

**State Environmental Quality Review Act (SEQR)
Draft Environmental Impact Statement**

For Depot Hill Farm

Town of Amenia, Dutchess County, New York

Applicant: Keane Stud LLC
c/o Jeffrey G. Stark
8043 Route 82
Pine Plains, NY 12567

Lead Agency: Town of Amenia Planning Board
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Proposed Location: 217 Depot Hill Road
Town of Amenia, NY

Date of DEIS Acceptance: **April 2, 2009**

Public Hearing: **May 7, 2009 at 7 p.m. and May 16, 2009 at 9 a.m.
Hearing to be held at the Amenia Elementary
4988 Route 22 Amenia, New York**

Date to Submit Comments to Lead Agency: **June 5, 2009**

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1.0 EXECUTIVE SUMMARY

This Draft Environmental Impact Statement (DEIS) for the Depot Hill Farm was prepared for Keane Stud LLC, the project sponsor and land owner, pursuant to the regulations set forth under the State Environmental Quality Review Act (SEQRA), 6 NYCRR Part 617, and at the request of the Lead Agency, the Town of Amenia Planning Board. The purpose of the DEIS is to examine and identify the potential significant adverse environmental impacts that may result from implementation of the proposed Depot Hill Farm project, and the measures that may be used to mitigate any potentially significant adverse impacts of the action.

A Positive Declaration was issued by the Town of Amenia Planning Board on March 1, 2007, in which the Planning Board issued a positive determination of environmental significance pursuant to SEQRA and directed the Applicant to prepare a DEIS. Refer to Appendix B for the positive declaration and scoping outline. A Public Scoping session was conducted on March 29, 2007 at the Amenia Town Hall. Written public comments received are provided in Appendix C.

1.1 Project Description

DESIGN PRINCIPLES AND SITE STRUCTURE

The Applicant is proposing development of a 481.44 acre site located on Depot Hill Road in the Town of Amenia, Dutchess County, New York. The subject site consists of two tax parcels: #515886, consisting of 213.78 acres, and #403702, consisting of two lots, the first 9.62 acres on the north side of Depot Hill Road and the second, a 258.04 acre parcel on the south side of Depot Hill Road. The proposed development utilizes the Town of Amenia's Resort District Overlay (RDO) zoning designation for the site, which permits multiple uses on the property and allows the site conditions to determine the layout of the site if 80% of the subject site is placed into a conservation easement and no more than 15% of the site is made impervious. At full build out, the site will have approximately 3.7% or 17.97 acres of impervious area. The proposed project includes development of 137 single-family residences managed under a Condominium Association (COA), as well as a community center and equestrian facilities, including an indoor riding arena, outdoor riding arena, two new barns with stables, paddocks, and riding trails. The equestrian center and riding trails will be open for public use. The residences, garages, roadways, and other infrastructure comprise the residential use of the site and total 69.37 acres. The equestrian center building, riding arenas, paddocks and parking area total 81.24 acres. A total of 71.40 acres of the site will also continue in its current use as Keane Stud, a working thoroughbred stud farm. In all, 76.21 acres of fields currently placed in row crops will be converted to hay meadows to provide hay for the equine uses on the site. Existing woodlands and wetlands, totaling 183.22 acres of the property, will remain undeveloped. The proposed project will have a private central sewer system for wastewater treatment from the residential and equestrian center uses. The Applicant's preferred alternative for water supply is to tie into the Town of Amenia water district. Table 1-1 summarizes the use and acreage for Depot Hill Farm.

**Table 1-1
Summary of Usage**

Use	Acreage
Residential (including roads, homesites, water and sewer infrastructure and the waste/recycling center)	69.37
Equestrian complex with paddocks	81.24
Stud Farm	71.4
Hay Meadow	76.21
Undeveloped Open Space (Woodland/Wetland)	183.22
Total	481.44

Using the requirements of the RDO, the Applicant has identified the primary guiding principles in the design of this development as: 1) to cluster development to the greatest extent possible, preserving maximum open space for conservation; 2) to pattern the proposed development on the structure and character of the existing farm; and, 3) to balance the Applicant's need to accommodate the various uses of the site with the site's open space and ecological resources.

The existing working farm is organized by a ring road that serves the central portion of the site, and a series of hedgerows radiating from the ring road, extending uphill to the forested reaches at the property edges. This formal logic of the existing farm organizes and structures the fundamental elements of the proposed development. A residential village and equestrian facilities are proposed near the site's main entry. New road spurs, paved to an 18-foot width, are proposed to link the ring road, which will also be 18 feet in width, to three hillside neighborhoods. Neighborhoods 1 and 2 are clustered along two existing hedgerows to minimize the visual impact of the development and maximize the contiguous land available for conservation. Neighborhood 3 will be clustered in the area of an existing paddock, and a new hedgerow will be planted. Neighborhood 4 will be clustered in the area currently occupied by the stud farm's entry gates, administration building and worker residences with planted buffers used for screening. Figure 1A, Master Development Plan, illustrates the layout of the site. The new residential development makes up 69.37 acres of the total site and will consist of:

- Parking;
- Roads;
- Homesites; and
- Water and sewer infrastructure.

Equestrian Center

The equestrian center acts as the gateway to the community and provides a public function at the edge of the development; as such, the equestrian center is proposed to be the first phase

of the project to be constructed. The Applicant has located the public facilities closest to the public road so that conflicts are minimized between the traffic and parking for equestrian uses and the circulation inside the community. Residents and equestrian facility users will have access to the site via a new entrance off Depot Hill Road. The new entrance will be located approximately 107 feet west of the current stud farm entrance. The entrance will be paved and have an overall width of 30 feet. Equestrian uses proposed for the project include the boarding and riding of horses. Equestrian events, such as horse shows and competitions, are not proposed for the equestrian center. The equestrian center will include up to four horses owned and boarded by the Depot Hill Farm community for use by residents and the public.

The overall footprint of the proposed Equestrian Center is 51,370 square feet (s.f.). The building will have an overall height of less than 35 feet. The architectural styling of the main building is proposed to be reminiscent of a Shaker vernacular to complement the homes. The building is sited with southern exposure for the indoor arena, with the rear of the building consisting of large windows to maximize natural light and passive solar heating. Included within the main building will be a community meeting room (open to the residents of Depot Hill Farm), an accessory tack shop, a café, an office for the center's manager, an indoor riding arena, and storage room for riding equipment, and other equine supplies. The building is proposed to have stable blocks that extend to the south of the main arena with a total of 48 stalls. Up to four stalls will be designated for the Depot Hill Farm community horses. The remaining 44 stalls will be available to board the horses of Depot Hill Farm residents and members of the public.

An outdoor riding arena of 30,600 s.f. will be provided immediately north of the equestrian center, between the Depot Hill Farm ring road and Depot Hill Road. Buffer plantings with a 20-foot depth are proposed between Depot Hill Road and the outdoor arena. Parking and circulation for the equestrian center is immediate to the equestrian center. Equestrians will enter Depot Hill Farm at the main entrance and proceed south approximately 300 feet to use the gravel loading area at the northwest corner of the facility, or proceed to the east side of the facility for parking of passenger vehicles or trucks with horse trailers. Parking is provided on a combination of asphalt parking areas and reinforced turf parking areas. A total of 63 passenger vehicle spaces, with 37 spaces on asphalt and 26 spaces on reinforced turf, and 10 horse trailer spaces on reinforced turf are provided. Parking areas and walkways will be illuminated with 15-foot tall pole mounted lights in parking areas and bollard lights along walkways. The lighting levels will be maintained at safe minimums for public spaces and parking space lights will be turned off when the equestrian center is not in use. The equestrian center will be provided with central water and sewer as part of Depot Hill Farm. Stormwater will be managed beneath the parking area in infiltration units.

The equestrian center will include a small retail component, consisting of a cafe and tack shop. The cafe will serve non-alcoholic drinks, snacks and sandwiches to people using the facilities. Tables may be provided in the café. A tack shop will be incorporated as a convenience to equestrian center users. Preliminary water and sewer calculations have assumed that 1,500 square feet will be devoted to retail use, and that the cafe will have up to 30 seats, although this estimate is conservative. The total footprint of all buildings, including houses, the equestrian center and stud farm structures and other barns and outbuildings is

approximately 365,700 square feet, 5% of which is 18,285 square feet, more than 10 times the amount of area set aside for the proposed retail use.

Neighborhoods

The residential component of the project consists of the creation of four neighborhoods: Neighborhood 1, located east of the equestrian center; Neighborhood 2, located southeast of the equestrian center, and Neighborhood 3, located southwest of the equestrian center; each extend in a radial fashion out from the Depot Hill Farm ring road. Neighborhood 4 is a village-like cluster, located on either side of Depot Hill Road, with the equestrian center immediately to its east. Single family detached homes will be developed on separate house sites with a no-lot configuration with open space planted in meadow grasses and new or existing hedgerow trees providing landscaping between units. The homes are designed by David Salmela. Each home is designed within a foot print of 24 by 56 feet and will average 2,600 square feet on two levels with full basements. All homes have a simple exterior design influenced by Shaker styling. Interior spaces of the homes are customized to the individual resident's needs and will have no more than four bedrooms. Individual house sites will have approximately 1200 square feet of terrace that can be paved or planted, an area of approximately 600 square feet for gardening, and approximately 70 linear feet of path and/or steps, no greater than 10 feet in width, providing pedestrian and vehicular access from the house to the garage and roadway. Individual 15-foot wide paved driveways, located off the roadway, and single-car garages, with dimensions of 15 feet by 30 feet, provide parking for two vehicles per household. All homes will be served by central water and sewer, a geothermal heating system, and electric, cable and phone service; all utilities will be located underground.

