainage ditches on the east parcel.

So, all of those physical components of the site are in Section II -- III B rather.

III C and III D are links sections, socioeconomic conditions and community facilities and services. Here we engaged or Roseland engaged Dr. David Listokin to do a detailed study of the community services and the -- that are provided by the Village and other providers that would be utilized by the new residents and new development at Lighthouse Landing as compared to the taxes that would be generated by Lighthouse Landing, the real estate taxes primarily, to see what the

balance was. Whether there was a surplus or deficit in the cost of those services to be provided and the revenues to be gained by the Village and other taxing entities. One important component of that analysis was the school district. And here Dr. Listokin and his colleagues coordinated closely with the school district in terms of its current plans. It has been reviewing its physical facilities and its enrollments. As it has proposed last year a bond issue and this year also a bond issue for physical improvements and changes to the school.

Dr. Listokin did three different types of analyses to try and project the number of school children that would come from the proposed residential units at Lighthouse Landing. He used three different methodologies. One using year 2000

census data for 12 suburban counties in the New York area. Secondly using Westchester County data for development projects that are recently built and occupied in Westchester County. And third, using the methodology and the multipliers used by the school district in its studies. And four, of the three multipliers used by the school district, came up with the largest potential number of school children emanating from this project.

So, for the fiscal analysis Dr. Listokin used those numbers in order to project a number of school children from the development and matched that against the cost to supply services both educational, in terms of teachers and facilities for those students, against the anticipated revenue, tax revenue from the site.

Clearly the school district will have an opportunity to comment on the DEIS. We look to get more input from the district as well as from the public as to our assumptions and our projections, but we have looked at those in that way. Not only at the full build out of the site, but also in thirds if you will, as the project is built initially to one-third occupancy, two-thirds occupancy and finally a full build out. We have looked at both the change over time and also the change in total numbers.

In terms of Section III E, historic cultural and archaeological resources, we have looked at the inner villages close to the site in terms of land use patterns. Retail on the ground floor, residential above. Architectural patterns. We looked, as John mentioned, other villages up and down the Hudson

besides and including Sleepy Hollow to identify how we could create a village as required in the RF district in the model of an old waterfront Hudson River village. That was an important component of what the linkage study sought to flush out. And we have tried to pick up on that and further explore that opportunity.

III F talks about open space, pedestrian circulation and visual resources. We have worked very closely with the Village's open space consultants, Beyer, Blinder & Belle and EDAW, as they have looked at not only the Lighthouse Landing river frontage but also to the north and south. And we have tried to link up with those resources surrounding us. We basically, in our proposal on the site plan that John showed, we basically incorporated everything that the

open space consultants of the Village proposed in that plan. So, that's one of the changes John showed, the 2003 plan from that plan to this plan is now the open space has some character, has a variety of activity that will make the green crescent a reality.

We also, in terms of visual resources, looked at the vantage points within the Village that had been identified in the local waterfront revitalization program and took existing photographs as they are today looking at the site or over the site and also provided visual simulations or architectural renderings of how that would look if Lighthouse Landing were to be built. Those exhibits are in the document and available for your examination.

In terms of utilities, we looked both at the infrastructure within the Village, as the Village had

previously served the GM site when it was an assembly plant, and we looked at the infrastructure that would have to be built within the site, how those two would connect. Whether there would be loops between the site and adjoining areas and whether or not there would be impacts.

The next two sections, III H and III I are closely linked, mass transit, traffic and parking. We are under the guidance of Metro North reviewing the feasibility of a new railroad station at Lighthouse Landing. We have proposed a station as part of this plan, and we are working under Metro North to do a complete feasibility study on a parallel basis, as they would have approval authority over any new station facilities.

That keys into the study of the traffic, which looked at 25

different intersections in the area, and proposed not only the railroad station as a possible mitigation and reducer of traffic, but also improvements to those intersections resulting in this town -- in the Village of Sleepy Hollow and also the Village of Tarrytown, because those road systems are obviously interlinked.

III J, K and L, air quality, noise and construction, are also interrelated. We look at the phasing of the project over time, over a period of seven years from beginning of the demolition to the final construction, and how each area of the site would be worked on during that period of time so as to minimize the effects of construction, including impacts, potential impacts on air quality and noise.

I would like then for Mark

Chertok to just take a few moments to discuss the environmental programs that Roseland has been involved with.

MR. CHERTOK: Thank you, Andy. Good evening. There were a series of questions at the last meeting which indicated some -- needed some clarity. Roseland and GM are both participants in the Department of Environmental Conservation, what's called a voluntary clean up program. Basically that's an agreement between Roseland and GM on the one hand and DEC on the other that Roseland and GM will remediate the clean up contamination on the site as found necessary by DEC for the development.

There is also a program called the brown field clean up program, which is the result of recent legislation, about a year and a half ago. And GM and Roseland may

transfer into that program. That's not yet decided. Regardless of the program that's ultimately employed, DEC will review and approve any remediation on the site and make sure it's fully protective of the environment and public health and suitable for the project.

In that respect there are a number of studies that were done by GM in the late 1990s and Roseland, before it purchased the property, which identified potential areas of concern. This is after all a former industrial site. And in addition, like many sites all over the New York metropolitan area, used fill to build up land. And that fill sometime contained contaminates from historic uses in the area, which is a commonplace occurrence.

These studies identified some potential areas of concern. Then when the program of DEC was joined,

DEC developed -- reviewed rather a further investigation plan, which basically expanded, clarified in detail these potential areas. And those are the subject and discussed in some detail in the draft DEIS in Chapter III, Subsection B.

In addition, DEC has indicated a conceptual remedial approach to the contamination. That will continue, the process will continue. There will be a full blown report issued with DEC approval that describes in full detail all of the potential contamination. And then there will be a remedial work plan, which will detail the actual clean up of the site.

We expect that that work plan, which will be approved by ultimately DEC when it's proposed, will be part of the final EIS. That will be subject to a 30 day comment period at a minimum, even if it's not part

of the FEIS, as we hope it will be, the DEC will put that out to public notice. DEC will not adopt a final work plan until their public comment and it takes into account the comments and criticism, critiques or favorable comments by the public.

So, ultimately there will be a full blown process that should run in coordination with the SEQRA process, giving the public an opportunity to comment on the proposed remediation of the site along with other aspects of the EIS.

Much of the detail is in the documents. So, we are not going to go into details about the type of contamination, but I urge you to read that particular section of the chapter. Again, as John indicated, if there are particular groups that want to meet and discuss those issues, just give a call to the Mayor and we'll be glad to

accommodate you. Thank you.

MAYOR ZEGARELLI: Okay. Before we go to the question area, I would like to call upon David Smith from the firm of Saccardi and Schiff, which is a consultant to the Village of Sleepy Hollow, who will go through what we'll call the SEQRA process, meaning the sequence of events that transpire to get us to this point and beyond as well as a little summary of how we even got here X number of years ago. Dave.

MR. SMITH: Thank you, Mayor. For the record, Dave Smith, vice president of the firm of Saccardi and Schiff, planning consultants to the Village of Sleepy Hollow. I think you've heard the remarks from the Mayor and from the applicant from Roseland and from GM that there has been a lengthy process that the Village has conducted with respect to the reuse of the General Motors

site. Essentially that work started basically once the plant announced it was closing. Government Pataki had formulated a governor's task force to analyze the reuse of that site.

Ultimately the Village pursued its own planning process, the LWRP, the local waterfront revitalization program, which identified not only a series of programs and policies related to the reuse of the General Motors site, but also to the balance of the Village. The LWRP does cover the balance of the Village.

One of the recommendations was the specific creation of a specific zoning district, the riverfront development district. That zoning district has a whole series of guidelines and regulations with respect to density, with respect to the development pattern. Again, as was indicated, one of the concepts,

the general concepts is that the development should take on an old Hudson River village character. It also requires specific elements with respect to open space and other public amenities that need to be provided as part of an eventual development.

Out of the RF district and the LWRP, which talked about this consept of the Hudson River village, the Village pursued, in conjunction with New York State Department of State, a grant that allowed for the waterfront linkage study to be negotiated. That process was a very interactive process. It allowed for the solicitation of a number of different interest groups throughout the area and incorporated substantial input from the local citizens. That provided considerable input for the developer in evaluating how redevelopment

efforts should be reviewed and looked at and analyzed as part of their eventual environmental process.

Lastly, the Village, in conjunction with the applicant, started an open space plan. And it's essentially a draft plan right now. It incorporates a number of different components that were raised as part of the LWRP, raised as part of the linkage study process and starts to put form to substance. Essentially the Village is looking for guidance and input on the eventual use of the open space that will become part of the greater Sleepy Hollow area.

Now, I think it's important to understand the context of how this project fits in with the process. And the process we are talking about is the State Environmental Quality Review Act. Those are the laws

under New York State in which governmental agencies need to follow. And there is a statutory process. It's a structured process that allows for significant public input.

I think it's important for the public to know how the previous studies that have been conducted by the Village, how the comments that are raised tonight, how this DEIS document and how it's responded to, how all of this fits into an eventual decision made by the Mayor and Board of Trustees.

On the screen and also included as part of your handout with the agenda is the SEQRA flow chart. Essentially that's the various steps that the Mayor and Board of Trustees, acting as the lead agency, need to follow before any decision is made on behalf of the Village. Essentially the process started back

in February of 2003, essentially two years ago, with the submission of a riverfront development special permit and concept plan application by Roseland and by GM.

Now, after submission of the application, the Mayor and Board of Trustees need to coordinate with all the other interested and involved agencies, and that includes New York State DEC, Department of State, DOT, Westchester County, and they need to determine who will be the coordinating agency to essentially quarterback the process. And that's called the notice of intent to act as lead agency. Eventually the Mayor and Board of Trustees were declared to be the coordinating body under SEQRA.

The next step was to prepare a scoping outline. Essentially the scoping identifies a whole series of issues and analyses that need to be

prepared and included in what's called the Draft Environmental Impact Statement. And it includes such items as the number of intersections that need to be identified and studied. Which viewpoints need to be evaluated. What are the impacts to various other service providers, the police fire and ambulance. And essentially once that scoping outline is adopted, it becomes the table of contents for the Draft Environmental Impact Statement.

There are three major functions of DEIS. First, consider the relevant adverse environmental impacts of the proposed action. Two, to discuss measures to reduce or avoid identified adverse impacts. And three, to assess a range of reasonable alternatives to the proposed action, including a no action alternative.

Now preliminary DEIS was submitted to the Village back in April of last year. It was reviewed against the scoping outline, to make sure that the applicant had provided sufficient information and in enough detail to allow the public to adequately comment, review and comment on the DEIS.

The Mayor and Board of Trustees during that initial review found there were significant areas that needed to be supplemented and added to. And essentially over the course of the next eight months the DEIS document was perfected. There were additional revisions made. And in January of this year, January 11th, it was -- the DEIS document was accepted as complete and ready for public circulation and comment.

Now, under SEQRA the SEQRA rules the DEIS is not meant to be a perfect document, although it's

intended to provide sufficient information to allow the public to react and to comment on the proposed action. Now, the submission of the DEIS does not end the process. And essentially all of the substantive comments that are raised as part of the public meeting last week, this public meeting, the two public hearings that are scheduled for Saturday and a week from tonight, all of those substantive comments, including written comments will be responded to in the final Environmental Impact Statement.

Essentially the structure of that document, there was a comment raised, and the applicants will be required to respond to that in detail, on how they address that particular issue. It's also up to the Mayor and Board of Trustees, once the preliminary FEIS is submitted to the Village, they need

to review that in detail, like they did for the Draft Environmental Impact Statement, to make sure all the comments have been responded to in sufficient detail.

Now, normally under SEQRA there is not a requirement to have a public hearing on the final Environmental Impact Statement, but the Mayor and Board of Trustees has a habit in the past of always scheduling a public hearing, to allow the public additional input and commentary on how the plan has changed over time.

I think that's, as I close my remarks, I think that's the most important component of the SEQRA process, is that the public has the opportunity to react to the proposal, to provide their comments to the Mayor and Board of Trustees. And at the end of the day, the plan that you have seen presented tonight

may in fact not be the plan that's ultimately approved. And if there is opportunities to address issues as they come up and address them in a way that attempts to resolve the environmental concerns.

So, Mayor, that's a quick review of the environmental review process.

MAYOR ZEGARELLI: Thank you, Dave. If I may, we have been meeting since 4:00 o'clock today, a unique day in that it's also grievance day for people to grieve on their assessment role. So, we have been meeting in the Village Hall from 4:00 o'clock to 8:00. And that's why we came up here late a few minutes.

We're now at the point soliciting public input. On the sign-up sheet I have Patricia Ramsey. You can stand there or you want to come --

MS. RAMSEY: I'll come up here,

because I have some documents I want to refer to.

MAYOR ZEGARELLI: For the record if you would, name, address, representing yourself.

MS. RAMSEY: My name is Patricia Ramsey. I reside at 533 Monroe Avenue, Sleepy Hollow, New York. I'm here as a resident, as a former trustee and someone who knows something about statistics.

The young man who spoke at this podium first said he was blessed and pleased to work with us. Well, I spent two days reading every page of the DEIS, and I am here to tell you I am less than pleased. I think the statistics in that document are disingenuous at best and purposely misleading in the worst case, and I would like to just give you a few examples.

I'm very concerned about the density of this development. There

is no reason for it to be that large. In fact, one of the things I would like to do is submit a document to the Board of Trustees that I received when I was a member of the Board. It is dated June 24th, 1996. It is a document prepared by Arthur Anderson for General Motors on reuse of this site. There is volume one, and the estimated financial returns.

What's interesting about this document is that at that time they were proposing 410 housing units for young couples and empty nesters and 222 units for senior citizens. This would minimize the impact on the demographics of the Village and the schools and provide very healthy financial return to General Motors and any developer who was involved. The data is in the Arthur Anderson study. I recommend that the Board look at it, because you're a new

PM1801 (continued)

Board.

Examples of problems with the data. They have in the DEIS in Section III, Page C-10, C-11, C-12, 13 and 14, they have a map and a table. They have a table of the census blocks in year 2000 decennial, United States census that gives the approximate number of housing units, the land area and therefore the density per acre. PM1802

Well, there is two interesting things about this data that they present. It is not the data of all the blocks in the Village. It is the data for only those blocks in the densest part of the Village, the most urban area of our Village. And I have printed out from the internet, and I would be happy to leave it with the Board, maps. They have limited themselves to our urban core.

We were promised by GM back in

1996 that whatever was developed would be in character with the Village. The Village is the entire Village. So, I request that when they redo this, they include all census blocks, even those that are not urban in nature.

PM1802 (continued)

In addition to truncating the data and only having select high dense blocks, they put in three anomalous blocks, the Van Castle, College Arms and Regatta Courts. Three large apartment buildings that are atypical of our Village. And what they are proposing is to build a whole development that is typical of that, but atypical of the rest of our Village.

PM1803

The data is skewed. And if you're a statistician, you know skewed data will always drag the mean closer to the direction of the skewness, the few atypical values. That is what they have here. That

is how they get the 17.1 percent density, and how they can tell us well, they will be lower than our density that exists.

PM1803 (continued)

It's not true. They hide experts. Those experts were either wonderful at selling a bill of goods or thoroughly incompetent. They have to be one or the other. They even contradict themselves in the document. On Page C-14 of Section III, they claim the average number of people per household in 2003 is 2.94. In 2008 they put 2.99.

PM1804

I used the lower of those two figures. Multiply that by 1,562 housing units, and I get a population of 4,592. If I use the mean family size for Westchester County, which is 3.34, I get a population increase of 5,217, which then leads us to school children. They have this absurd number of school children, 109 to 217. Well,

PM1805

I beg to differ.

They hired Dr. Listokin I believe he was. Well, Dr. Listokin used three different methods to calculate it and work with the school district. Dr. Ramsey used common sense and a few handy dandy statistics from the census. I didn't have much time to work on this. I will work on it further. But what I did find out is that 32 percent of Westchester households have children. If you have 1,562 housing units, and 32 percent of them are going to have children, you have 499.8 children. That is if they only have one each. All right. So, it is a severe underestimate on the number of children.

I have other concerns as well with this document. I was on the Board of Trustee of the Village when the LWRP and the zoning was formulated. I find that if what

PM1805 (continued)

PM1805 (continued)

PM1806

they are proposing is in accordance with that, I was sold a bill of goods back then. Because when we said traditional Hudson River village, we did not envision the industrial core. That is not what we intended to replicate. That was not our intention. If the density is acceptable again, we were lied to. And I beg your forgiveness for having approve this, and I ask God as well for my forgiveness. This cannot stand.

PM1806 (continued)

Another thing that disturbs me, Section III, Page C-17, they talk about a pilot. We have been waiting all these years to develop that site so it would be ratable. We would get tax revenue. How a pilot gets into this, I don't know. But we should not stand for a pilot ever again on that property.

PM1807

Another concern I have is that it seems like it's going to be a

PM808

closed community. All along we had been promised new neighbors. New neighbors that we as friendly people in Sleepy Hollow would welcome. This sounds like a closed community to me.

Section 2, Page 13, building 14, activity center for residents of Lighthouse Landing. We were promised that there would be amenities there for everyone in the Village to enjoy. They are also going to have a shuttle bus for their residents, all right. May not have gates, but they're setting themselves aside. They're not going to be an intracal part of the Village. The only thing they're doing is extending the Beekman Avenue corridor, which is one of our urban corridors, down into that site and making the whole rest of it that height, that density, that urban.

I also, having read the whole

PM1808 (continued)

PM1809

thing, noticed that there is nothing in there about handicap access and universal design in the development. As the Chairman of the Mayor's Advisory Committee on the Handicapped, it is a particular concern of mine, and I would like that addressed. Thank you very much.

PM1809 (continued)

MAYOR ZEGARELLI: Pat, if you would. As I said, if you have any additional remarks.

MS. RAMSEY: I will be writing up a formal document when I have a further chance to go over the statistics.

MAYOR ZEGARELLI: Ms., is it Ethelinda Nelson, please.

MS. NELSON: Yes. Thank you. My name is Ethelinda Nelson. I am president of the Philipse Manor Garden Club. I want to compliment Dr. Ramsey for her presentation. I think she's done a wonderful job.

MS. RAMSEY: Thank you.

MS. NELSON: I have, as the representative of our members of the Philipse Manor Garden Club, drafted a letter to the Mayor and the Board of Trustees. I would like to read it to the group.

"During the 77 years of its existence, Philips Manor Garden Club has been concerned about all aspects of development in our village. We are pleased that you are taking action to revitalize our waterfront. However, we have reservations about the Lighthouse Landing development. These concerns reflect our commitment to the preservation of open space, public access to the Hudson River and the architectural heritage of our village.

PM1901

This project will change the waterfront and the village, and we would appreciate the Board addressing the following concerns as

part of the environmental review process. Density of housing units and population; traffic impact on the village streets and Route 9; site contamination; use and design of open space; flooding of the Pocantico River; architecture that is not in keeping with village traditions.

PM1901 (continued)

We support the recommendation of Scenic Hudson to have the village further investigate the potential of greater linkage between Philipsburg Manor, DeVries Park, Kingsland Point Park and the Hudson River and the restoration of the Pocantico River.

PM1902

We specifically request that a buffer area be set aside between Roseland's development site and Kingsland Point Park. This buffer area be preserved for the potential ecological restoration of the Pocantico River and the linkage of the Horseman's Trail to the Hudson

PM1903

waterfront; the density of dwelling units be substantially reduced, and the height and architectural style of the buildings be more in keeping with the traditions of our village.

PM1903 (continued)

We are not against growth or development, but we ask that you insure that any development preserve the character of the wider village and not increase the few examples of urban architecture which exists in the inner village. Let us continue to work together to create a waterfront and a new community of which we can all be proud. Thank you."

PM1904

MAYOR ZEGARELLI: Thank you. I cannot really read the name, but they're both individuals from Riverkeeper. So, if both would like to come down. Victor and is it Karen?

MS. ANTUR: Actually, Mayor, we have decided that we would like to

wait until the public hearing to make our comments.

MAYOR ZEGARELLI: Okay. That's fine. The request on the part of Riverkeeper, that they make their comments at the time of the public hearing. As I mentioned before, this is a meeting, even though we are running it as a public hearing, but your point is well taken.

John Vernila, Prospect Avenue, Tarrytown.

MR. VERNILE: Yes. Thank you. It's John Vernile. I'm not really prepared in depth. I really have to commend Dr. Ramsey for the reading of the document. I'm not sure, is there an opportunity to get full access to the document?

MAYOR ZEGARELLI: Absolutely. There are copies available in the Village Hall and Warner Library and a couple other places I can't think of. But I'm sure the applicant can

get you a full set.

MR. VERNILE: Thank you. Great. Just briefly. I know I'm not a resident of Sleepy Hollow, but next door, Tarrytown. But this definitely has some serious impacts on Tarrytown as well as we share the same school district and taxes that go into that. Specifically I would like to address some things purely as a layman looking at the proposal I was able to review tonight. PM2001

I think that the project will dramatically change the nature of our community in general and the draft EIS does not accurately, adequately and realistically address many of these issues, specifically traffic. The traffic impact numbers are unrealistically low to me, and especially given the nature of what the traffic is on Route 9, it's already pretty congested, and I think it's only going to get a whole PM2002

lot worse. It will have some serious impacts not only on our ability to get to stores and make use of getting to work and whatnot, but emergency vehicles already have a hard enough time getting down. There aren't many alternatives. And specifically it seems as though some of the remedies that were outlined in the document specifically speak to putting in traffic signals and, you know, getting rid of some of the parking spaces in town. That doesn't address the fact that there is just limited two lanes going in either direction down Route 9, going down to the main corridor, down to the Tappan Zee Bridge and access to 287 and 119.

It seems as though those numbers are -- I don't think they're right. I think it would radically change our ability to utilize the town and will have some severe impacts. It

PM2002 (continued)

PM2003

also doesn't address the many shortcuts that are taken throughout town.

I live on Prospect. It's a bypass to 119. We already have serious traffic problems there of people cutting across. It's almost impossible to get across, to walk up and down that street without getting hit. I can only imagine with another 4,000 people, if that is the true number, what that will do to the traffic on my street and the ability for people to walk and kids to play without getting killed. We already have problems that are not addressed. This will only make it worse.

PM2003 (continued)

I can't imagine what a theater and business traffic will -- I didn't see any of that really addressed in terms of the cyclical nature of people going to the theater and the impact that will

PM2004

have on the traffic as well. PM2004

We haven't also addressed, PM2005
outside of the line, in the short
statement we saw tonight, about the
construction traffic. Just having
lived through the widening of 87,
287 interchange, it's been a
nightmare for us, the noise and
sounds. And I can't imagine what
this kind of construction will do to
Route 9, 'cause that's pretty much
the only access to it from some of
the major corridors. That is not
truly represented in that document.

The other area very close to me PM2006
is the notion that another railroad
station will be constructed by Metro
North. Knowing Metro North, and
I've dealt fairly extensively
recently with some problems with
some of the congestion in the
Tarrytown station, you assume
another station will be created. I
seriously doubt that, based on the

financial statement of Metro North. And specifically if that's the case, we are going to have additional impact not only on traffic getting to the Tarrytown train station, Philipse Manor station, it will effect the parking and also the traffic on the platforms and on the trains themselves.

PM2006 (continued)

A number of times I've spoken to state representatives, and it looks really unlikely we are going to get much new capacity on those Metro North, on the Hudson line service. So, I think that the plan does not adequately address that.

I'm trying to close up real quickly. Schools. I'm assuming it's going to have a major impact on schools. The numbers I looked at look pretty low to me, and I seriously doubt 200 students will be added to the schools as a result of, you know, even at the numbers that

PM2007

are suggested 200 kids, I think that's pretty -- I think that's absurdly low.

PM2007 (continued)

Looking at the capital expenditure that we were asked to consider over the last year and we're about to consider for the construction of new schools in the town. I'm amazed none of that is represented in that statement. If we are going to add 500, you know, between two and 500 students, I mean, and I think that's a small number, to the school district, we are going to be forced to build a number of those facilities, the thought of a 120 million dollar capital expenditure to me and the impact on the taxes, which have already increased substantially this year, it's frightening to me. I know it's going to force some of us out of the town. It will increase density, because people will need to

PM2008

rent out extra rooms to pay the taxes. I don't think that's addressed in this as well, the impact on the additional service employees and density. That it's really not addressed. There will be service employees that will be drawn primarily to the houses that can accommodate additional residents. So, I don't think that's truly in that. I didn't see it in there.

PM2008 (continued)

Also I'm assuming this is going to increase the operating expenses of the schools. I'm not sure, in terms of taxes, whether or not that's going to be addressed. Specifically is Roseland and GM going to put up the money to build new schools? I feel a lot better about it if they were going to put 120 million dollars up to build a facility. It would make a lot of sense, because I really don't feel as though we should pay for that,

PM2009

especially considering they have spent a number of years making a great deal of money on the residents of this town. They decided to take their plant and move it to other countries and outsource their labor. It seems strange to me that not only was this town hurt once, it's going to be hurt again in another way from the decisions that GM makes.

I think this will force tax increases to all of us in Tarrytown as well as Sleepy Hollow based on municipal demands, increase in fire, police protection and a number of other services. PM2010

Lastly, and this I'm sure a number of people from Riverkeeper and Scenic Hudson will address these issues, but the issues of runoff, is that addressed? I think they will have significant impacts on the river. The light pollution, the amount of light and the impact it PM2011 PM2012

will have on our ability to enjoy the river. I have a great view of the river towards Hook Mountain across the way, and I know that will be completely spoiled by this. I will be completely transparent about it. I'm concerned about the use of lighting that will not spill onto the river. Also I'm sure this will increase trash in the river and noise.

PM2012 (continued)

PM2013

Lastly, I would like to say I really respect and understand the need for Sleepy Hollow to generate new taxes. I think you need to do that. I think there are more reasonable ways to go about this in terms of density. I briefly got a chance to look at Scenic Hudson's proposal and the decision to -- and their outline to do some work on the river. I certainly know that they have been responsible developers. I would like to support it. I haven't

PM2014

really read in too much detail the document, but I would hope that you could consider all these impacts, specifically traffic, 'cause what's the point of living here if we can't enjoy going to work or going to school or making use of this beautiful riverfront if we can't get there because there is too much traffic. Thank you.

PM2014 (continued)

MAYOR ZEGARELLI: Thank you. Ken Torosian.

MR. TOROSIAN: I'll pass. My thoughts were addressed very eloquently by others.

MAYOR ZEGARELLI: Thank you. Cynthia Sandler.

MS. SANDLER: Hi. Cynthia Sandler, 139 Palmer Avenue. Thank you for the opportunity to participate in this revitalization process. I have lived in Sleepy Hollow my whole life and am now raising my two daughters here. I

grew up when the General Motors plant was in full swing and I'm thrilled that the auto manufacturing plant is gone and that we have the rare chance to start anew.

Last week I stood here representing our organization, Sleepy Hollow Families for a Legendary Waterfront. Tonight I would like to speak for myself and for my family.

I would like to reiterate what one person stated last Tuesday regarding our, the public involvement, and our ability to affect change. We have the power to decides what happens down by the river in Sleepy Hollow. Our elected Mayor and elected Board of Trustees will make final decisions. These decisions may or may not be what Roseland has put forth. We should not feel pressured by what the developers have presented. They

PM2101

have done research and created many visuals for us. This is their business. They seem to sincerely want to create a great site. However, they do not live here nor do they really know the flavor and feel the history of our village. They will develop, make money and leave, and we will be left to live and raise our families with what is left.

PM2101 (continued)

With that in mind, I have two points to make tonight. First, I have concerns over Roseland's proposed density. We are not naive. We know how negotiations work is that one party proposes in excess of what it wants. In this case exceedingly large numbers of units. And then the other party, us, says it's too many. And the number is reduced to a compromise.

PM2102

Roseland has of course planned for this and have even included in

our packet a section entitled "Reasonable Alternatives to the Action". For those who have not seen this, alternative one is to do nothing and leave the site as is. Alternative two is what I have just described, wherein they would compromise, reduce the number of units to only 1,362.

Let's not be fooled or pressured into acquiescing. We can create reasonable alternative number three, which is simply to drastically reduce residential units. If we demand reasonable alternative number three, our elected officials will hear us and will hopefully make decisions on our behalf. Roseland will still make money and leave, and we will have the village that we see fit.

PM2102 (continued)

Second, I have concerns over the aesthetic design and layout of the proposed waterfront development.

PM2103

PM2103 (continued)

Roseland has described two major roads. One leads down to the lighthouse. The other leads down to a vista of the Tappan Zee Bridge. Here again is where we can see that despite their best efforts, Roseland just does not get it. Most of us could do without a view of the bridge, even now when it isn't under construction.

What we do want is to see the Hudson River and mountains across. We do not want to be able to see it from the middle of the road or from a promenade on the river banks. We want to be able to see it from all over. It's what gives our minds peace and our village character.

I find it ironic that the so-called best view that the proposed plan provides is down on a corner, where the hotel will be located. I think that the residents wants in on that view too.

Instead of the straight-forward grid, cul-de-sac style proposal, I suggest mirroring the rest of our village. With the exception of one neighborhood, Philips Manor, we have curvy roads, nooks and crannies, low profile buildings and smaller, diverse homes. Chunks of four and five story buildings are unacceptable no matter how varied their facades. Let Roseland sit down with local architects who would be happy to provide a more appropriate look. PM2104

In conclusion, we should listen to what Roseland proposes then make the changes that we envision. If we all continue to speak, our elected officials will listen. Let us be visionary and unique, ground breaking and trend setting. This is our opportunity of a lifetime. Thank you.

MAYOR ZEGARELLI: Cynthia, if

you have a copy for the record.

MS. SANDLER: Yeah. I will submit one.

MAYOR ZEGARELLI: I have Linda Viered or something of that nature from Gracemere.

MS. VIERTEL: It's Linda Viertel. I live in south Tarrytown, in the Gracemere area. A couple of items. I will forego my comments on the density and traffic, because I think the residents, Dr. Ramsey and others, have spoken to that. But I would add, Mayor Zegarelli, I know you were pleased with Ichabod's Landing ending up less than half in terms of the units. I would suggest you go for the same goal in this project.

But I did want to note that in the aerial photograph you do not show the proposed Ferry land in here, and I couldn't see any indication in the --

PM2201

MAYOR ZEGARELLI: Yeah. That's their -- I appreciate that, but you're right.

MS. VIERTEL: In any of the documents you have proposed Ichabod's Landing, issues notwithstanding, there will be 200 plus residential units in Ferry Landing and 80,000 square feet of commercial space and about 10,000 square feet of retail space there. That will generate a fair amount of traffic also. So, I do believe those figures should be included in your traffic considerations, because that project also will happen in some form or another, and that should be part of your DEIS. PM2202

And the other issue that I really just heard tonight is about the flex building. I just looked at this table one here, one, one and it says it's not just a flex building, it's a flex office building. Is PM2203

that correct? Now, office buildings generate much more traffic than residential unit buildings. And you have in the chart the alternatives without the railroad, but you don't have, I believe, an alternative without the station, but with an office building on that site. So, I suggest you include figures that would cover putting in a flex office building. I don't know the size of it. And without a station.

PM2203 (continued)

Also I would suggest that you consider, if you do not have mass transit there, that you don't put in a flex office building and leave that all open space. Thank you.

MAYOR ZEGARELLI: Thank you. Jonathan Gleit, 64 Barnes Road, Tarrytown.

MR. GLEIT: Hello again. I don't need to reiterate the comments I made last time with respect to density and the scope of the

project. I think that's been clearly stated tonight. So, I just wanted to raise a couple of issues that I didn't mention last week. One has to do with the train station. With respect to the size of this project, even if it is hopefully reduced by the amounts that have been suggested tonight, I think that it is inappropriate to proceed with the project with the ambiguity of that station being there or not being there.

PM2301

I think that it's incumbent upon the applicant to have Metro North make that determination, is or isn't there going to be the station there, before this document is finalized. With the amount of potential commuters that we are talking about, to leave it open just seems to me to be -- to be somewhat irresponsible because you can't make adequate predictions with respect to traffic,

leaving that open.

My suggestion is there has to be, with this amount of increased population and commuters, there has to be a train station there for the project to proceed, otherwise the traffic and the rest of the village becomes -- the villages become untenable. So, I think that the project should be contingent upon a train station being put there.

PM2301 (continued)

Some other just minor points. Someone had mentioned light pollution. I think -- I didn't see the document. One of the things that you want to avoid with a project of this scope is a night glow. You don't want to look from other parts of the Village or across the river or anywhere else in the area and see a glow of light that you see sometimes with big projects, especially when there is extended parking spaces. What you want to do

PM2302

is have light engineers analyze the potential of defuse light. And you want to have lighting that is all pointed down. And make that part of the document with caps on the lighting, reflective caps. So that the light points down, it does not defuse up, so that you don't get the night glow kind of thing that can be disturbing to residents and make it an ugly situation for everybody.

PM2302 (continued)

I wanted to know whether the Village had or intended on hiring an independent traffic engineer or consultant. If they have not, I think they should.

PM2303

MAYOR ZEGARELLI: We have our own.

MR. GLEIT: Very good. I hope that person or firm is working in conjunction with the Tarrytown independent traffic engineer, with their project, because I think you can't separate the kinds of

developments.

MAYOR ZEGARELLI: We have offered to do so. I believe they have met before. I know they're in consultation with each other.

MR. GLEIT: Good.

MAYOR ZEGARELLI: We have, for the record, we have our own series of consultants that run parallel shall I say to the applicant's. If they have a traffic consultant, we have a traffic consultant. We run it parallel, but they are ours.

MR. GLEIT: I applaud that and encourage that.

MAYOR ZEGARELLI: We don't make any mistakes that way.

MR. GLEIT: Good. I'm glad to hear that. The final point is something minor, but something I thought about. The movie theater that is proposed here I think is inappropriate for a number of reasons. I think that a much better

PM2304

use of that space would be a cultural community center or perhaps a children's museum or something like that. The reason why I say this is because, first of all, there is a number of movie theaters in the area on 9A and in Hawthorne. There are two large movie theaters. I don't think there is a need for it. But, I think that the problem that can come up with something like this -- I was raised in a riverfront, Westchester riverfront water community on the other side of Westchester. Nevertheless, we had a large riverside park, not a riverside, the Long Island Sound park there. So, I know something about how people react to these places. And they're vital and important.

But I'm concerned with the movie theater, because what happens, what can happen in this situation is

PM2304 (continued)

you've got a movie theater and the late show, 9:30 or 10:00 o'clock, you get a lot of teenagers on a Friday or Saturday night. You'll have teenagers going in there. They will get out at 11:30, 12:00 o'clock. And where the theater is situated is right at the top of the business district (pointing), right down to the park. And these kids at 11:00 or 12:00 o'clock on a Friday or Saturday night will go right down to the waterfront. I think it could be a problem and not the way that you want the riverfront to be. So, I think there will be better uses for that than a movie theater, like a community cultural center would be more appropriate.

PM2304 (continued)

MAYOR ZEGARELLI: Thank you.

MR. GLEIT: Thanks.

MAYOR ZEGARELLI: Bob Welch with Kelbourne. Bob? Kathleen Dolan.

MS. DOLAN: Hi. I'm Kathleen

Dolan from New Broadway. Thank you, Mayor. You've done so much work. I mean, it's just incredible. The things I was going to ask about, a lot of people asked. Just two things. One thing is I work in Yonkers, and sometimes going to work takes me longer to get to 87 than it does to get from 87 to Yonkers. So, of course it depends on the time of day, but that's a big thing. And I was thinking maybe we should tell the people that are moving in, that they should know about the traffic problem too. That's one. PM2401

The second thing is, if you look out my dining room window, there is an incredible view of the river. And I'm so thankful for that. And I just -- I'm nervous about the height of the buildings. I really hope that the view is still there. PM2402

The next thing was the alternatives. I was a little bit -- PM2403

I was glad the woman brought it up. Because when I read about, you know, the only alternative is 100 units less, I thought gee, there has got to be more than that. Maybe that could be worked with.

