

I. INTRODUCTION

This Final Generic Environmental Impact Statement (“FGEIS”) is prepared in compliance with Article 8 of the New York State Environmental Conservation Law governing State Environmental Quality Review (“SEQR”), Part 617 of Title 6 of the Rules and Regulations of the New York State Department of Environmental Conservation. The FGEIS analyzes the comments received on the proposed adoption of the Town’s Comprehensive Plan.

A. DESCRIPTION OF FGEIS FORMAT

This FGEIS is comprised of the following sections:

Section I is the *Introduction*, which contains the description of the FGEIS format and a brief discussion of the DGEIS.

Section II contains the *Responses to DGEIS Comments*. The responses to the comments are organized by DGEIS Section Heading and identify the author/speaker by name and an assigned comment number. Comments that are similar in content have been grouped together to allow for coordinated responses. The comments appear in a small, bold type with the corresponding comment number(s) identified in the left margin of the page. The responses appear in standard type.

Section III consists of the *transcript of the DGEIS Public Hearing* and *written comments/ letters received by the Lead Agency*. Each speaker identified in the transcript and written comments/letters have been assigned an “Item Number” (located in the upper right hand corner of the letter or in the right hand margin of the transcript) and each comment by a particular speaker or author has been sequentially numbered.

B. DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT

The Draft Generic Environmental Impact Statement for the Comprehensive Plan, which was accepted as complete by the Lead Agency on May 10, 2011, and was the subject of a public hearing on June 14, 2011, is hereby incorporated into and made part of the Final Generic Environmental Impact Statement by reference.

The “Proposed Action” presented in the DGEIS would (a) adopt the Comprehensive Plan. The DGEIS included discussions of potential impacts associated with the Proposed Action related to land use and zoning, historic resources, natural resources, infrastructure, transportation, community character and visual resources, public services and socioeconomics. Further, the DGEIS considered alternatives, including a no action scenario. All comments made during the DGEIS public hearing and in correspondence received by the Lead Agency up to and including June 24, 2011 are included in Section III of this FGEIS.

II. RESPONSES TO DGEIS COMMENTS

Comment Number, Author	Comment, Response
CL= Comment Letter	
PH = Public Hearing	
* = Email	

Land Use, Zoning and Public Policy

**CL 01-01*
Richard Koser**

Please let it be known that I urge the North Salem Town Board to support the creation of a Community Preservation Fund and therefore keep it in the Comprehensive Plan.

Comment noted.

**CL 03-01
William A. Monti**

There appears to be no significant consideration given to establishing a Zoning type (fixed or movable) that would encourage the location of enterprises that would help broaden the tax base.

The draft Plan recommends expansion of the RO zone on Fields Lane and to allow flex-type mixed uses and service businesses by special permit and flexibility in the types of businesses permitted. This RO zone expansion may lead to new business development to help address the Town's non-residential development needs for tax rateables and jobs.

Much consideration was given to whether there might be another suitable area in the Town for non-residential development, and none was identified that had the potential for development or that residents would support. A review of the previous CPU demonstrated that residents in Croton Falls and Purdys were strongly opposed to any expansion of non-residential uses outside of Fields Lane. It should be noted, however, that the R-4 and R-2 zoning that has been in place since 1987 has encouraged the development of larger homes which have consistently broadened the Town's tax base without

overburdening Town services.

CL 03-02
William A. Monti

There was concern expressed over a suggested mandated property transfer tax for the purpose of a fund for land acquisition by the Town, this was to be removed from this CPD. Land acquisition by the Town has a double negative effect – it costs all of us money to buy it and then it removes the land from the tax base. Given the land use descriptions in the Draft CPD we appear to have considerable open space. The tax notion appears to be replaced with a Community Preservation Fund coupled with a Purchase of Development Rights program that prohibits an owner from developing his/her land, this represents a takings program that would appear not to be Constitutional.

Comment noted. Possible tools for open space preservation include working closely with third party organizations in and out of Town, consideration of a Purchase of Development Rights (PDR) program that would raise funds for acquiring land or conservation easements, the establishment of a community preservation fund and the adoption of the basic provisions of New York State's Agricultural and Markets' Article 25AA, and continued support of the County's agricultural districts. These tools have been used throughout New York State, and none of them are considered "takings" when implemented properly.

CL 03-03
William A. Monti

Upzoning of land use has it merits and downsides as well. At once it can be viewed as making land more costly and therefore excluding people from buying land to build a home. This may also have the effect of suggesting an end run to the County's Diversity Settlement agreement. On the up side it may have the positive effect of reducing stress on a local ecosystem, but how does one quantify the benefits of such actions.

