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**TOWN OF NORTH SALEM PLANNING BOARD**

**LEAD AGENCY  
SEQRA  
AMENDED FINDINGS STATEMENT**

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**TYPE I ACTION**

**BRIDLESIDE**  
(formerly Salem Hunt)

June Road, North Salem, Westchester County, New York  
Town of North Salem Assessor Tax Map  
Sheet 5, Block 1735, Lot 19

Property Owner – June Road Development, LLC  
Project Sponsor – Wilder Balter Partners, Inc.

**LEAD AGENCY**

Town of North Salem Planning Board  
266 Titicus Road  
North Salem, New York 10560

**JULY 9, 2012**

**TOWN OF NORTH SALEM PLANNING BOARD**  
**LEAD AGENCY AMENDED SEQRA FINDINGS STATEMENT**  
**TYPE I ACTION - COORDINATED ENVIRONMENTAL REVIEW**

**BRIDLESIDE**  
**(former Salem Hunt)**

**June Road, North Salem, Westchester County, New York**  
**Town of North Salem Assessor Tax Map**  
**Sheet 5, Block 1735, Lot 19**

**Property Owner – June Road Development, LLC**  
**Project Sponsor – Wilder Balter Partners, Inc.**

**1. INTRODUCTION**

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- 1.1 The following Lead Agency Amended SEQRA Findings Statement has been issued by the Town of North Salem Planning Board (“Planning Board”), as lead agency for the coordinated environmental review pertaining to Bridleside (formerly known as Salem Hunt), a proposed multifamily residential development (“proposed action”) for property (“site” or “subject property”) located on the westerly side of June Road in the Town of North Salem, Westchester County, New York, as designated on the Town of North Salem Assessor Tax Maps as Sheet 5, Block 1735, Lot 19. Plans for Bridleside were first reviewed by the Planning Board in January, 2012. Accordingly, all references set forth herein pertaining to actions taken by the Planning Board predating January, 2012 refer to actions undertaken in regard to the former Salem Hunt.
- 1.2 A coordinated environmental review for Salem Hunt was conducted by the Planning Board, as lead agency, and concluded with the issuance of its Lead Agency SEQRA Findings Statement on October 7, 2009. Prior to the granting of Final Subdivision, Wetland Permit and Site Development Plan approvals pertaining to Salem Hunt, the Project Sponsor proposed changes that required submission and review of revised (amended) development plans. In doing so, the Project Sponsor renamed the modified project “Bridleside” and changed both the unit type and site plan layout. Upon review of the revised Bridleside development plan, the Planning Board determined it necessary to reopen the coordinated (SEQRA) environmental review of the proposed action and circulated notice to other involved agencies (see Section 3.2, Involved and Interested Agency Permit Approvals) of the Planning Board’s reopening of the coordinated environmental review, as lead agency.
- 1.3 Bridleside, like Salem Hunt, includes sixty-five (65) multifamily dwellings. Sixty-four (64) of the proposed housing units are proposed to be marketed and rented as affordable rental apartments (the 65th apartment is to be occupied by an on-site superintendent) consistent with the income eligibility guidelines of Westchester County (as well as with pending zoning legislation presently being considered by the North Salem Town Board to amend the Town’s existing moderate income housing regulations resulting in new affordable housing regulations).

- 1.4 Fewer buildings are proposed for Bridleside, encompassing an overall reduced development footprint, which will be constructed, owned and managed by the Project Sponsor. See Section 2.9, Summary Description of Proposed Action for more details. The former Salem Hunt was planned to include sixty-five (65) fee-simple multi-family dwelling units consisting of 80% market rate units and 20% moderate-income units (as presently defined by the Town of North Salem Zoning Ordinance) with a Homeowners' Association.
- 1.5 These Amended Findings are made in accordance with and pursuant to Article 8 of the Environmental Conservation Law, 6 NYCRR Part 617 of the State Environmental Quality Review Act (SEQRA).
- 1.6 These Amended Findings are based on the content, information, reports and analyses documented and evaluated in the Salem Hunt Draft Environmental Impact Statement (DEIS), Salem Hunt Final Environmental Impact Statement (FEIS), the revised Bridleside project development plans, the Bridleside Long Form Environmental Assessment Form and other documents and information submitted in support of the proposed Type I action.
- 1.7 The Planning Board, as lead agency of the coordinated environmental review of this Type I action, has carefully considered the materials which form the basis of these Amended Findings and has applied the standards set forth in SEQR 6 NYCRR Part 617 in reaching its conclusions regarding the environmental significance of project related potential impacts and the mitigation measures proposed to balance and/or minimize those impacts to the greatest extent practicable.
- 1.8 The Planning Board, as lead agency, has thoroughly reviewed the potential environmental impacts associated with the changes to the proposed action contained in the now proposed Bridleside development plan. These Amended Findings pertaining to Bridleside hereby amend the October 7, 2009 Findings issued by the Planning Board, as lead agency, in connection with the then proposed Salem Hunt project.

## **2. PROPOSED ACTION**

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- 2.1 **Name of Action** – Bridleside (former Salem Hunt)
- 2.2 **SEQRA Classification** – Type I action – Coordinated Environmental Review
- 2.3 **SEQR Lead Agency** – Town of North Salem Planning Board.
- 2.4 **SEQR Involved and Interested Agencies** – See Section 3.2.
- 2.5 **Project Sponsor** – Wilder Balter Partners, Inc.
- 2.6 **Property Owner** – June Road Development, LLC
- 2.7 **Project Site Location and Zoning** – The project site consists of an approximately 40 acre parcel of land located on the westerly side of June Road, Town of North Salem, Westchester County, New York, as designated on the Town of North Salem Assessor Tax Maps as Sheet 5, Block 1735, Lot 19. The northerly boundary of the subject property is coincident with the County/Town Boundary shared with the Town of Southeast (Putnam County). The site includes approximately 816 feet of public street frontage along June Road.

The project site is located entirely within a Town of North Salem R-MF/4 Multi-family Zoning District (which was rezoned as such in 2000 in answer to the *Continental* decision with the intent of providing increased opportunities within the Town for the development of affordable housing), the restricted New York City Watershed area and the North Salem School District.

- 2.8 **Site and Surrounding Area Characteristics** – The project site consists of a single tax lot that is rectangular in shape and extends towards the west from its frontage on June Road, which becomes North Salem Road (and Putnam County Route 55) north of the municipal and county boundary which coincides with the site’s northern parcel line. The site is presently undeveloped and in an area of mostly low density residential development. Several horse riding trails traverse through the site. An overhead electrical line and easement cross through the site in the northeast corner of the property.

The site slopes gradually from west to east with topography varying approximately 100 feet across the property. The majority of the site, like much of the surrounding woodlands consists of mature second-growth hardwood forest. Wetlands regulated under Federal, State and Town regulations are present along the eastern property boundary and in the northwestern and southwestern portions of the site, and continue off-site, including a portion of NYSDEC Wetland L-32. Areas within 100-feet of the wetlands are regulated by both North Salem and NYSDEC.

Located near the site is a horse farm to the west, undeveloped land to the northwest and southwest, North Salem Volunteer Town Park to the east and the North Salem Middle/High School to the southeast. To the south is a large single-family estate residence. To the north, in the Town of Southeast are undeveloped woodlands, open fields and single-family residences. Further to the northwest are commercial and industrial uses located along Fields Lane.

- 2.9 **Summary Description of Proposed Action** – The proposed action involves the following:

- ▶ Sixty-five (65) residential rental apartment units located within eight (8) separate two-story buildings, including 20 one-bedroom units, 40 two-bedroom units and 5 three-bedroom units (one of the three-bedroom units will be occupied by an on-site superintendent).
- ▶ Sixty-four (64) of the proposed multifamily units will be constructed, marketed, rented and maintained as affordable rental apartments (the 65<sup>th</sup> apartment will be occupied by an on-site superintendent) in accordance with the standards and requirements of the Federal, State and Westchester County public funding resources being used to complete the proposed action, consistent with the income eligibility standards of Westchester County (as well as with pending zoning legislation presently being considered by the North Salem Town Board to amend the Town’s existing moderate income housing regulations resulting in new affordable housing regulations).
- ▶ Street access via June Road in the Town of North Salem with the construction of a new internal looped private access driveway to serve the entire residential development complex, including 144 outdoor parking spaces.
- ▶ An approximately 1,925 SF (35'x55') private Wastewater Treatment Plant (WWTP) building to be constructed south of the new entrance driveway, including a subsurface sanitary disposal system (SSDS) in the east-central portion of the site and proposed to be maintained as an annually mowed meadow (treating approximately 14,200 gpd).

- ▶ A private community water supply system, utilizing three on-site water supply wells (withdrawal of approximately 18,200 gpd).
- ▶ An approximately 3,200 SF Bridleside community building (clubhouse) and play field for the use of Bridleside residents and their invited guests.
- ▶ Site utilities, stormwater management and treatment facilities, and subsurface fire protection water storage tanks.
- ▶ Centralized mailboxes and screened dumpster enclosures in two (2) locations.
- ▶ Regularly scheduled van service at no cost to the Bridleside residents (or the Town of North Salem) will be provided to a connection to public transportation and to local shopping and medical facilities.
- ▶ Site landscaping and wetland mitigation improvements, as well as the following other operational and maintenance programs:
  - Buffer Enhancement and Monitoring Plan
  - Integrated Pest Management Plan
  - Herptile Protection Plan
  - Invasive Species Monitoring and Control Program
  - Well Monitoring and Mitigation Plan
  - Non-Salt Winter Traction Materials Monitoring & Maintenance Program
  - Stormwater Pollution Prevention Plan (Bridleside)
- ▶ A Conservation Easement covering approximately 24.8 acres (approximately 62% of the site), including publically accessible trails with connection to the Town of North Salem Volunteer Park located west of the site. Within the Conservation Easement area is a separate Trail Easement to be conveyed to the North Salem Bridle Trails Association.
- ▶ The entire complex will be owned, managed and maintained privately.

The number of proposed residential units and project demographics for Bridleside are essentially the same as for the former Salem Hunt project. The primary difference between Bridleside and Salem Hunt relate to the unit type (and associated socioeconomic factors) and extent of site disturbance. Bridleside includes sixty-four (64) of the sixty-five (65) apartments as affordable rental apartments as defined by Federal, State and Westchester requirements and income eligibility standards, while Salem Hunt included all for-sale fee-simple multi-family dwellings consisting of 80 percent market rate and 20 percent moderate income units as define by the current North Salem Zoning Law. The Bridleside apartment units are less than half the square footage of the Salem Hunt fee-simple for-sale units, resulting in an overall development "footprint" that is substantially smaller and involving much less disturbance to the site. The Bridleside plan allows for a substantial reduction in total site disturbance and impervious surfaces, thereby leaving more of the site's natural landscape undisturbed to serve as a larger buffer to most adjoining properties. Approximately 24.8 acres or 62% of the site (in comparison to 17.3 acres or 43% for Salem Hunt) will be protected under a Conservation Easement. The Project Sponsor also proposes the restriction of future site development to just the currently proposed 65 residential units, thus no additional units will be permitted now or in the future. A comparison of project impacts between the former Salem Hunt plan and the Bridleside proposed action is provided in Table1, Impact Comparison Table.

TABLE 1 – IMPACT COMPARISON TABLE			
Areas of Potential Impact	Salem Hunt	Bridleside	Change
<b>Site Conditions</b>			
Total Site Area	40 ac	40 ac	No Change
Public Street Frontage	816 lf	816 lf	No Change
Number of Proposed Units	65	65	No Change
Number of Proposed Bedrooms	130	115	<b>15 less</b>
Proposed Interior Driveway Length	+ 2,700 lf	+ 2,092 lf	<b>608 lf / 23% less</b>
<b>Natural Resource &amp; Development Area Impacts (acres)</b>			
Total Construction Disturbance	20.2 ac	14.1 ac	<b>6.1 ac / 30% less</b>
NYSDEC / Town Wetland Disturbance <sup>1</sup>	< 0.004 ac	< 0.004 ac	No Change
Wetland Buffer Disturbance On-Site	0.3 ac	0.4 ac	<i>0.1 ac<sup>2</sup> more</i>
Wetland Buffer Disturbance Off-Site (Wetland D & F)	0.215 ac	0.215 ac	No Change
Wetland Buffer Disturbances as % of Total Buffer	3% (on-site)	3.8% (on-site)	<i>0.8%<sup>2</sup> more</i>
Steep Slopes (15% and greater) Disturbance	1.1 ac	1.1 ac	No Change
Impervious Surfaces (buildings and pavements)	4.3 ac	3.1 ac	<b>1.2 ac / 28% less</b>
Lawn and Landscaping (includes stormwater)	14.8 ac	11.0 ac	<b>3.8 ac / 26% less</b>
Wetland Buffer Conservation Easement	15.7 ac	16.2 ac	<i>0.5 ac more</i>
Upland Conservation Easement	1.6 ac	8.6 ac	<i>7.0 ac more</i>
Total Conservation Easement Area	17.3 ac	24.8 ac	<i>7.5 ac / 43% more</i>
<b>Community and Fiscal Resources</b>			
Projected Population <sup>3</sup>	135	145	<i>10 more</i>
Project School Age Children	9 - 21	9 -21	No Change
Water Demand	20,500 gpd	18,200 gpd	<b>2,300 gpd / 11% less</b>
Sewage Flow	16,000 gpd	14,200 gpd	<b>1,800 gpd / 11% less</b>
Tax Revenue to School District	\$695,805	\$132,298	<b>\$563,507 / 81% less</b>
Tax Revenue to Westchester County	\$144,119	\$25,698	<b>\$118,421 / 82% less</b>
Tax Revenue to Town of North Salem <sup>4</sup>	\$144,194	\$26,039	<b>\$118,155 / 82% less</b>
Total Tax Revenues to all Taxing Jurisdictions	\$984,118	\$187,371	<b>\$796,747 / 81% less</b>
<b>Traffic Generation</b>			
Total AM Peak Hour Trips	36	36	No Change
Total PM Peak Hour Trips	42	42	No Change
Data Source – Tim Miller Associates, Inc. and Insite Engineering and Surveying, P.C., 2012 – Changes noted in bold print represent a negative change. (1) Pertaining to installation of piles for trail foot bridge. (2) The area of on-site buffer disturbance (0.4 acres) has increased from that described in the Salem Hunt FEIS (0.3 areas), due to a mathematical rounding error, upon re-evaluation of grading at the site entrance. (3) Based on multipliers according to Rutgers University Center for Urban Policy Research. (4) Recreation fee for Bridleside remains \$300,000 or \$4,600 per unit.			

