TOWN OF BEDFORD
PLANNING BOARD MEETING

425 Cherry Street
Bedford Hills, New York 10507
Tuesday
June 10, 2014 – 7:30 PM

Public Hearing:

8:00 PM Scoping Session
Proposed 10-Lot Subdivision
Section 62.9 Block 1 Lot 13, R-4A Zone
Upper Hook Road, Katonah
Section 62.13 Block 1 Lot 1, R-4A Zone
131 Upper Hook Road, Katonah
Owner – **New York Bedford Castle Co.**
Applicant – **America Capital Energy Corporation**

Supporting documentation for all items on this agenda is available at the Town of Bedford website. (www.bedfordny.gov) – Enter - Town Meetings
Larger documents and plans are available at the office of the Planning Board. Agenda items subject to change.

SCOPING OUTLINE
AMERICA CAPITAL ENERGY CORPORATION
TOWN OF BEDFORD, NEW YORK
APRIL 22, 2014

DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS) PRELIMINARY LISTING OF SCOPE OF ISSUES TO BE ADDRESSED

Location of Action: The ±97.4 acre subject property is located in the eastern portion of the Town of Bedford, approximately 0.3 miles west of the Town of Pound Ridge municipal boundary and roughly 2.5 miles east of Interstate intersection 684. The site is located south of, and possesses frontage along, Upper Hook Road to the north. Birch Drive/Glenwood Lane, a dead-end roadway network, is located immediately west of the site and Reynolds Lane, a dead-end roadway, is located immediately to the east/southeast of the site.

The subject site is situated entirely within the Bedford Central School District, is under the jurisdiction of the Bedford Village Volunteer Fire Department and the Town of Bedford Police Department. The site lies within the R-4A zoning district and is designated on the Town of Bedford tax maps as Section 62.13, Block 1, Lot 1 and Section 62.9, Block 1, Lot 13.

Classification of Action: Type I

Lead Agency: Town of Bedford Planning Board
Town House
425 Cherry Street
Bedford, New York 10507

Involved Agencies: See Attached List

Scoping Meeting Held On: May 13, 2014

GENERAL DEIS GUIDELINES:

i. The DEIS shall cover all items in this Scoping Outline. Each impact issue (e.g., wetlands, groundwater, etc.) shall be presented in a separate subsection and include a discussion of existing conditions, projected impacts associated with the proposed action and mitigation measures designed to minimize the identified impacts.

ii. Narrative discussions shall be accompanied by appropriate tables, charts, graphs and figures whenever possible. If a particular subject can be most effectively described in graphic format, the narrative discussion shall merely summarize and highlight the information presented graphically.

iii. All discussions of mitigation measures shall consider at least those measures identified in this Scoping Outline. Where reasonable and necessary, such mitigation measures shall be incorporated into the proposed action if not already included.

iv. The DEIS shall be written in the third person, i.e., the terms "we" and "our" shall not be used. The project sponsor's conclusions, opinions, and assumptions shall be identified as those of "the project sponsor" or those of the "applicant".

v. Information shall be presented in a manner which can be readily understood by the public. Efforts shall be made to avoid the use of technical jargon. Where practical, impacts and mitigation measures shall be described in terms which the lay-person can readily understand.

vi. The entire DEIS shall be reviewed carefully to ensure consistency with respect to the information presented in various other DEIS sections and appendices.

I. FRONT MATERIAL

A. Cover Sheet: The DEIS shall begin with a cover sheet that identifies the following:

1. That it is a Draft Environmental Impact Statement.

2. Date submitted.

3. The name and location of the project.

4. The Town of Bedford Planning Board as the Lead Agency for the project and the name and telephone number of the following person to be contacted for

further information: Mr. Jeffrey Osterman, Town of Bedford Director of Planning (914) 666-4434.

5. The name and address of the project sponsor and the name and telephone number of a contact person representing the project sponsor.

6. The name and address of the primary preparer of the DEIS and the name and telephone number of a contact person representing the preparer.

7. A space marked for the date of acceptance of the DEIS (to be inserted later).

8. A space marked for the deadline by which comments on the DEIS are due (to be inserted later).

B. Table of Contents: All headings which appear in the text shall be presented in the Table of Contents along with the appropriate page numbers. In addition, the Table of Contents shall include a list of exhibits, tables, appendices, and a list of additional DEIS volumes, if any.

