

Cloewood Draft Environmental Impact Statement

1.0 Executive Summary

The Cloewood Project would be a clustered residential development of 600 single-family lots/homes (the “Project”) on approximately 708.2 acres of land (the “Project Site”) located in Blaggs Clove on the east side of NYS Route 208 and Clove Road (a/k/a Orange County Route 27) within the Village of South Blooming Grove (the “Village”) Orange County, New York. The Project Site is identified as Tax Map Section 208, Block 1, Lots 2 and 3. A USGS map of the Project Site area is found in Figure 11. The Project would include 557 market rate units and 43 affordable housing units, and would conform to the Village’s current Zoning Code and all other land use regulations and no rezoning, zoning changes, waivers or variances would be required.

The Project’s Draft Environmental Impact Statement (“DEIS”) has been prepared by CPC in accordance with the requirements of the New York State Environmental Quality Review Act (SEQRA) and its implementing regulations (6 NYCRR Part 617), as well as in accordance with the Co-Lead Agencies Scoping Document included in Appendix O. The DEIS has also taken into consideration all comments received from the Village and other involved agencies, including the New York State Department of Transportation (NYSDOT), the New York State Department of Environmental Conservation (NYSDEC), the Orange County Department of Public Works (OCDPW) and the Orange County Department of Planning (OCDOP) included in Appendix N.

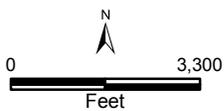
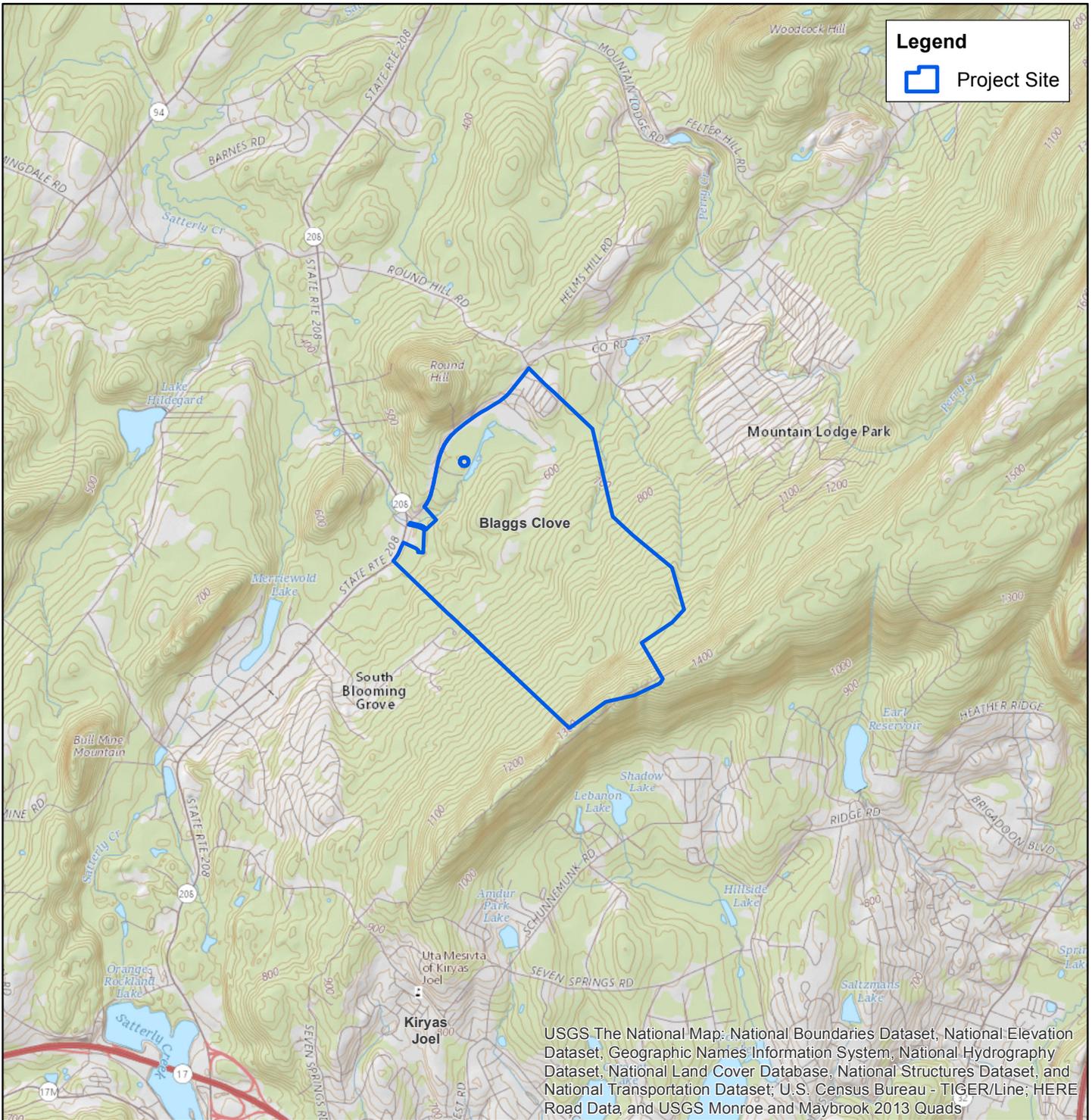
This DEIS is available for public review at Village Hall and online at www.cloewood.com. When the DEIS is accepted by the Co-Lead Agencies, it will also be made available for public review at the Moffat Library in Washingtonville, NY. Comments from the public on the DEIS will be received at the public hearing which will be conducted by the Co-Lead Agencies, as well as within any public comment period for submission of written comments authorized by the Co-Lead Agencies. The DEIS will also be circulated among the involved and interested agencies for their review and comment.

This section briefly describes the Project including the measures built into the Project to prevent it from generating significant adverse environmental impacts; identifies potential significant adverse environmental impacts which would be generated by the Project, if any; identifies any mitigation measures which are proposed to address any significant adverse impacts of the Project, if any are warranted; and summarizes alternatives to the Project and whether any alternatives would be preferable to the Project, as well as the Project’s required approvals.

