

800 East Main Street

preliminary Final Environmental Impact Statement (pFEIS)

Town of Yorktown

Lead Agency:

Town of Yorktown Town Board
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A. PROCEDURAL CONTEXT

800 E Main Yorktown Dev AMS LLC (the “Applicant”) proposes to construct an age-restricted residential community (the “Proposed Project”) that would replace the existing, vacant, office buildings at 800 East Main Street (Tax ID 5.19-1-15) (the “Project Site”). To effectuate its proposal, the Applicant has petitioned the Town of Yorktown Town Board (the “Town Board” or “Lead Agency”) to amend the Town Zoning Map to rezone the Project Site from OB Research Laboratory and Office District (the “OB District”) to the RSP-2 Senior Citizens District (“RSP-2 District”) and for amendments to the regulations of the RSP-2 District. The Zoning Code and Zoning Map amendments are referred to as the “Proposed Zoning.”

On October 24, 2022, the Applicant submitted its original zoning petition to the Lead Agency. On March 7, 2023, the Lead Agency determined that the Proposed Action has the potential to result in one or more significant adverse environmental impacts and directed the Applicant to prepare a Draft Environmental Impact Statement (DEIS) pursuant to the rules and regulations of the New York State Environmental Quality Review Act (“SEQRA,” Article 8 of the Environmental Conservation Law and its implementing regulations at 6 NYCRR 617). A Scoping Document was prepared as an initial step in the environmental review process to guide the preparation of the DEIS.

As required by SEQRA regulations, and in order to allow the public sufficient opportunity to comment on the draft Scoping Document, the Town Board accepted written comments on the draft from March 24, 2023 through April 14, 2023. A public scoping session, for the purposes of receiving oral comments, was held by the Town Board on April 4, 2023 and the draft Scoping Document was reviewed at the April 10, 2023 meeting of the Planning Board and at the April 18, 2023 and April 19, 2023 meetings of the Yorktown Advisory Board on Architecture & Community Appearance and Yorktown Conservation Board, respectively. On May 2, 2023, the Town Board adopted the final Scoping Document, which identified the issues to be addressed in the DEIS (see DEIS Appendix A-1).

On July 10, 2024, the Applicant submitted a preliminary DEIS to the Lead Agency, and on July 16, 2024, the Lead Agency accepted the DEIS as complete. Two duly noticed public hearings were held on the DEIS by the Lead Agency on September 3, 2024, and October 8, 2024. During the DEIS comment period, which was open through October 18, 2024, comments were received from the public, Town staff and consultants, and other Involved and Interested Agencies.

This document is a Final Environmental Impact Statement (FEIS), which has been prepared pursuant to the requirements of SEQRA. The purpose of this FEIS is to provide the Lead Agency’s responses to the substantive comments (both written and verbal) on the DEIS received during the public hearings and comment period. The DEIS is hereby incorporated by reference into this FEIS. Capitalized terms not defined in this FEIS have the meaning given to them in the DEIS.

B. REVISED PROPOSED PROJECT

DESCRIPTION

Based on input from the Lead Agency, various Involved and Interested Agencies, and the public, and consistent with SEQRA regulations at 617.9(b)(8), the Applicant has explored the possibility of further reducing disturbance on the Project Site compared to the Proposed Project and the Alternative Site Layout set forth in the DEIS. As a result of its analysis, the Applicant has developed a modified, alternative development plan (the “Revised Proposed Project”), The Revised Proposed Project is similar to, and an evolution of, the Alternative Site Layout (see DEIS, Chapter 17, “Alternatives,”) but would comparatively further reduce site disturbance, slope disturbance, parking, impervious areas, tree removal quantities, and total number of units. The Applicant’s preferred alternative is the Revised Proposed Project.

The Revised Proposed Project consists of 180-units of age-restricted multifamily housing developed in two multifamily buildings, consisting of 60 one-bedroom units and 120 two-bedroom units. Dwelling units in the multi-family building would range from approximately 845 sf to 1,369 sf. The average size of the one-bedroom units would be 860 sf and the average size of the two-bedroom units would be 1,162 sf, and all dwelling units would include balconies. Interior amenities for the multi-family buildings would include a clubhouse with club room, demonstration kitchen, catering kitchen, fitness center, spa, screening room, sports lounge, reading room, and an art studio. Exterior amenities would include a pool and barbeque area within the courtyard between the multi-family buildings, as well as sports courts and natural walking trails.

The multifamily buildings of the Revised Proposed Project are in the same location, and are the same height, as the multi-family buildings in the Alternative Site Layout. Each multi-family building would be four stories and approximately 55-feet tall and would feature similar architectural design to the building in the Alternative Site Layout. The residences would be supported by 270 parking spaces, open spaces, walking trails, and other recreational amenities, similar to the Alternative Site Layout (see **Figure 1-1**). The multifamily buildings would have a total of approximately 246,000 gross sf, including approximately 12,000 sf of amenity space (see **Figure 1-2**), resulting in a proposed site-wide FAR of 0.16. No cottages are proposed in the Revised Proposed Project.

ENVIRONMENTAL ANALYSIS

The potential environmental impacts of the Revised Proposed Project, with the exception of impacts to visual resources and natural resources, both of which are reduced, are materially the same as those of the Alternative Site Layout. This is because most of the environmental analyses of a proposed residential project (e.g., traffic, water and wastewater, etc.) are based on the number of residential units. Given the similar unit count of the Revised Proposed Project (i.e., 180 units) to the Alternative Site Layout (i.e., 185 units), the potential impacts from, and required mitigation for, the two alternatives would be substantially similar.

The primary physical difference between the two alternatives is that the Revised Proposed Project does not include the cottages, which, with the Alternative Site Layout, were proposed to be located in an area of the Project Site that is currently forested. The Revised Proposed Project would disturb 6.29 acres of slopes, which is 2.36 acres less than the Alternative Site Layout (See **Table 1-1**). The entirety of this reduction in disturbance results from the elimination of the cottages. Compared to the Alternative Site Layout, the Revised Proposed Project would result in 0.07 more acres of

disturbance to 0 percent to 10 percent slopes, but 1.63 less acres of disturbance to 10 to 15 percent slopes, and 0.80 less acres of disturbance to slopes greater than 15 percent, as compared to the Alternative Site Layout (see **Table 1-1**). The Revised Proposed Project would also result in 7.99 acres less disturbance to forested areas than the Alternative Site Layout (see **Table 1-2**). Similarly, the number of trees required to be removed for the Revised Proposed Project is 301, which is 350 fewer than the Alternative Site Layout, and 1,019 fewer than the Proposed Project (See **Table 1-3**). The Revised Proposed Project would require a net cut of 700 cubic yards, compared to a net cut of 8,915 cubic yards for the Alternative Site Layout. The Revised Proposed Project would also reduce impervious areas from 21.1 percent of the Site in the Alternative Site Layout to 16.0 percent (see **Table 1-4**).

Table 1-1
Slope Disturbance

Slope Grade	Disturbance to Slopes (acres)		
	Proposed Project	Alternative Site Layout	Revised Proposed Project
0% to 10%	7.39	3.21	3.28
10% to 15%	4.35	2.35	0.72
Greater than 15%	8.55	3.09	2.29
Total	20.29	8.65	6.29
Source: Site Design Consultants			

Table 1-2
Land Cover Impacts

Land Covertypes	Existing Acreage	Acreage with Proposed Project	Acreage with Alternative Site Layout	Acreage with Revised Proposed Project
Roads, buildings, and other paved or impervious surfaces	5.20	9.3	7.5	6.18
Forested	26.85	15.2	18.86	26.85
Meadows, grasslands, or brushlands	3.45	11.0	9.14	2.56
Source: Site Design Consultants				

Table 1-3
Tree Removal Quantities

Tree Type or Condition	Proposed Project	Alternative Site Layout	Revised Proposed Project
Protected	1,103	500	239
Specimen	162	87	35
Invasive	0	0	0
Dead/Dying	55	64	27
TOTAL	1,320	651	301
Sources: Site Design Consultants; Dynamic Survey			

Table 1-4
Project Site Coverage

	Existing Condition	Proposed Project	Alternative Site Layout	Revised Proposed Project
Total Site Area (acres)	35.5	35.5	35.5	35.5
Total Permeable area (acres)	30.3	26.2	28.0	29.8
Total Impervious Area (acres)	5.2	9.3	7.5	6.18
Percent Impervious	14.6%	26.2%	21.1%	16.0%
Total Building Area (acres)	0.7	3.7	2.0	1.6
Percent Building Coverage	1.9%	10.5%	5.6%	4.5%
Note: Totals may not sum due to rounding.				
Source: Site Design Consultants, Perkins Eastman				

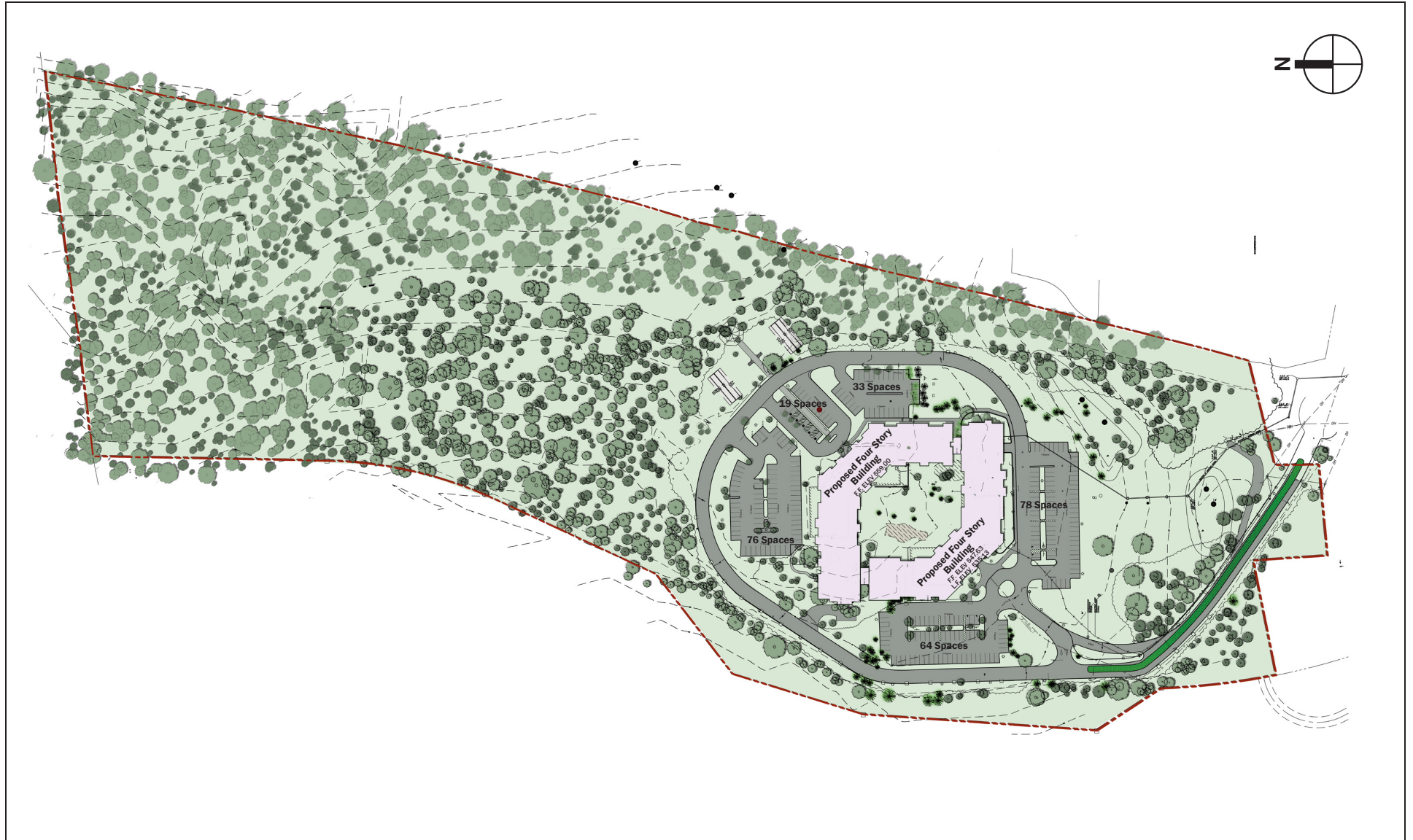
With respect to stormwater, the practices proposed for the cottages in the Alternative Site Layout are eliminated with the Revised Proposed Project. The practices proposed for the multifamily buildings are the same (see **Appendix B** for a Revised SWPPP).

With respect to visual resources, views of the Revised Proposed Project from vantage points south of the Project Site would be the same as with the Alternative Site Layout. From west of the Project Site, along the Taconic State Parkway, the views of the Revised Proposed Project would be substantially similar to the Alternative Site Layout, with the major change being the elimination of the cottages, which would have been closer to the Parkway.

C. FEIS STRUCTURE

The organization of the FEIS is as follows:

- **FEIS Chapters**
 - **Chapter 1, “Introduction.”**
 - **Chapter 2, “Response to Comments.”** This chapter provides responses to substantive comments on the DEIS received during the public comment period.
- **Appendices**
 - **Appendix A, “Revised Proposed Project Site Plans”**
 - **Appendix B, “Stormwater Pollution Protection Plan”**
 - **Appendix C, “Correspondence”**
 - **Appendix D, “Traffic”**
 - **Appendix E, “DEIS Comments”**