C. List of Consultants Involved With the Project: The names, addresses, telephone numbers and project responsibilities of all consultants involved with the project shall be listed.

D. Appendix: The appendix shall contain all related SEQR documents including separate, stand-alone technical reports.

II. SUMMARY

A. The DEIS shall include a summary of the proposed action. The summary shall include information found elsewhere in the main body of the DEIS and shall be organized as follows:

1. Brief description of the action and an explanation of the purpose and public need/benefits of the project. The description shall include, in summary form, the following information:

a) Precise location, size, zoning and tax map designation of the site.

b) Description of the existing site character, including any natural features, past site disturbances (i.e., excavated quarry pits) and the character of the surrounding area.

c) A summary history of the site, including any past-established development restrictions.

d) Description of the proposed impervious surface area (roofs, roads, walkways, etc.), projected amount of land to be disturbed, and open space considerations and any areas proposed for conservation easements.

e) Description of the site's location relative to surrounding land uses and natural features.

f) Description of the expected year of project completion, construction phasing plan and anticipated construction schedule.

2. Identify the Involved Agencies, interested parties, and required approvals/permits. The list of Involved Agencies and interested parties shall include addresses for each agency identified.

3. Requested changes or variances to the zoning regulations, if any, shall be identified.

4. A simple and concise listing of the anticipated short and long term impacts (significant, beneficial and adverse) and proposed mitigation measures for each impact issue identified in the DEIS.

5. Brief description of the project alternatives considered in the DEIS. A table shall be presented which assesses and quantitatively compares each alternative to the various impact issues associated with the proposed action.

B. Site Features Plan: The DEIS shall include a site features plan drawn to a scale of not less than 1" = 100'. The site features plan shall illustrate the following:

1. Ownership and features within 150 feet of the property line.

2. Existing topography at 2' contour intervals.

3. Slopes 0 - 14%, 15 - 24% and greater than 25%.

4. Existing Town, State and Federally regulated wetlands, wetland buffers and water features.

5. Soil classifications.

6. Off-site wetlands and wetland buffers within 150 feet of the project's perimeter. Correct 100 foot buffers shall be shown from all wetlands.

III. IMPACT ISSUES - THE NATURAL ENVIRONMENT

A. Topography

1. Existing Conditions

a) Description of the site's topography including a discussion of any prominent or unique physiographical features.

b) A topographic map shall be included in the DEIS. Said map shall indicate all slopes 0- 14%, 15 - 24% and greater than 25%.

c) Tabulation of the following slope categories:

- 0 - 14%
- 15 - 24%
- 25% and greater

d) A distinction shall be outlined between naturally occurring slopes and man-made slopes.

2. Potential Impacts

a) Quantitative analysis of the projected disturbance to each slope category identified above.

b) Discussion of the necessity for steep slopes permits based upon the definitions as set forth in Chapter 102-2 of the Code of the Town of Bedford.

c) Discussion of slope impacts associated with construction activity that continues for more than one (1) year or in multiples phases.

3. Mitigation Measures

a) The preparation of a Sediment and Erosion Control narrative, Plans and Details.

b) Measures taken to avoid steep slope intrusions.

B. Soils and Geology

1. Existing Conditions

a) A discussion of the site's subsurface geology including depth to and nature of bedrock formations and impermeable layers.

b) A discussion of the existing glacial erratic located within proposed Lot 3.

c) Identification of soil classifications and preparation of soil map in accordance with Soil Survey of Putnam and Westchester Counties, New York (SCS, 1994).

d) Soil types evaluated in terms of:

1) Distribution of soil types at subject site.

2) Erosion potential.

3) Permeability.

4) Runoff.

5) Construction limitations.

6) Depth to bedrock.

2. Potential Impacts

a) A discussion of soil impacts at projected site disturbance locations (i.e., SSDA's, house sites, roads/driveways, etc.) based upon soil type construction limitations and soil ratings outlined in Soil Survey of Putnam and Westchester Counties, New York (SCS, 1994). Included in this discussion shall be the potential impacts to Upper Hook Road from additional construction vehicles resulting from the proposed action.

b) A discussion of any potential impact to the glacial erratic located within proposed Lot 3.

c) A discussion of any potential adverse impacts to underlying bedrock and adjacent properties associated with unmitigated rock blasting.

d) Analysis of material, if any, to be imported to or exported from the site.

