Proposed Zoning Text Amendments for:
Active Senior Housing Special Zoning District
Furnace Dock Luxury Condominiums

Petition Submitted to:

Hon. Linda Puglisi, Supervisor and Town Board
Town Hall
1 Heady Street
Cortlandt Manor, NY 10567

Petition Submitted on Behalf of:

AJ Cortlandt LLC
c/o Cosmo Marfione
222 Bloomfield Road, Suite 404
White Plains, NY 10605

May 5, 2021

Environmental Narrative
Proposed Active Senior Housing Special Zoning District

1. Background

This Environmental Narrative has been prepared on behalf of AJ Cortlandt LLC (hereinafter "AJC" or the "Applicant") the owner of a 42± acre parcel of land located on the north side of Furnace Dock Road approximately one-quarter mile north of NYS Route 9A in the Town of Cortlandt, Westchester County, New York, refer to Exhibit 1, Site Location and is described on tax maps as Section 55.19, Block 1, Lot 1 (the "Subject Site "), refer to Exhibit 2. The Subject Site went through an extensive environmental review concluding with issuance of a State Environmental Quality Review Act (SEQRA) Findings Statement which concluded that the then proposed 16 lot cluster subdivision (formerly the Furnace Dock Road subdivision, refer to Exhibit 3, Prior Approved 16 Lot Cluster Subdivision, hereinafter referred to as the "Prior Plan") avoided or minimized adverse environmental impacts to the maximum extent practicable. This Environmental Narrative is intended to compare the potential adverse environmental impacts of the originally approved plan and the proposed project as described below.

As part of the original approvals for the Prior Plan, the Town granted the following:

- Cluster Authorization from the Town Board;
- Wetland Approval from the Planning Board;
- Steep Slope Permit from the Planning Board;
- Tree Removal Permit from the Planning Board; and
- Conditional Final Plat approval from the Planning Board.

A series of time extensions for the Final Plat were granted by the Planning Board which ultimately expired in 2020. The SEQRA Findings Statement (see attached as Appendix A) for the Prior Plan included a Summary of Findings for a series of environmental impact categories which are described in more detail below.

The Applicant is now looking to take a different approach to development of the Subject Site, particularly in response to current market demands for different types of senior related housing. Based on an initial review of Town-wide demographics, the percentage of seniors (target market being age 55+) in the Town has increased substantially over the past 20 years: in 2000 8,633 residents 55+ out of a Town-wide population of 38,467, or 22%; by 2010 there were 12,046 residents 55+, or 29 % of total town-wide population; and, finally most recent estimates indicate that 13,650 residents or 32% of town-wide population of 42,576 are age 55+.

In addition, a preliminary review of the recently completed Comprehensive Plan noted that a resident survey identified single family homes, senior housing and upscale housing/townhomes/condos were housing types that should be encouraged in the Town (emphasis added)[1].

2. Description of the Proposed Action

[1] Envision Cortlandt, 2016 Sustainable Comprehensive Plan, P.48

The Applicant has submitted a formal zoning petition to the Town of Cortlandt Town Board (the "Town Board") that would create a new special zoning district as provided in Article XV of the Zoning Code, entitled Active Senior Housing Special Zoning District (the "Active Senior Housing District"), see Appendix Item B with this submission. The proposed zoning creates a special permit that would allow the Town the opportunity to:

(1) enhance the existing housing stock by allowing a residential product to be constructed that currently does not exist within the community.

(2) allow residents age 55+ an opportunity to downsize from larger single family homes but still remain within the community where they have family ties and relationships.

(3) allow for new low density residential developments that incorporate cluster design techniques to preserve open space and enhance buffering from other uses.

In order to be eligible for consideration for an Active Senior Housing District, a property would need to:

(1) Be at least 40 acres in size, under common ownership and located in the R-40 Residential District.

(2) Be located within one-half mile of an interchange with a New York State Highway.

(3) Have adequate access to water and sewer utility service.

Accompanying the Active Senior Housing District petition is a conceptual level site plan for the construction of 32 for sale units in eight buildings, refer to Exhibit 4. In comparison to the Prior Plan, the proposed plan uses the same exact road layout, places the buildings in the same location and has roughly equivalent site disturbance. The Prior Plan provided for 16 semi-attached units in eight buildings. The new plan retains the same eight building locations with slightly different footprints, and with each building now housing four smaller units rather than two single family homes. Each building will have two first floor units and two second floor units. The units will contain two and three bedrooms as compared to the previously proposed four and five bedroom homes. The road will be private and maintained by a homeowner's association and private garbage and recycling services would be utilized, reducing financial impacts to the Town. As an age restricted housing choice there would be no impact to the Hendrick Hudson School District other than enhanced tax revenue. The Active Senior Housing District petition and the proposed site plan comprise the Proposed Action as that term is defined by SEQRA. A Full Environmental Assessment Form, refer to Appendix C, has been prepared and submitted with this Environmental Narrative to assist the Town of Cortlandt during their evaluation of environmental impacts associated with the Proposed Action.

3. Required Permits and Approvals

Town Board:

- Adoption of Proposed Zoning Petition creating the Active Senior Housing District; and
- Issuance of a special permit to allow an Active Senior Housing project on the Property.

Planning Board:

- Site Plan Approval;
- Tree Removal Permit;
- Wetland Disturbance ;
- Steep Slope Permit;
- Subdivision Approval (to create the lots to be dedicated to the Town); and
- Stormwater Pollution Prevention Plan.

Town of Cortlandt Department of Technical Services, Engineering Department

- Water Service Connection

Town of Cortlandt Department of Technical Services, Highway Division

- Road Opening Permit

Westchester County Planning Board

- GML Referral

Westchester County Department of Health

- Sanitary System Approval
- Water Service Connection
- Realty Subdivision

New York State Department of Environmental Conservation

- SPDES General Permit for Stormwater

US Army Corps of Engineers

- Notification for coverage under Nationwide Permit - Wetlands

4. Review and Comparison of Anticipated Environmental Impacts

The following environmental narrative provides a comparison of the impacts and proposed mitigation between the Prior Plan and the current action. Under SEQRA, the Lead Agency should be reviewing the information to determine if the changes in the project will result in any new potential significant adverse environmental impacts.

The Prior Plan included:

- A subdivision consisting of 19 fee simple lots:
  - 16 lots for single family attached dwellings (duplex design) in a zero-lot line cluster arrangement with one unit per lot;
  - Three (3) lots to remain as undeveloped open space (approximately 33.88 acres) to be dedicated to the Town;
- A single paved subdivision road with cul-de-sac design of approximately 904 linear feet. The access road included the construction of a bridge crossing over Furnace Brook. The road was intended to be dedicated as a Town Road.

The Proposed Action calls for:

- Subdivision consisting of four lots in the following configurations:
  - One building lot with the 32 units maintained as part of a proposed condominium or homeowner's association;
  - Three (3) lots to remain as undeveloped open space (approximately 33.88 acres) to be dedicated to the Town.
- A single paved subdivision road with cul-de-sac design of approximately 904 linear feet. The access road will include the construction of a bridge crossing over Furnace Brook. The road is intended to remain private and owned and maintained by the condominium or homeowner's association. The road is the same as for the Prior Plan.

It is noted that the Project Engineer for this submission is different from the one used as part of the original environmental review and site plan development. The plan proposes a slight increase in the amount of impervious surface from the original plan which the current Project Engineer attributes to the proposed Item #4 access road provided to serve the utilities along the southern portion of the Subject Site. The current Project Engineer believes this area was not counted towards impervious surface are previously and to be conservative, the calculations contained in this Environmental Narrative have included this area as impervious surface although it is not fully impervious. As noted in Item B below, the additional area noted as impervious can be adequately addressed and mitigated.

A. Grading and Soil Erosion

The site plan layout included with the proposed zoning amendment follows very closely the layout and house placement of the original 16 lot residential development. As noted above there is a slight increase in disturbance and impervious coverage which the Project Engineer attributes to an Item #4 access road to service the utilities which, to be conservative, they are including as an impervious surface.

Impacts associated with the Prior Plan:

- 6.77± acres site disturbance
- 1.69± acres disturbance to steep slopes

Anticipated Impacts associated with Proposed Action:

- 6.77± acres site disturbance
- 1.69± acres disturbance to steep slopes.

Mitigation proposed:

Consistent with the original Furnace Dock Road Subdivision SEQRA Findings Statement, the Applicant will:

1. Conform with the provisions of Section 259-6 of the Cortlandt Town Code related to disturbance to areas with steep slopes (see Items 1-19 from the original Furnace Dock Road Subdivision SEQRA Findings Statement regarding Grading and Soil Erosion Mitigation Proposed).

2. In the event that blasting is required as part of rock removal, the Applicant will conform to applicable New York State Code and the blasting protocol included as part of the Erosion and Sediment Control Plan (Refer to Items 1-10 under Blasting Impact and Mitigation from the original Furnace Dock Road Subdivision SEQRA Findings Statement).

B. Water Resources

There are local wetlands located on the Subject Site which will need to be disturbed in order to access the site, regardless of the proposed land use. The wetlands are regulated by the Town and mitigation is proposed consistent with the initial environmental review which will include wetland creation at a ratio of 2:1. The Project Engineer has provided a letter, refer to Appendix D of this submission, which confirms the previously delineated wetland buffer.

Impacts associated with the Prior Plan:

- 1.96± acres increase in impervious surface
- 0.20± acres wetland disturbance; 1.08± acres associated buffer area
- Stream crossing of Furnace Brook

Anticipated Impacts associated with Proposed Action:

- 2.15± acres impervious surface increase of approximately 0.14 acres associated with the inclusion of the Item #4
- 0.20± acres wetland disturbance; 1.22 acres associated buffer area an increase of approximately 0.14 acres due to the classification of the Item #4 access.
- Stream crossing of Furnace Brook

As noted above, the Project Engineer has included the Item #4 access as impervious surface. This slight increase in impervious surface can be adequately accommodated as part of the proposed stormwater management system.

Mitigation proposed:

Consistent with the original Furnace Dock Road Subdivision SEQRA Findings Statement, the Applicant will:

1. Prepare a Stormwater Pollution Prevention Plan (SWPPP) to comply with current NYSDEC stormwater management requirements.
2. Conform with the Town of Cortlandt wetland regulations, Chapter 179 of the Town Code.

Refer also to Items 1-9 on pages 9 and 10 under Water Resources from the original Furnace Dock Road Subdivision SEQRA Findings Statement, provided as Appendix A.

C. Air Resources and Noise

Impacts associated with the Prior Plan:

- Short term air quality impacts may result from fugitive dust during construction related activities.

- Short-term noise impacts associated with construction activities.

Impacts associated with Proposed Action:

- Short term air quality impacts may result from fugitive dust during construction related activities.
- Short-term noise impacts associated with construction activities.

Mitigation Proposed:

Consistent with the original Furnace Dock Road Subdivision SEQRA Findings Statement (refer to page 11), the Applicant will:

1. Implement dust control measures during construction.
2. Conform to Town regulations related to hours of operation for construction activity (activities shall not be conducted between the hours of 7:00 PM and 7:00 AM Monday thought Saturday and all day Sunday and national holidays).
3. All blasting done in full conformance with New York State Code and the Town of Cortlandt blasting regulations.

D. Terrestrial and Aquatic Ecology

Impacts associated with the Prior Plan:

- 6.57± acres disturbance of upland woods habitat.

Anticipated Impacts associated with Proposed Action:

- 6.57± acres disturbance of upland woods habitat.

Mitigation Proposed:

An updated tree survey is being prepared by the Applicant and will be included as part of the formal site plan submission. Consistent with the original Furnace Dock Road Subdivision SEQRA Findings Statement (refer to page 12), the Applicant will conform to the provisions of Section 283-8A of the Town Code related to tree cutting. Per the SEQRA Findings Statement, mitigation for wetland disturbance will include provision of wetland creation to expand Wetland "B" to off-set the loss of wetlands.

E. Traffic and Transportation

Given the difference in the program (active adult age-restricted units v. non-age restricted single family homes) there is a significant reduction in the peak hour and daily traffic totals.

A Vehicular Trip Generation Comparison technical memo has been prepared as part of the Environmental Narrative, refer to Appendix E. As indicated in the technical memo and summarized below there is a reduction in peak hour traffic from 16 Peak AM hour trips to 7 trips, a reduction of 56%; a reduction on Peak PM hour trips from 17 to 10 trips, a reduction of 41%; and a reduction of Peak Saturday hour trips from 31 trips to 11 trips, a reduction of 65%.

Impacts associated with the Prior Plan:

- 16 Peak AM Hour vehicle trips; 17 Peak PM Hour vehicle trips; 31 Peak Saturday Hour trips; Weekday total 193 vehicle trips; 175 Saturday daily trips.

Impacts associated with Proposed Action:

- 7 Peak AM Hour vehicle trips; 10 Peak PM Hour vehicle trips; 11 Peak Saturday Hour trips; Weekday total 126 vehicle trips; 110 Saturday daily trips.

Mitigation Proposed:

1. Subdivision road and bridge constructed to Town of Cortlandt roadway specifications.
2. Incorporation of sight distance easement and improvements that would provide adequate sight distance of approximately 400 feet to the east.

F. Land Use and Zoning

The Proposed Action calls for the creation of a housing product specifically targeted to an age restricted market. The appearance of the proposed housing will be largely indistinguishable from a single-family residence.

Impacts associated with the Prior Plan:

No significant land use impacts identified as part of the "16 Lot Cluster". Section 265-17(F) of the Town Code allows for a dead end street to exceed 500 feet in exceptional cases which was granted as part of the initial approval associated with the cluster subdivision.

Impacts associated with the Proposed Action:

The Proposed Active Senior Housing District has eligibility criteria which limits its application to the Subject Site. The proposed age-restricted residential development would be consistent with the surrounding residential neighborhood similar to the original Furnace Dock Road Subdivision SEQRA Findings Statement, refer to page 14 and 15 and would provide a housing type identified as needed in the Town.

G. Community Services

As noted below in Item H. Socio-economics, one of the primary benefits of an age-restricted housing resource is that it will not generate school age children while still generating tax revenue for the school district. The Proposed Action includes the establishment of a condominium association and or a homeowner's association that will address site maintenance including road maintenance and upkeep responsibilities and limit any potential impact on community services.