1.1 Project Description

The Project is situated entirely within the Village, which is part of the Poughkeepsie–Newburgh–Middletown, New York Metropolitan Statistical Area and is bisected by NYS Route 208, which provides easy access to NYS Route 17, future Interstate 86, via on/off ramps at exits 129 and 130.

Figure 11: USGS Area Map



Data Source:
 Orange County GIS Division, 06/2016
 USGS National Map and Monroe and
 Maybrook 2013 Quads

Map prepared for CPC by:
Sarcinello Planning & GIS Services
 November 21, 2017



**Draft Environmental
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Blaggs Clove

**Village of South Blooming Grove
 Orange County, New York**



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Cloewood Draft Environmental Impact Statement

The Village is located southeast of the Town of Blooming Grove, west of the Town of Woodbury, north of the Town of Monroe, and north of the Town of Palm Tree and the Village of Kiryas Joel, all with which the Village shares common borders.

The Project would meet current and reasonably foreseeable, local and regional housing needs, including the unmet need for housing, as well as affordable housing, among the Satmar Hasidic community that comprises the majority of the population of the neighboring Village of Kiryas Joel. As discussed in Section 3.4, beginning in 2016 and continuing through the present, Satmar Hasidic families have been purchasing homes in the Village in significant numbers. This trend shows no sign of abating and confirms that the Satmar Hasidic community would likely constitute a significant percentage of the homeowners within the Project.

The following is a brief history of the Project Site. In the 1950s and 1960s, the Project Site was developed with the Lake Anne County Club, which included a golf course, luncheonette, cocktail lounge, casino (non-gambling), an outdoor pool, athletic and ski facilities, and approximately 126 single-family and multi-family dwelling units. The Project Site currently consists of predominately vacant land, with the exception of approximately 50 vacant structures associated with the former Lake Anne County Club, which would be razed as part of the Project in accordance with applicable regulations. The Applicant, Keen Equities, purchased the Project Site in January of 2006.

Prior to the incorporation of the Village in July of 2006, the Project Site was located in the unincorporated area of the Town of Blooming Grove. Originally, the Town Zoning Code classified the Project Site in the R-30 Zoning District (density of one dwelling unit per 30,000 square feet) with the exception of approximately 35 acres which were classified in the R-80 Zoning District (density of one dwelling unit per 80,000 square feet). This would have allowed the development of approximately 980 units on the R-30 Zoning District land and approximately 20 units on the R-80 Zoning District land, totaling approximately 1,000 dwelling units on the Project Site.

Currently, 702 acres of the Project Site are located in the Village's Rural Residential (RR) Zoning District and 6.2 acres within the Rural Crossroads I (RC-I) Zoning District. The overall plan of the Project would involve the development of 600 residential lots/homes clustered on 20% of the Project Site (140± acres) and the preservation of 80% of the Project Site as open space, which would include 8.5% of the Project Site (60± acres) as dedicated Village parkland to be available for public use and 10% of the Project Site (70± acres) as active recreation area. Approximately 22 acres of the Project Site would be reserved with no current plans for its development.

The Project's active recreation areas would include six community playground areas located within the interior of residential blocks, six community bus stops with shelters, four active community recreation structures and facilities, including but not limited to swimming pools/bathhouses, community rooms, clubhouses, maintenance rooms, etc., and two park and ride facilities, one for

MASTER PLAN LEGEND

COLOR	ITEM
	WOODS
	GRASS
	ROADS / PARKING
	600 HOMES
	4 FACILITIES
	4 POOLS
	6 PLAYGROUNDS
	6 BUS SHELTERS
	2 PARK & RIDE
	TRAILS



FIGURE 12
CLOVEWOOD MASTER PLAN
 MARCH 28, 2018 | SCALE: 1" = 840'



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Cloewood Draft Environmental Impact Statement

use by the public and another for Project residents, with over 300 parking spaces each. The Project's public park and ride facility would enable commuters, who now drive along NYS Route 208 to reach the existing park and ride lots A and B on Orange and Rockland Drive (along NYS Route 17 between Museum Village Road and NYS Route 208) to use the Project's public park facility instead, thereby reducing demand on the existing park-and-ride lots which operate at capacity and reducing traffic at the intersection of NYS Route 208 and NYS Route 17. The Project's park and ride facility for Project residents would facilitate the use of mass transit and reduce Project generated motor vehicle traffic on NYS Route 208, including at the intersection of NYS Route 208 and NYS Route 17. The overall development including the community facilities are shown in the Master Plan in Figure 12.

The Project is consistent with the policies and goals of the Village as set forth in its Zoning Code. The Project's consistency with the Village's zoning and land use requirements, without any request for a variance, modification or waiver, confirms that the Project is the very type of development envisioned by the Village Board for the Project Site. The Project also takes into account regional planning principles, with which it is consistent as discussed in Section 3.1. The Project would complement nearby commercial and residential developments while preserving large contiguous areas of open space in accordance with applicable zoning.

Access to the Project Site would be from NYS Route 208 and from Clove Road. Two additional connections for vehicular access to the Project Site would be provided southwest of the Project Site. One would interconnect with adjacent property and eventually connect with NYS Route 208, and the other would provide a possible future connection to Arlington Road in the Village for purposes of minimizing the use of NYS Route 208, in accordance with the interconnectivity provisions of the Village Zoning Code. The Project would contain thirteen internal roadways, of which four would be classified as collector roads and feature 30-foot wide roadways and 60-foot wide right of ways, and the remaining nine interior roads would be classified as local/minor roadways and feature 24-foot wide roadways and 50-foot wide right of ways, as shown in Figure 24 of Section 2.0.

The Project would be developed between the elevations of 500 and 900 AMSL as shown in Figure 13. The Project Site contains a total of 34.98 acres of wetlands under the jurisdiction of the USACOE or NYSDEC. These wetlands are shown in Figures 381 and 382 of Section 3.8 and in the Freshwater Wetlands Map in Appendices H and E.

