

5.0 Alternatives

The Legacy Ridge site is currently zoned as R-3A Residential. The proposed action includes several elements, including: (1) rezoning of the site to R-2A Residential zoning district; and (2) designation of the site for Conservation Cluster Development. The EIS also considers the potential impacts related to Town originated zoning amendments to allow Conservation Cluster Developments

The scope for the DEIS has required consideration of various alternative development scenarios, which will assist the involved agencies in evaluating impacts, and will assist the Town Board in evaluating the zoning amendments and legislative designations, and in weighing the advantages and disadvantages of the proposals and the environmental impacts in the context of all other relevant considerations as provided under SEQRA. The applicant has submitted that some of the alternatives reviewed herein are not viable alternatives for actual development. Nonetheless, they assist in evaluating impacts of the proposed action as compared with other potential alternative plans.

The adopted scope includes consideration of the range of alternatives that cover the gamut of possibilities: the “no action” alternative (existing R-3A zoning, which could either be developed as a conventional subdivision or a conventional cluster development under section 310-31 of the Zoning Law.

The Scope requires consideration of an alternative that would include the rezoning of the property from R-3A to R-2A and a conventional subdivision development, but without the adoption of the Conservation Cluster Overlay Development Laws. The DEIS includes this analysis. The Scope also requires consideration of an alternative that would include the rezoning of the property from R-3A to R-2A and a conventional cluster subdivision development (Section 310-31), but without the adoption of the Conservation Cluster Overlay Development Law. The DEIS includes this analysis. The overall unit count of the conventional cluster subdivision is the same as the conventional subdivision layout.

The range of potential lots which could be developed on the property depends on the various development options, and is dependent upon whether the Town Board adopts the zoning map changes and text changes under discussion within this document. The options include development under a Conventional Subdivision, a Conventional Cluster Subdivision, or a Conservation Cluster Subdivision under the provisions of the CCDOD local law.

The number of lots which could be developed under each of these scenarios is included below in Table 59. The basis for these calculations is fully set forth in Tables 60 through 62 below.

Table 59 - Legacy Ridge Build-out Matrix	
	Maximum Potential Lots
Preferred Plan	
R-3A Development	
Conventional	159
Conventional Cluster	159
CCDOD	232
(40% Open Space)	
R-2A Development	
Conventional	239
Conventional Cluster	239
CCDOD	328
(40% Open Space)	

Table 60 - Preferred Plan Development Calculation

Legacy Ridge Residential Three-Acre (R-3A)											
Total Acreage: 748.78											
Acreage of Wetlands (Per NWI and NYSDEC mapping): 61											
Minimum % of Project Area to be Open Space	Open Space Area in Acres	% of Wetlands to be deducted	Acreage of Wetlands to be deducted	Steep slope acreage to be deducted	Developable Area	7.5% Deduction for Infrastructure	Net Developable Area	Buildable Lots under R-3A	Buildable Lots under R-2A	Slope Categories	Acreage of Site within Slope Category*
40%	299.51	10%	6.10	75.67	667.01	50.03	616.98	232	328	0% - 20%	494.24
										20% - 25%	64.27
										25% - 30%	43.48
										30% - 35%	28.91
										35% - 40%	24.12
										40% - 45%	17.65
										Over 45%	75.67

Table 61 - Cluster Conservation Development Calculation

Legacy Ridge Residential Three-Acre (R-3A)									
Total Acreage: 748.78									
Acreage of Wetlands: 61									
Minimum % of Project Area to be Open Space	Open Space Area in Acres	% of Wetlands to be deducted	Acreage of Wetlands to be deducted	Steep slope acreage to be deducted	Developable Area	7.5% Deduction for Infrastructure	Net Developable Area	Buildable Lots under R-3A	Buildable Lots under R-2A
0%	0.00	100%	61.00	254.10	433.68	32.53	401.15	160	220
20%	149.76	80%	48.80	189.83	510.15	38.26	471.89	184	256
25%	187.20	70%	42.70	146.35	559.73	41.98	517.75	199	279
30%	224.63	50%	30.50	117.44	600.84	45.06	555.78	212	298
35%	262.07	30%	18.30	93.32	637.16	47.79	589.37	223	315
40%	299.51	10%	6.10	75.67	667.01	50.03	616.98	232	328

Slope Categories	Acreage of Site within Slope Category*
0% - 20%	494.24
20% - 25%	64.27
25% - 30%	43.48
30% - 35%	28.91
35% - 40%	24.12
40% - 45%	17.65
Over 45%	75.67