Comment noted. In the event that property is upzoned, the impacts of upzoning would be evaluated fiscally as well as environmentally, including impacts on traffic, community character, etc., in an environmental impact assessment of the action.

CL 04-02
Westchester County
Planning Board

The draft Plan discusses the existing Planned Development – Continuing Care Retirement Community (PD – CCRC) District and recommends limiting it to its current mapped area. Because the undeveloped land in this area has the

potential to be served by an existing sewage treatment facility, we recommend that the draft Plan include consideration of amending the requirements of this district to allow development of residential uses other than senior residential uses, such as multi-family with an affordable AFFH component. This strategy, combined with the draft Plan's other recommendations on housing, will increase opportunities for the development of affordable AFFH affordable housing in the Town.

Permitted uses in the PD-CCRC zone currently include residential uses for seniors and non-seniors (by special permit) in this district, and there is currently an affordable housing proposal before the Town that includes a mix of senior and non-senior residences.

CL 04-03
Westchester County
Planning Board

Land use and zoning

Modest changes to the Town's zoning ordinance and map are recommended. An expansion of the permitted uses in the Research Office (RO) District, an area limited to properties along Fields Lane near I-684, is recommended. Such changes will encourage new commercial uses and more mixed uses in this area, one of the few appropriate areas for such development, which will in turn assist the Town's tax base.

Comment noted.

CL 04-04
Westchester County
Planning Board

Westchester 2025: Plan Together

The County Planning Board reminds Town officials of the services offered by staff of the County Planning Department with regards to our *Westchester 2025: Plan Together* initiative, particularly with regards to assisting the Town in developing its vision for future development, preserving the town's valued character, protecting its natural resources and enhancing housing opportunities.

As part of the county-wide *Westchester 2025* Vision Plan effort, staff met with Town officials a few years ago to review draft zoning build-out analyses. Staff will be updating this detailed zoning analysis and will contact Town officials to discuss this process. Calculations of impacts upon infrastructure, traffic and school populations and 3-D visualizations of building massing and facades are services the Department is able to provide as part of this process.

Comment noted.

CL 05-01

Donald W. Russell

Use changes in the R-O Zone

As a long time proponent of changes to the R-O Zone I support the changes being contemplated. However, with these changes you must take into consideration the following to ensure these changes may work. To allow more business uses in this zone, please keep in mind that $\frac{3}{4}$'s of the properties do not conform to the required 160,000 square foot lot size. Furthermore, the Bulk Regulations will not allow the proposed uses to be effective for any type of expansion.

I would suggest that the Town's Planners take a look at these two issues and plan accordingly. The opportunity is now to correct or amend the R-O Zone, by reducing the size, setbacks, uses and bulk regulations that have limited the growth in this area for the past 20 years.

Comment noted. Subsequent to adoption of the Plan, the details of any proposed rezoning will be discussed with the Town Board. Zoning changes, when implemented, may consider reduced lot size, setbacks and bulk regulations, as well as appropriate uses to consider via special use permit by the Town Board.

CL 06-01*

William Butler

I support a referendum to create a Community Preservation Fund to protect key at risk properties in the Town.

Comment noted.

CL 07-01

Cynthia Garcia, DEP

Section 5.4 of the Comprehensive Plan recommends that the Town amend the current Tree Preservation Ordinance (Chapter 189) to include a definition of forestry and add provisions for the harvesting of trees. It is suggested that the definition and ordinance make a distinction between tree harvesting for commercial purposes and tree harvesting for forest, woodlot and urban tree management.

Comment noted. The definition and ordinance will make a distinction between tree harvesting for commercial purposes and tree harvesting for forest, woodlot and urban tree management

CL 08-01

Jerry Innace

I have heard that you are trying to instill a Transfer Tax through our CPD. I believe this is a back door tactic and is

taxation without representation. I have many concerns with the CPD and the regulations/restrictions you are suggesting based on a theory of man made climate change. Our tax dollars need to be scrutinized and used properly for capital needs that are important to this town. Anything else should be put on a referendum.

Comment noted. A transfer tax is not recommended in the draft Plan. If it were, it would be subject to a referendum.

