

## A. PROPOSED PROJECT

The Town of Hyde Park Planning Board has received an application from Hyde Park Development, LLC (the "Applicant") to construct a 73 unit residential subdivision with recreational amenities including a central open space park area and stream corridor on 199.66 acres (the "Proposed Project") entirely in the Town of Hyde Park, Dutchess County, NY. The Project Site comprises three tax parcels. The Tax Map parcel numbers are 133200-6165-01-030990, 133200-6165-01-035885, and 133200-6065-02-885860. The property is located on the east side of Route 9, within the GB (Greenbelt) Zoning District in the Town of Hyde Park.

Based upon its review of an Environmental Assessment Form submitted for the project, the Hyde Park Planning Board, on September 17, 2008, declared the Proposed Project to be a Type I action and stated its intent to serve as lead agency. The Board circulated its intent to serve as lead agency to all involved agencies on October 1, 2008. On October 6, 2008, Dewkett Engineering submitted a letter to the Town Engineer requesting comments on a list of proposed studies. On October 9, 2008 the Town Engineer replied with comments. By the time the proper circulation period elapsed, the Town had received no objection from any other involved agency to its intent to serve as lead agency. Accordingly, the Town of Hyde Park Planning Board declared itself lead agency on November 19, 2008. The Planning Board then determined that the Proposed Project had the potential to have a significant adverse impact on the environment and that a Draft Environmental Impact Statement (DEIS) would be prepared.

This Scoping Document sets forth the issues to be evaluated, analyzed, and discussed in the DEIS. A public scoping session was conducted on February 18, 2009 to elicit comments from the public. Written comments on the draft scoping document were accepted until February 18, 2009.

A number of permits and approvals are anticipated for this project, as shown in the table below.

### Anticipated Approvals, Permits, and Reviews

Approval/Permit/Review	Agency
Subdivision Approval	Hyde Park Planning Board
Stormwater Management Permit	Hyde Park Planning Board
Building Permits and Certificates of Occupancy	Hyde Park Building Department and Zoning Administrator
<b>Dutchess County</b>	
Sewage Treatment System	Department of Health
Extension of Municipal Water Supply	DC Water and Wastewater Authority
239-m Referral	Department of Planning and Development
<b>New York State</b>	
Article 11, Threatened, Endangered & Species of Special Concern Assessment Review - DEC	
Article 17, SPDES Permits (Wastewater and Stormwater)	Department of Environmental Conservation
Article 24 Freshwater Wetlands Permit	Department of Environmental Conservation
Article 15 Protection of Waters Permit	Department of Environmental Conservation
Approval/Permit/Review	Agency
Water Quality Certification	Department of Environmental Conservation
Highway Work Permit	Department of Transportation
<b>United States Army Corps of Engineers</b>	
Wetlands Permit	Army Corps of Engineers

## SUMMARY OF POTENTIAL ENVIRONMENTAL IMPACTS

### *GEOLOGY, SOILS, AND TOPOGRAPHY*

Construction of the Proposed Project would involve disturbance to slopes in excess of 15 percent and would occur on land where bedrock is exposed or generally within 3 feet of the existing ground surface. Construction of the proposed project would continue for more than one year. The construction of 73 dwelling units, roads and other impervious surface will disturb a significant amount of natural topography.

### *VEGETATION AND WILDLIFE*

Construction of the Proposed Project would disturb vegetated areas. It would also be located within an area that may contain species of plant and animal life identified as rare, threatened or endangered by the New York State Department of Environmental Conservation (NYSDEC).

### *WETLANDS AND WATER RESOURCES*

Several regulated wetlands and streams are located throughout the property. The proposed project would involve the surface discharge of sanitary wastewater. There will also be the potential for contaminated stormwater runoff to the streams from impervious surfaces and altered topography.

### *SOCIOECONOMIC CHARACTER, FISCAL IMPACTS, AND COMMUNITY CHARACTER*

The Proposed Project would generate new employment for the Town of Hyde Park, Dutchess County, and New York State. New property and sales taxes would be generated by the project. An economic impact analysis will be completed. The Proposed Project is immediately adjacent to the Ledges Condominium complex which has a density of over 280 units on approximately 20 acres and is part of a larger local community. However, the Project is near the Vanderbilt Mansion National Historic Landmark, and would be converting existing meadows, woods and open space to relatively dense housing development. The report will include an analysis of the changes to Community Character in the area along the Route 9 corridor from Market Street to the south to South Cross Road to the north.

### *COMMUNITY FACILITIES*

The project would create a demand for additional community services such as police, fire, and highway maintenance. The Proposed Project may create a demand on the school system.

### *CULTURAL AND AESTHETIC RESOURCES*

The Project Site is located along Route 9 within the "Rectangle," an area described by the Hyde Park Planning Board as environmentally sensitive land between Routes 9 and 9G subject to development pressure. It is also adjacent to the Mid-Hudson Historic Shore Lands District, the Scenic Overlay District and possibly the Historic Overlay District.

### *TRAFFIC*

The Proposed Project would generate new traffic on the existing roadway network. The Project Site entrance will be evaluated to determine if levels of service would be affected by trips generated by the new development.