PM2403 (continued)

The last thing is in Yonkers, which is where I work, they have the Hudson River Museum and they have the Beczak Center, which are great places for all different age people to really use the river, learn about the river. And I was just hoping it might be part of the plan already. I don't know if we could have something down there where people could fall in love with the river as much as all of us here in Sleepy Hollow. Something active, like the Beczak Center. You know, the kids can go down and take soil samples and do all kinds of science work. The museum has a planetarium, go down and look at the stars at night.

PM2404

So, I was hoping maybe something like that, okay. Thanks a lot.

MAYOR ZEGARELLI: Thank you. Just as a side bar. It has been suggested that there be some kind of a museum. We had been approached about a children's museum. Also something of a historic nature, of the old plant itself, since the automotive industry, as much as Detroit started here, in Old North Tarry, as the 1890s, as it ever did in Detroit. And also what was the plant during the war years. So, there has been some talk of that in the form of museum or additional uses.

Maria Canales, Grove Street.

MS. CANALES: Mr. Mayor, thank you. I'm a resident of Tarrytown, and I'm going to keep my comments very brief. Primarily the first thing I would like to submit is a letter requesting that Sleepy Hollow

PM2501

and Roseland consider cease, terminating the litigation against Tarrytown, particularly in light of the fact that the Village of Tarrytown has agreed to work to remove the asphalt plant, which was a major, major issue of contention between the two villages. I might add that this kind of litigation promotes animosity between the villages, and that's something that certainly doesn't help anyone. PM2501

Secondly, I just wanted to submit an engineering letter primarily dealing with again the traffic impacts. Specifically there are going to be sectors of Tarrytown that are going to be adversely effected which need to be considered. And I want to thank the Mayor for the good work. Again, it's an exciting project and thank you all. PM2502

MAYOR ZEGARELLI: Thank you.

For the record, as you know, you also represent National Resources in Tarrytown. Regarding the litigation, the Village instituted a litigation against Ferry Landings National Resources regarding the asphalt plant. Our position has been very clear. I think the judge ruled remarkably in our favor on it.

Our position is about eliminating the asphalt plant. If the Village of Tarrytown were to take definitive action on removing the asphalt plant from condemnation or otherwise, I think the Village of Sleepy Hollow would have a much different idea of what to do here. I appreciate your comments, and we'll just have to wait it out.

MS. CANALES: Thank you.

MAYOR ZEGARELLI: That exhausts my list. If someone didn't make the list and they would like to speak, please be recognized. Come on.

Yes, sir.

MR. LYNCH: A clarification of the process. Just a question.

MAYOR ZEGARELLI: Yes. Go ahead. If you could stand, John Lynch, just for the record, please.

MR. LYNCH: John Lynch, Tarrytown. There was some comments early on basically about the zoning. And there was a reference from the standpoint of being less than the permissible zoning in that area, 16 and a half versus 21, which is an eight percent density. What I'm wondering here is when did the -- I got the impression, we know the where of it, basically this whole area has been rezoned from industrial to general water district area?

PM2601

MAYOR ZEGARELLI: Waterfront district. When the LWRP was drafted, written, approved by the state, it also created -- the

Village created this, at least pre 1999, a waterfront district that had a specific zoning component. Just for the record, I can ask Dave.

MR. LYNCH: My main question, was there, at that point in time, from the standpoint 21, was there an Environmental Impact Statement of notification at the 21 level?

PM2601 (continued)

MAYOR ZEGARELLI: It was a little before my time. I'm going to defer this.

MS. RAMSEY: No.

MAYOR ZEGARELLI: Excuse me. The answer will come from here.

MS. RAMSEY: Okay.

MAYOR ZEGARELLI: Mr. Smith.

MR. SMITH: There was an Environmental Impact Statement prepared as part of the adoption of the LWRP. As to the extent of the environmental studies prepared for the riverfront zoning district, I would have to check.

MR. LYNCH: From the standpoint of the zoning, which is a separate legal zoning action, from the standpoint of zoning as well as the Village as a whole, meaning Village Board, did the Village Board approve or neg dec the 21 level at the waterfront at that point in time?

PM2601 (continued)

MR. SMITH: I'm not exactly sure what you're referring to as a 21 level. What is that?

MR. LYNCH: From what I'm gathering from tonight, there is a permissible level of 21.

PM2601 (continued)

MR. SMITH: Twenty-one, okay.

MR. LYNCH: Sixteen and a half. Twenty-one, was there ever an environmental assessment that was approved by the Village of Sleepy Hollow from a standpoint of a neg dec at the 21 level?

PM2601 (continued)

MR. SMITH: I would have to check the records.

MAYOR ZEGARELLI: I'll tell you

what we'll do, John. Hopefully by Saturday's hearing we'll have a statement to provide you with the background information, date, times.

MR. LYNCH: I can't find it. Usually there is some type of history.

MAYOR ZEGARELLI: I'm sure it's there somewhere. You know, we just don't have it available. We will research it out, especially from those who may have participated or otherwise help draft it. I'll ask Nick Robinson and a few of the others, Don Stiefers, et cetera. Anyone? Yes, sir.

MR. BOHIGIAN: Haig Bohigian, 225 Hunter Avenue, Sleepy Hollow. I would like to limit myself to two items today. Number one, on taxes. If you refer to the document presented on Page I 8 at the bottom, it says a full build out, the project is expected to generate 4.32

PM2701

million annually in public revenues and cause the Village to incur a public cost of 3.32 million annually, resulting in a net fiscal surplus for the Village of Sleepy Hollow of approximately 1.1 million dollars annually.

Now, if it doesn't go to full build out, the Village's expenses will probably remain pretty much the same, because they have to provide police, fire, water, sanitation, the whole works. So, you've got a real problem there in terms of tax revenue. Also there is a huge discrepancy between that figure and what the School Board is quoting in their figures, because they're expecting that all the new construction, of which Lighthouse Landing is 80 percent of tota1 by my estimate, because the other two -- the other three projects are relatively sma11 by comparison, the

PM2701 (continued)

School Board is expecting to generate 8.76 million dollars. Now, where is this extra 4.44 million dollars coming from? And that's at full build out from Lighthouse Landing.

So, we have got some huge discrepancies in figures that just don't add up and have to be rectified before we go any further.

PM2701 (continued)

The other thing, the other point I would like to mention is that I would like to accept their 217 students as a correct figure, but reverse engineer that figure to generate then probably only about 651 residences that would produce the 217. So, I accept their figure. Thank you.

PM2702

MAYOR ZEGARELLI: Thank you, Haig. That being the end of the list, and people who have come down, I'm going to ask the Board, we are going to adjourn until Saturday

morning, 10:00 a.m. Village Hall. That's this Saturday morning. Moved bid Mr. Capossela. Seconded by Ms. Gala. All in favor say aye.

(A chorus of ayes.)

MAYOR ZEGARELLI: Thank you.

(Time noted: 9:55 p.m.)

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Certified to be a true and accurate transcript of the above-captioned stenographic minutes.

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Lori Ann Schirripa

Official Court Reporter

PUBLIC HEARING NO. 1
February 19, 2005

PUBLIC HEARING NO. 1

STATE OF NEW YORK

VILLAGE OF SLEEPY HOLLOW

----------X

VILLAGE OF SLEEPY HOLLOW BOARD OF TRUSTEES
DEIS PUBLIC HEARING
LIGHTHOUSE LANDING AT SLEEPY HOLLOW

----------X

February 19, 2005
10:00 A.M.

Sleepy Hollow Village Hall
28 Beekman Avenue
Sleepy Hollow, New York

B E F O R E:
PHILIP ZEGARELLI, Mayor

BOARD MEMBERS:

MARIO DI FELICE, Deputy Mayor

THOMAS CAPOSSELA, Trustee

RICHARD ZIEJA, Trustee

ANDREW MURRAY, Trustee

KAY BROWN GALA, Trustee

Christine Giustiniani, CSR, CM
Official Court Reporter

MAYOR ZEGARELLI: Okay. I have a little after 10:00 in the morning. Today is Saturday the 19 of February. We as has been the case in previous times, we have had two meetings, meaning these were meetings on the same topics dealing with the applicants's proposal, that is Roseland's proposal for the GM site.

Due to or because of a technical glitch in the posting by the applicant and or his attorney and or his advisors, the timeliness of the hearing notice was not published. And so consequently we decided well we told people that there were going to be meetings any way so we held the meetings and we held them as if they were public hearings.

A full court stenographer's report has been kept for the previous two meetings. Now because we are in sync with the publication of the notice and so on, we will be holding two official hearings on the same subject.

So, in other words we have had two meetings which were run as if they were hearings and now we are having two official hearings, today and on Tuesday. This is all subject to the code, to the law of the State

Environmental Quality Review Act. In fact, it is in excess of what is mandated.

We have a sign up sheet over here if people would like to sign up and speak. We will have as I mentioned a full court stenographer's review and report made available as soon as possible.

I'm going to be calling on various people along the way to give updates. There is a rough agenda. I will, of course, endeavor to keep to it as best as possible, but we are going to try to be as flexible also as possible. We are going to ask people who would like to speak to limit their remarks on the comment side to five minutes and in particular for those of you who may have spoken before we will be as open as possible.

In addition we have in discussions with Scenic Hudson, we have talked to Scenic Hudson. And while these hearings are the applicant's proposal, it is really their hearings, we have decided to allow Scenic Hudson to provide for a timely presentation of their proposal, of their aspects of what they think should be done at the site. With that we will, of course, allow

the applicant to make commentary back and forth. Not in a debate, per se, but rather just in point, counter point.

This is somewhat unique because as I said the hearings are really run and set up by law to be the applicant's methodology or his opportunity to present their proposal.

For purposes of the record, I have the affidavit of publication in the Journal News calling for today's hearings and I will present for the record a copy of this to the stenographer.

Before we go into the presentations I would like to introduce members of the Board of Trustees: Trustee Zieja and Deputy Mayor DeFelice, Trustee Capossela, Trustee Andy Murray, Trustee Kay Gala. Did I see anyone else? I thought I saw someone else. Okay. Anyway, that constitutes a quorum to hold the hearing.

Also we have Joel Sachs who's special counsel to the Village. We have David Smith who's consultant to the Village. I see Nick Robinson here as Chairman of the Planning Board. And if I left other people out who are

chairs or members of zoning, planning, architectural review, waterfront or parking, I apologize. Unless somebody throws something at me along the way and I will make mention.

I see also Sean McCarthy, Village Architect, also and Dolph Rotfeld in the back who's a special consultant dealing with water matters or sewer matters. What I would like to do is now call on Dave Smith who will provide an environmental review, the process overview.

MR. SMITH: Thank you, Mayor, good morning. For the record David Smith, Vice President of the firm Saccardi & Schiff, Planning Consultants to the Village of Sleepy Hollow.

To pick up on the Mayor's remarks with respect to the people representing the Village of Sleepy Hollow, I think it is important for the public to know that there are a whole series of consultants and advisors assisting the Village in the review of the Roseland proposal.

As the Mayor had mentioned, Mr. Sachs from Keane & Beane was providing legal counsel. In addition Real Estate Solutions Group and

Dimilia and Honigman providing fiscal impact evaluation, STV Incorporated, a nationally renowned engineering firm providing traffic air and noise review, Hardesti and Hanover, another nationally renowned engineering firm that's providing structural engineering expertise and advice, Roux Associates providing environmental review of the exhibit conditions of the site.

Dolph Rotfeld as the Mayor had mentioned providing site engineering, the firm of Beyer, Blinder & Belle which are architects and open space consultants. They have been working with the Village on open space and design issues, design matters.

To put the proposed action in context of kind of a historical evolution of the site, General Motors site, it is important to note that the Village along with a number of other interested groups and agencies have been evaluating the re-use of the General Motors site for approximately close to ten years now.

That started with a governor's task force on General Motors, the reuse study for the General Motors North Tarrytown plant. That study was concluded in July of 1996. It was

essentially an effort initiated by Governor Pitaki upon the pronouncement that the GM site was closing.

Essentially, that process was lead by the Westchester County Department of Planning and it included representatives from the state, the various villages and other interested agencies. Essentially provided a basic market analysis evaluation of the ability to reuse that site for a variety of uses including residential use, commercial use.

Following upon that the Village had initiated efforts to prepare their own local waterfront revitalization program. That was initiated back in the late 80's. Essentially that document was concluded and adopted by the Village in 1996. The LWRP outlines a whole serious of goals, objectives for reuse of the soon to be vacant at that time General Motors property.

The LWRP document recommended that specific zoning amendments be enacted and adopted to regulate future development. It called upon the redevelopment to take the form of an old Hudson River village. I think this

is a theme that has resonated throughout the process. It also identified economic redevelopment of the site as an important goal and it called for promotion of public access to the Hudson.

Again that LWRP document was adopted by the Village in 1996. It was eventually adopted by the New York State Department of State in 1997. As one of the recommendations out of the LWRP there was specific zoning regulations, and that's the RF District, River Front Development District adopted by the Mayor and Board of Trustees in 1999.

Essentially that created special zoning language that outlined the special permit and conceptual site plan approval criteria and processing. That provided general parameters regarding building height, density, permitted uses and again focused on development taking the form of an old Hudson River village pattern. In 19 -- sorry -- 2002 the Village along with New York State Department of State concluded their waterfront linkage study. I know there were a number of members of the public that participated as part of that

process. It was a very inclusive process that included Department of State, it included the County, included a number of other agencies and interest groups.

The purpose of that study was to help the Village or assist the Village in better visualizing what the future development would look like. There this again old Hudson River village concept. It began to identify how specific areas of the Village such as Devries Park, Barnhart Park, the upper Beekman Avenue commercial corridor, Kingsland Park, Metro-North and Philipsburg Manor restoration; how all the components could be integrated into the redevelopment of the General Motors site.

Lastly, the study began to build consensus towards a concept plan that would address among other things land use, circulation, density and aesthetics.

The last effort or the most recent effort on behalf of the Village was the creation of a draft open space plan. As part of the redevelopment of the General Motors site there would be a dedication or eventual dedication of a significant area of open space to the

Village, much of that along the Hudson River waterfront.

The Village had retained the services of Beyer Blinder Belle, EDAW and in conjunction with Roseland prepared a draft open space plan and that's included in your or in the draft environmental impact statement. Essentially the Village is using the environmental review process to solicit comments on that open space plan before any ultimate decision is made.

I think it's important for the public to understand the context of the process that we are all engaged in with respect to the historical background, with respect to the comments that will be raised tonight, with respect to the DEIS document process, the State Environmental Quality Review Act, SEQRA law is a process structured that is a process that is statutory. It is a process that is outlined on the screen to my right.

There is also a hand out. As part of the hand out you see the SEQRA flow chart, a whole series of statutory steps that the Village Board, Mayor and the Board of Trustees acting as the lead agency coordinating the

environmental review must go through as part of the before any ultimate decision is made with respect to this project.

The SEQRA process actually started back in February of 2003 with the submission of the river front development special permit and consent plan application by Roseland Property and General Motors.

After submission of the initial application and coordination with other interested involved agencies, the Village needed to go through what's called a scoping process essentially that outlines all the information in the substantive details that need to be addressed as part of the draft environmental impact statement which is the subject of today's public hearing.

Now the scoping process identifies information that needs to be included, also provides for opportunities as to how the studies will be conducted. Once the DEIS, the draft environmental impact statement is prepared, it is submitted to the Village. They need to review that and to ensure that the information presented in the study is

sufficient in detail prior to the public being able to comment.

Now there have been discussions with respect to the methodology of some of the numbers included in the DEIS. I would want to briefly go through for example some of the methodology that the Village had to review before the draft environmental impact statement was declared complete.

With respect to public school impacts I know there have been a number of people who questioned the numbers that are included in the DEIS document. There is a basic methodology for being able to predict school age child impacts. It is not as simple as taking an average household size for Westchester County and applying it to the number of residential units that are being proposed down at the General Motors site.

Essentially you need to evaluate each of the different components of a project whether it is single family, whether it's condominium or town house; you have to evaluate each of those units on the number of bedrooms. There are various methodologies for predicting the

number of school aged children as a result of being able to break down a development on its different components. Regional multipliers which look at essentially the tri-state area, those are more general. There are county multipliers which look at specific projects within Westchester County.

And again, the applicant has included a survey of approximately 18 different developments within the County and that provides more specific data. And lastly, the in the DEIS document there is district multipliers and that was prepared, those numbers were prepared by the school district as part of their evaluation for the ultimate or their evaluation on improving the school district. Those numbers were prepared by Lloyd Bishop. He's one of the recognized experts on school facility analysis.

So it is very important that the public know that the methodology that was included as part of the DEIS was a sound and legitimate methodology that's used throughout Westchester County, used throughout the industry for predicting school child generation impacts.

Once the DEIS is accepted there are three major functions of that document, first the considered relevant adverse environmental impact with proposed action, second to discuss measures to reduce or avoid identified adverse impact, and three, to assess a range of reasonable alternatives to the proposed action including a no action alternative.

The preliminary DEIS was submitted to the Village in April of 2004. That document was reviewed against the scoping outline. It was found that by the Mayor and the Board of Trustees as lead agency along with the advisors there was not sufficient information before the public could comment.

So essentially over the past eight months the document has been perfected, additional information has been provided. And as of January 11 of this year, 2005, the DEIS was accepted as completed ready for public review and comment.

Now under SEQRA the DEIS document is not intended to be a permanent document, but intended to provide sufficient information to allow the public it react and comment on the

proposed action.

Now the submission of the DEIS document is not the end of the process. The public is provided an opportunity to comment on the applicant's proposal and their conclusions. The Mayor, Board of Trustees will be providing their own series of comments on their reaction to the proposal. In fact, the Mayor, the Board of Trustees will be breaking into a series of subcommittees to address specific topics related to the proposed action.

Now all of the comments raised, all the substantive comments raised as part of the public hearing or the public meetings that were held prior and all of the written comments that are submitted up and through the end of the comment period which is March 16, all of those substantive comments will be responded to in writing in the -- what's called the final environmental impact statement.

The FEIS document is essentially the Village's document. They will need to review that to ensure all the substantive comments are responded to in sufficient detail. That FEIS is submitted, it's reviewed. In keeping with

past practice, the Village has typically held a public hearing on the FEIS document; that's not a requirement under the SEQRA laws, but it is another opportunity that the Village provides the public to comment on the plan and how the plan may have changed over time in relation to the comments that were raised as part of the public involvement process.

At the end of the process once the FEIS public hearing is closed, the Village must prepare environmental findings. Those findings must consider all the relevant environmental impacts, weigh and balance relevant environmental impact with the social economic and other considerations.

So there is a balancing effect that the Village Board must conclude as part of in looking at the overall nature of the action. The findings statement must provide a rationale for the agency's DEIS and certifies that the SEQRA record has been met, and it must certify the consistency with the social economic and other essential considerations from amongst the reasonable alternates available.

The action is one that avoids or minimizes

adverse environmental impact to the maximum step practical. What all this means is that what you will see today, the planning you will see today may in fact not be the plan that is ultimately approved at the end of the day.

There are certainly opportunities for the public to input, and I think that you will hear, likely you will hear from the Chairman of the Planning Board, Nick Robinson, the Planning Board has certain concerns with the way the site plan works and the way it lays out and that ultimately one of the benefits of the SEQRA process that does provide opportunities for meaningful public input on the part of the public and other governmental agencies and interest groups.

These provide available considerations for the Mayor and the Board of Trustees prior to any decision being made. Mayor, that provides a fairly comprehensive review of the SEQRA process. Do you want to have Mr. Sachs or yourself? Thank you.

MAYOR ZEGARELLI: Thank you, Dave. I'm going to ask now Joel Sachs who's special counsel to the Board for environmental and

review items especially anything dealing with the State Environmental Quality Review Act, senior partner of Keane & Beane to give the public hearing review, Joel.

MR. SACHS: Thank you, Mr. Mayor. Good morning everybody. I will try to be brief in view of the comments of the Mayor and of Dave Smith. As was mentioned we are now in the middle of a very extensive public comment period on the Lighthouse Landing DEIS.

The public comment period commenced on January 11 and will continue until March 16 which is a period of over two months even though under state law it is only required that there be a 30 day comment period. We have a comment period extending over twice as long as required.

And as previously mentioned, three different types of comments will be coming in in different forms during this two month period. First of all written comments and statements have been coming in and will be accepted by the Board of Trustees as lead agency up to and including March 16. That includes not only comments from the public,

from other governmental agencies, from public interest organizations, but also comments from the Board of Trustees themselves and the various consultants who have been retained by the Board of Trustees whom Dave Smith has mentioned before.

Secondly, we did have on February 8 and February 15 two very well attended public discussions on the DEIS. One was held in this room and the other was held in Sleepy Hollow High School. Even though they were not official public hearings, as the Mayor indicated, they were conducted as if they were in fact public hearings with transcripts of both of those verbatim transcripts taken.

Today and on Tuesday evening February 22 there will also be a public hearing on the Lighthouse Landing DEIS. And again after March 16 the applicant is required to take all the written comments, all the letters as required to review the transcripts of the two public discussions, the two public hearings and must respond in writing to each and every comment and statement that was raised during this entire public comment period.

The applicant is not required to respond today to any comments or statements that are made. However, if any comments do come up and if the applicant does wish to respond and with the Mayor's permission the Mayor could grant the applicant the opportunity to respond today.

But again the important response will be the written response which will be contained in the final environmental impact statement.

One other thing that I would like to do before I sit down is I would like to officially get from the applicant at this point a copy of the transcripts of the February 8 and February 15 public discussions which Mr. Weingarten the applicant's counsel has handed to me.

And I just want to indicate to the Mayor and the Board of Trustees that we are submitting this to you as the lead agency as part of the public comment period.

MR. WEINGARTEN: Mr. Sachs, also for the record attached to the transcripts are the exhibits which were referred to during both public discussions, and we would ask that those also be part of the public record.

MR. SACHS: Right. Thank you. Finally

again as the Mayor said, in order to give everybody an opportunity to speak today once the public comments start after an initial presentation by the applicant, please, try to limit your comments or statements to five minutes. Thank you.

MAYOR ZEGARELLI: Just for again the record, it may look like it is a little stilted because the formal presentation of transcripts and all that, but it is for a reason to document everything in an official manner so that the record is very clear that the transcripts were made of meetings; that the official transcripts of the meetings and the exhibits, meaning those things that people also handed in as written record, has been formalized and now formally presented to the Board.

I will now ask Mark Weingarten, partner of DelBello, et cetera, et cetera, et cetera to come up, introduce Jonathan Stein and set the stage for the project presentation.

MR. WEINGARTEN: Thank you, Mr. Mayor, Members of the Board, ladies and gentlemen. My name is Mark Weingarten. I am a partner in the

White Plains law firm of DelBello Donnellan Weingarten Tartaglia Wise & Wiederkehr. I apologize for speaking a little bit slowly. I also want to mention the stenographer wants to follow along. Everybody, please, state your name when you get up here and give your address so the stenographer has a record.

I am here this morning representing Roseland Properties in connection with their proposal for the redevelopment of the former General Motors plant in Sleepy Hollow on the Hudson River. First I want to congratulate every one for being here and thank particularly the Mayor and the members of the Board for meeting on a holiday weekend.

The Mayor and the members of this Board have made this an extremely accessible project. They have given people opportunities to come in the evenings, on the weekends. I know my wife may not be too excited that I'm here now two Saturdays in a row and particularly on a holiday, but frankly, I'm paid to be here.

You are not. And we want to thank you for coming and being part of this process. As many of you are aware when the former General Motors

plant was shut down and GM decided that it was no longer going to operate in Sleepy Hollow, they conducted a nationwide search to pick a partner, someone to partner with them to come forward and to develop this property in the best manner of economic development and for the Village of Sleepy Hollow.

They partnered with Roseland Properties after that long search because in my opinion they are simply the best waterfront development in this part of the United States.

Roseland Properties has shown you and we will show you a little bit later in Mr. Stein's presentation a number of projects in this area of the nation on waterfronts even larger and even more complex than this project as hard as that is to believe. They have an attention to detail. They are professionals. They build a quality product.

Your mayor, members of your government have had an opportunity to visit some of those communities that they build. I think they have also concluded that if as and when approved for a project in Sleepy Hollow that Roseland would be able to deliver the goods, be able to build

something that this community will be very proud about.

When Roseland came to Sleepy Hollow, they did not create a proposal out of a blank slate. They built on a tremendous amount of work done by your village officials and created by your public and created by the public in connection with comments that they made at a series of hearings taking course over years which resulted in an LWRP that you heard Mr. Smith refer to. In a zoning, in a linkage study there were things, rules, laws, regulations which were put in place before Roseland ever appeared on the scene.

When Roseland came their job was to put forward a proposal to this Village and to submit it to the public which was consistent with all of those laws, rules regulations and policies. In my opinion it is absolutely consistent. They have not sought one variance. They do not seek to change any of those laws, rules or regulations which have been adopted.

Now it may very well be at this point in time that we can differ a bit on whether or not something could be made better. Sure it can.

That's why we are here talking to you. But the ultimate proposal that was before you which is a living document subject to change is consistent with what was requested for us to come forward with.

In order to do this now when you put forward the proposal you heard Mr. Smith talk about this very involved process we were required to put together a draft environmental impact statement. In order to do that Roseland Properties had to go out and hire professionals. They went out and hired local professionals, well-known to this community and your surrounding communities to put that document together.

They hired Divney Tung Schwalbe and Andy Tung is here with us this morning. They are an organization, engineering firm. They are the compiler of the DEIS. They are well-known to this community, for example, in their work together with our firm on the Kendall projects which I think many of you are going to be very happy with when that's finally up and operating. But I know it was a process that people are very proud of.

And the data and the things that were used in order to create that project came out of the Divney Tung Schwalbe office. They also hired my law firm. Our law firm is well-known in this community working on Kendal and in the surrounding communities in White Plains, Port Chester, New Rochelle, your neighbors.

I mention this because as local people together with the national experts which were utilized in compiling the data, these are people that are not only known to you in the past that intend to work with you in the future not just on this project but on many others.

There was a suggestion at the last hearing that Roseland was here to build a project and get out of Sleepy Hollow. Nothing could be farther from the truth. Roseland's proposal is predominantly a rental proposal. If they wanted to get out of Sleepy Hollow, they would build units, sell them and leave.

What Roseland intends to do and is poised to do is to make the largest investment in the history of this community. When completed, they will by far be the largest taxpayer in this community. They intend to be an excellent

corporate citizen.

They do that in all the communities that they are a part of. They become part of your not-for-profits. They become part of the fabric of what you consider your quality of life. I know the Mayor has, and others, go ask the communities where they have built and find out what Roseland will do once they become a part of your community.

Now in drafting this DEIS, Mr. Smith mentioned that our first job together with you after the scoping session, et cetera -- and your experts, and again, it is not just our data, it is our professionals being reviewed by the Village's professionals. We have to come up with a list, started with a scoping document of everything that we do with this project that we have created what's called an impact, an adverse environmental impact.

Now what does that mean? Well people got up for example the last few hearings and suggested the project is too dense. Well density is an impact. Not in and of itself. It leads to things. What does that mean? Well if you build residential units, clearly, you

are going to add to the population of the community and that will have an impact on your community. There will be more school children living in your community. That will have an impact on your community.

There will be more traffic. These people will have cars and that is an impact. And it is identified in the draft environmental impact statement. It is our job listening to you today to make sure that we have identified each and every impact that this project will create.

The next step is to talk about once those impacts are identified what if anything we can do to mitigate those impacts. So, for example, traffic which you will hear Mr. Stein talk about in a few moments are there things that we can do to lessen the impact.

Our goal is to bring it back at minimum to the existing conditions that you have now. We would like to make it better. In some instances you can't. The draft environmental impact statement's job is to identify those, to quantify them so that you have an understanding of what the impacts are.

But again there is one other standard that

you have to keep in mind. We have to mitigate impacts to the extent practicable; that's the legal standard. While it might be a great idea, for example, to build a bridge from the project straight to Route 287 and miss Route 9 completely, we know that's not a practical solution and we don't recommend it.

There are things that we do recommend in the draft environmental impact statement, things that can be done with traffic lights, with turning lanes, with all sorts of techniques that experts put in to help with your traffic. Those are the things that are in there. And if we have missed any, we seek to hear them from the public because those are things that we can study.

At our last meeting, however, after we had the impacts and we have the mitigation measures the last step in the process would be the balancing test. Let's talk about the positives of the project and let's make it clear there are positives to this project.

There is river access. There is open space. There is going to be parkland. There are surpluses, and we will talk about that, for

your schools. There is going to be extra money after the costs are determined. There are going to be surpluses for your Village. There is going to be money generated as a result of this in excess of the costs. Those are the positives.

The negatives, the impacts, and there is eventually a balancing test that takes place, not necessarily today after we get all of that information and the draft environmental impact statement. And there is going to be an awful lot of time to have a discussion with you over what we should do, what is the appropriate thing for the Village to do on this property.

That's going to take place while there is an FEIS being drafted and there is eventually findings statements and a determination as to whether or not to approve this project.

But for now we want to make sure that the community accepts our data. Mr. Smith mentioned an example I would just like to briefly give you an example. You may read a draft environmental impact statement and say doesn't make any sense to me. Someone got up the other day and said how is it possible out

of 1500 units of housing that you only get 217 annual school children.

Well I tell you. Let's try and forget what the experts talk about. Let's just talk practically. I'm an example. I got married. I lived in a one bedroom apartment. No school children, just my wife.

Three years later we sold it. We moved to a two bedroom townhouse. No school children.

Three years after that we had our first child. When she was four and not yet of school age and the next one was on the way, we moved to a single family house.

Absolutely, there are differences based on the number of bedrooms and the type of unit as to whether or not school children are going to be living there. That's what these formulas take into account.

Our job as directed by your experts is to look at the national formulas, to look at the regional formulas, to look at not just formulas but actual examples of similar projects in this region to determine what the numbers are.

Our numbers by the way on all of those measures in the draft environmental impact

statement are smaller than 217. We think that number is inflated. But we used it because that's the figure we got from your own school district. We went one extra step.

We went to your school district and asked for their multiplier. We are very confident that our number on the school district on those children using that as the example is the right number. If we have missed a methodology, please, let us know. But once you use that number and accept our data, we can have a discussion about what the impacts are.

Finally, and at the end as I mentioned that balancing test that is going to take place. This is a very formal process. We will try to respond to you as best we can if there is an ability to do that today. But we mentioned at the last meeting, and we thank the Mayor for the opportunity, if anyone seeks to meet with us, we will come meet your neighborhood group, we will come at night. We will come on a weekend. We will continue this conversation outside the formal process so that we can have a dialogue.

There is no question that people that live

here every day are going to have ideas that experts may not have thought of. Please, let us know. And we look forward to working with you, continuing with you in this process.

Now I'm going to turn it over to John Stein and partner in the firm of Roseland Properties to give you some specifics and go through some other things that have been brought up at the former hearings. Thank you.

MR. STEIN: Good morning. Thank you, Mark, Mayor, Members of the Board of Trustees. It is nice to see a large crowd come out this morning. As Mark said it is a holiday weekend. I'm sure there are lots of other places that you would like to be. I know that like Mark's wife my wife has a couple of issues with me spending another Saturday up here.

But as I have mentioned during the past couple of hearings, we think that this is an unbelievable opportunity. It is a magnificent site and a unique opportunity and unique process that has meshed here in Sleepy Hollow with the Mayor's guidance, with the guidance of the Board, a public process.

It started off when I became involved four

years ago, it started off before that you know, Mark had mentioned our commitment. We have spent literally millions of dollars in studies design meetings with various organizations, civic organizations. You will hear from Scenic Hudson in a few moments. They have got on their agenda certain other designs that they would like us to consider.

But they will also tell you as I'm telling you we have met with them, we have incorporated lots of their ideas. Historic Hudson Valley we have met with, incorporated their ideas or potential land grants -- I'm sorry -- land donations to Historic Hudson Valley.

We really have gone out, met with the senior citizens groups and the Chamber of Commerce. And we really tried to embrace what the Mayor has started, what the Board of Trustees has started as a public, open, transparent process.

Four years ago as Mark had mentioned General Motors went on the national search looking for the right developer. It actually started in 1998. I only became involved actually was designated in the year 2001 as the

redeveloper. And it was through a cooperative process again with Village representatives, the Mayor where they came out. They did site inspections. We met. We talked about what the Village wanted. And again we came in with a clean slate. We said let's join the linkage study, find out what people want.

Roseland Property is a group of -- a company with over 200 professional full-time real estate personnel devoted towards master plan mixed use primarily waterfront properties. We operate in six states from Virginia up through Massachusetts.

Our largest development was Port Imperial on the New Jersey side of the Hudson River. Essentially expands from the 35th Street to about 85th Street on the New Jersey side. Through cooperative process with the three towns that we worked in, we restored that site, remediated it, created a new waterfront community. And it is up and running now.

It is about midway through the construction. The construction period will take us out probably another five or six years. The tax variables, jobs, restoration of the

environment, the access to the waterfront; it's all there. Next slide, please. Portside Pier One in Boston, another opportunity that we have gotten and designated by Masport through another public process to come in, talk about our background, talk about our expertise, show them we have experience in this area.

We know how to get it done and do it on a cooperative basis. Hingman Shipyards in Massachusetts as well, former shipping terminal that we are currently in the approval process for. We should be starting construction hopefully in a few months. We actually just completed that approval process.

Other properties in New Jersey that we have done I can show you maps from the other five states that we are in. But again it is the repetition, master plan, mixed use waterfront communities. That's our specialty as well as a significant component of brown field remediation. We are the largest brown field remediator in the State of New Jersey.

I anticipate this site here, the 95 acres of the GM site will also probably put us near the top in New York as well. We are currently

also in the top of Massachusetts and we are about to commence in construction in Virginia on probably one of the largest brown field remediation sites offered in Norfolk, Virginia as well.

So we have got significant experience and we don't come into this lightly. Mark had mentioned somebody said the other night that you know we are going to come and we are going to leave. Well I have spent millions of dollars, my company has spent millions of dollars to date in planning. We are going to spend hundreds of, millions of dollars of investment in your community in order to revitalize that waterfront to create the open space that you have told us that you want.

To create every dollar that I spent on that land, 33 cents, one third of every dollar that I spend on that land will be public donations of property, public donations so that you can design your waterfront. And we have worked through that cooperative process. This isn't an indication of we have come in and said as we have heard prior developers have done this is what you are going to do. We have come

in and said we will follow your guidance. You got an RF district, LWRP, you have a linkage study all guiding us. You hired your own open space consultants, EDAW and Beyer Blinder Belle out of New York City. They have designed your waterfront. We said we will incorporate that.

The existing slab I'm not going to take a lot of time talking about. The history, every one in this room knows the history of the site better than I. 2000 people per shift clogging roads, everybody new during the shift changes two or three times a day depending upon when it was whether it was full operations or not, road got inundated.

Nobody is talking about going back to that. Plant, two and a half million square feet rising 80 to 100 feet, fully blocking the views, gated industrial site. Nobody is talking about going back to that. But it is part of the history, part of what was here.

Linkage study came up with a concept, plan part of it follows the RF district, LWRP follows that. We followed the same plan mostly residential on the side here, mixed use corridor here, park expansions primarily

through here. Go ahead.

This was our 2003 plan. There is a lot of positive reaction to this plan, some negative reaction to it. Members of the public didn't want to see development on this parcel. We took, as you will see on the next slide, we took all the development and put it over here.

Scenic Hudson in particular wanted to see a straight connection of Beekman down to the waterfront. What we had done here was create buildings that actually pushed beyond the straight extension of Beekman. They asked us to move that back. You will see on the next slide we did move it back.

Some of the positive attributes were the creation of the green crescent, the open space connection for Horan's Landing over here, through Ichabod's Landing over here. As of two years ago this was their design on the open space for Ichabod's Landing, through our waterfront, through here up through Kingsland Point Park across the Devries Park and in connection to Philipsburg Manor restoration.