**CL 09-01
Ors Deak**

I am concerned about the Community Preservation Fund/Local Transfer Tax proposed that I have been hearing about recently. Regardless of these terrible economic times, even in good times I would oppose such a tax on the basis that it just does not seem fair to the entire community of North Salem that they have to turn over 2% of the value of their properties for the preservation of land, and especially when the majority of no sale residents in does not make use of them. I am opposed to it also because the fund has not stated goal. As I understand they already own 14 ½% of North Salem. It appears that that is not enough. Until they say what is enough, be it 15%, 50%, 90%, or 98%, no money should be allowed to them by forcing anyone in North Salem to pay until they state the percentage they believe is necessary for this type of action.

Comment noted. The draft Plan does not recommend a transfer tax. For clarification, a transfer tax, by enabling legislation, is not applicable to an entire community, but impacts only properties in excess of the Town's average assessed valued home and then applies only to the amount in excess of the average.

**CL 10-01*
Lisa Douglas**

First, I would like to state my position against the transfer tax. Second, after reading the plan in full I can't help but find this to be an environmental/climate action plan versus what I thought it was supposed to be – a comprehensive town plan.

Comment noted. See response to CL 09-01 above.

**CL 11-01*
Elaine Sweeney**

Please make sure that a property "transfer tax" is not included in the Comprehensive Plan. Also, we are against any environmental measure that would result in any infringement on private property rights.

Comment noted. See response to CL 09-01 above.

CL 12-01*
Bruce Barton
Buchholts

We strongly oppose any “transfer” tax or any similar tax added to the Comprehensive Plan.

Comment noted. See response to CL 09-01 above.

CL 13-02
Marion, Wayne &
Carl LaFranco

Section 5, Land Use and Zoning, includes as a recommendation (page 57) that the Town “consider implementing the final step of the Open Space Plan, which includes identification of potential parcels for purchase/preservation and an analysis of funding options.” Since the Open Space Plan discusses the possibility of the purchase of development rights and the establishment of a “transfer tax” I would also like the draft Plan amended to reflect that any reference to these items in the Open Space Plan be deleted.

The Open Space Plan was prepared by AKRF under separate contract. The draft Plan describes some of the ways to raise municipal funds for land acquisitions in New York State including: general obligation bonds; devoting budget surpluses to dedicated land acquisition funds; special capital appropriations; property tax percentages (e.g., one-half of one percent) as a revenue source for a dedicated capital fund; revenues from a community preservation fund; and grants. As a potential tool for open space preservation, it suggests exploring the use of purchase of development rights (with funding potentially through bonds or the establishment of a community preservation fund).

CL 14-01*
Susan Koch

I am against the town forming a Community Preservation Fund. The transfer tax, as it was originally called is NOT a good idea for the residents and homeowners of North Salem.

Comment noted. See response to CL 09-01 above.

CL 15-01*
Alan Towers

I wanted to express my personal support for a community preservation fund that protects open lands in North Salem. Timing and finances of the plan should be left up to the Town Board and ratified by the citizens of the town. Preservation funds are working in other towns and have been effective in saving open land. North Salem needs to use every resource at its disposal to protect its unique rural character and beauty.

Comment noted.

CL 16-01*
Susie Thompson

I believe keeping the Community Preservation Fund in the Plan will give us a strong opportunity to help expand and protect North Salem open space.

Comment noted.

PH 03
Joseph Tomei

The community preservation fund, has that been established?

No. The draft Plan only recommends consideration of a PDR program that would raise funds for acquiring land or conservation easements, and the establishment of a community preservation fund as a potential vehicle to preserve open space. It has not been established.

PH 04
Elaine Sweeney

I have a couple of questions. One item would be on the transfer tax. I think that the assumption may be that when you use it here --I think it's in the comprehensive plan, additional tools, I think --with regard to the transfer tax, you're saying that this document is in essence even though the word transfer tax is not in there it would be..

Comment noted. See response to CL 09-01 above.

PH 05
Elaine Sweeney

I have a couple other questions. One was with this new town master plan, Comprehensive Plan, was there any consideration given at all to broadening the tax base in the town of North Salem?

The draft Plan recommends expansion of the RO zone on Fields Lane to help encourage new business development and increase tax rateables and jobs in the Town. See response to CL 03-01 above

PH 06
Lori Battista

I am concerned about the child care center on Fields Lane and I'd like to discuss our zoning. Do we have information on the child care center?

So will you be taking everyone else and the people that live on Fields Lane into consideration if you put in a child care center and bring more traffic and more noise and more garbage that you have to pick up every day on your front lawn. We have sound problems there and it doesn't seem to me that anyone on your board is taking into consideration a

child --it was not a day care center, I noticed you said day care when I read it said a child care center which is actually all day --

It was all day and then after school. So you're looking into evening hours. I see no paperwork on this. I mean, what are the plans? I actually found out that there is other people looking that were interested in that building, so did you -- are you just looking at the child care center.

