8.0 CULTURAL RESOURCES COMMENTS AND RESPONSE

Comment 8-1 (Chairwoman Curtis, Public Hearing, June 11, 2008): There are some -- I think lighting is an important issue in the Town of North Salem, and -- there's some exterior lighting along the roads as being proposed. I would like to see an analysis of some sky glow issues and maybe some redesigning of the lighting.

Response 8-1: *The lighting along the proposed roads for the Salem Hunt project and the concern about sky glow were considered in the redesign of the Lighting Plan included with this FEIS (see enclosed plans, sheet LP-1). The plans originally submitted with the accepted DEIS included roadway lighting consisting of thirty-seven (37) 150-watt metal halide antique style street lamps, pole-mounted at 14 feet in height. The plans have been redesigned to significantly reduce the roadway lighting proposed to three (3) 100-watt metal halide street lamps, pole-mounted at 10 feet in height; and fifteen (15) 70-watt metal halide bollard lamps at 3 feet 6 inches in height. The number of pole-mounted lights is substantially reduced from 37 lamps to only 3 lamps. The total number of lamps is reduced by half; the wattage of all of the lamps is reduced by one-third or one-half; the height of the pole-mounted lights is reduced to 10 feet in height; and the bollard lights are approximately waist high. The revised lighting and the related photometric contours are provided on the Lighting Plan (sheet LP-1). A detail of the pole mounted light is provided as Figure 8-1 Pole Mounted Lighting Detail and a bollard light is shown in Figure 8-2 Bollard Light Detail.*

The Lighting Plan originally submitted with the DEIS, which also provided photometric contours, illustrated that previously proposed lighting would not result in any off-site glare. The detail for this lighting included shielding; proposed lighting was of a relatively low-intensity; and was not expected to create nighttime "glow" from the site. Since the current plans have been revised to significantly reduce the number, wattage and height of lighting units, the potential impacts of roadway lighting are significantly reduced. The photometric contours on the current Lighting Plan illustrate that proposed lighting is properly focussed on on-site roads and parking areas. The contours show that there is no glare from lighting beyond the central area of the site and therefore no glare escapes the site's boundaries. Any impact from proposed site lighting has been properly mitigated by the reduction in the number, height and wattage of roadway lamps as shown in the redesigned lighting plan.

Moreover, plan notation refers to the conformance of proposed site lighting with the Dark Sky Society's "Guidelines for Good Exterior Lighting Plans".

Comment 8-2 (Letter #17 Hilary Smith & Joe Bridges, MDRA, July 30, 2008): In general, less lighting should be provided. Specific recommendations include:

- The proposed 14 foot high standard is too tall; a lower height should be utilized throughout the site (10 feet should be adequate).
- The linear placement of street lighting along the entrance roadway should be eliminated. Roadway lighting should be limited to intersections and to areas where visitors utilizing the visitor parking spaces may cross the roadways.
- Lighting for common areas should be specific to the use and frequency.
- Limitations should be proposed (e.g, restricted hours, timers, motion detectors, etc).

Response 8-2: *As described in response to Comment 8-1, above, the Lighting Plan has been redesigned to significantly reduce the roadway lighting proposed to three (3) 100-watt metal halide street lamps, pole-mounted at 10 feet in height; and fifteen (15) 70-watt metal halide bollard lamps at 3 feet 6 inches in height (see Figures 8-1 and 8-2). The total number of lamps is reduced by half; the wattage of all of the individual lamps is reduced by one-third or one-half; the height of the pole-mounted lights is reduced to 10 feet in height; and the bollard lights are approximately waist high.*

The pole-mounted lighting along the entrance roadway has been eliminated. The three 10-foot high pole-mounted lights are located at two internal intersections and a common parking area only and bollard lights are proposed at smaller common parking areas; at a turnaround area; and around the pool.

Since the lighting plan redesign resulted in substantially reduced number, height and intensity of lighting fixtures, the potential impacts from proposed lighting have been properly mitigated and timers and motion detectors will not be necessary.

Comment 8-3 (Letter #22 Chairman Michael Palma, Edward Isler, Donald Raskopf & David Wilklow, Architectural Review Board, July 30, 2008): Will there be any signage or lighting on June Road to direct drivers into the site? Entry road lighting will impact neighbors. Confirm food-candle-power and site lines of any entry area lighting.

Response 8-3: *The project does not include any proposed signage or lighting on June Road. As noted above in response to comment 8-2, the lighting along the entrance roadway has been eliminated.*

Comment 8-4 (Letter #20 Edward & Ervin Raboy, E&Y Operating Corp., July 31, 2008): Lighting/Glare from the Concentration of Street Lights and Homes. The plan refers to lighting impact on surrounding residences from the 14' tall street lamps (pg 8-8), but never refers to the mass of light emanating from so many homes clustered on a few acres.

Response 8-4: *The proposed Building Mounted Lights are proposed to be a dark sky compliant down-light fixture with a 100-watt incandescent lamp. A light detail is shown in Figure 8-3 Building Mounted Light Detail and on the engineer's Details sheet. As per notation on the Lighting Plan, Building Mounted Lights will be fully shielded. The plan shows two to three incandescent fixtures per dwelling unit with end units having three lamps. The number and type of lamps per housing unit are generally consistent with a typical single-family dwelling. However, single-family homes and estate homes in rural areas such as North Salem are likely to include additional separate lighting fixtures along individual driveways and bright flood lamps to light yard areas. The proposed lamps are building mounted, of low intensity and shielded and should produce less glare per dwelling unit than what might otherwise be anticipated for an individual single-family home or estate home.*

Comment 8-5 (Mr. Bob Sealy, Public Hearing, June 11, 2008): I'm Bob Sealy, at 43 North Salem Road. I'm on the other side on the Putnam side, and I can see John and Theresa's lights from my house in the winter. What am I going to see when this is here? Is this going to look like a strip mall with the amount of light that's going to be generated and is there going to be any shielding in the plans?

Response 8-5: *As described in response to Comments 8-1 and 8-2, above, the lighting plan redesign resulted in the total number of lamps being reduced by half; the wattage of all of the individual lamps being reduced by one-third or one-half; the height of the pole-mounted lights being reduced to 10 feet in height; and the new bollard lights are approximately waist high. In contrast, a strip mall would typically involve many pole-mounted lights for commercial access and parking areas, signage with lighting and building lighting on the facades of businesses. The lighting proposed for the Salem Hunt project involves lighting typical of a residential development, yet the lighting plan was recently redesigned to address concerns about glare, lighting along the proposed roads and the overall number of lights. The resulting redesigned lighting plan is detailed in response to comment 8-1, above. The lighting previously proposed along the entrance roadway has been eliminated.*

The photometric contours on the current Lighting Plan illustrate that proposed lighting is properly focussed at key points along the on-site roads and parking areas. The contours show that there is no glare from lighting beyond the central area of the site and therefore no glare escapes the site's boundaries. Additionally, between the light fixtures at the northern intersection of the proposed entry road and the internal loop road; and the clubhouse, pool and related parking area, and the northern site property boundary there are proposed tree plantings and existing wooded areas to be preserved that will provide buffering from on-site lighting. The plantings include evergreen trees.

