

State Environmental Quality Review

Full Environmental Assessment Form (FEAF)

617.20
Appendix A
State Environmental Quality Review
FULL ENVIRONMENTAL ASSESSMENT FORM

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

- Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

THIS AREA FOR LEAD AGENCY USE ONLY

DETERMINATION OF SIGNIFICANCE -- Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- A. The project will not result in any large and important impact(s) and, therefore, is one which **will not** have a significant impact on the environment, therefore a **negative declaration will be prepared.**
- B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore a **CONDITIONED negative declaration will be prepared.***
- C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore a **positive declaration will be prepared.**

*A Conditioned Negative Declaration is only valid for Unlisted Actions
Zone Change & Subdivision for Legacy Ridge, Lots 3-1-11 and 12.5

Name of Action

Town of Woodbury Town Board

Name of Lead Agency

Sheila Conroy

Supervisor

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

11/11/04
Date

PART 1--PROJECT INFORMATION

Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

Name of Action Zone Change & Subdivision for Legacy Ridge, Lots 3-1-11 and 12.5

Location of Action (include Street Address, Municipality and County)

Town of Woodbury, Trout Brook Road, Between Smith Clove and Route 32

Name of Applicant/Sponsor Legacy Ridge c/o Alan Pines

Address 16 Microlab Road, Suite D

City / PO Livingston

State NJ

Zip Code 07039

Business Telephone 973-422-9198

Name of Owner (if different) Same - Contract Owner from Shinya

Address _____

City / PO _____

State _____

Zip Code _____

Business Telephone _____

Description of Action:

Request a Zone change from R3A to R2A for Lots 3-1-11 and 3-1-12.5, totalling 700 +/- acres along Trout Brook Road between Smith Clove Road and Route 32.

The reasons for the zone change request are 1) because the site is adjacent to the municipal water and sewer districts, with upgrades and improvements; 2) the change is in keeping with the surrounding zones, and 3) the additional number of units potentially available would allow for the municipal upgrades and improvements, and allow for a clustered subdivision which would then create usable and desirable open space in the Town.

This proposal reflects the Town's long term goals and plans.

281 single family units are proposed, with over 300 acres of open space. A map and narrative is attached.

Please Complete Each Question--Indicate N.A. if not applicable

A. SITE DESCRIPTION

Physical setting of overall project, both developed and undeveloped areas.

1. Present Land Use: Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Other _____

2. Total acreage of project area: 707 +/- acres.

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	_____ acres	_____ acres
Forested	<u>507</u> acres	<u>323</u> acres
Agricultural (Includes orchards, cropland, pasture, etc.)	_____ acres	_____ acres
Wetland (Freshwater or tidal as per Articles 24,25 of ECL)	<u>100 +/-</u> acres	<u>100 +/-</u> acres
Water Surface Area	_____ acres	_____ acres
Unvegetated (Rock, earth or fill)	<u>100 +/-</u> acres	<u>100 +/-</u> acres
Roads, buildings and other paved surfaces	_____ acres	<u>35</u> acres
Other (indicate type) <u>wetland and rock numbers are estimates</u>	_____ acres	<u>Lawn 150</u> acres

3. What is predominant soil type(s) on project site?

- a. Soil drainage: Well drained 45 % of site Moderately well drained 45 % of site.
 Poorly drained 10 % of site

b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? _____ acres (see 1 NYCRR 370).

4. Are there bedrock outcroppings on project site? Yes No

a. What is depth to bedrock 0-20 (in feet)

5. Approximate percentage of proposed project site with slopes:
 0-10% 31 % 10- 15% 24 % 15% or greater 45 %

6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or National Registers of Historic Places? Yes No

7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? Yes No

8. What is the depth of the water table? 0-20 (in feet)

9. Is site located over a primary, principal, or sole source aquifer? Yes No

10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? Yes No

11. Does project site contain any species of plant or animal life that is identified as threatened or endangered? Yes No

According to:

NYSDEC

Identify each species:

Copperhead snake. Possible Timber rattler.

