

**LEAD AGENCY'S FINDINGS STATEMENT***Patrick Farm**Town of Ramapo - Rockland County, New York*

Adopted: January 25, 2010

**1.0 INTRODUCTION**

This document is a Findings Statement prepared in accordance with Article 8 of the New York Environmental Conservation Law and 6 NYCRR Part 617 -- the State Environmental Quality Review Act (SEQRA). The Ramapo Town Board has assumed the role of Lead Agency. The Lead Agency is primarily responsible for 1) ensuring that the environmental impacts associated with a Proposed Action are identified, assessed, avoided, minimized and, where unavoidable, mitigated to the maximum extent practical and 2) balancing those impacts with the benefits of the project.

**Name of Project:** Patrick Farm

**Name of Project Sponsor:** Scenic Development, LLC

**Proposed Action:** Adoption of a Zoning Map Change, Revisions to the Comprehensive Plan, Subdivision and Site Plan Approval of the Patrick Farms Property.

**Lead Agency:** Town of Ramapo Town Board

**Agency Jurisdiction:** The Town of Ramapo Town Board is acting as Lead Agency to conduct a coordinated review under SEQRA for the proposed action. The Town Board is an involved agency because the Project Sponsor has requested a zone amendment and revision to portions of the Town Comprehensive Plan.

**SEQR Status:** Type I

**Date Final EIS Filed:** December 22, 2009

The Project Sponsor prepared a DEIS in response to a Positive Declaration issued by the Town of Ramapo Town Board in May of 2008 at which time the Town of Ramapo declared itself lead agency. The DEIS scope was established by a scoping outline developed by the Town Board, acting as lead agency, after seeking input from all other involved agencies and interested parties and holding a public Scoping meeting on June 23, 2008. The Town Board adopted a Final Scoping Document for the DEIS on June 25, 2008. The accepted scope outlining the information that was to be covered in the DEIS is provided in Appendix A of the DEIS.

The Preliminary DEIS was submitted to the Town of Ramapo dated April 15, 2009, which reviewed it with respect to its scope and content for the purpose of public review. The Town Board issued a Notice of Completion of the DEIS and a Notice of SEQRA Hearing on April 29, 2009. All property owners within 500 feet received notice by mail. The lead agency held and closed public hearings on the DEIS on June 4, 2009 and June 8, 2009. The DEIS was made available to the public in hard copy and made available on-line. Written comments were received until July 23, 2009.

The FEIS provided written responses to substantive and relevant comments on the DEIS received by the lead agency during the public review period. Complete copies of the minutes of the Public Hearings and of all written agency comments received on the DEIS are included in Appendix A of the FEIS. The FEIS dated December 22, 2009 was submitted to the Town Board

and deemed complete on January 6, 2010. Comments on the FEIS were received until January 22, 2010.

### **1.1 Description of Project and Location**

Scenic Development, LLC (the “applicant”) proposes to develop a mixed density residential project on approximately 208.5 acres. The project site is located in the north central area of the Town of Ramapo, Rockland County, New York. The site is located immediately east and south of US Route 202, and immediately west of NYS Route 306 on a predominantly undeveloped site. The project site is identified on the Town of Ramapo tax maps as follows:

- Section 32.11 Block 1, Lot 2
- Section 32.11 Block 1, Lot 3
- Section 32.11 Block 1, Lot 4
- Section 32.11 Block 1, Lot 12
- Section 32.11 Block 1, Lot 13
- Section 32.11 Block 1, Lot 14
- Section 32.11 Block 1, Lot 15
- Section 32.11 Block 1, Lot 16
- Section 32.14 Block 2, Lot 3

The Comprehensive Plan of the Town of Ramapo identifies a need for an increase in the diversity of housing options in the Town, with regard to value, style and form of ownership. The applicant proposes a mixed density residential development including single family and multi family units which are intended to meet this need. The development, Patrick Farm, would consist of 497 residential units including 87 single family homes, and 410 multifamily units composed of 314 townhouse units, 72 workforce condominium flats and 24 rental apartments.

Among the various approvals being sought are Comprehensive Plan text and zoning map amendment to permit multifamily housing on approximately 61.3 acres in the central portion of the site by rezoning the R-40 area to MR-8. The single family component would remain in the R-40 zone. This zone change is proposed to allow the multifamily housing to further the diversity of housing available in the Town of Ramapo. The 314 market rate units, 72 workforce condominium flats, and 24 workforce housing apartments cannot be built without the proposed zone change. The project plans were submitted to the Town of Ramapo Planning Board and on May 5, 2009 a unanimous vote (7-0) that they recommend the Town Board look favorably upon the request of Scenic Development, LLC for a change in zone on its property from an R-40 zone to an MR-8 zone.

The project has been designed to be environmentally sensitive. Alternative sustainable energy sources, i.e. solar domestic hot water and geothermal heating, will be utilized to augment energy resources utilized on site. The Project would incorporate a number of green building practices, as identified in the 2008 National Green Building Standard, that would conserve energy and offset potential adverse impacts associated with energy consumption related to the construction and occupancy of the proposed project including utilizing water saving fixtures, high efficiency lighting fixtures, high efficiency insulation, and ecologically sensitive construction management practices. In addition, the project includes an extensive ground water recharge system designed to ensure groundwater recharge of the site post development results in no net loss compared to existing pre construction conditions. The Landscape Plan has been developed to limit water and energy use through the use of a low volume irrigation system which will utilize water from the existing farm pond on-site.

## 2.0 CERTIFICATION OF FINDINGS TO APPROVE

After due consideration and pursuant to Article 8 of the Environmental Conservation Law and 6 NYCRR Part 617, the Town Board of the Town of Ramapo, as Lead Agency, finds that:

- 1) The requirements of 6 NYCRR Part 617 have been met and complied with in full; and
- 2) Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the Proposed Action as set forth in the FEIS to be approved, is one that minimizes or avoids significant adverse environmental impacts to the maximum extent practicable; and
- 3) Consistent with social, economic and other essential considerations, significant adverse environmental impacts identified in the environmental impact statement will be minimized to the maximum extent practicable or avoided and by incorporating as conditions to the decision the mitigation measures identified as practicable in the environmental impact statement and this Findings Statement; and
- 4) The implementation of the proposed project balances the need to provide a diversity of housing, against the potential adverse impacts identified in the SEQR proceedings.
- 5) This written findings statement contains the facts and conclusions used by the Town Board to support its decision.

### 2.1 SEQR Process

This Findings Statement attests to the fact that the Town of Ramapo Town Board, as Lead Agency, has complied with all of the applicable procedural requirements of Part 617 in reviewing this matter, including but not limited to:

- Coordinated designation of the Town Board as Lead Agency;
- Preparation of a DEIS in accordance with a scoping outline adopted by the Town Board;
- Acceptance of the DEIS as complete and filing of the DEIS and associated Notice of Completion by the Town Board on April 29, 2009;
- Holding of Public Hearings on the DEIS, the proposed zone amendment and the revisions to the Comprehensive Plan by the Town Board on June 4, 2009 and June 8, 2009, at which time public comments were heard;
- Establishment of a written Comment Period on the DEIS ending on July 23, 2009;
- Consideration of all correspondence between the Project Sponsor and the Involved and Interested Agencies as well as outside organizations and individuals;
- Preparation of a FEIS responding to all substantive comments on the DEIS;
- Filing of the FEIS and associated Notice of Completion by the Project Sponsor on January 6, 2010;
- Establishment of a reasonable period for review of the FEIS by the public and Interested and Involved Agencies (not less than ten days) ending on January 22, 2010; and
- Preparation and adoption of these Findings Statement by the Town Board on January 25, 2010.

This Findings Statement also attests to the fact that the Town Board has given due consideration to the Environmental Impact Statements and other documents prepared in

conjunction with this project under the SEQRA review process. Further, this Findings Statement contains the facts and conclusions of the Environmental Impact Statements that were relied upon by the Town Board to support its decisions, and considers and balances the relevant environmental impacts with “social, economic and other considerations” which form the basis for its decision (6NYCRR 617.11(d)).

### **3.0 SUMMARY OF IMPACTS, PROPOSED MITIGATION AND SPECIFIC FINDINGS**

Following, as identified in the Draft EIS and Final EIS, are descriptions of the anticipated impacts and benefits resulting from the Proposed Action, the proposed mitigation measures that the Town Board shall require to be incorporated into the Proposed Action, and the Findings of the Town of Ramapo Town Board based on this information.

