

State Environmental Quality Review
POSITIVE DECLARATION
Notice of Intent to Prepare a Draft EIS
Determination of Significance

7/6/22 DRAFT

Date: ____, 2022

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Philipstown Planning Board, as Lead Agency, has determined that the Proposed Action described below may have a significant adverse impact on the environment and, therefore, a Draft Environmental Impact Statement (DEIS) will be prepared by the Applicant.

Name of Action: Hudson Valley Shakespeare Festival

SEQR Status: Type I

Description of Action: Garrison Properties, LLC and the Hudson Valley Shakespeare Festival (HVSF) (the “Applicant”) are requesting amendments to the Town of Philipstown’s Garrison Golf Club Planned Development District (GGCPDD – established 2005) and Rural Conservation District (RC) (the “Proposed Action”) to allow the relocation of HVSF from the Boscobel House and Gardens (also in Philipstown) to the Garrison Golf Club (2015 Route 9, Garrison – the “Project Site”). The Project Site is currently developed with an 18-hole golf course known as the Garrison Golf Club or “The Garrison”, which was developed in the 1960’s and ceased operation at the end of the 2021 golf season. The Project Site consists of several tax parcels totaling +/-198.6 acres. In addition to the underlying GGCPDD and RC zoning, portions of the Project Site are also located within the Town’s Open Space Conservation Overlay District, Scenic Protection Overlay District, and Aquifer Overlay District. Two of the Project Site’s tax parcels comprise the +/-142.04-acre “Main Parcel” (60.-1-59.2 and 60.-1-59.3) generally bounded by Philipse Brook Road to the north, Route 9 to the east, and Snake Hill Road to the south and west. In addition to the aforementioned 18-hole golf course, the Main Parcel currently contains a 232-seat banquet hall, 97-seat restaurant (including bar seats), a bar and grill (“The 19th Hole”), and 8 hotel rooms. Ancillary improvements include a residence for the course manager (Manager’s Quarters), golf pro shop, golf cart storage barn, maintenance buildings, and 270 total parking spaces. Overall, of the +/-98.6 acres of land that comprise the Project Site, +/-115.4 acres have been previously disturbed or are considered developed, including +/-87.5 acres of the Main Parcel. The Proposed Action will result in a total of +/-44.1 acres of land disturbance (22 percent of the Project Site), the majority of which will occur on land previously disturbed for construction of the golf course.

In connection with the Proposed Action, the Main Parcel is proposed to be subdivided into three individual lots resulting in a +/-97.4-acre lot to be owned and developed by HVSF, a +/-27.5-acre private residential lot to be retained by the current owner of The

Garrison, and a +/-17.1-acre lot to be conveyed to the Hudson Highlands Land Trust (HHLT) for permanent conservation purposes. It should be noted that +/-56.6 acres of the former golf course (holes 2 through 7) have already been conveyed to the HHLT for conservation purposes.

In addition to the single-family home proposed on +/-27 acres of the Main Parcel, the +/-97.4-acre lot proposed to be owned and developed by HVSF would include the following elements proposed to be permitted uses through the amended GGCPDD, and represent HVSF's long-term master plan for the redevelopment of the Project Site, to be completed in phases:

- A +/-8,650-square-foot (sf) permanent open-air theater tent with seating for approximately 500 patrons;
- Back of house structure (+/-4,000 sf);
- Welcome center (+/-600 sf) and box office (+/-600 sf);
- Rehearsal building (+/-3,500 sf);
- Administrative offices (repurposing of existing Manager's Quarters)
- Concessions and restrooms (+/-3,500 sf);
- Picnic lawns and gardens;
- Outdoor pavilion for HVSF and community events (+/-1,000 sf)
- The continuation of the Project Site's existing restaurant and banquet hall, with a reduction of total seats to 200;
- Artist and guest lodging envisioned as follows:
 - 16 one-bedroom units within a +/-6,000 sf two-story building proposed on the existing first hole fairway;
 - 6 two-bedroom units within individual single-story buildings (+/-1,200 sf each) proposed on the existing 12th hole green;
 - 4 four-bedroom units within individual two-story buildings (+/-900 sf each) proposed adjacent to the one-bedroom units on the existing first hole fairway;
- A total of 521 total parking spaces (total of existing, proposed, and overflow spaces);
- Construction of a new two-way access driveway off Snake Hill Road with related bridge structure;
- Modifications to the internal driveway network;
- Improvements to the intersection of the existing site access driveway at Route 9, including a left turn lane from Route 9;
- Improvements to the intersection of Route 9 and Snake Hill Road/Travers Corners Road, including the proposed installation of a traffic signal; and
- Associated infrastructure and ancillary improvements (grading, water, wastewater, energy sources and supply, stormwater, lighting, landscaping, etc.).

