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February 17, 2014

VIA ELECTRONIC MAIL

Chairman Thomas Heaslip
Town/Village of Harrison Planning Board
One Heineman Place
Harrison, NY 10528

RE: Draft Scoping Document - Trinity Church

Dear Honorable Mr. Heaslip and Members of the Planning Board,

At the request of the Purchase Environmental Protective Association (“PEPA”), The Louis Berger Group, Inc. (Louis Berger) is submitting the following comments highlighting areas/issues for consideration as part of your Board’s review of Trinity Presbyterian Church’s (“TPC”) draft scoping document. The purpose of this submission is to provide the Planning Board with our comments on the draft scoping document and to ensure that all of the appropriate studies are conducted as part of the draft environmental impact statement (“DEIS”) prior to advancing this application to the next stage.

Sincerely,

THE LOUIS BERGER GROUP, INC.

Niek Veraart, AICP
Vice President

Enclosure



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The Louis Berger Group, Inc. reviewed the Town of Harrison Planning Board's Draft Scoping Document for the Trinity Presbyterian Church Draft Environmental Impact Statement (DEIS) on behalf of the Purchase Environmental Protective Association (PEPA). The following comments are focused on ensuring the DEIS complies with the requirements of the State Environmental Quality Review Act (SEQRA). For most topics, the Draft Scoping document lacks sufficient detail to provide useful guidance to the studies to be undertaken. Wherever possible, we have provided specific constructive suggestions for the analyses recommended to be incorporated in the Final Scoping Document to ensure a robust evaluation of existing conditions, and a hard look at environmental impacts and mitigation measures.

Project Description and Project Purpose and Need

The SEQRA document should provide a clear statement of the Purpose and Need of the proposed project and any additional goals and objectives. A key component of this is the programming of the facility and assumptions used and any potential expansion of the facility's programming and/or physical presence. Adequate and detailed information on the assumptions used in developing the programming the facility, the site selection process and the physical appearance and construction process are all key aspects that need to be included in the Project Description, as it provides the basis for the environmental impact analysis, alternatives analysis and development of effective mitigation.

Alternatives Analysis

In addition to evaluating the No Build Alternative, SEQRA requires "a description and evaluation of the range of reasonable alternatives to the action that are feasible, considering the objectives and capabilities of the project sponsor" (6 N.Y.C.R.R. §617.9(b)). The Draft Scoping Document identifies two alternatives to be evaluated—the No Build Alternative and development of the project site in compliance with existing zoning (three single family residences). Since neither of these alternatives would meet the applicant's objectives, the Draft Scoping Document effectively does not propose any feasible alternatives. While a private applicant is not required to consider sites it does not own or have the option to purchase, the Final Scoping Document should require information on other properties owned/controlled by Trinity and require an analysis in the DEIS to determine if any of these properties could be used to meet the applicant's objectives for the project. If viable alternative sites are available, they should be advanced for full evaluation in DEIS.

In addition to considering potential alternative sites, a project of reduced scale that would meet the applicant's objectives (such as a 20% smaller building with commensurate reductions in parking) should be evaluated in the DEIS.

Finally, the alternatives section of the Final Scoping Document should require the rationale behind the proposed site plan to be explained, including alternative configurations considered in the design process. Following the inventory of environmental resources present on the project site, site plan design variations that

minimize environmental impacts should be evaluated. This is critical to SEQRA compliance because the Planning Board is required to select the reasonable alternative that avoids or minimizes adverse environmental impacts to the maximum extent practicable in the Findings Statement.

Hazardous Materials

The topic of hazardous materials is not included in the Draft Scoping Document. This omission should be corrected in the Final Scoping Document because there is a need to determine whether contaminated materials may be present on-site or migration of contaminated groundwater from off-site has occurred. Westchester County's GIS database identifies several hazardous material sites in vicinity, including a Con Edison site adjacent to the site on Anderson Hill Road.¹ The Final Scoping Document should require the DEIS to include a Phase I Environmental Site Assessment that adheres to ASTM 1525-05 Standard, including an environmental database report, site visit and research into the site history.

Land Use and Zoning

While conformance with land use plans is mentioned as an element of the scope generally, addressing conformance with the recently adopted Town/ Village of Harrison Comprehensive Plan should be specifically included in the Final Scope. The 2013 Comprehensive Plan calls for preserving the existing low-density, open and rural character of Purchase and specifically recommends against new curb cuts on Anderson Hill Road. In fact, the Anderson Hill Road and Purchase Street area is identified in the Comprehensive Plan as a specific problem area requiring a study of potential solutions.

