To: All Involved and Interested Agencies

From: Millwood Fire District Board of Fire Commissioners

Date: March 11, 2011

Re: Millwood Firehouse, State Environmental Quality Review Findings Statement

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Pursuant to Article 8 of the Environmental Conservation Law and 6 NYCRR Part 617, the Millwood Board of Fire Commissioners ("BoFC"), as Lead Agency, makes the following findings:

Name of Proposed Project: Millwood Firehouse

Name of Applicant: Millwood Fire District Board of Fire Commissioners

Agency Jurisdiction: The Millwood BoFC is acting as Lead Agency under SEQRA for the Proposed Project.

SEQR Status: Type I

Date Final EIS Filed: February 28, 2011

Description of Project and Location:

The proposed project would include an approximately 18,000-square-foot two-story firehouse on an approximately 9-acre site (the project site) to replace existing Station #1 in the Millwood Fire District (MFD). The existing firehouse was constructed in 1924, has deteriorated over time, and does not provide adequate space to accommodate a modern emergency response facility, as detailed in the needs assessment prepared by JLN Associates, LLC (see Appendix C of the Draft Environmental Impact Statement [DEIS]). The proposed firehouse would be located on Millwood Road (NYS Route 120/133) approximately 500 feet east of the existing firehouse. The proposed firehouse would have two distinct parts: 1) a one-level structure with five apparatus bays with the potential to expand to a sixth bay if needed in the future; and 2) an attached two-level structure comprising firematic and administrative space for the MFD and Millwood Fire Company (MFC), as well as limited public meeting space.

Other components of the proposed project include a detailed landscape plan and stormwater management plan. The landscape plan would incorporate native plant species, including flowering, deciduous, and evergreen vegetation to improve the aesthetic quality of the site. In addition, a generous evergreen vegetative buffer would be provided to screen visibility of the firehouse from surrounding residences. Further, the landscape plan would enhance the attractiveness of the project site in line with hamlet-improvement initiatives of local community groups.

The proposed stormwater management plan would include several green infrastructure components (such as rain gardens and stormwater planters) and a Micropool Extended Detention Pond (P-1) (stormwater pond) designed in accordance with the New York State Stormwater Management Design Manual (NYSSMDM). The purpose of the Micropool Extended Detention Pond would be to detain stormwater volume during storm events, and attenuate the flow to predevelopment conditions. The proposed stormwater pond would perform various functions and consist of different elements, such as: extended detention; attenuation; micropool; aquatic bench; forebay or sediment forebay; permanent pool (wet pond); and outlet control structure. Native plant species would be planted in the area of the stormwater pond that would improve the quality and reduce the quantity of stormwater runoff. Because an existing low-function wetland would be filled onsite for construction of the proposed firehouse, the stormwater pond would include hydrophytic vegetation to replicate and improve wetland functions onsite, which would also increase floral and faunal diversity onsite.

PROJECT SITE

The project site comprises three tax parcels: 81.17-3-3 (Lot 3), 81.17-3-4 (Lot 4), and 81.17-3-13 (Lot 13). Lots 4 and 13 (comprising approximately 8.5 acres) are undeveloped and located within the Multi-Family Residence-Millwood (MFR-M) zoning district. Lot 3 (comprising approximately 0.5 acres) is within the One-Family Residence (R-1/4A) district and is developed with a single-family residence. In conjunction with the proposed project, the applicant would seek Planning Board approval to merge the three lots to create a single lot. Because the project site would then be bisected by a zoning district boundary, pursuant to Chapter 113 of the Town Code, it would be subject to the more restrictive zoning district; in this case, the R-1/4A district.

The project site is located in a subdivision (the Plantation Subdivision) that was approved in 1931. The Plantation Subdivision included two paper streets (Allen Avenue and Henry Place). To date, only a portion of Henry Place has been developed as a private road. The lots in the Plantation Subdivision are also subject to a deed restriction that limits development on these lots to single-family residences. Although not yet fully executed, an agreement in principle has been reached with the owners of those properties that are the beneficiaries of this deed restriction. Pursuant to this agreement, the property owners will relinquish their respective enforcement rights with respect to the deed restriction and the Plantation Subdivision map. In the event that a formal agreement cannot be reached, the MFD will consider condemnation of the beneficiaries' rights.

PROJECT REFINEMENTS

In response to comments during the public comment period, the following project refinements were made:

- The selection of a preferred stormwater management plan;
- The creation of a plan to mitigate the disturbance to the onsite wetland; and
- The selection of the most effective way to merge (re-subdivide) Lots 3, 4 and 13 to create a single lot.

Stormwater Management

The proposed stormwater management system would convey stormwater from the Micropool Extended Detention Pond on the project site to an existing watercourse parallel to the North County Trailway on New York State Department of Transportation (NYSDOT) owned property. This conveyance system would require a drainage easement across the adjacent Con Edison property to allow installation of a 30-inch underground pipe to access the existing watercourse. Subsequent to the preparation of the DEIS and through negotiations with Con Edison, a drainage easement alternative that would be mutually acceptable to the BoFC and Con Edison was selected for the proposed project. Although this modification does not significantly alter the stormwater analysis prepared for the DEIS, the HydroCAD® model was re-run to account for the new outfall location and secondary outlet structure, as well as to respond to comments from the Town of New Castle regarding potential downstream impacts.

Wetland Mitigation

The proposed project would eliminate a 4,748-square-foot wetland on the site to accommodate the proposed parking, but its wetland functions would be recreated within the emergent and temporarily flooded planting zones that have been incorporated within the proposed 32,000-square-foot stormwater pond. Unlike typical detention ponds, the onsite pond would have a permanent wet pond, or pool, that would be graded with a gradual slope to serve as an aquatic bench for planting of emergent vegetation

and to maximize the area that would be alternately inundated and saturated. To mitigate the loss of this Town-regulated wetland, the applicant proposes to plant a diverse assemblage of hydrophytic herbs, shrubs and trees in the proposed stormwater pond to create numerous wetland functions, most importantly the diversity of wetland flora and fauna. This wet pond would retain surface water for a longer duration than the existing wetland does under current conditions. By doing so, the potential to recharge groundwater through infiltration would be enhanced. Herbaceous species, including bunch-forming grasses and sedges, would be planted within the wet pond to increase stormwater nutrient uptake and sediment trapping. By creating a variety of planting zones within the area of the stormwater pond with varying amounts of soil moisture, wetland habitat heterogeneity would be increased by the proposed project as compared to the existing wetland. This would provide new habitat for invertebrates such as dragonflies and damselflies (order Odonata), animals that prey on this food source (flycatchers, little brown bat, warblers, etc.) and would add summer/fall/winter food sources in the form of seeds of native plants, especially grass species, important for ground feeding songbirds.

Merger (Resubdivision) of Lots 3, 4 and 13

The BoFC proposes to merge (resubdivide) Lots 3, 4, and 13 to create a single lot. The proposed lot line merger does not have the potential to generate any significant adverse planning, zoning, or development impacts, since the merged single lot would be consistent with the dimensional regulations of the Town Code. Given the minor nature of the proposed action, the BoFC would seek a waiver of the Planning Board's jurisdiction over the lot merger, pursuant to Town Code § 113-3. If the Planning Board does not waive jurisdiction, the BoFC would seek Planning Board approval of the lot merger in accordance with the Town's subdivision regulations set forth in Chapter 113 of the Town Code.

As the proposed project moves forward through the site plan review and approvals processes, if any project modifications are made that result in substantially similar amounts of gross floor area, impervious surface coverage and limits of disturbance area as set forth in the DEIS and Final EIS (FEIS), then no further environmental review under SEQRA will be required.

CERTIFICATION OF FINDINGS TO APPROVE

After due consideration and pursuant to Article 8 of the Environmental Conservation Law and 6 NYCRR Part 617, the Millwood BoFC, as Lead Agency, finds that:

1) The requirements of 6 NYCRR Part 617 have been met and complied with in full; and

2) Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the proposed project, as modified and set forth in the FEIS, is one that minimizes or avoids significant adverse environmental impacts to the maximum extent practicable; and

3) The proposed project has been designed to improve public safety while minimizing potential environmental impacts to the extent practicable; and

4) This written findings statement contains the facts and conclusions used by the BoFC to support its decision.