Upon development, the existing hedgerows on site will be selectively removed in sections of 18 to 26 feet in width to accommodate earthwork and construction of the driveways in the proposed Neighborhoods 1 and 2. The proposed grading matches the existing topography to the extent possible to minimize disturbance to the land and hedgerows. Over time, a phased re-planting effort is proposed to enhance the ecological quality and biodiversity of the existing hedgerows.

Slopes greater than 30%, and most heavily forested areas of the site, are left undisturbed. Development of moderately steep slopes with grades ranging from 15% to 30% and areas less than 15% adjacent to the hedgerows allows a more dense development pattern than would be permitted under conventional subdivision standards. This, in turn, allows a very large and contiguous portion of the property to be preserved as conservation land. Recognizing the importance of scenic resources in the Town, one of the Applicant's objectives is to find a balance between the views from each house and publicly-accessible viewshed protection. Hedgerows run perpendicular to the slope of the existing hillsides. Along the hedgerows which are used to organize the three hillside neighborhoods, the slopes provide seven to twenty feet of (vertical) grade separation between each adjacent house site, allowing the houses to be built compactly and in proximity to one another, with between 30 and 100 feet horizontal spacing, but still have equal access to views, light and air. The existing hedgerows will be left in place (except where driveways are to be installed) and will be reinforced with additional plantings as the houses are constructed. The hedgerows will

provide visual separation between the houses, further facilitating the dense development, and will also provide screening of the development from various locations in the Amenia viewshed.

Neighborhood 1 consists of 33 homes and is located east of the New York State-designated freshwater wetland on the site, Wetland AM-10, along an existing hedgerow having an east-west orientation. The existing use of the land for Neighborhood 1 is agricultural cropland and woodland; the proposed neighborhood will convert 19.8 acres of cropland and 0.75 acres of woodland to 33 residential homesites and native perennial meadow. The 31 of 33 homes within Neighborhood 1 are located within the newly designated Scenic Protection Overlay (SPO); the Applicant has worked to sensitively site the homes to reduce potential visual impact from viewpoints outside of the project area. A new 2,691-foot-long, 18-foot-wide asphalt roadway will extend from the ring road up the hillside. This roadway crosses an on-site stream, NYSDEC waters ID number CONN-15-11-2-2-1 (an unnamed tributary to Cascade Brook), and the adjacent federally regulated wetland, resulting in 780 square-foot (0.017 acres) of wetland impacts. A U.S. Army Corps of Engineers Permit #29 will be obtained for the stream crossing. The roadway avoids any impacts to the NYSDEC wetland or its adjacent buffer. To minimize grading of the hillside, the roadway matches the existing grade as much as possible; roadway slopes will range from 1% to 15%. A new hedgerow will be planted on the south side of the roadway. A decentralized stormwater infiltration system, with treatment and infiltration devices located at each house site, will manage runoff from a portion of the roadway and all impervious areas created by the individual house sites. Stormwater runoff that cannot be managed in the decentralized system will be conveyed to and treated in a stormwater pond and released to the on-site stream.

A buffer planting will be planted approximately 500 feet north of Neighborhood 1, parallel to the existing hedgerow and proposed road, to screen Depot Hill Farm's views of proposed development to the north. The existing agricultural fields north and south of Neighborhood 1 will be converted to hay meadows to supply equine consumption for the equestrian center and stud farm. An organic vegetable garden will be located at the western end of the Neighborhood 1 road, and will provide seasonal produce to the residents of Depot Hill Farm.

Neighborhood 2 consists of 26 homes located along the existing hedgerow at the southeast section of the property. Twenty-four of the 26 proposed homes are located in the SPO; the Applicant has worked to sensitively site the homes to reduce potential visual impact from viewpoints outside of the project area. The existing land for Neighborhood 2 is agricultural cropland and stud farm paddocks; the proposed neighborhood will convert 6.66 acres of cropland and 9.13 acres of paddock space to residential use and native perennial meadow. The existing hedgerow will be maintained to the extent possible, and reinforced with new plantings. A 1,628-foot long asphalt roadway, 18 feet wide, will run parallel to the hedgerow, and extend from the ring road. Matching existing grades, the slopes on the road range from less than 1% to 13%. The water storage tank will be located above Neighborhood 2; the elevation of the tank will permit adequate pressure to be supplied to all the residents in the community without the use of booster pumps. Access to the water tank is via a service road off the east end of the Neighborhood 2 road turnaround. The water tank is less than 25 feet tall, with a base elevation of 940 feet, and is screened by the existing woods. Only 0.15 acres

of woodland will be removed to accommodate the water tank. As in Neighborhood 1, decentralized stormwater infiltration system will serve the residences in Neighborhood 2.

In its Zoning Ordinance adopted July 19, 2007, the Town of Amenia has designated a Stream Corridor Overlay District (SCO), which is defined as a 150-foot setback on from the top of a New York State-classified stream's banks. Part of the SCO is located to the east-northeast of Neighborhood 2. Parts of the Neighborhood 1 and 2 proposed roadways and one residence in Neighborhood 2 – the first one on the northern side of the road – are located within the SCO, defined as a 150-foot setback from the top of the stream bank. Principal structures (such as the house that is proposed) may be located within the SCO, but must be at least 100 feet from the top of the stream's bank, and are also subject to aesthetic and stream protection standards through site plan review. The current site design meets this requirement. Roads and structures associated with water uses (such as docks and bridges) are permitted within the SCO. Also east of Neighborhood 2, the agricultural fields will be converted to hay meadows to provide hay for the equine uses of the site. The existing stud farm Barn 4 is located between Neighborhoods 2 and 3. This barn will be used in part to provide space for the water system equipment such as booster pumps or chlorination stations. The remainder of the barn will support the equestrian uses of the site. The paddocks between the neighborhoods will be used as grazing space for horses.

Neighborhood 3 is located at the southwest corner of the ring road and consists of 16 proposed single-family dwelling units. The current use of the land is paddock space for the stud farm; a total of 8.0 acres of existing agricultural land will be converted to residential uses and native perennial meadows. A new 18-foot wide asphalt roadway will extend southward from the ring road a distance of 903 feet; slopes on the new roadway will range from less than 1% to 8%. One of the 16 houses in Neighborhood 3 are located within the SPO. However, a new hedgerow is proposed to be planted on either side of the new roadway to provide visual screening as the vegetation matures. Central utilities will serve the neighborhood.

The central wastewater treatment plant (WWTP) will be located west of Neighborhood 3, near Barn 3 at the southwest corner of the ring road. The WWTP is proposed to be an at grade structure to minimize visual impacts. Details of the proposed WWTP are described in Section 3.15 of this report. The WWTP is located in an area currently used as paddock space for Barn 3; the WWTP will occupy ½-acre. The WWTP is located adjacent to a perennial stream, tributary to Amenia/Cascade Brook and designated as CONN-15-11-2a by New York State. The WWTP is located more than 500 feet from any proposed residential use and more than 1,000 feet from any existing residential use. All homes and the equestrian center will be served by the WWTP. Approval of the WWTP is subject to the receipt of a State Pollution Discharge Elimination System permit (SPDES) by the NYSDEC.

Neighborhood 4 is located in the north central portion of the subject site. A total of 62 residential units are proposed. Twenty-four units will be located south of Depot Hill Road adjacent to the west side of the equestrian center, and 38 units will be located on the north side of Depot Hill Road. The 9.62-acre lot on the north side of Depot Hill Road is currently used for farm residences and additional paddock space. After development, this land will be converted to residential use only. South of Depot Hill Road, 4.31 acres currently used for the stud farm complex and paddock spaces will be converted to residential use. A total of 3,776

linear feet of new 18-foot wide roadway and a 329-foot long, 30-foot wide, entrance will be constructed. Access to the residences on the north side of Depot Hill Road will be via two new entrances off Depot Hill Road, located at the east and west side of the 9.62 acre parcel. Access to the residences on the south side of Depot Hill Road will be via the main entrance. Topography is flatter in Neighborhood 4 than in other neighborhoods; roadway slopes range from less than 1% to 6%. Eight houses on the north side of Depot Hill Road are located within the SPO, and no houses on the southern side of Depot Hill Road are located within the SPO. The Applicant is proposing buffer plantings along the west sides of the neighborhood to screen views between the residences and the road. The area south of Neighborhood 4 is proposed to be paddock space for the equestrian center. West of Neighborhood 4, the land will continue to be used for Keane Stud.