#### **3.1 Land Resources**

Of the 208.5 acre project site, approximately 113.7 acres or 55 percent of the site would be disturbed. This disturbance is necessary for the grading and installation of infrastructure necessary for development. Approximately 94.8 acres, or 45 percent of the site, would remain undisturbed. These undisturbed areas are located along the perimeter of the property, at or adjacent to the existing wetlands. The 12.1 acre parcel north of US Route 202 was part of a larger parcel which was never subdivided. When Rockland County re-designated tax lot numbers in the project vicinity, the 12.1 acre parcel was issued a separate tax lot number, based upon US Route 202 bisection of the property. The 12.1 acre parcel is not designated for any development in the Patrick Farm project and was not used in the calculations of any of the bulk requirements or zoning compliance.

##### Potential Impacts

##### *Soils and Geology Impacts*

Grading is required to build the access drives, install utilities, prepare areas for the proposed residential buildings, and to create a series of infiltration basins, the largest of which is in the north central portion of the project site. Construction of the largest infiltration basin would require the deepest cuts; up to 13 feet.

Based upon engineering estimates, a total of approximately 225,675 cubic yards of material will be cut and approximately 224,496 cubic yards will be filled. The balance, approximately 1,179 cubic yards, will be utilized on site, resulting in a site which is balanced with regard to earthwork, thus no truck trips to import or export soils will be required. The drainage and erosion control plan, which is in full compliance with NYS DEC GP-0-08-001, will be reviewed by the Town of Ramapo Department of Public Works, Town Engineer and will be approved by the Ramapo Planning Board as part of final site plan approval.

As a result of soil disturbance, there is an increased potential for siltation to occur in the on-site wetlands and in areas downgradient of the subject site through the erosion of exposed soil. The potential for soil erosion associated with grading work is temporary in nature. The control of stormwater runoff during construction will be important to minimize construction-related soil erosion and sediment impacts especially downstream of the project site. With proper construction, installation and maintenance, soil erosion control measures will minimize potential off-site impacts.

### *Topography and Slopes Impacts*

Construction on slopes greater than 15 percent must be considered carefully during construction since grading these slopes increases the potential for soil erosion and may impact slope stability. The site has gently sloping to nearly level topography, except along the westerly section of the site which slopes sharply down towards US Route 202. The majority of the site has slopes less than 15 percent (175 acres). This site contains approximately 33.4 acres of slopes 15 percent and greater. Approximately 14.7 acres of 15 percent and greater slopes will be disturbed by the project.

### Mitigation Measures

#### *Soils and Geology Mitigation*

A Preliminary Soil Erosion and Sediment Control Plan and a Construction Phasing Plan, the primary objectives of which are to reduce soil erosion from areas exposed during construction and prevent silt from reaching the on-site wetland, stream and ponded areas as well as areas downstream, were developed for the project. All soil erosion and sediment control practices proposed would be installed in accordance with erosion and sediment control "best management practices" recommended by the New York State Department of Environmental Conservation and described in the Storm Water Pollution Prevention Plan and Construction Phasing Plan included with the DEIS.

The principle objectives of the Soil Erosion and Sediment Control Plan are the following:

- divert clean surface water before it reaches the construction area;
- control erosion at its source with temporary and permanent soil protection measures;
- capture sediment-laden runoff from areas of disturbance and filter the runoff prior to discharge; and,
- Distribute storm water runoff through use of natural vegetative buffers or structural means before discharge to off-site areas.

These objectives can be achieved by utilizing a collective approach to managing runoff, i.e. Best Management Practices (BMPs) as set forth in the plans. Information on these plans is presented in the Environmental Impact Statements.

The Erosion Control Measures shall be subject to review and approval of the Town of Ramapo and implementation shall be monitored by the Town's Department of Public Works. In accordance with Town regulations, the Town may also require a bond or other acceptable type of monetary guaranty to ensure the proper installation and maintenance of improvements, including sediment and erosion control measures.

The proposed plan minimizes the areal extent of soil exposure to the greatest extent practicable in accordance with the Erosion and Sediment Control Guidelines of the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activities GP-0-08-001. Erosion and sedimentation will be controlled during the construction period by temporary devices as indicated in the Preliminary Erosion and Sediment Control Plan and according to the Storm Water Pollution Prevention Plan and Construction Phasing Plan developed specifically for this project and included in the DEIS.

The following are inspection and maintenance practices that will be used to maintain erosion and sediment controls as specified in NYS DEC GP-0-08-001:

1. All control measures will be inspected at least once every seven (7) calendar days.
2. All measures will be maintained in good working order. If a repair is necessary, it will be initiated within 24 hours of report.
3. Built-up sediment will be removed from silt fence when it has reached one-third the height of the fence.
4. Silt fence will be inspected for depth of sediment, tears, to see if the fabric is securely attached to the fence posts, and to see that the fence posts are firmly in the ground.
5. Temporary and permanent seeding and planting will be inspected for bare spots, washouts, and healthy growth.
6. A maintenance inspection report will be made after each inspection.

Through the implementation of the proposed mitigation measures, impacts to soils and geology on the project site will not be significant.

#### *Topography and Slopes Mitigation*

Potential impacts to slopes will be mitigated through implementation of a fully developed version of the Preliminary Erosion and Sediment Control Plan contained in the Stormwater Pollution Prevention Plan developed specifically for the project. The site will be constructed in phases to limit the amount of disturbance occurring at any one time. Construction of the roads and stormwater management facilities would be completed in Phase I. After these areas are stabilized, construction of the residential buildings would then begin as shown on the Construction Sequencing Figure. The general sequence of construction would be: 1) install erosion control measures, 2) tree removal, 3) strip and store topsoil, 4) site grading including temporary sediment control structures, 5) construction of roads and utilities, 6) stabilize roads and detention pond areas, 7) construction of the buildings, and 8) permanent stabilization, 9) removal of erosion control measures after site has been permanently stabilized. Erosion control measures will be reviewed by the Town of Ramapo Department of Public Works. The implementation and monitoring of erosion control measures will be overseen by the Town of Ramapo Department of Public Works and/or other appropriate Town agencies.

The presence of bedrock outcrops on the site indicates that rock removal may be required for development within the western area primarily for road construction and limited residential development. It should be noted that the ridge line area along Route 202 in the southwest portion of the site has been designed to eliminate blasting along the ridge line in order to preserve the scenic value of the ridge line in this area.

While mechanical methods of rock removal (i.e. ripping, chipping) will be used wherever possible, it is assumed that some blasting may be required to bring the property to grade. Site conditions would mandate which method of rock removal would be required for specific areas on the property.

Blasting would result in short-term and temporary noise impacts. Any blasting would be carried out in accordance with Town of Ramapo "Blasting and Explosive Control Law for the Town of Ramapo (Local Law No. 10-1992)" and procedures developed for this project and a blasting contract developed with the Blasting Contractor. The contractor's Blasting Plan would be based

on site specific blasting requirements, and would be submitted to the Town Building Department for approval in advance of any blasting activity.

Special monitoring of the high pressure gas main during blasting events shall be conducted to insure that potential damages as a result of blasting are found and corrected at once. Notification to the Columbia Gas company shall be made a condition of securing a blasting permit from the Town.

Upon consideration of the information presented and the mitigation proposed, it is determined that the project will not result in significant impacts to topography and slopes on the project site.

### 3.2 Water Resources

#### Potential Impacts

##### *Groundwater Impacts*

There are no proposals for use of groundwater resources for either potable or irrigation water supply. The project site and surrounding areas receive public water from a private utility, United Water New York, which is proposed as the source of drinking water for this project. As a public water system serves the site and nearby properties, groundwater would not be drawn for use at the development.

The overall increase in impervious coverage could result in increases in the rate and volume of stormwater runoff in the absence of appropriate stormwater controls. Changes to the existing drainage patterns of the site could also occur as the land is regraded to construct buildings, parking areas, and roads.

The Patrick Farm Groundwater Recharge system was designed to provide zero loss in groundwater recharge that occurs under existing conditions today. It is a form of Rainwater harvesting (RWH) in that it serves to replenish the Ramapo Aquifer, similar to pre development conditions. Groundwater hydrogeologists performed on-site permeability tests to define the rate at which the soils could transmit runoff back into the ground. The recharge system is designed to capture rooftop runoff in order to infiltrate that runoff into the ground in a manner and quantity that mimics the natural water cycle. Groundwater recharge is considered a critical component of sustainability by the applicant, based upon the site's relation to the Ramapo Aquifer.

In addition, the proposed homes will be connected to a municipal sewer system of the Rockland County Sewer District (RCSD) No. 1. As a result of these sanitary connections to an off-site treatment system, the development is not projected to result in any adverse sewage-related impacts to local groundwater.