FACTS AND CONCLUSIONS IN THE EIS RELIED UPON TO SUPPORT THE DECISION

SEQR PROCESS

The BoFC determines that the requirements of SEQRA have been met, as evidenced by the following:

- On March 23, 2009, the BoFC reaffirmed its position as Lead Agency and maintained the positive declaration adopted in November 2005 for a previously submitted Draft Environmental Impact Statement (DEIS) submitted for a previously proposed building program on the same site;
- On September 24, 2009 and October 14, 2009, public scoping sessions were held with a written comment period extending until October 30, 2009;
- On April 26, 2010, the BoFC adopted a final Scoping Document;
- On October 18, 2010, the applicant's consultant, AKRF, submitted a preliminary DEIS to the BoFC for review;
- On November 13, 2010, the BoFC submitted written comments to AKRF containing its review of the preliminary DEIS for completeness with respect to the adopted Scoping Document, which indicated that the preliminary DEIS was not complete and enumerated specific revisions that would need to be made;
- On November 22, 2010, AKRF submitted a revised preliminary DEIS to the BoFC in response to comments received from the BoFC;
- On November 29, 2010, the BoFC submitted a second series of written comments containing its review of the revised preliminary DEIS which recognized that a number of revisions had been made satisfactorily but indicated that the document was still not complete with respect to the Scoping Document;
- On December 3, 2010, AKRF submitted another revised preliminary DEIS to the BoFC in response to comments received from the BoFC;
- On December 6, 2010, the BoFC determined that the DEIS was complete with respect to the Scoping Document and ready for public review, subject to several final revisions. Subsequently, the DEIS was filed and distributed in accordance 6NYCRR 617.12(b), a Notice of Completion distributed, and a notice published in the Environmental Notice Bulletin;
- On January 12 and 24, 2011, the BoFC held public hearings at which comments on the DEIS were made by members of the public;
- On February 7, 2011, the DEIS public comment period ended;
- On February 12, 2011, AKRF submitted a preliminary Final Environmental Impact Statement (FEIS) to the BoFC for review;
- On February 16, 2011, the BoFC submitted written comments to AKRF containing its review of the preliminary FEIS, which enumerated specific revisions that would need to be made;
- On February 18, 2011, AKRF submitted a revised preliminary FEIS to the BoFC for review;

- On February 22, 2011, the BoFC submitted a second series of written comments to AKRF containing its review of the preliminary FEIS, which recognized that a number of revisions had been made satisfactorily but enumerated additional specific revisions that would need to be made;
- On February 23, 2011, AKRF submitted another revised preliminary FEIS to the BoFC for review;
- On February 24 and 25, 2011, the BoFC submitted a third series of written comments to AKRF containing its review of the preliminary FEIS, which recognized that most revisions had been made satisfactorily, but several additional specific revisions that would need to be made;
- On February 28, 2011, AKRF submitted a final version of the FEIS to the BoFC;
- On February 28, 2011, the BoFC determined that the FEIS was complete. Subsequently, the FEIS was filed and distributed in accordance 6NYCRR 617.12(b), a Notice of Completion distributed, and a notice published in the Environmental Notice Bulletin; and
- On March 11, 2011, the BoFC adopted this Findings Statement.

EVALUATION OF POTENTIAL IMPACTS

LAND USE, COMMUNITY CHARACTER, ZONING AND PUBLIC POLICY

Land Use and Community Character

The project site comprises three tax lots, Lots 3, 4, and 13. Lot 3 is approximately 0.52 acres and is developed with a single-family residence. Lots 4 and 13 comprise about 8.53 acres and are undeveloped. The project site is located in the Hamlet of Millwood. Hamlets are typically characterized by mixed uses, including commercial, residential, and institutional uses, and are appropriate locations for emergency response facilities. Although the project site would transform from an undeveloped vegetated site to a developed site, an extensive landscape plan would be implemented and existing vegetation would be preserved to the extent possible to screen the proposed firehouse from surrounding residences. The proposed firehouse would be compatible with surrounding land uses and would enhance hamlet improvement initiatives being pursued by the Town. In addition, the proposed firehouse would incorporate sidewalks connecting to Millwood Road to foster walkability of the hamlet center if sidewalks are expanded along Millwood Road in the future.

Zoning

Lots 4 and 13 are within the Multi-Family Residence-Millwood (MFR-M) zoning district and Lot 3 is within the One-Family Residence (R-1/4A) zoning district. In conjunction with the proposed project, the applicant would seek to merge all three lots to create a single lot. Given the minor nature of this action, the applicant would seek a waiver of the Planning Board's jurisdiction over the lot merger, pursuant to Section 113-3 of the Town Code. If the Planning Board does not waive jurisdiction, the applicant would seek Planning Board approval of the lot merger in accordance with the Town's subdivision regulations set forth in Chapter 113 of the Town Code.

The lot merger would create a single lot bisected by a zoning district boundary. As such, pursuant to Chapter 113 of the Town Code, the project site would be subject to the bulk and dimensional requirements of the more restrictive zoning district; in this case, the R-1/4A district. The proposed project would comply with R-1/4A district requirements for setbacks, lot depth, lot width, lot frontage, and building height, but area variance relief would be sought for building coverage and development coverage.

With respect to the use, the R-1/4A district expressly permits "municipal uses," which includes a firehouse. Moreover, with respect to the use, the New Castle Town Board adopted a resolution on February 28, 2006 stating that, based on the factors enumerated by the New York Court of Appeals in Matter of County of Monroe, 72 N.Y.2d 338 (1988), and after balancing the various public interests involved, the Subject Property may be used for the new Millwood Fire House, notwithstanding the apparent prohibition against such use in the Town's Zoning Code.

Deed Restriction

The project site is part of a subdivision (the Plantation Subdivision) that was approved in 1931. The lots in the subdivision are subject to a deed restriction that limits development of each lot to a single-family residence. The subdivision also included two streets called Allen Avenue and Henry Place, which primarily remain as paper streets today (only a portion of Henry Place has been developed as a private road). These streets were dedicated to, but not accepted by, the Town of New Castle. The original deeds stated that each adjacent lot would hold title to the centerline of Allen Avenue and Henry Place until such time as the Town accepted their dedication. All construction activities associated with the proposed project would be contained on Millwood Fire District property.

Although not yet fully executed, an agreement in principle has been reached with the owners of those properties that are the beneficiaries of the deed restriction. Pursuant to this agreement, the property owners will relinquish their respective enforcement rights with respect to the deed restriction and the Plantation Subdivision map. In the event that a formal agreement cannot be reached, the MFD will consider condemnation of the beneficiaries' rights.

Public Policy

The proposed project would be consistent with principles established in the various local and regional public policy documents that shape development in the Town of New Castle and Westchester County. Growth and development is guided in the Town of New Castle by the New Castle Town Development Plan of 1989, which encourages the acquisition of appropriate sites for municipal emergency response facilities that would support effective response services. The proposed project would conform to goals and objectives of this plan by conducting orderly development onsite and implementing a number of measures to reduce environmental impacts, including energy- and water-saving measures. In addition, the proposed building design and landscaping plan would promote attractive development of the site, thereby promoting hamlet improvement initiatives of the Millwood Task Force and the Millwood Design Guidelines, even though the project site is adjacent to, but not within, the Millwood Design Guidelines target area.

No significant adverse impacts were identified to land use, community character, zoning and public policy and no mitigation is proposed.

GEOLOGY, SOILS AND TOPOGRAPHY

Topography and Slopes

The proposed project would avoid disturbance to steep slopes to the extent practicable. The proposed site layout has been designed to concentrate development on the more level sections of the project site. The applicant would seek a steep slopes permit from the Town for any disturbance to slopes greater than 15 percent, pursuant to Chapter 108 of the Town Code. Any disturbance to extremely steep slopes (i.e. slopes greater than 35 percent) would be limited to catching grade adjustments associated with the proposed stormwater pond and would not be the result of any excavation activities.