So what we have done is incorporated a lot of those changes after we met with different

organizations, different groups. Many of you -- I think linkage study had over 170 people show up. That information was compiled and incorporated into the linkage study findings by your own planners, by Dave Smith actually.

Again we went back. We redesigned. We took all of density from the east parcel, put it onto the west parcel. We created the straight extension of Beekman Avenue. Preserved the view corridor that you have become accustomed to since the plant was fully demolished in '98.

Again we have incorporated the green crescent. We have got over 33 acres of open space and public dedicated lands on this plan. One third of the site -- actually the site is about 94 and a half acres. We have got 33 acres being donated to the public; that's close to 40 percent when you do the math, about 38 and a half percent.

The open space importantly again it was not our design. This was a design that the Mayor lead a process with your own consultants, and we adopted those findings. We put them into our plan to incorporate them so that we

can achieve the Village's desires on the open space.

Go ahead. This is the open space framework plan. This is the plan that was adopted by your consultants and we were asked to adopt into our plan. Again green crescent connection, 33 acres of open space a more than a third of the site. You have got expansion of parklands. You have got expansion of Devries Park. Creation of two soccer fields, two basketball courts, additional parking.

Potential donation of close to 8 acres from Philipsburg Manor because we had heard that there was some desire to have more historic interface, museum quality pieces. So we have decided to let the experts handle that again in that area.

We have got -- the Village needed new DPW -- provided land for the new DPW. If we get a Metro North station, commuter parking lot available for the Metro North station. Pedestrian connection of Barnhart Park. Horseman's trail connection through here again the waterfront.

On the waterfront we heard you want a

fishing pier. No problem. We will be able to deliver a fishing pier. You wanted some open space on there, some active and some passive opportunities. There will be a playground, of course, the active ball field extensions, connections to Kingsland Point Park. Walking trails, biking trails.

And importantly right here at the point -- and this plan as you look at a plan like this, it is tough to imagine the scale of this plan, but remember that's nearly a hundred acres through here. The open space here reaches up to 250 feet in depth right at the point over here where we have planned a very publicly accessible boutique.

We have got a water feature and entertainment area where we can have concerts, events right at the waterfront overlooking the Tappan Zee overlooking the Palisades. Lighthouse perspective, this is the view from just behind the lighthouse. You can see the significant open spaces here. This is the large area that we are talking about.

This is the hotel area. Right in front of the hotel coming out right over here would be

that waterfront plaza or promenade that we have connecting trails all of it shown for you.

Next slide. The architecture, somebody had said the other day that we have created a French downtown. Somebody else said that we should have a Dutch downtown. You know what? We didn't make that determination. What we have done was again followed the advise of the linkage study. Go out, go look at other historic Hudson villages.

In particular we were asked to go and visit Cold Spring, Nyack, Ossining, Hudson, Sleepy Hollow, Troy and Tarrytown. Find out what the conditions are there. What's unique about the architecture. What creates a historic Hudson village.

So what we have done is analyze each of the different elements of buildings, make them look like they are built over a period of time; planned eclecticism was a term that came out during the linkage study. So we created those articulation of height.

A comment came out the other day about that we are a six floor, all six floors. Well the zone, the RF district zone permits on a

great majority of the site that we can go six floors. But I hate to tell you we are not six floors. We are four floors. So again, there is a maximum that's created by the zone. We are not anywhere near the maximum created by the zone. We are below that.

So when you hear people say publicly, oh, there is six floors and they are so dense and there is and they haven't followed the guidelines. You know what? That's not actually accurate. We have followed the guide. And we are primarily four floors.

We pike up with interesting fenestrations and interesting pieces on different buildings to create some difference in the building because nobody wanted a cookie cutter design. What we have done is create those opportunities.

While we are looking at a couple of these other ones for instance the street scape guidelines we have created significant boulevard widths. Opportunity to merchandise on the sidewalks for all the retailers.

I want to talk for a moment about, while we are looking at some of these slides,

density. Obviously, as Mark said density comes up all the time. Greatest number of comments we have here so far is density. When we analyze density, it's just a number.

What you are really looking at is the impacts of density. The primary ones that we have heard are physical impacts. I think Mark addresses school impacts for you. Certainly, we have done the same analysis on the Village, impacts to the Village financing. We have also done that for the Town of Mount Pleasant.

As you look through the numbers, there are certain assumptions that are made. We went out and we retained the services of the leading economist the fiscal impact study guru, the man that literally wrote the book. The other day somebody pulled out a report and said this old report I don't know who your professional is.

You know when you look at that report that was pulled out, it was based upon the guidance and the studies and the work of our professional, his name is Professor David Listokin and he's the leading economist for fiscal impact studies in the U.S. He's the man that wrote the book. He is the man that

coordinated with Dr. Howard Smith and the school system. He's the man that coordinated with the Village.

That information is all being compiled. It is in there. You may think as Mark had said that some of the information isn't compiled or doesn't take into account different factors that you would like to see. We are more than welcome to take a second look at it and have you guide us in that area and have the Village ultimately make that determination as to whether it was done properly or other things that need to be considered.

The last area and one of the greatest impacts that we have heard about is traffic. When we came here, we were told there are three primary issues with the development of the site: The first one is traffic, the second one is traffic, and the third one is traffic. So what we have done is look at the traffic.

And we have gone out and analyzed 25 different intersections from Sleepy Hollow through Tarrytown primarily. The analysis leads us to the fact that you have got a congested road system on Route 9. I don't

think we needed to tell you that.

But when you look at the individual details of those intersections, and you look at what has been done in the past to improve traffic flow through those intersections, you come to the conclusion that you have got a point, a bottle neck within downtown Tarrytown within their retail corridor because of on-street parking, and it slows traffic in that area.

By the way, that's not such a bad thing in a downtown area to slow traffic to bring people through. But as you look at the other intersections and what has been done over the past ten or 15 years, there has been no traffic improvements to those areas to make them better.

So what we have done is made suggestions if we looked through those 25 intersections. We made suggestions on how to make those perform better under current conditions. They can perform better. We have reached out, our professionals Tarrytown's professionals. There is another development in Tarrytown, Ferry Landings, has been proposed. We have reached

out to their professionals and we have got everybody now thinking about going in the same direction to let's make some road improvements on a regional basis to help the traffic now.

Yes, there will be impacts, yes. When you compare our traffic analysis and our first car that comes on the road will be more than what's generated by the existing slab, yes. The discussion doesn't stop there. It is what are the existing conditions and what can we do to help fix them. And that's what we have gone through.

So I would ask you if you really are interested in the traffic, come and sit down. The Mayor has had a subcommittee formed to go and talk about things like traffic, to talk about things like density. Let's go now and talk about it because there are opportunities to help fix things, not just reduce our impacts, but make things better than they even currently are just by doing some rather easy traffic improvements.

This is a view of what we call Beekman Place as we create a new street which links up with Beekman Avenue and directs the Lighthouse

Landing traffic directly down our Main Street.

This is our mixed use corridor directly down to a terrific view of the lighthouse. This is something that our planners came up with. I thought this would be a great idea. We have shown this around to various boards here, to various members of the public. And I think everybody is of the impression that creating a view of the lighthouse with a major access street is a good idea.

Again the architecture we have tried to emphasize different articulation setbacks, both vertically and horizontally so that the buildings aren't all built up at the same place on the sidewalks with some set back a little, some moved up a little. Different heights. Some drop down to 3 stories, mostly four stories. Some have a fifth story element where we are trying to do unique, you know, accent point just on particular buildings on particular spots.

Some of them don't even have -- there is a tower on one spot that comes up. It is just a tower for the sake of having a tower; something attractive as a focal point. Just to let you

know the depths of our study. As I indicated we have spent millions and millions of dollars studying the site, revising the plans, meetings. It has been a four year process for us. We have studied -- I mean the DEIS is a I don't know thousand pages, never really added it up, but we have studied every topic.

And we welcome to you read the DEIS. Read it. Please, come to us. We are preparing CDs. We are going to put it on the Web very shortly. I just got the electronic data the other day so you can have it more accessible because it is voluminous to copy. We are inviting comments.

I offered the Mayor the other day after a comment from the Riverkeeper that this wasn't a transparent enough process, we are willing to meet with you, sit down with you as we have done repeatedly as I have done with many of you over the past four years. We will come sit down and discuss this on an informal basis certainly to the detail of the reports or to just the overall impacts.

I welcome you to join these subcommittees that the Mayor has formed to discuss the impacts that we have identified in our DEIS.

Thank you.

MAYOR ZEGARELLI: Thank you. Before we go into the public session I just want to for the record -- excellent, but there was no date on it. This is the February 8. I wrote it in on the official --

MR. WEINGARTEN: The 8. Right, 8 and 15.

MAYOR ZEGARELLI: Just for the record. We have a sign up sheet over here. Several people came in along the way and maybe didn't see it, but if you would like, come around this way, back this way and sign up.

What I would like to do is a couple of things is try -- again we are trying to be as flexible as possible. Don Stever who was a trustee in the Village was with Nick Robinson one of the authors of the LWRP and all the ancillary work that was done on the waterfront, the waterfront district and zoning you have heard Mr. Weingarten. You have heard Mr. Stein in their, the use of the existing -- existing documentation, laws, rules and so on and how they came to this point.

Mr. Stever is away today. Based on his knowledge and explanation he drafted -- I have

a copy for you so you can rest your fingers if you would like -- I will read into the record. He asked me to do it on his behalf.

This is addressed to Mayor Philip Zegarelli and the Trustees from Donald W. Stever. Subject is GM/Roseland Development. Dated February 16,2005.

Please insert this memorandum into the official record of the hearings on the General Motors/ Roseland Properties proposal for development of the former General Motors Corporation assembly plant sight.

The purpose of this memorandum is to correct for the record several erroneous statements made by members of the public during the February 15,2005 public information session and to provide a detailed response to a question raised concerning adoption of the Sleepy Hollow Local Waterfront Revitalization Plan and the Riverfront Development District amendment to the Sleepy Hollow Zoning Code.

Note that this is not a statement that should be construed as being either in favor of the proposed development or in opposition to it. As a member of the Waterfront Advisory

Committee, I do not feel that would be appropriate for me to take any position on the matter. The purpose of this written comment is to correct certain erroneous statements made by others and to provide perspective on the framework and guidelines under which this development proposal has been made.

Subject: Arthur Andersen Zone Re-use Study. The Arthur Andersen "Reuse Study" was invoked by a member of the public who contended that this study concluded or somehow proposed that the maximum residential density proposed for the site was 400 homes and 200 senior citizens housing units. This study was paid for partly by the General Motors Corporation, partly by the Empire State Development Corporation (a state agency) and partly by the Village. The claim made with respect to this study misunderstands or perhaps intentionally misstates its purpose.

As a member of the Village's Conservation Advisory Counsel, I was involved in reviewing this study at the time it was commissioned. It's primary purpose was, frankly, to evaluate whether any industrial re-use of the site was

feasible because at the time the Governor's office had been attempting to preserve manufacturing jobs in the State and the study was undertaken prior to closure of the assembly plant.

The study was done by an accounting firm, not by a land use planning firm. Its purpose was to hypothesize various re-use scenarios - including single family residential development, big box commercial development, light industrial development - and, in a cursory fashion, evaluate the economic feasibility of each type of development. The "400/200 scenario" involved looking at the site as a host for a typical suburban single family residential (one family on the single lot) type of development.

Senior housing was included because at the time the Kendal-on-Hudson development had not been proposed. This study was in no way intended to imply an appropriate density capacity for the property, nor was anything in it a promise or representation by GM as to how the site would be developed or that such a development was or could be financially viable.

For a member of the public to claim otherwise seriously distorts reality. Very little was known at that time about the site-related development costs, and the authors of that study had no credentials to support the type of claim now being made with respect to that study.

More importantly at the time the Andersen study was done, the Village had not yet begun work on the Local Waterfront Revitalization Plan. I was a member of the committee responsible for drafting that plan. As the LWRP evolved, more information concerning the site was developed, and there was a considerable input from experienced and expert land use planning experts. The Waterfront Development District was a component of the LWRP, and that concept, which envisioned a "new urbanism" style development containing as many as 1600 residential units site wide was subjected to broad public input within the, Village, including an unprecedented mailing of what amounted to a straw poll to all Village residents.

The concept behind zoning districts like

the Waterfront Development District is what is called "planned unit development". The basic parameters of the development were provided in considerable detail in the local law, giving potential developers what amounts to a road map as to how the Village wants the site developed.

This effectively removes much development discretion from the developer, putting the Village effectively in the driver's seat. It benefits the owner who's essentially told by the local law "If you meet these criteria, you will have an approvable development". In this case, the LWRP and the adjunct Waterfront Development District Zoning specified that the GM site must be developed as a reasonably dense, mixed commercial and residential development that mimics the style of a classic Hudson River town street scape.

The law projects the type of density that is allowable, and it is very specific concerning building heights.

Subject, LWRP and SEQRA. A member of the public inquired whether the LWRP had been subjected to the SEQRA process. Since the LWRP was adopted prior to the time when the current

Mayor and Trustees took office, and before Mr. Douglas became the Village Administrator, understandably none of the current local officials had an answer to that question at the information session.

I was involved in that process in an official capacity, and the answer to that question is that SEQRA was complied with. The LWRP, which included Riverfront Development District Rezoning, was supported by a Generic Environmental Impact Statement. The EIS and LWRP and associated zoning changes were subjected to at least six public hearings in various locations around the Village, because the village -- excuse me -- because the Village Officials wanted the maximum possible public input prior to formal adoption of the LWRP.

I personally attended each public hearing, and as a member of the drafting committee carefully explained that Waterfront Development Concept and what it meant for the future of the Village. The legislation was adopted at the conclusion of that process and was subsequently agreed to by the secretary of state, as required under New York coastal zone management

enabling legislation.

The General Motors Corporation retained a land use planning consulting firm to make comments on the Waterfront Development Zoning District. Those comments were evaluated by the Village with the assistance of its planning consultant, along with other comments received from the public, neighboring communities, the County, the State agencies and others.

Some comments were accepted, others were not. The final product is a very specific set of large scale development guidelines, which includes density guidelines, height restrictions and architectural design guidelines.

I believe that it is important that these matters be made -- I think he means for the record in this proceeding, because it is quite apparent that many of our residents came to live in the Village after the Waterfront Development Guidelines were adopted, and from the comments received to date there is considerable misunderstanding of what those guidelines mean and how they operate.

A number of comments were aimed at changes

to the proposed development that would be inconsistent with the Waterfront Development criteria, or attack elements of the GM/Roseland proposal that are in strict compliance with those criteria. Submitted by Donald W. Stever.

We also because it was requested dug out of archives some, a sketch or a guideline of what the Arthur Andersen proposal would look like. Since commentary was made, I think it is only fair that an interpretation that was submitted to the Village at the time be also shared. The site north being essentially to 2:00 is I think well recognized by everybody.

If I could just give a quick summary. This is the east parcel. This is the west parcel. The river, the lighthouse, Kings Point. Summary of residential 44 acres, 400 units of housing, three to four bedrooms. Senior 222 on 22 acres. This is all senior citizen housing on the east side.

All the west side was multi-bedroom, meaning three to four bedrooms. East, west, tracks. Specialty retail 30,000. There were ten units of residential housing for sort of volunteer workers. Convenience retail 15,000.

Sports fitness club 160,000 square feet. Restaurants, 8,000. Marina, 9,000. River museum, 6,000. The waterfront promenade and roads took up 15 acres.

It is different than what has been proposed. Also I want to explain again there is not taking sides. This is just explaining because this was all done before the LWRP, all done before the analysis of the site. Since that time, methane gas has been found and other contaminants that need to be addressed on the east side.

In other words, all the senior citizen housing was going to be put on what is now where methane gas is. If you look and see this is now going to be all public area for fields because that's what it can be used for versus all the housing and the roads and so on.

The riverfront had to be in the concentration of the commercial with no green crescent. I just want to explain that because we are marking time. We are going through time in an analysis and in a proposal that is dynamic. It changes as it goes. It changes because of public input. But more importantly,

it changes as a result of public information and knowledge of the site itself.

This would I think by anybody's imagination not bear up under the current knowledge of what is in the site right now. I don't think anybody would want to say you are going to put your senior citizen housing over the old marsh which was a dump that has methane gas. But we can put the Village Garage down there. We can put fields down there like a lot of other areas have done and make it into open space and get away with it.

I don't mean it in a negative sense, but rather that's a permissible use. These are all three to four family houses, 400. You can talk to Dave Smith later about what is the given calculations of how many kids beget from how many bedrooms. There is a difference in how the Village would have to look at let's say street cleaning, garbage pick up, everything, all right.

So you have to understand these are points in time that have been in transition. This was done as a knee-jerk reaction to the closure of the General Motors plant. What we are looking

at now, having weathered that storm and while people have had to pull in their belts because of the financial impacts of it, we have gone through a series sequentially of analysis. And as I said, we are moving into a different direction on how the sites you look at.

This is from what the proposal on GM is also a snapshot. It is a period of time, it is a proposal. And it is open to public scrutiny, questions, challenges, debate and that's what we are here for.

Having said that, I would also like to call on Nick Robinson who will give a presentation as Chairman of the Planning Board of the Village of Sleepy Hollow in their independent analysis that they have been having. They have been having separate meetings. Some of these guys were sort of joking about being here on Saturdays, well last Saturday they had a hearing and what was it Tuesday night, Thursday night, whatever it was, a joint meeting of several of the working boards were here.

So I'm going to let Nick go on.

MR. ROBINSON: Thank you, very much,

Mayor, Trustees. As Phil said I chair the Planning Board. The Planning Board is made up of seven people like you, citizens of the Village, who meet every month for meetings that most of you don't turn out for late into the night looking at every site plan, every application that comes into the Village for land development.

We function as professionally as we can. We have the advice of the Village Planners, the Village Engineers. We bring in special consultants as we need them. And we give great scrutiny to all of the proposals.

We have all read the draft impact statement. Some of the members of the Planning Board are here Ed Cappoli and some others. I don't see every one, but we have spent one full Saturday looking at this DEIS. And we have spent joint work sessions with the Waterfront Advisory Committee.

The Waterfront Advisory Committee is meeting in this hall on March 2 to develop its own point of view. We are not presenting its position tonight, but we are presenting the Planning Board's points. We will prepare a

written statement, but we only finished our analysis Thursday night around 11:00 so we haven't had time to write this up.

But here basically are some of our points. First, I want to echo what the Mayor said. This project has changed a lot. And I think General Motors and Roseland are to be commended for the green crescent concept. They have basically dedicated about 30 percent of this site to open space and parkland.

It is a major contribution to enhance the aesthetics of our community. And there are two big legacy issues here that General Motors as a joint developer has. You may have noticed in the screen GM and Roseland were together in the little icon because they are joint applicants here. The two legacy issues are the brown field site, the fact that this was an automobile assembly plant. Those of you who know the history of the site from having lived here know that it wasn't just any automobile assembly plant. It was a very historic one. Stanley Steamers were built here.

It goes back to the very beginning of the automobile. The history of this community is

PH2801

associated with the beginning of the automobile. When GM ceased the operation in 1996, that site had been operated or parts of it any way since 1899 for the production of the Walker Steamers. GM bought it in 1914 and it has been developed ever since, bit by bit.

It was not a manufacturing plant. They didn't actually have a situation where they had to dump waste on the site or create a very heavily impacted industrial zone. It was an assembly plant where the pieces of the cars were manufactured in other places brought in by rail and assembled there.

During the second world war airplanes were assembled there too. Now this Village has worked to clean up industrial sites in this Village before. You all know the Mallory Battery Factory, the Mallory Battery Factory railroad. Barnhart Park was cleaned up so that the soil on that site is cleaner than the soil on Beekman Avenue right here.

PH2801 (continued)

It was a very strict clean up. The Village worked with the Department of Environmental Conservation in the State of New York and the U.S. Environmental Protection

Agency in that. And that is the commitment that we have in this process. PH2801 (continued)

This site will have to meet all Federal and State standards and be completely remediated for the construction of this to go forward. GM has stepped up to that. That's a legacy obligation of the company, and it will be followed.

The second legacy obligation here is the fact that as you all know Washington Irving didn't like having the railroad come through and the railroad cut off half that site. The railroad cut off half of Slaperhaven Bay, the old dump bay where people came up into what is now the restoration. It began to silt in and turn into a marsh on what is now called the east parcel. PH2802

Over the years, General Motors rerouted the Pocantico River to flow out to the north of that site where the little mouth of it is now in Kingsland Point Park. But that left and filled in the rest of Slaperhaven Bay. And what that left was a legacy of deflected storm water drainage. There is a storm water problem there. We do have flood surges.

I will come back to that, but the Department of Environmental Protection of the City of New York has done a very extensive draft and final impact statement for work they are doing on the Croton Aqueduct. It is on the New York City Web Site. You can go see it.

I have given to the, arranged for our planners to give to the Planning Board and the Trustees the flood hazard maps from what the City of New York has developed that will show what will happen to the Pocantico River under the various flood scenarios.

PH2802 (continued)

Many of you remember Tropical Storm Floyd which basically wiped out Devries Park. And we had a picnic tables down blocking the entrance to the Hudson. We have got a flood problem there. And we have got to solve the flood problem there. And it can be solved. It is a legacy issue. And I think General Motors and Roseland will address that seriously.

General Motors and Roseland have, I think as was said earlier, some very progressive policies. We have worked on this site now for more than a decade before we get to this hearing. The Village adopted the Abandoned

Industrial Property Act. We are, I think, the only Village in the nation to adopt such a law.

The Abandoned Industrial Property Act says if you have an industrial site in your municipality and you cease operation in making whatever you were making for one year, you have to tear down all your old buildings so that you don't end up with a blighted waterfront.

GM did it. GM came in, took one look at the site and responsibly not only tore down the buildings, but many of you remember lots of railroad cars in which all the metal, scrap metal, was sorted and recycled and taken out by railroad car; a really extraordinary example of a company environmental policy at work.

GM has its environmental policies on its web site. Any of you can see them. I'm rather pleased that when they talk about their commitment to bio diversity on their sites, they actually have a photograph of our site, our brown field site and the lighthouse.

Because they have committed to a series of international obligations as a company to have a very clean operation and a very progressive operation, they are part of the global

PH2803

reporting initiative. And under the global reporting initiative they commit for instance to the protection of parkland near any of their sites. PH2803 (continued)

They are adjacent here to Kingsland Point Park. They have agreed to set up policies on the protection of sensitive areas. And I think we can expect to see as we work through this process General Motors agree and Roseland agree to pull back this project from the park because that's consistent with General Motors' basic policies.

GM also has a basic policy on identifying water sources and related ecosystems that deal with drainage and run off. And here too I think if we take a look at ways to handle the flooding on this site, we will see an interesting application of GM's work. PH2804

GM takes a great deal of pride in fact in a number of its restorations of former industrial sites for going beyond just, you know, changing the site. As GM says many of GM's activities go well beyond regulatory requirements, ponds, wetlands, forests and other environments provide habitats for a

variety of plants, insects, birds fish, mammals while fulfilling other functions that are critical to the world's existence. PH2804 (continued)

GM, therefore, has a commitment as a company to the question of bio diversity, and I think we have an obligation as we take a look at the Pocantico Estuary to analyze that bio diversity in the environmental impact statement.

I'm going to run through the points that the Planning Board has come up with based on our analysis of the site. And I will be providing after the Board has had a chance to edit the written statement and review it, a formal written statement before March 16 for the record that will be available to every one.

First, this is a suitable use of the waterfront zone. It is zoned for this. We went through the entire process of analyzing appropriate waterfront revitalization policies. This Village has complete compliance with the New York State Waterfront Revitalization Act and it has gone on with its linkage's study and open space study to create a framework for development here.

All the utilities basically that you need are here. It was a big industrial site. It has the tap in to the running sewer line. It has plenty of electricity. They used a lot of energy down there. PH2805

It has adequate systems for water and so on. It does not yet have a storm water system. That has to be worked on. We can develop this site using state of the art energy efficiency. PH2806 The Planning Board required the little development of Ichabod's Landing you have seen is under construction to use the state of the art energy efficiency systems going beyond what is the EPA star system to be actually lead certified.

So we expect as energy efficiency comes, the footprint of this site will be a very energy efficient footprint. And we will not produce excess costs for those who have to pay their energy bills, but will also keep green house gases down and so on. PH2806 (continued)

We recognize that there is a proposal for a Metro North station, and there is every expectation as Metro North goes forward, it will provide a station. But we think the PH2807

alternative of what will happen if Metro North were not to provide this station, that needs to be analyzed, it is a realistic possibility and there are some down side risks and alternatives to the site if it's not to be developed. PH2807 (continued)

With the station we have suggested that the one story parking area on the east side actually be a small parking garage and have more than one story because it is well below Beekman Avenue. And you could camouflage a building to look like an old Hudson town mill building and put in parking.

One of the reasons we think that parking, additional parking, would be useful would be because from the fees for that you could help generate a revenue stream that could pay for the reconstruction of the viaduct, the little road that comes down passed the General Motors old union hall building on to the east parcel.

With respect to transport access in and out of the site, the access to all of the roads in the site needs to be looked at carefully. There is going to be a need to carefully analyze a multiple set of alternatives to make sure we spread the cars out so they don't have PH2808

to all come at one path.

Access to the east parcel and the west parcel and all the access alternatives need to be studied with their pluses and minuses. This means River Road. It means Hudson Street. It means the viaduct going down to the east side. It means Beekman Avenue.

It means the possibility of a new road coming down off the Barnhart Park site. It means Continental Street which used to be the way a lot of the GM workers came off the site, and possibly even new access across a bridge that would have to be built on the Pocantico River bringing into the site from the north.

These options are not going to be popular with every one, but unless you analyze them all, we won't know which ones are the better ones to select. We are going to need to look at alternative mass transit systems within the site. There is a provision that there might be a jitney for instance. Well the jitney is proposed to run through Kingsland Point Park to the Philipse Manor Station. That's not a consistent park use. You don't put buses through parks.

PH2808 (continued)

PH2809

There is -- when Kingsland Point Park was first designed, it was a pedestrian only park. There were no cars in Kingsland Point Park originally. The parking and stuff was crept in over time. And certainly it is not consistent with the park use nor with Section 4F of the Transportation Act to provide a new highway through that park.

So we are going to have to come up with other ways to route the jitneys. And the option of fixed rail, putting in an historic trolley -- those of you who know the history of this region know there were trolleys. The trolley ran all the way to White Plains from Tarrytown. We may need to take a look at trolleys again.

PH2809 (continued)

We also need to take a look at the possibility that the Waterfront Revitalization Plan has for a ferry landing so that ferry's could actually dock here and bring pedestrians from the south or anywhere else who want to visit the area.

PH2810

I would also note that we have to do in the EIS an analysis of the implications of this transport for places where cars are going to

PH2811

end up idling. Because of the State implementation plan for the Clean Air Act, we have a revision to the New York State implementation plan required in about five years or less because of the adjustments to the health standards in our area. PH2811 (continued)

As you know, we are not in an area where we have consistently clean area all year. We don't meet the air quality standards for some of the air pollutants. And we want to be careful as this project gets developed that we are consistent with the State implementation plan.

Now one of the ways to address the density on this site is in fact to require an element of code compliance with respect to parking. The DEIS calls for 1.5 parking places per unit on the theory that not every one will want two cars. Well our code requirement requires two parking spots per unit. We believe, and the Planning Board IS unanimous on this, that this code requirement should be followed, and if followed, it would reduce the density on the site by approximately 25 percent. We think that's manageable within the scope of this PH2812

project and should be done. PH2812 (continued)

Secondly, if you take a look at the interior parking off the commercial street Beekman Place, there is no loading ramps provided. Loading ramps are a very important part of running a viable commercial setting. And we are going to have to provide for loading ramps. And it won't be from the Main Street where cars are all parked and people are, pedestrians. PH2813

So it is going to have to be probably from the back or from underneath where you have the capacity to put in a lower level. That's going to reduce the parking on those interior parking lot areas which is going to mean you are going to have to put some of that commercial parking into perhaps a different structure therein.

You will notice in the DEIS that the hotel although the little boutique inn at the end, which is quite attractively presented, it also provides for a convention center. The Planning Board doesn't see a need for a convention center. That would just bring in lots of people to go to conventions and bring their cars. We would just assume eliminate that PH2814

which eliminates a whole bunch of vehicle miles traveled and vehicle trips. PH2814 (continued)

You can still run a very viable small inn, very attractive inn at the site were people to have to want to come for tourism and so on.

We also think that the design of the project as it faces the Hudson is one of the major impacts of this project, and right along the esplanade which the applicant Roseland/GM have very carefully provided for, a very large esplanade. PH2815

I would point out they provided for some apartment blocks next to Ichabod's Landing. Ichabod's Landing are four-story townhouses, and we think those apartment blocks basically should they provide sort of a clunk of two styles in densities. And if you had townhouses along there, you would basically continue the lower height of the flow perhaps and you could show a more modulated evolution.

We also believe that along the esplanade it would not be helpful to have parking right along the edge of the esplanade. It would confuse the view shed, but it would also mean if we could move some of that parking away from PH2816

the esplanade you have a more aesthetic, pedestrian-friendly setting; plus you are moving cars out of that area, and we are interested in trying to restrict the number of cars that might come into this area. PH2816 (continued)

The traffic patterns are commendable in looking at the flow of affected traffic patterns in Tarrytown and down to 287 and so on. But we also would like to see the EUS look at the traffic impact to the north. PH2817

This Planning Board has looked very carefully at the traffic on Route 9 where it is up by Phelps Hospital and 117. I don't know how many of you know that this is one of the most dangerous roads in the State of New York by accident. It happens to be in a place where Mount Pleasant doesn't really care about it. It is just outside of Sleepy Hollow. It is a little nomad's land.

And one of our Planning Board members was totaled there, but before he was totaled, we had looked at the EIS for the Phelps Hospital developments which documented -- the traffic engineers documented this as one of the worst stretches of road in the State of New York per PH2817 (continued)

accident. We need to fix that. PH2817 (continued)

And we are going to add an increment of further traffic going north from this project, and that section of road needs to be analyzed so that we can make recommendations to the State and the adjacent municipalities to fix those intersections before we send more people to the new emergency room at Phelps Hospital.

Now parkland was discussed at great length last week with the Village's study has and the linkage study has shown this buffer between Kingsland Point Park and the development. We think that buffer which is not reflected in the EIS, it needs to be reflected in the design of this project. PH2818

There should be a substantial buffer between Kingsland Point Park and any developed area. This would -- with the buffer zone we can remove the vehicular access to the site, restore it to its historic use as a pedestrian-friendly, non-vehicular site.

The move -- I want to commend the Roseland for moving the heavy athletic use from the sort of soccer field that's there now. It is not really a real field, but it has turned into PH2819

one. Move that to two real soccer fields on the east side of the tracks so that the park can be for picnickers and more passive access, enjoying the Hudson. And you can have some real athletic fields designed elsewhere. PH2819 (continued)

We note that to build those fields there is a proposal that some of the wetlands would have to be filled, and the Planning Board is the statutory body of the Village that gives the wetlands permit. So we are going to have to have mitigation for those wetland fillings and an adjustment there.

We also need to come up with a buffer that is one for noise somehow to deal with the question of the construction impacts of noise on the park so the people who continue to use the park during construction can have an expectation of when they will not have an excessive amount of noise intruding on that. Part of that is a temporary phenomenon we are going to have to endure. PH2820

In the use of the buffer we think the EIS should look at the alternative uses of the buffer, and that could be anything from just allowing it to come down into a small field PH2821

area or the question of restoring the wetlands and the Estuary that used to be somewhere in Slaperhaven.

PH2821 (continued)

We will never go back to what the Dutch saw or the early New Yorkers saw, but we can in effect come up with a restoration biology approach here which needs to be studied and revert to some of the access to the Hudson and to an estuary experience that you get a little further up.

Historic Hudson Valley doesn't really let people get down to the water. There is no place to get down to the water. Even Devries Park doesn't let you get down to the water. This ought to be studied as we look at the alternatives.

We understand that and have had a presentation from the planner for Scenic Hudson about the restoration of the Pocantico River. We think this is a reasonable alternative that must be studied in the final EIS. The EIS in fact is somewhat defective in its analysis of the Scenic Hudson study. It simply says it's too expensive and we can't do it, but there is nothing in the appendices that supports that

PH2822

the EIS has to adequately support any of its statements with the full documentation.

PH2822 (continued)

The Planning Board would like to see that analysis fully developed.

Flood control. Beyond Tropical Storm Floyd we are going to have to come up with one of three options for flood control on this site. Either we are going to have to reopen the estuary and the river so that it -- it's a small little stream, but is capable of handling a flood surge.

PH2823

Wetlands absorb a great deal of flood water, and with proper design if the Pocantico had a second mouth, there might be a way to channel the flood waters so that we would not have significant flooding.

The second is to work with the New York State Department of Parks and Recreation and Historic Preservation at the Rockefeller State Preserve to help maintain places upstream where water could be retained in retention basins that would, that already floods up there as any of you who use the park know, and therefore, they have to close hiking trails. And it might be possible to do some redesign upstream that

would retain the flood waters. PH2823 (continued

Right now the Pocantico scours out the cemetery area. It is very bad. The cemetery would like to see flood water retained further upstream, and I think the Planning Board would also. You can also do both. You can do some upstream retention and do some development of the flood surge.

But this is an obligation that is a legacy obligation of General Motors which I'm sure General Motors and Roseland are going to address.

Now onto the question of view sheds. Part PH2824 of the Waterfront Revitalization talks about the views and the view sheds. And the Waterfront Advisory Committee will be giving you their interpretation of that. But the Planning Board has several points.

In the interior apartment residential PH2824 (continued) areas toward the railroad tracks, the streets are very narrow. And you are going to have right now blocks of buildings in which people look at each other's brick walls. This is sort of like an import from the Bronx which we may not want. We would rather see all of the

street scapes be rather broad and expanded. The street scapes can provide for better pedestrian use and for flared views. All of the roads internally should be like the bridge view road; that they lay out where you have a broad esplanade looking out at the river. PH2824

The advantage of widening these roads would be to cut back on density a little more and make the place a more livable place. We would suggest that with that proper view shed analysis we should have some more computer simulation showing how that would play out.

Those of who you who studied the Kendall-on-the-Hudson impact statement know that very detailed computer generated views were put into that EIS so that you could see what it would look like as built. These were not artists renderings. These were actual design features of the as built site from a number of vantage points.

We think there should be a view shed analysis from the top of Beekman Avenue. There should be another one from Barnhart Park. There should be view shed analysis from within the EIS so that the Trustees as the deciding PH2824 (continued

lead agency here can really get a fairly concrete visualization of how the views would work. The state of the art permits that presentation. PH2824 (continued)

With respect to the athletic fields that are proposed, we note that the Riverfront Zone unlike other parts of our Village Code does not require a recreation fee. When builders build within other sites on the Village, they have to donate in to pay for some of the recreational work for the Village, but the developer has contributed about 30 percent of the site for open space and recreation which is exceedingly generous. When we developed the -- gave the approval for the Ichabod's Landing site, we required that the developer there Mr. Ginsburg contribute to the Horan's Landing, redesign the little boat launch park that's at the edge and work with us on the esplanade. PH2825

That developer also is obliged to restore the bulkhead right there at the site. So I think there is precedent in this site for working on the design of the recreational infrastructure. And we think some detailing about who's going to pay for building the PH2825 (continued)

recreational fields, these two soccer athletic fields. We want to see how the lighting can be done in such a way that you don't create a great stadium, lights that illuminate every one as if we are attracting the people to the movies. But rather just have lighting that can come down at that site and throughout the site so that we don't have an adverse impact on adjacent properties. PH2825 (continued) PH2826

Kingsland Point Park I have already mentioned the question of the buffer. There is an advantage to moving the traffic and the parking away from the west side of the tracks. The plan now provides for a parking lot for Kingsland on the west side. It could be moved to the east side because that's where it originally was. PH2827

The original Kingsland Point Park had a lovely beach house, and the plan is that that would be restored. And put to a variety of alternative uses whether as a restaurant or an interpretive center or other things. We think the EIS needs to -- since it will be a big impact on that use in Kingsland -- needs to detail those alternative uses.