Broadly speaking, the physical land impacts associated with Bridleside are either similar or reduced from those of Salem Hunt. Bridleside, however, will result in greater fiscal impacts. The Project Sponsor (Wilder Balter Partners, Inc.), on behalf of its development entity (the property owner - June Road Development, LLC.) has requested public funding from Westchester County to purchase the subject property (for an amount not to exceed \$4 million and then sell it back for \$1) and finance the construction of project related site improvements. As such, Bridleside consists of an affordable development subject to a long term regulatory agreement and as such will be assessed based on New York State Real Property Tax Law 581-a (assessed valuation), which will result in a substantially lower assessed valuation than would have occurred with the fee-simple ownership units of Salem Hunt.

As with Salem Hunt, Bridleside will contribute \$300,000 in recreation fees to the Town of North Salem to partially offset increased demand for municipal recreation resources and facilities. The Project Sponsor also acknowledges that the proposed action will result in fiscal impacts to the Town due to a substantial increase in population without corresponding offsetting revenue, which population growth will make demands on the Town and its provision of overall services to the Town's citizens. In response, the Project Sponsor made a contribution offering in the amount of \$94,000 towards phosphorus off-set programs in the Town of North Salem, as well as a one-time contribution offering of \$200,000 to off-set Town fiscal impacts. After further discussion between the Project Sponsor and the Town Board, the Project Sponsor, at its cost, will instead assist the Town by constructing a new Town Garage of not less than 9,000 square feet and will renovate the existing Town Garage into a multipurpose municipal building.

2.10 **Alternatives** – A number of alternative configurations, layouts and access locations were considered in the Salem Hunt DEIS and FEIS, aspects of which are incorporated in the revised plan layout for Bridleside (most specifically involving reductions in proposed impervious surface coverage and overall site disturbance). The previously studied alternatives included:

- ▶ No Action Alternative
- ▶ Structure Design and Layout Alternative
- ▶ Increased Unit Count Alternative
- ▶ Reduced Impervious Surface Alternative – Decreased Unit Count
- ▶ Reduced Impervious Surface Alternative – Same Unit Count as Proposed Action
- ▶ Walkable Community
- ▶ Fee-simple Alternative

### 3. AGENCY JURISDICTION

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3.1 **Lead Agency** – Lead agency status in regard to the coordinated environmental review for Salem Hunt was confirmed by the Planning Board on April 5, 2006, which review resulted in the determination of a Positive Declaration and completion of Environmental Impact Statement, concluding with the issuance of a positive Lead Agency Findings Statement dated October 7, 2009. Following the Project Sponsor's submission of the revised development plan for Bridleside, the Planning Board determined it necessary to reopen the coordinated (SEQRA) environmental review of the proposed action to consider the potential impact significance of the project changes, consistent with the applicable requirements set forth in SEQR 6 NYCRR Part 617. Notice to other involved agencies (see Section 3.2, Involved and Interested Agency Permit Approvals) of the Planning Board's reopening of the coordinated environmental review, as lead agency, was circulated on February 17, 2012. No objections to reopening SEQR or to the Planning Board resuming as lead agency were received.

3.2 **Involved and Interested Agency Permit Approvals** – Salem Hunt has received several permits, approvals and reviews from Federal, State, County and local agencies as indicated in Table 2, Project Approvals, Reviews and Permits (permit approvals which are no longer necessary to implement Bridleside but were required for Salem Hunt are not included). Bridleside requires certain approvals be updated for the modified site development plan changes.

TABLE 2 – PROJECT APPROVALS, REVIEWS AND PERMITS			
Agency	Permit or Review	Date Approved for Salem Hunt	Update Need for Bridleside
<b>Local and Regional Agencies</b>			
Town of North Salem Planning Board	Site Development Plan Wetland Permit Stormwater Permit	N/A N/A N/A	Needed Needed Needed
Town of North Salem Architectural Review Board	Review of Plans and Elevations	N/A	Needed
Town of North Salem Housing Board	Review of Affordable Housing Units	N/A	Needed
Town of Southeast Town Board	Wetland Permit	11-18-10	Remains Valid
New York City Department of Environmental Protection (NYCDEP)	Review for WWTP, Sewer Collection System, and Stormwater Pollution Prevention Plan	11-03-10 10-27-10 12-02-10	Needed Needed Needed
<b>County Agencies</b>			
Westchester County Department of Public Works	Permit for improvements within County right-of-ways*	02-28-11	Remains Valid
Putnam County Department of Highways and Facilities	Permit for improvements within County right-of-ways*	08-30-10	Remains Valid
Westchester County Department of Health	Water Supply WWTP SSDS Sewer Collection System	02-14-11 02-14-11 02-14-11 02-14-11	Needed Needed Needed Needed
Westchester County Planning	GML 239-LMN Referral	North Salem	Needed
Putnam County Planning	GML 239-LMN Referral	Southeast	Completed
<b>State Agencies</b>			
New York State Department of Environmental Conservation (NYSDEC)	Wetlands Permit Water Supply Permit SPDES GP-0-10-001 Permit SPDES Wastewater Permit Water Quality Certification	12-10-10 12-10-10 10-01-10 12-10-10 12-10-10	Needed Needed Needed Needed Remains Valid
<b>Federal Agencies</b>			
US Army Corps of Engineers (ACOE)	Jurisdictional Determination Bridge Crossing	08-18-09 N/A	Remains Valid Needed
* Note: Improvements will be made in the right-of-way in both Westchester and Putnam Counties.			

3.3 **Procedural History** – The proposed action (as Salem Hunt) was initially presented to the Planning Board in 2005, and consisted of applications for Site Development Plan and Wetland Permit approvals, and later added applications for Subdivision and Stormwater Permit approvals.

- On March 1, 2006, the Planning Board classified Salem Hunt as a Type I action pursuant to SEQR 6 NYCRR Part 617 and declared its intent to be lead agency with respect to a coordinated environmental review, and further authorized circulation of a notice declaring its intent to be lead agency to other involved agencies. A Notice of Intent to serve as lead agency, as well as copies of the Environmental Assessment Form (EAF) and supporting materials and plans for the proposed action were circulated to other involved agencies in accordance with the requirements and procedures set forth in SEQR 6 NYCRR Part 617.

- On April 5, 2006, the Planning Board, having received no objections to its intent to serve as lead agency for the required coordinated environmental review of Salem Hunt, confirmed its status as lead agency; and as lead agency issued a Positive Declaration pursuant to SEQR 6 NYCRR Part 617, requiring the preparation of an Environmental Impact Statement (EIS). The Planning Board further authorized the circulation of a Notice to involved and interested agencies indicating their confirmation as lead agency, issuance of a SEQR Positive Declaration, and as to the scheduling of public scoping.
- On May 3, 2006, the Planning Board, as lead agency, conducted a duly noticed public scoping session, at which time involved and interested agencies, and the public were given an opportunity to provide comments on the issues and studies to be addressed and included in the required EIS.
- On June 7, 2006, the Planning Board, as lead agency, adopted a final written Scoping Outline identifying the issues and studies to be covered and the type and level of analysis to be included in the project EIS, and provided the Project Sponsor with a copy of the Final Scoping Outline.
- On February 7, 2007, the Project Sponsor submitted for completeness review a preliminary Salem Hunt Draft EIS (DEIS). The Planning Board, as lead agency, determined that the scope and content of the submitted preliminary Salem Hunt DEIS was not adequate for public review as it did not fully comply with the DEIS specifications and requirements set forth in the lead agency's adopted Final Scoping Outline.
- On March 25, 2008, the Project Sponsor submitted for completeness review a revised preliminary Salem Hunt DEIS. The Planning Board, as lead agency, determined that the scope and content of the revised DEIS was again not adequate for public review as it still did not fully comply with the DEIS specifications and requirements set forth in the lead agency's adopted Final Scoping Outline.
- On May 7, 2008, the Planning Board, as lead agency, determined the third version of the required Salem Hunt DEIS, as revised through April 18, 2008, to be complete for the purpose of public review and comment, and authorized circulation of the DEIS to involved and interested agencies accordingly.
- On May 20, 2008, the Planning Board, as lead agency, circulated a copy of the Salem Hunt DEIS and Notice of DEIS Completeness to involved and interested agencies indicating the acceptance of the DEIS as complete for public review and comment, and of the schedule for the SEQR Public Hearing and associated public comment period. Copies of the DEIS were made available to the public for review. The Salem Hunt DEIS is currently accessible via the web on the Town of North Salem website at [www.northsalemny.org/planning/applications/salem-hunt-multi-family-development](http://www.northsalemny.org/planning/applications/salem-hunt-multi-family-development) as well as at [www.timmillerassociates.com/publicreview/salemhunt/default.html](http://www.timmillerassociates.com/publicreview/salemhunt/default.html).
- The Planning Board, as lead agency, held and closed a duly noticed SEQR Public Hearing on June 11, 2008, at which time the public, involved and interested agencies, and the Planning Board and its consultants were afforded an opportunity to comment on the Salem Hunt DEIS. Written comments were accepted until July 11, 2008.

- All verbal and written comments received by the Planning Board, as lead agency, pertaining to the Salem Hunt DEIS were provided to the Project Sponsor for response in the subsequent Salem Hunt Final EIS (FEIS) document.
- On December 29, 2008, the Project Sponsor submitted a draft Salem Hunt FEIS, which draft was determined to be incomplete by the Planning Board, as lead agency. Two subsequent revised draft versions of the Salem Hunt FEIS were submitted on April 30, 2009 and July 7, 2009, respectfully, and were both also determined to be incomplete by the Planning Board, as lead agency.
- A revised draft was submitted thereafter addressing the incompleteness comments of the lead agency and the specific revisions recommended by the Planning Board's Planning Consultant dated July 29, 2009.
- On August 5, 2009, the Planning Board, as lead agency, determined the final revised Salem Hunt FEIS as complete and authorized its circulation to other involved and interested agencies, and made it available to the public.
- On August 7, 2009, the completed Salem Hunt FEIS was filed and circulated to the other involved and interested agencies, including a copy of the FEIS Notice of Completion in accordance with the standards and requirements set forth in SEQR 6 NYCRR Part 617. The FEIS Notice of Completion was published in the August 19, 2009 edition of the New York State Department of Environmental Conservation (NYSDEC) Environmental Notice Bulletin (ENB). The FEIS Notice of Completion, Salem Hunt FEIS and related project development plans were posted on the internet for public viewing at: [www.northsalem.org/boards/planning/applications/salemhunt.html](http://www.northsalem.org/boards/planning/applications/salemhunt.html).
- On October 7, 2009, the Planning Board, as lead agency, concluded the Salem Hunt coordinated environmental review with the adoption of a positive Findings Statement.
- On January 11, 2012 a modification to the Salem Hunt project referred to as Bridleside was filed by the Project Sponsor with the Planning Board. The submission included an expanded long form Environmental Assessment Form (EAF), modified Site Development Plans, and a preliminary revised Stormwater Pollution Prevention Plan.
- On February 17, 2012, the Planning Board circulated a Notice to Involved and Interested Agencies in regards to the reopening of the coordinated (SEQRA) environmental review of the proposed action as modified by the now proposed revised Bridleside plan to consider the potential impact significance of the project changes, consistent with the applicable requirements of SEQR 6 NYCRR Part 617. No objections to either the reopening of SEQR or to the Planning Board resuming as lead agency were received. As lead agency, the Planning Board is responsible for the supervision and completion of the coordinated environmental review process as set forth in SEQR 6 NYCRR Part 617.
- On April 27 and May 2, 2012, the Planning Board held duly noticed Public Hearings pertaining to Bridleside, thereby providing the public, as well as involved and interested agencies a formal opportunity to comment on the amended application materials. Written comments were accepted until May 20, 2012. Substantive verbal and written comments received by the Planning Board, as lead agency, pertaining to the amended Bridleside project were responded to by the Project Sponsor either at the two sessions of the Public Hearing or in writing to the lead agency.

## 4. POTENTIAL IMPACTS AND MITIGATION MEASURES

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- 4.1 **Evaluation of Potential Impacts** – The previously completed SEQR evaluation by the Planning Board, as lead agency, in connection with Salem Hunt involved the completion, acceptance, filing and review of a Draft Environmental Impact Statement (DEIS) dated May 20, 2008 and a Final Environmental Impact Statement (FEIS) dated August 7, 2009. The coordinated environmental review for Salem Hunt concluded with the adoption of a positive Findings Statement dated October 7, 2009 by the Planning Board, as lead agency. The above referenced DEIS, FEIS and Findings Statement are incorporated herein by reference.

The Positive Declaration (April 5, 2006) issued by the Planning Board, as lead agency, determined that implementation of the then proposed Salem Hunt may result in, if not adequately controlled and mitigated, potential significant adverse environmental impacts, specifically pertaining to the following:

- ▶ Alteration to site topography due to proposed construction activities in areas where slopes are greater than or equal to 15%.
- ▶ Changes to existing ground and surface water quality and quantity, disturbance to wetlands and wetland buffer areas, alteration of drainage patterns and runoff conditions, and increased erosion and sedimentation. The proposed action is located within the New York City Department of Environmental Protection (NYCDEP) regulated watershed area and could have potential adverse environmental impacts on the water supply serving New York City and other area water supply resources.
- ▶ Disturbance to wooded vegetation and potential adverse impacts on threatened and/or non- threatened species. Also, significant substantial changes in the use and intensity of use of existing undeveloped woodland and wetland habitat areas, resulting in potential substantial loss and fragmentation of natural areas.
- ▶ Alteration of existing community and neighborhood character and woodland aesthetics due to substantial clearing of vegetation.
- ▶ Alteration of present traffic patterns due to the increase in population anticipated upon completion of the project.
- ▶ Fiscal impacts upon the Town of North Salem, relating to the provision of needed community and support services, maintenance of public facilities, park and recreational resources and public school facilities.