Subsurface and Bedrock Geology

Geotechnical investigations were conducted to evaluate subsurface conditions of the project site. These subsurface investigations included deep-test pits and soil borings. The results of the geotechnical investigations concluded that the proposed project would not intercept the bedrock interface; therefore, blasting would not be required.

Surface Soils

Onsite soil testing determined that soil conditions on the project site would be suitable to support the proposed development, as well as the proposed subsurface sewage treatment system. Topsoil was observed to be twelve to twenty-four inches thick across the site. Drainage features related to the building foundation and/or related structures would be located below the topsoil layer and, therefore, would not be affected by site soils.

In compliance with the New York State Department of Environmental Conservation (NYSDEC) State Pollution Discharge Elimination System (SPDES) General Permit 0-10-001, an Erosion and Sediment Control Plan (ESCP) would be developed as part of a Stormwater Pollution Prevention Plan (SWPPP) to ensure proper erosion and sediment control measures are in place during construction of the proposed project and during operation of the proposed project. As discussed further below under "Stormwater Management", the ESCP would be overseen by a qualified engineer or similarly qualified individual to ensure that appropriate measures are taken to avoid potential significant adverse impacts related to soil erosion and sedimentation. The ESCP, in conjunction with the construction sequencing plan, would be developed so as to minimize erosion and mitigate any potential adverse impacts related to geology, soils, or topography.

As no significant adverse impacts were identified to geology, soils, and topography, no mitigation is proposed.

WETLANDS AND WATER RESOURCES

Onsite Wetlands and Water Resources

A single wetland totaling 4,748 square feet is located on the project site. This isolated shrub and herbaceous wetland or hillside seep wetland occurs in the southern portion of the site and represents a small fraction of the parcel's area. A wetland functional assessment found that this wetland functions at a low level primarily due to its colonization by invasive plant species and lack of seasonal ponding. As a seep wetland located on a gradual slope, it serves as an area of groundwater discharge, modifying the discharge to allow slow percolation through the solum, providing for the propagation of wetland plants and for the biochemical cycling of nutrients and organic matter. Other wetland functions are not exhibited by the onsite wetland to a high degree. On account of its size, position in the landscape, and hydrologic isolation from other surface water resources, the existing wetland has a limited or no ability to perform basic wetland functions.

The existing 4,748-square-foot wetland and its buffer would be disturbed by development of the proposed project.

To mitigate the adverse impacts on the Town regulated wetland, a specially designed and landscaped water feature (as part of the Micropool Extended Detention Pond discussed further below under "Stormwater Management") would be provided as part of the proposed project. The feature design would allow for it to maintain standing water under most conditions (not drought). It would be built with a series of benches intended to provide the appropriate hydrologic regimes for a variety of native

hydrophitic vegetation. The proposed water feature would replace and improve the limited functions currently performed by the existing wetland, including water storage and water quality, and would provide an area capable of supporting a greater diversity of flora and fauna dependent upon wetland habitat than currently exists on the project site. Total wetland mitigation area is proposed at 21,860 square feet. With these wetland mitigation measures in place, no significant adverse impacts from the project are anticipated. As the site plan development progresses, per comments received from NYCDEP in a letter dated March 9, 2011, the BoFC will continue to work with the Town to further refine required wetland mitigation.

With a proper monitoring and maintenance plan, the planted wetland portions of the wet pond would exceed the acreage of the wetland filled by the proposed project. The proposed wetland mitigation area would be approximately 4.6 times larger than the existing wetland onsite.

There are no regulated streams on the project site. Several small erosion features convey surface runoff downslope in the southern portion of the site. These are best described as ephemeral drainage features that convey surface runoff temporarily during storm events only. They do not exhibit a bank or ordinary high water mark and do not contain wetland-dependent vegetation.

Offsite Wetlands and Water Resources

An existing stream is located parallel to the Westchester County Trailway on NYSDOT-owned property approximately 200 feet to the west of the project site at its closest point. The proposed stormwater management system would convey treated stormwater from a Micropool Extended Detention Pond onsite to this offsite watercourse. The point of discharge to the watercourse would be downstream of a federally regulated wetland that is located on Con Edison and NYSDOT-owned properties.

Impacts to the offsite wetland would not be anticipated. The proposed stormwater pond would treat an approximately 15-acre portion of this wetland's drainage area. Site inspection reveals no stream, drainage channel, or surface water connection of any size between the project site and the offsite wetland. Therefore, surface water runoff from the project site is not a substantial contributor to the offsite wetland's water budget. Furthermore, what surface water connections may have existed between the project site and offsite wetland in the past have been blocked to a large degree by development on adjacent properties located between the project site and offsite wetland. From this perspective, the project's proposed sub-surface piped connection between the onsite stormwater management system and the offsite stream would restore past hydrologic connections altered by surrounding development, which includes a parcel with a dirt surface used to store equipment and roadway materials. Capturing surface runoff in the project's stormwater management system and conveying these flows downstream of the offsite wetland would not be detrimental to the offsite wetland because this wetland does not depend on surface water runoff from the project site under current conditions. Alternately, conveying this water to the wetland would not be expected to result in a significant adverse impact to the wetland as the vegetative composition and functions performed would remain the same.

By contrast, groundwater from the project site and other surrounding lands does contribute to the water budget of this offsite wetland and stream. Topography on the project site slopes downwards towards the offsite stream. Therefore, the direction of groundwater flow from the project site is towards the west and clearly contributes to the offsite stream's baseflow. These groundwater inputs from the project site to the offsite wetland would be maintained substantially unchanged. Due to the shallowness of the groundwater table on the project site, a curtain drain would be installed on a small portion of the site to prevent groundwater from undermining the function of the septic absorption area and building foundation. However, these effects would be localized and shallow and would not substantially modify

the predominant groundwater volumes or direction of flow moving westward offsite. Because the foundation drain and septic field curtain drain are shallow and localized, effects to offsite waters and wetlands would be negligible.

Lastly, the offsite wetland is currently colonized by common reed grass (*Phragmites australis*) an "invasive" plant species that can form monocultures and is tolerant of a wide range of hydrologic conditions. The changes to surfical and/or groundwater hydrology—whether an increase or a decrease—that would result from the proposed project are extremely unlikely to then result in a change in the dominance of this plant within the offsite wetland.

Peak flow rates from the proposed project would be less than existing conditions, thereby avoiding downstream impacts from flooding. Additionally, the stormwater management system has been designed to treat the runoff from the project site and existing residences on Henry Place, which currently flows through the project site. As a result, the quality of the water discharged from the stormwater management system would be as good as or better than that under the existing condition as the system would provide the same functions provided by the wetlands.

Floodplain

The latest floodplain mapping from the Federal Emergency Management Agency (dated 9/28/2007) indicates that the entirety of the project site is within "Zone X", which indicates areas outside of the 100-year and 500-year floodplain boundaries. As such, the project site and vicinity are not within any mapped flood zones and are not subject to flooding.

NATURAL RESOURCES

Vegetation

The vegetative communities on this site consist of forested slope, forested lowland and shrub/herbaceous hillside-seep wetland. Much of this land was previously disturbed by agricultural uses (as an orchard) and is currently disturbed by invasive species and illegal dumping of household and construction debris. The proposed project would remove approximately five acres of habitat; however, the project site is not comprised of unique habitat rare to the area. Nearly four acres of existing habitat would be preserved onsite. The sloped eastern portion of the site would remain undisturbed as habitat for wildlife and continue to function as a corridor between the project site and surrounding habitats. The proposed stormwater pond would introduce a new habitat type to the project site and may support potential amphibians and invertebrates within the project site area. In addition, the proposed landscape design would include the planting of native species to increase the floristic diversity of the project site. As no endangered, threatened, or rare vegetation was identified on the project site, none would be disturbed in conjunction with the development of the proposed project.