The proposed Building Mounted Lights on each dwelling unit consist of a dark sky compliant down-light fixture with a 100-watt incandescent lamp, which will be fully shielded. A light detail is shown on the engineer's Details sheet. The plan shows two to three incandescent fixtures per dwelling unit, which is generally consistent with a typical single-family dwelling. The complement of proposed lighting (minimal pole-mounted lamps; short bollard lamps; and building mounted lamps) is consistent with residential development and not comparable to lighting that would be needed for a commercial development. Since the lighting plan redesign resulted in substantially reduced number, height and intensity of lighting fixtures, the potential impacts from proposed lighting have been properly mitigated.

Comment 8-6 (Letter #17 Hilary Smith & Joe Bridges, MDRA, July 30, 2008): The proposed light fixture is a standard colonial-like design which is attractive but the selected fixture is not fully shielded and therefore contributes to horizontal and overhead sky glow and light pollution. These (both street and building-mounted) should be replaced with a similar style consistent with the rural residential character but which achieves full shielding, is downward directed and does not include lenses, glass globes or bulbs which protrude below the lighting fixture's housing, or which emit light horizontally.

Response 8-6: *The proposed Building Mounted Lights are dark sky compliant down-light fixtures, as specified on the engineer's Details sheet and as shown in Figure 8-3 Building Mounted Light Detail. As per notation added to the revised Lighting Plan (Drawing LP-1), building mounted lights will be fully shielded.*

Comment 8-7 (Letter #20 Edward & Ervin Raboy, E&Y Operating Corp., July 31, 2008): The Plan somewhat glibly discounts the impact of the street lamps by saying they only shed .3 footcandles. But footcandles refers to the amount of light hitting the ground (in this case 14'

below); there is no reference to the amount of light and glare at the bulb itself (which is what you would see at a distance). Those bulbs are 150W metal halide — which is a very bright bulb. We ask the Board to require the developer to do much more to mitigate these problems. Under the present plan, the only mitigation offered by the developer is to use a down lighting shield on the street lamps. This could be of significant value, but the developer should be required to do an actual test to prove its effectiveness.

Response 8-7: *As described in response to comment 8-1, above, the lighting along the proposed roads for the Salem Hunt project and the concern about sky glow were considered in the redesign of the lighting plan included with this FEIS (see enclosed plans, sheet LP-1). The plans previously submitted with the accepted DEIS included roadway lighting consisting of thirty-seven (37) 150-watt metal halide street lamps, pole-mounted at 14 feet in height. The plans have been redesigned to significantly reduce the roadway lighting proposed to three (3) 100-watt metal halide street lamps, pole-mounted at 10 feet in height; and fifteen (15) 70-watt metal halide bollard lamps at 3 feet 6 inches in height. The number of pole-mounted lamps is reduced from 37 to only 3 and the lighting intensity is reduced. Overall, the total number of lamps is reduced by half; the wattage of all of the lamps is reduced by one-third or one-half; the height of the pole-mounted lights is reduced to 10 feet in height; and the bollard lights are approximately waist high.*

The pole-mounted lamps are a "shoebox" design specification, which means that the light fixture is covered on the top and on all vertical sides with only the bottom emitting light directed to the ground.

As noted above, Lighting Plan notation refers to the conformance of proposed site lighting with the Dark Sky Society's "Guidelines for Good Exterior Lighting Plans".

Comment 8-8 (Letter #20 Edward & Ervin Raboy, E&Y Operating Corp., July 31, 2008): Moreover, the 14' high lamps are mostly located at grade levels 20-60 feet above the neighboring properties, and — at least during the 6 off-leaf months of the year — will be totally exposed to view from neighboring residences, so they almost certainly will be highly visible; ditto for the lights emanating after sundown from the 65 homes.

Response 8-8: *Please refer to Response 8-7 above regarding the substantial reduction in pole-mounted lighting. The photometric contours on the current Lighting Plan illustrate that proposed lighting is properly focussed at key points along on-site roads and parking areas; and that there is no glare from lighting beyond the immediate vicinity of the light fixtures in the central area of the site; and no glare escapes the site's boundaries. Additionally, between the light fixtures at the northern intersection of the proposed entry road and the internal loop road; and the clubhouse, pool and related parking area, and the northern site property boundary there are proposed tree plantings and existing wooded areas to be preserved that will provide buffering from on-site lighting. The plantings include evergreen trees.*

The existing wooded wetland areas on the western and eastern side of the site, which will not be disturbed by the proposed development, provide wide swaths of mixed vegetation (brush and trees) that will provide a buffer to properties on the west and east sides of the site. The depth of the wooded wetland areas will provide substantial screening for properties to the west and east of the site. Along the southern site

boundary, the plans illustrate that there is a 100-foot setback of buildings from the property line; existing wooded areas that will remain undisturbed; and a 50-foot depth of tree plantings to supplement the retained wooded areas. The tree plantings along the southern property line include a substantial proportion of evergreen trees. Therefore, in all directions from the central area of development in the project site, wooded areas will remain and/or a buffer of tree plantings will be provided, including evergreen trees.

Based on the current proposed plans, the following are approximate relationships of proposed street light fixtures to occupied neighboring residences[1]. FEIS Figure 8-1 illustrates the proposed site plan overlaid on an aerial photograph of the surrounding area. There are three street lights proposed in Salem Hunt with 10 foot high fixtures ("LF").

- *LF at west intersection of Roads A and B is elevation 580, nearest residence is 590 feet southeast at elevation 586. Proposed Buildings 5 and 6 intersect the direct sightline to the neighbor. Residence to southwest is greater than 1,300 feet distant; sightline is obstructed by Building 7 and woods to remain on and off the site.*
- *LF at east intersection of Roads A and B is elevation 542, nearest residence is 611 feet north at elevation 514. Proposed building 15 intersects the direct sightline to the neighbor. Three residences to northwest are 825 to 1,156 feet distant; sightlines are obstructed by Buildings 14 or 15, proposed planting and wetland woodland to remain on the site, and woods off the site.*
- *LF at clubhouse parking on Road A is elevation 554, nearest residence is 785 feet north at elevation 514. Proposed building 15 intersects the direct sightline to the neighbor. Three residences to northwest are 952 to 1,243 feet distant; sightlines are obstructed by Buildings 13, 14, 15 or the clubhouse, proposed planting and wetland woodland to remain on the site, and woods off the site.*

The proposed Building Mounted Lights on each dwelling unit consist of dark sky compliant down-light fixtures with 100-watt incandescent lamps, which will be fully shielded. The plan shows two to three incandescent fixtures per dwelling unit, which is generally consistent with a typical single-family dwelling.