The DEIS prepared in support of the former Salem Hunt and in accordance with the related SEQR Positive Declaration issued by the Planning Board, as lead agency, includes a detailed impact evaluation organized by the following environmental topic issues:

- ▶ Land Use and Zoning
- ▶ Terrestrial and Aquatic Ecology
- ▶ Groundwater Resources
- ▶ Wetlands/Watercourses and Buffers
- ▶ Geology, Soils and Topography
- ▶ Cultural Resources (Visual, Community Character, Historic and Archeological)
- ▶ Traffic and Transportation
- ▶ Utilities
- ▶ Community Facilities and Services

The Salem Hunt DEIS also includes an evaluation of the following other environmental aspects as they pertain or would be affected by the implementation of the proposed action:

- ▶ Effects on the Use and Conservation of Energy Resources
- ▶ Growth Inducing Aspects
- ▶ Alternatives to Proposed Action
- ▶ Irreversible and Irrecoverable Commitment of Resources

The Salem Hunt FEIS addressed substantive Salem Hunt DEIS review commentary and also provided updated analysis pertaining to related project modifications proposed at that time for Salem Hunt (i.e., reduction in the width and length of the private driveway; modification in the number of units per building to provide more flexibility in building layout; addition of a WWTP to provide increased treatment of effluent prior to its discharge to an SSDS; and the form of ownership was changed from condominium to fee-simple ownership). For complete details refer to the Salem Hunt DEIS, FEIS and Lead Agency Findings Statement as referenced above.

The above listed impact issues for Salem Hunt are pertinent to the now proposed modified Bridleside plan. As such, the Project Sponsor submitted for the Planning Board's review an Expanded EAF, revised Site Development Plans and other supporting materials providing a comparative analysis of the impacts of Salem Hunt and Bridleside, including analysis of the fiscal implications associated with the project change of ownership from fee-simple multifamily residences to 100% affordable rental apartments. The Planning Board held Public Hearings on April 4 and May 2, 2012 providing an opportunity for involved and interested agencies and the public to comment on the modified Bridleside plan and affordable housing aspects.

- 4.2 **Identification of Proposed Mitigation Measures** – Potential impact issues identified in connection with the former Salem Hunt have been evaluated in the above referenced DEIS and FEIS documents, and where appropriate, mitigation measures were proposed by the Project Sponsor to balance, offset or reduce those potential impacts, to the greatest extent practicable as detailed in the above referenced Salem Hunt Lead Agency Findings Statement. Many of the mitigation measures established for Salem Hunt are also proposed with Bridleside, as detailed in the Bridleside Expanded EAF, revised Site Development Plans and other supporting materials.

Prior to any subsequent final approvals by the Planning Board (signified by Planning Board Chair and Secretary endorsement of the associated required Wetland Permit, Stormwater Permit and Site Development Plans), all proposed project components and impact mitigation measures discussed herein will be required to be fully detailed and finalized consistent with the various applicable regulations and standards set forth and required in the Code of the Town of North Salem, as well as required by other involved agencies.

## **5. ENVIRONMENTAL CONSIDERATIONS AND AMENDED FINDINGS - BRIDLESIDE**

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The following section details the environmental considerations and amended findings of the Planning Board, as lead agency, for the now proposed Bridleside plan, hereby amending the Salem Hunt Lead Agency Findings Statement dated October 7, 2009. These amended findings consider the information, data, studies and analysis completed in the Salem Hunt DEIS and FEIS, as well as the Bridleside Expanded EAF, revised Site Development Plans and other supporting materials submitted by the Project Sponsor, including the input and commentary of other involved and interested agencies, the public and the consultants to the Planning Board received regarding the proposed action.

Consistent with the completed DEIS, FEIS and original Findings Statement of the Planning Board, issued as lead agency, the following section is arranged according to the impact topics studied throughout the environmental review of the proposed action as Salem Hunt and now revised as Bridleside. These amended findings address the environmental impacts of Bridleside, and where appropriate include comparisons to the former Salem Hunt.

## 5.1 Land Use and Zoning –

The development of sixty-five (65) residential units on approximately forty (40) acres, with the implementation of proposed mitigation measures (as detailed in the Salem Hunt DEIS and FEIS, and in subsequent submissions pertaining to Bridleside), will result in a permissible residential use in an area with other residential land uses and nearby school facilities. The proposed action has been designed to comply with the underlying zoning standards of the RMF/4 District.

The project site was specifically rezoned in 2000 in response to a legal decision (“*Continental*”) requiring the Town of North Salem to create the opportunity for affordable housing and provide for the development of a variety of housing types within the Town. All of the site buildings will be in full conformance with the applicable underlying and supplementary regulations for high and medium density residential development, including R-MF/4 (Section 250-19.1 of the Town of North Salem Code). The proposed building design and layout is also consistent with all applicable building setback, height and separation distance requirements. Like planned for Salem Hunt, Bridleside will provide additional affordable housing opportunities in the Town of North Salem. Salem Hunt included 80% market rate units and 20% moderate-income housing units. In contrast to Salem Hunt, nearly all, sixty-four (64) of the proposed housing units of Bridleside will be rented to those meeting applicable affordable housing income eligibility requirements of Westchester County and the Town of North Salem (the 65th apartment will be occupied by an on-site superintendent).

North Salem has regulations for “Moderate-Income Housing” (Zoning Ordinance Article XXII - §250-122 through §250-136) which include provisions for income eligibility, area requirements, maximum sale or rent levels, maintenance and repair, as well as others. The Town’s regulations also established a Town Housing Board with the authority to implement and oversee the moderate-income housing program. Many of the Town’s current standards, particularly those pertaining to affordable rental housing, are already consistent with those of Westchester County, while other standards relating to affordable ownership units and other select aspects presently differ. The North Salem Comprehensive Plan (December 2011) makes several recommendations to modify the Town’s moderate-income housing regulations, in part, to be consistent with Westchester County. The North Salem Town Board is presently considering the adoption of a Local Law to amend its moderate-income housing zoning regulations which would establish new standards for “Affordable Housing” consistent with those of Westchester County.

The income eligibility criteria for affordable rental units of Westchester County and the Town are presently consistent. In both cases, affordable income eligibility for rental apartments is based on the annual published Area Medium Income (AMI) for Westchester County. The funding program for Bridleside stipulates that 80% of the units are to be rented at 60% of Westchester County AMI and 20% of the units are to be rented at 50% of Westchester County AMI. Bridleside will also conform with the moderate-income housing regulations relating to minimum floor area and occupancy (Zoning Ordinance §250-126 and §250-127). The North Salem Housing Board will have the opportunity to review prospective tenant applications to confirm adherence to required eligibility standards. Bridleside will also comply with the Town’s requirements for unit maintenance and repair.

Implementation of the proposed action will result in an unavoidable change in approximately 14.1 acres (or approximately 35% of the total site acreage) of existing vacant woodlands to that of a multifamily residential development. This will be partially mitigated by the avoidance of sensitive wetland areas and establishment of a Conservation Easement over approximately 24.8 acres (or approximately 62% of the total site acreage) protecting portions of the most constrained lands within the property, along with retention of wooded buffers along the perimeter of the site.

The Bridleside plan reduces the overall extent of proposed site disturbance with its modified site layout and residential building configuration, thereby increasing the avoidance and minimization of impacts to site natural resources, including site wetlands and steep slopes. Proposed site development is concentrated in areas where soils and topography are more conducive for development. The area of site disturbance for Bridleside is approximately 6.1 acres less than that which was proposed for Salem Hunt. Like Salem Hunt, Bridleside substantially avoids on-site wetlands (except for a trail foot bridge crossing as proposed in Salem Hunt) and most of the 100-foot wetland buffer areas of the site. As such, a greater area of existing natural open space will be maintained on the property, particularly along the eastern and western edges of the site. Landscaped open space will also be maintained around the proposed buildings.

Access to the development will be from a single private driveway entrance via June Road, located across from Starr Lea Road. June Road becomes North Salem Road (Putnam County Route 55) north of the municipal and County Boundary. Several configurations for achieving site access and suitable emergency access provisions were evaluated in the Salem Hunt DEIS and FEIS. As with Salem Hunt, Bridleside includes a traditional two-lane entrance with an emergency access drive located along the northerly edge of the property (accessed via the same curb cut as the project entry driveway) to be utilized in the event that a portion of the internal entrance driveway is blocked. The emergency access has been designed to be twelve (12) feet in width and approximately 1,040 linear feet in length, constructed of pervious pavement. A pad locked security gate is proposed at the emergency access point on the north side of the site entrance. The emergency access (along with all other internal driveways) will be owned and maintained by the Project Sponsor, including plowing during the winter.

The proposed Bridleside apartments will be constructed within eight (8) separate buildings located upon an internal private looped common driveway (with a length of approximately 2,028 linear feet). A mix of bedrooms will be provided, including twenty (20) one-bedroom units, forty (40) two-bedroom units and five (5) three-bedroom units (one of which will be for an on-site superintendent).

An approximately 3,200 square foot recreation building to be constructed in the north central portion of the site is proposed. The recreation building will be a private facility for the sole use by Bridleside residents and their invited guests; it is not a commercial facility that can be rented, nor will it be open to the general public. The interior of the recreation building will contain a lounge with meeting space for Bridleside resident gatherings and a fitness center. An outdoor play field is also proposed adjacent to the recreation building.

On-site parking is provided by a total of 144 outdoor spaces provided along the internal driveway in locations closest to the proposed apartment buildings and community recreation building. A pull-off of five (5) parking spaces at the entrance is also proposed for Bridleside residents to safely park near the proposed school bus stop at the project site entrance on June Road. Centralized mailboxes (near the recreation building) and two separate dumpster facilities, enclosed and screened, are also proposed.

The development is proposed to include green technology which will aid in the reduction of carbon dioxide emissions into the environment, such as installation of Energy Star appliances, Energy Star light fixtures in units and common areas, Energy Star heating and domestic hot water systems, water conserving fixtures, landscaping with native trees and plants, as well as daylight sensors and timers on outdoor lighting to maximize energy efficiency. The development also includes internal sidewalks, paths and trails, including trail connections to adjoining municipal public park and school land uses.

The property owner will retain ownership of and be responsible for the repair and maintenance of the entire development, including all of the apartment units and interior common areas (though renters will also have maintenance responsibilities for certain internal aspects of the individual apartments as will be set forth in their respective leases). Ultimately all ownership and maintenance responsibility in regard to building, safety, zoning and other environmental and land use compliance matters affecting or pertaining to Bridleside will reside with the property owner. The following are the major infrastructure and components in need of long term maintenance by the property owner:

- ▶ Internal site driveways, exterior lights, sidewalks, and parking areas.
- ▶ Recreation clubhouse building and play field.
- ▶ Emergency access drive and gates (plowed through winter).
- ▶ Fire fighting subsurface water storage tanks and fire hydrants.
- ▶ Stormwater collection and treatment system and basins.
- ▶ Common landscaped areas, natural areas, stonewalls, proposed walls.
- ▶ Walking trail and pedestrian/equestrian bridge (also subject to Trail Easement terms).
- ▶ WWTP and SSDS.
- ▶ Water control building, water supply wells, related infrastructure, including storage tank.
- ▶ Wetland mitigation and monitoring.
- ▶ Exterior unit landscaping and maintenance of the exterior of all buildings including siding, roofing, gutters, leaders and decks; maintenance of building interiors is also the ultimate responsibility of the property owner.

In addition to the above, the following project specific measures will be implemented to ensure that potential land use and zoning impacts, including short-term, long-term and/or cumulative impacts, are mitigated and/or minimized to the maximum extent practicable:

- The proposed action provides a principal permitted housing type, consistent with the underlying RMF/4 Zoning District. All 100% of the proposed units will be designated "affordable" in accordance with the standards and requirements set forth by Westchester County and the Town of North Salem, in perpetuity, and will serve to satisfy a substantial portion of the Town's obligation to provide affordable housing.
- A Conservation Easement over approximately 24.8 acres (or approximately 62%) of the site, consisting of wooded and wetland areas, is proposed to be conveyed to the North Salem Open Land Foundation, a non-profit Section 501(c)(3) corporation (or in the alternative to the Town of North Salem or other appropriate non-profit conservation organization). The size of the proposed Conservation Easement has been increased by approximately 7.5 acres (or approximately 43% larger) in comparison to the 17.3 acres of the former Salem Hunt plan.

- The proposed apartment buildings for Bridleside are sited approximately 145 feet away from the northern property line and approximately 397 feet (Salem Hunt was approximately 90 feet) from the southern property line, in excess of the required minimum yard setbacks and resulting in a larger woodland perimeter buffer. The southern buffer for Bridleside is approximately 170 feet deep compared to approximately 50 feet for Salem Hunt. Landscaping is proposed along the disturbed internal edge of this southern buffer, while additional landscaping along the northern disturbance limits has been added with the modified Bridleside plan. The maintained existing wooded vegetation along the southern property line does not necessitate additional or supplemental plantings.
- Site landscaping shown on any subsequently approved final site development plans for Bridleside will be required to be installed and maintained, in perpetuity, in accordance with said plans. Dead, diseased or dying landscaping or buffer vegetation will also be required to be replaced in-kind or as may otherwise be subsequently approved by the Planning Board to maintain site plan compliance.
- All associated legal instruments to implement, construct, operate and maintain Bridleside will be required to be approved by the Planning Board and other Town boards and officials as deemed appropriate or required, and filed as appropriate with the Town and/or Office of the Westchester County Clerk, Division of Land Records.
- Stonewalls on the property located outside the limits of disturbance will be required to be retained in place. It is preferred that stonewalls within areas of permitted disturbance be avoided where possible during construction and incorporated with site development landscaping; stones from walls which cannot be avoided should be reused on-site in the construction of new walls wherever possible.

