

APPENDIX D

Kingswood  
 Rye Brook NY  
 BBV  
 3/16/2007

**Drainage Area Table**

	<b>SF</b>	<b>AC</b>
<b>DRAINAGE AREA A</b>	356,363	8.18
ROOF	0	0.00
SIDEWALK/PATIO	3,963	0.09
ROAD	0	0.00
LANDSCAPE (FUTURE LAWN)	352,400	8.09
<b>DRAINAGE AREA B</b>		
TENNIS/ROOF	86,554	1.99
SIDEWALK/PATIO	38,112	0.87
ROAD	1,311	0.03
ROAD	22,000	0.51
LANDSCAPE (FUTURE LAWN)	25,131	0.58
<b>DRAINAGE AREA C</b>		
ROOF	24,800	0.57
SIDEWALK/PATIO	10,572	0.24
ROAD	24	0.00
ROAD	12,321	0.28
LANDSCAPE (FUTURE LAWN)	1,883	0.04
<b>DRAINAGE AREA D &amp; E</b>		
ROOF	67,540	1.55
SIDEWALK/PATIO	15,121	0.35
ROAD	4,253	0.10
ROAD	16,008	0.37
LANDSCAPE (FUTURE LAWN)	32,158	0.74
<b>DRAINAGE AREA F</b>		
ROOF	38,823	0.89
SIDEWALK/PATIO	21,145	0.49
ROAD	300	0.01
ROAD	12,581	0.29
LANDSCAPE (FUTURE LAWN)	4,797	0.11
<b>DRAINAGE AREA G</b>		
ROOF	38,315	0.88
SIDEWALK/PATIO	0	0.00
POND	435	0.01
ROAD	15,303	0.35
LANDSCAPE (FUTURE LAWN)	22,577	0.52
<b>SUB-TOTAL AREAS B-G</b>		
ROOF	256,032	5.88
SIDEWALK/PATIO	84,950	1.95
ROAD / POND	6,323	0.15
ROAD / POND	78,213	1.80
LANDSCAPE (FUTURE LAWN)	86,546	1.99



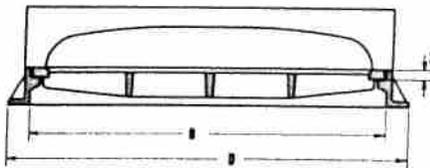
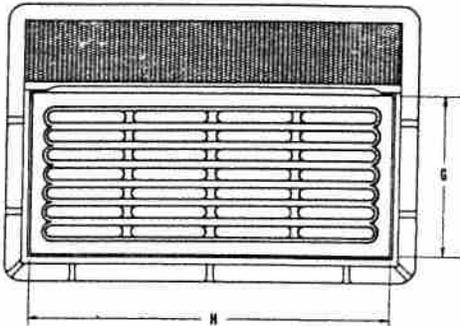
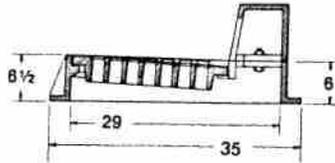
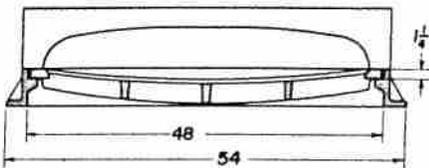
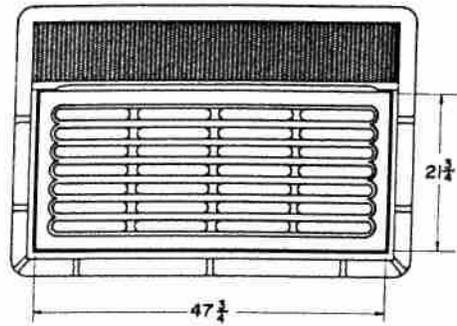
# Highway Catch Basins

CURB TYPE  
"STREAM FLOW  
GRATING"

Registered Trade Mark

## PATTERN NUMBER 2538

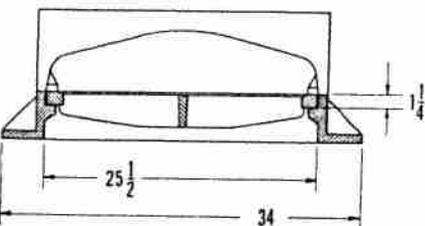
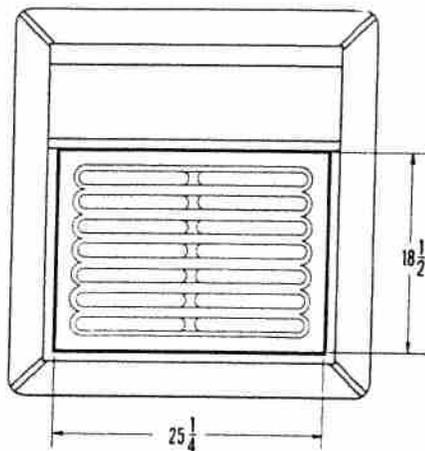
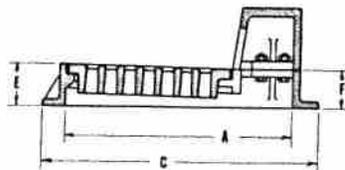
NOTE This unit is supplied with a Dished "Stream-Flow" Grate which will also fit 2541 and 2548.



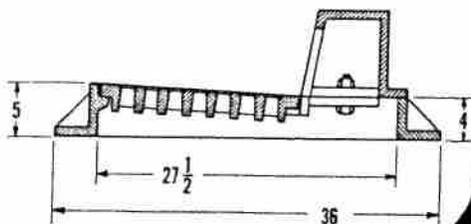
Note Details of Grate shown are for 2541.  
Size and number of openings vary with size of unit.

PATTERN NUMBERS	DIMENSIONS IN INCHES									NO. OF BOLTS REQD.
	A	B	C	D	E	F	G	H	X	
2539	36	49	42	54	5 1/2	4 1/4	30	49 1/4	1 1/4	2
2540	30	36	36	42	5 1/2	4	21 1/4	35 1/4	1 1/4	4
2541	30	48	36	54	5 1/2	4	21 1/4	47 1/4	1 1/4	4
2596	31	48	37	54	5 1/2	5	25 1/4	47 1/4	1 1/4	2

## PATTERN NUMBER 2541



## PATTERN NUMBER 2545



### NOTES

When ordering curb type castings, curb dimensions are required.

Mountable curbs are available for most highway catch basins.

Extension frames and special backplates for curb catch basins are available.

See pages 31 and 32 for ordering information

Curbs for most catch basins can be supplied with a radius face for corner installations.

# Engineering Data

FIGURE 3.  
RATE OF FLOW FOR  
CURB  
TYPE  
CATCH  
BASINS  
WITH  
STREAM-  
FLOW  
GRATES.

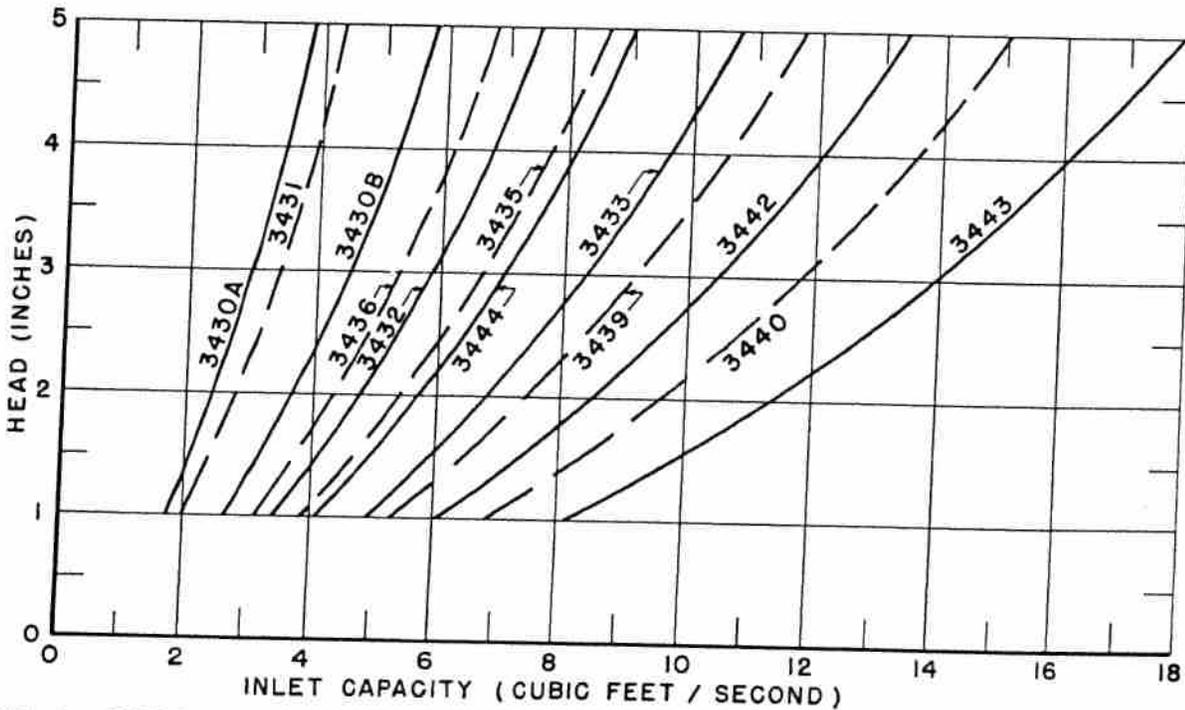
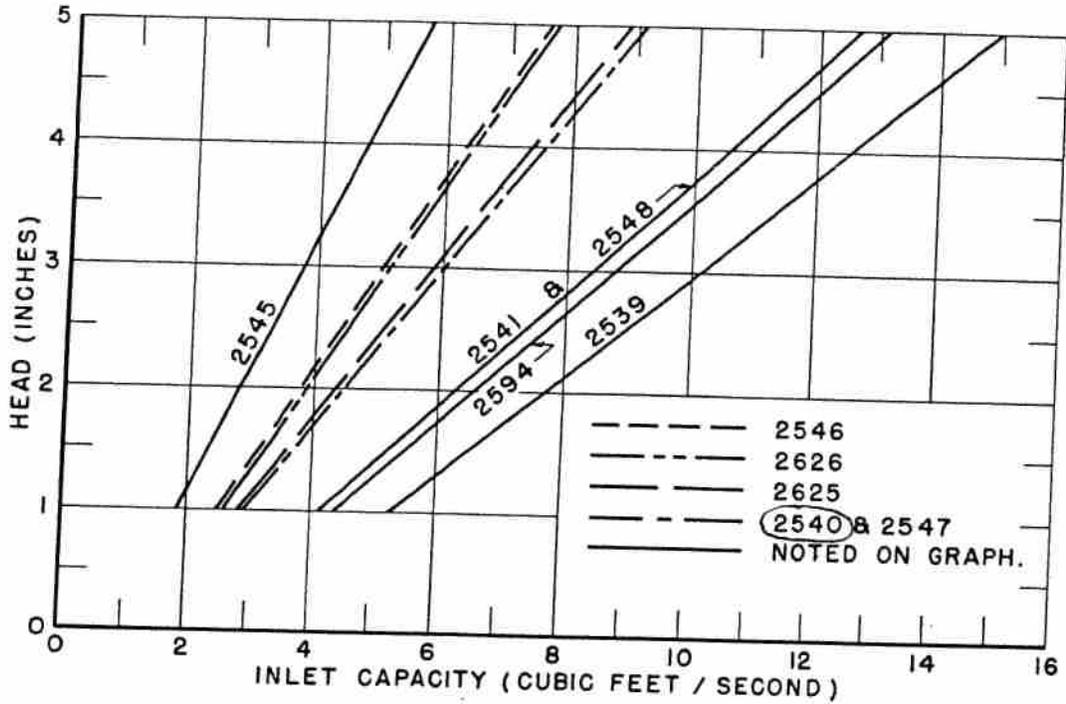


FIGURE 4. RATE OF FLOW FOR FLAT DROP INLETS WITH STREAM-FLOW GRATES

APPENDIX E

# NOTICE OF INTENT

## New York State Department of Environmental Conservation

### Division of Water

625 Broadway, 4th Floor NYR

Albany, New York 12233-3505 (for DEC use only)

Stormwater Discharges Associated with Construction Activity Under State Pollutant Discharge Elimination System (SPDES) General Permit # GP-02-01 All sections must be completed unless otherwise noted. Failure to complete all items may result in this form being returned to you, thereby delaying your coverage under this General Permit. Applicants must read and understand the conditions of the permit and prepare a Stormwater Pollution Prevention Plan prior to submitting this NOI. Applicants are responsible for identifying and obtaining other DEC permits that may be required. To properly complete this form, please refer to the Instruction Manual which can be accessed at [www.dec.state.ny.us/website/dow/toolbox/instr\\_man.pdf](http://www.dec.state.ny.us/website/dow/toolbox/instr_man.pdf)

### - IMPORTANT -

### THIS FORM FOR HANDPRINT ONLY

### RETURN THIS FORM TO THE ADDRESS ABOVE

PRINT CAPITAL LETTERS IN BLACK INK AND AVOID CONTACT WITH THE EDGE OF BOXES  
FILL IN CIRCLES COMPLETELY AND DO NOT USE CHECKMARKS  
OWNER/OPERATOR MUST SIGN FORM

#### Owner/Operator Information

Owner/Operator (Company Name/Private Owner Name/Municipality Name)

RF (RYE BROOK), LLC

Owner/Operator Contact Person Last Name (NOT CONSULTANT)

DAVID FEINBERG

Owner/Operator Contact Person First Name

DAVID

Owner/Operator Mailing Address

126 EAST 56 STREET

City

NEW YORK

State

NY

Zip

10022-

Phone (Owner/Operator)

212-644-8200

Fax (Owner/Operator)

212-644-9097

Email (Owner/Operator)

Location Information

Project Site Information

Project/Site Name

WOODLANDS HOMES

Street Address (NOT P.O. BOX)

ANDERSON HILL ROAD

City/Town/Village (THAT ISSUES BUILDING PERMIT)

RYE BROOK

State

NY

Zip

10573 -

County

WESTCHESTER

DEC Region (if known)

Name of Nearest Cross Street

KING STREET - STATE 120A

Distance to Nearest Cross Street (Feet)

0

Direction to Nearest Cross Street

North South East West

1. Provide the Geographic Coordinates for the project site in NYTM Units. To do this you must go to the NYSDEC Stormwater Interactive Map on the DEC website at:

www.dec.state.ny.us/website/imsmaps/stormwater/viewer.htm

Zoom into your Project Location such that you can accurately click on the centroid of your site. Once you have located your project site go to the dropdown menu on the left and choose "Get Coordinates". Click on the center of your site and a small window containing the X, Y coordinates in UTM will pop up. Transcribe these coordinates into the boxes below. For problems with the interactive map use the help function.

X Coordinates (Easting)

610741

Y Coordinates (Northing)

4544422

2. What is the nature of this construction project?

New Construction

Redevelopment with increase in imperviousness

Redevelopment with no increase in imperviousness

Project Site Information

3. Select the predominant land use for both pre and post development conditions.  
**SELECT ONLY ONE CHOICE FOR EACH**

Pre-Development Existing Land Use	Post-Development Future Land Use
<input checked="" type="radio"/> FOREST	<input type="radio"/> SINGLE FAMILY HOME
<input type="radio"/> PASTURE/OPEN LAND	<input type="radio"/> SINGLE FAMILY SUBDIVISION
<input type="radio"/> CULTIVATED LAND	<input checked="" type="radio"/> TOWN HOME RESIDENTIAL
<input type="radio"/> SINGLE FAMILY HOME	<input type="radio"/> MULTIFAMILY RESIDENTIAL
<input type="radio"/> SINGLE FAMILY SUBDIVISION	<input type="radio"/> INSTITUTIONAL/SCHOOL
<input type="radio"/> TOWN HOME RESIDENTIAL	<input type="radio"/> INDUSTRIAL
<input type="radio"/> MULTIFAMILY RESIDENTIAL	<input type="radio"/> COMMERCIAL
<input type="radio"/> INSTITUTIONAL/SCHOOL	<input type="radio"/> ROAD/HIGHWAY
<input type="radio"/> INDUSTRIAL	<input type="radio"/> RECREATIONAL/SPORTS FIELD
<input type="radio"/> COMMERCIAL	<input type="radio"/> BIKE PATH/TRAIL
<input type="radio"/> ROAD/HIGHWAY	<input type="radio"/> LINEAR UTILITY (water, sewer, gas, etc.)
<input type="radio"/> RECREATIONAL/SPORTS FIELD	<input type="radio"/> PARKING LOT
<input type="radio"/> BIKE PATH/TRAIL	<input type="radio"/> OTHER
<input type="radio"/> SUBSURFACE UTILITY	OTHER <input style="width: 100%; height: 15px;" type="text"/>
<input type="radio"/> PARKING LOT	
<input type="radio"/> OTHER	
OTHER <input style="width: 100%; height: 15px;" type="text"/>	

4. Will future use of this site be an agricultural property as defined by the NYS Agriculture and Markets Law ?

Yes  No

5. Is this a project which does not require coverage under the General Permit (e.g. Project done under an Individual SPDES Permit, or department approved remediation)?

Yes  No

6. Is this property owned by a state authority, state agency or local government?

Yes  No

7. In accordance with the larger common plan of development or sale; enter the total project site acreage, the acreage to be disturbed and the future impervious area (acreage) within the disturbed area. Round to the nearest tenth of an acre.

Total Site Acreage	Acreage To Be Disturbed	Existing Impervious Area Within Disturbed	Future Impervious Area Within Disturbed
<input style="width: 20px; height: 20px;" type="text"/> / <input style="width: 20px; height: 20px;" type="text"/> <input style="width: 20px; height: 20px;" type="text"/> . <input style="width: 20px; height: 20px;" type="text"/>	<input style="width: 20px; height: 20px;" type="text"/> <input style="width: 20px; height: 20px;" type="text"/> <input style="width: 20px; height: 20px;" type="text"/> . <input style="width: 20px; height: 20px;" type="text"/>	<input style="width: 20px; height: 20px;" type="text"/> <input style="width: 20px; height: 20px;" type="text"/> <input style="width: 20px; height: 20px;" type="text"/> . <input style="width: 20px; height: 20px;" type="text"/>	<input style="width: 20px; height: 20px;" type="text"/> <input style="width: 20px; height: 20px;" type="text"/> <input style="width: 20px; height: 20px;" type="text"/> . <input style="width: 20px; height: 20px;" type="text"/>
5.4	6.8	0.	3.7

8. Will there be more than 5 acres disturbed at any given time?

Yes  No

9. Indicate the percentage of each Hydrologic Soil Group (HSG) at the site.

A	B	C	D
<input style="width: 20px; height: 20px;" type="text"/> <input style="width: 20px; height: 20px;" type="text"/> %	<input style="width: 20px; height: 20px;" type="text"/> <input style="width: 20px; height: 20px;" type="text"/> %	<input style="width: 20px; height: 20px;" type="text"/> <input style="width: 20px; height: 20px;" type="text"/> <input style="width: 20px; height: 20px;" type="text"/> %	<input style="width: 20px; height: 20px;" type="text"/> <input style="width: 20px; height: 20px;" type="text"/> %
		100	



Stormwater Pollution Prevention Plan (SWPPP)

18. Has the required Erosion and Sediment Control component of the SWPPP been developed in conformance with the current NYS Standards and Specifications for Erosion and Sediment Control (aka Blue Book) ?

Yes  \*No

19. Does this construction activity require the development of a SWPPP that includes Water Quality and Quantity Control components (Post-Construction Stormwater Management Practices) If no, Skip question 20

Yes  No

20. Have the Water Quality and Quantity Control components of the SWPPP been developed in conformance with the current NYS Stormwater Management Design Manual ?

Yes  \*No

NOTE: If you answered no to question 18 or 20, Pursuant to Part I.D.3.(b) of the permit, you must have your SWPPP prepared and certified by a licensed/certified professional and the SWPPP is subject to a 60-business day review. Please provide further details in the details/comment section on the last page of this form.

21. The Stormwater Pollution Prevention Plan (SWPPP) was prepared by:

- Professional Engineer (P.E.)
- Soil and Water Conservation District (SWCD)
- Registered Landscape Architect (R.L.A)
- Certified Professional in Erosion and Sediment Control (CPESC)
- Owner/Operator
- Other

[Empty grid for other details]

SWPPP Preparer Information (if different from Owner/Operator info)

SWPPP Preparer

BARRETT, BONACCI + VANWEELE P.C.

Contact Name (Last, Space, First)

MARINIS MICHAEL PE

Mailing Address

175A COMMERCE DRIVE

City

HAVPPAUGE

State

NY

Zip

11788 -

Phone

631 - 435 - 1111

Fax

631 - 435 - 1022

Email

[Empty grid for email address]

Stormwater Pollution Prevention Plan (SWPPP)

Erosion and Sediment Control Practices

22. Has a construction sequence schedule for the planned management practices been prepared?

Yes  No

23. Select all of the erosion and sediment control practices that will be employed on the project site.

Temporary Structural

- Check Dams
- Construction Road Stabilization
- Dust Control
- Earth Dike
- Level Spreader
- Perimeter Dike/Swale
- Pipe Slope Drain
- Portable Sediment Tank
- Rock Dam
- Sediment Basin
- Sediment Traps
- Silt Fence
- Stabilized Construction Entrance
- Storm Drain Inlet Protection
- Straw/Hay Bale Dike
- Temporary Access Waterway Crossing
- Temporary Stormdrain Diversion
- Temporary Swale
- Turbidity Curtain
- Water bars

Biotechnical

- Brush Matting
- Wattling

Other

Vegetative Measures

- Brush Matting
- Dune Stabilization
- Grassed Waterway
- Mulching
- Protecting Vegetation
- Recreation Area Improvement
- Seeding
- Sodding
- Straw/Hay Bale Dike
- Streambank Protection
- Temporary Swale
- Topsoiling
- Vegetating Waterways

Permanent Structural

- Debris Basin
- Diversion
- Grade Stabilization Structure
- Land Grading
- Lined Waterway (Rock)
- Paved Channel (Concrete)
- Paved Flume
- Retaining Wall
- Riprap Slope Protection
- Rock Outlet Protection
- Streambank Protection

Stormwater Pollution Prevention Plan (SWPPP)

Water Quality and Quantity Control

**Important:** Completion of Questions 24-30 is not required if the project:

Disturbs less than 5 acres and is planned for single-family residential homes (including subdivisions) or construction on agricultural property and does not have a discharge to a 303(d) water or is not located within a TMDL watershed.

Additionally, sites where there will be no future impervious area within the disturbed area and that do not have a change (pre to post development) in hydrology do not need to complete questions 24-30.

24. Indicate all the permanent Stormwater Management Practice(s) that will be installed on this site

Post Construction Stormwater Management Practices

Ponds

- Micropool Extended Detention (P-1)
- Wet Pond (P-2)
- Wet Extended Detention (P-3)
- Multiple Pond System (P-4)
- Pocket Pond (P-5)

Filtering

- Surface Sand Filter (F-1)
- Underground Sand Filter (F-2)
- Perimeter Sand Filter (F-3)
- Organic Filter (F-4)
- Bioretention (F-5)
- Other

Wetlands

- Shallow Wetland (W-1)
- Extended Detention Wetland (W-2)
- Pond/Wetland System (W-3)
- Pocket Wetland (W-4)

Infiltration

- Infiltration Trench (I-1)
- Infiltration Basin (I-2)
- Dry Well (I-3)

Open Channels

- Dry Swale (O-1)
- Wet Swale (O-2)

Describe other stormwater management practices not listed above or explain any deviations from the technical standards. If the SWPPP does not conform to the technical standards, the SWPPP must be prepared and certified by a licensed/certified professional and is subject to a 60-business day review.

Has a long term Operation and Maintenance plan for the post construction management practices been developed?