##### *Stormwater Impacts*

The introduction of additional pavement and impervious surfaces (an increase of 46.1 acres) to the project site has the potential to increase pollutant loads to local surface water resources including wetlands and watercourses. Potential pollutants include sand, silt, salts, oil and grease as well as a potential increase in the rate and temperature of the stormwater flowing from the site. Increases in these surface water pollutants, constituents and characteristics can impact water quality and cause channel erosion in downstream surface waters.

A preliminary stormwater pollution prevention plan (SWPPP) was prepared for the project, which meets the requirements of NYSDEC General Permit GP-0-08-001, and was reviewed by the Town Board and its technical consultants as part of the SEQR process. The SWPPP will ensure that post-development stormwater flow rates will not exceed pre-development flow rates and that post-development pollutant loading (phosphorus, nitrogen, and biological oxygen demand) has been mitigated to the maximum extent practicable.

### Mitigation Measures

#### *Groundwater Mitigation*

As the project will utilize only public utility hookups for both water and waste water services, impacts to groundwater resources are not anticipated. The project design includes measures to simulate the aquifer recharge capability of the site similar to undeveloped conditions.

Groundwater recharge is a critical component of sustainability, based upon the site's relation to the Ramapo Aquifer. The Patrick Farm Groundwater Recharge system was designed to provide zero loss in groundwater recharge that occurs under existing conditions today. It is a form of Rainwater harvesting (RWH) which serves to replenish the Ramapo Aquifer, similar to pre development conditions. The groundwater mitigation design consists of four recharge basins proposed within the MR-8 portion of the property and 87 drywells proposed at the single family (R-40) portion of the property to capture rainwater from the roof leaders. The recharge system is designed to capture rooftop runoff in order to infiltrate that runoff into the ground in a manner and quantity that mimics the natural water cycle. As a result of these measures there will be no anticipated post development loss in the recharge capability of the site to the underlying aquifer.

#### *Stormwater Mitigation*

The Applicant has designed a Stormwater Management System that exceeds typical mitigation for the treatment of stormwater runoff quantity and quality. The project design has incorporated a cutting-edge proposal for an overall groundwater recharge system over the Patrick Farm site. Groundwater Recharge is a sustainable practice that is receiving increasing attention and is recognized by the EPA as a Low Impact Development (LID) practice. LID is a stormwater management approach and set of practices that can be used to reduce runoff and pollutant loadings by managing runoff as close to its sources as possible. LID is typically used to achieve or pursue the goal of maintaining or closely replicating the pre-development hydrology of the site.

Implementation of the proposed stormwater management plan will yield no increase in peak rates of stormwater runoff from this site compared to existing conditions and will offset potential impacts from the increased impervious surface resulting from the Proposed Project. The SWPPP will ensure that post-development stormwater flow rates will not exceed pre-development flow rates and that post-development pollutant loading (phosphorus, nitrogen, and biological oxygen demand) will be mitigated to the maximum extent practicable.

Maintenance of the proposed stormwater management features in the single family portion of the project will be the responsibility of the Town of Ramapo. Maintenance of the proposed stormwater management features in the multi family portion of the project will be the responsibility of the Homeowners Association.

Through implementation on the SWPPP, the Erosion and Sediment Control Plan and the innovative groundwater recharge system, impacts resulting from stormwater runoff from the project site and impacts to the Ramapo Aquifer will be offset.

The stormwater management system is designed to ensure that the existing water quality of the stream that flows through the site is not degraded.

Upon consideration of the information presented and the mitigation proposed, it is determined that the project will not result in significant impacts to water resources on the project site.

### 3.3 Ecology and Wetlands

#### Potential Impacts

The 208.5 acre project site includes primarily undeveloped forested land, open fields, and a 5.2 acre farm pond, in addition to approximately 10 acres which are developed as the Hasty Hills Stable, and 3 existing single family residences along Old Route 202.

#### *Vegetation*

Approximately 113.7 acres (55.3 percent) of the of the 208.5 acre site will be cleared for construction of the proposed 497 units and related infrastructure necessary for the project. All of the on site wetlands and the 100 foot adjacent lands around the NYS DEC wetlands would remain undisturbed. Ecological communities that would be directly impacted include successional old field, oak-tulip tree forest, successional southern hardwood forest,. No disturbance is proposed for the wetland communities on site.

Of the 113.7 acres of total disturbance, 69.1 acres of the proposed project will result in the loss of and/or change in forested habitat, 68.1 acres of trees will be able to be preserved on site. Construction in the multifamily zone change area of the site, will result in the loss of approximately 45.2 acres of trees. Approximately 60 percent of the zone change area is wooded, the remaining 40 percent has already been cleared. The loss of the on site forested and unforested uplands will alter the movement of most of the wildlife that may use this property to access the adjacent forested areas. It will also result in the loss of habitat for those individuals that currently use the site. Existing habitat along the edges of the property within the required property boundary setbacks and within the wetlands and wetland buffers would remain undisturbed. These areas, in conjunction with the adjacent hedgerows and open power line and gas easements, would continue to provide resident and local wildlife populations the opportunity, albeit modified, to move around the development to access other undisturbed forest lands in the vicinity.

The disturbance and loss of on-site vegetation is unavoidable and required for the development and construction of the project. The unavoidable loss of this limited area of existing undeveloped land does not constitute a significant adverse impact on the vegetation or habitat present on the site. No state listed rare or endangered plant species or communities were observed during visits to the site by project consultants. **Significant new plantings will help mitigate the unavoidable losses of vegetation.**

#### *Wildlife*

Nearby residential and nonresidential developments along US Route 202, NYS Route 306 and Scenic Drive separate the site from the larger wetlands complex and forested habitat areas in the area. Due to the suburban landscape that surrounds the site, the overall diversity of wildlife in the area is limited and dominated by generalist species capable of tolerating human contact.

The old field habitat that predominates on the site is of limited value to wildlife, as it consists of farmed areas of poor soils and low plant diversity. Areas along the on-site wetlands and wetland buffer zones provide a more diverse plant community that will not be impacted by project development. **Significant new plantings will help mitigate the unavoidable losses of vegetation.**

Of the amphibians and reptiles identified on the site, the Eastern box turtle is listed as a Species of Special Concern by the NYSDEC. A single, juvenile male was observed by TMA in the wooded area north of the power lines near Wetland Areas 3 and 3A. CEA also observed a box turtle within the gas transmission easement.

A Species of Special Concern is defined by NYSDEC as “any native species for which a welfare concern or risk of endangerment has been documented in New York State.”<sup>1</sup> The major threats to box turtles appear to be pesticide poisoning and collection as pets. Special Concern species are not afforded any specific protection under State Law and are listed for informational purposes only.

Eastern box turtles are versatile animals and inhabit a wide variety of habitats from wooded swamps to dry, grassy fields. Although these turtles can live in a variety of habitats, they are most abundant and healthy in moist forested areas with plenty of underbrush. While not aquatic, box turtles will often venture into shallow water at the edge of ponds or streams or in puddles. Box turtles typically have small home ranges and may be sustained within areas of appropriate habitat as small as one acre.

The Proposed Project would temporarily or permanently displace species residing within the area of disturbance during construction and preclude future use of the developed portions of the property by some wildlife species. Many of the resident species will relocate to undisturbed portions of the site or to similar habitats on nearby property. As the site is presently situated within a suburban environment, any wildlife displaced during the construction of the project would be of species tolerant of the existing conditions and would be considered likely to repopulate the site after the site has been redeveloped. Furthermore, the site is not known to provide habitat for any wildlife species listed as endangered or threatened by the regulatory agencies. As such, the Proposed Project does not pose a significant adverse impact to existing wildlife.

#### *Ecology and Wetland Mitigation*

To reduce potential impacts to the on-site wetland habitat that would remain undisturbed, as well as to protect off-site undisturbed natural areas, the following two mitigation programs are proposed to reduce the potential for soil erosion and sedimentation to these areas.

---

<sup>1</sup>New York State Department of Environmental Conservation. 2006. List of Endangered, Threatened and Special Concern Fish & Wildlife Species of New York State.

- 1-Erosion and sediment controls would be utilized throughout the construction phase of the project until all disturbed areas are fully developed or soils have been stabilized through vegetation plantings or other means. These measures are presented in greater detail in Chapter 3.2 of the DEIS and illustrated in the full size Erosion and Sediment Control Plan as prepared by the project engineer for this project.
- 2-Introduction of a stormwater management system that would provide first flush water quality treatment and would meet the criteria of the New York State general permit for stormwater discharges from construction activity.