Based on the current plans, the following are approximate relationships of proposed building mounted light fixtures to neighboring residences. (Refer to Figure 8-1 that illustrates the relationships of buildings on an aerial photograph.) On the south side of the project, mounted fixtures would be at approximate elevation 576 to 584, opposite the nearest residence 260 to 380 feet to the south at elevation 586. Visibility of lights mounted on the rear of buildings on the south side would be filtered by intervening trees proposed to be preserved and additional trees to be planted within the buffer (including evergreens and deciduous 12-16' height). To the west, mounted light fixtures would be greater than 1,200 feet distant from the one existing residence to southwest, obscured by intervening woods to remain on and off the site. On the north side of the project, mounted fixtures on buildings 13, 14 and 15 would be at approximate elevation 540 to 550, opposite four residences 470 to 916 feet to the north and northwest at elevation 514 to 535. Visibility of lights mounted on the rear of the buildings would be filtered by

[1] An adjacent residence building on the *Our Lady of Rosary Chapel site immediately north of the project site entrance has been vacant for some time.*

trees proposed to be planted within the buffer (evergreens and deciduous up to 10' height) as well as by trees existing off the site. There is several hundred feet of woodland cover between the property line and three of the four existing residences to the north.

The proposed bollard light fixtures are 2.8' high and are situated on the plan such that the fixtures would be below any sightline from off-site.

The site lighting has been minimized while providing for the safety and security of future residents. The lighting plan redesign resulted in substantially reduced number, height and intensity of lighting fixtures; and vegetative buffers are provided around the perimeter of the project, thereby minimizing potential nighttime impacts from site lighting. Due to the natural topography of the site, however, stormwater basins at the north side of the project would be located relatively close to the property line thereby resulting in the removal of existing tree cover in this area. Figure 8-1 shows that there would be significant distance between the buildings in the project and existing neighboring houses, with intervening vegetation to buffer the effects of direct lighting visibility.

Comment 8-9 (Letter #17 Hilary Smith & Joe Bridges, MDRA, July 30, 2008): Placement of stormwater management provisions within required yard areas leaves portions of the site with limited to no natural buffering from adjacent residentially-developed properties, and leaves minimal room for planting. The evaluation of impacts to adjacent land uses to the north of the project site, particularly with regard to remaining natural buffers, proposed landscape buffers and lighting should be expanded to include quantitative and qualitative information and should be supported by additional plans/sections/exhibits as appropriate. The impact analysis and mitigation measures should take into consideration "leaf-off" conditions.

Response 8-9: *The location of stormwater management basins in the north side of the site was largely defined by the natural topography of the site, where the northerly property line is on the downgradient side of the site development area. The proposed site plan has configured the basins to fit into the general contour of the site while placing Buildings 14 and 15 some 160 feet or more away from the property line, and some 490 feet from the nearest existing house to the north. The proposed buildings would be situated at an elevation approximately 30 feet higher than the existing buildings in the immediate vicinity.*

The actual existing conditions in this area along the northerly property line is such that there is an existing tree clearing on the adjacent property that would allow direct views through deciduous tree cover into the Salem Hunt property over the stormwater basins and toward Buildings 14 and 15. Given the sloped grading proposed in the basin area, much of the area within the 50' yard area is proposed to be seeded with a mix of herbaceous meadow species along with provision of an emergency access drive (which would also provide a bridle/walking trail). The proposed landscape plan shows planting of evergreens along the property line (white pines, 7'-10' in height) and additional deciduous trees (river birch, 8'-10' in height) further within the site to soften the above-mentioned views from the neighboring properties. The plantings are shown in FEIS Figure 8-1.

These conditions would provide a vegetative break within the spatial buffer between buildings on the adjoining properties, effective in leaf-off conditions and a more effective

buffer in leaf-on conditions. It is noted that the proposed residential land use on the subject site would be compatible with the existing use on the properties to the north. While the topography does not allow screening of the view in winter, the eventual naturalization of the landscape around and in the stormwater basins and along the trail is anticipated to minimize any visual impact from the adjoining land use in both leaf-on and leaf-off conditions.

As described in response to comment 8-8 above, the site lighting has been minimized while providing for the safety and security of future residents. The lighting plan redesign resulted in substantially reduced number, height and intensity of lighting fixtures on the site thereby reducing the potential for stray light off the site, and proposed Building 15 would intersect the direct sightline from the proposed street lights to the neighbor to the north.

Comment 8-10 (Letter #17 Hilary Smith & Joe Bridges, MDRA, July 30, 2008): Additional information should be provided to document the project's potential nighttime impacts.

Response 8-10: *As described in response to comments 8-1 and 8-8, above, the site lighting has been minimized while providing for the safety and security of future residents. The lighting plan has been redesigned resulting in substantially reduced number, height and intensity of lighting fixtures; and vegetative buffers have been provided in all directions from the central developed area of the site. The proposed lighting plan shows three street lights with box-type fixtures that are designed to project light directly downward to the ground. For additional site lighting, low level bollard-type lights and building-mounted, shielded fixtures are proposed. The proposed lighting plan shows light levels in the immediate vicinity of the proposed light sources up to 1.0 footcandle, thereby minimizing potential nighttime impacts from stray light. It is noted that the lighting plan conforms to the Dark Sky Society "Guidelines for Good Exterior Lighting Plans".*

Comment 8-11 (Letter #17 Hilary Smith & Joe Bridges, MDRA, July 30, 2008): The last paragraph on Page 8-8 discusses the vegetative buffers "to the east and west." Because of the site's limited suitable development area to accommodate the number of units and the layout proposed, disturbance occurs right up to the property line in several locations. As such, the analysis should be expanded to address related impacts (and proposed mitigation) to the adjacent properties to the north and south.

Response 8-11: *As more fully described in the response to comment 8-9, the post-development visibility of the proposed project from adjacent property to the north would include vegetation (existing and proposed trees and understory) within the spatial buffer between existing and proposed buildings. Notwithstanding that the proposed residential use in Salem Hunt would be compatible with the existing residential use of the properties to the north, the proposed site plan would place Buildings 14 and 15 some 490 feet away from the nearest existing house to the north. While the topography does not allow screening of the view in winter, visual buffering can be expected by the eventual naturalization of the landscape on the north side of the site (around and in the stormwater basins) and the continued vegetative cover on the adjoining property. It is noted that a* 100-foot NYSEG *power line* easement for overhead electrical lines crosses th*is area (between the existing and proposed buildings) in which no trees can be planted nor structures erected (such as screen fencing).*

Along the southern site boundary the plans illustrate that there is a 100-foot setback of buildings from the property line; existing wooded areas that will remain undisturbed; and a 50-foot depth of tree plantings to supplement the retained woods. The tree plantings along the southern property line include a substantial proportion of evergreen trees.