And the one major omission in the EIS on this respect is the little bridge that goes from Devries Park over to that beach house. All of the parking originally for that park was where Devries Park is now. That little bridge is actually one of the last intact, usable bridges crossing the Hudson for pedestrian use. PH2828

It is eligible for listing on the National Register of Historic Places. I have the statement of significance in the national register registration material that the Historical Society is submitting to the Office of Parks Recreation and Historic Preservation. And I would submit that, Mr. Mayor, on behalf of them to you for the record so that in the final EIS we can actually reflect the significance of that bridge.

Most of the other archeological or historic sites have been adequately identified. The other one that has not is the location underneath the parking lot in the old GM parking lot on the east parcel of where the Slaperhaven Bay originally had its banks because that's where the Dutch had their warehouses and that's where, well we believe, PH2829

and that's where the Dutch tied up their boats. PH2829 (continued)

Every time we do a big project in Manhattan down in lower Manhattan, we find sunken ships under lands. And there is an entire record of having to do archeological digs there. Well developers in proposing to do anything there which is fine, but there is a standard for analysis in an impact statement that let's the final EIS show us where the historic site is so that no one else will build on it without first taking a look to see what's buried there over three or 400 years of development.

The other aspect of the -- although it is the Village that will be developing the Village Garage and so on, as those of you who remember your Village history know it was us, us villagers who had a Village dump down there; that's where the methane gas comes from. It doesn't come from General Motors. It comes from you and me or our ancestors.

We need to find a way to tap that methane PH2830 gas and put it to use as a fuel in the Village Garage and make sure that the venting of that gas is not an additional greenhouse gas problem

PH2830 (continued)

and so on.

Now how are we going to pay for the maintenance of this esplanade over time in the future? Do all the Village taxpayers want to pay for it in our regular stream or do we want to create a special taxing district that would mean the residents of this new part of the Village would help pay for maintaining the bulkhead for the esplanade and the riffraff along the other parts of it.

PH2831

The Planning Board feels it would be fiscally prudent and would like to recommend that the final EIS look at the creation of a special taxes district for the new developed area, and that taxing district would then pay for the maintenance of the esplanade and the bulkhead to the river.

The bulkhead will have to be redone in a hundred years. It may be expensive, it may not be. But it is going to be a big cost and therefore planning for that now is prudent.

The -- in summary we will be presenting a written statement. As I said, the recommendations are entirely consistent with the general scope of the Waterfront Zone.

Changes can be done if the recommendations that this Planning Board has made tonight were all implemented in the redesign of the project.

We think the number of units and traffic would perhaps be reduced by about 40 percent which, just a ballpark figure, but that would alleviate quite a lot of the potential impacts. We think the study of the restoration of the Pocantico and the respect for the natural history and the cultural history of the site is very important.

And I can't stress enough that this is going to be a project which will come back before us for the next decade. The Planning Board has met with counsel and decided we can do the site plan reviews for this site in phases and in the EIS you know the build out is in phases. This is going to be a ten year build out perhaps.

There are a lot of Thursday night meetings of the Planning Board that you all will want to attend. I don't know whether I'm going to survive attending them all, but we don't -- you know, we all work as volunteers on this Planning Board. We don't get paid for this.

We are out to do what's best for the Village using whatever intelligence we have. But a great architect Mees Vanderow said, "The devil is in the details". And it is very important that as we work through the details of this project we get all of the details right.

The Planning Board's job here once the Village Trustees have made the special use permit is to roll up our sleeves and do your due diligence and make sure that the details come out straight and the Village ten years from now is really one of the most spectacular places to live in in all of the United States.

Thank you, Mr. Mayor.

(Applause)

MAYOR ZEGARELLI: Thank you, Don -- I mean Nick. Well you are fungible because Don and Nick have both worked really very hard together over the years. And as it was once said to me about being on the Board, well you only meet twice a month, don't worry about it, you know, two hours a month, three hours a month. And I think that is off by a magnitude.

I see some other elected officials and I know they know that's case too. In the case of

Nick, I would also like to thank him for his detail. I also want to make sure everybody understand that while the Mayor and the Board of Trustees, Village Board of Trustees are the lead agencies, we have handed back or otherwise shared the responsibility. And indeed they have also, their own responsibilities by law to go look at everything here.

In fact, if you were here I guess it was Thursday night that we had -- you folks had a session they had. Was it Zoning, Waterfront Planning, Parking; everybody. It was Waterfront, but you had everybody else here too. And what they were doing was going through what they are supposed to do, and that is review everything, come up with the aspects.

And as Nick said the devil is in the details. And maybe we have a big devil by the tail here, but we have to go through it and that's the process. It is a very open process. And I think you see with the people that we have helping us not only as paid consultants -- and by the way they are paid by the Village of Sleepy Hollow. They are not paid by anyone else, all right. And is it expensive, yes.

Will we eventually get reimbursed from it? Yes. But that's how the system works.

I would like to shift gears slightly. And there has been talk, there has been presentations and indeed over the many years that we have been looking at the development of the General Motors site we have also reached out to all different levels of people, bodies, interested parties and so on and so forth.

And one that has been very helpful in helping crystalize or otherwise look at some of the interplay between the River and the GM site and how we are going to get to this point, even if we are not totally there, we are in the process of getting there, has been Scenic Hudson. And in our discussions with Scenic Hudson, they had asked and at the time when we -- it was the meetings versus the hearings and I think I went through that technical aspect -- they had asked to have some time to present their view of the site.

Now they have presented this before. We have met with them many times. And in fact before there was a Roseland on site there was Scenic Hudson. So we have worked very closely

together on a lot of the things. And I know that a lot of items have been incorporated. It was insistent on my part on behalf of the Board that we have what we have now become it seems to be almost, I guess, a part of the nomenclature what we call the green crescent.

We wanted to take, and I mean this in a friendly way, we wanted to take possession even if it's costly of the river front property so that the river front property extending from the Village's border with Tarrytown, assuming everything would be nicely linked eventually, with Tarrytown all the way up as far as we can by different ways to Rockwood Hall, Rockefeller State Park, Douglas Park, the Old Croton Aqueduct and so on and so forth would be open; no barriers, no fences, no fees, no tolls, no none of that, that you can have this area that people can get to the river and they can have this linkage to everything else.

So I'm going to ask Ned to come up. I do want to recognize Lois Bronz who came in. Lois, our County legislator.

(Applause.)

MAYOR ZEGARELLI: Lois has been very

helpful to us on this process and a lot of the others especially with a lot of the grants that we are getting, grants for Barnhart Park, grants for the River walk through, the GDC area or Ichabod's Landing. And you should go down there and see it.

Before I ask Nick -- I'm one name behind -- before I ask Ned to come up, I would like to say one thing and that is you know there are times, and I know that people get very concerned. And I know that sometimes a piece of knowledge gets out and whether well-intentioned or not causes people to get upset on something where really you should really step back and analyze things.

Let me give you an example. I was inundated with calls the other day that there were surveyors hired by the General Motors looking at Pocantico Street and they were surveying and because the rumor was out that we are going to widen the road or so on and so forth. I'm using this opportunity in cable because when an analysis was done and we looked at the work, we are working on a community development block grant from the County called

street scapes. And Pocantico Street has been earmarked or otherwise highlighted as a street to improve and extend and make it better. And the surveying that has been done is to measure sidewalks, driveways, curbs, the road, how many trees we can plant, put in nice suburban lighting, not what these what we call cobra heads and so on.

So a lot of angst, sewersis and agita depending on how you say, depending on how you want -- whoever is here to absorb it was spread out where the Village was working with the County on a huge grant to restore a neighborhood street and to make Pocantico Street as a case in point a hallmark street as we have done in others.

All I say in something like that is something very simple and that is I suppose I can say, you know, look before you leap, but understand, yes, a lot is going on. But there aren't a bunch of boogie men out here pointing fingers and sneaking things around. We run a very open shop here. And if there is something that comes up, we tell you. If something is not right, we tell you. If something goes

wrong, we tell you and we try to fix it. And I mean it in a positive sense.

In this case what happened with just, you know, some misinformation, misunderstanding or otherwise so Pocantico Street caused a lot of people to be very upset. And I suppose in hindsight that could be the case, but I also know how much heavy work that this Board ourselves and Lois and Dwight, Dwight is home sick today -- that's why he's not here -- went through to get to that point.

We have gotten $6 million in the -- over $6 million in the last six years from the County and the State to do various projects including Barnhart Park and so on. Lois has been always there. I mean, she is my shield and my pikes man, all right. And we work very closely with the County and with the Board.

I just want people to understand that because there is going to be a lot of this stuff later on, some done willfully, some done maybe not willfully, but happening. And I want to make sure people understand that we are trying to do the best we can. There is a lot of things going on, and it is all very positive

for the Village.

With that I would like to now turn over something also very positive in the form of Ned Sullivan who's going to give a presentation. Thank you.

(Applause.)

MAYOR ZEGARELLI: By the way, while Ned is setting up, let me also say we sent letters out -- we are probably going to have to send letters out to our friends that live on Pocantico Street, but we sent letters out also to every residence on Lawrence Avenue because again we got a grant and we are replacing an over 100 year old four inch water main with an eight inch water main. We are providing storm sewer drainage where none exists on Lawrence Avenue.

Again, I'm just saying we are doing these things. When people see it, believe me, I mean, we can go -- you can throw all the snow balls you want at GM and or Roseland on what they are doing. But when it comes to some of the things we are doing in the Village, it's coming from here. We are getting grants. We are doing work to improve the Village.

Can the camera pick these up without too much distortion?

MR. SULLIVAN: Good morning. I am very, very appreciative to the Mayor of his gracious introduction and for allocating to me this time this morning to speak to you about Scenic Hudson's work with the Mayor and the Village Board and Roseland and General Motors over the last now, six years.

It is very, very gracious of him to give me time and all of you for having already spent two hours here to listen to one more presentation. But I hope this will be viewed by all of you as part of the public comment process and an opportunity to share a vision that largely comes from our work with the Mayor and General Motors and Roseland and our many, many discussions with people in the community of Sleepy Hollow and Westchester at large.

I just want to echo my thanks to the Village Board and all of you for spending this time here on a weekend. I am the President of Scenic Hudson. Scenic Hudson is a four year old, not-for-profit environmental organization dedicated to protecting and restoring the

Hudson and its majestic waterfront as a public and natural resource.

I have served previously as the Deputy Commissioner at the New York State Department of Environmental Conservation and the commissioner of environmental protection in the state of Main. As you know, the Village has before it what the Mayor has often called a 100 year opportunity. All of us have an incredible opportunity to shape what, counting Planning Board Chairman Mr. Robinson called a legacy.

This is a legacy moment for the Village. Something that our children and grandchildren -- and I say our because I am a native of Westchester -- will enjoy for generations to come. We are here talking as Mr. Robinson said about a site that was once a harbor, Sleepy Harbor as it was once known. And the ships used to come into that harbor and go to Philipsburg Manor to load and unload their materials there, their wears.

This is a village that has a sense of its history because Philipsburg Manor is, thanks to Historic Hudson Valley, still here so that we can understand the past, understand the

identity of this community where it came from in Colonial times.

We are here talking about a site that has been filled in first by the railroad to create a vital transportation link all the way up the Hudson. Then by siltation from Philipsburg Manor and then ultimately by General Motors to allow the construction and expansion of their facilities there to provide an important product to this country, to provide employment to this community for generations. This is part of the history of this important community.

Now due to the extraordinary vision of your Village leaders, the site has been cleared and because of General Motors' commitment to the restoration of the site, it has been cleared for a development, residential development, commercial development and for public space.

This overall approach Scenic Hudson endorses and we have been pleased to be working with the mayor and his extraordinary leadership capacity over this five years period where he not only kept the village economics intact

despite the closure of the plant, but also conducted an extraordinarily open process.

We are very pleased that Roseland came here. First day they showed up, unlike most developers, they did not have the vision laid out. They did not have the plan laid out. They didn't have the three dimensional model that said this is what we are going to do; we will see you in public hearing.

They said we are here to listen. And they spent six months more, Jonathan Stein and his partners listening, studying the plan that had been developed through there consultative process that the Mayor, the Village Board, Community Historic Hudson Valley and others had developed. That is extraordinary, and I thank you. And I thank you for incorporating so many of the ideas that were developed in this consultative process. The green crescent, dedicating a third of the site to open space, ensuring there was public access to the great Hudson River.

Consistent with the County Executive's goal, with your County Executives' goals, with the work that Tarrytown and Mayor Janos are

doing to the south, this is a collaborative process. It envisions a waterfront trail and open space right from Manhattan all the way up through the capital district. And this is the keystone peak.

We consider this the most important site on the Hudson in a generation. This is going to be critical, a legacy that all of you are shaping now. Roseland also listened to our request as did General Motors that this site not be a walled compound. It could have been.

There are places on the Hudson that are being developed as walled communities just for the people who come in where the, whatever walkway along the river is for their benefit, open space for their benefit.

This is your walkway. This is your public waterfront. And the design that has been put forth integrates this development into the existing Village, integrates the commercial zone into Beekman Avenue. The idea is for all boats to rise with the tied not simply for the -- not simply for creating a little boutique area that will be for the people of the new residential area.

So so many of the things that have come out of the collaborative process with the Mayor and the Village and his vision are in the DEIS already. And so as Chairman Robinson has said we are starting with a project that has tremendous potential to be a legacy for future generations. It will be, I am confident of that and so much work has gone on now.

I want to just share these graphics that I will be speaking about with the Village Board Members. And I have other, a few other copies that are also available on our web site, WWW.SCENICHUDSON.ORG if you want to see them.

So now I would like to make comments on the draft environmental impact statement that are offered in a constructive context too in the hopes that all the visions that have been discussed, all of the ideas that have been discussed can fully be realized.

There, and let me just quickly outline the key elements of our proposal and then I will make comments on the DEIS and come back to this. Many of these ideas are very consistent with what the Planning Board is now recommending. Here we have Kingsland Point

Park. Here we have the area proposed for development by Roseland and Devries Park.

What Scenic Hudson is proposing is that the buffer area discussed by Mr. Robinson be established between Kingsland Point Park and the area to be developed; and that's the primary thing I'm asking the Village Board to do today is to be sure to create that buffer and I will say why a little later. PH2901

We are proposing to restore the Pocantico to its original or to its historic course here, not by ending the existing branch, but by adding a new branch. So you can see here that for about a hundred years during the 19th and 20th Century there was a Pocantico River running through this area, this wetland area, not -- no longer a big harbor, but you have this historic course running right here. PH2902

And we are proposing that this buffer area be preserved so that that option which still requires analysis and vetting to ensure its feasibility, that option will be available for us to work on collaboratively. It won't completely restore the ecology of the area, but just imagine what it would be like if we had PH2902 (continued)

that. A branch of the river running across there as a water course, place for fish, educational resource for our schools and so forth. So how can we achieve that vision?

First we have heard a lot of concern from the community about the issue of density. And as several people have accurately said today, the issue of density is well what about density? Well it is the impacts, of course.

Roseland has identified a number of steps that can be taken to mitigate the traffic impacts of density which I think everybody shares as one of the primary concerns here. But what we know is that Route 9 is already congested; that many parts of Beekman Avenue are already congested and many of the side streets.

PH2903

And so our concern and I think many people's concern is that it may not be enough to simply change the lines on the street, to change the timing of the traffic light and to take what the traffic experts call these mitigating measures.

We still have concern that with a 1500 unit plus residential development, 145,000

square feet of commercial development, that we are going to have greater congestion, slow downs and so forth. PH2903 (continued)

So we have traffic consultants have looked at this. We are going to submit the results of their analysis to the Village Board in the record and we believe that a reduction in density will be necessary to achieve that. And we would urge and ask that the level of density indicated by the Planning Board Chair, 60 percent reduction, that that option be analyzed and what are the impacts at that level -- 40 percent reduction, -- excuse me, a 40 percent reduction.

MAYOR ZEGARELLI: I think you took your breath away.

MR. SULLIVAN: Excuse me, a 40 percent reduction which I believe translates to about 600 units -- is that right -- be analyzed. I'm not asking for 60 percent reduction. So I think that options of density have been analyzed. We ask that the level that has been asked for by the Planning Board Chair, 40 percent reduction be looked at. PH2903 (continued)

Just one other issue on the traffic. We PH2904

are in favor of having an additional train station as part of this. We will work with you. We have contacts at Metro North and we would be happy to be supportive on but we are concerned that a 400 car parking garage for commuter parking could bring, will bring more traffic into the community. And while there may be some benefits to that, we are concerned that it will cause greater impact. PH2904 (continued)

The next issue I would like to address again was called a legacy obligation. And I am too also pleased that General Motors and Roseland have committed to addressing the issue of contamination. So many sites along the Hudson are made of fill. The waterfront along the Hudson is largely fill. PH2905

But there are other areas with higher levels of contamination -- and fill contains contamination -- so there are other areas on the site that have higher level of contamination than you would typically find in fill. And we feel that a more extensive analysis and in sharing with the public of the extent of contamination is very important. We want this place to be safe for our kids. We

want it to be safe for residential use, for recreational use. We want it to be safe so that when we are on the buffer or in the extended Pocantico, the wildlife have a place to have a safe habitat. PH2905 (continued)

And the clean up plan right now is very general, and more detailed work has to be done. I understand that the Department of Environmental Conservation has requested more sampling, but the issue is that there are places where the original -- the proposal that we are looking at now suggests is clean up levels that are not as protective to the public health as State standards. PH2906

For example, there are areas with lead as high or higher than 10,000 parts per million. Yet to protect public health, the State standard for lead ranks from 200 to 3500 parts per million. So that's the proposed clean up level is 20 or 50 times less stringent than the State standards. So we are prepared to participate in the process of developing that final remedial plan.

But we feel that it is crucial for the Village Board to ensure that there is a clean

up plan that has been vetted publicly and that all agree is safe for the public before the SEQRA process is concluded. PH2906 (continued)

Just a few other points. The visual impacts on Kingsland Point Park have been beautifully stated previously. We feel that there should be a buffer; that having large structures right up against Kingsland Point Park will make Kingsland Point Park effectively the back yard of the people who live in those areas. And so we -- the photo simulations in the DEIS show that. So we appreciate that that detailed work has been done. PH2907

But we don't want people to feel like that's their back yard. I don't think they will. And so creating this buffer zone of about 200 feet we feel is essential to protect Kingsland Point Park and consistency with the LWRP would be enhanced by that as well.

The LWRP emphasizes water dependent uses as a priority and enhancement of public access to the waterfront from the adjoining village and parks and enhancing the attractiveness of Kingsland Point Park and other waterfront properties by including water dependent

activities.

It also calls for a fish and wildlife resources to be enhanced and expanded. These are things that the Mayor has advocated for. And the idea of a pier I think would be very positive there, Mayor. So again, we are so grateful that Roseland has incorporated the open space and the public access, but we feel it is absolutely critical that this buffer be added and we feel that the Pocantico option, which again still needs to be vetted, I think it should be under -- come under one of these committees to look at this option carefully and in a collaborative way.

I think it could really be responsive to the LWRP and those water dependent uses. And we would love to see swimming restored at Kingsland Point Park, the bath house restored. And we heard public support for that idea. So I think that this buffer idea really is a critical thing. We ask you to take a hard look at that and incorporate that into your final environmental impact statement. PH2908

So again just to wrap up, this is a legacy opportunity. The Pocantico addresses the

legacy issue. I have graphics showing the flooding that occurs now as a result of the small scope of the Pocantico River. I won't go into that, but if anybody wants to hear about it so this is what we feel is a legacy that would be magic for the future; that would be something that you -- where you can bring your children or your grandchildren down to a restored Pocantico River.

It would create that link of history with Philipsburg Manor. It would provide restoration of fish species, doubling of fish species, doubling of bird species have been identified through the ecological work of a consultant that we hired as a result of that.

These things need to be vetted fully. And I'm just so grateful for the Mayor giving me this opportunity and the opportunity to participate in the future so that we can achieve this kind of vision for future generations. Thank you, very much, Mayor. Thank you Board of Trustees.

MAYOR ZEGARELLI: Thanks, Ned. And I appreciate your comments coming from both yourself personally and Scenic Hudson. It has

been a very collaborative work, and I think that your points are well taken.

Did you want to respond to anything or do you want to use the opportunity later to respond? I just want to be fair.

MR. STEIN: As a response, you know, Ned and I have sat down on many occasions and we have worked on the plan together on many occasions both with Ned and members of his office. I think Ned did a fine presentation today. I thank him for his very kind remarks.

MAYOR ZEGARELLI: Okay what I'm going to try to do is move this along and let the citizens speak. In particular for those who have not spoken before in the other meetings or hearings, I'm going to try to prioritize that. I have Carolyn Cunningham. Carolyn Cunningham from Federated Conservationists of Westchester, of Rye. You are here now.

MS. CUNNINGHAM: Thank you, Mayor. My name is Carolyn Cunningham. I am an officer and a member of the Board of Directors of Federated Conservationists of Westchester County, FCWC, and I'm speaking on behalf of the organization here today.

FCWC is a 40 years old coalition of individuals and member organizations that works on County issues, and has worked throughout its history to protect Westchester County's natural resources. We currently represent hundreds of individual members and over 40 local and regional member environmental organizations. Two of FCWC's major objectives, and most persistent efforts over the years have been directed towards the protection and the restoration of the County's wetlands and the protection and enhancement of County parklands.

FCWC is very pleased that the Village has taken and is taking such positive steps towards the revitalization of its waterfront with this development proposal. The Lighthouse Landing project has many aspects, which we have not reviewed in detail. However, we wish to speak on only one aspect at this time.

Since the project will change the Sleepy Hollow waterfront for years to come, FCWC supports and urges your careful consideration of this development proposal as a unique opportunity to restore a wetland estuary and to reduce Pocantico River flooding. PH3001

This is an opportunity to restore wetlands and create a buffer between the Kingsland Point Park boundary, one of our important County parks, and the proposed development to allow further investigation of the potential ecological restoration of this area. PH3001 (continued)

One major benefit of such restoration as you have heard in good detail and with great eloquence by both Chairman Robinson and by Ned Sullivan of Scenic Hudson would be to better handle Pocantico River flooding, which as you know has been disastrous in recent years, causing economic losses.

Proposals to create a small biologically active estuary stream that can connect with the Pocantico and Hudson River should be carefully considered and implemented. It could not only potentially restore valuable ecological systems and natural habitats, but would also provide important recreational, cultural and educational benefits for the community and the proposed development. PH3001 (continued)

If obtaining the benefits of the wetlands restoration requires a small reduction in the number of housing units proposed -- we

certainly had not put any percentage on this at all -- we recommend that the Village require such a reduction to be able to further investigate the restoration options as a separate undertaking. This opportunity is unique and very significant. PH3001 (continued)

We thank you for allowing us to present our concerns and our recommendation.

Thank you. If you have a copy that you can provide the stenographer I really appreciate that. We have the microphone there. I have next on my list Chris Skelly.

MR. SKELLY: Good afternoon, everyone, Deputy Mayor, Mayor, friends and villagers. I'm hear to speak for the interests and wishes of the recreational boaters and fisherman of Sleepy Hollow. In doing so, I would like to thank the Capossela family for pointing out how much good fishing there is around here and also point out when we talk about riverfront access, there are really three different kinds of riverfront access that are important.

Very briefly, two of them have received a lot of discussion and one of them has not. And I would like to formally request and have a PH3101

formal reply that the third part of river access actually become part of the discussion from now on going forward, and this is what I mean. Certainly, one aspect of river access is the ability to see it, and hence, the appropriate focus on the view shed and on everything that has been done to give us a beautiful view of the Hudson River. PH3101 (continued)

A second aspect of river access is the ability to walk along it and enjoy it, and hence, the focus on the trailway and the greenway system. But the third aspect of river access is the ability to get on the river and boat on it and use it for recreational boating and fishing. PH3102

At present, the plan doesn't seem to address or focus enough from my perspective on this third kind of river access. We do have a boat launch in Sleepy Hollow which was built maybe ten years ago. It is somewhat dysfunctional at the moment and it is kind of in our the waif section of the three development pieces.

My concern is that if Roseland doesn't develop it in their part of the plan, and

PH3102 (continued)

Ichabod's Landing doesn't develop it in their part of the plan, and then for some reason or other it turns out that Horan's Landing doesn't get it developed either, then we, the residents of Sleepy Hollow, who would like to and perhaps some of our neighboring villages who would like to have access to the river effectively don't have it. And that's my only concern.

I have spoken with the Mayor, the Deputy Mayor. They have assured me that won't happen. And I think I take that on good faith and trust, but I felt it was time to come forward publicly and express how very much I hope the long term plan here, the vision of this legacy that we are in the process of building and creating together, completely consistent with what Ned was saying, will have in fact a riverfront access that includes small boats.

And by that I mean more than canoes and kayaks which are very pleasant for boating on a very nice day close to the shore, but the bottom line is to go out into the Hudson River, you really need the ability to take a small boat with a boat launch and launch a boat into the Hudson River.

So it doesn't really matter to me whether this happens in the Roseland part of this or the Ichabod's Landing part or Horan's Landing part. It matters to me very much and to many of my friends in the Village that it happen somewhere.

And finally, I would just like to offer two thoughts in closing. One is that a marina would be a wonderful idea as long as the marina is not a private marina that precludes inexpensive, ordinary public access to the river. And finally I would like to share with you that the earliest known reference to our Village actually comes from 1655, and it is actually even earlier than Slaperhaven. And it's De Slapershaven, which is the original Dutch for the sleepers haven. And that term clearly refers to the interests of the people who sale up and down the river. PH3103

So our Village was in the very beginning a boaters village. And I hope it will remain that way forever. Thank you.

(Applause.)

MAYOR ZEGARELLI: I just want to take some notes. Other people are taking notes too. If

I may, it's not that I want to respond, but it is being addressed by the Village and in particular with the County Board on, in the scope of grasslands better and as part of the agreement sheet with Ichabod's Landing. GDC is to have the part extended, the piers done and hopefully dredged out.

We have also checked to see where the channel is, and there is also apparently there is some cable, underground cable. We started because we found all these new things from the Coast Guard. But your points are well taken. Thank you.

Mr. Belamich, if you would take the microphone.

MR. BELAMICH: Can I come over here?

MAYOR ZEGARELLI: I'm trying to take notes. It is harder for me to go back and forth, but go ahead.

MR. BELAMICH: I will be very, very brief. I have public points.

MAYOR ZEGARELLI: Sorry, name, address.

MR. BELAMICH: My name is Mario Belamich, and I'm a resident of this village. 153 North Washington. Well, Sleepy Hollow and North

Tarrytown; whatever you want to call it. 10591. You laugh, okay. Number one --

MAYOR ZEGARELLI: Does that make you a resident of Tarrytown?

MR. BELAMICH: No, not yet. Okay. Let's see. Number one is one person made -- I'm going to be very brief on this statement. At the first time this evening, I mean, I think it was February 8 when we have over here about how many people are going to be down there about the zip code, okay. That I thought that was dead a long time, but looks like it's coming up. PH3201

But I got a lot of other materials for other people. And I don't know if they understand. A lot of people they should understand that we have another number to add to our zip code. You, Mr. Mayor, you got two, all right. My number is 3117 to identify our area. So I don't think we need that -- I don't think I want to take too much time because this person mentioned new post office down there. We don't need that. We don't have a problem so we cannot fix it, you know. Nothing is broke. PH3201 (continued)

Okay. Another person made a statement and

I heard even today that there is a contamination somewhere. I don't know where and what kind. So I think that should be -- those people should answer where is this contamination, what kind is it.

PH3202

I, before I go further, I don't understand one thing that I worked down at GM for only 40 years and I still have my hair and I am still alive. Nothing happened to me. Whatever it is contaminated somewhere if it is in fact a contamination, is that bad for people?

WOMAN FROM AUDIENCE: Yes, it is.

MR. BELANICH: It depends what kinds. Depends what kinds. Like I said, I work only 40 years there and I don't think, there is no mercury down there like a Duracell they were claiming. Maybe there is contamination right under this building, we don't know, but we still have it, we are alive, okay.

I'm not going to spend too much time on that. Like I said, whatever it is if there is any, it's not harmful for people, not harmful to live in there, to use it. The grass is growing, trees are growing. So there isn't any, okay.

PH3202 (continued)

About the train station. I'm going to move on. They are talking about building a new train station on the bottom of Beekman Avenue there. If you look from that bridge there down to Philipse Manor railroad station, it is like about three -- I would say three, at the most four -- three New York City avenue blocks because avenues are larger than street to that station. So it is so close. PH3203

Tarrytown is over here the one side, that's on the other side. Do we need one in between? If Roseland want to build, if they want to waste the money, if they got extra money, go ahead, do it, all right. But as far as I'm concerned, I'm concerned, this is my personal opinion, we don't need it. Okay.

Open space. I know there was beautiful open space, parks and recreations and whatever. Yeah, it's good. But you know what? On the open space we have enough. Quite a few parks -- I'm not going to mention every one -- in this Village. Open space, we don't get taxes. We spend money, okay. So if you have too much or extra, you will spend extra money. PH3204

I think Roseland and GM whatever they want

to build, you know, I like it the way they building. And I think because I worked for GM when GM is in involved they are going to do something that's good. They don't go in with a closed mind. They, like I said, I only work 40 years there in different departments. So I know a little bit how they operate, you know. PH3204

I come over here. I am not paid by GM to say what I'm saying, you know, and I'm out. I got a pension so I'm finished with GM, but by working there I know. I think we should trust the GM and I think we should trust the Roseland because all these things that they show us are very good, all right.

Like housing, somebody proposed 30, 40 percent reduction? Are they in business to build to sell to make money? I would do the same thing. I will not build something to lose money, okay. So I think they are not going to go with a closed mind, all right. They deserve to spend money and to earn money. PH3205

And I think they are going to do a very good job I really think. I mean, it's not because I worked down there -- I cannot repeat that again -- but because of the things that I

have seen in different presentations. Okay and another thing, Mr. Mayor, I know is the first thing that he was reading they said that if you want to have anything in writing that has to be done through up to March, certain date and to give to -- address to the administrator.

And the first thing that you were reading from the form from the former trustee, I don't know how much time we were here was about nine minutes and we save only five minutes. If that's going to go to them --

MAYOR ZEGARELLI: Yours is a long five.

MR. BELANICH: Is already, it should be. It is afternoon already. And I think oh, is anybody from GM here representing GM? Yes, no?

WOMAN FROM AUDIENCE: You are.

MR. BELANICH: Oh, I am, okay. They talk about the convention center maybe, maybe and hotel and whatever. This is my suggestion, all right. That GM was there since somebody mentioned 1898, whatever, so it was ninety some years ago. And I think in one of those buildings perhaps in the convention center they should been -- I guess GM would supply with that -- pictures, at least pictures of first

PH3206

PH3206 (continued)

cars, first airplane wings, first all the pictures of the cars and the trucks that we built down there.

Like, for example, if anybody visit that GM training center down on South Broadway in the hallway they have not too big, but at least there is a picture of cars that was built. Not all of them, but I think that would be showing that what was there years ago and where we are now, like in a restoration, you know.

So I think that would -- I think GM has those things and that they can provide them. It is not a big cost, not bring the cars and trucks down there, but the pictures of the different items that was assembled down there at least. I think that's enough for now.

We are going to have another session.

MAYOR ZEGARELLI: Yes, another hearing.

MR. BELANICH: When is that?

MAYOR ZEGARELLI: Tuesday, this Tuesday.

MR. BELANICH: Okay and for next time I'm going to suggest that all the presentations be cut a bit shorter. Like, for example, today it took almost two and a half hours, you know, two and a half hours to let us --

MAYOR ZEGARELLI: Not the present person.

MR. BELANICH: Well, how long I was there, six minutes? I timed myself. Okay. Thank you.

(Applause.)

MAYOR ZEGARELLI: I see Paul Janos. I know that, Paul, I'm going to use colleague and professional courtesy no matter what he says I'm going to let him come up. Paul, Mayor of Tarrytown.

MAYOR JANOS: Thanks, Phil. No matter what anyone says I love Phil and Sleepy Hollow.

MAYOR ZEGARELLI: Where is the photographer?

MAYOR JANOS: In all seriousness, we really do, we are trying to work together. I know Phil is doing what he thinks is best for Sleepy Hollow and obviously I have to do what I think is best for the Village of Tarrytown.

Although I disagreed with the density, I'm not even going to go into those, the density the lay out, the building heights and some of the improvements. We will have that in writing. The one thing I do want to mention I'm happy to see Mario here. My question, and

what I would like to see Sleepy Hollow do besides looking into the traffic area -- I know you only went as far as I think Franklin Street on DEIS -- you should really go all the way down to the Tappan Zee Bridge. Because if you have ever been on Route 9 along between 7:00 and 9:00 from the Tappan Zee Bridge all the way passed here, you know what type of traffic we are dealing with. And that has to be looked into. PH3301 (continued)

The other thing is I have heard a lot of accolades for General Motors as far as their environmental policies and different things about their -- what else did you mention I have a couple of notes here -- environmental policies, great environmental partner.

But there is one thing I haven't heard mention and I think a corporation such as General Motors that has been there since 1914, if that's correct, that one thing we should always look at the environmental, but also the children in these two villages. And we have a huge bond issue coming. And I think General Motors should have their feet held to the fire as far as helping us with the school system. PH3302

PH3302 (continued)

We really have a disaster there as far as the amount of moneys that have to go into the school. And I think someone like General Motors that has made millions and millions and millions of dollars over the years, I think it is time for them to step up to the plate and help us pay for our school system.

(Applause.)

MAYOR JANOS: But in closing, I would just like Sleepy Hollow please to look into that and if any help at all from Tarrytown we would be happy to do that and we will also have our written requests and statements as well.

Thanks for the opportunity.

MAYOR ZEGARELLI: Thank you. Just again a reminder, we will be having another hearing Tuesday, this coming Tuesday right here. And as that has been mentioned a couple of times, written comments can be submitted up to and including close of business on March 16 unless we decide to extend it further.

Is it Don Dibarr?

MR. DIBARR: Yes.

MAYOR ZEGARELLI: Wherever you would like, stand, here.

MR. DIBARR: My name is Don Dibarradinas, and I have been using the name Don Dibarr since I was about five years old; that's what people call me. I live in Ossining. I'm a member of the Ossining Waterfront Alliance; in fact, the vice president. We have been involved in waterfront development issues in Ossining. I myself at least for the last six years.

And I have learned some things seeing some of the folks working on this, working up there. And I have some information that I would like to communicate that might be useful to you later. One thing though, with the references to GM, I suggest anyone that's going to be making decisions based on General Motors' good faith watch the movie made by Michael Moore, Roger and Me and look at how they treated Flint, Michigan and the UAW and a lot of impacts General Motors have made on the negative side across the country.

Perhaps maybe even -- I did some work with WPBI Radio in New York -- maybe I will invite Michael Moore to come to Sleepy Hollow and do a follow-up. There is a thing that will be very useful to people in the community that the

PH3401

people working on this should do, and that's to put the DEIS on the Internet, make it available. It is very easy to do. Matter of just up loading the text file. Maybe you can't have all of the graphics, but you can see the meats of this. PH3401 (continued)

One of the things that you would see if it were up there, and I assume this is an accurate reflection of it because it is dated today, the 11th of January, something that goes to the heart of the environmental review process is the section that deals with alternatives to the action.

Just to contextual ize this, you have about an additional 30 percent of housing units to the present size of the Village being contemplated added to the housing stack. PH3402

Of a different nature, there is going to be magical people living there that don't have children, that have don't have discretionary income, that don't use cars. There is an endless supply of them because they are being sold also in Yonkers and Haverstraw and New York City and Ossining and all over the place.