## 5.2 Vegetation and Wildlife –

Construction of Bridleside will involve the loss of approximately 14.1 acres (or 35% of the total site area) of existing vegetation, which is unavoidable. This reduces the available wildlife habitat on the site by approximately the same acreage and will require the installation and maintenance of erosion control measures until full stabilization is achieved. Of the estimated area of disturbance (14.1 acres), approximately 11.0 acres (or 28% of the total site acreage) will ultimately be revegetated and approximately 3.1 acres (or 8% of the total site acreage) will be transformed into permanent impervious surfaces.

The vegetative cover and habitat on the remaining 25.9 acres of the site, primarily consisting of wetlands, upland wetland buffer and woods, will not be disturbed by the proposed action (except minor disturbances related to proposed site trails and trail foot bridge). The proposed action will result in the loss of and/or change in forested habitat that connects similar habitat to the west and southeast. Existing habitat along the edges of the property within the required property boundary setbacks, within wetlands and wetland buffers would remain substantially undisturbed. See also Section 5.4, Wetlands / Watercourses and Buffers. The proposed action will result in permanent alteration of interior site habitat, particularly interior forest habitat, which is anticipated to have an impact on the breeding success of forest interior species that were documented as occurring on the site. Connectivity between the perimeter of the site and larger intact tracts of forest off-site will be maintained, and to a larger extent than the former Salem Hunt plan given the increased acreage protected by the larger Bridleside (24.8 acre) Conservation Easement. Undisturbed forested area will help maintain habitat for area-sensitive forest interior bird species as well as post breeding habitat for amphibians such as spotted salamanders and wood frogs.

Impacts to existing site forest are unavoidable in order to construct the proposed site development. However, mitigation measures proposed include: concentrating development in the north central portion of the site and providing extensive landscaping throughout; leaving substantial portions of the site perimeter in a natural state and which are proposed to be dedicated and conveyed to an appropriate entity under a restrictive Conservation Easement; and through avoidance of wetlands and minimization of wetland buffer area disturbances.

The mammals, birds, reptiles and amphibians known and presumed to be present on the site are species generally common to northern Westchester County. The NYS Natural Heritage Program reported that they have no records of known occurrences of endangered, threatened or special concern species of plants or animals, or significant habitats on the site, and none were observed during the field investigations undertaken for the project except Eastern box turtle (*Terrapene carolina*), a State-listed Special Concern species and listed threatened species under the Westchester County Endangered Species Act. In response to this observation, a specialist conducted an Eastern box turtle habitat evaluation of the subject property during the review of the project as Salem Hunt. The project site contains foraging and potential hibernating sites for Eastern box turtle; however, the site does not provide suitable nesting locations.

The proposed action will alter the habitats that are present on the site and therefore has the potential to impact the potential number of box turtles present and/or utilizing the site. In the northwest corner of the site, where two turtles were observed, much of the existing stone walls that serve to enclose this area will remain undisturbed, with the portion of land located within the 'enclosed' area remaining substantially undisturbed.

The following project specific measures will be implemented to ensure that potential impacts to terrestrial and aquatic ecological resources, including short-term, long-term and/or cumulative impacts, are mitigated and/or minimized to the maximum extent practicable:

- Clearing limit lines will be required to be physically marked on the site with appropriate fencing prior to commencing construction activity to insure impacts occur within the approved development areas in accordance with any subsequently approved site development plans by the Planning Board for Bridleside.
- No trees in healthy condition beyond the marked limits of disturbance will be permitted to be disturbed. Trees near working areas will be required to be protected in such a manner so as to avoid accidental damage to trunks and roots (disturbance of any kind within the projected root zone of these trees or within the drip line of the tree foliage will be avoided). Snow fencing or other highly visible means of marking placed around the maximum area of the root system will be utilized to prevent the destruction of roots by exposure or through the compaction of soils. All construction equipment will be excluded from being located outside of the marked limits of disturbance.
- The Project Sponsor has proposed the conveyance of a protective Conservation Easement covering approximately 24.8 acres of land (approximately 62% of the total site acreage), consisting predominantly of wooded and wetland areas, including those areas where the Eastern box turtle was observed.
- The proposed Landscaping Plan includes plantings consisting of a mix of species in clustered, naturalistic settings. Plantings are intended to supplement the site's existing natural buffers, wetland buffers and to enhance the overall character of the new residential development. Native species will be used in site landscaping and for revegetating proposed water quality and stormwater detention basins.

- The areas of the project site which are proposed to be avoided are known to support invasive species which are altering the character of the woodlands. The Project Sponsor proposes an Invasive Species Control Plan that will be implemented as part of the Bridleside overall site development plan.
- The modified Bridleside plan provides for a greater area within the limits of disturbance to be revegetated to a more natural state. Mowed lawn areas have been reduced significantly in favor of meadow. The entire SSDS area is proposed to be minimally maintained as a meadow and planted with a low growing conservation wildflower and grass mix. The SSDS will be mowed once each year at the end of the growing season to reduce woody growth to support potential suitable habitat for ground nesting bird species as well as small mammals and reptiles, along with food and forage opportunities for birds and mammals preferring edge habitat.
- A Herptile Protection Plan is proposed to limit impacts to box turtles and other herptiles utilizing the project site. The Herptile Protection Plan provides:
  - ▶ Barriers and fencing to keep turtles and other reptiles from development areas. The entire development area will be bounded by a turtle fence to preclude turtles and other herpetiles from entering the developed portions of the property.
  - ▶ Access to the power line easement along the north boundary of the site will remain in case turtles are using this existing open area for movement.
  - ▶ At the openings in the proposed on-site recreation trails, an 8-inch by 8-inch wooden beam or similar barrier will be placed across the opening to keep turtles from accessing areas that provide direct connection to the site development area.
  - ▶ A wildlife tunnel will be installed under the main access driveway that leads to and from proposed development areas. The culvert location has been carefully engineered and positioned so that it does not serve for drainage during rain events. Due to the requirement that all runoff from paved surfaces be captured and treated, the plan does not show a grate or other surface opening for this culvert. However, the distance from one side of the culvert is relatively short, and good light penetration is expected. Proposed fencing will be placed flush with the opening of the pipe to direct turtles and other herpetiles into the tunnel proposed under the driveway.

### 5.3 Groundwater Resources –

There currently is no groundwater withdrawal or usage on the undeveloped project site. To the southeast of the site are water supply wells which serve the Town of North Salem highway facility and the North Salem High School. The surrounding lands are residential areas, served by individual water supply wells. The subject property is not located within any Town of North Salem Water District.

The project engineer, Insite Engineering and Surveying, P.C., prepared an estimate of water demand for Salem Hunt (calculated water demand estimates are provided in the Preliminary Water System Report (August 31, 2007) included in the Salem Hunt DEIS) and the project water supply wells were tested based on the water demand of ninety (90) residential units, which is for a substantially greater number of units (25 more) than proposed for Bridleside.

The Preliminary Water System Report for Bridleside provides a total average daily design flow for the project of 18,200 gallons per day (gpd) or 12.6 gallons per minute (gpm). The total current groundwater usage for all areas within the proposed action drainage area (up-gradient, undeveloped project site, down-gradient) is an estimated 31,350 gpd. Adding the estimated 18,200 gpd for the project, results in a post-development water usage of approximately 49,550 gpd for the drainage area.

The aquifer drainage area analyzed in the Salem Hunt DEIS consisted of approximately 373 acres, including the project site (approximately 40 acres), the up-gradient area (approximately 266 acres) and the down-gradient area (approximately 67 acres). The groundwater recharge for the entire site aquifer drainage area following the proposed action development has been conservatively estimated to be approximately 205,502 gpd. Therefore, based on the projected Bridleside water demands and the anticipated annual recharge to the analyzed drainage area, no significant adverse impacts to groundwater recharge or quality are anticipated, particularly since projected water demand will be substantially less than both the average recharge rate and drought condition recharge rate.

No permanent irrigation improvements are proposed. Further, lawn irrigation systems and lawn watering systems will be prohibited after the site has been stabilized. The Project Sponsor has committed to utilize native and drought tolerant vegetation in site landscaping, which will reduce the need for assisted irrigation. Buildings will include outdoor water spigots for the convenience of the property owner whom will be responsible for all lawn and landscape maintenance. Bridleside residents will be prohibited from watering lawns and landscaping, and prohibited from on-site car washing.

Given the density of the proposed action and the proximity of the project site to neighboring wells, possible impacts to neighboring wells could potentially include loss of yield. A 72-hour pump test was completed in December, 2006 on three (3) proposed water supply wells for the project in accordance with a well testing protocol prepared by a Project Sponsor consultant and revised to the satisfaction of the Planning Board's Hydrogeologist. Four (4) of the eight (8) off-site wells monitored showed an influence from the pumping test. These wells include the Town well serving the Town's nearby highway facility, Seeley well, Red Horse Farm well and the Havell well.

The tested project site wells were pumped at 82 gpm, or approximately 6.5 times the average project water demand. The monitoring well most influenced by the first pumping test was the Havell well as it is the closest to the project site test wells. The Red Horse Farm, the Town highway facility and the Seeley wells were all impacted to a lesser degree. Based on the analyses conducted, the proposed action's long-term impact to the Red Horse Farm well usage is expected to be minimal. The Havell well has a range of usage of approximately 50 feet and the pumping test had an influence of 25 feet during the first test and 13 feet during the second. The depth of this well is unknown. Given the observed influence and proximity of the Havell well to the project site, and in consideration of the proximity and yield of other nearby wells, specific related mitigation measures are proposed, as described below.

As discussed elsewhere in this Amended Findings Statement, a comprehensive Stormwater Pollution Prevention Plan (SWPPP) will be implemented which is intended to insure that all stormwater runoff is properly treated. This will address the potential for contamination of on-site or nearby water supply wells resulting from untreated stormwater runoff related to the proposed action.

The following project specific measures will be implemented to ensure that potential subsurface groundwater impacts, including short-term, long-term and/or cumulative impacts, are mitigated and/or minimized to the maximum extent practicable:

- Undeveloped and landscaped portions of the site will allow continued recharge of the underlying aquifer. The proposed action has been designed to minimize the amount of impervious surface coverage to approximately 3.1 acres (or approximately 8%) of the entire site acreage. The remainder of the site (approximately 92%) will either be undisturbed or remain pervious supporting the recharge of the local aquifer.
- The majority of stormwater collected from the proposed parking area and driveways will be treated in the proposed stormwater management facilities. Stormwater will be collected and stored to permit infiltration back into the ground, thus contributing to the recharge of groundwater resources.
- Approximately 25.9 acres or more than one-half of the property will remain undisturbed, allowing existing soils to contribute to recharge.
- Low-flow, water efficient plumbing fixtures and appliances will be installed in the residential units and recreation building. The use of such water conserving fixtures can reduce water consumption by more than 20% (to be conservative, only a 20% percent reduction has been utilized in all of the calculations for water and sewer flows applicable to the studies in the Salem Hunt DEIS). The project proposes extra-low flow toilets that use 1.2 gallons per flush as compared to standard water saving toilets that use 1.6 gallons per flush, which could result in a 25% further reduction in water use from toilets.
- The Project Sponsor has proposed to conduct an offsite private Well Monitoring and Mitigation Plan. The purpose of the Plan will be to monitor potential adverse effects to certain off-site residential wells that could be a result of the use of the proposed site wells. The wells proposed to be monitored include those which showed drawdown during the pumping test (Town well serving the Town's nearby highway facility, Seeley well, Red Horse Farm well, and the Havell well), and a fifth off-site well, the Cindrigh well.

The Plan provides for a renewable bond or letter of credit to be provided (the details of which will be required to be finalized prior to the endorsement of any subsequently approved site development plans by the Planning Board for Bridleside) in order to cover the cost of corrective measures resulting from the long-term effects of the site's three (3) production wells; a process to investigate water supply impairment claims; plans to provide interim drinking water in the potential event of off-site well impacts and identification of potential remedial measures, including:

- ▶ Lowering a pump to a deeper level, replacing a shallow-well pump with a submersible pump, or replacing a shallow-lift submersible pump with one of adequate supply capacity.
  - ▶ Conducting airlift well development to clean a well that produces colored or sediment- laden water.
  - ▶ Hydrofracturing a well, deepening a well, or drilling a replacement well.
- The Project Sponsor has agreed that if and when the School District drills new wells that the Bridleside wells will be made available for observation of any draw-down testing that the School District may conduct.

- A comprehensive Stormwater Management Plan has been prepared which is intended to reduce potential impacts to subsurface water quality resulting from new stormwater runoff generated by the proposed action (see also Section 5.5, Geology, Soils and Topography).

#### 5.4 Wetlands / Watercourses and Buffers –

The project site includes four (4) separate mapped wetland areas which are identified in the Salem Hunt DEIS and FEIS as Wetlands A, B, C and D, all of which are regulated by the Town of North Salem along with a 100-foot regulated “buffer area” (collectively these resources are referred to in the Town of North Salem’s Freshwater Wetlands Law as a regulated “Controlled Area”). Two off-site wetlands located on the east side of June Road/North Salem Road are identified as Wetland E and F, and are shown on the site development plans. The NYSDEC regulates Wetlands A, D, E and F, which are all part of NYSDEC Freshwater Wetland L-32. Wetlands A, D, E and F are all hydrologically connected. The U.S. Army Corps of Engineers (ACOE) regulates Wetlands C and D but determined Wetlands A and B to be “isolated” or non-jurisdictional wetlands.

Without appropriate plan measures, the proposed action could potentially increase the volume and velocity of stormwater discharged to wetlands, watercourses and associated regulated buffer areas from land clearing and conversion of existing land forms into impervious surfaces (e.g., driveways, parking areas and buildings) and landscaped areas. Left uncontrolled, peak rates of surface runoff would increase, as would pollutant loadings found in the increased storm water runoff. If not controlled and the potential impacts mitigated, these activities could lead to accelerated erosion and sedimentation both during and after construction, as well as long-term adverse impacts to downstream hydrology and surface water quality.