12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations?)

Yes No

Describe:

ridge line

13. Is the project site presently used by the community or neighborhood as an open space or recreation area?

Yes No

If yes, explain:

14. Does the present site include scenic views known to be important to the community? Yes No

Part of the property is in the ridge preservation corridor.

15. Streams within or contiguous to project area:

Trout Brook

a. Name of Stream and name of River to which it is tributary

Moodna

16. Lakes, ponds, wetland areas within or contiguous to project area:

Wetlands

b. Size (in acres):

Approximately 100; currently being flagged and surveyed

17. Is the site served by existing public utilities? Yes No
- a. If YES, does sufficient capacity exist to allow connection? Yes No
- b. If YES, will improvements be necessary to allow connection? Yes No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? Yes No
20. Has the site ever been used for the disposal of solid or hazardous wastes? Yes No

B. Project Description

1. Physical dimensions and scale of project (fill in dimensions as appropriate).
- a. Total contiguous acreage owned or controlled by project sponsor: 707 +/- acres.
- b. Project acreage to be developed: 400 acres initially; 400 acres ultimately.
- c. Project acreage to remain undeveloped: 307 acres.
- d. Length of project, in miles: n/a (if appropriate)
- e. If the project is an expansion, indicate percent of expansion proposed. n/a %
- f. Number of off-street parking spaces existing 0; proposed 662
- g. Maximum vehicular trips generated per hour: 264 (upon completion of project)?
- h. If residential: Number and type of housing units:
- | | One Family | Two Family | Multiple Family | Condominium |
|------------|------------|-------------------|-------------------|-------------------|
| Initially | <u>281</u> | <u> </u> | <u> </u> | <u> </u> |
| Ultimately | <u>281</u> | <u> </u> | <u> </u> | <u> </u> |
- i. Dimensions (in feet) of largest proposed structure: 35 height; 200 width; 200 length.
- j. Linear feet of frontage along a public thoroughfare project will occupy is? 9,000 ft.

2. How much natural material (i.e. rock, earth, etc.) will be removed from the site? 100,000 tons/cubic yards.
3. Will disturbed areas be reclaimed Yes No N/A

a. If yes, for what intended purpose is the site being reclaimed?

road/lawns

- b. Will topsoil be stockpiled for reclamation? Yes No
- c. Will upper subsoil be stockpiled for reclamation? Yes No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? 70 acres.

5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?

Yes No possible

6. If single phase project: Anticipated period of construction: 36 months, (including demolition)

7. If multi-phased:

a. Total number of phases anticipated n/a (number)

b. Anticipated date of commencement phase 1: _____ month _____ year, (including demolition)

c. Approximate completion date of final phase: _____ month _____ year.

d. Is phase 1 functionally dependent on subsequent phases? Yes No

8. Will blasting occur during construction? Yes No

9. Number of jobs generated: during construction 100; after project is complete 20

10. Number of jobs eliminated by this project _____.

11. Will project require relocation of any projects or facilities? Yes No

If yes, explain:

12. Is surface liquid waste disposal involved? Yes No

a. If yes, indicate type of waste (sewage, industrial, etc) and amount Sewage 124,000 gpd

b. Name of water body into which effluent will be discharged Valley Forge STP

13. Is subsurface liquid waste disposal involved? Yes No Type _____

14. Will surface area of an existing water body increase or decrease by proposal? Yes No

If yes, explain:

15. Is project or any portion of project located in a 100 year flood plain? Yes No

16. Will the project generate solid waste? Yes No

a. If yes, what is the amount per month? 70 tons

b. If yes, will an existing solid waste facility be used? Yes No

c. If yes, give name Town refuse district; location yearly contract

d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? Yes No

e. If yes, explain:

17. Will the project involve the disposal of solid waste? Yes No

a. If yes, what is the anticipated rate of disposal? _____ tons/month.

b. If yes, what is the anticipated site life? _____ years.