Yes  No

If Yes, Identify the entity responsible for the long term Operation and Maintenance

PROPERTY OWNERS ASSOCIATION

**Stormwater Pollution Prevention Plan (SWPPP)  
Water Quality and Quantity Control**

25. Provide the total water quality volume required and the total provided for the site.

<u>Total Water Quality Volume (WQv)</u>	
WQv Required	WQv Provided
<input type="text" value=""/> <input type="text" value="0."/> <input type="text" value="3"/> <input type="text" value="7"/> <input type="text" value="7"/> acre-feet	<input type="text" value=""/> <input type="text" value="0."/> <input type="text" value="3"/> <input type="text" value="7"/> <input type="text" value="7"/> acre-feet

26. Provide the following Unified Stormwater Sizing Criteria for the site.

**Total Channel Protection Storage Volume (CPv)** - Extended detention of post-developed 1 year, 24 hour storm event

CPv Required <input type="text" value=""/> <input type="text" value="0."/> <input type="text" value="5"/> <input type="text" value="6"/> acre-feet	CPv Provided <input type="text" value=""/> <input type="text" value="0."/> <input type="text" value="5"/> <input type="text" value="6"/> acre-feet
---	---

The need to provide for channel protection has been waived because  
 Site discharges directly to fourth order stream or larger

**Total Overbank Flood Control Criteria (Qp)** - Peak discharge rate for the 10 year storm

Pre-Development <input type="text" value=""/> <input type="text" value="2"/> <input type="text" value="0."/> <input type="text" value="2"/> <input type="text" value="2"/> CFS	Post-development <input type="text" value=""/> <input type="text" value="1"/> <input type="text" value="8."/> <input type="text" value="3"/> <input type="text" value="8"/> CFS
---	--

**Total Extreme Flood Control Criteria (Qf)** - Peak discharge rate for the 100 year storm

Pre-Development <input type="text" value=""/> <input type="text" value="4"/> <input type="text" value="0."/> <input type="text" value="9"/> <input type="text" value="6"/> CFS	Post-development <input type="text" value=""/> <input type="text" value="3"/> <input type="text" value="7."/> <input type="text" value="2"/> <input type="text" value="2"/> CFS
---	--

The need to provide for flood control has been waived because  
 Site discharges directly to fourth order stream or larger  
 Downstream analysis reveals that flood control is not required

**IMPORTANT:** For questions 27 and 28 impervious area should be calculated considering the project site and all offsite areas that drain to the post-construction stormwater management practice(s) (Total Drainage Area = Project Site + Offsite areas)

27. Pre-Construction Impervious Area - As a percent of the Total Drainage Area enter the percentage of the existing impervious areas before construction begins.

%

28. Post-Construction Impervious Area - As a percent of the Total Drainage Area enter the percentage of the future impervious areas that will be created/remain on the site after completion of construction.

%

29. Indicate the total number of permanent stormwater management practices to be installed

30. Provide the total number of stormwater discharge points from the site (include discharges to either surface waters or to separate storm sewer systems)

Other Permits

31. Select any other DEC permits that are required for this project or  None

DEC Permits

- Air Pollution Control
- Coastal Erosion
- Hazardous Waste
- Long Island Wells
- Mined Land Reclamation
- Other SPDES
- Solid Waste
- Stream Protection/Article 15
- Water Quality Certificate
- Dam Safety
- Water Supply
- Freshwater Wetlands
- Tidal Wetlands
- Wild, Scenic and Recreational Rivers

Other

32. If this NOI is being submitted for the purpose of continuing coverage under a general permit for stormwater runoff from construction activities, please indicate the former SPDES number assigned.

NYR

Details/Comments

Certification

I have read or been advised of the permit conditions and believe that I understand them. I also understand that, under the terms of the permit, there may be reporting requirements. I also certify under penalty of law that this document and the corresponding documents were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person(s) who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. I further understand that coverage under the general permit will be identified in the acknowledgment that I will receive as a result of submitting this NOI and can be as long as sixty (60) days as provided for in the general permit. I also understand that, by submitting this NOI, I am acknowledging that the SWPPP has been developed and will be implemented as the first element of construction. and agreeing to comply with all the terms and conditions of the general permit for which this NOI is being submitted.

Print First Name

DAVID

MI

H

Print Last Name

FELNBERG

Owner/Operator Signature

*David Felner*

Date

01/03/2007

## Appendix G

## GRANT OF CONSERVATION EASEMENT

THIS INDENTURE is made this \_\_\_\_ day of \_\_\_\_\_, 2007, by and between KF (Rye Brook), LLC, a Delaware limited liability company with an address c/o Feinberg Properties, 126 East 56th Street, 32nd Floor, New York, New York 10022 (hereinafter referred to as "GRANTOR"), and the Village of Rye Brook, a municipal corporation of the State of New York having its principal offices at 938 King Street, Rye Brook, New York 10573 (hereinafter referred to as "GRANTEE").

WHEREAS, GRANTOR owns certain lands situate on the southerly corner of Anderson Hill Road and King Street, partially in the Village of Rye Brook, Westchester County, New York, and partially in the Town of Greenwich, Connecticut, the New York portion of which property is currently designated as Section 192.35, Block 1, Lot 13 on the tax map of the Town of Rye, New York, and was formerly designated as Section 1, Block 4, Lots 5, 6, and 7A on the tax map of the Town of Rye, New York; and

WHEREAS, the portion of GRANTOR's aforesaid lands that lies within the Village of Rye Brook, Westchester County, New York is particularly bounded and described as set forth in "Schedule A" annexed hereto; and

WHEREAS, the portion of GRANTOR's aforesaid lands that lies within the Village of Rye Brook, Westchester County, New York contains areas of natural scenic beauty or areas whose existing condition or state of use, if retained, would maintain or enhance the present and potential value of abutting or surrounding lands or would maintain or enhance the conservation of natural or scenic resources; and

WHEREAS, Section 247 of the New York General Municipal Law authorizes designated governmental bodies, including Villages, to acquire fee title or lesser interests in land, including

development rights, easements, covenants, or other contractual rights necessary to achieve the preservation, through limitations of their future use, of open spaces and areas and the conservation of natural or scenic resources; and

WHEREAS, it is GRANTEE's policy, as embodied in Chapter 105 of the Code of the Village of Rye Brook (hereinafter the "Village Code"), to conserve, preserve, and protect the GRANTEE's open spaces, open areas, and natural or scenic resources; and

WHEREAS, in furtherance of GRANTEE's policy, in accordance with Section 247 of the General Municipal Law and Chapter 105 of the Village Code, and in fulfillment of conditions imposed by GRANTEE's Board of Trustees on the proposed development of GRANTOR's aforesaid lands, GRANTOR wishes to convey and GRANTEE wishes to accept this conservation easement;

NOW THEREFORE, in consideration of ONE DOLLAR (\$1.00) and other good and valuable consideration to GRANTOR, the receipt of which is hereby acknowledged:

1. GRANTOR does hereby grant, transfer, bargain, sell, and convey unto GRANTEE, in perpetuity, a conservation easement in gross, of the nature, character, and to the extent hereinafter set forth, over and upon all the lands set forth and described in "Schedule B" annexed hereto (hereinafter sometimes referred to as the "burdened premises"), which constitute a portion of GRANTOR's lands described in "Schedule A" annexed hereto.

2. The nature, character, and extent of the easement hereby granted are as follows:

(a) No buildings, fences, or other structures of any description shall be constructed, erected, maintained, or moved onto or within the burdened premises, except to the extent such buildings, fences, or other structures shall be designated on plans duly approved by GRANTEE or

any of its boards, officers, or officials;

(b) Except as part of development pursuant to plans duly approved by GRANTEE or any of its boards, officers, or officials, except as part of wetland or wetland buffer mitigation or enhancement activities conducted or to be conducted on the burdened premises, except as necessary to install or maintain drainage, sewerage, or other necessary utilities and facilities, and except as necessary to install or maintain landscaping improvements duly agreed to between GRANTOR and adjoining property owners, no topsoil shall be removed from the burdened premises, nor shall sand, gravel, peat, or other minerals be placed thereon or removed therefrom for any purpose, and the natural contours and subsurface conditions of the burdened premises shall remain generally undisturbed;

(c) Except as set forth above, the burdened premises shall, in all other respects, remain in their natural state in order to maintain their present character and appearance; and

(d) GRANTEE shall have the right to inspect the burdened premises for the purpose of assuring itself that GRANTOR is not in violation of any of the terms and conditions of this easement, but any such inspection shall be by prior arrangement with, and at the reasonable convenience of, GRANTOR; provided, however, that GRANTEE may inspect the premises at other times if it has reasonable cause to believe that a substantial violation of this easement is being undertaken or has occurred.

3. The nature, character and extent of limitations on the easement shall be as follows:

(a) The burdened premises shall not be open or available to the public for general or park use by reason of this easement, but, rather, shall remain at all times in GRANTOR's exclusive possession and subject to GRANTOR's unqualified right to exclude others therefrom by any and all

lawful means, except as provided for in Paragraph "2(d)" above; and

(b) All rights, interests, and privileges of GRANTOR in the burdened premises that are not specifically granted, transferred, bargained, sold, or conveyed to GRANTEE herein shall remain and reside with GRANTOR.

4. All of the benefits, burdens, conditions, and restrictions of this easement shall run with the land. To that end, all references herein to GRANTOR or GRANTEE shall also refer to GRANTOR's and GRANTEE's successors in interest.

5. The failure of GRANTEE to insist upon the strict performance of any provision of this easement shall not abrogate, or be deemed to waive, any of GRANTEE's rights under this easement.

6. In accordance with Section 247 of the General Municipal Law, GRANTEE hereby undertakes to cooperate to the extent legally permissible in having a valuation placed upon the burdened premises, for the purposes of real estate taxation, that takes into account, and is limited by, the use restrictions imposed by this easement.

7. This easement shall be deemed a Conservation Easement pursuant to Chapter 105 of the Code of the Village of Rye Brook.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals as of the date and year first above written.

KF (RYE BROOK), LLC (GRANTOR)

THE VILLAGE OF RYE BROOK (GRANTEE)

By: FHC Rye Brook, LLC, Member

By: \_\_\_\_\_, Mayor,  
Pursuant to Resolution No. \_\_\_\_\_ of the Village  
of Rye Brook Board of Trustees, Adopted on  
\_\_\_\_\_, 2007

By: \_\_\_\_\_  
David H. Feinberg, Manager

STATE OF NEW YORK )  
 )ss.:  
COUNTY OF NEW YORK)

On the \_\_\_\_\_ day of \_\_\_\_\_ in the year 2007, before me, the undersigned, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

\_\_\_\_\_  
Notary Public

STATE OF NEW YORK )  
 )ss.:  
COUNTY OF WESTCHESTER)

On the \_\_\_\_\_ day of \_\_\_\_\_ in the year 2007, before me, the undersigned, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

\_\_\_\_\_  
Notary Public

**SCHEDULE A**

Description of portion of subject property within the Village

**SCHEDULE B**

Description of lands burdened by the conservation easement

## Appendix H

Aquarion Water Company  
of Connecticut  
600 Lindley Street  
Bridgeport, CT 06606  
www.aquarionwater.com



**AQUARION**  
*Water Company*

*Quality Water for Life®*

December 14, 2006

Michael Marinis, P.E.  
Barrett, Bonacci & Van Weele, P.C.  
175 North Main Street  
Branford, CT 06405

**Re: Woodland Homes Project, Rye Brook, NY**

Dear Mike:

This letter is in response to your letter dated Oct. 17, 2006, requesting confirmation of public water supply to the above noted project.

After reviewing your request for domestic service, Aquarion Water Company (AWC) has determined that it has sufficient supply and pressure to meet the estimated demands (i.e., average day demand of 9,000 gpd) specified during our conversation on Dec. 14, 2006.

Our commitment to serve this proposed development will remain in effect for one year. If the project has not progressed to completion by Dec. 31, 2007, the developer shall renew this request with AWC.

If you have any questions regarding this project, please contact me at 203-337-5957.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lan Mu', written in a cursive style.

Lan Mu, P.E.  
Project Manager  
Water Resources and Infrastructure Planning

Cc: Dave Medd, AWC

11c

# New York-American Water Company

25 Willett Avenue • Port Chester, NY 10573

(914) 939-3500

David L. Medd  
Operations Manager  
(203) 861-1204

December 15, 2000

Mr. W. Charles Utsehig, Jr., P.E.  
JWE Engineering and Environmental Services, LLC  
84 Business Park Drive, Suite 208  
Armonk, New York 10504

SUBJECT: Rye Brook Garden Inn  
Rye Brook, New York

Dear Chuck:

In response to your December 11, 2000 letter, New York-American Water Company can provide adequate water and minimum pressures for service to the 148 unit hotel – Rye Brook Garden Inn without adversely affecting water pressures and supply in the surrounding area or adversely affecting any current water company customers.

Upon review of final design, New York-American will verify whether it will be required to tap water from the sixteen-inch (16") discharge of the Bellefair Booster Pump Station or from the sixteen-inch (16") suction side of the station and looping it with the twelve-inch (12") DICL pipe that borders the Blind Brook Country Club. Any modifications to the booster station required to meet the needs of the Garden Inn will be the responsibility of the developer.

Should you require any additional information or have any further questions, please do not hesitate to contact me.

Very truly yours,

  
David L. Medd  
Operation Manager

DLM:alf

Rye brook garden inn

Andrew J. Spano  
County Executive

Department of Environmental Facilities  
Anthony M. Landi, P.E.  
Commissioner

Adam Zabinski, P.E.  
First Deputy Commissioner

December 21, 2006

Mr. Michael C. Marinis, P.E.  
Barrett, Bonacci & Van Weele, P.C.  
175A Commerce Drive  
Hauppauge, N.Y. 11788

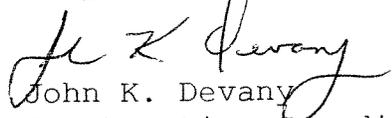
Re: Blind Brook SSD  
Woodlands Homes  
Village of Rye Brook

Dear Mr. Marinis:

Please be advised that the Blind Brook Trunk Sewer and the Blind Brook Treatment Plant have sufficient capacity to accommodate the anticipated 9,000 GPD of additional flow to be generated by the above captioned project.

Please contact the undersigned at (914) 813-5432 if you need further information.

Very truly yours,

  
John K. Devany  
Construction Coordinator

CC: Jagdish Mistry, P.E., Deputy Director, Wastewater

**RECEIVED**  
DEC 27 2006

Westchester  
gov.com

Andrew J. Spano  
County Executive

Department of Environmental Facilities

Anthony M. Landi, P.E.  
Commissioner

Adam Zabinski, P.E.  
First Deputy Commissioner

September 18, 2003

Mr. Paul Berte, P.E.  
Schoor DePalma Consulting Engineers  
1311 Mamaroneck Avenue  
White Plains, N.Y. 10606

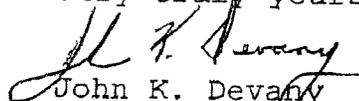
Re: Blind Brook SSD  
Rye Brook Garden Inn  
Village of Rye Brook

Dear Mr. Berte:

Please be advised that the Blind Brook Trunk Sewer and the Blind Brook Treatment Plant have sufficient capacity to accommodate the anticipated 27,000 GPD of additional flow to be generated by the above captioned project.

Please contact the undersigned at 637-3046 if you need further information.

Very truly yours,

  
John K. Devany  
Construction Coordinator

CC: Thomas J. Lauro, P.E., Director of Operations  
Robert Burg, Planning Department

**Flow Monitoring  
Bound Brook Club  
Rye Brook, NY  
Spring 2008**

**FOR:**

**Barrett, Bonacci & VanWheel  
175A Commerce Drive  
Hauppauge, NY 11788**

**BY:**

**New England Pipe Cleaning Company  
Division Heitkamp, Inc.  
99 Callender Road  
Watertown, CT 06795**

## Flow Monitoring - Blind Brook Club - Rye Brook, NY Flow Report

Units: Flow / Totals: Gallons

Date	Max	Min	Avg	Total	Week 1 Summary	Max	Min	Avg	Total
03/01/08									
03/02/08									
03/03/08									
03/04/08									
03/05/08									
03/06/08									
03/07/08									
03/08/08					Week 2 Summary	Max	Min	Avg	Total
03/09/08									
03/10/08									
03/11/08									
03/12/08									
03/13/08									
03/14/08									
03/15/08					Week 3 Summary	Max	Min	Avg	Total
03/16/08									
03/17/08									
03/18/08									
03/19/08									
03/20/08									
03/21/08									
03/22/08					Week 4 Summary	Max	Min	Avg	Total
03/23/08									
03/24/08									
03/25/08									
03/26/08									
03/27/08									
03/28/08									
03/29/08					Week 5 Summary	Max	Min	Avg	Total
03/30/08						12.86	5.56	7.07	4,774.73
03/31/08	12.86	5.56	7.07	4,774.73					

## Flow Monitoring - Blind Brook Club - Rye Brook, NY Flow Report

Units: Flow / Totals: Gallons

Date	Max	Min	Avg	Total	Week 1 Summary	Max	Min	Avg	Total
04/01/08	14.87	4.41	7.43	10,806.54		19.30	4.41	8.09	81,671.96
04/02/08	15.94	4.93	7.40	10,768.34					
04/03/08	19.30	5.56	9.38	13,647.56					
04/04/08	18.70	4.41	9.53	13,870.02					
04/05/08	17.05	6.48	8.00	11,639.12					
04/06/08	17.53	6.48	7.59	11,044.69					
04/07/08	17.53	5.88	7.28	10,592.39	Week 2 Summary	Max	Min	Avg	Total
04/08/08	19.30	6.43	8.73	12,698.94		88.61	5.26	9.34	94,286.04
04/09/08	15.77	6.11	8.71	12,669.04					
04/10/08	24.96	6.86	10.19	14,820.13					
04/11/08	88.61	7.47	12.46	18,129.65					
04/12/08	19.20	5.26	9.48	13,786.98					
04/13/08	16.96	6.11	8.44	12,285.42					
04/14/08	12.31	5.83	7.25	10,552.38	Week 3 Summary	Max	Min	Avg	Total
04/15/08	17.62	5.83	8.22	11,965.07		19.71	4.89	8.76	88,411.95
04/16/08	13.27	4.89	7.25	10,552.49					
04/17/08	19.71	5.83	9.59	13,959.97					
04/18/08	18.01	6.48	8.87	12,907.10					
04/19/08	18.11	4.89	9.24	13,441.77					
04/20/08	19.10	5.48	9.39	13,658.61					
04/21/08	18.70	7.47	8.67	12,613.58	Week 4 Summary	Max	Min	Avg	Total
04/22/08	16.87	7.47	10.48	15,254.59		24.27	1.41	10.39	104,902.13
04/23/08	15.40	6.86	9.78	14,223.02					
04/24/08	20.43	5.26	10.73	15,619.24					
04/25/08	18.70	1.41	9.54	13,875.06					
04/26/08	24.27	5.83	10.61	15,437.25					
04/27/08	19.20	7.52	10.83	15,750.58					
04/28/08	14.35	8.64	10.72	15,604.26	Week 5 Summary	Max	Min	Avg	Total
04/29/08	18.01	7.88	10.79	15,693.89		22.25	2.90	9.45	40,970.17
04/30/08	22.25	2.90	8.99	13,073.40					
05/01/08	21.70	3.39	8.55	12,443.95					













# Flow Monitoring - Blind Brook Club - Rye Brook, NY

## Hourly Report With Summaries

Flow Gallons Per Minute  
Velocity Feet Per Second  
Level Inches

	Sunday 05/04/08			Monday 05/05/08			Tuesday 05/06/08			Wednesday 05/07/08			Thursday 05/08/08			Friday 05/09/08			Saturday 05/10/08		
	flo	vel	lev	flo	vel	lev	flo	vel	lev	flo	vel	lev	flo	vel	lev	flo	vel	lev	flo	vel	lev
00:00	8.89	1.09	0.80	7.04	0.95	0.75	7.49	0.99	0.76	7.72	1.00	0.76	7.72	1.00	0.76	7.72	1.00	0.76	7.72	1.00	0.76
01:00	12.00	1.26	0.86	8.01	1.03	0.77	8.29	1.05	0.78	8.29	1.05	0.78	8.29	1.05	0.78	8.29	1.05	0.78	8.29	1.05	0.78
02:00	9.31	1.12	0.81	11.71	1.26	0.86	8.11	1.04	0.78	8.11	1.04	0.78	8.11	1.04	0.78	8.11	1.04	0.78	8.11	1.04	0.78
03:00	8.58	1.07	0.79	8.53	1.07	0.79	8.53	1.07	0.79	8.53	1.07	0.79	8.53	1.07	0.79	8.53	1.07	0.79	8.53	1.07	0.79
04:00	8.07	1.03	0.78	7.95	1.02	0.77	6.87	0.94	0.74	6.87	0.94	0.74	6.87	0.94	0.74	6.87	0.94	0.74	6.87	0.94	0.74
05:00	8.53	1.07	0.79	9.48	1.13	0.81	8.37	1.06	0.78	8.37	1.06	0.78	8.37	1.06	0.78	8.37	1.06	0.78	8.37	1.06	0.78
06:00	8.53	1.07	0.79	7.60	1.00	0.76	7.76	1.01	0.77	7.76	1.01	0.77	7.76	1.01	0.77	7.76	1.01	0.77	7.76	1.01	0.77
07:00	11.32	1.24	0.85	7.47	0.99	0.76	9.83	1.16	0.82	9.83	1.16	0.82	9.83	1.16	0.82	9.83	1.16	0.82	9.83	1.16	0.82
08:00	15.89	1.51	0.95	7.45	0.99	0.76	12.16	1.28	0.87	12.16	1.28	0.87	12.16	1.28	0.87	12.16	1.28	0.87	12.16	1.28	0.87
09:00	19.72	1.70	1.02	6.55	0.91	0.73	16.48	1.53	0.95	16.48	1.53	0.95	16.48	1.53	0.95	16.48	1.53	0.95	16.48	1.53	0.95
10:00	22.71	1.83	1.06	7.56	1.00	0.76	10.91	1.22	0.85	10.91	1.22	0.85	10.91	1.22	0.85	10.91	1.22	0.85	10.91	1.22	0.85
11:00	17.69	1.60	0.98	10.22	1.16	0.82	13.37	1.38	0.90	13.37	1.38	0.90	13.37	1.38	0.90	13.37	1.38	0.90	13.37	1.38	0.90
12:00	14.51	1.44	0.93	8.38	1.05	0.78	13.37	1.38	0.90	13.37	1.38	0.90	13.37	1.38	0.90	13.37	1.38	0.90	13.37	1.38	0.90
13:00	13.90	1.40	0.91	6.84	0.93	0.74	10.64	1.21	0.84	10.64	1.21	0.84	10.64	1.21	0.84	10.64	1.21	0.84	10.64	1.21	0.84
14:00	10.30	1.19	0.83	10.17	1.17	0.82	10.64	1.21	0.84	10.64	1.21	0.84	10.64	1.21	0.84	10.64	1.21	0.84	10.64	1.21	0.84
15:00	9.41	1.13	0.81	10.76	1.22	0.84	10.64	1.21	0.84	10.64	1.21	0.84	10.64	1.21	0.84	10.64	1.21	0.84	10.64	1.21	0.84
16:00	11.24	1.24	0.85	10.48	1.20	0.84	10.64	1.21	0.84	10.64	1.21	0.84	10.64	1.21	0.84	10.64	1.21	0.84	10.64	1.21	0.84
17:00	6.29	0.89	0.72	8.13	1.02	0.77	10.64	1.21	0.84	10.64	1.21	0.84	10.64	1.21	0.84	10.64	1.21	0.84	10.64	1.21	0.84
18:00	8.19	1.04	0.78	10.39	1.18	0.83	10.64	1.21	0.84	10.64	1.21	0.84	10.64	1.21	0.84	10.64	1.21	0.84	10.64	1.21	0.84
19:00	7.92	1.02	0.77	9.04	1.09	0.79	10.64	1.21	0.84	10.64	1.21	0.84	10.64	1.21	0.84	10.64	1.21	0.84	10.64	1.21	0.84
20:00	7.31	0.98	0.75	9.68	1.14	0.82	10.64	1.21	0.84	10.64	1.21	0.84	10.64	1.21	0.84	10.64	1.21	0.84	10.64	1.21	0.84
21:00	8.79	1.09	0.79	7.95	1.01	0.77	10.64	1.21	0.84	10.64	1.21	0.84	10.64	1.21	0.84	10.64	1.21	0.84	10.64	1.21	0.84
22:00	8.09	1.03	0.76	10.93	1.23	0.85	10.64	1.21	0.84	10.64	1.21	0.84	10.64	1.21	0.84	10.64	1.21	0.84	10.64	1.21	0.84
23:00	8.12	1.04	0.78	10.08	1.15	0.82	10.64	1.21	0.84	10.64	1.21	0.84	10.64	1.21	0.84	10.64	1.21	0.84	10.64	1.21	0.84

