

TOWN OF MOUNT PLEASANT

MINUTES OF THE MEETING OF THE PLANNING BOARD TOWN OF MOUNT PLEASANT WESTCHESTER COUNTY, N.Y. HELD OCTOBER 21, 2024

BUSINESS ITEMS

NEW PUBLIC HEARINGS

- 1. Proposed: NYC DEP Kensico Eastview Connection Contract #2 Eastview Contract #2 Tunnel, Shafts and Kensico Excavation (KENS - EAST -1)
Contract #3 KEC Buildings (KENS - EAST - 3)**
Application: Site Plan # PSP 24-02
Location: 2 Walker Road, Valhalla
Section/Block/Lot: 116.16-1-2
Zone: OB-2
Owner & Applicant: New York City Department of Environmental Protection
Engineer/Architect: Ove Arup and Partners, Hazen and Sawyer

Motion was made by Eileen McClain to waive the reading of the Notice and open the public hearing, seconded by Joan Lederman, all members present voted in favor

Kevin Ellenwood and Justin Rivellino of the NYC DEP appeared to present the application to the public. Justin Rivellino gave an overall recap of the entire KEC project being federally mandated to meet certain date timelines as required under the Hillview Consent Decree and Judgement. This project will build a new tunnel to connect the Kensico campus to the Eastview campus. These are some general points of the application, a Power Point slide show was presented:

- This project will stretch to 2033.
- It's critical that we remove the existing soil pile for a few reasons, 1- we do want to get it out there and 2, it's going to be part of our staging area for this contract.
- We'll be doing a lot of staging prep, clearing and grubbing of the site inclusive of, required tree removal, temporary access roads, construction trailers, clearing and grubbing of the site inclusive of required tree removal.
- Tunnel boring and the assembly of the boring equipment will occur under this contract. Shaft 2 is going to be our drop point for the TBM, we will be bringing it to Eastview, lowering it in the shaft, and that's how we'll excavate the tunnel. We'll also be backing it out of the tunnel and taking it out at Eastview

- During construction there is management of excavated material, including on-site soil placement, water treatment facilities on-site for water discharge. Temporary conveyor installation and removal to transport the muck, muck is excavated rock and soil from the tunnel. The muck is then transferred from the shaft to the temporary staging area for the muck, it is stored and removed from this site.
- Discharge from dewatering and construction wastewater will be to Mine Brook, and, we'll make sure we're within parameters to keep that water treated and safe for discharging
- There is a new Eastview connection chamber to connect the KEC tunnel and the shaft to the CVU facility
- We understand that there's a 40-foot maximum for buildings. We will be requesting a variance as our building is expected to be around 46 feet in height.
- Showed a rendering of the proposed building, we did receive final approval from the New York City Public Design Commission on this.
- We'll be doing a lot of the demobilization under this contract, removal of contractor and Construction parking area, final post construction stormwater measures, final site restoration and landscaping, that'll happen after our work is completed around 2033.
- There are steep slope areas throughout Eastview. All in all, close to 9 acres with the majority being 25 to 35% slopes of around 6 and a half acres.
- In terms of tree removal, a slide was shown, the green represents the 33,100 trees that we have on-site at Eastview, we will be removing around 140 of those with the majority in the northwest corner of where that existing soil pile is, the remaining are about 30 trees removed for the muck conveyor, about 3 trees for the field office, a tree or 2 for the south axis road.
- In terms of wetlands, these are Mount Pleasant, Army Corps of Engineer wetlands. No New York State DEC wetlands are impacted here. The Town's wetland buffer is 50ft.
- The one construction outfall to Mine Brook is around a 100 square feet of wetland buffer disturbance. We have 3 potential locations of outfall that have been identified. Contractor could choose which location suits best during construction. We'll work with them to make sure that is the best option.
- Conveyor crossing impacts 1,250 Square feet of disturbance of some of the wetlands 5,760 including the buffer.
- The contractor's trailer and parking area has 1,250 Square feet of disturbance in the wetland and the 2,930 in the buffer.
- these are all temporary wetland disturbances, everything will be restored once construction is finished.
- Details of our rock blasting, one thing to make clear here, rock blasting at Eastview, will be for shaft 2 as we go from surface down to tunnel level. And then as I've mentioned, the tunnel boring machine will be lowered and will do the excavating for the tunnel itself through the TBM.
- Blasting will be controlled, and it will meet town codes, such as pre blast surveys. There'll be blast monitoring implemented as part of construction. We anticipate as many as 3 blasts a day, though that's if everything winds up perfectly, it could be less than that.
- blasting or tunnel excavation will last from 2026 to around early 2028, about 2 years

or so. Then, once that excavation is complete, we'll start the tunnel boring machine work.