The homes in Neighborhood 4 on the north side of Depot Hill Road will have garages set back approximately 50 feet from Depot Hill Road. Residents of this area will be able to drive their vehicles to their houses to drop off groceries, luggage or other items, and then will park their vehicle in one of the garages located along Depot Hill Road. A network of roadways and illuminated walking paths facilitates access in Neighborhood 4. A planted buffer, proposed to consist of red maples, flowering dogwood and perennials, will be located along Depot Hill Road to provide a vegetated buffer between the residences/garages and the roadway. Details of site layout, including illumination, landscaping, and grading will be determined in the site design phase for the neighborhood. Walking paths along Depot Hill Road are not proposed, as it is anticipated that residents of Depot Hill Farm and the public will use the extensive trail network which is accessible from the equestrian center on the south side of Depot Hill Road.

Construction Phasing

Phasing for the construction of Depot Hill Farm will be necessary for orderly development of the site and protection of soil and water resources. Each of the proposed five phases of construction is sub-phased to permit the installation of infrastructure and is then followed by building construction. Phases are also sub-phased to disturb less than 5 acres of land at one time to maintain compliance with the NYSDEC Stormwater Permit for Construction, GP-08-001.

The Equestrian Center, related stables, outdoor arena and parking areas and the relocation of existing Barn 1 will be constructed as Phase 1 along with up to four model homes in adjacent Neighborhood 4. Temporary water service will be provided to the equestrian center for equine use by the existing Keane Stud water system. Wastewater will go to a holding tank located between the Equestrian Center and the model homes; the NYSDEC allows hold and haul systems on a temporary basis where permanent sewage treatment facilities are being constructed. Phase 2 will consist of the infrastructure for sewer plant and the water system, including the water storage tank. Phase 2 will also consist of the homes in Neighborhood 2. Homes will be by Bensonwood, a high quality timber frame and panelized construction home builder. Home exteriors will be of similar styling and footprint while interiors will be customized to individual owners requirements. Neighborhoods will be built out to 80% before opening the next Neighborhood for construction. Neighborhood 1 and related infrastructure will be Phase 3 of the construction. Neighborhood 4 and related infrastructure will be Phase 4 of the construction. Neighborhood 3 and related infrastructure will be Phase 5 of the

construction. Construction is expected to begin in 2009 and be completed in 2012 with a total construction period of 36 months. Construction schedule is anticipated to be as follows:

Phase 1	9 months
Phase 2	6 months
Phase 3	7 months
Phase 4	9 months
Phase 5	5 months

Homes, other than model homes, will be built on demand and after a contract has been signed. Homes will be built for no less than \$375 per square foot.

Stud Farm

The Applicant intends to continue the operation of Keane Stud, a working stud farm, on 71.40 acres of the site located west of the residential and equestrian facility development. A separate entrance off of Depot Hill Road, approximately 780 feet west of the main entrance, is proposed for the exclusive use of Keane Stud. Access by residents and the public will be restricted by the use of signage and gates. Additionally, limited-access sections of the existing ring road, primarily the western section, are proposed for farm use. Barn 1 will be relocated to the northwest corner of the ring road. Barns 2, 3, and 4 will continue to be used by Keane Stud. Keane Stud will continue to have an independent water system fed by on-site springs and wells, and will continue to use its existing septic systems for wastewater disposal. The bathroom in Barn 4 will be removed and use of the existing septic system will be discontinued.

Project Location

The project site is located at the elbow of Depot Hill Road located south of the hamlet area in the Town of Amenia, Dutchess County, New York on Parcels #515886 (this parcel is 213.78 acres) and #403702 (this parcel is 9.62 acres on the north side of Depot Hill Road and 258.04 acres on the south side of Depot Hill Road). The Town of Amenia is located in northeastern Dutchess County on the border with Connecticut. The Town is also the terminal point for the Metro-North Railroad Harlem Line with direct service to Grand Central Terminal in New York City. Amenia is served by New York State (NYS) Route 22, the primary north-south route, and New York State Routes 44 and 343, the primary east-west routes. Depot Hill Road is located east of NYS Route 22 on Old Route 22 (also known as County Route 81). The location of the site gives it high accessibility to the commercial and business areas of Amenia as well as the major metropolitan area of New York City.

Project Planning Context

The Depot Hill Farm project site is designated as a Resort Development Overlay (RDO) district in the Town of Amenia's new zoning regulation; the proposed project with multiple uses is in accordance with the Town of Amenia's new zoning regulations for parcels greater than 200 acres which permit equestrian based development and provide flexibility in siting

buildings to allow growth while protecting agriculture and open space. Unlike a conservation subdivision, a yield plan is not required and the density and dimensional standards of the zoning code are superseded by the RDO. Instead, development plans submitted under the RDO regulations must preserve 80% of the site in a conservation easement and limit impervious area to 15% of the site area. An applicant must obtain a special permit for a Master Development Plan showing these thresholds have been met. Four compactly sited neighborhoods are located amidst the agricultural land and undeveloped open space, and have been designed to minimize visual impacts from the most prominent observation point in the Town, DeLavernge Hill.

In the Applicant's opinion, the proposed development fulfills the Town of Amenia's goal to grow into a diverse, vital and business-friendly community of agriculture, small businesses and homes, all located in an appealing natural setting. It is the Applicant's further opinion that the proposed development recognizes and embodies the Town's vision expressed in *The Town of Amenia Comprehensive Plan* to achieve a balance between agricultural preservation and smart economic growth and development by preserving existing agricultural uses (Keane Stud Farm), providing new agricultural uses (equestrian facilities, hay meadows and a community organic vegetable garden), and creating new economic opportunities (equestrian center, retail tack shop, coffee shop, maintenance of grounds and facilities). As such, the proposed project was specifically designed to promote economic development in the Town of Amenia by fostering existing businesses related to agriculture and equestrian activities, and to contribute to the diversity of the economic base of the Town by creating a new market. The general target market is anticipated to be affluent second-home buyers. In addition, the equestrian complex is anticipated to attract local equestrians from outside Depot Hill Farm and tourists with strong equestrian interests.

The proposed project is intended to encourage the growth of agriculture as a profitable business within the context of preserving open space. Depot Hill Farm will complement the existing stud farm. According to the Applicant, Keane Stud is not profitable and would not remain in business without the proposed development.

According to market analyst Ralph Stewart Bowden, there are no comparable projects similar enough to Depot Hill Farm to be used to determine the ultimate target market, meaning there are no high-density residential developments in the northeast that combine the preservation of open space, active agriculture and equine interests as is proposed at Depot Hill Farm. The project will not be age restricted, nor will it be marketed exclusively to retirees or second homeowners. Proximity to Metro-North commuter rail makes this development appealing to those looking for either primary or secondary homes, nevertheless, the expectation is that affluent second homeowners will make up the majority of residents. The Applicant envisions a mixed-age community where families with school-age children will have the opportunity to participate in a working farm community, where young and middle-aged adults will seek respite from hectic work-weeks, and where older adults can retire yet remain active. The proposed project anticipates attracting growing families, as well as couples and individuals, who desire to live in a community which values preservation of the countryside, environmentally-friendly practices, organic gardening, animal husbandry, and equestrian activities.

The anticipated population of the proposed development is likely to include a range of residents, including, but not limited to, part-time residents who regularly spend their workweek

in New York City and their weekends in the country, seasonal retired residents with winter homes out of state, and full-time residents who are retired, work locally or use Metro-North to commute to the New York metropolitan area. For the purpose of conducting a conservative assessment of potential impacts, all analyses assume residents will reside full time at Depot Hill Farm, unless otherwise specified.

Land Use and Zoning and Town Code Compliance

The proposal for Depot Hill Farm complies with the newly adopted Town of Amenia Zoning Law. Under the Zoning Law, the project site is zoned RA and RR, both of which permit residential and agricultural uses, as well as a variety of associated recreational and commercial uses that are traditionally associated with farming and rural life. The site is also subject to Resort Development Overlay (RDO) zoning (described in Section 121-18 of the Zoning Code), which permits flexibility with regard to land use and development density, but requires adherence to conservation standards and design guidelines that exceed those of the underlying zone. The proposed project is being submitted under the RDO zoning regulations.

Depot Hill Farm is designed to maximize and protect open space for its scenic, agricultural and ecological benefits. As required by the RDO regulation, the proposal preserves over 80% of the site as open space, and has less than 15% impermeable surfaces. The RDO regulation also prioritizes land in the Scenic Protection (SPO) and Stream Corridor Overlay (SCO) districts, and the proposal meets the requirements for a Site Plan for Master Development Plan for these resource protection districts. In accordance with the requirements of the SPO, the project minimizes clearing of existing vegetation, clusters development, protects the scenic character of the site, keeps development off ridgelines, maintains building envelopes smaller than 30,000 square feet, and conforms with general, architectural and landscape standards (as defined in the Zoning Code, Section 121-18) and rural siting principles A-G (as defined in the Zoning Code, Section 121-31). One residence in Neighborhood 2 and segments of the roadways of Neighborhoods 1 and 2 (near the ring road) are within the SCO but meet the 100-foot set back from the water course as required for primary structures, subject to a Planning Board determination that this proposed development will not degrade the scenic character of the surroundings, and will not promote erosion or pollution to surface or subsurface waters as a result of runoff.