### Summary Report

<b>AM</b>	Total:	9297.51																				
	Max:	26.27	1.98	1.12	17.44	1.59	0.98	1.92	1.10	24.85	1.92	1.10	24.85	1.92	1.10	24.85	1.92	1.10	24.85	1.92	1.10	24.85
	Min:	6.86	0.94	0.74	5.22	0.80	0.69	0.74	0.67	4.65	0.74	0.67	4.65	0.74	0.67	4.65	0.74	0.67	4.65	0.74	0.67	4.65
	Avg:	12.65	1.30	0.87	8.27	1.04	0.78	9.88	1.14	8.88	1.14	0.82	9.88	1.14	0.82	9.88	1.14	0.82	9.88	1.14	0.82	9.88
<b>PM</b>	Total:	6943.71																				
	Max:	17.05	1.57	0.97	13.84	1.40	0.91	14.79	1.46	14.79	1.46	0.93	14.79	1.46	0.93	14.79	1.46	0.93	14.79	1.46	0.93	14.79
	Min:	4.68	0.74	0.67	4.41	0.72	0.66	10.64	1.21	10.64	1.21	0.84	10.64	1.21	0.84	10.64	1.21	0.84	10.64	1.21	0.84	10.64
	Avg:	9.45	1.12	0.81	9.38	1.12	0.81	12.82	1.34	9.38	1.34	0.89	12.82	1.34	0.89	12.82	1.34	0.89	12.82	1.34	0.89	12.82
<b>Daily</b>	Total	16018.17																				
	Max:	26.27	1.98	1.12	17.44	1.59	0.98	19.92	1.59	24.85	1.92	1.10	24.85	1.92	1.10	24.85	1.92	1.10	24.85	1.92	1.10	24.85
	Min:	4.68	0.74	0.67	4.41	0.72	0.66	10.64	1.21	10.64	1.21	0.84	10.64	1.21	0.84	10.64	1.21	0.84	10.64	1.21	0.84	10.64
	Avg:	11.01	1.21	0.84	8.65	1.08	0.79	10.07	1.16	9.88	1.16	0.82	9.88	1.16	0.82	9.88	1.16	0.82	9.88	1.16	0.82	9.88
<b>Weekly</b>	Total:	36.672.83																				
	Max:	26.27	1.98	1.12	17.44	1.59	0.98	19.92	1.59	24.85	1.92	1.10	24.85	1.92	1.10	24.85	1.92	1.10	24.85	1.92	1.10	24.85
	Min:	4.41	0.72	0.66	4.41	0.72	0.66	10.64	1.21	10.64	1.21	0.84	10.64	1.21	0.84	10.64	1.21	0.84	10.64	1.21	0.84	10.64
	Avg:	9.98	1.15	0.82	8.65	1.08	0.79	10.07	1.16	9.88	1.16	0.82	9.88	1.16	0.82	9.88	1.16	0.82	9.88	1.16	0.82	9.88









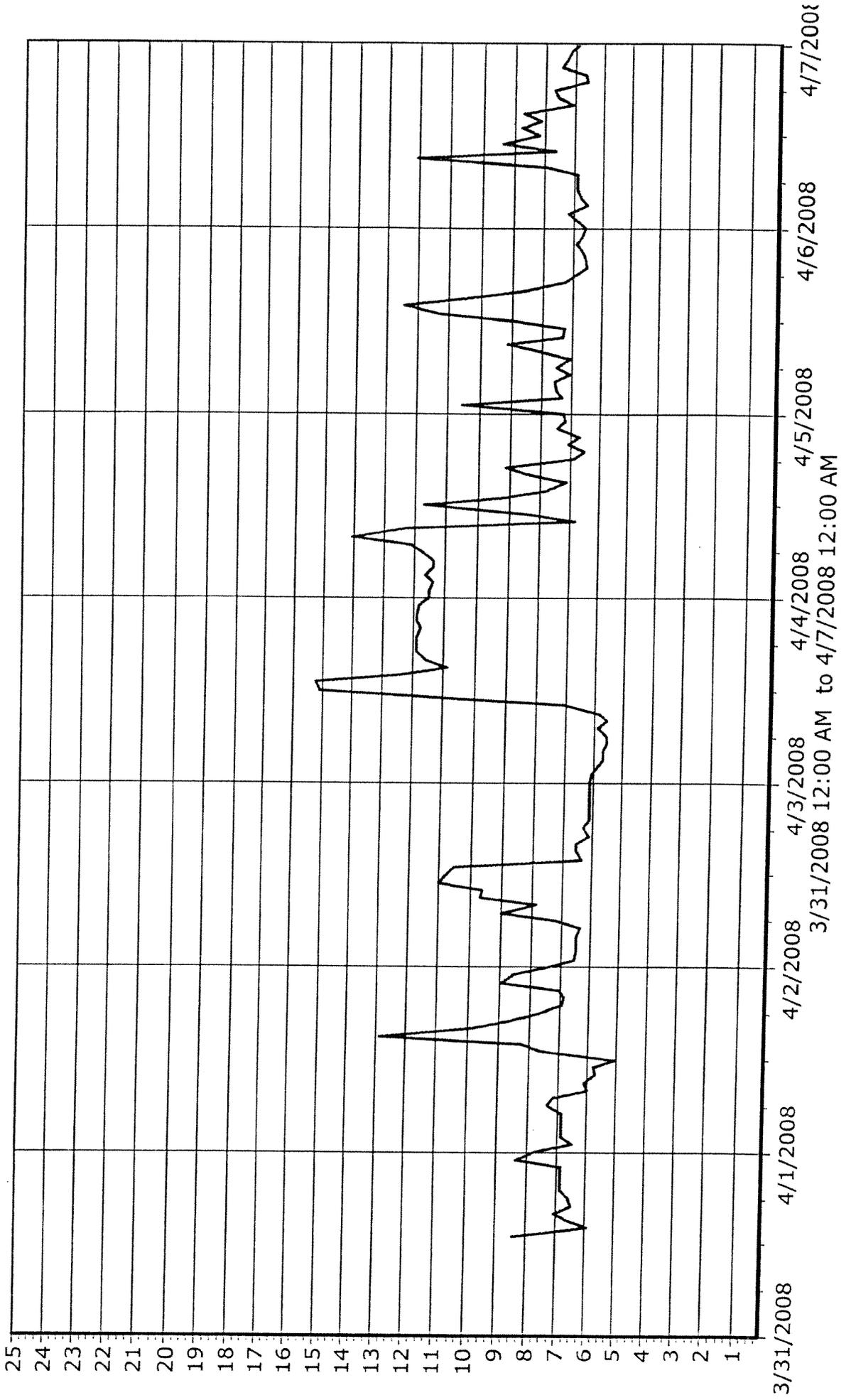




# Flow Monitoring - Blind Brook Club - Rye Brook, NY

Flow Monitoring Performed by NEPCCO Division Heitkamp, Inc.

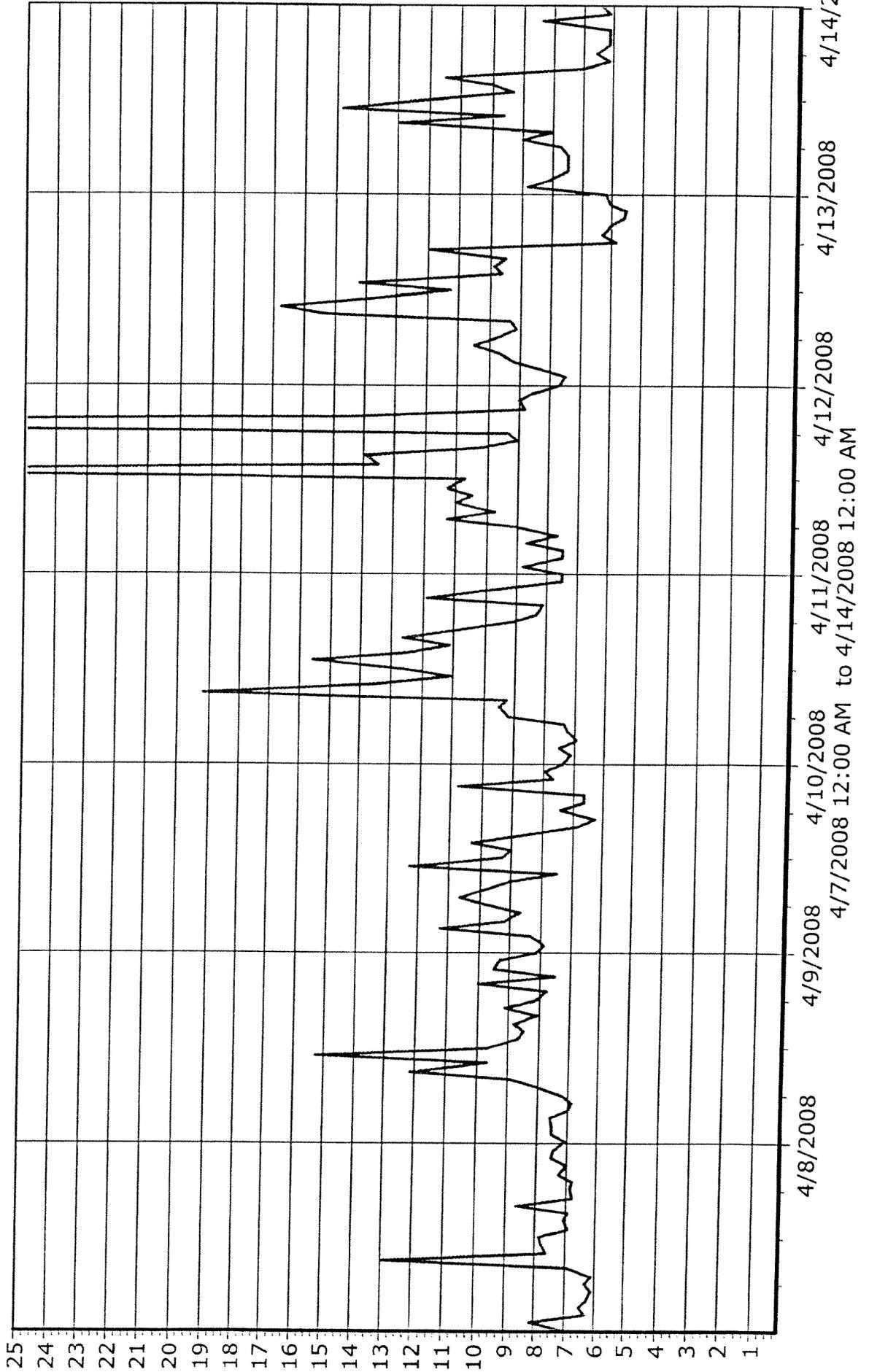
— Flow (gpm)



# Flow Monitoring - Blind Brook Club - Rye Brook, NY

Flow Monitoring Performed by NEPCCO Division Heitkamp, Inc.

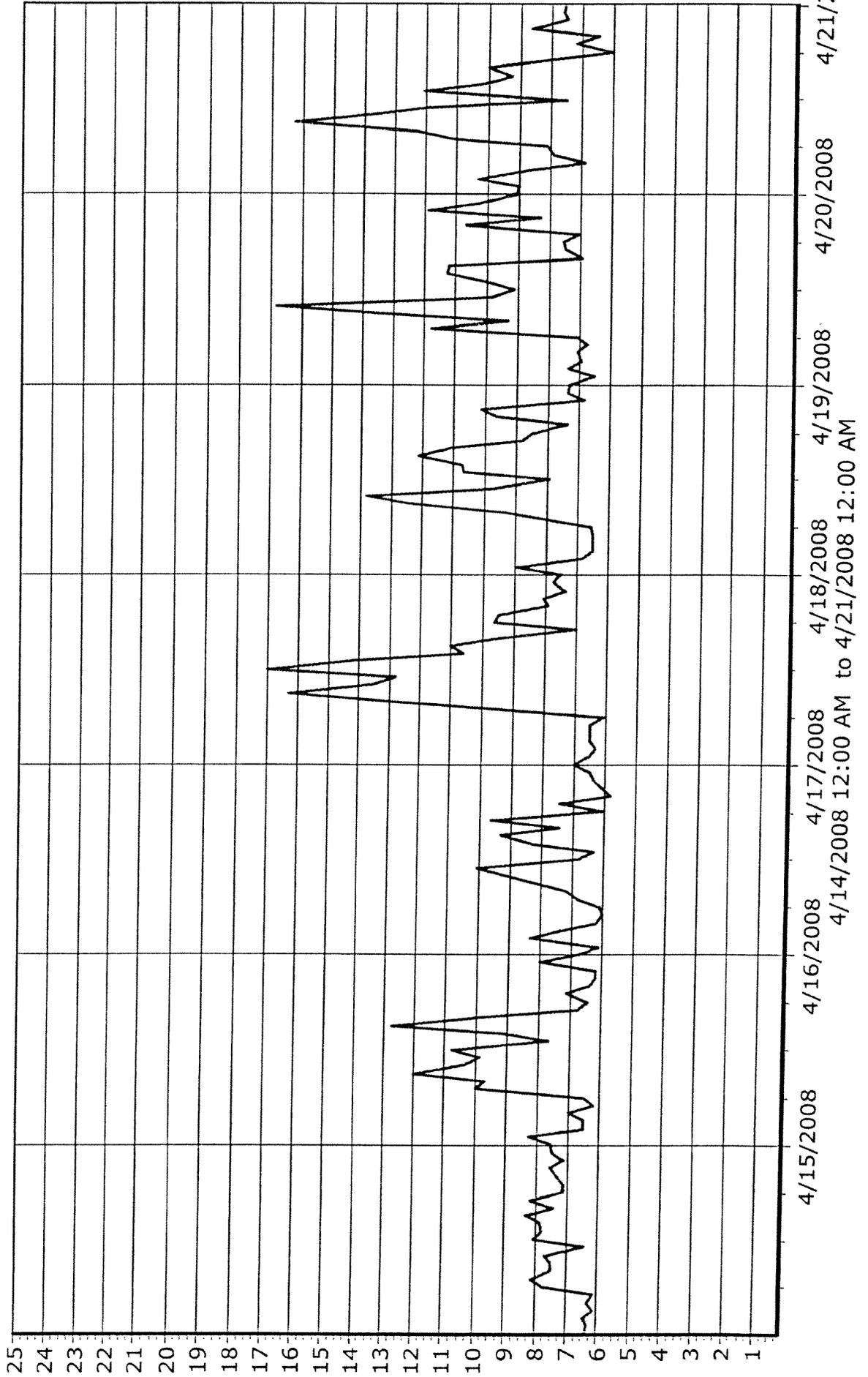
— Flow (gpm)



# Flow Monitoring - Blind Brook Club - Rye Brook, NY

Flow Monitoring Performed by NEPCCO Division Heitkamp, Inc.

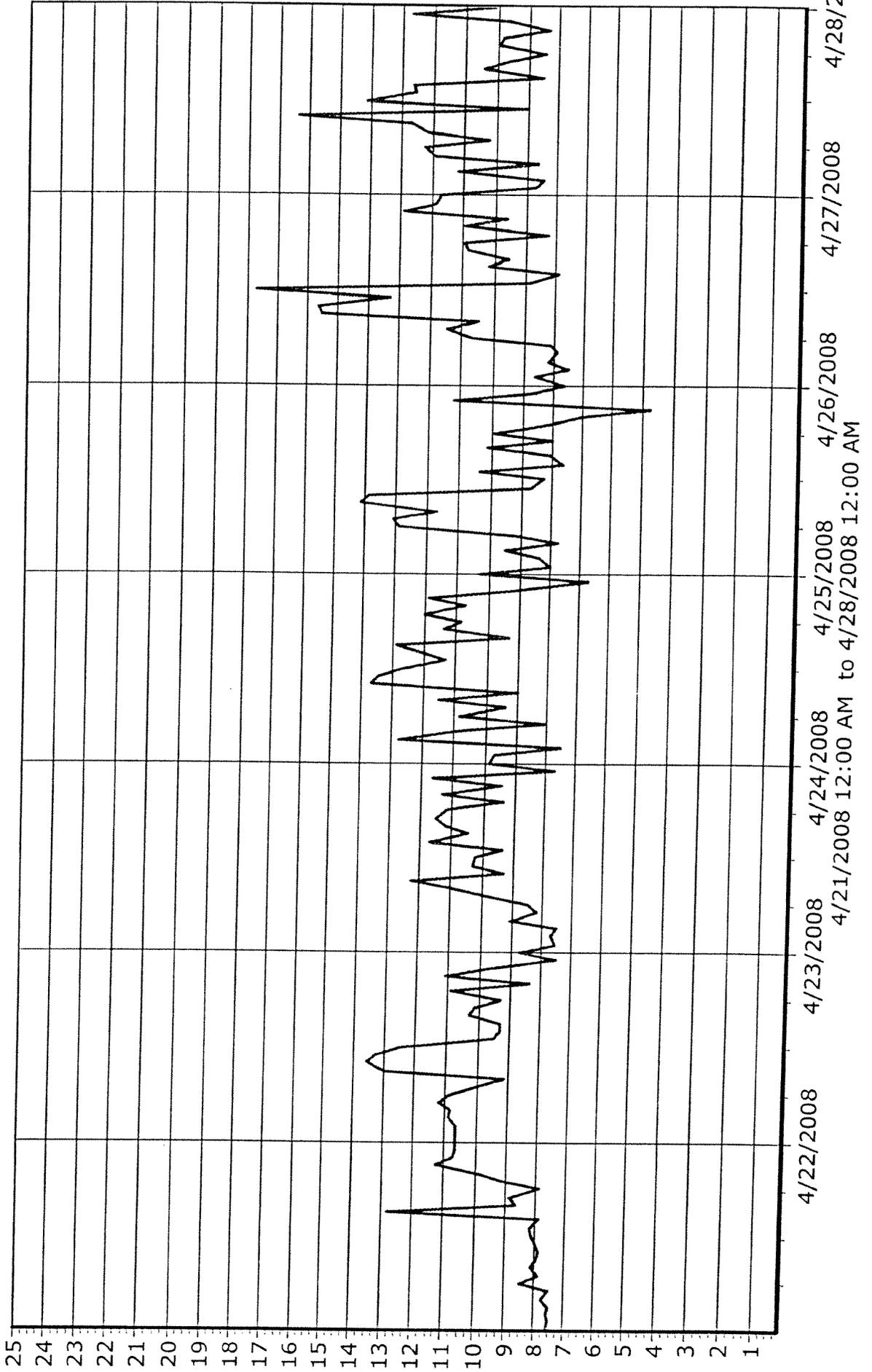
— Flow (gpm)



# Flow Monitoring - Blind Brook Club - Rye Brook, NY

Flow Monitoring Performed by NEPCCO Division Heitkamp, Inc.

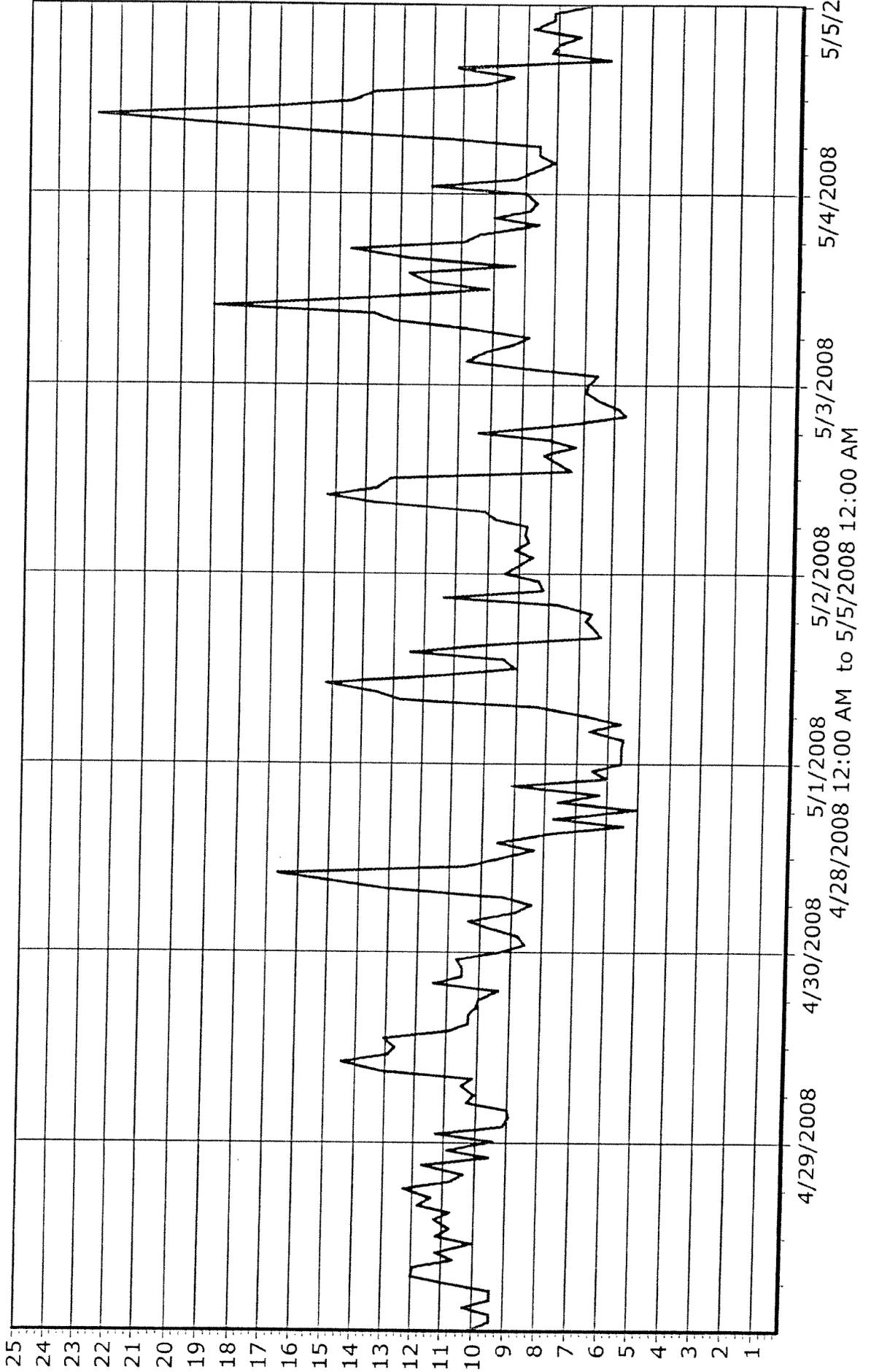
— Flow (gpm)



# Flow Monitoring - Blind Brook Club - Rye Brook, NY

Flow Monitoring Performed by NEPCCO Division Heitkamp, Inc.

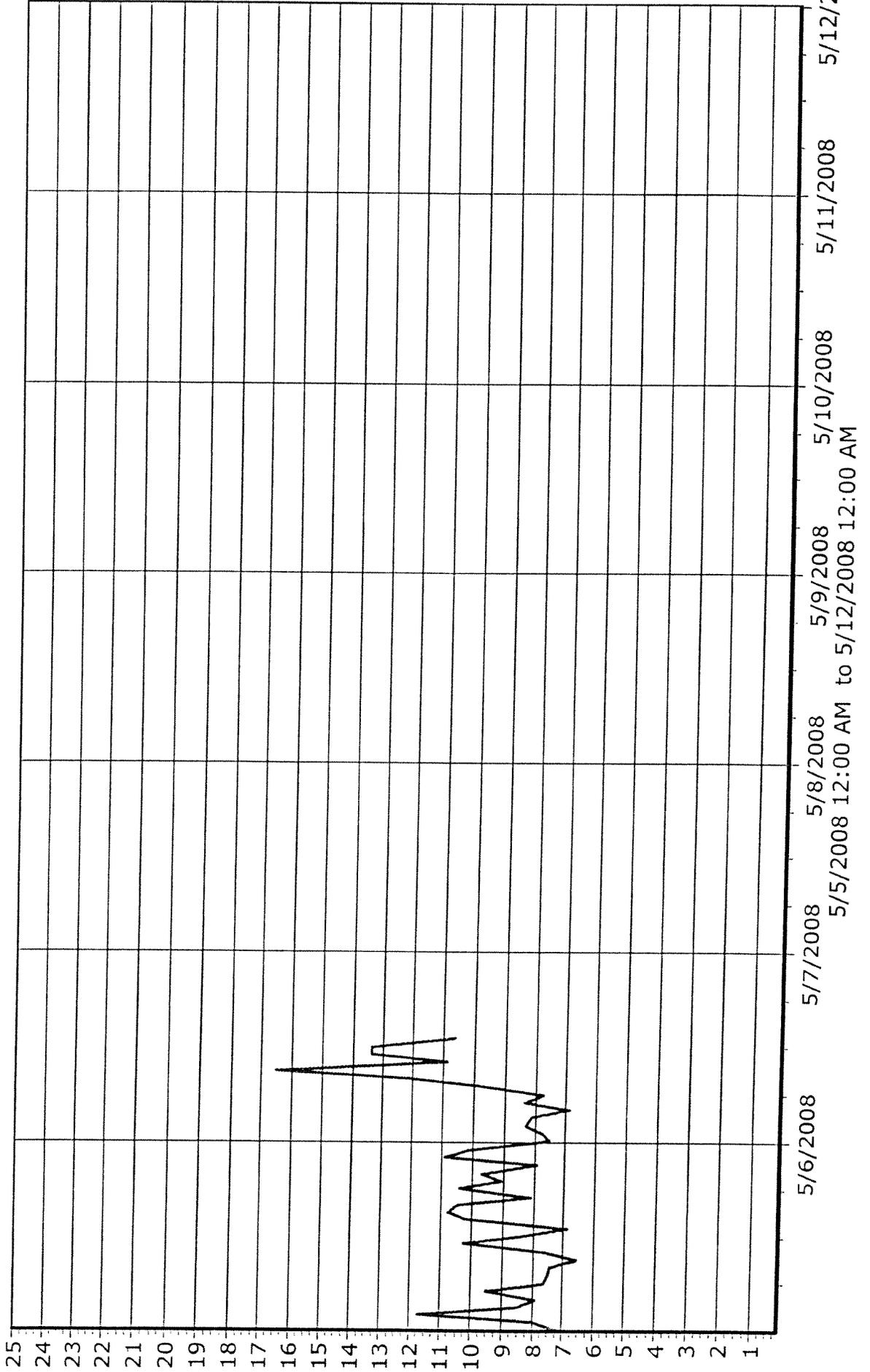
— Flow (gpm)



# Flow Monitoring - Blind Brook Club - Rye Brook, NY

Flow Monitoring Performed by NEPCCO Division Heitkamp, Inc.