The Project would include a water supply system, comprised of six on-site water wells, new distribution piping, fire hydrants and a water storage tank. The Project's wells have the capacity to generate 785,520 gallons of water per day when the best well is included and 550,800 gallons of water per day with the best well excluded. Details pertaining to the specifics of the Project's water supply system are found in Section 3.8ii and 3.9i and Appendices F and G. An average daily

EXISTING TOPOGRAPHIC CONDITIONS

COLOR	RANGE
Blue	476 - 480 FT. AMSL
Light Blue	480 - 500 FT. AMSL
Light Green	500 - 600 FT. AMSL
Green	600 - 700 FT. AMSL
Dark Green	700 - 800 FT. AMSL
Light Yellow	800 - 900 FT. AMSL
Yellow	900 - 1000 FT. AMSL
Light Orange	1000 - 1100 FT. AMSL
Orange	1100 - 1200 FT. AMSL
Dark Orange	1200 - 1300 FT. AMSL
Red-Orange	1300 - 1380 FT. AMSL
Red	1380 - 1382 FT. AMSL

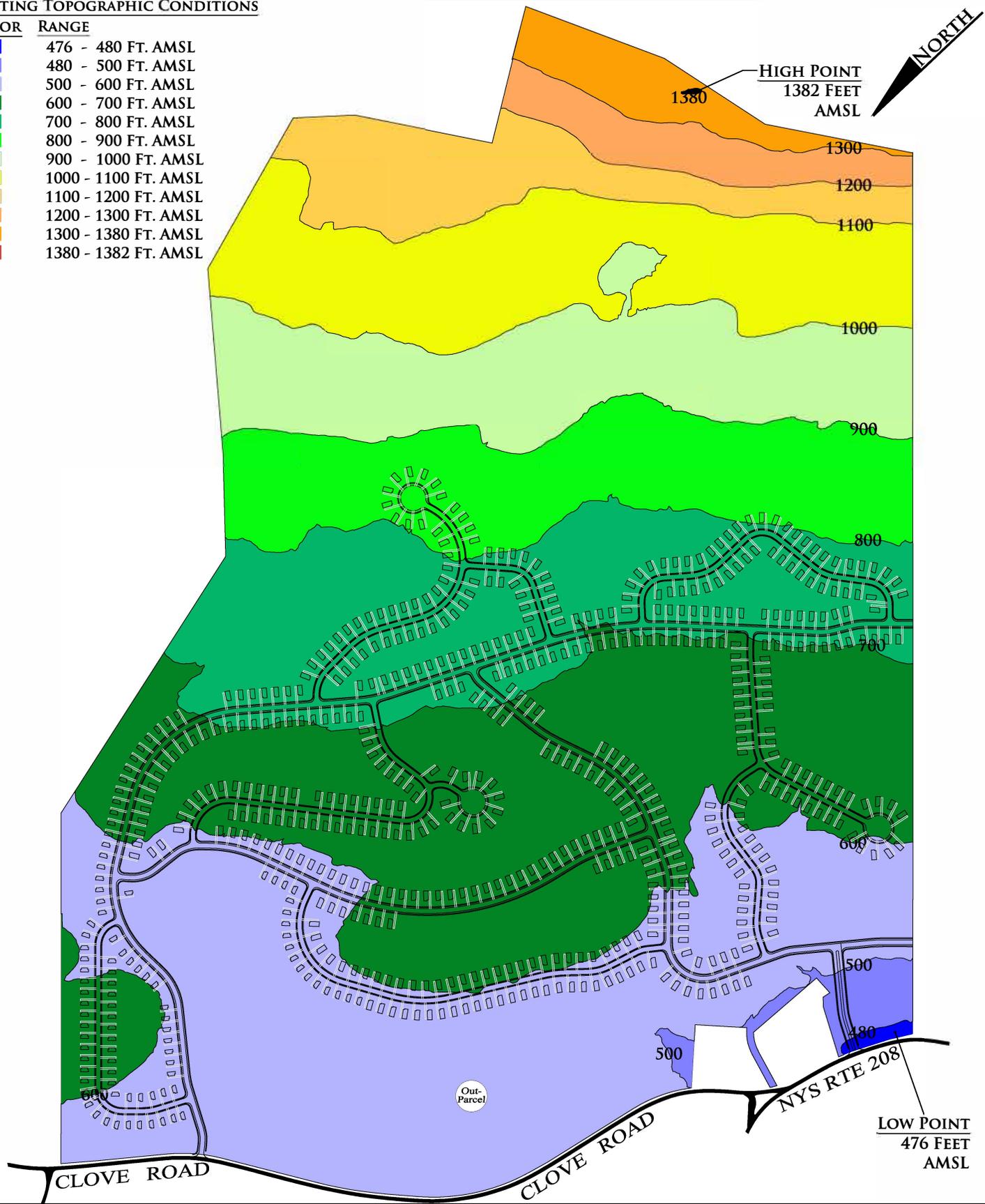


FIGURE 13
CLOVEWOOD TOPOGRAPHY MAP
MARCH 28, 2018 | SCALE: 1" = 840'



Cloewood Draft Environmental Impact Statement

water demand for the Project has been calculated based on the NYSDEC 2014 Design Standards for Intermediate Sized Wastewater Treatment Systems of 110 gallons per day (gpd) per bedroom.

If the Project's wells are not connected to and not incorporated as a part of the Village's municipal water supply system, the Project's wells would have sufficient capacity to support the water demand for 600 four-bedroom single-family dwelling units and associated swimmers, which would be 273,600 gpd or 190 gpm. The Project's wells would be able to supply more than twice the average water demand of 547,200 gpd or 380 gpm, in accordance with NYSDOH water supply system requirements.

