

**FINAL SCOPE FOR THE  
DRAFT ENVIRONMENTAL IMPACT STATEMENT  
FOR  
HUDSON HIGHLANDS RESERVE  
TOWN OF PHILIPSTOWN, NEW YORK  
As Adopted on July 19, 2018**

Project Name: Hudson Highlands Reserve Conservation Subdivision.

Project Location: Easterly side of Route 9 between Horton Road and East Mountain Road North, Town of Philipstown, NY.

SEQRA Classification of Project: Type 1

Lead Agency: Town of Philipstown Planning Board

Lead Agency Contact: Anthony Merante, Chairman  
Town of Philipstown Planning Board  
238 Main Street  
P.O. Box 155  
Cold Spring, New York 10516

Project Sponsor: Horton Road, LLC  
315 East 91<sup>st</sup> Street, Unit 25  
New York, New York 10128  
Tel. No. (212) 722-0170

Scoping Session: June 21, 2018

A. INTRODUCTION.

This Scope identifies the issues to be addressed in the Draft Environmental Impact Statement ("DEIS") for the Hudson Highlands Reserve project (the "Project"). The DEIS will be prepared in accordance with the implementing regulations of the State Environmental Quality Review Act ("SEQRA"), that is, 6 NYCRR Part 617 et seq.

The primary goal of the SEQRA scoping process is to identify, for purposes of preparation of the DEIS, the areas of potential significant adverse environmental impacts to be considered. At the same time, it is intended to eliminate from consideration those potential impacts that are not significant by omission of mention of those issues in the scope.

B. DESCRIPTION OF PROJECT.

Horton Road, LLC is seeking approval of a Conservation Subdivision pursuant to Section 175-20 of the Town of Philipstown Code to facilitate the creation of 25 single family residential lots (each approximately one acre in size) and a large common area on approximately 210 acres in the Town of Philipstown, Putnam County, New York. A portion of the proposed common area would contain an



approximately 30-foot tall, approximately 60,000-square-foot equestrian center accommodating approximately 40 horses, the approval of which is part of the action; with the remainder proposed as open space to be protected by a conservation easement. The Project Site is generally located on the east side of Route 9 between Horton Road on the south and East Mountain Road North on the north, and comprises six tax parcels designated on the Town of Philipstown's Tax Map as parcels 17.-1- 76.112 (86.876 ac), 17.-1-77.2 (27.706 ac), 17.-1-39 (20.192 ac), 17.-1-76.21 (20.824 ac), 17.-1-76.111 (50.003 ac), and 17.-1-48 (4.5 ac). In order to accommodate the proposed common entry road from Route 9 into the Proposed Project, a lot line adjustment / rezoning is proposed for the 4.5 acre commercial lot fronting Route 9 (17.-1-48). This parcel will otherwise remain commercial. The following zoning districts are mapped on the Project Site: RR-Rural Residential, M- Industrial/Manufacturing, HC-Highway Commercial, OSO-Open Space Conservation, CCA-Clove Creek Aquifer Overlay, Regional Aquifer, SPO Scenic Protection Overlay (partial). As part of the application, a petition has been submitted to the Town Board to change the zoning of a portion of the subject property from "Industrial/Manufacturing" (M) to "Rural Residential" (RR).

### C. GENERAL DEIS GUIDELINES

The DEIS should cover all items in this Scope and conform to the format outlined in this document. Each impact category (e.g., land use, traffic, etc.) should be presented in a separate subsection which includes discussion of existing conditions, potential significant adverse impacts associated with the Proposed Action and any mitigation measures designed to minimize identified significant adverse impacts. If appropriate, related impacts may be addressed together in the DEIS, as long as all issues identified in this Scope are addressed. Any assumptions incorporated into assessments of impacts should be clearly identified. Any "worst case" scenario analysis should also be identified and discussed. Where reasonable and necessary, mitigation measures should be incorporated into the Proposed Action. The parties responsible for proposed mitigation measures should be clearly identified.