3. Mitigation Measures

a) The preparation of a Sediment and Erosion Control narrative, Plans and Details.

b) Discussion of how the glacial erratic within proposed Lot 3 will be protected during and after construction.

c) Adherence to the Planning Board's blasting protocol.

d) Mitigation of impacts from construction vehicles utilizing Upper Hook Road during construction.

C. Wetlands

1. Existing Conditions

Delineation and mapping of existing Town, State and Federally-regulated wetlands, adjacent areas and buffers within the site and within 150 feet of the perimeter of the site.

a) Geographical area.

b) Wetlands type.

c) An assessment of the existing wetland functions as identified in Chapter 122 of the Code of the Town of Bedford. Wetlands shall be assessed using the Hollands-Magee Model (HM) in a pre-development scenario.

2. Potential Impacts

a) An assessment of the potential impacts to existing wetland functions, as identified in Chapter 122 of the Code of the Town of Bedford. Potential impacts to wetland functions shall be assessed using the HM Model during both development and post-development scenarios of the proposed action.

b) Specific discussions should include the existence of a possible vernal pool located within Lot 10 and any potential impacts to this isolated wetland system.

c) Based upon the extent of project wetland disturbance, the potential effects on flood retention, groundwater cleansing, wildlife habitat and surface water quality maintenance shall be addressed. The amount of wetland and buffer loss from the proposal shall be discussed and shown in tabular form.

d) Discuss the impacts of fertilizers, pesticides, herbicides, fungicides and any other chemical applications which may be used for maintenance of the individual building lots/properties.

3. Mitigation Measures

a) Identify stormwater runoff quality and quantity control measures.

b) Identify compensation measures for the loss of existing wetland acreage and associated functions for each wetland disturbance area of the project. Such measures may include a mitigation planting plan, wetland and/or buffer enhancement areas, removal/management of invasive species, establishment of limited/no-mow zones, establishment of disturbance restriction areas, etc.

D. Surface and Groundwater

1. Existing Conditions

a) A description of the existing drainage patterns, floodplains and wetland areas.

b) Discharge points of existing drainage systems.

2. Potential Impacts

a) An assessment of stormwater runoff quantity and quality impacts based upon the currently proposed development. The on-site volume of stormwater runoff and peak discharge rates for the 2, 10, 25, 50 and 100 year storms shall be provided utilizing the Soil Conservation Service Technical Release Number 55.

b) A determination that sufficient available groundwater recharge exists to accommodate the calculated daily demand of the currently proposed project along with the estimated existing water usage within the subwatershed. This analysis shall confirm that the projected water usage will not result in significant water level drawdown of the proposed on-site wells or any adjacent off-site wells. The methodology for this analysis shall be approved by the Town's hydrogeologic consultant.

c) The proximity of neighboring wells to proposed SSDA's shall be determined.

d) Provide a discussion of potential impacts of lawn fertilizers, pesticides, herbicides, fungicides, etc. on stormwater runoff and wetlands.

e) Provide a discussion of the potential impacts to Upper Hook Road from heavy construction equipment and how these potential impacts may contribute to additional soil erosion, roadway washouts, etc.

f) Confirmation that existing drainage patterns will not be modified as a result of the development.

g) An analysis shall be performed on the existing dam located within the wetland in the northeast corner of the property along Upper Hook Road.

3. Mitigation Measures

a) Preparation of a Sediment and Erosion Control Plan.

b) Preparation of a Stormwater Pollution Prevention Plan (SWPPP) complying with the requirements of the Town of Bedford, NYSDEC and NYCDEP.

c) Discuss possible improvements to Upper Hook Road and any related stormwater conveyance systems.

d) Groundwater monitoring/restitution program, if required.

E. Vegetation

1. Existing Conditions

a) Floral inventory shall be determined by field verification. Generic determinations of woodland and vegetation age, condition and successional stage shall be provided to characterize the ecology of the vegetative communities, characterized by community type. These community types shall be identified on a graphic exhibit within the DEIS entitled "Vegetative Community Map".

b) Landmark trees as defined on a list of trees enunciated and established by the Bedford Town Board. Any tree 12 inches and over d.b.h. shall be identified and located on the "Vegetative Community Map", where these may be affected by the proposed development.