A zoning change would have to be enacted in order to augment the permitted uses allowed on the property. Currently, a day care center is not permitted. At such time as the Town Board decides to implement the Plan and adopt zone changes, the community will be notified about a public hearing and have the opportunity to be a part of the decision-making process.

**PH 07
Gerhard Isop**

I am concerned just interested in the day care. I would understand there would be a separate public hearing in regards to that but also the comprehensive plan as it relates to that.

Comment noted. Refer to comment PH 06 above.

**PH 08
Stephen Bobolia**

The reason we are here tonight is to plan. So I have a problem Adhoc people coming in and zoning petitions and other petitions. The purposes of the comprehensive plan is to allow for certain uses and some uses by special permit. would like to see if they are going to do something about it, I'd like to see it in the plan but I am certainly not saying that I am against the rezoning of the site. I think always the best way to do it is within the comprehensive plan.

Comment noted.

**PH 09
Elaine Sweeney**

Regarding the up-zoning, what brought up the up-zoning from 2 to 4 acres over Turkey Hill Road East to Catridge Road how many acres does it count and were all of the parties notified the, parties that are effected by that.

This was recommended because of the character of the area on June Road. Existing development is on 4 acres, even though in a 2-acre district, and after considering water and soil conditions and the number of acres required for well and septic systems. Property owners would be duly notified prior to any zone changes. At such time as the Town Board decides to implement the Plan and adopt zone changes, the community will be

notified about a public hearing and have the opportunity to be a part of the decision-making process.

PH 10
Elaine Sweeney

There was a discussion of implementation of performance zoning regulations in regard to soil, topography additional land for resources and so forth, rather than traditional zoning. Can someone explain that to me?

Performance zoning has a primary objective of protecting natural resources and a secondary objective of providing flexibility in the design of developments. This approach addresses the primary objective by limiting the amount of development intrusion that may affect the various natural resources. While the underlying zoning would remain in place, the intensity of development is determined through a site evaluation and compliance with performance standards. Performance standards regulate the effects or impacts of a proposed development or activity on the community, instead of separating uses into various zones. The standards often relate to a site's development capability. In agricultural areas, for example, performance zoning could be used to limit development on prime agricultural soils and allow development on lower quality soils.

PH 12
John G. Gress Jr.

The fact is you are setting the guidelines of what can happen to zoning. It does not necessarily mean it's going to be fixed in stone. I hear things on 2, 4 acre on 300 acre zoning, those kinds of things can be worked out with the planning and zoning. You may have 150 acres that you need 25 acres to build one house. And you may be able to build another house on 3 or 4. So I think these kinds of things can be worked out. But I think the plan is in place and I like what I have been reading.

Comment noted.

PH 13
Alan Towers

I think it's important to realize that the rights of property owners doesn't just accrue to unlimited ability to do anything you want because you own property.

Comment noted.

Natural Resources

**CL 02-01
John G. Gress Jr.**

Under section 2.3 Natural Resources, the Plan recommends testing of Private Wells. I believe this is an invasion of privacy rights, the way it was explained, and should be removed from the Plan. This testing will add a burdensome cost to all residents on Private Wells; it will also add additional work and costs to the town for enforcement and at the least, record keeping. Who will set the standards, will the town take over the roll of the US EPA, State DEC or the Department of Heath? It will be another unfunded mandate on a local level and we have enough from the State.

At the public hearing, on June 14, 2011, Comprehensive Plan Chairman, John White, stated that the testing was to protect the health, safety and welfare of the Town of North Salem residents; how is water I drink affecting others? I agreed with the septic law testing because contaminates leaching into the ground water could affect the drinking water of others. Forcing people to test their water is like mandating everyone go to the doctor for an annual physical.

The EPA does not have the authority to test Private Wells, the State of New York has no laws regulating testing, the NYS DOH and the Public Service Commission only regulate water supplies serving 5 or more service connections. There is a proposed law (A667-2011 / S2709-2011) pending, since 2009 in the Environmental Conservation Law, and it has restrictions, rules and conditions.

Currently, Westchester County Department of Health has rules and regulations for testing of Private Wells; whenever there is work performed on the well or system, additional testing is required. On the sale of a residence, the county, the bank or the buyer require testing of the Private Well. Westchester County also has a law since 2007, Chapter 107, “the private well-water testing law”. I believe there is enough regulation; the Clean Water Act of 1972 (formerly since 1948) has regulated this country beyond necessity, at an unreasonable cost.