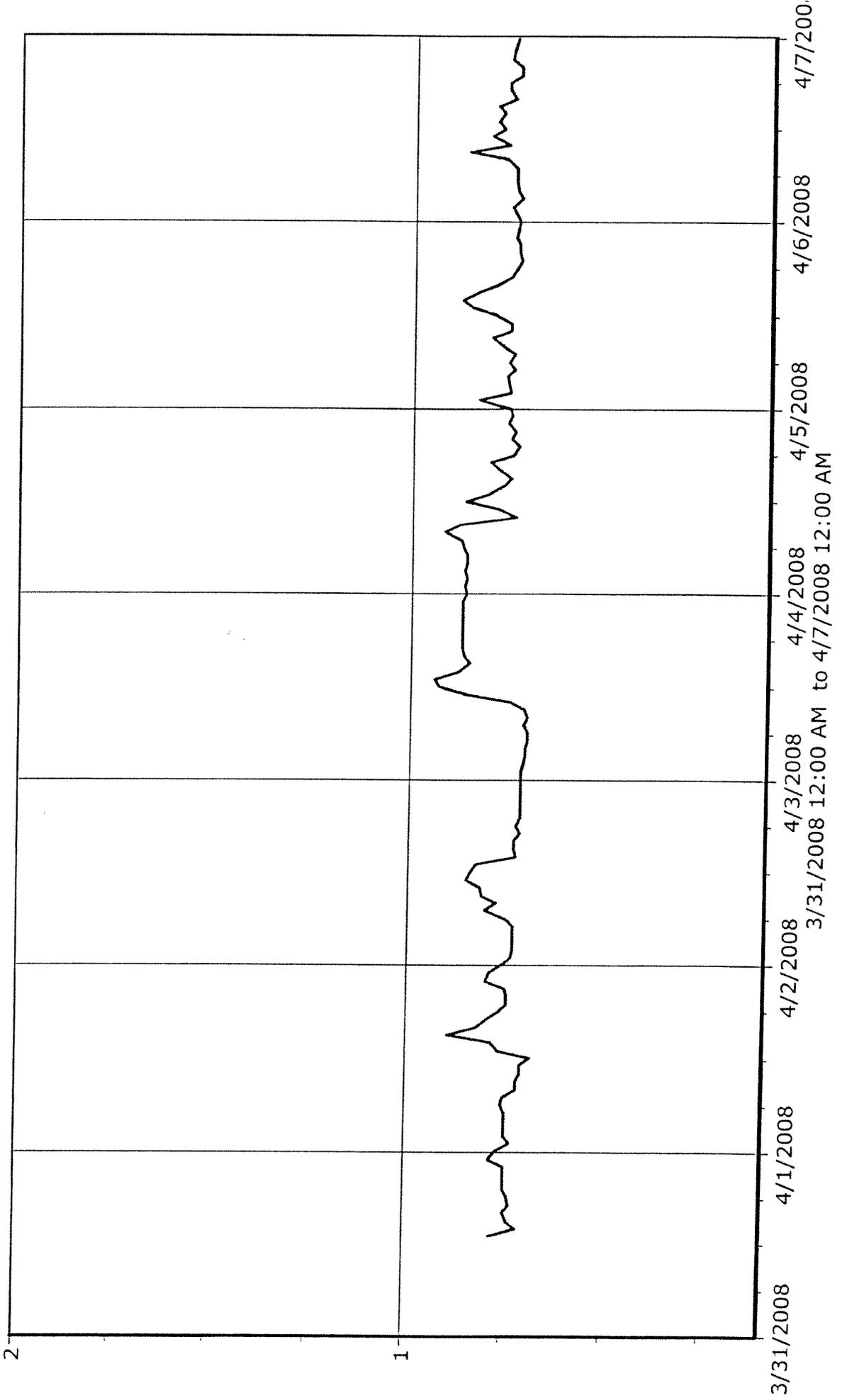
— Flow (gpm)



# Flow Monitoring - Blind Brook Club - Rye Brook, NY

Flow Monitoring Performed by NEPCCO Division Heitkamp, Inc.

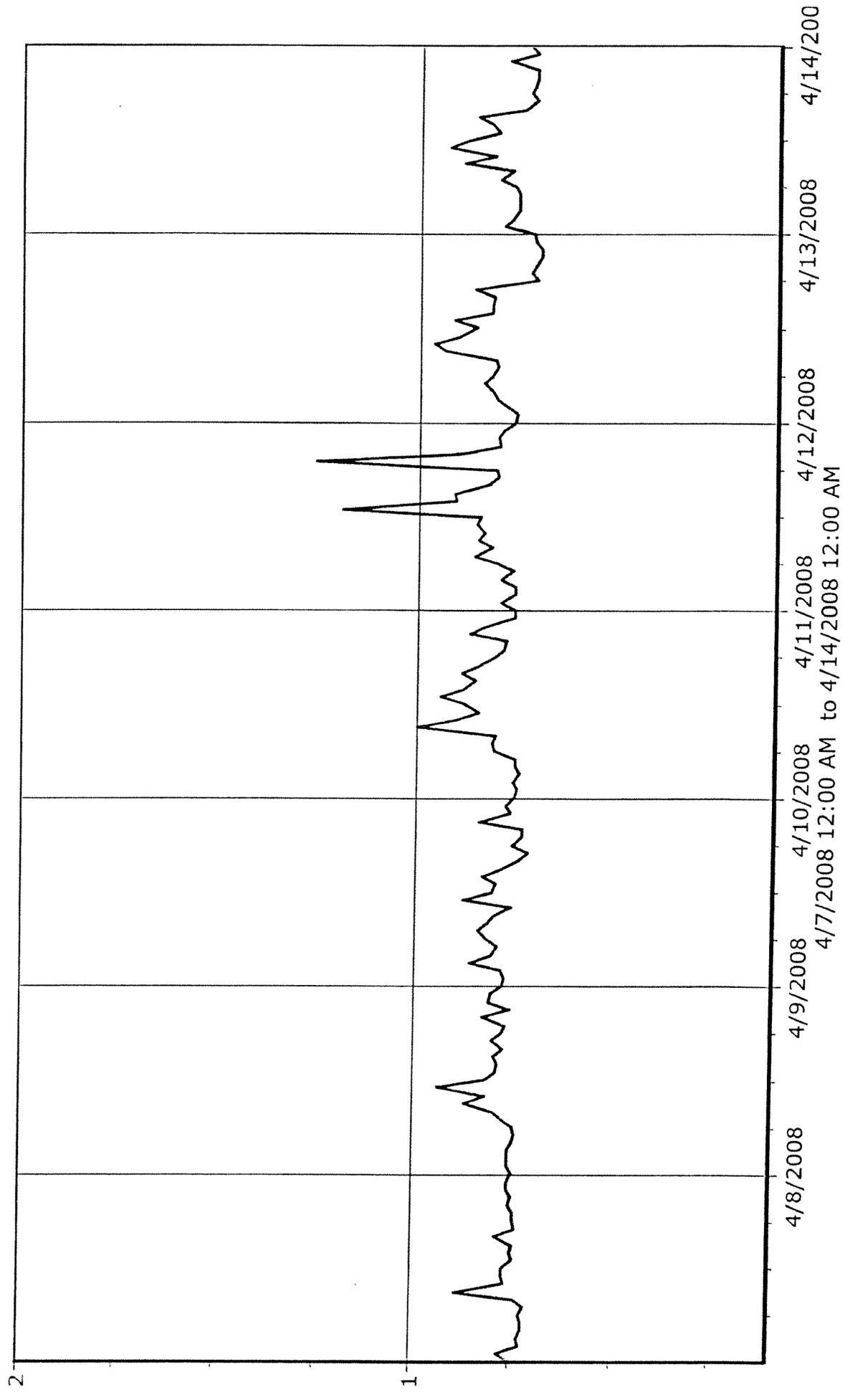
— Level (in)



# Flow Monitoring - Blind Brook Club - Rye Brook, NY

Flow Monitoring Performed by NEPCCO Division Heitkamp, Inc.

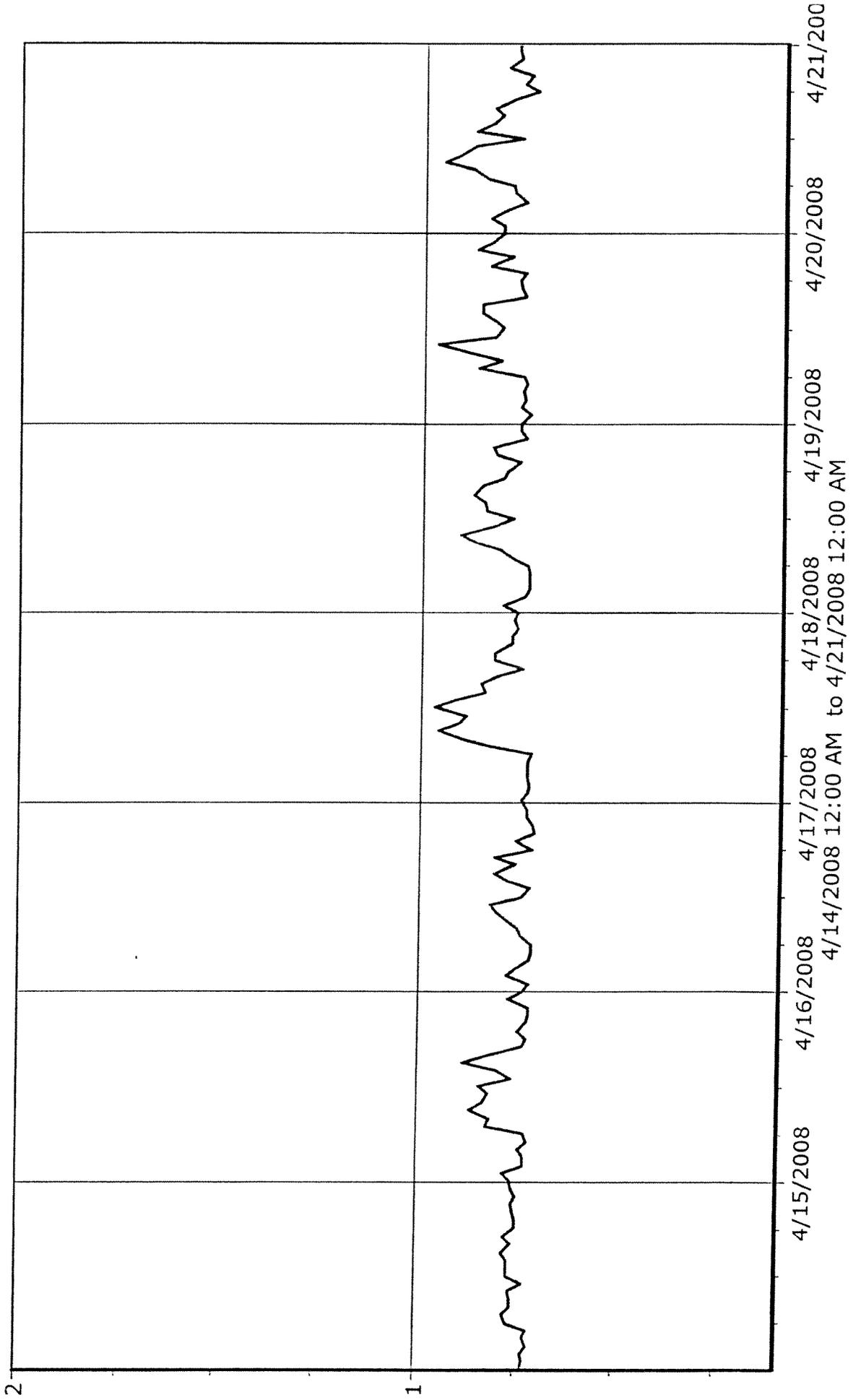
— Level (in)



# Flow Monitoring - Blind Brook Club - Rye Brook, NY

Flow Monitoring Performed by NEPCCO Division Heitkamp, Inc.

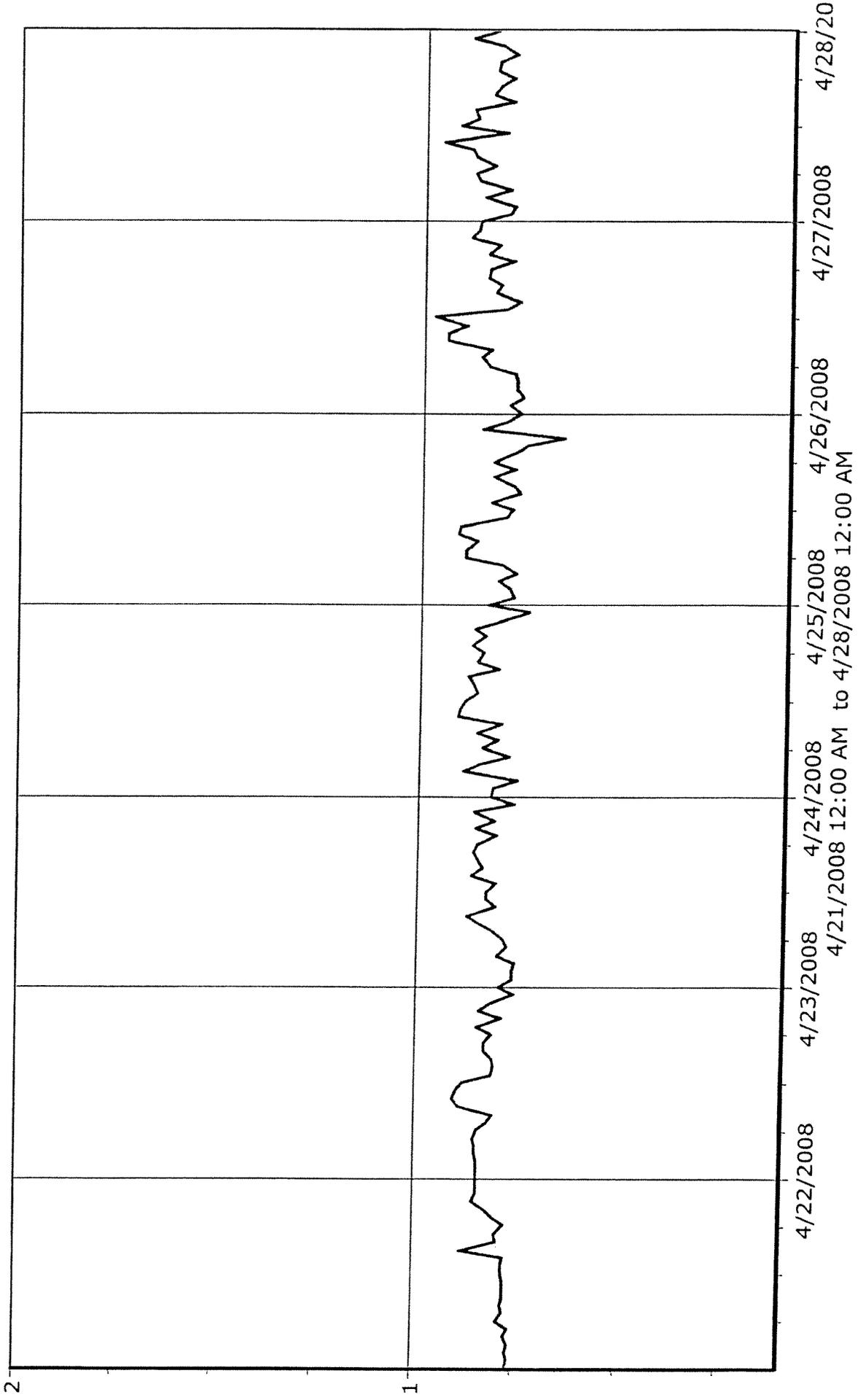
— Level (in)



# Flow Monitoring - Blind Brook Club - Rye Brook, NY

Flow Monitoring Performed by NEPCCO Division Heitkamp, Inc.

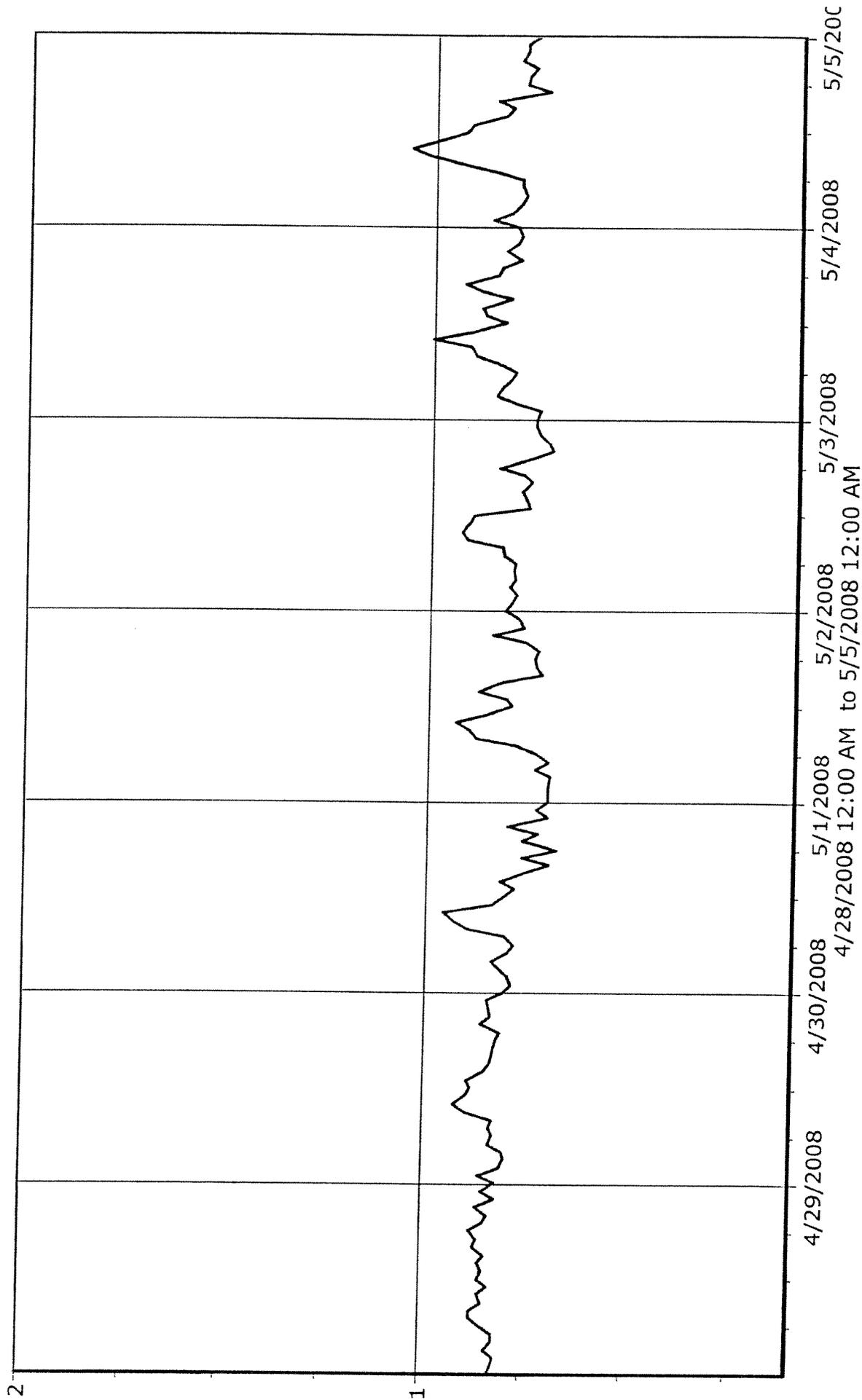
— Level (in)



# Flow Monitoring - Blind Brook Club - Rye Brook, NY

Flow Monitoring Performed by NEPCCO Division Heitkamp, Inc.

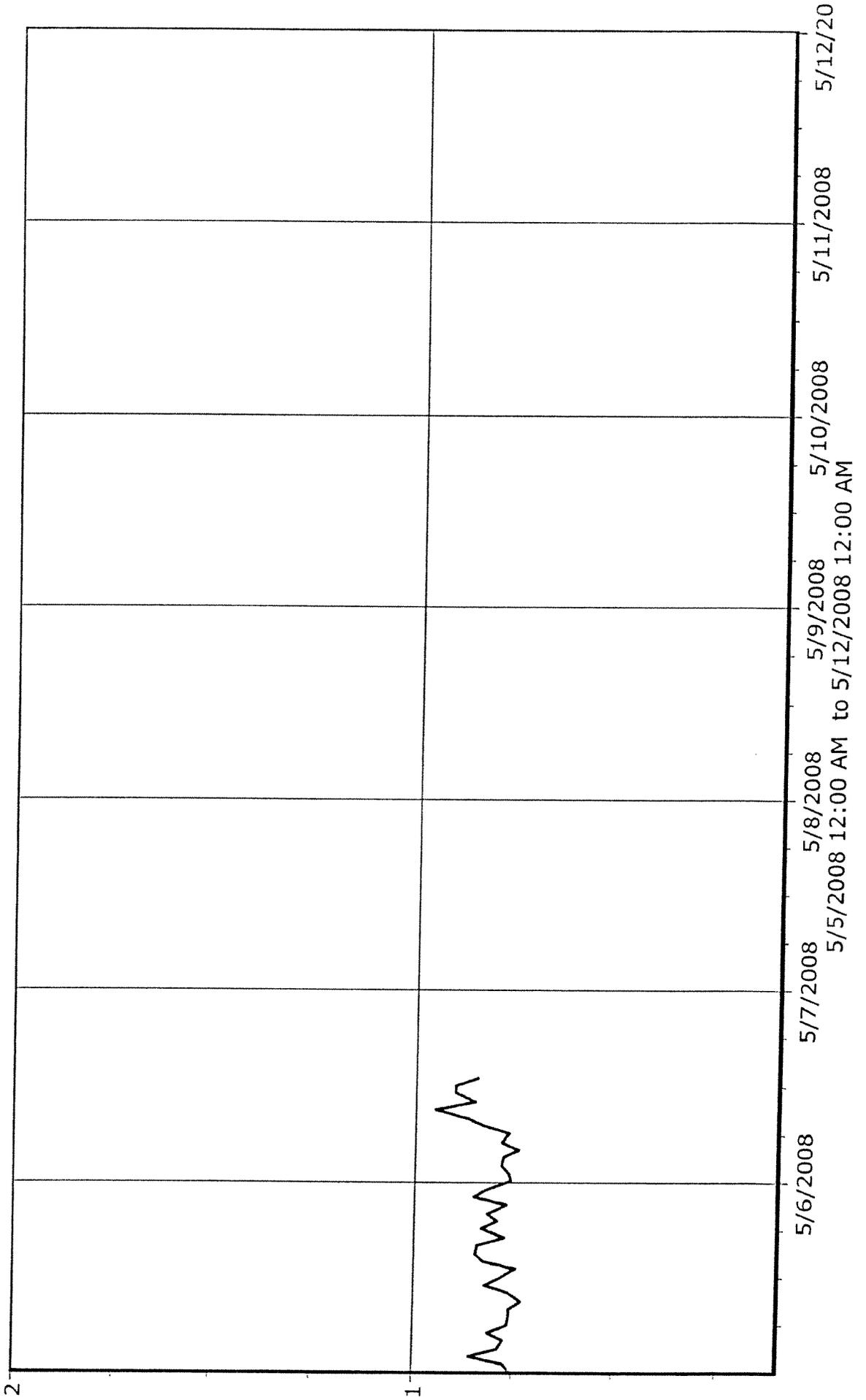
— Level (in)



# Flow Monitoring - Blind Brook Club - Rye Brook, NY

Flow Monitoring Performed by NEPCCO Division Heitkamp, Inc.

— Level (in)



# Appendix I

# TRC Raymond Keyes

November 15, 2006

Mr. Michael Galante  
Frederick P. Clark Associates  
350 Theodore Fremd Avenue  
Rye, NY 10580

Re: The Woodlands - Proposed Residential Development  
Anderson Hill Road  
Village of Rye Brook, NY

Dear Mr. Galante:

TRC Raymond Keyes (TRC), as Traffic Consultant on the above-referenced project which was previously proposed to be a Hilton Garden Inn, is providing the attached Traffic information for your preliminary review, ahead of the full submission for the project.