Narrative discussions should be accompanied by appropriate tables, charts, graphs and figures whenever appropriate. If a particular subject can be most effectively described in graphic format, the narrative discussion should summarize and highlight information presented graphically. Information should be presented in a manner that can be readily understood by the public. The document should be written in the third person (i.e., the terms "we" and "our" should not be used). The Project Sponsor's conclusions and opinions, if given, should be identified as those of the "Project Sponsor." When describing the Proposed Action and its potential impacts the DEIS should use the word "would" rather than "will."

The entire document should be checked carefully to insure consistency with respect to the information presented in the various sections. Cross referencing of information should be provided throughout the DEIS, as necessary.

## D. ORGANIZATION OF THE DRAFT ENVIRONMENTAL IMPACT STATEMENT

### I. DEIS COVER SHEET AND TABLE OF CONTENTS

### II. INTRODUCTION (INCLUDING REFERENCE TO PREVIOUS ENVIRONMENTAL STUDIES)

### III. EXECUTIVE SUMMARY

### IV. DESCRIPTION OF THE PROPOSED ACTION

#### A. Project Purpose, Public Need and Benefits

1. History of the project site.
2. Public need for the project, and municipality goals/objectives based on adopted community development plans, including the Philipstown Comprehensive Plan.
3. Objectives of the project sponsor, including anticipated residential use (part-time, year round)
4. Benefits to be fulfilled by the project.

#### B. Location

1. Description of the geographic boundaries of the project in the region and Town.
2. Description of existing and proposed access to the site.
3. Description of existing zoning, site characteristics, and land uses of surrounding properties.

#### C. Design and Layout

1. Structures and Site Improvements
  - a. Description of residential subdivision
    - i. Homeowner's Association
  - b. Conservation area, buffers, and open space
    - i. Map depicting open space, conservation easement boundary and improvements in the conservation easement
    - ii. Description of conservation easement boundary markings
    - iii. Description of activities to take place in conservation easement
    - iv. Description of activities to take place in open space areas
  - c. Equestrian center – full description of building configuration, uses, use restrictions, maintenance operations, ownership, staffing, parking, visitors, events and fire suppression
  - d. Stormwater Management plan
  - e. Sewer, water and other utilities
  - f. Site access – primary and emergency

2. Site Areas
  - a. Proposed impervious surface areas, including all roof areas, roads, driveways, garages, paddocks.
  - b. Amount of land to be disturbed, including:
    - i. The entire building envelope unless a binding restriction is proposed.
    - ii. All roads and driveways not within the building envelope.
    - iii. All areas that will be graded or modified to accommodate any part of the proposed development including construction access, stockpiles, and utility installations.
    - iv. Estimate of vegetation that will be removed or not survive the development process due to disturbance including blasting, in acres or square feet.
  - c. Zoning requirements vs. proposed

#### D. Construction and Maintenance

1. Construction
  - a. Total construction period anticipated.
  - b. Schedule and phases of construction
  - c. Soil erosion and sedimentation controls before, during and after construction, including a plan for monitoring and implementation.
  - d. Construction traffic and delivery
2. Maintenance
  - a. Roads, utilities, and common open space

#### E. Permits and Approvals

1. List and description of Permits and approvals required
2. List of Interested and Involved Agencies.

### V. EXISTING CONDITIONS, ANTICIPATED IMPACTS AND MITIGATION

#### A. Water Resources

1. Existing Conditions
  - a. Surface Water
    - i. Location and description of wetlands, water bodies and watercourses located on or adjacent to the project site.
    - ii. Description of existing drainage areas.
  - b. Groundwater resources
    - i. Groundwater resources will be described using existing relevant studies, such as the Chazen report on Philipstown Groundwater Resources (2007)