If the committee wants to recommend an education program to make all residents aware of the possible contaminates in water supplies, I would support that 100%,

there are *free* brochures available from Cornell and EPA.

The Town-wide survey referenced in the draft Plan indicated that a significant percentage of residents sample their own wells, and a majority believed that sampling should remain a personal responsibility. The recommendations of the Plan are aligned with the survey results. A further recommendation has been added for an educational awareness program.

CL 02-02
John G. Gress Jr.

Under section 2.3.1, Existing Conditions, the sentence "a narrow majority believed sampling should remain a personal responsibility"

According to the questionnaire/survey, Chairman White stated that very few people believed that sampling should remain a personal responsibility. Supervisor Lucas stated that the wording was wrong and should be corrected, however I believe it should be removed.

Comment noted. The final Plan will clarify that in response to the survey question "would you like the Town to proactively coordinate well testing on private wells," 47 percent of respondents answered "yes" and 53 percent said "no."

CL 03-04
William A. Monti

"Preserve Ecologically Significant Land" – what are the criteria that defines these lands and what is the decision taking process. What is the source of these criteria and what specifics are excludable.

The Town uses the State's definition for criteria to identify environmentally sensitive and significant lands. Land earns special protection if the area has one or more of the following characteristics: it is a benefit or threat to human health; it is a natural setting (wildlife habitats, wetlands, forests, and lakes are some examples of a natural setting); it has agricultural, social, cultural, historic, archaeological, recreational, or educational values; it has an inherent ecological, geological or hydrological sensitivity to change that may be adversely affected by any change.

CL 03-07
William A. Monti

Well water testing outside of publicly regulated water systems appears beyond the scope of Town regulation unless we intend to usurp the County's Department of Health regulations, which provide for this function. Would we develop our own Health Department, I would think not. What are the individual and Town costs to implement and administer this program.

Comment noted. See response to CL 02-02 above.

CL 07-02

Cynthia Garcia, DEP

The Environmental Resources Section of the Comprehensive Plan focuses exclusively on groundwater. The Town may want to consider expanding this section to include a more comprehensive review of other resource categories and protection strategies (e.g. surface waters, wetlands, wildlife, vegetation, geology, soils, topography, etc.)

Other resource categories were considered in draft Plan. Refer to Appendix D - Open Space Report, Appendix E - Eastern Westchester Biotic Corridor Report, Appendix F - Eastern Westchester Biotic Corridor Report - Titicus Reservoir Addendum, and Appendix G - Croton Plan for Water Quality Protection

CL 10-08*

Lisa Douglas

Protect Water Quality: reduce road salt application during winter. What will they use in its place? Too vague. Has this even been addressed by the highway department?

The draft Plan recommends limiting the amount of salt that the Town uses on the roads, and suggests alternatives to road salt. For example, brine (a mixture of salt and water) may be an effective replacement for road salt. The Town would use less salt if brine was utilized, which would be environmentally beneficial.

Drew Outhouse, the former highway superintendent and member of the Comprehensive Plan Committee at that time provided input with regard to this subject.

CL 13-01

**Marion, Wayne &
Carl LaFranco**

While I am a proponent of preserving the rural nature of our Town, I am against any expansion of open space that could result in an increase in the cost of living, whether directly or indirectly, in this Town. As such, I request that any reference to the purchase of development rights and the establishment of a community preservation fund be removed from the Comprehensive Plan. A community preservation fund would not only have the impact of costing residents money at such time as they are negotiating on the sale of their home, but it would also take property off the tax roles, only to have those taxes redistributed to the rest of the residents of the Town. In our Town, where there is

already a good amount of open space, I believe this is not only unnecessary, but it's excessive, and cost-burdensome to the majority of the people in this Town.

Comment noted. Preserving open space doesn't necessarily mean that property would come off the tax roles.

**PH 11
Elaine Sweeney**

“preserve ecologically significant land.” One, who makes those decisions? And, two, whoever does make those decisions you will directly impact a person's private property rights. my concern is here in North Salem I would not like to see some environmentally --people who are over zealous about the environment that they would make a decision that would directly or negatively impact the private property rights of people.

Comment noted. The Town Board and Planning Board make determinations, on a case-by-case basis, based upon New York State guidelines and accepted planning criteria.