And, you know, either there is an infinite

supply or when this is built out over the next ten years, you are going to run out of them. And people with four kids will be living in these units and three cars. And so the problems that you have now will be exacerbated by at least 30 percent. PH3402 (continued

And the funding probably won't cover it because the bulk of this is residential. That does not sell finance. While you are looking at that, this whole process only scopes three alternatives: One, add a hundred units, two, subtract a hundred units, three, do nothing. PH3403

Out of the entire range of possibilities for the future of this Village with this huge key parcel, those are the alternatives this process will study.

And you know at the time that they set the final scope for this, there should have been somebody in the Village Government saying, some of the consultants saying look we want to look at more possibilities than that and insert it even generic statements into this form so that the DEIS would be scoping 15 or 20 alternatives, some of them actually from the community people saying up front this is how

PH3403 (continued)

the process works. If you have ideas like maybe you have your own concept for what should go down there, tell us what it is so we can insert some requirement into the process to at least give it a paragraph of treatment.

But right now there is no requirement to do that. The three things that are possible in the entire universe at that site according to this summary -- I haven't been able to get a DEIS -- I called -- I was on the phone with the Village -- I called Scenic Hudson -- if we were on the Internet, I could.

So if there is something different between this form in the booklet they are handing out today at I-11 and the actual DEIS, then I stand corrected, but you should be showing that to people. But all I see for alternatives here are those things here.

PH3404

So the question of blowing out the zoning on parking, you know, I heard in one spot the -- I think it was Mr. Weingarten said no one is looking for any zoning changes here or variances or any thing; that's at odds with your Village's plan. I think one parking space per unit for the magical people is a big

variance. And as some of you probably got a parking ticket coming here today like I did last week, it's probably an impact that you don't want to have to suffer. PH3404 (continued)

1500 units with only one parking space per unit if each of the people have two cars, only two cars, means you are going to have another 1500 cars floating up and down this street fighting for the three spaces across the street. There is -- does the orange thing mean you can park there today or not? It's only one hour parking. There is a three hour hearing, plus 1500 cars. I'm glad the Planning Board is looking at this. PH3404 (continued)

There is a lot more stuff I would like to bring to this. It is a very difficult process because you get a two hour presentation with a lot of PR information. There is some detail, but most of it is a sell job and you have five minutes and final comments.

Most people don't get to read the comments. They should also be on the Internet so everybody in town can click and found out what you think and you think and you think at what's being ignored by this process. If you

go to Ossining spelled out, dot org, there will be information there. And if you want to send it to me, you know, take my e-mail address.

(Applause.)

MR. STEIN: Mr. Mayor?

MAYOR ZEGARELLI: Mr. Stein.

MR. STEIN: I appreciate you taking the time to come here today. I see that you are video taping it, so perhaps my new remarks can be incorporated into your videotape.

I know you came a little late, so perhaps you missed some of my opening comments. We have now digitized all of the information in the DEIS. And we are -- it is on disk already. I'm trying to reproduce those discs and put it on the Internet, okay.

So we have taken care of that. That was a comment somebody else raised. It was announced at the beginning of this meeting. So.

MR. DIBARR: Can I ask one question? Will that be available so there will be enough time for people to consider it and have a comment in the process? Right now it takes a few days for experts to review it, and if it gets on next week, you have a week and a half or just

regular citizens to review it and figure out what to do with it.

MR. STEIN: Copies of the DEIS are publicly available now in accordance with the ordinances we have been asked and law, State law, the SEQRA process. We have been asked to do that. That's another type of issue that we are being responsive to get them up as soon as possible. I would expect in the next day or two.

MAYOR ZEGARELLI: Excuse me, through the Chair. I understand your feelings, but, look, we are running --

MR. DIBARR: I'm just trying to be efficient.

MAYOR ZEGARELLI: Well, excuse me. I want to make sure everybody understands there a process here.

MR. DIBARR: Yes.

MAYOR ZEGARELLI: We are bending a lot of the rules. You know this normally doesn't occur. I haven't seen this type of process exercised in Ossining.

MR. DIBARR: Correct.

MAYOR ZEGARELLI: Correct. This process

believe me, and I have people like Nick and Don. We follow the way it goes. This is their presentation. I gave you the opportunity. I'm giving him the opportunity to respond back.

None of this back and forth thing except through the Chair because it is being recorded as a stenographer's record.

MR. DIBARR: Understood.

MAYOR ZEGARELLI: Taping is one thing. There is -- the point is let him explain. I'm going to give people the opportunity to do that. But I also want to explain after he's done the process that we have instituted here that I know of no other village, no other town or city in the State has done on like Ichabod's Landing and some others. So, excuse me, but let him finish.

MR. STEIN: You had raised a couple of other factual issues I would like to respond to. You had asked about the number of school children and the impacts and the mythical people that are coming and the reductions and the alternatives.

If you look at the DEIS, you will notice that we have taken into account a 200 unit

reduction as well. And then because the world of alternatives is endless, we have created a sensitivity analysis so that we have given the factors so that we can determine what the impacts will be with continued reductions instead of going 100 unit reduction, 101 unit reduction, 102 unit reduction and already taking a voluminous document and making it that much larger.

We have given a sensitivity analysis, but we have to read these documents in order to understand what they say.

Similarly with the parking study, the parking study does not rely upon one parking space per unit. It is approximately across the board of one and a half parking spaces per unit. That is for the residential portion of it. The town homes all have two parking spaces within garages at the town homes.

The apartments and the condominiums have dedicated parking spaces below the buildings, below the day lighted retail parking. And we have met all of the ordinance standards with things like that.

The other day there was a comment that

said if you provide more parking on the site, more people will come to the site. So we have both halves that are going. We have done our economic and fiscal studies and our marketing analysis. This is what we do. We create developments throughout the northeast United States. We understand this.

If I didn't have enough parking in my plan, then I wouldn't be able to market these. So what I'm saying is that our marketing background has indicated what the appropriate level is. To the extent that the Village wants more, we have opportunity to create more parking, but then it turns back on the other side. It is a balancing test.

Does more parking bring more people? Just like somebody mentioned before, if you create a two-story garage -- we have 400 spaces dedicated for the Metro North station -- if you create 800 spaces, it's again a sensitivity analysis. Do you then end up bringing more people to the site if you create more parking or do you end up restricting the parking spaces so you have less people.

Again with the number of school children,

I can't ask you more emphatically to go look at the reports. Understand that the school children impacts, the physical analyses were all done by nationally recognized experts that wrote these books; that wrote the underlying methodology and calculations that are used to determine this.

We have coordinated with all the professionals. We have met the School Board. And in fact the School Board has come out and said talking about impacts that the additional surplus revenue, surplus in over the expenses generated from the site, the surplus revenues to the school system from this job will be sufficient to fund the $72.2 million worth of expansion or restorations that are currently contemplated underneath their bond referendum.

So no one is asking you to -- that we are going to raise taxes on you, that the tax implications will be to raise taxes, no. Again just like in traffic, we are trying to resolve the existing problems because there will be a significant, a huge amount of new taxes generated that not only benefits the Village, it will benefit the school system.

And even beyond our impacts from the new development there will be surpluses that can remedy some of the problems that currently exist. And that's what you need to read. You need to understand the reports. To come up here and recite rhetoric doesn't get us to the point where we can understand the analysis.

You might not agree with it. You might think there are factors that have not been taken into account, but the underlying facts, methodologies and calculations are accurate and can be confirmed by independent counsel. They have been confirmed by outside traffic experts, outside fiscal economists, the School Board themselves.

Please, go read the DEIS. We will have it posted and we will have discs available as well.

MAN FROM AUDIENCE: Is there any issue unrecognized?

MAYOR ZEGARELLI: Sorry. If you lined up to speak that's fine, but not from that point. I want to make a few comments. Let me just give you an example of the process.

When County house Road -- we call it all

different things -- Spectrum -- we call it County house Road, they came in to put in 50 houses on the acreage; that's what it was zoned for, all right, no one wanted that. It went down to 11 houses, basically an acre a site, and that we also provided a scenic overlook.

In the case of Kendal that's up at the hospital, they came in for 348 units. They were finally approved for 292 units, and the buildings were reduced by two stories.

In the case of Ichabod's Landing when we first came in, 96 units came in. Later it was 60 units and 44 units were ultimately approved. The process works. People come up. They talk. They provide information. They provide dialogue, and the Village Board decides. That's the process.

I have not seen it in a lot of other communities. And you acknowledged that yourself. Pat Munroe. Pat?

MR. CAETANO: Are you going by the sign in sheet?

MAYOR ZEGARELLI: Yeah, I'm going by the sign in sheet. I'm letting people who haven't spoken at all in the two meetings go first.

MR. CAETANO: They should have got here earlier.

MAYOR ZEGARELLI: Well I'm going by here. He was here before you. Pat.

MR. MUNROE: On the sign in sheet I wrote Patrick Munroe, 623 New Broadway, not Sleepy Hollow. Where it says speaking on behalf of, I wrote "us". Mayor Zegarelli and Members of the Board, please drastically downscale the proposed Lighthouse landing project. PH3501

(Applause.)

MR. MUNROE: From artists' conceptions presented by the developers in the Draft Environmental Impact Study, and from its description in that document, the project is grossly inconsistent with the historic character of Sleepy Hollow as a riverfront village, not city. PH3502

The law which the Village Board adopted in 1996, the Local Waterfront Revitalization Program, is not a mere guideline for development of the site. Section V of the law is entitled, "Techniques for Local Implementation of the Program." Subsection B, "Zoning Regulations," reminds us that the site

has been rezoned "RF" - Riverfront Development Zoning District. Page -- or Section V, page four. Then the law expressly states this:

"Such a development for this area is envisioned to replicate an old Hudson River waterfront community image with architectural style and overall development layout to reflect that which prevailed in the Hudson River Valley prior to 1900." (LWRP Section V, page V-5).

Instead of this, the scope and style of the proposed development would transform this village's waterfront into a city, like Yonkers mike look if they replaced their industrial shoreline. PH3502 (continued

Through the firm of Divney, Tung and Schwalbe, the developer sent you, Members of the Board and Mayor, three color drawings on January 31, 2005. They are each dated January 11, 2005. View number 1-A and View number 1-B show the project from the east and then from the west of a Beekman Avenue extension. I think they referred to it as Beekman Place.

View number 6 is from about 50 yards out from the river. All three show a four-story building with a large observation tower -- I PH3503

guess they call it the tower clock -- comprising its fifth floor.

PH3503 (continued

This is not the Sleepy Hollow of the Local Waterfront Revitalization Program, nor is it the one my children and their generation look forward to.

Section II of the Draft Environmental Impact Study is entitled "Researching Precedent: Defining the Spirit of the an old Hudson River Waterfront Community." We saw a slide from it earlier this morning on page 29 to 36. It includes over two dozen color photos of street scenes in Cold Spring, Nyack, Ossining, Sleepy Hollow, Troy and Tarrytown.

Troy? They snuck that in there in between Sleepy Hollow and Tarrytown. Troy, an industrial city of more than 70 thousand people on the east bank of the Hudson north of Albany.

Figure Number II, C-14, shows a four-story building, probably in Troy. The caption says, "There are often taller five and six story buildings found in Troy, New York, but also elsewhere up and down the Hudson River. In fact, Sleepy Hollow on upper Beekman Avenue also includes five and six story buildings,"

PH3504

page C-14.

Yes, the stately Van Tassel Apartments where I grew up is impressive, halfway up the avenue. But that is no reason to invite structures almost as tall on the shoreline on the Village's riverbank that we will get only one opportunity to make beautiful for who knows how many lifetimes to come. PH3504

Besides your own ideas, Mr. Mayor, and Members of the Board, others who speak here may suggest specifics on how you can do it. Let me just ask you to take a stroll down Beekman Avenue from Broadway. Compare what you see there with the sleek, massive modernity that the artists' conceptions show you through Roseland-colored glasses.

Yes, many hundreds in this Village need decent housing and job opportunity. But that should not mean that we give up the soul of Sleepy Hollow to razzle-dazzle developers who will be gone with the money long before the construction dust settles.

MAYOR ZEGARELLI: Thank you, Pat.

(Applause.)

I am told by the stenographer she needs

-- she is getting digitalis -- whatever you call it. She has got computer arm or whatever you want. We are going take a five minute break.

(Recess taken)

MAYOR ZEGARELLI: Again as I mentioned -- ready camera-wise? Again as I mentioned, in looking at the list of several people here who have not spoken at any of the other meetings, we are going to try to take them in sequence.

I did admit I took out of sequence the Mayor of Tarrytown. Also a John Lou and Pat Jones asked to be taken off the list since they are going to submit their comments in writing.

Next on the list who hasn't spoken at any of the hearings is Ray Hernandez. Ray. You can swallow.

MR. HERNANDEZ: Good afternoon, everyone. Mayor, Board of Trustees, gentlemen from Roseland, Mark Weingarten, Mr. Tung, also people in Sleepy Hollow. I don't even know where to start there are so many points.

I don't want to try to sound redundant, so I'm going to try to avoid the fact of traffic and everything. One thing is it is a trident

effort, you guys. You are really trying to sell this to the community. I think it is commendable. The fact of the matter is it is a big pitch too. You have to remember it is just one big pitch, all right.

John Stein, I quote you. You have spent millions in researching development and everything trying to research. Well the people of this community every year spend millions not to better this land over here, but just to keep our way of life, you know.

And in doing so, we just want to improve the land over there, you know, by doing the right thing without causing that much congestion. I assure you, sir, you go by Barnhart Park any given day where I lived for 30 years, which is right behind the General Motors plant and you will find traffic at any given moment. PH3601

So the question is the intent you guys have however wonderful it may be because it is a beautiful site. I agree. The buildings are nice, very well planned, developed, laid out; just doesn't fit, okay. PH3602

The integrity of this project just doesn't

PH3602 (continued)

fit with the people who thought of the community. There is no way that you can install something that large in such a small area and not have negative effects. Positive maybe so, but however so, I see more of a negative impact here than I do a positive.

Simple fact is you can take a 300 story building and put it in the middle of Central Park where you have 200 acres, yet there is one way in, one way out. Try to get on an elevator that morning at 9:00. It just isn't going to happen. You won't reach your office until three in the afternoon. Very, very easy to explore.

The thing here is what I'm trying to explain is basically fluid dynamics. Take a stone, drop it in the pond; you get a ripple effect. The closer it is to the stone, the larger the ripples; the further away, the smaller the ripples. However, we have many stones being dropped in all the areas. We got one over here in Ichabod's Landing. We have one over here by the Tappan Zee Bridge where it crosses Route 9.

So just keep dropping stones; that ripple

effect will never, ever evolve into anything. It will always, always be catastrophic. My point being is that however nice this project may be, that this development may be, it is not going -- I just don't think it is going to work. I don't think it's going to work for the community. PH3603

You know, it is almost like you are saying well the community is going to benefit. The Village is going to benefit. But most of all you guys are going to benefit. I understand hey, make a dollar where you can, but don't do it at the peoples' expense. It really shouldn't be that way. And, you know, my name is Ray Hernandez. Thank you for your time and have a good day.

MAYOR ZEGARELLI: I congratulate you on making the five minute rule the five minute rule. Al Strasser, Pokohoe Drive.

MR. STRASSER: Thank you, Mr. Mayor. My name is Al Strasser. I'm a resident of Sleepy Hollow, and I just represent myself. I have two comments to this, I think generally excellent plan. One of them, the first one has to do with a second access to the development. PH3701

You should think of for the development as an island bordered on one side by water and on the other side by four electrified railroad tracks. And the only practical access is the Beekman Street Bridge. This represents I think a --

PH3701 (continued)

MAYOR ZEGARELLI: I think you meant bridge.

MR. DIBARR: To say something --

MAYOR ZEGARELLI: Bridge, bridge.

MR. STRASSER: It is the bagel. But anyway, this represents there is an -- I admit another access over by Ichabod's Landing which is pretty convoluted. It leads to another bridge and Tarrytown downtown.

PH3701 (continued

But this is I think an accident or even tragedy waiting to happen because if this bridge is blocked and there is an emergency ranging from one person to hundreds of persons, this can really end up in a bad scene. For instance, one person who needs emergency care has to be taken to a hospital, the bridge is blocked, there is traffic, there is an accident; it could cost his life.

If there is a fire or a flood or some chemical spill or really large accident in this

area, let's say there is a fire department there, presumably not on the east side where the public works building is, but on the west side, volunteer firemen may not be able to get in because people are leaving and emergency medical care couldn't get in there. PH3701 (continued

It is really not good. And if one would have to write an emergency evacuation plan like some other facilities have to do, this wouldn't pass. The analogy is a very large building with one exit and one entrance and there is a fire and this building would not get a building permit. So I have, of course, I think there should be a second entrance and exit, which, of course, is up to the planners. PH3701 (continued)

But I do have a suggestion if you could project the site plan. And the this one, yeah, there is a natural entrance here on the Constitution Street -- I think that's the name of it.

MAYOR ZEGARELLI: Continental.

MR. STRASSER: Continental, yes, which could be extended and there could be either a bridge or a tunnel. And this would then give a second major exit to the -- from this Village. PH3701 (continued)

I think it is actually mandatory, not just a suggestion to have this, something like this. I'm a tunnel man so, I would build a tunnel. And I'm one of the proponents of the tunnel under the Hudson if you will excuse the plug for the tunnel crossing. I work with Sandy's son. PH3701 (continued)

Anyway, the I have informally talked to responsible MTA people. And they said one should not assume that out of hand they will reject a crossing across above or under the track; that it should be proposed as part of the plan and they will consider it like the rest of the plan. So this is my first comment.

My second comment has lower priority and it relates to the 7.6 acres being considered for extension of Philipse Manor. And I personally feel that this is a huge population here which whose quality of life should be as good as it can. And you have added some recreational facilities, some 6 acres Devries Park and some along the Hudson. PH3702

I think this should be maximized. And I think the majority if not all of these 7.6 acres should be part of the recreation

department of this development. And I would I think it is a higher priority than having the cows and sheep give some extra grazing grounds and for other tourists to meander around. I think it should be given to the people who live there for extra space. PH3702 (continued

Those are my two comments. Incidentally, I have written up the first comment regarding second access some months ago, and I hope one of these days I will get a written answer.

It was submitted to them.

MR. STRASSER: Thank you.

(Applause

MAYOR ZEGARELLI: Let me if I could clarify a few things. Part of the plans on the part of the Village is to have one of the fire departments and a police substation relocate across the tracks to the GM site.

Regarding the plans to be seated over to the Village through Philipsburg Manor, meaning the HHV is to extend the program there to include, yes, farms and picnic areas that would also -- where people can stay and utilize the recreational areas that we would be having.

I think I have shown in different ways and

different times what we call the red map, you know, fully one third of the site is to be taken over by the Village and made -- it will be tax exempt -- but it is also open space.

We are talking, and it has been proposed as I stated before about taking parking out of the Kingsland Point Park, putting it on GM site on the east side making sure that the lands that are utilized there are used for public purposes. One of them is to relocate our DPW.

Our DPW right now as many of you know is where the old sewage disposal plant literally on the river across from Horan's Landing we intended to take that away from there. In fact, we are working with people about doing something with Castle Oil and making a nice transition to Tarrytown by taking it off and putting it down at the bottom of the ramp in the east parcel utilizing that land.

We will be able to incorporate a lot of the things, especially all of our recycling. As you know, we are considered one of the best recyclers in the whole County of Westchester and have actually gotten awards for it and having parking and in particular recreational

areas.

Now the recreational areas haven't been finally determined. We are talking about soccer fields, basketball courts. We are talking about different types of things I think as has been mentioned. We put in paddle tennis in some other areas.

There is some discussion about should we have a pool or some other things, but that requires, you know, additional funding and responsibilities on the part of the Village to maintain this area.

So I want to make sure people understand that that with all due respects to Al's comments, I appreciate them, there are certain things that can and can't be done. We have been talking to the State, the MTA and others about and as Ned Sullivan who, there he is, Ned on Scenic Hudson. It is problematic whether you can even open up the Pocantico River where it was before; that has to be heavily analyzed.

I appreciate your idea of flying bridges and tunnels, but these are major points of departure that at this point in time have not been included. Although, your letter has been

included on the suggestion and they will have to respond to it.

I think I am up to Hugh Jones, Hugh?

MR. JONES: By the way, the cows knew that nobody would be here to represent them today, so I offered to represent the cows.

MAYOR ZEGARELLI: In defense of the cows.

MR. JONES: My name is Hugh Jones. I live at 253 Hunter Avenue in Sleepy Hollow. I and my family have been residents here since 1973 when we bought our first house for $50,000 on Devries Avenue.

I have got five comments to make, and I can make them within five minutes. The first two I must tell you are because I am a director and an officer of the Philipsburg Manor Improvement Association, and we at our last meeting had discussions about this project.

And the Board felt that even though it had not polled the individual members of our association, which are over 200 families, that we could speak as board members. The board felt it was very important to convey two thoughts to Roseland and to the Village Trustees and the Mayor.

PH3801

First is quantitative and the second one is qualitative. The quantitative one is what you have heard from everybody else, the density simply is too great. The way I would express that to you in my way of thinking is if you look at page four of the draft EIS, you will see that it says the density is proposed at 16.5 units per acre which is less than the 17.1 units in the inner village. PH3801 (continued)

Well you can use numbers whatever way you would like. When I drive through the Village, and I have for the last 32 years, I have seen that most of the buildings are two or three stories. Where you get the 17.1 units per acre is by including Van Tassel Apartments at six stories and a couple of other buildings that are at the south end of the Village which are ten stories.

If you take those three buildings away, your average density is probably substantially under 17.1. I think that's why you are hearing from everybody else that we think you are trying to put too much onto too little space.

The second thought that also comes from the PMIA board is that we looked at the EIS and PH3802

PH3802 (continued

it looks like about 440 out of the 1562 units would be owned units, and the balance of 1100 and whatever the number is 1122 would be rented units. It is our feeling, admittedly, it's pur ley qualitative, that people who own tend to be more vested in the long term development of the community, tend to take better care of their units and have more concern about the quality of life in the neighborhood.

So we feel that if you scale back the density which is the quantitative side of this, and you reduce the dependancy upon rental units, that it would be better in keeping with the quality of life issues that we are all concerned about. That's the PMIA part of what I want to say.

The other three things are related to the fact that I have been here for 32 years. First it is wonderful that Roseland does waterfront development. This thought comes as a former commodore of a boat club that started out with ten boats on moorings not even 25 years ago and is presently 50 boats on docks.

We work with the New York State Department of Environmental Conservation. I as the

commodore spent nine years getting a dredging permit. I was very fortunate to have some excellent help in the neighborhood to guide me through the process.

We ended up getting one of the few approved permits for dredging on the Hudson River. We went to get rid of the five thousand plus cubic yards of dredged material, affectionately called spoil which kills me, and we ended up not at a landfill, but we ended up putting the material up in Phelps Memorial Hospital. The material that was so good and so clean and had to pass so many rigorous tests from the DEC that it was acceptable as material to be put right next to a hospital.

Well it has been there for ten years. The area that was filled in is now parking lots. And I suspect that over the next ten, 20, 30, 50, 100 years there will be additional needs to take clean, certified, tested material out of the Hudson River and put it somewhere. And I would recommend that Roseland give serious consideration to taking some of the area in that one third that is by the restoration and the ball fields and say or Kingsland if that's

PH3803

the Village Board's wishes and to reserve that for clean, acceptable material from the Hudson River from dredged material. PH3803 (continued

Fourth item is just a quick observation. Two million dollars going to the school district is a wonderful number. I can tell you from having a wife who taught for 17 years in the school district, if you add 217 kids, you will add approximately 10 teachers at a ratio of 22 to one. PH3804

If each one of those teachers makes $65,000, and there is fringe benefits on top of that, which tap out at around $100,000, you have already taken one million of the two million that you said was net to the school district. And you have used it up with just increased operating costs.

So I think two million dollars is a little funny. And finally, and this comes as my in my previous life as an airport director, I look at the lay out of the GM site; and as long as it was a factory and a fire occurred down there or a disaster occurred down there, that was their problem. But once you put umpteen houses, apartments, living units, people with heart PH3805

attacks, other disasters that can occur; you really do need a second way in and out. PH3805 (continued

And I can cite there was a fire on Howard Street last year and the fire sirens or, you know, the fire trucks responded within two minutes. You couldn't move on Beekman. You couldn't move onto Depeyster, you couldn't move on Hudson. The place was just inundated.

And if you only have one way into a place that has over a thousand units, I'm not sure you are really providing for the safe egress of those people. Thank you, very much. PH3805 (continued)

(Applause.)

MAYOR ZEGARELLI: Sorry for the side bar conversation because I was out in Islandia yesterday, and I passed -- Hughe used to be -- was it Republic Airport?

MR. JONES: Airport director.

He used to go from here all the way out. I know, I go out to Long Island; that's a long hall, sorry.

Peter Bersian, Breserian? Bruserian of Tarrytown? Mark Frye?

MR. FRYE: Good morning. My name is Mark Frye. I live at number 16 Independent Street

in the Village of south Sleepy Hollow. That's what most of you call Tarrytown, but I think you have done a wonderful job up here in considering changing that.

I would like to thank Mayor Zegarelli and the Village of Sleepy Hollow for this opportunity for public input and especially for the coffee and the bagels which I -- the wonderful hospitality. While I am a member of the clear water organization Riverkeeper, historic river towns of Westchester, I represent only myself here today.

I'm also the Chairman of the Waterfront Advisory Counsel of Tarrytown. It is important that we not confuse that with your Waterfront Advisory Committee which is appointed by your Mayor. There has been no Waterfront Advisory Committee appointed by Mayor Janos because our Local Waterfront Revitalization plan has not yet been adopted.

So I represent only myself. I had a couple of comments on a number of presentations. Thank you, Mayor Zegarelli for the introductory mention and commentary. Thank you, Mark Weingarten, for your cordial

invitation to meet with citizen groups as our own and we would like to take you up on that.

MR. WEINGARTEN: Okay.

MR. FRYE: Thank to you John Stein for his comprehensive presentation. I write -- I am a planning consultant and I write DEIS draft environmental impact statements for a living. And you have done a wonderful job. My minor efforts pale compared to yours.

Nick Robinson, I am in awe of the amazing amount of work that you have done, not only in all of the overviews and in the hundreds of different areas of potential impact, but in all of those details. And I know that you do this nationally and internationally. And I think it is wonderful you are putting this extraordinary contribution of your time here locally.

Thanks also to Ned Sullivan, Scenic Hudson. I have been a supporter for Scenic Hudson for a long, long time.

I think that in general I want to start off by saying I think this project is extremely well planned, very well thought through, put together. And I know it's a process thanks to the Village of Sleepy Hollow, Mayor Zegarelli

and a lot of other people working together to tackle this aspect for over ten long years.

And I think you have made -- you are almost there. I think you have made extraordinary progress. I'm especially pleased to see this 33 acres of open space representing 38 and a half percent of this site will be devoted as public open space. I think that's a phenomenal result and I think the green crescent is something we would like to see continue from Croton to Yonkers, but certainly from Sleepy Hollow to Tarrytown.

There are a couple of minor points I think special attention still needs to be paid. I agree that there needs to be comprehensive analysis of access. And I think we need to bite the bullet and have two bridges in Sleepy Hollow, and we need to have two bridges in Tarrytown to provide access to that, everything west of the tracks. PH3901

I think that there needs to be a very comprehensive tying together of those four bridges in a reasonable traffic pattern that will get that traffic up to Route 9. I won't get into specifics, but I think four bridges

and I know Metro North will go for it. I mean, I don't want to say I know -- I don't speak for Metro North -- but it costs money. It is my understanding based on direct conversations with the developer in the Village of Tarrytown. He didn't want to pay for it. But it is a $220 million development in Tarrytown and that $11 million expense is something I think is warranted and absolutely necessary. In Sleepy Hollow as I said I suggest the same expense is warranted. PH3901)continued)

I agree with others that a reduction of the overall density is something that should be seriously considered. I know that every one is looking at that. I think I understand also that there is always a balance. There is no right or wrong answer. You need tax revenues here in Sleepy Hollow. You are providing -- you have got an enormous amount of public open space in the entire Village. PH3902

On the other hand, something that would be a little, you know, substantially less dense, I think, the architectural work that you have worked out is phenomenally successful. I think it is a great job, but I'm concerned about the

total number of units as are many others.

Another earlier speaker said that marinas bay should be considered especially, I believe, transient marina slips for heritage tourists who are visiting Lyndhurst, Philipsburg Manor, Kykuit and all of the other historical sites. There are grants available for those slips from the federal government because that is something that is lacking. PH3903

We have this wonderful river. We have heritage tourists who tend to be well to do. We have boats larger than 26 feet. And they have got no place to park. They have got no place to stop. So I think that is something that could and should be included as well as in the ferry dock.

Certainly specific attention I think should be paid to replace for the clear water and the specific attention should be paid for provisions in the staging of this for the 2009 Hudson Fulton celebration. All of the ships of the world will be coming up this River in the year 2009. And it would be a wonderful way to welcome them.

I will leave that. I can wax enthusiastic

about that for a long time, but I won't. There is going to be much, much more cruising on the river. Already I'm looking at a site north in Orange and, yep, the boats are back and forth, bigger and bigger boats, more and more tourists; again, no place to park and there is no place better than Sleepy Hollow to stop to go to Lyndhurst, Philipsburg Manor, Kykuit, Shagal Church; you name it, there is no greater concentration of sites than here in historic Hudson Valley. And this is a great place to reach them.

Having spent the last ten years in Amsterdam, I can tell you at Vas Slaperhaven and Slappers Haven, Slappers Haven was a tug both harbor here where the Pocantico met -- the Pocantico met the Hudson River. Slappers Haven means sleepy harbor. And that, of course, was a precursor of the word Sleepy Hollow.

But in general, I will finish my remarks addressing them to Mayor Zegarelli, Nick Robinson, Ned Sullivan by saying: Thank you, thank you, thank you.

MAYOR ZEGARELLI: Let's see, I think all the people who had spoken today were their

first times up. So we are going to go back to people who have spoken before. Don Caetano? Don Caetano.

MR. CAETANO: Good afternoon, ladies and gentlemen, and Members of the Board and Mr. Zegarelli as our Mayor. I am four building the project down there and respect of our Village needing funds, needing tax revenue. But I'm against it in a lot of means and a lot of ways, in ways as far as the units that are being built. I can see dropping at least 40 units in there, bringing it down to at least 40 percent lower in density. PH4001

I also brought up the other night here that I would like to see a library down there because we have a lot of congestion at one library and we are paying money there from the taxpayers money here. And it is not convenient for us. And the department of public highways, DPW, I don't believe should go down on property that's worth at least three quarters or a million dollars per acre. PH4002

This to me is ridiculous. Where we stand now with our DPW I think is a good location and it could be expanded, but we have to go into

the out of domain, take one building down there and it could be done. I would like this to be studied. PH4002 (continued)

As far as the traffic coming in and out of here to get to General Motors it is ridiculous. We should have a more efficient traffic study of our inner village by these people at no cost of us. Being that they want to go down here and they want to build, being that we want to build to raise our revenues and taxes here and money, that we can work to keep our taxes lower. PH4003

The main factor is the parking situation is so congested in this Village now. Beekman Avenue will be nothing but a ghost street with this unit going down there. PH4004

And I'm representing myself. I have been here 47 years. And there is a lot of things, for instance, as Mayor Zegarelli just said Lawrence Avenue is going to be torn up, okay.

My belief and my knowledge we built a parking lot over here, but the drainage does not work. I own four homes on Lawrence Avenue and never had a water problem as far as pressure. And they are putting a new pipe

through. To me this is just another song and dance in the way of spending the taxpayers money not needed.

I have nothing further to say. Thank you.

If I may make a few comments, please. First of all, the decision to move the Public Works Department from the current location to the east side of the parcel is in response to making more open space, improvements on River Street and having that whole area there beautified.

Having a public works garage notwithstanding my friends in Tarrytown anywhere as close to the river is not a good use. The land is by far better used for potentially housing and or parkland as we have done with Horan's Landing.

Moving the property values that was mentioned by the previous speaker of the east parcel is totally ridiculous. There is no value to that of that nature. We have methane there. As was stated we have methane there, and there are quite a few of us in the room, people before us put garbage down there. And it created a situation where you can't put

housing, where you can't find the same values that you would like to see let's say on the riverfront. And so the best use of the area as just exactly, especially the east side -- I don't want to address the west side -- the east side is to have it as open space, as parking for hopefully a railroad station, ball fields such as soccer and basketball and handball and open spaces, picnic areas, extensions of Philipsburg Manor and a public works depot.

Regarding Lawrence Avenue, it has nothing to do with this hearing, but I will not allow a comment like that to go unchallenged. Lawrence Avenue has a four inch water main that is over a hundred years old. It has no storm sewers that we have been -- we are working on in areas and this is an area that has been targeted just like Pocantico Street to be improved. It has nothing to do with anything else other than wanting to fix up an area that needs attention.

A four inch main in a village of this size with the housing density there, if there was ever a fire, there would be serious problems of pressure for the fire department. This has been recommended by the fire department,

recommended by the water department, et cetera.

So while these items that were brought up for this session really don't per se meet with the needs of the hearing since they would not normally be addressed by the applicant, I have decided to exercise my option to answer them.

Next speaker is John Lynch.

MR. LYNCH: John Lynch 10 Crest Drive, Tarrytown, New York. When I came here my first purpose mainly was to talk about the schools about some things that need to be confronted, but there was a couple of comments I need just to expand on.

This is all revolves around density. One I will make some comments at the next meeting, but the reason I brought up at the last meeting the problems about permission is mainly because as it stands right now with DEC there is a higher standard of scrutiny for public health than there is with environmental conservation.

So I'm approaching the ethanol side of this thing mainly directed at the density. I want to make sure that we get the level of density that we need to protect public health rather than possibly a generic EIS. So I will

PH4101

be submitting documents to the effects of ethanol for toxicity and neurogenic health as a result of abrafabrid (phonetic) admissions.

In particular since I have been here looking at the maps over there buildings 2, 3, 5, 6, 7 which have center courtyards have all problem with that for the people that live in those buildings.

PH4101 (continued)

The other aspect of this thing I brought up the issue regarding the density of 21, permissible level, 21 single family units what the origins were the last time around. I was somewhat misquoted or misunderstood, I'm not sure which, with regards to the origins of this from the standpoint of LWRP, from the zoning. But in the case a lot of the dialogue and discussion that took place back then I happen to read your LWRP pretty extensively because we haven't finished ours yet, that allow that this discourse among us was through the LWRP.

PH4102

But the LWRP has a separate mission relative to the Local Zoning Law basically as to omissions are being somewhat confused. I believe from the standpoint of the protection of the local people as well as possibly people

that are on the border line standpoint of Sleepy Hollow, that there was not enough dialogue and there was not enough venting process to basically accept this 21 single family units per acre.

And I would argue as it stands right now in the acceptance of this 21 that there is some type of implicit stipulation that the 21 is permittable. I would argue that the 21 days has come and gone.

The other aspect of this thing again just a brief comment on the 215 kids coming from the Lighthouse landing. I believe that 213 is an absurd number. There are a number of reasons for that even from a statistical standpoint, but the one thing the, I think it is Lisky -- Listokin -- that he can't take into account is that over the past three years and to the extent over the past five years there has been an explosive escalation in home prices, parallel explosive escalation in real estate taxes, primarily school taxes. PH4103

In the case of Sleepy Hollow and Tarrytown 36 percent over the past three years, which raises the average age capable of affording

these homes and also the number of children per household. Those numbers are still evolving and haven't been specifically integrated in this analysis.

I'm somewhat of a subscriber of Peter Lynch's principles of market observation. If I just take a look at my street, past two homes basically sold -- single family units -- over the past year, one family moved in with four boys and another house just sold, past six months, moved in with two boys.

The number -- I believe that the number of children per household are going to be going up dramatically because of this bubble that we are seeing in home escalation pricing and the consequently our schools are going to be -- have a large number of children that they are not planning on right now.