Potential indirect impacts to wetlands, watercourses and downstream receiving waters could also result from post development increases in pollutant loading in stormwater, post development flooding from increases in the volume of stormwater discharged, and bed and bank erosion in receiving watercourses resulting from increased stormwater discharge velocities. Other related potential indirect impacts to wetland and watercourse resources could include thermal impacts to water temperature from the loss of vegetation and increase in impervious surface on the site. To address these impacts, the Project Sponsor’s professional engineering consultant has prepared a comprehensive SWPPP and Erosion and Sediment Control Plan, which plans are required to be consistent with the Town’s Stormwater Management law and the NYCDEP Watershed Rules and Regulations, as well as General SPDES coverage regulations.

The project site is located within the Muscoot Reservoir basin of the New York City Watershed Area. The NYCDEP Phase II Report indicates that the Muscoot Reservoir phosphorus total maximum daily loading (TMDL) is currently being exceeded as a consequence of existing point and non-point phosphorus inputs of kg/yr from its watershed. The project SWPPP, and the stormwater basins specified in it, have been designed to comply with NYS GP-0-08-001 and the Enhanced Phosphorus Removal Standards set forth in Chapter 10 of the NYS Manual. Following construction, less phosphorus is anticipated to be discharged annually from the site than is currently discharged. However, this reduction does not reach the 19% reduction directive required by NYSDEC for the entire Town of North Salem.

The only direct wetland impact involves the installation of a proposed pedestrian/equestrian foot bridge stream crossing within Wetland D (also NYSDEC Wetland D). The foot bridge is intended to provide a direct trail connection from the project site to adjacent Town owned park lands (Volunteer Park) as well as provide walkable access to the nearby school complex. The foot bridge would likely be constructed of wood with an approximate span or length of thirty (30) feet. The proposed foot bridge would be supported by piles embedded into the wetland subsoil. No other filling, excavation or dredging of the wetland is proposed. It is estimated that approximately four (4) pairs (a total of eight (8)) of 9-inch diameter piles would be necessary to be installed into the wetland to support the foot bridge. The foot bridge could be constructed with small track mounted equipment to minimize disturbance. For the purposes of impact analysis the proposed wetland/watercourse and regulated buffer area disturbance specific to the foot bridge has been assumed to be approximately 180 square feet (the approximate footprint of the foot bridge). However, the actual area disturbance resulting from the installation of eight (8) wooden piles would be less. The foot bridge is proposed to be constructed by the Project Sponsor, the timing of which will be set in any subsequent approvals by the Planning Board for Bridleside.

The proposed action also includes the disturbance to approximately 0.615 acres (on-site and off-site) of regulated 100-foot wetland buffer area, relating to the construction of the new site access driveway and installation of project related site utilities. The disturbances would impact both on-site and off-site portions of Wetland D (NYSDEC Wetland L-32).

The area of disturbance to the on-site portion of Wetland D buffer area is proposed at approximately 0.4 acres, while the area of off-site disturbance which is related to the installation of stormwater management improvements within the right-of-way of June Road is proposed at approximately 0.215 acres. The area of on-site buffer disturbance (0.4 acres) has increased from that described in the Salem Hunt FEIS (0.3 areas) due to a mathematical rounding error discovered upon updated re-evaluation of grading at the site entrance. NYSDEC approved a Wetlands Permit for this disturbance on December 10, 2010, which permit approval will require updating based upon the revised Bridleside plan.

Disturbance associated with the proposed installation of a water main connection to one of the site's water supply wells will involve approximately 200 square feet of 100-foot buffer area impact. Additional minor disturbances to regulated buffer area on either side of the foot bridge would also be incurred by the continued use and maintenance of the connecting pedestrian/equestrian trail.

Bridleside includes provision for an on-site system of recreational trails. The trails are proposed to be "developed and maintained" pursuant to a Trail Easement Agreement with the North Salem Bridle Trails Association. As proposed, the trails will cross through portions of the on-site wetland buffers associated with Wetland A, B, C and D, in order to create a full loop around the project site. The trail routes are proposed to be identified by signs or blazes placed on trees. No grading, filling or ground disturbance is proposed by the Project Sponsor in association with the trails, except the foot bridge described above. The trails are proposed to be maintained by the North Salem Bridle Trails Association and it is anticipated that some minor trail work would be necessary to maintain a safe trail path, which could potentially involve placement of wood chips. The trails will be required to be used and maintained according to the Best Management Practices for equestrian trails on file with the North Salem Building Inspector. Best Management Practices include closing trails due to excessive wetness and providing alternative routes where feasible.

Permits for the disturbance to regulated wetlands, watercourses and associated regulated buffer areas planned or obtained under Salem Hunt will need to be updated from the appropriate regulatory agencies (Town of North Salem, NYSDEC and ACOE) for the Bridleside project prior to endorsement of any subsequently approved site development plans by the Planning Board and before any disturbance to the related resources or regulated buffer areas may commence.

Impacts to wetlands, watercourses and associated regulated buffer areas have been substantially avoided or minimized. The resulting impacts noted above to on-site and off-site wetlands and associated regulated buffer areas are unavoidable to provide access and needed utilities into the interior of the property where site development is more feasible and practicable. The other noted on-site wetland, watercourse and associated buffer area impacts are minor in scope, and will have limited long-term affects to these resources if properly maintained as planned. To mitigate the wetland related project impacts, the Project Sponsor has designed and will implement a comprehensive wetland mitigation plan initially proposed and detailed in the Salem Hunt DEIS and FEIS, which Plan has been updated with the revised Bridleside site development plans. Proposed mitigation includes enhancement of existing wetlands and wetland buffer areas, including a Buffer Enhancement and Monitoring Plan. The goals and objectives of the Buffer Enhancement and Monitoring Plan are to duplicate/enhance those wetland functions and values eliminated by proposed construction activities.

The following project specific measures will be implemented to ensure that potential impacts to wetlands, watercourses and buffers, including short-term, long-term and/or cumulative impacts, are mitigated and/or minimized to the maximum extent practicable:

- Wetland impact avoidance has and will continue to be applied as the primary mitigation measure to ensure short- and long-term protection of site wetlands, watercourses, regulated buffers and the functions, habitat, flora and fauna related to these resources located on the property and which continue off-site.
- A comprehensive and detailed wetland mitigation plan will be implemented in accordance with the mitigation measures specified in the Salem Hunt DEIS and FEIS, as modified for Bridleside subject to final review and approval by the Town of North Salem Planning Board in conjunction with site development plan and wetland permit approvals. The Project Sponsor has proposed the removal of invasive species, buffer enhancement plantings, and preservation via establishment of a permanently protected Conservation Easement covering approximately 24.8 acres of land (or approximately 62% of entire project site acreage) as identified on the proposed site development plans. A draft proposed Conservation Easement legal instrument and Easement Map, as well as confirmation by the North Salem Open Land Foundation of its adequacy and acceptance will be required to be finalized prior to endorsement of any subsequently approved site development plans by the Planning Board for Bridleside.
- A Buffer Enhancement and Monitoring Plan and an Invasive Species Control Plan are proposed and will be implemented by the Project Sponsor, including monitoring of the proposed wetland mitigation areas, plantings and invasive species removal activities. Maintenance will at minimum be conducted annually during the growing season and for a minimum period of three (3) years following the accepted completion of construction and the mitigation plantings. Periodic inspections and mitigation monitoring reports will also be required.

- A comprehensive Stormwater Management Plan (SWPPP and Erosion and Sediment Control Plan) has been prepared and will be implemented to assist in the reduction of potential stormwater quality impacts resulting from the proposed action site development, which otherwise could impact wetland related resources of the site and downstream. Accordingly, a detailed SWPPP and Erosion and Sediment Control Plan consistent with the Town's Code requirements, as well as NYSDEC General SPDES coverage for stormwater management and treatment will be required to be finalized prior to endorsement of any subsequently approved site development plans by the Planning Board for Bridleside.
- Better Site Design techniques (NYSDEC publication April 2008, Better Site Design) and other specific mitigation measures including Green Infrastructure Practices (GIP) from Chapter 4 of the NYSDEC Stormwater Design Manual have been incorporated into the proposed action development plans to further mitigate impacts relating to creation of new impervious surfaces, including:
  - ▶ Minimization of pavement by elimination of previously proposed cul-de-sac turnarounds and minimization of driveway widths (portions of the site driveway have been designed with a width of twenty-two (22) feet).
  - ▶ Natural features and source controls have been incorporated into the planned stormwater management plan. The majority of building roof leader drains will be directed to rain gardens, bioretention basins, planters and vegetated swales.
  - ▶ Minimization of manicured lawn areas. Only approximately 1.95 acres of new lawn area is proposed. The remaining approximately 6.5 acres of on-site landscaping will be planted with low maintenance native grasses. Areas of meadow and native grasses are proposed for the common area which will be located between the proposed buildings within the central loop driveway, as well as for the SSDS fields. Low maintenance native grasses do not require fertilizers or assisted irrigation, avoiding both the potential for water quality impacts and reducing project water demand. These areas will only be mowed annually.
  - ▶ Use of sand for winter traction and driveway maintenance. Use of broadcast salt will be prohibited and specified as such by the Project Sponsor. Also proposed is monthly monitoring of accumulations of non-salt winter traction materials during the months of November through March, along with removal as appropriate.
- The Town of North Salem and other Small Municipal Separate Storm Sewer Systems (MS4s) located in the Muscoot Reservoir watershed are required by the SPDES General Permit for Stormwater Discharges for Municipal Separate Storm Sewer Systems (MS4s) GP-0-08-002 to reduce overall phosphorus loads from point and non-point sources. This is also consistent with the intent, purpose and requirements of the Town's Stormwater Law (Chapter 193 of the Code of the Town of North Salem). At minimum, it is the Town's policy that all new development be designed to incorporate appropriate on-site stormwater management and treatment controls to prevent any increase in phosphorus loading. In the Muscoot Reservoir watershed, the Town of North Salem is expected to achieve an approximate nineteen (19%) percent reduction over five (5) years. To achieve this goal, the Town of North Salem has completed a study which identifies potential phosphorus reduction projects in the Muscoot Reservoir drainage basin, and specifically addressing phosphorus reduction in Peach Lake. In this regard, the New York State Watershed Inspector General (WIG) has expressed the view that each property should either achieve the above phosphorous reduction goal or provide for an offsite offset project or funding of an offsite offset to achieve this goal.

Bridleside will comply with the appropriate phosphorous reduction that is required of new developments. The Bridleside plan is anticipated to reduce the increase in post-development phosphorous load from stormwater runoff by 0.35 pounds per year (lbs/yr) which is an improvement as compared to Salem Hunt (Salem Hunt 2.25 lbs/yr – Bridleside 1.90 lbs/yr).

- Minimization of traditional lawn area around the proposed buildings will require a lesser need for pest control, and thus less anticipated runoff pollution to wetland related resources. An Integrated Pest Management Plan (IPM) has been proposed for the long-term operation and maintenance of the property. The purpose of the IPM will be to minimize the use of pesticides and fertilizers on the property, and when used, is intended to ensure the safe and proper application of suitable pesticides and fertilizers. The property owner will be responsible for the implementation of the IPM (the actual duties and responsibilities will be delegated to the "IPM Coordinator / Contractor").

## 5.5 Geology, Soils and Topography –

Impacts to site steep slopes is minimized by the site layout and plan configuration which concentrates proposed development in the most level areas of the subject property (in the north central portions of the site). Steep slopes bordering the eastern edge of the site above an area of wetlands will remain substantially undisturbed. Only minor impacts to steep slopes are necessary to construct the new site access entrance driveway. There are no areas of the site which would warrant or involve blasting or other extensive physical rock removal methods.

The proposed site grading plan generally balances cut and fill required for the on-site grading of the project development. No excavated materials will require export from the site. Processed materials will be imported as necessary for construction of the internal driveway, parking areas, sidewalks, buildings and stormwater and other utility infrastructure. In addition, select fill material, in the estimated amount of approximately 5,000 cubic yards, will need to be imported to properly construct the proposed SSDS fields. Site-specific deep-hole soil tests were undertaken and witnessed in the field by representatives of NYCDEP and the Westchester County Department of Health (WCDOH) to confirm suitability for the proposed SSDS. A detailed Mounding Analysis was also conducted to confirm the suitability of site soils to accommodate the anticipated subsurface discharge of treated septic effluent.

Exposing soils on steep slopes during construction increases the potential for erosion in the short-term, such impacts will be managed and minimized through the implementation and maintenance of erosion and sedimentation controls. Following construction, soil erosion from the property is expected to be minimal since developed areas will be stabilized with lawn and landscaping, and stormwater management features will at that time be fully functional. Engineered slopes will not be greater than 2 on 1, and no rip-rap stabilization is proposed for the project. Retaining walls which meet the Town's Zoning requirements will be utilized to reduce site grading.

Where grading is proposed, various measures will be incorporated to create smooth transitions in sloped areas thereby providing a "naturalized look" to the finished development. Created lawn terraces, or, in some areas, low decorative retaining walls are proposed that will have an attractive stone-faced appearance. All areas of grading within the site and not otherwise stabilized will receive grass seeding or other permanent vegetative cover to protect the created slopes.