Impacts and mitigation associated with the Prior Plan:

- Generation of 16 or fewer school age children
- No significant adverse impact to Police protection
- No significant adverse impact to Fire protection

- Approximately 5,610 gpd water use. Contribution of "fair share" funds for a new water storage tank to be constructed in the project area and costs associated with extension of a water main along Mt. Airy Road near Furnace Dock Road.
- Sewage disposal of approximately 5,050 gpd to go to Baltic Estates Sewage Treatment Plant.
- Minor increment in solid waste generation.
- As required by the previous Planning Board Resolution and the Town Board Cluster Authorization, the Applicant will provide a payment of a $90,000 recreation fee, along with the preservation of 33.88 acres permanent open space.

Impacts and mitigation associated with the Proposed Action:

- No school age child generation;
- No significant adverse impact to Police protection anticipated;
- No significant adverse impact to Fire protection anticipated;
- Payment of a recreation fee if determined appropriate, together with preservation of 33.88± acres permanent open space to be dedicated to the Town;
- Applicant will work with the Town to improve public access to the adjacent Railroad Pond property;
- Approximately 9,680 gpd water use;
- Approximately 8,800 gpd sanitary sewer. It is noted that the Applicant has an agreement (to be revised) with Jonas Bastys, Inc the owner/operator of the Baltic Estates Sewage Treatment Plant which currently has capacity to support the Proposed Action;
- Private roads maintained by HOA; and,
- Private garbage and recycling service.

H. Socio-economics

One of the primary benefits of the Proposed Action is that it allows for the creation of a needed residential housing resource, but does not have the accompanying impact associated with the generation of school age children. The proposed residential community would be governed by either a homeowner's association or condominium association which would be responsible for upkeep and maintenance of the proposed access roadway and garbage/recycling pickup. In addition, a subdivision is proposed which would allow for the donation of approximately 34acres of land adjacent to existing Town open space lands, further enhancing open space opportunities in the Town.

Impacts and mitigation associated with the Prior Plan:

- 87 projected new residents
- Generation of approximately $419,466 in total real estate tax revenue
- Projected fiscal benefit to the Town of Cortlandt and the Hendrick Hudson School District

Impacts and mitigation associated with the Proposed Action:

- Creation of a new housing product within the Town, anticipated population of between 53 and 64 residents.
- Creation of 32 new housing units for residents age 55+ looking to downsize and remain in the community.
- Generation of approximately $387,477 in total real estate taxes of which approximately $258,478 would go to the Hendrick Hudson School District and approximately $53,000 to the Town (General Town, Highway, Library). Refer to fiscal calculations work sheets as part of Appendix F of this submission.
- Creation of two affordable units at 100 % AMI.

I. Cultural Resources

Cultural resource studies were prepared as part of the previous environmental review and included both a Stage 1A and Stage 2 evaluations and coordination with the NYS Office of Parks Recreation and Historic Preservation (OPRHP). The Stage 2 evaluation included archeological investigations for selected locations on the Subject Site and the acknowledgement that a portion of the site will be outside of the area designated for construction.

Impacts and mitigation associated with the Prior Plan:

- Cultural resources identified on-site and Avoidance Plan prepared.
- OPRHP determined that the project as designed will have no impact on historical resources.
- Tree clearing will make portions of the development visible from Furnace Dock Road.
- One location identified where the proposed tree clearing will cross the backs of lots 12 through 16, dense planting of evergreen trees to provide a buffer.

Impacts and mitigation associated with the Proposed Action:

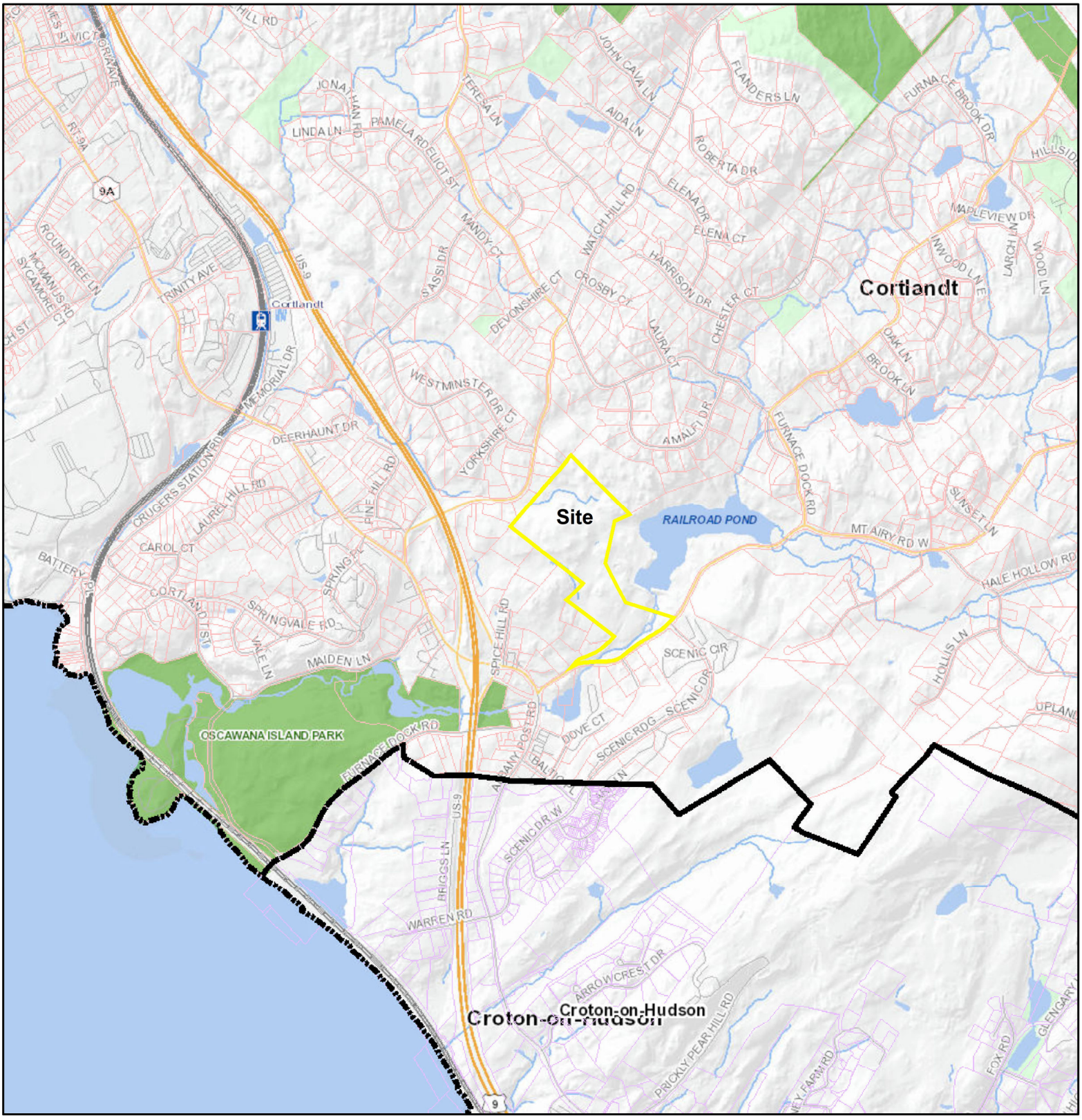
- Avoidance plan will be maintained.
- Proposed building elevations will be comparable to a single family residence, refer to Exhibits 5, Proposed elevations.

Conclusion

The current Proposed Action calls for a development program that uses virtually the same footprint as the prior 16 Lot Cluster Plan. Accordingly impacts related to site disturbance are virtually the same between both plans. The Proposed Action, because of the nature of the prospective residents, will generate relatively few impacts to the Town of Cortlandt. As noted above, the traffic impacts will be less along with impacts to community facilities. The road will be private and maintained by the association reducing impacts on the Town, and garbage pickup will also be handled privately to reduce cost burdens to the Town. Based on the projected sales prices for the market rate units the project should generate significant revenues to all taxing jurisdictions with relatively minor impacts to services. It should also be noted that the Proposed Action includes two affordable housing units at 100% AMI, even though such units are not required per the Town Code. Based on the above analysis, the Applicant contends that the

Proposed Action will not result in any new potentially significant environmental impacts not already addressed or mitigated.

FURNACE DOCK RD. ID: 55.19-1-1 (Cortlandt)



May 4, 2021

1:20,000

0 900 1,800 3,600 ft

Tax parcel data was provided by local municipality. This map is generated as a public service to Westchester County residents for general information and planning purposes only, and should not be relied upon as a sole informational source. The County of Westchester hereby disclaims any liability from the use of this GIS mapping system by any person or entity. Tax parcel boundaries represent approximate property line location and should NOT be interpreted as or used in lieu of a survey or property boundary description. Property descriptions must be obtained from surveys or deeds. For more information please contact local municipality assessor's office.

N

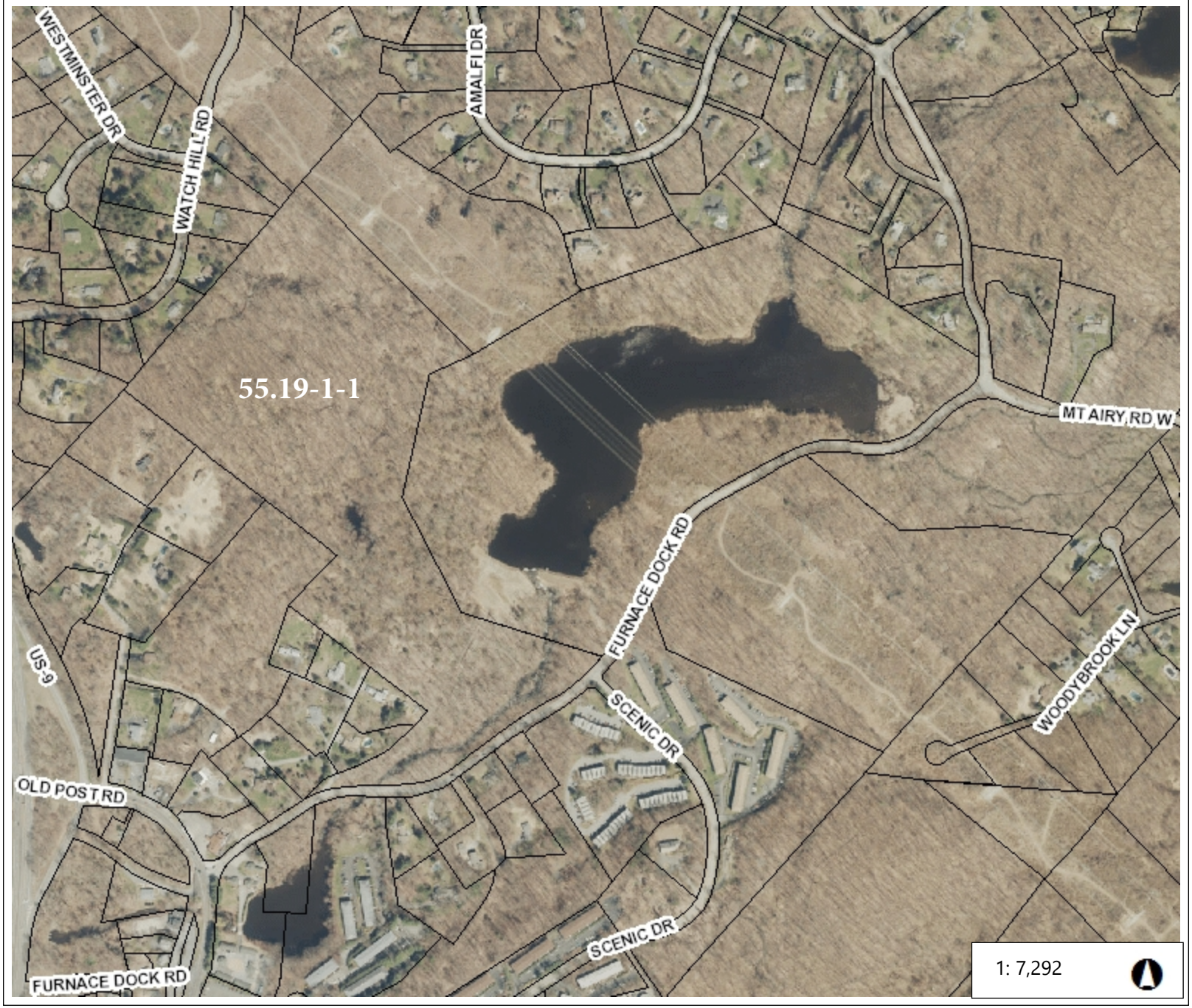
Westchester County GIS

GIS GEOGRAPHIC INFORMATION SYSTEMS

http://giswww.westchestergov.com

Michaelian Office Building
148 Martine Avenue Rm 214
White Plains, New York 10601

Exhibit 1 Site Location



1,215.3 0 607.64 1,215.3 Feet

Map produced by: user

Disclaimer: "The information contained in this data is NOT to be construed as a "legal description"/ The Town and its consultants do NOT provide any guarantee of accuracy or completeness and will NOT be held liable for any damages or losses due to its use."