18. Will project use herbicides or pesticides? Yes No

19. Will project routinely produce odors (more than one hour per day)? Yes No

20. Will project produce operating noise exceeding the local ambient noise levels? Yes No temporary noise during construction

21. Will project result in an increase in energy use? Yes No

If yes, indicate type(s)

Residential Gas & Electric

22. If water supply is from wells, indicate pumping capacity n/a gallons/minute.

23. Total anticipated water usage per day 112,500 gallons/day.

24. Does project involve Local, State or Federal funding? Yes No

If yes, explain:

25. Approvals Required:

			Type	Submittal Date
City, Town, Village Board	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<u>Yes - Zone Change</u>	<u>11/2004</u>
			_____	_____
			_____	_____
City, Town, Village Planning Board	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<u>Subdivision</u>	<u>11/2004</u>
			_____	_____
			_____	_____
City, Town Zoning Board	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	_____	_____
			_____	_____
			_____	_____
City, County Health Department	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<u>Realty Subdivision</u>	_____
			_____	_____
			_____	_____
Other Local Agencies	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<u>O.C. Highways</u>	_____
			_____	_____
			_____	_____
Other Regional Agencies	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<u>Yes - Orange County</u>	<u>11/2004</u>
			<u>Dept. of Planning</u>	_____
			_____	_____
			_____	_____
State Agencies	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<u>DOH, DEC</u>	_____
			_____	_____
			_____	_____
Federal Agencies	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	_____	_____
			_____	_____
			_____	_____

C. Zoning and Planning Information

1. Does proposed action involve a planning or zoning decision? Yes No

If Yes, indicate decision required:

- | | | | |
|--|---|--|---|
| <input checked="" type="checkbox"/> Zoning amendment | <input type="checkbox"/> Zoning variance | <input type="checkbox"/> New/revision of master plan | <input checked="" type="checkbox"/> Subdivision |
| <input type="checkbox"/> Site plan | <input type="checkbox"/> Special use permit | <input type="checkbox"/> Resource management plan | <input type="checkbox"/> Other |

2. What is the zoning classification(s) of the site?

R3A - Three acre residential

3. What is the maximum potential development of the site if developed as permitted by the present zoning?

164 +/- allowing 25% for roads

4. What is the proposed zoning of the site?

R2A - Two acre residential

5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?

281 +/- allowing 20% for roads

6. Is the proposed action consistent with the recommended uses in adopted local land use plans?

Yes

No

7. What are the predominant land use(s) and zoning classifications within a ¼ mile radius of proposed action?

R1A, R2A, R3A, and C-R. Mostly residential and West Point lands.

8. Is the proposed action compatible with adjoining/surrounding land uses with a ¼ mile?

Yes

No

9. If the proposed action is the subdivision of land, how many lots are proposed? n/a 281

a. What is the minimum lot size proposed? 1 acre (clustered)

10. Will proposed action require any authorization(s) for the formation of sewer or water districts? Yes No

Expansion of existing districts required

11. Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)?

Yes No

a. If yes, is existing capacity sufficient to handle projected demand? Yes No

Unknown - Project is in the Cornwall School District Increase in fire protection & police services. Each unit will pay Town parkland fee

12. Will the proposed action result in the generation of traffic significantly above present levels? Yes No

a. If yes, is the existing road network adequate to handle the additional traffic. Yes No

Traffic Study required

D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

E. Verification

I certify that the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name Legacy Ridge Date 11/11/04

Signature Thomas B. Vanderbeen, P.E. 

Title Engineer

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.