Table 62 - Conventional Subdivision Calculation

Legacy Ridge Residential Three-Acre (R-3A)									
Total Acreage***: 748.78									
Acreage of Wetlands : 61									
Minimum % of Project Area to be Open Space	Open Space Area in Acres	% of Wetlands to be deducted	Acreage of Wetlands to be deducted	Steep slope acreage to be deducted	Developable Area	Deduction for Infrastructure	Net Developable Area	Buildable Lots under R-3A	Buildable Lots under R-2A
Conventional*	0.00	100%	61.00	203.28	484.50	4.85	479.66	159	239

Slope Categories	Acreage of Site within Slope Category*
0% - 20%	494.24
20% - 25%	64.27
25% - 30%	43.48
30% - 35%	28.91
35% - 40%	24.12
40% - 45%	17.65
Over 45%	75.67

*The infrastructure deduction is based on the plans prepared by Do H. Chung Partners

The adopted Final Scope has required the Project Sponsor to examine the potential impacts of a number of specific alternatives. These are discussed below.

5.1 The “No Action” Alternative

Within a “No Action” Alternative, the entire site would be developed under the R-3 zoning code. Under this scenario, all development would be single-family housing. It is probable that if the property were developed on 3-acre parcels, they would be served by individual wells and septics, with public streets. This alternative is consistent with the discussion under Section 5.5 below, with the exception of the provision of central water and sewer. Development with individual wells and septics would result in clearing of nearly the entire parcel, as shown within Figure 113 below. A detailed discussion of the development alternatives under R-3A zoning, both conventional and cluster, is contained in section 5.4 and 5.5 below.

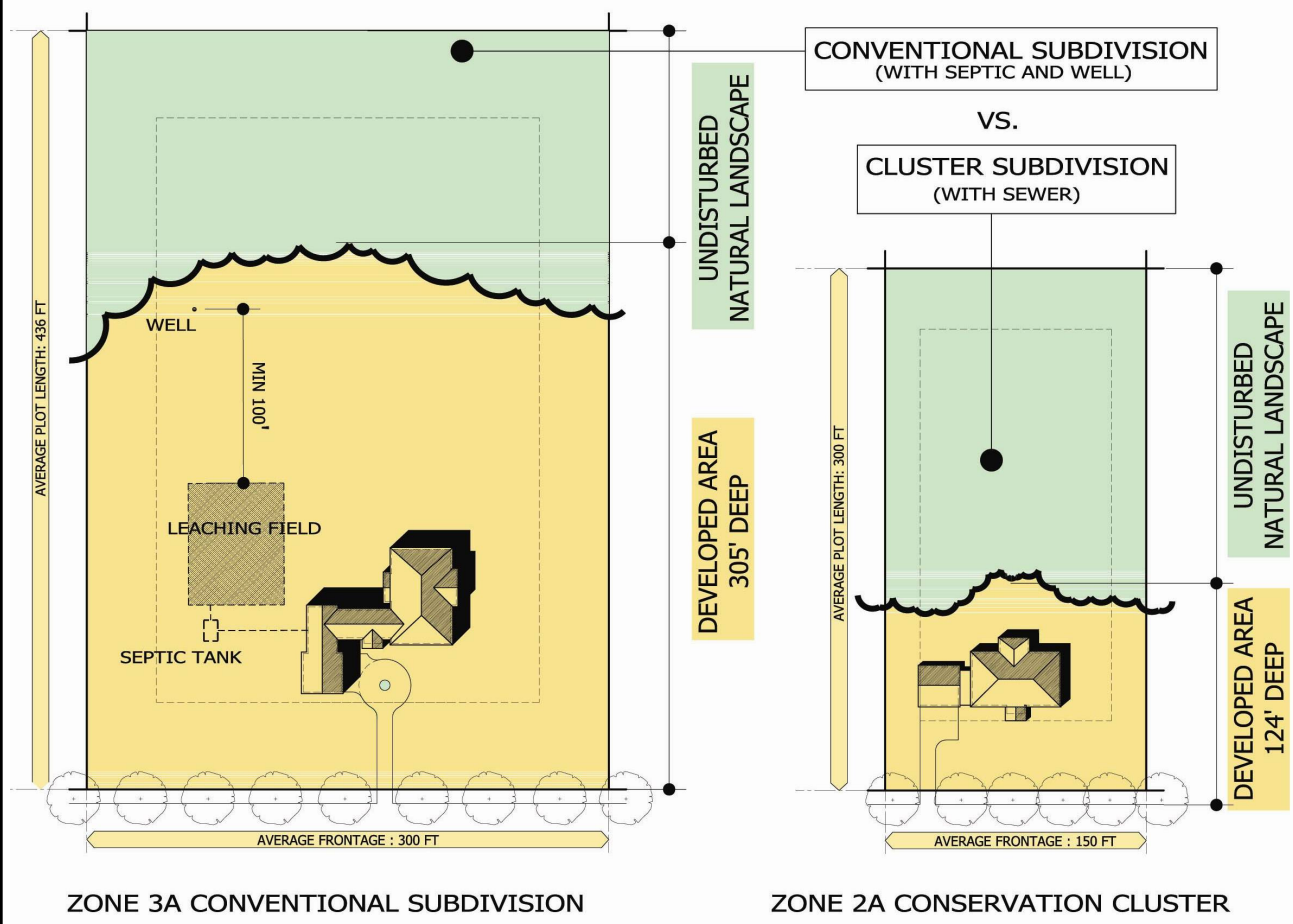
5.2 An alternative of development under R-2A zoning under a conventional subdivision, without a cluster.