The Town of Amenia Zoning code promotes “traditional neighborhood development” (TND), also called new-urbanism, for development in some parts of the town. Section 121-12.1 of the Zoning Law provides that the “HM, HR and MCO districts are intended to implement the concept of traditional neighborhood development (TND).” This section of the Zoning Law also states that “[t]he RDO district is intended to incorporate major design elements of TND.” The next sentence describes TND as the development of compact complete communities and provides an illustrative list of uses in a TND zone (single-family homes, apartments, townhouses, workplaces, shops, restaurants, inns, hotels and recreational facilities). The goal of TND is said to be the creation of a pedestrian-oriented environment. Finally, the cited section encourages applicants to consult the website of the Congress for the New Urbanism as well as the large literature on new urbanism for further guidance in planning. Major design

elements of TND per the code and a discussion of whether they are represented in the proposed project are provided below.

- **Mixed Use** – Section 121-12.1 (H)(2) of the Town of Amenia Zoning Code states, “Within the RDO district, the requirement of a complete mixed use community shall not apply if it would not be economically viable in the location of the resort development or if it would have an adverse impact on the economic viability of the Hamlet of Amenia.” Depot Hill Farm will include a mix of uses appropriate to its rural setting – agricultural, commercial/recreational and residential uses are proposed. Secondary to these uses are retail, educational and community uses taking place with the equestrian center. Provision of small-scale, community-focused retail services is consistent with new-urbanist practice. The applicant’s proposal includes single family homes, a tack shop, a café, equestrian facilities, trails, and preservation of the Keane Stud thoroughbred farm. These uses are consistent with those illustrated in § 121-12.1 of the Zoning Law. Inclusion of other commercial, retail uses, resulting in a new commercial center at the site would not be economically viable, does not meet the Applicants development objectives and would draw business away from the hamlet. The new development is not expected to drive significant need for new commercial space based upon the analysis of secondary economic impacts (See Section 3.19 of the DEIS). Additionally, the hamlet core has space, either through reuse of existing buildings or infill and new development on partially developed or vacant lots adjacent to the town’s main highways, to accommodate several hundred thousand square feet of commercial, light industrial and other business uses. Further, Depot Hill Road is inadequate to support significant commercial development because it is a small, rural road that is off main thoroughfares.
- **Street and Blocks** – Section 121-12.1 (F) states “Streets shall generally be interconnected and permanent cul-de-sacs shall only be permitted where wetlands, watercourses or steep slopes make street interconnection impractical.” The roads, except in Neighborhood 4, do not utilize a block and grid layout. Utilizing a block and grid layout for the site is not possible given the various physical features of the site including steep slopes, wetlands, watercourses, and the scenic viewshed. Roads are laid out to maximize the individual home’s interface with nature/open space, and maintain the fields. Creation of a project that has a block and grid pattern of streets would result in potentially significant impact to the natural resources of the site and would not be approved by the Planning Board, thus rendering the project not economically viable.
- **Pedestrian orientation** – As stated in 121-12.1, the goal of the TND “is to create a pedestrian-oriented environment in which residents, and those who work in the area, can walk comfortably between different land uses and minimize the use of automobiles.” The proposed project provides an extensive network of trails that connect the residences in each of the four neighborhoods

to the equestrian center and stud farm. Further, The website of the Congress for the New Urbanism contains a SmartCode version 9.2 (the “SmartCode”) which is the latest iteration of the Congress’s draft new urbanization zoning code. The SmartCode defines TND as a development structured by a Standard Pedestrian Shed oriented toward a Common Destination consisting of a Mixed Use Center or Corridor, and in the form of a medium-sized settlement near a transportation route.”

The proposed layout of Depot Hill Farm is consistent with the SmartCode’s definition of TND. Depot Hill Farm is designed with residences along three linear corridors (adjacent to hedgerows) all within walking distance of an area of focused residential and community activity. The linear corridors correspond to the Standard Pedestrian Sheds in the SmartCode’s TND definition. The mixed equestrian-community center buildings proposed for Depot Hill Farm correspond to the Mixed Use and Common Destination definitions in the TND description. They will act as the social center of the community and are located at the approximate center of the Pedestrian Sheds. In addition, Depot Hill Farm is designed as a medium-sized development near a transportation center.

- Design Standards – Section 121-12.1(D) of the Town of Amenia Zoning Code refers in particular to Design Guidelines, stating that the “TND development shall, to the extent practical, follow the ‘Hamlet Design Guidelines’ and Greenway Connections...” It continues, “An applicant may substitute proposed architectural covenants or a form-based code with design standards in lieu of following these guidelines,” and makes similar provisions for substitution of lot, setback, street and block guidelines, referred to in Paragraphs E and F. The applicant proposes architectural covenants and design standards that vary from the Dutchess County “Hamlet Design Guidelines” and Greenway Connections, as referred to in the Town of Amenia Zoning Code. The cited hamlet design guidelines are appropriate when there is a desire to replicate such density as is found at the historic core of a community. However, Depot Hill Farm’s design intends to promote access to open space and views and as such, makes use of setbacks and distances between houses that are larger than those regularly associated with TND-type developments. The spatial and scalar relationships between houses, site roads and each other resemble those found in Amenia’s outer band of Victorian homes on Depot Hill Road, rather than in its more dense core. The buildings have been designed to have character that is recognizably agrarian, taking cues from northeastern farmhouses and Shaker architecture. As permitted by the code, the proposed project provides a Master Development Plan, as shown in Figure 1.A of this DEIS, and architectural covenants. The architectural covenants for the site are found in Appendix E, Declaration of Restrictive Covenants, of the DEIS.

It is the opinion of the Applicant that the proposed project, taken as a whole, meets the requirements of a TND as specified in the code, except for street layout in a block and grid pattern. However, the code does not require that all elements of a TND be met if the project would not be economically viable at the location of the resort development.

After substantial exploration, Keane Stud in Amenia was chosen as the location for Depot Hill Farm because of the pristine beauty of its location nestled between Rattlesnake Ridge and Delavergne Hill, with sweeping views of the Harlem Valley in three directions. Depot Hill Farm has been designed, and will be marketed, as an environmentally sensitive agrarian community which preserves farm uses and open spaces, and which provides most homeowners with uninterrupted views of hayfields and pastures. These features, along with the location of Keane Stud, together represent what is unique about Depot Hill Farm.

Given these extraordinary times in the world and national economy, and particularly in the real estate market, the Applicant strongly believes that a rural second home community such as Depot Hill Farm cannot economically succeed unless it offers all of the unique features mentioned above. To the extent that specific elements of TND have not been incorporated into the design of Depot Hill Farm, it is because of the Applicant's belief that they will destroy the essence of the marketing plan for the project and therefore destroy the project's economic viability.

Solid Waste

It is expected that the proposed development will continue to use the private hauler Welsh Sanitation Services (WSS) for solid waste disposal, as well as for recycling of cardboards, bottles, cans and newspapers. Depot Hill Farm will convert the existing dairy barn for use as an on-site waste and recycling storage facility for all waste disposal and WSS pick-up. Refuse will be picked up twice per week by WSS and brought to the Dutchess County Resource Recovery Plant (DCRRP) located in Poughkeepsie, NY which is operated by the Dutchess County Resource Recovery Agency.

The existing practice of stable waste management at Keane Stud, removing straw and manure for disposal at an off-site location, will be discontinued. All stable waste will be managed on-farm in a composting operation. A compost system operator, employed by Depot Hill Farm, will manage the daily compost operations.

1.2 Beneficial and Adverse Environmental Impacts

Potential Environmental Impacts

Agriculture

The project site includes 223.81 acres of prime agricultural soils. The proposed layout leaves approximately 175 acres of this land in agricultural use, including preservation of the existing stud farm, the creation of hay meadows, as well as the addition of equestrian facilities. Residential use will be constructed on approximately 62.45 acres of the site, of which 48.5 acres (approximately 10% of the total site) are classified as prime agricultural land. The proposed project will preserve Keane Stud farm on 71.40 acres of the site, and will add a 48-stall equestrian center and associated paddocks on 81.24 acres of the site. Hay fields will

replace row crops on 76.21 acres of the site. Between the stud farm, hay meadows, equestrian center boarding and paddock areas and the organic community garden, approximately 212 acres of the site will be devoted to agricultural uses.

Growth and Related Infrastructure

Depot Hill Farm, located southeast of the hamlet of Amenia, will develop 69.37 acres of land for residential use including water and sewer, and the equestrian center while maintaining approximately 418 acres of agricultural, recreational and undeveloped open space. The site will be operated and maintained by a condominium association. The 418 acres will be the subject of a conservation easement, thereby limiting any future development of the site. The new equestrian center and approximately five miles of riding trails will be open to members of the public but maintained by Depot Hill Farm. A total of 137 new residential units are expected to contribute up to 508 full and part-time residents to the Town of Amenia. It is expected that many of these residents will be second homeowners and will not live in Amenia full time. Development of Depot Hill Farm will require the installation of infrastructure including central water and sewer, stormwater management systems, roadways, and underground electric, phone and cable, to facilitate the residential use of the site. Sanitary sewers and the wastewater treatment plant, stormwater management systems, and roadways will be owned and maintained by Depot Hill Farm; transportation corporations will be formed as necessary for the ownership of the sewer and water infrastructure. A 53,020-gallon capacity wastewater treatment plant capable of treating all wastewater from the equestrian center and residences will be located on one-half acre, east of Barn 3. Approximately 12,650 linear feet of sewer collection, one pump station and 880 feet of force main will be installed. A stormwater management system, consisting of decentralized infiltration systems and three small extended detention ponds, will be located on site. At completion, the site will have 14,900 linear feet of 18-foot wide roadway (including the existing ring road), approximately 600 feet of 20-foot wide road at the equestrian center and the new main entrance. All improvements will be installed by Depot Hill Farm.