Attached for your review is an October 19, 2006 Traffic Study which describes the traffic counts and traffic volumes, adjacent developments, trip generation, Levels of Service and Traffic Signal Warrant Analyses for the Woodlands project. The Traffic Study concludes that, based upon the updated traffic counts, trip generation calculations, Traffic Signal Warrants, the traffic analysis and our field observations, it is the opinion of TRC that background traffic is less than what was previously projected and the project will generate significantly less traffic than was projected for the Hotel. Good Levels of Service will be maintained at the site driveway and a traffic signal is not warranted.

Also attached is an October 19, 2006 letter summarizing conversations held between Frederick P. Clark Associates and TRC regarding adjacent developments in the area.

Once you have had a chance to review these two documents, please call to discuss. Thank you for your time and attention to this matter.

Very truly yours,

**TRC RAYMOND KEYES**



Brian E. Dempsey, P.E., P.T.O.E.  
Senior Project Manager

Encs.

cc: Mr. David Feinberg  
Ms. Theresa Elkowitz

QAPROJECTS50\54547\Lit\Galante02.doc

7 Skyline Drive • Hawthorne, New York 10532  
Telephone: 914-592-4040 • Fax: 914-592-5046

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# TRC Raymond Keyes

October 19, 2006

Mr. David H. Feinberg  
FHC Rye Brook, LLC  
126 East 56 Street  
New York, NY 10022

Re: Traffic Analysis  
Proposed Residential Development  
Anderson Hill Road  
Village of Rye Brook, New York

Dear Mr. Feinberg:

TRC Raymond Keyes (TRC) was the Traffic Consultant on behalf of the Applicant for the previously proposed Hilton Garden Inn. The Hilton Garden Inn was analyzed in various Traffic Studies to be located along Anderson Hill Road opposite the Doral Greens driveway and was analyzed to consist of 145 rooms. The site is now proposed to consist of 30 townhouse units. As requested by the Village's Traffic Consultant, TRC has reviewed the traffic data from the previous studies performed for the Hilton Garden Inn project along Anderson Hill Road as well as performed updated traffic analyses based upon new traffic counts and the trip generation of the currently proposed project. This review includes a comparison of trip generation, and a signal warrant analysis.

## A. Traffic Counts and Volumes

The base traffic volumes originally utilized were reviewed and approved by the Village and other reviewing agencies in conjunction with the Arrowwood Conference Center DEIS. Additional counts were performed in November of 2000, March of 2001, and January and June of 2002, which further verified the volumes utilized in the DEIS.

As the previous traffic volumes were a few years old, TRC conducted additional manual turning movement traffic counts on Thursday, September 14, 2006 from 7:00 to 9:30 AM and from 3:30 to 6:30 PM at the intersection of Anderson Hill Road and the Doral Greens Driveway. The following table illustrates a traffic volume comparison between the most recent traffic counts versus the traffic counts utilized in the report and subsequent traffic counts conducted over time:

<b>ANDERSON HILL ROAD TWO-WAY TRAFFIC VOLUME WEST OF KING STREET</b>						
Count Date	2006 Count		Previous Counts		Difference <sup>1</sup>	
	AM	PM	AM	PM	AM	PM
<b>DEIS Volumes</b>	600	593	618	612	<b>-18</b>	<b>-19</b>
<b>May 27, 1998</b>	600	593	672	723	<b>-72</b>	<b>-130</b>
<b>December 7 &amp; 8, 1999</b>	600	593	851	595	<b>-251</b>	<b>-2</b>
<b>November 21, 2000</b>	600	593	671	663	<b>-71</b>	<b>-70</b>
<b>March 28 &amp; 29, 2001</b>	600	593	589	643	<b>+11</b>	<b>-50</b>
<b>January 16 &amp; 17, 2002</b>	600	593	496	657	<b>+104</b>	<b>-64</b>
<b>June 25, 2002</b>	600	593	591	727	<b>+9</b>	<b>-134</b>

1. Represents the Count Date Traffic Volume difference from the 2006 Traffic Volumes.

As illustrated in the Table above, the 2006 traffic volumes are less than the majority of the previous traffic counts, including those contained in the previous DEIS. In addition, the 2006 traffic volumes incorporate the background growth and adjacent developments that have been constructed since the time of the DEIS and FEIS for the Hilton Garden Inn. Therefore, the traffic volumes previously utilized are still valid for current conditions, and are actually more conservative.

**B. Adjacent Developments**

As referenced above, the DEIS and FEIS for the Hilton Garden Inn contained several adjacent developments, including some significantly far from the project site (more than four miles away). Some of these adjacent developments were constructed, while others were never built and are no longer being contemplated. Based upon discussions with the Village's consultants, the only two adjacent developments that were recently constructed in the vicinity of the project were Sterling Glenn (Stonegate), which is the Senior Housing development at Bellemead (the use changed slightly to contain a Nursing Home component), and Brunswick School, both of which were included in the previous DEIS/FEIS. Thus, there are no additional impacts from the adjacent developments.

**C. Trip Generation Comparison**

As described in the FEIS, the Site-generated traffic volumes for the proposed hotel were estimated utilizing the rates for Hotel, Land Use Code 310, contained

in the Institute of Transportation Engineers' (ITE) report entitled, "Trip Generation" Sixth Edition. The ITE "Trip Generation" Seventh Edition was utilized to determine the trips to be generated by the 30 townhouse units. The estimated trip generation for both the Peak AM and Peak PM Hours are outlined in the following table:

ESTIMATED TRIP GENERATION								
	PEAK AM HOUR				PEAK PM HOUR			
	ENTER		EXIT		ENTER		EXIT	
	Rate	Trips	Rate	Trips	Rate	Trips	Rate	Trips
145-Room Hotel (Land Use 310)	0.331	48	0.241	35	0.297	43	0.303	44
30 Townhouse Units (Land Use 230)	0.100	3	0.567	17	0.500	15	0.233	7
Difference		-45		-18		-28		-37

As illustrated in the above Table, the currently proposed project would generate significantly less traffic than the previously proposed Hotel. As the Hotel was previously illustrated to not have a traffic impact, the proposed Townhouse units, which would generate significantly less traffic (75% less trips), would not have an impact on traffic operating conditions.

D. Levels of Service

Based upon the analysis included in the FEIS, the proposed site driveway was projected to operate at good Levels of Service (Level of Service "c" or better) under STOP sign control, due to the limited number of vehicles entering/exiting the proposed project and the Doral Greens driveway. With the current traffic volumes and trip generation projections, the site driveway will operate at Level of Service "c" or better (see attached capacity analyses).

As the background traffic volumes are similar or less than previously analyzed, and the project trips are 75% less, the project would not impact the Levels of Service at the surrounding intersections.

E. Traffic Signal Warrant Analysis

The New York State official compilation of codes, rules and regulations, Title 17 – Transportation (Vol. B), Chapter V – Uniform Traffic Control Devices, Subchapter F – Traffic Signals, contains eleven (11) Warrants in Part 271. A warrant is a set of threshold values to be met or exceeded to establish a need for traffic signal control. The satisfaction of a Traffic Signal Warrant or Warrants does not in itself require the installation of a traffic control signal, but generally justifies the need. The different Warrants are based upon traffic volumes over various time periods, as well as other criteria such as pedestrian volumes, school crossings, etc.

The New York State Traffic Signal Warrants, which are generally used to justify the need for a traffic signal, were previously analyzed in the FEIS for the proposed Hotel, and were determined not to be met. As the traffic volumes along Anderson Hill Road are less than those from the DEIS, and the project would generate less traffic than the Hotel, the traffic signal warrants would not be met (see attached Warrant). Accordingly, and since good Levels of Service will be maintained, a traffic signal is not appropriate for this location.

Conclusions

Based upon the updated traffic counts, trip generation calculations, Traffic Signal Warrants, the traffic analysis, and our field observations, it is the opinion of TRC that traffic is less than what was previously projected and the project will generate significantly less traffic than was projected for the Hotel. Good Levels of Service will be maintained at the site driveway and a traffic signal is not warranted.

Very truly yours,

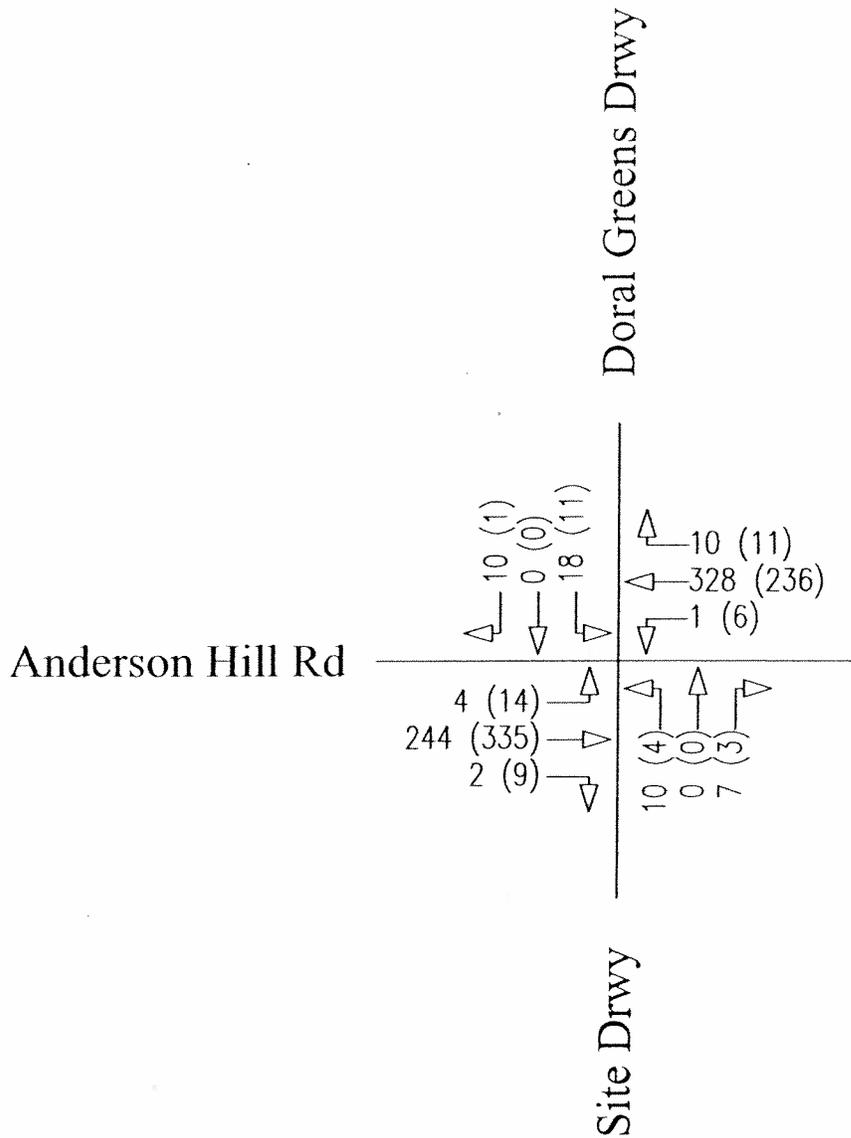
TRC RAYMOND KEYES

Brian E. Dempsey, P.E., P.T.O.E.  
Senior Project Manager

cc: Ms. Theresa Elkowitz



NOT TO SCALE



TWO-WAY STOP CONTROL SUMMARY

Analyst: MLA  
 Agency/Co.: TRC-Site-Drwy-Bu-AM2  
 Date Performed: 10/4/2006  
 Analysis Time Period: AM Peak Hour  
 Intersection: Anderson Hill Road & Site Drwy  
 Jurisdiction: Rye Brook, NY  
 Units: U. S. Customary  
 Analysis Year: 2006  
 Project ID: Build Conditions  
 East/West Street: Anderson Hill Road  
 North/South Street: Site Driveways  
 Intersection Orientation: EW Study period (hrs): 0.25

Vehicle Volumes and Adjustments

Major Street:	Approach Movement	Eastbound			Westbound		
		1 L	2 T	3 R	4 L	5 T	6 R
Volume		4	244	2	1	328	10
Peak-Hour Factor, PHF		0.90	0.90	0.90	0.90	0.90	0.90
Hourly Flow Rate, HFR		4	271	2	1	364	11
Percent Heavy Vehicles		2	--	--	2	--	--
Median Type/Storage		Undivided			/		
RT Channelized?							
Lanes		0	1	0	0	1	0
Configuration		LTR			LTR		
Upstream Signal?		No			No		

Major Street:	Approach Movement	Northbound			Southbound		
		7 L	8 T	9 R	10 L	11 T	12 R
Volume		10	0	7	18	0	10
Peak Hour Factor, PHF		0.90	0.90	0.90	0.90	0.90	0.90
Hourly Flow Rate, HFR		11	0	7	20	0	11
Percent Heavy Vehicles		2	2	2	2	2	2
Percent Grade (%)		0			0		
Flared Approach: Exists?/Storage		No			/ No /		
Lanes		0	1	0	0	1	0
Configuration		LTR			LTR		

Delay, Queue Length, and Level of Service

Approach Movement	EB 1 LTR	WB 4 LTR	Northbound			Southbound		
			7	8 LTR	9	10	11 LTR	12
v (vph)	4	1	18			31		
C(m) (vph)	1183	1290	463			444		
v/c	0.00	0.00	0.04			0.07		
95% queue length	0.01	0.00	0.12			0.22		
Control Delay	8.1	7.8	13.1			13.7		
LOS	A	A	B			B		
Approach Delay			13.1			13.7		
Approach LOS			B			B		

TWO-WAY STOP CONTROL SUMMARY

Analyst: MLA  
 Agency/Co.: TRC-Site-Drwy-Bu-PM2  
 Date Performed: 10/4/2006  
 Analysis Time Period: PM Peak Hour  
 Intersection: Anderson Hill Road & Site Drwy  
 Jurisdiction: Rye Brook, NY  
 Units: U. S. Customary  
 Analysis Year: 2006  
 Project ID: Build Conditions  
 East/West Street: Anderson Hill Road  
 North/South Street: Site Driveways  
 Intersection Orientation: EW Study period (hrs): 0.25

Vehicle Volumes and Adjustments

Major Street: Approach Movement	Eastbound				Westbound		
	1 L	2 T	3 R		4 L	5 T	6 R
Volume	14	335	9		6	236	11
Peak-Hour Factor, PHF	0.90	0.90	0.90		0.90	0.90	0.90
Hourly Flow Rate, HFR	15	372	10		6	262	12
Percent Heavy Vehicles	2	--	--		2	--	--
Median Type/Storage	Undivided				/		
RT Channelized?							
Lanes	0	1	0		0	1	0
Configuration	LTR				LTR		
Upstream Signal?	No				No		

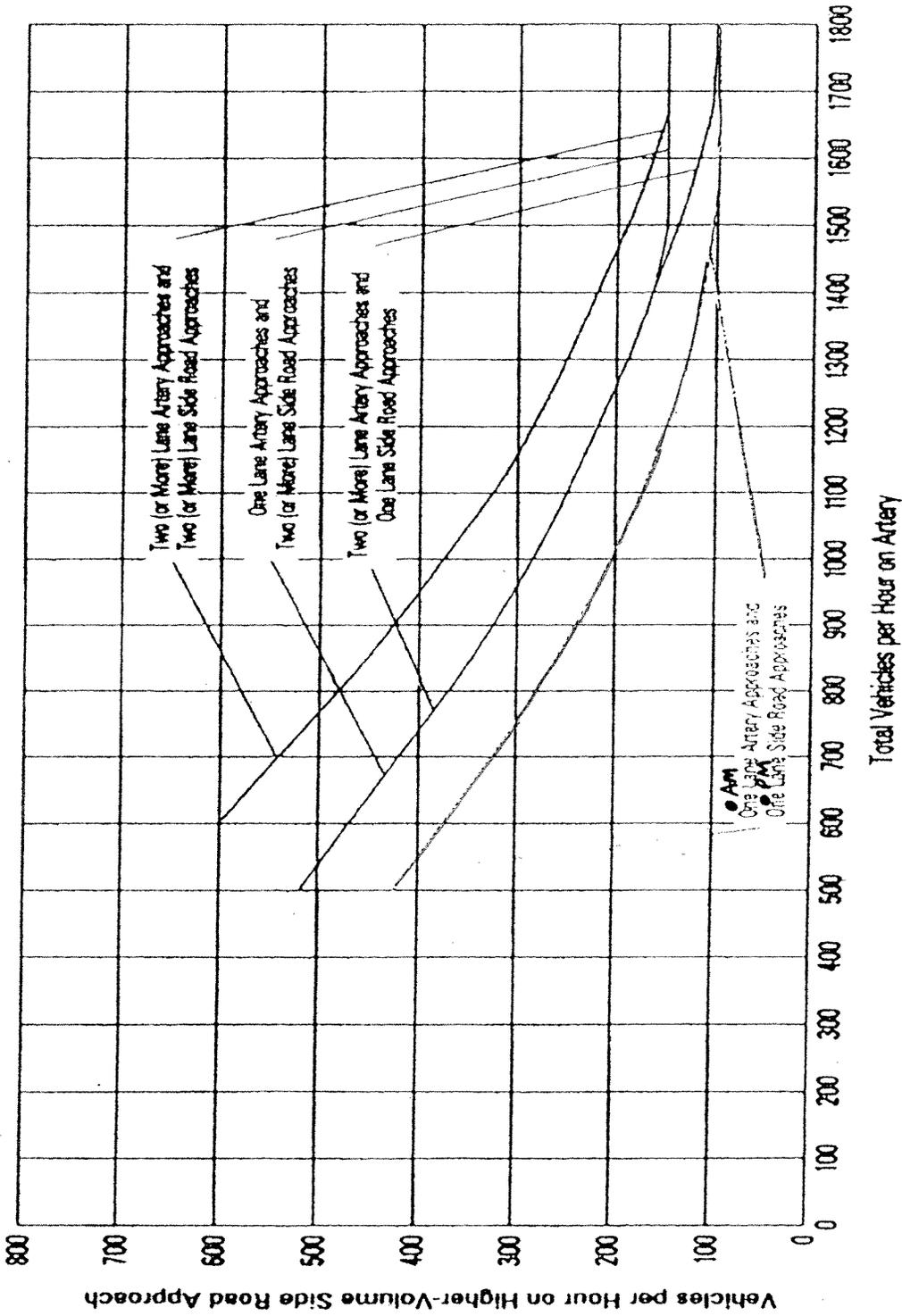
Major Street: Approach Movement	Northbound				Southbound		
	7 L	8 T	9 R		10 L	11 T	12 R
Volume	4	0	3		11	0	1
Peak Hour Factor, PHF	0.90	0.90	0.90		0.90	0.90	0.90
Hourly Flow Rate, HFR	4	0	3		12	0	1
Percent Heavy Vehicles	2	2	2		2	2	2
Percent Grade (%)	0				0		
Flared Approach: Exists?/Storage	No				No		
Lanes	0	1	0		0	1	0
Configuration	LTR				LTR		

Delay, Queue Length, and Level of Service

Approach Movement Lane Config	EB	WB	Northbound			Southbound		
	1 LTR	4 LTR	7 	8 LTR	9 	10 	11 LTR	12
v (vph)	15	6		7			13	
C(m) (vph)	1289	1176		445			368	
v/c	0.01	0.01		0.02			0.04	
95% queue length	0.04	0.02		0.05			0.11	
Control Delay	7.8	8.1		13.2			15.1	
LOS	A	A		B			C	
Approach Delay				13.2			15.1	
Approach LOS				B			C	

JUNE 27-3

PEAK-HOUR VOLUME WARRANT



AM Peak Hour - (634, 70)

PM Peak Hour - (639, 44)

\* Warrant not met.

54547-T

Rye Brook, NY.

# TRC Raymond Keyes

October 19, 2006

Mr. Michael Galante  
Ms. Marilyn Timpone-Mohamed  
Frederick P. Clark Associates  
350 Theodore Fremd Avenue  
Rye, NY 10580-1521

Re: Proposed Residential Development  
Anderson Hill Road  
Village of Rye Brook, NY

Dear Mr. Galante and Ms. Timpone-Mohamed:

As a follow-up to our conversations, TRC Raymond Keyes (TRC) is preparing the supplemental traffic information for the above-referenced project, which was previously analyzed for a Hilton Garden Inn.

The Traffic Analysis being prepared by TRC will include the following sections:

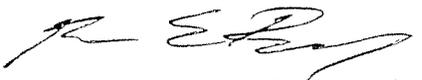
- A. Traffic Counts and Volumes
- B. Adjacent Developments
- C. Trip Generation Comparison
- D. Levels of Service
- E. Traffic Signal Warrant Analyses
- F. Conclusions

As discussed, the only two adjacent developments that were recently open were Sterling Glenn (Stonegate), which is the Senior Housing development at Bellemead (the use changed slightly to contain a Nursing Home component) and Brunswick School, both of which were included in the previous DEIS/FEIS. Thus, there are no additional impacts from the adjacent developments.

TRC requests your confirmation of the above subject items for the preparation of our Study. If you have any questions, please call.

Very truly yours,

**TRC RAYMOND KEYES**

  
Brian E. Dempsey, P.E., P.T.O.E.  
Senior Project Manager

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**FREDERICK P. CLARK ASSOCIATES, INC.**  
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Rye, New York 10580

(914) 967-6540 • FAX (914) 967-6615

*David H. Stolman, AICP, PP*  
*Michael A. Galante*

*Joanne P. Meder, AICP*

*David J. Portman, FAICP*

## **MEMORANDUM**

---

To: Gary Zuckerman, Chairman, and the  
Planning Board of the Village of Rye Brook

Date: August 20, 2007

Subject: **Kingswood (Woodlands) Residential Development –  
Expanded Environmental Assessment Form (EEAF) Review**

We reviewed revised plans and a supplement to the Expanded Environmental Assessment Form (EEAF) submitted by KF Rye Brook, L.L.C. for a thirty-unit residential development at the intersection of King Street and Anderson Hill Road, Section 129.035, Block 1, Lot 13 on the Tax Assessor's Map. The revised plans and supplemental information respond to our memorandum to the Planning Board dated February 12, 2007 and memoranda from the Building Inspector, Village Attorney and the Consulting Engineer for the Village.

### **Property and Project Description**

The property, currently undeveloped, is located at intersection of King Street and Anderson Hill Road in the H-1 Hotel District and R-20 Residential Zoning District. The approximately 15.44-acre site consists of wooded uplands and fresh water wetlands. A portion of the site, including wetlands and upland areas is located in the Town of Greenwich, CT.

The Applicant has revised the original proposal to construct 15 two-unit residential buildings, a clubhouse, swimming pool, tennis court, parking, guardhouse and gate, stormwater management basins and associated site development features to eliminate the clubhouse and pool.