Land, Water and Ecological Resources

The Draft Scoping document is vague in describing the methodology by which wetlands and other water resource features will be identified. It is very important that the DEIS does not limit the assessment of wetlands to those present on various existing maps. The site must be field surveyed by a wetland scientist (in the appropriate season) and any wetland features delineated using GPS because many smaller wetlands are not included on existing maps. Wetland delineations should be conducted in accordance with the 1987 Corps of Engineers Wetland Delineation Manual and the Northcentral and Northeast Regional Supplement (version 2.0).²

The impact assessment for water resources should specifically identify the change in impervious surface cover on the project site.

In terms of ecological resources, the project site appears to include mature trees that are particularly valuable for their aesthetics and ecological function. Trees over four inches in diameter should be field surveyed to ensure compliance with Harrison's Tree Protection Law. Special status plant species (such as the federally threatened Small

¹ http://iaspub.epa.gov/enviro/fii_query_detail_disp_program_facility?p_registry_id=110042182759

² http://www.usace.army.mil/Portals/2/docs/civilworks/regulatory/reg_supp/NCNE_supp2.pdf

Whorled Pogonia (*Isotria medeoloides*) should be searched for as part of the vegetation field survey.

Transportation

Transportation is one of the more fully developed sections of the Draft Scoping document and this acknowledgement of the potential significance of the traffic impacts of the proposed project is appropriate given the existing congestion and safety issues along Anderson Hill Road. However, there are several additions and clarifications that should be incorporated in the Final Scoping Document. The applicant proposes a new driveway on Anderson Hill Road, contrary to the Comprehensive Plan which notes the "Planning Board should discourage direct access to arterial roads from adjoining land wherever possible"

Study Existing Church Service. Trinity Presbyterian Church currently holds services at the School of the Holy Child on Westchester Avenue. If the current number of service attendees is expected to remain similar to those that would attend the proposed new facility, then the traffic and parking characteristics of the existing service should be studied to provide a check on the reasonableness of assumptions used for modeling build condition for DEIS. For example, a study of the existing church services could help quantify the number attendees, the time of arrival/departure profile and average vehicle occupancy rates. The study of the existing church service transportation impacts should be consistent with the appropriate number of parking spaces provided at the new facility. The project should avoid providing excessive on-site parking to minimize impacts to forest cover and stormwater generation. The proposed parking should be adequate to accommodate the facility's program, including any peak requirements. Provision of parking in excess of that required by the facility's programming could be an indicator of future expansion plans. Therefore it is important that facility programming, parking and traffic volumes are all mutually consistent. If not the traffic analysis should account for any, additional vehicle trips that should be included in the cumulative traffic impact analysis.

Intersections for Analysis. While the Draft Scoping Document identifies two specific intersections for analysis, it should not be assumed that these are the only intersections with the potential for significant adverse impacts. The traffic analysis should confirm the reasonableness of the intersections selected for analysis based on data on trip generation, existing congestion etc.

Traffic Data Collection. In terms of traffic data collection, using Automatic Traffic Recorders on Anderson Hill Road and Purchase Street (in addition to turning movement counts) is recommended to provide a thorough understanding of the 24-hour traffic profile. Also, the Final Scope should make it clear that vehicle classification information (heavy vehicle percentage) must be collected as part of the traffic count plan.

No Build Traffic Forecast and Cumulative Impacts. The Final Scoping Document should identify the specific reasonably foreseeable development projects that should be

incorporated in the traffic analysis. At a minimum, the other projects included in the traffic analysis should include the following:

1. Approved subdivision on Anderson Hill Road in Rye Brook, which will generate additional traffic.
2. PepsiCo - There will be additional vehicles that will be using Anderson Hill Road as a result of the re-opening of the PepsiCo Headquarters at 700 Anderson Hill Road, which will house over 1,250 employees.
3. Manhattanville College sports facilities upgrades - As indicated in the college's submissions to the Planning Board, the improved facilities may be used for community soccer clinics and soccer tournaments. Traffic associated with sports activities at Manhattanville College could coincide with traffic associated church services and other church related activities³.

Inclusion of these projects in the analysis will ensure that cumulative traffic impacts are addressed in the DEIS. Cumulative impacts are not mentioned in the Draft Scoping Document, but are a required element of SEQRA compliance.

Traffic Impacts of Special Events. In addition to analyzing the traffic impact of typical Sunday service, the DEIS should specifically include a special event traffic analysis scenario representative of the trip generation associated with a wedding or funeral for example.