A new water distribution system infrastructure will be installed, including: a 214,000 gallon water storage tank which will be contained in a 25-foot tall tank at the south end of Neighborhood 2, water supply wells, a booster pumping station located in Barn 4, a pressure reducing station located below Neighborhood 2, and 14,275 linear feet of water main. All infrastructure will be installed by Depot Hill Farm. Water consumption for the 137 new residences, equestrian center and café/tack shop is expected to be 63,020 gallons per day (gpd). (Ordinarily, daily volumes for water use and wastewater production are the same, however, up to 10,000 gpd is lost to paddocks and stable bedding by the horses, therefore, Depot Hill Farm's water and wastewater numbers differ by 10,000 gpd.) The Applicant's preference is to interconnect to the Amenia Water District; however, interconnection of the Depot Hill Farm water system and Amenia water district is entirely up to the Town Board. Keane Stud will continue to operate its independent 10,000 gpd water system.

Infrastructure improvements are discussed in detail in Sections 3.15, 3.16 and 3.17 of this DEIS.

The addition of 137 new residential units to the Town of Amenia will bring growth to the community through the demand created by these residents for goods and services. It is

estimated Depot Hill Farm COA will employ at least 12 full-time and 6 part-time staff for administrative and maintenance positions relating to building and facilities upkeep, management of Keane Stud and the equestrian center, care of horses boarded at the facility, retail sales in the tack shop and cafe, and cultivation of the community garden. Additional growth is anticipated for retail establishments in the Town of Amenia and the larger Northern Dutchess County/ Western Litchfield County region with the introduction of 137 high-income households spending much of their leisure time and discretionary income locally.

Open Space and Recreation

The preferred layout develops approximately 15% of the site, preserving 85% of the site as open space, which has been identified in *The Town of Amenia Comprehensive Plan* as important to the community. In addition to the agricultural uses noted above, open space enables recreational uses in fields, meadow and pastureland with walking and riding trails that extend into the forested uplands at the eastern edge of the site. A total of five miles of trails will be available on site. Visitors will be able to park on the north side of the equestrian center, near the entrance to the site, and the trails access is located on the south side of the equestrian center. The equestrian center will provide a unique recreation opportunity in the Town for indoor and outdoor arena riding, and trail and cross country riding.

Traffic

The proposed project will provide four points of entry to the project site from Depot Hill Road. Two entrances are located on the northern side of Depot Hill Road that access the approximately 9-acre parcel which will be developed as the northern half of Neighborhood 4. The easternmost entrance on the north side of Depot Hill Road is located north of the existing entrance to the Farm; the westernmost entrance is located approximately 535 feet west of the existing entrance. Each of these entrances is proposed to be 18 feet wide with 30-foot turning radii and will provide sufficient sight distances in accordance with the American Association of State Highway Transportation Officials (AASHTO), *A Policy on Geometric Design of Highways, 2004, Fifth Edition* ("the green book").

The proposed main entrance for Depot Hill Farm will be the easternmost entrance on the southern side of Depot Hill Road, and will be used for access to the equestrian center and the residential homes. It will be located approximately 107 feet west of the existing entrance, and will be 30 feet wide with 30-foot turning radii. The westernmost entrance on the southern side of Depot Hill Road will be used exclusively for access to the Stud Farm and will be located approximately 890 feet west of the existing entrance. The stud farm entrance will be 18 feet wide, with 60-foot turning radii to accommodate the conservatively anticipated 1 delivery truck per day, as well as the anticipated 4 passenger car trips per day. The siting of these entrances meets the minimum of 250-foot sight distance for passenger cars sight distances for the 35 MPH speed limit, in accordance with the AASHTO green book.

A locked gate will control access from the residential and recreational uses of Depot Hill Farm to and from Keane Stud via the interconnecting road between Neighborhood 4 and the Stud

Farm. The Condo Association, the Amenia Rescue Squad, and the Amenia Fire Company No. 31 will be provided with a key for emergency access.

The proposed project is expected to generate increased traffic volume arising from the new equestrian center and new residences. The existing level of traffic associated with the stud farm will remain unchanged at full occupancy. A total of 1,330 new trips per day are expected to be generated during the weekday and 1,415 new trips per day are expected to be generated on a Saturday. Chapters 2.3 and 3.8 of this DEIS discuss the details of the traffic impact analysis for the site. The traffic analysis is based on traffic counts which occurred in 2007 and 2008, with additional traffic volume from proposed developments of Amenia Hills Subdivision and Silo Ridge.

Although agencies and municipalities often do not have a formal policy on the minimum acceptable level of service for roads, LOS D is typically the lowest acceptable rating. Common practice is to design for level of service C or better. The results of the Level-of-Service (LOS) analysis of the signalized and unsignalized intersections indicate acceptable LOS, with LOS C or better, for all movements during the weekday morning, afternoon, and Saturday peak-hour periods for the years 2011 and 2013 no-build-analysis. The same is true in the build-analysis, which includes full build out of both Silo Ridge, Amenia Hills, and Depot Hill Farm, with the following exceptions: the Route 22 and Dunn Road intersection is anticipated to operate at LOS D in the 2013 Saturday build-analysis and at LOS E in the 2013 weekday PM build-analysis, and the westbound movement at the intersection of Routes 22/44/343, is anticipated to operate at LOS E in the 2013 weekday PM build analysis. It should be noted that if Silo Ridge is not built out by 2013 the Level of Service of the intersection at Dunn Road and Route 22 would remain at an LOS C and mitigation of this intersection will not be required. Section 3.8 discusses the traffic impacts.

Impacts to traffic are proposed to be mitigated by:

- use of a shuttle bus to and from the Wassaic Metro-North station to reduce the need for 69 parking spaces at the Metro North train station and reduce the number of trips generated by Depot Hill Farm traffic at Route 22 and Dunn Road by 6 vehicles in the AM peak hour and 16 vehicles in the PM peak hour;"
- working with NYSDOT and Silo Ridge at the time of construction to develop appropriate mitigation such as construction of a center turning median on Route 22 at the Dunn Road intersection, and
- working with NYSDOT and Silo Ridge to consider making adjustments to the signal timing at Route 22/44/343 to increase the cycle length to allow more green time for the east-west direction.

Depot Hill Farm will provide a shuttle to and from the Wassaic Metro-North station to reduce reliance on automobiles by residents, reduce the demand for parking space at the station by 69 spaces (half of the expected maximum demand), and to reduce the overall volume of traffic contributed by Depot Hill Farm on the network of surrounding streets. There will be an on-site fleet of enclosed golf carts or small electric cars that transport residents from their

homes to the shuttle. The Depot Hill Farm shuttle from the development to the Wassaic station will run concurrently with the train schedule and will depart Depot Hill Farm 25 minutes before all scheduled departures. In the event that a new schedule for the Wassaic Station is posted, DHF will modify the shuttle schedule to provide services as described above. The route to the Wassaic Metro-North Station will be west on Depot Hill Road, right onto County Route 81, left onto Dunn Road, and left onto Route 22 south. When not in use, the shuttle van will be parked in the parking lot immediately west of the recycling center.

Electric and/or golf carts will be stored in the recycling center when not in use. The shuttle vans will be parked in the parking lot west of the recycling center, which is currently proposed to be paved. It is anticipated that two transport vehicles (operated by Depot Hill Farm staff) and two shuttle vans (also operated by Depot Hill Farm Staff) will initially be purchased. If demand requires, additional transport vehicles and shuttle vans will be added to the fleet accordingly. The transport vehicles will be used as an on-call shuttle for residents from their homes to the shuttle which will depart and arrive in the parking lot to the recycling center.

Visual

A visual analysis of the site was conducted from DeLaverny Hill and other critical points in the viewshed and is described in depth in Section 3.7 and Appendix L. Portions of the Depot Hill Farm site fall within the Scenic Protection Overlay for the Town, as designated in the Zoning Code. The project results in construction of 64 homes within the SPO, and has potential visual impacts. The impacts are mitigated with the use of linear neighborhoods specifically sited along existing hedgerows, and with homes oriented with the narrowest face of the building exposed to views. Visual impacts of the homes are further mitigated through the use of natural and non-reflective construction materials. A palette of natural stains will be used to blend homes with each other and with the deep tones of the tree lines. Dark-colored galvanized standing metal seam roofs and low glare windows will further reduce the visual impact of the homes. Homeowners in this no-lot condominium community will not own the land beyond their building envelope and restrictive covenants will be enforced. Consequently, outdoor storage, swimming pools, swing-sets and other similar items will not be permitted, giving the neighborhoods a harmonious and uncluttered appearance at close range and from a distance. Finally, outdoor lighting will be kept to a minimum, as described in greater detail in Section 3.7.3 and Appendix L.