**PH 14
Elaine Sweeney**

This is under the draft Environmental Impact Statement 2.3.1, existing conditions, testing wells. It has to do with testing wells. Now in there this is in quote, these words, I want to try to understand. Here is the Pope, a narrow majority believes family should remain a personal responsibility, who is the narrow majority, a narrow majority of the people in town or a narrow of the people that worked on the Comprehensive Plan.

In response to a survey question, the results showed that a “majority” (more than half of the survey respondents) believed that sampling of domestic wells should remain a personal responsibility. See response to CL 02-02 above

Housing

CL 03-05
William A. Monti

A number of the palliatives throughout about protecting the environment appear to duplicate Federal, State and County programs; those related to energy sources and carbon emissions. Others appear to have little application to North Salem's rural character, e.g. "... place(s) greater importance on pedestrians." The statement "Promote affordable housing near workplaces and mass transit." Seems to be misplaced given the geography and developed character of North Salem. Given the location of mass transit in our Town, its proximity to potential Historic Districts (Purdys and Croton Falls) it would be appropriate to discuss adaptive repurposing as a method of contributing housing that helps meet the County obligation under the County's Federal Diversity Settlement.

Comment noted. The draft Plan recommends making more efficient use of the Town's existing housing stock via adaptive reuse and rehabilitation (rather than new construction), while embracing values inherent in both historic preservation and preservation of existing affordable housing units.

CL 03-06
William A. Monti

With respect to affordable housing and/or a fair housing settlement, the notion of "...establishing an affordable housing trust fund, and buying existing homes (negotiating the purchase and/or taking as a vehicle to obtain title)..." is not reasonable. How is this trust fund populated with money, will another tax I be added to the burdens already sustained by the Town's population. The idea of taking one person's property for the benefit of another person is not constitutional.

Among other affordable housing initiatives, the draft Plan recommends establishing an affordable housing trust fund, buying existing homes and renting them to income constrained tenants. "Taking" as a vehicle to obtain title of a property would target abandoned and foreclosed property. If a trust fund were to be established, it could be funded in part through contributions from developers under the Town's inclusionary zoning laws. The idea is that it would generate a consistent stream of non-taxpayer funds that could be used to serve a variety of affordable housing initiatives—to leverage State, Federal and private sources and provide flexible financing for creation of new affordable housing opportunities.

CL 04-02
Westchester County
Planning Board

Consistency with County Planning Board policies

As discussed above, the draft Plan is consistent with the board's policies expressed in *Westchester 2025*. We welcome the draft Plan's recommendation that the Town work with Westchester County toward the creation of affordable affirmatively furthering fair housing (AFFH) units within North Salem. The draft Plan recognizes the need for more affordable housing and takes note of the County's Housing Settlement Agreement. We note that certain strategies discussed in the *Westchester County Fair and Affordable Housing Implementation Plan* (dated August 9, 2010) and the County's *Analysis of Impediments to Fair Housing Choice* (dated June 2011) are included in the Plan, such as encouraging apartments over retail uses in the hamlets, encouraging fair and affordable units in accessory apartments and in two and three-family homes, promoting in-fill housing development, establishing a Town affordable housing trust fund and engaging in efforts to buy and rent homes and apartments as fair and affordable homes.

We urge the Town to include as a recommendation in the draft Plan that the Town review and adopt as appropriate regulations consistent with the "Model Zoning Ordinance Provisions for Affordable Affirmatively Furthering Fair Housing Units" as included in the Implementation Plan. The Model Ordinance Provisions include an assortment of incentives and requirements that should help create affordable AFFH units that can help address regional housing needs. We note that the draft Plan recommends that the Town's definitions and income limits for affordable housing be aligned with the County's requirements; we support these recommendations, as they are consistent with the Model Ordinance Provisions.

Comment noted.

CL 10-09*
Lisa Douglas

Housing: 'taking as a vehicle to obtain title; are we speaking about eminent domain here?

See response to CL 03-06 above.

Transportation

CL 04-05
Westchester County
Planning Board

A major focus of the draft Plan's transportation section is minimizing the impacts of vehicles traversing North Salem, either on their way to and from the Town's two train stations or diverted from congestion on routes I-84 and I-684.

We support the draft Plan's recommendation to work with New York State Department of Transportation (NYS DOT) on identifying potential improvements to these major roadways. Westchester County will be available to assist in coordinating with NYS DOT and adjacent municipalities for discussions. We also support the recommended improvements to various intersections and roadways in the Town to improve safety and, in turn, encourage the more healthy and sustainable options of pedestrian and bicycle transportation.

Westchester 2025, as part of its Vision Plan effort, will consider regional transportation issues when recommending certain levels of density near transit and along corridors and making recommendations for highway and transit project capital improvements through regional agencies.

