

# **Appendix B**

## **Positive Declaration and Scoping Outline**



TOWN OF AMENIA PLANNING BOARD  
36B MECHANIC STREET  
P.O. BOX 126  
AMENIA, NEW YORK 12501

**Notice of Intent to Assume Lead Agency Status**

Dear Sir or Madam:

Please be advised that the Planning Board of the Town of Amenia, County of Dutchess, State of New York, (“Planning Board”) approved a motion at its regular meeting on December 7, 2006, authorizing circulation of notice of the Planning Board’s intent to assume lead agency status in the coordinated review of a residential subdivision/site plan application relating to the proposed Depot Hill Farm community, to be located on Depot Hill Road in the Town of Amenia, County of Dutchess, State of New York (the “Property”).

Specifically, the Planning Board has received an application from Keane Stud, LLC, by Depot Hill Road, LLC, by Jeffrey Stark, seeking Planning Board review and approval of a proposed residential development of between 138 and 162 dwelling units. The Property consists of two parcels located in an agricultural district. The first parcel is approximately 197 acres, and is currently being used primarily for the production and harvest of hay and corn. The second parcel is approximately 265 acres, and is currently being used primarily as a horse stud farm and boarding facility.

The application identifies two development alternatives. The first alternative is a traditional residential subdivision based upon existing zoning. The second alternative, which the applicant has identified as its preferred alternative, seeks site plan approval for a clustered residential development without lot lines, in anticipation of the enactment of a new Town zoning code that would permit such developments.

Under the first alternative, the Property would be subdivided into 162 residential lots of between 0.92 and 6.51 acres each., to be developed for single family homes. This alternative anticipates the construction of 17,000 linear feet of roadway, consisting of 6,000 feet of road to be built on existing farm roads, and 11,000 feet of additional roadway comprised of two loop roads and two cul de sacs. This alternative would develop 232 acres of the Property, essentially leaving only undevelopable land as open space. None of the Property’s current agricultural activities would continue under this alternative.

Under the second (preferred) alternative, the Property would be developed by clustering 122 single family homes in three “linear neighborhoods”, and by clustering 16 townhouse units in a “village setting” among farm buildings, a proposed riding arena, and a proposed public bridle trail system. This alternative anticipates the construction of 14,000 linear feet of roadway, consisting of 6,000 feet of road to be built on existing farm

roads, and 8,000 feet of additional roadway comprised primarily of cul de sacs. This alternative would develop 57 acres of agricultural land, and would permit more than 300 acres of the site to continue to be used for equestrian purposes and crop production. The applicant has also submitted a visual analysis of the site demonstrating that the second (preferred) alternative reduces the visual impact that would be created by the conventional subdivision depicted in the first alternative.

Under both alternatives, a central sewer and water system will be required. Water is proposed to be obtained from on-site wells and springs. Wastewater treatment is expected to be an effluent sewer system conveyed primarily by gravity, with the construction and operation of small pumping stations as necessary.

Under the second (preferred) alternative, there would be no lot lines between these residential dwelling units. The Planning Board would review this alternative under its site plan authority as part of a proposed resort overlay district. Although the resort overlay district has been proposed, this district and its related performance zoning components have not yet been adopted by the Town Board. It is anticipated that the Town will adopt an updated zoning code prior to completion of the SEQRA review of this project. The applicant has been advised that there is no guarantee that the resort overlay district will be included in any updated zoning that is ultimately adopted by the Town Board.

The Planning Board has determined that the proposed action is subject to SEQRA. The Planning Board wishes to be lead agency for the project and, pursuant to section 617.6(b) of the SEQR regulations [6 NYCRR § 617.6(b)], the Planning Board requests your consent to the designation of the Planning Board as lead agency for the review of this proposed action.

If you agree to the designation of the Planning Board as lead agency, please provide the Planning Board with written consent as soon as possible at the address identified above. Pursuant to section 617(b)(3) of the SEQR regulations, if you do not submit a written objection to the designation of the Planning Board as lead agency within thirty (30) days of the date of this notice, the Planning Board will assume the lead agency role for this proposed action.

Enclosed please find a copy of the Environmental Assessment Form submitted by the applicant, with attachments.

A copy of this Notice has been sent to the following potential involved agencies:

Town of Amenia Town Board

Town of Amenia Planning Board

Town of Amenia Water District

Town of Amenia Highway Department

New York State Department of Environmental Conservation

Dutchess County Department of Health

New York State Health Department, Bureau of Water Supply Protection

New York State Secretary of State

New York State Attorney General, Department of Law

United States Army Corps of Engineers, New York District – Regulatory Branch

Respectfully submitted,

George Fenn  
Chair, Town of Amenia Planning Board



**617.7 and 617.12**  
**State Environmental Quality Review (SEQR)**

**Positive Declaration**

Notice of Intent to Prepare a Draft EIS  
Determination of Significance

**Date:**

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 Planning Board of the Town of Amenia, as Lead Agency, has determined that the proposed action described below may have a significant effect on the environment and that a Draft Environmental Impact Statement will be prepared.

**Name of Action:** Depot Hill Farm Community

**SEQR Status:** Type I   
Unlisted

**Description of Action:** The project sponsor is proposing a residential cluster development on an existing farm. The development is proposed to consist of 122 single-family dwellings and 16 townhouse dwellings in a neighborhood style layout on approximately 42.6 acres of land. The remainder of the ± 464-acre parcel would continue as a horse farm and has been proposed to include a riding arena, stables, and a public bridle trail system. Approximately 142 acres of existing forested land would remain after development. The proposed development would require 14,000 feet of linear roadway including 8,000 feet of new roads and 6,000 feet of improved farm roads. The development is proposed to be served by central water and sewer facilities. The farm is currently being used for agricultural purposes as a stud farm and for hay and corn production.

**Location:** Depot Hill Road, Town of Amenia, Dutchess County

## **Reasons Supporting This Determination:**

1. The Project Sponsor is proposing a development plan that is not permitted under the Town's current land use regulations. However, the proposed development is intended to comply with the Town's Proposed Resort Development Overlay District, which is under formal consideration by the Town Board as part of a multi-year comprehensive planning process, but which has not yet been adopted.
2. The proposed action may result in an increase in the number of vehicles trips on local roads as a result of the additional dwellings.
3. The proposed action may require 71,760 gallons per day of potable water to be supplied through a central water system from wells and springs on-site.
4. The proposed action may generate 71,760 gallons per day of sewage to be treated in an on-site wastewater treatment plant.
5. The proposed action may result in an increase in the need for community facilities and services, particularly the Webatuck Central School District.
6. The proposed action may result in a change in land use and the landscape views along the Route 22 corridor. The project site may be visible from the Delavergne Hill viewshed and other scenic viewpoints.
7. The proposed action may result in changes to stormwater quality and quantity. The project site contains slopes in excess of 15 percent on more than half of the site and development in these areas may create erosion and sedimentation of surface waters including two on-site streams, State protected Freshwater Wetlands, and Federal wetlands.
8. The project site lies within Dutchess Agricultural District #1, is currently operating as a stud farm and produces both hay and corn. The proposed action may have impact on the current agricultural operation, neighboring agricultural operations and the potential for future agriculture on the site including potential impacts on prime agricultural soils and soils of statewide importance.
9. The proposed action may affect the rural character of the community including the introduction of new architectural elements on farmland and scenic viewsheds.
10. The proposed action may introduce 138 new residential dwelling units to the Town, which may have an impact on the Town's fiscal resources.
11. The proposed project may impact significant habitat areas. The New York State Natural Heritage Program has identified two species of conservation concern on or in the vicinity of the project site and there may be other flora and fauna that could be adversely affected by development activities.

**Public Scoping of the Draft EIS will occur as follows:**

Scoping of the Draft EIS will be conducted. The applicant has submitted a Draft Scoping Document (Preliminary Scoping Outline: Depot Hill Farm). Such Document has been forwarded to all Involved and Interested agencies for their review and comment. A public scoping session has been scheduled for March 1, 2007 at 7:00 PM at Town of Amenia Town Hall. The scoping session has been publicized with a "Notice of Project Scoping" in the official Town newspaper, and through availability of the Draft Scoping Document on the Internet for viewing or downloading at <http://www.ameniany.gov/index.asp> or from a link at that Internet location. The Draft Scoping Document is also available for public review at the Town of Amenia Planning Board offices. Additional written comments will be accepted until the close of business on March 9, 2007. Following the close of public comment, the Planning Board will prepare and distribute a Final Scoping Document.

**For Further Information:**

Contact Person: Lana Anguin-Cohen  
Address: Town Hall  
PO Box 126, 36B Mechanic Street  
Town of Amenia 12501  
Amenia, NY 12524-3110  
Telephone: 845.373.8860

**A Copy of this Notice Sent to:**

Janet Reagon, Supervisor, Town of Amenia

Town Board of the Town of Amenia

Town of Amenia Planning Board (Lead Agency)

Environmental Notice Bulletin  
[enb@gw.dec.state.ny.us](mailto:enb@gw.dec.state.ny.us)

Jeff Stark, Applicant

**Involved Agencies:**

Town of Amenia Town Board

Town of Amenia Water District

Town of Amenia Highway Department

Town of Amenia Zoning Board of Appeals

Dutchess County Department of Health

New York State Health Department, Bureau of Water Supply Protection

New York State Secretary of State

New York State Attorney General, Department of Law

New York State Department of Environmental Conservation

United States Army Corps of Engineers, New York District – Regulatory Branch

Interested Agencies:

Town of Amenia Town Clerk

Town of Amenia Building Department

Town of Amenia Environmental Advisory Board

New York State Office of Parks, Recreation & Historic Preservation

Town of Amenia Engineer – Rhode, Soyka & Andrews

Town of Amenia Comprehensive Plan Consultant – Joel Russell

Town of Amenia Planning Consultant – GREENPLAN, Inc.

Town of Amenia Ecology Consultant – Dr. Michael Klemens

Town of Amenia Fire Department

Dutchess County Department of Planning and Development

Dutchess Land Conservancy

# **State Environmental Quality Review Act (SEQRA)**

## **FINAL SCOPING DOCUMENT**

### **For Depot Hill Farm**

#### **Town of Amenia, Dutchess County, New York**

#### **Lead Agency: Town of Amenia Planning Board**

ADOPTED 4/5/07

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### **INTRODUCTION**

A Draft Environmental Impact Statement (DEIS) will be prepared in accordance with the requirements of 6 NYCRR Part 617.9 to assess the potential significant adverse impacts regarding the proposed development of 122 single-family dwellings and 16 townhouses on a ±464 acre site. The proposed development, Depot Hill Farm, will be located along Depot Hill Road in the Town of Amenia, Dutchess County, New York. The Scoping Document will serve as a general guide to the contents of the DEIS rather than a strict table of contents, and thus, the DEIS may contain studies in addition to those detailed in the Scope.

The proposed Type 1 Action is the subject of a Positive Declaration 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. Potential significant adverse impacts of the project that were identified by the Planning Board when it issued the SEQRA Positive Declaration include, but are not limited to the following:

- ◆ Consistency with the Town *Comprehensive Plan* and *Zoning Regulations*;
- ◆ The potential for increased traffic flow;
- ◆ The potential impact of wastewater disposal and treatment;
- ◆ The potential increased need for school district services;
- ◆ The potential to adversely affect scenic views in the area both the immediate surrounding area and more remote locations and visual impacts from scenic areas and roads;
- ◆ Potential soil erosion/soil removal and sedimentation due to construction on or near steep slopes;
- ◆ Stormwater runoff from developed areas into streams or wetlands;
- ◆ The potential impact to on-site and neighboring agricultural operations and to prime soils and soils of statewide significance;
- ◆ Compatibility of the proposed action with existing community or neighborhood character;
- ◆ Potential impacts to the Town's fiscal resources including community service providers including police, fire and emergency services and
- ◆ Potential impact to significant habitat areas for flora and fauna.