Quite frankly, 213 is basically the average class size or grade size of our schools right now. If you think the replacement costs of just the classrooms to replace that's between roughly 15 and 20 million per 200 kids. So if we are off by a factor, I mean, I believe these numbers could be off by a factor of two

PH4103 (continued

or three; you are looking basically at a bond proposition right now. I believe that basically these numbers, I mean, are so important going to the existing school base, but the ones coming in that there has to be a lot more evaluation. PH4103 (continued

And by the way I have been involved in the school board financial committee as a spectator because I don't agree what was going on. And there is a lot to be desired about how this analysis was put together.

Now the main reason I came here today is just basically just to get this on the record. And I'm going to read this, and I will submit it for the record. From the School Board meeting February 16, 2005 for the $100 million school expansion/renovation bond referendum, two statements were made. I found the first completely disingenuous and second totally offensive. The disingenuous school board member indicated that she was concerned that her real estate values --

MAYOR ZEGARELLI: Yes. Unless you can give her a copy of that you have.

MR. LYNCH: All right.

MAYOR ZEGARELLI: It is hard doing this verbatim.

MR. LYNCH: This is about the $100 million school proposition. It was a meeting. There was a couple. First completely disingenuous. A school board member indicated she was concerned our real estate values and to this end it was crucial to vote for the school bond referendum on March 8.

An offensive audience member indicated the School Board had no self-interest or agenda relative to the School Board Referendum.

At another time and place -- I'm speaking -- if you know me, you probably see me on the School Board. I mean, I really take exception with what transpired in the last school board meeting and really it was an informational meeting regarding the school referendum.

At another time and place I will explain why you must vote no for the March 8 school referendum if you are concerned about the majority of the kids.

The systematic academic acceleration of roughly ten percent of the 7th to 12th grade student population, which I call slipstreaming,

are in large part the slipstreaming kids which is the top ten percent from student achievement level. A large part constitutes children of the School Board. So there is definite -- I know they spend a lot of time. This is just a fact.

But the slip stream process or slipping this ten percent off basically in and of themselves has a devastating impact on academic aptitude and scholastic achievement of the remaining students who I call the main stream.

At another time I will discuss main streaming. In effect what's happening here is we are operating a private school for the top ten percent within the public school. The permanent integration of the middle school and high school, as proposed, invariably entrenched slipstreaming which cannot be allowed to happen.

Now that's a prelude to what I'm here today basically because it's all integrated. I'm worried about the future families and real estate values of the Lighthouse Landing properties. I'm submitting as part of the record the public schools of Tarrytowns

PH4104

curriculum guide, 2005-2006, stating for the record the class rank and grade policy.

PH4104 (continued)

Rank in a class is determined by the numerical average at the end of the junior and again in the middle of the senior year. All students are enrolled for two years, for more than two years in the high school program are included in the rank, but only grades earned at Sleepy Hollow High School were included in the average. Class rank and average -- that means basically all the kids are moving in from the high school standpoint will not get a GPA from the overall GPA from the standpoint of Sleepy Hollow, only on the grades earned there.

But also from a class rank it doesn't show up. So of the critical criteria to go to college they are missing the only thing they are left with because the GPA only reflects what they earn at Sleepy Hollow. It's zero at the class rank standpoint. The only thing they have left to rely on is there is the SAT scores.

That point a lot of details. Without going into a lot of details, discretionary income in assets of future buyers and buying

power for real estate for Lighthouse Landing, not to mention Sleepy Hollow or Tarrytown generally peaks for families prior to their children's colleges years. This policy has serious and stealth effects when the real estate values in the entire school district -- I mean, not only your prospective buyers but will already has lower valuation on existing homes. Because when people look at the high school year kids and they look at what Sleepy Hollow is doing, they go by, by.

What's worse is if they don't look at what they are doing and the kids come here they are left in a predicament that will effect their entire future.

So the GM/Roseland I say to future parents living within Lighthouse Landing, the academic segregation of transfer students and resulting real harm to college expectations and lifelong earned income potential must not stand.

The responsibility and liability emanating from the discriminatory transfer student rank and GPA weighting policy run far and deep, and extend not only to the Tarrytowns School District, but in my opinion, to the developers

of single/multi-family units who in a part create and allow this to continue treating high school transfer students as academic ghosts, and that's what they are. We have enough ghosts in Sleepy Hollow. We don't need more in our schools.

MAYOR ZEGARELLI: Thanks. You had some heavy duty words that I'm not quite sure how you do it steonographic-wise. Our last speaker is a Linda Vertel of Gracemere, Tarrytown. Linda?

MS. VERTEL: First I would like to thank Mr. Mayor, Roseland/GM for establishing a thorough and appropriate DEIS standard. I have been through the SEQRA process on many occasions. And this project I must say has been more than thoughtful and careful.

My first few comments will be directed toward the process. Mayor Zegarelli spoke at the last meeting about his reverence for SEQRA which I applaud but which is also why I'm deeply troubled by the swift inevitability conveyed in a document labeled Lighthouse Landing Lead Agency SEQRA, Review, which is this item.

PH4201

Could Sleepy Hollow be through with the DEIS process in two short months for a 1500 unit project? You are creating a small city within a village. I have witnessed much lengthier public DEIS terms for much smaller parcels of land. PH4201 (continued

Has the public digested all your hard work? And there was the issue, of course, of putting it on the Web at the end of the DEIS process may not be the time in which to do that. Have the continuous communities who are going to suffer mightily by this project been reached out to?

I'm from Tarrytown, so I'm well aware of the lawsuit, but reaching out to some of the mainstream business owners in terms of traffic and parking issues I don't think has been done yet. Your document states that your last hearing was Tuesday, February 22. And I know you have a three week written comment period that I know that's the message needed by Roseland to convey to the public. PH4202

But the public should understand that as long as they have new issues, new concerns about ferry landings and the completeness of

this DEIS, as far as I understand it SEQRA law says DEIS process stays open before it moves to the FEIS phase. February 22 is your projected date, but not necessarily the date by which the DEIS has to close. I'm not sure if that's correct, but I do believe it is. I want the public to know that.

Also I just wanted to add something about the nature of your public hearings. I have been to several of them so far, and they do begin with hour to hour and a half presentations by Roseland. And frankly, I think you should let at least on the 22nd, your public speak first.

It seems that you are wearing them down although I will certainly welcome the explanation of the process as SEQRA because I think many people don't know what that is. But I also don't think it is fair to your public. That is what the hearings are for, and I think they are -- out of respect for them, they should be allowed to speak first because they don't often last after several hours.

Also I would suggest that the Village hold multiple public FEIS hearings. I know SEQRA

PH4203

doesn't require that, but having gone through the concerns we have had in Tarrytown, I would recommend it. Also I have a question. PH4203 (continued)

Will the residents who have made substantive comments in your DEIS phase have an opportunity to make certain comments that be adequately addressed before the lead agency accepts FEIS? I urge Sleepy Hollow to make FEIS copies available as the Board considers the FEIS for completeness so that those of us who have commented can also review the document with respect to the level of completeness in terms of our participation. PH4204

Second, I have had a more of a chance since your last hearing to study the proposal which looks frankly as people have said, and I will go through this, like a more of a residential commercial enclave with little access into the interior. And Mr. Robinson and Mr. Sullivan spoke to this. So I will quickly go over my comments I wrote up before I knew what the presentations were.

Yes, there is a ring or green crescent around the density, but there is no real engagement with the Hudson River. Someone PH4205

spoke last week about the Beczak Nature Center in Yonkers. There has been a long standing opportunity to bring the Pocantico River back to life into the Hudson. Do entwine it naturally, aesthetically, environmentally within the life of your project. PH4205 (continued)

I have to ask along with other members of the public why wouldn't you consider such a golden opportunity? Not only would you mitigate the flooding issue paramount in the flood plane, that you will be spending billions to build upon, but -- and I can't say this enough -- you will enrich the River's habitat, its geological structure and surroundings. PH4205 (continued)

Why wouldn't you create an environment by which the Sleepy Hollow youth could study the river, perhaps kayak as the scenic Hudson Park interacts with the river in some meaningful way besides driving down there to enter another Westchester multiplex movie theatre or mall.

Believe me, I'm thrilled that you have created more open space along the river, but you have a real opportunity to go beyond the grid which is pretty much the development design you have proposed. Insert a river that PH4205 (continued)

meanders through a section of your development that creates view shed surprises, a lovely bike path, walking paths to lead you naturally generally to the River. PH4205 (continued

There are no straight lines in nature. Create a world that reflects the real Sleepy Hollow with all its lanes and twists and turns.

Now I know this far into the DEIS proposal this Pocantico River project needs costs the amenity of having a river flow through Ferry Landings can be more than made up with minimal increased cost to the apartment buyer or renter and not even that much more in a project this size. The first flood over all of the impervious services may cost you more.

Your public will be grateful to you for creating a mini city that really comes to life with its river reclamation, habitat reclamation; not just by using the river view shed as a back drop for scenically located apartments and commercial space. PH4205 (continued)

Go to San Antonio if you want to see what a river meandering through a city can do to revitalize urban space. And make sure -- this is probably not the place for it -- but when PH4205 (continued

you plant, plant native species along the esplanade in addition. And in the development -- I mentioned it last meeting -- how our DEIS should reflect more than one possible use of the train station space were it not to exist. I urged you to keep it open space rather than add a flex building which your plans show to be an office building, commercial space generating far more traffic than residential space. PH4205 (continued) PH4206

But really what your DEIS should also reflect is other alternative spaces. You will be space users. You will be opening up the project substantially if you have a loss of that parking lot, and yes, open spaces first is on everyone's list to reduce density. But that space also allows you to think creatively about the project as a whole.

Many residents last week mentioned the character of Sleepy Hollow. A grid development certainly doesn't fit in with that character. So take the opportunity and rethink the space with more than more character, streets with more curbs, surprise views, wider view sheds. Open up the project at 1least in theory as one of your alternatives. And Mr. Robinson PH4207

addressed that issue as a suggestion from the Planning Board already.

Lastly, the two big glaring problems that you have heard about endlessly today, the density and traffic. As every one knows even our lesser density numbers are unacceptable to the public. One thousand plus more cars within our villages with or without the train station during peak off peak and weekend times virtually 24/7 -- which is what you are saying in your graphs -- should not be allowed. PH4208

At the very least the road infrastructure, train station issue should be settled before the project begins. With respect to density your lowest alternative of 1362 I believe should be considered the highest number, and we can go down from there.

Mr. Robinson and your Planning Board are clearly leading on this issue.

All this said, I applaud the DEIS project work done thus far. It's far easier to come in and be a nay sayer, but I urge you to continue to take meaningful steps to mitigate the problems your public is articulating and mitigate them in a meaningful way. Thank you.

MAYOR ZEGARELLI: I thank you for your comments and if I may close the process that we have embarked on is I think very unique. Not only do we follow SEQRA, but I think we extend way beyond the mandates of it.

I would as I said to the gentleman from Ossining, I would challenge anyone as to how we have kept the process open. The next hearing will be in this room at 8:00 p.m. on Tuesday the 22nd. The comment period will be open until the 16th of March.

In response to the previous speaker, while we are not obligated at all, we will be having hearings on the FEIS. This is way beyond what the code says. I would challenge you to ask other people in other villages including neighboring villages as to how they have been following SEQRA versus ourselves. I take it as -- believe me -- I take it as constructive criticism. And if I sound a little on the issue is because we have bent over backwards to follow SEQRA. You have the ability here to ask people questions. The record is solid.

We have I think our expert consultants who are made available. I hear you when you say

about we keep giving the same presentation, but if you have noticed in particular today since it is the official hearing, that's why, and then too that from the benefit of having the previous meetings we have been able to tell them you have got to answer things.

We are going to come in and make our own decisions. We are lead with and as our point, people as you, yourself said, Nick Robinson in the Planning Board to assist the Board because at the end of the day the Mayor and the Board of Trustees are the final determiners, okay.

I think you understand it. I really appreciate it. We -- I told my wife I would be home at noon, but so I turned my phone off. I know that other people didn't. I appreciate everybody coming up. It went a little beyond what we thought. I think this was well worth it. Thank you for coming.

(Applause.)

(Meeting adjourned. Time noted 2:05.)

C E R T I F I C A T I O N

STATE OF NEW YORK)
) SS
COUNTY OF NEW YORK)

I, CHRISTINE GIUSTINIANI, a Court Reporter and Notary Public within and for the State of New York, do hereby certify:

That I reported the proceedings that are hereinbefore set forth, and that such transcript is a true and accurate record of said proceedings.

I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way intersted in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand.

_____

CHRISTINE M. GIUSTINIANI,
Official Court Reporter

PUBLIC HEARING NO. 2
February 22, 2005

PUBLIC HEARING NO. 2

STATE OF NEW YORK
VILLAGE OF SLEEPY HOLLOW
----------X
Public Meeting before the
Board of Trustees of Sleepy Hollow,
New York, in connection with
Lighthouse Landing DEIS
----------X

Sleepy Hollow Village Hall
28 Beekman Avenue
Sleepy Hollow, New York

February 22, 2005
8:10 p.m.

BOARD MEMBERS:

Philip Zegarelli
Mayor

Mario DiFelice
Deputy Mayor

Thomas Capossela
Trustee

Richard Zieja
Trustee

Andrew Murray
Trustee

Kay Brown Gala
Trustee

Susan M. Guadagno, RPR
Official Court Reporter

MAYOR ZEGARELLI: I'll call the hearing to order. We have had, by way of background, we have had two meetings which were to be posed as hearings but unfortunately, due to technicality, didn't make it.

Then due to the postings that we were able to do on the part of the applicant, it wasn't on the part of the Village, two hearings. This is really the second hearing. It is a continuation of a hearing meeting that we had on Saturday.

On Saturday, we had about a four hour session of which the applicant and consultants, together with the Village, presented on a formal basis again for the record for the hearing purposes, the applicant's presentation of their design concepts for the General Motors site, commonly known as Lighthouse Landing at Sleepy Hollow.

On the continuation of that and

by the way we have a sign-up sheet if people would like to sign up to speak. We are going to give preference to people who haven't spoken first and then those who have spoken over a period of time.

We also ask, particularly for those some of whom who have spoken at either all three meetings or at least two of the three, that if they could also add-on any additional topical items we would really appreciate. We have a definitive listing, I must say. Where is Dolph Rotfeld, typical engineer that he is, he did all these cross references of comments as to the topical areas. That helps. That's why they have engineers. I'm only a banker. Consequently, that could be very helpful.

In addition, we have sign-up sheets over here -- they are not really sign-up sheets, they are

tablets. I will explain each tablet has two topical areas that include different subject areas of study. We had a Board meeting at 7:00 o'clock tonight wherein the Board confirmed the actions of the Mayor and the Board in establishing various subcommittees that will be both from the elected officials side and the consultants side but also citizens side to have essentially what we want you to do is take it apart. Take apart the application. Just a quick overview of the different topics. Well put the timing down. If someone has a marker, I meant to get one from the Board meeting room but traffic and transportation, all the meetings will be held in the Village Hall.

Traffic and transportation will be meeting on February 28th, that's Monday at 6 p.m.

Building designs and visual

impacts will be meeting on March 1st, a Tuesday at 6 p.m.

Site development and construction will be meeting at 4 p.m. on March 2nd.

Communications and process will be meeting at 6 p.m. on Monday, the 7th.

Physical and social economic impacts will be meeting on March 9th, that's a Wednesday at 4 p.m.

And community facilities, that's police, fire, ambulance, public works, et cetera, recreation, will be meeting on March 10th at 4 p.m., that's a Thursday.

Now I'll mark those down. Some people have already signed up and some people have asked if they could be on. That's fine, very cool, no problem. Those would be the initial meetings.

Afterwards, what will happen is that those who have signed up and

the committees that are chaired by two or three trustees and the consultants you sort of go off on your own and you set your own time tables. In other words, these are the first meetings and thereafter as the workload develops or as you digest or otherwise do what you do in analysis of the topical areas that are all within the program, then you go off on several other meetings and you'll establish them, you'll set them yourself and have that.

We will also by consent of the Board, we have decided to extend the comment period, the written comment period to April 4th, that's a Monday, right?

MR. JOEL SACHS: Right.

MAYOR ZEGARELLI: We had originally established it as March 16th and we decided with especially establishing the subcommittees, to

allow the Board members and the committee of citizens and not necessarily all from the Village but those that are signed up to have the additional time to go through the DEIS, come up with points, counterpoints, whatever you want to call it so therefore that we can put an end to the official record, make it available to the applicant, that's GM, Roseland because all the comments, whether spoken tonight or submitted in writing, are to be addressed, responded to by the applicant. Is that correct? I want to make sure you understand that. It's a wide open process and we decided in particular as a result of, in particular as a result of all the discussions and points that people brought up about the proposal that they have the opportunity to have the time to digest it, analyze it and make either recommendations

or suggestions to the Board.

I would like to introduce the Board members that are here present. Kay Gala, Andy Murray, Richard Zieja, Tom Capossela, Trustee and Deputy Mayor Mario DiFelice, Counsel Ponzino, David Smith from Saccardi & Schiff, chief consultant on planning issues, Joel Sachs from Keane & Beane in White Plains as special counsel, environmental aspects, Dolph Rotfeld, engineer, Village architect, Sean McCarthy, Village administrator, coughing with bronchitis like I do, Dwight Douglas.

I'm looking around the room to see if there are any other members of various advisory boards here and if I missed any I apologize.

Because we've had three meetings and in particular the one on Saturday which did run along the long side we decided to suggest to

the applicant that the time be used for a very quick overview of the project, to make statements if they would like regarding some of the comments that have been said before and then open it up to the public for comment.

The Village Board will be going back into executive session to go over nothing at all regarding General Motors, just legal and negotiations and other lawsuit type of things for purposes of just discussions since we haven't met on that afterwards.

Again, time limit will be as close to five minutes as possible. I ask those who would like to sign up to sign up on the sheet and that in particular, if you haven't spoken before or in particular, if you have spoken before that if you want to add comments that they be in addition to what you've already

stated.

We've gotten, as I said, a very good grid on the part of our engineers to go over all the different concerns by date, by topic. We are looking in particular for the additional commentary, new items that would like to be shared with the Village.

That being the case, I'll turn the meeting over to Jonathan Stein, partner in Roseland Property Company who will introduce his folks and anything else in the form of a presentation. Jonathan?

MR. STEIN: Thank you, Mayor, Members of the Board of Trustees and all of our guests this evening.

We have appeared on three different occasions and presented some quite lengthy presentations, powerpoint slide shows. We have been asked, as the Mayor said, to keep this very brief this evening so

what we've done as we've always done, we have some of our visuals in packages for you, it also shows the depth of some of the studies that were done so feel free to pick those up. Certainly, we are receptive to any of the comments that you do have. We have been asked at other meetings to post our DEIS on our website. So if you've got some pens out that website is Roselandproperty.com, P-R-O-P-E-R-T-Y, Roselandproperty.com. You go to Coming Soon and you'll see a link to Lighthouse Landing. Take a look at that and you can download the entire DEIS. So that's available publicly as well as here, I think in the Village Hall and perhaps in the library, as well, full copies of the DEIS. It's a long document, several hundred pages long. Feel free to download that.

As I said, we have been asked since we made this presentation three times already that we keep this brief so certainly to the extent that there are questions or comments with regard to the plan please make them but we are going to be brief this evening and not do a full presentation. I am going to ask my counsel to make just some quick opening remarks, Mark Weingarten who is my counsel for this application. I am also here this evening, there may be some comments reflected from Andy Tung, who is our chief engineer on the development. Thank you.

MR. WEINGARTEN: Mr. Mayor, Members of the Board, ladies and gentlemen, my name is Mark Weingarten. I am a partner in the White Plains lawfirm of DelBello, Donnellan, Weingarten and it's my pleasure to be here this evening

representing Roseland Property in connection with its application for the redevelopment of the former General Motors manufacturing automobile plant in Sleepy Hollow, New York on the Hudson River. We have been asked to be brief and we have noticed that there are an awful lot of familiar faces here from the last three meetings and therefore we will not repeat the entire presentation.

I would like to go over just a couple of things, some of which maybe repeats but to frame them for you and we ask you to keep them in mind when you come forward with your public comments today and as we go into the future.

When GM decided to shut down the plant they went out and they took a nationwide search looking for someone who they considered to be the right organization to be able to

go ahead and develop waterfront property here in Sleepy Hollow. We know that the General Motors site has been just an important part of the Sleepy Hollow/North Tarrytown history and it was something that going forward was critical not just to General Motors but to the community itself.

General Motors found Roseland Property after that nationwide search and they picked them because as I mentioned before in my opinion and the opinion of many, they are the best waterfront developer in the northeastern United States. Their projects which we have shown you numbers of slides before and which many of your officials have visited in the past couple of years indicate a detailed professionalism, an ability to bring forward a quality product and to integrate it into existing neighborhoods particularly

on the waterfront. They are very proud of their work.

They have shown them, as I mentioned before, to some of the members of the Village here. Anybody who goes to the waterfront in New Jersey has seen their work and it's something that we would urge everyone in Sleepy Hollow to take a look at the types of communities that they have built and to feel free to talk to people in those communities to find out the type of company that Roseland is and their commitment to becoming a good corporate citizen in the neighborhoods that they go ahead and build in.

Before Roseland ever got here and before GM went ahead and selected them there were years of work that took place by your Village and the members of your Village Board before Roseland ever put forth

a proposal. There was public comment, public hearing, multiple levels of government that got together over years, months of planning and those culminated in certain laws, rules, regulations and policies that were in place before Roseland ever came to Sleepy Hollow. They are your local waterfront revitalization plans. They are your linkage study. They are your RF zoning. These are the things that Roseland uses, its tool to come up with a proposal.

The reason that we mention these things for you is that when Roseland put this project together what they did is come forward with a proposal which as we believe is completely consistent with those goals and guidelines. In doing that, they built on what they were asked to do by the Village. This was not something where they came and

created something and said what do you think. This is something that the Village created in general concept and Roseland put forward into details of the proposal.

But that again is not enough. Although it sounds like the end of the process it's really only the start.

The next part of the process which you know as what we are doing now is to test that proposal in an environmental review process and that's what you have before you. A Draft Environmental Impact Statement and in that statement what we have done is we have gone out to look at this proposal in accordance with what you and your Village's professionals have told us to study and have said what will be the impacts of this proposal on our Village and on our neighboring environs. That's the whole thing.

That entire huge document that we asked you to read that's now on the website tells you what the professionals say will be the impacts of this proposal.

What's the job of the public and what's the job of the lead agency in reviewing this? Well, number one have we forgot to study anything? It's very important. Is there anything throughout, is there any kind of impact that we have left out of this document and if there is and there have been people what have been here on the last three occasions, you'll tell us and we'll have to go back and do that work and then that will be formalized in an FEIS later on.

Number two, once the impacts are identified, what measures can you take to make them less? If there is an adverse impact, if something is going to occur, if there is going to

be more traffic, what measures can you take, what steps can you take to lessen the impact?

This study, this DEIS is our best attempt after many reviews by Village officials to do the best job that we can in treating those impacts, in mitigating those impacts, the term of art being, to the extent practicable.

Again, we mentioned the example last time, nobody is suggesting Roseland should build a bridge from the site to Route 287. It might be a great traffic idea but it's not practicable.

On the other hand, there are many things we can do and they are in the book.

So number two, if there are any mitigation measures that we have forgotten, that we have not put in that book, we would like to hear from you what those measures are

because we'll look at them and sometimes very, very much so at many of these hearings the public thinks of things that the professionals do not think of because they don't live in your community. So if you have things that we need to think about please tell us.

Finally, the last step is what we call the balancing test. You have the measures of impact, you have the mitigation measures but now we are talking about what the so-called adverse impacts of the project are.

But there are also a lot of positives in this project. We don't want that to be ignored. There are 33 acres of open space. And, even the people who have come up and spoken about some of the negatives in the project have all said we congratulate you on the open space. Let's not forget about it. There

are 33 acres for parklands, municipal purposes, for various things for your community which is the largest donation to the Village that I'm aware of in your Village's history and it's a big positive and it needs to be weighed.

Second, waterfront improvements. These are things that you've asked for. You are helping us design the open space, people have to pay for these. We've asked Roseland to look at these and to pay for these. Again, positive impacts to your community.

New roads, public infrastructure, possibly a new train station if Metro North agrees, a shuttle to various mass transit for this community and there have been suggestions in the Village for riverfront access.

School surplus, money for your schools annually, millions, every

year above and beyond the costs associated with the new schoolkids created by this project. Very important, that surplus. A surplus for the Village. Millions of dollars to the Village over the years as a result of this project.

You have these positives in that document. They are in there and they are spelled out. You have these adverse impacts. And at the end of the day, not necessarily now there is going to have to be a balancing of those to determine what's best for the Village. Clearly, if we are asked to reduce the project on one side some of those positives may get decreased. The surpluses, for example, to the schools maybe decreased if there is less building and less economic development. Those are the things that are going to go on. Tonight is to hear your comments. We'll then

answer those.

The Mayor has set up, I think, an unprecedented process with the study groups and the subcommittees. We'll meet with the subcommittees, we'll be more informal we hope and have more dialogue.

We mentioned to you the last time we are willing to meet with you, your neighborhood groups to come speak to you about your particular concerns. The only thing we've asked you to do is what you've asked us to do, to please keep an open mind, to listen to us, to give us your comments, to let us put forward the information, invite us to the meeting and have an open dialogue with us. We promise to listen to you but please keep an open mind.

Please don't be sure at this point that you know exactly what the project is going to look like.

There are a lot of processes that we need to finish as we get to the FEIS. I thank you and we look forward to your comments.

(Applause.)

MAYOR ZEGARELLI: Let's see, we have a new stenographer here, I think we wore out the one. If you were here Saturday, you'd know she was worn out. I think on her deathbed she completed the transcript which I have to say, four hours of, whatever you call that stuff is already typed out and we have a copy so for purposes of the record, Mr. Sachs --

MR. SACHS: Mr. Mayor, Members of the Board, Joel Sachs, Special Environmental Counsel to the Village. The applicant has handed me a transcript of the public hearing which occurred this past Saturday, February 19. It runs almost 200 pages and taken together

with the transcripts of the two prior meetings which were public discussions, we now have approximately 600 pages of written transcript and after tonight I dare say it will be in the 8 or 900 page range.

I just want to reiterate again that it's the applicant's responsibility once the public comment period is closed to go through the transcripts of all the meetings, all the public hearings as well as all the written comment letters that have come in and will come in between now and April 4th, 2005 and the applicant and its consultants must respond in detail to each and every question, each and every substantive comment that was raised during this public comment period and during the public hearings.

So Mr. Mayor, I now want to

present to you the transcript of the February 19th hearing. Thank you.

MR. HAIG BOHIGIAN: I have a question on that.

MAYOR ZEGARELLI: Yes, sir?

MR. BOHIGIAN: Will those responses go to the original people who made the questions?

MAYOR ZEGARELLI: No. It will be available for public scrutiny. If you made comments and you would like to check what you said versus what was recorded, a copy will be kept in Village Hall.

MR. BOHIGIAN: What mechanism is in place to make certain that all the --

MAYOR ZEGARELLI: Our consultants, the Board has to review all the comments that were made and insure that prior to an FEIS, prior to any adoption of any agreement of anything of that nature that the points that were made were answered

and we have our consultants, we have counsel who will be reviewing it.

I thought you meant the transcript. Sometimes some people who made a presentation would like to double check to see what they said versus what was recorded.

What I'm saying which I was responding to first was, you'll have that opportunity.

MR. SACHS: Let me just also say the Final Environmental Impact Statement will list the name of each individual who spoke at the public hearings or who submitted a letter. So anybody who did participate during the public comment period will be able to not only see their name but they will see the specific response of the applicant to their comment or question.

MAYOR ZEGARELLI: Some people, after the second hearing, the hearing that was up at the high

school, asked for reference on the article that I alluded to regarding what happened with GDC, Ginsberg Development and Ichabod's Landing wherein I stated that when they first came in they came in for like 93, then they revised it to 60 and 44 units were ultimately approved. I have made copies of the New York Times article and I'll put it out here if anyone cares to see it. The only thing that's missing out of the article is that they did not include that when GDC first came in they looked for 93. It just states 60 of which 44 were approved. So I'll leave copies here and available for the stenographer and if anyone cares to see it, it was taken right off the New York Times and if anyone wants to see it, right off of their website.

Okay, some people may question it but I would like to use the

prerogative of the Mayor to represent that several elected officials from Tarrytown are here and I know they have other things that they have to go to so I'm going to take them a little out of order and allow those who have signed up and others who haven't signed up, as elected officials of Tarrytown, would like to speak and they can do so. Paul?

MAYOR PAUL JANOS: Thanks very much. This evening we have our Village Planner, Frank Fish, we have Jeff Schumeder, Dennis Salemy, we have Jimmy Hart is here, Mike McGarvey, the Village engineer.

I would first like to make a comment about working together. I made this last time on Saturday but I want to reiterate this that I've worked with Phil and we've worked together on many projects and we've worked together with this one, as

well. We might not always agree with everything but we have worked with the MDA, the State, the County, Greenway, Scenic Hudson just to name a view. We might not agree all the time but I'll still give him a little hug.

MAYOR ZEGARELLI: Some Cepacol, too.

MAYOR JANOS: We are both doing what's right for both our respective communities and we'll continue to work together. We've had many meetings trying to put together a plan that can work for both villages because it's important that this does work for both villages.

This project, if it doesn't work for Sleepy Hollow, it's not going to work for Tarrytown and Tarrytown's project vice versa.

So with that said I just want to make a few comments about some of the items in the DEIS. One is the

PH4301

density which I think is one of the big items and we've questioned the density and Frank Fish will make some comments and some of the other trustees will make some comments as well about that. PH4301 (continued)

The other is the height. The five stories, I know your zoning has 35 feet. So I would like you to take a closer look at the height. PH4302

The traffic, I mentioned last time, I would like to mention it again, is a larger study area to go down to 119 and the Tappan Zee Bridge because that's going to impact this whole corridor, it's not just going to be Franklin Street in Tarrytown, it's going to be the whole length of Route 9. PH4303

The other thing is the schools. I think it has to be more specific with the schools. I know the capacity, the projected enrollments. I can tell you from our experience PH4304

in Tarrytown, Talleyrand Crescent has 300 units down by Fridays, rental and right now they are generating about 100 kids to the school system. So I think you have to take a look at that. I can't really believe what some of those figures are.

PH4304 (continued)

And the last comment I want to make and I mentioned before was GM has been here since 1914 and they have made millions and billions of dollars and I really think that General Motors, if they really wanted to be a good neighbor, I think they should help us finance some of the school projects that we have, whether it be an art center, an auditorium, part of the school itself. But I really think it's their duty and to be a good community member, I think they should really help us with that and especially now, now is the time to

PH4305

PH4305 (continued)

do it.

So that's pretty much it. Thanks very much for the opportunity. I want to thank everybody here, as well.

(Applause.)

MAYOR ZEGARELLI: Sherry?

For purposes again for the record as a gentle reminder for purposes of the record, for the stenographer, your name, address and if you are representing any organization other than yourself.

MS. SHERRY CHOROST: Sherry Chorost, I'm a trustee in Tarrytown, 279H South Broadway in Tarrytown. I thank you for the opportunity to come and speak with you. It will be brief.

When there are problems or when there are potential problems people of good will should and could work together to effectively mitigate and we hope that we are doing the same

thing with regard to the Tarrytown project which we have cut from, I think, initially 300,000 square feet of commercial property, 299 units, it's now down to 80,000 square feet commercial and 247 units with 45 percent open space. We are doing our very best to mitigate all the problems that we can see and of course we invite you, if you see problems in our development, we are neighbors. We have to live together. We work together in the schools, we work together in the library and we have to work together in our air quality and we have to work together in our traffic problems.

It's the traffic problems that really concerns me. I was extremely impressed with Dick Robinson and his presentation the other day. Can we borrow him and use him?

MAYOR ZEGARELLI: No.

MS. CHOROST: I tried. We have a place open in case you want it. But from what I understand, statements from the Planning Board and Scenic Hudson River, both suggested possibility of cutting the density, the living density, the number of units down to 40 percent. That would be probably the greatest mitigating factor in terms of the traffic that we anticipate. PH4401

Let me read some numbers. Our traffic consultant, George Jacamar estimated this on one of our major streets which is on the way to the Tappan Zee Bridge. On West Franklin and Route 9, he estimates that the vehicular traffic will increase by 287 vehicles during the a.m. peek hours, 327, 326 vehicles during the p.m. peek hours and 403 vehicles during the Saturday peek hours. This is in anticipation of the development as proposed, Sleepy PH4402

Hollow. This now takes us from an E level which is the next to the worst to an F level which is impossible. And that's only one of our intersections. And we believe that Sleepy Hollow may have to deal with the same sort of tie-ups. So we urge you to please look very carefully at your traffic levels, at your major intersections and like the one I just described, it will be something that will affect the quality of life.

PH4402 (continued)

I think I indicated that we are in agreement in drawing down 40 percent. If, indeed, you follow through with that, that's a great help.

We are trying very hard to knock off our asphalt plant which we know Sleepy Hollow is very much against because we know it's so close to Ichabod's Landing. Initially, we were going to move it but no one

wants to keep that plant, moving it or not. We want it moved out. That's for everybody's advantage.

Incidentally, in our planning we have carefully avoided planning for any high density traffic business and we note that you have a supermarket in there. Supermarkets will generate two to three times the traffic levels that other businesses will and this is something that I hope you take a look at. PH4403

One more and that's all. I think your plan is to go from 9,000 people in Sleepy Hollow to 12,000 people. And at your high estimate and the question I ask is does that plan include adequate fire protection? PH4404

If you are going to improve, if you are going to expand by one third, are you going to have enough room for fire engines to be there or do you want to consider the

possibility of putting a firehouse there?

PH4404 (continued)

That's a problem that we've had in our south end. We are dealing with that now. While you are in the building stage or the planning stage you might want to consider the same and I thank you very much.

(Applause.)

MAYOR ZEGARELLI: Just as a quick response, the plan does call for not only a fire station but a police substation there. We are concerned with one of the departments, one of the companies and having a hybrid company so just for purposes of the record that is part of and, in fact, that's part of the facility study group that's going on.

Did I see Mr. Fixell?

MR. DREW FIXELL: Thanks, Phil. I'm Drew Fixell, trustee in Tarrytown. I would like to

reiterate all of what the Mayor and Trustee Cohorst said. I won't take very much longer.

In particular, the issue which concerns us the most I think concerns everybody here is the density of this project and I attended the first two public hearings but I was unable to attend Saturday's in which I subsequently heard that the Chairman of your Planning Board, Dick Robinson, recommended the 40 percent reduction in density which we also cheer and what I think how it should be viewed though is not as a starting point for negotiation but rather it should be viewed as the maximum that would be allowed. PH4501

The second point I would like to make is that the traffic studies that are done, they have to be done assuming that the train station won't be built. It's a great thing PH4502

if you build it. But there is no indication at this point that it will be and it's critical that we see what the traffic will be if you don't have that train station.

PH4502 (continued)

On the school district issues, the attorney mentioned the surplus in revenues that will go to the district which is true as we see it now. But what isn't spoken about is that there is a one time cost which is all associated which we are facing now on the bond issue that's about to be voted on.

Even if we assume that the estimate of new students is correct, which it sounds from our experience that it's quite low, 200 students. That's the equivalent of an entire grade in the district and that will mean considerable capital costs and that is what's going into the bond issue that we are facing now. So I think it's absolutely essential that

PH4503

we ask why isn't GM or Roseland making a significant contribution to the capital program or to build a part of the facility.

PH4503 (continued)

And finally, I was glad to hear that Mayor Zegarelli extended the written comment period. Most of the residents here, in fact, all of them don't have the resources that the Village has, that Scenic Hudson has to hire professionals to review this enormous document and I guess it's a three week extension that you provided?

MAYOR ZEGARELLI: I think it's about that.