Town of Cortlandt

Legend

- Parcels
- Parcel Labels
- Road Labels

Notes

Exhibit 2 Tax Map Designation

Existing Approved Site Plan

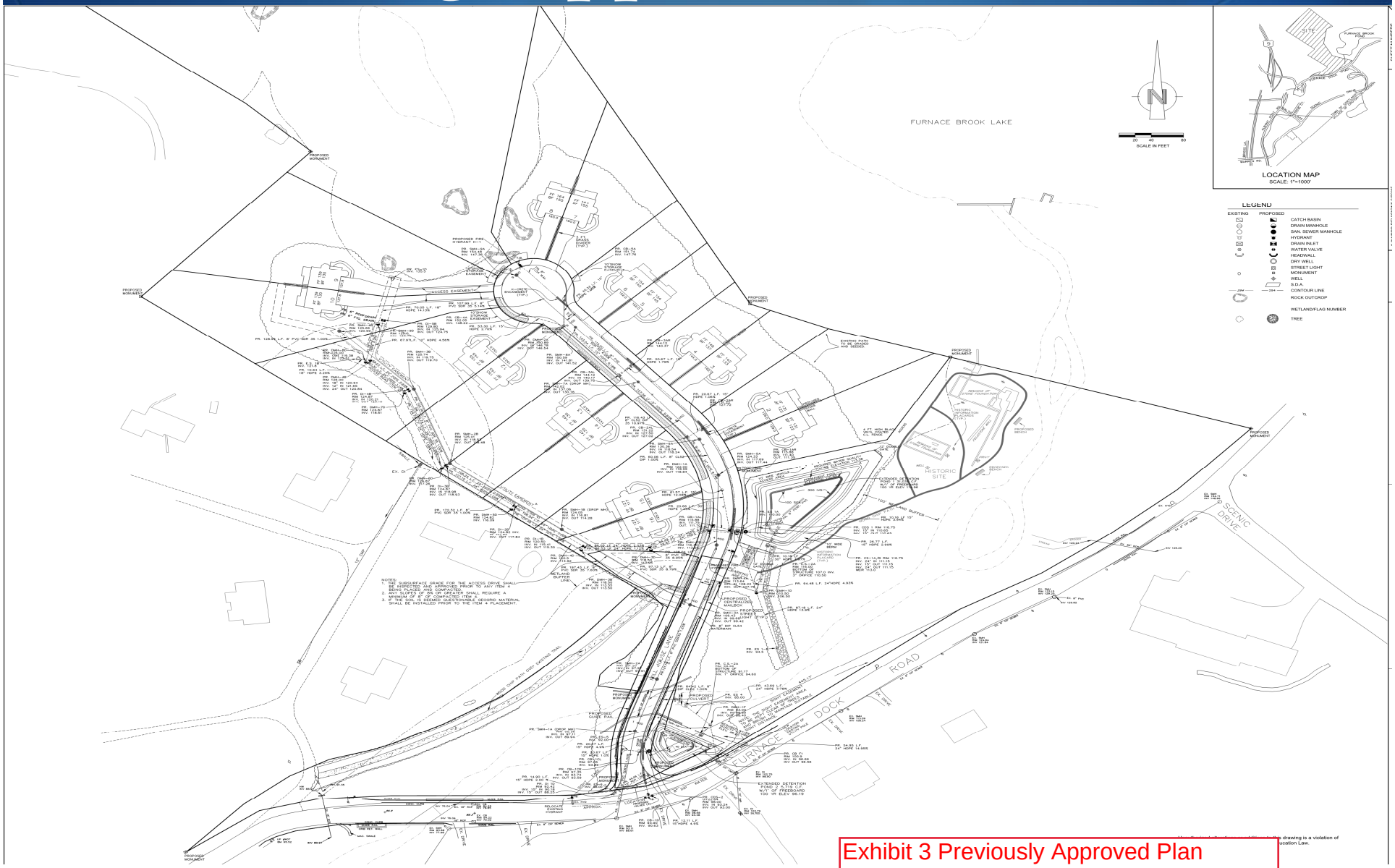
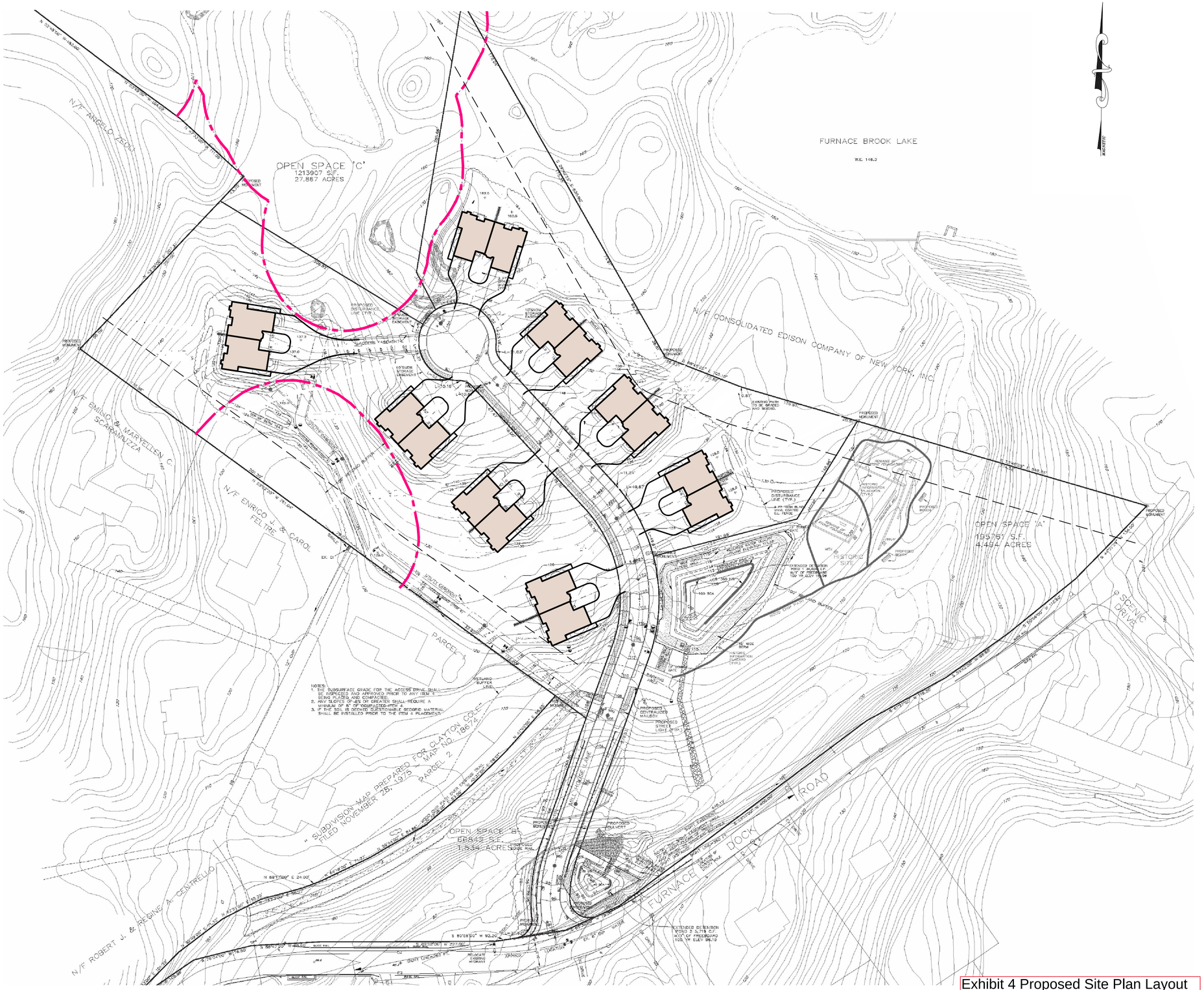


Exhibit 3 Previously Approved Plan



OPTION "F"
32 UNITS

GRAPHIC SCALE
60 0 30 60 120 240
(IN FEET)
1 inch = 60 ft.

Exhibit 4 Proposed Site Plan Layout

Architectural Renderings

Architectural Renderings

Appendix A

SEQRA Findings Statement

PB# 9-99 Furnace Dock Road Subdivision

Adopted: 4-11-07

State Environmental Quality Review
FINDINGS STATEMENT

PB# 9-99 Furnace Dock Subdivision
Town of Cortlandt
Westchester County, New York

Adopted: April 11, 2007

Title of Action: PB # 9-99 Furnace Dock Subdivision. This document is a Findings Statement prepared pursuant to and as required by 6NYCRR Part 617.11 implementing the New York State Environmental Quality Review Act (SEQRA). This Findings Statement draws upon the information in the Town of Cortlandt Planning Board record in connection with the Applications for Subdivision Plat Approval and Wetlands, Steep Slopes and Tree Removal Permits for the Furnace Dock Subdivision, including the Draft Environmental Impact Statement (DEIS) dated September 3, 2003, comments received on the DEIS and associated applications at a duly noticed public hearing held on October 7, 2003, written comments received on the DEIS, the Final Environmental Impact Statement (FEIS) dated March 7, 2006, comments received on the FEIS and associated applications at a duly noticed public hearing held on April 4, 2006, and comments received thereafter.

Introduction:

In preparing this Findings Statement the Town of Cortlandt Planning Board has given due consideration to the DEIS, FEIS and other documents prepared in conjunction with the SEQRA process. Further, this Findings Statement contains the facts and conclusions in the DEIS and FEIS relied upon by the Planning 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)).

This Findings Statement pertains to the proposed Furnace Dock Subdivision project, which is located on the north side of Furnace Dock Road approximately one-quarter mile north of NYS Route 9A (Albany Post Road) in the Town of Cortlandt, Westchester County, New York, as described herein (the "Proposed Action"). The Furnace Dock Subdivision project site is designated on the Town of Cortlandt Tax Maps as Section 55.19, Block 1, Lot 1.

In accordance with SEQRA (6NYCRR Part 617), the following elements of the environmental process have been undertaken:

- Designation of the Town of Cortlandt Planning Board as Lead Agency;
- Issuance of a Positive Declaration by the Town of Cortlandt Planning Board;
- Preparation, Public Hearing and adoption of a Draft EIS Scope;
- Preparation and review of a Draft EIS;
- Acceptance of the Draft EIS by the Lead Agency on September 3, 2003, and subsequent filing of the Draft EIS and a Notice of Completion and Notice of Public Hearing;
- Holding of a Public Hearing on the Draft EIS and associated applications by the Lead Agency on October 7, 2003, at which time the hearing was closed on the DEIS.
- Receipt of public comments on the Draft EIS for at least 10 calendar days following the close of the hearing;
- Preparation and review of a Final EIS;

- Acceptance of the Final EIS (which incorporated the Draft EIS by reference) by the Lead Agency on March 7, 2006 and filing of the Final EIS, a Notice of Completion and a Public Hearing Notice;
- Included the Final EIS in the public hearing on the associated applications by the Lead Agency on April 4, 2006, at which time all hearings were closed;
- Affording a public review and written comment period on the Final EIS for at least 10 calendar days following the close of the hearing; and,
- Preparation, review and adoption of this Findings Statement by the Lead Agency.

Pursuant to Article 8 (SEQRA) of the Environmental Conservation Law and 6NYCRR Part 617, the Town of Cortlandt Planning Board as Lead Agency makes the following findings.

Background:

During the SEQRA process, the Applicant significantly modified the subdivision plan for Furnace Dock Subdivision in response to comments received from the public and the Planning Board regarding the potential direct environmental impacts relating to disturbance and loss of wetlands and buffers, surface water quality, tree removals, loss of wildlife habitat, length of road, and traffic, among other concerns. Between the time the DEIS was accepted on October 7, 2003 and the FEIS was accepted on March 7, 2006, the proposed Furnace Dock Subdivision project was revised to provide further mitigation of potential adverse environmental impacts. Subsequent to the FEIS public hearing, further revisions were made by the Applicant to provide additional mitigation of potential adverse environmental impacts. The subject DEIS and FEIS was reviewed for completeness by the Town's Environmental consultants, Frederick P. Clark Associates and Charles H. Sells Inc., and by the Town's Department of Technical Services as well as by the members of the Planning Board. Early in the SEQR process, the Planning Board and Town staff conducted a site visit of the subject property.

The project revisions from the DEIS plan to the current proposed "16 Lot Cluster" plan resulted in significant reductions in the project density (number of lots), impervious surfaces, and area of disturbance. Specifically, the project revisions that are represented in the current "16 Lot Cluster" plan include the following primary improvements: 1) incorporate a cluster subdivision layout on the south 14.56-acre portion of the property with single-family attached dwellings (zero lot line); 2) eliminate all development on the northern 27.87-acre portion of the property in an open space lot; 3) reduce the unit count from 24 units in the DEIS plan to 16 units by eliminating eight units and changing from single-family detached to single-family attached (duplex) dwellings; 4) shorten the internal roadway for the project, by eliminating approximately 1,700 linear feet of impervious roadway; and, 5) reduce the disturbance of wetlands by approximately 0.05 acres and disturbance of wetland buffers. These revisions are depicted on the "Preliminary Site Plan 16 Lot Cluster" prepared by Ralph G. Mastromonaco, PE, PC, dated January 12, 2007, and are further described below.

Subsequent to the public review of the FEIS, the Planning Board and Town staff conducted a second site visit on May 13, 2006, and held a workshop session on May 18, 2006, with the Applicant and its representatives, at which time further comments were made relative to the proposed roadway and bridge crossing, pedestrian access to the west, the wetland crossings, and alternative plans presented in the FEIS. In response to the discussions at the Planning Board workshop, the Applicant subsequently requested that the Town consider authorization of a cluster subdivision layout. The Town of Cortlandt Town Board adopted Resolution #11-07 on January 23, 2007, as may be amended, to authorize the cluster plan.

The project depicted in the "16 Lot Cluster" plan is proposed to ameliorate the concerns of the Planning Board and Town staff, and the public raised during the SEQRA process. The Applicant appeared before the Town Board and Town Planning Board to review the plan revisions stemming from comments by the

public and involved agencies, and developed the current plan in response to such meetings and discussions. The Planning Board has considered all the prior development plans, alternative plans and related underlying analyses presented by the Applicant in the DEIS and FEIS, and the refinements to the proposed project plans, as well as all the written comments relating to such plans, along with all the previous oral and written comments and correspondence, in developing this Findings Statement.

The FEIS presented a comparison of a 24-lot plan (the DEIS proposal), a 26-lot cluster alternative from the DEIS, an 18-lot plan (the FEIS proposal), and a 17-lot loop road alternative. The Planning Board has determined that the current "16-Lot Cluster" plan would further reduce potential environmental impacts of all of the prior plans and that the current plan revisions reduce physical site impacts to the maximum extent practicable while still allowing the proposed Furnace Dock Subdivision project to be developed in an economically feasible manner.

Description of Proposed Action:

The Applicant proposes to subdivide and develop approximately 42.435 acres of undeveloped land into 19 lots, of which 16 will be developed as residential lots and three (3) will remain undeveloped as open space. The subdivision development would include a cul-de-sac road approximately 904 feet in length, underground utilities and other related site improvements. A total of 33.88 acres are proposed to remain undeveloped as open space. The subdivision will consist of 16 fee-simple lots for single-family attached dwellings (duplex design) in a zero lot line cluster arrangement with lots ranging in size from 0.257 acres to 0.922 acres. A single paved subdivision road is proposed from Furnace Dock Road into the interior of the site, servicing all of the lots via private driveways and terminating at a turnaround. The access road will include construction of a bridge crossing over Furnace Brook, which traverses the entire frontage of the property. A paved sidewalk will follow both sides of the roadway, separated by a narrow grass strip, connecting to Furnace Dock Road via a pervious path constructed over the old, existing, tree-lined dirt driveway into the site from Furnace Dock Road.