Further, as above, the site lighting has been minimized while providing for the safety and security of future residents. The lighting plan redesign resulted in substantially reduced number, height and intensity of lighting fixtures on the site thereby reducing the potential for stray light off the site.

Comment 8-12 (Letter #20 Edward & Ervin Raboy, E&Y Operating Corp., July 31, 2008): The best means of real mitigation would be some visually attractive sight barriers. One obvious suggestion would be to use screens of dense evergreen bushes and trees. We urge the Board to require some such visual barriers, particularly along the western side, which by admission is exposed.

Response 8-12: *As per the response to comment 8-8 above, the existing wooded wetland areas on the western and eastern side of the site, which will not be disturbed by the proposed development, provide wide swaths of mixed vegetation (brush and trees) that will provide a buffer to properties on the west and east sides of the site. The proposed landscaping plan includes a variety of plant types selected for their suitability for use at this site as well as their function in providing year-round ornamental value, wildlife value, and buffering. Preservation of wooded areas is proposed where feasible.*

Comment 8-13 (Letter #20 Edward & Ervin Raboy, E&Y Operating Corp., July 31, 2008): The area surrounding the proposed 65 unit development still exudes a feel of being 'ex-urban' or 'semi-rural'. There are only single family residences, many having 4 or more acres of land. When one drives along the local roads (June, Hardscrabble, Starlea, Starr Ridge, Bloomer, etc), at no point do you get the feeling of being in a built-up suburb. A primary reason for this atmosphere is the total absence of any townhouse, condo, or cluster development. That is, so to speak, one of the attractions of living in the area.

Our point here is not to try to stop the development from proceeding. Rather, we want to emphasize to the Board (and to the developer) how important it is that the developer take meaningful steps to shield neighbors and passersby from having the beauty of the area compromised by the bulk, light and noise that result from having such a concentration of housing, people, cars, etc in a small area.

Specifically: Line of Site Views of the Development from Neighboring Properties. The plan speaks repeatedly of how line of sight impact will be kept minimal by leaving untouched large numbers of native trees and vegetation around the perimeter of the site and even planting some additional ones (pg 8-6). But the fact is that almost all of those native trees and shrubs are deciduous, i.e. they are bare for 6 months or more each year, so that during half the year the development will be fully exposed. Moreover, the Plan admits that trees will be removed and views of the buildings, especially on the western side of the site where storm water basins are to be built.

Response 8-13: *The proposed disturbed areas and development are located in the central area of the site to the extent practicable. As can be seen in FEIS Figure 8-1, portions of existing woodland will remain in the post-development condition.*

On the east side of the project site, most of the existing woodland cover will be retained as a buffer from June Road with the exception of a narrow clearing for the entrance drive. These woods adjacent to June Road include tree and shrub species typical of a red maple hardwood swamp, dominated by red maple and American elm, which form a closed tree canopy layer ranging in height from 30 to 60 feet (DEIS Section 4.0). Most trees of the canopy layer range from 10 to 15 inches trunk diameter. A shrub layer to eight feet in height with an estimated growing-season cover of 70 percent is uniformly distributed throughout the forested sections of the wetland and is comprised of saplings of spicebush, brookside alder, arrow-wood viburnum, and gray birch. At the easterly edge of the proposed developed area is a successional northern hardwood forest, dominated by maples, birches, oak, black cherry, ashes and black locusts. The average tree measurement in the upland areas was 14 inches dbh and the majority of the surveyed trees were in the 8 to 20 inch diameter range. Density of the upland forest was estimated at approximately 90 trees per acre (DEIS Section 4.0). The understory vegetation, while generally sparse due to the dense tree canopy, consists primarily of saplings of the overstory trees as well as spicebush, arrowwood, Japanese barberry and multiflora rose. Retention of the existing native landscape at the east side of the site is anticipated to mitigate any visual impact from the east in both leaf-on and leaf-off conditions.

On the west side of the project site, most of the existing woodland cover will be retained as a buffer with the exception of a clearing for a proposed stormwater basin. Wooded areas north and south of the proposed clearing would retain the vegetation species typical of the successional northern hardwood forest and red maple hardwood swamp, as described above. In addition, similar upland woods vegetation exists over several hundred feet of the adjoining property to the west (see Figure 8-1). While the site plan does not provide area to plant vegetative screening of the cleared area, the eventual naturalization of the landscape around and in the stormwater basin is anticipated to mitigate any visual impact from the adjoining land use in both leaf-on and leaf-off conditions. Approximately 500 feet depth of deciduous woods will remain between buildings on the subject site and existing buildings to the west.

Along the southern site boundary, Figure 8-1 illustrates that existing woodland (successional northern hardwood forest as described above) will remain in the 100-foot setback of buildings from the property line, with additional evergreen and deciduous tree plantings to supplement the retained wooded area to mitigate any visual impact from the adjoining land use in both leaf-on and leaf-off conditions.

Response to comment 8-9 describes treatment of the northerly buffer.

Further, as described above, the site lighting has been minimized and the lighting plan redesign resulted in substantially reduced number, height and intensity of lighting fixtures.

Comment 8-14 (Chairwoman Curtis, Public Hearing, June 11, 2008): From a visual standpoint, I know that there were some visual angles taken. And offhand, I don't know if those

were agreed upon by the planning board, but it seems to me that some of them missed the mark. Not that this would impact whether or not the development occurs, it would impact how the development may be landscaped or maybe how some of the structures would be situated. So I want to talk to the planning board about the visual aspects.

Response 8-14: *The DEIS visual assessment was conducted in accordance with the requirements of the DEIS Scope using the methodology outlined in New York State Department of Environmental Conservation (NYSDEC) guidelines for assessment of visual impacts ("Assessing and Mitigating Visual Impacts", Program Policy issued by the NYSDEC, July 31, 2000). Specifically, the DEIS presented existing site conditions and natural features contributing to the visual quality of the site and its surrounding environment, the visual character of the neighborhood area, the visual relationship between the site and the surrounding area including adjacent properties and remote locations where the proposed action might be visible, and concluded with a determination regarding the expected change in visual character and quality as a result of the project as proposed. Viewpoints were identified for evaluation that were representative of the extent of possible views accessible to the public and would most reveal visibility of the proposed project.*

The proposed disturbed areas and development are located in the central area of the site to the extent practicable. Also, as discussed in the responses to comments 8-9 and 8-13, the site plan incorporates landscape measures to mitigate visual impacts from the adjoining land uses in both leaf-on and leaf-off conditions.

Comment 8-15 (Letter #22 Chairman Michael Palma, Edward Isler, Donald Raskopf & David Wilklow, Architectural Review Board, July 30, 2008): Very few building elevations were provided. Please provide all views as well as site cross-sections showing all proposed structures and how they relate to each other.