Landscaped habitats to be created throughout the final development, although not as valuable as natural undisturbed habitat, would provide some benefit to those wildlife species that can adapt to suburban environments. Through the use of a mixture of ornamental and native landscaping plants, many of the landscaping selections would include plants that provide a certain degree of wildlife value such as food, shelter and nesting opportunities. For all landscape plantings, a written one-year guarantee will be provided to ensure that if any planting dies, or is likely to die, it will be replaced within the guarantee period, as a condition of the issuance of certificates of occupancy by the building inspector. Tree protection measures would be implemented to save trees that exist near the limits of disturbance on the boundaries of the development.

The project sponsor is committed to minimizing impacts to wetlands attributable to construction and development activities. The project has been designed to reduce or avoid all direct impacts to wetlands and wetland buffer zones. To address the potential water quality impacts associated with uncontrolled discharge of stormwater runoff, a Storm Water Pollution Prevention Plan SWPPP has been prepared which provides physical and biological controls over the post-development runoff rates and water quality conditions.

Should any Eastern Box Turtles be observed during construction, they will be removed from the construction area and relocated to an area of the project site which is to remain forever undisturbed.

Upon consideration of the information presented and the mitigation proposed, it is determined that the project will not result in significant impacts to ecology and wetland resources on the project site.

### **3.4 Land Use and Zoning**

#### Potential Impacts

The proposed Patrick Farm project is being proposed to help meet the housing needs of the Town of Ramapo for increased diversity of housing type and price point as identified in the Comprehensive Plan, and documented in the Housing Needs Assessment and the Housing Demand Market Analysis contained in the DEIS and the FEIS respectively.

Scenic Development, LLC, the applicant, proposes a residential development that would include both single and multi family residential units on the 208.5 acre site. For the purpose of the State Environmental Review Quality Review (SEQR) this DEIS evaluates the entire proposed

development, which consists of nine construction sections. The projected build out year of the proposed development is 2013, however, this build out will depend on market conditions.

The Patrick Farm development as proposed consists of 497 residential units, 87 of which would be single family homes and 410 multifamily units composed of 314 units would be market rate multi family townhouse units. The remaining 72 units for sale would be offered as workforce condominium flats. Additionally, 24 rental apartments would be constructed with direct access to Rt. 306 and would adjoin the Hillcrest Fire Department No. 1. Community service workers would be given the first opportunity to rent these apartments. At the request of the Ambulance Corp., the applicant will allow the future use of a parcel of land for the construction of an ambulance corps building adjacent to the emergency service worker apartments, in proximity to the Hillcrest Fire Station on NYS Route 306.

Overall, the proposed action would be compatible with the character and community trends of the project's surrounding area. The applicant believes that the property development would blend with the mixture of land uses surrounding the site including public parks/open space, residential (single and multifamily), institutional/quasi public uses, general/community businesses, and vacant land. The site is appropriately located in a residential district adjacent to residential uses to the north, east and south and in the vicinity of scattered concentrations of commercial and industrial development.

Among the various approvals being sought are zoning map and text amendments to construct multi family housing on approximately 61.3 acres in the central portion of the site. This zone change, is proposed to meet the demand for a diversity of housing within the Town of Ramapo including workforce and community service worker housing as identified in the Town's Comprehensive Plan.

As substantiated in the DEIS Housing Needs Assessment and the Housing Demand Market Analysis, the applicant has demonstrated there is a continued need for multifamily housing in the Town which may exceed the capacity of those areas already zoned for multifamily use. The confluence of NYS Route 306 and US Route 202 provide excellent access to the site, without disturbing the interior of residential neighborhoods. The people who choose to live in dwelling units other than typical single family houses should not be limited from residing in the northern portion of the Town of Ramapo. The Town must provide for the needs of all its population even for persons who may live outside the unincorporated portion of the Town of Ramapo. Neighborhoods should share in accommodating below market rate housing and diversity of housing types and price points. It is advantageous to provide a diversity of housing alternatives in more areas than just adjacent to strip commercial development.

The construction of the proposed development would increase the density and variety of housing opportunities in Town of Ramapo and its surrounding area. **Based upon the surrounding of the multifamily area by single family homes...the development preserves and provides a transition to the existing residential neighborhoods, thus preserving,** the existing residential character of the area. Preservation of areas of open space and significant landscape buffer areas will further reduce the impacts to community character. No significant adverse impacts to community character and development trends are expected from the proposed action.

#### Mitigation

Due to the residential nature of the project and the location of the project site in an existing residential district adjacent to residential uses to the north, east and south, the proposed development is not expected to adversely impact adjacent land uses. The proposed action is designed to conform to the residential character and existing land use pattern of the community while increasing the variety of available housing within the Town of Ramapo.

The rental apartments for community service workers will be managed by a municipal housing authority or a not for profit housing agency who will qualify the tenants as to income and verify their community service worker status. The proposed workforce housing will be sold below market rate and will include deed restrictions as to the length of time the property must be held before it can be turned over and the amount of allowable profit which may be made, to insure the units remain below market rate compared to the housing market in Ramapo.

The project layout has been designed around the natural site conditions to minimize impacts to sensitive environmental elements (wetlands and steep slope areas). The development design includes a full landscaping plan intended to provide an attractive, modern living environment in a suburban community.

The purpose of a Cluster design is to allow design flexibility in order to preserve open space, to allow development to occur on the less sensitive areas of the site and to enable preservation of the most sensitive areas of the site. The concentration of development in the central portion of the Patrick Farm project has allowed the areas of wetlands and steep slopes to remain undisturbed resulting in the preservation of open space, thus some of objectives of clustering have been met, . Almost 95 acres or more than 45 percent of the Patrick Farm site will be preserved as undisturbed open space resulting in preservation of wetlands and steep slope areas on site.

The conceptual landscaping illustrates concepts for the access roads, trees, buffer plantings and typical foundation plantings for residential development. The landscaping plan has been developed to create a livable community while providing visual buffer between the residences on the project site and the US Route 202 and NYS 306 corridors. The proposed residential buildings would conform to the height and bulk restrictions of the appropriate zoning district.

Based upon the residential nature of the project and the transitional buffer of single family homes surrounding the proposed zone change area, the proposed action would be compatible with surrounding land use patterns in the vicinity of the project site. The construction of the proposed development would increase the variety of housing opportunities in Town of Ramapo and its surrounding area. No significant adverse impacts are expected from the proposed action on adjacent land uses.

### **3.5 Traffic and Transportation**

#### Potential Impacts

A traffic impact study was prepared for the proposed Patrick Farm project which assessed conditions at 17 intersections in the project vicinity, including the proposed site access points . The study was reviewed by the Town Board and its technical consultants. As part of this study, manual turning movement counts were taken during the morning and evening peak hour traffic periods. These volumes were also compared to Saturday peak hour traffic conditions. Peak hour vehicle delays were calculated to establish the quality of operation (level of service) at

intersection approach lanes under the existing conditions. Future conditions without the project and future conditions with the project were also analyzed. These future conditions included consideration of the proposed Minisceongo Park Project and a projection of the first phase of the potential Tartikov project.

The project includes construction of two new primary access points, one from US Route 202 and one from NYS Route 306. In addition construction of a driveway to access the community service worker apartments NYS Route 306 would be constructed just south of the Hillcrest Fire Station.

The project is projected to generate 230 new a.m. peak hour trips and 288 p.m. peak hour trips. All of the studied intersections are anticipated to operate at acceptable level of service "D" or better under future Build Conditions. The proposed project will generate less traffic during the Saturday Peak Hour than during the weekday peak PM hour. Thus, the Saturday traffic conditions will be less critical than the weekday peak PM hour. Satisfactory levels of service will be experienced during the Saturday Peak Hour period.

Capacity analyses for the 2013 Build conditions, indicate that the US Route 202 site driveway is projected to operate at level of service "C" during the weekday AM peak hour and level of service "D" during the weekday PM peak hour.

Capacity analyses for the 2013 Build conditions with Minisceongo Park and the Tartikov development, indicate that the US Route 202 site driveway is projected to operate at level of service "D" during the weekday AM peak hour and level of service "E" during the weekday PM peak hour. Under these conditions the intersection should be monitored for Signalization.

Capacity analyses for the 2013 Build conditions, with both the proposed Minisceongo Park project and the Tartikov development indicate that the proposed NYS Route 306 site access will to operate at level of service "C" or better during both the AM and PM peak hour periods.

Capacity analyses for the 2013 Build conditions, both with and without the proposed Minisceongo Park project and the Tartikov development indicate that the Community Service Worker Driveway access will operate at level of service "B" or better during both the AM and PM peak hour periods.