Town of Woodbury

Application for Preliminary/Subdivision Review & Approval

TOWN OF WOODBURY

PUBLIC HEARING
TOWN OF WOODBURY PLANNING BOARD
Application for Preliminary/Final Subdivision Review & Approval

APPLICANT: Legacy Ridge at Highland Mills, LLC TELEPHONE NO: 973-442-1666

APPLICANTS ADDRESS: 16 Microlab Road Suite D, Livingston, NJ 07039

RECORD OWNER OF PROPERTY: Hiromi and Mikyoko Shinya

ADDRESS: 305 East 55th Street Suite 102, New York, New York 10022

LOCATION OF PROPERTY: Northern portion of Town of Woodbury, along both sides of Trout Brook Road between Smith Clove Road and Route 32.

TAX MAP DESIGNATION: Section 3 Block 1 Lot 11 and 12.5

NO. OF ACRES IN PARCEL: 707 NO. OF LOTS IN SUBDIVISION: 281

NO. OF ACRES REMAINING IN TRACT IF ONLY PORTION BEING DEVELOPED: 289.9

NAME OF SUBDIVISION: Legacy Ridge at Highland Mills

IF owner of subdivision is corporation, give names and addresses of principal officer and names and addresses of all stockholders owning 10% or more of voting stock:

Owner of the subdivision will be Legacy Ridge at Highland Mills, a Limited Liability Company

NAMES and addresses of all adjoining property owners: (If additional space is needed, use separate sheet):

Attached

LIST any building now on the subdivision: Attached

DATE, book and page number of all deeds by which title to subdivision acquired by present owner:

Deed recorded for 3-1-11; property owner Hiromi and Mikyoko Shinya; Liber 02184, Page 0490. Deed recorded for 3-1-12.5; property owner Hiromi and Mikyoko Shinya, Liber 02142, Page 0737.

INDICATE whether in sewer district or individual septic system:

Project is not within a sewer district, but sewer district formation or expansion is proposed.

INDICATE whether in water district or private wells:

Project is not within a water district, but water district formation or expansion is proposed.

NAMES of electric, telephone, gas and other utility companies:

Telephone: Frontier/ Verizon

Electric: Central Hudson Gas and Electric Corp.

IF the tract is to be developed in sections, indicate approximate number of acres in each section:

N/A

NOTE: PLANNING BOARD MEETS 1st & 3rd WEDNESDAYS OF EVERY MONTH. TEN (10) SETS OF PRELIMINARY PLANS MUST BE SUBMITTED WITH THIS APPLICATION, CONTAINING ALL INFORMATION AS REQUIRED BY SECTION 272, PART 2 OF THE CODE OF THE TOWN OF WOODBURY. ALSO, PLEASE BE ADVISED THAT YOU WILL BE BILLED FOR CONSULTANT FEES FOR YOUR APPEARANCES BEFORE THIS BOARD.

DATE: _____ APPLICANTS SIGNATURE: _____

PROPERTY OWNERS SIGNATURE: _____

TOWN OF WOODBURY

APPLICATION TO APPEAR BEFORE PLANNING BOARD

Name of Applicant: Legacy Ridge at Highland Mills, LLC

Applicants Address: 16 Microlab Road Suite D, Livingston, NJ 07039

Telephone No.: 973-442-1666

Record Owner of Property: Hiromi and Mikyoko Shinya

Address: 305 East 55th Street Suite 102, New York, New York 10022

Telephone No.: Completed application will follow

Engineer or Surveyor: Lawler, Matusky and Skelly Engineers LLP

Address: One Blue Hill Plaza, Pearl River NY 10965

Telephone No.: 845-735-8300

Tax Map Designation: Section: 3 Block: 1 Lot: 11 and 12.5

Zoning District: (R-3A) Residential Three-acre (Proposed for Modification to R-2A).

Number of Acres in Parcel: 707 No. of lots in proposed subdivision: 281

If Major Subdivision, name of subdivision: Legacy Ridge at Highland Mills

If other than residential, proposed construction: N/A

PLEASE NOTE: ALL APPLICANTS WILL BE INFORMED AS TO HOW MUCH ESCROW MUST BE POSTED BEFORE ANY APPEARANCES BEFORE THE PLANNING BOARD. IF ESCROW AMOUNT GOES LOWER THEN 20%, ADDITIONAL FEES MUST BE POSTED TO CONTINUE APPEARANCES BEFORE THE BOARD.