### *INFRASTRUCTURE AND UTILITIES*

The Proposed Project would result in additional demand on infrastructure (water supply) and utilities (electricity).

## **B. REQUIRED ELEMENTS OF THE DEIS**

### **GENERAL GUIDANCE**

The DEIS is intended to convey general and technical information regarding the potential environmental impacts of the proposed project to the Town of Hyde Park Planning Board (as Lead Agency) as well as other agencies involved in the review of

the proposed project. The DEIS is also intended to convey the same information to the interested public.

The DEIS should cover all items in the Scoping Document. Each impact issue (e.g., soils, surface water, traffic, etc.) shall be presented in a separate subsection which groups the existing conditions, potential impacts, and any mitigation measures designed to minimize the identified impacts, with a separate group for each impact issue.

The EIS should contain objective statements and conclusions of facts based upon technical analyses. Narrative discussions should be accompanied by appropriate tables, charts, graphs, and figures whenever possible. If the graphic format is not easily expressed within an 8.5" x 11" format, 11" x 17" paper should be used. Full size plans should be at a scale no smaller than 1" = 100' and shall be on a minimum paper size of 24" x 30". If a particular subject can be most effectively described in graphic format, the narrative discussion should merely summarize and highlight the information presented graphically. All plans and maps showing the site should include adjacent properties (if appropriate), neighboring uses and structures, roads, and water bodies. Information should be presented in a manner that can be readily understood by the public. Efforts should be made to avoid the use of technical jargon.

Discussions of mitigation measures should clearly indicate which measures have been incorporated into project plans, versus measures that may mitigate impacts, but have not been incorporated into project plans. Mitigation measures that are not incorporated into the proposed action should be discussed as to why the applicant considers them unnecessary.

The document and any appendices or technical reports 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." The entire document should be carefully checked to ensure consistency with respect to the information presented in the various sections, as well as for spelling, grammar, and word usage.

## **REQUIRED ELEMENTS**

The DEIS shall contain an analysis of environmental impacts in the subject areas outlined below and an identification of any significant adverse environmental effects that cannot be avoided if the proposed project is implemented. Information for each of the subject areas shall be provided in individual chapters describing existing conditions, conditions in the future without the proposed project (the "No Build" condition), potential impacts of the proposed project, and mitigation measures for any significant adverse impacts identified. Each chapter shall include a brief introduction identifying the major topics to be considered, relevant methodology used, and thresholds for determining if significant adverse impacts will result. An Executive Summary describing the proposed project and all significant adverse impacts identified shall also be included. The current conditions on the site shall be considered as the "existing conditions" throughout the technical analyses.

## **ORGANIZATION AND EXPECTED CONTENT OF DEIS**

### *COVER SHEET AND GENERAL INFORMATION*

The Cover Sheet shall clearly identify the document as a Draft Environmental Impact Statement and shall identify: the name of the Proposed Project; the date submitted; the project location; the name, address, and telephone number of the Lead Agency; the name, address, and telephone number of the primary Preparer of the DEIS including the name, address and telephone number of a contact person representing the applicant; the Date of Acceptance of the DEIS by the Lead Agency (to be inserted later); the internet address at which the DEIS is posted; and the date of the Public Hearing and the closing of the Public Comment Period.

Additional information, to be provided on pages following the Cover Sheet, shall list: the name(s) and address(es) of the applicant and its representatives, including a contact person; the name(s) and address (es) of all consultants involved in the project and their respective roles.

The DEIS shall include a list of all Involved and Interested Agencies, Town Departments, and Town Consultants to whom copies of the DEIS and supporting material will be distributed.

A Table of Contents followed by a List of Tables and List of Figures shall be provided.

### *CHAPTER I: EXECUTIVE SUMMARY*

- A. Introduction
- B. Description of the Proposed Project
- C. List of all Local, County, State, and other approvals required
- D. List of all Involved and Interested Agencies
- E. Summary of significant impacts identified in each subject area
- F. Summary of Mitigation Measures proposed for significant project impacts
- G. Description of Alternatives analyzed should be presented in tabular format which compares the potential impacts in each impact category anticipated from each alternative considered.
- H. Brief description of significant impact issues and potential controversy, if any.