Wildlife

Wildlife on the project site is comprised of species that would be expected to reside in a disturbed forested area with significant edge habitat resulting from past development of the surrounding environs. Overall, the project site supports a wildlife population typical of mixed deciduous forest in an area with a variety of human uses. The project, as proposed, would replace existing habitat with either development or new habitat that would be provided through expanded wetland habitat onsite and through implementation of an extensive landscape plan. The proposed project would not be expected to result in significant adverse impacts to wildlife. The existing conditions on the project site do not offer unique, critical, or significantly valuable breeding, foraging, or over-wintering habitat for terrestrial wildlife. At present, wildlife use of the project site is largely limited to relatively common species adept

at using human-altered environments. The existing site and surrounding residential and commercial land uses would continue to act as a deterrent for use by species intolerant of humans. Adverse impacts to this type of wildlife would not be expected to result from the proposed development.

Threatened and Endangered Species

No threatened, endangered, or rare species of plants or animals were identified within the area of disturbance nor are any expected to use the project site as critical habitat. Therefore, the loss of a portion of existing habitats is not significant or adverse with regard to species listed by the state or federal governments.

While significant impacts to vegetation and wildlife would not be expected to result from the development of the proposed project, measures to minimize the effects to onsite natural resources, to the maximum extent practicable, were considered and incorporated into the plans. These measures include minimizing the limit of disturbance area to the extent possible in order to avoid unnecessary removal of vegetation and wildlife habitat; incorporating planting areas within the stormwater pond area (discussed further below) that would replicate and improve lost wetland functions onsite as well as increase floristic and faunal diversity onsite; and developing an extensive landscape plan that would revegetate areas disturbed during construction, to the extent possible, with native vegetation and would enhance the floristic diversity and habitat complexity of the project site. By implementing the mitigation measures presented in the DEIS and FEIS, the proposed project would avoid significant adverse impacts to ecological resources.

INFRASTRUCTURE AND UTILITIES

Water supply, sanitary sewage, solid waste and energy were assessed as part of the environmental review.

Water Supply

The proposed project would require domestic water supply to service the building, as well as for fire truck filling. It is estimated that the proposed project would generate a domestic demand at a rate of 1,537 gallons of water per day (gpd) during peak usage. Because the Millwood Fire Company is volunteer-based, the proposed firehouse would not be staffed full-time. However, the projected peak water demand was calculated based on a maximum occupancy of 96 people during an occasional community event held at the firehouse using a rate of 20 gpd per person but also taking into account water conservation measures that would reduce water usage. To conserve water, all plumbing fixtures would be low flow or ultra-low flow. Water to the site would be supplied through a connection to the municipal water system provided in Millwood Road (NYS Route 120/133). Water for this system is treated at the Millwood Water Treatment Plant (MWTP). Sufficient capacity at the MWTP exists to handle the water demand from the proposed project.

A water connection permit from the Town Department of Public Works (DPW) would be required to connect the project site to the existing distribution system. Approval would be required from the Westchester County Department of Health (WCDOH) and the Town DPW for installation of a backflow prevention assembly. In addition, the proposed project would require an extension of the water main from Millwood Road (NYS Route 120/133) to the new firehouse, requiring a permit from the New York State Department of Health (NYSDOH), WCDOH, and the Town DPW.

The development of the proposed firehouse is not expected to result in significant adverse impacts on water supply resources.

Sanitary Sewage

A new onsite subsurface sewage treatment system would be installed to serve the proposed project. The subsurface sewage treatment system would be designed to serve the site when it is operating at full capacity (i.e. during an occasional community event with a maximum occupancy of 96 persons). The maximum daily flow would be approximately 1,537 gpd and is based on a wastewater generation rate of 20 gpd per person but also accounts for low flow plumbing fixtures. The proposed septic system would be designed to meet all applicable WCDOH regulations. WCDOH and the New York City Department of Environmental Protection (NYCDEP) approvals would be required for the installation of the subsurface sewage treatment system.

In addition to the onsite subsurface sewage treatment system, a holding tank would be utilized to collect wastewater from the apparatus bay drains. Wastewater would drain from the apparatus bays and be conveyed within a closed system to the holding tank, which would be located outside the firehouse. This tank would be pumped as needed by a licensed septic hauler and transported to a certified discharge station. The holding tank would not discharge onsite to the stormwater or sanitary sewer systems.

Significant adverse impacts associated with the construction and maintenance of the subsurface sewage treatment system are not expected.

Solid Waste

The proposed project would generate approximately 201 lbs per week of solid waste. It is anticipated that this amount would have minor fluctuations based on the use of the building for special events hosted by the fire department. Solid waste generated by the project would be picked up by private carter and hauled to an appropriate landfill or waste transfer station. Any hazardous waste generated by the project site as part of emergency response would be disposed of offsite, and in accordance with all New York State and federal regulations.

Significant adverse impacts related to the generation and disposal of solid waste from the project would not occur.

Energy

The proposed project would consume approximately 1,020,260,000 British Thermal Units (BTUs) per year. To reduce energy consumption, all lighting would be controlled by stand-alone occupancy sensors with a system of night lighting operating 24 hours a day, seven days a week. Motion sensors would be provided for all non-critical exterior lighting to reduce light spill. Uninterruptible Power Supply (UPS) equipment would be provided for critical computer and communication loads. Another energy conservation measure incorporated into the design of the proposed firehouse would include roofing material made with a high reflectivity that is compliant with New York State Energy and Building Codes. This would result in a high albedo (i.e., reflectivity) thereby reducing the heat island effect and reducing energy consumption. In addition, because the proposed firehouse would not be occupied on a full-time basis, the indoor temperature can be regulated so that excessive air conditioning or heating (depending on the time of year) is not used when the building is vacant. The proposed project would also include empty conduits to the roof for a possible future installation of photovoltaic cells.

Emergency power would be provided by a 350 kilowatt (KW) diesel generator that would be sited outside of the building adjacent to the northern parking area. This generator would supply 100 percent emergency backup power to the building in case of a power failure. The generator would have a hospital grade high performance muffler. All air intake and relief/exhaust connections from the interior

of the generator enclosure to the exterior would be provided with sound attenuators. In addition, the generator would be installed in a high performance sound attenuating enclosure.

While some limited service upgrades may be required to service the project site, local energy service providers have sufficient capacity within existing systems to meet the demands of the proposed project.

The development of the proposed firehouse is not expected to result in significant adverse impacts to the local energy supply.

As significant impacts to infrastructure and utilities would not result from the construction or operation of the proposed firehouse, mitigation measures are not proposed.

ENERGY AND SUSTAINABILITY

The proposed project would consume approximately 1,020,260,000 BTUs per year. Since the project site is currently undeveloped, this represents an increase in energy use from existing conditions. However, since the proposed project is a relocation of the existing Station #1 to the subject site, the net increase in electric service would be negligible. In fact, even though the new fire station structure would be larger in square feet, the additional energy usage would be offset by implementing sustainable building practices; more than two dozen of these have been and will continue to be considered as the details of the project are finalized. The proposed project would include a number of these energy conservation and sustainability measures in order to conserve energy and offset potential adverse impacts associated with energy consumption related to the construction and operation of the firehouse. Implementation of any or all of these practices would reduce energy consumption at the relocated Station #1.

STORMWATER MANAGEMENT

The stormwater management practices for the proposed project have been designed in accordance with all applicable codes, standards, and regulations. The stormwater management plan would require approval from several regulatory agencies:

- New York State Department of Environmental Conservation (NYSDEC): Because the proposed project would result in more than 5,000 square feet of disturbance within the New York City East of Hudson Watershed, it would require a SPDES General Permit for New Construction GP-0-10-001 from NYSDEC. A preliminary Stormwater Pollution Prevention Plan (SWPPP) has been prepared in compliance with the requirements of the New York State Stormwater Management Design Manual (NYSSMDM), included in Appendix I of the DEIS.
- New York City Department of Environmental Protection (NYCDEP): The project site is within the New Croton Reservoir watershed, a part of the New York City East of Hudson watershed, and meets the threshold for NYCDEP review. Therefore, the SWPPP would require approval from NYCDEP in accordance with Section18-39(b)(3)(iii) of the Watershed Rules and Regulations for the Protection from the Contamination, Degradation, and Pollution of the New York City Water Supply and its Sources (WRR).
- Town of New Castle: The Town of New Castle is a regulated, traditional land use control under the NYSDEC Municipal Separate Storm Sewer System (MS4) program. Therefore, review and approval of the SWPPP by the Town is required prior to submission to NYSDEC. In addition, the Town enforces the Stormwater Management and Erosion and Sediment Control Local Law pursuant to Chapter 108A of the Town Code, with which the proposed project would comply.