Response 8-15: *Typical front elevations were provided in the DEIS for two-unit and three-unit buildings consistent with the proposed action presented in the DEIS. The elevations for each type of structure presented buildings with front-entry garages only; and buildings with front and side-entry garages. These color elevations accurately represent the appearance of the various dwelling units as would be seen from the internal roads. DEIS figures 2-5 through 2-8 address the scoping requirements and were also intended to provide sufficient information for the preliminary review of the project proposal by the Architectural Review Board (ARB).*

To address the possible visual effects of the project related to the quality of design of the exterior of buildings, which is a key purpose of the ARB review, Section 8 of the DEIS includes representative site profiles and other illustrations that depict the visual character of the site as viewed from numerous viewpoints, in particular Figures 8-9 through 8-12.

To expand on the preliminary colored architectural elevations in the DEIS, FEIS Appendix D includes all elevations and floor plans for the different building types proposed for the purposes of review of potential visual impacts relative to SEQR. The site plans illustrate how the layout incorporates different building sizes, style and garage access as well as tree plantings along the road to add variety to the visual character of the development as viewed from the internal roadway. The Applicant anticipates making

a subsequent submission to the ARB with details relating to building materials and how the buildings relate to each other for the Board's further review of details and approval at the conclusion of SEQR.

Comment 8-16 (Letter #22 Chairman Michael Palma, Edward Isler, Donald Raskopf & David Wilklow, Architectural Review Board, July 30, 2008): With new proposed structures and site lighting sitting atop an already high elevation of 680' this project will have a substantial visual impact on the surrounding community. To assess that impact the ARB recommends that temporary ballons/lighted elements be raised so that the planning board and other community groups can garner information about the impact on the surrounding neighborhood.

Response 8-16: *The DEIS presents three visual profiles, drawn to scale, to illustrate the extent of clearing of site trees and vegetation, the position and scale of proposed buildings, and existing vegetation that will remain relative to the proposed grades within the area of development and existing grades outside of the area of development, and adjacent properties and roads along the profile line. DEIS Figures 8-9, 8-10 and 8-11 provide representative ground profiles of the project site within the larger context of the surrounding land, showing that the siting of the project will, in fact, fit into the landscape without significant visual obtrusion for area viewpoints due to the topography of the project area. Additionally, DEIS Figure 8-12 presents a photographic simulation of the future view of the project from Volunteer Park, the closest land with public access. The Applicant believes the DEIS visual assessment, prepared in accordance with the NYSDEC methodology by a New York State Registered Landscape Architect, accurately represents the extent of visual change and demonstrates that there will be no significant adverse visual impacts associated with the character and design of the proposed buildings and other structures, parking areas or landscaping in the Salem Hunt project.*

The visual assessment in the DEIS is representative of the project as currently proposed, given that the overall scale of the building development area and siting of the proposed improvements have not significantly changed in relation to the greater area landscape. Thus, the proposed FEIS site plan changes do not change the previous visual analyses.

Comment 8-17 (Letter #22 Chairman Michael Palma, Edward Isler, Donald Raskopf & David Wilklow, Architectural Review Board, July 30, 2008): It is recommended that site cross-section(s) be illustrated focusing on the scale of buildings relative to the road/adjacent properties. Can a 3-D model or perspective of the site be provided?

Response 8-17: *Refer to Response 8-16.*

Comment 8-18 (Letter #17 Hilary Smith & Joe Bridges, MDRA, July 30, 2008): It is unclear if the proposed grading has been incorporated into the Visual Impact Analysis. The proposed finished grade elevation should be discussed along with the proposed elevation of the finished buildings in comparison with the elevation of the areas evaluated.

Response 8-18: *Three visual profiles were prepared through the project site to illustrate the potential visual impact associated with clearing of site trees and vegetation (DEIS Figures 8-9, 8-10 and 8-11). Each profile was produced using USGS topographic mapping, aerial photography, and the engineer's proposed grading plan (DEIS page 8-6). Site specific topographic mapping, photographs from site area visits, and the*

project architect's building elevations were also used to prepare the profiles. Each profile was drawn to scale using computer-aided-design (CAD) technology, placing the buildings at their finished elevations relative to the elevations on the post-development "ground line" in accordance with the engineer's plans. The ground line represents the proposed grades within the area of development and existing grades outside of the area of development, and each profile shows existing vegetation that will remain and proposed landscaping along the profile line.

DEIS Figure 8-12, photo-simulation of the post-development view of the site from Volunteer Park, was also prepared using available topographic mapping, aerial and site area photography, the architect's building elevations, and the engineer's proposed grading plan that identifies the finished grade and building elevations, as well as the to-scale site profiles described above. Utilizing perspective drawing techniques in conjunction with analysis of the existing features visible in the original photograph, the landscape architect determined the positions and scale of the proposed buildings both horizontally and vertically within the scene.

The FEIS site plan included grading changes that affected finished grade elevations and building elevations on the site, as compared to the DEIS plan. Overall, the elevation of the site development in relation to its surroundings increased slightly to accommodate grading refinements associated with balancing cuts and fills in the revised plan. Comparison of the proposed first floor elevations (FFE) of the buildings that are specifically shown in the DEIS Visual Profiles (Figures 8-9, 8-10 and 8-11) finds that the ground elevation (and thus the roof top elevations) increased from 2.0 feet to 7.0 feet higher in the FEIS plan than in the DEIS plan.

Comment 8-19 (Chairwoman Curtis, Public Hearing, June 11, 2008): From the historical aspects, as the town historian said, I too was very concerned by in my opinion, was a cursory look at the historical significance of this area. If someone can't even identify the roads in the area when there is a starting point, it seems to me that maybe they didn't take a hard look at all of the areas of the historical aspect. To not know that Starr Lea Road and Starr Ridge Road in the Town of Southeast was designated an historic area, I think is important. And I urge them to go find out what the terms and conditions of that are, because somewhere in the back of my mind, I seem to recall some kind of control or restriction on trucks or thru traffic, so this might affect whether or not it can even be considered as an ultimate route for construction vehicles. I personally don't recall, but I'm sure if you visit the Town of Southeast and check out those regulations, that might shed some light on it.

Response 8-19: *The cultural resource report entitled, "Revised Phase 1A Literature Review and Sensitivity Analysis and Phase 1B Archaeological Field Reconnaissance Survey", which was originally submitted with the DEIS, has been updated to address public and agency comments. The report, revised April 2009, is included herein as Appendix H. One aspect of the revised report is the description of the locally designated Starr Ridge Historic District. This district is not listed with Westchester County or the National Register of Historic Places. The project site is located near, but not within or adjacent to the Starr Ridge Historic District.*

The Town of Southeast's regulations regarding historic sites and districts (Code Chapter 83) addresses changes to designated sites and districts. However, the local historic law

does not appear to include provisions regulating activities on sites near or within any specified radius of historic sites or structures.