### *CHAPTER II: DESCRIPTION OF THE PROPOSED ACTION*

1. Introduction

- a. The introduction should identify the document as the Draft Environmental Impact Statement for the Proposed Project and describe the location of the Proposed Project and development program proposed.
2. Project Description and Layout
- a. Location and Site Definition—include local and regional geographic descriptors, tax map designations, size of parcels affected by Proposed Project, existing zoning designation, adjoining streets and land uses, natural features or habitats on-site or contiguous (physical, hydrological, or otherwise) to the site, general history of past uses of the project site(s), and existing site conditions. The description should include the characteristics of the site, special site features, surrounding area, geographic boundaries of the project and other developments within one half mile of the project's boundaries. The section should also include a description of the land uses and zoning for the site and local one half mile area as well as a description of the site access and traffic circulation.
  - b. Project Description and Site Design—include information necessary to describe the Proposed Project and its component parts. Information to be provided should include descriptions of the following:
    - Project Sponsor's objectives, design concept and philosophy;
    - General description of residential structures including range of building sizes and number of bedrooms;
    - Types of construction including discussion of basements and garages, parking provisions, and storage;
    - Architectural restrictions if any;
    - Area of land to be cleared, new impervious surfaces to be constructed, including building coverage (area and percent of site);
    - Areas proposed for open space preservation and measures to insure preservation in perpetuity;
    - Landscaping Plan, including list of proposed species, size, limits of disturbance, as well as any significant trees to be preserved;
    - Site access, internal and through streets, emergency vehicle access, and traffic calming measures;
    - Site improvements including grading, roadways, drainage features, and pedestrian access (sidewalks, walking trails);
    - Infrastructure improvements including utilities, water supply, wastewater treatment;
    - Preliminary Drainage and Stormwater Management Plans, Erosion and Sediment Control Plan;

- Detailed phasing schedule for the Proposed Project; and
- Description of how site improvements are to be maintained and by whom (i.e. town owned or privately owned roads, sewage treatment facility, etc).

### 3. Summary of Approvals Required and a List of Involved and Interested Agencies

#### *CHAPTER III: ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION*

The sub-headings below represent the impact categories that will be addressed in the DEIS. A discussion shall be provided under each item in each heading and will include a description of existing conditions, the analysis of potential impacts anticipated from the proposed action, and identification of the mitigation measures that are proposed to avoid, or minimize, any identified potential adverse impacts. Graphical displays will be included if appropriate.

#### **A. Geology, Soils, and Topography**

##### 1. Introduction

##### 2. Existing Conditions

- a. Soils—Describe the composition and thickness of on-site soils and their suitability for development and adequacy for on-site stormwater management. Identify soils with high water table and shallow depth to bedrock at locations on the Project Site. Identify any soils known to be highly erodible or significant areas of soil with a high clay fraction.

The Applicant shall consult the Dutchess County Soil Survey and identify the limitations of various on-site soils to development. A distribution of hydrologic soil groups A, A/B, B, C, C/D and D shall be provided for the site along with percentages of impervious surface for the site relative to acreages of each hydrologic soil group.

- b. Topography—Describe the topography of the site and include a topographic map based on a 2-foot contour survey map. Provide a topographic map with information about the following slope categories: 0-15 percent, 15-25 percent, and greater than 25 percent. Include a description of any unique topographic features on the site, as well as a description of topography of surrounding areas.
- c. Bedrock—Describe the depth to bedrock on the Project Site, taking the information from the Dutchess County Soil Survey and the amount, if any, of any bedrock removal and the means and methods anticipated to be used for removing bedrock.

##### 3. Potential Impacts of the Proposed Project

- a. Soils—Describe the suitability of on-site soils for the proposed stormwater basins; quantify the amount of cut-and-fill and the amount of any soils to be exported from or imported to the site.
- b. Topography—Changes to the site’s topography resulting from project grading should be identified and the techniques proposed to minimize soil erosion and slope failure should be described. Identify the extent of construction impacts on various steep slopes, particularly steep slopes in excess of 15% and 25%.
- c. Bedrock—Discuss likelihood of blasting and, if needed, identify areas that will require blasting and quantity amount/extent. If blasting is required, a description of blasting procedures/protocol to be followed (i.e. prior notification, pre-blast surveys, days of week, times of day, etc) shall be included.
- d. Erosion and Sediment Control Plan—Describe grading and excavation plans with respect to changes in drainage patterns and potential soil erosion. Identify and describe measures for controlling erosion and preventing sediments from migrating from the disturbed areas of the site to the undisturbed areas of the site or off-site.

#### 4. Mitigation Measures

- a. Discussion should include methods for minimizing impervious surfaces and/or maximizing compensatory recharge through the use of pervious swales, infiltration areas, recycling of stormwater for irrigation, etc.
- b. Site stabilization and protection of steep slopes/construction techniques for sloped areas.
- c. Rock removal and blasting protocols and notification/claim procedure to/for neighbors.
- d. Limitation on construction or avoidance of sensitive environmental resources on the site.

### B. Vegetation and Wildlife

1. Introduction—the Town of Hyde Park possesses a significant amount of Hudson River shoreline, tributaries of the Hudson, and numerous wetlands and vernal pools. The Town is also one of the few in Dutchess County known to support populations of the state-threatened Blanding’s Turtle (*Emydoidea blandingii*). This chapter shall include an overall depiction of the natural conditions found on the Project Site and shall serve as a means for assessing cumulative impact on natural resources on the Project Site and for assessing impacts to terrestrial habitat and wildlife.
2. Existing Conditions—The DEIS shall include a full biodiversity assessment of the property. The study area will be the entire Project Site, not just the proposed area of development. Where an identified habitat for rare, threatened or endangered species appears to cross the property line, the biodiversity assessment shall include a review of the off-site portion of the habitat of sufficient detail to determine the ecological

**Deleted:** not only include the area of proposed development, but shall also focus on the entire site overall and, as necessary, will assess habitat on surrounding properties to analyze and understand how the site fits in with and is connected to the surrounding landscape and ecosystem to identify whether potential habitat for rare, threatened or endangered species exists

significance of the habitat and whether the proposed project may adversely affect said off-site portion. The document shall identify vegetative communities and habitat types on the Project Site and in the vicinity of the site, including a description of dominant species presence and abundance, age, size, distribution, community type, productivity and value as habitat for wildlife. Also include a description of any invasive species found on the site. Include both migratory and resident wildlife species. Identify any protected native plants, State-listed rare, threatened or endangered plant and animal species, State listed species of special concern, unique or locally rare plants and animals, and significant habitat areas on the Project Site. An on-site investigation should be completed and discussed in this section. Particular attention should be made to potential habitat for Indiana Bat, Hemlock-Northern Hardwood Forest and Swamp Cottonwood.