We support the draft Plan's recommendation to coordinate with the Town of Somers, the NYS DOT and Westchester County on improving the traffic situation in the area of the Croton Falls train station, particularly at the intersection of Croton Falls Road and Somerstown Turnpike (Route 202) in Somers. A County capital project to improve the bridge over the East Branch Croton River near this intersection is underway. County staff will continue to be available to address this situation.

Comment noted.

CL 10-10*
Lisa Douglas

Transportation: encourage ride share for energy consumption/reduce fuel consumption – how will we do that? Offer a tax break?
And who is to pay for the bicycle study?

The Town will seek County and State funds to undertake the bicycle study.

Community Character and Visual Resources

CL 04-01
Westchester County
Planning Board

Preserving community character and environmental resources

The draft Plan and its recommended actions call for protection and preservation of the highly valued semi-rural character of the town which features open spaces and environmentally sensitive features and resources. This objective is appropriate for North Salem based on its location, land development history and existing conditions. With a population of 5,140 (2010), North Salem has the lowest density of all Westchester municipalities with 220-person per square mile.

As described in detail in the draft Plan, all but 150 acres of the town's total area of 14,856 acres are within the Croton Watershed, a public drinking water supply source for New York City and parts of Westchester County – but not North Salem. Only a few areas of the town are served by public or private water systems that use well water for sources. Some of these areas are faced with the challenge of radiological constituents in well water. No areas of the North Salem are served by public sewer systems though a small system is now under construction to serve residential properties around Peach Lake. The draft Plan includes an analysis that recommends minimum average parcel sizes between 1.6 to 3 acres in areas served by individual wells and septic systems. In addition, we note that approximately 40% of all land within the Westchester County Agricultural District is located in North Salem.

The recommendations include: drafting an aquifer protection ordinance, drafting a new steep slope ordinance, establishing a dark sky policy to limit unnecessary lighting impacts, strengthening the Town's noise ordinance, adopting performance zoning to protect environmentally sensitive areas, updating the Town's tree preservation law, continuing support of the County Agricultural District, recognizing and protecting additional historic resources, continued preservation of open spaces through property and easement acquisitions and purchasing development rights to preserve open space and agricultural properties. These recommendations are consistent with the strategies recommended in *Patterns for Westchester*.

Comment noted.

PH 01
Joseph Tomei

The dark sky policy, how does that effect an average North Salem resident.

A dark sky policy is designed to reduce light pollution by a variety of methods using available technology and the support of the local community. The draft Plan recommends creating and adopting a local dark sky policy, which would help reduce evening use of outdoor lighting and energy consumption. The draft Plan also recommends conservation of municipal lighting usage through installation of motion detectors on streetlights. Any regulations that may evolve from the draft Plan recommendations will be vetted by the Town Board following the appropriate public hearings.

PH 02
Joseph Tomei

I guess the same thing would hold true for the noise ordinance. I can see starting work at 8:00 or 9:00 on a Friday and ending at a certain time if you're the developer.

The draft Plan recommends adoption of a noise ordinance to regulate the hours of operation for heavy, noisy machinery, and to establish appropriate decibel limits and a complete set of general noise standards. Any regulations that may evolve from the draft Plan recommendations will be vetted by the Town Board following the appropriate public hearings.

CL 10-01*
Lisa Douglas

Create and adopt a local ‘dark sky’ policy with regard to residential properties. Now we’re going to regulate that the exterior home lights must be turned off at night? This is overbearing government – sorry. As to the ‘flexibility’ of holiday lights – will they too have to be turned off at a certain time? As for motion detectors on streets – how much will that cost? Will that put lives in danger? What research has been done or sited to find this move as advantageous? Where is the study on this one? And, how much will a study cost?

Comment noted. See response to PH 01 above. Any analysis/studies needed to support code amendments will be determined by the Town Board.

CL 10-02*
Lisa Douglas

Don’t we already have a ‘disturbing the peace’ ordinance on the books?

The existing ‘disturbing the peace’ ordinance does not adequately cover the noise and lighting issues as discussed in

the draft Plan.

CL 10-03*
Lisa Douglas

Under community design: residential projects landscaping? Now NS government will have a say as to how a taxpayer landscapes their home? If in fact this is the case then I dare say it's overregulation.

The Planning Board currently addresses landscaping standards on a case-by-case basis. The draft Plan suggests more specific standards for new projects coming before the Town.

