

E. WETLANDS/TREES

Comment E-1

There has been an extreme amount of clearing of land to the north of the Brinckerhoff house, including in an area that, on the maps enclosed with the DEIS, would appear to be protected wetlands.

(Memorandum from Mr. and Mrs. Vitek, to the Town of East Fishkill Planning Board, dated March 22, 2005)

Cutting/removal of vegetation: As previously stated during the public hearing, there has been a substantial amount of clearing done on the property, specifically around the lakeshore. The applicant has stated that some clearing was necessary to facilitate the removal of mobile homes and for the purposes of their archeological studies. That may be true for a small percentage of what has been cut but does not address why the majority of the shoreline has been cleared. The amount of vegetation that has been removed concerns me. This vegetation along the shoreline and stream banks prevents soil erosion and helps to filter any sediment before it reaches the water.

(Letter from Mrs. Kim DiGiacomo, to the Town of East Fishkill Planning Board, dated April 1, 2005)

Kim DiGiacomo asked the Board if they had been to the site lately. She said they have clear-cut most of the area by the lake and reiterated that it is clear-cut and looks horrible. She said that by the Brinckerhoff house, they have taken every tree over by the natural spring, and it was clear-cut by the new section too.

(Statement at Public Hearing, dated 03/22/2005)

Mention that the majority of tree cutting was done well after the archeological study was completed. The reason we were given was so that potential investors would have a "better view of the lake." This is direct opposition to what was stated at the meeting of 03/22/2005, that the cutting was done

for the study. This raises a question of credibility of the developers. The tree cutting has resulted in flooding over the road. They have destroyed prime monarch butterfly habitat already.

(Memorandum from Mr. and Mrs. Vitek, to the Town of East Fishkill Planning Board, dated April 4, 2005)

Ms. DiGiacomo said that trees were cut in people's yards and an owner had to tell them not to cut in their yards. She said it was clear cutting done by the natural spring and past the barn, not around the barn.

(Statement at Public Hearing, dated 03/22/2005)

Response E-1

As acknowledged during the Public Hearings, certain areas on-site were cleared of some vegetation. This clearing was not to prepare the site for the construction phase of this project, but rather was to accommodate the Phase I Archeological Study performed by BTK Associates at the request of NYS OPRHP. The clearing was observed by the Town's Consulting Engineer on 02/24/2005. The Planning Board was notified in writing by the applicant subsequent to the close of the DEIS 03/22/2005 public hearing of a few trees that needed to be removed to enable relocation of the existing trailer homes off the site. The trees were subsequently removed.

It should be noted that the Town of East Fishkill does not have a tree removal law. Nevertheless, the applicant anticipates no additional clearing unless it is necessary as part of any additional required environmental analyses. In such case, the applicant will again advise the Town in writing prior to commencing any work.

Comment E-2

Mr. Koch asked that this be addressed in the Final, that even in the disturbed areas/limits of disturbance that as many trees as possible are being kept.

(Statement at Public Hearing, dated 03/22/2005)

Response E-2

The intent of the site design is to preserve as much of the existing vegetation as possible, including trees. The homes will be sited to preserve significant individual site elements such as significant trees and other aesthetic site resources. As such, the intent is to keep manmade landscaping to the minimum possible in order to preserve existing natural landscaping.

Likewise, wooded areas adjacent to the proposed roadways will be preserved, minimizing the need for planting of street trees. Street trees will be provided in open areas.

The 50 foot landscaped buffer adjacent to the surrounding residential properties will be left in its natural wooded state to provide a dense screening. The intent is to preserve the existing screened views into the site.

Comment E-3

Ms. Drummond asked if there were any more tree clearing that needed to happen.

(Statement at Public Hearing, dated 03/22/2005)

Response E-3

The Planning Board was notified in writing by the applicant subsequent to the close of the DEIS 03/22/2005 public hearing of a few trees that needed to be removed to enable relocation of the existing mobile homes off of the site. The trees were subsequently removed.

No further tree clearing is anticipated prior to obtaining future permits to commence site improvements, unless it is necessary as part of any additional required environmental analyses. In this case, the applicant will again advise the Town prior to commencing any work.