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The NYSDEC has identified the project site as being within the known range of the NYS threatened Blanding’s Turtle (*Emydoidea blandingii*). Therefore, any onsite potential Blanding’s Turtle habitats shall be identified. The methodology for assessing onsite potential habitats shall be developed in conjunction with and approved by NYSDEC staff.

The NYSDEC has also identified the project site as potential habitat of mole salamanders. These species of salamanders are listed in New York as “species of special concern” and are a group of ambystomatid salamanders (not a single species) consisting of several species including Spotted Marbled, Blue-spotted, and Jefferson salamander. Of these, the Marbled, Jefferson and Blue-spotted salamander are listed in New York as Species of Special Concern. Therefore, any onsite potential habitats shall be identified. The methodology for assessing onsite potential habitats shall be developed in conjunction with “*Best Development Practices: Conserving Pool-Breeding Amphibians in Residential and Commercial Development in the Northeastern United States*” (Calhoun and Klemens, 2002).

Provide graphic figures of existing onsite slopes, soil types, vegetation, wetlands and streams and other relevant resources separately. Provide a single graphic depicting all natural resources or constrained lands with the outline of proposed improvements shown for reference. Where the environmental features continue beyond site boundaries into neighboring properties, indicate this graphically.

3. Potential Impacts of the Proposed Project - assess the potential impacts to existing vegetative communities and habitat as a result of the Proposed Project. Describe the proposed method for tree removal and disposal and measures to protect trees to remain, including quantification of loss of wooded areas and analysis of forest quality/fragmentation impact. Assess the potential impacts on resident plant and animal populations, particularly protected species, and migratory patterns. In particular, using NYSDEC methodologies assess any potential impacts to Blanding’s Turtle habitat.

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4. Mitigation Measures—Address responsible parties for maintaining Central Park Area and associated trails. Discuss potential augmentation and restoration of wildlife habitats including wildlife corridors. Identify any proposed conservation easements.

### C. Wetlands and Water Resources

1. Introduction – The wetlands located on the Project site are part of the “Dutchess County Wetlands” Significant Biodiversity Area designated in the *Hudson River Estuary Wildlife and Habitat Conservation Framework* (Penhollow et al. 2006). This chapter shall include an overall depiction of the natural conditions found on the Project Site and shall serve as a means for assessing cumulative impact on natural resources on the Project Site and for assessing impacts to wetlands and water resources.
2. Existing Conditions—Describe and identify graphically all watercourses, whether intermittent or permanent, all water bodies over 0.1 acres in size, and wetlands on the Project Site and in the vicinity of the site. For purposes of the DEIS, the term “wetlands” shall include all areas meeting the DEC or ACOE wetland definitions over 0.1 acres in size, whether or not they are listed or mapped by those agencies or considered to fall within their jurisdiction by virtue of size or connection to navigable waters. The description should include the existing drainage patterns on the site, inter-wetland connectivity, a description of the watershed, and discharge points of existing drainage. Identify any activities that would be regulated within Town of Hyde Park Town Code, NYSDEC, and ACOE regulations. The description shall also include the following:
  - a. General condition of wetlands, identifying areas of degradation, and opportunities to mitigate degraded conditions as part of the development process.
  - b. Description of waterbodies on and within ¼ mile of the Project Site, including Bard Rock Creek, and its tributaries. Describe existing conditions of the creek, including water quality at the point of inflow at the property line and the point of outflow at the property line during a variety of weather conditions. Analysis of the creek should include discussion of conditions during various weather conditions to assess habitat factors such as stream bed elevation, bed and bank conditions, water depth along the length of the creek within the site, water temperatures, dissolved oxygen, nutrient components, potential contaminants such as E. coli. Discuss creek channel capacity, scouring, bank slopes, stream velocities.
  - c. Description of existing flooding issues.
3. Potential Impacts of the Proposed Project—Assess the potential impacts to existing waterbodies, watercourses, and wetlands and associated wetland adjacent areas. Evaluate wetland and wetland adjacent area impacts (including any associated with construction of stormwater management facilities). Identify acreage of direct and indirect wetland and wetland adjacent area disturbances, as regulated by the ACOE and NYSDEC and describe any permits required. Identify and analyze proposed

measures to mitigate any disturbance to the, buffer areas. Identify how on-site drainage patterns will be altered, including an assessment of the resulting impacts to wetlands, streams, and aquifers. Identify short-term and long-term impacts on identified wetland functions. Discuss the potential impacts of fertilizers, pesticides, and herbicides.