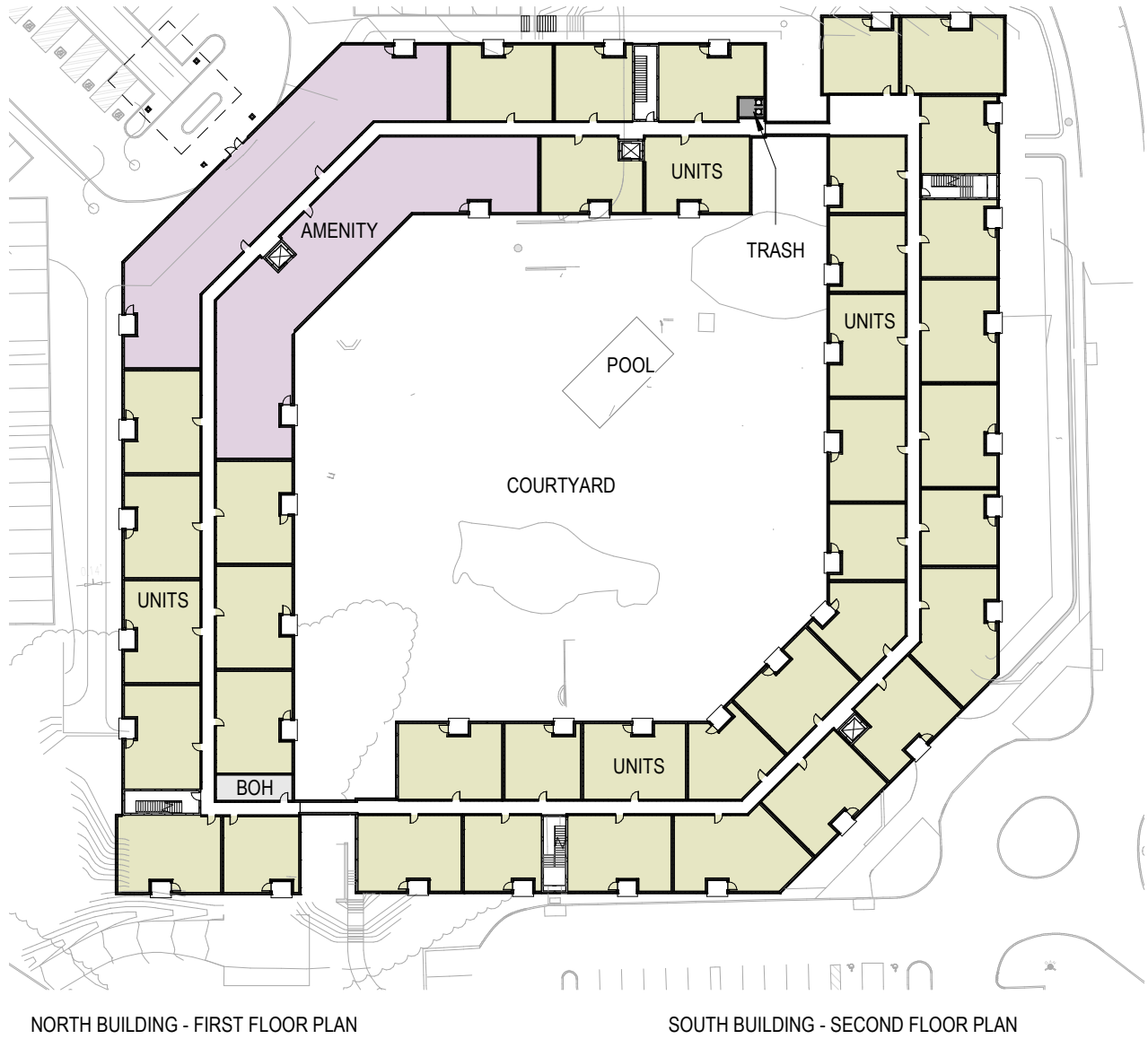




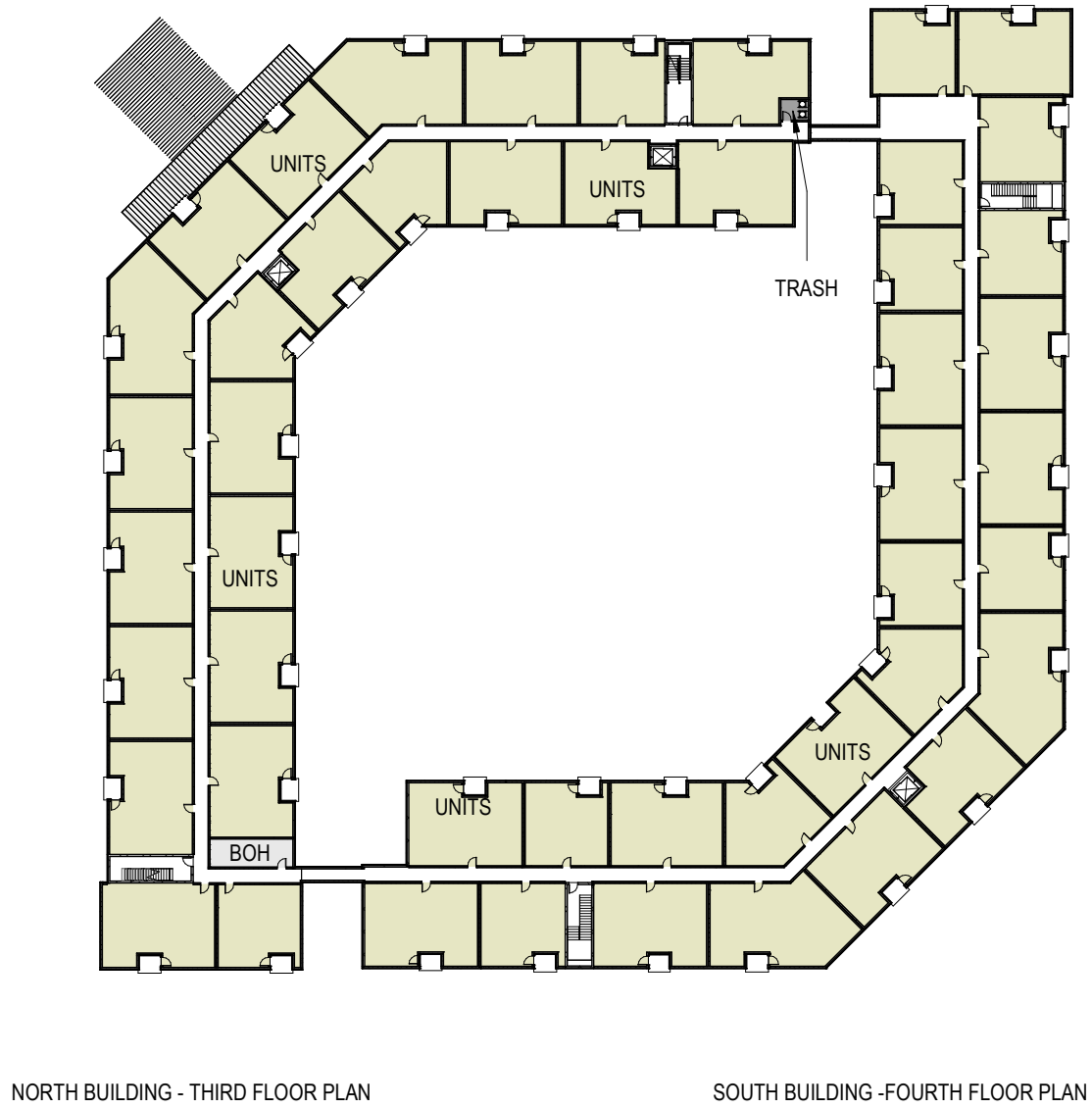
SOUTH BUILDING - GROUND FLOOR PLAN

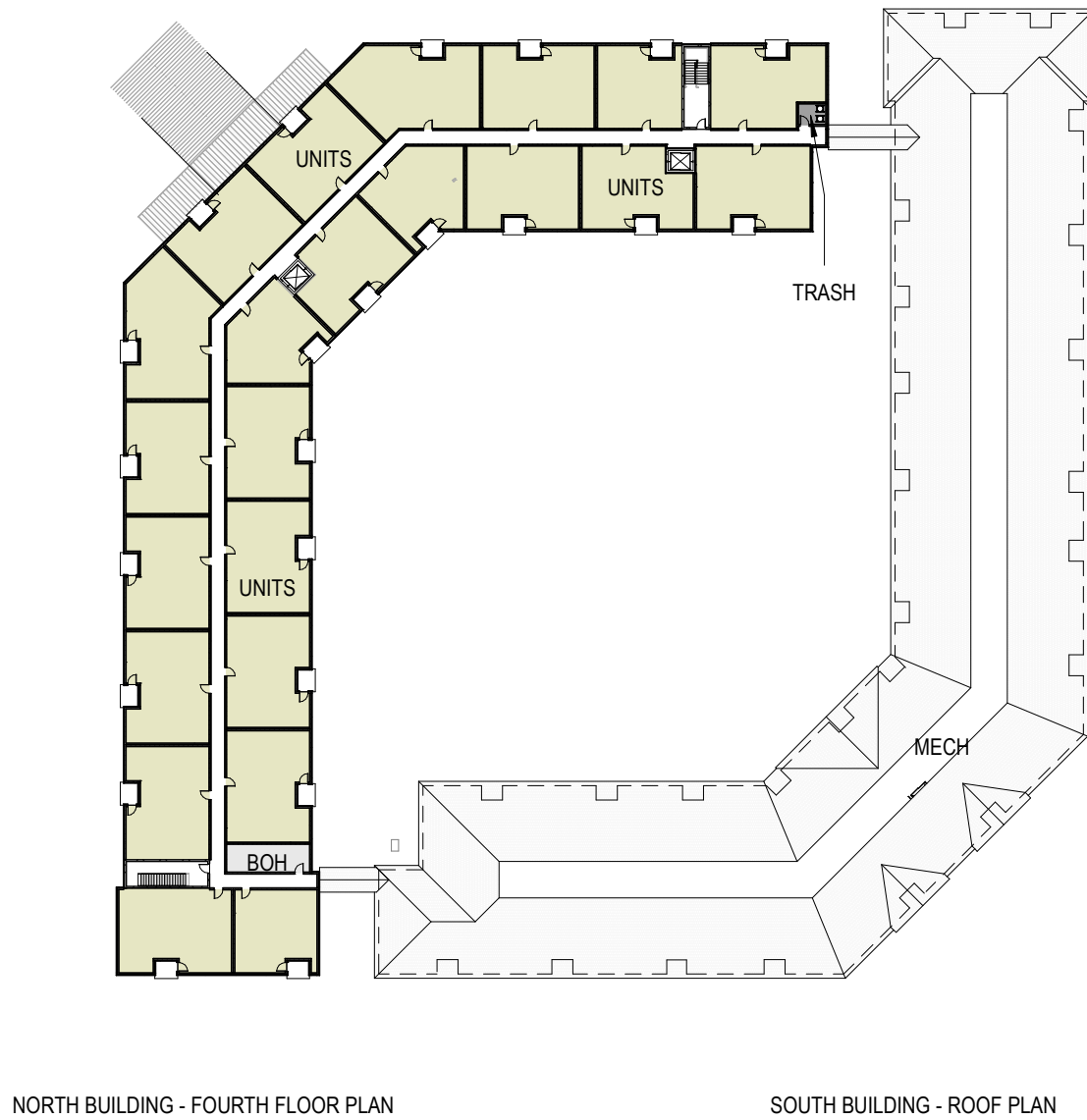


SOUTH BUILDING - FIRST FLOOR PLAN









This FEIS responds to substantive comments on the DEIS received either at the public hearings held on September 3, 2024, and October 8, 2024, or in writing during the comment period, which ended October 18, 2024. This includes all comments made by the public, the Town Board, and Interested and Involved Agencies.

Full transcripts of the public hearings and complete correspondence from which these comments are drawn can be found in **Appendix E**.

Each substantive comment is presented in this chapter. Similar comments, in terms of subject or technical points, are grouped together. For ease of reading, a comment summarizing each group of similar comments is provided.

A. PROJECT DESCRIPTION

PROJECT SITE AND SURROUNDING AREA

Comment 1: Comments were received regarding the existing zoning of the Project Site and adjacent properties and the geographic extent of the Proposed Zoning.

I just have a question. How was Contractor's Register built on a dead-end residential road? No one ever gave me an answer when I came to meetings. (013_Kempton_PH_09-03-2024)

If the area gets rezoned, does my house get rezoned. If I wanted to sell it, it's still a residential house? (035_Kempton_PH_10-08-2024)

Response 1: The Project Site is within the Town's OB District. Principal permitted uses in the OB District include offices for professional or business use (Town Code §§ 300-21(C)(14), and 300-105). One of the Project Site's existing office buildings was constructed in the late 1980s, and the other in the early 2000s. Both buildings conform to OB District zoning and were approved after review by the Town Board and Planning Board. The proposed rezoning for the Project Site would only apply to the Project Site and would not change the zoning of other properties in the Town.

PROPOSED PROJECT

Comment 2: Comments were received requesting clarification of certain characteristics of the Proposed Project.

Just two quick questions. So, I think what Councilman Murphy was asking you was you're removing 67,000 square feet? (009_Esposito_PH_09-03-2024)

What would be the ratio here as to rental to sale? (009_Esposito_PH_09-03-2024)

Clarify certain terms. a. What is the different between a "townhouse" and a "cottage." b. What is a "villa" and how does its rental units differ from non-villa units. (004_Siegel_09-03-2024)

Response 2: The southern portion of the Project Site is currently developed with two, three-story office buildings, comprising approximately 63,617 square feet of floor area. Both buildings will be removed to facilitate the redevelopment of the Project Site.

The ratio of rental units to for-sale units in the Proposed Project was approximately four to one (200 rental units and 50 for-sale townhomes). "Townhouses" and "villas" are two of the building types proposed as part of the Proposed Project and would differ in outward appearance. "Cottages" are one of the building types proposed as part of the Alternative Site Layout (Alternative 4), and would resemble a low-scale townhouse. For the Proposed Project, all villa units and non-villa units (except for the 50 townhouses) are proposed to be rental units. As discussed in Chapter 1 of this FEIS, the Applicant's preferred alternative is now the Revised Proposed Project, which would consist exclusively of rental units in two multifamily buildings.

Comment 3: As the proposed residences would be age-restricted, we encourage the applicant to review the principles of universal design in this development. Universal Design standards allow all residents and visitors to fully engage in our public and residential spaces. Universal Design is also an important means of allowing household residents to age in place as well as to provide access for persons with mobility issues. (005_Westchester County Planning_09-03-2024)

Response 3: Universal design standards encourage development that is designed to be usable by all people, to the greatest extent possible. The Applicant has incorporated Universal Design principles in the Proposed Project and the development alternatives, as well as the Revised Proposed Project, so that all residents and visitors can engage in the public and residential spaces, residents can age in place, and all facilities are accessible to persons with mobility issues. For example, the varying housing sizes are designed to cater to a wide range of individual preferences and abilities (e.g., one-bedroom and two-bedroom units). All apartments in the development will incorporate wider passage doors for ease of

passage. Kitchens and bathrooms will be designed with clearances at appliances and fixtures to facilitate ease of use for a wide range of abilities. Points of access/egress in the buildings have been designed to be useful to people with diverse abilities through the inclusion of level entries (i.e., no steps) and ramps.

PROPOSED ZONING

Comment 4: The Planning Board requests that the rezoning resolution written by the Town Board leave room for the Planning Board to conduct their normal site plan review as to not hinder the review process. (003_Planning Board_08-30-2024)

Response 4: Comment noted. If the Town Board adopts the Proposed Zoning, the redevelopment of the Project Site will require site plan approval from the Planning Board in accordance with Article VIII of the Zoning Code. However, SEQRA review of the Proposed Zoning and Proposed Project (including the Revised Proposed Project) will conclude upon the issuance by the Town Board of its Lead Agency findings statement, which must precede adoption of the Proposed Zoning and site plan approval by the Planning Board.

PURPOSE AND NEED

Comment 5: Comments were received expressing support for a wider variety of housing typologies within the Project, especially incorporating into any redevelopment of the Project Site smaller units and units that are not “luxury” units.

In meeting housing needs, the Town should be looking at both the demographics of the community and the impact of a development on the diverse housing needs. The Town’s demographics appear to support the need for senior housing. The proposal appears to be for high end or “luxury” units for a 55-and-older population. The mix of rental and townhouse units proposed contributes to the diversity of housing types in Yorktown. However, there is no attempt to address the needs for a diverse range of housing sizes and prices to meet the needs of all Yorktowners. Not all seniors wishing or needing to downsize can afford “luxury” housing. Incorporating smaller, more affordable units as part of the housing mix would better meet Yorktown’s housing needs. (006_Community Housing Board_09-03-2024)

We have to deal with the affordability issue. The County tried to deal with it a couple of years ago, I made some presentations about, you know, people in Yorktown, and how many are paying too much for housing. So, there is clearly a need for housing, I would question whether there is a need for senior luxury housing. (014_Tanzman_PH_09-03-2024)

I'm not saying I'm totally opposed to the development. I am saying I think it should be a more diverse development. (014_Tanzman_PH_09-03-2024)

We would like AMS to consider making smaller units in their proposed development. Making smaller units means that instead of one unit of 3000 square feet, there would be two units of 1500 square feet. We realize that there will be more cars and more traffic, which will impact the surrounding area but a reasonable tradeoff for us, personally. (007_Open Space Committee_08-06-2024)

We hear about a housing crisis. I have never seen any evidence that there is a housing crisis for luxury housing. There's plenty of luxury housing around, and there are many opportunities to do it in many communities, new luxury housing in Peekskill. I don't believe that that fulfills a need. I believe, like other people have said earlier about the other project, in a diversity of housing. (014_Tanzman_PH_09-03-2024)

I like the aspect that you're, you downsized your project. I like the aspect that you are looking for housing that falls between these luxury apartments and condos and the, capital A, affordable ones. I think that this is missing in Yorktown, and has been talked about time and time again. The seniors who want to stay there, which my husband and I want to, we don't want to live in a large house, these smaller units appeal. So, thank you on that. (016_Daniels_PH_09-03-2024)

The DEIS states that 49.9% of renters and 36.5% of homeowners in Yorktown are cost burdened or extremely cost burdened. How does your plan address that? (004_Siegel_09-03-2024)

d. How does your plan further the 2010 Comprehensive Plan goal of providing affordable work force housing? (004_Siegel_09-03-2024)

I'll first of all just echo what Sarah said, I think the project would be more beneficial if there was more diversity in unit size and unit prices. Some smaller units and lower priced units I think would serve the needs of Yorktown. (034_Belfer_PH_10-08-2024)

I'm probably the minority, but let me talk about this, would there be a way to put more units in that same section and make them smaller like Ken and Sarah were speaking to? (033_Pichett_PH_10-08-2024)

And, then, also, as Mrs. Sillik said, if you're looking at one- and two-bedroom apartments at \$3,000 to \$4,000, you know, is there any possibility to look at a small number of smaller units that, again, would help to address, from an income standpoint, people in our community that might not be able to afford that level? (032_Wilson_PH_10-08-2024)

Response 5: The units in the Revised Proposed Project would range in size from 845 sf to 1,369 sf, smaller than the units of the Proposed Project. The Revised Proposed Project would also add to the Town's inventory of age-restricted (55+) housing. Finally, while not every project can respond to every need of a community, the Revised Proposed Project would meet a local and regional need for additional, rental housing. Adding to the supply of housing within a region is one way to slow the increase in housing costs. However, the Revised Proposed Project does not advance the Town's goal of providing affordable workforce housing.

Comment 6: Comments were received questioning whether, and to what extent, the Proposed Project met the housing needs of different populations within the Town.

The DEIS should differentiate between the housing needs of different senior age categories, e.g., the Westchester County Housing Assessment discusses the need for assisted living facilities, not rental housing, for the growing 85+ senior age group. (004_Siegel_09-03-2024)

Why senior housing and not non age restricted multi-family housing. a. The DEIS states that the Westchester County Housing Needs Assessment says that Yorktown needs 1,085 affordable units. i. What is source of data? ii. Does the 1,085 distinguish between senior and non-age restricted or between rental and purchase? b. How does the development address that need? c. How does your plan address the Comprehensive Plan goal for a diversity of housing for all demographic groups? (004_Siegel_09-03-2024)

The only two things that I wanted to address, you know, tonight is, obviously, it makes perfect sense to fix the zoning, right, move it from office park to residential. Housing up there makes perfect sense, as many people have said. But I question, again, why it needs to be zoned for senior because we have residents in all age groups that are in need of housing. I think it's wonderful that it's a rental housing development because we certainly have a need for that. We have a lot of proposals that are luxury town homes, and things, you know, three bedrooms, huge properties. (032_Wilson_PH_10-08-2024)

Response 6: No individual project meets all of a municipality's housing needs, and the Revised Proposed Project cannot address housing needs for all demographic and socioeconomic groups. The Revised Proposed Project would, however, meet an existing market need for senior rental housing, be consistent with the Town's Comprehensive Plan goals, and assist the Town in meeting its overall housing goals. The Revised Proposed Project does not include Assisted Living. Consistent with the Comprehensive Plan, the Revised Proposed Project would: (1) introduce a compatible residential use (in place of the existing commercial use) into an area that includes various residential neighborhoods; (2) increase housing supply and diversity in the Town by adding to the limited stock of age-restricted rental housing, providing a viable option for existing residents wishing to downsize and remain in the Town, and increasing the Town's housing inventory; (3) transform the visual character of the Project Site from primarily a large surface parking area and two commercial office buildings, to a landscaped residential neighborhood; (4) include large areas of open space, some programmed, to encourage passive and active recreation on the Project Site, as well as other amenities; and (5) retain nearly all of the forested areas of the Project Site, keeping development almost entirely within the previously disturbed area of the Project Site.

Comment 7: Have you as a builder done any straight multifamily? (028_Siegel_PH_10-08-2024)

Response 7: The Applicant has developed multifamily projects without an age restriction.

Comment 8: So, here's another opportunity for this Board to do the right thing and address the twin crisis of affordability and housing. Repurposing an already developed area of town that is vacant is a very appropriate use. It adds to diversity of types of housing because there is rental, although it does increase the amount of high-end luxury housing. (019_Gregory_PH_09-03-2024)

Response 8: Comment noted.

REVISED PROPOSED PROJECT

Comment 9: You know what, I'm going to start with a question. I know we had discussed less disturbance on the site. Were you able to look into that at all? (027_Lachterman_PH_10-08-2024)

Response 9: Based on input from the Lead Agency, various Involved and Interested Agencies, and the public, the Applicant has developed the Revised Proposed Project, which is now its preferred alternative. The Revised Proposed Project would significantly reduce the amount of disturbance on the Project Site, and concentrate nearly all (98 percent) of the disturbance in areas previously disturbed.

Compared to the Proposed Project and the Alternative Site Layout, the Revised Proposed Project would further reduce disturbance to steep slopes, require less cut and fill, remove fewer trees, and result in less impervious surfaces (See **Table 2-1 through Table 2-4**). The estimated earthwork for the Revised Proposed Project would result in a net cut of 700 cubic yards (significantly less than the net cut of 8,915 cubic yards required for the Alternative Site Layout). See also the discussion of the Revised Proposed Project in Chapter 1 of this FEIS.

**Table 2-1
Slope Disturbance**

Slope Grade	Disturbance Area – Proposed Project (acres)	Disturbance Area – Alternative Site Layout (acres)	Disturbance Area – Revised Proposed Project (acres)
0% to 10%	7.39	3.21	3.28
10% to 15%	4.35	2.35	0.72
Greater than 15%	8.55	3.09	2.29
Total	20.29	8.65	6.29

Source: Site Design Consultants

Table 2-2
Land Use Impacts

Land Use or Covertypes	Existing Acreage	Acreage with Proposed Project	Acreage with Alternative Site Layout	Acreage with Revised Proposed Project
Roads, buildings, and other paved or impervious surfaces	5.20	9.3	7.5	6.18
Forested	26.85	15.2	18.86	26.85
Meadows, grasslands, or brushlands	3.45	11.0	9.14	2.56
Source: Site Design Consultants				

Table 2-3
Revised Proposed Project - Tree Removal Quantities

Tree Type or Condition	Total Diameter	Number of Trees To Be Removed	Total Number of Regulated Trees To Be Removed
Protected	2626	239	274
Specimen	960	35	
Invasive	-	-	27
Dead/Dying	410	27	
			301
Sources: Site Design Consultants; Dynamic Survey			

Table 2-4
Existing and Proposed Building and Impervious Surface Coverage

	Existing Condition	Proposed Project	Revised Proposed Project
Total Site Area (acres)	35.5	35.5	35.5
Total Permeable Area (acres)	30.3	26.2	29.8
Total Impervious Area (acres)	5.2	9.3	6.18
Percent Impervious	14.6%	26.2%	16.0%
Total Building Area (acres)	0.7	3.7	1.6
Percent Building Coverage	1.9%	10.5%	4.5%
Note: Totals may not sum due to rounding.			
Source: Site Design Consultants, Perkins Eastman			

Comment 10: So, just to clarify, so you guys [in the Revised Proposed Project] are using the same footprint of the building pretty much. Footprint plus 10 percent or something like that? (026_Murphy_PH_10-08-2024)

Response 10: With the Revised Proposed Project, 98 percent of the disturbance would take place within previously developed/disturbed areas.

Comment 11: We also suggest that, pursuant to comment at the hearing and our continued evaluation of the site plans, that the applicant evaluate whether further reduction

in site disturbance and/or a reduction of the proposed developed area can be achieved. Such reductions will lessen the potential negative effects of the proposed development and contribute to its overall sustainability. (024_Planning Board_10-04-2024)

Response 11: See Response to Comment 9 and discussion of the Revised Proposed Project in Chapter 1 of this FEIS.

B. LAND USE, ZONING AND PUBLIC POLICY

LAND USE

Comment 12: And the final comment is it was shown on the screen, but nobody reacted to it, and I reacted when I saw that in the DEIS, could somebody explain what's called the Roc Shrub Oak proposal for multifamily housing that you mentioned in your DEIS, which is the first time that I ever heard that? And that would be another multifamily development in the Route 6 corridor. That would be the parcel of land to the east of Barger Street, between Barger and the Taconic Parkway behind the new Cocoa Farms, that would be there. So, could somebody talk about where that development is because that's yet another potential development? (012_Siegel_PH_09-03-2024)

Response 12: Roc-Shrub Oak Associates has proposed a multifamily development with up to 150-units on certain parcels southwest of the intersection of U.S. Route 6 and the Taconic State Parkway that are currently in the Town's "O" Office District. That project would require a change to the site's current zoning to allow a residential development.

ZONING

Comment 13: Comments were received expressing support for a requirement that the Proposed Project include regulated affordable housing.