CONSULTANT ESTIMATES: D.G.L. _____ ST. _____ R.G. _____

Planning Board meets the 1st and 3rd Wednesdays of every month. Ten (10) sets of collated plans must be submitted.

Subdivision and Site Plan Review & Approval

LEGACY RIDGE at Highland Mills

The Project Sponsor has submitted an Application for Site Plan and Subdivision Review under the proposed Conservation Cluster Overlay zoning amendments currently being considered by the Town of Woodbury. This Application also is consistent with the Applicant's rezoning request changing the zoning from the R-3A to the R-2A designation.

The property involved in the Project Sponsor's rezoning petition and the proposal to develop Legacy Ridge at Highland Mills is located on both sides of Trout Brook Road between Smith Clove Road and Route 32. The properties are known on the Town of Woodbury Tax Maps as 3-1-11 and 3-1-12.5. The housing development is proposed for the lot on the south side of Trout Brook Road known as 3-1-12.5. Parcel 3-1-11 is proposed to be used for a water tank access road, parking area, and wells for the Town water district and otherwise to remain as permanent open space to be dedicated to the Town.

Project Description

Legacy Ridge at Highland Mills, LLC (the "Project Sponsor") has proposed a cluster subdivision in the northern section of the Town, and has requested rezoning to allow the subdivision as proposed. The Project Sponsor will also be requesting Town Board approval of expansions of the Town's Water District and the Valley Forge Sewer District, and will be requesting approval of the rules for a Homeowners' Association for the project. At the same time, the Town Board is completing drafting of a conservation cluster amendment to the zoning law that was begun several years ago.

The DEIS will assess the potential environmental impacts associated with the following actions:

1. Possible approval by the Town Board of proposed changes to the Town Zoning Law, including adoption of a conservation cluster subdivision provision and amendments to the senior housing provisions. Some of these provisions were drafted by the Town Board last year and refined this year. They were discussed at Town Board work sessions in February 2005, and formally proposed at the Town Board meeting on March 3, 2005.
2. Possible approval by the Town Board of the petition dated November 12, 2004, by Legacy Ridge at Highland Mills, LLC, for a rezoning from R3A to R2A of 707 acres of land east of State Route 32 and West of Smith Clove Road on either site of Trout Brook Road.
3. Possible approval by the Planning Board of a conservation cluster subdivision and site plan for the Legacy Ridge at Highland Mills development.
4. Possible approval by the Town Board, the Department of Health ("NYSDOH") and the Department of Environmental Conservation ("NYSDEC") of the expansion of the Town Water District and the Valley Forge Sewer District to include the proposed Legacy Ridge development and the upgrade and expansion of the Valley Forge Sewage Treatment Plant by the Project Sponsor.

5. Possible approval by the Town Board of the terms of the Homeowners' Association formed for the residents of Legacy Ridge at Highland Mills.
6. Related approvals by involved agencies, as required.

Development Vision

The development vision calls for a country style rolling development of superior high quality residential construction that adapts itself exceptionally well to the natural landforms that gently embrace it. We envision the need for reduced clearing because of the use of central water and sewer and our design of maximum adaptation to the existing topography. Where clearing is required for grading and development, it will be minimal and the design will employ extensive landscaping for both cultured landscaping adjacent to new residences and restoration of natural landscaping at transitions to buffers and open space areas. For the benefit of the new homes and to preserve the character of existing development, the design will make use of extensive well positioned buffers and preservation of open space as a priority.

The development will provide an upscale gated community setting, with private roads improving area property values. A Homeowners' Association (HOA) will be responsible for the maintenance of the roads and drainage systems. Water and sewer facilities, making use of the finest, most modern and proven technology available, will be community owned and offered for dedication to the Town of Woodbury after the facilities are constructed and existing systems are extensively rebuilt, upgraded and expanded into state-of-the-art facilities with the benefit of no improvement costs to the town or tax paying area residents. The developer will construct all facilities including the extensive rebuilding, upgrading and expansion of existing wastewater treatment systems and water supply distribution networks in order to provide dependable, superior and sufficient service to the proposed development, and others as well as for the overall betterment of the Town and its residents.