#### Mitigation

According the results of the Traffic Impact Study conducted for the project, there are certain existing traffic delays occurring during peak periods. With the completion of the improvements to NYS Route 202, completion of the improvements underway at the PIP/Thiells-Mt. Ivy Road intersections, and the installation of left turn lanes at both of the proposed primary site access points, the traffic to and from Patrick Farm can be accommodated on area roadways. Traffic flow and public safety along the frontage of the site will be provided as a result of the proposed road improvements and project mitigation measures. As such, no significant adverse traffic impacts are anticipated.

The applicant will coordinate with the Rockland County Department of Public Transportation (RCDPT) to facilitate a bus stop on NYS Route 306 in proximity to the site access, including construction of a cement pad and a bus stop shelter if recommended by the RCDPT.

### 3.6 Community Services

#### Potential Impacts

A summary of the demographic multipliers used in this analysis is provided in the Table below. The proposed 497 units are projected to add a total of 1,932 persons to the Town of Ramapo's existing population. The total population of 1,932 persons includes approximately 609 school age children.

<b>Table 3.6-1 Demographic Multipliers for Population Projections</b>						
<b>Unit Type</b>	<b>Number of bedrooms per unit</b>	<b>Number of Units</b>	<b>Population Multiplier</b>	<b>Total Population</b>	<b>School Age Children Multiplier</b>	<b>Total School Age Children</b>
Townhouse Type I	4	178	3.83	682	1.19	212
Townhouse Type II	4	136	3.83	521	1.19	162
Workforce Condominium Flats	4	72	3.83	276	1.19	86
Single Family Homes	5	87	4.52	393	1.58	137
Emergency Service Worker Apartments	2	24	2.51	60	0.49	12
<b>Total</b>		<b>497</b>		<b>1,932</b>		<b>609</b>

Source: Rutgers Center for Demographic Research, June 2006. Table prepared by TMA, 2008.

#### *Police Protection*

Based on standards contained in the Development Impact Assessment Handbook (Urban Land Institute, 1994), two police officers and 0.6 police vehicles are required per 1,000 population. The increase in population of 1,932 persons in the Town of Ramapo could potentially generate a need for 4 additional police personnel in the Town and approximately 1.2 police vehicles. It is noted that the increased demand placed on the Police Department from the Patrick Farm development would represent an incremental increase in demand on existing services, rather than demand for new services in this area which the ULI rates assess.

However, according to Lieutenant Gravina of the Town of Ramapo Police Department, the proposed development would not result in a need for additional manpower to provide services to the proposed development. Refer the response letter from the Lieutenant in Appendix B, Correspondence. Additionally, the proposed development would generate property tax revenues to the Town of Ramapo Police Department of approximately \$620,832 annually. This additional revenue can be used to augment the Department's capabilities if necessary.

#### *Fire Protection*

Based on planning standards contained in the Urban Land Institute's 1994 Development Impact Handbook, it is estimated that 1.65 fire personnel per 1,000 population is required to serve a new population. The anticipated increase in population of up to 1,932 persons would generate a

demand for 3.2 additional fire personnel. Again, the ULI multipliers assume no existing services, thus the actual demand for personnel is expected to be somewhat lower.

According to the response letter received by Chief Kear, in the last year, there have been numerous proposed and pending large scale projects within the Moleston Fire District and the vast majority of them have been located along NYS Route 306, including the proposed Patrick Farm development. The Chief states that because of the Patrick Farm project and other proposed developments within the area, the Department will have to conduct an evaluation of apparatus and response as well as contact Insurance Services Office (ISO) regarding their insurance rating and to inquire about whether or not these proposed projects would have an effect on their overall rating.

Patrick Farm is anticipated to generate property tax revenues to the Moleston Fire District of approximately \$115,111 annually. This additional revenue can be used to augment the Hillcrest Fire Company's capabilities as necessary.

#### *Ambulance Service*

The Ramapo Valley Ambulance Corps would serve the project site. The standard for Emergency Medical Services, according to the Urban Land Institute's Development Impact Handbook, is 4.1 full-time personnel and 1 vehicle per population of 30,000. The introduction of up to 1,932 persons in the Town of Ramapo results in potential added demand for 0.26 health care personnel and 0.064 vehicles. The proposed project is not expected to have a measurable impact on emergency services. Additionally, the Ramapo Ambulance District would receive \$54,903 annually in revenues. This additional revenue can be used to augment the Corps' capabilities as necessary. The applicant has offered to donate a parcel of land for the future construction of an ambulance corp. building adjacent to the emergency service worker apartments in proximity to the Hillcrest Fire Station on NYS Route 306.

#### *Solid Waste Disposal*

The Town of Ramapo Public Works Department provides municipal refuse collection and disposal services within the Town of Ramapo, including the project site. The Town of Ramapo has a closed landfill. Currently municipal solid waste generated in the Town is sent to a Rockland County Solid Waste Authority transfer station and then to the Ontario County landfill.

The Rockland County Source Separation law requires residents to separate recyclables from household trash. Recyclables are picked up from residences in "co-mingled" containers and transferred by contracted haulers to the Materials Recovery Facility at Town facilities in Hillburn, NY. Contractors then separate the materials and haul to recycling centers.

#### Potential Impacts

The per household rate for solid waste generation according to the Urban Land Institute's 1994 Development Impact Handbook, is .00175 tons per person per day. The proposed development projects an increase in population by 1,932 persons, resulting in an estimated solid waste generation of 3.4 tons per day.

Dumpsters and solid waste storage areas are proposed for the multifamily residential buildings. All refuse storage areas would be screened from view of public roads. Solid waste will be

collected according to the schedules applicable to the Town. Refuse collection for the proposed Patrick Farm project shall be conducted in a manner consistent with refuse collection throughout the Town of Ramapo.

All properties within the Town of Ramapo are taxed for solid waste disposal. The current tax rate is 1.06 per \$1,000 of the assessed value for the Town of Ramapo. The proposed development is projected to generate \$33,086 annually in taxes to pay for solid waste disposal.

Mitigation

No adverse impacts to police, fire, ambulance or solid waste services are anticipated as a result of the proposed development. Thus, no mitigation measures are proposed.

*Water Supply*

Water from the Valley-Fill Aquifer is the source of all of the Town of Ramapo potable water via both individual and United Water New York (UWNY) wells. The Valley-Fill aquifer is part of the larger Ramapo River Basin sole source aquifer system, as designated by the Environmental Protection Agency (EPA). The water supply to the project site would be supplied by United Water New York (UWNY). The most recent Rockland County Department of Health Assessment of United Water NY - Water Supply Available for New Projects, included as Appendix S, indicates that 2.3508 MGD is available for distribution.

As described in the Water Report, included as DEIS Appendix O, the anticipated water usage is projected to be 75 gallons per person per day (gpd), according to the project engineer, consistent with Rockland Count Department of Health standards. With 1,932 persons anticipated to be added by the proposed development, the total water usage would be approximately 144,900 gallons per day. However, as a worst case scenario, the engineer utilized the calculated usage of 198,800 gpd to assess the potential impacts of the proposed development on water supply. This represents approximately 8 percent of the water available to supply to new development projects.

According to a Willingness to Serve Letter received from a representative of United Water New York, service could be made available to the proposed project but would be subject to the following conditions:

- Prior to installation of any services or the extension of any mains, hydraulic data pertinent to the project must be provided to UWNY, for review by their engineering department review and approval;
- If, as a result of such review, it is decided that any extension of mains or pipes or modification of other facilities is required on order to meet the hydraulic needs of the project, those mains or facilities will be installed or extended by the applicant in accordance to the terms and conditions of Rockland County's standard agreements for extensions;
- Service will be provided in accordance with the terms and conditions set forth in the Company's filed Tariff, as amended or modified time to time;
- Water mains shall be laid in accordance with the Recommended Standards for Water Works (a.k.a Ten State Standards).

Mitigation Measures

United Water New York has adequate resources to serve the project. United Water New York has indicated their willingness to serve the proposed project in a letter dated August 13, 2009, included in Appendix B. Water infrastructure upgrades may be required, and the applicant will install these improvements as per the conditions noted above.

Groundwater recharge is a critical component of sustainability based upon the site's relation to the Ramapo Aquifer. The Patrick Farm Groundwater Recharge system was designed to provide zero loss in groundwater recharge that occurs under existing conditions today. It is a form of Rainwater harvesting (RWH) which serves to replenish the Ramapo Aquifer, similar to pre development conditions. The groundwater mitigation design consists of four recharge basins proposed within the MR-8 portion of the property and 87 drywells proposed at the single family (R-40) portion of the property to capture rainwater from the roof leaders. The recharge system is designed to capture rooftop runoff in order to infiltrate that runoff into the ground in a manner and quantity that mimics the natural water cycle. As a result of these measures there will be no anticipated post development loss in the recharge capability of the site to the underlying aquifer.