The project site is situated within the Town's R-40 residential zoning district.

Project Access

The proposed action includes the creation of a Town road from Furnace Dock Road that will take access west of the intersection with Scenic Drive. This road is proposed to be approximately 904 linear feet with a pavement width of 24 feet within a 50-foot right-of-way, per Town of Cortlandt roadway specifications and has been designed with curbs. A stop sign and street name sign will be installed at the Furnace Dock Road entrance, and a project identification sign is proposed integral to the stone masonry walls at the entrance. The road will be constructed to Town standards and specifications and offered for dedication to the Town of Cortlandt.

Access to the project site for the development requires a bridge crossing of Furnace Brook. The proposed project includes a bridge structure consisting of three culverts to accommodate normal and flood condition stream flows in Furnace Brook and the movement of wildlife in the steam corridor. The structure will consist of a 24-foot wide, open-bottom culvert in the center with a 10-foot wide box culvert on each side. The proposed access road has been located to provide sufficient, safe sight distances on Furnace Dock Road and has been designed using a culvert system intended to minimize disturbance to the stream corridor. The stream crossing involves the placement of less than twenty-five cubic yards of fill into "waters of the United States" as it applies to the jurisdictional limits of the authority of the United States Army Corps of Engineers (Corps) under the Clean Water Act. Accordingly, this activity does not require individual permit authorization from the Corps. A permit from the Town of Cortlandt Planning Board will be necessary prior to constructing the stream crossing.

The proposed project will utilize the municipal water system from a water main connection in Furnace Dock Road. The Baltic Estates Sewer Treatment Plant will service the project through an agreement between Furnace Dock Inc. and the private sewer district. As a condition of this agreement, Furnace Dock, Inc., will rehabilitate the existing Baltic Estates sewage pumping station, which is located approximately 500 feet southeast of the project site. Expansion of the existing sewer district will also require approval by the Town, as will the connection to the municipal water system.

As a result of the environmental review process, the project plans have been amended to show additional environmental improvement measures. Most significantly, the revised project entails the reduction from a 24-lot single-family conventional subdivision to a 16-lot single-family attached (duplex) cluster plan, with a reduction in the total length of roadway from approximately 2,604 feet to approximately 904 feet.

Alternatives Considered:

SEQRA calls for evaluation of reasonable alternatives to the proposed action that are feasible considering the objectives and capabilities of the project sponsor. In addition to the 24-lot conventional plan evaluated in the DEIS, the following site plan alternatives were evaluated in the DEIS and FEIS:

- No Action Alternative
- Cluster Alternative - 26 lots
- Conventional Subdivision with No Disturbances to Wetlands and Buffers
- Conventional Subdivision with Minimal Wetland Crossing - 7 lots
- 18-Lot Loop Road Alternative
- 17-Lot Loop Road Alternative

Required Permits & Approvals:

The agencies identified below were duly notified as involved agencies and have review, direct approval, or permit issuing authority over the proposed action:

Planning Board of the Town of Cortlandt (Lead Agency)

- Subdivision Approval
- Town Steep Slope Permit
- Wetland Permit
- Tree Removal Permit

Town Board of the Town of Cortlandt

- Extension of Sewer District

Town of Cortlandt Department of Technical Services, Engineering Department

- Water Service Connection

Town of Cortlandt Department of Environmental Services, Highway Division

- Road Opening Permit

Westchester County Department of Health

- Sanitary System Approval

- Water Service Connection
- Realty Subdivision

New York State Department of Environmental Conservation

- SPDES General Permit for Stormwater

US Army Corps of Engineers

- Notification for coverage under Nationwide Permit - Wetlands

Parties identified below were notified as interested parties for the proposed action:

- Town of Cortlandt Conservation Advisory Committee

Summary of Findings:

A. Geology, Soils and Topography

The Town of Cortlandt Planning Board finds, upon due consideration of the Draft and Final EIS, and information derived from other documents and public hearings and Planning Board meetings during the course of this SEQRA review, that the project will not significantly impact upon geology, soils, and topography for the following reasons:

Findings

Grading and Soil Erosion

In response to Planning Board and public concerns over erosion and sediment control, and related water quality impacts, the site development plan for the project was revised to reduce its overall scope, impervious surfaces, construction on steep slopes, and overall site grading. Under the DEIS 24-lot plan, approximately 15.0 acres would be disturbed including 4.9 acres of steep slopes; under the FEIS 18-lot plan, approximately 12.0 acres would be disturbed including 3.3 acres of steep slopes. The current "16-Lot Cluster" plan will further reduce the total area of disturbance to 6.77 acres and steep slopes disturbance to 1.69 acres on the project site.

Grading and Soil Erosion Mitigation Proposed

Grading in areas of steep slopes will conform to the provisions of Town of Cortlandt permit requirements for disturbance to areas with steep slopes, as per Section 259-6 of the Cortlandt Town Code as follows:

1. The layout and design of the project and residences take advantage of the natural terrain. Buildings are located on the level areas of the site and roads and buildings are designed to match existing topography, to the extent possible.

2. Building sites will not be terraced but rather houses will be placed on the most level areas on each lot. The random siting of individual homes and the distance retained between buildings will avoid the appearance of "terracing".

3. Roads and driveways are designed to follow the natural contours of the site, to the extent possible, to minimize erosion potential. The access road generally follows the site's contours and driveways are located to provide reasonable access to each lot from the access road.

4. Replanting and landscaping will consist of mostly indigenous vegetation.

5. Since there is no ridgeline located on or near the project site, natural elevations and vegetative cover of ridgelines will not be disturbed by the project.

6. Regrading will blend in with natural existing contours on the property.

7. Cut and fills will be rounded at the tops and bases of regraded slopes.

8. Maximum slopes will be limited to one (1) vertical to two (2) horizontal except where retaining walls, structural stabilization, or other methods acceptable to the Town are utilized.

9. The tops and bottoms of cut and fill slopes will be set back at safe distances from structures to avoid structural problems. As indicated in the Code, set backs shall generally be six feet plus one half the height of the cut or fill, unless the structure is properly designed to retain the slope and withstand the forces exerted on it by the retained slope. Slope stabilization techniques utilizing geotextiles or other suitable methods will be used where appropriate.

10. Blasting to remove rock will only be done when mechanical means are not feasible and will be completed in accordance with applicable regulations (see blasting discussion below).

11. Areas of steep slope disturbance will be stabilized during one construction season to avoid exposure during the winter and spring months.

12. Disturbance to vegetation will not occur more than fifteen days prior to grading or construction activity.

13. Temporary soil stabilization, such as mulching or geotextile installation, will be completed within two days of establishing final grade and permanent stabilization will occur within fifteen days of establishing the final grade.

14. In areas of disturbance where final grade is not expected to be achieved within 60 days, soil stabilization will occur within two days of disturbance.

15. Soil erosion and sedimentation control measures will be consistent with the Westchester County Soil and Water Conservation District guidelines.

16. Disturbance to steep slopes is being undertaken with consideration of soil limitations characterized by the Westchester County Soil Survey. As indicated on the site plan, the majority of grading and disturbance will occur in areas of Charlton and Chatfield soils which have moderate to severe limitations, due to slope and depth to bedrock. Disturbance to areas of steep slope is the minimum necessary to provide access into the site and to individual lots.

17. Soil will be stockpiled in level areas of the site to minimize erosion to the greatest extent practicable. Soil will not be stockpiled in areas with greater than 10 percent slopes.

18. Fill material will comply with the town code specifications and good engineering practice.

19. Compaction of fill areas will be performed in accordance with good engineering practice.

Potential soil erosion and downstream sedimentation will be mitigated by the implementation of a Soil Erosion and Sediment Control Plan. This plan has been developed to reduce soil erosion from areas exposed during construction and prevents sediment from reaching the on-site wetland and off-site areas. The plan includes limits on the area of disturbance, installation of silt fencing and hay bale barriers, protection of drain inlets and temporary material stockpiles, and controls on surface water runoff during construction. The plan includes erosion control details, methods of slope stabilization and construction sequence. The proposed plan minimizes the extent of soil exposure to the greatest extent practicable in accordance with the erosion and sediment control guidelines of the NYSDEC State Pollution Discharge Elimination System (SPDES) General Permit for Stormwater Discharges.

The Town of Cortlandt will require a construction security to insure the proper installation and maintenance of erosion and sediment control measures, and for site restoration if necessary. The Town will also require an inspection fee and will conduct inspections during construction. The construction project manager will be required to install all sediment and erosion control measures and maintain them throughout the entire construction process. These measures will be monitored during construction as required under the NYSDEC SPDES General Permit and will be available for monitoring by representatives of the Town.

Following construction, erosion will be prevented by the established vegetation and by the stormwater management devices shown on the plans. Construction of the permanent stormwater management systems will commence as part of the initial earthwork for the project so that these systems are functional as early as possible in the construction period. Mitigation measures will be inspected and reviewed on a regular basis by the project sponsor's representatives and Town authorities.

The total earthwork quantity estimates will be provided to the Town Engineer when the project plans have been fully detailed. The project engineer will provide detailed technical information relating to final grading and construction materials for the Town's review of bonding requirements prior to final approval.

Blasting Impact and Mitigation

Based on information in the DEIS, implementing the proposed "16-Lot Cluster" plan may require blasting for construction of a portion of the subdivision road and Lot 8. The project engineer identified areas of potential blasting as all areas with greater than twenty feet of required cut.

The use of proper blasting techniques and mitigation measures will minimize the potential affects of blasting on nearby properties and structures. Any blasting which is necessary will be done in full conformance with the New York State Code. The blasting protocol included as part of the Erosion and Sediment Control Plans incorporates the following measures:

1. All blasting will be conducted in compliance with Title 12 of the New York Code of Rules and Regulations (12 NYCRR Part 39) and applicable Federal regulations.

2. Qualified, licensed and insured blasting contractors will conduct blasting.

3. Contractor shall obtain the required blasting permit from the Town prior to commencement of blasting activities.

4. Hours of blasting are limited on the project plans to between 8:00 AM and 4:00 PM on weekdays only.

5. Pre-blasting inspections will be conducted of all off-site residences/structures located within 500 feet of the blasting area, if authorized by the property owner. These inspections will include photographic or video documentation.

6. Contractor will notify the Town in advance of all blasting. An air horn will be sounded in a manner to give proper warning, once at least three (3) minutes in advance of firing, and two (2) times at the conclusion of the blast.

7. Mats must be used for all blasts. Charges will be staggered to avoid high energy impacts.

8. Blasting contractor shall provide the services of consulting seismologist to monitor all blasting on the site.

9. Contractor may conduct test blasting and seismographic monitoring, if necessary, prior to any other blasting to determine appropriate on-site blasting techniques, when blasting is to occur within 500 feet of existing off-site residences/structures.

10. When conducting blasting within 500 feet of existing off-site residences/structures, seismographic monitoring will continue throughout the period of blasting at the site, and daily logs of seismographic data, explosive use and field conditions will be maintained.

B. Water Resources

The Town of Cortlandt Planning Board finds, upon due consideration of the Draft and Final EIS, and information derived from other documents and public hearings and Planning Board meetings during the course of this SEQRA review, that the project will not significantly impact water resources for the following reasons:

Findings

The Furnace Dock Subdivision will not depend upon groundwater resources for the water supply needs of the project. The project will be connected to the water supply and distribution facilities of the Cortlandt Consolidated Water District.

The plan analyzed in the DEIS proposed a main access road and secondary road with two cul-de-sacs, totaling 2,604 linear feet of roadway. Revisions to the development plan for the project have resulted in significant reductions of impervious surfaces. Under the DEIS 24-lot plan, approximately 3.4 acres would be developed in impervious surfaces; under the FEIS 18-lot plan, approximately 3.2 acres would be impervious. The current "16-Lot Cluster" plan reduces the road length to approximately 904 linear feet and will therefore reduce the total area of imperviousness on the project site to 1.96 acres, resulting in a commensurate reduction in stormwater runoff that would require treatment.

The overall groundwater recharge abilities of the site from this small amount of impervious surface is not expected to be significantly affected. In any case, runoff from the impervious surfaces would be conveyed to facilities designed to manage the water quantity and treat the water quality prior to surface discharge or recharge to groundwater.

Projects involving a total disturbance of one acre of land or more require a NYSDEC SPDES Storm Water Permit, which is a water quality discharge permit under the State's enforcement of the National Pollution Discharge Elimination System. The proposed project requires coverage under the NYSDEC SPDES General Permit #02-01, which entails the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP). The proposed drainage plan is designed to comply with the NYSDEC stormwater requirements and the project sponsor will be required to implement the stormwater plan in accordance with the approved SWPPP.

The project plans include erosion and sediment control specifications and details designed to comply with current requirements of NYSDEC, for which construction of this project must comply with regard to surface water discharges. The project includes provisions for management and treatment of water runoff both during and after construction designed to avoid any increase in runoff rate from the site from existing conditions. All runoff from newly developed areas will be captured and conveyed to stormwater treatment measures specifically designed for the site.

There are no New York State regulated wetlands located on or adjacent to the project site. However, there are five identified wetlands/water resources on the project site that are subject to the Town of Cortlandt wetland regulations as stipulated in Chapter 179 of the Town Code. The regulated wetlands located on portions of the project site have a combined acreage of 4.04 acres.

For the current "16 Lot Cluster" project, the proposed bridge and road construction would disturb 0.20 acres of the riparian wetland areas on both sides of Furnace Brook within and immediately adjacent to the footprint of the road crossing. The loss of some of the pollutant filtering and nutrient trapping function of

the riparian wetlands would be offset by the operation of the proposed water quality basin in treating collected runoff from upgradient areas.

The proposed disturbance would not affect the stream flow within Furnace Brook. The proposed bridge abutments are located outside the stream channel and would preserve the existing stream bed of Furnace Brook. The bridge structure is designed not to impact the flow of the Furnace Brook and to convey storm flows in excess of those generated by Hurricane Floyd, the largest local storm on record. Flows from the 100-year storm would pass beneath the bridge at mid-culvert depth.

The current "16 Lot Cluster" plan eliminates the road crossing of Wetland "B" of the prior plans and would have no direct impact on Wetlands "A", "B", "C" or "D" on the property. As stated in the DEIS, the wetland impacts associated with the proposed development are not expected to result in impacts to off-site properties.