The following project specific measures will be implemented to ensure that potential impacts to geology, soils and topography, including short-term, long-term and/or cumulative impacts, are mitigated and/or minimized to the maximum extent practicable:

- An Erosion and Sediment Control Plan, consistent with the standards of the required General State Pollutant Discharge Elimination System Permit (SPDES Permit GP-0-10-001) for construction activities, has been prepared and will be implemented during site construction.
- The Erosion and Sediment Control Plan is part of the require project SWPPP. The NYSDEC has provided a Letter of Acknowledgment for the Salem Hunt SPDES permit (August 26, 2010) and the NYCDEP has approved the Salem Hunt Stormwater Pollution Prevention Plan (SPPP) (December 2, 2010). The updated SWPPP prepared for the Bridleside project will require review and approval by these agencies, as well as by the Planning Board in accordance with the Code of North Salem Chapter 193.
- In compliance with current and proposed regulations, the Bridleside plan provides for both short and long-term maintenance of facilities including construction sequencing, storage of materials and temporary and permanent structures. Erosion control methods to be employed are based upon the guidelines within the New York State Standards and Specifications for Erosion and Sediment Controls for New Developments. Various measures to control and mitigate potential erosion related impacts, including, but not limited to the following vegetative, temporary and permanent structural measures are proposed:
  - ▶ Silt fences
  - ▶ Stabilized construction entrances
  - ▶ Inlet protection
  - ▶ Critical area seeding of slopes
  - ▶ Dust controls
  - ▶ Inlet protection around proposed catch basins
  - ▶ Strawbale sediment barriers installed parallel to and in conjunction with silt fences
  - ▶ Diversion swales to divert clean runoff flow around the area of construction
  - ▶ Water barriers on driveways
  - ▶ Temporary soil stockpiling of topsoil and soil material
  - ▶ Check dams
- A specific maintenance and inspection schedule for the temporary erosion and sediment control measures planned will be required to be finalized prior to endorsement of any subsequently approved site development plans by the Planning Board for Bridleside. Inspections will occur weekly and after significant rainfall events, subject to a Town-appointed Environmental Monitor, funded by the Project Sponsor, to inspect and ensure continued erosion and sedimentation control during site construction.
- Final design plans of the WWTP along with the SSDS were previously reviewed and approved by NYCDEP and the WCDOH for the Salem Hunt plan. Updates of the issued approvals for these facilities will be required as a condition of any subsequent approvals by the Planning Board for Bridleside.

## 5.6 Cultural Resources – Visual Resources and Community Character –

Construction of Bridleside will change the existing visual character of the site by removing existing woodland and introducing a multi-building residential development. The Bridleside layout has been designed with attention of the natural site conditions to minimize impacts to sensitive environmental elements (wetlands and sloped terrain) and includes proposed site landscaping including street trees, shade and evergreen trees, ornamental flowering trees, shrubs, foundation plantings, and areas of annually mowed lawn and limited areas of manicured lawn. The new buildings will not be completely hidden from outside views, however, views from surrounding areas are anticipated to be partial and primarily seasonal (winter) views.

Proposed lighting will be limited to “Dark Sky” compliant lighting. The lighting plan for Bridleside has been modified from Salem Hunt based on the revised layout and housing type. Pole-mounted and bollard lights have been provided throughout the proposed developed portion of the site for vehicular and pedestrian safety. The plan design includes low height pole-mounted and bollard lights. The lighting will consist of strategically-placed 100-watt metal halide street lamps, pole-mounted at ten (10) feet in height, along with 70-watt metal halide bollard lamps measuring approximately Three (3) feet six (6) inches in height.

Site lighting (driveway and site lighting, individual residential unit lighting, visible interior lighting and other proposed exterior area lights) is expected to create some nighttime visibility of portions of the proposed action from a limited number of nearby properties. Due to the dense vegetation and distance that will separate these areas from the new light sources this change is not expected to cause significant adverse effects on the surrounding residential uses. Permissible hours of operation for site lighting, particularly that associated with the internal looped driveway system, visible from the site entrance driveway and June Road, and common areas, will be set forth as a condition of any subsequent approvals by the Planning Board for Bridleside.

The design of the proposed site entranceway at June Road is intended to maintain the existing character of the surrounding area. The Planning Board prefers the design first presented in the Salem Hunt FEIS, which is also proposed for Bridleside, over a previously proposed “boulevard-style” entrance. Additionally, to maintain visual and community character of a rural image, no permanent entry sign identifying the residential complex is proposed, nor will be permitted.

The undeveloped site's potential for the presence of cultural resources (historic and pre-historic) which could be adversely impacted by proposed site development activities prompted a Stage 1A Archeological Assessment (July 2006) which further recommended a Stage 1B Archeological Field Testing (June 2007). Following completion of these, no further investigative testing was recommended. Correspondence (June 17, 2009) received from the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) indicated that it has no concerns regarding archeological resources and concurred with the Project Sponsor's consultant's studies.

Analysis of the proposed action's potential impact on surrounding area historic resources revealed no impacts. Correspondence (June 17, 2009) received from OPRHP indicated that it is their opinion that the project will have “No effect upon cultural resources in or eligible for inclusion in the National Register of Historic Places.”

The following project specific measures will be implemented to ensure that potential impacts to cultural resources, including short-term, long-term and/or cumulative impacts, are mitigated and/or minimized to the maximum extent practicable:

- The residential development has been sited to the interior of the property, allowing for a substantial portion of the site's perimeter vegetation to remain as an undisturbed buffer. Added buffer plantings will augment the functionality of the perimeter vegetation.
- The Project Sponsor has proposed the conveyance of a Conservation Easement covering approximately 24.8 acres (approximately 62% of the site), consisting predominantly of the perimeter wooded/wetland areas of the project site, to the Town of North Salem or a non-profit conservation organization (Section 510). The Conservation Easement is intended to preserve the areas encumbered in their natural state, exclusive of any improvements / maintenance activities within those areas that may be associated with the approved plans and bridle trail easement.
- The architectural style of the proposed site buildings has been designed to emulate the area's rural vernacular character. The design of the proposed residential buildings includes varied and stepped sloped rooflines, shuttered windows and columned porches which will provide architectural interest similar to that of traditional styles of area homes. Muted earth-tone paint colors will be utilized to further harmonize the new development with the surrounding setting.
- Landscaping throughout the site will provide visual interest and relief from the bulk of the site buildings, while softening and creating transition buffers to the surrounding undisturbed natural environment of the site.
- Existing stonewalls on the site and at the site's property boundaries have been substantially avoided. A long wall located in the eastern portion of the site, above an area of wetland, will remain undisturbed. The majority of the walls in the northwest corner of the site, surrounding Wetlands B and C will also be preserved. All existing walls along the property boundaries will be preserved. The stones and boulders from walls that will unavoidably be disturbed by site development are proposed to be used in the construction of landscape features, including tree wells and low retaining walls.

## 5.7 Traffic and Transportation –

Development of the Bridleside site will result in changes to the existing area road network by the generation of new traffic coming from and going to the subject property, thereby affecting area traffic movement and transportation patterns. The currently vacant site is located on the westerly side of June (NYS 121), across from Starr Lea Road. The condition and construction of the surrounding road network is adequate in regards to available and suitable capacity to provide efficient and safe access to the project site.

The traffic analysis conducted as part of the Salem Hunt DEIS and FEIS utilized a unit count of ninety (90) residential units, twenty-five (25) more units than that which is proposed for Bridleside (or the Salem Hunt FEIS plan), which estimated a generation of 47 trips during the AM peak hour and 55 trips during the PM peak hour. According to the original traffic analysis, acceptable Levels of Service (LOS) would continue to be provided at the majority of the surrounding analyzed intersections under the then studied ninety (90) unit scenario.

According to Trip Generation rates, Bridleside is projected to generate the same number of AM and PM peak hour vehicle trips as the Salem Hunt FEIS plan. The proposed sixty-five (65) unit plan is expected to result in lower traffic generation rates and a shorter queue time delays than analyzed under the original Salem DEIS traffic study estimates that studied ninety (90) units. It is noted that the eastbound and westbound approaches of Bloomer Road will continue to experience less than desirable delays, regardless of the construction of the proposed action (noting that under either scenario, the existing LOS will not change).

The Bridleside site will be accessed via a single driveway off of June Road, in the same location and configuration as the Salem Hunt plan. The entrance will create a four-way intersection with the existing intersection of Starr Lea Road. Exiting traffic from the site access driveway will be stop-sign controlled. Adequate sight distances will be provided at the proposed site driveway intersection with June Road upon completion of proposed minor vegetation clearing in the June Road right-of-way, consistent with New York State Department of Transportation (NYSDOT) policy and standards for entering and exiting vehicles.

An emergency accessway will also be provided via a 12-foot wide driveway spur off the main access driveway. The emergency access drive will provide a connection to the interior of the project site in the event that the internal main access driveway is obstructed. The emergency access will be constructed of gravel and will be maintained by the project owner to provide free and clear emergency access through-out the year, including during the winter.

Construction related traffic impacts are also anticipated but will be short-term and temporary (will cease upon completion of site construction activities). The number of construction vehicles will vary by stage of development. Construction is expected to occur over a two (2) year period. A Construction Phasing Plan has been developed to control the sequential development of the site and to minimize potential impacts from construction. Construction truck traffic on any given day is expected to be less than twenty (20) vehicles. Peak traffic hours on the adjacent road network will be substantially avoided by construction related trucks. However, passenger vehicles transporting workers to and from the site would add to existing traffic during peak traffic hours. It is anticipated that less than fifty (50) workers would be at the project site on any given day.

The Bridleside grading plan indicates that only select fill required for the SSDS will be imported, and that the remaining portion of the site will have balanced cut and fill, noting that other processed and building materials, supplies and equipment will also be delivered to the site during construction. Given the reduced scale of Bridleside in comparison to Salem Hunt, this will also result in a significant reduction over the number of construction vehicles anticipated based on the grading plan evaluated in the Salem Hunt DEIS and FEIS.

The designated route for Bridleside construction traffic will be from Interstate 684 to Fields Lane, which currently handles significant truck traffic, to North Salem Road /June Road approaching the site from the north. The Project Sponsor has proposed and the Planning Board will require as part of any subsequent approvals for Bridleside that all construction traffic avoid Starr Ridge / Starr Lea Roads.

The following project specific measures will be implemented to ensure that potential impacts to traffic and transportation, including short-term, long-term and/or cumulative impacts, are mitigated and/or minimized to the maximum extent practicable:

- An emergency access driveway will be installed and maintained passable year round.

- The internal looped driveway will be required to be maintained in compliance with the design standards as approved by the Planning Board and set forth on any subsequently approved site development plans by the Planning Board for Bridleside.
- A pedestrian connection is proposed through NYSDEC Wetland L-32 to the Town property to the south of the site, which then connects to the North Salem Middle/High School property. The connection has the potential to reduce potential vehicle trips to and from the site to those adjacent properties over that anticipated by the traffic analysis.
- With regard to construction-related traffic and transportation impacts:
  - ▶ A stabilized construction entrance will be maintained to minimize potential sediment and dust to be tracked onto June Road. The construction entrance will be inspected on a daily basis and following rainfalls.
  - ▶ A designated route for all construction traffic will be required, from Interstate 684 to Fields Lane, to North Salem Road /June Road.
  - ▶ No construction vehicles will be permitted via Star Ridge / Starr Lea Roads.
  - ▶ Construction vehicles and contractors will be required to park in designated areas only, outside wetlands or associated regulated buffer areas, nor under the drip line of significant trees to remain.
  - ▶ On-site excavated materials will be reused on-site to reduce the need for the import of materials resulting in otherwise increased construction truck traffic.
  - ▶ Construction truck traffic deliveries and usage of adjacent roads will be scheduled to avoid the peak traffic hours on said area roads.
  - ▶ Appropriate traffic control measures will be required related to site construction activities affecting June Road.

## 5.8 Utilities –

### Sanitary Sewage

The subject property is not located within a central public sewer district. A Wastewater Treatment Plant (WWTP) that will treat effluent prior to its being discharged to a subsurface sewage disposal system (SSDS) is proposed. The WWTP was the subject of Planning Board and Involved Agency review during the Salem Hunt FEIS and subsequent permit review process. The NYSDEC, NYCDEP and WCDOH have reviewed and approved their respective aspects of the wastewater treatment facilities for the Salem Hunt plan. The updated Bridleside WWTP facilities will require updated review and approval by these agencies.

The project engineer has estimated that Bridleside will result in slightly less wastewater generated as compared to the Salem Hunt project. Wastewater discharge is estimated to be 14,200 gallons per day for Bridleside compared to 16,000 gpd for Salem Hunt.

The WWTP will collect and treat the sanitary flow from the development, significantly reducing the treatment of the discharge required by the soil, compared to a traditional community subsurface treatment system. The discharge from the WWTP will be treated to a level that it could be discharged to a surface water body or stream (although this is prohibited by NYCDEP regulations, thus the need for the SSDS).

As indicated in the Salem Hunt DEIS and FEIS, the proposed sewage disposal system can be designed to meet all regulatory requirements, including those of the NYSDEC, New York State Department of Health (NYSDOH), WCDOH and NYCDEP. These agencies have been active participants in the environmental review process and it is the Planning Board's understanding that all related comments and concerns to date have been satisfactorily addressed.

### Water Supply

Four (4) water supply wells were drilled and tested on the subject property in support of assessing the feasibility of a community water supply system serving the entire proposed development. A water supply storage and distribution system was the subject of Planning Board and Involved Agency review during the Salem Hunt FEIS and subsequent permit review process. NYSDEC and WCDOH have reviewed and approved their respective aspects of the water supply system for Salem Hunt. The Bridleside water system will be largely the same with modifications resulting from the revised project layout. The updated water supply system plans will require review and approval by NYSDEC and WCDOH, as well as the Planning Board. The system will be owned, operated and maintained by the property owner (Salem Hunt included a Homeowners' Association which is no longer proposed or needed for the Bridleside project).

The Bridleside project engineer has estimated that Bridleside will result in slightly less water demand as compared to Salem Hunt. Water demand for Bridleside is estimated to be 18,200 gallons per day compared to 20,500 gpd for Salem Hunt.

An approximately 25,000 gallon subsurface water storage tank for potable water is proposed to be installed. This storage facility will be owned and maintained by the property owner.

According to completed pump testing, three (3) of the drilled wells will be utilized, including well TW-2, TW-3 and TW-4. These production wells will draw water from considerable depth (a depth of approximately 71 to 101 feet) and with separation distance from the ground surface. The production wells will also have substantial vertical and horizontal separation distance from the proposed SSDS. Given that site generated wastewater will be fully treated (by the proposed WWTP) prior to its subsurface discharge (to the SSDA), no appreciable impacts to on-site water supply wells from the wastewater treatment system are anticipated.

