



Appendix J



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October 4, 2011

Planning Board
Incorporated Village of Upper Brookville
Village Hall
1395 Planting Fields Road
Oyster Bay, New York 11771

Re: The Oaks at Mill River Subdivision Application

To the Members of the Planning Board,

The North Shore Land Alliance (NSLA) is a not for profit land trust whose mission is to preserve and protect the green spaces, farmlands, wetlands, groundwater and open spaces of Long Island's North Shore. The Village of Upper Brookville lies within our service area. Many Upper Brookville residents are NSLA members and supporters.

We would like to commend the applicant for considering an alternative mitigation plan in the form of a "conservation development." As the Board knows, a conservation subdivision development requires consideration and preservation of natural and cultural resources as part of the design process. A conservation development on this property will help protect the village's environmental resources and in particular, the extensive areas of steep slopes which drain directly into Mill River. Moreover, this alternative design maximizes the preservation of natural features and minimizes fragmentation of woodlands, meadows and other open space.

While the North Shore Land Alliance would like to see full preservation of this environmentally sensitive parcel, we recognize an owner's right to develop his property and therefore support this proposed conservation development plan. We are please to see this application modified to preserve the natural slopes and to minimize the negative impact to the environment that the previous plan surely would have created.

NSLA would like to thank the Planning Board for giving us the opportunity to comment on the application.

Respectfully submitted,

Elizabeth Baldwin
Associate Director



October 4, 2011

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Mr. William Quinn, Chairman
Planning Board
The Incorporated Village of Upper Brookville
P.O. Box 548
Oyster Bay, NY 11771

Re: The Oaks

Dear Mr. Quinn,

I am writing to express the appreciation of Friends of the Bay for the revisions made to the design plans for The Oaks. Board President Barry Lamb and I took the opportunity to review the partitioning plans prior to this evening's Planning Board meeting and are very pleased with this latest plan. It is obvious that both the Board and the applicant have taken the concerns expressed by Friends of the Bay in our letter dated October 22, 2009 under careful consideration. The results are a plan that addresses the needs of the applicant, the Village, the community and the environment and can be held up as an example of how cooperation can benefit all involved.

It is also a plan that can be held up as a model for other members of the Oyster Bay-Cold Spring Harbor Protection Committee (OBCSH PC) as an example of how placing development away from sensitive areas can work to protect both the environment and the character of the community.

It is hoped that this development, from planning to completion, will continue to be a project that will demonstrate respect for the environment and responsible management. There are many components of this project that still need to be addressed such as erosion and sediment control, post construction stormwater retention and sanitary system design, but I am confident that any concerns can be easily addressed.

Friends of the Bay does have one additional request. We have applied for a grant through the Long Island Sound Futures Fund to prepare a plan for the restoration of Mill River and Beekman Creek. Friends of the Bay has received positive feedback and are reasonably confident that we will be awarded this grant. While the restoration area is mostly limited to the section of Mill River north of Oyster Bay – Glen Cove Road, the study will also address ways to control and mitigate stormwater flow from areas outside of this area. One of the sites identified as a potential site for a bio-retention basin is on the property at the corner of Mill River Road and Mohawk Drive. This area is in the conservation section of the development and a portion of it is in a designated drainage easement.

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Friends of the Bay is requesting that this drainage easement area be expanded to include all of this low-lying area that is already functioning, to some extent, as a bio-retention basin. The planning, design and construction of the bio-retention basin will assist Upper Brookville and the OBCHSPC meet the Department of Environmental Conservation's MS4 requirements for stormwater infrastructure requirement.

We are requesting that this area be reserved for the future, that The Village of Upper Brookville be involved in any subsequent plan and will have final authorization for any alteration to the site. The area would be designed to blend in seamlessly with its natural surroundings. Construction of a series of bio-retention basins throughout the Mill River sub-watershed is expected to substantially improve water quality in Mill River, Mill Pond and the Oyster Bay-Cold Spring Harbor Estuary and help mitigate flooding problems during heavy precipitation events.

Barry Lamb or I are happy to discuss this with you further and look forward to working with the Planning Board in the future. Again, thank you for the Planning Board's respect and consideration of the impact of the proposed development on the Oyster Bay/Cold Spring Harbor estuary and watershed.

Sincerely,

A handwritten signature in cursive script that reads "Patricia Aitken".

Patricia Aitken
Executive Director