The proposed project includes stormwater management practices that have been designed in accordance with and comply with requirements established by all applicable regulatory agencies. Based on the project site's hydrology, a single design point (Design Point 1) was established. The proposed stormwater management system would treat stormwater runoff generated by the 1-year, 2-year, 10-year, 25-year, 50-year, and 100-year storm events, thereby satisfying NYCDEP and NYSDEC requirements for channel protection, overbank, and extreme flood control. Post-development stormwater flow rates would be attenuated to flow rates that are less than existing conditions. Further, the proposed stormwater management system would treat stormwater runoff from adjacent residential properties along Henry Place and Millwood Road that currently flow over the project site untreated. As such, the proposed project would have beneficial impacts on stormwater runoff volume and water quality.

To meet water quality volume (WQv) and runoff reduction volume (RRv) requirements established in the NYSSMDM, the proposed stormwater management system would include several green infrastructure practices that would promote infiltration, filtering, and evapotranspiration. These green infrastructure practices would include rain gardens and stormwater planters. The proposed stormwater management system takes into consideration existing soil and subsurface conditions of the project site. Existing soil conditions were evaluated based on the United States Department of Agriculture's (USDA) "Soil Survey of Putnam and Westchester Counties, New York," as well as onsite subsurface geotechnical investigations conducted by Melick-Tully and Associates, P.C., which were witnessed by representatives of NYCDEP, the Town of New Castle Engineering Department, and project engineers.

After initial filtering and treatment through the green infrastructure measures described above, stormwater would be conveyed to a Micropool Extended Detention Pond (P-1) (stormwater pond), which has been sized and designed in accordance to NYSSMDM requirements. The stormwater pond would include facultative and hydrophytic vegetation that would filter stormwater and enhance water quality, as well as replicate and improve wetland functions that would be lost due to filling of an onsite wetland. Treated stormwater would be conveyed from the stormwater pond across the adjacent Con Edison property via an underground pipe to an existing watercourse on property owned by the New York State Department of Transportation (NYSDOT). A drainage easement would be required across the Con Edison property. Through negotiations with Con Edison, a drainage easement alternative that would be mutually acceptable to the BoFC and Con Edison was selected for the proposed project. The BoFC will continue to work with Con Edison to finalize the details of this easement.

Phosphorous was identified as the pollutant of concern for the project site, which is within the New York City East of Hudson watershed. A phosphorous loading analysis was performed to evaluate the quality of the stormwater runoff through the proposed stormwater treatment system. The pollutant coefficient method as outlined in "Reducing the Impacts from Urban Runoff" (NYSDEC, April 1992) was used to evaluate the effects of the change in land use due to the project on the surface water conditions. The analysis concluded that by providing catch basins with deep sumps and other green infrastructure measures, and providing a Micropool Extended Detention Pond, the proposed project would not cause an increase in total phosphorous load to downstream waterbodies.

The SWPPP for the proposed project includes an Erosion and Sediment Control Plan (ESCP), in compliance with NYSDEC, NYCDEP, and Town requirements. The ESCP establishes temporary and permanent measures to minimize and avoid soil erosion and sedimentation of surface water resources during construction and during the post-development condition. In addition, the sequencing of construction would be carefully developed to minimize potential soil erosion. Implementation of the ESCP would be overseen by a licensed Professional Engineer, a Certified Professional in Erosion and Sediment Control, a licensed Landscape Architect, or other NYSDEC-endorsed individuals. Inspections would be conducted during construction in conformance with the schedule required by the SPDES GP-

0-10-001. Post-construction operation and maintenance would be carried out by the facilities manager in compliance with the approved SWPPP.

The stormwater analysis concluded that the proposed project would not have any significant adverse impact on water quantity or quality. The proposed stormwater management practices and erosion and sediment control measures described above would be sufficient to mitigate any potential impacts of the proposed project related stormwater runoff.

COMMUNITY SERVICES

The proposed project would allow the Millwood Fire District (MFD) and the Millwood Fire Company (MFC) to more efficiently and more effectively provide fire protection services to residents and businesses within the 9-square-mile Millwood Fire District, which includes the Hamlet of Millwood. Because the proposed firehouse is a replacement of the existing Station #1, the new Station #1 would not increase, or even change, demand on existing emergency service providers, such as local police agencies and EMS providers. Further, the new firehouse would enhance fire protection services in the community. Security measures and fire protection systems would be incorporated in the design of the new firehouse to ensure safety. Equipment such as surveillance cameras, restricted building access codes, and motion-activated alarm systems would be incorporated into the proposed firehouse to ensure security. Fire protection systems would include ADA-compliant fire alarms, automated sprinkler systems, and use of fire-resistant and inflammable building materials.

The proposed project would not introduce any school-age children to the community and would have no affect on local school systems; therefore, an analysis of local school districts is not warranted.

The proposed project would have a positive impact on fire protection services in the Town of New Castle. The proposed project would not create additional demand on other municipal services, such as police protection and EMS. The proposed project would not result in any adverse impacts on community services. Therefore, no mitigation measures are required.

TRAFFIC AND TRANSPORTATION

The DEIS includes a Traffic Impact Study (TIS), which evaluates the Existing Conditions, No Build Conditions, and Build Conditions of the proposed project. The TIS considered trip generation, project generated distribution patterns, site driveway and site distance, parking, and site circulation characteristics associated with the construction of the proposed 18,000-square-foot firehouse (consisting of 5,702 square feet of office space and additional volunteer firefighter space accommodating about 12 people). The proposed driveway would have a curb-to-curb width of approximately 24 feet and would require a retaining wall that would be located six feet east of and parallel to the centerline of the Allen Avenue paper street. It would function as a private driveway providing exclusive access to the proposed firehouse and would be maintained by the MFD.

The new intersection of Millwood Road (NYS Route 120/133) and the proposed firehouse driveway would be signalized and would be designed for preemption to accommodate emergency vehicles leaving the firehouse. This means that during an emergency, fire personnel would push a button as fire apparatus approach Millwood Road (NYS Route 120/133) that would initiate a red light along Millwood Road (NYS Route 120/133). The driver of returning fire apparatus would also be able to control the traffic signal. This system would be based on consultation with NYSDOT and require NYSDOT approval.

Traffic counts were conducted in March 2009. The TIS found that under the 2012 Build Conditions, there would be no notable changes in level-of-service (LOS) at any of the study area intersections as a

result of the proposed project. The lane groups of the newly constructed intersection of NYS Route 120/133 and the proposed firehouse driveway would all operate acceptably at LOS D or better.

In response to comments on the DEIS and in order to provide a conservative analysis, the capacity analysis was re-run utilizing 10 pedestrians per hour at all study area roadway approaches, which is higher than the number of pedestrians observed during field surveys. Even with the addition of the conservative pedestrian data, the traffic analysis concluded that the proposed project would not result in any notable changes in level-of-service (LOS) at any study area intersections.

At the new firehouse location, Millwood Road (NYS Route 120/133) is generally straight and level and provides adequate sight distance in both directions as per American Association of State Highway and Transportation Officials (AASHTO) standards. As a result, the new firehouse location would provide better sight distance compared to the existing firehouse, which is situated at a sharp curve along Millwood Road (NYS Route 120) with limited visibility. In addition, the proposed project would include 50 parking spaces, approximately 20 more parking spaces than the existing firehouse site, thereby improving parking provisions. All parking associated with the proposed firehouse is expected to be accommodated onsite.

No significant changes in public transportation near the project site are expected under 2012 Build conditions. However, it is the policy of the mass transit agencies (the Bee-Line Bus System and Metro-North Commuter Railroad) to adjust their operating schedules to reflect demand as needed.

No significant changes in accidents experienced in the study area are expected under 2012 Build conditions.

Parking needs were developed based on an activity plan outlined during the pre-design phase of the proposed project. The parking areas provided with the proposed project are expected to be sufficient to accommodate all functions held at the new firehouse. The need for overflow parking is not anticipated.