Public Scoping was conducted through circulation of a Draft Scoping Document, prepared by the applicant, to all involved and interested agencies and members of the public, through publication of a notice of DEIS Scoping Session published in the official Town newspaper and a formal Scoping Session was conducted on March , 2007 at Amenia Town Hall. A period for additional written public comment on the Draft Scoping Document ended on March 9, 2007.

Description of the Proposed Action:

Depot Hill Farm is proposed as a cluster subdivision of a  $\pm$  464 acre horse farm for the purpose of developing 138 dwelling units and retaining the horse farm. The project is proposed as a resort overlay development, under the proposed Town of Amenia Zoning Law, that would consist of three neighborhood clusters; one central village cluster adjacent to Depot Hill Road and the existing main barn; a stud farm, two riding arenas and stables, and an internal system of roads and bridle paths. The character of the land will remain predominantly agricultural, with 418 acres remaining in woodland and agricultural/equestrian uses (including bridle paths, paddocks, stud farm and "riding academy"), and 42.6 acres devoted to densely clustered residential areas. This constitutes the applicant's preferred plan of development. However, because the preferred plan is based upon a draft Zoning Law that has not as yet been enacted by the Town Board of the Town of Amenia, this DEIS also addresses proposed subdivision plans that could be approved if the Zoning Law is not enacted as currently written. The Alternatives section (see 5 below) addresses conventional and cluster subdivision plans under the existing Zoning Law.

All site construction activities will be in compliance with NYSDEC guidelines for stormwater, sedimentation and erosion control, and will require the filing of a Notice of Intent under SPDES General Permit GP-02-01.

REQUIRED APPROVALS

<b>Type of Approval</b>	<b>Agency</b>
Site Plan (preferred alt) or Subdivision Approval (Cluster Development)	Town of Amenia Planning Board
Zoning Text Amendment (preferred alt), Special Districts	Town of Amenia Town Board
Use Variance (cluster w/stable)	Town of Amenia Zoning Board of Appeals
Water Connection/Public Water Supply	Dutchess County Department of Health New York State Department of Health
Road Access Approval	Town Highway Department
Wetlands Disturbance Nationwide permit compliance	NYS Department of Environmental Conservation (NYSDEC) U.S. Army Corps of Engineers

Stormwater SPDES Permit	NYSDEC
Wastewater Treatment	Dutchess County Department of Health NYSDEC

Purpose of the DEIS:

The DEIS will describe the proposed project and its phasing, describe the existing project site, surroundings and existing environmental resources, evaluate the environmental suitability and capacity of the subject property for the proposed action, identify and assess the potential impacts of developing the project site as identified in the Planning Board's Positive Declaration and through the public scoping process, identify and describe the means by which those impacts can be mitigated, and identify and evaluate alternatives. The DEIS is the core document from which the Planning Board and Involved Agencies make their SEQR Findings and upon which all Agencies will base their permit decision making.

The potential impact issues and mitigation measures identified in this Final Scoping Document are not intended to represent an exhaustive list of all possible environmental effects. The DEIS is not to be limited to only those impacts or mitigation measures specifically mentioned in this Scope. The DEIS will explore all areas of potential impacts, mitigation measures, or alternatives identified during the preparation of the DEIS.

GENERAL GUIDELINES:

Unless otherwise directed by this Scoping Document, the provisions of 6 NYCRR 617.9(b) apply to the content of the DEIS and are incorporated herein by reference.

- The DEIS will cover all items in this Scoping Document. The DEIS will conform to the format outlined in the Scope. Each impact issue (e.g. traffic, noise, etc.) will be presented in a separate subsection which includes a discussion of existing conditions, impacts associated with the Proposed Action and any mitigation measures designed to minimize identified issues. If appropriate, impact issues listed separately in this document may be combined in the DEIS, as long as all issues described in this Scoping Outline are addressed.
- All impact analysis will be based upon the most conservative design scenario of the units being occupied by full-time residents.
- Narrative discussions will be accompanied by appropriate tables, charts, graphs, and figures whenever possible.
- Information will be presented in a manner that can be readily understood by the public. The use of technical jargon should be avoided. When practical, impacts should be described in terms that the layperson can readily understand. All discussions of mitigation measures should consider at a minimum those measures mentioned in the Scoping Outline. Where reasonable and necessary, such mitigation measures will be incorporated into the proposed action if they are not already so included. For any mitigation measure listed in the Scoping Document that are not incorporated into the Proposed Action, the specific reason why they are considered unnecessary will be discussed in the DEIS. The Applicant may suggest additional mitigation

measures where appropriate. When no mitigation is provided, the DEIS will explain the basis therefore. The responsibility of proposed mitigation measures will be clearly identified.

- The document should be written in the third person (i.e., the terms “we” and “our” should not be used). The Applicant’s conclusions and opinions, if given, should be identified as those of “the Applicant”.
- Any assumptions incorporated into assessments of impact will be clearly identified. In such cases, the most conservative design scenario analysis should also be identified and discussed.
- Maps and plans will be at a maximum scale of 1” = 100’ to provide adequate detail. The plans will be prepared and certified by a New York State licensed Architect, Professional Engineer, or Land Surveyor, as appropriate. Standard plans should be included as an appendix to the DEIS and reductions of these plans should be included in the body of the DEIS as appropriate. These plans will graphically detail all aspects of the proposed action, the environmental setting of the site and surrounding areas, and the natural and cultural resources identified thereon. All subdivision and site plans should be coordinated into a single set with a cover sheet listing each plan. Each subdivision and site plan should be numbered sequentially and should include a common title block, a graphic scale, and a common north arrow or as directed by the Town of Amenia Zoning Law and/or Subdivision Regulations. Sheet size should not exceed 36” by 48”.
- All assertions must be supported by evidence in the record. Opinions of the applicant that are unsupported by evidence will be identified as such.
- All pertinent SEQR documentation and material related to possible environmental impact issues which have been previously submitted will be included as part of the DEIS document as appropriate.
- Issues already discussed and addressed need in the DEIS not be repeated again but where overlay exists, reference will be made of the prior discussion, provided it clearly and succinctly relays the point to the reader.

## **DEIS CONTENT**

### **Cover Sheet**

The DEIS will begin with a cover sheet that identifies the following:

- That it is a Draft Environmental Impact Statement.
- Name of the project.
- Location of the project.
- Identification of the Town of Amenia Planning Board as the Lead Agency for the project, and provide the name, address and telephone number of the lead agency person to be contacted for further information (i.e., the Chairman of the Planning Board).
- The name and address of the preparer(s) of any portion of the DEIS and the name and telephone number of a contact person representing the preparer(s): Crawford & Associates Engineering P.C., 551 Warren Street, Hudson, New York 12534. Contact: Brandee Nelson, 518-828-2700 x123.
- Date of acceptance of the DEIS to be inserted by the Lead Agency at the appropriate point in the process.

- Date, time and place of the public hearings to be inserted by the Lead Agency at the appropriate point in the process.
- Final date for acceptance of written comments on the DEIS to be inserted by the Lead Agency at the appropriate point in the process.

### **Table of Contents**

This Scoping Document will serve as the DEIS Table of Contents (refer below under Section C for specific DEIS Chapters). The DEIS will include a table of contents and summary.

Any maps, plans, exhibits, and graphics required to analyze the impact of the proposed project, including, but not limited to: visual simulations, photographic simulations, sketches, reduced scale architectural and landscape architectural exhibits (site plans, sections, etc.), lighting and sidewalk plans, shall be included in the body of the DEIS. These exhibits, which are necessary for analysis of the impacts of the project, shall be presented in an easy to understand graphic format that will be legible when reproduced.

All technical studies, reports and assessments, charts, tables, maps, figures and other supporting materials are to be listed at the beginning of the DEIS, referenced and summarized in layman terms in the body of the DEIS, and included in their entirety as Appendices to the DEIS.

All pertinent related SEQR documentation will be included as part of the DEIS document as appendices, including, but not limited to, the following:

- Full Environmental Assessment Form.
- Positive Declaration / Circulation Notice.
- Final Scoping Document.
- Technical Letters from involved and interested agencies.
- All other correspondence relating to issues which are addressed in the DEIS.
- Technical reports and studies prepared, or required to be prepared.
- Full-scale development plans showing both the conceptual development plan and site-specific development components.
- Qualifications/ Resumes for all preparers of Technical Studies and of the DEIS.

All headings which appear in the text will be presented in the Table of Contents along with the appropriate page numbers. In addition, the Table of Contents will include a list of figures, a list of tables, a list of appendix items and a list of additional DEIS volumes, if any.

## **1.0 EXECUTIVE SUMMARY**

All of the information presented in the Executive Summary will be provided in greater detail and substance in the Existing Setting, Potential Environmental Impacts, and Proposed Mitigation Measures Sections as appropriate. Section 1.0 will be presented in a brief and succinct format, and should not constitute an exhaustive narrative discussion that will be provided elsewhere.

**1.1** Brief description of proposed action including location (streets, Town, County, Tax ID numbers), anticipated build year, including project phasing by component and year, easements affecting the site, total site acreage, existing Zoning, list of abutting landowners, any known plans for development on abutting parcels owned or under contract by the Applicant, including the method of determining the number of dwelling units proposed (i.e. permissible density under the proposed Zoning Law). The density and layout will be based upon the requirements of the Resort Development Overlay District (RDO), §121-18.C, included below:

#### §121-18.C. Regulatory Effect of District on Land Uses

Within the RDO District, the following regulations apply, superseding the regulations of the underlying district.

1. Allowable Uses Within the RDO district, the following uses are allowed:
  - a. All uses allowed in the RA district, as shown on the Use Table in § 121-10B
  - b. Lodging facilities, meeting rooms, and conference facilities
  - c. Restaurants
  - d. Retail, recreational, and service businesses associated with the resort use
  - e. Riding academy and other equestrian uses
  - f. Such other uses as may be approved by the Planning Board in issuing a Special Permit for a development plan consistent with the purposes of the Overlay District.

#### 2. Conservation Analysis Requirement

For any application for subdivision or any development that involves uses other than those allowed in the RA district, the applicant shall prepare a conservation analysis of the land as described in §121-20A. This shall be submitted to the Planning Board, which shall make conservation findings prior to the preparation of any master development plan for the site pursuant to Subsection (3) below. For projects for which a Draft Environmental Impact Statement has been submitted prior to the adoption of this Section, the environmental analysis included in the environmental impact statement may substitute for the conservation analysis if it meets the requirements of §121-20A.

#### 3. Special Permit for Master Development Plan

For any development that involves any uses other than those allowed in the RA district, the applicant shall prepare a master development plan for the entire site. The master development plan shall require special permit approval by the Planning Board and shall be consistent with the Town of Amenia Comprehensive Plan. A master development plan shall be based upon the conservation findings and shall include a conceptual Site Plan showing an open space system (including preserved open space), access and road layouts, proposed buildings, including their uses, footprint, height, and total square footage, proposed recreational facilities, proposed utilities, including water supply and wastewater disposal, and a phasing plan if the project is to be built in phases. Where buildings will be visible from public roads, bicycle trails, or other publicly accessible areas, the Planning Board shall require the submission of proposed elevations of buildings and/or proposed architectural standards or covenants. The Planning Board shall review the Special Permit application as provided in § 121-60 through 121-63 and may attach such conditions as it finds necessary to ensure that the Master Development Plan will be in harmony with surrounding land uses and the purposes of the overlay district. Upon approval of the master development plan and conceptual Site Plan with attached conditions on use and dimensional standards, Site Plan approval only shall be required to implement individual components of the proposed plan.