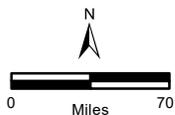
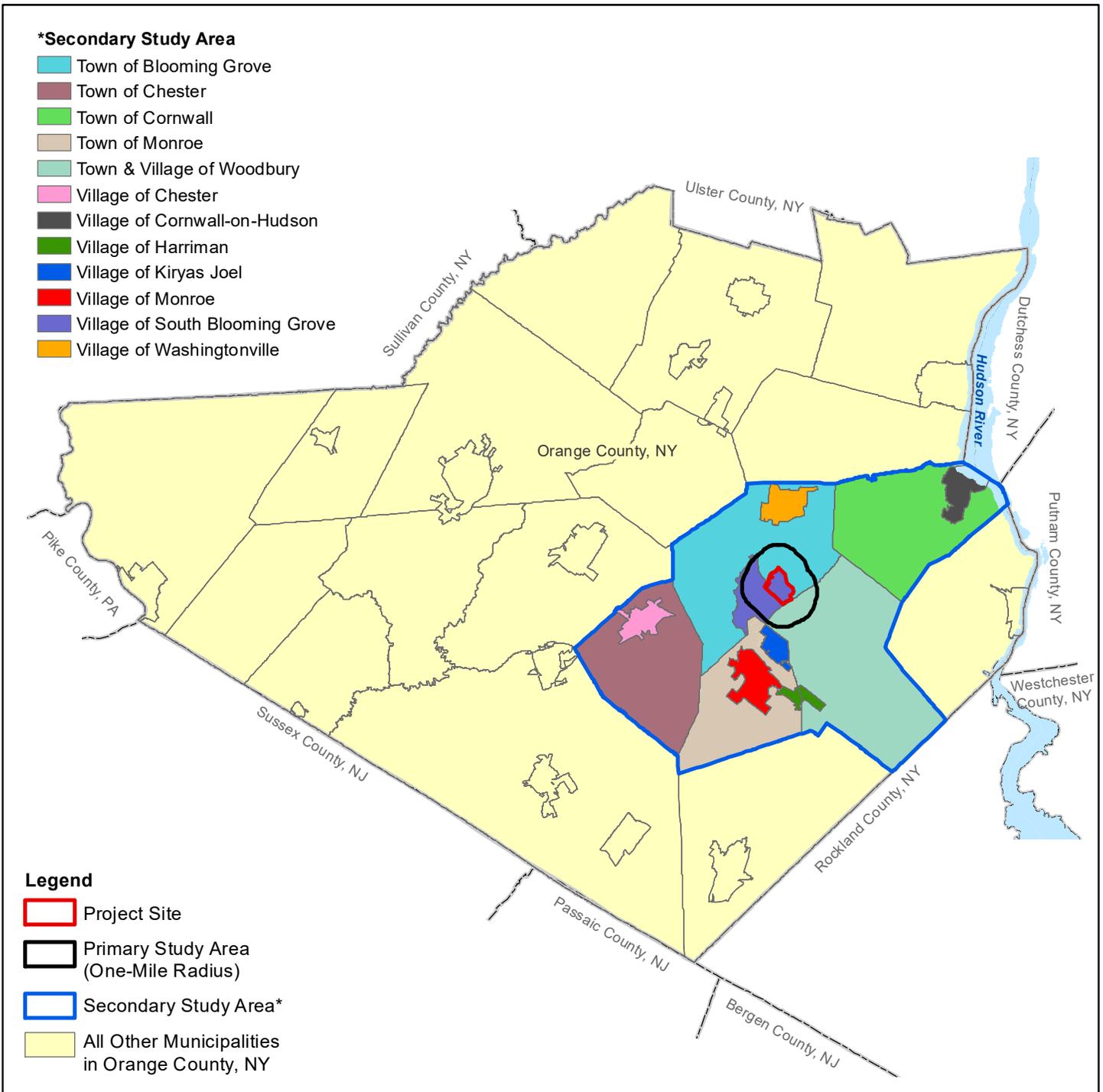
If the Project's wells are connected to and incorporated as a part of the Village's municipal water supply system, the Project's best well would not be excluded and the Project's wells would be able to supply water for 600 four-bedroom homes and a maximum of 600 accessory apartments (300 one-bedroom accessory units and 300 two-bedroom accessory units) and associated swimmers of 377,400 gpd or 262.1 gpm. The Project's wells would be able to supply more than twice the average water demand of 754,800 gpd or 524.2 gpm, in accordance with NYSDOH water supply system requirements.

The Project's sewage would be treated at a new, on-site wastewater treatment plant ("WWTP") that would discharge sewage to one of the existing on-site tributaries to Satterly Creek. A new gravity collection system comprised of sewer mains and manholes, together with one proposed sewer pump station, would convey raw sewage to the WWTP.

The initial WWTP was designed to accommodate a capacity of approximately 420,000 gpd. However, according to the Project's wells' combined yield detailed above, the Project's wells have a capacity to accommodate a water demand of up to 275,400 gpd without the best well in service. Therefore, the WWTP's design was revised to accommodate a capacity of 280,000 gpd, which would be sufficient capacity for the Project's demand of 273,600 gpd. The WWTP and its design as well as a more complete wastewater analysis is found in Section 3.8i, 3.9ii and Appendix I. Should the Project interconnect its wells with the Village and utilize the yield from its best well, the Project would either request the Village release its excess sewer capacity from the Orange County Sewer District No. 1 or extend the service capacity of the Project's WWTP up to the initial 420,000 gpd, which would be sufficient capacity for the demand of 377,400 gpd.

Fourteen stormwater management ponds and other related appurtenances would accomplish the Project's stormwater management objectives, which would be accomplished via an open and closed storm drain infrastructure consisting roof leaders, splash blocks, rain-gardens, drainage swales, catch basins, pipes, culverts, bio-retention areas, and stormwater detention ponds. Run-off reduction practices would be implemented in an effort to retain stormwater run-off at its source with the primary run-off reduction practice used on the Project being rain gardens on individual

Figure 14: Primary and Secondary Study Areas



Data Source:
Orange County GIS Division, 11/2016
Map prepared for CPC by:
Sarcinello Planning & GIS Services
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Cloewood Draft Environmental Impact Statement

lots, where practical, or bio-retention practices for larger impervious areas. Impervious area reduction will be accomplished by the planting of trees in the areas adjacent to buildings and roadways.