This development will not require or entail the clearance of significant areas for the placement of septic fields or require large lots to provide the vast separation distances required by health department regulations for lots with on on-site well/water and septic/sewer systems.

In addition, the project Sponsor proposes to expand and improve the Town's water supply to provide desperately needed additional groundwater sources, creating a modern looped system that will add to and stabilize the system now in use as well as provide a large storage tank for the residents of the Valley Forge sub-division, the proposed development and other existing communities. This proposed looped water system will not only permit a sufficient, dependable and constant flow of clean water for drinking and other daily uses of these area residents but provide a reliable source of water for improved fire protection capabilities and other emergency needs that may arise, once again, with the benefit of no improvement costs to the town or tax paying area residents.

The actual out of pocket cost of rebuilding, upgrading and expanding the town's sewer and water systems is significant, and the distance to connect such a system to the existing wastewater system is considerable and represents a formidable undertaking. These and other issues make the

cost of creating modern well built municipal sewer and water systems of this size and quality extremely expensive. However, the use of smaller lots will allow additional units to be constructed. As a result, the developer will be financially able to undertake and complete the improvements to the central wastewater treatment and water supply facilities as described above.

The proposal also seeks to provide the town with much sought after and coveted valuable open space that it would never be able to acquire on its own, due to prohibitive rising land acquisition costs. As a result of permitting the developer to take advantage of the smaller lots that only the use of municipal sewer and water systems can allow a site plan can be created which will provide the town with valuable open space as well as significant infrastructure improvements and upgrades, once again, at no cost to the taxpayer.

Plan of Development

The Plan proposes a 281 unit clustered development of detached single family homes:

Roads will be privately owned and maintained. The access will be onto Smith Clove Road.

Central Water and Sewer will be provided, upgrading Town systems as necessary and turning the systems over to the Town at no cost.

Stormwater will be designed to ensure there is no increase in peak stormwater discharges, nor a decrease in stormwater quality during storm events.

State Environmental Quality Review Act (SEQR)

FINAL SCOPING DOCUMENT

State Environmental Quality Review Act (SEQR)

FINAL SCOPING DOCUMENT

Legacy Ridge at Highland Mills

Town of Woodbury, Orange County, New York

Date of Adoption: _____

INTRODUCTION

The purpose of the Scoping Document is to define the environmental issues that will be assessed in the Draft Environmental Impact Statement (DEIS). The Scoping Document is intended to serve as the foundation for the identification of all potentially significant adverse impacts pertinent to the proposed actions and appropriate mitigation measures. It is also intended to eliminate consideration of any impacts that are irrelevant or non-significant.

DESCRIPTION OF THE PROPOSED ACTIONS

The DEIS will address the potential environmental impacts of a number of related actions. SEQR requires that actions with related impacts be considered in a single environmental impact statement, even though the actions may be undertaken by different agencies or entities. Legacy Ridge at Highland Mills, LLC (the "Project Sponsor") has proposed a cluster subdivision in the northeast part of the Town, and has requested a rezoning to allow the subdivision as proposed. The Project Sponsor will also be requesting Town Board approval of expansions of the Town's Water District and the Valley Forge Sewer District, and will be requesting approval of the rules for a Homeowners Association for the project. At the same time, the Town Board is completing drafting of a conservation cluster amendment to the zoning law that was begun several years ago.