2. Potential Impacts

a) The impact of the proposed action on the site's vegetative communities versus existing conditions shall be graphically shown. The significance of the loss, if any, to vegetative communities or trees defined as "landmark trees" shall be presented in quantitative terms, with a development overlay on the "Vegetative Community Map".

b) The ecological effects of vegetative loss shall be discussed qualitatively.

3. Mitigation Measures

a) The preparation of a Landscape Plan in appropriate areas of proposed site disturbance.

Integrated into the Landscape Plan may include areas of "Ecoscaping" which would define the portions of the site to be re-vegetated with native species, aimed at replacing or compensating for losses, if required.

b) Mitigation for the impact on significant trees shall be provided.

c) A plan for site disturbance limits for each lot shall be presented and a discussion provided pertaining to the possibility of making such disturbance limit lines permanent.

F. Wildlife

1. Existing Conditions

a) Faunal inventory, including amphibious and invertebrates, shall be determined by field verification. This section shall include discussions of the presence on-site (or potential for on-site presence) of the Indiana bat, northern long ear bat and eastern worm snake.

b) Generic determinations of relative population density and distribution shall be provided to characterize the wildlife ecology of each of the vegetative communities identified above in Section E.

c) Areas of potential wildlife transit through the site linking green space on adjacent lands shall be identified and mapped on the "Vegetation Community Map" or on a separate map.

2. Potential Impacts

a) The qualitative effect of development on groupings of species shall be discussed to reveal generically which elements of the fauna are more or less disturbance sensitive.

b) The ecological "chain-reaction" effects of vegetative loss shall be reviewed qualitatively to provide an analysis of the potential for loss of cover and food resources.

c) Impact of the proposal on the displacement of wildlife, including the impact on surrounding neighborhoods.

3. Mitigation Measures

a) Landscape Plan: integrated into the Landscape Plan shall be area of "Ecoscaping", if appropriate, which would define the portions of the site to be re-vegetated with native species, aimed at replacing or compensating for potential wildlife losses or displacement identified by the DEIS.

IV. IMPACT ISSUES - THE HUMAN ENVIRONMENT

A. Planning and Zoning

1. Existing Conditions

a) Description of applicable land use plans and regulations (i.e., Town Zoning Ordinance, Town Subdivision Regulations, Town Comprehensive Plan) for the site and surrounding area.

b) Describe existing (and any pending) development in the area.

2. Potential Impacts

a) An analysis of the proposed subdivision's consistency with established land use regulations and articulated land use policies and ordinances.

3. Mitigation Measures

B. Community Services

1. Existing Conditions

a) Police protection.

b) Fire protection.

c) Ambulance service.

d) Solid waste disposal.

e) Recreation.

2. Potential Impacts

a) Potential impacts (adverse and beneficial) on the Town's community services resulting from the proposed development shall be discussed.

b) An analysis of the proposed development's proximity to and impact on the capacity of existing services.

3. Mitigation Measures

a) A discussion of the proposed benefits to the Town of the proposal including financial contributions to the Town's recreation program and increased tax revenues for the Town.

C Socio-Economic Conditions

1. Existing Conditions

a) Tax base and property value described as the current, undeveloped value and the projected value of the residential development.

2. Potential Impacts

a) Cost of community services provided to the development, including direct cost to taxpayers.

3. Mitigation Measures

Discussion of the post-development property values and associated tax value/benefit to the Town of Bedford.

D. Aesthetic Resources

1. Potential Impacts

a) Noise: Describe the impacts from temporary construction noise as it relates to potential rock blasting/rock hammering.

b) Light: Describe the impacts from the proposed residential dwellings potentially creating a sky-glow effect brighter than that of the existing condition.

c) Visual: Describe the potential visual impacts of the development from publically accessible vantage points. The discussion should include both potential seasonal and year-round views into the site. Specific discussion shall include the potential visual impact of the proposed subdivision's entrance and its impact to those traveling/walking on Upper Hook Road. The discussion shall include the Comprehensive Plan's reference to Upper Hook Road being a fragile/scenic roadway.

Describe the potential impacts to the existing stone walls within the property.

d) Open Space and Recreation: Describe the potential impacts to the existing Bedford Riding Lanes Association (BRLA) trails located within the site. Discussions shall include possible re-routing of the trails, elimination of trail sections and potential liability issues associated with continuing to allow trail use within privately-owned properties.