In addition to approval of the proposed amendments to the GGCPDD and RC districts from the Philipstown Town Board, the Proposed Action requires site plan, subdivision,

and special use permit approval from the Philipstown Planning Board, and freshwater wetland permit approval from the Philipstown Conservation Board.

Location: 2015 Route 9, Garrison, NY 10524
Tax Map ID 60.-1-59.2, 60.-1.59.3, 60.-1-63, 60.-1-69, 60.-1-70, 60.-2-26.71, 60.-2-29.1, and 60.-2-29.2

Reasons Supporting This Determination:

The Planning Board of the Town of Philipstown has determined, based upon its review of the Full Environmental Assessment Form (EAF), that the Proposed Action has the potential for one or more significant adverse environmental impacts as listed in Part 617.7(c) of Title 6 NYCRR (the Statewide regulations pertaining to SEQRA) and that an Environmental Impact Statement (EIS) shall be prepared. The Planning Board finds that the Proposed Action has the potential to result in the following environmental impacts:

VEGETATION AND WILDLIFE: Most of the new development to be facilitated by the Proposed Action would occur on land previously disturbed and developed as an 18-hole golf course. However, some elements, including the proposed parking and artist/guest lodging, will result in disturbance to vegetated areas including removal of trees. In addition, the change in use from a golf course (daytime operation) to a performing arts venue (nighttime operation) with related increases in noise, traffic, and lighting has the potential to impact nocturnal wildlife utilizing the Project Site.

WETLANDS AND WATERCOURSES: While site disturbance associated with the Proposed Action would avoid delineated wetlands and surface waters on the Project Site, the proposed two-way access drive and bridge structure from Snake Hill Road will be constructed within, and will result in disturbance to, the Town-regulated wetland buffer. In addition, the Applicant proposes to lower the water level of the pond located at the southeast corner of the site by approximately four feet in lieu of properly repairing the pond's existing earthen dam. Lowering the water level behind the dam has the potential to impact the pond and associated stream/wetlands.

UTILITIES (WATER, SEWER, AND ENERGY): The Proposed Action will result in additional demand and potential impacts related to potable water, sanitary wastewater, and energy usage for electricity, heating and cooling. The Proposed Action will result in the decommissioning of one existing well and the addition of two new wells for potable water. The demand for potable water has the potential to result in impacts to off-site private wells, which have experienced drawdown from historic operations at the site. These off-site wells have not been investigated for several years. New septic systems are proposed to handle sanitary wastewater generated by the Proposed Action, which may impact subsurface conditions. Potential impacts may also result from the additional demand for energy introduced by the Proposed Action, when compared to the existing condition.

TRAFFIC, TRANSPORTATION, AND PARKING: The proposed change in use at the Project Site, as well as the proposed changes to site access, will result in a substantial adverse change in existing traffic levels, and would attract a large number of people to the Project Site for more than a few days when compared to the number of people who would access the site absent the Proposed Action. The increase in traffic has the potential to result in significant adverse impacts both internal to the Project Site and on

the local roadway network. Specifically, the EAF discloses that in the busiest hour of the HVSF performance season (the Saturday PM event hour), it is estimated that there will be as many as 387 vehicles circulating through the Project Site and entering or existing via the two main driveways (175 vehicles at the proposed Snake Hill Road driveway and 212 vehicles at the existing Route 9 driveway). The EAF also estimated that the theoretical maximum number of persons projected to be on-site at any one time could be as high as 853.