Ultimately the DEIS and FEIS are the product of the Town Board. In addition, the Town Board will request or require that the Project Sponsor include any related actions pertaining to the project, such as a Conservation Cluster or Senior Citizen Housing. The DEIS will therefore assess the potential environmental impacts associated with the following actions:

1. Possible approval by the Town Board of proposed changes to the Town Zoning Law, including adoption of a conservation cluster subdivision provision and amendments to the senior housing provisions. Some of these provisions were drafted by the Town Board last year and refined this year. They were discussed at Town Board work sessions in February 2005, and formally proposed at the Town Board meeting on March 3, 2005.
2. Possible approval by the Town Board of the petition dated November 12, 2004, by Legacy Ridge at Highland Mills, LLC, for a rezoning from R3A to R2A of 707 acres of land east of State Route 32 and West of Smith Clove Road on either site of Trout Brook Road.
3. Possible approval by the Planning Board of a cluster subdivision and site plan for the Legacy Ridge at Highland

Mills development. The Project Sponsor has proposed a 281 unit clustered development of detached single family homes with the following features:

- A gated, upscale community with private roads, minimizing impacts on the Town budget while maximizing property values and the tax base;
- Central water and sewer services to allow clustering of the housing to the greatest extent practicable, reducing land disturbance and clearing while maintaining significant external buffers.
- Upgrades to existing water and sewage systems accomplished by the Project Sponsor at no cost to the Town or residents in the districts.
- Preservation of large tracts of open space on the parcel north of Trout Brook Road and clustering development on the southern parcel to reduce impacts.
- A Homeowners Association to maintain the commonly held facilities, lands and amenities.
- A community center for recreational and social use by residents of the development.

4. Possible approval by the Town Board, the Department of Health (“NYSDOH”) and the Department of Environmental Conservation (“NYSDEC”) of the expansion of the Town Water District and the Valley Forge Sewer District to include the proposed Legacy Ridge development and the upgrade and expansion of the Valley Forge Sewage Treatment Plant by the Project Sponsor.

5. Possible approval by the Town Board of the terms of the Homeowners Association formed for the residents of Legacy Ridge at Highland Mills.

6. Related approvals by involved agencies, as required.

PROJECT LOCATION

The DEIS will address the proposed actions in the geographical regions where they would apply. The proposed zoning amendments, including conservation cluster and senior housing, would apply to the R-1A, R-2A and R-3A residential zoning districts in the Town.

The property involved in the Project Sponsor’s rezoning petition and the proposal to develop Legacy Ridge at Highland Mills is located on both sides of Trout Brook Road between Smith Clove Road and Route 32. The properties are known on the Town of Woodbury Tax Maps as 3-1-11 and 3-1-12.5. The housing development is proposed for the lot on the south side of Trout Brook Road known as 3-1-12.5. Parcel 3-1-11 is proposed to remain as permanent open space to be dedicated to the Town.

GENERAL GUIDELINES FOR THE DEIS

The Project Sponsor will closely examine the SEQR regulations for direction on the required content of a DEIS. Specifically, the EIS will comply with the provisions of 6 NYCRR 617.9(b).

The DEIS will assemble relevant and material facts, evaluate reasonable alternatives, and be analytical but not encyclopedic. It will also be clearly and concisely written in plain language that can be easily read and understood by the public. Highly technical material will be summarized and, if it must be included in its entirety, referenced in the DEIS and included in an appendix. Narrative discussions will be accompanied, where appropriate by illustrative tables, charts, graphs, and figures. The applicant may use two separate but smaller three-ring binders; one for the DEIS text and one for the appendices.

Full scale Site Plans at a scale of 1" = 100' are to be included with the DEIS as an appendix and reduced copies of pertinent Site Plans will be included in the text of the DEIS. The plans presented in the DEIS will remain at a conceptual level of detail but will be at a comparable level of detail as the relevant alternatives.

The DEIS will be written in the third person without use of the terms I, we, and our. All assertions will be supported by evidence. Opinions that are unsupported by evidence will be kept to a minimum and will be identified as such. Footnotes will be used as the form of citing references.