Incorporating a requirement that 5 to 10% of the units are affordable under Yorktown's guidelines would also address an important Yorktown housing need. (006_Community Housing Board_09-03-2024)

You know, I think this makes a whole lot more sense in context of what we heard about with Toll Brothers and the 2,400 to 3,000 square-foot town houses versus 800 to 1,200, 850 to, you know, this is much more reasonable in terms of providing options. And, again, rental versus ownership. So, I think this does contribute towards housing diversity, which is great. I would just suggest that one additional thing in this more moderately priced development is requiring a small proportion of those units to be affordable with a capital

A, as Jane Daniels said, you know, would something that the Town Board does have the power to do and can do...and I guess the information that we got tonight about the size and potential market rate, rates for the units, was really helpful, but if I can ask that be included in the responses as that is a question, so it does get document in the response, that would be great (020_Wilson_PH_09-03-2024)

We note that the DEIS includes a discussion of the acute shortage of affordable housing in Westchester County that has been documented in the County's Housing Needs Assessment. It is critical for all of Westchester's municipalities to play a role in meeting this need, particularly since the economic and social impacts of this affordable housing shortage are spread throughout the county. Due to this County-wide need, the EIS should also include a discussion regarding Westchester County's affordable housing policies, and the Model Ordinance provision requiring: Within all residential developments of 10 or more units created by subdivision or site plan approval, no less than 10% of the total number of units must be created as affordable AFFH units. In residential developments of five to nine units, at least one affordable AFFH unit shall be created. We continue to urge the Town to re-adopt this portion of the Model Ordinance to ensure that any development on this site and elsewhere in Yorktown contributes towards meeting the need for affordable AFFH as documented in the Housing Needs Assessment. Approving this development without including a provision for a minimum set-aside of 10% for affordable affirmatively furthering fair housing would run contrary to County affordable housing policies. (005_Westchester County Planning_09-03-2024)

a. Update the discussion of Yorktown's past affordable housing initiatives to include the 2010/2011 set aside law that was repealed in 2016 and repeated calls to adopt a new set aside law that have been ignored. (004_Siegel_09-03-2024)

Response 13: Comments noted. The Revised Proposed Project consists of rental units ranging in size from 845 sf to 1,369 sf. The Town does not require new developments to include regulated affordable housing units and none are proposed. As stated in Response to Comment 6, no individual project meets all of a municipality's housing needs. The Revised Proposed Project would meet an existing market need and is consistent with the goals of the Town's Comprehensive Plan. The Revised Proposed Project would: (1) introduce compatible residential use (in place of the existing commercial use) into an area that includes various residential neighborhoods; (2) increase housing supply and diversity in the Town by adding to the limited stock of age-restricted rental housing, providing a viable option for existing residents wishing to downsize and remain in the Town, and overall increasing the Town's housing inventory; (3) transform the visual character of the Project Site from primarily a large surface parking area and two commercial office buildings, to a landscaped residential neighborhood; (4) include large areas of open space, some programmed, to encourage passive and active recreation on the Project Site; and (5) retain nearly all of the forested areas of the Project Site,

keeping development almost entirely within the previously disturbed area of the Project Site.

Comment 14: I don't understand why this is going to be a senior citizen's district. I don't understand how it all lays out. Is it just pertaining to this one property, or will the senior citizen district become something in that whole area and then it's rezoning...and it says 55 and older. So, I thought senior citizens were 62 and older, but I guess the law is written for 55 and older? (017_Deer_PH_09-03-2024)

Response 14: The Applicant has petitioned the Town Board to change the zoning classification of the Project Site from OB District to RSP-2 District. In addition, the Proposed Zoning requests certain changes to the RSP-2 District regulations that would apply to sites greater than 25 acres. The Revised Proposed Project's units would be age-restricted to those 55 years of age and older, as required by RSP-2 District regulations and permitted by the U.S. Fair Housing Act.

Comment 15: Show how the density of 250 units was calculated. (004_Siegel_09-03-2024)

Response 15: The Proposed Project, which is no longer the Applicant's preferred action, would be developed at a density (floor area ratio, or FAR) of 0.49, which is calculated by dividing the floor area square footage (771,283 sf) by the lot area of the Project Site (1,548,227 sf) (see DEIS Executive Summary, Table S-1). The FAR for the 185-unit Alternative Site Layout is 0.23, for the RSP-2 District 142-unit Alternative the FAR is 0.18, and for the 180-unit Revised Proposed Project the FAR is 0.16 (see **Table 2-12, *infra***).

Comment 16: So, who specifically, and this might have been answered already, who specifically dictates whether or not that area is age restricted, is that a Town issue, is it a developer issue, somewhere in between. If that could be answered, I'm just curious. (033_Pichett_PH_10-08-2024)

Response 16: The permitted uses in each zoning district are determined by the Town Board. The Applicant has petitioned the Town Board to change the zoning classification of the Project Site from OB District to RSP-2 District, which permits age-restricted housing.

Comment 17: Is there a requirement that each place has to have a certain number of parking spots? Is that, would that be possible to reduce that? Also, I know in my area, you know, if there were only one or two cars in each lot, that would be a nice thing, but we walk by and we see sometimes seven, eight, nine cars in parking lots, or on the street, or whatever. So, is there anything to mitigate that to, once again, going back to possibly reducing the parking spaces? (033_Pichett_PH_10-08-2024)

Response 17: The number of parking spaces required for various land uses, including age-restricted housing, is codified in the Town’s Zoning Code. The Applicant is not proposing to amend existing parking requirements and proposes to include 270 parking spaces in the Revised Proposed Project, which is only 14 more spaces than required. The Applicant believes that this number of parking spaces is sufficient to serve the Revised Proposed Project’s demand. As an all rental residential facility, the Applicant would have the authority to limit the number of vehicles that each unit would be allowed to park on the Project Site.

C. VISUAL AND COMMUNITY CHARACTER

Comment 18: The [Conservation] Board is concerned that the four-story buildings will be visible from the Taconic State Parkway, a recognized scenic byway. (002_Conservation Board_08-09-2024)

Response 18: The multifamily buildings of the Revised Proposed Project are the same height and in the same location as the multifamily buildings of the Alternative Site Layout. The DEIS, in Chapter 17, included photosimulations and illustrative cross-sections of the Alternative Site Layout from the Taconic State Parkway. As demonstrated in Chapter 17, the four-story buildings would not be visible over the existing tree-line. During leaf-off conditions, the buildings would be visible through the 150-foot-wide vegetated buffer. During leaf-on condition, the buildings would be obscured.

Comment 19: Comments were received concerning existing and proposed lighting on the Project Site.

If you go by that property at night, it’s like lightening bugs, you see all the lights from the property, from the buildings that were there. You know, you don’t see the buildings, but you know they’re there. (013_Kempton_PH_09-03-2024)

What kind of lighting is going to be on this property? I didn’t see that addressed, or what kind of light pollution would be created there. (019_Gregory_PH_09-03-2024)

Response 19: The conceptual lighting plan for the Revised Proposed Project is substantially similar to the plan prepared for the Alternative Site Layout. The main difference would be the removal of the cottages (and associated lighting). As stated in the DEIS, lighting fixtures would utilize cut-off luminaires, be Dark-Sky compliant, and have distribution patterns to prevent light spillover onto adjacent properties to the maximum extent practicable. In addition, all fixtures would utilize LED lighting to reduce energy usage and maintenance costs. The final lighting design would be compliant with Chapter 200, “Outdoor Lighting,” of the Town Code,

including the 16 foot height limit for outdoor lighting, and would be reviewed and approved by the Planning Board during site plan review.

D. CULTURAL RESOURCES

No comments were received.

E. GEOLOGY, SOILS AND TOPOGRAPHY

No comments were received.

F. ECOLOGICAL RESOURCES

Comment 20: Comments were received expressing support for future development on the Project Site to be within the areas of existing disturbance.

However, the Town should limit the developer to the existing footprint nearly as much as possible in order to limit the impact on the environment. (019_Gregory_PH_09-03-2024)

While we appreciate that a portion of the property would be maintained as woodland under the proposed plan, 1,320 trees would be removed from the heavily wooded site. The DEIS discusses the Town's requirements for tree removal mitigation. The applicant and the Town should work to ensure that the greatest number of trees as possible are protected, and that new landscaping include a variety of native plantings. (005_Westchester County Planning_09-03-2024)

So, one of the things we're talking about is the impervious property that they're going to add to. So, if they go with the larger plan, it's four acres of impervious land. And when we have two acres of impervious land on the smaller project, which hopefully they go that way if we end up allowing this. (017_Dee_PH_09-03-2024)

Response 20: In response to comments from the public and the Town Board, the Revised Proposed Project significantly reduces the amount of disturbance, and concentrates disturbance in areas previously disturbed (See **Appendix A**). The Revised Proposed Project would be developed almost entirely within the footprint of the existing office buildings and associated parking lots. Compared to the Proposed Project and the Alternative Site Layout, the Revised Proposed Project would further reduce disturbance to steep slopes, require less cut and fill, remove fewer trees, and result in less impervious surfaces (See **Table 2-5 through Table 2-8**). The estimated earthwork for the Revised Proposed Project would result in a net cut of 700 cubic yards (significantly less than the net cut of 8,915 cubic yards required for the Alternative Site Layout). See also the discussion of the Revised Proposed Project in Chapter 1 of this FEIS.

Table 2-5
Slope Disturbance

Slope Grade	Disturbance Area – Proposed Project (acres)	Disturbance Area – Alternative Site Layout (acres)	Disturbance Area – Revised Proposed Project (acres)
0% to 10%	7.39	3.21	3.28
10% to 15%	4.35	2.35	0.72
Greater than 15%	8.55	3.09	2.29
Total	20.29	8.65	6.29
Source: Site Design Consultants			

Table 2-6
Land Use Impacts

Land Use or Covertypes	Existing Acreage	Acreage with Proposed Project	Acreage with Alternative Site Layout	Acreage with Revised Proposed Project
Roads, buildings, and other paved or impervious surfaces	5.20	9.3	7.5	6.18
Forested	26.85	15.2	18.86	26.85
Meadows, grasslands, or brushlands	3.45	11.0	9.14	2.56
Source: Site Design Consultants				

Table 2-7
Revised Proposed Project - Tree Removal Quantities

Tree Type or Condition	Total Diameter	Number of Trees To Be Removed	Total Number of Regulated Trees To Be Removed
Protected	2626	239	274
Specimen	960	35	
Invasive	-	-	27
Dead/Dying	410	27	
			301
Sources: Site Design Consultants; Dynamic Survey			

Table 2-8

Existing and Proposed Building and Impervious Surface Coverage

	Existing Condition	Proposed Project	Revised Proposed Project
Total Site Area (acres)	35.5	35.5	35.5
Total Permeable Area (acres)	30.3	26.2	29.8
Total Impervious Area (acres)	5.2	9.3	6.18
Percent Impervious	14.6%	26.2%	16.0%
Total Building Area (acres)	0.7	3.7	1.6
Percent Building Coverage	1.9%	10.5%	4.5%
Note: Totals may not sum due to rounding.			
Source: Site Design Consultants, Perkins Eastman			

G. SOCIOECONOMIC AND FISCAL IMPACTS

EXISTING HOUSING CONDITIONS

Comment 21: The DEIS says there are a limited number of age-restricted senior developments in town. I think we all know that this is inaccurate, especially with all the projects now proposed in the pipeline for this town are built. Most of them, including the nearby Trump Park Residences, are at market rate, or even luxury housing. (019_Gregory_PH_09-03-2024)

Response 21: Comment noted. The Applicant is only aware of two projects “in the pipeline” that are age-restricted or include an age-restricted component. The Town has approved the development of Underhill Farms, a mixed-use development located at Underhill Avenue, including rental and for-sale apartments, condominiums, and townhouses, where half the units would be restricted for those aged 55 and over. The other pending project is located at 2300 Catherine Street, and would be for-sale condominium housing for 55+ residents, unlike the Revised Proposed Project which will be rental housing.

DATA REGARDING NEED FOR PROPOSED PROJECT

Comment 22: Comments were received regarding the projected rents and purchase prices for the Proposed Project’s residential units, as well as the affordability of those residential units.

Rents and for sale prices. a. What are projected rents and townhouse purchase prices. i. These figures must be known as rental income and townhouse values are factored into DEIS tax revenue analysis. ii. Also, rents figure into income projections used to show overall economic benefits. (004_Siegel_09-03-2024)

c. Compare and contrast the development's estimated rents and purchase price with HUD's 2024 median Westchester income guidelines for rental and homeownership and how the rents and purchase price correlate with the 30% housing cost standard. (004_Siegel_09-03-2024)

e. What is the median income of Yorktown seniors, using the same age categories used in census? (004_Siegel_09-03-2024)

Response 22: The rents and sales price assumptions used for analysis are reasonable and appropriate for environmental review; the purpose of the analysis is not to predict actual rents and sales prices, which depend on changing market conditions. The rents for units in the Revised Proposed Project are anticipated to range from approximately \$3,000 to \$4,000 per month, subject to market conditions at the time the facility is completed. Under the Westchester County 2023 Income & Rent Limits Program, a 2-person household earning 100 percent of the area median income of \$124,950 could afford a rent of \$3,124. Based on this, the annual household income required for the Revised Proposed Project's units to be considered "affordable" at rents of \$3,000 to \$4,000 is approximately \$120,000 to \$160,000.¹

Comment 23: Comments were received requesting additional information on the need for age restricted housing in the Town.

Ability to absorb 250 additional housing units. a. What is the basis for the DEIS assumption that the "Low homeowner vacancy rate" is an indication of town's ability to absorb additional housing units? b. What, if any, is the correlation between homeowner vacancy rates and the need for rental units? (004_Siegel_09-03-2024)

The DEIS makes the assumption that there is a need for age restricted housing "in the area." i. Based on what data? ii. How is in the area defined? Is there any data showing need for existing Yorktown seniors? b. What data shows the need for senior rental as opposed to senior purchase? (004_Siegel_09-03-2024)

Response 23: Generally, when homeownership vacancy rates are low, it indicates a demand for housing units that is greater than the supply of available units. This often leads to increased demand for rental units as potential homeowners turn to renting due to the scarcity of available homes. High mortgage rates and low for-sale inventory can make renting the only affordable option for many. Senior homeowners and empty-nesters looking to downsize are increasingly turning to rental communities with amenities as an attractive alternative to owning a house. The number of Yorktown seniors aged 85 and older has increased by 11 percent since 2010, and by 29 percent in Westchester County as a whole. Based on this, and the

¹ <https://homes.westchestergov.com/images/stories/pdfs/24inclinlguide11025.pdf>

Applicant's experience in the industry, the Applicant believes that there is a strong market demand for the Revised Proposed Project.

Comment 24: Comments were received questioning whether the Proposed Project would serve the needs of existing Yorktown residents.

Where will the seniors be coming from a. The DEIS assumes that some will be current Yorktown seniors who are downsizing and others who will find Yorktown desirable. i. What is the basis for this assumption? What data? ii. Quantify how many seniors are projected from each group. iii. For downsizing, provide data on number of annual sales in Jefferson village and the number of rental units. (004_Siegel_09-03-2024)

Now, the applicant contends that this project will free up homes in the community by allowing seniors to downsize and move to this project. But the developers admit that this is luxury housing. So, I'm wondering what evidence do they have, or is there at all, that Yorktown senior residents would be able to afford to live there. (019_Gregory_PH_09-03-2024)

How many units in Jefferson Village are rented? (004_Siegel_09-03-2024)

f. How many Yorktown seniors have qualified for the TP-467 senior tax exemption? g. Provide data on the waiting lists for affordable senior housing at Beaveridge and Wynwood Oaks. (004_Siegel_09-03-2024)

Response 24: The DEIS does not assume that residents of the Revised Proposed Project will be current Yorktown seniors who are downsizing. The impact analyses in the DEIS do not depend on any assumptions as to whether future residents of the proposed facility are currently Yorktown residents, or of other communities. Based on the data provided in the DEIS, the Applicant believes that there is a strong market demand for the Revised Proposed Project, and local demographics and market conditions suggest that the facility would draw some residents from the local area. DEIS Chapter 7, "Socioeconomics and Fiscal Impacts," provides data on average and median household income in the Town. Notably, the median household income in Yorktown is \$140,935, compared to \$105,387 for Westchester County, and \$75,157 for New York State. According to U.S. Census data, of the 4,338 households in Yorktown where the homeowner is 65 years or older, 2,331 households, or 53.7 percent, earn \$100,000 or more (with 20.3 percent earning \$200,000 or more). The requested information regarding Jefferson Village, Beaveridge Apartments, and Wynwood Oaks is not relevant to potential environmental impacts of the proposed facility. See also Responses to Comments 23 and 27.

IMPACT OF PROJECT ON DEMOGRAPHIC AND SOCIOECONOMIC CONDITIONS

Comment 25: Clarify the 310 population projection. a. The population is based on the 2006 Rutgers model, although in Chapter 17 the DEIS uses the 2018 Rutgers model to

calculate population for the non-age restricted alternative. Why the difference? b. In chapter 17, the population projection is based on 1 and 2 bedroom unit counts. But the 310 projection doesn't distinguish between 1 & 2 bedroom units. Why the difference? (004_Siegel_09-03-2024)

Response 25: The 2006 Rutgers study provides multipliers for age-restricted housing units. The 2018 Rutgers model does not provide multipliers for age-restricted housing units. The more recent, 2018 multipliers were used to estimate the population for the non-age restricted alternative. As shown in **Table 2-9**, below, applying the 2006 multipliers for non-age restricted housing, the estimated population of the Non-Age-Restricted Development Alternative would be 488 (as compared to 521 when using the 2018 multipliers).

Table 2-9
Non-Age-Restricted Alternative – Resident Population

Residence Type	Number of Units	Multiplier	Projected Population
5+ Units, 0-1BR (Rent)	49	1.51	74.0
5+ Units, 2BR (Rent)	79	2.30	198.3
5+ Units, 0-1BR (Rent)	28	1.51	42.3
5+ Units, 2BR (Rent)	44	2.30	101.2
5+ Units, 0-1BR (Own)	19	1.69	32.1
5+ Units, 2BR (Own)	31	1.80	55.8
Total	250	--	487.7
Sources: <i>Who Lives in New Jersey Housing? New Jersey Demographic Multipliers, The Profile of Occupants of Residential and Nonresidential Development</i> , Rutgers University, Center for Urban Policy Research, November 2006. Table II-a-1. Available at https://bloustein.rutgers.edu/wp-content/uploads/2015/03/NJDM.pdf			

Comment 26: The DEIS does not consider how the Project is reducing available space for housing for families, and it is increasing the percentage of our population that is senior citizens. It is clear it's going to be having an impact on what has become a loss of young people in our town. The Town needs to make sure the developer mitigates this impact. (019_Gregory_PH_09-03-2024)

Response 26: Comment noted. The Revised Proposed Project would remove approximately 63,000 square feet of commercial office space and replace it with 180 for-rent residential units available to residents 55 years and older. The facility would, therefore, not increase the number of young people in the community. However, as stated above, no individual project meets all of a municipality's housing needs. See also Response to Comment 6.

Comment 27: The developer's DEIS states that in Yorktown about 45 percent of renters are cost burdened, or extremely cost burdened, by their housing costs, and about 36-and-a-half percent of homeowners are cost burdened, or extremely cost burdened, by their housing costs. How, if at all, does this proposal address the high cost burden of housing in Yorktown? Does it make it worse? Again, they talk about it in there,

but then they don't address what impact it will have. It seems to me it will only make it worse. New York State has the SEQRA law which allows for an Environmental Impact Statement to address the impact that a proposed development will have on the affordability of housing in the area it is located. However, although the DEIS discusses the need for affordable housing in Yorktown, it doesn't address the impact of this development on affordability. Since this is intended to be luxury housing, the Town Board should reject this DEIS and require the developer to revise it to address and mitigate the impact on housing affordability in town. (019_Gregory_PH_09-03-2024)

Response 27: The Revised Proposed Project would increase the availability and diversity of housing in the Town. Increases in housing supply would, all other factors being equal, result in lower housing costs. As discussed in DEIS Chapter 7, “Socioeconomics and Fiscal Impacts,” there are 13,815 housing units in the Town (11,082 owner-occupied, and 2,733 rental units). The Revised Proposed Project would add 180 new residential units to the Town, which would increase the number of housing units in the Town by 1.3 percent, and number of rental units by 6.6 percent. The number of cost burdened and extremely cost burdened residents is an existing condition identified in the November 2019 Westchester County Housing Needs Assessment.; the anticipated rents of the Revised Proposed Project would not be “affordable” to these households The Revised Proposed Project would add an in-demand housing type to the Town’s housing inventory. The DEIS provides an assessment of the effects on socioeconomic conditions, including housing, of the larger Proposed Project and approximately same size Alternative Site Layout. As described in the DEIS, neither would directly or indirectly displace any existing residents. The anticipated population of the larger Proposed Project would represent less than one percent of the Town’s population in 2021, and therefore would not have the potential to alter the overall socioeconomic character of the Town. The Town has a higher median income than that of Westchester and New York State as a whole. The proposed facility would not be expected to introduce a population that is disproportionately higher-earning than the existing population. The Revised Proposed Project would also introduce 180 rental units into a Town that has a relatively small share of rental units,(19.8 percent of all housing units in the Town) allowing for an increased variety of housing options for residents. Therefore, neither the Proposed Project, the Alternative Site Layout, nor the Revised Proposed Project would be anticipated to significantly adversely affect the Town’s existing socioeconomic conditions, including demographics, housing, and employment trends.