Per New York State requirements, new construction is required to utilize among others water saving devices such as reduced flush toilet tanks and water restrictors in shower heads. The proposed development will conform to these requirements. In the event of a drought situation, the residences would adhere to any water-saving measures required by Rockland County and other public agencies.

## Sewage

### Potential Impacts

The Town of Ramapo Public Works Department and Rockland County Sewer District #1 (RCSD #1) both have jurisdiction over sanitary sewer infrastructure in the Town of Ramapo. The Town maintains most of the 8" diameter sewers and RCSD #1 maintains the major interceptor sewer lines and the pumping stations located along the major interceptors. The Town and RCSD #1 both regulate new construction, maintenance, repair and inspection of sanitary sewers and pumping stations within the Town of Ramapo. They handle new sewer extensions, remove blockages, and inspect new sanitary sewer installations.

Sewage is treated at the Rockland County Sewer District #1 Wastewater Treatment Plant located in Orangeburg, New York. Treated effluent is discharged into the Hudson River at Piermont, New York through an outfall sewer. Sludge is concentrated and anaerobically digested, dewatered and the sludge cake is composted and the combustible gas produced is captured and used for electric power.

Flow monitoring of existing sanitary sewers is one component of a program currently underway by the RCSD #1 to identify and eliminate inflow sources. RCSD #1 is currently implementing rehabilitation projects directed at identifying areas for addressing peak wet weather flow and reducing wet weather infiltration and inflow in the interceptor sewer system that lead to the elimination of sanitary sewer overflow discharges. Attached in the Appendices of this document is a copy of the Executive Summary from the RCSD #1 Collection System Evaluation and Engineering Report for Order on Consent Compliance. The Executive Summary provides a description of the RCSD #1 testing and flow monitoring program. RCSD #1 has a schedule for identifying inflow sources and completing all recommended inflow projects by the end of 2011.

No known sanitary sewer problems exist at the vicinity of Patrick Farm.

Sanitary sewer flow generated from Patrick Farm is estimated at 198,800 gallons per day based upon an average rate of 400 gallons per day per home. The RCSD #1 Wastewater Treatment Plant has adequate capacity to treat the Patrick Farm sewage. Sanitary discharges from Patrick Farm will enter the on-site public sewer system and will be conveyed to the RCSD #1 Route 202 Pump Station. The pump station is currently operating near capacity and does not have adequate capacity to convey sewer discharges generated by Patrick Farm. The Route 202 Pump Station and local sanitary sewer infrastructure located "down-gradient" of the Pump Station will require improvements.

Annual taxes generated to the Sewer District which would be used to cover expenses is estimated to be \$145,613.

### Mitigation Measures

A letter, dated January 20, 2009, from RCSD #1 indicates their acceptance of a "Conceptual Sanitary Sewer Plan and Preliminary Pump Station Design" prepared by the Applicant's Engineer for Patrick Farm. Based upon this acceptance the following improvements to local sanitary sewer infrastructure are anticipated as part of this project: Replacement of the Route 202 Pump Station, Construction of a new Force Main discharge line from the new pump station

to the Scenic Drive vicinity, replacement of gravity sewer lines which run from Scenic Drive to the Wilder Road vicinity, Upgrade of the pump station at Wilder Road. The final details of these required improvements are being coordinated with RCSD #1. DEIS Figure 3.6-1 shows the approximate path of the proposed force main, which runs through Prosperity Drive. The necessary easements and right-of-way to cross Prosperity Drive are in place. There are no sewer crossings necessary or proposed across Scenic Drive. A copy of the full sewer report is included as DEIS Appendix P. The Applicant's Engineer shall prepare construction plans for the requisite improvements to the local sanitary sewer infrastructure.

### **3.7 Fiscal Resources**

#### Potential Impacts

The Patrick Farm development would result in the conversion of predominately vacant land to a residential development. The increased market value of the project site, with these improvements, would result in an increase in property tax revenues.

The proposed project is projected to generate up to 1,932 persons. Based on a per capita cost of \$424, the additional costs to the Town of Ramapo are projected to be approximately \$819,168. The revenues to the Town from the proposed Patrick Farm Development would amount to a total of \$1,426,061 compared to a cost of \$819,168. Thus, the impact to the Town of Ramapo budget is anticipated to be positive.

The proposed Patrick Farm development will generate a total of \$3,374,801 in annual property tax revenues to the school district, including the Library tax and the Schools Town Fee. The increase in assessed valuation will generate \$3,215,732 above current taxes. After meeting the projected combined costs of school district services to both public and private school students of up to \$2,621,574, the overall effect on the district's budget is projected to be positive.

Rockland County would receive \$313,194 annually in property tax revenues. Additional revenues would accrue to the County sewer district. The total annual tax revenues to the Moleston Fire District would be \$115,111. The Ramapo Ambulance Corps would receive \$54,903 annually in project-generated tax revenues.

The current conditions in the U.S. economy are unusual and have altered the nature of the real estate industry in the United States. Certain areas of the country have been harder hit than others. There have been multiple failures of financial institutions, restrictions on lending, a reduced flow of money in the economy and a high rate of housing foreclosures. The recent difficulty in getting mortgages has slowed real estate sales in the area and has interfered with the closing of pending real estate transactions.

The New York region maintains substantial diversity of businesses and industries in comparison to other areas of the country. New York housing prices have escalated over the past decade because of the availability of easy mortgage money and the great economic engine that is New York City, however mortgage money is no longer as easy to secure and the impacts on Wall Street have had a ripple affect in the region. It is expected that there will be an adjustment in the housing market in reaction to the changes in lending practices and the lower demand that has accompanied the economic climate in the past year. Given the diversity of the economy in the NY metropolitan region, there is less likelihood that the NY metropolitan area will experience the degree of housing foreclosures or vacancies which have occurred in other areas of the

country. Housing prices have dropped and demand is also lower. The length of time for this area to recover is not known, however, the applicant believes that the forces that have always been in place, population growth and immigration and a robust economic base, will continue to occur in the New York metropolitan area.

#### Mitigation

The property tax revenues generated by the project will be adequate to address service demand, and the project is not anticipated to have an impact on the market values of adjacent and nearby properties, thus no significant impact to fiscal resources is anticipated.

### 3.8 Historic and Archaeological Resources

#### Potential Impacts

Phase 1A and Phase 1B assessments were completed for the project site. Systematic archaeological sampling of the study area encountered four locations of potential sensitivity, as shown in the table below. Two of the areas were determined to be not eligible for the State and National Register of Historic Places. The other two areas are referred to as the Conklin Family Cemetery and the J. Mather Farmstead. The project applicant has proposed deeded conservation easements to completely preserve the Conklin Family cemetery and the J. Mather Farmstead, and to allow public access to these resources.

<b>State and National Registers of Historic Places Eligibility</b>			
<b>Phase 1 Identification</b>	<b>Site Name</b>	<b>Eligibility</b>	<b>Action</b>
Prehistoric Site 1	Patrick Farm Prehistoric Site	Not Eligible	N/A
Cemetery	Conklin Family Cemetery	Eligible	To be left undisturbed
Historic Site 1	J. Mather Farmstead	Eligible	To be left undisturbed
Historic Site 2	Smith Farmstead	Not Eligible	N/A
OPRHP 2008.			

#### Mitigation

OPRHP has concluded that for the majority of the site no historic or cultural resources exist on or near the project parcel and no further investigation is required. The Conklin Family cemetery and the J. Mather Farmstead will be avoided via deeded conservation easements as shown on the site plan. Based on these commitments by the project applicant, no impact on archaeological and historic resources is anticipated as a result of the proposed project.

### 3.9 Aesthetic Resources

#### Potential Impacts

The proposed project would convert currently vacant woods and fields to a residential development and thereby change the character of the site. Clearing of trees and grading for construction and the addition of two story single family and townhouse dwellings would allow some views of the proposed development from area roadways. New lawns and landscaping

would replace existing woods and meadows in developed areas, while preserving some natural buffers and placing single family development around the perimeter of the development. Preservation of the single family development density along the Route 202 and 306 corridors is specifically proposed as a design technique to integrate the development with the existing character of the locale. A Conceptual Landscaping plan has been developed to retain existing forested areas as far as practicable, and to restore vegetation along the scenic road corridor, providing screening of the developed areas within the interior of the site. As shown on the Conceptual Landscape Plan, the land along US Route 202 which contains the stone retaining wall is located within the area to remain undisturbed.

*Town of Ramapo Scenic Road District*

A portion of the project site is situated within the Scenic Road District as defined by Local Law No. 7-2004, which identifies the Scenic Road Corridor as 1,000 feet off the centerline of specific roadways within the Town, including US Route 202 and NYS Route 306 in the project vicinity.