A hydrologic analysis has been performed for the 1-, 10-, and 100-year storm events and attenuation of the peak discharge rates for the aforementioned storms will satisfy SPDES permit requirements for Channel Protection (Cpv), Overbank Flood Control (Qp) and Extreme Flood Control (Qf). A full description and analysis of the pre and post-developed rates of run-off together with the hydrologic model can be found in the SWPPP Report included in Appendix H. A table summarizing the pre and post-developed peak run-off rates at the four points at which stormwater flows is found in Section 3.8i in Table 388. A more detailed description of the Project and Project Site improvements is included in Section 2.0.

1.2 Village Scoping Requirements

The Village Scoping Document adopted by the Co-Lead Agencies requires the DEIS analyze the Project's potential to generate certain significant adverse environmental impacts in respect of a Primary and a Secondary Study Area. The Scoping Document defines the Primary Study Area as a one-mile radius around the Project Site and the Secondary Study Area as the following thirteen municipalities: the Towns of Blooming Grove, Woodbury, Monroe, Chester, and Cornwall, and the Villages of Chester, Cornwall-on-Hudson, Harriman, Kiryas Joel, Monroe, South Blooming Grove, Washingtonville and Woodbury. The Study Areas are shown in Figure 14.

The Village Scoping Document also requires the DEIS to use two scenarios for the basis of evaluating potential significant adverse environmental impacts of the Project. Scenario No. 1 is a development occupied by families from Satmar Hasidic community and Scenario No. 2 is a development occupied by a community with demographics similar to the existing conditions in the Village of South Blooming Grove. As to Scenario No. 2, the demographics of the Village are changing. Since 2016 a significant number of homes in the Village have been sold to Satmar Hasidic families and the Satmar Hasidic population of the Village is now a significant percentage.

Regardless of the Co-Lead Agencies' direction as to how the DEIS is to be prepared, all residential units in the Project would be made available for occupancy, purchase or rental to any person regardless of race, color, religion, gender identity, handicap or disability, familial status, national origin, age, marital status, military status or other protected class status in accordance with federal and state law. The Project Owner and Developer is committed to providing and satisfying equal housing opportunity principles and legal requirements. Nonetheless, and to the extent that the Village has required an analysis of the impacts of Hasidic individuals owning and occupying the units (as opposed to individuals of other religious backgrounds), such potential impacts are analyzed where applicable throughout the DEIS.

Cloewood Draft Environmental Impact Statement

In addition, the Village Scoping Document states “The Applicant has not proposed accessory apartments; however, the co-lead agencies consider the construction of such apartments a reasonably foreseeable consequence of the Project. The construction of accessory apartments has important environmental implications to consider, including effects on water/sewer demand and traffic, among other resource areas.” Accordingly, the DEIS analyzes the potential environmental impacts of the construction of a maximum of 600 accessory apartments.

1.3 Potential Environmental Impacts

This section summarizes the potential of the Project to generate significant adverse environmental impacts in the following resource areas: land use, zoning and public policy; socioeconomics; community facilities and services; community character; historic and cultural resources; vegetation and wildlife; geology, soils and topography; surface waters, wetlands and groundwater; water and sewer infrastructure; solid wastes; transportation; noise impacts; air quality impacts; visual impacts and aesthetics; hazardous materials; construction impacts; and cumulative impacts. A brief summary of the conclusions for each resource area is set forth below, and a more in-depth analysis is included in Sections 3.1 through 3.17. In addition, this section includes a general analysis of critical environmental areas and open space resources to document the Project’s lack of capacity to generate significant adverse impacts upon these resources.

The Project’s design and compliance with applicable Federal, State, County and other local governmental codes, rules, regulations and standards would mitigate any potential impacts to the point where they would not be defined as significant as detailed through Section 3.0. Accordingly, no further mitigation, aside for continued compliance with applicable standards and monitoring is warranted.

Land Use, Zoning, and Public Policy: The Project has been designed to be in accordance with the provisions of all applicable Village land use laws and regulations including the Village Zoning Code, which implements the Village Comprehensive Plan and policies for land use and development within the Village. The Project would not require any waivers, variances, modifications, or zoning changes. The Zoning Code which adopted the zoning regulations applicable to the Project Site was the subject of an environmental review by the Village Board. The Village Board adopted a negative declaration confirming that the Zoning Code did not have the potential to generate any significant adverse environmental impacts. The Project is entirely consistent with the development for the Project Site authorized by the Village Board in its Zoning Code. Therefore, the Project would not have the potential to generate any significant adverse impacts on Village land use, zoning and public policy and mitigation would not be necessary.

The land uses in the areas surrounding the Project Site, consist primarily of single-family and multi-family residential dwelling units, as well as some commercial and retail stores along NYS

Cloewood Draft Environmental Impact Statement

Route 208, and some vacant land. The Project would be substantially less dense than the previously developed residential communities in the Village and in the primary and secondary study areas as discussed in more detail in Section 3.4. The Project would be consistent with local, Orange County and regional plans and public policies as detailed in 3.1.3. As a result, and as outlined in the detailed analysis in Section 3.1, the Project would not have the potential to generate any significant adverse impacts related to land use, zoning and public policy in the primary and secondary study areas and no mitigation would be required.

Socioeconomics: As outlined in the analysis detailed in Section 3.2, the Project would not result in any significant adverse impacts upon socioeconomics, including those related to population and housing, employment and economics, real property taxes, and other taxes and fees. The additional tax revenue generated by the Project would both offset the projected costs of services used by residents of the Project and would generate a positive net financial benefit for the Village, Town, County, School District and their taxpayers under both Scenario No. 1 and No. 2.

The Project would provide 600 homes to satisfy the unmet local and regional demand for housing, including affordable housing. If sufficient water supply and sewage treatment capacity is available, the future lot owners in the Project could submit an application for accessory apartments to the Village, which would further satisfy the unmet local and regional need for housing, including affordable housing. The associated increase in population would remedy the Village's decade long trend of shrinking population and its related adverse consequences to the tax base, provision of community services, and support for local businesses. The Project would generate increased demand for goods and services provided by local businesses, thereby bolstering the local economy and generating both long term and short term employment, including construction jobs. Accordingly, the Project would not have the potential to generate any significant adverse impacts on socioeconomics under either Scenario No. 1 or No. 2, and no mitigation would be required.