4. Minimum Open Space and Protection of Viewsheds and Other Resources

A minimum of 80% of the total land area of the parcel shall be preserved by a conservation easement as open space, as provided in §121-20K, based upon the conservation analysis. Priority in open space protection shall be given to land within the SPO and SCO districts, especially the view to and from Delavergne Hill, ridgelines, historic resources, unique ecosystems, prime agricultural land, and water resources. Open space land preserved under this subsection may include farmland and farm structures, ponds and streams, and recreational land such as golf courses, cross-country ski trails, equestrian trails, and hiking trails. It shall not include land lying under nonagricultural structures taller than 20 feet, non-agricultural buildings larger than 200 square feet in footprint area, or land that is covered by impervious surfaces other than trails or golf cart paths.

5. Maximum Impervious Surface Coverage and Dimensional Standards

Maximum Impervious surface coverage, as defined in §121-74, shall be 15% of the total site area, including preserved open space areas. Land and buildings used exclusively to house employees of the resort development shall be excluded from the calculation of impervious surface coverage, as an incentive to provide such housing on site. The density and dimensional standards in §121-11 and the parking and loading requirements in Section 121-38 shall not apply and are superseded by this subsection. Maximum building height shall be 35 feet except as provided in Subsection 7 below. Other dimensional and density standards shall be as approved by the Planning Board in the Master Development Plan, based upon the physical characteristics of the site, the character of the proposed development, and the requirements of the SEQR process.

6. Open Space Buffer Requirements

A Master Development Plan in the RDO district shall provide open space buffers of at least 100 feet from any existing residential uses that are not within the RDO district. Such buffers may be wooded or open and may contain trails but may not contain any buildings or other recreational structures. This requirement shall not apply where the residential uses to be buffered lie across a state or county highway from the RDO district.

7. Traditional Neighborhood Layout

The layout of streets, blocks, public spaces, and buildings in the RDO district shall follow the principles of Traditional Neighborhood Development described in § 21-12.1 to the extent practical, unless the Planning Board determines that this requirement does not apply as provided in §121-12.1(H)(2).

8. Modification and Waiver of Certain Requirements

a. The Planning Board may waive specific requirements of the Stream Corridor Overlay District, where streams and water features are integrated into the Master Development Plan, provided that the Plan provides for water quality protection and mitigation of water quality impacts consistent with the purposes of the Stream Corridor Overlay District.

b. The Planning Board may waive the 35-foot height limit, provided that a visual impact analysis is performed to ensure that no significant views are adversely impacted, that any impacts on views are mitigated to the maximum extent practical, and that the building is sited to minimize visual impacts by taking advantage of natural topography. No building shall be more than five stories in height. No waiver shall be granted without consultation with fire officials, who shall make a binding recommendation that the applicant provide equipment necessary to ensure adequate fire protection.

c. Where porous pavement or other partially permeable surfaces are used, the Planning Board may adjust impervious surface coverage requirements upward if it determines, based upon the recommendation of the Town's Engineer, that such increases are appropriate, provided that a note is placed on any approved site plan or plat indicating requirements for maintaining the permeability of such surfaces.

d. The open space buffer requirements may be reduced in situations where the siting of access roads, streets, or utilities within the buffer area can be accomplished without impact on adjacent residential uses.

e. Requirements of the SPO district may be modified, consistent with the overall purposes of the SPO district, where the Planning Board finds based upon a viewshed analysis, that there will be no significant adverse impacts on the scenic character of the Town.

**1.2** Brief listing of the anticipated significant, beneficial and adverse impacts discussed in the DEIS. Issues of known controversy will be specified. These shall include, but are not limited to, traffic, aesthetics, visual impact, provision of utilities and socioeconomic impacts.

**1.3** Proposed mitigation measures for each impact issue.

**1.4** Brief description of the project alternatives considered in the DEIS. A table will be presented which assesses and compares each alternative relative to the various impact issued.

1.4.1 No Action/No Build

1.4.2 Development Under Existing Zoning (as of right conventional and cluster subdivisions)

1.4.3 Alternative Land Use

1.4.4 Lower Density Alternative

**1.5** Matters to be decided (required permits/approvals) – include list of all 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

- Subdivision Plat Approval (Cluster)
- Site Plan Approval (Preferred)

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 Homeowners Association

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

- Homeowners 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

## **1.6** Interested Agencies and Parties

Ms. Janet Reagon  
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 Klemens, PhD.  
25 Prospect Street, Suite 205  
Ridgefield, CT 06877

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  
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## **2.0 DESCRIPTION OF PROPOSED ACTION**

Section 2.0 of the DEIS will provide a description of the project site and its location, a description of the proposed project, the public need, the social and economic benefits of the project, the target buyers of the dwellings, as well as, the objectives of the project sponsor, and a description of required approvals, reviews, and permits.

### **2.1 Project Purpose and Need**

2.1.1 Description of proposed project and its component parts.

2.1.2 Discuss public need for and benefits of the project. What income level would purchasers of one of the units need to attain to buy a unit. What percentage of Amenia residents are in this income group based upon the most recent Census data.

2.1.3 Describe objectives of the project sponsor and compatibility with adopted community development plans.

2.1.4 Discuss the anticipated benefits of the proposed action (including but not limited to such areas as conservation, biodiversity, agriculture, socio-economics).

### **2.2 Site Location and Description**

2.2.1 Project Limits – Establish and map geographic boundaries of the project (use regional and local scale maps). Develop a written and graphic description of the location of the project site in the context of the Town of Amenia (including tax map designation and the acreage of each parcel – map and table), and the Hamlet of Amenia, including description of existing development regulations applicable to the project site, zoning designations and land uses on the site and within a ½ -mile radius of the site.

2.2.2 An identification of the exact dimensions of the property through a survey prepared by a licensed land surveyor, including any easements, rights-of-way, restrictions or other legal devices affecting the subject property's development potential. The survey will also delineate any special district boundaries and will include a calculation of the amount of restricted areas on the site, such as the acreage of easements, all freshwater wetlands (i.e. State protected, Federal Jurisdictional, unprotected isolated, vernal pools), open space and recreation areas, streams, floodplains, slopes equal to or greater than 15 percent, and alluvial and organic soils

2.2.3 Description and mapping of surrounding properties.

2.2.4 Description of the infrastructure serving the project site and/or its immediate environs, including existing water supply and sewage disposal systems, site access, and road network within a ½ mile radius of the site.

2.2.5 Describe all existing points of access and egress and traffic flow through Town to get to the site.

2.2.6 Describe existing and future (currently proposed by town) zoning of the site include zoning compliance analysis for existing and proposed zoning.

2.2.7 Discuss proximity of the site to Metro North, other transportation and commuting options in both a local and regional context.

## 2.3 Design and Layout

### 2.3.1 Total Site Area – Describe the area owned and proposed for development by Project Sponsor including:

- Existing Site Use:
  - Detailed description and map of existing on-site operations including: use, number, size, height, operation and condition of existing on-site structures. Number of offices, homes, personnel, parking spaces, equestrian operations on site.
- Proposed development – Provide a detailed description of the following proposed project components:
  - Residential component – including size of units in square feet, layout and number of residential units, number of bedrooms, type of units (townhouse, single-family, etc.) proposed ownership (fee simple, condo) and management (HOA, etc.). Will any of these units be market rate homes, age targeted or age restricted? Who is the anticipated market – weekenders? Second-homeowners? Year round? A description of the building height, architecture and design amenities should be provided. Parking details including parking ratio for each unit type, parking layout and location (surface, subsurface, attached or detached?) should be noted.
  - Equestrian Component - size, layout, access/egress, parking for each component, proposed uses (residents, visitors, boarders, lessons), storage for trailers, trucks, compost, waste, etc. number of horses – number of interior stalls for these horses – location of parking for trailers, anticipated events, etc.
  - Retail Component. Is there any retail proposed such as a convenience store? If so, please describe size, location and parking area.
  - Agricultural Component. A description of the proposed agricultural uses and anticipated users will be provided. Maintenance of the uses or facilities will be included.
  - Open space
    - Remaining acreage for passive or active recreation – discuss public or private ownership/management
    - Community Supported Agriculture
    - Conservation Easement
    - Landscaping
    - Setback and Buffer treatments from adjacent uses
    - Discuss future uses and ownership of land
  - Lighting including height, spacing, fixture types and methods to minimize nighttime glare and light spillage.

### 2.3.2 Traffic circulation – Description and mapping of circulation and site access, including on-site roads and road hierarchy. Specifically, the Project Sponsor will address:

- All points of entry to the project site;
- Access and entrances to all uses;
- Vehicular, truck and pedestrian movements, delivery locations;
- Internal Roadway design (built to town standards with maintenance by the Town of Amenia or private roads), including emergency vehicle access and the use of traffic calming measures, if applicable;
- Parking plan and space layout for all proposed uses ;

- On-street parking plan, signage, restrictions, etc. if applicable;
- Equestrian circulation;
- Layout of proposed roads within the site area including proposed grades and road profiles;
- Trail networks.
- Pedestrian and bicycle connections to the Hamlet of Amenia

2.3.3 Infrastructure Upgrades – discuss availability, design, layout, ownership and proposed management of infrastructure.

- Sanitary sewer (see additional detail in impact section)
  - Describe proposed capacity of system, potential number of users, and effluent standards.
  - Conceptual design, location and construction of proposed facility.
  - Discuss feasibility of including a community system with Hamlet and other Stakeholders (as an alternate)
- Water (see additional detail in impact section)
  - Discuss the possibility of extending the Amenia Water District (as an alternate)
  - Describe proposed capacity of system and potential number of users
  - Discuss conceptual design and construction of proposed independent system
  - Discuss the potential of using system for fire service
- Storm water drainage structures (see additional detail in impact section) - Location and layout of stormwater drainage and facilities

2.3.4 Utilities – Discuss energy efficiencies of site design and residential units (see additional detail in impact section). Discuss LEED and Energy Star certification(s). If LEED and/or Energy Star certification is not sought, discuss why not.

- Electric power/photovoltaics
- Geothermal
- Solar heat
- Telephone
- Cable
- Fuel/gas/propane/oil/biofuels
- Lighting

2.3.5 Other

- Discuss solid waste and recyclable material removal including location of storage and truck access. Discuss the possibility of a central storage location instead of individual pickup sites. Detail frequency of pick ups.
- Discuss the details of on farm composting. Will it be a community wide program? Include details about location, size, materials and air quality impacts to adjacent uses.
- Discuss snow storage, including locations, and removal. Will there be snow maintenance by the HOA using their own vehicles or under contract? Where will these vehicles (if any) be stored? Where will sand be stored? Will there be use of salt or salt substitute?

## **2.4 Construction and Operation**

This section will include a discussion of general construction process and needs including, but not limited to:

- Hours of operation
- Construction monitoring
- Anticipated number per day and routing of construction vehicles (in and out of the project site) traffic on local streets, and dust suppression
- Schedule and map of construction sequencing, erosion and sedimentation control to be utilized during construction and construction equipment and staging areas. The description of proposed construction sequencing will include a flowchart for the maximum anticipated duration, including start and completion for key milestone tasks such as site clearing, grading and fill placement, infrastructure, foundations, off-site improvements, and site amenities.
- Describe whether any construction activities will be on going after any part of the project is in use. If so, provide sequencing and safety plans to accommodate this situation.
- Identify staging areas for material handling and storage, including access and egress during construction.
- Discuss how the project will comply with the New York State Department of Environmental Conservation's (DEC) SPDES General Permit thresholds for the limits of disturbance by construction activity at any one time.