Wetland and wetland buffer disturbances in the "16 Lot Cluster" plan are reduced from the DEIS and FEIS plans. The wetland and wetland buffer disturbances in the "16 Lot Cluster" plan are largely associated with grading for the road and installation of the bridge at the Furnace Brook crossing in the southern portion of the project. The proposed bridge abutments are located outside the stream channel and would preserve the existing stream bed of Furnace Brook. The proposed bridge and road construction would disturb approximately 0.20 acres of riparian wetland areas and 1.08 acres of associated buffer areas on both sides of Furnace Brook within and immediately adjacent to the footprint of the road crossing.

Wetland buffer disturbance in the "16 Lot Cluster" plan is associated with the road crossing, sidewalk and stormwater quality management structure in open space lot "B", a gravel parking area in open space lot "A", underground utilities on the west side of the site, and grading on Lots 10, 11 and 12. Proposed wetland mitigation areas are also located in existing wetland buffers adjacent to Wetland "B". Under Chapter 179 of the Town Code, disturbances to the wetland and wetland buffer require issuance of a wetlands permit by the Planning Board. The DEIS addressed the Town of Cortlandt permit criteria for disturbances in wetlands as listed below. The proposed wetland and wetland buffer disturbances satisfy the wetland permit criteria as follows:

1. Environmental impact: Under the DEIS 24-lot plan, approximately 0.25 acres of regulated wetlands would be disturbed; under the FEIS 18-lot plan, approximately 0.22 acres would be disturbed. The current "16-Lot Cluster" plan will further reduce the total area of wetland disturbance on the project site to approximately 0.20 acres.

2. Alternatives: The stream crossing of Furnace Brook is necessary to safely gain access to the project parcel. No safe and reasonable use of the land can be gained without this crossing. The project has been significantly modified to minimize disturbance to wetlands and wetland buffers.

3. Irreversible commitments: The stream crossing of Furnace Brook is necessary to development of the project parcel. No reasonable use of the land can be gained without this crossing. The project has been significantly modified to minimize necessary disturbance to wetlands and wetland buffers.

4. Character of, injury to or interference with safety, health, or reasonable use of property: The proposed wetland or wetland buffer disturbance is not expected to cause any injuries or interference to public safety or health.

5. Suitability of activity: Residential use is consistent with the zoning of the site and adjacent uses.

6. Effect on wetland functions: Any adverse effect on the functions of the riparian wetlands along Furnace Brook as a result of the proposed disturbances would be negligible. The proposed plan includes measures for treatment of surface water collected from new developed and impervious surfaces prior to discharge to the wetland buffer either as surface discharge or by infiltration.

7. Availability of preferable alternative locations: The current "16 Lot Cluster" plan avoids wetland buffer impacts to Wetlands "A", "B" and "C" for the development of building lots, unlike the other alternatives.

8. Availability of mitigation measures: The current "16 Lot Cluster" plan includes provision of wetland creation to expand Wetland "B" to offset the loss of wetlands at greater than a 2:1 ratio.

9. Property rights and public benefit vs. possible degradation, interference with other property rights, and public health, safety, or welfare: Residential use is consistent with the zoning of the site and adjacent uses. The current project as proposed will not degrade or interfere with other property rights or the public health, safety or welfare.

The stormwater management plan for this project must be designed to satisfy the requirements of the Town of Cortlandt Department of Technical Services and NYSDEC for stormwater quality and quantity to minimize adverse impacts to water resources following the methodology described in the New York State *Stormwater Management Design Manual*. The project *Drainage and Hydrology Report* presented in the DEIS described the various components of the project stormwater management systems and demonstrated conformance with the applicable requirements. Management systems proposed for the project in the DEIS included drywells on individual lots, rain gardens, subsurface detention facilities, and a water quality basin to maintain pre-development stormwater quality and flow rates to the maximum extent practicable.

Stormwater management systems including similar types of treatment will be engineered on the final plans for the current "16 Lot Cluster" plan. Engineering design information relative to the stormwater management systems for the current plan will be submitted to the Town for review and approval. The proposed stormwater management systems would not significantly alter the drainage patterns of the watershed areas of the project site.

C. Air Resources and Noise

The Town of Cortlandt Planning Board finds, upon due consideration of the Draft and Final EIS, and information derived from other documents and public hearings and Planning Board meetings during the course of this SEQRA review, that the project will not significantly impact upon air resources and ambient noise for the following reasons:

Findings

Potential short-term air quality impacts may result from the proposed project including fugitive dust and particulate matter from the project site, emissions from construction equipment and vehicles, and construction-related noise. These effects have been substantially reduced, however, by concentrating all development to the southern end of the site.

Noise impacts as a result of construction activities are a temporary impact that will cease upon completion of the project. Construction noise levels at the property lines of the site can be expected to range between 65 dBA and 90 dBA for short periods of time, depending on the actual location of construction equipment. These elevated noise occurrences would occur during daytime hours and are typically sporadic during the construction period. Noise levels actually experienced on a nearby property would be expected to be lower, accounting for distance from the noise source and other attenuating factors.

No long-term air quality or noise impacts are expected to result from the proposed Furnace Dock Subdivision project. Mitigation measures proposed related to air resources and construction noise include the following:

Dust Control Measures During Construction

Methods identified in the DEIS to control dust include the following: minimizing the area of the site which is subject to disturbance at any one time, the use of mulch or other temporary covers on exposed soil areas, limiting the movement of trucks and construction equipment over exposed soil surfaces, and covering haul trucks to prevent dust emissions while in transit. All material will be thoroughly wet down before loading and while dumping into trucks and other containers. During dry weather conditions spraying water on unpaved areas subject to heavy construction vehicle traffic will help control dust. Paved areas will also be kept clear of loose dirt that can be re-entrained into the air during vehicle passage. The use of stone tracking pads at access points to the site or washing of vehicle tires will greatly lessen the tracking of soil onto adjacent roadways. All haul vehicles entering or exiting the project site will be covered.

Although exhaust emissions from construction equipment are not as significant as fugitive dust generation, particulate matter from diesel exhaust emissions will be managed by maintaining proper tuning of the engine and maintenance of the air pollution controls. This will minimize additional contribution to site generated particulate emissions during construction.

Noise During Construction

Construction activity will be limited to daylight hours in accordance with Town regulations and shall not be conducted between the hours of 7:00 p.m. and 7:00 a.m., Monday through Saturday, and all day Sunday and national holidays. All construction vehicles and equipment will be maintained to minimize noise and operated in an efficient manner.

All blasting will be done in full conformance with New York State Code and the Town of Cortlandt blasting regulations. Blasting operations will be conducted under the direct control and supervision of competent and licensed persons. The blasting contractor performing the work will be fully insured in accordance with the town regulations. Once any required blasting sites have been identified, a general blasting schedule will be developed and a blasting permit will be obtained from the Building Inspector covering the specific blasting operation. The quantity of explosives will be limited to the amount necessary to fracture the rock without endangering persons or property. Before firing, all blasts will be covered with a suitable protective device to prevent escape of broken rock. Warning flags or other means will be used at a reasonable distance to give proper warning to the public at least three minutes in advance of firing. Blasting will not be conducted between the hours of 5:00 PM and 8:00 AM, nor on Sundays as specified in Section 161-7 of the Town Code.

Construction activities, the operation of construction equipment and deliveries of construction materials are an expected consequence of any new construction project and cannot be avoided. Thus, some noise impacts will be expected, however noise resulting from construction activities is a temporary impact and will cease upon completion of the project.

The development of the proposed project will remove a portion of the existing vegetation on the project site, reducing the natural vegetative buffer from adjacent properties. However, this vegetation removal is not anticipated to cause a significant impact on ambient noise levels at nearby residential uses and other receptors to the north and west. The Planning Board has determined that after the construction and occupancy of the proposed residential dwellings, noise levels can be expected to be similar to the existing ambient levels. As such, upon completion of construction the proposed project is not expected to produce significant adverse noise impacts.

D. Terrestrial and Aquatic Ecology

The Town of Cortlandt Planning Board finds, upon due consideration of the Draft and Final EIS, and information derived from other documents and public hearings and Planning Board meetings during the

course of this SEQRA review, that the project will not significantly impact upon terrestrial and aquatic ecology for the following reasons:

Findings

The construction of the proposed internal road and residential buildings will impact existing wooded areas so that this disturbed area will no longer serve as natural habitat for certain wildlife species. With the loss of woodlands, the site can generally be expected to support less wildlife. The Phase 1A Biodiversity Study by the Town's consultant concluded that the site contains low habitat diversity.

Furnace Brook traverses the extreme southern end of the property and a stream crossing will be required by the subdivision road to provide access to the residential lots. A streamside wetland community exists along the edges of Furnace Brook. This wetland is generally narrow on both sides of the stream due to the steep banks of the watercourse.

There are five regulated wetland ecosystems occurring on the Furnace Dock site. 0.20 acres of wetland area will be eliminated for development of the Furnace Dock Subdivision project. The undisturbed areas will continue to serve as wildlife habitat for those species occurring on the site. Under the DEIS 24-lot plan, approximately 15.36 acres of upland woods would be disturbed; under the FEIS 18-lot plan, approximately 12.26 acres would be disturbed. The current "16-Lot Cluster" plan will further reduce the total area of upland woods habitat disturbance on the project site to 6.57 acres.

Additionally, the plan analyzed in the DEIS depicted approximately 14.75 acres of the project site as open space conservation area and undisturbed natural habitat; the FEIS proposed plan depicted 16.1 acres to be open space. The "16 Lot Cluster" plan proposes approximately 33.88 acres of the property to be open space conservation areas with undisturbed natural habitats.

Correspondence from the NYSDEC Natural Heritage Program indicated that there are no documented occurrences of any rare or protected species on the project site or adjacent properties. No plant or animal species listed as special concern, threatened, or endangered in New York State were found on the project site during the wildlife surveys and habitat assessments.

In general, as the project site is developed, some species will be displaced and will relocate to similar habitats off-site or the undisturbed portions of the site, where some individuals are likely to successfully relocate and others are likely to be unsuccessful due to increased competition of resources, mortality or other reasons. The developed project will include lawn and landscape plantings consisting of a mixture of native and ornamental species in areas adjacent to new pavement and buildings. While not as valuable as the existing forested habitat, the lawns and landscaped areas created by the proposed development will still be used as forage by deer and other plant eating wildlife, and will provide both food and nesting sites for squirrels, songbirds and other avian species.

The Planning Board finds that the proposed plan will conform to the provisions of Town of Cortlandt standards for approval of permits for tree cutting, as per Section 283-8A of the Town Code as follows:

1. Removals methods: Erosion control measures are proposed to avoid erosion from tree removal operations. Tree cutting will be conducted such that debris is kept away from public roads and rights-of-way.

2. Tree preservation: Under the DEIS 24-lot plan, approximately 15.36 acres of upland woods would be disturbed; under the FEIS 18-lot plan, approximately 12.26 acres would be disturbed. The current "16-Lot Cluster" plan will further reduce the total area of upland woods habitat disturbance on the project site to 6.57 acres. The final project plan will include construction envelopes for each lot. Additionally, the "16 Lot Cluster" plan increases the area of the property proposed to be open space by more 200% from either

the DEIS or FEIS plans. Outside the construction envelope, the following practices will be adhered to during construction:

- Trees to be preserved will be marked conspicuously on all sides.
- No construction equipment will be parked under the canopy of trees to be preserved, thus preventing soil compaction and damage to root systems.
- In areas of concentrated activity, trees to be preserved will be fenced at the outer dripline.
- No earth fills or cuts greater than 6 inches in depth will be made beneath trees to be preserved.

3. Replanting of trees: The project proposal will include a landscaping plan that will replace and add trees to disturbed areas of the site.

Tree preservation on the construction site will take several forms. First, the limits of disturbance will be established in the field. No trees beyond these limits will be disturbed. These limits will be marked with erosion control fencing as noted in Westchester County's *Best Management Practices* handbook. Secondly, trees that will definitely be removed will be marked and inspected by the Town prior to removal. No large trees that are not marked will be removed unless during the construction it is determined that those trees cannot be saved. Thirdly, where practicable, large trees will be protected through the use of drip line protection and tree wells. Drip line protection to protect tree root systems will be established for all large trees to be preserved within the limit of disturbance by erecting 4-foot snow fencing around each tree at the drip line. Tree wells will be dry laid, with provision for positive drainage out of the wells.

The Planning Board has determined that establishment of the limit of disturbance prior to the start of construction, strict adherence to tree protection measures and new planting according to the approved landscape plan will minimize potential effects to vegetation and habitats in the undisturbed areas of the site to the greatest extent practicable.

E. Traffic and Transportation

The Town of Cortlandt Planning Board finds, upon due consideration of the Draft and Final EIS, and information derived from other documents and public hearings and Planning Board meetings during the course of this SEQRA review, that the project will not significantly impact upon traffic and transportation for the following reasons:

Findings

Existing sight distance from the location of the proposed access road onto Furnace Dock Road is approximately 400 feet looking to the west, but is limited to approximately 100 feet looking east as the result of vertical curves in Furnace Dock Road. The current "16 Lot Cluster" plan includes a sight distance easement and improvements that would provide adequate sight distance of approximately 400 feet looking east.

A stop sign is proposed to control vehicular movements from the proposed subdivision road onto Furnace Dock Road. The subdivision road would be constructed to Town of Cortlandt roadway specifications for dedication to the Town upon completion of the project. The proposed road and bridge are designed to accommodate Town maintenance vehicles and emergency vehicles.

According to the traffic study in the DEIS, the 24 single family residences originally proposed in the Furnace Dock Subdivision were projected to generate 75 new vehicle trips during the AM peak hour, 73 new trips during the PM peak hour and 60 trips during the Saturday peak hour. The traffic study concluded that the trip generation associated with a 24-lot subdivision represents a minor increment in traffic volumes

on local roads and the project in and of itself would not impact upon future levels of service, and no off-site transportation improvements were warranted.

The Planning Board has determined that the conclusions of the DEIS traffic study indicate that the effect of added traffic from the current "16 Lot Cluster" plan would not result in significant adverse effect on area traffic subject to the following off-site improvements which the applicant is willing to contribute its fair share as listed in the FEIS and Town Board Resolution #11-07.

- Future signalization of the Furnace Dock Road/Route 9A intersection.
- Improve sight lines and traffic safety controls including additional signage on Furnace Dock Road in the vicinity of the proposed subdivision.
- Traffic improvements at the Mount Airy Road/Furnace Dock Road intersection.