MR. FIXELL: I hope that's enough because going through the document is very difficult and it takes a long time and in order to get any kind of details I think you need to have a considerable amount of time to do so. Thank you. That's it.

(Applause.)

MAYOR ZEGARELLI: I'm going to give an opportunity to the applicant to respond but I would like to have, if there is anyone else representing either from or representing the Village Board or in the capacity as an elected official or consultant to come forward. And your name is?

MR. FRANK FISH: Frank Fish.

MAYOR ZEGARELLI: Frank Fish, Tommy and we'll go in that order.

A SPEAKER: Thank you very much.

MR. DENNIS CHILLEMI: Dennis Chillemi and I live on Riverview Avenue, one of the streets that's not in the study.

First, I want to thank the Mayor for making these accommodations and I apologize to the public for going ahead of you and maybe delaying the meeting a little longer but it is important that we do share information here and I also would

like to applaud the Mayor and your Board for an exemplary process. I think it's one that we can learn from, as well.

Again, I think the density of the project is a major concern. Everything is related to density, whether it's the number of school children or the levels of our road service. If the density of the project is reduced as is pointed out by the earlier speakers then those other factors will be mitigated simply by doing so. PH4601

I mentioned earlier that I live on Riverview Avenue. The traffic count, to utilize Franklin Street to get out of the lower riverfront area is pretty busy now when the trains come in. It also doesn't include the timeframe, it should be earlier, from 2:30 when the school, when that particular school, Washington Irving Elementary School gets out. It PH4602

needs to be backed up.

PH4602 (continued)

What may happen is, the volume of cars is going to affect our school release time and it's going to extend the amount of time that we have for rush hour. So rush hour could conceivably go from 4:30 back to 2:30. So now rush hour is 2:30 to the other end, maybe 5:30, 6:00 o'clock and that's not on a Friday night when there is a car broken down to the Tappan Zee Bridge. Living in that area, the impact is enormous.

It also doesn't take into account the project that we have in Tarrytown, or Ichabod's, that we utilize those same streets.

PH4603

So, collectively, we now have and Franklin Street is an E rating, an E rating. This is a stop sign. You wait 40 seconds or longer from Route 9. 40 seconds is a long time. That's if the person finds the

opportunity to move in 40 seconds.

So, those are genuine considerations as well as Park Avenue, Independence Street, Church Street. Those are all the streets that will filter up from Franklin Street on to Route 9 eventually to the bridge. So traffic is clearly an enormous factor.

PH4603 (continued)

The other big factor that needs to be seriously considered and was mentioned earlier, if MTA does not pull the station or they are proposing as a mitigating factor to bus the residents from the Sleepy Hollow portion over to our train station in Tarrytown, it's a public service but that will also have an impact and clearly if they do not build this station, which, frankly, there is no evidence to suggest that there is money or a commitment to go forward by the MTA to build that station.

PH4604

So to review this without a station in the plan is critical to getting a better understanding of what those impacts might be.

PH4604 (continued)

I can also echo, I have seven kids for those that don't know -- I have, three are out of high school now, I have at least, that leaves four. The schools are in desperate need of the revenue source from not only Tarrytown's project but from this project, as well and those are certainly welcome but as Trustee Fixell pointed out, there are other factors that come from adding additional students to the district. And 217 does sound a little light for 1,562 residential units.

PH4605

So if the density could be reconsidered and the traffic could be mitigated and I think we'll have a much more livable plan.

Again, I apologize for taking your time and I want to thank the

Mayor again for the opportunity to speak. Thank you.

(Applause.)

MAYOR ZEGARELLI: Frank Fish. While he's coming up I would like to acknowledge the presence of Nick Robinson who is Chair of our Planning Board. Nick, while you were out someone tried to highjack your work to Tarrytown and I said, "No."

MR. FISH: Thank you, Mayor. My name is Frank Fish and I'm speaking on behalf of Tarrytown as Tarrytown's Planner this evening.

Mark Weingarten started this evening by saying if there is anything left out of the EIS, tell us. And while I think the EIS is very comprehensive, much of what you heard the trustees say I think can be summarized in the fact that we very much were struck by the testimony Saturday of your Planning

PH4701

Board Chairman on an alternative that would look at a 40 percent reduction in density.

I use that not to say it should be a perfect 40 percent or it should be 45 or 35. But in many EISs now in Westchester have what's called an alternative that is developed by the environmental impacts that you uncover in the DEIS. That is a mitigational alternative and it seems to us that's what ought to be in the FEIS.

I'm going to try here, it's not something I'm recommending to you that we haven't recommended in Tarrytown and that is with the Tarrytown waterfront project we are going to move forward on the FEIS with a preferred alternative. And that preferred alternative does reduce the density as a trustee of Tarrytown mentioned.

They started off on the

PH4701 (continued)

waterfront with about 350,000 square feet of commercial development. That is the highest single traffic generator and that has been reduced to 80,000 square feet.

They started at 209 and now they have 247 units.

If you are looking what they are trying to do they are trying to reduce that traffic and school impact which both villages share.

We were struck by the testimony on Saturday. We are not saying it should be a perfect 40 percent but the only way we can see to solve traffic is to reduce density. The Route 9 corridor is something that's been studied as you know by the state, by the villages. PH4701 (continued)

MAYOR ZEGARELLI: A lot.

MR. FISH: A lot. We don't see a realistic alternative to improving the Route 9 corridor. That is the intersection, you are not going to PH4701 (continued)

be able to turn an intersection, something that works at level service E or F into an intersection that works on an acceptable level of service such as C or D. But what you can do is perhaps not exacerbate it quite as much from an E to an F or from an F to what we might call an F minus. Whereas, rather than wait at an intersection 40 seconds you are waiting 60 or 65 seconds.

So what we would like to ask if we could is that in the FEIS, we are not advocating a particular solution to you, we are advocating instead that you look at, you have a tremendous team here, that you look at the 40 percent or thereabouts reduction in density as a potential alternative, that you compare that alternative as you very nicely did in chart form in the DEIS with your other alternatives and then that you go back in the FEIS and on that

PH4701 (continued)

alternative go through the sections, land use, public policy, social, economic, go through the FEIS and compare that alternative to the proposal and that way you'll put yourselves as trustees in a position.

PH4701 (continued)

At the end of the day you have to make findings and the State findings say that you are supposed to choose the alternative that has the least environmental impacts unless there is some overriding social economic concerns that you have and you may have those.

I am not trying to put myself in your position. I'm just trying to say that if the FEIS is well done, if it takes your share of your Planning Board in the alternative very seriously, I think you'll have a much more useful document for you. Thank you, Mayor.

(Applause.)

MAYOR ZEGARELLI: Also representing the Village of Tarrytown, John Canning.

MR. CANNING: Thank you, Mr. Mayor, Members of the Board. My name is John Canning and I work for Adler Consulting. We are traffic engineering consultants and we have been hired to review the traffic components of the DEIS.

Firstly, though, I would like to say as a long time resident of the Tarrytown area that I do recognize that this is a tremendous opportunity for the Village of Sleepy Hollow and similarly for the Village of Tarrytown with its waterfront and I do bear that in mind when I review these documents.

Also, as I'm sure you are aware, there are tremendous traffic and parking issues in both villages. Each evening as you travel down Broadway, it's a constant stop and

go towards the bridge and as you pass the side streets leading out of Miller Park, Independence Street, Park Avenue and Church Street cars are five and ten deep waiting to get on to Broadway.

In reviewing the DEIS, our primary concern related to the trip generation, basically how much traffic the project is expected to generate. The measure of the project's impact is intrinsicly related to how much traffic it generates and we did note that in the trip generation, the DEIS. It was assumed that almost half of the traffic that would be generated by the residential component of the development would either take the train or stay on site to do shopping. And we feel that there is not sufficient evidence provided in the DEIS to support this number.

In reviewing it from a mass

PH4801

transit perspective, it's my personal opinion that 30 percent would be much more realistic as opposed to 40 percent utilized in the DEIS and that perhaps 10 percent for internal capture for the residential would be reasonable.

PH4801 (continued)

Another area that we looked at that have two key concerns are the arrival/departure patterns. It was noted that no traffic was generated through the intersection of Central Avenue and Broadway in the Village of Tarrytown which if you look at the patterns presented in the DEIS implies that traffic heading to and from the south will use Main Street and Franklin Street. Yet, the only designated truck route from the waterfront to the south is Central Avenue. So the DEIS should be adjusted to reflect that otherwise it implies that the trucks will be using Wildey Street, I mean, Main

PH4802

Street and Franklin Street. PH4802 (continued)

The second issue in the arriving/departure distribution was it indicates that 4 percent of the project traffic will be coming from or going to the Miller Park residential neighborhood. I would suggest to you they will be going through the Miller Park residential neighborhood and this is a neighborhood that's currently severely overburdened with traffic and the DEIS needs to take a look at this, to acknowledge it and to see if it could identify means to ameliorate the condition or offset the project's impact. PH4803

In looking at the mitigation measures that were proposed in the Village of Tarrytown, we have concerns relating to two. The first was the proposal to modify the striping on the Route 119 approach to Broadway. Right now it's two PH4804

left turns and one right turn. The proposal is to make a middle lane a shared left and right turn. Our concern is that will open up New York State and possibly this agency to liability because you will now be allowing two lanes to turn right across a crosswalk and right now it's only a single lane. Typically, a single right turn lane is allowed to go when the crosswalk is clear. It's obviously a less safe condition for pedestrians and we are concerned about that.

PH4804 (continued)

The second issue that we are concerned about is the proposal to eliminate parking on the east side of Broadway as you approach Main Street so that a long left turn lane could be opened up. As I'm sure you are aware parking is a much, very, very precious resource in both Tarrytown and Sleepy Hollow and this would eliminate a considerable

PH4805

number of parking spaces that are much needed.

PH4805 (continued)

One final issue that the DEIS does not appear to touch on at all, although there is a detailed parking analysis for the site, is the project's impact on the DBD either in Sleepy Hollow or in Tarrytown. It's true that the rest of this development will shop and visit the retail and restaurant facilities that will be on site. But, hopefully, and I would imagine they will also visit the commercial establishments on Beekman Avenue and on Main Street. And when they do they will be looking for somewhere to park and there is no parking.

PH4806

So, the DEIS should consider what the project's impact will be on these neighborhoods. Thank you.

(Applause.)

MAYOR ZEGARELLI: Did I leave anybody out representing or

otherwise from the official family of Tarrytown?

I appreciate their kind comments, especially those regarding the openness of our process and, in particular, the roles of various consultants that we have, whether they be part of our Board such as Nick Robinson or the consultants who are hired exclusively on behalf of the Village in trying to wrestle with this important project and, in particular, the points that have been made in the form of comments from the public.

But also since this is the applicant's proposal to address those points, I would give the opportunity if the applicant would like to respond in kind. Since we made an exception on that side I think it's only fair to give you folks, if you would like a chance.

MR. WEINGARTEN: Thank you, Mr.

Mayor. Again, I'll be brief. Mark Weingarten on behalf of Roseland Properties.

First, we would like to thank Tarrytown for the tone and the constructive nature of the comments that you made this evening. We look forward in working with them in the coming months on this project. We offer again to sit down with them at any point, have discussions on the specifics that were raised by the Mayor, members of the Board, Mr. Fish, we have an awful lot of respect for and also following up on what Mayor Zegarelli has been leading us through this process repeatedly to meet with everybody, including the neighboring villages, to bring them into the process to have these discussions. So, we look forward to that.

Just a couple of quick points because I think they are important

and a1though we did mention them on Saturday, with regard to the school children, we believe our Environmental Impact Statement has looked at every potential way of calculating school children as far as these experts are aware. We engaged to put into the process a national formula. We put into the process and used a regional formula. Something that first is a national formula then there is one that looks at the closer region which says how many children do you expect with this kind of usage. After that, that wasn't enough, we looked at specifically 18 projects in this area and said rental projects, how many children would you expect out of these and we took the specific numbers of actual projects which we were told to review by the lead agency and came up with those numbers.

And then finally, we went to your own school district and we asked your school district who is going to be the one who is most impacted by those numbers, to tell us what the multiplier was based on the number of units that we were building. You give us the multiplier and tell us how many units, how many school children will be created. And the school district number was larger than the others. We happen to believe that the others will prove to be more accurate but we accepted the school district's number which is the largest of the four and we put that in for the purposes of calculation to our Environmental Impact Statement.

So, again, on the school district numbers, we are very comfortable that our numbers are accurate. If we or your professionals have found that we

missed something in our analysis, we'll look at it, we'll consider something else but to date nobody has shown us that we have not utilized the particular type of analysis that we needed to with respect to that.

On the issue of traffic, we all know that that's the big issue. It's very interesting and I know this is a confusing document but interestingly enough, but again we'll have to be more specific and go back and answer it in writing.

When I look at West Franklin and Route 9 as I was sitting here next to Mr. Stein I pointed out the facts are that in the build scenario with the improvement there is an improvement to that particular intersection with what we were proposing as opposed to what the no build analysis is.

In other words, if we don't

build and you keep having the various levels of traffic increase every year as you have to build into the analysis and don't make the improvements that we are willing to pay for, it will be worse at that intersection than what is currently under the no build scenario. So again it maybe a misreading, maybe I'm misreading it but we went back to the table and that table indicated that to us so we'll have to answer that in writing in the FEIS.

It was also mentioned with regard to the physical impact. With respect to your school district, understand that the taxes on this property will be increased before a single school child attends your schools from this property. There is a long construction period. During that construction period the taxes rise. It goes from what it is

now, vacant and it starts to rise as it goes forward to full, full taxes. Those taxes will rise for years before the first units even come on board.

Again, from that impact analysis it is clear to us that your school district will be making money on this site after an approval and even prior to the completion of the first unit.

We've heard you loud and clear, we've heard you tonight, we've heard you previously. These density impacts we'll have to review, we'll go through a more specific sensitivity analysis and we'll have that information. We are not prepared to go at it tonight but we would like to make sure all the facts are there. Again, we do thank you for the tone and the constructive nature of the comments.

(Applause.)

MAYOR ZEGARELLI: Okay, Waddell Stillman. Waddell?

MR. WADDELL STILLMAN: I'm President of the Historic Hudson Valley, Philipsburg Manor which is at the intersection of Route 9 and Pocantico Street. I want to express my organization's thanks to the Mayor and the Village Trustees and the many Village officials and Boards who are taking great care to assure a positive outcome on the GM site for decades to come. I thank also the applicant and General Motors for their willingness to meet with local groups like ourselves and to consider integrating the interests and concerns of this community in their development plans and proposal. Because of how generous the Village officials and the applicant and GM have been with their time over the past several years none of what I'm going to say

tonight will surprise them.

Historic Hudson Valley is Westchester County's largest cultural institution and Philipsburg Manor is our oldest and most important historic site.

We have two goals for Philipsburg Manor in this process. The first is to protect the historic site or more specifically, to preserve the visitor experience of being able to travel back in time to 1750 with as few 21st Century intrusions as possible.

PH4901

The second is to expand our conversation about which I'll say more in a minute. First you should know that Philipsburgh Manor, our most visited property with 52,845 paying visitors in 2004, including 11,000 school students visiting in groups from local schools is in itself a significant tourist destination of the Hudson Valley.

But its Visitors Center also serves Kykuit, the Rockefeller Estate and Union Church of Pocantico Hills. In the course of a year, more than 100,000 people pass through Philipsburgh Manor's Visitors Center making our facility and thus the Village of Sleepy Hollow one of the most visited places in the region. This makes Philipsburgh Manor a significant driver of economic activity and heritage tourism in this area.

Visitation to Philipsburgh Manor was up 17 percent last year so we are growing as a destination for visitors and our school programs are filled to capacity each year. Many local businesses have noticed this growth and benefit from it. And many of our neighbors in the Village have noticed significant investments we've made in Philipsburgh Manor in recent years, in two years.

The first kind of investment has been in physical restoration. Particularly, in fixing the damage from flooding caused during Hurricane Floyd when it blew through in mid September 1999. The erosion and flooding, silting up our upper and lower mill ponds and damage to the mill pond dam and mill have taken 5 years and $4.2 million dollars to fix.

The second kind of investment has been in programmatic change where we have undertaken fresh historical research into the inhabitants of the Manor from the late 1690s to the middle 1700s and we've come to focus on the enslaved Africans imparted by Frederick Philipse and his son, Adolph and traded as property and used as laborers to build the Manor.

We've received national recognition now as the only

professionally staffed historic site dedicated to telling the story of slavery in the northern United States.

If you've been watching the PBS series aired this month called "Slavery and the Making of America," you may have seen portions of that program filmed at Philipsburgh Manor and seen the faces of your neighbors on our staff who have appeared in the series and seen with pride the name of our Village of Sleepy Hollow in the credits.

So, we've changed a bit. We fixed ourselves up and grown stronger in the face of some challenges and with that newfound strength we want to propose an expansion to our site using some of the parcels of land adjacent to the existing property of Philipsburgh Manor. If approximately 10 acres of that land proved environmentally

PH4902

suitable we would like to acquire it for purposes of recreating a key aspect of Philipsburgh's history, that of the tenant farm.

PH4902 (continued)

The mill and Manor house and barn that we know as Philipsburgh Manor today were the center of a 52,000 acre manor granted to Frederick Philipse in 1693 by the English crown.

In addition to the history of Philipse as a businessman and slave trader and the stories of his slaves we now want the space to recreate the experience of a European tenant farmer, an immigrant to this region who rented land on the Manor from Mr. Philipse, cultivated the land, kept farm animals, grew grain and after the harvest carried the grain to the mill, partly in payment of his rent. That historical role of tenant farmer and the farmstead he created is well documented in the

form of leases that survive from the period.

No other museum of history is telling this story and we would like to do it at Philipsburgh Manor. The east parcel of the General Motors property seems to present the opportunity. Very few other uses of this land seems possible, especially given its past contamination and its present tendency to flood. PH4903

The use we propose would add to the green space offered by the development and it would put the land in question to educational use under the stewardship of a nonprofit preservation organization with a long-term stake in this Village.

Let me show you a diagram of the site, very familiar with the existing Philipsburgh Manor here and a blob of insignificant shape representing a potential area, in the red, for expansion of

Philipsburgh Manor's site. There is no great significance to the size or the shape of the blob but if land there were to become available we would like to create something that looks like this. And this, too, is a conceptual drawing. It's a depiction of the elements of a tenant farmstead.

You can see some structures on this recreation, including a tenant farmhouse, an English style barn that would be in contrast to our new world Dutch barn existing on the site, a stable or sheep coat with animals as we have on the existing site, a hay barracks in the hay field, a grainer on the way to the mill and as-is familiar to people from the era, costumed interpreters working with visitors and school groups.

This sketch was submitted to the Village and I know has been a part

PH4903 (continued)

of the record since the scoping process. But I do want to emphasize our continued interest in pursuing this project if it remains of interest.

PH4903 (continued)

We believe it's a significant contribution to the Village, its residents, visitors and students could be made by this proposal to tell the history of this part of the Hudson River Valley, to represent the heritage and genealogical background of many of our neighbors and ourselves here in Sleepy Hollow and we would pledge to base the proposed historical recreation on the best and most thorough historical research and to present that history to the highest standards of interpretation in our field.

In closing, let me emphasize the long-term nature of our commitment to the Philipsburgh Manor site and

the history of this region. We've preserved and presented the history of the Hudson Valley for 504 years and our institutional outlook is not just decades long. Indeed, we plan and preserve as if we will continue to teach the history of this area for hundreds of years to come. Thank you.

(Applause.)

MAYOR ZEGARELLI: Thank you, Waddell.

Again, for the record, early on in our discussions with GM and Roseland, we have been meeting with Scenic Hudson and also Historic Hudson Valley and the concept that Waddell has outlined has been a part of the long-term concept in developing over time as an ability to expand or otherwise represent the different sectors in different ways, the historic nature of Philipsburgh Restoration and indeed, how it is

really a part of not only a part of the Village but a growing part of the Village and in particular, from a tourist and historical point of view.

So I know that Roseland and GM shares it, it's a matter of how everything fits together and how it works.

Victor Tafur of Garrison, New York for the Riverkeeper. Victor?

MR. VICTOR TAFUR: Mayor, Board of Trustees, good evening everyone. On behalf of the Hudson Riverkeeper, my name is Victor Tafur. I want to raise just two brief points today.

The first is we believe that the Roseland proposal files comply with the scope of the EIS, with the Environmental Impact Statement. The scope of the EIS is basically an outline that the Village trustees gives the applicant for them to fill in a road map basically and that's,

then they come back and give us the whole couple thousand pages.

I'm going to show you just a few examples of sections or pieces that have not been fulfilled. For example, regarding the project design, the scope calls for water related uses including riverfront esplanade, potential boat docks or moorings. For the record, that's on Page 5 of the scoping document.

PH5001

There are no, there is not really a riverfront esplanade, there is just a walkway which is now being the standard for all projects that are being proposed or developed along the Hudson on this side or even on the Jersey Shore.

There are no boat docks or moorings proposed and moving on to the site access, the scoping document calls for riverfront access for recreational tourism and emergency. We don't see any real

riverfront access in their proposal for any of this purposes, not even for commuting, for water taxis and also emergencies, very important.

PH5001 (continued)

We are a few, about twelve, 13 miles from Indian point and that could be, that's one of the considerations that has to be, that's important in these times. I'll move on.

Page 8 of the scoping document, the applicant must require to discuss waterfront uses and measures, including water dependent uses. There is not one water dependent uses in that proposal. Let me explain to you what water dependent uses is. It's something very specific and it's defined in the law, specifically in the New York Executive Law.

A waterfront dependent use is an activity that can only be conducted on, in, over or adjacent to a water

body because such activity requires direct access to that water body or which involves as an integral part of the activity the use of the water.

That definition was also incorporated into the local law and again, as I've stated, there is not once in the report using in this proposal.

The scoping document also calls for the restoration of the Pocantico River. Let me clarify one thing here. The resolution of the Board of Trustees stated correctly, we believe, that the re-location of the Pocantico River would constitute an amenity not the result of an Environment Impact Statement. But still, it has to be studied. PH5002

As the Chairman of the Planning Board, Nick Robinson mentioned there is just a couple of sentences in the DEIS basically saying it's too

expensive. So our position is simply that it has to be studied and the resolution of the Board of Trustees has to be followed.

One more point on the lack of complying with the scoping document. On page -- I don't have the page number but anyway, when it relates to the physical impacts to the Village, the school district and the Town of Mount Pleasant and Westchester County, the scoping document calls for a description of the role of the town, the county industrial development agencies in the project and including any potential use of payment in lieu of taxes. There is no clear description how those entities are going to finance this project. And this is very important because GM has not explained whether the ownership of the property when or how the ownership of this property

PH5003

will shift back to GM and perhaps you don't know this but the owner of record of this site is actually the IDA, the Industrial Development Authority of the Town of Mount Pleasant. And that's still the case.

PH5003 (continued)

So we believe that it's important that the DEIS explains very, in layman's terms how that fits into the financing of the project because the, one of the most important things in this practice is to find out really what's going to be the burden on this Village and district, the school district as a whole.

Let me move on to the second point I want to make here today. It is that we believe that the Roseland proposal violates both the spirit and the letter of the LWRP of the local waterfront plan and of the riverfront development district

PH5004

which we all know has been 20 years in the making and have been portrayed as examples of how this project must be conducted. And everybody is sending you the LWRP says this, it says that. I say, let the LWRP, the waterfront planning speak for itself.

PH5004 (continued)

I will tell you what it says. It says, in the event General Motors were to vacate their property and/or the use of the land where to change, future redevelopment of the site shall proceed in conformance with the following standards:

One, public access;.

Two, along the Hudson River and the Pocantico Rivers, waters edge, water related uses must be an integral part of any development of the site and number two says, proposed development must improve and diversify as much as possible the existing economic base of the

Village, concentrating on a mix of land uses that would include as a priority, water dependent commercial, water dependent and water created public recreational uses, waterfront related public education and entertainment activities that serve residents of Sleepy Hollow as well as the region and also develop the -- and finally it says it may also incorporate residential and commercial with a preference for small scale commercial retail uses which are in keeping with the waterfront image.

So basically, we believe the proposal is upside down. Huge massive residential complex and minimum waterfront access, basically you can get from the, out from the hotel and put your finger near the water, that's the only access that's being provided. This was designated as and it's the only possibility of

PH5004 (continued)

connecting the Village to the Hudson River.

PH5004 (continued)

When the LWRP was passed this was designated as the only possibility of water dependent uses. The Village of Sleepy Hollow has been cut from the river for over 100 years and when they were passing these plans they realized this is our chance, this is our possibility to connect back to the river. How? Building marinas, different types of access to the river. Not everybody can affords a boat, tie up possibilities, fishing piers, people want to fish there and a huge, huge open space provision. This land was one day on the water. GM filled them for commercial purposes and for their benefit. That was okay, that's permitted by the law, that's in the public interest. But still, those lands are public lands. They cannot be regarded as any onshore

land.

So, we believe that by bringing, that this is an opportunity to bring this site to beneficial use and including a lot of residential, including a lot of open space and we call for GM to take the proposal and restudy it and bring us back real amenities, real waterfront, we can work together with them and have something that benefits everyone. Thank you.

PH5004 (continued)

(Applause.)

MAYOR ZEGARELLI: I thank you for your comments but I would like to make a few corrections if I could. There is no pilot contemplated in this proposal, number one.

Number two, the lands do belong to the IDA of Mount Pleasant. And part of the agreement with the, the master agreement with the Village, General Motors and Roseland is that

prior to any permits and it's public knowledge that the land would become taxable, they come off the IDA so I want to make sure that was part of the record.

That was long and laboriously negotiated by myself and others to insure that the Village would get the property. So I want to make sure that's understood. All right?

Regarding the waterfront, it was also long and laboriously negotiated by this Board that the river's edge be part of public open space to the Village, not part of a gated community. I want to make sure, I understand your perspective and I will let, if Roseland wants to talk, fine, but I'm talking on the part of the Village.

I believe you know these factors; I've talked to Mr. Mathieson on it, that when it comes to the IDA, there is no IDA

contemplated in the case of the land that currently belongs to the IDA. Yes, it's part of it, it was part of the old deal.

The new deal is when and if this is, becomes a proposal, an acceptable proposal and they come in for the building permit all the lands become taxable. That the Village re-establishes domain.

Now having said that I will tell you that roughly one third of the property that we said is to become parklands but that doesn't mean that in the process it becomes taxable and then we decide or the Village decides what we are going to do. I just want to make sure that's on the record. I don't want any misunderstanding by anybody on this. This is a very, very important part. It is a very important threshold decision that the Village made consequently to get the land back

and in particular, to get the waterfront back. With or without a GM site, with or without a proposal. We have negotiated very heavily to get the land back. And indeed, if all else fails in the form of any agreement, the agreement that the Village has with General Motors is that if it doesn't go through we would go and put in a bid to take over the land ourselves.

We made sure before we even entered into any proposals that there is fairness to the Village of Sleepy Hollow. I want to make sure everybody understands it.

I'll give you the opportunity since the Riverkeeper did bring up several points if you want to respond.

MR. STEIN: Thank you, Mayor. Donna, if I could ask you to flip on the machine a second and take us to the open space framework plan. Mr.

Tafur, I respect the Riverkeeper. We've had some off public record comments before about some access to some documents and some things like that and I believe that Mr. Tafur is absolutely sincere about his comments and there are, there have been some discussions and maybe Mr. Tafur, if I'm pronouncing that properly, wasn't aware of and some designs that have been incorporated into the plan that will be, if need be spelled out more completely in the FEIS.

But just to let everybody know where we stand on some of these things, there is a waterfront advisory committee that we will be meeting in front of as part of the Village. There was also a linkage study that over 170 participants of the public, including various specific organizations, including Scenic Hudson, Historic Hudson

participated in where they talk about the desires of the Village for the open space.

For the open space we, as developers, said look, this is going to be a public amenity. We need to draw people back to the river, we understand that, it's an unbelievable asset. I don't have to explain to this roomful of people how important the river is and how important it is to provide public access to the river.

What we said is Village, you lead that process. You look at plans, you retain your own consultants, they are retained by EDAW, two international awards winning open space designs. They designed this plan. We simply incorporated it into our development plans.

I just want to talk on a couple of things that were important that

the Riverkeeper mentioned. As you can see, this is the plan provided by Beyer Blinder Belle and EDAW. Not only does it contain the entire green crescent which is a link from Horan's Landing to the site, crossing to the Devries Park, expansion of Devries Park for ball fields, for two soccer fields, two basketball parks, additional, reconfiguration, Philipsburg Manor, potential spans over here, connection to Barnhart Park, potential commuter parking here, a new DPW for the Village.

In addition to that on the waterfront specifically there are belvederes. Those are areas that reach out over the water. The Riverkeeper talked about on, in, over the water. These belvederes are areas that extend over the river. Those are provided on two locations on this plan. You can't

see it on this scale. There is a belvedere in this area and belvedere, I believe the second one is in this area (indicating) the touching the water, down here at the point, the most prominent point on the site that has terrific views of the Tappan Zee Bridge and the bay from here and Palisades, of course, right here are, what's proposed are stairs leading down into the river, literally stairs from the site where you can walk down into the river, put your toes into the river, touch the river. That's been proposed, as well.

As far as access, this is completely open, this land will be not only improved by my company but this will be then donated to the Village. So it will be completely for the Village's uses, completely open space.

By the way, dimensions on this

plan, it may look small but this area in here for instance, it's 250,000 feet in depth. That's 2,100 linear feet on the face of the property all donated to the Village.

There are many of these elements that the Riverkeeper spoke about perhaps as not laid out clearly enough in the plan but they are there. We can debate whether they are the appropriate thing, not the appropriate thing, but it's not from a lack of effort or from reading the documents. They are all provided there. Thank you.

MAYOR ZEGARELLI: Shelley Robinson?

MS. SHELLEY ROBINSON: Good evening. My name is Shelley Robinson and I live at 258 Kelbourne Avenue, Sleepy Hollow and I want to thank the Mayor and the Board of Trustees for giving us, giving me part in this process. I am learning

a lot.

Sleepy Hollow is in the news. People are watching us and I think we are setting a good example, taking the time and listening to each other. To Mr. Stein and the Roseland and GM people that work so hard, I wish you the patience to go back to the drawing board with everything you've heard. I have a couple more thing for you to worry about.

Tonight I'll wear three hats. The first is my EMS hat. I have been EMT, Emergency Medical Technician on the local ambulance corps in Sleepy Hollow and Tarrytown for 30 years so I know the buildings of Sleepy Hollow and Tarrytown. I know the small elevators in town, the slow elevators and the no elevators. Most of all, I know stairs because in an emergency sometimes that's all we have,

PH5101

whether you are having a baby or having a heart attack and you need to get out of your building.

PH5101 (continued)

Ironically, in many of the medical emergency calls within the walls of the old GM plant itself I only recall there being two floors but with very high ceilings. There was one flight of stairs up to the doctor's office for stretcher patients. The alternative was an elevator the size of my kitchen.

But frankly, the thought of all the four story buildings of Lighthouse Landing give me pause as an EMT.

Will there be elevators?

Will they be big enough?

What will our response time be if there is a power outage?

Will we need non- resident access keys to each and every building?

Perhaps these interior details

are left for the site plan but the DEIS does not mention the possibility of an ambulance substation for the extra ambulance crew. PH5101 (continued)

Will the additional manpower of EMS be volunteer or paid as the expense of two or more full-time EMTs or paramedics salaries been included in the potential impact section? PH5102

As an EMS worker I also support the remarks made at last Saturday's hearing on the needs for a detailed evacuation plan in the event of a derailment or toxic spill or other mass casualty incident at the site. PH5103

What other crossings besides the Beekman Avenue Bridge, the H-Bridge and the Kingsland Service Road would be available for emergency vehicles?

For my second point I wear my garden club past president hat. First of all, I endorse our PH5104

president's statement made at the high school in support of Scenic Hudson Pocantico River restorations study.

PH5104 (continued)

My comments today are about trees. I quote from the DEIS, "Great trees are the most important element required here," talking about the Streetscape "to provide a sense of enclosure and make the space feel like a room."

PH5105

"Shade trees will be planted along the view streets generally 30 to 40 feet on center" and I'm not sure what that means "and will be chosen to account for the wind exposure associated with the site's riverfront location."

What are the plans for these streetside trees?

Why should the trees at the GM site expect anymore wind exposure than the big trees at Croton Point Park, Maithiessen Park, Rockwood

Hall or Lyndhurst unless maybe the project is creating wind tunnels with its massive blocks of four story buildings that, in fact, do dwarf our little lighthouse there. PH5105 (continued)

What scientific studies are the applicants doing to ensure the long life of these trees?

What arborist have they obtained to figure out the cubic yards of soil to maintain the big roots of the maple, elm, linden, pine or oak trees once the slab is removed?

And what about the flooding already so noticeable at Devries Park? PH5106

I don't know if you know Kathy's Memorial Garden. These memorial gardens planted so lovingly by the Village and attended by our garden club is gone because it was under water most of the year.

Who is helping to select the PH5107

variety of the trees on the site or the shrubs so we avoid the cookie cutter look of the flowering pear and the potted yew?

PH5107 (continued)

And finally, here is my request to Roseland's fine architects when they go back to their drafting tables. Try two-story buildings, show us two-family homes or even single-family homes with front yards or side yards like the ones in town on Washington Street, Beekman Avenue, Cedar, Elm, College and Depeyster Streets.

PH5108

Your plans will be embraced because you will be creating another Village neighborhood, not an urban wind tunnel on our waterfront.

Finally, I've put on my resident shopper's hat to point out what I think is an inconsistency in your DEIS concerning parking. I quote again from the Streetscape Guideline. It is important to

PH5109

remember that curb side parking is a key ingredient to a great sidewalk. I agree. When I'm on ambulance duty I need a parking place close to the stores in case of a call. I have my secret favorite street spots all over town.

However, in Roseland suggestions for remediation for the Level E and F intersections that were mentioned before which means unacceptable delays, predicted at the full buildout, the DEIS repeatedly recommending the elimination of scores of the very same on-street parking places in the heart of Tarrytown and Sleepy Hollow's shopping district. I can cite Beekman Avenue, Pocantico, Route 9 and Main Street, Route 9 and Franklin of examples from the DEIS recommends taking away twenty, twelve to twenty parking spots each around these intersections,

PH5109 (continued)

essentially making a four lane highway and I don't think any of these proposals would enhance Village life or be a catalyst for anything good in our villages.

PH5109 (continued)

Here is an idea that might, however, be a catalyst for good. Bring back the trolley that used to run up Main Street in Tarrytown or seriously study a small people mover like the one in London or at some airports. We might become the talk of the eastern seaboard: "Sleepy Hollow, isn't that the little village with the people mover, the monorail, the trolley? Let's go there. It goes over the railroad tracks, passed this cool little windy river along the Hudson passed all these neat little shops."

The DEIS refers to the MTA and the Thruway Authority preparing their short list for the Tappan Zee corridor. Let's lead the way with

our own master plan for moving people around without cars. It could be an idyllic loop, Sunnyside to Kendall by way of the train stations and main streets linking the Tappan Zee light rail. PH5109 (continued)

Please do look into this.

I'll leave you with one more item. This week, February 21st to 26th happens to be Flood Awareness Week in New York State declared by NOAA, the National Weather Service and the New York State Emergency Management Office. So today's special topic is flash flooding. I am proud that Scenic Hudson and our Village Planning Board and others have anticipated the needs for this in their proposals to protect and restore the waterfront and the Pocantico. PH5110

And, PS to the Mayor: I request a grass band with no fireworks when the Lighthouse Landing opens for

business.

MAYOR ZEGARELLI: Thank you. If I could make just one correction, the Village did move Kathy's Memorial on purpose. We moved it from one area to another and it has been relocated in the park. We actually moved it closer to the river but it's in a more protected area because it was getting trampled upon with people in the playground area so I just want to make sure, just for the record.

Marylou Gladstone?

MS. MARYLOU GLADSTONE: 49 Walden Road, Tarrytown.