ECONOMIC & FISCAL BENEFITS OF PROJECT

Comment 28: Municipal benefits. a. Clarify the total assessed value figure used to calculate future tax revenue. i. The letter from the town assessor in Appendix D estimates

the total assessed value at \$894,250. But Table 7-18 in the DEIS shows a total assessed value of \$2,208,446. 1. The town assessor's calculations should be included in the FEIS. b. The DEIS projects an increase of \$170,443 in revenue to the town over what the site currently generates. i. To put that number in perspective for the typical homeowner, the DEIS should note that based on 2023 tax rates and with everything else unchanged, that additional revenue would result in tax decrease of just \$12.99 for house with \$10k assessed value. c. Provide a table showing the INCREASE in tax revenue over current revenue for the 250, 185 and 142 (same footprint) unit plans that compares tax impact on homeowner with a \$10,000 assessed value. (004_Siegel_09-03-2024)

Response 28: A total assessed value of approximately \$1,208,446 was used to estimate future tax revenues of the Proposed Project as shown in Table 7-18 of the DEIS. The smaller Alternative Site Layout was projected to have an assessed value of \$894,250. This estimate was confirmed by the Town Assessor (see DEIS, Appendix D). As stated in Chapter 17, "Alternatives," of the DEIS, the Alternative Site Layout, which is comprised of 185 units, would generate \$1,073,965 more in property tax payments per year, including an additional \$118,372 to the Town an additional \$752,810 to the School District, than currently generated by the Project Site. The commenter notes that the additional tax revenue to the Town for the Proposed Project would equate to a \$12.99 decrease in the amount of Town tax payable for a house with a \$10,000 assessed value. Alternatives with a lower assessed value, such as the Alternative Site Layout, would have smaller decreases.

Comment 29: How would the additional assessed value for Yorktown impact the equalization rate, which in turn, would impact the tax rate for Yorktown property owners in the school district. (004_Siegel_09-03-2024)

Response 29: The State equalization rate is the total assessed value of a municipality divided by the total market value of the municipality. The contribution by the Proposed Project or an alternative, including the Revised Proposed Project, to the total assessed value and total market value of the Town would not be large enough to materially alter the State equalization rate. As noted in Response to Comment 88, the potential costs of additional students attending schools in the School District would be more than covered by the additional taxes received by the School District from the Revised Proposed Project.

Comment 30: General economic benefits. a. The DEIS states that new residents will generate \$442,854 in economic benefits. i. How many of the 310 residents are "new" as opposed to existing Yorktown residents who will be downsizing? b. Does the annualized spending data include purchases from some of the 310 residents will be snowbirds. c. What model was used to calculate projected spending by 310 seniors? i. IMPLAN or Bureau of Labor Statistics. ii. BLS shows that, with the

exception of health care, spending by age group is higher for non-seniors. iii. Show a revised economic benefit calculation based on BLS model and reflecting a percentage of snowbirds. (004_Siegel_09-03-2024)

Response 30: The IMPLAN model was used to calculate the annual household spending of new residents. While the model does not explicitly account for “snowbirds,” it does outline distinct spending patterns for nine household income categories, categorized by ranges of income. For the purposes of analysis, the following income ranges were utilized: \$100,000 to \$150,000, \$150,000 to \$200,000, and \$200,000 or more. The estimated spending patterns rely on a myriad of data sources, including actual spending data compiled by the U.S. Bureau of Labor Statistics (BLS) Consumer Expenditure Survey (CES) as well as the U.S. Bureau of Economic Analysis (BEA) Regional Economic Accounts (REA) tables. The requested analysis is not necessary to determine the potential for significant adverse environmental impacts under SEQRA. For SEQRA purposes, it is generally conservative to assume that a project’s population is “net new” to an area, so as not to understate the potential adverse effects associated with incremental addition of project residents. In the case of economic benefits analysis, it is also reasonable to assume a project population reflects new spending within an area given the infill effect of vacated residences.

H. COMMUNITY FACILITIES

POLICE DEPARTMENT

Comment 31: Comments were received regarding potential impacts of the Proposed Project on the Yorktown Police Department.

The DEIS acknowledges that senior developments make greater demands on police than non-senior developments. While the police chief stated that the proposed development “will” increase demand, the DEIS states that the development “may” lead to an increase in demand. a. On what basis, and based on what data, was “will” changed to “may”? (004_Siegel_09-03-2024)

The DEIS minimizes the increase in the number of calls on the assumption that many are from the town’s assisted living facilities. i. What data supports that assumption? ii. Do police records distinguish between assisting living facilities and age restricted communities like Jefferson Village, Trump Park, Wynwood Oaks and Beaveridge? How does the DEIS justify the assumption that this increased demand will not result in a need for increased staff, meaning, increased cost to taxpayers, given that the police chief said additional staff would be needed for both emergency calls and traffic control. (004_Siegel_09-03-2024)

The DEIS states that the increased tax revenue from the site, e.g., \$170,000, would exceed any possible incremental cost in police services. a. Explain

what the cost of an additional police officer (not at starting salary) with benefits, and car would be. (004_Siegel_09-03-2024)

Response 31: The DEIS states, on page 8-3, that the “Proposed Project would increase the demand for police services.” Further, the DEIS acknowledges that an age-restricted residential development would have a greater per-capita demand for emergency services than a non-age-restricted residential development. In his letter, Chief Noble states his belief that age-restricted developments in general, and not this one in particular, should pay an extra tax or fee owing to their higher-than-average demand for services. However, there is no legal basis for an extra tax. It is also noted that no land use “pays” the exact costs of the services that it “uses” through property taxes. For example, an age-restricted development places little or no demand for services on a school district, yet still pays property taxes to the district.

As discussed in Chapter 17, “Alternatives,” of the DEIS, the Alternative Site Layout, which has only 5 more units than the Revised Proposed Project, would have a population of approximately 226 residents and could result in the need for an additional 0.45 police personnel. While the DEIS does not include an estimate of the number of anticipated Police Department calls to the Proposed Project or any of the alternatives, the DEIS does include an estimate of the number of Fire Department calls. As described in Chapter 17, “Alternatives,” the Fire Department could be anticipated to respond to the Alternative Site Layout approximately 33 times per year, or approximately three times per month. Police Department calls would also be anticipated to be less than one per week, which would not require the Town to hire another police officer. In addition, and as stated in the DEIS, the Proposed Project (and development alternatives including the Revised Proposed Project) would generate more property tax revenue for the Town than the Project Site currently generates, a portion of which could be allocated by the Town to the Police Department to help defray any increased police costs attributable to age-restricted developments within the Town.

FIRE DEPARTMENT

Comment 32: What is your response to the comment in the DEIS from the Mohegan Fire Chief that the additional tax revenue to the fire district would cover only about half the added anticipated additional expense. (004_Siegel_09-03-2024)

Response 32: The Fire Chief did not state that the additional tax revenue would cover only about half of the added additional expense of the project. In his letter, the Chief stated that, “in order for the Lake Mohegan FD to adequately provide services to not only this proposed site, but to the remaining areas of our jurisdiction...it would be recommended that at least on additional FF be added to the closest station on a 24/7 basis...[which] would require the hiring of 4 career FF/EMT’s. The approximate cost per FF with salary and benefits is approximately \$200,000

annually.” As stated in the letter, the costs are attributable not only to the Applicant’s project, but also to land uses in the remaining areas of the Fire District.

The Revised Proposed Project, as noted above, is significantly smaller than the original Proposed Project, with more than 25 percent fewer units. In addition, the Revised Proposed Project would generate approximately \$72,631² per year in tax revenue to the Fire District, which would help defray district-wide additional costs.

EMERGENCY MEDICAL SERVICES

Comment 33: I would like to request an updated EMS assessment from this property being that the numbers were ran from 2018 from the Trump Park Residence community, which is what we feel is not close to what this residence will be. For reference, what we believe, and in talking with my other line officers, is that we believe that in – I don’t know if you guys can use Cortland, but Jacob’s Hill residential community, which is going to be a similar type to what this is, will be a very suitable study to be done. (018_Kness_PH_09-03-2024)

Response 33: The Applicant’s representatives spoke with Chief Matthew Kness and Seth Porter (MVAC Board of Directors) on September 19, 2024, and discussed the concerns raised by the MVAC at the public hearing held on September 3, 2024. The Applicant requested information on emergency calls to Jacob’s Hill from MVAC. As of the time of publication of this FEIS, additional information on the number of calls to Jacob’s Hill has not been received.

Comment 34: We respond to roughly over 150 calls per year [to the Jacob’s Hill community]. So, in this outline for the EMS and fire analysis, they had coupled fire and EMS responses into one. That does not, we do not have anything to do with the fire department. The fire department runs their own calls, I mean, we’re all also firefighters with Mohegan Fire District, but that is separate to structure fires, alarms, whatnot. What we are doing is EMS. With an added community like this, we are going to see an increased call volume not related to the Fire District, which then plays into my next point, which is it’s outlined in D3, the mitigation measures, under our strain, is that there’s going to be an increase in tax revenue to the Lake Mohegan Fire District, which is discussed in Section C3, and through insurance reimbursements. We are absolutely separate from the Fire District and we do not receive any funding from tax revenue that the Fire District incurs. We are totally self-funded based off of the insurance reimbursements that we get,

² This amount was estimated for the 185-unit Alternative Site Layout. The Revised Proposed Project, consisting of 180 units, would be anticipated to generate a similar amount of property tax revenue.

which is, again, at 33 percent. And we are very burdened, we need ambulances, we need LUCAS devices, we need to start getting our infrastructure. (018_Kness_PH_09-03-2024)

Response 34: The MVAC does not receive any direct funding from the Town or the Fire District; MVAC funding comes from insurance reimbursements. As stated in the DEIS, the redevelopment of the Project Site would result in an increased demand for EMS services, financial compensation for which would be made in the same manner as other, current, calls for service.

Comment 35: The DEIS acknowledges an increase in calls for service but needs to provide data on the location of the calls, e.g., age restricted or non-age restricted developments or neighborhoods, commercial properties, assisted living facilities, etc. The DEIS needs to eliminate references that compare calls to assisted living facilities with projected calls from its proposed development. (004_Siegel_09-03-2024)

Response 35: Comment noted.

PARKS, RECREATION, AND OPEN SPACE

Comment 36: Comments were received requesting that walking trails proposed within the Project Site be coordinated with other nearby trails, including those at DJT State Park.

As advocates of places to walk in Yorktown, we would encourage AMS to include at least one hiking trail into the Indian Hill section of Trump State park, just north of their proposed development. They have included plans for sidewalks, but not nothing [sic] that goes into the woods. I have corresponded with Linda Cooper, Regional Director of the Taconic Region of NY State Parks. She approves the idea in hopes that illegal ATV use of the area will be curtailed. If AMS approves the concept, volunteers from the NY-NJ Trail Conference can work with them to design and build the trails. Both FDR and French Hill section of Trump State Park have neighborhood entrances. (008_Daniels_08-06-2024)

I also want to compliment you that you're going to have some walking paths. You hear that statement earlier that we, my husband and I, had sent something in because if you didn't have someone come in and help you build the trails and connect to the Indian Hill section of the State Park, they're going to build them anyway, and you might as well have something built right and it's sustainable. (016_Daniels_PH_09-03-2024)

Response 36: The Revised Proposed Project would include walking paths on the Project Site, details of which would be finalized during site plan review. If trails are constructed in the adjacent Donald J. Trump State Park in the future, the Applicant would consider connecting its walking paths to those trails, subject to Planning Board review and approval.

SOLID WASTE

Comment 37: We note that the DEIS indicates that private carting companies would collect solid waste from the property. The Town should require the applicant to verify that there is sufficient space to accommodate the storage needs for recyclables under the County’s recycling program. County regulations for recycling may be found at: <https://environment.westchestergov.com/recycling>. (005_Westchester County Planning_09-03-2024)

Response 37: Comment noted. Building plans submitted as part of Planning Board site plan review will demonstrate sufficiency of recyclables storage space.

PUBLIC SCHOOL

Comment 38: Comments were received regarding the potential for public school aged children to live in the Proposed Project, and, the potential impacts of the Proposed Project on the Lakeland Central School District that might result.

I have friends who are 55 years old and have children. So, you can definitely have children in here, which now brings buses going into play going up into that development. (017_Deer_PH_09-03-2024)

According to anecdotal information, school buses from Lakeland School District service Trump Park. i. Confirm or deny the above, based on written data, from the school district. ii. If there are school aged children, explain how this is possible in an RSP-2 zone. (004_Siegel_09-03-2024)

As the absence of school children is a major reason for proposing an age restricted development, explain in greater detail the following: a. How the 2018 Rutgers model differs from other school children projections done for similar Westchester developments. b. Does IMPLAN have a model for projecting school children that differs from the Rutgers model? (004_Siegel_09-03-2024)

The DEIS admits that Yorktown already has a higher percentage of seniors in Westchester County or New York State. It also admits that their proposal would add around 1 or \$1.2 million to the Lakeland School District budget. So, therefore, any children would be more than compensated for by the increase in tax base. (019_Gregory_PH_09-03-2024)

Response 38: In a 2018 analysis of nearly 1,400 age-restricted units in Westchester, Putnam, and Nassau Counties, it was determined that only three public school age children in total lived within those units.³ At the request of Councilwoman Siegel, the Applicant requested information from the Lakeland School District with respect

³ “900 King Street Redevelopment,” Draft Environmental Impact Statement. Village of Rye Brook, NY. September 2018.

to the number of public school students at Trump Park Residences, an age-restricted development proximate to the Project Site. The School District responded on October 31, 2024 (see **Appendix C**). In the 2022-2023, 2023-2024, and 2024-2025 school years, 3 students, 2 students, and 2 students lived at Trump Park Residences, respectively. The IMPLAN model does not project school children.

Based on the data above, and the proposed age restriction, it is unlikely that school-age children would reside at the Project Site. In the event that even a few students do live at the Project Site and attend the public schools, any increased costs to the School District for those few students would be more than offset by the increased property tax revenue that would be payable to the School District.. Because the proposed facility would be age-restricted, the Applicant would age-verify potential tenants, in compliance with applicable law.

I. WATER AND WASTEWATER

Comment 39: Comments were received regarding mitigation measures to reduce inflow and infiltration, pursuant to Westchester County Department of Environmental Facilities policy.

Since 2010, it has been the policy of the County Department of Environmental Facilities (WCDEF) that municipal governments require development applicants to identify mitigation measures that will offset the projected increase in sewer flows to County operated wastewater facilities. The best means to do so is through the reduction of inflow and infiltration (I&I) at a ratio of three for one for market rate housing units and at a ratio of one for one for affordable affirmatively furthering fair housing (AFFH) units. We recommend this mitigation policy be discussed in the EIS, with specific details on how the implementation of I&I mitigation is to be accomplished in response to the development. For example, will the applicant be required to place funds into a dedicated account for I&I work based on a per gallon cost of removal of flow through I&I? How will I&I projects be identified? Who will conduct the work and in what timeframe? (005_Westchester County Planning_09-03-2024)

There is no discussion of mitigation that would be required to reduce I&I in the Peekskill system despite the fact that since 2010, it has been the policy of the county's Department of Environmental Facilities that municipal governments require development applications to identify mitigation measures that would offset the projected increase in flow at a three for one ratio one for market rate units. (004_Siegel_09-03-2024)

Response 39: The Revised Proposed Project would include a new sanitary sewer pump station, adjacent to the existing station, as detailed in DEIS Chapter 9, "Water and Wastewater." The pump station is not needed as a result of inflow and infiltration and would not address that issue. The current pump station is outdated, inefficient

and requires continuous maintenance. The existing pump station might not be able to handle the considerable amount of additional flow that would be contributed by the proposed facility. Therefore, the Applicant is proposing to upgrade the pump station as agreed to with the Town Engineer. Operation of the existing pump station would be discontinued.

Comment 40: Comments were received regarding potential options to convey the Project's wastewater, including utilizing the same general sewer layout and replacing the existing sewer pump station, or, constructing a new sewer line from the Project Site, under Route 6, to reach a connection point south of Route 6, and whether that would be an option in place of a replacement pump station.

I think there has been some discussion about doing your sewer line under Route 6, is that going to be explained, I don't know, it's not a topic, it's not traffic, but is that going to be detailed in your FEIS? (028_Siegel_PH_10-08-2024)

It's not feasible on the side of our Town Engineer, or it's not feasible for your project? Your understanding based on Dan's feedback, based on the Town Engineer's feedback (025_Esposito_PH_10-08-2024)

If you don't go through the golf course, forget about the golf course for the time being, if you just do your project, is it feasible? (028_Siegel_PH_10-08-2024)

So, just that we're on the same page, the idea would be to eventually eliminate that pump station? (025_Esposito_PH_10-08-2024)

The other thing, the pump station had a lot of activity, I saw the Cook truck there numerous times. So, I don't know how you deal with that. (035_Kempton_PH_10-08-2024)

Response 40: The Applicant's engineer has coordinated with the Town Engineer regarding the potential for other wastewater conveyance options, including connecting to a point south of Route 6 within the Par 3 golf course, or by using a gravity-fed system that would generally travel along East Main Street. Based on that consultation, it was determined that those alternatives are not practicable, as outlined in a letter from the Applicant's engineer to the Town Engineer (see **Appendix C**). Installing a gravity main under Route 6 via "Horizontal Directional Drilling" was determined to not be a viable option given existing constraints on both sides of the road, as well as the likely presence of unknown utilities under the roadway. Specifically, the Applicant's engineer explained that "based on prior experience the NYSDOT would not be open to a cut trench across the roadway. This operation requires a 15' +/- deep jacking pit on the north side of the highway and a 15' +/- deep receiving pit on the south side. Similarly, the same operation would be required across the Shrub Oak Brook. A meeting at the Project Site was held with a contractor that does horizontal drilling. It was his opinion that the horizontal boring operation is risky based on the ability to accurately control the

direction of the drilling needed to maintain the required slope to make the crossing. Additionally, not knowing the exact location and depth of existing utilities adds another complication to this operation. Also, after studying the route further, it is not possible to achieve the minimum allowed cover over a gravity sewer due to elevation changes in the golf course.”

The gravity main was determined to be infeasible from a technical standpoint, because “there is a low point, which is below the elevation needed to pass the pipe.” As such, the only practicable option is to replace the sanitary sewer pump station, as detailed in DEIS Chapter 9, “Water and Wastewater.”

J. STORMWATER MANAGEMENT

Comment 41: Comments were received regarding the potential for runoff from the Project Site to impact surrounding areas.

The proposed layout does not adequately address the stormwater and has a very large footprint on the mostly undisturbed site. (002_Conservation Board_08-09-2024)

Since our property, my property especially, is down at the bottom, that road floods from that beautiful hill, the water lays in the road. (013_Kempton_PH_09-03-2024)

You're going to have runoff from this property that's going to be more. You're also going to have roots that catch water and run down. It's going to be a different lay of the water. I don't know what it's going to do to my property and my neighbors, it's going to kill them. The guy down the street from me had to have his house pumped out three times already in the last year from the fire department because the basement is flooded. The water is ridiculous and, if you add something this big, it's going to get worse. There's no way around it. You're going to take away trees, you're going to take away vegetation that takes in the water. And the people in the neighborhood who have lived here for 50 years are going to suffer. And that's not right, all right? (017_December_PH_09-03-2024)

My main concern aside from the traffic is the runoff. We know that there's flooding already along that corridor. We've got several other projects that are coming along. I think that we need to really think holistically about what this project, plus the other projects, plus the existing flooding is going to look like. And I think that we really have to think, especially since we're building on top of a hill, news flash, or science, water comes down. So, we really need to think holistically about how all of that is going to impact the residents that are already there, the buildings and the structures that are already there, and our infrastructure, which, again, news flash, is not a spring chicken, much like me, I was horrified when I realized oh, my God, I'm a senior citizen, too. (023_Mirchandani_PH_09-03-2024)

Response 41: In response to comments, and in an effort to reduce the potential impacts of the redevelopment of the Project Site, the Applicant developed the Revised Proposed Project. For a comparison of the potential physical impacts of the Revised Proposed Project and the Proposed Project, see Response to Comment 9. With the Revised Proposed Project, 98 percent of disturbance would be within previously developed areas of the Project Site. The Revised Proposed Project would use a variety of practices to enhance stormwater quality and reduce peak rates of runoff associated with this alternative. The SWPPP for the Revised Proposed Project includes anticipated soil erosion and sediment controls, which would mitigate the potential adverse impact from stormwater runoff during construction (see **Appendix B**). Temporary control measures and facilities would include silt fences, interceptor swales, stabilized construction entrances, temporary seeding, mulching, and sediment traps. Throughout construction, temporary sediment and erosion control measures would be inspected and maintained as appropriate. Toward the completion of construction, permanent sediment and erosion control measures would be developed for long-term erosion protection. With the implementation of the SWPPP (see **Appendix B**) and proposed stormwater management measures and facilities, runoff rates would be reduced in all the analyzed storms compared to the existing condition.