With regards to construction traffic, construction vehicles traveling to and from the Salem Hunt site will be directed not to use Starlea and Star Ridge Road, but rather will utilize June Road/ North Salem Road and Fields Lane. Construction traffic is further described in Section 9.0 Traffic.

Comment 8-20 (Letter #1 Francis Tuoti, Chair, North Salem Preservation Commission, June 11, 2008): After reviewing the Phase 1 Cultural Resources Report on the Salem Hunt site, we recommend that CityScape do more research. On the old maps, the project area marked by CityScape is in the wrong place. It is incorrectly placed on Starr Ridge Road. June Road from Bloomer to the County Line did not exist until 1930. Therefore, the project site did not have road frontage until 1930.

Response 8-20: *As per the response to comment 8-19, above, the cultural resource report entitled, "Revised Phase 1A Literature Review and Sensitivity Analysis and Phase 1B Archaeological Field Reconnaissance Survey" has been updated to address public and agency comments. The report, revised April 2009, is included herein as Appendix H. The older location maps have been revised to reflect the accurate location prior to the existence of June Road (Maps 3 through 9).*

Comment 8-21 (Letter #1 Francis Tuoti, Chair, North Salem Preservation Commission, June 11, 2008): Also, Starr Ridge Road and Starlea Road are part of an historic district designated by the Town of Southeast and are well within the area of potential effect. Also, the intersection of June and Bloomer Roads is known as Pine Tree Corner, a very significant area in North Salem history.

Response 8-21: *Refer to Response 8-19 regarding the Starr Ridge Road Historic District. The area of potential effect is considered the entirety of the project site property and the area within which an action may cause direct alterations to historic properties. The term "area of potential effect" (APE) is explained in the revised archaeological report, included in Appendix H, on page 1. Since the project site is located near, but not within or adjacent to the Starr Ridge Historic District, it will not have any effect on the historic district.*

The revised report also addresses the concern about Pine Tree Corners. Map 6 of the original report showed the location of Pine Tree Corners. The revised report was supplemented with local historical information from Helen G. Trager's The Schoolhouse at Pine Tree Corner, North Salem, New York 1784-1916. Since the location of Pine Tree Corners, to the southeast of the site, is outside the project boundaries, it will not be impacted by the proposed development. The research was conducted in accordance with NYS OPRHP standards.

Comment 8-22 (Letter #17 Hilary Smith & Joe Bridges, MDRA, July 30, 2008): The Phase I Report should be revised based on comments of the Town Landmark and Historic Preservation Commission/Town Historian, and updated impact evaluations provided as may be appropriate. Specifically, the location of the project site on the historical maps should be reviewed for accuracy and revised accordingly, and the potential impacts to historic resources in the adjacent Town of Southeast identified and evaluated.

Response 8-22: *Refer to Responses 8-19, 8-20 and 8-21.*

Comment 8-23 (Letter #12 Ms. Jessica Bacal, Westchester County Planning Department, July 23, 2008): The numerous stone walls crisscrossing the property should be left intact whenever feasible, and where infeasible, the stones should be conserved for use elsewhere.

Response 8-23: *The DEIS describes and illustrates (Figure 8-3) the limited number of stone walls on the property as indicated in the excerpt of DEIS subsection 8.1.1 (DEIS page 8-1) below:*

"A pattern of old stone walls border the site, providing a taste of its agricultural past. The stone walls were built by farmers to delineate rectangular agricultural fields. The agricultural walls form generally rectangular areas, generally following the northern, western and southern property boundaries of the project site. The short portion of wall along the site's June Road frontage (near the proposed site entrance) can be seen in DEIS Figure 8-4. Several stone walls occur within the property perimeter. A stone wall roughly separates the area of the stream and wetlands in the eastern side of the parcel from the rest of the parcel and two interior stone walls define the area of wetlands in the northwestern corner of the parcel. A total of approximately 2,768 feet of existing stone walls were surveyed within the site.

These walls are the result of past agricultural activities that were common in this region (DEIS page 8-2). The DEIS also explains that these walls were built for a land use unlike the proposed use and thus the proposed plan does not follow the pattern of the existing walls, except the stone walls along the southern, western and northern perimeter of the project site are proposed to remain.

The current plan preserves a substantial portion of existing on-site walls, or approximately 1,710 lineal feet (See Figure 1-3 Proposed FEIS Site Plan). Walls located outside of the area of disturbance are proposed to be left undisturbed. These include stone walls near the wetlands and at the property line. The majority of the stone wall located above the slope in the eastern portion of the site will remain undisturbed, as well as much of the wall surrounding a wetland in the northwest corner of the site (see FEIS Figure 1-3 Proposed FEIS Site Plan). The stones and boulders from walls that are disturbed by the project development are proposed to be reused in the construction of landscape features, including tree wells and low retaining walls, to preserve and enhance the character of the site and its environs.

Comment 8-24 (Letter #22 Chairman Michael Palma, Edward Isler, Donald Raskopf & David Wilklow, Architectural Review Board, July 30, 2008): The submitted documents note that visually attractive stone walls will be eliminated. These stone walls are part of the history and character of North Salem. Can new stone walls (using the demolished material) be built elsewhere or can the materials from the stone wall be provided to the local townspeople.

Response 8-24: *The stones and boulders from walls that are disturbed by the project development are proposed to be reused in the construction of landscape features, including tree wells and low retaining walls, to preserve and enhance the character of the site and its environs.*

Comment 8-25 (Letter #17 Hilary Smith & Joe Bridges, MDRA, July 30, 2008): It is unclear if the Phase IA and IB investigations/conclusions have been provided to OPRHP and if there are any further comments from that agency (noting that any further testing recommendations should be coordinated with the Planning Board).

Response 8-25: *The cultural resource report entitled, "Revised Phase 1A Literature Review and Sensitivity Analysis and Phase 1B Archaeological Field Reconnaissance Survey" has been revised in response to comments (see responses 8-19 through 8-21) and resubmitted to the NYS OPRHP. While the OPRHP provided comments by letter dated August 30, 2007, indicating that it had no "concerns regarding historic buildings/structures/districts within your project area", its final recommendation based on the revised report has been requested. It is noted that no State agency approval for this project can occur until an OPRHP "sign-off" has been made.*