*Changes in Views from Nearby Locations*

After construction, the view from the surrounding roadways would be effectively screened by the undisturbed vegetated areas of the project perimeter and by the location of single family homes along the perimeter of the project site.

After construction the view from the scenic overlook A and B on Panther Mountain would include new housing development in the scene. Given its position at a higher elevation, new development on the project site would appear in a relatively small area of the mid ground of an expansive, panoramic view of the valley region, which includes visible housing development and agricultural field clearings in numerous areas beyond the site itself.

Mitigation

*Site Design*

The site design for the proposed development would locate single family residences on the lots with frontage along NYS Routes 202 and 306 and Scenic Drive, while the townhouses would be clustered in the central portion of the property. This layout would allow for the preservation of existing trees, landforms, and characteristic development patterns along the area roads and the screening of denser portions of the development in the center of the property. In this way the site design would conform to the standards in the Town of Ramapo Scenic Road District Regulations. A Conceptual Landscaping plan has been developed to retain existing forested areas as far as practicable, and to restore vegetation along the scenic road corridor, providing screening of the developed areas within the interior of the site. The foregoing discussion and accompanying cross sections in the FEIS demonstrate that the proposed project would not obstruct any existing scenic view.

*Architecture*

The project sponsor is committed to selecting residential architectural styles that complement the most pleasing examples in the community. Colors and materials would be chosen to

integrate the buildings with the natural landscape and the character of the locale. The multifamily dwellings will be subject to architectural review.

### *Landscaping*

As shown in the attached Conceptual Landscaping Plan, landscaping for Patrick Farm, including built elements, trees, shrubs and other plantings would adopt a naturalistic and/or a more manicured approach in accord with the overall site design, architectural concept, and the specific standards and goals of the Town. The project entrance area is designed to include two landscaped ponds with small fountains to provide an aesthetic feature along US Route 202.

### *Scenic Road Considerations*

The following measures have been utilized to specifically address the intent of the Scenic Road District Law. The bullet items below list the extent to which the proposed project plan for the Patrick Farm development conforms to the district criteria:

- ❑ *Architectural Compatibility with Surrounding Structures* - proposed project places single family residence lots around the perimeter of the development to diminish the visibility of the multi-family units internal to the project. Single family residences and lot sizes are similar to the existing homes in the site vicinity.
- ❑ *Substantially Preserve Scenic and Natural Features of the Site* - proposed plan preserves a number of substantial areas in natural land cover that have inherent environmental functions, including scenic qualities. The largest contiguous areas would include preserved wetlands and wetland buffer areas in the north central area; land in and around the power line easement and stream corridor crossing the north end of the project site; the existing pond and associated in-flowing and out-flowing streams in the south end of the project site; wetlands in the south end; and steep slope areas around the existing knoll in the southwest area including preservation of the stone wall along Route 202 in this area. A site plan revision was made (incorporated into the current proposed plan) that reduces disturbance to the knoll and eliminates blasting in this area.
- ❑ *Siting and Clustering to Avoid or Minimize Obstructing Scenic Views* - proposed project places single family residence lots around the perimeter of the development with multi-family units internal to the project. Visual analysis demonstrates no views will be obstructed by the project as proposed.
- ❑ *Double Front Yard Setback for Structures and Parking* - all proposed single family lots along Route 202 have been designed using double the required setbacks for buildings and parking, except for Lot 79 due to the unique limitations of that area. Lot 79 meets the setback requirements for the R-40 zone.
- ❑ *Double Side and Rear Yard Setbacks for Structures and Parking if there are Historic or Scenic Resources to be Protected* - The proposed plan provides easements for access to two historic features that are proposed to be preserved: Elias Conklin cemetery in the vicinity of Lot 8 and J. Mather farmhouse stone foundation on Lot 51.
- ❑ *Require Management of Front Yard to Preserve Significant Vegetation, Land forms, and Water Features; Create Dense Landscape Buffer; Preserve Stone Walls, Fields; Protect Visual Buffer and Prominence of Scenic Vistas including Views of Historic Properties and Landscapes* - proposed plan includes double the required setback on lots that front on Routes 202 except for Lot 79. No legal restrictions (such as a conservation easement) are proposed for these areas. Disturbance to the scenic ridge line in the

southwest portion of the site has been minimized, the existing stone wall has been preserved in this area. As shown on the landscape plan a dense vegetative buffer is proposed in the vicinity of the entrance way to screen views of the multifamily development from US Route 202.

- ❑ *Reduce Intrusions Into Open Space: Consider Common Driveways, Shared Utility Services* - The proposed project includes several cul-de-sac roads as a design measure to avoid disturbance to certain open space areas and steep slope areas: there is no connection of Roads A and B cul-de-sacs, a common drive is proposed for Lots 1, 2 and 3, to avoid excessive steep slopes disturbance at the knoll in the southwest corner; no connection of Roads D and E cul-de-sacs, a common drive is proposed for Lots 13 and 22, to preserve the wetland at the south end of the site; Road D ends in a cul-de-sac, and a common drive is proposed for Lots 67 and 69, to minimize disturbance to the stream corridor in the north end of the site.
  - ❑ *Cluster Subdivision is Preferred Residential Land Development type within, adjacent to, or affecting the character of the District, provided that: all structures and parking are screened year-round by land form or vegetation as viewed from public ROW; no diminishment of scenic vistas including views of historic properties and landscapes; and screening is placed in a conservation easement.* The proposed plan incorporates a design where single family lots are placed around the project perimeter to reflect the character of surrounding development, while placing more dense housing within the interior of the project and substantially out of sight from off-site vantage points. The purpose of a Cluster design is to allow design flexibility in order to preserve open space, to allow development to occur on the less sensitive areas of the site and to enable preservation of the most sensitive areas of the site. The concentration of development in the central portion of the Patrick Farm project has allowed the areas of wetlands and steep slopes to remain undisturbed resulting in the preservation of open space, thus some of objectives of clustering have been met.
  - ❑ *Preserve Existing Vegetation to Screen Structures from Public View within the District* - The proposed plan incorporates preservation of existing trees as buffer areas varying in width, generally from 20 to 50 feet wide, within the District. On proposed lots along US Route 202, existing woods are proposed to be retained to a depth of 180' on Lot 2, 30' to 55' on Lots 79-82, and 20' to 100' on Lots 70-77 based on the grading plan. Existing woods on proposed lots along Route 306 are proposed to be retained to a depth of 30' to 50' on Lots 67-70, 24' to 120' on Lots 57, 58 and 66, and 15' on Lot 51 based on the grading plan. The proposed structures would be placed at greater dimensions from these roadways, with intervening vegetation and topography to buffer (although not obscure) views of the development. For this reason, the project is designed with an envelope of single family lots along the District roadways.
  - ❑ *Provide for No Cutting of Trees exceeding 8 inches dbh without an approved plan; no cutting of all trees in a single contiguous area exceeding 20,000 square feet* - the applicant is requesting approval to develop the project as designed, which would necessitate removal of trees exceeding 8" dbh and cutting contiguous areas of existing woods in portions of the site. The applicant proposes to provide significant landscaping, in the zone change area to mitigate for the removal of trees.
- Discourage Telecommunication Towers in the District* - There are existing electric transmission towers along an Orange & Rockland utility easement crossing the north end of the subject property. No telecommunication towers are proposed by this applicant.

### 3.10 Noise and Air Resources

#### Potential Impacts

Local daytime ambient noise levels will increase both on and off of the project site during construction of the proposed Patrick Farm subdivision. Construction activities and the operation of construction equipment are an expected and required consequence of any new construction project and cannot be avoided. Noise resulting from construction activities is a temporary impact, and will cease upon completion of the project. Noise levels associated with the loading and moving of fill will depend on the distance from any receptor. Noise levels generated by construction activities on the site would drop off with increasing distance and would not be readily noticeable to adjacent properties given the existing ambient noise levels at the property line.

#### *Blasting Impacts*

Rock removal is expected to be required around areas of rock outcrop primarily in the western portion of the project site. Construction methods, other than blasting will be evaluated, such as cutting, ripping, or chipping. Any blasting required would be done in full conformance with applicable codes.

#### *Long-Term Noise Effects*

Patrick Farm subdivision is a development that will generate noises typical of residential neighborhoods. Sources of noise would include operating vehicles driving through the development, residents involved in recreational activities, and common area maintenance activities (e.g., lawnmowers). The introduction of a residential neighborhood will introduce a noise source to the project site. Residential uses are sensitive receptors and would not be expected to have a significant effect on noise levels.