CL 10-04*
Lisa Douglas

Environmental friendly? 'greater emphasis on pedestrians? We have no sidewalks outside of the hamlets – so is NS planning on putting them in? At what cost? Sidewalks would most definitely take away from our 'rural character', would they not?

The draft Plan suggests a balance between energy conservation, public safety and conservation. The location of any new sidewalks, for example, would be determined with public input. However, there is no recommendation to add sidewalks outside of the existing centers.

CL 10-05*
Lisa Douglas

Develop 'parking and better public access to trails and open space' again – will that not take away from our 'rural character'?

The draft Plan suggests a balance to allow greater access to its natural resources without compromising the Town's rural character.

CL 10-07*
Lisa Douglas

Sign Clutter – To many signs can be confusing and distracting and can take away from the beauty of the natural environment. Sign reduction should be considered for Titicus Road.

Pavement markings – These can be an effective means of communicating to the motorists. Stop bars should be considered to supplement stop signs on Titicus Road at the intersection with June Road, Bloomer Road at its intersections with Peach Lake Road and June Road. Worn markings lose reflectivity and should be re-stripped on a regular basis to be effective. The markings lose reflectivity and should be re-stripped on a regular basis to be effective. The Town should also consider the new bicycle symbol (share arrow) for bike routes in Town including Mills Road and Grant Road/Peach Lake Road. Where's the rural

character there? I bet if you put out a survey on this one item you'd not get a positive response. Honestly, on some of our roads you can't even see the white or yellow lines as it is! Not to mention the Connecticut speeders we see – we're lucky they come to a full stop by the highway department and Hardscrabble Road.

Comment noted. See response to CL 10-04 above.

Public Services

**CL 04-06
Westchester County
Planning Board**

Sal J. Prezioso Mountain Lakes County Park

Under a five-year lease agreement, the Town of North Salem operates a summer camp at Camp Hemlock within the County's Sal J. Prezioso Mountain Lakes Park. The draft Plan recommends that the Town discuss with the County the need for capital improvements at the County Park that may be necessary for the Town to continue to operate its camp. A need for replacement of the Park's swimming pool is noted in the draft Plan. The draft Plan also recommends that the Town update its Recreation Plan.

We recommend that the Town utilize an update to its Recreation Plan as an opportunity to identify long-term facility needs, including potential alternative locations for its summer camp. As part of the update, the Town should continue discussions with the County on the costs and benefits to both the Town and the County of the operation of this program at the County Park and the ramifications for shaping a Town or County capital investment program.

As a more detailed item, the Plan recommends that a traffic demand management program be developed to address the drop-off and pick-up of day campers within the County Park. When in operation, the camp generates a significant increase of traffic at peak times on North Salem's Hawley Mountain Road and along over one-mile of unpaved road through the backwoods area of Mountain Lakes park. The feasibility of establishing car pools or a shuttle service from Salem Center should be considered. The County Department of Parks, Recreation and Conservation should be consulted.

Comment noted. The Town will consult with the County Department of Parks, Recreation and Conservation with respect to carpooling and shuttle services.

**CL 10-06*
Lisa Douglas**

Provide adequate recreational, educational and cultural facilities and services to meet the varied needs of all segments of the population. What needs? Who's needs? Too vague.

This is cited as a goal in the draft Plan. As such, it sets the standard for Town consideration to enhance the facilities and

services. Specific needs to be determined at that time.

**CL 13-03
Marion, Wayne &
Carl LaFranco**

Under the Town survey question related to “Town services” the survey offers check-off boxes for “I’d pay more to support this” and “reallocate taxes to support this”. In the presentation of survey results, these two items are combined under the heading of “services willing to pay more or reallocate taxes to support”. In my opinion, these two responses represent two very different ideas and should therefore have been reported separately. I, myself, and what I hear loud and clear from the majority of residents of this Town, might be in favor of reallocating taxes for certain services, but neither I nor any of the people I have talked to would be willing to pay more money for the purchase of more open space land that will provide little or no service to the people of this Town.

Comment noted. The suggestion will be incorporated into the final Plan.

Capital Plan

**CL 03-08
William A. Monti**

The idea that the Town be guided to establish a Capital Expenditure Plan as part of the CPD is intruding on the management of the Town, the Supervisor and the Board have a whole variety of obligations that are not cited here and that are necessary for the operation of the Town both in the instant, near term and long term.

Comment noted. The draft Plan recommends implementation of a capital planning process that would assist the Town in making choices about which capital projects should be implemented, how they should be financed and when. This is intended to help establish funding of high-priority projects in a timely and cost effective manner.