

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 3

21 South Putt Corners Road, New Paltz, NY 12561-1620

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www.dec.ny.gov



**Department of
Environmental
Conservation**

June 26, 2018

Ms. Alison Simon
Town of North Castle
15 Bedford Road
Armonk, NY 10504

RE: Eagle Ridge, 3 North Castle Drive
Town of North Castle, Westchester County
CH#: 7688

Dear Ms. Simon:

The New York State Department of Environmental Conservation (DEC) staff have reviewed the Town of North Castle's State Environmental Quality Review (SEQR) Lead Agency coordination, including the Full Environmental Assessment Form (FEAF), scope of issues document, and plans entitled "Eagle Ridge," sheets 1 through 8. The project involves the subdivision of a 32.5-acre site to create a 6-acre parcel and 26-acre parcel, respectively. The 6-acre parcel will be developed with a 97-room boutique hotel with restaurant, café, bar, conference rooms, fitness center, pool, and 69 apartments, as well as parking accommodations. The 26-acre parcel will be developed with approximately 94 attached and semi-attached townhomes. Approximately 24.5 acres will be disturbed. The DEC has no objection to the Town assuming Lead Agency and we offer the following comments:

PROTECTION OF WATERS

There are no waterbodies that appear on our regulatory maps at the location/project site identified. Therefore, if there is a stream or pond outlet present at the site with year-round flow, it assumes the classification of the watercourse into which it feeds, Wampus River, class C and a Protection of Waters permit is not required. If there is a stream or pond outlet present at the site that runs intermittently (seasonally), it is not protected, and a Protection of Waters permit is not required.

If a permit is not required, please note, the project sponsor is still responsible for ensuring that work shall not pollute any stream or waterbody. Care shall be taken to stabilize any disturbed areas promptly after construction, and all necessary precautions shall be taken to prevent contamination of the stream or waterbody by silt, sediment, fuels, solvents, lubricants, or any other pollutant associated with the project.



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FRESHWATER WETLANDS

The project/site is not within a New York State protected Freshwater Wetland. An Army Corps of Engineers permit may be required pursuant to Section 404 of the Clean Water Act. If a Section 404 permit is required, you will also require a Water Quality Certification pursuant to Section 401 of the Clean Water Act. Issuance of these certifications in NYS has been delegated to the DEC. Please contact the Army Corps of Engineers in New York City, at 917-790-8511, for any permitting they might require.

STATE-LISTED SPECIES

No records of sensitive resources were identified by this review.

The absence of data does not necessarily mean that rare or state-listed species, natural communities or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information which indicates their presence. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

CULTURAL RESOURCES

We have reviewed the statewide inventory of archaeological resources maintained by the New York State Museum and the New York State Office of Parks, Recreation, and Historic Preservation. These records indicate that the project is located within an area considered to be sensitive with regard to archaeological resources. For more information, please visit the New York State Office of Historic Preservation website at <http://www.nysparks.com/shpo/>.

STATE POLLUTION DISCHARGE ELIMINATION SYSTEM (SPDES) STORMWATER – CONSTRUCTION

If the overall project will disturb over one acre of land, the project sponsor must obtain coverage under the current SPDES General Permit (GP-0-15-002) for Stormwater Discharge from Construction Activities, and a Stormwater Pollution Prevention Plan (SWPPP) must be developed which conforms to requirements of the General Permit. As this site is within a Municipal Separate Storm Sewer System (MS4) community, the Stormwater Pollution Prevention Plan (SWPPP) must be reviewed and accepted by the municipality, and the MS4 Acceptance Form submitted with the SWPPP and the application for coverage, in accordance with the application instructions.

OTHER

Other permits from this Department or other agencies may be required for projects conducted on this property now or in the future. Also, regulations applicable to the location subject to this determination occasionally are revised and the project sponsor should, therefore, verify the need for permits if the project is delayed or postponed. This determination regarding the need for permits will remain effective for a maximum of one year. Applications may be downloaded from our website at www.dec.ny.gov under "Programs" then "Division of Environmental Permits."

RE: Eagle Ridge, 3 North Castle Drive, Armonk, NY
Date: June 26, 2018

Please contact this office if you have questions regarding the above information. Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sarah Pawliczak".

Sarah Pawliczak
Division of Environmental Permits
Region 3, Telephone No. 845-256-3050

cc: Natalie Browne, NYSDEC Division of Water
MADDD Madonna Armonk LLC