Comment 42: We note that the DEIS include a discussion regarding the use of aboveground stormwater management solutions that treat runoff on-site, such as using pervious paving, green roofs, or rainwater harvesting. We recommend that the EIS also include a discussion of vegetative rain gardens within the landscaped areas. In regards to underground stormwater management systems, we point out that subsurface methods of stormwater management can be of diminishing effectiveness over time if not properly cleaned and maintained. To ensure the continued operability of underground stormwater management systems, the applicant should include an enforceable maintenance program to prevent the system from being clogged with sediment, and in turn force a higher amount of stormwater runoff offsite. (005_Westchester County Planning_09-03-2024)

Response 42: Comment noted. The SWPPP for the Revised Proposed Project (see **Appendix B**) includes a maintenance program for the proposed stormwater management measures and facilities. A sample stormwater management inspection and maintenance agreement is included in the SWPPP appendix.

K. USE AND CONSERVATION OF ENERGY

No comments were received.

L. TRAFFIC AND TRANSPORTATION

EXISTING & NO-BUILD CONDITIONS

Comment 43: The traffic used to be 24 hours a day Contractors Register, they were day and night...And that road [Old Route 6] is not wide enough. You cannot make the road, Old Route 6, and 6, any wider, there's no capability there, it's just a guardrail, my road, and then Route 6. (013_Kempton_PH_09-03-2024)

Response 43: Comment noted. To be conservative, the Traffic Impact Study presented in the DEIS utilizes traffic counts collected in May and June 2023, when the existing office buildings were vacant, and does not "take credit" for trips that used to occur when the buildings were fully occupied. The Revised Proposed Project would be anticipated to have regular residential peak hours as listed in Response to Comment 45. Based on the traffic analysis, one lane in each direction along Old Route 6 is able to accommodate the existing and future traffic, including the Proposed Project, at acceptable operating conditions. Old Route 6 is sufficiently wide to accommodate two-way traffic (one lane in each direction), providing 10' to 12' wide travel lanes, measuring 20 to 24 feet wide, which meets NYSDOT roadway standards for a minimum of 10' wide lanes or a 16' wide roadway for two-way traffic.

Comment 44: Comments were received concerning the potential cumulative traffic impacts of projects proposed along the Route 6/ Route 6N corridor.

The Conservation Board continues to be concerned with the number of proposed developments along the East Main Street (6N) and Route 6 corridor, which are being reviewed in a piecemeal fashion. The Board reiterates that the Jefferson Valley Hamlet is experiencing development pressure from many sides. Taking each proposal independently without considering the total impact of all the proposals combined does not allow for the overall environmental impacts to this area to be considered. (002_Conservation Board_08-09-2024)

Does the traffic study include the traffic impact from the proposed recycling/transfer station and 254 unit mixed use development, both accessing Navajo Road from Route 6? i. If not, will the FEIS update the traffic study? (004_Siegel_09-03-2024)

And to add another, let's just figure 200 homes, 400 cars, on that end, forget about the 100 garbage trucks that are going to be coming in and out of the other plan, and then the other 200 homes that might happen at the other end, and then 150 homes down the street. You're adding like 1,000 cars to a little tiny section of road that can't handle what's there now. He told you it's an F for the intersection, it's a total failure. So, if it's totally failing now, how do you think two traffic lights are going to fix it. It's just not going to work. (017_Deer_PH_09-03-2024)

So, 250 units, you have 383 cars. These were not my numbers, this was AMS. Approximately, if the winery, the project opposite the winery with the 144 units, approximately 250 cars. Also if Navajo goes through and is allowed to go into the overlay, 254 units, approximately 500 cars. Are you kidding me? How can we handle that? Thank you. By the way, that would be approximately 1,000 cars around on Route 6. (022_Sillik_PH_09-03-2024)

Response 44: The Traffic Impact Study considers the cumulative impact of the Proposed Project, Roc-Shrub Oak, 2000 Navajo Road, 670 East Main Street, and the Links at Valley Fields,, as discussed with the Town of Yorktown, in addition to the cumulative impact of "background growth" on the traffic intersections studied. The measures proposed by the Applicant to mitigate the Proposed Project's impact to the traffic network, would, therefore, also accommodate the potential cumulative impact of these other projects, as also described in Response to Comment 62.

Comment 45: Comments were received regarding the general assumptions of the Traffic Impact Study.

Maybe you had mentioned it, what times of the day are peak hours? That, I don't know, I don't know what you're considering that? Also, what month did you do the study? Because I'm concerned about did you include the school buses, because I know Lakeland has an early pickup. So was that included...I was very concerned about the school buses, were they included in your study, what times of the day was it done? And, also, because you do have Lakeland and you have Yorktown, their buses run after school activities so I'm confused about that. (029_O'Neil_A_PH_10-08-2024)

So, the study was from May to June. So, May to June, I know that the schools have tests and the kids are not in school full term every day, they're in probably taking a test from 9:00 to 10:00, 11:00 to 12:00, whatever. And, then, was it going to be the end of June? Because Lakeland graduates, what, the 16th or 17th, and so does Yorktown. So, is it really an accurate study? I'm just concerned about the school kids. And is this an accurate study for the school buses? I want it to be safe for the kids. (029_O'Neil_A_PH_10-08-2024)

How many cars are going to be in your community? That's what I'm asking. Other than that, I think it's great. (029_O'Neil_A_PH_10-08-2024)

185 units, you would have outdoor parking for 278 cars. I'm sorry, I don't quite understand how does 278 cars, only 60 cars during those peak hours? I'm sorry, I didn't get that. That's one question. (030_Sillik_PH_10-08-2024)

I do understand, though, that you haven't taken into account Amazon trucks, that hasn't been mentioned. There are probably going to be more Amazon trucks going in and out of that entrance. And there's only one entrance, is that correct, one entrance? (030_Sillik_PH_10-08-2024)

Response 45: Peak hours are weekday morning and evening commuter peak hours and the Saturday midday peak hour, which are the following as stated in page 12-3 of the DEIS:

- Weekday AM peak hour: 7:15–8:15 AM
- Weekday PM peak hour: 4:00–5:00 PM
- Saturday Midday peak hour: 12:00–1:00 PM

These peak hours were based on data collected from the Traffic Study Area in late May and early June 2023 while school was in session, avoiding exam days and including all school traffic from the Lakeland school district.

The trip generation, which is provided on page 12-18 of the DEIS, takes into account all vehicle trips associated with the Proposed Project, including staff, maintenance, and deliveries, including but not limited to USPS, UPS, FedEx, and Amazon. All vehicles would access the Project Site via the Old Route 6 driveway.

Comment 46: Per the figure, sidewalk is proposed along East Main Street proximate to Lee Road. However, the report makes no mention of this improvement. The report should detail the reasoning for pedestrian improvements only in this location. As part of the intersection improvements at US Route 6 and East Main Street, a crosswalk and pedestrian ramps should be included. (037_NYSDOT_10-25-2024)

Response 46: The Proposed Project does not include any sidewalks along East Main Street. The sidewalk on East Main Street in the vicinity of Lee Road is related to a different previously approved development at 670 East Main Street. Sidewalks are discussed in Response to Comment 80.

Comment 47: Question. Can you talk about what you calculated in, the background traffic where you had the increase, specifically what was added in in terms of specific projects, or was it just a general calculation of? (028_Siegel_PH_10-08-2024)

Response 47: The background traffic included a conservative 1.0 percent per year growth rate from 2023, the base year, to 2026, which results in an overall compounded growth rate of 3.03 percent. Additionally, background or “No Action,” projects that could be in operation prior to the completion of the Proposed Project were identified by the Town and traffic and discrete trips associated with those projects is accounted for in the Traffic Impact Study. These background developments include Roc-

Shrub Oak Associates, 3000 Navajo Road, 670 East Main Street, and The Links at Valley Fields.. As discussed in Response to Comment 44, the proposed mitigation measures have been designed to serve the cumulative impact of the Proposed Project, background developments, and general area background growth.

TRAFFIC ANALYSIS

Comment 48: There are movements in the existing condition that are shown to operate with a greater than 1.00 volume-to-capacity ratio. As this analysis is based on observed volumes, the as-counted volumes exceeding the capacity does not make sense. The report should explain how this is possible and detail any calibrations to the model to make it more realistic for the observed field condition. (037_NYSDOT_10-25-2024)

Response 48: The movements that currently experience volume-to-capacity (v/c) ratio of greater than 1.00 are at the US Route 6 and East Main Street and US Route 6 and Barger Street intersections, which are currently over capacity in the existing condition. Therefore, this represents the existing condition. Additionally, at the US Route 6 and East Main Street intersection, the high v/c ratio is due to the high conflicting flow rate along US Route 6, the low storage capacity along East Main Street, and the gap acceptance for southbound right turning vehicles which is currently an unsafe movement. By not applying calibration adjustments, the analysis is a conservative, reasonable worst case scenario assessment of traffic conditions at the intersection. Accordingly, the Synchro result showing greater than 1.00 v/c ratio is correct and no changes to the Synchro model are needed.

Comment 49: The results summarized for the northbound and southbound approaches of East Main Street at the intersection with US Route 6 are misleading. The analysis results in the Synchro files show errors in multiple time periods, however the report shows no delay, as if no volume is present at these approaches. Revise the analysis method or the table to show delay results for all movements that have conflicting flow. (037_NYSDOT_10-25-2024)

Response 49: The analysis results for the East Main Street and US Route 6 intersection show conflict errors in the “With Action with mitigation” scenarios for all peak hours due to the clustered intersection operation and complex phasing. It should be noted that the signal phasing has been reviewed in detail and there are no conflicts present. Therefore, the errors are not actualized. The Synchro report shows no delay for the northbound and southbound approaches in the 2023 Existing, No Action, and With Action Conditions while the intersection remains unsignalized for certain time periods due to low volumes. The Synchro model is correctly

coded. The issue is due to Highway Capacity Manual limitations in analyzing low-volume movements. Adjustments to the intersection to try to produce results are not recommended, as this would result in changes to the geometry that deviates from the actual conditions. The missing results for the southbound movement during the Weekday PM peak hour does not affect the findings of the study because the intersection is already projected to experience an impact that requires mitigation. The “With Action With Mitigation” analysis shows that with the proposed traffic signal, the southbound movement would operate at acceptable conditions.

Comment 50: At the intersection of Taconic State Parkway NB Ramps and US Route 6, the coordination should be referenced to the beginning of the yellow time on phase 2. Please update accordingly throughout the analysis. (037_NYSDOT_10-25-2024)

Response 50: The reference phase for all coordinated signals has been updated to beginning of yellow for all time periods, which results in very minor changes in delay that do not affect the findings of the Traffic Impact Study. The revised Synchro results are provided in **Appendix D**.

Comment 51: At the intersection of Barger Street and US Route 6, the all-red time for all phases should be set to 2 seconds. The coordination should be referenced to the beginning of the yellow time on phase 5. The phase split for phase 1 should be 20 seconds. The phase split for phase 2 should be 40 seconds and the phase should precede phase 1. Phases 2 and 5 should be set to minimum recall. Please update accordingly throughout the analysis. (037_NYSDOT_10-25-2024)

Response 51: The reference phase for all coordinated signals has been updated to beginning of yellow for all time periods, which results in very minor changes in delay that do not affect the findings of the DEIS. According to the signal timing plans for the Barger Street and US Route 6 intersection, W-257, the all-red time is 1 second. Phases 1 and 2 have been switched such that Phase 1 is the westbound through movement with a 40 second phase split and Phase 2 is the lagging eastbound left turn movement with a 20 second phase split. The mainline eastbound and westbound movements (phases 1 and 5) are set to minimum recall. The revised Synchro results are provided in **Appendix D**.

Comment 52: At the intersection of Lee Boulevard and US Route 6, the all-red time for all phases should be set to 2 seconds. The total phase split for phase 5 should be 22 seconds. Please update accordingly throughout the analysis. (037_NYSDOT_10-25-2024)

Response 52: According to the signal timing plans for the Lee Boulevard and US Route 6 intersection, W-308, the all-red time is 1 second and Phase 5 is 16 seconds (10 second max green plus 5 seconds yellow clearance plus 1 second red clearance).

Comment 53: At the intersection of Hill Boulevard and US Route 6, the northbound right-turn has a permitted overlap phase during phase 5. Please update accordingly throughout the analysis. (037_NYSDOT_10-25-2024)

Response 53: The northbound right-turn overlap phase has been added to the analysis for all time periods and scenarios, which results in very minor changes in delay that do not affect the findings of the DEIS. The revised Synchro results are provided in **Appendix D**.

Comment 54: At the intersection of Taconic State Parkway SB Ramps and US Route 6, the coordination should be referenced to the beginning of the yellow time on phase 1. Please update accordingly throughout the analysis. (037_NYSDOT_10-25-2024)

Response 54: The reference phase for all coordinated signals has been updated to beginning of yellow for all time periods, which results in very minor changes in delay that do not affect the findings of the DEIS. The revised Synchro results are provided in **Appendix D**.

Comment 55: The appendix should include the raw 2019 traffic counts that were provided by the Town. (037_NYSDOT_10-25-2024)

Response 55: The 2019 traffic counts are provided in **Appendix D**.

Comment 56: The report should include direct reference to the studies used for the trip distributions. Consider including the relevant pages from the referenced reports in the appendix. Based on the traffic volumes along US Route 6, it is likely that more than 5-10% of the site generated traffic will use this major roadway. (037_NYSDOT_10-25-2024)

Response 56: The trip generation for the No Action projects is included in **Appendix D**. The trip distribution shows 20 percent of site-generated traffic traveling to and from the Project Site via local roads, beyond the Taconic State Parkway. Fifteen (15) percent of this traffic is along US Route 6 (eastbound, or westbound to points beyond the Taconic State Parkway) and 5 percent along East Main Street. The remaining 80 percent is projected to primarily utilize the Taconic State Parkway (via brief travel along US Route 6 to/from the Parkway, which is accounted for in the analysis). This trip distribution was determined based on the existing traffic counts and travel patterns at the study intersections.

Similar to other projects in the Town of Yorktown located near the Taconic State Parkway, such as the proposed Shrub Oak Multi-Family Residential Development near Barger Avenue (also known as Roc-Shrub Oak), the vehicle trips are primarily assigned to and from the Taconic State Parkway with about 20 percent of vehicles utilizing other arterials, collectors, and local roads. For example, the percentage of vehicles utilizing East Main Street is based on the proportional split of vehicles between East Main Street and US Route 6.

Comment 57: The capacity analysis should include a summary of the average and 95th percentile queues. These values should be compared to the available or proposed storage distances. (037_NYSDOT_10-25-2024)

Response 57: Queue length summaries are provided in **Appendix D**. The Proposed Project is not projected to generate significant adverse impacts to vehicle queues or existing vehicle storage lengths. At the US Route 6 & East Main Street intersection, the queue lengths would be decreased for the eastbound left turn. The proposed signalization of the intersection, combined with the lengthening of the eastbound left turn lane, would reduce spillback onto the mainline of US Route 6.

Comment 58: It is noted that a smaller alternative development was assessed. Should the applicant pursue a different development, the report should be updated, proposed mitigations and roadway improvements should be revisited. (037_NYSDOT_10-25-2024)

Response 58: Comment noted. The smaller alternative development (known as the “Alternative Site Layout”) was analyzed in Chapter 17, “Alternatives,” of the DEIS and analysis files were provided to NYSDOT. Based on the analysis in Chapter 17, the proposed mitigation measures would still be required. Any necessary revisions to the analysis based on the final program can be provided as part of a NYSDOT PERM-33 Stage 2 submission.

TRAFFIC SAFETY

Comment 59: The Crash History and Safety Assessment section should include a calculation of crash rates at each intersection. Within the report, the crash rates should be compared to the statewide average rates and the report should assess the impact of the development on crash patterns, in accordance with the NYSDOT Highway Design Manual Chapter 5. (037_NYSDOT_10-25-2024)

Response 59: As a supplement to Table 12-5 of the DEIS, **Table 2-10** summarizes the intersection crash rates and statewide average crashes for the intersection type. It should be noted that the intersections of Indian Hill Road & East Main Street and Old Jefferson Valley Road & East Main Street do not have traffic data and therefore crash rates cannot be calculated. However, these intersections experience low levels of crashes. A detailed assessment of each intersection is provided in Chapter 12, Section D of the DEIS.

The intersection of East Main Street & US Route 6 is proposed to be signalized as a mitigation measure for the Proposed Project, which is anticipated to address the near-misses and left turning vehicle conflicts at the intersection. At all other intersections, the Proposed Project is anticipated to have a small increase in traffic

volumes and therefore is not projected to have significant impacts to traffic safety at the study intersections.

**Table 2-10
Crash Rates**

Intersection		Total 2017-2019 Crashes	Calculated Crash Rate	NYSDOT Average Crash Rate*	Comparison
North-South Roadway	East-West Roadway				
Barger Street	U.S. Route 6	35	0.80	0.26	208%
Taconic SB Ramp	U.S. Route 6	7	0.16	0.17	-5%
Taconic NB Ramp	U.S. Route 6	10	0.19	0.17	11%
East Main Street	U.S. Route 6	10	0.21	0.15	39%
East Main Street	Old Route 6	0	0.00	0.19	-100%
Lee Boulevard	U.S. Route 6	42	0.98	0.26	277%
Lee Road	East Main Street	4	0.26	0.19	36%
Hill Boulevard	U.S. Route 6	24	0.80	0.26	208%
Hill Boulevard	East Main Street	14	0.89	0.15	490%
Indian Hill Road	East Main Street	1			
Old Jefferson Valley Road	East Main Street	2			
Sources: Crash data from NYSDOT for January 2017 through December 2019					
*NYSDOT Average Accident Rates per intersection type: 2017-2019					

Comment 60: It is noted that a collision diagram is included for the intersection of US Route 6 and East Main Street. The report should explain why collision diagrams were not prepared at more locations. (037_NYSDOT_10-25-2024)

Response 60: A collision diagram was prepared for US Route 6 and East Main Street as required by the adopted DEIS Scoping Document. This diagram was required by the Town due to turning vehicle trips from the Proposed Project being added to this intersection. Collision diagrams at other intersections are not necessary to determine crash patterns and propose safety measures.

Comment 61: No one has told me how many accidents have happened at this intersection of 6 and 6N. You talked about accidents. How many accidents have happened there in the last five years, how many? Over here at Underhill, that was all they were talking about, how many accidents, how many accidents. (031_Strauss_PH_10-08-2024)

Response 61: The crash analysis is presented in Chapter 12, Section D of the DEIS. The intersection of US Route 6 and East Main Street experienced ten total reported crashes from 2017 to 2019.

PROPOSED TRAFFIC MITIGATION

Comment 62: Comments were received questioning the efficacy of the proposed traffic mitigation measures at East Main Street and Route 6, as well as the potential

unintended consequences of installing the mitigation, including the potential for delays and queuing on Route 6 and on East Main Street.