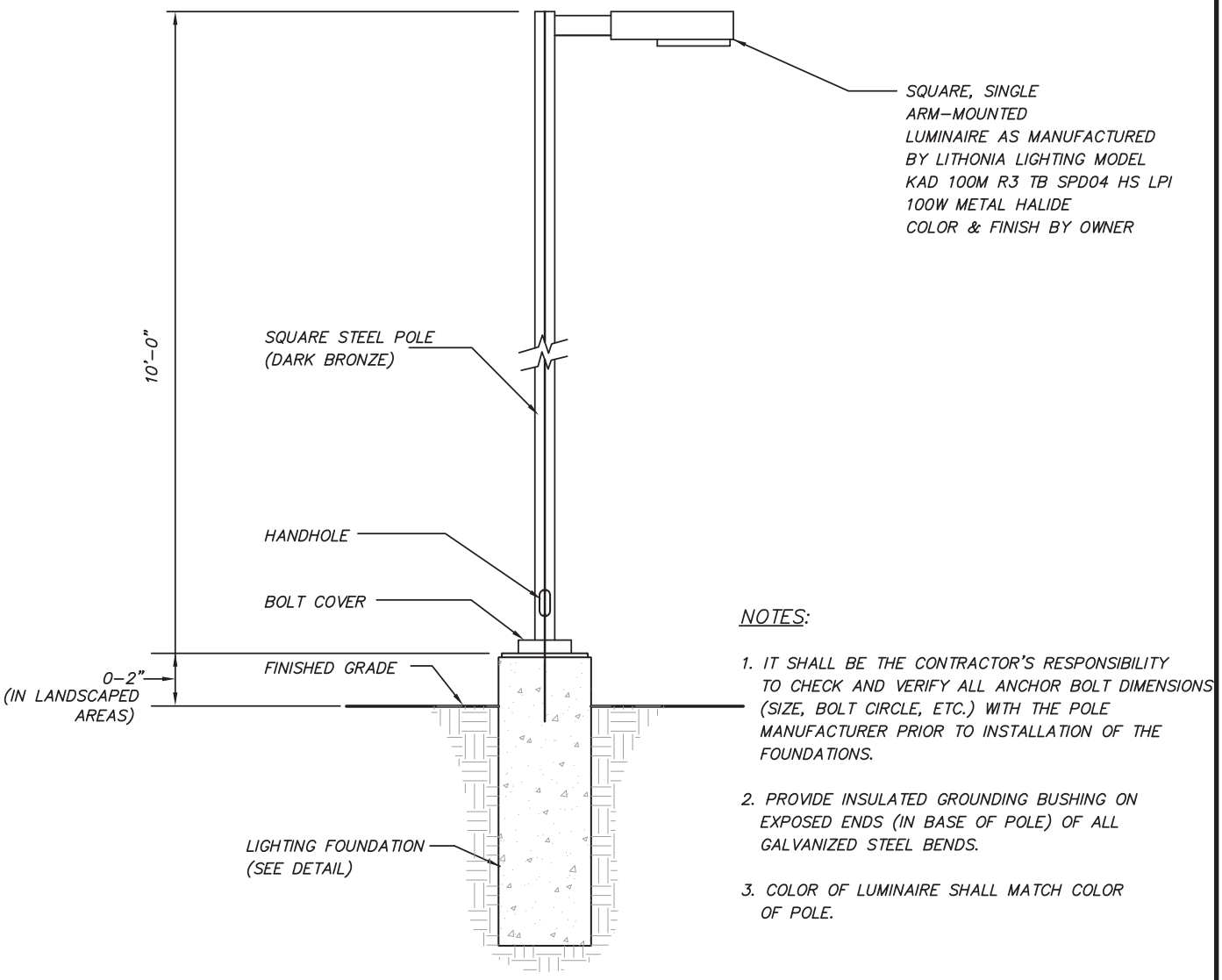
Comment 8-26 (Letter #17 Hilary Smith & Joe Bridges, MDRA, July 30, 2008): Visual and noise impacts associated with the exterior air conditioning units should be identified and evaluated. Typical screening/landscaping measures should be proposed.

Response 8-26: *The individual air conditioning units would be exterior, ground-mounted units that are typically utilized for residential dwellings and would create relatively low levels of noise. The AC units would be placed near the building foundations, typically at the rear of each dwelling unit. Noise from and visibility of the AC units would be substantially shielded from the interior portions of the development by the buildings and/or landscape plantings. Where needed to shield noise or visibility, low screen fences or landscaping will be installed around AC units, complementing the architectural style and color of the respective dwelling unit. "Typical Dwelling Unit Landscape Plan" details are shown on the Layout and Landscape Plan West (see plan sheet SP-2.2), showing the conceptual layout of shade trees, flowering trees and ornamental shrubs around the dwellings to provide buffering as well as ornamental interest.*

Comment 8-27 (Letter #17 Hilary Smith & Joe Bridges, MDRA, July 30, 2008): Proposed landscape buffer areas should involve a dense mix of staggered evergreens. White pine is not a long-term effective screening species and should be replaced. Screening (landscape or fencing) should be proposed between the site's northerly stormwater basins and the property line.

Response 8-27: *The proposed landscaped buffers along the northern and southern property boundaries include a mix of evergreen and shade trees as shown on the Layout and Landscape Plans (see plan sheets SP-2.1 and SP-2.2). Where there are dense evergreen plantings the trees are staggered and clustered and include a mix of Norway Spruce; Eastern Red Cedar; Hinoki False Cypress; and White Pine.*

Vegetative screening is provided between the site's northerly stormwater basins and the property line to the extent practicable. The proposed tree plantings in this area supplement the existing wooded area and tree line along the northerly property boundary that will be preserved. However, the requested relocation of the horseback riding trail is located north of these basins and limits additional plantings between the basins and the northerly property boundary.



POLE MOUNTED LIGHTING DETAIL

(N.T.S.)