The DEIS may incorporate by reference, in accordance with 6 NYCRR 617.9(b)(7), all or portions of other documents that contain information relevant to the subject DEIS. Such documents will only be referenced if they are readily available at the Town of Woodbury Town Hall.

DEIS SCOPE AND CONTENT

1.0. EXECUTIVE SUMMARY

The Executive Summary will consist of a brief but precise summary of the DEIS which adequately and accurately summarizes the document. The Summary may employ the use of tables, lists, and other appropriate measures to summarize the DEIS. The following will be included:

- 1.1. **DEIS Cover Sheet.** Listing title of actions, DEIS identification, project location (streets, town, county, state), names, addresses, contact persons, and telephone numbers of Lead Agency, preparers and project consultants, and project sponsor, and relevant dates (i.e. date of submission, date of acceptance by Lead Agency, date, time and location of public hearing, final date for acceptance of comments).
- 1.2. **DEIS Table of Contents.** Including a table of text comments and a listing of all appendices, tables, figures, maps, charts, and any items that may be submitted under a separate cover (and identified as such). All pertinent SEQR documentation will be included as appendices to the DEIS, including, but not limited to, the Full Environmental Assessment Form, Positive Declaration/Circulation Notice, Final Scoping Document, and technical letters from involved and interested agencies. All correspondence relating to issues addressed in the DEIS, and technical studies and reports prepared in support of the DEIS will also be included in the appendices.
- 1.3. **Description of the proposed actions.** A description of the proposed legislative actions by the Town

Board, including the proposed zoning text changes, rezoning, and water and sewer district expansions, and a description of Legacy Ridge at Highland Mills, including location, acreage, any easements affecting the site, existing zoning, existing access, existing site character and vegetative conditions, and a description of the proposed activities to take place and all component parts including the number of dwelling units by type and typical number of bedrooms.

- 1.4. Purpose Need and Public Benefit. The purpose or objective of the proposed actions will be described as well as the public need for and public benefit(s) from implementation of the proposed actions. The historical background of Woodbury and the Town's planning efforts will be discussed. An analysis of how the proposed conservation cluster provision and senior housing changes as well as Legacy Ridge at Highland Mills further the Town's Comprehensive Plan and draft Open Space and Natural Resource Protection Plan will be included in this section. The proposed actions will be fully described as well as the process by which the Town would adopt the zoning changes. The potential impact of the conservation cluster and senior housing changes will be assessed on a town-wide basis. A discussion of the social benefits of Legacy Ridge project will be included. A discussion of the economic costs and benefits of the development of the project and the upgrading and expansion by the Project Sponsor of the public water and sewer systems will also be included. The benefits of conservation cluster development and the preservation of open space will be discussed. The benefits of providing for private maintenance of roadway infrastructure will be discussed. The needs for housing and for senior owner-occupied housing will be discussed.
- 1.5. Potential Significant Impacts. A summary of the potential impacts of the proposed actions will be listed.
- 1.6. Mitigation Measures. A summary of the measures to be undertaken to mitigate potential impacts will be listed.
- 1.7. Project Alternatives Considered. A comparative assessment of the beneficial and adverse impacts of the alternatives, relative to each major topical impact issue identified in the Final Scoping Document, will be provided in tabular format.
- 1.8. Needed Approvals. An identification of the various approvals and permits needed to implement the proposed actions (e.g. Federal State, and Local) will be enumerated.
- 1.9. List of Involved Agencies. A complete listing of all Involved Agencies, their addresses, and required approvals and permits they are responsible for granting will be provided.
- 1.10. List of Interested Agencies. A complete listing of all Interested Agencies, their addresses, and their role in the review of the actions will be provided.

2.0. DESCRIPTION OF THE PROPOSED ACTIONS

The Description of the Proposed Actions will be a detailed presentation of the actions, supported as necessary with graphic materials. The description will address the following issues:

- 2.1. With respect to possible approval by the Town Board of proposed changes to the Town Zoning Law, including adoption of a conservation cluster subdivision provision and amendments to the senior