#### 2.4.1 Construction and Construction Phasing Plan –

- Discuss displacement (temporary relocation) of current on-site uses during construction
- Discuss phasing and construction/demolition periods for all project components with expected year of completion for each component and detailed information on areas affected with specific locations and acreage
- Graphic illustration of construction sequencing
- Discuss construction schedule (in compliance with all applicable Town codes) including days and hours and duration
- Plan for routing, origin and destination of construction traffic
- Discuss construction equipment anticipated to be used, (quantity, type, size, routing, storage, staging, etc.)
- Discuss construction related impacts on adjacent uses (including but not limited to noise, air quality, traffic – quantity and anticipated frequency of trucks, stormwater runoff, soil stability, and water quality)
- Discuss construction management techniques and enforcement, BMPs, control plans, and mechanisms to minimize impacts.
- Future potential development onsite or on adjoining parcels including discussion of which adjoining parcels are anticipated to be part of the development and anticipated schedule for acquisition
- Discuss supervision and monitoring of each project component with site security plan and solid and hazardous waste (if applicable) remediation and monitoring plan.
- Types of construction, including:
  - Type of various building construction, parking provisions, basement, garage, storage.
  - Agricultural structures
  - Architectural style, sizes and special features

### 2.4.2 Operation

- Homeowners Association
- HOA with Condominium agreements
- Operation of stud farm
- Public riding facilities
- Discuss whether the HOA will have design guidelines or restrictions for what residents can do with the areas around their house sites such as lawns, lighting, and so on.
- Municipal Dedication or Private operations of management of utilities and infrastructure
  - Describe the method of financing and estimated per unit cost of these facilities, as applicable, and describe maintenance plans for water, sewer, sidewalks, street lights, drainage facilities, roads and open space.
  - If private operation and management, discuss mechanism for ensuring proper and ongoing maintenance and financing for on-site utilities and infrastructure.

## **3.0 EXISTING SETTING, POTENTIAL ENVIRONMENTAL IMPACTS AND PROPOSED MITIGATION MEASURES**

This section of the DEIS will identify the existing environmental conditions, potential impacts of the action, and proposed mitigation measures as appropriate for each of the major issues identified in this Scoping Document. The format of Section 3.0 will include the following subsection headings for each topic:

- Environmental Conditions.
- Potential Impacts.
- Proposed Mitigation Measures.

Sections 3.1 – 3.14 of the DEIS will evaluate the potential significant adverse impacts to both natural and human resources resulting from the Depot Hill Farm proposal, including cumulative impacts and secondary effects, if applicable. Potential impacts resulting from the proposed action will be evaluated in the DEIS narrative, and presented in tabular, map or graphic format as appropriate. This evaluation will be objective and will include both quantitative and qualitative information, and will reference correspondence and technical reports included as appendices. Adverse impacts that cannot be mitigated will be specifically identified and the magnitude of those impacts will be evaluated.

### **3.1 Soils and Geology**

Surface and subsurface soil and rock conditions on the site will be evaluated. Constraints imposed by existing soils, geology, and topographic conditions will be evaluated, including construction limitations, permeability, and seasonal high water table.

3.1.1 Existing Conditions – This section will include discussions pertaining to:

- Subsurface - Identify composition & thickness of subsurface materials, including depth to and nature of bedrock formations and impermeable layers.

- Surface - Identify and discuss existing on-site soils according to the United States Department of Agriculture's Dutchess County Soil Survey – include in text or tabular format the following information
  - Discussion of soil characteristics
    - Physical properties (indication of soils' hydrological capabilities)
    - Engineering properties (soil bearing capacity)
    - Erosive potential
  - Suitability for use
    - Agriculture
    - Forestry
    - Recreation
    - Residential development
    - Other (include likely site uses)
- Other (examples: groundwater, effects of past agricultural herbicide or pesticide use on site, prior fuel spill and status of remediation)
- Topography – Describe and provide illustrations (include property topographic survey with topography identified in 2 foot contours) of topography at project site and surrounding area – examples:
  - Slopes – description and mapping of slopes, rock outcrops and other geological formations (predominantly rolling to steep slopes, low areas, and wetlands. Identification of areas with slopes of 0-15%, 16-25%, and greater than 25%); discuss specific areas in each slope category that will be affected.
  - Identify prominent or unique features
  - Identify CEAs, if any, in the surrounding area
- Summary of Phase I/Phase II environmental site assessment undertaken for the site, and remediation (Phase IV) ongoing.

3.1.2 Potential Impacts – Describe disturbances for buildings, roads, proposed sewer, water and stormwater facilities, as well as construction phasing. This section will include the following items:

- The proposed bulk grading plan will be provided at a scale of 1" = 100';
- Identification of rock and soil removal (if any), including the need for blasting. In the event blasting may be necessary, areas of possible blasting and materials quantities will be explored.
- Slopes analysis identifying the amount of disturbance within each slope category;
- Analysis of proposed cut and fill activities and potential impacts associated with these activities including hazardous material risks
- Potential impacts to surrounding residences as a result of construction on unstable slopes, removal and loss of natural soil and change in slope where grading is to be done.
- Loss of acres of mature forest resulting in potential erosion and elimination of screening
- Higher wet weather stream flows due to increased runoff (see drainage section)
- Description of soils that will be disturbed by the proposed project, including the potential for disturbance to hydric and non-hydric soils, prime agricultural soils and soils of statewide significance;
- A discussion of potential soil erosion.

- Discussion of contamination – what are impacts if it is disturbed as part of development? How is this mitigated?
- Discuss disturbance created by project compared to other permissible uses.

### 3.1.3 Proposed Mitigation Measures

- Describe use of excavated material for land reclamation.
- Describe use of topsoil excavated during construction for restoration and landscaping.
- Provide an estimate of proposed cut and fill earthwork volumes. If earthwork volumes cannot be balanced on the site, the anticipated volume of earth/rock to be imported to, or exported from, the site shall be defined, the number of truck trips associated with such import/export shall be estimated, and the anticipated routing of such truck trips shall be identified. Identify areas suitable for disposition of the excavated material.
- Discussion of Erosion and Sediment Control Plan, designed in conformance with the NYS DEC's *SPDES General Permit for Stormwater Discharges from Construction Activities that are Classified as Associated with Construction Activity*, to be implemented during the development of the site;
- Discussion of site stabilization and protection of steep slopes
- Description of rock removal and blasting plan if necessary) and time frames and notification/claim procedures to/for neighbors
- Retention of significant trees, defined as trees over 18" in diameter at breast height
- Discussion of remediation.
- Discussion of Best Management Practices.

## 3.2 Water Resources

### 3.2.1 Existing Conditions

- Description of the watershed and all of the hydrological connections between wetlands, ponds, streams and groundwater.
- List wetland areas within or contiguous to the project site.
- Discuss wetland delineation performed on site and size of wetlands, including documentation from Army Corps of Engineers, NYSDEC or third party wetland professional verification of delineations.
- Discuss functional analyses of all on-site wetlands whether regulated or not, including jurisdictional issues.
- Identify wetland buffers and inter-wetland connectivity.
- Discuss wetland buffers for habitats (including bog turtles in accordance with the *Bog Turtle Recovery Plan*).
- Discuss general condition of wetlands, identifying areas of degradation, existing salinity conditions due to runoff from roads and opportunities to mitigate degraded conditions as part of the development process.
- Description of other on-site waterbodies.
- Discuss existing setbacks from water resources.
- Description of existing flooding issues including identification of any mapped FEMA-delineated floodplains and stream corridor overlay in proposed zoning code;
- Presence, extent, and present use of groundwater resources for agriculture, private water supply, public water supply, recreation or industrial purposes.
- Existing groundwater quality and availability for on-site use. Include pump test data.
- Discuss site water budget estimating current on-site total groundwater and aquifer recharge.
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### 3.2.2 Potential Impacts

- Discuss direct and indirect impacts of proposed development on wetland areas and buffers, including amount of disturbance and effects on wetland functions, using the identified functional values of the wetlands, biological and physical characteristics, geology, hydrology of the site and the substrate and vegetation comprising the wetlands.
  - Discuss the increase in total impervious surface and loss of forested cover within the contributing drainage area.
  - Discuss changes in hydroperiod, i.e. Water supply and normal seasonal fluctuations in water level
  - Discuss increases stormwater runoff
  - Estimates of reduced on-site groundwater recharge due to increase in impervious surfaces. Discuss the net decrease in rate of recharge.
  - Discuss flow constrictions created by construction of roads, structures, utility crossings across wetlands or upstream/downstream of them.
  - Discuss increased water level fluctuation changes in water quality including sediment deposition, pollutant accumulation in wetland sediments, fate of untreated stormwater pollutant load, nutrient enrichment and road salt.
  - Discuss cumulative impacts on wetland functions and vegetation and on the watershed, aquatic invertebrates and species that rely on wetland and stream habitats.
  - Discuss potential for thermal impacts and impacts due to increased salinity from post-development runoff on wetlands.
- Effects of proposed development on water resources
- A discussion of current flooding and potential for increased flooding due to post-development conditions.
- Effects of the proposed action on groundwater quality due to formal or informal waste disposal practices.
- Effects of the use of fertilizers, pesticides or herbicides.
- Discuss potential impacts of on-site composting to water resources.
- Impacts on water resources due to the effect of pumping wells that might influence the migration of contaminants from known contaminant sources including, but not limited to solid waste facilities, petroleum spills, chemical spills or other areas where contamination has been documented at concentrations above regulatory standards or guidance values.
- Discussion of short- and long-term impacts on regional water supply.

### 3.2.3 Mitigation Measures

- Discussion of wetland and buffer avoidance and potential for wetland restoration.
- Discussion of compliance with applicable wetlands regulations.
- Discussion of a minimum 100 foot buffer around all water resources and, if critical habitat areas exist, the need for a larger buffer area (such as for Bog turtles).
- Discussion of Sediment and erosion control plan as it pertains to water quality.
- Discussion of construction barriers in and around buffer areas for wetlands and waterbodies.
- Discussion of alternate construction methods and equipment in sensitive areas (e.g., construction mats, timber mats, lighter equipment alternates).
- Discussion of additional monitoring and enforcement mechanisms to ensure not only compliance with state and federal laws but protection of the Site's resources.

## 3.3 Stormwater Management

This Section will evaluate the pre- and post-development conditions of surface water, floodplain, wetlands, and groundwater resources located within or in close proximity to the proposed project site, as designated by mapping provided by the Federal Emergency Management Agency (FEMA), National Wetlands Inventory (NWI), the New York State Department of Environmental Conservation (NYSDEC), and the United States Army Corps of Engineers (ACOE), if applicable and through on-site field delineations verified by relevant regulatory agencies. The following reference resources are to be consulted where appropriate:

- *Reducing the Impacts of Stormwater Runoff from New Development*, NYSDEC, April 1993;
- *New York Standards and Specifications for Erosion and Sediment Control* (August 2005); and
- Compliance with water quality mandates and guidelines promulgated by NYSDEC pursuant to Environmental Protection Agency (EPA) Phase II Stormwater Regulations (1999), including the *New York State Stormwater Management Design Manual* (August 2003).

3.3.1 Existing Conditions – The following will be described in this section:

- Surface water patterns relative to hydrologic characteristics, including subsurface aquifers and seasonal variations; (existing drainage facilities, flooding conditions, drainage basins)
- Identification, quality and classification of on-site or adjacent streams and wetlands, including verification of all field delineations. Include information regarding historic and ongoing siltation, flooding, or eutrophication.
- Description of existing drainage areas, patterns and channels as they relate to the peak rate of stormwater flow for the 2-, 10-, 25-, 50-, and 100-year design storms (refer to TR-55 or other stormwater model); The analysis will detail routing flows through all retention/detention facilities.
- Identify any existing pollutants of concern for the community and treatment measures proposed to target those pollutants.