Figure 8-1: Pole Mounted Lighting Detail

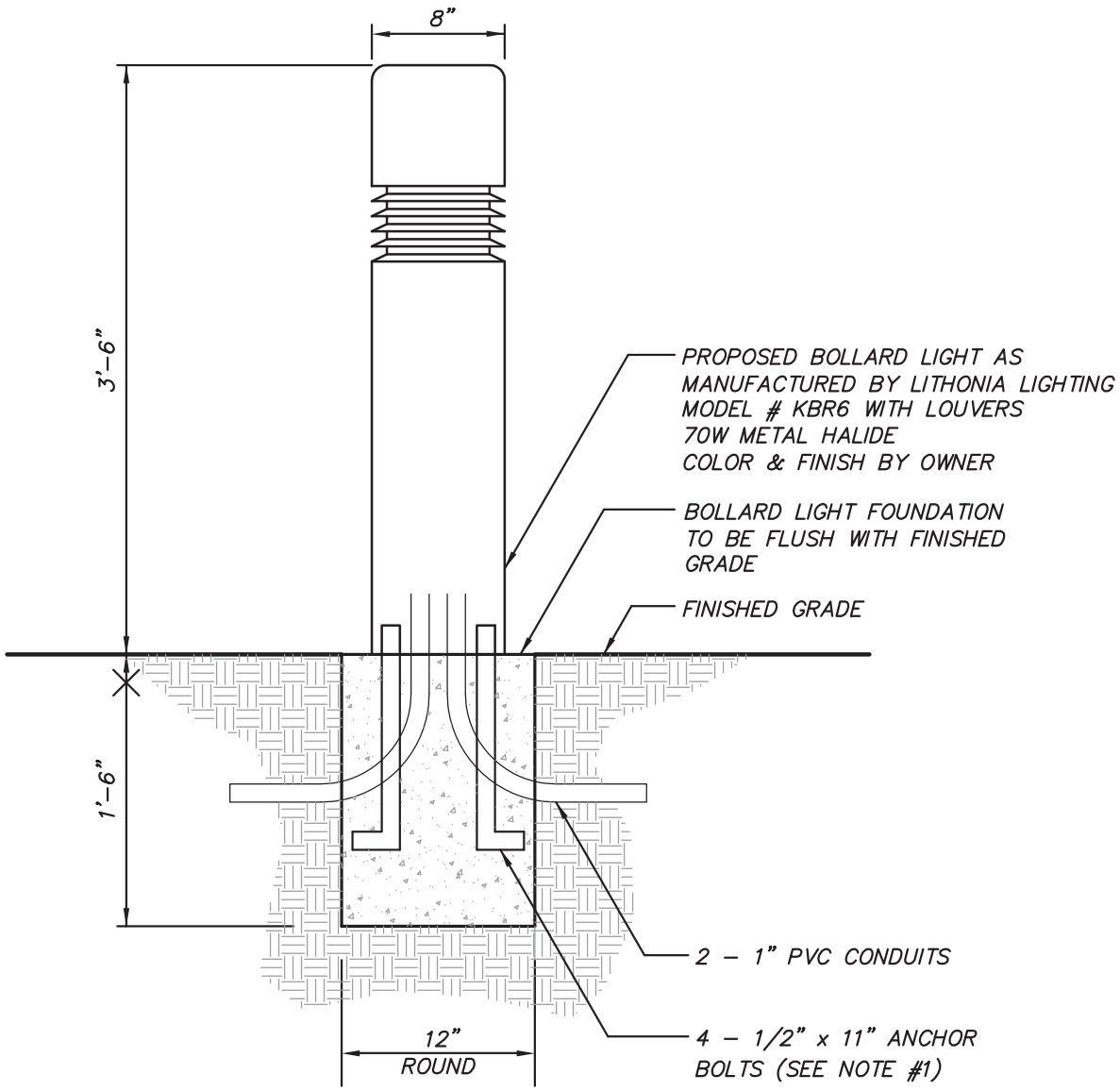
Salem Hunt

Town of North Salem, Westchester, New York

Source: Insite Engineering, Surveying & Landscape Architecture, P.C.

Drawing Date: 10/01/07, revised 4/01/09

Scale: N.T.S.



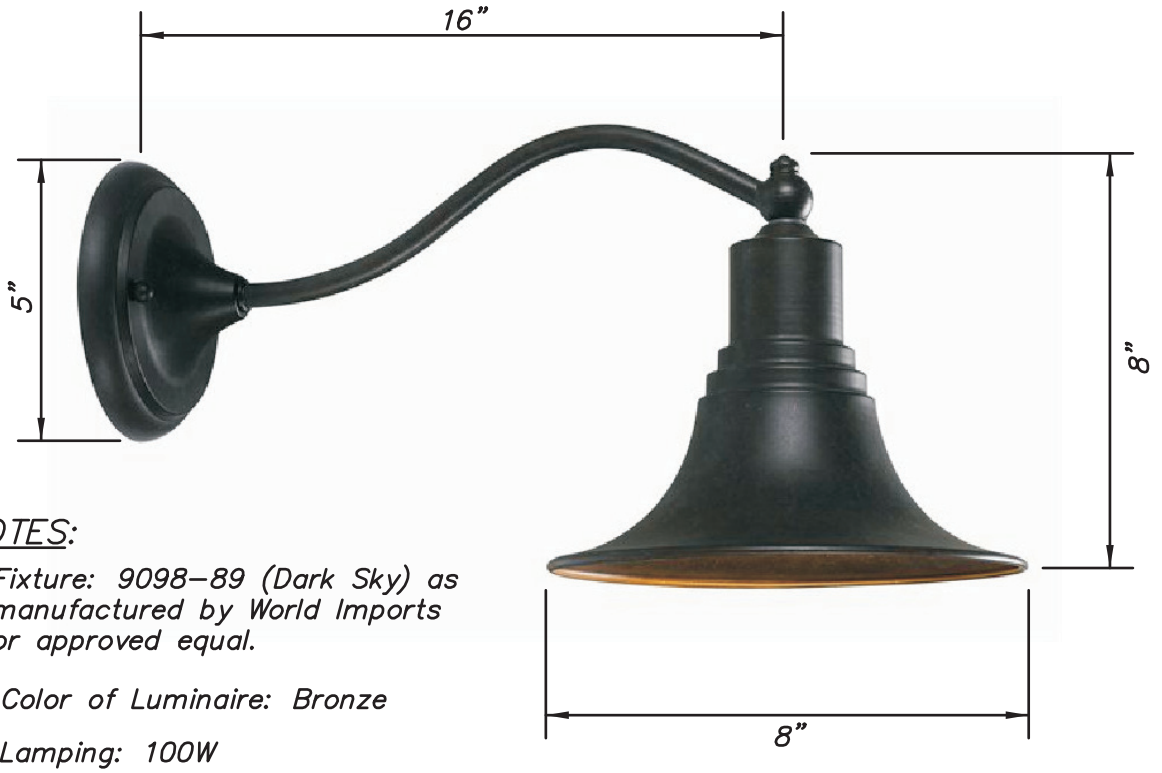
NOTE:

1. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CHECK AND VERIFY ALL ANCHOR BOLT DIMENSIONS (SIZE, BOLT CIRCLE, ETC.) WITH THE CONTRACTOR WHO WILL BE INSTALLING THE LIGHTING STANDARD PRIOR TO INSTALLATION OF THE FOUNDATIONS.

BOLLARD LIGHT DETAIL

(N.T.S.)

Figure 8-2: Bollard Light Detail
Salem Hunt
Town of North Salem, Westchester, New York
Source: Insite Engineering, Surveying & Landscape Architecture, P.C.
Drawing Date: 10/01/07, revised 4/01/09
Scale: N.T.S.



NOTES:

1. Fixture: 9098–89 (Dark Sky) as manufactured by World Imports or approved equal.
2. Color of Luminaire: Bronze
3. Lamping: 100W

BUILDING MOUNTED LIGHT

(N.T.S.)

Figure 8-3: Building Mounted Light Detail
Salem Hunt
Town of North Salem, Westchester, New York
Source: Insite Engineering, Surveying & Landscape Architecture, P.C.
Drawing Date: 10/01/07, revised 4/01/09
Scale: N.T.S.

N

W E

S

• Proposed Street Light (3)

Figure 8-4: Site Plan on Aerial Photo
Salem Hunt
Town of North Salem, Westchester County, New York
Base: NYS GIS Clearinghouse, 2004 Aerial Photo
Scale: 1" = 200'

File 05196 6/30/09
JS/05196/new figs 7-01-09

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