



September 19, 2005

Vincent Pici, P.E.
Village Engineer
Village of Bronxville
200 Pondfield Road
Bronxville, NY 10708

Re: The Kensington, Bronxville, New York - Draft Environmental Impact Statement

Dear Mr. Pici:

Metro-North has reviewed the DEIS on the above project and is providing the following comments.

STORMWATER

(111.4-1)

On the west side of Kensington Road, at about the midpoint of the proposed development, there is a catch basin that conveys stormwater from Kensington Road westward beneath the existing parking lot and to an outfall on the east side of Metro-North's Harlem Line tracks. There is a single catch basin in the parking lot that is also tied into this line. Thus, this arrangement drains both Kensington Road and the parking lot to the opposite side of the railroad right of way.

In one of Metro-North's early meetings with the developer, the developer's engineers made it clear that they did not want this piping to run through or beneath the proposed structure. Metro-North appreciated this concern, and worked with the developer to find an alternative route with the understanding that Metro-North would not find a solution that resulted in discharge of Village stormwater onto the Metro-North right of way acceptable.

At a site meeting with the developer's engineers on August 6, 2004, a means for achieving both parties' ends was identified. This solution involved the construction of a subterranean retention basin. However, at a subsequent site meeting it was determined that this scheme was not feasible because the only available space for the retention basin is occupied by numerous electrical cables that tie into the adjacent traction power

substation. As an alternative, the developer proposed to route the storm line further north, around the north side of the substation, and terminate it adjacent to the tracks, connecting it to a long length of perforated pipe that would be buried in a rock-filled trench running northward along the east side of the tracks. The intent of such a swale is to allow storm water to pass from the pipe into the rock-lined trench and to further percolate into the surrounding soil. While we appreciate the developer's effort thus far to develop a feasible solution, Metro-North does not believe that this system will be effectively installed in the proposed location. At this point on the railroad, the tracks pass through a cut with very little space on the east side of the most easterly track and a steep embankment rising up to the east. As such, there is nowhere for the water to flow to the east, leading to a concern is that the trench would fill with water, which would then inundate the track to the immediate west.

The storm drain in issue was installed by the Village of Bronxville or its predecessor. Although Metro-North and the developer intend to continue to work cooperatively in identifying a solution that is beneficial to all parties (Metro-North, the developer, the Village and the future occupants of The Kensington), it appears necessary to enlist the assistance of the Village in seeking an acceptable solution. As discussed in recent months with the developer's engineers and with the Village Engineer, Metro-North believes that the best approach would be to pipe the storm water beneath the railroad right of way and tie it into the storm drainage on the west side of the tracks that leads to the Bronx River. If such an option does not exist or is otherwise not feasible, then we believe that the only other means would be connecting the stormwater flow to the Village's storm drainage on the east side of the tracks at the vicinity of Kensington and Sagamore.

In summary, Metro-North questions whether the drainage scheme depicted in the DEIS will sufficiently protect the railroad right of way during storm events, and requests that the Village join with Metro-North and the developer to find a feasible means of connecting this storm drainage to the Village of Bronxville's storm water system.

BLASTING

If blasting is performed for construction of the development, it will be the closest blasting by a third party has ever taken place near the Metro-North railroad right of way. Metro-North will need to be given sufficient time to review the written blasting plan, and this plan will need to be developed in a manner that is well coordinated with Metro-North's train schedule.

NORTHBOUND PLATFORM

There is a reference on Page IV-5 of the DEIS in the *Significant Adverse Impacts That Cannot be Avoided* section that states that "Proposed protection work will include closing the northbound platform adjacent to the development site for the duration of the construction". A full closure of the northbound platform is not possible. In addition, even a temporary closure of only a portion of the platform cannot occur without Metro-

North permission. Consultation with Metro-North must take place on this issue to assure that the construction results in no or only minor impact on Metro-North users.

DRAWINGS

Metro-North realizes that full-size drawings may not be available yet, but asks that they be promptly provided with such drawings as they are developed.

Thank you for the opportunity to comment on this project.

Very truly yours,



Karen L. Timko, Esq.
Director, Environmental Compliance and Services