And it's a very dangerous intersection, the lights are not going to help. (013_Kempter_PH_09-03-2024)

And now we have the traffic issue at the bottom of the hill with those lights. Those lights are ridiculous. I don't care what you do or how you set it up, when you come east and make the left onto 6N, you're only going to be able to get two cars at that one traffic light, okay, two going up 6N. (017_Dee_PH_09-03-2024)

And there is that light at Barger, and then the light at Jefferson Valley Mall. Another light in between is not going to help anybody get anywhere. (013_Kempter_PH_09-03-2024)

There's nothing you can do to Route 6 to make it any better. You go there on a Saturday, it's bumper to bumper, it takes you a half-hour to get down to Kohls if you want to. You know, so I don't know who you can alleviate that. (013_Kempter_PH_09-03-2024)

People get to make that left because the light down by the mall, when that turns red, it opens up that area and everybody makes the left. . So, a traffic light there is not going to change anything, it's just going to backup traffic that's going straight up north up on 6?, okay? (015_Buchanan_PH_09-03-2024)

Now, this photograph is from my road, it's Indian Hill Road -- if you want to pass that around -- looking towards that intersection. They're proposing a light right here. There's a driveway here. (015_Buchanan_PH_09-03-2024)

I, in terms of traffic, I usually don't comment on that, but I'm a customer of Lois Chiropractic, I love them. And, so, I come heading east on Route 6 and make that left turn, two left turns, you know, one from Route 6 and one immediately afterwards. And it's challenging right now, and it's challenging going back the other way, as well. The idea of a light there, and of course DOT has to allow it, but that's an intriguing idea. I debate whether it would be safer for me just to go all the way up to the light to make the left and come all the way back around each time. So, whether it makes technical sense or not, I don't know, but it sounds good to me. (021_Belfer_PH_09-03-2024)

Now, us trying to get out of Indian Hill Road, and as I said before, People from the fishbowl in Mahopac are using Indian Hill Road. It's going to back up my road. I live, you know where I live, Ed, it's going to back up traffic right up to where I live, okay? (015_Buchanan_PH_09-03-2024)

The two traffic lights are going to cause a hell of a backup. First off, when you're coming off the Taconic State Parkway and you're going to make a right on 6, sometimes there's so much traffic on that road that you have to sit and wait for two traffic lights before you get onto 6. The stacking lane is already almost up to the parkway. So, the expansion of that stacking lane isn't going to do anything but create more issues, okay? (015_Buchanan_PH_09-03-2024)

So, I'm going to keep it real short. The other issue for me, being in that part of the community, Mohegan Lake and Shrub Oak are right next to each other, I know that the traffic issue is not going to be solved by having red lights put in. It's going to create backups in both directions. That road, East Main Street, was never meant to have that kind of traffic on it. (014_Tanzman_PH_09-03-2024)

Lived in this town for over 50 years. The traffic has been a problem for the last 25. This development cannot go there and have the quality of like that we're used to having. It would just destroy our neighborhood. (017_Deer_PH_09-03-2024)

As for traffic, I drive through that intersection every day. And even though I think that housing is appropriate up there, I cannot imagine what's going to happen once there are all those cars coming through there. Other than Route 6, those roads are rather small and narrow, and I just don't know how they're going to handle the volume. (019_Gregory_PH_09-03-2024)

So, that's that. Now, here's where the traffic light will actually be. I took this from Houlihan Lawrence driveway, okay, it's going to be right there. And then you can see a short distance between that traffic light and Route 6 from this. And then you can see what happens right now, if there's no light, the backup that blocks that....So, this two traffic lights, that's a disaster, that's a joke. So you guys got to really reconsider this. I have no problem with the property, I think it's nice, okay, but, like I said before, it's the quality of life that's going to go downhill really fast. And like that woman said before me, when you go to DeCicco's, they back up trucks, it really backs up the road. It will back it all the way up passed 6, and it backs it up all the way up pass the bowling alley. So, you're going to have a hell of a disaster there. There's no way, just no way. (015_Buchanan_PH_09-03-2024)

I don't care if it's 185 units or 250 units, you're going to punch all of these people up on the top of the hill and nobody is going to be able to get in and out of anywhere. Who would want to come here? You want to go to the Tee Bar across the street, it's an awesome little place, I've been there a bunch of times, how are you going to get out of there? You can't even get there if you want to go there at 6 o'clock at night because the traffic is so bad. People are coming west on 6, turning in there. I don't know how you can do it....That might help a little bit there, but it's not going to help on the other side because your traffic is going to be so backed up. You can't even turn out of that place, even when you want to go right, you can't turn out of that place. It's difficult. (017_Deer_PH_09-03-2024)

Okay, now, if it's going to be the 250 units, that would be parking for 383-something cars. So, let's add this, 383 cars -- and, by the way, I am not opposed to the project. I just, my question is how do we mitigate this? How do we do it when we don't have lanes, we don't have space to build for safety, for ambulance. We went through that. (022_Sillik_PH_09-03-2024)

You know, I know you know the number is 60 or 70 cars that you're adding, either in the daytime or the nighttime, to the intersection which is already,

you know, has some issues. But, you know, it's not the number, the small number, the relatively small number, that you're adding. That, I think, is kind of like the straw that breaks the camel's back on that intersection. It just cannot tolerate not even one more, forget 60 or 70. So, the mitigation that you're proposing, I think is necessary for the project to move forward. (025_Esposito_PH_10-08-2024)

I know my colleagues in golf and everything else come down from Mahopac, but what's going to happen now to Hill and Lee Boulevard? Because if I know there's a light down at the end, I'm going to go down Lee or Hill Boulevard. And then lights are not synced to what they're talking about. Is it possible, I don't know, to get all the lights synced once you get on 6, you can just sail through? That's my concern, is that if I have to go to the doctor up on Hill Boulevard, I wouldn't be able to get back down home. It's going to be a lot of people coming down both of them streets to avoid that light that they're projecting. That's my concern. (036_O'Neil_C_PH_10-08-2024)

Now, at Barger Street, there's a light at Barger, in between they're going to put two more lights, and then you have the light at Hill Boulevard and the other. Buses that come out from Barger for Lakeland High School are numerous. Those buses, they can't be held up, you know, the kids have to get to wherever they're going. You know, I mean they're just some of the things that I question. You know, so, that's my opinion. But what will be will be. 035_Kempter_PH_10-08-2024

I don't follow the whole thing with the traffic as it -- are they looking to improve the traffic on Route 6? Is that -- I'm being dead serious. Are they looking to improve traffic on Route 6 or mitigate the impact of this development? That's what I'm asking. I don't know that you need traffic lights there. I get around Yorktown, you know that.. I've got around it for the last 58 years, and I don't know that you need traffic lights. The only thing, as far as this project is concerned, to me, is how going in and out of their development impacts the traffic. And I'm not so sure that it's going to impact it a lot. There's 180 units now, 185, whatever it is, and they're rentals, and it's age restricted. But that doesn't mean they're not going to go to work, the people. (031_Strauss_PH_10-08-2024)

The fact that they have cars going in and out of there and Amazon trucks going in and out of there, is that really going to impact the traffic? I'm not so sure it is. They had traffic when the Registry was there, it was different traffic. So, the deal is how much of an impact is it going to make without putting a traffic light in? That's the question to me. This project, I'm not worried about any other projects that come along. And you heard me say a couple of weeks ago, the traffic studies, to me, a lot of it is kind of hogwash, it doesn't make sense, all these, you know, that you want to do a traffic study, the whole Route 6. What is this project going to do to impact Yorktown as far as traffic? (031_Strauss_PH_10-08-2024)

I do not know that you need traffic lights. And I think that you should take, as far as traffic is concerned, everything impacts the whole town, I understand. Those people could drive over right downtown to Uncle G's, sure

they're going to impact things. But the main focus is what is the impact of this project on that corner, otherwise you would not be talking about it. And my feeling is that if there was no left turn coming out of their driveway going back up 6N, that there is not necessarily that much of an impact as far as traffic is concerned. (031_Strauss_PH_10-08-2024)

I do think that that I agree that the overall traffic impact, given the volume of what we're talking about there, is extremely minimal for this particular project. However, I do disagree about his comments on the need for a light or improvement of the intersection. I happen to be a user of that intersection, so I know it very well. And many many moons ago, I was a New York City taxi driver, and I consider myself pretty good still at finding the gaps and making that left turn, but I can see that that's not the safest intersection. And I get nervous when I'm queueing up and I can't fit in the left-turn lane and I'm blocking the lane of passage because I'm afraid somebody is not going to be paying attention and is going to come down and slam me from behind. So, making improvements there I think would be a very valuable and beneficial thing and more than mitigate the traffic impact of that project but be a benefit for the town of Yorktown. (034_Belfer_PH_10-08-2024)

One more thing related to traffic, something that came up at the last public hearing, there was a resident that mentioned traffic getting backed up there because of trucks related to whether it's DeCicco's or the other commercial businesses. And I had never seen that. And then sure enough, a week later, I make my left turn, and then I couldn't make the next left. I happened to be going to Lois Chiropractic then, because the cars were backed up, and looked up ahead and there was a truck straight across 6N that was backing into the area, the delivery area, to the rear of all those commercial stores. That's the only time I ever experienced that. (034_Belfer_PH_10-08-2024)

Another point that I want to make is from the golf course, if there's any place in that area when you drive that -- I'm fearful when I have been over there occasionally coming out of there, I think is very very stressful. And anyone who would attempt to make a left turn out of there, I think would be kind of not all there. So, I do though think that that should be taken into account for sure in any plans that are made to make this a better situation all over. (031_Strauss_PH_10-08-2024)

I don't think it's a very good route. It may be quicker. I don't think it's the safest route for through traffic. 6 is much safer, but people avoid it because of the number of the lights, particularly Baldwin Place, getting through that area, and afterwards. Anything that can be done to discourage that more, or cut down on that through traffic, I think would be beneficial. It would be beneficial to everyone who lives along the 6N corridor in Yorktown. (034_Belfer_PH_10-08-2024)

Response 62: The proposed traffic signal at US Route 6 and East Main Street would mitigate potential impacts and existing safety and traffic delay issues by reducing vehicle conflicts between the eastbound left turn and the westbound movements by providing separate, dedicated, time for the left turn movement. This would reduce

travel time overall along the US Route 6 corridor. Additionally, this signal would be coordinated with the Taconic State Parkway traffic signals and the signal at Barger Street, which are currently part of a coordinated system, such that vehicles would be less likely to make an additional stop as a result of the proposed traffic signal at US Route 6 and East Main Street. The US Route 6 & East Main Street and East Main Street & Old Route 6 intersections would be operated on a single controller, which would help reduce backups in the short distance between the intersections. The operation of the proposed traffic signals is discussed further in Response to Comment 84. The mitigation measures, including traffic signal timing, have been developed to address the cumulative impact of the Proposed Project and background developments to improve traffic operations from existing conditions as well as in future conditions with the Proposed Project and the background developments.

Furthermore, the East Main Street traffic signal will be designed to include adaptive technology, such as communication capabilities, sensors, and compatible traffic signal controllers, so that the corridor could be upgraded in the future via software for corridor-wide adaptive traffic signal control. Additionally, with an adaptive traffic signal system, consistent signal spacing is key to maintaining vehicle platooning and improving delays. Whereas the traffic signals east of Lee Boulevard are currently spaced between 500 and 800 feet apart, Lee Boulevard is over 1,500 feet away from the Taconic State Parkway northbound ramps signal. Adding a traffic signal at East Main Street provides generally consistent signal spacing between Lee Boulevard and Barger Street, providing the conditions necessary to realize the future benefits of an adaptive traffic control system. The Lee Boulevard and Hill Boulevard intersections currently operate with different cycle lengths than the remainder of the corridor, which would need to be studied and adjusted for a corridor-wide coordinated or adaptive signal system. This future study would be the responsibility of the NYSDOT and/or Town as part of a corridor-wide upgrade.

It should be noted that the existing traffic signals along US Route 6 are currently under NYSDOT jurisdiction. It is anticipated that the proposed US Route 6 & East Main Street and East Main Street & Old Route 6 signals would also be under NYSDOT jurisdiction. Final jurisdiction, right-of-way ownership, and other aspects will be advanced during the signal design phase.

The proposed traffic signal at East Main Street and Old Route 6 would be located over 100 feet away from the nearest driveway and 300 feet from Indian Hill Road. The queue is not anticipated to back up past Indian Hill Road, as shown in the queue summary table in **Appendix D**.

The existing eastbound left turn from US Route 6 to East Main Street includes space for approximately five to seven vehicles to queue. As part of the proposed traffic mitigation measures, the storage length would be doubled from 150 feet to 300 feet, to allow 12 to 15 vehicles to queue.

The US Route 6 and East Main Street intersection currently operates extremely poorly due to high demand for the eastbound left turning movement and southbound right turning movement to/from East Main Street and high conflicting vehicle volumes along westbound US Route 6 under existing conditions. Without the proposed improvements, the intersection would continue to operate extremely poorly with increased queuing and delays. This would occur with or without the Proposed Project as a result of the existing poor operations and the additional future traffic from other proposed projects in the area adding traffic along US Route 6. The proposed traffic signals would reduce the intersection delay from a poor LOS F to a good LOS C.

Comment 63: Comments were received requesting information on the cost of the proposed traffic mitigation, as well as what entity would be responsible for that cost.

Okay. And the last question, we want to get to the public comment, the last question is the traffic mitigation that you're proposing, because this is a heavy lift for me because of that intersection, what is your investment in that, what will that be costing? (009_Esposito_PH_09-03-2024)

The DEIS acknowledges a decrease in the level of service to F and lists potential mitigation measures, including signalization and road widening. a. Provide details on the estimated cost of these improvements and who would pay for them. (004_Siegel_09-03-2024)

Response 63: The Applicant anticipates that the proposed traffic mitigation measures would cost approximately \$1 million, which is based on the professional experience of the Applicant's traffic engineer and their experience with the costs for new traffic signals in Westchester County. The Applicant would be responsible for the costs of these improvements. A detailed, itemized, cost estimate would be prepared as part of a NYSDOT PERM-33 Stage 2 submission for review of the full traffic signal plans.

Comment 64: Comments were received requesting an analysis of alternative mitigation measures at Route 6 and East Main Street.

I'm just, I'm asking to see if you can come up with an alternative plan for that intersection. Someone mentioned a traffic circle. Maybe you do some kind of a study that we can look at, see how we can get something like that done. (009_Esposito_PH_09-03-2024)

So, just really quick, I know Contractor's Register has been there, but there hasn't been any traffic generated by the Contractor's Register in years. And that intersection is an F today. So, I've got to tell you, it's a heavy lift for me because I don't know how the two lights are going to fix it. So, I would really like some alternative plan that you can come up with by our next meeting. (009_Esposito_PH_09-03-2024)

Now let's go to the traffic. You can't fix this intersection, I'm sorry, you can put two traffic lights, you can put 11 traffic lights, it's not going to matter, you can't fix this. The State has to come and fix this intersection. You have to put a traffic circle here so the traffic always flows because you can't stop the traffic. You stop the traffic, it backs up, everyone slams into each other. Now you can't have EMS respond, or fire respond, to anything because the traffic is stopped and they're all smashed into each other. I see it all the time. I see it all the time, all right? I live there, I hear it. (017_Deer_PH_09-03-2024)

We suggest that given the comments received during the hearing that the proposed traffic mitigation measures should be elaborated upon further, including reasonable alternatives to same. (024_Planning Board_10-04-2024)

And I think some members of the team who met me up on the site and we looked at some traffic, I think they met some of the other council people up there, as well, but we discussed maybe adding three-way stops on Hill and on Lee. Would that also, do you think that would be a good deterrent? (027_Lachterman_PH_10-08-2024)

Response 64: A traffic circle, or roundabout, would be infeasible at the US Route 6 and East Main Street intersection due to the amount of space and corresponding land takings that would be required to build a roundabout to handle the traffic volume and speeds at this location (see **Figure 2-1**, which was presented at the October 8, 2024 public hearing). As shown at the October 8, 2024 public hearing, the proposed traffic signals at US Route 6 and East Main Street would be synced to the adjacent traffic signals to prevent additional delay and stops at the intersection. The traffic signals would provide a protected left turn phase to reduce vehicle conflicts between westbound vehicles, eastbound left turning vehicles, and southbound right turning vehicles. Adding stop signs at the intersections of Hill Boulevard and E Main Street and Lee Boulevard and E Main Street may some deter vehicles from utilizing the US Route 6 and E Main Street cut-through, but would not reduce the existing vehicle conflicts. Additionally, an analysis of alternative site access, including a potential connection from the Project Site to US Route 6, which was deemed to be infeasible, is described in Chapter 12 Section F.9 of the DEIS and in Response to Comment 82.

Comment 65: Comments were received regarding the Department of Transportation's review of the proposed mitigation at the intersection of Route 6 and East Main Street.

The Department of Transportation has yet to respond to the subject referral. The Planning Board recommends that the Town Board wait for their response prior to making their final decision. (003_Planning Board_08-30-2024)

Because of Route 6 being DOT, did they already approve your traffic light scenario? (010_Lachterman_PH_09-03-2024)

We note that the applicant intends to add a traffic signal to the intersections of Route 6 and East Main Street, and Old Route 6 and East Main Street. As Route 6 is a State Highway, the Town and applicant will need to coordinate with NYS DOT on design and permitting, as well as to evaluate potential traffic impacts to Route 6. Due to the limited length of the connection between Route 6 and East Main Street, the design and timing of these traffic signals is of great importance to ensure vehicles do not back up onto Route 6. (005_Westchester County Planning_09-03-2024)

Response 65: NYSDOT has provided a comment letter dated October 25, 2024, and comments and responses to the letter are contained in this Chapter 2.

Comment 66: A traffic signal warrant analysis, based on the Manual on Uniform Traffic Control Devices (11th Edition), should be prepared for the intersections of East Main Street with US Route 6 and Old Route 6 to demonstrate that a signal is warranted at each location, as stated in the report. The signal warrant analysis should analyze the volumes at the intersections in the existing condition and the proposed condition. (037_NYS DOT_10-25-2024)

Response 66: The traffic signal warrant analyses are provided in **Appendix D**, which shows that the volume-related warrant criteria are met for the US Route 6 and East Main Street intersection under the existing and proposed conditions, using both the standard minor approach methodology and the modified left-turn minor approach methodology, following guidelines from the Manual on Uniform Traffic Control Devices. Although the intersection does not meet Warrant 7 – Crash Experience, the near-miss left-turn crashes and community and Town feedback indicate significant safety concerns at this location that would be mitigated with the installation of a traffic signal.

At the East Main Street and Old Route 6 intersection, warrant criteria (Warrant 2 – Four-Hour Vehicular Volume) are met for seven hours of the day under the 2023 Existing Conditions. Under the proposed conditions, the intersection would meet warrant criteria for eight hours of the day, which satisfies all volume-related warrant criteria. Additionally, due to the proximity to the US Route 6 and East Main Street intersection, which is recommended to be signalized and meets the volume-related warrant criteria, the East Main Street and Old Route 6 intersection is also proposed to be signalized to prevent queue spillback from US Route 6 to Old Route 6 so as to provide a clear intersection for vehicles to exit Old Route 6. As a result, signalization of the East Main Street and Old Route 6 intersection is warranted and recommended. Additionally, to further improve conditions and safety deficiencies at the two intersections, the stop bars along East Main Street would be evaluated during the traffic signal design phase and would be adjusted to maximize queuing distance.

The clustered operation of the US Route 6 & East Main Street and East Main Street & Old Route 6 intersections is critical to prevent queue spillback onto US Route 6 for westbound right turning and eastbound left turning vehicles from US

Route 6. At the East Main Street and US Route 6 intersection, the northbound approach has space for approximately three vehicles to queue. The analysis indicates that, under clustered operation, in the 95th percentile worst case scenario, no more than three vehicles would be queued in the northbound left turn lane to enter the site. Therefore, queue spillback is not anticipated onto US Route 6 with clustered operation of the proposed traffic signals.

Comment 67: If the results of the signal warrant analysis show that only a signal is warranted at the US Route 6 and East Main Street intersection, include an analysis of an alternative where only the intersection of US Route 6 and East Main Street is signalized and the Old Route 6 and East Main Street intersection remains unsignalized. (037_NYSDOT_10-25-2024)

Response 67: The results of the warrant analysis indicate that signalization of both the US Route 6 & East Main Street and East Main Street & Old Route 6 intersections is warranted and recommended.

Comment 68: Consider including "Do Not Block the Box" signage and striping at the intersection of East Main Street and Old Route 6. (037_NYSDOT_10-25-2024)

Response 68: See Response to Comment 67. "Do Not Block the Box" signage and striping may not be sufficient to prevent vehicles from spilling back to US Route 6. Therefore, signalization of both intersections is recommended.

Comment 69: The "Traffic Mitigation" section should explain the decision to restrict the southbound left-turn movement from East Main Street to US Route 6. The report should explore providing two southbound approach lanes and one northbound receiving lane, or whether there is available right-of-way to provide two lanes in each direction. Figure 12-5 shows site-generated traffic volumes making a southbound left-turn movement at the subject intersection. Describe within the report the assignment to the roadway network of these trips if the movement is restricted. (037_NYSDOT_10-25-2024)

Response 69: At the US Route 6 and E Main Street intersection, the southbound movement is proposed to be restricted to right turn only. This is due to the traffic signal phasing to allow additional time for the eastbound left turn. Currently, no vehicles make a southbound through movement and fewer than five vehicles make a southbound left turn movement during the analyzed peak hours. Due to the low number of southbound left-turning and through vehicles, and a greater demand for northbound traffic, one southbound approach lane and two northbound departure lanes are proposed. The southbound left turn in the "With Action with Mitigation" scenario are reassigned to make a westbound left turn onto Lee Boulevard and a southbound left turn onto US Route 6 as the most conservative scenario.