Community Facilities and Services: As analyzed in Section 3.3, the Project would not have the potential to generate any significant adverse impacts on the provision of community facilities and services, including police and fire protection, ambulance services, schools and libraries, and hospitals and other health care facilities. To the extent the Project would create additional demand for community services, they would be administered by existing providers who would add additional staff and resources as needed. The Project's population would provide additional volunteers for fire prevention and ambulance service sufficient to offset any additional demand. The increased tax revenue from the Project would more than offset the increased costs for community services needed by Project residents, as documented in Sections 3.2 and 3.3. There is no identified need for capital expenditures to build new community facility buildings arising from increased demand caused by the Project. Therefore, the Project would not have the potential to generate any significant adverse impacts on community facilities and services, and no mitigation would be required.

Cloewood Draft Environmental Impact Statement

Community Character: As analyzed in Section 3.4, the Project would not have the potential to generate any significant adverse impacts upon community character. The Village Zoning Code implements the Village's Comprehensive Plan and the applicable zoning district regulations set the parameters for the type and scale of development that the Village Board determined was appropriate for the Project Site. At the time of the adoption of the Village Zoning Code the Project Site was, by far, the largest single undeveloped or underdeveloped privately owned parcel of land in the Village. The Zoning Code, including the zoning map, which together established the maximum development density of the Project Site as well as its permitted uses, was evaluated by the Village Board to determine if their enactment would have the potential to generate any significant adverse environmental impacts. The Village Board adopted a Negative Declaration confirming that the zoning regulations applicable to the Project Site and its development they would allow as of right would not have the potential to generate any significant adverse environmental impacts, including upon community character.

The applicable provisions of the Zoning Code establish the type and scale of development that the Village Board deemed appropriate for the Project Site. As discussed in Section 3.1, the Project would not require any waivers, modifications, or variances from the requirements for development in the Village's RR and RC-I zoning districts, the two zoning districts applicable to the Project Site. Thus, the Project is precisely the type and scale of development that the Village Board envisioned when it adopted the Zoning Code and mapped the Project Site to be within RR and RC-I zoning districts. The Project would not only be consistent with the community character of the Village, it would also implement the vision for the community character of the Project Site as set by the Village Board when it adopted the Village's Zoning Code. Since the adoption of the Village Code was preceded by the adoption of a Negative Declaration, the Village Board found that the zoning for the Project Site would not have the potential to create any adverse environmental impacts, including upon community character. Because the Project would be in conformity with all applicable Zoning Code requirements, including those imposed by Village overlay districts, the Project would be consistent with the Village's community character.

The Project would be at a significantly lower density of development and preserve significantly more open space than all prior residential developments in the Village. The Project would include the dedication of approximately 60 acres to the Village for public parkland, which would be the Village's first. Thus, the Project would not only be consistent with the Village's community character, but it would improve that character as well.

The Project would also be consistent with the character of the communities in the Primary Study Area and would also assist in stabilizing the Village's population decline so the Village would be more consistent with the character of the communities in the other villages in the Primary and Secondary Study Areas as well as those in the region's Priority Growth Areas within Orange County. The Project is too physically remote from the communities in the Secondary Study Area

Cloewood Draft Environmental Impact Statement

to have any impact on their character.

The Project would not have the potential to generate any significant adverse impacts upon community character, and no mitigation would be required.

Historic and Cultural Resources: An analysis of historic, cultural and archaeological resources was conducted for the Project in accordance with the NYS Office of Parks, Recreation and Historic Preservation (“OPRHP”) regulations. These analyses included a Phase 1A, Phase 1B and supplement Phase 1B Cultural Resource Surveys which are included in Appendix B. Over 1,000 shovel tests were undertaken within the Project’s Area of Potential Effect in accordance with applicable guidance and requirements.

The Project would include a buffer around the Round Hill Cemetery, which is located on a separate tax lot and is not part of the Project Site. Additionally, the Project would include a buffer around the M.H. Howell Farm and Clove Road Precontact Site in order to preclude any potential impacts on these areas. The Project would include an avoidance and preservation plan for the Schunnemunk Precontact Site that would protect this site from any potential adverse Project impacts. A detailed analysis is found in Section 3.5 and concludes that the Project would have no significant adverse impacts upon historic and cultural resources, and therefore, no further mitigation would be necessary.

Vegetation and Wildlife: An analysis of natural resources and biodiversity was conducted for the Project Site. The Endangered and Threatened Species Report and Evaluation is found in Appendix C and summarized in Section 3.6. All of the field reviews that are relevant to threatened, endangered, or rare species were conducted during the appropriate time periods when each species was most visible and/or encounters most likely. The analysis concludes the Project would not result in any significant adverse impacts upon flora and fauna, including those identified as threatened or endangered.

The majority of the Project’s development would take place on previously disturbed lands not defined as pristine forested area and the Project would preserve approximately 80% of the Project Site as open space, with forested areas suitable for use as habitat by wildlife.

The Project would not adversely impact any bird or aquatic species and would not include development above 940’ MSL as shown in Figure 13, which is the area of the Project Site that is suitable Timber Rattlesnake Habitat. In addition, the Project’s construction plans would protect against harm to endangered or threatened bat species by limiting tree clearing activities to the period between November 1 and March 31 of a given calendar year, when bats are hibernating in caves and not found in trees. In addition, the Project’s development would follow appropriate bat mitigation protocols and mitigative guidelines from NYSDEC's *Guidelines for Reviewing Projects*

Cloewood Draft Environmental Impact Statement

for Potential Impacts to the Timber Rattlesnake. The Project would not result in significant adverse impacts upon vegetation and wildlife and no mitigation would be necessary.

Geology, Soils, and Topography: The Project would not impact any soils of agricultural significance, and its excavation, building construction and underground utilities would be designed to comply with the recommendations detailed in the Geotechnical Report in Appendix D and with applicable Village Code. The Project would not involve construction on any steep slopes located on the Project Site. In addition, the Project's temporary and permanent erosion and sedimentation control plan would be followed in accordance with applicable NYS requirements. The foregoing aspects of the Project are analyzed in Section 3.7. The protections designed into the Project and implemented during construction would preclude the Project from generating any significant adverse impacts to geology, soils and topography and therefore no mitigation would be necessary.