A pumping test was conducted to evaluate potential impacts associated with groundwater withdrawal on nearby water supply wells. In response to the results of testing of certain off-site private wells, a Well Monitoring and Mitigation Plan has been proposed by the Project Sponsor and will be required to be implemented (see Section 5.3, Groundwater Resources).

### Other Site Utilities

An existing New York State Electric and Gas (NYSEG) electrical utility easement crosses the northwestern portion of the subject property. No project-specific upgrades are warranted by the proposed action. All new site utilities will be installed underground. Heating for the proposed apartment units will be electric or propane. Telephone service lines will be provided by Verizon via connection to the existing overhead lines located along June Road. Cable television lines and service will be provided by Cablevision, also via hookup to the existing overhead lines. The proposed action also includes the installation of on-site propane storage tanks primarily for cooking fuel that will be installed underground.

Details of all proposed underground site utility line locations and related aboveground infrastructure will be required to be finalized accordingly prior to the endorsement of any subsequently approved site development plans by the Planning Board for Bridleside.

### Utility Mitigation Measures

The following project specific measures will be implemented to ensure that potential impacts to utilities, including short-term, long-term and/or cumulative impacts, are mitigated and/or minimized to the maximum extent practicable:

- Sanitary Sewage Mitigation
  - ▶ The proposed sewage collection, treatment and disposal facilities will be privately constructed, maintained and operated.
  - ▶ The WWTP will be located in a single building. Its architectural design and proposed appearance is consistent and compatible to the architectural design and scale of the proposed multifamily residential buildings.
  - ▶ The WWTP will include an odor control system as well as an emergency power generator capable of automatic startup, should power be lost.
  - ▶ The SSDS has been conservatively designed with several factors of safety (see Preliminary Wastewater Treatment Report included in the Salem Hunt FEIS).
- Water Supply Mitigation
  - ▶ The proposed water supply wells, storage tanks, treatment facilities and distribution system will be privately constructed, maintained and operated.
  - ▶ The proposed stormwater management system and the proposed WWTP are not anticipated to impact the groundwater quality, on-site or down gradient from the site given the level of treatment proposed.
  - ▶ An off-site private Well Monitoring and Mitigation Plan will be implemented (as discussed above) in response to the potential for groundwater withdrawal serving the project site negatively impacting off-site private water supply wells.
- Other Site Utilities Mitigation
  - ▶ All new site utilities will be installed underground.
  - ▶ Transformers and other utility structures will be either installed underground or appropriately screened with all-year landscaping designed in a natural setting.
  - ▶ Joint utility trenches will be used where feasible (phone, electric, cable).

## 5.9 Community Facilities –

### Affordable Housing Details

The project site was specifically rezoned in 2000 in response to the *Continental* decision requiring the Town of North Salem to create the opportunity for affordable housing and provide for the development of a variety of housing types within the Town. The site development and buildings of Bridleside have been designed in full conformance with the applicable underlying and supplementary regulations for the underlying R-MF/4 High and Medium Density Residential Zoning (Zoning Ordinance §250-19.1) of the subject property.

The former Salem Hunt plan was proposed as a predominantly market rate project with 20% of the units (thirteen (13) units) proposed as moderate-income housing units in accordance with the standards and requirements currently set forth in Zoning Ordinance §250-124, which regulations are not presently consistent with the Westchester County affordable eligibility guidelines. In this regard, the recently adopted Comprehensive Plan for the Town of North Salem (December 2011; Section 7.3.4 thereof) makes several recommendations to amend the Town’s zoning regulations more consistent with the County requirements. The North Salem Town Board is presently considering zoning amendments to establish “Affordable Housing” standards consistent with those of Westchester County.

Bridleside will provide additional affordable housing opportunities in the Town of North Salem. Sixty-four (64) apartment units will be designated affordable, in accordance with Westchester County’s eligibility requirements (the 65th apartment will be occupied by an on-site superintendent). The units will consist of a mix of one, two and three bedroom units, whereas Salem Hunt was proposed as all two-bedroom units. The sources of funding for implementation of Bridleside include New York State Homes and Community Renewal and Westchester County Fair and Affordable Housing funds (“FAAH”). This funding stipulates that for 50 years the apartments will be rented to income qualified people at affordable rents; North Salem’s regulations require that such housing be affordable in perpetuity.

Requirements which form the basis for project funding stipulate that that 80% of the units are to be rented at 60% of Westchester County AMI and 20% of the units are to be rented at 50% of Westchester County AMI. This criterion is currently a requirement of the Westchester County funding program and is more restrictive than the 60% AMI maximum stipulated in the County Model Ordinance for affordable housing.

The initial rents and incomes (based on current indexes) for Bridleside are as follows:

<b>UNIT TYPE</b>	<b># of UNITS</b>	<b>RENT</b>	<b>MAXIMUM INCOME</b>
1-Bedroom	20	\$1,012 to \$1,215	\$48,600
2-Bedroom	40	\$1,215 to \$1,457	\$58,300
3-Bedroom	4	\$1,683	\$67,350

(\*) The fifth 3-bedroom unit will be provided rent free for the on-site superintendent.

The regulations of New York State and Westchester County set forth in detail how income is calculated in determining eligibility. All sources of income are included when determining if an applicant exceeds the maximum allowable income including: the gross (not taxable net) amount of social security, pensions, salaries, annuity income, 401k withdrawals, child support alimony, 2% imputed earnings on all assets.

All rents will include heat and hot water. Leases will be for a term of one (1) year. Tenants whose income increases above the current/initial eligibility requirements or whose income decreases are not required to vacate and will be offered lease renewals based on the requirements of the funding programs. Rents would only be modified as determined by Westchester County affordable housing eligibility criteria. Rents may increase or decrease annually based on the increase in the Westchester County Area Median Income as annually published by the Federal Division of Housing and Community Renewal. The determination of rent increases will be made by WB Residential, the management affiliate of the Project Sponsor.

Marketing of the new affordable rental apartment units will be done by the Project Sponsor and the Housing Action Council in consultation with the Town of North Salem Housing Board based on a marketing plan to approved by the Town and Westchester County.

At the end of the marketing period a lottery will be held from the applicants interested in residing at Bridleside. WB Residential will invite each prospective tenant, in the lottery order, to make application and to demonstrate income and credit qualification. The Town of North Salem Housing Board will be given the opportunity to review all prospective tenant applications to confirm that they are eligible. Qualified and approved prospective tenants will then sign a lease. This process will continue until all apartments are leased. After units are filled, apartments will be made available to income and credit qualified tenants, first to those who remain from the lottery list, and then on a first come first serve basis.

### Fiscal Impact Considerations

All Bridleside improvements and facilities will be privately owned and maintained. No aspect of the proposed action will result in an ownership, maintenance or operational responsibility to the Town of North Salem.

Bridleside will be taxed based on the assessed value of the project. Based on the Project Sponsor's analysis of the income potential of the property, the total market value of Bridleside is estimated at approximately \$7,351,063. Based upon North Salem's equalization rate of 10.25 percent, the assessed value of the project site is estimated to be approximately \$753,484. As such, Bridleside would generate a total of approximately \$187,371 in property tax revenues to all taxing jurisdictions, which is an increase over existing tax revenues generated by the vacant site to all taxing jurisdictions. However, as discussed below, generated tax revenues to the Town of North Salem and North Salem Central School District will be less than the corresponding community service and public school costs associated with implementation of Bridleside.

Bridleside is expected to generate secondary benefits to the local economy as a result of new construction activity and the future spending by the new residents of Bridleside. The spending of residents expected to live at the proposed development will benefit commercial businesses in the local area and the region, both in the Town of North Salem and outside of the Town. However, the secondary benefits and spending by residents at Bridleside may be somewhat less than anticipated for Salem Hunt, given the projected difference in income levels for the residents.

### Town of North Salem - Municipal Services

Bridleside is projected to increase the population of North Salem by approximately 145 persons. The estimated annual per capita property tax levy for general fund municipal services is \$628. Corresponding additional municipal costs payable through the property tax generated by Bridleside are projected to total approximately \$91,060.

The proposed Bridleside affordable units will generate approximately \$29,375 in municipal annual tax revenue, \$61,685 less than the projected costs to the North Salem community. All things being equal, with 1,811 households in the Town of North Salem, the annual municipal cost of supporting the affordable housing at Bridleside is approximately \$34 per household.

The project sponsor also acknowledges that the proposed action will result in negative fiscal impacts to the Town as a result of a substantial increase in population without significant offsetting revenue being generated by the development, and that the population growth associated with Bridleside will make substantive demands on the Town and its provision of overall services to the Town's citizens. To this end, the Project Sponsor, at its cost, will assist the Town of North Salem by constructing a new Town Garage of not less than 9,000 square feet and renovating the existing Town Garage into a multipurpose municipal building.

North Salem Central School District

The project site is located entirely within the North Salem School District and is projected to generate approximately 9 to 21 school-age children according to the Project Sponsor's analysis.

An assessment of the potential number of school age children potentially residing at Bridleside was conducted by the Project Sponsor's consultant Richard Hyman of RH Consulting, based upon other affordable housing projects in Westchester County which are similar in size and demographics to the proposed Bridleside project. Based upon two different statistical methods, the projected number of public school students for Bridleside was estimated at a range of 8.5 to 21 students, and from 12.7 to 17.7 students. These ranges are closely comparable to the estimated 16 public school age children derived from using widely accepted multipliers from Rutgers University Center for Urban Policy Research. The Rutgers multipliers are used by the North Salem School District to forecast future enrollments.

According to the NYS Department of Education, the School District's total budget, comprised of Administration, Capital and Programming costs, totaled \$38,088,703 with 88% or approximately \$33,518,059 being raised by the tax levy. As reported to the NYS Department of Education, the School District's enrollment for the 2010-2011 school year was 1,331 students, resulting in a gross per student cost from the tax levy of \$25,183.

The School District's programming budget for the 2010-2011 school year totaled \$29,094,748 with 88% or approximately \$25,603,378 being raised by the tax levy. Based on the School District's enrollment, the programming cost per student derived by tax levy equals \$19,236.

According to the Long Range Planning Study Update of the North Salem Central School District, dated December 2011, the district's enrollments have declined by about 4.7% between 2000 and 2010. Losses are projected to continue in all grade configurations over the next ten (10) years. Given this trend the addition of students from Bridleside distributed throughout all twelve (12) grades over multiple school years is not anticipated to represent a significant impact from a facilities capacity perspective, thus no additional capital expenses are anticipated as a result of the Bridleside project.

Based on the \$19,236 figure calculated above, programming costs to the School District to educate the projected range of students as identified above (9 to 21 students) to be introduced by the Bridleside development would be approximately \$173,124 to \$403,956. The annual property tax revenues to be generated to the School District by Bridleside are projected to total approximately \$132,298, resulting in a shortfall ranging between approximately \$40,826 and \$271,658.

No significant adverse impacts to school transportation services are anticipated. School children would be picked up by bus at the intersection of June Road and the project site access driveway. The Transportation Supervisor for the North Salem School District has indicated that bus capacity issues as a result of the proposed action are not anticipated.

Additionally, a pedestrian connection to the adjacent Town property to the south which borders the North Salem Middle/High School property has been proposed and evaluated. For children being brought to the bus stop area by vehicles during cold or inclement weather, a vehicle pull-off area will be provided along the project site driveway. These vehicles will be able to turnaround within the project site driveway by utilizing a portion of the emergency access driveway, thereby avoiding vehicles turning around utilizing June Road.

Fiscal Considerations - Overall

The lower tax revenue to the respective taxing jurisdictions, given that Bridleside will consist of a 100% affordable housing development with a correlating low assessed valuation, funded through public resources and financing, needs to be balanced under SEQR with the other project related impacts, most of which are reduced from that previously proposed as Salem Hunt, as well as by the resulting creation of affordable housing which will help advance related Town and County goals while helping to satisfy local and regional housing needs.

Bridleside will serve to satisfy much of the Town's obligation to provide affordable housing. Also, pursuant to the Stipulation and Order of Settlement and Dismissal in United States of America ex rel and Anti-Discrimination Center of Metro New York, Inc. v. Westchester County, New York ("the Settlement"), the County of Westchester agreed that New York law requires that municipal land use policies and actions shall take into consideration the housing needs of the surrounding region and may not impede the County in its performance of duties to provide affordable housing. In the Settlement, the County agreed that it would be appropriate to take legal action to compel compliance if municipalities hindered or impeded the obligations of the County to provide affordable housing. Pursuant to such stipulation, the County agreed to ensure the development, within seven (7) years of the date of entry of the Stipulation and Order, of 750 new affordable housing units in eligible communities. North Salem was designated as an eligible community. As set forth above, the recommendations regarding affordable housing set forth in the Town's Comprehensive Development Plan (December 2011) are intended to help address compliance with the County's mandate. The Stipulation and other related court decisions and orders have made it clear that the provision of affordable housing is a required component of the land-use policies of local municipalities within the County of Westchester, including specifically, the Town of North Salem. The recently enacted Comprehensive Development Plan (December, 2011) reflects the Town's acknowledgment of the need to provide increased opportunities for the creation of affordable housing. Accordingly, to the extent that the provision of affordable housing results in adverse fiscal impacts (as compared to the development of housing which does not meet the requirements of affordability), such adverse fiscal impacts need to be balanced under SEQR with the positive components of providing affordable housing.

### Police

The proposed new residential units are anticipated to result in an incremental increased demand for area police services. Police services in North Salem are provided by the New York State Police in conjunction with the North Salem Town Police. Neither the North Salem Police Department nor the New York State Police anticipate that the additional residences will significantly affect police services or response times. No specific mitigation measures relating to police protection services are proposed.

### Fire Protection

Bridleside will add to the Town approximately 145 residents, which will result in increased demands on existing fire and emergency services. According to the North Salem Fire Department, an increase in annual call volume would be the primary impact by this development.