Within this alternative, the site was considered for a conventional subdivision with the proposed R2-A zone. Virtually no open space would be preserved, since the entire land area would be part of individual lots. Lots within this alternative would be limited to 2 acres in size. The number of lots possible under this alternative was estimated by calculation within Table 59 above.

Since the property is proposed for the R-2A zoning district, the minimum lot size is 2 acres, 175 feet wide and complying with all other requirements of the R-2A use schedule.¹¹⁹ Then in laying out the subdivision, all provisions of Chapters 138 and 139 (Subdivision) and the Zoning Law are complied with. Under the definition of "LOT AREA" in the zoning law, the following areas do not count at all toward required lot size: Town or state designated wetlands; any land subject to flooding/ponding in the 25 year storm; public or utility rights-of-way, public utilities or "lands unsuitable for development as determined by the Planning Board. Only 20% of the land that is sloped in excess of 20% counts towards lot size. By applying this definition of "lot area", and the applicable zoning, without central water and sewer, it is estimated that 239 2-acre lots could be developed.

This alternative allows more dwelling units than the “no action” alternative, and results in more clearing and land disturbance.

¹¹⁹ Woodbury Code § 153-4.3.



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**Legacy Ridge
 at Highland Mills**
 Trout Brook Road
 Town of Woodbury
 Orange County, New York

Figure 113

**Typical Lot Layouts
 Conventional vs Cluster**

October 14, 2005

Source: Do Chung Pattern Book

5.3 An alternative of development under R-2A zoning under a conventional cluster law, as opposed to a Conservation Cluster.

Within this alternative, the site was considered for a conventional cluster subdivision within the proposed R2-A zoning district. The site would be developed with 239 homes, just as under the R-2A conventional plan. The site would be served by central water and sewer. The number of lots under a conventional cluster is determined by the number of lots which can be created under the conventional subdivision process¹²⁰, as discussed in Section 5.2 above. Therefore, the maximum number of lots within this alternative is 239.

5.4 An alternative of development under existing R-3A zoning under a conventional subdivision, without a cluster.

Within this alternative, the site was considered for a conventional subdivision within the existing R-3A zone. As calculated in Tables 60 thru 62 above, the site could be developed with 159 units. The site would likely be served by individual wells and septic. Virtually no open space would be preserved, since the entire land area would be part of individual lots.

Within this alternative, to determine the number of units, a standard subdivision plat complying with all applicable standards was calculated. Since the property exists in the R-3A zoning district, the minimum lot size is 3 acres, 175 feet wide and complying with all other requirements of the R-3A use schedule.¹²¹ Then in laying out the subdivision, all provisions of Chapters 138 and 139 (Subdivision), and the Zoning Law are complied with. Under the definition of "LOT AREA" in the zoning law, the following areas do not count at all toward required lot size: Town or state designated wetlands; any land subject to flooding or ponding in the 25 year storm; public or utility rights-of-way, public utilities or "lands unsuitable for development as determined by the Planning Board. Only 20% of the land that is sloped in excess of 20% is attributed towards lot size. By applying this definition of "lot area", and the applicable zoning lot size of 3 acres, and the bulk requirements, a conventional plat yielding 159 lots has been created.

5.5 An alternative of development under existing R-3A zoning under a conventional cluster

Within this alternative, the site was considered for conventional cluster subdivision under section 310-31 within the existing R-3A zoning standards. The number of lots under a conventional cluster is determined by the number of lots which can be created under the conventional subdivision process¹²², as discussed in Section 5.4 above. Therefore, the maximum number of lots within this alternative is 159 lots.

Cluster development under the R-3A zoning, although it would create fewer total dwelling units than the proposed action, would also result in the transfer to the Town of significantly less open space than the proposed action. This is because section 310-31 of the Zoning Law, which governs conventional cluster development, places strict controls on the ability to

¹²⁰ Woodbury Code § 153-5.24(C)(2).