VISUAL RESOURCES AND COMMUNITY CHARACTER: The Project Site is located within the Town's Scenic Protection Overlay district. When viewed from publicly accessible locations, the proposed bridge from Snake Hill Road and the proposed siting of the 500-seat permanent tent theater both have the potential to result in significant adverse impacts to the existing natural landscape and predominate architectural scale and character of the Project Site and surrounding area. The proposed bridge will include large concrete structures up to 26 feet tall in an area that is relatively open and visible from Snake Hill Road. The height of the theater tent is proposed to be within the 40-foot height limit required by zoning, but the siting of the tent theater on a prominent ridge within the Project Site warrants further study above what was presented in the EAF.

NOISE AND LIGHT: Several operational sources of noise will result from indoor and outdoor events at the Project Site as a result of the Proposed Action. These include the potential for both amplified and unamplified performances at the tent theater, noise generated by theater audiences and wedding guests, and noise generated by arriving and departing vehicles. The increase in noise has the potential to impact nearby sensitive receptors, including residential neighbors and nocturnal wildlife. The new sources of lighting proposed on the Project Site, including general site lighting and the headlights from vehicles departing after evening performances, may also result in impacts on these sensitive receptors.

HUMAN HEALTH: The historic use of the Project Site as a golf course included the use of turf-applied chemicals (herbicides, fungicides, insecticides and fertilizers) that may be present in Project Site soils, groundwater, and surface water. There is the potential for human exposure to such chemicals during both construction and operation of the project. Site disturbance required for construction of the project has the potential to expose on-site watercourses and the underlying groundwater aquifer to these chemicals.

Scoping of the DEIS:

The Planning Board of the Town of Philipstown will hold a **public scoping session on _____, 2022 at 7:30 PM at 238 Main Street, Cold Spring, NY 10516** to receive public comment on a draft scoping document prepared by the Applicant pursuant to §617.8 of SEQRA.

Written comments on the draft scoping document will be accepted until ____ PM on _____, 2022 and should be submitted to the Planning Board Secretary by U.S. mail [238 Main Street, Cold Spring, NY 10516] or email [crockett@philipstown.com].

A copy of the draft scoping document is available for review at the following website:
[TO COME]

Lead Agency: Town of Philipstown Planning Board
 238 Main Street
 Cold Spring, NY 10516

Contact: Cheryl Rockett, Planning Board Secretary
 845-265-5202
crockett@philipstown.com

A copy of this notice has been filed with:

INVOLVED / INTERESTED AGENCIES	
<i>NEW YORK STATE</i>	
New York State Department of Environmental Conservation (main office) 625 Broadway Albany, NY 12233 ATTN: Commissioner	New York State Department of Transportation SEQR Unit Traffic Engineering & Safety Division 4 Burnett Blvd. Poughkeepsie, NY 12603
New York State Department of Environmental Conservation Region 3 21 South Putt Corners New Paltz, NY 12561 ATTN: Regional Director	New York State Department of Transportation (main office) 50 Wolf Road, Albany, NY 12232
New York State Historic Preservation Office Peebles Island Resource Center P.O. Box 189 Waterford, NY 12188-0189	
<i>PUTNAM COUNTY</i>	
Putnam County Department of Planning/Development 2 Route 164 Patterson, New York 12563	Putnam County Department of Health 1 Geneva Road Brewster, New York 10509
Putnam County Highways & Facilities 842 Fair Street Carmel New York 10512	Putnam County Sheriff's Department 3 County Center Carmel, NY 10512
<i>TOWN OF PHILIPSTOWN</i>	
Philipstown Town Board 238 Main Street Cold Spring, NY 10516	North Highlands Fire Department 504 Fishkill Road Cold Spring, NY 10516
Philipstown Conservation Board 238 Main Street Cold Spring, NY 10516	
Philipstown Highway Department 238 Main Street Cold Spring, NY 10516	
Philipstown Volunteer Ambulance Corp. 14 Cedar Street Cold Spring, NY 10516	

APPLICANT	
Garrison Properties, LLC P.O. Box 348 2015 U.S. Route 9 Garrison, NY 10524	Hudson Valley Shakespeare Festival P.O. Box 125 Garrison, NY 10524
OTHER	
Hudson Highlands Land Trust 20 Nazareth Way Garrison, NY 10524	

Notice of this determination has been provided to the following email address for publication in the Environmental Notice Bulletin: enb@dec.ny.gov

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