The relocation of Station #1 and resulting roadway network modifications would not result in any notable changes in levels of service at intersections within the study area. As a result, impacts to traffic and the transportation network resulting from the development of the new firehouse would not be significant and mitigation is therefore not proposed.

AIR QUALITY

The potential for air quality impacts due to projected emissions from mobile sources/vehicles associated with the proposed project was assessed and the results documented in the DEIS. Potential impacts caused by emissions from fuel burned onsite for heating, ventilation, and air conditioning (HVAC) systems (stationary sources) were also examined and the conclusions included in the DEIS.

An assessment of the potential air quality effects of carbon monoxide (CO) concentrations that would result from the proposed project was performed following the procedures outlined in the New York State Department of Transportation (NYSDOT) *Environmental Procedures Manual (EPM),* January 2001. This included a mobile source screening analysis to determine the locations where a more detailed mobile source analysis may be required. The mobile source study area included one signalized and seven unsignalized intersections for the CO microscale analysis. The results of the mobile source screening analysis based on NYSDOT's *EPM,* which was employed to determine whether the proposed project requires further air quality analysis, demonstrated that none of the eight project-affected intersections would require a detailed microscale air quality analysis. Therefore, no significant adverse air quality impacts are expected to occur as a result of the proposed project's mobile sources.

A concern was raised during the environmental review process related to idling vehicles at the firehouse. The MFD would enforce an idling policy that prohibits unnecessary idling of vehicles, including fire apparatus, onsite. When not in motion, or not undergoing routine maintenance and inspection activities, vehicles would be turned off. The MFD would work to comply with the Town's Climate Action Plan once the plan is finalized and adopted.

The only stationary source of air pollutants associated with the proposed project would be the individual heating and hot water systems. The MFD will explore several design options as its HVAC and mechanical systems are further developed that would minimize fossil-fuel consumption and resulting emissions. For the proposed project's fossil-fueled heating and hot water systems, the primary pollutants of concern are SO_2 and particulate matter when burning oil, while NO_x is of concern when natural gas is used. Since monitored concentrations of these pollutants indicate that levels are well below the standards in the study area, and the proposed project would not be a major source of stationary source emissions, it is not expected that the proposed project would result in significant adverse air quality impacts due to stationary sources.

As noted, the conclusion was made that the proposed project would not be expected to cause any violations of air quality standards or exacerbate any existing violations for the projected 2012 Build conditions and therefore would not result in any significant adverse air quality impacts. As such, mitigation is not proposed.

NOISE

The proposed project would relocate the existing Millwood Fire District Station #1 from a location near the intersection of Millwood Road (NYS Route 120) and Station Road (NYS Route 133) to a location approximately 500 feet east of the existing firehouse off of Millwood Road (NYS Route 120/133). The proposed firehouse would be a replacement of the existing firehouse; therefore all noise associated with the existing firehouse would be transferred from the current location to the proposed location.

Existing and future noise generation related to the current and proposed Station #1 were assessed and potential impacts related to noise on the environs of the project site were documented. Noise related to the existing firehouse is primarily generated by vehicular traffic to and from the firehouse. In addition, an electronic siren is located at the existing firehouse which sounds during an emergency. The proposed project would not result in any change in mobile source noise (e.g., firefighting vehicles, firefighters' personal vehicles) in the study area.

The proposed project would result in a noise source on a site adjacent to several residential properties on which there is currently no noise source. Adjacent residents would experience a change in noise levels primarily related to private automobiles and fire apparatus, including back-up alarms on fire apparatus. Truck idling would be limited onsite. The electronic siren is proposed to be located offsite at the intersection of NYS Route 100 and Shinglehouse Road approximately 0.2 miles from the project site. This location would be slightly further from the aforementioned residential properties than the existing siren. An "Audible Siren Study" was conducted by JLN Associates, LLC in November 2010 to evaluate the advantages and disadvantages of the electronic siren and the existing impact of the siren on the community. The study concluded that the siren plays an integral role in alerting volunteer firefighters of emergency situations and it results in minimal disturbance to the community and should therefore remain in use. Further, the MFD would consider muting the siren during overnight hours to minimize disruption to local residents, assuming it does not compromise public safety.

Vehicular traffic to the project site would be infrequent and primarily related to emergency response situations and occasional community events. Emergency vehicle sirens would not be activated onsite,

and would only be used along area roadways during an emergency, creating conditions similar to existing conditions. It should be noted that emergency sirens are exempt from Town noise regulations pursuant to §90-7D of the Town Code. In addition, the new firehouse would be located in proximity to the existing firehouse and would therefore not change the overall ambience of the surrounding area. An emergency generator would be housed externally onsite, but would be stored in a sound attenuating enclosure to minimize noise. The emergency generator would only be used during power outages to ensure continued operation of the fire department, and would undergo weekly testing. The MFD would continue to employ an electronic siren to alert volunteer firefighters of emergency situations. The proposed project would not result in an adverse impact pursuant to NYSDEC criteria (i.e., it would not result in the 6 dBA increase threshold in noise levels at nearby receptors). Therefore, potential noise impacts are not expected to be significant.

Construction activities would have a relatively short duration and would comply with the Town of New Castle noise ordinance and therefore, would not be significant.

As no significant adverse noise-related impacts were identified, no mitigation is proposed. The proposed relocation of the electronic siren and muting of the siren overnight would minimize noise impacts on the community.

ECONOMIC CONDITIONS

Economic impacts that would be generated during construction of the proposed project were assessed as part of the project's environmental review. Additionally, the impact to taxpayers due to the applicant's status as a public entity was reviewed along with the impact for the applicant to transition from an entirely volunteer-based fire department to a paid staff department, if this should be required in the future.

Total construction cost (including materials, soft costs, fees, etc.) would be approximately $13.4 million. The BoFC will hold a bond referendum for a bond in the amount of $9.95 million to finance the project. In addition, the BoFC will seek voter approval at the same time for the balance of the costs through the expenditure of up to $2,250,000 of capital reserve funds and from the sale of real property (Station #1 and approximately 1/4 acre located at 108 Millwood Road).

Construction of the fire station would be expected to generate 70 new direct jobs and 64 new indirect jobs in New York State. The total economic activity that is expected to result from the construction of the proposed project, including indirect expenditures (those generated by the direct expenditures), is estimated at $26.9 million in New York State, of which $21.0 million would occur in Westchester County.

The proposed project would result in significant economic benefits during the construction period. In addition, there would be economic benefits that would result from the sale of the existing firehouse. No significant adverse impacts on economic conditions would result from the proposed project. Therefore, no mitigation is required.

VISUAL RESOURCES

Although the project site is largely undeveloped, it is located in a developed area in the Hamlet of Millwood that does not contain any notable scenic resources. The hamlet center is characterized by mixed uses including a lumber yard and truck storage area, several other commercial businesses, a school, and single-family residences. The proposed firehouse would have a character and architectural style that would be compatible with surrounding uses. Emergency response facilities are typical of and appropriate within these types of mixed-use hamlets.

An extensive landscape plan would be implemented with the proposed project to improve the aesthetics of the project site and to minimize visual impacts from surrounding properties. The landscape plan would integrate new vegetation with existing vegetation that would not be removed during construction. Visibility of the proposed firehouse would be screened from existing residences by evergreen vegetation (primarily Norway spruce and white firs). Therefore, the proposed project would not result in a significant adverse visual impact.

Outdoor lighting would be compliant with Section 60-424 of the Town Code and would be Dark Sky compliant. Lighting for the proposed project would be concentrated in the parking areas and the front portion of the firehouse. The rear portion of the firehouse would be most visible from surrounding residential properties, where minimal lighting would be required. As shown on the proposed Lighting Plan (see Drawing C-8 submitted with the DEIS), lighting along adjacent residential property boundaries would be 0.0 footcandles, thereby demonstrating that there would be no notable light spillage onto adjacent residential properties. Any sensored lighting would be located near the building entrances in the front of the firehouse, away from residential properties. The proposed landscape plan would include evergreen vegetation that would screen the firehouse and any associated lighting from adjacent residences.