Potential impacts on the 100-year flood plain and potential for exacerbated flooding due to post-development conditions shall be discussed. In addition, downstream flood potential shall be assessed. The DEIS shall identify how the discharge from the site will or will not affect the potential for flooding. Discuss potential impacts to creek as a result of development and mitigation measures to protect uniqueness of this resource.

The DEIS shall utilize standard accepted methodology including a determination of biological and physical characteristics, geology, hydrology of the site and the substrate and vegetation comprising the wetlands.

Identify any potential wetland impacts due to alterations in hydrology that would disrupt groundwater inputs. Identify any wetlands that would be impacted by a reduction in water recharge and introduction of pollutants due to site modifications.

4. Mitigation Measures—Address avoidance of NYSDEC wetlands and 100 foot wetland adjacent areas. Address development near other wetlands not under DEC jurisdiction. Where wetlands and wetland adjacent areas cannot be avoided, address the potential for wetland restoration. Discuss capacity and capabilities, including hydrological information with a water budget for created/enhanced wetlands and include calculations to consider water requirements and changes in ground water. Identify any proposed conservation easements.

#### **D. Socioeconomic Character, Fiscal Impacts, and Community Character**

1. Introduction
2. Construction Period—Quantify the expected economic impacts to the local economy during the construction period. Identify the number of jobs (in person-years) to be generated directly and indirectly as a result of construction. Calculate income to the local economy from sales of construction material, construction labor, and sales tax, and the cost to the Town of the increased demand for Town services during the construction period.
3. Economic Impact Analysis — Complete an economic impact analysis of the Proposed Project based on the specific types of residential units known or anticipated to be included in the Proposed Project. Specifically, complete the following analysis:
  - a. Describe the anticipated market demand and absorption rate for new residential units.

- b. Compare the economic benefits of the Proposed Project to the anticipated costs to the Town of Hyde Park, and Hyde Park Central School District. Analyze whether or not the anticipated tax revenues will meet or exceed the anticipated cost for the increase in community services (i.e. police, fire).
4. Community Character – Describe the changes to the local area community character with the addition of single family homes of varied sizes and price ranges. Include analysis of the impacts on the Estates Historic District. The Project Site is located along Route 9 within the “Rectangle,” an area described by the Hyde Park Planning Board as environmentally sensitive land between Routes 9 and 9G subject to development pressure. It is also adjacent to the Mid-Hudson Historic Shore Lands District, the Scenic Overlay District and possibly the Historic Overlay District. Address the impact of converting existing meadow and woods in an area of national significance for tourism adjacent to the Vanderbilt National Historic Landmark.

## **E. Community Facilities**

1. Introduction
2. Police—Describe existing police protection in the area. Describe any changes to service levels in the future without the project. Using information obtained from comparable projects and local law enforcement agencies assess potential impacts of the Proposed Project on police protection on- and off-site..
3. Fire—Describe existing fire protection in the area. The applicant shall coordinate with the local fire company to establish the existing call volume, equipment, and facilities. The applicant shall include the fire departments in all relevant discussions regarding fire prevention measures not covered under New York State Building Code. The DEIS shall describe any anticipated changes to service levels in the future without the project. Using information obtained from comparable projects and local fire departments, the DEIS shall assess potential impacts of the Proposed Project on fire protection. The DEIS shall include the anticipated increase in call volume and describe on-site measures to be used to prevent or fight fires.
4. Emergency Services—Describe existing emergency services in the area. Describe any anticipated changes to service levels in the future without the project. Using information obtained from comparable projects and local emergency service organizations or companies assess potential impacts of the Proposed Project on emergency service provision on- and off-site.
5. Parks, Recreation, Library—Describe existing public and private park and recreation facilities, including Town, County, State and Federal facilities, and their proximity to the Site, expected population growth due to the project and the park, recreation and library needs of the new residents. The need for additional on-site or off-site parks, recreation, and library facilities, personnel, and equipment, and the anticipated cost of these items shall be identified. The proposed on-site recreational resources and

the availability of these resources to the general public shall be identified. Identify proposed open space resources and include an analysis of what portions are comprised of constrained lands (i.e. wetlands, wetland adjacent areas, steep slopes, etc.). A qualitative discussion regarding the anticipated number of users of these resources shall be included.

#### 6. Schools

- a. Existing Conditions—Describe the location of the Site in relation to the Hyde Park Central School District, including identification, location and description of school facilities. Describe existing public school enrollment, projections, trends and capacities for each school facility that serves the Site. Set forth the current education costs per student in the school district to Town of Hyde Park residents.
- b. Potential Impacts of the Proposed Project—Project the number of public school children for each housing type in the proposed development by school and age-group based upon data developed by the Rutgers University Center for Urban Policy Research, and evaluate the impact of projected enrollment increases on the budget of the school districts.

7. HOA/Condominium Association—Describe the responsibility of the HOA for community services provided to the development.