### **Review**

We reviewed revised plans and documents included in a binder entitled "Supplemental Environmental Information 'Kingswood,'" applications, the original Expanded EAF and a letter to Marilyn Timpone-Mohamed from John M. Wagner dated July 19, 2007. The latest submittal included the following revised drawings:

Connecticut  
(203) 255-3100

Hudson Valley  
(845) 297-6056

Long Island  
(516) 364-4544

email@fpclark.com  
www.fpclark.com

**FREDERICK P. CLARK ASSOCIATES, INC.**

Planning/Development/Environment/Transportation

1. "Subdivision Map of Kingswood, Sheet 1 of 1," prepared by Barrett, Bonacci & Van Weele, P.C., Hauppauge, N.Y., dated June 29, 2007.
2. Surveyor's plans prepared by Ward Carpenter Engineers, Inc., White Plains, N.Y.:

<u>Sheet Number</u>	<u>Sheet Title</u>	<u>Dated</u>
-	<i>Existing Conditions Plan</i>	12/4/06
-	<i>Survey of Property</i>	6/23/06

3. Engineer's plans prepared by Barrett, Bonacci & Van Weele, P.C., Hauppauge, N.Y.:

<u>Sheet Number</u>	<u>Sheet Title</u>	<u>Dated</u>
-	<i>Cover Sheet</i>	01/5/07 rev. 6/29/07
Sheet 2 of 16	<i>Alignment Plan</i>	01/5/07 rev. 6/29/07
Sheet 3 of 16	<i>Grading &amp; Drainage Plan (North)</i>	01/5/07 rev. 5/14/07
Sheet 4 of 16	<i>Grading &amp; Drainage Plan (South)</i>	01/5/07 rev. 6/29/07
Sheet 5 of 16	<i>Road Profiles</i>	01/5/07 rev. 5/4/07
Sheet 6 of 16	<i>Utility Plan &amp; Profiles</i>	01/5/07 rev. 5/4/07
Sheet 7 of 16	<i>Utility Plan &amp; Profiles</i>	01/5/07 rev. 5/4/07
Sheet 8 of 16	<i>Utility Plan &amp; Profiles</i>	01/5/07 rev. 5/4/07
Sheet 9 of 16	<i>Tree Preservation Plan</i>	01/5/07 rev. 5/14/07
Sheet 10 of 16	<i>SWPPP</i>	01/5/07 rev. 5/14/07
Sheet 11 of 16	<i>Overall Landscape Plan</i>	12/21/06 rev. 5/11/07
Sheet 12 of 16	<i>Typical Unit Landscape Plans</i>	12/20/06 rev. 5/11/07
Sheet 13A of 16	<i>Wetland Impact Map</i>	05/22/07
Sheet 13B of 16	<i>Overall Wetland Mitigation Plan</i>	05/22/07
Sheet 13C of 16	<i>Wetland Mitigation Enlargement Plan, Areas 1, 2, 3</i>	05/22/07
Sheet 13D of 16	<i>Wetland Mitigation Enlargement Plan, Areas 5, 6, 7, 8, 9</i>	05/22/07
Sheet 13E of 16	<i>Wetland Mitigation Enlargement Plan, Off-Site Sewer and Area 4</i>	05/22/07
Sheet 13F of 16	<i>Stormwater Basins Planting Plan</i>	05/22/07
Sheet 14 of 16	<i>Details</i>	01/5/07 rev. 3/30/07
Sheet 15 of 16	<i>Details</i>	01/5/07 rev. 5/14/07
Sheet 16 of 16	<i>Details</i>	01/5/07 rev. 6/29/07

4. Architect's plans prepared by Sullivan Architecture, P.C., White Plains, N.Y.:

Sheet A1	<i>Architectural Site Plan and Entry Sign and Gate Elevation</i>	05/29/07
Sheet A2	<i>Units A &amp; B Plans &amp; Elevations</i>	06/29/07
Sheet A3	<i>Unit C Plans and Elevations</i>	06/29/07
Sheet A4	<i>Unit D Plans and Elevations</i>	06/29/07
Sheet A5	<i>Diagrams for Fire Dept. and Height/Setback Diagrams</i>	06/29/07
Sheet A6	<i>Diagrams for Fire Department Ladder Access</i>	06/29/07
Sheet SL-1	<i>Site Lighting Plan</i>	03/29/07 rev. 6/29/07
Sheet SL-2	<i>Site Lighting Plan</i>	03/29/07 rev. 6/29/07
Sheet SL-3	<i>Fixture Schedule and Details</i>	03/29/07 rev. 6/29/07
Sheet SL-4	<i>Lighting Photometrics</i>	05/11/07 rev. 6/29/07
Sheet SL-5	<i>Lighting Photometrics</i>	05/11/07 rev. 6/29/07

Please note that our review is limited to planning, zoning and environmental issues. Storm water management, erosion and sediment control, drainage and other engineering related items should be reviewed and approved by the Village Engineer and the Village Engineering Consultant. In addition, zoning and emergency access should be reviewed by the Building Inspector and emergency service agencies.

We offer the following comments regarding the revised plans, revised EAF, EEAF and the Supplemental Environmental Information submitted. Our earlier comments are followed by our new comments regarding each issue, which are written in *bold italic script*:

Comments

EAF

1. *Section A, Question 15 a.* The EAF should be revised to replace "unnamed stream" with the Blind Brook and Long Island Sound to which it is tributary.

*We accept the explanation provided on Page 3 of the supplement to the EEAF that states an "unnamed stream" is tributary to the Blind Brook.*

**FREDERICK P. CLARK ASSOCIATES, INC.**

Planning/Development/Environment/Transportation

2. *Section A, Question 19.* The EAF indicates that the site is located in or substantially contiguous to a Critical Environmental Area (CEA) designated pursuant to Article 8 of the ECL and 6 NYCRR 617. What CEA does the answer refer to? It should be named.

*The CEA was identified in the EEAF supplement, Page 3, as the Westchester County Airport 60 Ldn Noise Contour, information that was also added to the revised EAF in Appendix B.*

3. *Section A, Question 25, Approvals.* The EAF should list the following additional required approvals:

- a) Westchester County Department of Health for sewer installation approval;
- b) New York State Department of Transportation for approval of the curb cut on King Street, which is a New York State road;

*The additional approvals were added to the EAF Attachment in Appendix B and to the narrative in the EEAF on Page 16.*

4. *Nationwide Permit.* The EAF Attachment included in Appendix B, which lists required approvals, indicates approval of a nationwide permit from the Army Corps of Engineers is required. The Applicant should clarify why such an approval is necessary since, according to information submitted by the Applicant, there are no Federal or State regulated wetlands located on the site.

**EEAF**

5. *Page 7, narrative and Table 3.* Existing and proposed site coverage, presented in Table 3 and the accompanying narrative, should be revised to discuss coverage for the portion of the site in Rye Brook.

*A second table of existing and proposed site coverage for the portion of the site in Rye Brook was included in the EEAF supplement on Page 9. It provides additional details regarding the information presented in Table 3 of the EEAF.*

6. *Page 7, Last Paragraph.* Although the discussion under "Future Home Expansions" states that future home expansion would not be permitted, the Village will require development of guidelines for future expansions and additions to buildings and site features, unless future building or site feature expansions were

to be prohibited by deed restriction or some other method. We have found that expansions are inevitable and pose a problem in a PUD or conservation subdivision where there is no underlying zoning, as is the case with most of the Kingswood Homes property. Recently developers of PUDs and conservation subdivisions have been asked during the review process to provide draft guidelines that would regulate future expansions of buildings and site features. Therefore, if deed or other restrictions are not proposed, analysis and discussion regarding potential main building, deck, walkway, driveway, patio and other site feature expansions or additions such as sheds etc. should be provided along with recommendations and draft guidelines that are based on appropriate, tolerable increases in impervious surface coverage, the environmental features of the site and the stormwater management facilities proposed.

Deleted: A

*The Applicant states, on Page10 of the supplement, future expansions of homes, decks, patios, walkways and driveways in the development would not be permitted. The Applicant is prepared to record and execute deed restrictions to that end if required by the Village.*

7. *Page 8, Last Paragraph.* Zoning compliance and specific waivers requested should be presented here along with discussion regarding justification for waivers sought by the Applicant. Any measures proposed to mitigate the impacts of such waivers should be included in the narrative.

*Pages 10 – 17 of the supplement include a list and discussion regarding approvals necessary to build the project and waivers that may be required to secure site plan approval from the Village. The narrative also includes discussion regarding justification for the waivers listed and mitigation proposed to minimize the impacts of such waivers.*

8. *Page 11, Required Permits and Approvals.* The list of permits, approvals and waivers should be revised to include the additional approvals or waivers listed in EAF Comment #3.

*The revised list is included on Page16 of the supplement and the revised EAF.*

9. *Page 12, Footnote#3.* Footnote #3 states that off-site survey work was not conducted as it was not required to address conditions on the site. Therefore, survey information, specifically requested, regarding topographic and hydrological conditions on the adjacent property in proximity to the southwestern portion of the property within which are located a stream and wetlands that drain on to the

adjacent property was not provided. The Village Engineer and/or engineering consultant should determine if such information is necessary to review the adequacy of the proposed stormwater management plan and should be provided.

*The Village Engineering Consultant should review the revised plans and documents to determine if additional topographic and hydrological information regarding existing conditions on the site and on the adjacent property in proximity to the southwestern portion of the site is needed to review the adequacy of the proposed stormwater management plan.*

10. *Page 13, Steep Slope Analysis.* Discussion regarding disturbance of steep slopes and the creation of new steep slopes should include measures proposed to mitigate disturbance and creation of steep slopes and the requirements of Chapter 213 of the Village Code. Specific design and construction methods to minimize impacts to steep slopes and stabilize disturbed and new slopes should be included.

*Discussion and analysis regarding disturbance of steep slopes and the creation of new steep slopes was added to the EEAF supplement on Page 18. Although the narrative states that 12.9% of slopes on the site would be greater than 15%, it does not elaborate further as to which categories of slope, as defined by Chapter 213 of the Village Code, the 12.9% of slopes fall into. Of particular concern are slopes in the 25% or greater and 35% or greater categories. Such slopes may need additional stabilization beyond the planting described in the narrative and shown on the plans. Such slopes may require placement of a mechanical stabilizer such as a geotextile. The narrative should be revised to categorize existing and created slopes greater than 15% and the proposed design should be revised to include additional stabilization methods for slopes greater than 25%.*

11. *Page 15, Stormwater Runoff and Drainage.* The Planning Board asked the Applicant to consider changing the location of the two proposed stormwater retention/water quality basins from the southeast portion of the property adjacent to King Street to the southwest corner of the property.

The stormwater management plan is being reviewed by the Village engineering consultant and the Village Engineer who will provide comments. In addition to those comments we note that the EEAF does not include a post-construction monitoring and maintenance plan for the stormwater management system. Such a plan is particularly important to ensure the stability and proper functioning of the water retention/water quality basins proposed. We request that a draft monitoring

and maintenance plan be submitted for review. Provision and approval of a final plan to be implemented by the Applicant and continued by the home owners association should be a condition of site plan approval.

*Discussion of the Applicant's opinion regarding the request made by the Planning Board to consider moving the stormwater retention/water quality basins away from the King Street property line was included in the EEAF supplement on Page 20 and a draft "Post Construction Monitoring and Maintenance of Stormwater Basin and Wetland Mitigation Plantings Report" was included in Appendix D. Approval of a final monitoring and maintenance plan to be implemented by the Applicant and continued by the home owners association should be a condition of site plan approval.*

*Additional comments regarding review of the stormwater management plan by the Village Engineering Consultant will be submitted by memorandum from the consultant.*

12. *Page 24, Potential Impacts.* The specific location of the 0.02 acre of off-site wetlands disturbance should be added to the discussion.

We note that the narrative states that the disturbed off-site area would be restored with "appropriate wetland vegetation" after construction. However, the wetlands mitigation plan (Sheet 13 of 16 of the Engineer's plans) does not provide mitigation plantings in the subject area. The plans should be revised to locate, identify and detail the mitigation plantings referenced in the EEAF.

*The location of the off-site wetlands is indicated on the plans along with the mitigation plantings referenced in the EEAF. The supplement discusses the off-site wetlands and plantings on Page 24.*

13. *Page 25, Second Paragraph.* The discussion of wetland impacts and mitigation should include quantification of the mitigation plantings proposed as well as the area of wetlands affected by construction of the proposed plan.

*The requested information was included in the EEAF supplement on Page 24 and revised and expanded wetland mitigation planting plans were included in Appendix C.*

14. *Page 25, Last Bulleted Item.* To ensure long-term protection of wetlands, the Applicant indicates that a conservation easement would be placed to preserve

wetland areas. However, no additional information regarding the easement is provided. It would be our recommendation that the Board of Trustees consider accepting the offer of placement of a conservation easement to protect the existing and proposed wetlands on the property. Therefore, the discussion and proposed plans should be revised to provide the location and limits of such an easement and draft language for the easement agreement.

*As stated on Page 27 of the EEAF supplement, the Applicant proposes to place conservation easements on all existing and created wetlands on the property, including the entire portion of the property in Greenwich, CT. A proposed form for the easement is included in Appendix C of the supplement. The easements are indicated on the preliminary "Subdivision Map of Kingswood" also included in Appendix C.*

15. *Page 27, Landscaping.* We note that the landscape plan indicates that the landscape screening proposed along the common property line with the Blind Brook Club would be in part installed on Blind Brook Club property. To install plantings on property not owned by the Applicant will require an agreement between the Applicant and the Blind Brook Club. Evidence of such an agreement should be provided for all landscape and other construction to be performed outside the property line of the subject site.

We note that the Planning Board has asked the Applicant to consider improving the landscape along Anderson Hill Road in the area of the intersection of King Street, which is located in the Town of Greenwich and that the Landscape Plan shows new plant material would be installed in Greenwich adjacent to King Street in the southern portion of the property. Such landscape improvements may require the approval of the Town of Greenwich as they may be located within the wetlands buffer.

Finally, the last paragraph should be revised to indicate the correct name - Blind Brook Club - of the owner of the adjacent property to the west.

*The Applicant provided discussion regarding our landscape comments on Page 27 of the EEAF supplement. The Blind Brook Club reviewed the plans for Kingswood, including landscape screening and sent a letter to the Applicant stating that the Club would not agree to installation of a landscape screen or a berm on their property at this time. In addition, we note according to the preliminary subdivision map, there is an existing water main easement located along the common property line on the Blind Brook Club property within which*

*the berm and plantings cannot be located without permission from the owner of the easement. Therefore, we recommend the landscape plan should be revised to eliminate construction of a berm and installation of screen plantings on the Blind Brook Club property within the easement. If the Applicant and/or the Blind Brook Club prefer to install screening along the south property line, the plantings should be placed on the Kingswood property. The Applicant should clarify the intention regarding screen plantings on the plans and in the EEAFF supplement.*

*Regarding improvement of the landscape along Anderson Hill Road in the vicinity of the intersection with King Street suggested by the Planning Board, the Applicant states no intention to install any landscape plantings in Greenwich.*

*The EEAFF supplement uses the correct name when referring to the Blind Brook Club.*

16. *Page 31 Transportation.* The Applicant prepared a traffic study for the previously-proposed hotel and a supplemental traffic study in consultation with this office for the currently-proposed residential development. The supplemental traffic study is being reviewed by our traffic engineers who will provide a memorandum to the Board as soon their analyses are completed.

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*Michael Galante, of Frederick P. Clark Associates, reviewed the traffic study for the previously-proposed hotel and the supplemental study provided for the currently proposed residential development. He found the analyses presented in both studies to be adequate to determine traffic impacts of the residential development proposed and concluded that the potential impact to traffic created by the proposed residential development would be insignificant.*

*However, he has the following comments regarding traffic issues related to the currently proposed site layout plan:*

- a. *If the development were constructed to be a gated community as proposed, the location of the gate and gate house would not allow sufficient room for queuing cars so cars waiting to enter the site would not be standing on Anderson Hill Road. The gate and gatehouse should be moved further into the development to allow a queuing space of at least 50 feet after completing the turn from Anderson Hill Road on to the access road.*

- b. *An analysis should be provided demonstrating the ability of the largest emergency apparatus that may be used by any emergency service to access and safely negotiate all roads and the cul-de-sac within the development.*
- c. *The length of the driveway and the location of the garage entrance to Unit 13 would not allow a vehicle backing out of the garage to exit the garage before it is in the roadway, which is a safety hazard. The garage entrance should be located to allow for a driveway of at least 20 feet to provide standing room for a vehicle. All units should have driveways at least 20 feet in length.*
- d. *The common driveway for Units 3, 4 and 5 should be re-designed to reduce conflicts between cars moving within the driveway and entering or leaving the driveway from the road.*
- e. *Unit driveways should be clearly differentiated from the development's access road, which may be accomplished by using different pavement for each or locating a distinct band of paving that crosses driveway entrances at the edge of the road.*
- f. *The loop section of the access road contains many driveways and head-in parking spaces along its length creating many opportunities for traffic conflicts. We recommend making the loop road one-way and eliminating head in parking in favor of widening the road to allow parallel parking spaces where needed around the area in which the tennis court is located.*
- g. *Signs and plantings located adjacent to Anderson Hill Road and the development access road should be not more than 3.5 feet in height or be located far enough away from the travel lanes to provide an unobstructed sight distance on Anderson Hill Road for cars exiting the development and standing ten feet away from the Anderson Hill road travel lanes.*

17. *Page 36, Property Taxes, Second Paragraph.* The discussion of property taxes that may be generated by the proposed residential development references calculations that are based on an average expected value for each unit of \$2,000,000. We request that the EAF be amended to provide a range of potential prices and the corresponding school district cost/benefit analyses.

*The requested information was provided on Page 29 of the EEAF supplement.*

18. *Page 41, Community Services and Facilities.* The proposed site plan has been reviewed by the Rye Brook Building Inspector and police, fire and emergency

Deleted: The Applicant should provide more information and an independent appraisal to verify that each unit would have an average value of \$2,000,000.

services. A comment memorandum dated February 2, 2007 was sent to the Planning Board after the review. The Applicant should respond to the comments from emergency services and the Building Inspector and revised plans should be sent to them for further review. Emergency services and the Building Inspector should submit written acceptance of the revised site plan prior to submission of recommendations by the Planning Board to the Board of Trustees.

*The Applicant responded to the February 2, 2007 memorandum from the Building Inspector on Page 32 of the EEAF supplement. We continue to recommend that emergency services and the Building Inspector should review the revised site plan and submit written acceptance of the plan prior to submission of recommendations by the Planning Board to the Board of Trustees.*

19. *Revised Photo Simulations. Installation of the detention/water quality basins at the south end of the site adjacent to King Street would require removal of most of the mature vegetation within that portion of the site, opening views into the development from King Street. To visualize the view from King Street into the property after construction of the basins, a photo simulation looking into the site from the proposed location of the emergency access road from King Street should be provided along with an existing conditions photo of the same area.*
20. *Wetland Buffers. Although loss of wetlands would be mitigated by enhancement of existing wetlands or creation of new wetlands, loss of wetland buffer area would not be mitigated by the proposed Wetland Mitigation Plan. However, a small area of buffer enhancement plantings would be installed in Area 4 of the mitigation planting plan.*
21. *Created Wetlands. More information, in the form of a narrative, should be provided regarding the construction of new wetlands. The narrative should discuss the methods and steps required to create wetlands from upland areas, including site preparation, grading, establishment of a wetland hydrology, plant selection, procurement and installation of plants, invasive plant control, pest control, expected establishment time, phasing and scheduling, integration of wetland development into the general construction management plan, etc.*

## Plans

22. *Survey.* We note that a subdivision application and preliminary plat were submitted showing a single lot with boundaries coterminous with the site boundaries. Does the property consist of multiple lots that will require approval of a lot merger?

A property survey of the undeveloped property should be submitted. The survey should include existing lot lines, calculations of acreage per lot and total site acreage, Rye Brook zoning district boundaries and municipal jurisdiction boundaries.

*A revised preliminary subdivision plan indicating the property would be divided into 31 lots was submitted along with an existing conditions plan and a property survey showing the requested information. The plan does not, but should, clearly indicate the location and extent of Lot 31, which consists of all common areas, including wetlands on the property.*

*Discussion regarding our earlier comments was included on Page 38 of the EEAF supplement.*

23. *Zoning Table.* We note that zoning information is provided on Sheet 2 of 16 of the Engineer's Plans and on Sheet A 1 of the Architect's Plans. The Building Inspector should verify all zoning calculations and provide a memorandum verifying zoning compliance and/or outstanding zoning issues.

*The Building Inspector is reviewing the new submission and will provide his comments by memorandum.*

24. *Sheet 2 of 16, Alignment Plan.* The parking area located adjacent to the clubhouse and recreation facilities should be relocated away from a curved section of road for safety.

The Zoning Compliance Table should be revised to clearly indicate the requirements of the R-20 zoning district. The line indicating floor area requirements should be titled "Minimum Floor Area."

*The Applicant responded to our comment by revising the plan. See comment 15.e.*

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25. *Sheet 13 of 16, Wetland Mitigation Plan.* Planting plans, drawn at a scale of one inch equals ten feet, should be provided for all retention/water quality basins and wetland mitigation areas. The plans should locate all plants proposed, and include a standard plant schedule that indicates the species, sizes and quantities to be installed.

*Revised Wetland Mitigation Plans were provided in Appendix C.*

26. *Site Plans.* All site plans should show the water pump station on Anderson Hill Road. The proposed gate house and gate would be located within an existing water line easement. If the development includes installation of a gate house and gate, the gate house and gate should be located outside the limits of the easement. The Planning Board should consider if a sidewalk and additional street lighting should be installed on Anderson Hill Road as part of the development. Snow storage areas should be indicated on the site plan or a snow removal plan should be a condition of approval.

27. *Unit Plans.* We note the first floor plans for the residential units indicate a stair down to a lower floor; however, basement plans were not provided. The Applicant should clarify if basements are proposed and provide basement plans if necessary. We do not recommend construction of basements on the subject site because drainage and the presence wetlands on the site indicate that dry basements may be difficult for future homeowners to maintain without extraordinary measures.

28. *Grading Plan.* The grading plan should be revised to include any grading necessary to implement the Wetland Mitigation Plan.

29. *Unit Planting Plan.* *Vinca minor*, an invasive ground cover included in the landscape plan plant list, should be replaced by a non-invasive alternative.

30. *Tennis Court.* The long axis of the tennis court should be oriented north-south.

31. *Construction Management Plan.* A draft construction management plan should be submitted for review by the Village Engineer and the Planning Board. The management plan should include a narrative and drawings that provide information regarding construction traffic routes, number of vehicle trips, parking and staging areas, material stockpiles, phasing (if applicable), workday schedules, duration of construction, dust, noise and temporary wetland disturbance mitigation measures, compliance with Village Code requirements regarding construction management, erosion and sediment control particularly for work within and adjacent to wetlands, and the limits of construction, etc.

32. *Construction in Wetlands.* A substantial amount of construction on the site will take place in or directly adjacent to wetlands. The limits of construction should be located to acknowledge that, for instance, construction of a retaining wall within a wetland or at the edge of a wetland, or grading up to or within the limits of an existing wetland will require temporary disturbance of at least eight to ten feet into the wetland to allow movement of workers, material and equipment, excavations for footings, etc. The construction management plan should provide discussion and information regarding special measures to be taken to avoid impacts to the existing wetlands from construction within or directly adjacent to the wetland. In addition, the Wetland Mitigation Plan narrative and drawings should be revised to include a plan for restoration of existing wetlands temporarily disturbed or damaged during construction.
33. *Limiting Access to Wetlands.* The open space around many of the residential units adjacent to areas of wetlands should be separated from the wetlands by some type of barrier that eliminates access to the wetland for the safety of residents and visitors, and protection of the wetlands.
34. *Handicapped Access Ramps.* According to Sheet 2 of 16, Alignment Plan, of the Engineer's plans, two handicapped access ramps would be part of the parking facilities located in the tennis court area. The proposed 1:12-slope ramp will require handrails on two sides for safety. The width and length of the ramps, exit and entry landings and handrails should be designed and detailed to ADA standards.

We look forward to continuing review of this project and to discussion with the Planning Board.

Marilyn Timpone Mohamed, ASLA, AICP  
Senior Associate/Planning/Environment

cc: Honorable Mayor and the Village Board of Trustees  
Christopher Bradbury, Village Administrator  
Victor Carosi, PE, Village Engineer  
Nicholas Ward-Willis, Esq., Village Attorney  
John M. Wagner, Esq., for Applicant

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## Dolph Rotfeld Engineering, P.C.

### Memorandum

To : Victor Carosi, P.E., Village Engineer

From: Dolph Rotfeld, P.E., DEE

**SUBJECT: KINGSWOOD (FORMERLY WOODLANDS)**

DATE: August 20, 2007

### COMMENTS ON SUPPLEMENTAL ENVIRONMENTAL INFORMATION KINGSWOOD PROJECT, RYE BROOK, NEW YORK JULY 2007

The following comments of the initial Dolph Rotfeld Engineering Memorandum of January 23, 2007 must still be addressed:

- Comment 4:** The Applicant must indicate the 24 inch diameter storm drain pipe crossing on the sanitary sewer profile on Sheet 8 of 16 (Sta. 6+20 +/-). Additionally, the Applicant must indicate the water line crossing on Drainage Profile DMH-6 to FES-1 (Sta. 0+90 +/-).
- Comment 5:** The Applicant still has not addressed the flow capacity of the existing 10 inch sanitary sewer immediately downstream of the proposed development. Previously requested flow monitoring of this sanitary sewer line was intended to help establish the current flow capability of this existing sewer main. This information will help evaluate the effects of the proposed development on sanitary sewer flow capacity.
- Comment 7:** Any vegetation capable of root growth that can reach the depths of proposed utility lines shall not be located within 5 feet of proposed utility line locations.
- Comment 9:** Although the proposed detention basin can function as a sediment basin, the detention basin and associated flow paths to that location may not be established during initial upstream site disturbance. The Applicant should therefore address the applicability of temporary sediment and siltation basins, in locations upstream of the proposed detention basin.
- Comment 10:** Topsoil stockpile detail must still be provided.
- Comment 11:** Water metering and backflow prevention details have still not been provided.

The following comments of the Dolph Rotfeld Engineering Memorandum of January 23, 2007 regarding Stormwater Considerations, must still be addressed:

**Comments 2, 4 & 10:** The Applicant must still evaluate the 2 and 25 year frequency storm events.

**Comment 9:** The Applicant must still address the capacity of the drainage pipe connecting both parts of the proposed detention basin, in terms of how its capacity may - or may not - reduce the intended storage capability of the entire basin.

**Comment 13:** The Applicant must still address the effect that the proposed condition detention basin outflow hydrograph lag, will have on the downstream Blind Brook Watershed storm flows.