The proposed landscape plan and the lighting plan are designed in accordance with Section 60-424 of the Town Code, minimizing any visual impacts from surrounding properties. No significant adverse impacts to visual resources were identified and no mitigation is proposed.

CULTURAL RESOURCES

The final proposed modifications would not substantially alter the cultural resources of the project site from the conditions that were analyzed in the DEIS. As discussed in the DEIS, a Phase 1 archaeological study was prepared for Lots 4 and 13 (see Appendix L of the DEIS). This study concluded that no sensitive archaeological resources would be affected on Lots 4 or 13 by the proposed project. However, additional archaeological testing on the portion of Lot 3 to be disturbed from construction of the proposed firehouse driveway will be required to confirm whether any sensitive cultural resources would be affected by the proposed project. This will be done as part of the approvals process and submitted to the New York State Office of Parks, Recreation, and Historic Preservation for review.

Architectural Resources

There are no known or potential architectural resources within the project site or study area. The closest State/National Register of Historic Places (S/NR) eligible property, the Millwood Railroad Station, is located outside of the study area, approximately 1,000 feet southwest of the project site. No project-related construction would occur in the vicinity of this resource, and views between the potential resource and the project site are limited. No adverse impacts on architectural resources are anticipated as a result of the proposed project.

Archaeological Resources

A Phase 1A archaeological documentary study was generated in June 2007 followed by a Phase I archaeological survey in November 2007. As part of the Phase I, an archaeological field testing program was conducted on Lots 4 and 13 which concluded that archaeological resources were not present within those lots. The small portion of Lot 3 which is now part of the area of potential effect (APE) for the proposed project was not evaluated in the 2007 Phase I report.

The Phase I report was submitted to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) on August 19, 2010. In a letter dated September 20, 2010, OPRHP

recommended testing on Lot 3 (the former Cortez residence). Additional archaeological testing on the portion of Lot 3 to be disturbed from construction of the proposed firehouse driveway will be required to confirm whether any sensitive cultural resources would be affected by the proposed project. This will be done as part of the approvals process and submitted to OPRHP for review.

No significant adverse impacts to cultural resources are anticipated. Similar to the previous investigations for this project, it is unlikely that archaeological resources will be found on this small lot. To ensure that there will be no adverse impacts to potential resources on the portion of Lot 3 that would be disturbed, a registered professional archeologist will complete the requested testing in advance of construction. Should archaeological resources be identified on the small portion of Lot 3 requiring field testing, further research may be necessary to determine their significance. If necessary, measures to avoid or mitigate any impacts to archaeological resources would be developed and implemented in consultation with OPRHP.

HAZARDOUS MATERIALS

The potential for site contamination was assessed during the environmental review of the proposed project. Hazardous materials in existing fill along with past herbicide and pesticide usage, and the potential for lead based paint and asbestos containing materials to be present in dumped household waste and construction debris were considered as part of a 2006 Phase I Environmental Site Assessment (ESA) and a subsequent site inspection. Potential sources of contamination onsite, as identified by these assessments, were documented in the DEIS.

As noted in the DEIS, any soil and groundwater contamination onsite would be confirmed through a Phase II ESA that would be completed prior to construction to determine the status of the areas of environmental concern. If necessary, appropriate plans would be prepared and implemented during site development. The plans would identify procedures to follow for the disposal of onsite materials, management of pesticides and/or herbicides (if found) and management of existing household debris. Additionally, building, vehicle maintenance and fire suppression supplies were considered during the environmental review and management procedures for identified materials were defined in the DEIS.

If the measures presented for all areas where there is potential for hazardous material to be present onsite or during facility operation are implemented, there would be no significant adverse impacts related to hazardous materials.

CONSTRUCTION

Potential impacts associated with construction of the proposed project were assessed in three areas: preconstruction and site preparation; site clearing and grading; and building construction. Development of the proposed project would not result in any significant adverse impacts onsite or in the surrounding area with regard to land use, traffic, noise, air quality, water resources, or utilities.

An Erosion and Sediment Control plan was prepared for the proposed project in conjunction with the SWPPP. This plan would be implemented in accordance with the requirements of the NYSDEC General Permit GP 0-10-001 for Construction Activities. The applicant would engage a Qualified Professional (i.e. P.E., RLA, CPESC) to oversee implementation of the SWPPP for the project, including its site specific Erosion and Sediment Control Plan component.

All erosion control measures would be maintained in good working order. If repairs are found to be necessary, the qualified inspector would notify the owner or operator as well as the appropriate contractor (and subcontractor) of any corrective actions needed within one business day.

Dewatering specifications and details will be integrated into the Erosion and Sediment Control plan once additional design details regarding the building foundation, retaining walls and stormwater management system are developed.

Other non-significant adverse impacts associated with construction activity would be temporary in nature and would only occur during daytime hours in compliance with the Town's code.

The use of hazardous materials and blasting would not be required for the development of the project.

Before commencing construction, the BoFC would have full financing in place to complete the project. To ensure that construction takes place as efficiently as possible, the applicant would prepare a detailed construction management plan that minimizes any downtime at the construction site.

No significant construction impacts were identified and no mitigation is proposed.

ALTERNATIVES

The New York State Environmental Quality Review Act (SEQRA) calls for a description and evaluation of the range of reasonable alternatives to the action, which are feasible, considering the objectives and capabilities of the project sponsor.

As required under SEQRA (Part 617.11), the Lead Agency's "[f]indings must weigh and balance relevant environmental impacts with social, economic and other considerations" and "certify that consistent with social, economic and other considerations from among the reasonable alternatives, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable…".

The following alternatives were evaluated for comparison with the proposed project:

- No Action Alternative: This alternative assumes that the proposed project is not developed and the MFD and MFC would continue to operate out of existing Station #1.
- Drive-Through Bay Alternative: This alternative considers a firehouse that would have drive-through apparatus bays as opposed to the proposed project which would have back-in apparatus bays.
- Residential Use Alternative: This alternative considers potential impacts of the project site if it is developed in compliance with the existing deed restriction as discussed above.
- Realignment of Schuman Road and Allen Avenue: This alternative evaluates potential impacts related to a Town-initiated investigation to realign Allen Avenue (paper street) with Schuman Road to form a standard four-way intersection.

While the No Action Alternative would reduce environmental impacts, it would not realize the objectives of the MFD to improve its efficiency and effectiveness in providing essential public safety services to the community. Under this alternative, the MFD would continue to operate out of the existing substandard Station #1, which does not meet current National Fire Protection Association (NFPA) or Occupational Safety and Health Administration (OSHA) standards, as outlined in the needs assessment prepared for the MFD by JLN Associates, LLC and documented in the DEIS.

The Drive-Through Bay Alternative would include a wrap-around driveway that would allow fire apparatus to pull into the apparatus bays from the back, rather than back-in from the front. This alternative would avoid partial disturbance to the existing wetland onsite, but would result in a number of negative impacts that outweigh the limited benefits associated with preserving a portion of a low-functioning wetland. This alternative would result in a substantial increase in impervious surfaces as

result of the extended driveway and the need for two concrete aprons (one in the front of the apparatus bays and one in the rear). As such, this alternative would be more costly to taxpayers, require more extensive disturbance to steep slopes, and require a more extensive stormwater management system. Further, this alternative would result in greater separation of the southern parking area from the apparatus bays, thereby reducing efficiency during emergency response situations. These negative impacts would be compounded by the reduced sight-line visibility for fire apparatus exiting the apparatus bays. Even though this alternative would reduce wetland impacts onsite, the proposed project would replicate and improve wetland functions through planting of facultative and hydrophytic vegetation in the stormwater management area.

The Residential Use Alternative considers potential impacts if the project site was developed in compliance with the deed restriction that affects all lots created by the Plantation Subdivision discussed above. Of the original 32 lots of the Plantation Subdivision, 19 lots remain undeveloped. It is expected that the number of developable lots would in fact be less than 19 due to current zoning regulations and requirements for septic systems, as well as environmental constraints such as steep slopes, but maximum build-out was evaluated for purposes of the environmental review. Under this alternative, development would be spread out across the project site, as opposed to the proposed project where development would be concentrated to a small portion of the site. This alternative would require greater ground disturbance and steep slope disturbance and would result in greater impervious surface coverage than the proposed project. Further, this type of residential development is typically more burdensome to municipal services and infrastructure rather than beneficial in terms of tax revenue. As with the No Action Alternative, this alternative would not realize the objectives of the MFD to improve its efficiency and effectiveness in providing essential public safety services to the community.