- c. Floodway and Wetlands
    - i. Location and description of potentially impacted down-gradient designated floodplains and floodway adjacent to Clove Creek, and the small isolated wetland area found adjacent to the proposed entrance road.
  - 2. Anticipated Impacts
    - a. Surface Water
      - i. Stormwater Management Measures
      - ii. Impact on Ulmar Pond and Clove Creek due to siltation, erosion, pesticides, herbicides, fertilizers, waste, veterinary medicine, horse feed and eutrophication, including from Equestrian Center
    - b. Groundwater
      - i. Impact of withdrawal on aquifer, including number of wells, anticipated location of wells, and anticipated volume of withdrawal based on year-round occupancy.
      - ii. Impact from Equestrian Center
      - iii. Impact from communal septic system
      - iv. Impact from swimming pools
    - c. Floodway and Wetlands
      - i. Discussion of potential impacts of construction and operation of the project on down- gradient designated floodplains and floodway adjacent to Clove Creek, and a small isolated wetland area found adjacent to the proposed entrance road.
  - 3. Mitigation Measures for any impacts identified.
- B. Vegetation and Wildlife
- 1. Existing Conditions
    - a. Describe existing conditions of vegetation associations and wildlife habitat, including extent of forest fragmentation.
    - b. Describe presence or absence of protected species
    - c. Include review of existing relevant studies, such as the NYSDEC Habitat Summary for the Town of Philipstown (2014)
  - 2. Anticipated Impacts
    - a. Describe impacts on forest fragmentation, including from equestrian center.
    - b. Describe impacts on protected species, including from equestrian center.
  - 3. Mitigation measures for any impacts identified.

### C. Zoning & Land Use

1. Existing Conditions
  - a. Identify existing land use surrounding the site and within 1/4 mile of the site.
  - b. Evaluate land use plans, including the Town of Philipstown Comprehensive Plan, and Philipstown Natural Resource and Open Space Protection Plan.
  - c. Identify existing zoning of the site and in the surrounding area within 1/4 mile of the site.
  - d. Discuss the provisions for a conservation subdivision contained in Sections 175-19 through 175-21.
  - e. Applicability of 175-49 to the proposed project.
2. Anticipated Impacts
  - a. Potential conflicts with neighboring land uses.
  - b. Document zoning compliance of the proposed project, including Sections 175-19 through 175-21.
3. Mitigation measures for any impacts identified.

### D. Community Character

1. Existing Conditions
  - a. Identify existing pattern and scale of development surrounding the site and within 1/4 mile of the site.
  - b. Identify any aesthetic or visual resources on the site and within 1/4 mile of the site, including views from Scofield Ridge and Fahnstock State Park.
2. Anticipated Impacts
  - a. Potential conflicts with neighboring pattern and scale of development.
  - b. Potential aesthetic, visual, or other impacts related to the proposed location of homes and size of the proposed equestrian center.
3. Mitigation measures for any impacts identified.

## VI. ALTERNATIVES

SEQR mandates that environmental impact statements analyze a reasonable range of alternatives to the action that are feasible, considering the objectives and capabilities of the project sponsor. Those analyses must include a description of the impacts (adverse, beneficial, long and short term, cumulative) created by the alternatives, as well as their probability and significance in comparison to the proposed action. The alternatives should be analyzed qualitatively, except where project impacts can be compared in quantitative analyses.

The following alternatives will be evaluated:

- A. No action - no development takes place and the site remains vacant. This analysis should include the impact of not approving the action, including the loss of tax revenue, housing opportunities, construction jobs, etc.
- B. Conventional subdivision with equestrian center.
- C. Equestrian center with no residential subdivision.
- D. Alternative cluster layout, including smaller lots and relocation of homes near Ulmar Pond.
- E. Alternative Conservation Subdivision with smaller Equestrian Center facility and fewer horses.

VII. ADVERSE ENVIRONMENTAL IMPACTS THAT CANNOT BE AVOIDED

VIII. IRREVERSIBLE AND IRRETRIEVABLE ACCOUNT OF RESOURCES

IX. GROWTH INDUCING ASPECTS

X. APPENDICES