¹²¹ Woodbury Code § 153-4.2.

¹²² Woodbury Code § 153-5.24(C)(2).

reduce lot sizes in order to preserve open space. Section 310-31 (C) (3) requires that the minimum lot size for building lots in a conventional cluster shall be 43,560 s.f., provided that no more than 25% of the lots may be reduced to no smaller than 33,560 s.f. There is, of course, no guarantee that even this modest reduction would be given. Accordingly, the conventional cluster subdivision would result in the undeveloped land end up as holdings of private homeowners, as no HOA or other entity would likely be developed to maintain the lands. The layout of the clustered areas would be similar to the conventional plat under the R-3A scenario, since the required lot sizes would be similar. This option would also involve potentially greater clearing of the area, since these lot sizes could support individual well and septic. Additionally, such open space would not be connected, and would therefore be less usable, and would not create any “critical mass” of open space.

5.6 Alternatives Impacts Summary Table

A summary of the impacts of the various alternatives is provided below.

Table 63 - Alternative Plans Comparative Analysis						
	<i>Existing Conditions</i>	<i>Preferred Plan R-2A Conservation Cluster</i>	<i>R-2A¹²³ Conventional Plan</i>	<i>R-2A¹²⁷ Cluster Plan</i>	<i>R-3A¹²⁴ Conventional Plan</i>	<i>R-3A¹²⁸ Cluster Plan</i>
Number of Lots	2	287	233	233	155	155
Impervious Surface Proposed (in acres)						
Roadways	0.0	18.71	15.06	13.15	12.44	9.59
Buildings	0.34	24.99	20.32	20.32	11.04	11.04
Driveways	0.71	9.66	24.07	10.68	14.60	9.87
Impacts on Vegetative Communities and Faunal Habitat (in remaining acreage)						
Deciduous Forest	652.73	457.24	308.95	495.18	438.61	425.67
Palustrine Wetland	70.44	63.92	67.48	65.90	62.84	69.32
Estate Plantings	3.86	0.97	0.38	1.19	1.02	0.75
Pasture/Meadow	10.89	5.6	1.21	2.12	1.16	3.52
Hemlock Dominated Forest	6.99	2.26	0.78	0.97	1.33	6.99
Open Water	3.43	3.43	3.43	3.43	3.43	3.43
Impacts on Slopes (disturbed areas in acres)						
0%-20%	502.44	177.56	304.83	192.8	297.41	149.48
20%-25%	66.56	18.12	27.03	20.78	25.77	8.08
25%-30%	45.57	9.75	14.85	10.99	14.02	6.89
30%-35%	30.71	4.07	7.57	5.40	7.54	4.07
35%-40%	20.98	2.02	3.96	2.91	4.23	2.04
40%-45%	16.27	1.24	2.54	1.65	2.89	1.08
45% +	65.81	2.16	5.75	1.71	4.42	0.94

¹²³ While the maximum number of lots which could be built under the R-2A Zone (either conventional or cluster) was determined to be 239 lots (as shown in Table 111above), a plan was prepared by Do H. Chung Partners (Page 1.2 of the Pattern Book in Appendix 9.4) has identified that 233 lots is the maximum which could be developed on this site. Therefore, this table has analyzed the “233” layout as it provided a road and lot layout which could be quantified.

¹²⁴ While the maximum number of lots which could be built under the R-3A Zone (either conventional or cluster) was determined to be 159 lots (as shown in Table 111above), a plan was prepared by Do H. Chung Partners (Page 1.4 of the Pattern Book in Appendix 9.4) has identified that 155 lots is the maximum which could be developed on this site. Therefore, this table has analyzed the “155” layout as it provided a road and lot layout which could be quantified.

Transportation Trips... w/Jitney Impacts	2 - minimal	267 242 All impacts mitigated	230 207 All impacts mitigated	230 207 All impacts mitigated	159 - All impacts mitigated	159 - All impacts mitigated
# of Public School Students attending Cornwall Central School District						
	0	285	231	231	154	154
Net Annual School Taxes (RAR)		\$3,116,807	\$2,530,369	\$2,530,369	\$1,683,293	\$1,683,293
Net Annual Town Taxes (RAR)						
		\$1,472,690	\$1,192,522	\$1,192,522	\$787,836	\$787,836
Site Clearing/Visual Impacts/Air Quality (acreage to be cleared)		214.92	365.55	236.26	467.56	177.15
Water Usage		140,000	111,000	111,000	74,000	74,000
Sewage Generation		140,000	111,000	111,000	74,000	77,000
Solid Waste Generation (weekly)		18.0	14.6	14.6	9.7	9.7
Open Space Preserved (acreage)		429.71	149.49	469.31	317.56	517.02