**Additional Comments as of August 7, 2007:**

**Comment 1:** The Applicant should provide a detail of water line encasement for utility crossings with less than 18 inches of cover between pipes.

**Comment 2:** We note that the project will require approximately 4000 cubic yards of imported fill. This material should comply with applicable residential fill material requirements of both the Village of Rye Brook, as well as the NYS DEC.

**Comment 3:** The proposed gate house at the development entrance appears to be located directly on top of the existing 12 inch diameter water main.

**Comment 4:** Sheet 7 of 16: Triple pipe drainage culvert invert elevation of 279.9 appears to be an error.

**Comment 5:** Sheet 6 of 16: Applicant should address the apparent water line horizontal interference with CB-1A.

- Comment 6:** The Applicant should provide proposed water line connection details, and fitting and valve arrangements, in the vicinity of the proposed interconnection with the existing 12 inch water main at the project entrance.
- Comment 7:** Upon completion of construction, and as required during construction, the Applicant should be required to clean downstream drainage facilities from construction related sedimentation.
- Comment 8:** The Applicant should address whether or not the 24 inch detention basin control structure discharge pipe can accommodate detention basin discharge flows without surcharge.
- Comment 9:** For the most part, individual utility profiles have not been provided, only utility locations as related to roadway centerlines profiles. It would be beneficial for the Applicant to provide such individual profiles for proposed water mains, sanitary and storm sewers, in order to more clearly indicate to regulatory agencies and prospective Contractors utility crossings and associated clearances.
- Comment 10:** The entrance gatehouse structure can not be constructed over the existing water line, or possibly even within the water line easement.
- Comment 11:** There still is a question about the availability of sufficient pressure at the second floor of some buildings during peak demands on the water system. The line that the project service is connected to is on the suction side of the Anderson Hill Road Booster station of United Water Company.
- Comment 12:** To review the completeness of the proposed stormwater management plan and impacts to the Blind Brook Club property due to changes of drainage patterns and run-off from this proposed project to that property, an off-site survey of the existing topographic and hydrological conditions of the adjacent property in proximity to the southwestern portion of the Kingswood property should be provided.

KEANE & BEANE, P.C.

ATTORNEYS AT LAW

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WHITE PLAINS, NEW YORK 10601

(914) 946-4777

TELEFAX (914) 946-6868

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NICHOLAS M. WARD-WILLIS

MEMBER

NWARD-WILLIS@KBLAW.COM

ALSO ADMITTED IN CT

August 21, 2007

*Via E-mail: [jwagner@certilmanbalin.com](mailto:jwagner@certilmanbalin.com)*

John M. Wagner, Esq.  
Certilman Balin  
1393 Veteran's Memorial Highway  
Suite 301S  
Hauppauge, NY 11788

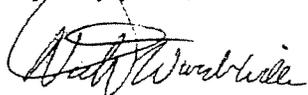
Re: Application of KF (Rye Brook), LLC - The Woodlands

Dear John:

The Village, its staff and its consultants have had the opportunity to review the revised Kingswood residential development submission delivered to the Village under cover of your letter dated July 19, 2007. I have previously provided you with a few comments and I am now enclosing herein review comment memorandums from the Village's Planning Consultant, Frederick P. Clark Associates, Inc., and the Village's Consultant Engineer, Dolph Rotfeld, P.C.

Please note that the Village's Building Inspector will be meeting with the emergency services departments to discuss the revised submission on August 27, 2007 and any additional comments will be provided to you thereafter. The Village, based upon the attached review comments, does not consider the application complete. Upon your review, should you have any questions or wish to meet to discuss the application with the Village staff and its consultants, do not hesitate to contact me. As previously advised, I am on vacation from August 24<sup>th</sup> and not returning to the office until September 4, 2007. Thank you for your attention.

Very truly yours,



Nicholas M. Ward-Willis

NMW/cp

cc: Terri Elkowitz (via e-mail)  
Christopher J. Bradbury, Village Administrator (via e-mail)  
Victor Carosi, Village Engineer (via e-mail)  
Marilyn Timpone-Mohamed (via e-mail)

## Appendix J

Dec. 14, 2006 3:11PM

WESTCHESTER COUNTY

No. 7691 OTM P. 1 APRIL, 2006

TAX BILL NO. 0007914

1805 129-35-1-13  
3-330 ROLL SECT-1  
ANDERSON HILL RD  
ACR 15.91 SCH-554805

LEVY DESCRIPTION	FULL VALUE	TAXABLE VALUE	TAX RATE	TAX AMOUNT
2006 COUNTY	5,884,500	5,884,500	3.128650	18,410.54
2006 TOWN NO 5,884,500	5,884,500	5,884,500	0.198970	1,170.84
BL BRK SEWER	5,884,500	5,884,500	0.467070	2,748.47
SOLID WASTE	5,884,500	5,884,500	0.361660	2,128.19

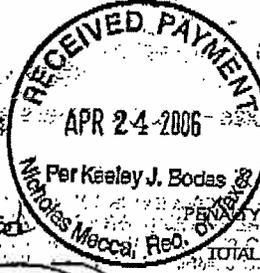
MAKE CHECKS PAYABLE TO RECEIVER OF TAXES  
10 PEARL ST  
PORT CHESTER  
NEW YORK 10573  
939-3558

WARRANT DATED  
04/01/2006

4.156350

PEPSICO INC/FRITO-LAY INC  
PO BOX 660634  
DALLAS TX 75266

24,458.04



FISCAL YEAR 11/06-12/31/06

Amount Below Must Be Received by April 30, 2006 to Avoid Penalty.

24,458.04

TOTAL TAX

CASH   
CHECK   
REFUND

Per Kasey J. Bodas  
Nicholas Mecca, Rec.

The Assessor Estimated Full Market Value Of This Property As of January 1,

2005 \$5,884,500

NICHOLAS C. MECCA, RECEIVER OF TAXES

554805 129-35-1-13  
CLS-330 ROLL SECT-1  
ANDERSON HILL RD  
ACR 15.91 SCH-554805

LEVY DESCRIPTION	FULL VALUE	TAXABLE VALUE	TAX RATE	TAX AMOUNT
2006 VILLAGE	5,884,500	5,884,500	4.536978	26,729.25

VILLAGE OF RYE BROOK  
VILLAGE TAXES

TAX NOTICE JUNE 2006

MAKE CHECKS PAYABLE TO RECEIVER OF TAXES  
10 PEARL ST  
PORT CHESTER  
NEW YORK 10573

WARRANT DATED



PEPSICO INC/FRITO-LAY INC  
PO BOX 660634  
DALLAS TX 75266

26,729.25

CASH   
CHECK   
REFUND

Per Kasey J. Bodas  
Nicholas Mecca, Rec.

The Assessor Estimated Full Market Value Of This Property As of January 1,

2005 \$5,884,500

NICHOLAS C. MECCA, RECEIVER OF TAXES

554805 129-35-1-13  
CLS-330 ROLL SECT-1  
ANDERSON HILL RD  
ACR 15.91 SCH-554805

LEVY DESCRIPTION	FULL VALUE	TAXABLE VALUE	TAX RATE	TAX AMOUNT
006 SCHOOL	5,884,500	5,884,500	19.406929	114,200.07

UNION FREE SCHOOL DISTRICT  
WARRANT DATED

TAX NOTICE SEPT. 2006  
MAKE CHECKS PAYABLE TO RECEIVER OF TAXES  
10 PEARL ST  
PORT CHESTER  
NEW YORK 10573  
PHONE #939-3558

TAX BILL NO. 0000416

WARRANT DATED  
09/01/2006

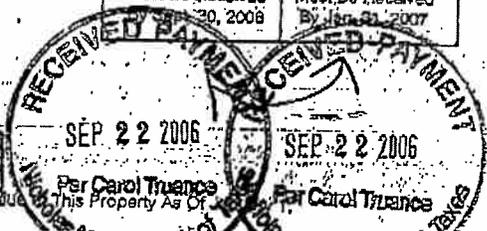
FISCAL YEAR 7/1/06 - 6/30/07

PEPSICO INC/FRITO-LAY INC  
PO BOX 660634  
DALLAS TX 75266

57,100.04 57,100.03

This Amount Must Be Received By 9/30, 2006

This Amount Must Be Received By 10/31, 2007



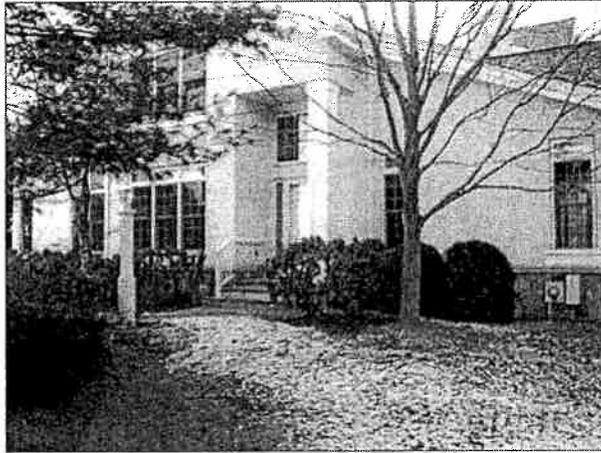
Per Carol Truica  
This Property As Of

Per Carol Truica  
Taxes

NICHOLAS C. MECCA, RECEIVER OF TAXES

The Assessor Estimated Full Market Value Of This Property As Of

Property Search Compliments of  
Four Seasons Real Estate Center  
for more information call 914.667.6767



\$1,495,000.00  
est: \$7,170.62 prin & int/month

[Request a Showing NOW!](#)

Luxurious Country Club Living in this spectacular Home overlooking the 1st tee in prestigious Doral Greens. Magnificent views, total privacy. Master Suite on main floor, 2 sun drenched decks. Vaulted ceilings, stunning built-ins, closets galore, central vac, 2 fireplaces. Lovely finished basement with recreation room, office & Bath. MM includes all exterior maintenance, gardening, snow removal, clubhouse, swimming & tennis. Owner will pay 1 yr. monthly maintenance. A True Value!

#### Information

Address:

[Get Map](#)

Bedrooms: 3

Bathrooms: 4 full 1 partial

Square Feet: 2723

Type: Contemporary

Post Office: Rye Brook

Subdivision: Rye Brook

Area: Rye Town

School Dist: Blind Brook

MLS ID: 2702631

Status: Active

#### Features

**Garage:** 2.0 car attached

**Taxes:** \$29,387.00

**Basement:** Yes

**Exterior:** Stucco

**Parking Notes:** 2 Car Attached

**Lot Dimensions:** 0.108 Acre(s)

**Heating:** Hot Air

**Fuel Type:** Gas

**Cooling:** Central

**Year Built:** 1994

**Security:** yes

**Stories:** 0.0

**Inclusions:** Alarm System, Microwave, Central

Vacuum, Refrigerator, Curtains/Drapes, Dishwasher, Disposal, Dryer, Shades/Blinds, Garage Door Opener, Wall to Wall Carpet, Garage Remotes, Washer

**Amenities:** Master Bath, Alarm System, Patio, Powder Room, Privacy, Cul-de-Sac, Sprinkler Sys Lawn, Eat in Kitchen, Exercise Room, Vaulted/Cath Ceiling, View, Fireplace, Walk-In-Closets, Golf Course

**Total Rooms:** 10

**Basement Description:** Gym/recreation rm, office, full B



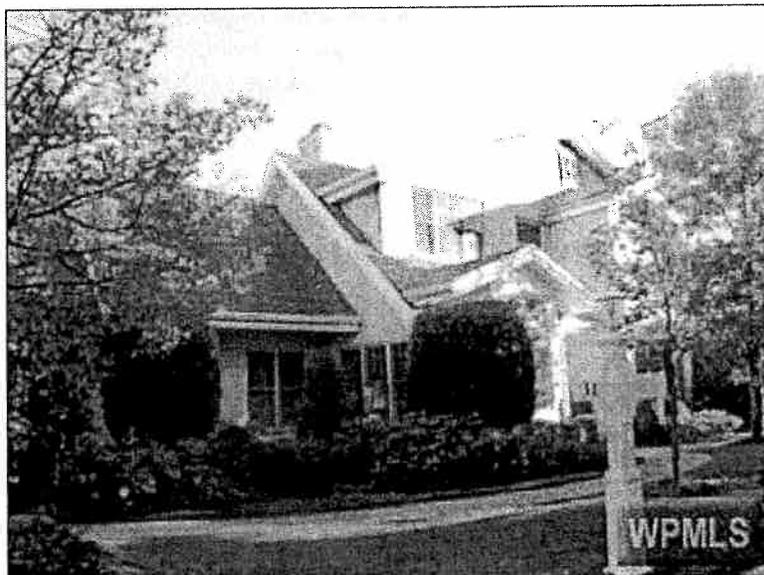
[request more info](#)



8 total images  
click here to  
view



Property Search Compliments of  
 Four Seasons Real Estate Center  
 for more information call 914.667.6767



\$1,395,000.00  
 est: \$6,690.98 prin & int/month

**Request a Showing NOW!**

Luxurious Country Club Living, This Pristine And Elegant Home In Sought After Doral Greens. Beautiful Golf Course And Pond Views. Sun Drenched Unit With Oversize Deck And Lots Of Closets, Built Ins, Crown Moldings, 2 Fireplaces, Faux Paint, Surround Sound Throughout. Limestone Floor Throughout First Floor. Maintenance Includes Roof, House Exterior, Tennis, Pool, Grounds And Snow Removal. Taxes Do Not Reflect Star Of \$1,415.



10 total images  
 click here to  
 view

Information

Address:

[Get Map](#)

- Bedrooms: 3
- Bathrooms: 2 full 1 partial
- Square Feet: 2748
- Type: Town House
- Post Office: Rye Brook
- Area: Rye Town
- School Dist: Blind Brook
- MLS ID: 2627551
- Status: Active

Features

- Garage:** 2.0 car attached
- Taxes:** \$29,283.00
- Swimming Pool:** Yes
- Exterior:** Masonry
- Parking Notes:** 2 Car Attached

**Lot Dimensions:** 0.110 Acre(s)

**Heating:** Hot Air

**Fuel Type:** Gas

**Cooling:** Central

**Year Built:** 1994

**Security:** yes

**Stories:** 0.0

**Inclusions:** Ceiling Fan,Central Vacuum,Curtains/Drapes,Dishwasher,Disposal,Garage Door Opener,Intercom,Microwave,Range,Satellite Dish,Screens,Shades/Blinds,Wall to Wall Carpet,Whirlpool,Alarm System

**Amenities:** Close to Bus,Close to School,Clubhouse,Deck,Eat in Kitchen,Fireplace,Pool,Powder Room,Golf Course,Walk-In-Closets,High Ceilings,Master Bath,Alarm System

**Total Rooms:** 7

**Basement Description:** Crawlspace

Property Search Compliments of  
Four Seasons Real Estate Center  
for more information call 914.667.6767



\$1,375,000.00  
est: \$6,595.06 prin & int/month

**Request a Showing NOW!**

Spectacular 3 Bedroom, 2.5 Bath Townhome In Sought After Doral Greens. This Home Offers Fabulous Views Of The Golf Course With A Private Location On A Cul-de-sac. Master Bdrm Has Steam Shower/Jacuzzi, 3rd Bedroom Offers Cherry Wood Built Ins Can Be Used As Office, Built In Bar Off Of Kitchen. Hardwood Floors And Mouldings Add Charm And Character. The Terrace Offers Beautiful Vistas From This Sundrenched Home. A Must See!



10 total images  
click here to  
view

Information

Address:

[Get Map](#)

- Bedrooms: 3
- Bathrooms: 2 full 1 partial
- Square Feet: 2755
- Type: Town House
- Post Office: Rye Brook
- Subdivision: Rye Brook
- Area: Rye Town
- School Dist: Blind Brook
- MLS ID: 2622065
- Status: Active

Features

- Garage:** 2.0 car attached
- Taxes:** \$26,680.00
- Exterior:** Stucco

**Parking Notes:** 2 Car Attached

**Lot Dimensions:** 0.110 Acre(s)

**Heating:** Hot Air

**Fuel Type:** Gas

**Cooling:** Central

**Year Built:** 1996

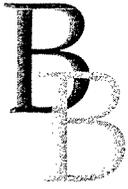
**Stories:** 0.0

**Amenities:** Clubhouse,Cul-de-Sac,Deck,Eat in Kitchen,Fireplace,Powder Room,View,Golf Course,Walk-In-Closets,High Ceilings,Master Bath,Close to School

**Total Rooms:** 7

**Basement Description:** Crawl

## **Appendix K**



# BLIND BROOK PUBLIC SCHOOLS

BLIND BROOK - RYE UNION FREE SCHOOL DISTRICT

390 NORTH RIDGE STREET

RYE BROOK, NEW YORK 10573-1105

(914) 937-3600. EXT. 3022

FAX (914) 937-5871

email: rvalenti@blindbrook.org

RONALD D. VALENTI, Ph.D.  
SUPERINTENDENT OF SCHOOLS

BLIND BROOK MIDDLE / HIGH SCHOOL  
PONTERIO RIDGE STREET ELEMENTARY SCHOOL

December 8, 2006

Ms. Tammy J. Hasenzahl, Environmental Planner  
Freudenthal & Elkowitz Consulting Group, Inc.  
1757-24 Veterans Memorial Highway  
Islandia, New York 11749

Dear Ms. Hasenzahl,

Please find enclosed responses to your questions.

1. Current Enrollment: 1485 Students
2. Serving Schools: RSS Grades K-5  
BBMS Grades 6-8  
BBHS Grades 9-12
3. Current Per Pupil Expenditure: \$22,500
4. Additional Information
  - A. All students, K-12 would be eligible for bussing.
  - B. Community has approved two recent bonds to expand classroom space and athletic fields to accommodate growing enrollment.

Consequently our school district is well leveraged to educate the potential students in this new development.

Please call if you have any additional question.

Sincerely,

Ronald D. Valenti, Ph.D.

RDV:als  
12-08-06  
HASENZAHN

# FREUDENTHAL & ELKOWITZ CONSULTING GROUP, INC.

Theresa Elkowitz, President

1757-24 Veterans Memorial Highway

Islandia, New York 11749

Tel: (631) 499-2222

Fax: (631) 499-5928

fecg@fecg.us

December 5, 2006

## VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Dr. Ronald Valenti  
Superintendent of Schools  
Blind Brook - Rye Union Free School District  
390 North Ridge Street  
Rye Brook, New York 10573

Re: Expanded Environmental Assessment Form ("EEAF")  
Proposed "The Woodlands" Residential Development  
Southwest Corner of Anderson Hill Road and King Street  
Incorporated Village of Rye Brook, New York and  
Town of Greenwich, Connecticut

Dear Dr. Valenti:

This firm is in the process of preparing an EEAF for a proposed action that consists of the construction of a 30-unit, luxury, residential development on a 15.44±-acre parcel that is situated at the southwest corner of Anderson Hill Road and King Street in the Incorporated Village of Rye Brook, New York and Town of Greenwich, Connecticut (see *Site Location Map* annexed hereto). The residential community would be wholly located within the Incorporated Village of Rye Brook, New York. Access to the site would be via Anderson Hill Road.

As part of the State Environmental Quality Review Act ("SEQRA") process, the EEAF is to include information on public services, such as educational facilities, and I would appreciate your assistance in this regard. Please verify, in writing:

1. The current enrollment in the Blind Brook - Rye UFSD;
2. The schools that would serve the proposed development;
3. The current per pupil expenditure; and
4. Any additional information that you believe is relevant to this study.

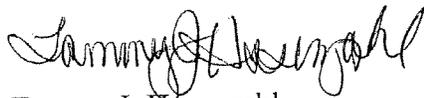
Dr. Ronald Valenti  
Superintendent of Schools  
Blind Brook – Rye Union Free School District

December 5, 2006  
Page 2

Thank you for your assistance with this matter. Please feel free to contact me at (631) 499-2222 if you should have any questions concerning this request.

Sincerely,

FREUDENTHAL & ELKOWITZ  
CONSULTING GROUP, INC.



Tammy J. Hasenzahl  
Environmental Planner

TJH/th  
enc.

9505 1820 0000 1956 3036

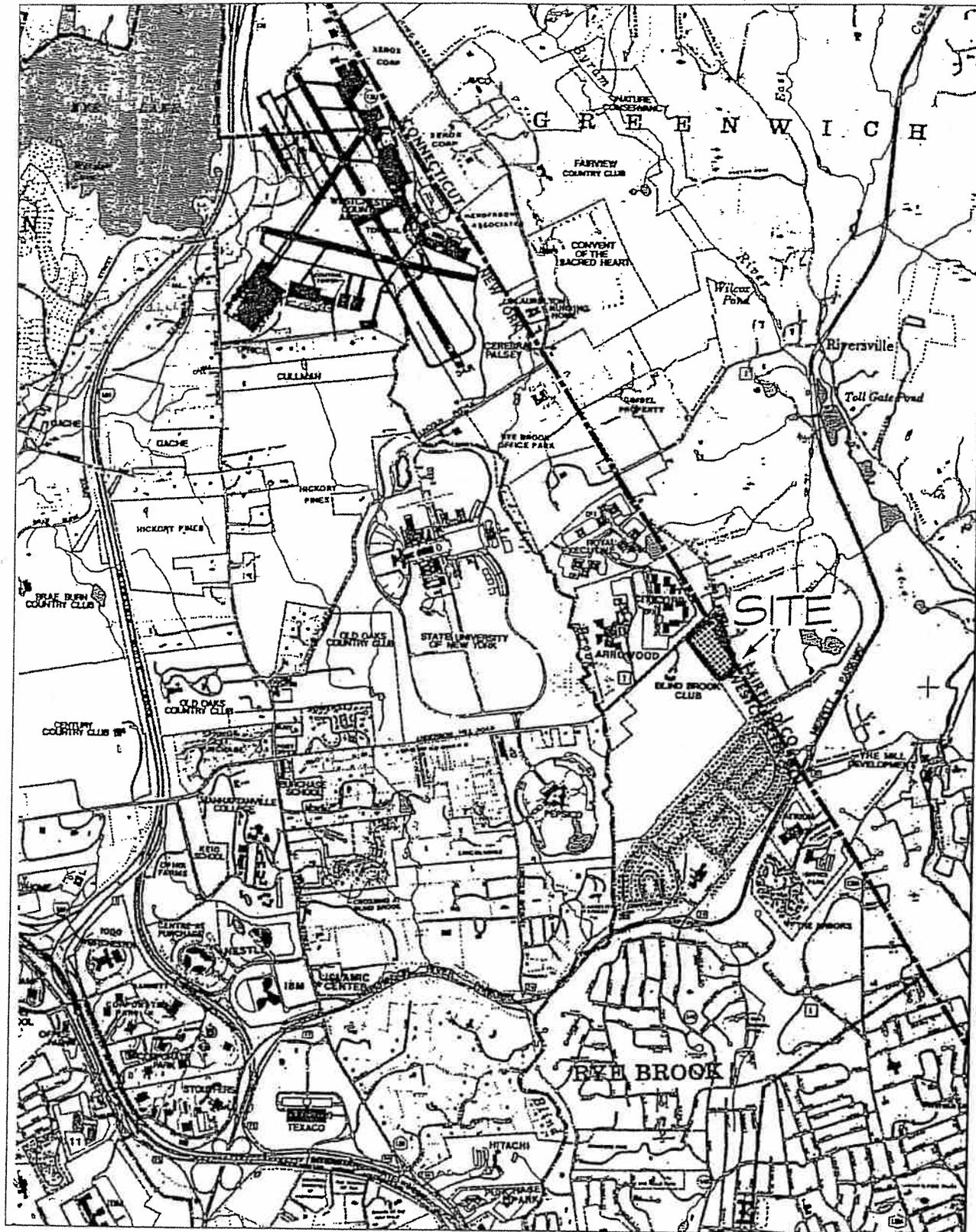
U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
OFFICIAL USE	
Postage \$	
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	464

Jan 02  
162  
Postmark  
Here

Sent To	R Valenti
Street, Apt. No., or PO Box No.	Blind Brook Rye UFS
City, State, ZIP+4	

PS Form 3800, June 2002 See Reverse for Instructions

# SITE LOCATION MAP



## Appendix L



## PORT CHESTER-RYE-RYE BROOK EMERGENCY MEDICAL SERVICES

11/27/06

Freudenthal & Elkowitz Consulting Group, Inc.  
1757-24 Veterans Memorial Highway  
Islandia, N.Y. 11749

Re: EEAF for "The Woodlands" Project

Dear Ms. Hasenzahl:

I am sending this letter in response to your request for information pertaining to our service and service area with regards to the proposed "Woodlands" project in Rye Brook, N.Y. We are a career EMS agency providing emergency 911 and transportation service to the communities of Port Chester, Rye and Rye Brook. We handle approximately 4,500 calls each year with 12 full time and 40 part time employees. Currently we staff up to 4 ambulances during the day time and early night hours and 2 ambulances over night. We also employ a paramedic response vehicle in times of high volume. Each ambulance is staffed with an EMT and a Paramedic providing advanced life support at the time of contact. Our estimated response time to the area would be between 2 and 8 minutes depending on where the ambulance is posted during the time of the call. We routinely transport patients to Greenwich, White Plains and Sound Shore Hospitals (patient's choice) and to the Westchester County Medical Center in the case of trauma or severe burns or as requested by the patient or patient's physician. Should you have any questions or concerns during this process please don't hesitate to contact me directly.