### F. Cultural and Aesthetic Resources

#### 1. Introduction

2. Archaeological Resources—A Phase 1 Archaeological Survey (“Phase 1A”) shall be prepared that will address the Project Site’s potential to contain prehistoric and/or historic archaeological resources. Sufficient information must be gathered to compare the prehistoric past, the historic past, and the subsurface disturbance record. This assessment should be done according to published guidelines by New York State by a certified professional in that field.

If the Phase 1A identifies potential sensitivity for cultural resources on the Project Site, a Phase 1B site survey, including a subsurface investigation, should be completed to determine the presence or absence of cultural resources on the Project Site.

3. Visual Resources — The visual analyses shall follow the NYSDEC guidelines “Assessing and Mitigating Visual Impacts” (DEC Policy, DEP-00-2).
  - a. Existing Conditions—Describe through text and photographs the visual character of the Project Site within the context of its surrounding area. Include a photographic survey from viewpoints. Include a description of prevalent land-forms and vegetative cover. Viewpoints to be studied include Route 9 northbound, Route 9 southbound, adjoining property to the south and condominium complex to the west.

- b. Potential Impacts of the Proposed Project—Describe any changes to the surrounding landscape as a result of the Proposed Project. Describe visibility of the project from the specified viewpoints.

Provide color perspective renderings and line-of-sight drawings showing the proposed development in the context of the site from the specified viewpoints. The visual analysis and photo-simulations shall use existing conditions photographs.

- c. Mitigation—Using the list of mitigation strategies contained on pages 5-8 of the NYSDEC Policy DEP-00-2 as a guide, the DEIS will describe practicable mitigation techniques that will avoid, minimize or offset identified visual impacts. Narrative descriptions may be enhanced with graphic tools as necessary to thoroughly communicate proposed mitigation techniques.

### **G. Stormwater Management**

1. Introduction – A Preliminary Stormwater Pollution Prevention Plan (SWPPP) that meets the requirements of the NYSDEC regulations under GP-0-08-01 shall be prepared as part of the DEIS.
2. Existing Conditions—Describe existing stormwater flow rates and patterns on the site. Describe existing ground and surface water resources on and adjacent to the project site. Identify existing point(s) where stormwater discharges from the project site. Provide stormwater peak flows using methodologies in “Urban Hydrology for Small Watersheds,” Technical Release Number 20 or 55, by the United States Department of Agriculture, Natural Resource Conservation Service, or those required by NYSDEC for compliance with regulatory programs. Peak flow rates shall be provided for the 1, 10, 25, and 100-year storm events using site-specific runoff coefficients. Include discussion of project with regard to recommendations found in Chapter 93 of the Town Code.
3. Potential Impacts of the Proposed Project—Using the methodology and storm events analyzed in the existing conditions assessment, quantitatively describe the expected stormwater peak flows with the Proposed Project and related improvements for the 1, 10, 25, and 100 year storm events. Describe measures to ensure that post-development stormwater peak flows will meet DEC requirements. Describe measures to ensure that stormwater runoff from the site in the post-development condition will not adversely affect adjacent and downstream properties and existing off-site drainage facilities. Describe any impacts to adjacent wetlands and waterbodies. Describe all stormwater practices to be used to detain and treat stormwater runoff. Describe the use of de-icing materials, fertilizers, and pesticides on the quality of surface runoff.

All stormwater measures proposed for the project will be designed in accordance with the SPDES Stormwater General Permit Stormwater Discharges from Construction Activities (GP-0-08-001) and the requirements of Chapter 93 of the

Town Code. Identify any additional Best Management Practices (BMPs) that could reduce phosphorus exported from the developed site.

Identify and evaluate potential thermal impacts on receiving water bodies. Describe the type and quantity of vegetation proposed for the proposed stormwater basins. Evaluate the use of sub-surface detention/infiltration. Include description of the proposed maintenance for all stormwater management facilities.

Evaluate the impact of the project on Bard Rock Creek and describe any increase in flood plain elevation or area from the project.

4. Describe the construction phasing of the drainage and stormwater management systems. Show how these systems will be constructed in stages as the project site is developed. Include a phasing plan for both stormwater treatment and erosion control.
5. Discuss the use of Low Impact Development Techniques (LID) including rain gardens, pervious pavement/pavers, bioswales, and filter strips and the potential benefit with respect to stormwater management.
6. Mitigation Measures—Discuss provisions for stormwater detention to manage the peak rate of flow and stormwater quality measures in accordance with the NYSDEC Stormwater Management Design Manual. Include provisions to minimize soil loss by utilizing temporary and permanent erosion and sediment control systems for construction and post-construction activities including operation and maintenance (O&M), which meet New York State Standards and Specifications for Erosion and Sediment Control guidelines with respect to design and installation. The plan for O&M of all stormwater facilities shall be attached to the DEIS and shall include the necessary O&M activities, frequency and responsible party(ies) for each O&M task. Include a discussion of compliance with all requirements imposed by NYSDEC SPDES General Permit for Construction Activity (GP-0-08-001).