F. Land Use and Zoning

The Town of Cortlandt Planning Board finds, upon due consideration of the Draft and Final EIS, and information derived from other documents and public hearings and Planning Board meetings during the course of this SEQRA review, that the project will not significantly impact upon land use and zoning for the following reasons:

Findings

The single family residential use discussed in the DEIS and FEIS is a permitted use in the R-40 district. The proposed number of residential units is less than the number of units calculated according to the site capacity calculation contained in the zoning code. According to the project engineer, each of the residential lots proposed in the DEIS and FEIS plans would comply with the dimensional requirements of the zoning code. No variances would be required for the construction of the houses.

The Furnace Dock subdivision discussed in the DEIS and FEIS was designed to comply with the Town Subdivision Regulations (§265 of the Town Code), except that the project included a ±2,000-foot long dead-end road. According to Section 265-17(F) of the Cortlandt Town Code, a dead end street shall not exceed 500 feet in length, except in exceptional cases. The current "16-Lot Cluster" plan would be significantly shorter than any of the previously proposed plans (approximately 904 feet in length).

Under the DEIS 24-lot plan, overall development density was one home for each 1.78 acres; under the FEIS 18-lot plan, overall density was one home for each 2.37 acres. The current "16-Lot Cluster" plan is proposed at a density of one home for each 2.67 acres. The current plan is compatible with the Town Master Plan, which designates the project site and most of the surrounding area as low density residential; predominantly one-acre lots. The current plan is also compatible with the density recommended for the site area in Westchester County's plan, *Patterns*.

One location was identified at the perimeter of the project (Lot 24 on the DEIS plan) where the development of a proposed house and utility system would result in tree clearing approximately 110 feet away from an existing house on the adjoining property. As no intervening tree vegetation would remain to buffer the existing and proposed houses, a dense row of evergreen trees was proposed to be planted along this property line. The current "16 Lot Cluster" plan also includes tree clearing for a utility easement along the back of proposed Lots 12 to 16 and a dense planting of evergreen trees will be required in this area.

No significant land use impacts were identified for the DEIS or FEIS plans for single family residential housing in relation to the surrounding development. This project will have no effect on zoning. The current

"16 Lot Cluster" plan diminishes any possible effect on land use and preserves 33.88 acres of protected open space. Therefore, no further mitigation measures are proposed.

G. Community Services

The Town of Cortlandt Planning Board finds, upon due consideration of the Draft and Final EIS, and information derived from other documents and public hearings and Planning Board meetings during the course of this SEQRA review, that the project will not significantly impact upon community services for the following reasons:

Findings

Education Facilities

The Furnace Dock Subdivision site is located within the Hendrick Hudson School District. According to correspondence received from the District during preparation of the DEIS, the impact of the Furnace Dock project could result in the need for an additional bus, classroom space and teaching staff, even if its children are spread out fairly evenly over the three District facilities.

Under the DEIS 24-lot plan, a total of 20 school-aged children were projected to reside in the development; under the FEIS 18-lot plan, 16 school age children were anticipated. The current "16-Lot Cluster" plan is expected to generate 16 or fewer children.

The introduction of students into the three District facilities at various grade levels over a multi-year period would ameliorate the effect of the increase in District enrollment associated with this project. The approval and construction period of this project provides time to allow the Hendrick Hudson School District to plan for and implement measures for the introduction of new students from this and other area projects. Additional revenue provided via property taxes from the developed project would be available to increase school staff, facilities/equipment or bus trips, if necessary, to offset the potential increase in educational services resulting from this project.

Police Protection

Both the Westchester County Sheriff's Department and the New York State Police provide police protection to the project area. Under the DEIS 24-lot plan, the anticipated demand for police services was estimated as a need for less than a quarter of a staff person and was considered to have no appreciable impact to available services. The current "16-Lot Cluster" plan will create even less of a demand for police services. The Planning Board has determined that the construction of the Furnace Dock Subdivision is not anticipated to have any significant adverse impacts on the need for police protection.

Additional revenue provided via property taxes from the developed project could be used to increase staff or hours of operation, if necessary, to offset the potential increase in police services resulting from this project.

Fire Protection

The Montrose Fire District provides fire protection service to the project area. Under the DEIS 24-lot plan, the anticipated demand for fire protection services was estimated as a need for less than a quarter of a staff person and was considered to have no appreciable impacts to available services. The current "16-Lot Cluster" plan will create even less of a demand for fire protection services.

The proposed Furnace Dock Subdivision would meet all local and state building requirements with respect to fire safety. Fire hydrants are proposed in this subdivision along the road right-of-way.

The Planning Board has determined that the construction of the Furnace Dock Subdivision in Cortlandt is not anticipated to have any significant adverse impacts on the need for fire protection. Again, additional revenue provided through property taxes from the developed project could be used to increase manpower, facilities or equipment, if necessary, to offset the potential increases in fire protection services resulting from this project.

Public Water Supply

Water supply to the project site is available from the Cortlandt Consolidated Water District No. 1 (CCWD). CCWD supplies over 2.0 million gallons per day to residents and businesses in its service area. Under the DEIS 24-lot plan, 9,500 gallons of water per day were anticipated to be required to service the project and the CCWD system would be able to supply the additional water demand and pressure. The current "16-Lot Cluster" plan will have reduced water supply demands and will therefore have no appreciable impact on the existing water supply system.

The project will install a new eight inch water main from Furnace Dock Road into the proposed subdivision. Looping of the water main does not appear feasible as the property is surrounded by private property. All new water mains and appurtenances internal to the site will be installed at no cost to the water district. All work will be done in accordance with the standards and specifications of the CCWD and the Westchester County Department of Health. The Planning Board has therefore determined that there will be no significant impacts to the public water supply system. Additional revenue provided through property taxes from the developed project can be expected to offset the potential increases in water service cost resulting from this project. As indicated in the FEIS and Town Board Resolution #11-07 the applicant is willing to contribute funds towards the cost of a new water storage tank to be constructed in the project area to address pressure and storage capacity deficiencies in this area and contribute funds towards the costs of an extension of the water main along Mount Airy Road near Furnace Dock Road.

Sewage Disposal

The Furnace Dock Subdivision will utilize Baltic Estates Sewage Treatment Plant (STP), a privately-owned sewage treatment facility. Site-generated sewage would be collected and conveyed to the STP via a new sewer line connection at an existing pumping station. To accommodate the project, expansion of Joint Sewer District No. 4 is proposed, which will add to the District approximately 42 acres of land located adjacent to the existing district boundary. The sewage conveyance facilities in the Furnace Dock Subdivision will remain in private ownership as part of the Baltic Estates system. The annual operating costs for sewage collection and treatment facilities in Joint Sewer District No. 4 will be borne by the District users, for which each property owner in the expanded district will be assessed.

Under the DEIS 24-lot plan, the estimated average daily sewage flow was 8,550 gallons per day. Improvements to the existing pumping station were proposed to accommodate the needs of the project. The current "16-Lot Cluster" plan will have reduced water use by approximately one third as compared to the DEIS 24-lot plan. As this represents a very small portion of the permitted capacity at the STP (250,000 gpd), no significant adverse impacts are anticipated. The aforementioned improvements to the private system are proposed in the current plan.

Solid Waste Disposal

The waste to energy facility located at Charles Point in Peekskill, known as Westchester RESCO, is the nearest solid waste disposal site to the project. The DEIS estimated an additional 4.6 tons of solid waste per month from the 24-lot subdivision, approximately 0.7 percent of the total solid waste stream generated by the Town, which represents a minor increment in solid waste generation. The reduction in the number of

units proposed in the current "16-Lot Cluster" plan will reduce solid waste generation by approximately one third. The project as currently proposed is not expected to significantly increase demands associated with the collection, transport and disposal of solid waste materials by the Town of Cortlandt.

Hospitals, Health Care and Ambulance Services

The nearest full service hospital to the proposed Furnace Dock Subdivision is the Hudson Valley Hospital Center located on Crompond Road in Cortlandt. Other medical institutions in and around the Town include the 220-bed Phelps Memorial Hospital in Sleepy Hollow, the 800-bed Franklin Delano Roosevelt Memorial Veterans Hospital in Crugers, and the 250-bed Northern Westchester Hospital Center in Mount Kisco. The privately operated Medical Center at Croton-on-Hudson, located on South Riverside Avenue, also provides medical services locally. The project site is served by the Cortlandt Community Volunteer Ambulance Corps.

The DEIS stated that 4 hospital beds are needed to serve each 1,000 persons in population. Using this standard, the projected increase in the DEIS of 87 persons would potentially increase demand for hospital beds by less than 0.4 beds. The DEIS estimated a need for approximately 3 emergency medical service (ambulance) calls per year. The current "16-Lot Cluster" plan will add fewer persons and therefore generate even less demand.

The Planning Board determines that there will be no significant impacts to hospitals, health care or ambulance services in the area. Additional revenue provided through property taxes from the developed project could be used to help increase Ambulance Corps staff, hours of operation, facilities or equipment, if necessary, to offset the potential increases in ambulance services.

Social Services

Existing social services serving the project vicinity include private and public day care, nutrition and other organized social programs for senior citizens, and youth services operated by the Town of Cortlandt at the Muriel H. Morabito Community Center and at the Town Youth Center in Montrose.

The potential impact of this project may be increased demand for services for the elderly, disabled, and day care. Among the 87 persons projected to reside at the Furnace Dock Subdivision, the DEIS projected there may be 9 elderly, 5 disabled, and 17 preschool children that could require care. For the reduced "16 Lot Cluster" plan, a commensurate reduction in demand is expected. The Planning Board has determined that no significant adverse effects are foreseen regarding the provision of social services as a result of the proposed project.

Public Utilities (electric, telephone, and gas)

Electric service in the project area is provided by the Consolidated Edison Company of New York (Con Edison). Con Edison has electric service available from its facilities located along Furnace Dock Road and the existing facilities are adequate to provide service to the proposed project. Gas service in the project area is also provided by Con Edison. An existing gas main, located in Scenic Drive, would be adequate to provide service to the proposed project. The existing gas main may be extended into the project to provide service to homes in the project. Local telephone service is provided by Verizon and is available from its existing facilities along Furnace Dock Road.

According to telephone conversations with each of the utility providers, service would be readily provided to the proposed Furnace Dock Subdivision without adverse impacts to existing supply systems. All utility lines installed to serve the proposed Furnace Dock development would be placed underground.

Recreational Facilities

There are five New York State Parks within a 30 mile radius of the project site. Town of Cortlandt recreation facilities comprise approximately 88 acres at ten facilities. The Town of Cortlandt Recreation and Parks Division of the Department of Environmental Services administers a large number of active and passive recreational programs open to Town residents. Also in Cortlandt there are four County-owned open space and recreation resources. Additionally there are recreation facilities at seven public schools in the area and a six-mile portion of the Briarcliff-Peekskill Trailway runs through Cortlandt. With approximately 1,990 acres of publicly owned recreation and open space land, Cortlandt residents are well-served with more than 68 acres of recreational land available for each 1,000 residents.

The currently proposed "16 Lot Cluster" project will add less than 87 persons projected in the DEIS for the 24-lot plan to Cortlandt's population. Its demand for recreation facilities and open space would be offset by the Town requirement for land or fee-in-lieu for new subdivisions. The Applicant for Furnace Dock Subdivision proposes to pay a recreation fee of $4,000 per developed lot. These fees, in combination with tax revenues generated to Cortlandt from the developed project can be expected to be used toward the continued provision of recreation services to Town residents.

With a per-lot recreation requirement, mitigation of the demand for recreation services would be directly proportional to the number of lots developed. In addition, the proposed subdivision will preserve a significant portion of the site, as open space that it is expected will be available to its residents for passive recreation.

Town Road Maintenance

No significant impact on the Town's ability to maintain the proposed roadway is expected because the proposed subdivision road has been designed to meet Town road specifications and the developed project will contribute tax revenues to offset the additional Town costs associated with snow removal, ice control, drainage facility maintenance, and general maintenance needs.

H. Socioeconomics

The Town of Cortlandt Planning Board finds, upon due consideration of the Draft and Final EIS, and information derived from other documents and public hearings and Planning Board meetings during the course of this SEQRA review, that the project will not adversely impact upon socioeconomic conditions for the following reasons:

Findings

In the DEIS, 87 people were projected to reside in Furnace Dock Subdivision, representing a 0.3 percent increase over the 2000 recorded population in the Town of Cortlandt. The New York State Economic Development Department projects that the Town would experience a continued growth trend with an estimated increase between 2000 and 2010 of about 0.4 percent. Thus, the addition of the residents from the Furnace Dock Subdivision project is not anticipated to produce any potentially adverse demographic effects.

A projection of future taxes presented in the DEIS was based on an average selling price for each developed house lot of $650,000, resulting in a projected total market value of $15,600,000 for 24 units. The 2002 residential assessment ratio (RAR) of 2.29 percent was applied to the total estimated market value to obtain a projected total assessed or taxable value of $357,240 for the Furnace Dock Subdivision development. After completion of the 24-lot subdivision, the total future project-generated revenues was projected to be $314,354 annually.

The following projected tax revenues for each taxing jurisdiction based on 2002 tax rates were listed in the DEIS: Westchester County $40,765; Westchester County Refuse Disposal $5,359; Town of Cortlandt

$8,135; Library $1,726; Highway, etc. $47,753; Montrose Fire District $116,791; Hendrick Hudson Schools $191,006; Cortlandt Consolidated Water $6,309; and Cortlandt Ambulance $1,622.

The DEIS identified the annual per capita property tax levy for municipal services as $347. Using this as a basis for projections, the additional costs payable through the property tax which are induced by the Furnace Dock Subdivision project to the Town of Cortlandt are projected to total $30,189; without adjusting the per capita cost for municipal services of $598 by the percentage assignable to residential use, the costs to the Town of Cortlandt would be $52,026. Total tax revenues generated to the Town are projected to be $55,888, $8,135 of which are paid in general Town of Cortlandt taxes and $47,753 in Town Highway taxes. On balance, the 24-lot project would likely generate revenues to the Town of Cortlandt that exceed its cost to the Town. The 16 lot cluster plan will reduce costs and revenues by one third and is anticipated that project revenues will exceed project costs to the Town.

The project site is served by the Hendrick Hudson School District. The portion of the District budget raised through taxes is approximately $8,260 per student (DEIS analysis used the 2002/2003 school year). Of the 21 school-age children projected to live in the Furnace Dock Subdivision in 24 homes, 20 children were projected to attend public school at an estimated cost to the District of $165,200. The DEIS projected that the project would bring $191,006 in additional property tax revenue to the School District, annually. Thus, the 24-lot project would likely generate revenues to the School District that exceed its cost to the District. The 16 lot cluster plan will reduce costs and revenues by one third and is anticipated that project revenues will exceed project costs to the School District.