Water Resources

The subject site has surface and subsurface water resources. According to the Town of Amenia Comprehensive Plan and the Hydrological District Overlay map, the site contains a 150 foot stream protection zone on three New York State Department of Environmental Conservation-classified perennial streams. The subject site also includes three perennial streams and two intermittent stream channels. State and federal wetlands, totaling 15.3 acres, are located on the site, and have been identified through wetland delineation by qualified professionals. The New York State Freshwater wetland (AM-10) boundary was confirmed by the Region 3 office of the New York State Department of Environmental Conservation (NYSDEC) on June 14, 2007; this wetland is located along the eastern side of Depot Hill Road. The on-site portion of Wetland AM-10 totals 10 acres, although it continues

off-site to the north. State wetlands have a regulated 100-foot buffer in which impact-inducing actions require NYSDEC permits. There are 4.3 acres of federally regulated wetlands and 1.0 acres of non-jurisdictional wetlands on the project site.

Proposed disturbances to project site wetlands and their associated buffers is limited to a single roadway stream crossing, which will affect approximately 0.017 acres of federally regulated wetlands, and 40 feet of the stream. Related potential impacts include stream channel and vegetation disturbance, alteration and filling associated with the construction of a roadway crossing and culvert under the roadway in order to access Neighborhood 1. The proposed crossing is unavoidable, as the stream bisects the entire width of the project site. The proposed road crossing has been sited in a location that traverses the narrowest width of the stream where the buffer area contains few, if any, trees and shrubs and is dominated by cropland, lawn and pastureland that is close to existing farm buildings. A Nationwide Permit 29 will be acquired from the U.S. Army Corps of Engineers (USACOE) for the single road crossing of Wetland B, over Stream B. The impact to wetlands will be less than 0.1 acres. The wetlands will be protected during and after construction through the use of appropriate erosion control structures and practices, including but not limited to providing vegetation buffers, sediment traps, silt fence, check dams and erosion control matting. All construction activities will be covered under the NYSDEC State Pollution Discharge Elimination System (SPDES) General Permit for Construction Activities (GP-08-001).

No impacts occur in the NYSDEC Wetland AM-10; impacts to the 100-foot buffer are limited to reuse of the existing dairy barn and barnyard for the community refuse and recycling staging area. Correspondence was received from Alex Ciesluk, Deputy Permit Administrator, NYSDEC Region 3, regarding the proposed recycling center on December 31, 2007, a copy of which is found in Appendix C, #17. Representatives from NYSDEC made a field visit to the site on April 22, 2008, and confirmed they do not object to the reuse of the barnyard or barn area for these purposes.

Based on the review of the existing hydrogeologic information for the subject site, it does not appear that an extensive sand and gravel aquifer exists at the Depot Hill Farm site. The carbonate bedrock aquifer underlying the area is the existing source of drinking water at this site and the surrounding residential properties. Because the yield of bedrock supply wells is directly related to the degree of interconnected fractures in the subsurface, the existing supply and monitoring wells at the site exhibit variable yields. The lowest yielding wells in the area produce approximately 0.1 gallons per minute (gpm) and the highest yielding well (Barn 4) drilled by Eastern States Drilling demonstrated a safe yield of 50 gpm after a 72-hour pump test.

Existing water consumption on the site is estimated at 10,000 gallons per day (gpd) for Keane Stud. Source water is provided by an on-site spring and the well located at Barn 4. The water is pumped from the sources to a 10,000 gallon tank beneath the existing administration building at Keane Stud, and distributed via a network of small diameter piping and booster pumps to the individual barns and paddock watering troughs. The water system is not considered a public water supply or a community water system. Keane Stud will continue to have a water system separate from the proposed Depot Hill Farm water system.

Anticipated water consumption for Depot Hill Farm has been estimated using the NYSDEC "Design Standards for Wastewater Treatment Works Intermediate Sized Sewerage Facilities" 1988, which, in Table 3, specifies that a four bedroom home uses 475 gallons of water per

day. Water saving fixtures, which are standard in current new construction, are anticipated to be used, thus the standard allows a 20% reduction of the flows. Per the NYSDEC Standard a four-bedroom with water saving fixtures is estimated to use 80% of 475 gpd, or 380 gpd. The proposed development of 137 residences will then require an estimated 52,060 gpd (380 gpd x 137 = 52,060 gpd). It has been estimated that an additional 960 gpd will be required for the tack shop and café conservatively assuming that there will be 30 seats in the café. Based on similar uses and number of horses, the equestrian center has been estimated to have average daily consumption of 10,000 gpd. The total average daily demand for the proposed site water system has been estimated at 63,020 gpd. Wastewater will be treated to the intermittent stream effluent limits specified by NYSDEC to prevent impacts to receiving water quality. NYSDEC approval will be required for discharge to the on-site stream that flows to NYS-designated Wetland AM-16, which is located approximately 1 mile down stream of the discharge point.

Cultural Resources

A Phase IA and IB Cultural Resources Survey was completed for the proposed Depot Hill Farm project site in August 2007. The area of potential effect (APE) is the area on site subject to development, and includes the location of each of the four neighborhoods, the wastewater treatment plant and the equestrian facility. A total of 80 acres was assessed. The survey included research of published and unpublished sources of historic and pre-historic information, as well as archaeological fieldwork consisting of extensive field reconnaissance and inspection of plowed areas and subsurface testing through the excavation of 1,327 Shovel Test Pits (STP). Of the 1,327 STP's excavated, 37 (2.7%) recovered cultural material. The surface inspection yielded five artifacts. Together, the cultural material from the STP's and the surface artifacts result in three prehistoric archaeological sites identified as Loci 1, 2 and 3.

Phase II archaeological site examinations were conducted at each of these three sites. Field methods employed at each of the sites consisted of a series of increasingly intensive techniques involving surface walkovers, shovel testing, and the excavation of 1 x 1 m square excavation units. The presence of artifacts in each of the three loci was deemed sparse, thus it does not appear that any of the three sites contain sufficient artifact diversity or density to address important research questions about prehistoric life-ways in the lower Taconic region. Consequently, Birchwood Archaeology suggests that the performance of an archaeological data recovery survey is not warranted at any of the three prehistoric sites. These recommendations are subject to the review and concurrence of the New York State Office of Parks, Recreation, and Historic Preservation.

Artifacts that have been recovered to date will be displayed in the community center with educational materials.

Vegetation and Wildlife

A review of the NYSDEC's Natural Resource Heritage Program information identified three potential species of concern on the project site: the Bog Turtle, a federally-listed threatened

species and a New York state-listed endangered species; the Timber Rattlesnake, a New York State listed threatened species; and Hill's Pondweed, a New York State listed threatened species. A full ecological resource survey was conducted on the subject site. None of the identified species were found on site; however, habitat for the Bog Turtle does exist both in the NYSDEC wetland AM-10 and immediately off the site, also in wetland AM-10. There is a recent New York State Department of Environmental Conservation record of a bog turtle documented approximately 1.5 miles northwest of the project site within the same wetland/stream corridor system which occurs on the project site. Impacts to on-site wetlands are avoided except for the road crossing for Neighborhood 1. The NYSDEC has confirmed they have no record of occurrence of bog turtles in the offsite wetland AM-16 (the ultimate receiving waters for the wastewater discharge). The correspondence between Norbert Quenzer (Applicant's bog turtle biologist) and Steve Joule (NYSDEC Region 3 Wildlife Biologist) dated January 2, 2008, is included in Appendix V of the DEIS.

Socioeconomic

Depot Hill Farm will introduce 137 detached condominium homes with high property values, increasing the tax base in the Town of Amenia. At the same time, the development's private infrastructure systems will mean that the Town will have very few expenses as a direct result of the project. Capital expenditure on the local, school district and county levels is not expected to rise as a result of new development. The affluent market that this development will target has a low demand for social services that account for a substantial portion of Dutchess County's budget

At build-out, the population is expected to be split between full-time and part-time residents, with no more than half of the households expected to be full-time residents, but 100% full-time scenario would produce the most significant impact in the community. In a 100% full-time residency scenario, with an average household size of approximately 3.7 persons, there would be 137 households occupied by approximately 500 to 510 residents (demographic multipliers predict 504 or 508 new residents, depending on rounding methodology), with approximately 119 school-age children enrolled in public schools. In the 50% full-time scenario, it is assumed that 69 of the households would occupy their homes 100% of the time, there would be 256 full-time residents, 60 of whom would be children enrolled in the public school system. The other half of the residents would be assumed to occupy Depot Hill Farm 2/7 of the time (approximately 28.6%, the equivalent of two days per week, or 15 weeks per year), so that the 256 part-time residents would equal 73 full-time residents. None of the children in the part-time households would attend schools in the district. Assuming 50% full-time occupancy, the equivalent full-time occupancy is 329 residents with 60 children in local public schools.

Tables 1-2 and 1-3 provide a summary of the estimated net fiscal impact of the proposed development. The net impacts reflect the expected annual revenue for each taxing jurisdiction, except the Webatuck Central School District, given current tax rates and spending levels.