3.3.2 Potential Impacts – This section will include a discussion of the following items:

- Post-development drainage patterns and conditions;
- Stormwater quality, runoff, and peak discharge rates for the 2-, 10-, 25-, 50-, and 100-year storms.
- Changes (if any) to drainage or floodplains due to re-grading;
- Potential contamination from roads and other impervious surfaces both on-site and off-site;
- Identify any pollutants of concern, that may flow off-site, for the community and treatment measures proposed to target those pollutants.
- Potential sedimentation of water bodies;
- Potential stormwater impacts to stream and wetland areas;
- Potential stormwater impacts to be assessed regarding construction of the project, as well as long-term potential impacts relative to the occupation and anticipated use of the site; and
- Potential stormwater impacts to on and off-site groundwater resources.
- Discussion of potential for flooding, siltation, erosion of existing water resources during and after construction.
- Effect of potential project stormwater discharge on surface water.
- Describe effect of stormwater drainage on wetlands during construction.
- Describe effect of stormwater drainage on wetlands post-construction.

### 3.3.3 Proposed Mitigation Measures

- Describe implementation of Best Management Practices (BMPs) in use of soil erosion control techniques during construction and operation to avoid siltation.
- Describe stormwater management system to reduce the peak rate of flow to no more than existing peak rate of flow.
- Describe design of adequate stormwater control system, including the potential use of permeable surface areas for filtration as appropriate. Use pre and post development stormwater runoff based on TR-55 methodology.
- Discussion of Stormwater Quality and Management Plan in Appendix that includes a Stormwater Pollution Prevention Plan (SWPPP) addressing the requirements of the Town of Amenia, Dutchess County, NYSDEC and other appropriate regulatory authorities;
- Discussion of how and where Low Impact Development (LID) alternatives will be used on the project site (see <http://www.lowimpactdevelopment.org/> or others recommended by the US Environmental Protection Agency).
- Discussion of compliance with applicable wetlands and stormwater regulations, include environmental controls placed by the New York State Department of Environmental Conservation on required SPDES Stormwater permit.
- Describe design of access road at wetland crossings (if needed).
- Discussion of Erosion and Sediment Control Plan as it pertains to water quality.
- Describe wetland avoidance and mitigation.
- Describe storm water control measures.

## **3.4 Vegetation**

This Section will identify and evaluate the vegetative characteristics of the site and will provide an inventory of the representative flora and fauna for on-site ecological communities. The existence of Endangered, Threatened, and Rare (ETR) plants on or in the vicinity of the project site will be identified and evaluated using the NYSDEC Natural Heritage Program files, direct contact with Natural Heritage Program staff, review of U.S. Fish and Wildlife Services database, and a field survey conducted during the appropriate time of year.

Potential project impacts will be discussed in connection with site-specific development plans. Mitigation measures will be developed to lessen or offset the proposed impacts as necessary.

### 3.4.1 Existing Conditions

- Identification and description of all on-site vegetative communities as described in *Ecological Communities of New York State* (Reschke, 1990) will be provided. Include discussion of terrestrial and aquatic communities.
- Review of NYSDEC Natural Heritage Program files, discussion with Natural Heritage Program staff, and review of the U.S. Fish and Wildlife Services database for ETR species that may exist on the site will be undertaken, along with a field survey conducted during the appropriate time of year.
- Biodiversity assessment and botanical survey to the specifications as reviewed and approved by the Town of Amenia Planning Board, and in conjunction with the Town's Ecological Consultant.

### 3.4.2 Potential Impacts

An evaluation of potential impacts to vegetation resulting from the proposed development will be provided with regard to potential disturbance, loss or removal, and reduction of function of existing plants and vegetative communities

- Quantification of loss of wooded areas and habitat fragmentation effects.
- Impacts on resident plant populations
- Identification of any critical CEAs (if any) from direct and indirect effects, as well as impacts of fertilizers and pesticides

### 3.4.3 Proposed Mitigation Measures

- Will include a discussion of specific mitigation measures required by NYSDEC and U.S. Fish and Wildlife Service for protection of species, as applicable.
- Land conservation and design measures to protect plant communities, hedgerows, minimize lawns, etc.
- Conservation easement for preferred alternate

## **3.5 Wildlife**

This Section will identify the presence of on-site wildlife species and will provide an inventory of all known on-site species. The potential existence of Endangered, Threatened, or Rare (ETR) species on or in the vicinity of the project site will be identified and evaluated.

Potential impacts to wildlife resulting from the proposed project will be discussed in connection with site-specific development plans. Mitigation measures will be developed to offset potential impacts as needed.

### 3.5.1 Existing Conditions

- Identification and description of on-site wildlife;
- Review of NYSDEC Natural Heritage Program files, discussion with Natural Heritage Program staff, review of the U.S. Fish and Wildlife Services database for ETR species that may exist on the site, and a field survey for (ETR) species conducted during the appropriate time of year; and
- Biodiversity assessment and wildlife survey to the specifications as reviewed and approved by the Town of Amenia Planning Board, and in conjunction with the Town's Ecological Consultant.
- Assessment of habitat types as described in Section 3.4.1, and the presence, if any, of critical habitats or ETR species.
- The Applicant will conduct a Phase 2 bog turtle study. The applicant will consult with the USFWS. All these studies are referenced in the USFWS *Bog Turtle Recovery Plan*.
- The Applicant will conduct a vernal pool breeding amphibian study in the area of the two pools leading up to the forest. This should follow Calhoun and Klemens (2002).
- A general amphibian and reptile survey will be conducted and targeted to Threatened and Endangered species as well as Special Concern Species, including but not limited to the Timber Rattlesnake.
- A breeding (baseline) bird survey using point count methodology from mid-May through mid-July is warranted, especially focusing on grassland and edge species.

3.5.2 Potential Impacts – An evaluation of potential impacts on wildlife will be provided with regard to potential habitat disturbance or removal, including the amount of loss or removal of each existing habitat.

3.5.3 Proposed Mitigation Measures

- A discussion of applicable mitigation measures as necessary or required by NYSDEC and U.S. Fish and Wildlife Service, and in conjunction with the Town's Ecological Consultant, for specific species protection.
- Discuss the need for 300 foot buffers where Bog turtle habitat is involved and
- Discuss the need for 750 foot critical upland habitat zones for vernal pools.
- Discuss land conservation and design considerations (such as hedgerow conservation, minimizing road widths and lengths, minimizing lawns, forest/meadow edge condition restoration) to preserve habitat and wildlife function.

### **3.6 Cultural Resources**

3.6.1 Existing Conditions

A Phase 1 (and if needed Phase 2) Historic and Archaeological Resource Survey will be completed to evaluate the potential for historic or archaeological resources located on, and in the vicinity of, the site. This survey will be conducted in conformance with the procedures specified by the New York State Office of Parks, Recreation, and Historic Preservation (OPRHP) and there will be coordination with New York State Historic Preservation Office (SHPO) to describe project and establish an Area of Potential Effect (APE).

- Describe and map historic and pre-historic areas or structures listed or eligible for listing on the State and National Register of Historic Places in the APE and site vicinity.
- Describe potentially eligible historic sites or archeological resources on the property as identified through the Phase 1 (and if necessary Phase 2) survey. Provide descriptions of prominent and/or unique features including stonewalls and other indications of historic agricultural activity on the site.

3.6.2 Potential Impacts

An evaluation of potential impacts to historic and archaeological resources from the proposed development will be provided. The presence of culturally sensitive areas on the site (if any) will be identified and discussed.

3.6.3 Proposed Mitigation Measures

Where potential impacts may occur, coordination with SHPO will be undertaken to obtain a determination of effect and to identify possible mitigation measures, including Phase 3 data recovery.

### **3.7 Visual**

This Section will provide a visual impact assessment through the use of narrative text, photographs, and landscape architectural drawings, such as plans, sections, elevations, or other graphic representations of existing and proposed conditions. The change and impact of the proposed project on the existing visual character and quality will be discussed.

3.7.1 Existing Conditions

- Discussion of the existing landscape character of the site (with photographs) to establish a base visual condition.
- List and prepare a photographic inventory of the site.
- Visual conditions are to include:
  - A discussion of the elements that contribute to the visual image and character of the project site will be provided, including a description of the physical character of the vicinity and identification of natural and manmade areas of scenic value with intervisibility to the site.
  - Inventory and photograph existing views of the site and affected adjacent areas from locations specified and selected by the Town of Amenia Planning Board with input from Dutchess Land Conservancy including, but not limited to:
    - the US Route 44 hairpin turn overlook at DeLavergne Hill,
    - views along Depot Hill Road,
    - Syms/Amenia Hills development,
    - Route 22 at the Train Station and
    - Old Route 22.
  - From neighborhoods and properties adjacent to the project site
  - Inventory of existing exterior lighting both on site and on adjacent roadways and properties.
  - Existing conditions will be documented through the use of captioned photographs and an accompanying map with notes describing views.
- Discuss Town's Scenic Overlay District in the proposed Zoning Law and subject site's proximity and visibility from key views.

### 3.7.2 Potential Impacts

- A description of the changes in visual character of the site and surrounding areas will be provided, including impacts caused by lighting.
- Discussion of the height, building materials, architectural style and design of the proposed structures,
- Evaluate the high points for each development area on the site.
- Provide illustrative exhibits, including computer models, color renderings, photosimulations and sketches of building elevations and landscaping plans to demonstrate the architecture, massing, views and potential night time lighting impacts (glare, indirect lighting on adjacent properties) of the proposed development from the vantage points identified by the Planning Board and the DLC (as described above). The NYS DEC Program Policy Memorandum "Assessing and Mitigating Visual Impacts," 7/31/00, shall be used as a standard reference.
- Full description of proposed exterior lighting along internal roadways, in parking lots and on building exteriors and impact on adjacent properties and important views.
- Discussion of visual impacts of satellite antennae, electrical wires, water tanks, back up power generators, and any other exterior feature on the project site. Discussion will include detailed descriptions of location, size and design of these features and will include graphic exhibits to illustrate these on-site features.

### 3.7.3 Proposed Mitigation Measures

- Proposed mitigation measures will be discussed as necessary or recommended based on the results of the visual impact analysis.
- Discuss site layout, maintenance of existing vegetation and topography, construction materials and low-profile building design (as appropriate) to maintain site's rural character.

- Discuss low-level lighting (or limited exterior lighting) or other lighting techniques to minimize nighttime glare and spillage impacts.
- Narrative descriptions of proposed mitigation will be supported with exhibits and graphics as necessary.

### **3.8 Transportation**

This Section will evaluate existing traffic conditions compared to conditions anticipated upon completion. The potential transportation impacts and mitigation measures to lessen or offset the potential impacts will be identified.

#### 3.8.1 Existing Conditions

- Description of size, capacity and condition of services. Description to include detailed discussion of the Town of Amenia and the Hamlet of Amenia & its major intersections, roads and bridges, traffic control access/egress from site, limits of sight, roadway width, and stopping distance at proposed access points.
- Study Area Definition – defined as the access routes to the site and the following key intersections:
  - Depot Hill Road and Route 81
  - Mechanic Street and Route 343
  - Dunn Road and Route 22
  - Lake Amenia Road and Route 44
  - Route 44 and Route 22
  - Route 22 and Furnace Bank Road
  - Route 22 and Firehouse
- Description of peak hour traffic volumes
  - Determine existing traffic flows in the traffic study area for the weekday AM and PM peak hours and the Saturday peak hour. Traffic counts will be performed according to acceptable traffic engineering standards. The count data collected will also include information on heavy vehicles and pedestrians
  - The peak hour traffic volumes will be summarized on volume diagrams to depict turning movements at the study area intersections.
- Roadway and Intersection Geometry Data
  - Inventory street widths, pavement conditions, sidewalks, traffic flow directions, parking, speed limits and roadway lighting for the study area intersections and access roadways.
  - Provide a written summary. The most recent signal timing data shall also be obtained where applicable.
- Accident Data
  - Collect the most recent three year period of accident data for the study area intersections and access roads
  - Provide a summary of that data and indicate any significant patterns
- Pedestrian environment - Describe pedestrian walkways from the Hamlet and their relationship to project site. Describe the project's proximity to sources of pedestrian and bicycle traffic, including Harlem Valley Rail Trail and Hamlet commercial district accessibility.