Thank you, Mayor, for affording me this opportunity to speak. To the Village of Sleepy Hollow, Roseland Development and General Motors, I represent the Tarrytown/Sleepy Hollow Arts Council. This letter is a petition for consideration of a cultural

PH5201 (continued)

exhibit space to be incorporated into Lighthouse Landing, Sleepy Hollow, New York to be shared by the various nonprofit arts and cultural organizations of Sleepy Hollow and surrounding areas.

We, the Tarrytown and Sleepy Hollow Arts Council envision a multi-purpose, media-friendly space that will enhance the current cultural venues in Sleepy Hollow and Tarrytown, become a destination in and of itself and become a magnet attraction for the site and the Village.

We envision a space unique to the area that blends the elements of art, culture, community and environment, polished to gem-like perfection, incorporating the beauty of the site, excellence in architecture, appreciation for human needs and intelligent planning. Such a space would possibly include

the following points:

A white box flex space which would enable various types of arts exhibits and performances with moveable walls, portable stage, built-in sound and lighting system that would permit a solo performance, poetry reading, photography exhibit, sculpture, painting exhibit, jazz concert or dance performance for which the current cultural venue is too large. We are talking about an audience of 100 people or less.

A kitchen facility for receptions related to exhibits and performances. This also gives the possibility of sustainability as it enhances the space for a possible destination for receptions and parties by organizations, businesses and individuals to rent.

A possible commercial venue such as a cafe could be considered adding

to the destination design.

The space should be media-friendly with capability for radio, TV, skycam and Internet broadcasting, a visitor information center incorporating information from the Chamber of Commerce, Historic Hudson Valley, nonprofit organizations, tours and hotels, therefore, enhancing tourism and commerce.

A small bookstore with books of local interest by local authors and local history and a possible exhibit area for local history.

A satellite branch of the various historic societies could be located here and opened on a rotation basis.

There could also include a reading room branch of the Warner Library, again adding to the destination design.

In the same light, a mini-

environmental center or exhibit addition, in possible partnership with Scenic Hudson and other environmental groups could be there.

A possible children's museum with exhibits on art, science, environment, local history, a possible partnership again adding to the destination design.

A community lobby, atrium where people can meet, sit, read and enjoy the view. This could also include a room for meetings as well.

Small studio office space for non-profits like ourselves who have no home, where lessons could be offered and artists could have open studios. We envision a two-story central area with one wall open to a view of the Hudson River with a gallery around three walls of the second level. Studio space and offices would be off the gallery with the reading rooms, cafe,

restrooms, kitchen, special exhibits, meeting room and storage on the ground level.

A small broadcasting facility, comfortable chairs, plants, art work and sculpture complete the area. This is our wish list. Such an area could become the site for planned monthly community events, attracting community members and visitors and marking Lighthouse Landing as the place to be.

We thank you for your kind consideration of this petition and appreciate the attention that you have given us. We hope that our ideas are some of some value and can be incorporated into the intelligent planning of Lighthouse Landing in Sleepy Hollow, New York. We would be happy to meet with any of the involved parties for input and feedback. Very truly yours.

Thank you for the opportunity to

speak. Thank you.

MAYOR ZEGARELLI: April?

April Best.

MS. APRIL BEST: April Best, 107 Cortlandt Street, Sleepy Hollow.

To the applicant, Roseland, General Motors, Mayor Zegarelli, to our Trustees and the Planning Board, you have been very gracious to hold these public meetings. It's been expressed that some of them were not by law and I just would like to comment with a thank you for that. Thank you for going the extra mile, basically.

The request and comments that I wish for you to consider are number one, concerning Devries Park. I really don't believe that 40 parking spaces will be an ample amount of parking for the expanded Devries Park. I understand that you are adding some additional spaces and appreciate that. However, if you

PH5301

would just consider some more.

PH5301 (continued)

Currently, when we have a softball or baseball game we have two fields, two games going on at the same time, people aren't finding places to park.

We also host a TNT Awards picnic there and parking is extended way into the residential area and people are walking for blocks to get to the park. So with the additions I don't see where 40 could be enough. And I do see on the diagrams that there is going to be commuter parking adjacent on like the west side to the park. So perhaps you could share some of that.

PH5301 (continued)

Number two is regarding the marketplace. I heard the gentlemen speak earlier concerning the supermarket. I am not sure that the marketplace is a supermarket but I hope that it is. Because it's been shared that it will not be as large

PH5302

as a Stop and Shop but I would like you to consider making it at least double the size of the frequently used C town. It's congested on a daily basis and Sleepy Hollow at this time does not have our own supermarket. And so with the growth I believe, I ask you to consider that. PH5302 (continued)

Number three, at the last meeting we were shown previous plans which would have placed our seniors on less than desirable land. I am not sure if it was contamination or what it was but you pulled it out of the archives. Thank God that didn't happen. We love our seniors. However, the land that is currently being proposed for our seniors is closest to the railroad tracks. You know, I hope that the frequent noise and disturbances for the trains that come up to 1 a.m. in the morning doesn't have an impact, a negative PH5303

impact on our seniors, as well.

PH5303 (continued)

Last and certainly not least, the seniors have been given the consideration for 100 affordable units and absolutely, rightfully so. Our Village employees have also been respectfully taken into consideration for affordable units and that is also affordable.

PH5304

The market value housing for those who can afford them will definitely benefit the applicants southwest of our Village in a prosperous way which is unanimously a goal.

This list, however, is not all inclusive from my perspective. It's almost unfair to me because I was raised and I was born here in this Village. And I'm not a senior, I don't work for the Village, I don't volunteer for the Village and I'm not in a position to procure a market value home here. But my

PH5304 (continued)

roots are here, I graduated from the school district, I'm raising my children here, they are students in the school district and my parents own property here. I am really not looking to leave Sleepy Hollow because it is a beautiful place. But, you know, what I would ask is that a number of affordable housing be in a lottery, fair housing lottery or something of its kind for native residents who meet reasonable guidelines.

PH5304 (continued)

I understand that this debates a recent statement made by a gentleman at the February 18th meeting which suggested the reduction of apartments because of the obvious, you know, reduction that's going to take place on the site. And his reasons were, quote, because buyers have an invested interest, unquote, therefore, making them better residents. So what he suggested was

PH5305

that we would do away with the apartments versus the houses. And I will only say that that's not the rule of thumb. My grandparents have owned in this Village and rented to locals. My parents, they have several properties and they are landlords. So I understand how tenants can be.

PH5305 (continued)

On the other hand, I know plenty of homeowners and have lots of friends that have homes. One thing we do in this Village is home visits for our kindergarten students and working in the district it allowed me to go into a lot of homes. I would only say that there is as many slack unconscionable home owners as there are renters.

So, the statement was stereotypical. And I would only ask that all the people of this one Village not the inner village or the upper village or segments of the

PH5305 (continued)

village but all the people of the village be considered in this project and I thank you very much.

PH5305 (continued)

(Applause.)

MAYOR ZEGARELLI: Thank you for your kind remarks on the process. Frank?

MR. FRANK OCCHIPINTI: Good evening; Frank Occhipinti, 194 Webber Avenue, Sleepy Hollow.

I, too would like to reiterate some of the comments that people are making. I believe that parking, traffic, density are crucial points.

PH5401

But I would also like to shift gears now guys and I would like to say we've got the Beekman Avenue and the Gateway to our Community and I would like to you ask while you are here doing whatever you are going to be doing down there to strongly look at what you can do with Beekman Avenue. I would hate to see people coming into this village, going through

PH5402

Beekman Avenue and going through such a project or beautification and not do nothing with Beekman Avenue. Would you please really take a strong look at what you can do with that?

MAYOR ZEGARELLI: Thank you, Frank. Ken Terosian?

MR. KEN TEROSIAN: Ken Terosian, 420 Bellwood, Sleepy Hollow. I would like to thank the Mayor and the Board for the opportunity and to acknowledge what is probably the most thankless task you've ever encountered in your life.

MAYOR ZEGARELLI: In spades.

MR. TOROSIAN: I would like to make a couple of comments. Most of the issues do revolve around the density and the assumptions that are being made in terms of the number of students, terms of traffic, impact on parking and those assumptions are going to basically dictate what we

PH5501

live with for basically the rest of our lives in this town. PH5501 (continued)

One of more assumptions that comes up is the number of students and again the applicant mentioned tonight that they were using certain assumptions, they used assumptions that came up with the highest number of students. Again, I don't do this for a living but I can just look at some of the information that's been out there and take a look at things like there are 959 two and three-bedroom units being proposed. If we assume all 200 units that are being allocated to seniors are in the two to three-bedroom category that would leave 759 two and three-bedroom units for non-seniors. PH5502

I'm also assuming that the seniors are not Tony Randolph and won't be having children in their seventies.

What that would then mean is out

of 759 units there would only be 217 school children? That is less than one third having less than one child each.

PH5502 (continued)

Now again, they indicated that they will continue to look at this and they are saying that these are, they used the highest number, they used the school district number but there is something in there that just seems to be a disconnect in terms of it doesn't sounds credible.

I think the other thing we have to be careful about as we continue down this project is the use of certain language in terms of how things are presented. Throughout the meetings and again tonight and at certain other elements the applicant does use, will use certain phrases that I just think we have to be careful as to what they truly mean, even in the limited summary that we have without going through

PH5503

the actual document itself.

On page I-9, getting back to the number of students, they make reference to under the most conservative estimate of the 200 students. Well, the term conservative is not an absolute term, it's relative and therefore in and of itself has absolutely no meaning and in many cases those kinds of relative terms are used to kind of make something sound more based on fact than reality than it really is.

So essentially you can be in a situation which is potentially the situation here where you are making a more conservative assumption from a starting point that was totally ludicrous and therefore the more conservative assumption perhaps is less ludicrous but still ludicrous nonetheless and therefore, I just think we have to look at things in

PH5503 (continued)

the absolute and look at them from a factual standpoint and not get caught up in a relative comparison.

Relating to the school districts, and again, one of the things that was mentioned was looking at how the district determined the number of students and again, without, I don't know what was actually discussed and how the school district did it but I also do know that one of things the school district will do is they are looking not to overstate the number of students because that would create an over extension of the capital improvements and therefore overburdening the residents and the taxpayers.

PH5504

Therefore, the assumptions might not be relevant for both instances. And I would think for a project of this magnitude that's going to be this important and it's going to

effect generations to come, perhaps we should just be starting with a base set of assumptions and not using assumptions that are used elsewhere.

PH5504 (continued)

The other thing related to the schools as everyone is possibly aware in the next couple of weeks we'll be voting on the capital improvement project and again we just need to make sure as we go through this process as they have indicated they would where the outcome, whatever the final assumptions are that the outcome from those assumptions get taken into account in terms of how that fits with the capital projects we'll be voting on and I also think we just need to make sure that when they start talking about two million dollar surpluses that we make sure that that also includes any cost of capital and debt service related to

PH5505

PH5505

the capital improvements that will be required in future years.

The last thing I want to say is just kind of from a more personal kind of gut feeling. I haven't lived here that long. I have only lived, me and my wife only lived in this town in Sleepy Hollow for a year and-a-half. Prior to that I lived in Tarrytown for 6 and-a-half years. To be honest, we love it here. We love living in Sleepy Hollow.

I recently had an opportunity for a job that was an unbelievable opportunity and the only reason and it would have required relocation, and the only reason that I didn't pursue it is both my wife and I have the same perspective. We are not moving. Ever. We want to live here. We want to raise our family here and the Mayor and the applicant and the Board have continually

referred to this project as the opportunity of a lifetime or a once in a lifetime opportunity and I think that's correct.

I think the only thing as a resident and as a citizen that I would ask is we take this opportunity to create something that will make us all want to stay in Sleepy Hollow even more and not to create something to give us our only reason to leave. Thank you very much.

(Applause.)

MAYOR ZEGARELLI: Thank you, Ken.

Sunny McLean?

MS. SUNNY McLEAN: Good evening everyone and thank you all for your comments and your concern for our Village and the new developments that we are looking at for our future. Thank you, developers, Roseland and I'm not going to

remember all the names, Roseland and Streetscape and Andy Tung and John McCarthy and Spectrum and Jonathan Stein. I'm just very briefly referencing, this is very, very short. As a draft proposal, this is based on a document that I wrote representing a handful of people, a grass roots organization at the time called, a local community group for Lighthouse Landing Development and it was discussed with Phyllis Rina and Marsha Magee and they are here tonight representing General Motors. They called me back from Detroit and they said Sunny, it's a good idea. Why don't you work it up. So, this is what it's all about.

PH5601

Thank you for your recent comments on the creation of the Cultural Center on the former General Motors property site at Sleepy Hollow. This document is based on a prior proposal from 1997.

PH5601 (continued)

The draft proposal is to the developer of Streetscapes and the architects and I had entered this into the scoping session in May, May 20th, 2003.

PH5601 (continued)

Lighthouse Landing Cultural Community Center and River Stage; this document is based on the prior proposal September 1997 requested by Phyllis Rina and Marsha Magee of General Motors.

Thank you for your recent comments and creation of the Cultural Center on the former General Motors site in Sleepy Hollow, New York.

Overview: Consider a flexible community space to accommodate all Sleepy Hollow organizations and institutions and programs.

PH5601 (continued)

Picture an art gallery for community expression overlooking the lighthouse and the Tappan Zee Bridge.

Envision a visitors center museum wing featuring the natural wonders of the Hudson Valley and the artifacts reflecting remembrances of General Motors automotive industry, the Rockefeller family/Stonebarns and park preserve and the rich history of the Village of Sleepy Hollow, our new name.

Imagine "A Midsummer Night's Dream set against the backdrop of the sun setting behind the Palisades or a madrigal group in period costumes from Historic Hudson performing on a Lighthouse Landing river stage.

Visualize a film/community performance center serving the Village of Sleepy Hollow residents, departments and organizations.

See in your mind's eye a facility capable of generating its own musical, dramatic, literary, educational and municipal

productions. A performance space equipped with a state of the art telecommunications capability, Internet streaming and media transmission channels for regional or worldwide broadcasts.

A worldclass cultural community center and river stage at Sleepy Hollow will highlight the new partnership; a Village and a corporation working together to transform a former factory into a model community space.

Benefits: Provide national recognition for vision in site redevelopment and community relations and establish Roseland Streetscapes, General Motors and the Village of Sleepy Hollow as national patrons of the arts.

Create a multi-purpose magnet attraction for the site and Sleepy Hollow. We do not have one at this moment for the site and for our

PH5601 (continued)

Village of Sleepy Hollow.

Increase the site's value, attracting to it a diversity of business interests to blend with the arts complex and the tourist, corporate and residential elements. You have to understand, this is coming from a local resident. I'm not speaking on behalf of somebody from the outside, I'm speaking from someone that was born and raised here.

PH5601 (continued)

Restore the property as originally designated in the LWRP to the tax roles. The property I'm speak about is the property that was slated and of course understand that I'm not up to speed on everything but the LWRP indicated the General Motors parking lot right set below Hudson's Restaurant as a tax exempt property. Well, this proposal that I finally moved and learned more about could be restored to the tax

PH5601 (continued)

roles for the Village and there would be a relationship there and a give back to the Village itself and the Village organizations through this use that I'm going to describe.

Designated in the LWRP tax roles, request the purchaser to consider and I don't know how the correct wording is so you'll have to excuse me for my lack of being able to articulate, a pilot program guaranteeing a new owner tax write-offs for their gift of shared use community center and visitor center space in return for that exemption.

This agreement would include the use of the Village cinema and river stage for Village recreation programs and events. Currently the Village is paying and I'm not exactly sure on this number so please, if I make a mistake understand, of somewhat less than $10,000 dollars per year in

custodial and rental fees for school facilities. We could gain that back by having our own and having our own at no charge.

The facility will create a location for recreation programs free of charge.

The facility will increase -- I can't read my writing -- it will increase the interest in our area and speaking about this, the facility itself, the facility as I said, passed this along to the arts council and they said, elaborate on the proposal. But the facility would be a multi-purpose facility as slated in the Roseland proposal for a cinema but what we are saying here is to expand the idea to make it a smaller cinema, a smaller stage, a stage that would be used for local groups on some kind of a part-time or sliding scale basis, not to conflict or compete with the music

PH5601 (continued)

hall, to be encouraging local community groups on some sliding scale like the Sleepy Hollow Performing Arts Center and the Tappan Zee arts center and our own to use it on some sliding scale basis and the recreation programs that are very infrequent and there are only a few during the year to have it for use gratis.

PH5601 (continued)

To expand commerce trade, encourage tourism in the area by providing an attractive business link. Make Lighthouse Landing an integral part of the greater area by providing a dedicated community center facility for the Village of Sleepy Hollow's recreational seniors, youth and adult programs. We do not have any space for any of those programs at this time. Just to note that, I'm sorry, I can't read my writing. I am just going to read -- we are asking for local

PH5601 (continued)

community groups, arts organizations, commerce and local government limited use, some limited use of this cinema and stage for specialty meetings and performances.

Establish a community lobby for the Village of Sleepy Hollow residents to congregate, enjoy the magnificent view sheds and community meeting area equipped with fireplace, pool tables and comfortable chairs. PH5601 (continued)

Just to finish up, the facility will be a self promoting through media and Internet coverage of happenings at the new riverfront property.

The Village itself will finally gain its local activities center for our youth, adult programs, our seniors, eliminating thousands of tax dollars spent on renting space in hotels and schools.

Provide a level of cultural,

visual and literary arts and environmental education capability not available elsewhere in the region.

Establishing a visitors center/environmental mini-museum, children's museum. An environmental mini-museum will provide an environmental and historical educational venue for youth to develop direct links with Hudson River Educator, Scenic Hudson, the Riverkeeper, the Clearwater, ferry sloops in conjunction with area schools and colleges. PH5601 (continued)

This type of facility would offer east bank river towns a unique focal point destination and encourage tourism far and wide.

Since the cinema is already in position in the former General Motors employee parking lot, this proposal is sitting, it would not take much to augment the design of

that rendering to add these community features and amenities using Roseland proposal. The proposed cinema could take on some of the aspects of Pleasantville's Burne Center which we should absolutely be able to claim because we are part of the Rockefellers and there is no reason why we couldn't have that here, especially at the gates of the Hudson River.

Adding several gift shops, restaurants, utilizing the film center stage for moderate corporate use for whatever purpose they wanted but it would be low key for the traffic impact and it would be a perfect fit.

Adding the part-time shared use of the river stage, cinema, dedication of Sleepy Hollow's community and visitors center museum would create the perfect magnet attraction for the Lighthouse

Landing property it so critically needs.

The facility will create the location for recreation programs, eliminating thousands of tax dollars for renting space in the local schools.

Providing a level of cultural, visual, literary arts and environment education capability not now available elsewhere in the region.

And establishing a visitors center-environment education will provide an environment venue for our youth to develop direct links with Hudson River Educator, Scenic Hudson, Hudson River Foundation, Riverkeeper, Clearwater, ferry sloops in conjunction with area schools and colleges.

This unique complex would offer east bank towns a unique focal point as I've listed before and I am not

going to read again, but it is here for your document. A wide interest has been expressed by many of the organizations already here tonight plus local groups, Philipse Manor Improvement Association of Sleepy Hollow, Historic Hudson, Scenic Hudson, Tarrytown/Sleepy Hollow ts Council, The Hudson Valley Writers Center, Riverkeeper, Clearwater, Public Schools of the Tarrytowns, the Sleepy Hollow Society, Westchester Arts Council, Lyndhurst, Sleepy Hollow Recreation, Rockefeller State Preserve, Tappan Zee Dance Studio, Old Dutch Church, Sleepy Hollow National Bank, Abigail Kirsch, The Castle, the Warner Library and it goes on and on.

Mayor Zegarelli, Village Board, Mr. Stein, Mr. Attinson, and I'll never remember all these names, Mr. Tung, Mr. Sachs, Mr. Smith, Mr. Dwight Douglas, Mr. McCarthy, we

wish you, we wish to have this proposed use included formally in this DEIS document.

The friends of the proposed Lighthouse Landing Cultural Center and Riverstage at Sleepy Hollow, which I am representing tonight, believe that this type of facility will not only provide a centerpiece, and a magnet attraction for the visitors but it will create a very much needed recreational space for our village residents and community groups.

Thank you so much for affording me the time.

(Applause.)

MAYOR ZEGARELLI: Thank you, sunny. I also want to thank Community TV because they have been religious in their coverage.

(Applause.)

MAYOR ZEGARELLI: Haig?

MR. BOHIGIAN: I'm Haig

Bohigian, 225 Hunter Avenue, Sleepy Hollow. Tonight I'm representing anti-gridlock.

With all due respect to the honorable Roseland and people representing GM, et cetera, I would like to present you with 8 years from now the New York Times headlines, Lighthouse Landing gridlock. This is April 1st, 2013.

I have a lot of experience with gridlock because for 37 years I traveled by car to Columbus Circle for work so I know what it's like. It's awful. It's something you don't want to bring to a town.

Now just bear with me, I don't have a crystal ball but I think this is what a New York Times writer would write eight years from today.

Less than a year from its completion the Lighthouse Landings is in shambles. Ignoring protests from the community that the planning

density was too great Roseland was able to bypass the Mayor and trustees and get IDA's approval. Unfortunately, the architects failed to plan for more than one entrance and exit. It had been suggested that at least three were needed. Traffic builds up quickly in the morning along Beekman Avenue spilling over on to Route 9 and doesn't abate until evening. This is a serious threat to the Long Island Expressway's credentials as the world's longest parking lot.

The downward spiral began when new residents were disillusioned and demanded refunds. Multiple lawsuits have been filed against Roseland, GM, former Mayor Zegarelli, trustees and the IDA.

Distinguished reputations have been damaged and bankruptcies loom on the rise.

The Village's budget is in the

red with the loss of 4.3 million dollars, the school budget is in disarray since none of the 6.5 expected will be forthcoming.

Property values in Sleepy Hollow and Tarrytown have nosedived due to residents inability to get in or around the villages.

A steady stream of households are filing Tax 0 share relief, further eroding the school boards tax base.

Merchants in both villages are feeling the pinch of lost business and are planning to leave the area permanently.

The Village is in serious danger of becoming a ghost town as more residents are putting up their homes for sale and accepting virtually any offer that they are lucky enough to receive.

The article eight years from now finally concludes, the only hope for

Lighthouse Landing may be in converting the site to a prison, a group home setting, a nursing home, a cemetery or any other one that minimizes traffic use.

Now, I just have a few brief points at what can be done. This is a grim prediction, it doesn't need to come true.

One, reduce the number of residential units by 60 percent from 1,562 to 625. And by my calculations that 625 will generate the 217 students. PH5701

I very much would like to look at the data that you got, review that data where you came up with the figure that 217 would be adequate. I would be happy to review that. I just don't believe that. The 625 would do that generation.

Reduce the 180,000 square feet of retail pace by 30 percent, bringing it to 126,000. PH5702

Reduce the 50,000 office space by 30 percent, bringing it to 35,140. PH5703

Reduce the number of new residents by 60 percent from 2,900 to 1,160. PH5704

Number 5, this needs a little explanation. Keep the 33 acres on the tax roles. I'm not familiar with any project that does not require to provide for its space and then doesn't write that space off returning it to the local community and saying that it's tax exempt. That property should remain in your possession and you should have to pay taxes on it. It's done in all developments that way that I know of or that I have seen. PH5705

Six, build and equip two firehouses, not one. You are going to need aerial ladders for these buildings that are four stories high and you are going to have a marine PH5706

capability even for your fire units so you need at least two firehouses with pumpers and ladder traction paid for by Roseland and a police station with all the amenities and an EMS unit. PH5706 (continued)

Seven, develop a southern and northern exit and entrance to the facility in addition to the one down Beekman Avenue. You've got to face that. It must be done. How it's going to be done is another issue. PH5707

Redesign the residences in a more tasteful manner. PH5708

Ten, obtain a firm commitment from Metro North on the new train station. PH5709

Eleven, establish a cooperative approach with Tarrytown on new developments. PH5710

I was happy to see that apparently that's moving forward here from the earlier comments by the Tarrytown trustees.

Limit the height of all structures. PH5711

Thirteen, make sure that the permanent and temporary residency population can be evacuated in case of an emergency. PH5712

I made some notes to myself here from the discussions I heard and when you speak about surpluses to the school board and to the Village, according to your document that refers to at full build out. It doesn't define what full build out is but I assume it's at least a 1562 or are you referring to the maximum figure also in the document of 1900? PH5713

Now, obviously, we are not going to get full build out because if you do you are going do have gridlock. At what point does the reduction in the numbers come to a point where you have an equalization in the expenses incurred by the Village and the school board and the proposed

taxes that are generated.

And where does that threshold come in at? Because that's going to be very crucial for us to know because if we force you to build below a certain level we are going to get no tax benefit from the school or the Village. We have to know those facts. We have to know them early and we should know them, by the way, before the election for the school board proposal that's coming up on March 8.

PH5713 (continued)

And I really would like to repeat again, I would like to review those documents that you said that you generated, you saw where the generation of students were based on those surveys.

And the final point, when you mention about waterfront activity and recreation, I don't think anybody had in mind putting one's toes in the river. I think the

PH5714

PH5714 (continued)

first time somebody falls off that thing with the lawsuits that they are going to ensue you'll close that down pretty quickly so that's not what's meant by waterfront recreation.

Thank you very much.

(Applause.)

MAYOR ZEGARELLI: We have three more names. I probably should have saved Haig for the end because Haig, I love you, I still love you, I love your comments, they are very thoughtful and considerate.

Rich?

MR. RICHARD PLANO: Richard Plano, 215 Harwood Avenue, Sleepy Hollow.

I'm really representing my itself tonight as a taxpayer of Sleepy Hollow and I'm sorry to the rest of you that I don't have an amusing sorry but thank you, Mr. Mayor, Board of Trustees for this

process in allowing the neighbors to speak out about this project.

We have been asked tonight to point out what has been left out of the DEIS. Let me humbly suggest that what has been left out of the DEIS is some common sense with respect to density.

What are the demographics of the residents Roseland is proposing for this project, for Lighthouse Landing? I do not believe Roseland really expects it to look anything like the whole Village of Sleepy Hollow. And I do not believe that their numbers make any sense. It's been pointed out.

PH5801

Let me go through some quickly now. They propose 1,562 units. I went through and added up the bedrooms. That's 2,745 bedrooms. 2,745. Yet they are saying that that's only going to increase the population by 2,999. So I guess

everybody gets their own bedroom pretty much. That's nice. I don't believe that 2,999 number. But let's assume that that's right. That 3,000 number is about a third increase in the Village of Sleepy Hollow. Which, if you do some quick math, it's about a 6th increase in the school district.

PH5801 (continued)

Okay that would imply about 400 kids, not 200. So if you want 200 I guess the project has to be halved. Okay? To me, the numbers in the DEIS do not hang together.

We've also been asked to remember the benefits of the project. In particular, the positive cash flow from houses. So let's take a look at the tax contributions to the Village of Sleepy Hollow, just the Village not to the school district since we are here at the Village's auspices. Let's take a look at the Village tax

PH5802

impact.

On Exhibit 9, Page 4, but I'm not sure which section because I was just photocopying a bunch of pages. Here we are -- Village of Sleepy Hollow, Sleepy Hollow tax, from 922 apartments the Village of Sleepy Hollow can expect about 1 million 1 annually in tax.

922 units being 1 million 1. And that's about 1,200 per unit. That's about 1,200 per unit.

From the 216 condos, we are to expect about 622,000 annually in tax. That's about 2,900 per unit.

From the 224 townhouses, the Village can expect 1,467,000 or about 6,500 per unit.

So, as a taxpayer, Mr. Mayor, Board of Trustees, I would like to conclude something. Remember, this is the Village of Sleepy Hollow, not Hoboken. Okay? To me the conclusion is clear. The density in

PH5802 (continued)

the proposal is far too high and includes far too many rental units. The 40 percent reduction in size sounds like a good start to me and achieving a reduction in regular units will help traffic, density and school population. Thank you.

PH5802 (continued)

(Applause.)

MAYOR ZEGARELLI: Tim Grajek?

MR. TIM GRAJEK: Hello, neighbors. I'm Tim Grajek. I'm a 15 year resident of Sleepy Hollow, Tarrytown. I live at 213 Webber Avenue and I feel I was brought to this area by fate.

I grew up in Detroit and as a child, as an art student, I'm a professional artist today, I had a book of how to do step by step water colors. And I did this painting of a lighthouse and it came out fairly well. I brought it to school and actually made this art show at my high school and it wasn't until

years later that I moved to Sleepy Hollow that I was at the waterfront and I thought, I have been here before, this lighthouse, I've seen it, it's all so familiar and I just felt that I've come home and I've always felt that way. And I always felt that Detroit was a good place to be from because I don't ever want to go back there.

And every time I come back home to Sleepy Hollow it's just a great place to come home to. Just coming over the valley and the beautiful scene of the river and just the way the light falls and everything, it's just incredible. And one of the things I was most, that brought me to the area, I was living in Manhattan for ten years and I was first drawn here by the historic sites like Lyndhurst and Philipsburg Manor and I was excited about what was said about Philipsburgh Manor

PH5901

PH5901 (continued)

tonight because I think the expansion enhancement is a great thing for the area and they have always been an excellent steward of the land and my family has enjoyed immensely over the years and visiting members of my family, it's one of the first things they check out is the Philipse Manor site and I know they will be a great steward and it will be like a time capsule into the future and I think they need to be strengthened. It's a great thing. It's a great anecdote for what is going on in the riverfront that I see.

That's the only point I would like to add to what's been said tonight. Thank you very much.

(Applause.)

MAYOR ZEGARELLI: Thank you, Tim.

And concluding, Mark Fry.

MR. MARK FRY: My name is Mark

Fry and I live at number 16 Independence Street. I think I'm number 27 tonight so I'll try to be brief and just touch on a couple of high points. And I do have an overview. Here we are. Good.

To follow on what the last speaker said, I was privileged to enjoy the candlelight evenings at Philipse Manor. What a wonderful way for my entire family to get into the Christmas spirit. We had a number of Dutch visitors -- I spent ten years in Holland -- who have also enjoyed Philipse Manor, Kykuit, and it is Kykuit even though it means "look out" in Dutch and all of those attractions, Lyndhurst, as well, have added so much to this area.

I don't know what the number one industry is in New York State but I know what number two is and that, of course, is tourism and heritage

tourism is growing in leaps and bounds, 17 percent last year alone.

I was also happy to see Victor Tafur making some well reasoned comments from, on behalf of Riverkeeper regarding the access.

Just to recount for those who weren't here Saturday, there is one place where they tie together. Heritage tourism, coming by boat, coming up the Hudson. It's wonderful if they have a place to park. I think it's very important. I look forward to. I'm certain you are going to have further conversations with the waterfront advisory committee. A good friend of mine is on that committee and I'm sure he will encourage actual uses where people can put their feet into the water. Having done that, I've actually swum in the Hudson River. I hope Kingsland Point Park Beach will be reopened soon. I'm standing

PH6001

PH6001 (continued)

in line but I would like to see additional water dependent uses on this site.

PH6001 (continued)

There is a wonderful opportunity for public boat launches. I know you have kayak facilities and yet I see a broad variety of everything from kayaks to canoes at that site, the ability perhaps for a modest marina, nothing perhaps as large as Tarrytown's two marinas, but I think that kind of use needs to be included, as well.

I am also on the Board of Directors of the Community Media and support Sunny McLean in a plea for an overall community center, including some television facilities provided that it doesn't compete with the music hall. I have been a long time supporter of the music hall.

PH6002

We need wonderful facilities in this Village but if we are going to

PH6002 (continued)

have a five million dollar facility at Sleepy Hollow High School, that's what's proposed, and we are asking for another large facility on this site, we already have a wonderful facility at the music hall. We have to make certain that we don't, we have to do a little facility utilization analysis to make sure we don't have too much of a good thing.

The music hall has been here for 120 years and it's struggling and making substantial progress so I think it's good to have things on this site, as well, provided that they are on a scale that is affordable and will encourage, of course, the high school to use the music hall for the big deal performances, not to have another competing facility. There are plenty of auditoriums in the two villages. But there is a place for something here but I'm not sure that

PH6002 (continued)

a big facility makes a lot of sense.

PH6002 (continued)

On behalf of the Historic Society of the Tarrytowns, excuse me, serving Sleepy Hollow and Tarrytowns, certainly we would like to be included with a little historical exhibit at the same multi-use facility.

PH6003

I would make a plea as a long time, I'm no longer a merchant, I had a place on Main Street. I think that whatever, there are serious downtown parking problems that exist in the Village of Tarrytown and on Beekman Avenue. I think whatever happens on this site and on Ferry Landings, I think that one of the mitigations, if it is necessary to provide left turn lanes and right turn lanes and if it should prove necessary to remove parking spaces along Route 9 either near the intersection of Beekman or Franklin, Independent, Main Street, it is

PH6004

especially important working closely together with these Village officials that at least an equal amount of parking be created for the upper, let's say upper Main Street, upper Beekman Avenue. We have a serious shortfall now and I think that's something that needs to be seriously considered.

PH6004 (continued)

It's been a long evening and there have been so many wonderful comments but I'll leave it at that for now. I would be happy to participate as I said before.

(Applause.)

MAYOR ZEGARELLI: Thank you for your comments. I thank everyone for coming. Before you leave let me go through a couple of things.

Number one, there are sign-up boards over here if you haven't read it and you would like to participate in some of the subcommittees, we went through them and we'll notify

you of the meeting dates.

For purposes of the record, we have extended the comment period to April 4th, which is a Monday, given that today is what, February 22nd and this is the last of the four hearings and/or meetings, I think that should give over a month, close to a month and-a-half worth of time for people to provide written comments. They should be sent in care of Dwight Douglas, the Village Administrator at the Village Hall here. He is the person on it.

I would like to again thank everybody and I appreciate your bearing with me, with my bronchitis which I think is turning into pneumonia, but we had over ten and-a-half hours of hearings. I want everyone to understand and I do appreciate the comments and the suggestions but I also want to reiterate that it is the policy of

this Board that we have kept the process open ultimately, yes, the Mayor and the Board of Trustees will be deciding on these issues. We've kept the process open, we encourage you to come up with additional comments if you would like. They, the applicant will have to address those points. They will have to answer them. They will have to answer them to our satisfaction. In other words if they just answer it and we say wait a minute, that's sort of not what we really was asking, they have to go back and expand on it.

There were several comments from people from other communities and indeed, in some regards, with all due respect with our friends particularly from Tarrytown, they were probably half of all the commentators were from Tarrytown and we appreciate that.

Ultimately, the decision made by the Mayor and Board of Trustees will obviously be for Sleepy Hollow but we know that we are not an island here. We know that; we'll take things into consideration.

A meeting or so ago there were comments from Ossining, from an individual at the waterfront there and a critique of the process. The critique of the process was not at what we did but in particular highlighted what other communities don't do. And I want to make sure everybody understands whether the applicant is right or wrong in how they have applied their standards or their viewpoint on what the zoning says or what should be done or can be done, the point is that it comes back to your elected official to decide and that we have maintained as we consistently do, a wide open system and forum for people to

respond.

With that in mind I'll entertain a motion to close the public hearing.

Moved by Mr. DiFelice and seconded by Mr. Capossela.

On the question, all those in favor say, "aye."

(A chorus of ayes.)

MAYOR ZEGARELLI: Opposed? Carried. The hearing is closed. Thank you.

(The hearing was concluded at 10:50 p.m.)

C E R T I F I C A T I O N

STATE OF NEW YORK }
} ss.
COUNTY OF WESTCHESTER }

I, SUSAN M. GUADAGNO, Court Reporter and Notary Public within and for the County of Westchester, State of New York, do hereby certify:

That I reported the proceedings that are hereinbefore set forth, and that such transcript is a true and accurate record of said proceedings.

I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand.

Susan M. Guadagno, RPR
Court Reporter

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TO: Mark Weingarten, Esq.

RE: Lighthouse Landing

DATE: February 22, 2005

TOTAL DUE: $1,203