## **H. Traffic**

1. Introduction
2. Existing Conditions
  - a. Traffic Data Collection
    - (1) The traffic impact study (TIS) shall describe the physical conditions of Route 9 in the project study area. Physical conditions of the roadway shall be inventoried.
    - (2) The impact study shall use available data from NYSDOT to determine peak traffic counts, Average Annual Daily Traffic (AADT) and average operating speeds. The data shall be projected to the current year.

(3) Obtain the most recent three years of accident data from the NYSDOT or other local agencies for the study area.

- b. Capacity Analysis—Perform a capacity analysis for the Route 9 section for the weekday am and pm peak periods and Friday evening peak periods using methodology in the Highway Capacity Manual and the latest version of the Highway Capacity Software. Present HCS results (Levels of Service) in tabular form for each peak period. As each of the intersections listed below has unique features that may affect the projected level of service, the DEIS shall address all required intersections regardless of the level of service at the nearest intersections.

(1) The following intersections will be included in the traffic impact study (TIS):

- a. South Cross Road and Route 9;
- b. Scenic Drive and Route 9;
- c. Vanderbilt Lane and Route 9 (confirm w/Town Highway Superintendent whether Vanderbilt has access restrictions);
- d. Circle Drive and Route 9;
- e. Entrance to the Legends and Route 9;
- f. Route 9 and Market Street;
- g. Route 9 and Pinewoods Road.

### 3. Future without the Proposed Project

- a. Background Traffic Growth—Estimate traffic volumes in the study area in the future without the project (No Build). Future traffic volumes shall be estimated using existing volume information and by adding a background growth factor, as well as incremental increases in traffic from No Build projects identified in this Scope as well as any others scheduled to be completed by the Build Year. Trips generated by these projects shall be determined using Institute of Transportation Engineers (ITE) Trip Generation rates or information presented in other recent studies (which studies shall be referenced).
- b. Capacity Analysis—Perform a capacity analysis for the Future Without the Proposed Project for weekday am and pm peak periods using methodology in the Highway Capacity Manual and the latest version of the Highway Capacity Software. Present HCS results (Levels of Service) in tabular form for each peak period.

### 4. Potential Impacts of the Proposed Project

- a. Trip Generation—Use ITE trip generation data to estimate future traffic volumes resulting from the proposed development program. Identify projected arrival and

departure patterns for project-generated traffic. Overlay the project-generated traffic on the future No Build network to determine future Build traffic volumes.

- b. Capacity Analysis—Perform a capacity analysis for weekday am and pm peak periods for future build traffic volumes using methodology in the Highway Capacity Manual and the latest version of the Highway Capacity Software. Present HCS results (Levels of Service) in tabular form for each peak period. Identify potential significant adverse impacts of the Proposed Project. If significant adverse impacts are identified, the feasibility of potential mitigation measures will be evaluated. Conventional measures—such as changes in lane usage, signalization of intersections, street widening, and pavement marking, etc.—will be considered.
5. Mitigation—Describe proposed mitigation measures including any proposed transportation improvements, such as traffic control at intersections, road widening, intersection improvements, and surface improvements. Include a discussion of responsibility for improvements as appropriate.

## I. Infrastructure and Energy

### 1. Introduction

### 2. Sanitary Sewage

- a. Potential Impacts of the Proposed Project—Describe the anticipated flow volumes from the Proposed Project. Describe the proposed wastewater treatment plant and collection system to accommodate the anticipated flow volumes from the Proposed Project. Discuss the need for a State Pollution Discharge Elimination System (SPDES) permit from the NYSDEC for the proposed discharge of wastewater effluent to a tributary of the Hudson River.

Evaluate any potential impacts associated with the wastewater treatment plant operation.

Describe any potential stream and wetland impacts related to system construction, conveyance of sewage, and discharge. The DEIS shall describe the method of treatment and discharge proposed. Identify the location of the outfall and the level of treatment to be provided by the proposed wastewater treatment plant. Describe the long-term maintenance of the facility and identify any proposed maintenance agreements.

### 3. Water Supply

- a. Existing Conditions—Describe existing water supply to Project Site.
- b. Potential Impacts of the Proposed Project—Describe how water will be supplied to the Proposed Project and the ability of the local and regional groundwater system to handle the anticipated demand. Estimate the usage for all residences.

**Deleted:** Evaluate the benefits/pitfalls between a wastewater treatment facility (WWTF) maintained by a Publicly Owned Treatment Works (POTW) as opposed to an independent, privately owned and operated WWTF.

- c. Discuss availability and feasibility for fire flow.
- 4. Electrical Supply
  - a. Existing Conditions—Identify service providers and existing energy infrastructure.
  - b. Potential Impacts of the Proposed Project—Evaluate anticipated energy demand and ability of providers to service the project including, but not limited to, a discussion of the use of energy efficient appliances, lighting and all other measures of energy conservation. Identify the anticipated heating fuel type.
- 5. Solid Waste Management
  - a. Include a solid waste management plan that identifies service providers, recycling collection, and frequency of pick-up. Identify how solid waste will be collected and transported from the site.

CHAPTER IV: ALTERNATIVES

1. Introduction—Provide a narrative description of each impact issue for each alternative identified below. Provide a comparable level of analysis for each potential impact area to allow the Lead Agency to evaluate the Proposed Project in relation to potential alternatives. Summarize the comparative analysis in tabular format.