#### Construction Noise Mitigation

Construction activity will not occur between the hours of 10:00 PM and 8:00 AM on weekdays, or at any time on Sundays or legal holidays in accordance with the Town of Ramapo laws. Typically, construction activities would be expected to cease prior to 6:00 p.m. All construction vehicles and equipment would be expected to be well maintained and operated in an efficient manner.

Should the need arise for blasting, any blasting would be done in full conformance with applicable codes. Prior to blasting, a general blasting schedule would be developed and a blasting permit would be obtained from the Building Inspector covering the specific blasting operation. It is anticipated that rock blasting would occur for short periods of time over a two month interval.

The blasting contractor will notify all residents within 500 feet of the blasting location of the anticipated blasting date and time. Notification will be done through mailings and by telephone calls to residents as described in the Blasting Impacts section above. All Blasting will be conducted in accordance with the Town of Ramapo Blasting Ordinance.

### *Air Quality*

There are no proposed stationary air emission sources that would be introduced by this project. Air quality impacts from construction activities were assessed along with a determination of impacts from project induced traffic.

### *Short-Term Construction Air Impacts*

Potential short-term adverse air quality impacts that may result from the Proposed Project include fugitive dust and particulate matter from the project site including emissions from construction equipment and vehicles. Construction activities on the project site may generate airborne or fugitive dust during ground clearing and excavation activities. Throughout the construction period, passage of delivery trucks and other vehicles over temporary dirt roads and other exposed soil surfaces could also generate fugitive dust. Such increases in construction-related dust will be temporary. Mitigation measures are proposed to offset these potential impacts to the maximum extent practicable. The construction of the project will therefore not result in significant adverse impacts to air quality.

Exhaust emissions from construction equipment is not as significant as fugitive dust generation. Based upon the number of pieces of diesel equipment anticipated to be utilized and mitigation measures identified, no significant short-term air quality impacts are anticipated to result from the use of diesel equipment during construction of the Proposed Project.

### *Long-Term Air Quality Impacts*

The primary generators of air emissions from the proposed residences include passenger vehicles, gas-powered equipment, and heating systems. Given the proposed density of the project, the projected volume of traffic, the installation of new and efficient heating systems, and proposed landscaping, no significant adverse long-term air quality impacts are expected to result from the proposed Patrick Farm housing development.

### Air Quality Mitigation

Mitigation measures are proposed as a part of the project during construction to limit dispersal of fugitive dust. Fugitive dust control and management measures include earth-moving operation controls, track-out controls which include hosing off of construction vehicles before entering the public roadway; installation of temporary paving material to minimize mud and dirt tracking; high wind condition controls, and stabilizing soil stored or stockpiled on the project site. Particulate matter from diesel exhaust emission will be reduced through proper tuning of diesel burning engines and maintenance of the air pollution controls. This will minimize additional contribution to site generated particulate emissions during construction.

Although exhaust emissions from construction equipment is not as significant as fugitive dust generation, particulates from diesel exhaust emission should also be controlled through proper tuning of the vehicles engine and maintenance of the air pollution controls. This would minimize additional contribution to site generated particulate emissions during construction.

#### 4.0 Alternatives

The New York State Environmental Quality Review Act (SEQRA) calls for a description and evaluation of the range of reasonable alternatives to the action, which are feasible, considering the objectives and capabilities of the project sponsor.

As required under SEQRA (Part 617.11), the Lead Agency's "[f]indings must weigh and balance relevant environmental impacts with social, economic and other considerations" and "certify that consistent with social, economic and other considerations from among the reasonable alternatives, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable..."

- A No Zone Change Alternative, evaluating the impacts associated with development of only Single Family homes pursuant to the existing zoning designation.
- An Adult Student Housing Alternative, where the center 12 acres of the project are rezoned to accommodate Adult Student Housing at 16 units per acre.
- A Reduced Build out Alternative, where the proposed project is reduced by approximately twenty five percent.
- Cul-de-sac "B-E" Roadway Connection
- Cul-de-sac "B-E" Emergency Access Connection

It should be noted that with the proposed development plan, and with each alternative presented below, the existing wetlands would not be disturbed.

##### 1. No Action Alternative

The No Action Alternative is the scenario that would occur if the site were to remain substantially undeveloped except for the existing single family homes, which would continue to be occupied and the Hasty Hills stables which would continue to be used. Under the No-Action alternative, none of the impacts identified in this report, whether adverse or beneficial, would occur.

##### 2. No Zone Change Alternate.

Under this alternative a development consistent with present zoning would be constructed. Alternative A, depicted in Figure 5-1 of the FEIS, shows how the site could be developed with 136 single family homes under the existing zoning. Under this alternative there would be no notable change in the diversity of housing options available in the Town of Ramapo. There would not be 72 condominium flat units constructed nor would 24 apartment rentals for community service workers be constructed.

### 3. Adult Student Housing Alternative.

There is no proposal to construct Adult Student Housing. This is not the preferred alternative and analysis of this alternative was prepared because it was a requirement of the adopted Scoping Document for this DEIS. Such a use was considered for this parcel several years ago. In this scenario, the central portion of the site would be developed with 192 adult student housing units and a post secondary educational institution occupying at least 10 percent of the project site, as defined in the Town of Ramapo Zoning Law § 376-1215. Access would occur from NYS Route 202. The remainder of the property would be developed with 127 single family residences. Under this alternative there would be no increase in the diversity of housing options available to the general population in the Town of Ramapo. This alternative would not represent housing for the general population but provide multifamily housing limited to full time religious students, faculty and their families. The student tenancy of these units would be limited to a maximum of six years. The 72 workforce condominium flat units would not be constructed nor would 24 apartment rentals for emergency service workers be constructed.

### 4. Reduced Build out

Analysis of the reduced Build-out Alternative shows how the site might be developed at a density of 75 percent of the proposed project. This alternative would result in the construction of 269 market rate townhouses and 103 single family homes. Under this alternative there would be less diversity of housing options available in the Town of Ramapo compared to the proposed plan. Neither 72 workforce condominium flats nor 24 apartment rentals for community service workers would be constructed.

### 5. Cul-de-sac "B-E" Roadway Connection.

This alternative shows a roadway connection between cul-de-sac B and cul-de-sac E. This alternative was explored in light of the Town's recommendation to reduce the number of cul-de-sacs wherever feasible. This alternative provides a full roadway connection between the two cul-de-sacs, built to Town roadway specifications. This alternative would be similar to the proposed project in all other aspects.

### 6. Cul-de-sac "B-E" Emergency Access Connection

This alternative was explored in light of the Town's recommendation to reduce the number of cul-de-sacs wherever feasible and in an effort to minimize potential impacts. This alternative provides a twenty foot wide emergency access connection between the two cul-de-sacs. This access could be constructed from pervious or impervious materials. This emergency access could be gated or not, at the discretion of the town. This alternative would be similar to the proposed project in all other aspects.

## 5.0 SUMMARY

The Town Board finds that potential adverse impacts of the Proposed Project are offset through a number of mitigation measures incorporated into the project design including on-site (e.g., site design and stormwater management program elements) and off-site (e.g., roadway improvements) such that no significant adverse environmental impacts are identified. Further, the Town Board finds the Proposed Patrick Farm minimizes adverse environmental impacts to

the greatest extent practicable and successfully balances potential adverse impacts against benefits to the community.

**6.0 DISTRIBUTION**

As the Lead Agency, the Town of Ramapo Town Board has primary responsibility for review of this application and for determining its conformity with the Town’s regulations. The following reviews, permits and approvals would be necessary to implement the action:

**INVOLVED AGENCIES**

*New York State*

New York State Department of Environmental Conservation

- SPDES General Permit for Stormwater Discharges from Construction Activities
- Water Quality Certification
- Dam Permit

New York State Department of Transportation

- Highway Work Permit

New York State Department of Health

- Extension of Public Sewer and Water Service

*Rockland County*

Rockland County Health Department

- Extension of Public Sewer and Public Water Service

Rockland County Sewer District 1

- Extension of Sewer Service

Rockland County Planning Department

- 239 GML Review

Rockland County Drainage Agency

- Drainage Agency Permit

*Municipal*

Town of Ramapo Town Board

- Adoption of Comprehensive Plan Amendment
- Adoption of Zoning Map Amendment

Town of Ramapo Planning Board

- Site Plan and Subdivision Review and Approval

Town of Ramapo Architectural Review Board

- Architectural Approval of Building Plans

INTERESTED AGENCIES

NYS Office of Parks, Recreation and Historic Preservation

Rockland County Department of Highways

East Ramapo Central School District

United Water of New York

Town of Ramapo Police Department

Moleston Fire District

Village of Pomona Board of Trustees

Village of Wesley Hills Board of Trustees