The Furnace Dock Subdivision was projected in the DEIS to yield a fiscal benefit to the Town of Cortlandt and the Hendrick Hudson School District. No potential adverse effects have been identified on property values of neighboring residences. The reduction in units from 24 lots evaluated in the DEIS to the current "16-Lot Cluster" plan will result in a commensurate reduction in potential socioeconomic impacts and benefits associated with the project.

I. Cultural Resources

The Town of Cortlandt Planning Board finds, upon due consideration of the Draft and Final EIS, and information derived from other documents and public hearings and Planning Board meetings during the course of this SEQRA review, that the project will not significantly impact upon cultural resources for the following reasons:

Findings

Historic and Archaeological Resources

A Stage 1A cultural resources survey was undertaken for this property and its environs, including a review of a prior Stage 1A report. The examination noted that the project site historically contained a farm site and gristmill complex associated with the Ramsey family, and an iron furnace operated by Peter Hasenclever that was likely located off site, but the presence of slag and other industrial materials within the boundaries of the site suggested that cultural material associated with the furnace may be located on the property.

Given the nature of the resources identified in the Stage 1A evaluation, a Stage 1B infield examination was conducted, that included testing the site for the presence of prehistoric cultural materials as well as determining the nature and extent of the historic resources identified. The Stage 1B survey identified a previously misidentified mill site and a walled complex that was not referenced in the prior Stage 1A report. Based on archival research, field reconnaissance, and remapping of several structures located on the site, a description of the history of site use is presented in the Stage 1B report. The Furnace Dock Subdivision site was tested comprehensively. The artifact assemblage, dating exclusively to the mid-19th

through the 20th century, failed to produce information that would enhance knowledge either of the ironworks industry or the lifeways of the early millers.

The grist mill foundation, the Ramsey house foundation and the privy feature all lie within the wetland/stream regulated buffer area at the southeast corner of the site. These features are associated with the operation of the furnace/mill site proposed to be preserved within open space lot "A" shown on the current project plan. The proposed project plan includes installation of a small gravel parking area adjacent to the subdivision road, wood chip or gravel pedestrian trails circulating the historic site, and interpretive signage and benches.

The remains of a walled complex called the "industrial area" on the property were documented in a Stage 2 Archaeological Investigation that was done under the auspices of the NY Office of Parks, Recreation and Historic Preservation (OPRHP). OPRHP requested further on-site investigations for specific locations, which were conducted and documented in a Supplemental Stage 2 Archaeological Investigation report. The extensive archaeological investigations at the site ascertained that the remains of the "industrial area" on the property did not represent a significant historic feature. The project plan as proposed will remove this area for construction of house lots.

The applicant prepared an Avoidance Plan that outlines the measures for protection of the historic iron furnace and grist mill sites during construction of the project and permanent protection following construction. An "area of potential effect" or "APE", was delineated as part of the Avoidance Plan to define the limits of site disturbance. In its letter dated August 26, 2004, OPRHP determined that the project as designed will have no adverse impact on historic resources.

Written documentation of the historical activities on the site, including all of the results of the professional archeologist's investigation, will be filed with permanent State and County historical records for the benefit of future generations.

Visual Resources

A visual resources survey was conducted in the project area to identify locations where the project site may be visible from roads and public properties. Since most leaves were off the trees at the time of the survey, the maximum visual exposure of the site could be assessed. The project site is located in a setting of rolling topography and light to moderate development, where views of the landscape are limited by the nearby hills, vegetation and curving roadway corridors. The low density residential developments that adjoin the property to the northwest, west and south have very limited views of the interior of the site due to the existing vegetation and topography. Construction of the proposed subdivision will result in the loss of portions of woods cover and introduction of buildings that may be partially visible from public places in the surrounding area. Given the position of the site in relation to locations of potential views, no off-site vantage point was identified from which more than a portion of the project development would be viewed.

Views into the site will change at the proposed entrance to the site. From Furnace Dock Road, existing tree cover will be replaced by a narrow road opening framed by preserved woods along the stream corridor. Based on the project plan, this entrance to the project will consist of a minor paved road and shoulders accommodated by a narrow corridor of tree removals and minor grading. Additional tree clearing will also take place to accommodate stormwater facilities on the access road and alongside Furnace Dock Road to achieve optimal sight lines at the project frontage. It is expected that this new subdivision road will not change the existing wooded character of Furnace Dock Road. Given the topography in this area of the site, viewers on Furnace Dock Road will have short distance views into the site as they pass this entrance. Tree clearing will make the proposed bridge visible from Furnace Dock Road.

Landscape treatment of the project main entrance is proposed to include a stone masonry pillar on each side of the entrance road, accompanied by ornamental plantings that will carry forth the rural character of Furnace Dock Road.

As shown on the site plan, the majority of the Furnace Dock Road frontage and stream corridor will remain in its existing woodland cover. Preservation of most of the existing stream corridor tree and shrub cover at the southern end of the project site, however, will effectively mitigate any change in view from Furnace Dock Road.

Based on the on-site field assessment of views from the site to adjoining houses, one location was identified where the proposed tree clearing for a utility easement will cross the back of proposed Lots 12 to 16 on the "16 Lot Cluster" plan. In this case, a dense planting of evergreen trees is proposed along the property line to provide effective landscape buffering of the project.

While proposed development of the property will cause the removal of vegetation and construction of buildings, no significant adverse change to the appearance of the property is anticipated as viewed from local roads and places of public access.

Conclusions:

The Planning Board finds and certifies that:

- The Planning Board has given due consideration to the Draft and Final EIS, and information derived from other documents and public hearings and Planning Board meetings during the course of this SEQRA review process;

- The Planning Board has considered reasonably related long-term, short-term, direct, indirect, and cumulative impacts, including other simultaneous or subsequent actions and determined that there are no significant long-term cumulative impacts;

- This Findings Statement has been prepared pursuant to and as required by 6 NYCRR Part 617;

- Consistent with social, economic and other essential considerations of the proposed action, the No Action condition and other reasonable alternatives, the action currently proposed by the Applicant, in conjunction with mitigation measures of the project specified in the Draft EIS, Final EIS and this Findings Statement, is an action that avoids or minimizes adverse environmental impacts to the maximum extent practicable; and,

- Consistent with social, economic and other essential considerations, to the maximum extent practicable, adverse environmental effects revealed in the environmental quality review process will be avoided or minimized by incorporating as conditions to the decision those mitigation measures that were identified as practicable in the Draft EIS, Final EIS, and this Findings Statement.

Town of Cortlandt Planning Board

Signature of Responsible Official	Steven Kessler
	Name of Responsible Official
Chairman	April 11, 2007
Title of Responsible Official	Date

Town of Cortlandt Planning Division
1 Heady Street

Cortlandt Manor, NY 10567

Contact: Ken Verschoor, Deputy Planning Director

Telephone: (914) 734-1081

Appendix B

Proposed Active Senior Housing District

Section 307-94.3 Active Senior Housing Special Zoning District

A. Intent and Purposes. It is the intent and purpose of this section to create a special permit entitled Active Senior Housing. This special permit will allow the Town the opportunity to:

(1) enhance the existing housing stock by allowing a product to be constructed that currently does not exist within the community.

(2) allow residents age 55+ an opportunity to downsize from larger single family homes but still remain within the community where they have family ties and relationships.

(3) create new low density residential developments that incorporate cluster design techniques to preserve open space and enhance buffering from other uses.

B. Eligibility

(1) Existing parcel(s) of land of at least 40 acres under common ownership located in the R-40 Residential District.

(2) Property must be located within one-half mile of an interchange with a New York State Highway.

(3) Have adequate access to water and sewer utility service.

C. Housing described in this section shall exist or be designed and constructed for the needs of seniors and is subject to the management or other legal restrictions that require all units designated as Active Senior housing units to be occupied by persons 55 years of age or older. Notwithstanding the foregoing, adults under 55 years of age and children may reside in the units where:

(1) The adult is the spouse of a person 55 years of age or older; or

(2) The adult's presence is essential for the physical care of a person 55 years of age or older; or

(3) The minor children are residing with their parent, parents or legal guardians where their parent, parents or legal guardians are 55 years of age or older, and the minor children residing therein are under a physical or other disability and cannot care for themselves.

D. Development Standards and Controls

(1) Additional bulk and area requirements may be established by the Town Board for each project. The setbacks from existing property lines must comply with the requirements of the district within which the proposed project is located unless it can be demonstrated to the satisfaction of the Town Board that it is impracticable to comply, in which case the applicant will be allowed to have such setbacks as may be approved by the Town Board.

(2) Building height. The maximum permitted building height within an Active Senior Housing Special Zoning District shall be the same as the underlying zoning district, 2 ½ stories or 35.

(3) Maximum Building Coverage for the entirety of the site (including any land area to be dedicated to the Town as open space) shall not exceed 20%.

(4) Utilities, services and off-site improvements shall be provided as required by the Town.

(5) Density of Development. The maximum allowable intensity of development shall be as follows: one residential unit per acre. Land area proposed to be dedicated to the Town as open space shall be counted towards determining the density of development calculation. Units may be provided as attached, detached or multifamily units with no more than four units per building.

(6) This special permit shall take into consideration the public health, safety and general welfare, the comfort and convenience of the public in general and the residents of the immediate neighborhood in particular and shall make any appropriate conditions and safeguards in harmony with the general purpose and intent of the Zoning Code and particularly with the standards contained in § 307-73.

E. Assurances for Active Senior Housing Projects. Legal assurances. Each application for a proposed Active Senior Housing development shall be accompanied by appropriate undertakings, deed restrictions, easements and the like, in form and content satisfactory to the Town Attorney, as may be necessary to provide for and assure continued proper future maintenance and ownership responsibilities for all common areas, facilities and utilities within each stage of development or section thereof.

F. Application and Approval Procedure

(1) The applicant is encouraged, prior to formal submission of the application for Active Senior Housing special permit, to meet in a preapplication conference with the Town Board and/or Town staff to review the requirements and procedures defined herein and to discuss the general planning concepts for the proposed development.

(2) Approval of an Active Senior Housing project may only be granted by a special permit from the Town Board.

(3) Procedures for submission and approval of the special permit application permit are contained in Article X of this chapter. The development shall comply with all of the requirements for site development plan approval contained in Articles XII of this chapter.

Appendix C

Full Environmental Assessment Form

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Active Senior Housing Zoning Amendment and site plan for Furnace Dock Road Property		
Project Location (describe, and attach a general location map): Furnace Dock Road, Town of Cortlandt, Westchester County, New York		
Brief Description of Proposed Action (include purpose or need): Creation of a new special zoning district entitled Active Senior Housing Special Zoning District, and the development of the Active Senior Housing project for the subject site including creation of eight (8) buildings, each with four units totaling 32 owner-occupied units accessed by a proposed private road.		
Name of Applicant/Sponsor: AJ Cortlandt LLC	Telephone: 914-424-0359 E-Mail: cmarfione@thebdcgroup.com	
Address:		
City/PO: 222 Bloomfield Road, Suite 404	State: NY	Zip Code: 10605
Project Contact (if not same as sponsor; give name and title/role): Cosmo Marfione	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, or Village Board of Trustees ☑Yes ☐No	Zoning Amendment, special permit	
b. City, Town or Village Planning Board or Commission ☑Yes ☐No	site plan, tree removal, wetland disturbance, steep slope, subdivision and stormwater	
c. City, Town or Village Zoning Board of Appeals ☐Yes ☑No		
d. Other local agencies ☐Yes ☐No		
e. County agencies ☑Yes ☐No	GML referral, sanitary and water system approval, realty subdivision	
f. Regional agencies ☐Yes ☑No		
g. State agencies NYSDEC ☑Yes ☐No	SPDES Permit for stormwater	
h. Federal agencies USACE ☑Yes ☐No	Notification for coverage under Nationwide permit	

i. Coastal Resources.

i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☑Yes ☐No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐Yes ☑No

iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes ☑No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐Yes ☑No

- **If Yes,** complete sections C, F and G.
- **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☑Yes ☐No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐Yes ☑No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐Yes ☑No

If Yes, identify the plan(s):

_____

_____

_____

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐Yes ☑No

If Yes, identify the plan(s):

_____

_____

_____

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
R-40

b. Is the use permitted or allowed by a special or conditional use permit? ☑ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☑ Yes ☐ No
If Yes,
i. What is the proposed new zoning for the site? Active Senior Housing Special District

C.4. Existing community services.

a. In what school district is the project site located? Hendrick-Hudson School District

b. What police or other public protection forces serve the project site?
New York State Police

c. Which fire protection and emergency medical services serve the project site?
Montrose Fire District; Cortlandt EMS

d. What parks serve the project site?
Oscawana Island Park, George's Island, Charles Cook, Blue Mountain Reservation

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? age restricted residential

b. a. Total acreage of the site of the proposed action? 42.43+/- acres
b. Total acreage to be physically disturbed? 6.77+/- acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 42.43+/- acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☑ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☑ Yes ☐ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
age-restricted residential, subdivision is to create open space lots to be dedicated to Town
ii. Is a cluster/conservation layout proposed? ☐ Yes ☑ No
iii. Number of lots proposed? 4
iv. Minimum and maximum proposed lot sizes? Minimum 1.53+/- Maximum 27.8+/-

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☑ No
i. If No, anticipated period of construction: 18 months
ii. If Yes:
- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? ☑ Yes ☐ No

If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase				32
At completion of all phases				32

g. Does the proposed action include new non-residential construction (including expansions)? ☐ Yes ☑ No

If Yes,

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure: _____height; _____width; and _____ length

iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐ Yes ☑ No

If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify:

_____

iii. If other than water, identify the type of impounded/contained liquids and their source.

_____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):

_____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☐ Yes ☑ No

If Yes:

i .What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

_____

_____

i*v.* Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No

If yes, describe. _____

_____

v. What is the total area to be dredged or excavated? _____acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? ☐ Yes ☐ No

ix. Summarize site reclamation goals and plan: _____

_____

_____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☑ Yes ☐ No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): 0.20+/- acre wetland disturbance to Furnace Brook to allow for a road crossing to reach the subject site.