2. Mitigation Measures

E. Alternatives

A description and evaluation of the range of reasonable alternatives to the proposed action that are feasible, considering the objectives and capabilities of the project sponsor. The description and evaluation of each alternative shall be at a level of detail sufficient to permit a comparative assessment of the alternatives discussed.

The following alternatives to the proposed action are to be evaluated in terms of the impact issues listed above. If a particular alternative analysis can be most effectively described in a graphic comparison format (i.e., charts, tables, etc.), the narrative discussion shall merely summarize the information presented graphically.

1. No action.

2. Alternative Access Location - alternative, sole access to the proposed development from Birch Drive shall be evaluated. This alternative would eliminate access to the site from Upper Hook Road.

V. MISCELLANEOUS

A. Adverse Environmental Effects that Cannot be Avoided if the Project is Implemented.

Adverse environmental impacts expected to occur if the proposed action is implemented regardless of the mitigation measures considered.

B. Irreversible and Irretrievable Commitment of Resources

Those natural and human resources that will be consumed, converted or made unavailable for future use if the proposed action is implemented shall be identified.

C. Growth Inducing Impacts

1. Future growth potential.

2. Impact upon local roadways, future commercial and residential development.

D. Effects on the Use and Conservation of Energy Resources

This discussion shall include a demonstration that the development will satisfy electric generating capacity needs or other electric systems needs in a manner reasonably consistent with the most recent state energy plan.

E. Appendices

1. All SEQR documentation, the Positive Declaration and DEIS Scoping Outline.

2. Copies of all official correspondence related to issues discussed in the DEIS.

3. Copies of all technical studies and other pertinent documents in their entirety.

Involved Agencies

Deirdre Courtney-Batson, Chair
Town of Bedford Planning Board
425 Cherry Street
Bedford Hills, NY 10507

Andrew Messinger
Town of Bedford
Wetlands Control Commission
425 Cherry Street
Bedford Hills, NY 10507

Dr. Sherlita Amler, Commissioner
Westchester County
Department of Health
25 Moore Avenue
Mount Kisco, NY 10549

Cynthia Garcia, SEQRA Coordination Section
New York City
Department of Environmental Protection
Bureau of Water Supply
Suite 350
465 Columbus Avenue
Valhalla, NY 10595

Environmental Permits
New York State
Department of Environmental Conservation
21 South Putt Corners Road
New Paltz, NY 12561

Attn: NANOP-R
U.S. Army Corps of Engineers
26 Federal Plaza
New York, NY 10278

Interested Parties

Environmental Notice Bulletin
c/o New York State
Department of Environmental Conservation
50 Wolfe Road
Albany, NY 12233

Christopher Burdick, Supervisor
Town of Bedford
321 Bedford Road
Bedford Hills, NY 10507

James F. Donohue, Esq., Town Attorney
Town of Bedford
321 Bedford Road
Bedford Hills, NY 10507

J. Jeffrey Osterman, Director of Planning
Town of Bedford Planning Department
425 Cherry Street
Bedford Hills, NY 10507

Town of Bedford Conservation Board
425 Cherry Street
Bedford Hills, NY 10507

John Stockbridge, Acting Chairman
Bedford Historic District Review Committee
321 Bedford Road
Bedford Hills, NY 10507

Bedford Village Free Library
Village Green
Bedford, New York 10506

Bedford Village Fire District
Village Green
Bedford, New York 10506

Interested Parties (cont'd)

Edward Buroughs, Commissioner
Westchester County
Department of Planning
148 Martine Avenue, Room 414
White Plains, NY 10601

Joel Sachs, Esq.
Keane & Beane, P.C.
445 Hamilton Avenue
Suite 1500
White Plains, NY 10601

Hahn Engineering
Putnam Business Park
1689 Route 22
Brewster, NY 10509

New York State
Office of Parks, Recreation and
Historic Preservation
Peebles Island Resource Center
P.O. Box 189
Waterford, NY 12188-0189

New York State
Department of Environmental Conservation
New York Natural Heritage Program
625 Broadway, 5th Floor
Albany, NY 12233

S:\Dave\Pending\ACE100-ScopingOutline-04-14.wpd