Table 1-2 Projected Net Fiscal Impact-Condominium Ownership			
Net Fiscal Impact	Condo-100% FT	Condo-50% FT	Condo-0% FT
Town of Amenia	(\$68,551)	(\$3,753)	(\$3,753)
Amenia Fire	\$4,445	\$4,445	\$4,445
Dutchess County	(\$224,476)	(\$92,195)	(\$92,195)
Total	(\$288,582)	(\$91,503)	(\$91,503)

Table 1-3 Projected Net Fiscal Impact-Single Family Ownership			
Net Fiscal Impact	Single Family-100% FT	Single Family-50% FT	Single Family-0% FT
Town of Amenia	\$48,327	\$113,125	\$113,125
Amenia Fire	\$31,160	\$31,160	\$31,160
Dutchess County	(\$71,532)	\$60,749	\$60,749
Total	\$7,955	\$205,034	\$205,034

School district impacts may vary based upon the number of students. District impact assessment has been completed by both the Applicant's and Town's consultants. A summary of potential impacts is included in Table 1-4.

**Table 1-4
Summary of Range of Fiscal Impacts for Various
Occupancy Scenarios at Depot Hill Farm**

	100% FT Condo	
	Depot Hill Farm Methodology	The Hudson Group Methodology
	Marginal Cost	THG Per Capita
Increased Cost	(\$1,016,586)	(\$2,076,074)
Decrease in State Aid	(\$123,725)	(\$123,725)
Net Tax Revenue Increase	\$711,840	\$711,840
NET CHANGE	(\$428,471)	(\$1,487,959)

	50% FT Condo	
	Depot Hill Farm Methodology	The Hudson Group Methodology
	Marginal Cost	THG Per Capita
Increased Cost	(\$533,140)	(\$1,046,760)
Decrease in State Aid	(\$298,153)	(\$298,153)
Net Tax Revenue Increase	\$711,840	\$711,840
NET CHANGE	(\$119,453)	(\$633,073)

	0% FT Condo	
	Depot Hill Farm Methodology	The Hudson Group Methodology
	Marginal Cost	THG Per Capita
Increased Cost	\$0	\$0
Decrease in State Aid	(\$378,648)	(378,648)
Net Tax Revenue Increase	\$711,840	\$711,840
NET CHANGE	\$333,192	\$333,192

Utilities

Residential units of Depot Hill Farm will be served by central water, sewer and stormwater collection systems, as well as underground utilities. Water consumption for the project is estimated to be 63,020 gallons per day (gpd) for the residential use and new equestrian use.

Water use for the stud farm is expected to remain at approximately 10,000 gpd and will continue to operate independently using the on-site spring source.

Both sewer and water systems have been evaluated for feasibility of on-site community systems and connection to available municipal systems. Preferred alternatives include the creation of an on-site sewer system serving the Depot Hill Farm users, with discharge to the perennial stream located at the southwest corner of the site, and connection to the Amenia Water District for water supply; connection is entirely up to the Town. The Amenia Water District has an average demand of approximately 104,000 gpd and has a capacity of more than 227,000 gpd with the addition of the new Town well #4a, which came on line in late 2007. The NYSDEC is, however, requiring that the Town investigate the capacity of each of the existing supply wells to determine if additional source water is necessary.

The Applicant proposes to provide a well with a capacity of 50 gallons per minute to the Town and also provide additional storage, if an agreement of interconnection to the Amenia Water District can be made. The developer will bear the cost of the installation of site infrastructure including water distribution mains, a water storage tank, sewage collection system and an on-site wastewater treatment plant. Although the Applicant would prefer to participate in the creation of a municipal sewer district, at this time the Town of Amenia does not have formal plans prepared for the creation of a municipal sewer system or district serving the site.

The proposed project will use geothermal energy for heat and air conditioning of new buildings. Solar power may be used for the equestrian complex. If installed, solar panels will be located on the south exposure of the building, and will not be visible from points off-site. Stormwater is proposed to be managed in a decentralized system, with water quality treatment and management of increased runoff volumes achieved at individual house sites. Water quality goals will be met through the use of small bioretention areas (also known as "rain gardens"), and water quantity goals will be met through the use of infiltration units located near individual residential units. A Homeowner's Association with Condominium agreements (COA) will manage the development, including all proposed site improvements (i.e. roads, central sewer and other infrastructure) as well as the community gardens, farm waste composting, hay meadow management, and the equestrian center.

1.3 Proposed Mitigation Measures for Each Impact Issue

Potential significant adverse impacts were identified by the Amenia Planning Board in the scoping document and when the positive declaration was issued for the project. The scoping document identifies inconsistency with the Town Comprehensive Plan and Zoning Regulations as a potential impact; however, the scoping document predates the adoption of the Town's new Comprehensive Plan and Zoning, dated July 2007. This DEIS discusses in the following sections how the proposed project does comply with the current Comprehensive Plan and Zoning. The remaining potential impacts identified in the scoping outline for Depot Hill Farm and the proposed mitigation are summarized in Table 1-5.

**Table 1-5
Summary of Impacts and Mitigations**

POTENTIAL IMPACT	PROPOSED MITIGATION
Potential increased traffic flow	<p>A shuttle is proposed from the community to Metro North rail station to mitigate potential impacts to the parking area at the train station.</p> <p>An adjustment of signal timing at the 22/343/44 intersection will be proposed to the NYSDOT to maintain a LOS C</p> <p>Coordination with the NYSDOT and Silo Ridge is proposed mitigation for LOS E at NYS Route 22 and Dunn Road.</p> <p>The intersection of Depot Hill Road and County Route 81 will be configured in coordination with Dutchess County Department of Public Works.</p>
Potential impact of wastewater disposal and treatment	<p>Central sewage treatment is proposed for all new uses.</p> <p>Sewage treatment plant will be designed to meet NYSDEC intermittent stream standards.</p>
Potential increased need for school district services	<p>Target market is expected to result in fewer than 38 students to the district.</p>
Potential to adversely affect scenic views in the area both immediately surrounding and more remote locations, and visual impacts from scenic areas and roads	<p>Developed areas of the project are sited in compact linear neighborhoods, and existing hedgerows are strengthened for screening.</p> <p>New buildings are less than 35 feet tall, and are designed with a neutral color palette and non-reflective exteriors.</p> <p>Planted buffers are proposed along Depot Hill Road and the new equestrian facility.</p>
Potential soil erosion/soil removal and sedimentation due to construction on or near steep slopes	<p>95% of construction occurs on slopes less than 15%.</p> <p>Construction activity is phased to limit the amount of soil exposed to less than 5 acres.</p> <p>NYSDEC Stormwater Pollution Prevention Plan and SPDES General Permit for Construction GP-0-08-001 will be in place.</p> <p>Field crops will be replaced by hay crops.</p>
Stormwater runoff from developed areas into streams or wetlands	<p>During construction, NYSDEC Stormwater Pollution Prevention Plan and SPDES General Permit for Construction GP-0-08-001 will be in place.</p> <p>Impervious area is minimized to 3.7% or 17.97 acres.</p> <p>Stormwater infiltration is used in decentralized stormwater management systems to manage runoff close to its source.</p> <p>Stormwater treatment system, including swales and extended detention ponds, designed in accordance with the NYSDEC standards for treatment of water quality and quantity, will be in place.</p>

Table 1-5 (Continued)

POTENTIAL IMPACT	PROPOSED MITIGATION
<p>The potential impact to on-site and neighboring agricultural operations and to prime soils and soils of statewide significance</p>	<p>Keane StudFarm will remain on site and in operation.</p> <p>Field crops will be converted to hay crops to meet equestrian demand.</p> <p>Horse manure and bedding will be composted on site and applied to the hay fields and paddocks.</p>
<p>Compatibility of the proposed action with existing community or neighborhood character</p>	<p>Footprint of home-sites and infrastructure development is limited to approximately 15% of the site.</p> <p>Stud farm and equestrian center provide continued agricultural and agrarian use of the property.</p> <p>More than 86% of the site is preserved as open space and protected in a conservation easement.</p>
<p>Potential impacts to the Town's fiscal resources including community service providers including police, fire and emergency services</p>	<p>Increased Town and Fire District Revenues will be generated from Property Taxes.</p>
<p>Potential impact to significant habitat area for flora and fauna</p>	<p>Impacts to the NYSDEC wetland are avoided.</p> <p>Development and construction occur primarily in active agricultural areas.</p> <p>Impacts to USFWS recommended wetland buffer of 300 feet is limited to 547 feet of roadway (both existing and proposed), 2 new residences, 2 new stormwater ponds, and continued use of the existing dairy barn as an indoor recycling and waste collection center.</p> <p>Stormwater managed through infiltration where possible and sewer and water are provided by central systems.</p> <p>Impacts to U.S. ACOE wetlands have been minimized to the maximum extent possible and limited to 0.017 acres (780 square feet) and Nationwide Permit #29 will be obtained.</p>

1.4 Project Alternatives

Project alternatives considered include the no action/no build alternative, the conventional subdivision, the conservation subdivision, the alternative land use, and low density alternative. All assessments of alternative land use are based upon the current Zoning Code. The preferred alternative is presented under the RDO. Each of the alternatives proposes development of the subject site for uses other than the strict agricultural use that currently exists. Section 5.0 includes a complete analysis of alternatives, as well as graphic depictions of the layouts.

No action/no build: This alternative assumes the site will continue in its present use. This alternative does not meet the objectives of the Applicant as it does not permit the mixed use development sought by the Owner.