Comment 70: Include calculations of all yellow and red clearance times for each phase of the proposed signalized intersections at East Main Street with US Route 6 and Old Route 6. (037_NYSDOT_10-25-2024)

Response 70: The yellow and red clearance time calculations are included in **Appendix D**.

Comment 71: Provide traffic signal plans that include grading, signing/pavement marking plans, and NYSDOT Standard Details for all modifications to the intersections at US Route 6 and East Main Street. Plans should include WZTC/MOT plans with hours of closures, roadway profiles, existing guiderail, curb lines, and any utilities. Truck turning diagrams should be provided for firetrucks and emergency response vehicles to show access from US Route 6 is feasible. MPT signs must be clean and meet reflective requirements. Plans should be stamped by NY PE, include NYSDOT reference markers, route numbers, and direction of travel. PE stamp also required for any work related to design for trenches, drainage studies, retaining walls, structures, etc. (037_NYSDOT_10-25-2024)

Response 71: Traffic signal plans with the necessary details will be prepared when the Proposed Project is in the Town's site plan approval process. Specifically, the Applicant would prepare a conceptual traffic signal plan as part of the site plan submission to the Town, which would be shared with NYSDOT, and the full traffic signal plans would be prepared as part of a NYSDOT PERM-33 Stage 2 submission for design review. In addition to the items listed in Comment 71, additional items that would be addressed as part of the full traffic signal plans in the design phase include detectors (such as back of queue detectors to prevent queue spillback), considerations to allow for communication between the East Main Street and Lee Boulevard signals such as additional conduit, mast arm or span wire support, context-sensitive construction materials for the Old Route 6 intersection, and drainage.

Comment 72: Roadway improvement plans should include reference markers, route numbers, direction of travel, grading contours, roadway profiles, roadway AADT's, and stationing. All existing utilities should be shown. (037_NYSDOT_10-25-2024)

Response 72: Roadway improvement plans with the necessary details will be prepared as part of a NYSDOT PERM-33 Stage 2 submission for design review.

Comment 73: A subsequent submission of traffic signal plans should include a phasing diagram, NYSDOT Standard Details, NYSDOT Item Numbers, signal face layouts, table of signal operations, and details regarding conduits, wiring, signal poles, and vehicle detection. (037_NYSDOT_10-25-2024)

Response 73: Traffic signal plans with all the necessary details will be prepared as part of a NYSDOT PERM-33 Stage 2 submission for design review.

Comment 74: Sight distance diagrams should be prepared for both intersections with proposed improvements to verify whether left-turns should be permitted/protected and whether to allow right-turn on red movements. Sight distance diagrams should be prepared for the Old Route 6 approach for a potential unsignalized scenario to verify the safety of unsignalized movements. (037_NYSDOT_10-25-2024)

Response 74: Sight distance diagrams will be prepared as part of a NYSDOT PERM-33 Stage 2 submission for design review.

Comment 75: Mast arms should be considered for the construction of the new traffic signal to avoid conflict with existing overhead utilities. If a spanwire is selected for the installation of the traffic signal, calculations using the Traffic Signal Support Structural Analysis Program should be prepared and included to verify the design of the supports. (037_NYSDOT_10-25-2024)

Response 75: Comment noted. Mast arms and spanwire will be evaluated, and detailed traffic signal plans showing the preferred option will be prepared as part of a NYSDOT PERM-33 Stage 2 submission for design review.

Comment 76: Storage distances should be based on the results of the capacity analysis, specifically for the eastbound left-turn lane on US Route 6 at East Main Street. (037_NYSDOT_10-25-2024)

Response 76: The storage length of the US Route 6 and East Main Street eastbound left turn lane is proposed to be lengthened to 300 feet from 150 feet to serve the average queue lengths in the “With Action with mitigation” scenario for all peak hours.

Comment 77: The prepared turning diagrams show conflicts with the curbs during internal circulation. (037_NYSDOT_10-25-2024)

Response 77: Revised truck turning diagrams are provided in **Appendix A**, which no longer show conflicts with curbing. It should also be noted that trucks are shown to partially mount the driveway median, which is proposed to be a mountable grass median.

Comment 78: Please provide a Drainage Study Report including all the required calculations discussed in NYSDOT's Highway Design Manual Section 8.9 and demonstrate the erosion control and runoff requirements are satisfied for both post-construction and during each construction phase for potential impacts to State highways. Drainage design requirements include minimum 18 inch for longitudinal pipes, 24 inch for transvers pipes, and 15 inch for driveway pipes. Driveway design should include trench drains, proper cross slopes, and drain inlets to minimize runoff to the State Highway. (037_NYSDOT_10-25-2024)

Response 78: Comment noted. A Drainage Study Report will be prepared as part of a NYSDOT PERM-33 Stage 2 submission for design review.

Comment 79: Applicants for Highway Work Permits must complete Permit Applicant Certification Regarding Labor Law Section 224-f. To comply with the provisions of §224-f of the NYS Labor Law, NYSDOT must start requiring all permit applicants to complete and submit a certification form (enclosed) with all highway work permit applications. Please complete the Labor Law Section 224 Certification form and upload so that we may finalize the review of this proposed project. (037_NYSDOT_10-25-2024)

Response 79: A completed certification form will be included as part of a NYSDOT PERM-33 Stage 2 submission.

WALKABILITY & ALTERNATIVE TRANSPORTATION

Comment 80: Comments were received concerning the walkability of the Project Site in relation to the Jefferson Valley hamlet and the impacts that the Project would have on walkability within the hamlet.

One other idea I had, I don't know how much this would affect it, but I think this is something that this Town should consider in every development, which is creating a walkability aspect to every development if possible. What consideration has been given by the developers who are creating some kind of a sidewalk, or other paved path, between the property and nearby shops? Because this could ease traffic impacts. (019_Gregory_PH_09-03-2024)

The *Town of Yorktown Comprehensive Plan* discusses the Jefferson Valley hamlet in detail, and notes its “eclectic mix of retail, office (and) recreational” uses that are surrounded by residential areas. As part of that discussion, *Policy 5-47* states specifically: “provide sidewalk connections along East Main Street to the shopping areas with crosswalks at Hill Boulevard and Lee Boulevard.” Since the redevelopment of this site with residential uses would be the closest multifamily residential development to the hamlet center constructed since the Comprehensive Plan was adopted in 2010, the EIS should include a discussion on contributions the petitioner can include towards implementing the Town’s goal of making the Jefferson Valley hamlet more walkable. (005_Westchester County Planning_09-03-2024)

Response 80: Walkability from the Project Site to nearby commercial areas and the Jefferson Valley hamlet is severely constrained based on the difference in elevation between the Project Site and surrounding areas. Specifically, any sidewalk from the Proposed Project’s buildings to East Main Street would be extremely steep and would not meet ADA standards. Therefore, such a sidewalk would be

unlikely to be utilized, especially by residents of an age-restricted community. In addition, there is no sidewalk east of the Project Site along East Main Street connecting the Project Site to the hamlet commercial area. Nevertheless, during the traffic signal design phase, the Applicant and the Town will investigate the possibility of adding sidewalks along East Main Street and the feasibility of new sidewalks at the signals.

Comment 81: Comments were received requesting that the feasibility of incorporating alternative forms of transportation, such as bicycles or shuttles, into the Proposed Project be evaluated.

We appreciate that the applicant has proposed an internal pedestrian pathway system within the site to connect the various residential buildings to each other and to the amenity areas. However, the DEIS states that sidewalk and bicycle connections are not proposed due to the slope of the access driveway. While terrain may be a factor in the usability of sidewalks and bike paths, we note that providing multiple means of transportation is an important factor in balancing the needs of residents, employees, and visitors. By requiring all persons to access the site via an automobile, those who do not own a car or cannot drive are denied safe access or are excluded. As the site is to be age-restricted, providing multiple means of access is of great importance, as many elderly residents either cannot or choose not to drive. We recommend that the applicant considers alternative means of transportation, including the utilization of a shuttle to access the Jefferson Valley hamlet center and mall, and perhaps including a means for electric bicycle rental or storage, as these vehicles have become a popular mode of transportation for older residents. (005_Westchester County Planning_09-03-2024)

There's another way that the developers can handle this. Many senior communities now offer a down service to shopping, to malls, to Uncle Giuseppe's. They can't mandate that their residents use these things, but it would encourage less traffic if they provided that in the community. (014_Tanzman_PH_09-03-2024)

Ensuring that the transportation needs of new residents are accommodated through means other than private automobiles is an important factor in reducing the dependency on cars and encouraging dense residential growth without overburdening the street network and existing parking supply. Furthermore, the cost of constructing and maintaining parking in residential developments can add to housing costs, resulting in fewer housing options that are affordable to people who live and work in Westchester. The County's *Transportation Demand Management Toolkits* provide strategies for municipalities, employers, and developers to reduce the need for single-occupancy vehicle travel, which could help future tenants avoid the need to park private vehicles. We further encourage the Town to consider the *TDM Toolkits* in an effort to reduce the environmental impacts of parking, which can include excessive land disturbance as well as increased stormwater runoff and flooding. We encourage the Town to consider these impacts and

implement TDM practices that would help avoid the impacts of excessive parking. Such practices could include landbanking, setting parking maximums (instead of minimums), unbundling the cost of parking from housing costs (except for any affordable units), and other strategies included in the *Toolkits*. (005_Westchester County Planning_09-03-2024)

Also, I keep going back to this because I love, Sergio, your idea when you were talking about shuttles and buses. Is there any plan, you might have talked about this already, I know there have been multiple discussions about this, so I apologize again if that's something you addressed, are there alternate ways to get people in and out? Are there sidewalks in this place, once again?... If there, you know, a lot of people don't like driving, a lot of people like getting around alternate ways. So, that would be a way to increase that, if there are shuttles to the train station, if there are shuttles to other, just in town, or maybe at a bus stop to that location too. (033_Pichett_PH_10-08-2024)

Response 81: The Applicant does not provide shuttle service at any of its other communities, and does not anticipate that there would be sufficient demand at this active age-restricted facility to make it feasible. Demand would be evaluated by the Applicant when the facility reaches stabilized (95%) occupancy, and if it sufficient to warrant the service, a shuttle would be provided as a resident paid amenity. It should also be noted that residents would have access to taxi/ Uber services, and that convenient pick up and drop off locations would be available on-site.

ALTERNATIVE SITE ACCESS

Comment 82: Comments were received questioning whether there is another way for vehicles to access the Project Site, specifically, whether site access across from the Taconic State Parkway northbound ramps is feasible.

The traffic and access location for the site are of the utmost importance. While the DEIS does a very thorough review of the potential traffic impacts in the area, the entrance location should be discussed thoroughly as egress and ingress on to East Main Street may carry significant impacts on the intersection of Route 6 and East Main Street. While the DEIS presents a well-designed intersection improvement, the Board should scrutinize it fully. (003_Planning Board_08-30-2024)

And I would like to hear, I heard some words about unfeasible, infeasible, but I would really like to know if there are any opportunities for a new ingress and egress other than straight on to East Main Street. (014_Tanzman_PH_09-03-2024)

I believe there was some conversation about maybe coming in off of Route 6. There used to be, apparently, an entrance there. So, it would take turning that signal into a four-way instead of threeway. (010_Lachterman_PH_09-03-2024)

Response 82: Alternative site access is assessed in detail in Chapter 12 Section F.9 of the DEIS, which concludes that due to the steep grade between the Project Site and US Route 6, far exceeding 10 percent, an alternative driveway that conforms to the NYS Fire Code is not feasible. Furthermore, NYSDOT is not amenable to having a connection between the Project Site and the Taconic State Parkway northbound ramps. Additionally, the Project Site is only accessed via Old Route 6 and access through adjacent properties is impractical. Therefore, there are no feasible alternative driveway options.

Comment 83: The DEIS acknowledges that there is no feasible second emergency access and that the only way an emergency access can be provided is by widening the existing entrance driveway. a. Does this plan, even with the center divider strip, meet Fire Code requirements for emergency access? (004_Siegel_09-03-2024)

Response 83: The proposed Project Site driveway conforms with State and local codes, and no State or local variances are required.

TRAFFIC SIGNAL OPERATIONS

Comment 84: Comments were received regarding the traffic signal operations of US Route 6 and East Main Street, as well as the US Route 6 corridor, in relation to a simulation showing the traffic signal operations which was presented at the public hearing held on October 8, 2024.

So, the light on 6 would be talking to the light on Lee Boulevard, at that intersection. (025_Esposito_PH_10-08-2024)

How many cars can queue up in that now? Now there's five or six. What's the new one? So you'll get 12 to 15? (026_Murphy_PH_10-08-2024)

So you're narrowing the center island, or whatever you want to call it? (025_Esposito_PH_10-08-2024)

Yeah, you see all that queue? So, those people are going to be coming back, right? They're going somewhere now, the assumption is they're going to be coming back. That queue is going to be flipped, it's going to be on this side of the road. And I don't know if you have -- I know for a fact you don't have the same distance between this new light and the Taconic entrance where there's a light that you do from this light and the Lee Boulevard light going back. (025_Esposito_PH_10-08-2024)

Michael, in your modelling, what's the furthest queue? Right now, it queues up into the left lane. In your modelling, what does it queue up to? I've only seen six cars. Okay, it's operating where it's supposed to be? (026_Murphy_PH_10-08-2024)

So currently that intersection, what is it rated as? And after those improvements with the two lights? (025_Esposito_PH_10-08-2024)

Question. With the signal, which obviously has the light for the left turn, what about people exiting the golf course who want to make a left, would there be an additional left turn for them? And that would be an independent left turn from the other left turn? (028_Siegel_PH_10-08-2024)

You would get a green light to make the left, but you would still be stopping the cars coming from Lee? (028_Siegel_PH_10-08-2024)

How would you stop them from going left, how would you stop them? (028_Siegel_PH_10-08-2024)

So, what's the additional cost of the software? And you need cameras then, right? (025_Esposito_PH_10-08-2024)

Is it possible to upgrade an older signal? Because we want to look at town line to town line on Route 6, because there are definitely issues. (027_Lachterman_PH_10-08-2024)

Who owns those cabinets, is that DOT? (026_Murphy_PH_10-08-2024)

So the lights cost between \$350,000 and \$500,000? (025_Esposito_PH_10-08-2024)

Would it be prudent to put the software in now and just get it all done so this way if we wanted to move ahead, we'd have to do the light on Lee and the light at the Taconic? (025_Esposito_PH_10-08-2024)

Another question. Will this impact in any way the pedestrian light at Lee? It will coordinate with it? (028_Siegel_PH_10-08-2024)

I know my colleagues in golf and everything else come down from Mahopac, but what's going to happen now to Hill and Lee Boulevard? Because if I know there's a light down at the end, I'm going to go down Lee or Hill Boulevard. And then lights are not synced to what they're talking about. Is it possible, I don't know, to get all the lights synced once you get on 6, you can just sail through? That's my concern, is that if I have to go to the doctor up on Hill Boulevard, I wouldn't be able to get back down home. It's going to be a lot of people coming down both of them streets to avoid that light that they're projecting. That's my concern. (036_O'Neil_C_PH_10-08-2024)

Response 84: The proposed signalization is discussed in more detail in Response to Comment 62. The existing eastbound left turn from US Route 6 to East Main Street includes space for approximately five to seven vehicles to queue. As part of the traffic mitigation measures, the storage length would be doubled from 150 feet to 300 feet, to allow 12 to 15 vehicles to queue, which would be sufficient to serve the existing and future volumes as shown in the queue summary table in **Appendix D**. This would narrow, or remove, part of the median between East Main Street and the Taconic State Parkway northbound ramps.

The proposed traffic signal is located approximately 700 feet from the Taconic State northbound ramps intersection and approximately 900 feet from the Lee Boulevard intersection. The new traffic signal would reduce the queueing and vehicle conflicts for the eastbound left turn which spills back and blocks the

mainline of US Route 6. Additionally, sufficient queue space is available along US Route 6 east and west of the proposed traffic signal to serve the vehicular demand. The Lee Boulevard pedestrian signals would not be impacted.

The intersection currently operates at a poor Level of Service (LOS F) during all peak hours with extensive vehicle conflicts. With signalization of the intersection, vehicle delay and conflicts at the intersection would be reduced, and the operations would be improved to a LOS C for all peak hours.

For vehicles exiting the golf course, there is a separate phase where the northbound movement, including left turners, would receive time without conflicting with traffic along US Route 6. This movement would not occur at the same time as the eastbound left turn.

The southbound left turn from East Main Street onto US Route 6 would be restricted. This is currently a low-volume movement of fewer than 5 vehicles in any peak hour. This would be done via signage and striping to indicate that vehicles traveling south from East Main Street can only make a right turn.

The proposed traffic signals at US Route 6 and East Main Street would include technology that would allow them to become part of a larger coordinated, or adaptive, signal system along US Route 6, which allows the traffic signals to communicate with each other. For coordination throughout the entire corridor, the remainder of the traffic signals along US Route 6 would require hardware and software updates, including camera or other sensor technology, communications equipment, such as a wireless or wired network, and cabinet signal controller upgrades. Improvements to the other signals in the corridor would be a responsibility of NYSDOT and the Town of Yorktown. The new signals proposed at the US Route 6 and East Main Street intersections would include the hardware and software necessary for the signals to be integrated into a potential, future, coordinated system.

The cost to upgrade the remaining signals with the sensing hardware, communications equipment, and cabinet signal controller upgrades, would vary significantly depending on the type of system ultimately implemented. Per intersection, the cost could vary between \$20,000 to \$100,000 per intersection, plus potential annual costs that would be incurred by the owner of the traffic signals, which would be NYSDOT.

M. AIR QUALITY

No comments were received.

N. NOISE

No comments were received.

O. HAZARDOUS MATERIALS

No comments were received.

P. CONSTRUCTION

Comment 85: The thing is from the construction, my house, 760, 1732 house, progress and preservation, Yorktown, got destroyed from the contractor's trucks going up when they were building and doing things. We had an engineer come, and we came to Town meetings and mentioned it to them. Now, the same thing will happen again if construction is allowed to go up that road, my house, because it's a 1732 house on rock, it will get damaged more. That was never taken into consideration at all, you know. So, it will happen again with construction. (013_Kempton_PH_09-03-2024)

Response 85: Potential adverse impacts from construction of the Revised Proposed Project would be avoided and minimized through the implementation of a Construction Management Protocol (CMP). The CMP would be prepared by the Applicant, in close coordination with Town staff and consultants, and would be approved as part of the final site plan approval. The CMP would identify measures incorporated into the Revised Proposed Project's construction plans to avoid impacts to traffic, air quality, and noise.

The Applicant evaluated the potential for construction truck traffic to adversely affect the commenter's house. Pursuant to construction vibration analysis procedures established in the Federal Transit Administration's (FTA) Transit Noise and Vibration Assessment Manual (September, 2018), loaded trucks passing by the house at a distance of 45 feet (which is the approximate distance between the structure and the pavement edge of Old Route 6) would result in Peak Particle Velocity of 0.031 inches/second. According to FTA's guidance, the threshold of potential damage for "buildings extremely susceptible to vibration damage" is 0.12 inches/second. Vibration levels from operation of hoe rams or other demolition equipment within the Project Site's limit of disturbance would be even lower at the residence, which is approximately 125 feet from the work areas. However, the projected vibration level of 78 VdB from loaded trucks passing the residence on Old Route 6 would be expected to result in annoyance at a frequency of 30 times per day or greater.

While this analysis indicates that construction would be unlikely to cause structural damage to the commenter's house, the Applicant proposes to conduct a pre-construction survey of the structure that could be compared to post-construction conditions. In addition, the Applicant is willing to conduct vibration monitoring in the vicinity of the commenter's house during the periods of construction that would generate the most vibration.

Q. ALTERNATIVES

ALTERNATIVE 3: NON-AGE-RESTRICTED DEVELOPMENT

Comment 86: Explain in greater detail, and quantify citing methodologies, the statement in D.2b that a non-age restricted project would generate "slightly greater economic benefits to the town." (004_Siegel_09-03-2024)

Response 86: Retired households generally spend less than working households across various categories (for example see Consumer Expenditure Survey findings here: [A closer look at spending patterns of older Americans : Beyond the Numbers: U.S. Bureau of Labor Statistics](#)). Non-age-restricted households would therefore be expected to generate more economic activity through consumer expenditures.