In response to a Town-initiated investigation, potential impacts related to the realignment of Schuman Road and Allen Avenue to create a four-way intersection were evaluated. This alternative assumes that the Town would accept dedication of Allen Avenue and that it would be designed according to Town road specifications. However, additional safety design considerations would need to be taken into account as Allen Avenue would be a public roadway shared by an emergency response facility (the proposed firehouse) and the general public. In addition, Allen Avenue would not be a through street and would therefore require a cul-de-sac. Although the creation of a four-way intersection may enhance traffic circulation, the shared use of Allen Avenue between an emergency response facility and the adjacent commercial site may pose safety concerns. Further, the realignment would require demolition or relocation of an existing single-family residence.

After careful evaluation of each alternative, the proposed project would provide the greatest number of benefits while limiting, to the maximum extent practicable, environmental impacts. The proposed project would allow the MFD to optimize its service to the community and improve public safety. The proposed project has undergone an extensive design process to minimize the size of the proposed firehouse while ensuring that all firematic space needs are adequately accommodated, per recommendations by firematic consultants based on NFPA and OSHA standards. The proposed firehouse is, in effect, a reduced scale alternative in comparison to the original firehouse that was presented in a DEIS in September 2008. The original firehouse was 19,809 square feet, which was reduced from several previous alternatives of upward of 23,000+ square feet. In response to public comments concerning the size and potentially adverse environmental impacts, a reduced scale firehouse was developed that became the preferred alternative for the BoFC and was the subject of this environmental review process. As documented in the FEIS (and requested by NYCDEP in letters dated January 31, 2011 and March 9, 2011), the BoFC will supplement the qualitative pollutant loading analysis provided in the DEIS and FEIS with a quantitative pollutant loading analysis for the various

alternatives to ensure that all stormwater-related concerns are addressed as the project moves forward and the final SWPPP is developed.

GROWTH INDUCING ASPECTS

The proposed project would not alter regional growth patterns, change residential settlement patterns, displace any public or publicly funded community facilities, or significantly affect the growth in employment centers. Forces underlying growth in regional and local population and employment are influenced by many economic and marketplace factors that generally evolve apart from the demand on community facilities. Demands on community facilities are a result of, not a stimulus for, service area growth. The existing firehouse is in disrepair and has inadequate space to accommodate the firematic needs of the MFD. The proposed project would result in a more functional, operational, and effective firehouse and would not necessitate, nor facilitate, new demands for commercial services, or create the need for new housing off-site. For these reasons, no significant growth-inducing impacts would occur with the proposed project during its construction or operation.

The existing Station #1 site could potentially be redeveloped once it is vacated by the fire department and sold. The existing Station #1 is located within the retail business (B-R) zoning district, which permits retail, business, and mixed commercial and residential uses. However, due to the small size of the parcel (0.75 acres), and the character of the Millwood hamlet, any future uses of the site would not be expected to significantly increase employment or induce residential growth in Millwood or the Town of New Castle.

IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

Certain resources, both natural and manmade, would be expended in the construction and operation of the proposed project. These resources include land, building materials, energy, and the human effort (time and labor) required to develop, construct, and operate the firehouse. They are considered irretrievably committed because their reuse for some purpose other than the proposed project would be highly unlikely.

The land that makes up the project site is the most basic resource irretrievably committed. Construction of the proposed project would commit a total of approximately 1.2 acres of the site to development of impervious surfaces and pervious pavers. Should the proposed project be approved, once developed according to the proposed site plan, a portion of the site would no longer be available as undeveloped land or for future development.

The actual building materials used in the construction of the project (wood, steel, concrete, and glass, etc.) and energy, in the form of gas and electricity, consumed during the construction and operation of the proposed project by construction equipment and the various mechanical systems (heating, hot water, and air conditioning) would also be irretrievably committed to this particular undertaking.

No significant irreversible and irretrievable commitment of resources would occur as a result of the proposed project and no mitigation is proposed.

UNAVOIDABLE ADVERSE IMPACTS

The technical analyses presented in the DEIS examined the potential for significant adverse impacts resulting from the proposed project. Through the analyses, no unavoidable, significant adverse impacts were identified. Unavoidable significant adverse impacts are defined as those that meet the following two criteria:

- There are no reasonably practicable mitigation measures to eliminate the impacts; and
- There are no reasonable alternatives to the proposed project that would meet the purpose and need of the action, eliminate the impact, and not cause other or similar significant adverse impacts.

The proposed project would create a number of physical changes to the project site. Several environmental impacts would result that cannot be avoided, however, none of these impacts are considered significant. All adverse impacts would be mitigated by the proposed project.

No significant unavoidable impacts would occur as a result of the proposed project and no mitigation is proposed.

A copy of this document has been sent to:

Lead Agency

Millwood Fire District Board of Fire Commissioners
P.O. Box 140 (60 Millwood Road), Millwood, NY 10546

Interested & Involved Agencies/Parties

Town of New Castle Planning Board
200 South Greeley Avenue, Chappaqua, NY 10514

Town of New Castle Building Engineering Department
200 South Greeley Avenue, Chappaqua, NY 10514

Town of New Castle Police Department
200 South Greeley Avenue, Chappaqua, NY 10514

Town of New Castle Department of Public Works
200 South Greeley Avenue, Chappaqua, NY 10514

Westchester County Department of Health
145 Huguenot Street, 7th and 8th Floors, New Rochelle, NY 10801 and
118 North Bedford Road, Suite 100, Mount Kisco, NY 10549

Westchester County Department of Planning
148 Martine Avenue, Room 432, White Plains, NY 10601

New York City Department of Environmental Protection
SEQRA Coordination Section, 465 Columbus Avenue, Valhalla, NY 10595

New York State Department of Environmental Conservation
625 Broadway, Albany, NY 12233 and
Region 3, 21 South Putt Corners Road, New Paltz, NY 12561

New York State Department of Transportation
Region 84 Burnett Boulevard, Poughkeepsie, NY 12603

New York State Department of Health
Corning Tower, Empire State Plaza, Albany, NY 12237

New York State Office of Parks, Recreation, and Historic Preservation
Rockefeller Empire State Plaza, Agency 1 Building, Albany, NY 12238

Millwood Task Force
(Private Residences)

Chappaqua Volunteer Ambulance Corps
P.O. Box 453, Chappaqua, NY 10514

West End Neighborhood Taxpayers
(Private Residence)

Consolidated Edison, Inc.
Real Estate Department, 4 Irving Place, 2nd Floor, New York, NY 10003

EIS Preparer

AKRF, Inc.
34 South Broadway, Suite 401, White Plains, NY 10601

Applicant

Millwood Fire District Board of Fire Commissioners
P.O. Box 140 (60 Millwood Road), Millwood, NY 10546

Project Consultants

Civil Engineer: AKRF Engineering, P.C.
440 Park Avenue South, 7th Floor New York, NY 10016

Architect: Olhausen DuBois Architects
14 E. 4th Street, #508, New York, NY 10012

Landscape Architect: IQ Landscape Architects, P.C.
51 Bedford Road, Katonah, NY 10536

Construction Manager/Cost Estimators: Calgi Construction Company
116 Radio Circle, Suite 305, Mount Kisco, NY 10549

Financial Consultant: Janet R. Duggan and Associates
121 King Street, Chappaqua, NY 10514

SEQRA and Environmental Counsel: Farrell Fritz, P.C.
1320 RXR Plaza, Uniondale, NY 11556

Environmental Notice Bulletin

NYS Department of Environmental Conservation
625 Broadway, 4th Floor, Albany, NY 12233-1750
(submitted via email)

Other

Town of New Castle Administrator
200 South Greeley Avenue, Chappaqua, NY 10514