- Trail access – discuss existing trail network and access points on or in vicinity of site.
- Discuss commuter rail accessibility to Metro-North, including parking capacity at station. Discuss other public transportation (Dutchess LOOP), if applicable.
- Capacity Analysis
  - Determine the capacity and level of service (LOS) at the study area intersections for the existing conditions using the most recent Highway Capacity Manual methodology (and using the latest Highway Capacity Software version).

3.8.2 Potential Impacts – A discussion will be provided of potential impacts identified in the Traffic Impact Analysis, to include:

- Future Traffic Volumes without the Proposed Action
  - Determine future traffic conditions without the Proposed Action (No Build conditions) using a realistic build year of 2008 and Build+2. A regional background growth factor will be coordinated with the County and or New York State Department of Transportation (NYSDOT). This growth factor will be applied to the existing volumes to determine year 2008 and Build +2 volumes. Traffic from other significant and relevant developments identified by the Town of Amenia Planning Board will be superimposed on the future No Build volumes as applicable. The Town of Amenia Planning Board will provide these data to the traffic consultant (if the data are not available, trip assignments will be made using the ITE trip generation manual and a reasonable distribution). A separate diagram showing the traffic movements by the other planned developments will be prepared by the Applicant and included in the Appendix.
  - Provide a traffic volume diagram depicting the future No Build traffic volumes for the three peak hours.
- Capacity Analysis without the Proposed Action
  - Determine the capacity and level of service (LOS) at the study area intersections for the No Build conditions using the *2000 Highway Capacity Manual* methodology (using the latest Highway Capacity Software version).
  - Summarize in tabular format the future No Build levels of service, volume to capacity (v/c) ratios and delays at each intersection by lane group for the three peak hours. The analysis shall also identify and include any planned or programmed transportation improvements by others.
- Future Traffic Volumes with the Proposed Action
  - Determine Trip Generation -- the traffic anticipated to be generated by the project for the three peak hours and for an average day. Trip generation estimates shall be prepared using the Institute of Transportation Engineers, *Trip Generation Manual*, 7th or latest available edition. This information may be supplemented by trip generation at other similar facilities.
  - The trip generation shall be summarized in a table for each of the peak hours and for each of the development components (i.e. single family homes, townhouses, equestrian center, etc.)
  - Determine trip distribution for the anticipated traffic generation. The trip distribution will be performed for the proposed on- site development and this information will be displayed as a composite graphically. A graphic showing the trip generation for each of the development components will be provided in the Appendix.
  - The methodology used to assign the project generated traffic to the street network will be identified.
  - Utilizing the trip generation and distribution add this traffic to the No Build traffic volumes to determine the Build traffic volumes.
  - The Build traffic volumes will be displayed graphically for the three peak hours.

- A general trip generation estimate and discussion of trip characteristics (i.e. periods time of day, weekday, weekend, large scale events, etc.) will be provided to the extent that the program of the proposed equestrian center.
- Capacity Analysis with the Proposed Action
  - Determine the capacity and level of service (LOS) at the study area intersections for the future Build conditions (without mitigation) using the *2000 Highway Capacity Manual* methodology (using the latest Highway Capacity Software version). Summarize in tabular format the future No Build and Build levels of service, volume to capacity (v/c) ratios and delays at each intersection by lane group for the three peak hours.
  - Identify the key access routes to the project site and determine if there is sufficient capacity to safely and efficiently accommodate the traffic demand.
  - Evaluate the traffic conditions under an event scenario at the equestrian facility.
- Queue Analysis
  - Provide a queue analysis at the signalized study area intersections.
  - Present information in a tabular format and include available storage length and 95th percentile queue length in feet for the No Build and Build conditions.
- Emergency and Truck Access
  - A general description of the emergency access for the proposed site will include fire engine access and turning radius for Town fire equipment.
  - Assess the truck access to site including identifying the routes
- Internal Vehicular and Pedestrian Circulation
  - Describe the proposed on-site vehicular and pedestrian circulation including sidewalks and proposed crosswalks. Indicate whether the proposed internal roads will be public or private (whether they will be designed to Town standards).
  - Describe and map the roadway hierarchy.
  - For the internal street network, describe the traffic calming measures that will be provided.
  - Discussion of speed limits.
  - Provide a capacity and sight distance analysis for the key internal intersections. Intersections to be evaluated will be coordinated with the Town's traffic consultant.
  - Describe the equestrian, pedestrian and bicycle facilities proposed as part of the project.
- Other Transportation Modes
  - Describe any proposed shuttle bus to Metro North Railroad Wassaic Station, or other facilities including how buses will access the site and, if known, where the stop locations will be.
  - Impacts of increase demand on Metro North Railroad (should coordinate this discussion with personnel from MTA – MNR)
- Parking
  - Provide a calculation of the parking required by proposed zoning for the individual land uses/development components. Indicate the number of handicap parking spaces to be provided.
  - Show the number and location of parking spaces on the concept plan
  - Provide a description of on street parking, including location and amount of spaces and indicate how the parking will be regulated (particularly for private roads).
  - Provide a description of parking for equestrian vehicles (horse trailers)
  - Provide a description and a plan for parking during larger scale equestrian events. (if this is lawn parking, analyze the short and potential longer terms impacts of this on neighboring roads, views, properties).

### 3.8.3 Proposed Mitigation Measures

Discussion will be provided on mitigation measures, including but not limited to the following:

- Design for adequate and safe access to project site to accept projected traffic flow
- Design of internal circulation and roadway
- Design of entryway, including sight lines.
- Mitigation of other impacts determined in Traffic Impact Analysis
- Expanded equestrian trails (preferred alternate)
- Discuss provisions for pedestrians and bicycles.
- Analyze the proposed mitigation measures to demonstrate their effectiveness.

### **3.9 Land Use and Zoning**

A discussion will be presented of the proposed project's compatibility with the existing land use and zoning on-site and in the surrounding area.

#### 3.9.1 Existing Conditions

- Existing land use
  - Describe existing land uses on project site and properties surrounding the site. Provide a map showing existing site land uses, land uses within ½ mile. The map will consist of a parcel by parcel inventory by land use category..
  - Description of any recent development and proposed development plans, including any public improvements to roadways or open space within the land use study area.
  - Discuss whether the property is located in a certified Agricultural District.
  - Refer to Draft Comprehensive Plan (2007) for descriptions of existing land use.
- Existing Zoning (according to current zoning law)
  - Description and mapping of current site zoning (121-6, 121-7).
  - General description and mapping of zoning, including districts within ½ mile of the project site. (121-6, 121-7).
  - Description of regulations, requirements, restrictions including permitted uses and those allowed by special permit.(Schedule I)
  - Identify limitations (if any) on density and intensity of use – bulk density requirements for example (Schedule II).
- Proposed Zoning (according to 2007 draft zoning law)
  - Description and mapping of draft site zoning (121-7, 121-8) – include discussion of underlying zone and Resort Development Overlay zone.
  - General description and mapping of draft zoning, including overlay districts within ½ mile of the project site. (121-7, 121-8, 121-18)
  - Description of regulations, requirements, restrictions including permitted uses and those allowed by special permit. (121-10)
  - Identify limitations (if any) on density and intensity of use – bulk density requirements and impact of draft overlay districts, for example. (121-11, 121-12.1, 121-18)

#### 3.9.2 Potential Impacts

- Provide information on compatibility with existing land uses.
- Potential impacts of the proposed project to surrounding land uses will be discussed.

- Discuss Town's proposed zoning changes.
- Discuss project compliance with current and proposed zoning law, and need for special permits and implementation of resort overlay (zoning district change) for proposal.
- Present zoning compliance table for area and bulk requirements (compare proposed project with existing zoning requirements/proposed zoning requirements)
- Discuss the implications to agriculture related to inclusion in a certified Agricultural District including correspondence with the Dutchess County Agricultural and Farmland Protection Board, if applicable.

### 3.9.3 Proposed Mitigation Measures

- Discuss Resort Development Overlay zoning category
- A discussion of any applicable and appropriate mitigation measures will be provided.
- Discuss continuance of agricultural use and maintenance of rural character on property including the use of buffers and fencing between agricultural lands and residents on site and adjacent properties.

## **3.10 Local and Regional Plan Consistency)**

Evaluate the proposed project's consistency with the goals and objectives of local and regional plans. Specifically, the evaluation will include the following plans:

- *The Town of Amenia Comprehensive Plan* (2006)
- *Directions, The Plan for Dutchess County* (1987)
- *Greenway Connections* (2000)
- *Dutchess County Agricultural and Farmland Protection Plan*

### 3.10.1 Existing Local and Regional Plans

A brief summary of the goals and objectives found in each of the above referenced plans will be provided.

### 3.10.2 Local and Regional Plan Consistency

An evaluation will be provided of the project's consistency with the goals and objectives of each of the above referenced plans. Aspects of the proposed action that would deviate from conformance with any of the above plans will be identified and an evaluation of why such deviation is proposed will be provided.

### 3.10.3 Proposed Mitigation Measures

A discussion of appropriate mitigation measures for inconsistencies with local and regional plans (if any) will be provided.

## **3.11 Police, Fire and Emergency Medical Services**

This section will evaluate the potential impacts of the proposed project on existing police, fire, emergency services and health care facilities in the Town of Amenia and surrounding communities, where required. Information will be based on conversations with and correspondence received from service providers and available online resources. A map of locations of all community services providers will be prepared and included in the DEIS. For all services analyzed, include letters

from providers documenting assertions and conclusions about the adequacy of existing facilities.

### 3.11.1 Existing Conditions

*Police Services* – Identification of State, County, and local Police Departments that provide police coverage to the project site, with a description of the following information for each:

- Station locations;
- Staffing levels;
- Average response time expected to the project site;
- Any existing deficiencies in staffing or facilities, if available; and
- Any planned or proposed expansions or improvements to address the deficiencies.

*Fire Protection*– Identification of Fire Departments that service the project site will be provided based upon discussions and correspondence with the respective departments. This will include a description of the following information for each:

- Station locations;
- Staffing levels (with subtotals of paid staff and volunteers);
- Mutual Aid associations;
- Average response time expected to the project site;
- Inventory of equipment including the number and type of apparatus and the ability of the equipment to serve the proposed buildings, and
- Discussion of existing water pressure/supply for fire protection.

*Emergency Medical Services* – Identification of Emergency Medical Service (EMS) providers that service the project site will be provided based upon discussions and correspondence with the respective departments. This will include a description of the following information for each:

- Station locations;
- Staffing levels (with subtotals of paid staff and volunteers);
- Average response time expected to the project site;
- Availability of air transport;
- Inventory of equipment, ALS capabilities, and
- Distances to nearby hospitals, and level of emergency care provided (example: regional and area trauma centers ( such as Valhalla, Poughkeepsie, and Sharon).
- Include a description of any facilities, equipment or services to be provided on-site, as well as description of service to be provided off-site

3.11.2 Potential Impacts – A discussion of how the proposed action may affect these municipal services will be provided.

- The adequacy of the existing services, facilities, staff and equipment to handle the increased demand generated by the proposed development will be evaluated.