Surface Waters and Wetlands: The Project Site's 708.2 acres of land include a total of 37.48 acres of wetlands, watercourses and surface waters, as discussed in Section 3.8i. Drainage, generally, is into the stream which flows through and across the Project Site into Satterly Creek, which flows into the Otterkill and Moodna Creek. Moodna Creek is a significant tributary of the Hudson River, entering the river north of the Village of Cornwall-on-Hudson.

A stormwater pollution prevention plan has been prepared to minimize potential impacts to the watershed from the Project. Potential impacts include soil erosion during construction and the introduction of pollutants such as garbage, construction debris, chemicals and sediments from rooftops, roadways, construction equipment and people both during and after construction. The SWPPP in Appendix H also addresses potential downstream impacts, such as flooding and channel erosion, caused by the conversion of natural areas to impervious surfaces which increases the rate and volume of stormwater run-off. The Project would also implement a stormwater management system that includes a combination of infrastructure improvements and stormwater management best practices to ensure the rate of stormwater leaving the Project Site does not increase and the quality of effluent from the facilities does not degrade the quality of receiving watercourses. The Project would implement the erosion and sediment control measures detailed in its SWPPP to prevent the Project from generating significant adverse impacts to surface waters and wetlands.

The crossing of ephemeral streams and watercourses by the proposed roadways would be covered under either Nationwide Permit #29 for crossings resulting in permanent disturbance to the stream bed, or Nationwide Permit #33 for disturbances resulting in temporary disturbance to the stream bed such as for temporary construction access or for the construction of open bottom type structures that would restore the original stream bed upon completion of the structure.

The Project would include a wastewater treatment facility capable of meeting effluent standards that ensure there would be no degradation to the unnamed tributary of Satterly Creek to which it

Cloewood Draft Environmental Impact Statement

would discharge. This facility would address the wastewater treatment needs of the Project while protecting surface water quality.

Accordingly, the Project would not have the potential to generate significant adverse impacts upon surface waters and wetlands, as well as those related to stormwater and wastewater treatment, and mitigation would not be required.

Groundwater: A 72-Hour Water Well Pumping Test was conducted for the Project in order to demonstrate the water yield of the Project's wells. The Groundwater Well Investigation is found in Appendix F and Water Supply Reports are found in Appendix G. Both are summarized in Section 3.8ii. A map of the Project's off-site monitoring program including the location of the Project's wells is shown in Figure 387. The Pumping Test was conducted on wells C-6, C-12, C-14, C-16, and C-23, which were pumped concurrently for 132 hours (50 hours more than the 72-hour regulatory requirement) and demonstrated pumping rates of 45 gpm, 40.5 gpm, 157 gpm, 50 gpm, and 90 gpm, respectively, for a combined yield from the five wells of 382.5 gpm or 550,800 gpd. An individual pumping test was conducted on Well C-21, the best well, for 72.5 hours. This well alone demonstrated a pumping rate of an additional 163 gpm or 234,720 gpd. The total combined yield of the 6 wells demonstrated a rate of 545.5 gpm or 785,520 gpd.

As detailed in Section 3.8ii.2, if the Project's wells are not connected to and not incorporated as a part of the Village's municipal water supply system, the Project's wells would have sufficient capacity to support the water demand for 600 four-bedroom single-family dwelling units and associated swimmers, which would be 273,600 gpd or 190 gpm. The Project's wells would be able to supply more than twice the average water demand of 547,200 gpd or 380 gpm, in accordance with NYSDOH water supply system requirements.

If the Project's wells are connected to and incorporated as a part of the Village's municipal water supply system, the Project's best well would not be excluded and the Project's wells would be able to supply water for 600 four-bedroom homes and a maximum of 600 accessory apartments (300 one-bedroom accessory units and 300 two-bedroom accessory units) and associated swimmers of 377,400 gpd or 262.1 gpm. The Project's wells would be able to supply more than twice the average water demand of 754,800 gpd or 524.2 gpm, in accordance with NYSDOH water supply system requirements.

Given the fact that there would be surplus water under both scenarios, no significant adverse impact or changes in hydrology, surface, or groundwater quality/availability would be generated by the Project. In addition, testing confirmed no water quality concerns and a drought assessment confirmed the Project's wells would have sufficient water even in a 1960s drought scenario. The Project's design and construction would include stormwater management facilities and incorporate best practices. Because, as designed, the Project would not have the potential to generate

Cloewood Draft Environmental Impact Statement

significant impacts, no mitigation would be necessary.

Water and Sewer Infrastructure: Water supply testing has confirmed that no significant adverse environmental impacts on water quality or supply would be generated by the Project's water supply wells and system. The analysis is set forth in Sections 3.8 and 3.9 and Appendices F and G. A node analysis was performed and is included in the Water Supply Engineer's Report in Appendix G-2. The analysis determined there would be no significant adverse impacts from the Project. The short-term construction impacts caused by drilling the wells were completely mitigated by incorporating erosion and sediment controls. Accordingly, no further mitigation is necessary.

The Project's wastewater collection and treatment systems, as well as the stormwater management components of the Project, would not have the potential to generate any significant adverse impacts as confirmed in the analysis of wastewater treatment and collection design alternatives and studies of stream wastewater assimilative capacity. The selected wastewater collection and treatment system would meet NYSDEC effluent limits, and ensure protection of stream quality as detailed in Appendix I. Any potential significant adverse short-term impacts stemming from construction of the WWTP and collector system would be adequately prevented by incorporating the erosion and sediment controls. Therefore, no mitigation would be necessary.

Solid Waste: The Project would utilize the existing solid waste management and recycling practices of the Village, Town and County as detailed in Section 3.10. The ample existing capacity of the landfills utilized by County haulers, combined with the minimal impact to local roadways with the addition of a few sanitation routes, confirms that the Project would not cause a substantial increase in solid waste production and no local waste management capacity would be overburdened by the Project. Moreover, the cost for the handling and disposal of municipal solid wastes and recyclables is paid for through the annual Town tax levy and the Project's property taxes would cover such costs. Accordingly, the Project would not result in any significant adverse impacts as to solid waste and no mitigation would be necessary.