Safety Impacts. The Draft Scoping Document correctly includes an evaluation of existing crash statistics, but fails to require a safety analysis for the Build condition. Safety impacts should be addressed in the DEIS, particularly given the increase in curb cuts and additional traffic accessing Anderson Hill Road from the proposed project site.

Mitigation. The Draft Scoping Document does not identify any potential mitigation measures for transportation. While the specifics are dependent on the impacts identified, the Final Scoping Document could include a menu of typical transportation mitigation options that may be considered, such as signal timing improvements, changes to intersection configurations (turning lanes etc.), limitations on the times when events can be held at the church to avoid traffic impacts, restricting certain driveways to right turn outs only etc.

Noise

The proposed project is located within the Westchester County Airport 60 Ldn Noise Contour Critical Environmental Area. Determining existing noise levels is very important to accurately determining whether or not a project will result in noise impacts. Therefore, the Final Scoping Document should be revised to require noise monitoring to accurately establish existing conditions. The noise monitoring locations can be located on the project site, but should be representative of the adjacent residences and school that will potentially experience noise impacts during construction.

³ While the College would require NYC FC to use the back entrance to the college off Manhattanville Rd. (so as to minimize impacts on Anderson Hill Road and Purchase Street), enforcement of this mitigation commitment is not defined; furthermore it is unclear how visitors could be forced to use the back entrance.

The Final Scope of Work should also specify that construction noise impacts should be quantified. Simple and low-cost methodologies for construction noise impact analysis are available, such as the Federal Highway Administration's Roadway Construction Noise Model.⁴

The noise impact analyses should be conducted consistent with NYSDEC's *Assessing and Mitigating Noise Impacts* policy guidance.⁵ The Town of Harrison Noise Code also needs to be considered in the noise section of the DEIS. The noise code limits power tool noise to 70 dBA Lmax, air compressors are limited to 76 dBA, and chainsaws are limited to 85 dBA (measured at the property line).

Air Quality

Westchester County is a nonattainment area for ozone and fine particulate matter (PM2.5), and a maintenance area for carbon monoxide. The air quality existing conditions section of the DEIS should discuss attainment/nonattainment status and provide the most recent available design values for criteria pollutants at representative monitor. Monitor concentrations of criteria pollutants should be compared to the National Ambient Air Quality Standards (NAAQS).

The nonattainment status of the county in combination with the proximity of homes and a school (including playground and sports fields) warrants careful consideration of construction air quality impacts from fine particulates. Construction pollutant emissions should be quantified using EPA's NONROAD model and AP-42 (for fugitive dust). A qualitative construction air pollutant exposure analysis should be conducted considering background PM2.5 concentrations, meteorology (wind direction, speed, calms), duration of construction, incorporation of construction air quality mitigation measures and receptor locations. The potential air quality mitigation measures should include of diesel particulate filters for equipment over 50 HP and incorporation of dust control measures. If potentially significant impacts are identified by the qualitative analysis, dispersion modeling should be conducted to determine the incremental impact of the project on PM2.5 concentrations at sensitive receptors during construction.

In terms of air quality impacts related to traffic generation, a quantitative carbon monoxide analysis should be conducted in accordance with EPA guidance if any of the criteria at 40 CFR § 93.123(a) (e.g. increasing traffic at intersections at Level-of-Service D, E, or F). While the project is not a transportation project subject to transportation conformity, the criteria provide a reasonable basis for determining if carbon monoxide-related impacts are possible.

⁴http://www.fhwa.dot.gov/environment/noise/construction_noise/rcnm/

⁵http://www.dec.ny.gov/docs/permits_ej_operations_pdf/noise2000.pdf

Historic and Archaeological Resources

The historic and archaeological resources section lacks any description of what specific studies would be conducted. This is contrary to SEQRA, which requires the scoping document to identify “the extent and quality of information needed for the preparer to adequately address each impact, including an identification of relevant existing information, and required new information, including the required methodology(ies) for obtaining new information;” (6 N.Y.C.R.R. § 617.8(f)).

The final scoping document should require a survey of on-site and adjoining properties by a qualified architectural historian (including Purchase Elementary School) to determine if any are historic resources eligible for listing on the National Register of Historic Places. In addition, a Phase IA Archaeological Survey should be prepared to determine the sensitivity of the site with respect to archaeological resources and whether further detailed studies may be needed. These studies should be coordinated with the New York State Office of Parks, Recreation and Historic Preservation.

The applicant should also be required to identify impacts to the historic stone wall along northern boundary of property from new driveway and expansion of the existing driveway. Mitigation measures should be proposed for impacts to the stone wall.