- Discuss need for additional police, fire, emergency services personnel or equipment, etc. and the capital and personnel costs, thereof based on information provided by the service providers, or if unavailable, a per capita cost analysis.
- Compare costs with expected revenues to generate data provided in narrative, numerical and matrix format for ease of comparison.
- The ability of the proposed road system and access points to accommodate emergency vehicles and equipment will be discussed. Include information regarding alternative paving materials, if applicable.
- The capacity of the existing and proposed water system to meet future fire flow demands of the proposed project will be discussed.

3.11.3 Proposed Mitigation Measures – Proposed mitigation measures to offset or lessen estimated impacts will be identified, and may include the following:

- Discussion of water supply design, if needed.
- Paving and paving alternatives for road accessibility within the site
- If necessary, a commitment to contribute to capital costs for additional equipment, personnel, resources required to accommodate the proposed project

### 3.12 Solid Waste

#### 3.12.1 Existing Conditions

- Personnel and equipment
- Provision and capacity of and relationship to services to be provided by the private waster haulers i.e. determine who will provide what services
- Proximity of transfer stations to site

#### 3.12.2 Potential Impacts

- Determine solid waste generation
- Document impacts on solid waste disposal and resource recovery, i.e., capacity to accept additional solid waste.
- Qualitative Analysis of Impacts of solid waste generation on collection as well as qualitative analysis of traffic, safety and noise, i.e. number of garbage trucks, etc.
- Proposed plan for construction debris.

#### 3.12.3 Proposed Mitigation Measures

Proposed mitigation measures to offset or lessen estimated impacts will be identified.

### **3.13.3 School District Services**

This section will evaluate the potential impacts of the proposed project on the Webutuck Central School District. Information will be based on conversations with and correspondence received from the District and available online resources.

#### 3.13.1 Existing Conditions

A description and map of existing school facilities serving the project site (elementary, middle-school, and high school) will be provided, including:

- School facilities – Map school facilities. (what schools are in the district, where are they located, grades served in each;)

- Identify capacity and enrollment by school and for entire district;
- Identify cost per child (by grade if available and relevant)
- Identify existing taxes generated to the Webutuck School District
- Existing school transportation routes (based on data to be supplied by the School District to the extent available);
- School District capacity and enrollment trends and expected projections as reported by the School District and discussion of long range plans (capital improvement/facility expansion) developed by the school.

### 3.13.2 Potential Impacts

- An estimate of the number of public school children to be generated by each unit type of the proposed project will be provided. The estimate will be based on standard multipliers (including PUMS), anticipated demographics of the proposed development and Webutuck School District data, if available.
- The potential impacts of additional school children on school capacity will be evaluated. (this will involve coordination with the Webutuck School District).
- A fiscal impact analysis of the project will be prepared, which will include:
  - Projected taxes to be generated to the school district by each component of the proposed project
  - Additional cost per anticipated school age child to be generated by the proposed project.
  - Additional capital expenditure to accommodate project generated demand, if necessary.
  - Comparison of additional cost vs. revenue
  - Impacts on the State Aid to the District.

### 3.13.3 Proposed Mitigation Measures

Proposed mitigation measures to offset or lessen estimated impacts will be identified. This section may include discussions of increased tax base, demographics and other project-specific factors that are discovered as impacts are evaluated and if required, commitment by the Applicant for fair share contribution to additional school related capital expenditure to accommodate project generated demand.

## **3.14 Parks, Recreation, Open Space Resources, Library and Cultural Resources and Tourism**

This section will evaluate the potential impacts of the proposed project on existing parks, recreational, open space, library, cultural and tourist facilities in the Town of Amenia and the surrounding community. Adequacy of existing recreational facilities in the town, and impacts as a result of development, will be determined based on coordination with the Town of Amenia Recreation Committee and also evaluated based on standards set by the National Recreation and Park Association (NRPA) for community needs regarding parks, public open space, and recreational facilities.<sup>1</sup> Town of Amenia requirements for provision of recreational facilities in residential developments, per §105-23 of the Town of Amenia Code, will be evaluated.

### 3.14.1 Existing Conditions

A description of existing parks recreation, library, cultural, tourist and open space resources will be provided, with consideration given to equestrian facilities

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<sup>1</sup> Recreation, Park and Open Space Standards and Guidelines, National Recreation and Park Association, 1990.

- Description of all existing on-site facilities.
- Description and map of off-site parks, recreational, cultural, tourist, open space and library resources available to the site.
- Description of recreational activities, and facilities, (ballfields, pools, etc). and resources available to the project site
- Any existing deficiencies in recreational facilities and/or plans for improvements/ expansions to any facilities.
- Description of arrangements between the Town Recreation Committee and the school district or other organizations sharing public recreation facilities.

#### 3.14.2 Potential Impacts

Discussion of potential impacts associated with the proposed project on the Town's parks, recreational facilities, libraries and cultural attractions, tourism, public open space resources will be provided, and may include:

- Evaluate potential increased demand (particularly for recreational facilities) resulting from the proposed project and the ability for existing facilities to accommodate demand. (Should coordinate with Town Recreation Committee).
- Identify the recreation facilities to be provided on site and their availability for public use.
- Identify agreements with other private recreation facilities to provide recreation opportunities to residents of and visitors to the proposed resort.
- Identify other similar or complementary tourist attractions in the area – may include inns, hotels, resorts, or spas as well as cultural attractions.
- Identify the need for additional facilities, including the need to provide such on site .
- Discuss open space protection including ownership/stewardship mechanism.
- Discuss use of riding facilities by existing town residents and/or tourists.

#### 3.14.2 Mitigation Measures

Discussion of on-site public recreational resources for use by residents, visitors and surrounding community

- Discussion of recreation fees
- Discuss availability of on-site additional recreation resources for public use
- Discuss the riding arenas and expanded trail network. Who will be able to use these facilities? Will they be open to the public?

### **3.15 Utilities—Water**

This section will evaluate potential impacts regarding water supply.

#### 3.15.1 Existing Conditions –

Description of the existing water usage, source, capacity, pressure, supply and infrastructure serving the site. The location and condition of water supply wells will be provided. As an alternate discuss the Hamlet's existing district sources, capacity, storage and pumping capabilities.

- Description of site groundwater conditions.
- Description of existing wells in the surrounding properties – if necessary perform pump testing to demonstrate adequate water yield and monitoring to evaluate potential impacts to wetlands, waterbodies and off-site wells.
- Description of the water quality on site.

#### 3.15.2 Potential Impacts

- Evaluation of projected water demand and water supply capacity to meet the estimated project-generated water demand for agricultural and residential purposes.
- Discussion of whether the site is self-supporting in its water requirements.
- Description of proposed water supply system and infrastructure improvements including number and location of additional wells to support the development, if required..
- Discussion of potential impacts to subsurface aquifers and the Town of Amenia's water supply.
- Effects on water supply, pressure and fire protection capabilities.
- If, on-site wells are to be utilized, discuss impact on adjoining wells.
- Identification of recharge areas for existing and proposed wells and wellhead protection plan.
- Location of proposed water storage facilities and potential visual impacts.

3.15.3 Proposed Mitigation Measures – Applicable water supply mitigation measures will be identified and discussed including:

- Discussion of water conservation and reduction measures.
- Discuss system and infrastructure improvements.
- Discussion and consideration of LEED methods to reduce the proposed development's demand on water resources.

### **3.16 Utilities—Wastewater**

Potential impacts regarding wastewater treatment and disposal will be addressed in this section.

#### 3.16.1 Existing Conditions

- A discussion of the site's existing wastewater generation (flow quantities), collection, and treatment/removal processes will be provided.
- Discussion of existing permits
- Discuss the Town's efforts to create a central WWTP for the hamlet.

#### 3.16.2 Potential Impacts

- Estimates of future wastewater generation (future flow quantities)
- Discussion of disposal system requirements, , adequacy of collection system, including constructed wetland treatment systems or in-ground community septic disposal system(s).
- Discuss design (size, height, building materials if applicable), location, and visual impact of WWTP.
- Discuss treatment capacity and SPDES permitting regulations.
- Discussion of increased effluent impacts
- Identify any areas proposed for on-site sewage disposal systems and impact on wells, drinking water resources on-site and adjacent to the project site.
- Identify entity responsible for constructing and maintaining the facilities (i.e. district or transportation corporation).

#### 3.16.3 Proposed Mitigation Measures

Applicable wastewater treatment mitigation measures will be identified and discussed including:

- Alternate location for treatment system(s)
- Feasibility of reuse of treated water for irrigation (i.e. recycling of grey water for on-site uses)
- Extension of sewer lines offsite to serve existing adjacent development

### **3.17 Utilities – Other**

This section will include an evaluation of the availability of utilities and services such as electricity, telecommunications (telephone, internet, television), and heating fuel.

#### 3.17.1 Existing Conditions

- Discuss locally available services and their providers and adequacy of services provided in the vicinity of the site.
- Electricity and Heating Fuel – Discussion of existing energy infrastructure, load, source, system capacity, providers.
- Telephone, Internet, Cable TV, Satellite - Discussion of service providers, source, facilities, existing infrastructure.

#### 3.17.2 Potential Impacts

- Discuss demand for electricity and heating fuels as a result of proposal.
- Electricity and Heating Fuel – Discussion of where and how petroleum products will be stored and the location of electrical lines (above and/or below) ground.
- Discussion of load (demand), source and system capacity and impacts on existing infrastructure
- Discussion of potential use of alternative heating arrangements (natural gas, solar, biofuels and so on)
- Discussion of energy efficient measures (lighting, appliances, etc.). Discuss potential for participation in Energy Star and LEED certification programs.
- Discussion of back up power generators - will there be any and if so, their size, capacity, location, noise impacts, and visual Impacts.?
- Telephone, Internet, Cable TV, Satellite – discussion of proposed service providers, source, facilities, demand, infrastructure upgrades required? Location of and visual impact of telephone, dish, cable, wires and other utility infrastructure (both above or below ground) as well as access easements.

#### 3.17.3 Proposed Mitigation Measures

Mitigation measures will be identified and discussed.

- Electricity and heating fuel
- System and infrastructure improvements
- Implementation of alternative fuels, energy saving devices, etc. (LEED design techniques)
- Telephone, Internet, Cable TV, Satellite – system and infrastructure improvements by providers.

### **3.18 Air Quality, Odors, Vibrations and Noise**

The section will evaluate the potential for off-site impacts caused by emanations from the proposed development.

#### 3.18.1 Existing Condition

A list and description of (on and off site) sensitive receptors close to the project site will be prepared, and the general characteristics of air quality, odors, vibrations and noise in the area will be evaluated and discussed.

##### Noise

- Describe significant stationary and vehicular noise sources in the study area

- Conduct noise monitoring survey - hourly noise levels during peak periods to quantify existing ambient noise levels, including during hours of operation of the nearby rod and gun club. (Discuss potential disposition of this property as it relates to Silo Ridge).
- Include discussion of current noise impacts as a result of the Rod and Gun Club.

#### Air

- Describe NAAQS standards
- CO Analysis
- Discussion of any contaminants in existing on-site structures to be demolished- causing contaminants to become airborne (i.e. Lead paint, asbestos, etc.)

#### Vibration

- Discussion of existing conditions

#### Odors

- Discussion of existing on-site odors including composting materials.

3.18.2 Potential Impacts – Impacts resulting from construction activities and from operation of the site will be assessed using information obtained during the noise screening assessment process.

#### Air Quality

- Identify induced additional traffic from the project (including delivery trucks)
- Conduct Level 1 analysis at identified area intersections using the CAL3QHC model, if significant traffic is forecasted
- Discussion of Temporary Construction Impacts
  - Qualitative analysis of construction impacts
  - Evaluate potential generation of fugitive dust from vehicles on unpaved surfaces and from storage piles.
- Discuss location of composting piles, solid waste from the equestrian operations
- Discuss construction equipment and increased traffic.