Sincerely,

Scott T. Moore  
EMS Administrator

"Caring for the Community since 1968"

417 Ellendale Avenue Port Chester, N.Y. 10573

Phone: 914-939-8112 Fax: 914-939-1075 EMSADM2@aol.com

# FREUDENTHAL & ELKOWITZ CONSULTING GROUP, INC.

Theresa Elkowitz, President

November 21, 2006

**VIA CERTIFIED MAIL**

Scott Moore  
 Port Chester - Rye - Rye Br  
 417-419 Ellendale Avenue  
 Port Chester, New York 10573

Re: Expanded Environ  
 Proposed "The Wo  
 Southwest Corner  
 Incorporated Villag  
 Town of Greenwic

Dear Mr. Moore:

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature  <input checked="" type="checkbox"/> Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>C. Date of Delivery                  11/24</p>	
<p>1. Article Addressed to:                  Scott Moore                  Port Chester - Rye -                  417 - 419 Ellendale Ave                  Port Chester, NY 10573</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No                  If YES, enter delivery address below:</p>	
<p>2. Article Number                  (Transfer from service label)</p>	<p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	<p>7005 1820 0000 1870 0142</p>	
<p>PS: Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p>		

This firm is in the process of preparing an EEAF for a proposed action that consists of the construction of a 30-unit luxury residential development on a 15.44±-acre parcel that is situated at the southwest corner of Anderson Hill Road and King Street in the Incorporated Village of Rye Brook, New York and Town of Greenwich, Connecticut (see *Site Location Map* annexed hereto). The residential community would be wholly located within the Incorporated Village of Rye Brook, New York. Access to the site would be via Anderson Hill Road, and an emergency access would be provided via King Street. It is expected that the proposed development would be serviced by public water and municipal sewer.

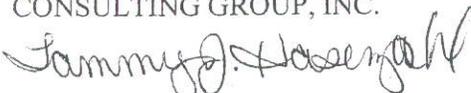
Please note that an EEAF is currently being prepared to evaluate the potential impacts of the proposed action. As part of the State Environmental Quality Review Act ("SEQRA") process, the EEAF is to include information on community facilities and services, including ambulance service, and I would appreciate your assistance in this regard. Please confirm that the subject site is within your jurisdiction. If so, please advise, in writing, on the following:

1. Number of personnel;
2. Total number of calls responded to in 2005;
3. Estimated response time to the subject site;
4. Number and types of equipment and vehicles used by the Port Chester - Rye - Rye Brook Volunteer Ambulance Corps;
5. The receiving hospital(s) to which you would transport persons in need of emergency care; and
6. Any relevant information you feel would assist us in the preparation of the EEAF.

Thank you for your assistance in this matter. Please feel free to contact me at (631) 499-2222 with any questions concerning this request.

Sincerely,

FREUDENTHAL & ELKOWITZ  
 CONSULTING GROUP, INC.



Tammy J. Hasenzahl  
 Environmental Planner  
 TJH/lm  
 enc.



# Village of Port Chester

Office of the Chief  
PORT CHESTER FIRE DEPARTMENT  
CHIEF'S OFFICE: 914-939-8574



New York

**Peter J. Mutz**  
CHIEF

**Charles J. Nielsen**  
FIRST ASSISTANT CHIEF

**Robert Drought**  
SECOND ASSISTANT CHIEF

December 5, 2006

Tammy J Hasenzahl, Environmental Planner  
Freudenthal & Elkowitz Consulting Group, Inc.  
1757-24 Veterans Memorial Highway  
Islandia, NY 11749

Ms. Hasenzahl:

I am responding to your letter dated November 21, 2006 in regards to the Expanded Environmental Assessment Form, for the proposed "The Woodlands" Residential Development in the Village of Rye Brook.

The Rye Brook Fire Department is a part time Fire Department comprised of eight Fire Fighters working two shifts of four personnel, seven days a week from 7:00am to 7:00pm. The main fire suppression responsibility comes from the Village of Port Chester Fire Department which consists of twelve paid Fire Fighters and one hundred and fifty volunteer Fire Fighters. Rye Brook Fire Department consists of one Engine and one Quint Ladder truck with a seventy five foot ladder.

At 7:00pm, one paid Engine from Port Chester relocates to the Rye Brook Fire Station. This station is approximately one half mile from the proposed site, located on King Street. The Port Chester Fire Department responds to Rye Brook with one paid Engine, two Volunteer Engines, one Ladder Truck,

# Village of Port Chester

Office of the Chief  
PORT CHESTER FIRE DEPARTMENT  
CHIEF'S OFFICE: 914-939-8574



New York

**Peter J. Mutz**  
CHIEF

**Charles J. Nielsen**  
FIRST ASSISTANT CHIEF

**Robert Drought**  
SECOND ASSISTANT CHIEF

one Heavy Rescue, and three Volunteer Chiefs. The Chief of the Port Chester Fire Department is also the Chief of the Rye Brook Fire Department.

The Port Chester Fire Department consists of seven class A Pumpers, one 100ft Ladder Truck, one 95ft Tower Ladder Truck, one Heavy Rescue Truck and numerous support vehicles.

The Port Chester Fire Department responded to over 1600 alarms in 2005. The Fire Department responds to all types of emergencies, and responds as first responders to Emergency Medical Services calls only when requested by the local Ambulance provider.

I hope this answers any questions you may have, but please feel free to contact me at (914)879-5277 if you have any further questions.

Sincerely,

Peter Mutz, Chief

# FREUDENTHAL & ELKOWITZ CONSULTING GROUP, INC.

Theresa Elkowitz, President

1757-24 Veterans Memorial Highway

November 21, 2006

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Chief Peter Mutz, Fire Chief  
Village of Rye Brook  
Village Hall  
938 King Street  
Rye Brook, New York 10573

Re: Expanded Environment  
Proposed "The Woodlands"  
Southwest Corner of Anderson Hill Road  
Incorporated Village of Rye Brook  
Town of Greenwich, Connecticut

Dear Chief Mutz:

This firm is in the process of preparing an Environmental Assessment (EAF) which consists of the construction of

a 30-unit luxury residential development on a 15.44±-acre parcel that is situated at the southwest corner of Anderson Hill Road and King Street in the Incorporated Village of Rye Brook, New York and Town of Greenwich, Connecticut (see *Site Location Map* annexed hereto). The residential community would be wholly located within the Incorporated Village of Rye Brook, New York. Access to the site would be via Anderson Hill Road, and an emergency access would be provided via King Street. It is expected that the proposed development would be serviced by public water and municipal sewer.

Please note that the EFAF is currently being prepared to evaluate the potential impacts of the proposed action. As part of the State Environmental Quality Review Act ("SEQRA") process, the EFAF is to include information on community facilities and services, including fire services, and I would appreciate your assistance in this regard. Please confirm whether the subject site is within your jurisdiction. If so, please advise, in writing, on the following:

1. Number of personnel;
2. Total number of fire and rescue calls responded to in 2005;
3. Nearest fire station and estimated response time to the subject site;
4. Number and types of equipment and vehicles used by the Fire Department; and
5. Any relevant information you feel would assist us in the preparation of the EFAF.

Thank you for your assistance in this matter. Please feel free to contact me at (631) 499-2222 with any questions concerning this request.

Sincerely,

FREUDENTHAL & ELKOWITZ  
CONSULTING GROUP, INC.



Tammy J. Hasenzahl  
Environmental Planner

TJH/lm  
enc.

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

### 1. Article Addressed to:

Chief Peter Mutz  
Village of Rye Brook  
Village Hall  
938 King Street  
Rye Brook NY 10573

### 2. Article Number

(Transfer from service label)

7005 1820 0000 1870 0135

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-

## COMPLETE THIS SECTION ON DELIVERY

### A. Signature

X *R. D. Lane*  Agent  Addressee

### B. Received by (Printed Name)

*D. Ascoli*

### C. Date of Delivery

*11/27/06*

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

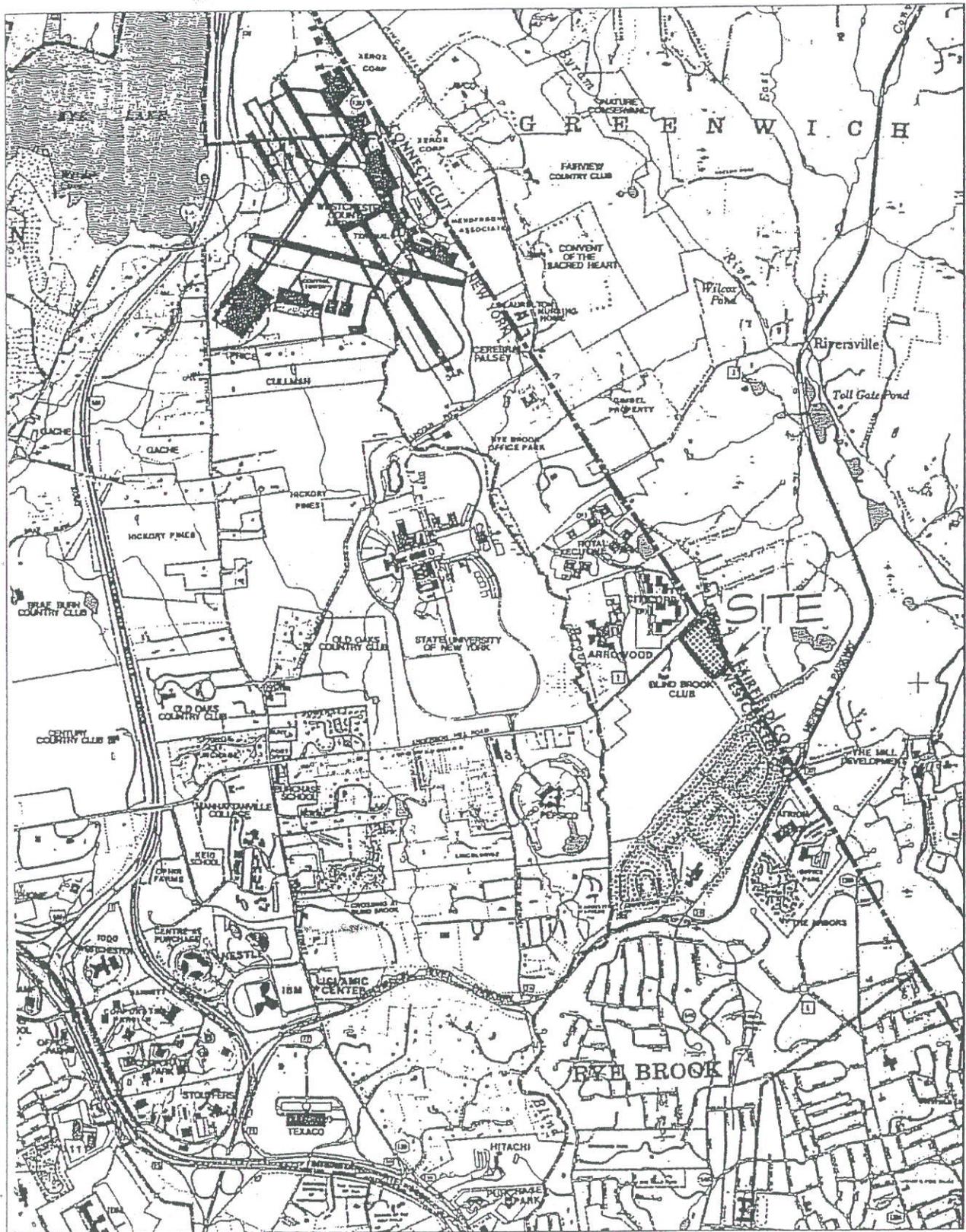
### 3. Service Type

Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

### 4. Restricted Delivery? (Extra Fee)

Yes

# SITE LOCATION MAP





## RYE BROOK POLICE DEPARTMENT

938 King Street, Rye Brook, N.Y. 10573

Police Department (914) 937-1020

Administrative (914) 939-8320

Fax (914) 939-8215



POLICE DEPARTMENT  
CHIEF OF POLICE

Gregory J. Austin

December 5, 2006

Attn: Tammy J. Hasenzahl  
Environmental Planner  
Freudenthal & Elkowitz Consulting Group, Inc.  
1757 -24 Veterans Memorial Highway  
Islandia, New York 11749

Re: EEAF for Southwest Corner Of Anderson Hill Rd.  
& King St., Rye Brook, N.Y. & Greenwich, Ct.

Dear Sirs:

Per you request of information: The above listed property is in the jurisdiction of  
Rye Brook, N.Y.

Number of personnel and patrols in the area:....28 men / 2 to 3 officers per shift

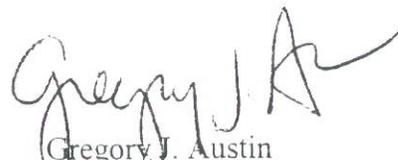
Number and types of equipment: 11 Police Vehicles / AED /Medical 1<sup>st</sup> Aid/ and Oxygen

Number and types of calls received: Approximately 5500 calls per year varying in type to  
Domestic, Medial Aided, Alarms, & calls for service.

Relevant information: Emergency entrance may be in Greenwich, Ct.

If you need any further information, please feel free to call me at 914-939-8320.

Sincerely,

  
Gregory J. Austin  
Chief of Police

# FREUDENTHAL & ELKOWITZ CONSULTING GROUP, INC.

Theresa Elkowitz, President

November 21, 2006

VIA CERTIFIED MAIL - RI

Chief Gregory J. Austin  
 Village of Rye Brook  
 Village Hall  
 938 King Street  
 Rye Brook, New York 10573

Re: Expanded Environment  
 Proposed "The Woodl.  
 Southwest Corner of A  
 Incorporated Village o  
 Town of Greenwich, C

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		A. Signature X <i>RD Ascoli</i> <input type="checkbox"/> Agent <input type="checkbox"/> Address	
1. Article Addressed to: <i>Chief Gregory J. Austin                      Village of Rye Brook                      Village Hall                      938 King Street                      Rye Brook NY 10573</i>		B. Received by (Printed Name) <i>D. Ascoli</i>	C. Date of Delivery <i>10/11/06</i>
2. Article Number <i>7005 1820 0000 1870 0128</i> <small>(Transfer from service label)</small>		D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:	
3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
PS Form 3811, February 2004		Domestic Return Receipt	
		102595-02-M-18	

Dear Chief Austin:

This firm is in the process of preparing an EAAF for a proposed action that consists of the construction of a 30-unit luxury residential development on a 15.44±-acre parcel that is situated at the southwest corner of Anderson Hill Road and King Street in the Incorporated Village of Rye Brook, New York and Town of Greenwich, Connecticut (see *Site Location Map* annexed hereto). The residential community would be wholly located within the Incorporated Village of Rye Brook, New York. Access to the site would be via Anderson Hill Road, and an emergency access would be provided via King Street. It is expected that the proposed development would be serviced by public water and municipal sewer.

Please note that the EAAF is currently being prepared to evaluate the potential impacts of the proposed action. As part of the State Environmental Quality Review Act ("SEQRA") process, the EAAF is to include information on community facilities and services, including police services, and I would appreciate your assistance in this regard. Please confirm whether the subject site is within your jurisdiction. If so, please advise, in writing, on the following:

1. The number of personnel and patrols in the area;
2. The number and types of equipment;
3. The number and types of calls received; and
4. Any relevant information you feel would assist in the preparation of the EAAF.

Thank you for your assistance in this matter. Please feel free to contact me at (631) 499-2222 if you should have any questions concerning this request.

Sincerely,

FREUDENTHAL & ELKOWITZ  
 CONSULTING GROUP, INC.

*Tammy J. Hasenzahl*

Tammy J. Hasenzahl  
 Environmental Planner

TJH/lm  
 enc.



## Appendix M

**Creative Visuals, Inc.**  
**Happy Valley Road**  
**Post Office Box 435**  
**Bearsville, NY 12409**  
**Phone (845) 679-9055, Fax (845) 679-1175**

March 28, 2007

KF (RYE BROOK), LLC  
126 East 56<sup>th</sup> Street, 32<sup>nd</sup> Floor  
New York, NY 10022

RE: The Woodlands at Rye Brook

To Whom It May Concern:

The following is a description of the methodology used in preparing the visual simulations prepared by Creative Visuals, Inc. of proposed "The Woodlands" ("Facility") located off of Anderson Hill Road in Rye Brook, New York. The simulated Facility is a representation of the plans based upon digital drawings (files)/plans provided by the applicant's consultants, Sullivan Architecture, P.C., Barrett, Bonacci & Van Weele, P.C. and William Johnson.

**Description of site**

Larry Heimel and his associates made numerous site inspections prior to photography to become familiar with the terrain and surrounding area. During the site visits they met with the project surveyors, Barrett, Bonacci & Van Weele, P.C., and identified critical points (as further described below in the "on-site reference points"). The site consists mostly of level terrain and is wooded except for the western portion adjacent to the Blind Brook Country Club. The eastern portion contains identified wetlands, which serves as a dense vegetation buffer.

**On-site reference points**

The project surveyors set reference points: these points represent the perimeter of the limit of disturbance (the line separating the proposed disturbed and undisturbed areas) in addition to the outside limits of the first approximately 200' of the entrance road off of Anderson Hill Road. The surveyors prepared a "stake diagram" of the stakes that were set in the field. Creative Visuals' field team suspended rope along the stakeout that represented the limit of disturbance. Neon 28" x 22" poster boards were suspended from the rope in order to provide a continuous visible reference delineating the vegetation to be removed from the vegetation to remain. In addition, 25' tall telescopic poles with reflective signs attached to the top and at 10' AGL (Above Ground Level) were hand-held at specific reference points. A minimum of three references were photographed from each view point. These references were used for placement of the simulated Facility onto the photographs.

**Description of View Point**

The Village of Rye Brook selected five view points as areas of potential visibility and for photo representation of the completed Facility. A photo location map is provided for referencing the view point locations. Photographs were taken on December 9, 2006 between 9:25 A.M. and 2:10 P.M.; conditions were sunny skies. The following view points are presented for analysis:

View point 1 – view from along Anderson Hill Road, taken from directly opposite the proposed entrance to the site. Depicted by 38.40mm perspective.

View point 2 – view from Anderson Hill Road’s westbound shoulder, taken at the approximate center of the site frontage along Anderson Hill Road. Depicted by 38.40mm perspective.

View point 3 – view from the northbound sidewalk along King Street, near the intersection with Anderson Hill Road. Depicted by 51mm perspective.

View point 4 – view from the sidewalk along King Street, taken at the approximate center of frontage along King Street. Depicted by 45mm perspective.

View point 5 – view from the Blind Brook Country Club at the practice tee “closed” sign. Depicted by 59.75mm perspective.

## **Process**

Photographs were taken during leaf-off conditions, therefore providing a “worst case” scenario. Larry Heibel and assistants took digital and analog photographs of the site from the view points under study using a Nikon D200 digital camera and a Nikon F-5 35mm analog camera. Two cameras were used to provide an “insurance” shot. Each camera photographed with several mm lens ranging between 38.40-59.75mm. The analog camera shot Fuji Professional NPC 160 print film. The use of multiple mm lenses was utilized to match the field of view from each view point that would best represent the Facility in view. The “normal” lens for a 35mm camera is approximately 50mm. It most closely resembles how our eyes see the world, and thus renders the scene with a normal perspective and size relationships. A 50mm photograph gives the most natural-looking perspective, matching that which a person would see from a view point. The angle of view (how much of the landscape a lens covers or sees) of a 50mm lens is approximately 39.5 degrees, whereas the angle-of-view of human vision is approximately three times greater. Due to the close proximity of view points 1 and 2, a 38.40mm wider lens encompassing a greater field of view was used to provide a greater angle of view of the proposed Facility.

These photos presented reference points for calculation of the placement of the Facility, using the references at known heights and locations located on the site, as seen from each view point where visible. The five view point locations and references used during photography were surveyed and located on the digital drawings furnished by the project engineers. In addition, the photography field team used two laser rangefinders and two GPS (Global Positioning System) units as insurance to verify the information prepared by the surveyors. All information corresponded very accurately.

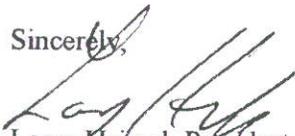
AutoCAD files were imported into 3D programs to generate 3D files: the engineers’ and architects’ digital AutoCAD files were the basis of generating the 3D model of the proposed Facility. Barrett, Bonacci & Van Weele, P.C. provided a grading plan in AutoCAD that was used to generate the 3D terrain model. Sullivan Architecture, P.C. provided architectural two-dimensional digital files that were converted into three-dimensional photorealistic buildings based upon building material samples that they submitted. The architects also provided the lighting plan that included the specifications of the lampposts and their placement situated throughout the proposed development. The landscape architect, William Johnson, provided the landscape plan. The model of the landscape trees was generated according to the landscape legend which specified the height after approximately five years of growth and under leaf-off conditions to match the conditions at the time of photography (except for view point 5 which depicts the deciduous trees in bloom). The conifer landscape plantings are generic in nature; one species was used for the 3D model in order to demonstrate screening of the proposed Facility. Additional landscape plantings were added to the simulation of the Facility’s entrance to reflect the landscape plan. The proposed landscape trees were inserted with their correct placement and scale as per the landscape plan. The Facility was generated with its actual dimensions as a vectorized 3D model. The 3D model of the Facility structure was set onto the terrain model at the appropriate elevations.

These files were used to render the Facility as seen from the photo simulation view points, maintaining the perspective of the digital photographs. This was achieved by exporting the location of the view points, Facility and references into the 3D programs from AutoCAD. The 3D programs utilized this file to establish the relationship of the Facility, references and view point locations, thus maintaining their relative X, Y and Z distances (the difference in elevation, bearing and distance to). The view point and Facility's site were elevated to their proper AMSL (Above Mean Sea Level). The cameras in the 3D programs were set at the view point's X, Y and Z location and photographed the model of the Facility with the mm lens correlating to our photographs. The X, Y and Z coordinates allowed the 3D camera to render the structures to their correct scale, rotation and angle from each simulated view point.

Materials from photographs were used as surface materials over portions of the 3D model in order to enhance photorealism such as groundcover, sky and blacktop. The simulated Facility was rendered in the 3D program with simulated sunlight on the structures, taking into account the site latitude, date and time of day of the view point photographs. The simulations address only the larger of the proposed plantings that would provide screening. The vegetation to be removed is based upon the grading plan and the depiction is approximate. The on-site references were digitally removed from the view point photographs. In view point 5 the photographer's shadow in the immediate foreground was digitally removed from the photograph. Finally the rendered 3D model of the Facility was inserted and merged into the site photos we had taken. The simulations provide the viewer with the overall impact of the proposed Facility.

Based upon our over eleven years' experience in visual analysis, as well as having analyzed over 600 structures throughout the region, we are confident that the enclosed visual study reasonably reflects the visibility of the proposed Facility as depicted by the information provided by the submitted plans.

Sincerely,



Larry Heindel, President  
Creative Visuals, Inc.



Google

Image © 2006 New York GIS



Existing view  
View point 1 - view from along Anderson Hill Road,  
taken from directly opposite the proposed entrance to the site



Photo by Creative Visuals, Inc.

View point 1 - view from along Anderson Hill Road, taken from directly opposite the proposed entrance to the site



Computer simulated photo by Creative Visuals, Inc.

Existing view  
View point 2 - view from Anderson Hill Road's westbound shoulder,  
taken at the approximate center of the site frontage along Anderson Hill Road



Photo by Creative Visuals, Inc.

View point 2 - view from Anderson Hill Road's westbound shoulder, taken at the approximate center of the site frontage along Anderson Hill Road



Computer simulated photo by Creative Visuals, Inc.

Existing view  
View point 3 - view from the northbound sidewalk along King Street,  
near the intersection with Anderson Hill Road



View point 3 - view from the northbound sidewalk along King Street,  
near the intersection with Anderson Hill Road



Computer simulated photo by Creative Visuals, Inc.

Existi view

View point 4 - view from the sidewalk along King Street, taken at the approximate center of frontage along King Street



Photo by Creative Visuals, Inc.

View point 4 - view from the sidewalk along King Street,  
taken at the approximate center of frontage along King Street



Computer simulated photo by Creative Visuals, Inc.

Existing view  
View point 5 - view from the Blind Brook Country Club at the practice tee "closed" sign



Photo by Creative Visuals, Inc.

View point 5 - view from the Blind Brook Country Club at the practice tee "closed" sign



Computer simulated photo by Creative Visuals, Inc.