Comment 87: 142 non-age restricted plan. 1. Discuss a straight R-3 alternative using the same footprint. (004_Siegel_09-03-2024)

Response 87: As discussed in the DEIS regarding the "Non-Age-Restricted Development" alternative, the maximum "FAR, usable" in the R-3 District is 0.23. The Alternative Site Layout would meet this requirement, as would the Revised Proposed Project. The maximum building height permitted in the R-3 District is 40 feet, which is lower than the 45 feet currently permitted in the RSP-2 District. A 3-story residential building could likely be constructed within the 40-foot maximum height, however, it would significantly limit the options for architectural detailing of the roof. Most other impacts would be similar to the 142-unit plan studied in the DEIS, with the exception that a non-age-restricted facility would generate more school children than an age-restricted facility. A 142-unit facility (whether or not age-restricted) would not meet the Applicant's goals and needs as rental revenue would not be sufficient to cover costs of construction, including fixed costs of site preparation, utilities, and infrastructure. A 142-unit project would therefore not be economically viable.

Comment 88: What are the Lakeland School District's historic and current enrollment and future enrollment projections? i. When was the last enrollment projection study done? ii. Are there any plans for an updated enrollment projection study? e. Data from the most recent facilities utilization study. i. If there was an increase in

enrollment, would more classroom space be needed? f. Cost per child i. Clarify what your \$17,911 per student figure includes/excludes ii. If no additional teachers will have to be hired due to the additional students, why would each additional student cost district an extra \$17,911? g. Show the number of projected school children with a 142 unit non age restricted plan, or, more appropriately, a density based on R-3 guidelines. (004_Siegel_09-03-2024)

Response 88: Historic enrollment for the Lakeland Central School District is provided in **Table 2-11**, which generally demonstrates that enrollment in the School District has declined by 478 students (or, 8 percent) since the 2014-15 school year. At the request of Councilwoman Siegel, the Applicant requested information from the Lakeland School District with respect to enrollment projection studies. The School District responded on February 14, 2025 (see **Appendix C**). The School District's enrollment projection indicates that total enrollment is anticipated to decline from 5,141 students in the 2025-2025 school year, to 4,936 students in the 2034-2035 school year (a decline of 205 students, or 4 percent). The School District did not provide information on anticipated future enrollment studies, and the Applicant is not aware of the School District's plans for any such studies.

Table 2-11
LCSD Enrollment (2014 to 2024)

School Year	Enrollment	Percent Change
2014-2015	5,797	--
2015-2016	5,709	-1.5%
2016-2017	5,638	-1.2%
2017-2018	5,594	-0.8%
2018-2019	5,528	-1.2%
2019-2020	5,510	-0.3%
2020-2021	5,454	-1.0%
2021-2022	5,342	-2.1%
2022-2023	5,303	-0.7%
2023-2024	5,319	0.3%
Sources: NYSED.gov. https://data.nysed.gov/profile.php?instid=800000034590		

Based on the multipliers used to estimate the number of school children in the non-age-restricted alternative (see Table 17-8 of the DEIS), assuming an even split between 1- and 2-bedroom units, a 142-unit non-age restricted development could be anticipated to have approximately 13 public school age students. As discussed in DEIS Chapter 17, "Alternatives," the per-pupil programmatic expense is based on the portion of the School District's Program Budget that is paid for by property tax revenue, and the number of students. For Alternative 3 (Non-Age-Restricted Development), the District's average per-pupil programmatic expense, supported by property tax revenue, would be \$17,911 per student, or a total cost of \$232,843 for 13 students. As stated in Response to Comment 86 above, development of a 142-unit facility would not be economically viable and would not meet the Applicant's goals and needs.

Comment 89: Comments were received supporting the development of non-age-restricted housing on the Project Site.

The County Planning Board's long-range planning policies are set forth in Westchester 2025—Context for County and Municipal Planning and Policies to Guide County Planning, adopted by the Board on May 6, 2008, amended January 5, 2010, and its recommended strategies are set forth in Patterns for Westchester: The Land and the People, adopted December 5, 1995. We appreciate that the proposed development would align with aspects of these policies, as it would redevelop a vacant office site with new multi-family housing that is within walking distance to public amenities and the Jefferson Valley commercial center. However, while the petition discusses a number of different housing types proposed for this site, the requested zoning map amendment would only permit housing for seniors. We note that the Jefferson Village development, across the Sprain Brook Parkway from the site, is also currently age restricted. As is mentioned in the DEIS, a critical need for housing for all ages has been documented in the County's Housing Needs Assessment. We appreciate that an alternative in the DEIS analyzes a development that is not age restricted. We recommend the Town consider this alternative where the site is rezoned to a multi-family district that would permit residency for all household types, including seniors, to ensure that sufficient housing is being provided within the town for all potential resident needs. (005_Westchester County Planning_09-03-2024)

County Planning Board, April 14th, also, made two significant points regarding the proposed housing indicating that there's a critical need for housing of all ages, not just seniors. (010_Lachterman_PH_09-03-2024)

Looking at recent housing proposals in this town, developers seem to believe that Yorktown doesn't want any impact on schools from having housing for families, and it considers that to be a greater impact than the other kinds of impacts, so they're proposing senior housing. As I pointed out before, developers seem to have gotten the message that we don't want kids, that we don't want families.... I think it's terrible that Yorktown is getting perceived to be taking an anti-family stance on housing. I think it would be shameful if Yorktown turns into a town that has few children and an overabundance of seniors. As I said before, I know it's hard to believe, but I'm a senior citizen myself, but I want to live in a town that has all ages and all kinds of people in it. And there's already a higher percentage of seniors in Yorktown than in the county or state. (019_Gregory_PH_09-03-2024)

So, I would only ask that we consider perhaps maybe there's a different zoning that would make sense, as well, that would open it up to a broader demographic in the community. (032_Wilson_PH_10-08-2024)

Also, if you do reduce the age restriction, I think it would be advantageous, younger folks would want to move in. (033_Pichett_PH_10-08-2024)

Response 89: Comment noted. The Applicant's preference is to develop an age-restricted (55+) residential development with 180 residential units. It is noted that non-age restricted multifamily residential projects are also being proposed in the Town.

ALTERNATIVE 4: ALTERNATIVE SITE LAYOUT

Comment 90: Comments were received requesting clarification of certain characteristics of the Alternative Site Layout.

How big are the cottages? (011_Murphy_PH_09-03-2024)

How many square feet are in the 165 units? (011_Murphy_PH_09-03-2024)

And what is the total number of square footage after the 185-unit project? (009_Esposito_PH_09-03-2024)

Can you just clarify that when you went down to the 185 units, you said that they were all rentals. I thought that 20 of the units, the cottages, were going to be purchased. (012_Siegel_PH_09-03-2024)

It started out as 250 units, now it's lowered to 185. You're not selling only renting? (030_Sillik_PH_10-08-2024)

Response 90: The cottages for the Alternative Site Layout range in size from 1,470 sf to 2,100 sf, the 165 units in the multifamily building comprise approximately 313,000 sf, and the entire Alternative Site Layout comprises approximately 349,036 sf. The Alternative Site Layout would be exclusively rental. The Revised Proposed Project does not include any cottages.

Comment 91: 185 unit age restricted. Address how the above comments regarding the demand for senior housing, including affordable senior housing, apply also to this reduced density alternative. Explain if and how the 185 unit plan meets or does not meet the developer's objectives. (004_Siegel_09-03-2024)

Response 91: Both the Alternative Site Layout (the 185-unit plan) and the Revised Proposed Project (the 180-unit plan) meet the Applicant's goals and needs. As discussed in Responses to Comments 23 and 27, the Applicant's preferred Revised Proposed Project would have lesser potential environmental impacts than the Proposed Project. The impacts of the Alternative Site Layout are materially the same as the Revised Proposed Project, and so would also be less than the Proposed Project.

Comment 92: I forgot one thing. When I asked about the rental, the rental is \$3,000 to \$4,000 a month. What happens if you can't rent them at that price, what happens to the units that were already built? (022_Sillik_PH_09-03-2024); (030_Sillik_PH_10-08-2024)

Response 92: The Applicant intends the units in the Revised Proposed Project to range from approximately \$3,000 to \$4,000 per month, subject to market conditions at the time the Revised Proposed Project is completed. Based upon the Applicant's experience in the region, together with the analysis of the market and socioeconomic conditions included in the DEIS, the Applicant has determined that there is an economically viable market for the Revised Proposed Project. If

the Applicant is unable to rent the units at the anticipated rents, the Applicant would reduce rents as necessary, as is typical with all rental residential development.

Comment 93: The proposed 250 unit plan has a 0.50 FAR which is more than double the 0.23 maximum FAR for the town’s R-3 multifamily zone and 30% more than the existing FAR in the current RSP-2 zone. a. Provide a table comparing the FAR and number of units for the three RSP-2 site plans: 250, 185 and 142 and the R-3 multifamily zone. Other than generating more tax revenue, explain how the higher FAR benefits the town and its residents. (004_Siegel_09-03-2024)

Response 93: See **Table 2-12**, which compares the FAR and number of units as requested in the comment. A higher FAR allows for greater development on a site, resulting in more dwelling units, and greater taxes generated. It benefits the residents of the Town through continued economic development and the introduction of new residents into the community that support local businesses and civic organizations. In the R-3 District, the maximum density ranges from FAR 0.2 to 0.23, depending on the number of units per acre.

Table 2-12
Development Comparison - FAR

Development	Floor Area Ratio
RSP-2 (250 units) (Proposed Project)	0.50
RSP-2 (185 units) (Alternative Site Layout)	0.23
RSP-2 (142 units) (Existing Regulations)	0.18
Revised Proposed Project	0.16
Sources: Perkins Eastman	

Comment 94: Explain comment about stabilized value based on alternate site plan. i. What does “stabilized value” mean? ii. Is the \$170,443 additional town tax revenue based in 250 or 185 units. (004_Siegel_09-03-2024)

Response 94: Stabilized value is an industry standard technical term that refers to the value of the property when a new development reaches ‘stable’ occupancy, which is typically when 95 percent leased. The \$170,443 of additional Town tax revenue is based on the 250-unit Proposed Project.

Comment 95: Questions were received regarding population projections for the Alternative Site Layout, including why certain multipliers were used when projecting population between the Proposed Project and the Alternative Site Layout.

Non age-restricted. Explain why the 310 population projection for the proposed development uses the 2006 Rutgers multiplier, but the 520 population projection for the non-age restricted plan uses the 2018 Rutgers multiplier. 2. Explain why the 310 population projection is not broken down into 1 & 2 bedroom units, but the 530 non-age restricted projection is. For an

equal comparison, discuss impacts for a 185 unit or 142 unit non age restricted development. (004_Siegel_09-03-2024)

Explain in Table 17-8 why there are two sets of multipliers for the one and two bedroom rental units. (004_Siegel_09-03-2024)

Response 95: See Response to Comment 25. Additionally, the population projection for the Proposed Project (310) uses multipliers for 2-bedroom dwelling units (instead of breaking down into 1 & 2 bedroom units) in order to calculate the most conservative (highest potential) population estimate for the Proposed Project. A 185-unit non-age restricted project would generate approximately 385 residents, while a 142-unit non-age restricted project would generate approximately 295 residents.

Comment 96: Comments were received expressing support for the Alternative Site Layout.

The alternative site layout reduces the number of proposed units, keeping more of the site in a natural state, leading to overall less disturbance, and more adequately addresses the stormwater needs. (002_Conservation Board_08-09-2024)

I also liked what I heard when they talked, and I don't know if this was just the unit sizes for the alternative proposal, but when they were talking about 800 square feet, and I forgot what the larger size was for the two-bedrooms, but they were talking about reasonably sized units, and I think that's good, because that's not what we heard about on the other development and promoting diversity. You want to have both sizes. I have nothing against luxury for people who can afford it, but I think it's great to have things that are more moderate. I also think it would be great to have things that could accommodate the seniors that really truly need something a lot more affordable than that. (021_Belfer_PH_09-03-2024)

The alternative layout of 185 units better preserves the environment by stopping excess runoff and cutting less trees, but I didn't hear anything about what the mitigation would be to compensate for the trees cut under either scenario, which would be required under the tree law. And I just wondered what could possibly be done and what is planned. I didn't hear the developer say anything about that. (019_Gregory_PH_09-03-2024)

I would also like to speak in favor of the smaller plan, the 185-unit plan, just makes so much more sense in terms of doing it on the footprint that's already cleared from a construction standpoint, from an environmental standpoint, 651 trees taken down, Town-regulated trees taken down, versus 1,320, so less than half. Tree removal, the amount of -- I'm not sure what net cut is, but a net cut at 81.8 thousand cubic yards of material in the existing plan versus 8.9 thousand cubic yards in the alternative plan. That's a huge difference in terms of the material. And that would translate into, you know, less construction, fewer trucks, fewer cars, lower demand on water and sewer infrastructure. (020_Wilson_PH_09-03-2024)

I think that the rentals are a great idea. Jefferson Village, we do not have that many rentals, so I think that will accommodate our community. (029_O'Neil_PH_10-08-2024)

I spoke at the last meeting, you know, in favor of the reduced footprint from the 250 to 185, so I think that's great, minimizing the disturbance of the forested area that's currently not disturbed. So, that's great news. (032_Wilson_PH_10-08-2024)

I just want to go back on record, from day one we were in favor of this project. We said it was this young gentleman came. (036_O'Neil_C_PH_10-08-2024)

Just to clarify something. Jefferson Village, we have a 10 percent cap on rentals. Some condos, some of the different condos, have five percent. So, there isn't a big market. I don't know how many times I'm sitting in the office and someone will knock on the door and say do you have any rentals, and we say no. It's very rare in Jefferson Village. I think this is a great market because I don't know if I would want to spend \$4,000 but, again, to me, it's a perfect thing for the seniors if they are downsizing and would like to do that. So, congratulations. (036_O'Neil_C_PH_10-08-2024)

Response 96: Comments noted. Based on feedback from the Lead Agency, Involved and Interested Agencies, and the public, and the Applicant's continuing evaluation of market demand and trends, the Applicant developed the Revised Proposed Project, which is now the Applicant's preferred alternative. As discussed in DEIS Chapter 6, "Ecological Resources," mitigation strategies for tree removal would meet the requirements of Chapter 270 of the Town Code, "Trees," Section 270-10 (Mitigation), including donating trees to the Town nursery stock at Willow Park, and adding extensive native plantings on the Project Site, with the quantities to be planted confirmed during the Site Plan review phase.

ALTERNATIVE 5: DEVELOPMENT UNDER CURRENT RSP-2 ZONING

Comment 97: Questions were received regarding the impacts and viability of the "142-unit" plan analyzed in the DEIS.

142 age restricted units using same footprint. 1. Address how the above comments regarding the demand for senior housing, including affordable senior housing, apply also to this reduced density alternative. 2. Explain if and how the 142 unit plan, using the same footprint as the 185 unit plan, meets or does not meet the developer's objectives. (004_Siegel_09-03-2024)

My next comment is I appreciated the drop-down from 250 to 185, but nobody, you did not mention that you had an additional alternative in the DEIS for 142 units. And if I'm correct, it's the same footprint as the 185, but only three stories. That [alternative's feasibility] should be addressed. (012_Siegel_PH_09-03-2024)

To pursue that point [for Alternative 3], if you didn't ask for the additional height, I think it was 142 units, again, the same footprint that you're talking about? Why can't you just reduce the number of units? (028_Siegel_PH_10-08-2024)

Response 97: The 142-unit plan is not economically viable and would not meet the Applicant's goals and needs. See Response to Comment 87.

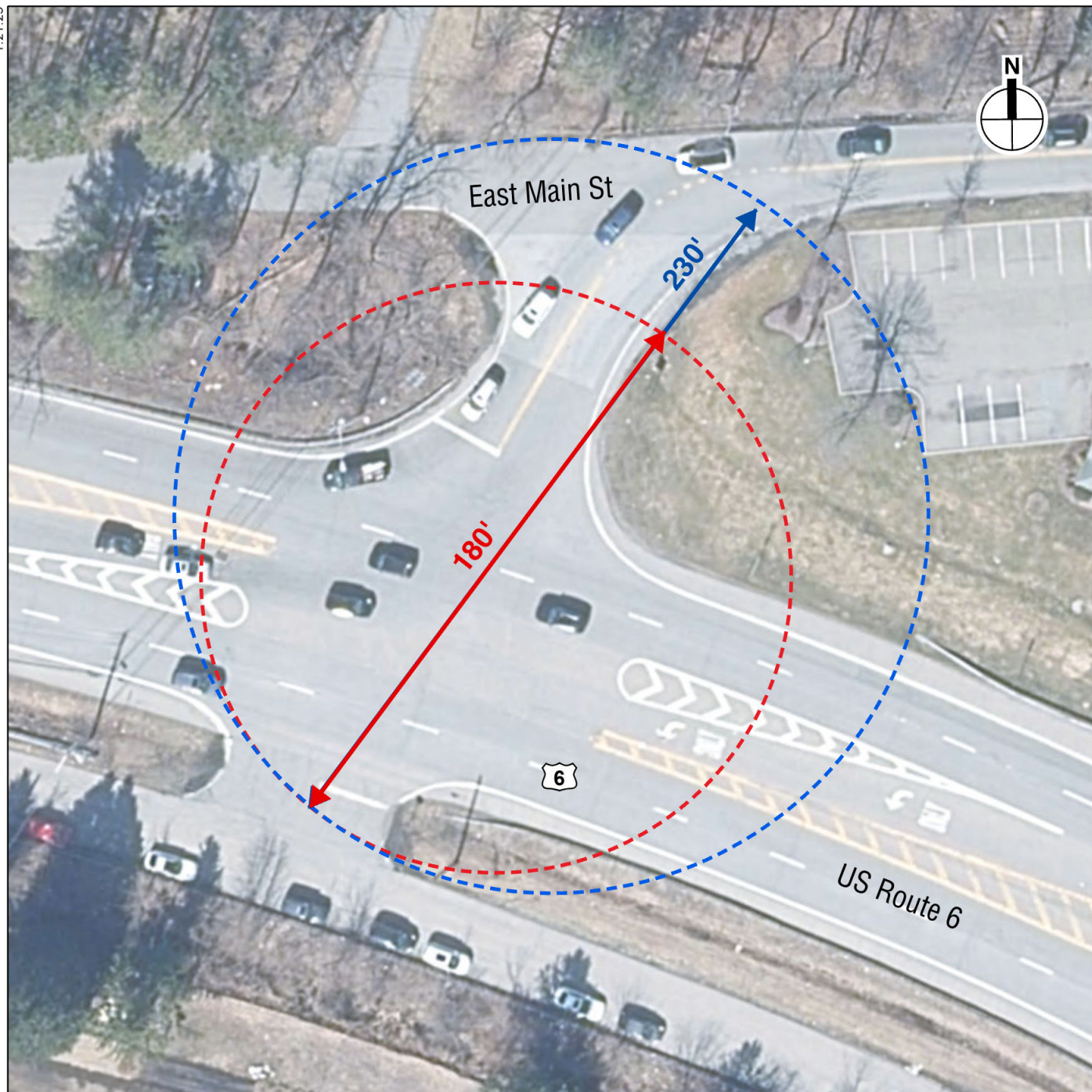
R. SUSTAINABILITY

Comment 98: Comments were received regarding the use of green building technology as part of the project.

Are you planning on heat pumps and any type of solarization? (010_Lachterman_PH_09-03-2024)

We appreciate the applicant for proposing a mix of green building technologies throughout the development, including electric vehicle charging stations, sustainable construction practices, and the consideration of solar arrays. We encourage the applicant to include as much additional sustainable building technology as possible within the proposed development. (005_Westchester County Planning_09-03-2024)

Response 98: The Applicant has not determined the type of HVAC systems that it would use in the Revised Proposed Project. The Applicant intends to undertake a solarization study at the time of site plan review to determine the feasibility of solar power. The Applicant may also incorporate additional green approaches and green building technology as part of the Revised Proposed Project, to be determined as part of Site Plan review, including: Indoor water use reduction (low-flow faucets, toilets, fixtures); energy efficient appliances and equipment; use of low Volatile Organic Compound (VOC) materials (paints, adhesives, flooring); water metering; drip irrigation; EV charging stations; bicycle storage; LED lighting; light sensors and programmable thermostats; and recycling of demolition materials. *



- 36,000 cars per day = two lanes required
- Minimum 180'-230' roundabout – extends beyond existing right-of-way
- Land takings required
- Realignment of US Route 6 and East Main Street