#### Odors

- Discuss increased odors as a result of site use due to increased solid waste from on-site residences and equestrian operations.
- Discuss on-site location and storage method for compost, use of the compost, frequency of removal, etc.

#### Vibration

- Discuss sources of vibration, including rock removal, blasting, large construction related equipment, etc.

#### Noise

- Using guidelines established in the NYSDEC Program Policy Memorandum “Assessing and Mitigating Noise Impacts,” expected noise levels produced by typical earth moving equipment will be reviewed. Discussion of noise impacts including construction activities, equipment and methods (e.g. blasting, rock removal) and vehicular traffic during each phase of construction.
- Discuss noise levels expected in residential community (back up generators, noise and activity related to equestrian activity, operations),.
- Review existing and any currently proposed local noise control regulations and identify information pertinent to construction activities and future operations at the site.
- Describe routing of construction truck traffic to minimize disruption to adjacent land uses.

#### 3.18.3 Mitigation Measures

Based on the results of the noise screening assessment and evaluation of expected impacts, the Applicant will evaluate mitigation measures to reduce identified air quality, odor, noise and vibrational impacts and comply with applicable guidelines.

#### Air Quality

- Minimize temporary construction related impacts to air quality including: fugitive dust control, proper operation of equipment, cleaning/wetting of construction materials, etc.
- Limitation of permanent vehicular related impacts.

#### Odors

- Discussion of measures to minimize impacts from increased solid waste production, storage and location and disposal of composted materials.

#### Vibration

- Discussion of techniques to minimizing vibration impacts.

#### Noise

- Description of measures to minimize temporary construction-related noise.
- Discussion of on and off site permanent noise abatement measures (also during construction) including landscape buffers.
- At off site locations where a potential impact is projected, mitigation measures will be evaluated qualitatively to determine if noise abatement measures are reasonable and feasible..

### **3.19 Fiscal Impact Analysis**

#### 3.19.1 Existing Fiscal Conditions

This section will include a discussion of the existing revenues and taxes generated from the site and any existing municipal costs related to the site for all applicable jurisdictions – Town (including highway), County, School District, and any special districts.

- Description of existing site and building occupancy, current on-site employment (number of employees).

#### 3.19.2 Potential Fiscal Impacts

A discussion of the projected costs and revenues associated with the project will be prepared for each taxing jurisdiction. The assumptions on which costs and revenues are based shall be clearly presented. Use Webutuck School District data for the school analysis

- Identify anticipated population generation and all school, Town and County services to be provided and the scope and cost of these services (additional capital costs to the Town, including personnel and equipment, facility needs to service the project based on discussion coordination with all service providers including the Town Highway Department) .
- Estimate real property tax revenue to the Town, School, County, and all other taxing jurisdictions per dwelling units and commercial square foot comparables.
- Comparison (in text and tables) of the cost of services with expected revenue.
- Estimate on-site employment – number and types of jobs to be generated by the proposed action (Construction and permanent)
- Discuss secondary economic impacts (see description under community character impacts)
- Discuss use of local workman for construction, jobs generated by construction, purchase of materials from local merchants, etc.
- Describe the market for the proposed development, what is the target market?

- Discuss the fiscal implications of condominium ownership versus fee simple ownership of the houses or townhouses, if that is proposed. Discuss what effect condominium ownership would have on tax revenues, recreation and other Town fees.

### 3.19.3 Proposed Mitigation Measures –.

- Including mitigation measures as required and a discussion of use of local personnel, equipment, materials for construction and on-going operations on the project site.

## **3.20 Demographics**

### 3.20.1 Existing Conditions

- Existing demographics and housing market data for the Town of Amenia and regionally (Dutchess County or broader if relevant) will be presented.
- Most recent U.S. Census Bureau or other comparable source of information for the Town of Amenia will be used to describe existing population characteristics (including: comparative tables for relevant demographic characteristics to determine trends from 1980 to present), age, distribution, household size, income, and composition. In addition, local and regional population projections will be provided to determine future demands for housing. A description of local and area-wide housing conditions (including housing starts, market values, age of housing stock) will be provided.
- Discussion of current on-site population.

### 3.20.2 Potential Impacts

- The effect of project population will be analyzed in terms of changes in the income levels, primary/secondary homeownership, age composition, demand for services and other characteristics of the population of the Town of Amenia.
- Project generated population per unit will be estimated (using accepted multipliers)
- Project increase in Town population as a result of the project.
- Estimate number of schoolchildren using accepted multipliers
- Describe market for the proposed units. Is the target year round residents or part-time residents? What is the age target? Retirees? Age restricted? If there is an expected weekend/year round split – what is that split? Is there an anticipated need for home offices?

### 3.20.3 Proposed Mitigation Measures

Address how significant impacts will be mitigated.

## **3.21 Community Character**

### 3.21.1 Existing Conditions

- Identify and discuss the land use patterns (rural, farming, open space) in the surrounding community
- Identify and discuss (through photographic inventory) the scale, architecture, building types, and building height of existing residential and commercial structures in the hamlet and its immediate surroundings (½ mile of site).
- Identify and discuss the visual conditions (day and night) for the existing site development including description of on-site lighting
- Identify and discuss the commercial and business community in the Hamlet and town. Include information on employers and trip-to-work information from the US Census.

### 3.21.2 Potential Impacts

- Provide illustrative exhibits of building design concepts and conceptual landscape plan.
- Describe the relationship of the proposed development to surrounding uses (compare scale, height, architecture, massing, open space, and exterior lighting).
- Describe any incompatibilities between the existing character and the proposed character.
- Discuss the potential impacts on community character as a result of the proposal.
- Discuss the potential impacts to rural character as a result of development.
- Change in site aesthetics and residential density that is in contrast to surrounding development.
- Discuss potential new demand for commercial uses and businesses in the Hamlet and Town (example: tack shop expansion and ancillary equestrian services) and potential to generate new commercial and business ventures by new residents (example: professionals new to the area set up an office locally, new restaurants/cafes)

### 3.21.3 Proposed Mitigation Measures

- Discuss layout, scale, architecture, building types, and building height of proposed structures that have been designed to minimize aesthetic impacts.
- Discuss exterior lighting (buildings, barns, streets, parking areas)
- Discuss pedestrian amenities.
- Discuss landscaping and the use of buffers.
- Discuss economic benefits by newcomers – both in existing businesses, and creation of new ones.

## **4.0 ADVERSE ENVIRONMENTAL EFFECTS THAT CANNOT BE AVOIDED IF THE PROJECT IS IMPLEMENTED**

Identify all adverse environmental effects, whether short term construction impacts or long term impacts to the site and community, as identified in Section 3.0, that can be expected to occur regardless of the mitigation measures considered.

### ***Short Term Construction Impacts***

- Describe potential construction impacts including demolition activities, transportation and storage of materials, construction equipment and workers, provision of utilities during construction period, construction traffic and air quality, dust, odor, noise, disruption to the local community and potential impacts on land use, natural resources, wastewater, stormwater, erosion control or other impact areas during the construction phase of the project.
- Address impacts related to the proposed phasing of the construction of the project, including timing, traffic operations, staging of equipment and other temporary impacts. Discuss the anticipated duration of the construction phase.
- Describe and discuss visual impacts during construction from adjacent properties and from important viewsheds identified in the visual impact section of this DEIS
- Provide a plan for construction worker parking.
- Earthwork, including cut and fill volumes, affected areas, on site stockpiling and off site haul.
- Blasting, including affected areas, duration, on-site/off-site notices and warnings and the method of blasting to occur.
- Noise, including sources, controls and potential environmental and residential receptors.
- Dust

- Construction traffic, including types of vehicles, duration and hours of operation, phasing, staging, access points and parking for delivery and employee/worker vehicles.
- Erosion during construction and pollution to receiving streams.

## **5.0 ALTERNATIVES**

This section will contain categories of alternatives with examples. Discussion will be at a level of detail sufficient to permit a comparative assessment of costs (where relevant), benefits and environmental impacts for each alternative. It is not acceptable to make simple assertions that a particular alternative is, or is not, feasible. Categories of alternatives that will be included in the DEIS are:

### **5.1 No Action/No Build**

### **5.2 Development Under Existing Zoning**

#### 5.2.1 Conventional Layout

Create a plan for a conventional subdivision, analyze and discuss the advantages or disadvantages to changing proposed site layout so that it conforms with the existing Town Zoning Law and Subdivision Regulations. This alternative and alternative 5.2.2 (cluster layout) may be important if the proposed Zoning Law fails to garner sufficient votes to be enacted as written.

#### 5.2.2 Cluster Layout

Create a plan for a cluster subdivision, analyze and discuss the advantages and disadvantages to a cluster development that conforms with the existing Town Zoning Law and Subdivision Regulations.

### **5.3 Alternative Land Use**

Create a plan for an alternative land use permitted under draft zoning code... (?) analyze and discuss.

### **5.4 Lower Density Alternative**

Discuss the advantages and disadvantages to denser and/or less-dense layouts of the subdivision as permitted by the draft zoning law.

## **6.0 IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES**

Identify those natural and human resources listed in section 3.0 that will be consumed, converted or made unavailable for future use.

## **7.0 GROWTH INDUCING ASPECTS**

## **7.1 Population**

- Discuss impacts to resident population due to construction of housing.

## **7.2 Development Potential**

- Identify new or improved infrastructure (roads, waste disposal, sewer, and water.)
- Identify creation of further growth potential by construction or improvements to infrastructure.
- Discuss potential stimulus to area businesses
- Discussion of potential for secondary economic development/growth
- Development on adjacent lands

## **8.0 EFFECTS ON THE USE AND CONSERVATION OF ENERGY RESOURCES**

### **8.1 Proposed Energy Sources and Alternatives**

- Discuss proposed energy sources and alternatives.
- Discuss anticipated levels of consumption
- Discuss anticipated short term/long term levels of energy consumption, and compare to other permissible uses.
- Discuss indirect effects on energy consumption - Automobile use, increased traffic.

### **8.2 Energy Conservation Measures**

- Describe design methods to reduce fuel use for heating, cooling & lighting such as solar, geothermal, biofuels and so on.
- Discuss participation in the Energy Star Program and LEED certification.
- Identify indirect energy benefits
  - Location and design of proposal to accommodate mass transit.

## **9.0 APPENDICES**

A list of appendices will also be included in the table of contents.

List underlying studies, reports & information considered and relied on in preparing statement. Include these supporting studies in the appendices. If applicant creates an HOA and/or transportation corporation the proposed articles of incorporation, bylaws, and covenants and restrictions applicable to the lots within the proposed project will be provided. List all federal, state, regional or local agencies, organizations, consultants and private persons consulted in preparing statement. Include relevant correspondence in appendices. List all figures (at a legible scale) and tables. Include this supporting information in the appendices. Relevant correspondence regarding the project may be included (they are required in final EIS.).

### **9.1 SEQRA Documents**

**9.2 Correspondence**

**9.3 Studies & Reports**

9.3.1 Soils & Geology

9.3.2 Water Resources

9.3.3 Vegetation

9.3.4 Wildlife

9.3.5 Cultural Resources

9.3.6 Visual Resources

9.3.7 Transportation

9.3.8 Land Use & Zoning

9.3.9 Local & Regional Plans

9.3.10 Fire, Police, EMS

9.3.11 School District

9.3.12 Recreation, Open Space, Tourism

9.3.13 Utilities – Water

9.3.14 Utilities – Waste water

9.3.15 Utilities – Other

9.3.16 Air Quality, Odors, Vibration & Noise

9.3.17 Fiscal Impacts

9.3.19 Demographics

9.3.20 Community Character

9.3.21 Alternative Design Options

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