Conventional subdivision: This alternative assumes the site will be developed per the underlying RR/RA zoning of the site, which is 5 acre and 10 acre minimum lot size respectively. This alternative develops 37 residential units spread evenly across the site and requires 12,700 feet of roadway to be installed, and homes to be served by individual wells and septic systems. It is assumed each lot would have approximately 2 acres of buildable area to accommodate homes, garages, pools, and other accessory structures. This alternative does not meet the Applicant's objectives to preserve scenic viewsheds to the extent possible. In addition, the unit count makes the project infeasible, and there is no continuance of Keane Stud, or other agricultural activities on site.

Conservation subdivision: This alternative requires a conservation analysis of the land to determine a net buildable area and provides bonus density units for lands put in conservation, public use of the site and workforce housing units. Based upon analysis of the site conditions and net buildable area, an estimated 99 lots could be developed. Additionally, agricultural use and Keane Stud could be preserved and the proposed equestrian center could also be developed. This Alternative does not meet the Applicant's objectives as the unit count makes the project economically infeasible.

Alternative Land Use under the RDO: This alternative assesses potential alternative development of the site as permitted by the RDO. The proposed alternative assumes that a spa/performing arts complex with 170 townhouses could be developed on the site. This alternative does not preserve scenic viewsheds to the extent possible or provide the mix of residential, agricultural, and recreational uses sought by the Applicant.

Low Density Alternative: This alternative assumes the site will be developed in accordance with the Town's Limited Development Subdivision which preserves large tracts of land as open space by offering developers flexibility on road frontage, layout and design. The average lot size must be the larger of 20 acres or 4 times the conventional zoning lot size. This alternative permits only 12 lots to be developed and does not meet the objective of the Applicant to develop a community that can support agricultural uses on the property at the same time as being economically feasible.

Table 1-6 summarizes impacts from each alternative.

	Proposed Action	Conventional Subdivision	Conservation Subdivision	Alternative RDO	Low Density Alternative
Residential Units	137	37	99	170	12
Residents	509	140	367	488	49
Water Demand (gpd)	63,020	14,060	37,620	150,600	4,560
Trip Generation - daily	1,311	354.1	947.4	3534.2	115
Trip Generation - AM Peak	122	28.5	76.2	281.7	9
Trip Generation - PM Peak	160	37.7	101	1438.3	12
Open Space Preserved	419 acres	0 acres	429 acres	384 acres	468 acres
Meets Applicants Objectives	Yes	No	No	No	No
Net Fiscal Benefit*	\$692	\$24,398	-\$102,377	\$81,043	-\$1,723

*Fiscal benefit calculations are based upon Town impacts only for the 50% occupancy condo ownership under the proposed action and conservation subdivision action and do not include school district impacts for any alternative. Assumes price point for individual homes at \$1,000,000.

Adjacent Parcels

Currently, there are no known development projects on adjacent parcels or adjacent parcels owned by developers. There are several development proposals for parcels surrounding the project site. Abutters to the proposed site are included in Table 1-7.

Table 1-7 Depot Hill Farm Abutting Parcel
FWL Properties, LLC PO Box 466 Green Farms, CT 06838
Ralph and Rosina Stelluti Jr. 23 Ann St West Harrison, NY 10604
Richard Finley 39 Old Post Road #2 Millerton, NY 12546
Michael and Nina Peek 610 Old Route 22 Amenia, NY 12501
Michael and Connie McEnroe Midway Avenue Amenia, NY 12501
Stephen C. Kaye 658 Deep Hollow Road Millbrook, NY 12545
Stephenopoulos Panagiotis PO Box 592 Amenia, NY 12501
Walter B. Culver Jr. and Eleanor M.W. Culver 654 Old Route 22 Amenia, NY 12501
William E. Murphy and Mary L. Murphy 178 Depot Hill Road Amenia, NY 12501
William Murphy and Barbara S. Murphy 206 Depot Hill Road Amenia, NY 12501
Paul Mallick and Jane Labanz 160 West End Ave. New York, NY 10023
Charles Budd Jr. 44 Fox Run PO Box 201 Salt Point, NY 12578
Michael S. Levin 189 Amenia Union Rd Amenia, NY 12501
George E. Phillips 5035 Greenway Ct Northport, FL 34287

1.5 Required Permits and Approvals

During the course of DEIS preparation, the zoning law for the Town of Amenia changed and thereby eliminated the need for various permits anticipated in the scoping document. Specifically, subdivision of land, use variance and special districts are no longer applicable. Table 1-8 presents required approvals under the new zoning ordinance.

**Table 1-8
Required Permits and Approvals**

Type of Approval	Agency
Nationwide permit compliance National wetland permit	U.S. Army Corps of Engineers
Consultation for Endangered Species Issues	US Fish & Wildlife Service
Stormwater SPDES Permit (#GP-0-08-001)	New York State Dept. of Environmental Conservation
Wastewater Treatment SPDES Discharge	New York State Dept. of Environmental Conservation Dutchess County Department of Health
Water Connection/Public Water Supply	New York State Department of Health Dutchess County Department of Health
Water Connection/Public Water Supply Extension (Alternative)	New York State Department of Health Dutchess County Department of Health
Special Districts (for water connection)	Town of Amenia Town Board
Site Plan	Town of Amenia Planning Board
Road Access Approval	Town of Amenia Highway Department
Letter of No Effect	New York State Office of Parks, Recreation and Historic Preservation
Work Permit (drainage and intersections)	Dutchess County Department of Public Works.

1.6 Involved and Interested Agencies

The involved and interested Agencies for this project were identified during the scoping process as the following:

Involved Agencies

Town of Amenia Town Board
36 Mechanic Street
Amenia, New York 12501

* Authorization of Sewer and Water Transportation Corporations and/or Special Districts

Town of Amenia Planning Board
36 Mechanic Street
Amenia, NY 12501

* Special Permit for Master Development Plan
* Site Plan Approval

Town of Amenia Water District
Washington Court
Amenia, NY 12501

* Water Connections (As an alternate)

Town of Amenia Highway Department
8 Borden Lane
Wassaic, NY 12592

* Depot Hill Road – Road Access

New York State Department of Environmental Conservation
Region 3 Office
21 South Putt Corners Road
New Paltz, NY 12561

* Stormwater State Pollution Discharge Elimination System (SPDES) Permit
* Water Supply Source Approval Permit
* Wastewater Treatment Plant (SPDES discharge)

Dutchess County Department of Health
387 Main Street
Poughkeepsie, NY 12601

Alternate:

* Wastewater Treatment Plant and Water Connections

New York State Health Department
Bureau of Water Supply Protection
Flanigan Square, 547 River Street
Troy, NY 12180-2216

* Approval of Plans for Public Water Supply Improvement
* Water Quality and Treatment

New York Secretary of State
New York State Department of State
41 State Street
Albany, New York 12207

* Authorization for Transportation Corporation and/or Condo Association

New York State Office of the Attorney General
Department of Law
New York, NY

* Condo Association

United States Army Corps of Engineers
New York District – Regulatory Branch
26 Federal Plaza, Room 1937
New York, NY 10278-0090

* Nationwide Wetland Permit

Attn: Bob Balkind
Dutchess County Department of Public Works
626 Dutchess Turnpike
Poughkeepsie, NY 12603

*Work permit for drainage improvements and intersection reconfiguration

NYS Office of Parks, Recreation and Historic Preservation
Field Service Bureau
Peebles Island, P.O. Box 189
Waterford, NY 12188-0189

Interested Agencies and Parties

Mr. Wayne Euvrard
Town of Amenia Town Supervisor
36 Mechanic Street
Amenia, New York 12501

Ms. Gail Hermosilla
Town of Amenia Town Clerk
36 Mechanic Street
Amenia, New York 12501

Town of Amenia Building Department
36 Mechanic Street
Amenia, New York, 12501

Town of Amenia Engineering Consultant

Rhode, Soyka, Andrews
40 Garden St # 3
Poughkeepsie, NY 12601

Town of Amenia Planning Consultant
Ted Fink
GREENPLAN
302 Pells Road
Rhinebeck 12572

Town of Amenia Ecological Consultant
Dr. Michael W. Klemens, PhD.
c/o Michael W. Klemens, LLC
PO Box 432
Falls Village, CT 06031

Town of Amenia Comprehensive Plan Consultant
Joel Russell
PO Box 491
Northampton, MA 01060

Town of Amenia Conservation Advisory Commission
36 Mechanic Street
Amenia, New York 12501

Dutchess County Sheriff
New York State Police
EMS service providers in the Town

Amenia Fire Company
Chief
Mechanic Street, P.O. Box 166
Amenia, New York 12501

Webutuck Central School District
Dr. Richard N. Johns
194 Haight Road
Box N
Amenia, New York 12501

Dutchess County Planning Department
27 High Street
Poughkeepsie, New York 12601

Ms. Becky Thornton
Dutchess Land Conservancy

2908 Rt. 44
Millbrook, NY 12545

Ms. Robyn Niver
U.S. Fish and Wildlife Service
New York Field Office
3817 Luke Road
Cortland, NY 13045

Housatonic Valley Association
PO Box 315
Wassaic, NY 12592