- Town and adjacent owners would be notified ahead of time of blasting.
- Blasting would be performed with a blast cover, such as a mat or door, and that should reduce noise anywhere between 40 to 90%.

Board Member Comments:

JD Summa – Can you clarify the blasting it's three times a day for two years, Jeff Rivellino replied in the best-case scenario, some days we'll see three. I don't think it'll be three times a day every day, it wouldn't line up that perfectly every day.

- So then the notification to the neighbors that you mentioned, is that just going to be a blanket notification saying we're going to starting blasting on x date and you can expect this for the next 2 years? Jeff Rivellino replied our notifications are however the town code expects us to notify the residents. Kevin Ellenwood added we would notify before each blast. The 3 a day, it's the most conservative, we need to drill into the rock and then load it full of explosives and then blast and then remove all that rock, that's not all done in a day. We disclose the most conservative rate, but probably one blast a day would still be a great production rate, I would love to get one a day.

- What about the roads and the restoration to the streets in the path of construction? Jeff Rivellino replied, Walker Road will have restoration because we are doing a lot of work in that area. It's part of our contract. We are working out details to the optimal trucking route as well, for that muck we're tracking off-site, and making sure that those impacts are minimal or as minimal as can be during construction

- I noticed that it says that Walker Road will be rebuilt after construction. But we've talked a lot about opening the dam and we know that it's not a possibility, but the public always speaks on that every time that you guys are in front of us. So there is going to be a path of construction with tremendous burden on the road system over the next 5,10 years. I think it should be more than Walker Road that we're talking about, those roadways should be in this conversation, in my opinion. Jeff Rivellino replied that has come up, the one thing we did want to do is find the optimal route. First and foremost, what the Town would recommend our trucks take. And I think we've come up with a few options. We're thinking this might be best coming from Eastview, going South on Walker to Grasslands, to the Sawmill, and then cross Westchester at 287. Or Walker Road to, Dana, to Saw Mill Road to 9a. So we're looking at these as potential routes and want your feedback. The applicant pointed out the routes on a slide.

Kevin Ellenwood added the following comments: almost all of the material for this project comes out of the Eastview site, and then it's really just going north or south. So if you're going south, they'd make the right onto Grasslands and then head south on 9a. Or, if they want to go north, they can go up Walker Road to Dana Road and then to 9 a, and then to wherever they need to dispose the material. And I I know we said that there's 2 locations for KDC, Kensington, Eastview. We specifically wrote it in our specifications that they are not to cross Lakeview from one site to the other. Chairman Collins asked are you going down by Legion Drive over to Grasslands Road at any point for this phase? Kevin Ellenwood replied we're not taking excavated material from

Eastview to Kensico. But, we do have to allow for the possibility if there is going to be traffic between the two sites, the preferred route instead of going across Lakeview you would go down Grasslands, to Legion, and then you come to the light at Columbus and then go left going north on Columbus.

Walter Hickey - This contract has already been awarded. Correct? Jeff Rivellino replied, That's correct.

- So they have a notice to proceed and the clock has started ticking? Jeff Rivellino replied we have not issued a notice to proceed yet on this contract, we're working on that next.

- And this is the contract that runs to 2030 thereabouts? Jeff Rivellino replied, yes.

Chairman Collins – I know there are a bunch of benefits, some more above my pay grade, but I'm really more focused on the soft benefits, meaning, the trees and the plants, environmental benefits to replace what is being removed. Jeff Rivellino put up a slide of the benefits to the Town which included the following:.

- Rebuild Walker Road
- Relief from the Town having to rebuilt the existing West Lake Drive
- Rebuild the school parking lot
- Quality fence with plantings
- Build and provide a new water tap at Kensico Campus at Columbus Avenue that will run through our screen chamber to a vault that provides water to Westchester County.

Comments from the Public: 1 speaker

Jim Lasso, of Hawthorne - For a productive public hearing, there are many elements, 2 of them, that are essential, I believe, are adequate notification and adequate access to documents, and I don't think that's taking place here this evening, that might contribute to why there's only one person speaking now.

- I also think that the students and the faculty and the staff of the New York Medical College aren't that far away from the site. I don't know if they've been included in the notifications and had an opportunity to comment.

- You mentioned on August 1st in this meeting that the benefits to the town are important, that we should derive certain benefits in return for the disruption of our quality of life. And I think we also want to minimize this disruption. We have sort of an aggressive rush schedule here.