The proposed action will be supplied with water from a proposed private community water supply system. Two (2) 25,000-gallon underground water storage tanks will be provided near the northeast side of Building 3 for fire protection water storage. These tanks will be accessible to the Croton Falls Fire District at all times. The District has requested access to the storage tanks for both on-site and off-site emergency use, as necessary. The Project Sponsor has agreed to such usage and will formalize access and usage with the Fire District, which will be required to be finalized prior to the endorsement of any subsequently approved site development plans by the Planning Board for Bridleside. The storage tanks will be owned and maintained by the property owner, which will also be responsible for annual inspections of the tanks and required to provide copies of such inspection reports to the Fire District.

The proposed internal site driveway has been designed to accommodate fire engines and truck traffic, and will be constructed to meet suitable grade/geometry for emergency access to the proposed site buildings. A looped driveway system has been planned to provide appropriate and safe access and equipment maneuvering. Separation distances between proposed buildings have been designed in compliance with applicable Zoning and Building code regulations.

The proposed buildings will be constructed to meet applicable standards of the New York State Uniform Fire Prevention and Building Code, and will also adhere to applicable regulations of Chapter 108, Building Construction and Fire Prevention of the Code of the Town of North Salem.

The proposed action is estimated to generate potential property tax revenues to the Croton Falls Fire Department. This additional tax revenue can be used to augment the Department's capabilities as may be necessary.

### Emergency Services

The subject property is within the service area of the North Salem Volunteer Ambulance Corps. Rescue members from the Croton Falls Fire Department, North Salem Police Department and New York State Police (as needed) would also respond to emergency calls to Bridleside. Response time to the subject property is estimated to be approximately eight (8) minutes. Adequate site and building access is planned via the proposed development private looped driveway, with an alternative emergency access.

### Solid Waste

The proposed action will result in the increased generation of solid waste that will need to be removed and properly disposed of off-site. The proposed action is estimated to generate less than 0.3 tons per day (or approximately 7.1 tons per month). Collection and temporary storage of solid waste will be at two central collection points on-site; these facilities will be within screened enclosures. Solid waste will be collected by a private contractor retained by the property owner.

### Recreation and Open Space

The projected 145 Bridleside residents will cause an incremental increase in recreational demand on an existing inadequate supply of active recreation fields within the Town. To address some of the impacts to existing municipal recreational facilities, the proposed action includes an on-site community/recreation building and small outdoor play field. These facilities will be privately owned and maintained by the property owner, and will be for private use by Bridleside residents and their invited guests only.

A recreation trail system is also proposed and will include a Trail Easement conveyance to the North Salem Bridle Trails Association. The proposed trail system provides for continued use of the site by equestrians in order to access the adjacent established bridle trail system to the south/southwest of the site.

The proposed on-site recreation provisions address a portion of the anticipated recreational demand resulting from the project development. As indicated above, the Project Sponsor will make a payment to the Town's Recreation Fund of \$300,000, which payment will serve to offset some of the increased demand for recreational resources of the type and nature which have not (and cannot) be provided for on the project site.

### Mitigation Measures

The following project specific measures will be implemented to ensure that potential impacts to community services, including short-term, long-term and/or cumulative impacts, are mitigated and/or minimized to the maximum extent practicable:

- The property owner will maintain all of the community aspects of the project. This includes all driveways, building exteriors, common improvements, open space, stormwater management system, water supply, WWTP and SSDS, etc. As designed and proposed there are no aspects of the project which are anticipated to result in an ownership, maintenance or operational responsibility to the Town of North Salem.
- The Project Sponsor will pay a recreation fee in the amount of \$300,000.
- The Project Sponsor, at its cost, will construct a new Town Garage of not less than 9,000 square feet and will renovate the existing Town Garage into a multipurpose municipal building.
- Expected secondary benefits to the local economy as a result of new construction activity and the future spending by the new residents of Bridleside.

- Two (2) 25,000-gallon underground water storage tanks will be provided near the northeast side of Building 3 for fire protection water storage.
- An alternative on-site emergency accessway is included to provide internal site access should the main entrance driveway be obstructed or otherwise blocked in times of emergency.
- Solid waste collection and temporary storage will be centralized within screened enclosures, which will be coordinated and maintained by the property owner.
- On-site recreation will be provided, including a recreation building, play field and trails, including a Trail Easement to the North Salem Bridle Trails Association, providing public access to the trails as well as continued use of the site by equestrians to access the adjacent established bridle trail system to the south/southwest of the site. The proposed trails also will provide a connection to adjoining municipal public park and school facilities.

5.10 **Alternatives** – In accordance with the Final Scoping Outline for the Salem Hunt project, the Salem Hunt DEIS evaluated several alternatives pertaining to site layout and design, as well as density. The studied alternatives were evaluated in the context of the site's constraints and opportunities. The site includes areas of regulated wetlands and associated regulated wetland buffer areas, resulting in relatively limited locations for appropriately sized subsurface septic treatment systems, as well as limitations on the extent to which substantially less impacting alternatives might be developed. The site's existing environmental constraints also limit flexibility in potential locations for developing primary site access and the location of the concentrated residential development.

The number of feasible residential units and buildings has evolved through the SEQR process. Bridleside, proposes a total of sixty-five (65) residential units in eight (8) buildings. Earlier designs proposed seventy-five (75) units in fifteen (15) buildings and then sixty-five (65) units in twenty-four (24) buildings. The Bridleside plan also reduces total proposed impervious surfaces, population, traffic and water and sewer use.

The Final Scoping Outline for the Salem Hunt DEIS required the evaluation of the following seven (7) alternatives:

- ▶ No Action Alternative
- ▶ Structure Design and Layout Alternative
- ▶ Increased Unit Count Alternative
- ▶ Reduced Impervious Surface Alternative – Decreased Unit Count
- ▶ Reduced Impervious Surface Alternative – Same Unit Count as the Proposed Action
- ▶ Walkable Community Alternative
- ▶ Fee-simple Alternative

The development plan for Bridleside has been substantially modified since the adoption of the Salem Hunt Final Scoping Outline, as a result of preliminary review comments, advancement of the engineering and site plan drawings and a better understanding of the site's septic system capacity, following testing and studies. These changes to the development plan resulted in a reassessment of all matters.

Each of the alternatives evaluated in the Salem Hunt DEIS are summarized below. As noted above, the study of the plan alternatives was based on an analysis of the site opportunities and constraints, and mapping of suitable “buildable” areas and various natural features and constraints of the site.

#### No -Action Alternative

The No Action Alternative considers the potential environmental impacts that could be associated with the site remaining in its existing condition, with no development. This alternative would result in none of the negative or positive impacts of the proposed Bridleside development.

Under the No Action Alternative, the site would remain as private undeveloped lands in its natural condition, with no site development. No tree removal, vegetation clearing, steep slope or soil disturbance would take place. Vegetation would continue to mature in natural succession; and wetlands would continue to serve their current functions. No new traffic, population or school-age children would be generated. No new stormwater quality facilities would be needed or constructed. No new tax revenues to the Town or School District would be generated by the new residential lots, but neither would any increased demands for community services or their related increased costs. However, the No Action Alternative would not provide the Project Sponsor with any residential development opportunity to meet its objectives.

#### Structure Design and Layout Alternative

The Structure Design and Layout Alternative was intended to evaluate a development plan consisting of homes that are more consistent with the community character found in North Salem by reducing uniformity and including different combinations of units per building, variation in unit layout and variation in unit size.

The Project Sponsor’s initial plan proposed larger buildings with five (5) units in each building. Following the review of the Salem Hunt DEIS, the development plan was revised to include more but smaller buildings intended to provide increased consistency with the community character found in North Salem. Maintaining this design change, Bridleside also includes more and smaller buildings, eight (8) residential buildings are proposed.

The buildings have been designed consistent with early American architectural details, including clapboard wood siding, simple lines and pitched roofs. Traditional early American details include the doors, shutters, double-hung windows, as well as the use of columns and wood railings at some of the entrances. The façade design includes varied roof lines and peaks, and use of traditional color schemes of muted earth tones for the siding and roofs. Given that the proposed action provides a building architecture and layout designed to be as consistent with the community character of North Salem as feasible given the type of residential development proposed (and permitted by the zoning), the general goals of this alternative can be achieved.

### Increased Unit Count Alternative

The Salem Hunt DEIS Final Scoping Outline required an evaluation of the potential impacts associated with an Increased Unit Count Alternative. During the preparation of the Salem Hunt DEIS, preliminary investigation as to the feasibility of an increased unit count consisting of ninety (90) two-bedroom units within in five (5) buildings with eighteen (18) units in each was conducted. After extensive testing and analysis to determine the project site's capacity for sanitary system disposal it was determined that the site could not support any configuration of sewage treatment options which would allow for the initially proposed seventy-five (75) units. Therefore the ninety (90) unit alternative was not considered practicable or feasible, and no further detailed analysis of this alternative was conducted. It should be noted that the current proposed number of units (65) represents the maximum number of units for which sewage treatment can be provided; and the applicant has proposed to limit future development potential of the site to the currently proposed sixty-five residential units only.

### Reduced Impervious Surface / Decreased Unit Count Alternative

The Salem Hunt DEIS Final Scoping Outline required consideration of a Reduced Impervious Surface Alternative with a Decreased Unit Count. After extensive site evaluations, the Salem Hunt DEIS proposed a sixty-five (65) unit layout which represented a reduction over the initially proposed seventy-five (75) unit layout. As noted above, it was agreed that the Salem Hunt DEIS sixty-five (65) unit plan met the goals of this alternative.

The Bridleside Plan, due to its compact nature, further reduces the amount of resulting impervious area from that of the Salem Hunt FEIS Plan. These design modifications, which have been incorporated into the Bridleside plan, have resulted in an impervious area reduction of approximately 3.1 acres in comparison to the Salem Hunt DEIS Plan and 1.5 acres in comparison to the Salem Hunt FEIS Plan.

### Reduced Impervious Surface / Same Unit Count as Proposed Action Alternative

By reducing the unit count from the initially proposed seventy-five (75) unit project to the currently proposed sixty-five (65) units, the amount of impervious surface has been reduced as described above, thus achieving the main purpose of this alternative evaluation (i.e., reduced impervious surface and related impacts thereof). Since the seventy-five (75) unit proposal was clearly not feasible on this site due to sewage disposal limitations, no additional evaluation of the Reduced Impervious Surface / Same Unit Count as Proposed Action Alternative was conducted.

### Walkable Community Alternative

This alternative was required to examine the potential impacts associated with the project designed as a "walkable community." The Walkable Community Alternative examined a layout that was intended to increase the pedestrian environment of the planned development. However, the compact nature of the proposed plan's layout and single entrance / exit (no through traffic and low-speed internal traffic) results in a generally pedestrian friendly community.

To further achieve the goals of this alternative during the Salem Hunt FEIS review, the proposed action plan was further refined to include sidewalks alongside the main access driveway and a pedestrian trail connection to the adjacent Town owned property, Volunteers Park, which in turn provides access to the North Salem Middle/High School. Bridleside retains these features, and in addition to having a smaller overall development footprint, internal site pathways are proposed within the central common landscape area connecting with the sidewalks provided along the looped driveway serving the entire development.

### Fee-simple Alternative

The Salem Hunt DEIS evaluated a fee-simple ownership project versus the originally planned condominium development. The Fee-simple Alternative evaluated by the Salem Hunt DEIS involved a scenario under which the prospective owners would have physical ownership around each of the residential units and a condominium association would own and maintain common land and the utilities. With fee-simple ownership, a subdivision would be required to create individual lots around the proposed units. However, the general design and layout of the buildings, access driveways and infrastructure would essentially remain unchanged from the other studied alternative scenarios.

The private ownership of individual residential lots would result in a different method for calculating taxes which would also result in an increase in the expected tax revenues generated over a strictly condominium development. This scenario was indicated as the preferred alternative for ownership and was further refined during the Salem Hunt FEIS review as the proposed action. Salem Hunt is no longer proposed. The current proposed action, Bridleside, consists of an all affordable rental apartment development. Subdivision of the property and residential units is no longer proposed. Instead, the Project Sponsor and property owner will construct, own and maintain all aspects of the project.

## **6. FINAL CONCLUSIONS AND DECISION**

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6.1 **Final Conclusions and Decision** – This Amended Findings Statement sets forth in detail the conclusions that have been relied upon by the Planning Board of the Town of North Salem, as lead agency, in its decision that:

- The Planning Board, as lead agency for the coordinated environmental review of the proposed action has carefully considered the Salem Hunt DEIS and FEIS and other supplemental materials, has considered the written facts and conclusions contained herein, and has considered the Bridleside expanded EAF and comparative impact analysis to Salem Hunt submitted in support of the revised proposed action.
- The requirements and procedures as set forth in Article 8 of the Environmental Conservation Law and SEQRL 6 NYCRR Part 617 have been followed and met.
- Consistent with social, economic, and other essential considerations, from among the reasonable alternatives thereto, the proposed action minimizes or avoids adverse environmental effects to the maximum extent practicable.

- Consistent with social, economic, and other essential considerations, to the maximum extent practicable, adverse environmental effects revealed in the Environmental Impact Statement and coordinated environmental review and evaluation process will be minimized or avoided by incorporating as condition to the decision those mitigation measures which have been identified as practical.
- The anticipated adverse socioeconomic fiscal impacts of Bridleside have been balanced with the reduced impacts of the modified Bridleside plan in comparison to the previous Salem Hunt plan, for which the Planning Board, as lead agency, issued positive findings (dated October 7, 2009) in support of the granting of permit approvals for the construction and operation thereof. Such impacts are also balanced with the resulting creation of additional affordable housing options in the Town of North Salem, consistent with income eligibility standards of Westchester County and in furtherance of:
  - ▶ Substantially satisfying much of the Town's obligation to provide affordable housing as ascertained by the Westchester County Affordable Housing Needs Assessment, Affordable Housing Allocation Plan for 2000 through 2015 (November 9, 2005).
  - ▶ Addressing the Stipulation and Order of Settlement and Dismissal in United States of America ex rel and Anti-Discrimination Center of Metro New York, Inc. v. Westchester County, New York.
  - ▶ Addressing the Town's obligation pursuant to the *Continental* decision.