_____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:
Stream crossing required to access the site, approximately 0.20+/- acres of disturbance anticipated

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☑ No
If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☑ No
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____
None proposed

c. Will the proposed action use, or create a new demand for water? ☑ Yes ☐ No
If Yes:

i. Total anticipated water usage/demand per day: 9,680+/- gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☑ Yes ☐ No
If Yes:

- Name of district or service area: Cortlandt Consolidated Water District
- Does the existing public water supply have capacity to serve the proposal? ☑ Yes ☐ No
- Is the project site in the existing district? ☑ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☑ No
- Do existing lines serve the project site? ☑ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☑ No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☑ No
If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☑ Yes ☐ No
If Yes:

i. Total anticipated liquid waste generation per day: 8,800+/- gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____
Sanitary sewage

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☑ No
If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

- Do existing sewer lines serve the project site? ☑ Yes ☐ No
- Will a line extension within an existing district be necessary to serve the project? ☐ Yes ☑ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐ Yes ☑ No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

_____

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☑ Yes ☐ No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or 2.1+/- acres (impervious surface)

_____ Square feet or 42.43 acres (parcel size)

ii. Describe types of new point sources. New impervious surface related to new access road and new buildings.

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

On-site stormwater management facility

- If to surface waters, identify receiving water bodies or wetlands: Furnace Brook
- Will stormwater runoff flow to adjacent properties? ☐ Yes ☑ No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☑ Yes ☐ No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☐ Yes ☑ No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐ Yes ☑ No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐ Yes ☐ No

ii. In addition to emissions as calculated in the application, the project will generate:

- _____Tons/year (short tons) of Carbon Dioxide (CO_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐Yes ☑No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

_____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐Yes ☑No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

_____

_____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐Yes ☑No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐Weekend ☐ Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

_____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐Yes ☐No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

_____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐Yes ☐No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes ☐No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes ☐No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐Yes ☑No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

_____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

_____

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐Yes ☐No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: Comply with Town Code
- Saturday: Comply with Town Code
- Sunday: Comply with Town Code
- Holidays: Comply with Town Code

ii. During Operations:

- Monday - Friday: Typical for residential use
- Saturday: Typical for residential use
- Sunday: Typical for residential use
- Holidays: Typical for residential use

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☑ Yes ☐ No

If yes:

i. Provide details including sources, time of day and duration:

Sporadic increase in noise due to construction activities

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☑ No

Describe: _____

n. Will the proposed action have outdoor lighting? ☑ Yes ☐ No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

Typical for residential subdivision

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☑ No

Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☑ No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☑ No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally, describe the proposed storage facilities:_____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☑ No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☑ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____
- Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____
- Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☑ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☑ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

_____

_____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

_____

_____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

_____

_____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☑ No

If Yes: provide name and location of facility: _____

_____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

_____

_____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☐ Commercial ☑ Residential (suburban) ☐ Rural (non-farm)
☑ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe:

_____

_____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	-	2.15+/-	2.15+/-
• Forested	38.31+/-	31.88+/-	6.43+/-
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.12+/-	0.12+/-	-
• Wetlands (freshwater or tidal)	4.00+/-	3.8+/-	0.2+/-
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: lawn/landscaping	-	4.48+/-	4.48+/-

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☑ No

i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐ Yes ☑ No

If Yes,

i. Identify Facilities:

_____

_____

e. Does the project site contain an existing dam? ☐ Yes ☑ No

If Yes:

i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____

iii. Provide date and summarize results of last inspection:

_____

_____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☑ No

If Yes:

i. Has the facility been formally closed? ☐ Yes ☐ No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

_____

_____

iii. Describe any development constraints due to the prior solid waste activities: _____

_____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☑ No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

_____

_____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ☑ No

If Yes:

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☐ No

☐ Yes – Spills Incidents database Provide DEC ID number(s): _____

☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): _____

☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures:_____

_____

_____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☑ No

If yes, provide DEC ID number(s): _____

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

_____

_____

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☐ No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? >5 feet

b. Are there bedrock outcroppings on the project site? ☐ Yes ☑ No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____%

c. Predominant soil type(s) present on project site:

CrC	85 %
CsD	15 %
	%

d. What is the average depth to the water table on the project site? Average: >5 feet

e. Drainage status of project site soils:

☑ Well Drained:	85 % of site
☑ Moderately Well Drained:	15 % of site
☐ Poorly Drained	% of site

f. Approximate proportion of proposed action site with slopes:

☑ 0-10%:	80 % of site
☑ 10-15%:	15 % of site
☑ 15% or greater:	5 % of site

g. Are there any unique geologic features on the project site? ☐ Yes ☑ No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☑ Yes ☐ No

ii. Do any wetlands or other waterbodies adjoin the project site? ☑ Yes ☐ No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☑ Yes ☐ No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 864-528, 864-532 Classification SC / C
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name Federal Waters, Federal Waters, Federal Waters,... Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☑ No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☑ Yes ☐ No

j. Is the project site in the 100-year Floodplain? ☑ Yes ☐ No

k. Is the project site in the 500-year Floodplain? ☑ Yes ☐ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☑ No
If Yes:

i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site: _____
Typical for suburban community _____ _____ _____
_____ _____ _____

n. Does the project site contain a designated significant natural community? ☐ Yes ☑ No
If Yes:
i. Describe the habitat/community (composition, function, and basis for designation): _____
_____
ii. Source(s) of description or evaluation: _____
iii. Extent of community/habitat:
- Currently: _____ acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐ Yes ☑ No

If Yes:
i. Species and listing (endangered or threatened): _____
_____
_____

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☑ No

If Yes:
i. Species and listing: _____
_____

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☑ No
If yes, give a brief description of how the proposed action may affect that use: _____
_____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☑ No
If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☑ No
i. If Yes: acreage(s) on project site? _____
ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☑ No
If Yes:
i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature
ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____
_____
_____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☑ No
If Yes:
i. CEA name: _____
ii. Basis for designation: _____
iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☐ Yes ☑ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based:

_____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☑ Yes ☐ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☐ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☑ No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☑ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

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

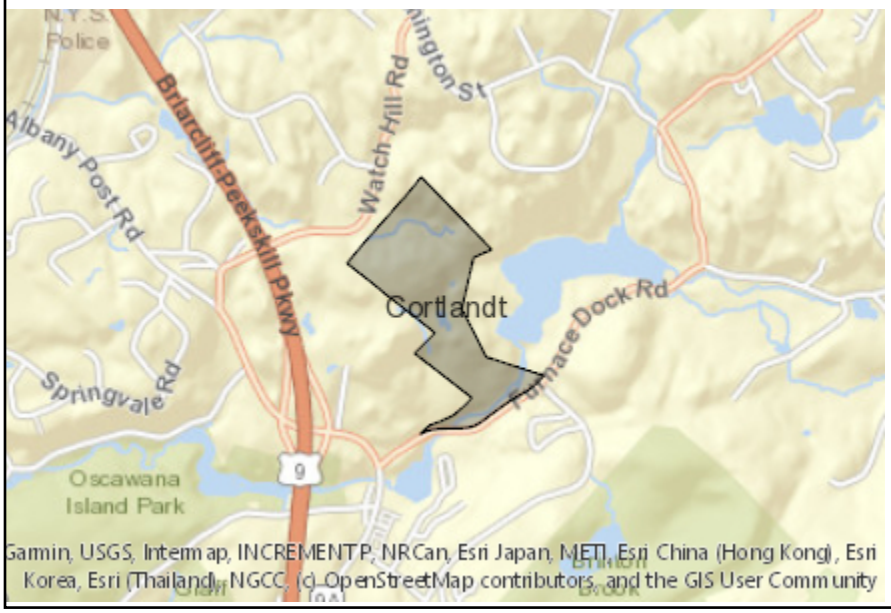
Applicant/Sponsor Name AJ Cortlandt LLC Date 5-4-21

Signature _____ Title Planning Consultant

PRINT FORM

EAF Mapper Summary Report

Sunday, December 27, 2020 2:01 PM



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

B.i.i [Coastal or Waterfront Area]	Yes
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	864-528, 864-532
E.2.h.iv [Surface Water Features - Stream Classification]	SC / C
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	Yes
E.2.j. [100 Year Floodplain]	Yes
E.2.k. [500 Year Floodplain]	Yes

E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

Appendix D

Wetland Delineation Confirmation

KELLARD SESSIONS

John Kellard, P.E.
David Sessions, RLA, AICP
Joseph M. Cermele, P.E., CFM
Jan K. Johannessen, AICP

January 29, 2021

Town of Cortlandt
Planning Division
1 Heady Street
Cortlandt Manor, New York 10567

Attn: Chris Kehoe, AICP,
Deputy Director, DOTS Planning

RE: Furnace Dock Subdivision
Town of Cortlandt

Dear Mr. Kehoe:

I am writing to advise that I visited the subject property on January 13, 2021 for the purposes of confirming the wetland boundary as originally delineated by Erwin Potter and Associates. The wetland flags had been previously survey located by Scott B. Gray, L.S. and Ralph G. Mastromonaco, P.E., P.C. and appear on plans prepared by Ciarcia Engineering, P.C. Based upon my field visit and review of the record drawings, the wetland boundary as it exists today is substantially similar to that previously delineated by Erwin Potter and Associates.

If you should have any questions or require any further information, please do not hesitate to contact me.

Very Truly Yours,

Jan K. Johannessen

Jan K. Johannessen, AICP
Kellard Sessions Consulting

JKJ/dc

cc: Cosmo Marfione, P.E., BDC Group
David Smith
Linda Whitehead, Esq.

https://kellardsessionsconsulti.sharepoint.com/sites/Kellard/Project Docs P/CMBDC200/KSC Correspondence/2021-01-29_CortlandtPB_WetlandConf_Ltr.docx

Appendix E

Technical Memo on Traffic

Provident design engineering
7 Skyline Drive, Hawthorne, NY 10532
Tel: (914) 592-4040 www.pderesults.com

July 14, 2020

Honorable Linda D. Puglisi, Supervisor and Town Board Members
Town of Cortlandt Town Hall
1 Heady Street
Cortlandt Manor, NY 10567

RE: Vehicular Trip Generation Comparison
Furnace Dock Subdivision – Beaver Brook Cortlandt

Dear Supervisor Puglisi and Town Board Members:

Provident Design Engineering (PDE) has been retained by AJ Cortlandt, LLC (AJC) to make a determination as to whether the currently proposed Project (34 age-restricted townhouse units) on the subject Application will create a significant environmental impact with respect to traffic when compared to the previously approved plan of 16 single-family homes. In order to perform the evaluation, PDE referenced the Institute of Transportation Engineers (ITE) publication entitled "Trip Generation", 10th Edition. This publication provides trip generation rates for various land uses based upon empirical data collected at similar facilities. Based upon the information contained in the ITE publication, the following Table provides a comparison between the previously approved use and the currently proposed Project:

TABLE 1
TRIP GENERATION COMPARISON TABLE
FURNACE DOCK ROAD SUBDIVISION - TOWN OF CORTLANDT, NEW YORK

	Peak AM Hour	**Peak PM Hour**	**Peak Saturday Hour**	**Weekday Daily**	**Saturday Daily**
Previously Approved Use	16	17	31	193	175
Currently Proposed Project	7	10	11	126	110
DIFFERENCE	**-9**	**-7**	**-20**	**-67**	**-65**
Percent Decrease	***-56%***	***-41%***	***-65%***	***-35%***	***-37%***

Notes:
1. Previously approved use trip generation rates based upon ITE Land Use Code 210 – Single Family-Detached for 16 units.
2. Currently proposed project trip generation rates based upon ITE Land Use Code 252 – Senior Adult Housing-Attached for 34 units.

As can be seen in the Table above, the amount of traffic for the currently proposed Project will significantly reduce the amount of traffic to be generated by the site when compared to the previously approved plan. Based on the foregoing, it is the professional opinion of PDE that the currently proposed Project will have no adverse environmental impact with respect to traffic.

Should you wish to discuss this letter please feel free to contact me at 914.367.0204 or via email at cholt@pdresults.com.

Very truly yours,

Provident Design Engineering, PLLC

Carlito Holt, P.E, PTOE
Managing Partner

cc: AJ Cortlandt, LLC
Planning & Development Advisors
McCullough, Goldberger & Staudt, LLP

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Appendix F

Fiscal Calculation Worksheets

Tax Projctions Using Market Rate

	Projected Market value	Equalization Rate (ER)	Assessed Value (MVxER) per unit	Total Projected Assessed Value
Unit A (7)	$450,000	0.0153	$6,885	$48,195
Unit A Affordable (1)*	$375,000	0.0153	$5,738	$5,738
Unit B (8)	$525,000	0.0153	$8,033	$64,260
Unit C (7)	$460,000	0.0153	$7,038	$49,266
Unit C Affordable (1)	$375,000	0.0153	$5,738	$5,738
Unit D (8)	$535,000	0.0153	$8,186	$65,484
				$238,680

* Defining affordable as 100% of West. Co. AMI for family of two ($100,716 annual salary, $8,393 monthly income, $2,518 estimated housing cost)

Taxing Jurisdiction	Tax rate	AV	Taxes per jurisdiction
Hen. Hud Library	25.62	$238.68	6114.9816
Hen. Hud Schools	1082.95	$238.68	258478.506
Library	7.17	$238.68	1711.3356
General Town	31.2	$238.68	7446.816
Highway	183.83	$238.68	43876.5444
West. Co	200.19	$238.68	47781.3492
Cortlandt Ambulance	12.61	$238.68	3009.7548
Cortlandt Con. Water	15.5	$238.68	3699.54
County Refuse	16.560002	$238.68	3952.541277
Montrose Fire	49.270002	$238.68	11759.76408
	1624.9		$387,831.13

Taxing Jurisdiction	Existing taxes per jurisdiction		Projected Increase by jurisdiction
Hen. Hud Library	$652.03	$6,114.98	$5,462.95
Hen. Hud Schools	$27,561.08	$258,478.51	$230,917.43
Library	$182.48	$1,711.34	$1,528.86
General Town	$794.04	$7,446.82	$6,652.78
Highway	$4,678.47	$43,876.54	$39,198.07
West. Co	$5,094.84	$47,781.35	$42,686.51
Cortlandt Ambulance	$320.92	$3,009.75	$2,688.83
Cortlandt Con. Water	$394.48	$3,699.54	$3,305.06
County Refuse	$421.45	$3,952.54	$3,531.09
Montrose Fire	$1,253.92	$11,759.76	$10,505.84
	$41,353.71	$387,831.13	$346,477.42