- It was stated that up to 10 truckloads of material could be coming out of the Eastview site. out to grasslands. There's a lot of traffic there. This could be around the clock all day long. I don't think we can anticipate and guarantee variances to accommodate some of this aggressive scheduling.

- For New York City, it's supposed to benefit people up to 50 or 100 years in the future. But for the residents of Mount Pleasant, this affects our quality of life daily at the present time. So I ask that you extend the time period to the next meeting so people have an opportunity to look at the actual presentation. Chairman Collins commented, I'm going to point out mailings did go out to all the adjoining property owners, notices were sent out to the newspaper, signs are up on the property, and I believe a

notification did go out through our email mechanism. All the proper notifications have been done, which is what town staff does and what we have done for this particular application and all others that come before us. While it may be inconvenient to go into town hall, it's a necessity, it is our responsibility to be good stewards of that water supply that is within the Town of Mount Pleasant. Eileen McClain asked the applicant if it's okay to post the presentation given to the public tonight on our website, Kevin Ellenwood replied, yes.

No further public comments.

Motion was made by Joan Lederman to close the public hearing and provide a 30-day comment period, seconded by Eileen McClain, all members present voted in favor.

JD Summa commented I would like to have a little bit of a better understanding of the road work for the pathway of the trucks, it hasn't been defined yet. I think that's something that we should know prior to drafting the resolution, it's a real concern of mine. Patrick Cleary replied the public hearing and environmental impact statement talked about routes, you heard tonight they're refining that, but we don't have that refined routes in hand yet. I think they could provide us with more detail with respect to those routes. JD replied, the routes, yes, but I think I'd like to further the conversation on restoration of the roadways.

Joan Lederman stated I want to make a comment on this this whole project. The DEP must do this, it's not optional nor is it optional for us to say they can't do it. I think the options we have are to make sure it's done as well as it can be done with as little disruption to the citizens of the town of Mount Pleasant knowing full well there's going to be quite a bit of disruption at times. As much as I find that distasteful, I think we also have no choice, we're going to just have to put up with this for a while. We're going to do our best to limit what goes on, but that's all we can do, which is which has been the focus of this board.

Chairman Collins commented, we have a closed public hearing, but we're looking for some additional information, how do we make the town better both during construction as well as post construction. Patrick Cleary added, the fact that you've closed the public hearing starts a clock with respect to your obligation to render a decision.

Waiting 30 days to determine what you want to do gets tight. So you may want to draft a resolution pro or con during that period of time and take a look at it as and you can obviously amend it, change it, modify it, however you choose. Chairman Collins continued we don't know what those conditions would be yet. We need to compile them. So let's be fairly formulaic because I don't want to have any confusion, at the next meeting.

So what are we looking for from the applicant tonight?

JD Summa asked the applicant, speaking on the roads, once you guys, decide on a path, are you willing to put into the resolution that you'll restore the roads after construction is complete?

Kevin Ellenwood replied, the application that we have before you is specifically for the

Eastview site, and it's already part of the contract that we're going to restore that road. I think the farther you get away from that site, the harder it's going to be to attribute damage to anyone. JD Summa stated they are heavily used roads, but we're clear on what these trucks are going to do to these roadways over the next 5 years, it's going to be tremendous contribution related to this project. Kevin Ellenwood replied we are paving the entirety of Walker Road and then a portion of Dana Road as well, I would not be able to make that decision tonight, I think we can engage in a discussion about it, to see what I would like to do. JD replied I would like to do that, I am not prepared to make a decision tonight.

Patrick Cleary commented what we're talking about is our half of Grasslands Road and 9a, which is a state road. Those are the roads in our community, all the other roads heading south are in Greenberg, and 9a. Joan Lederman commented. I don't think you can blame them on using the roads, don't you pay taxes for trucks to use roads? Chairman Collins added to John's point, we have Amazon on 9a now, we can't do anything about 9a which is the state road. That's not where I'm going with this. But right now it's a little ambiguous because we don't even have a path

Patrick Cleary added when the UV plant was approved by your board many years ago, there was a formula that was included in your findings that related to roadway restoration. And it related to the number of trucks, the weight of the truck, and so forth. And there was a formula and it was derived from DP. So perhaps we can uncover that again and determine if that's a vehicle to help us understand roadway damage and restoration.

Chairman Collins commented, so we're going to look for roads, how they're getting around in town, any additional comments coming from the community. And I think that was it. And from there you have a myriad of conditions that would go into this, all of the mitigation measures that have been addressed throughout this process. So those are the issues we discussed this evening.

Motion was made by Joan Lederman to have the consultant draft a resolution of approval, seconded by Jane Abbate all members present voted in favor.

[MIN_SIGNATURES]

