

DRAFT SCOPE FOR THE
DRAFT ENVIRONMENTAL IMPACT STATEMENT
FOR
HUDSON HIGHLANDS RESERVE
TOWN OF PHILIPSTOWN, NEW YORK
June 5, 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
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Project Sponsor: Horton Road, LLC
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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 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
- II. DEIS TABLE OF CONTENTS
- 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 objectives based on adopted community development plans.
3. Objectives of the project sponsor.
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
- b. Conservation area and buffers
- c. Equestrian center
- d. Stormwater Management plan
- e. Sewer, water and other utilities

2. Site Areas

- a. Proposed impervious surface areas, including all roof areas, roads, driveways, garages.
- 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. Open space
- d. 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
 - i. Groundwater resources will be described using available studies
- 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, and eutrophication
- b. Groundwater
 - i. Impact of withdrawal on aquifer
 - ii. Impact from Equestrian Center
 - iii. Impact from communal septic system

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

Describe existing conditions of vegetation associations and wildlife habitat, including extent of forest fragmentation.

2. Anticipated Impacts

Describe impacts on forest fragmentation, 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 Master Plan.
- c. Identify existing zoning of the site and in the surrounding area within 1/4 mile of the site.

2. Anticipated Impacts

- a. Potential conflicts with neighboring land uses.
- b. Document zoning compliance of the proposed project.

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.

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