2. Alternatives

a. No Action Alternative

b. A subdivision design which avoids any land disturbance: 1) in areas over 0.1 acres in size that meet the federal definition of a wetland; 2) of streams, whether intermittent or permanent; 3) of surface water bodies over 0.1 acres in size; 4) within 100 feet of the aforementioned features; 5) in any area identified as habitat for species of special concern, threatened, or endangered species, including migratory and nesting areas; 6) of slopes 15% or greater; 7) of any rock outcroppings; or 8) within 100 feet of the edge of the pavement of State Route 9. This alternative shall be illustrated on a conceptual subdivision plat with lot lines which also shows all existing natural features.

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- Deleted: NYS right of way for

c. Conservation Subdivision Alternative in accordance with § 96-10 of the Hyde Park Town Code. This alternative shall be illustrated on a conceptual subdivision plat which also shows all existing natural features.

CHAPTER V: MITIGATION

Summarize all proposed mitigation for significant impacts identified in the environmental impact statement. Because these measures, once recommended, would become part of the Proposed Project, their formulation and analysis of their effectiveness would be undertaken in close coordination with the Lead Agency and other agencies, if necessary.

**CHAPTER VI: UNAVOIDABLE ADVERSE IMPACTS**

Summarize any unavoidable environmental impacts identified in the DEIS.

**CHAPTER VII: IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES**

Identify any resources the use of which would be irreversible and irretrievable.

**CHAPTER VIII: GROWTH INDUCING AND CUMULATIVE IMPACTS**

Assess potential growth-inducing impacts of the Proposed Project in terms of potential new commercial development in the Town of Hyde Park seeking to benefit from proximity to the Proposed Project.

**CHAPTER IX: ENERGY CONSUMPTION AND CONSERVATION**

Summarize the use of energy and the management of solid waste produced by the Proposed Project.

**APPENDICES**

Materials to be provided in DEIS Appendices include:

1. All SEQRA documentation including a copy of the Full Environmental Assessment Form, the positive declaration and the DEIS Final Scope.
2. All official correspondence related to issues discussed in the DEIS.
3. All technical reports in their entirety, including Visual Assessment Report, Drainage Study, Traffic Study.
4. List of Engineering Plans
  - a. Conceptual Site Plan at 1" = 100'
  - b. Conceptual Grading and Utility Plan,
  - c. Conceptual Stormwater Management Plan and Erosion Control Plan

**C. INVOLVED AND INTERESTED AGENCIES****INVOLVED AGENCIES**

Town of Hyde Park Planning Board  
4383 Albany Post Road  
Hyde Park, New York 12538  
Town of Hyde Park Town Board  
4383 Albany Post Road  
Hyde Park, New York 12538

Town of Hyde Park Highway Department  
4383 Albany Post Road  
Hyde Park, New York 12538

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

Dutchess County Water and Wastewater Authority  
27 High Street  
Poughkeepsie, NY 12601

New York State Department of Transportation, Region 8  
4 Burnett Boulevard  
Poughkeepsie, NY 12601

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

#### **INTERESTED AGENCIES**

Hyde Park Fire District  
4306 Albany Post Road  
Hyde Park, New York 12538

Town of Hyde Park Fire Inspector  
4383 Albany Post Road  
Hyde Park, New York 12538

Hyde Park Central School District  
P.O. Box 2033  
Hyde Park, New York 12538  
Hyde Park Recreation Department  
4383 Albany Post Road  
Hyde Park, New York 12538

Hyde Park Free Library  
2 Main Street  
Hyde Park, New York 12538  
Shade Tree Commission  
4383 Albany Post Road  
Hyde Park, New York 12538

Hyde Park CAC, c/o Ms. Emily Svenson

4 Hemlock Lane  
Hyde Park, New York 12538

Town of Hyde Park Police Department  
1433 Route 9G  
Hyde Park, New York 12538

NYS Department of Parks and Recreation  
Taconic Region  
P.O. Box 308  
Staatsburg, NY 12580

Dutchess County Department of Planning  
27 High Street  
Poughkeepsie, NY 12601

Dutchess County Department of Public Works  
626 Dutchess Turnpike  
Poughkeepsie, NY 12603

Dutchess County Soil & Water Conservation District  
2751 Route 44, Suite 3  
Millbrook, NY 12545

United States Department of Interior/ National Parks Service  
Roosevelt-Vanderbilt NHS  
4097 Albany Post Road  
Hyde Park, New York 12538

Hudson River Valley Greenway  
Capital Building – Room 254  
Capital Station  
Albany, NY 12224

Scenic Hudson  
1 Civic Center Plaza  
Suite 200  
Poughkeepsie, NY 12601  
Hudson River Heritage  
P.O. Box 287  
Rhinebeck, NY 12572

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Poughkeepsie, New York 12601

**OTHER REQUIRED FILINGS: (SECTION 617.12 (B)(1))**

Environmental Notice Bulletin  
New York State Department of Environmental Conservation  
625 Broadway, 4th Floor  
Albany, NY 12233-1750

**ANY OTHER PARTIES REQUESTING A COPY**