Transportation: The Project's Traffic Impact Study is included in Appendix J and summarized in Section 3.11. The Project would include all necessary roadway improvements for its two access points, one located on NYS Route 208 and a second on Clove Road (a/k/a County Route 27), which would be developed in coordination with the NYSDOT and OCDPW. As indicated in the traffic analysis, several intersections in the vicinity of the Project now require improvements independent of the Project, such as the NYS Route 208 and Clove Road intersection and the NYS Route 208 and Mountain Road intersection. The Project Owner would commit to paying a fair share contribution of the cost to make these improvements should they be undertaken by the governmental agencies with jurisdiction.

Cloewood Draft Environmental Impact Statement

In addition, the Project would monitor the traffic in coordination with the NYSDOT of the following intersections to evaluate if future improvements to these intersections would be warranted as a result of traffic generated by the Project: NYS Route 208 and US Route 6/NYS Route 17 EB On/Off Ramp; NYS Route 208 and US Route 6/NYS Route 17 WB On/Off Ramp; NYS Route 208 and Peddler Hill Road; and NYS Route 208 and Museum Village Road.

The Project has been designed with an extensive sidewalk and trail system to accommodate the future peak pedestrian trips that would be generated by the Project. The Project would also include two park and ride facilities, both with over 300 parking spaces each. One would be a public park-and-ride facility that would remove significant traffic from NYS Route 208 and provide additional park and ride capacity. That additional park and ride capacity is needed now because the existing park and ride facility along NYS Route 17 at Museum Village Road operates at capacity regularly. The other park and ride facility would be for use by the Project residents and would prevent the Project from burdening the existing park and ride facility and would reduce the Project's off-site generated traffic.

Analysis of the Project's projected traffic generation at peak hours confirms that the Project would not have the potential to generate any significant adverse traffic impacts at the intersections studied with the intersection improvements in place proposed as part of the Project. To assure that unanticipated significant adverse impacts arising from the Project's traffic generation would be mitigated, monitoring would occur as described above and appropriate mitigation measures implemented if future conditions so warrant. Accordingly, because of the Project's proposed improvements and traffic monitoring, the Project would not have the potential to generate any significant adverse traffic impacts and no further mitigation would be required.

Noise Impacts: The Project would not have the potential to generate any significant adverse noise impacts as further detailed in Section 3.12. The significant vegetation which is between the Project's development areas and any off-site noise receptors would act as a buffer and substantially reduce any Project noise that could be heard off-site. The slight noise that may be increased at neighboring residential properties located within 50 feet of the Project Site's proposed entrance on Clove Road and on NYS Route 208, would be barely perceptible and would not constitute a significant adverse impact, as it would be an increase of less than 2.0 dBA, and therefore, no mitigation would be required.

Air Quality Impacts: The analysis of the Project's potential air quality impacts is found in Section 3.13. Heat and electric supply to the residential units, as well as traffic ingress and egress to and from the Project, would not produce greenhouse gas emissions in significant enough quantities to constitute a significant adverse air quality impact. The Project's greenhouse gas emissions would be commensurate with those generated by typical residential development and use. As detailed in the analysis, the Project would not have the potential to generate any significant adverse impacts

Cloewood Draft Environmental Impact Statement

upon air quality, including those upon local sensitive receptors; and therefore, no mitigation would be required.

Visual Impacts and Aesthetics: The Project's visual assessment and balloon testing was conducted in accordance with the Village Scoping Document and input from the Village's professionals. The visual assessment and balloon testing confirmed that the Project would not have the potential to generate any significant adverse environmental impacts related to visual impacts and aesthetics, as discussed in greater detail in Section 3.14 and Appendix K. The Project would include demolition of multiple deteriorating structures and property cleanup, as well as the construction of attractive entrances and adherence to the design requirements for new construction set in the Village Zoning Code. The Project would greatly improve the visual and aesthetic condition of the Project Site.

The Project would not create a visual perspective or appearance out of character with the existing landscapes of the Village or adjacent communities. The Project is largely hidden from view from the majority of Vantage Points, including those from neighboring properties in the Village and Town, and the distant view from trails would be very small and slight even during leaf-off conditions. Therefore, the Project would not have the potential to generate any significant adverse impacts upon visual resources and aesthetics and no mitigation would be necessary.

Hazardous Materials: As detailed in Section 3.15, a Phase I Environmental Site Assessment (included in Appendix L) and a Phase II Environmental Site Assessment were conducted which included a Remedial Action Work Plan and Remedial Closure Report (included in Appendix M). No Recognized Environmental Conditions were found in the regulatory databases for the Project Site. The databases reviewed are detailed in Appendix L.

Approximately 1.7 acres, or 0.25% (a small portion of the 708.2-acre property) was utilized as an illegal dump by the Project Site's previous owners. The Phase I and Phase II assessments identified all areas in which dumping occurred and examined the material and soil in the areas of prior dumping. NYSDEC was consulted regarding proper removal and disposal. No hazardous wastes were found and the dumped material was removed. An abandoned fuel tank was also decommissioned, removed and disposed of in accordance with NYSDEC requirements.

The materials from the former illegal dump have been removed and properly disposed of or capped with soil as per NYSDEC regulations to prevent contact and contamination. Subsequent sampling of the soils in the area where illegal dumping had previously occurred has revealed no contamination.

The remedial actions detailed in Section 3.15 and in Appendices L and M complied with applicable environmental standards, criteria, and guidance; conformed to applicable laws and regulations;

Cloewood Draft Environmental Impact Statement

and met the Project's site-specific recommendations from the NYSDEC (dated 11/17/15 and found in Appendix M), which stated: "*None of the spills have any significant impacts remaining.*" Furthermore, the RAWP and RCR were submitted to DEC on November 4, 2016, and the NYSDEC responded, "*concurring with the conclusions shown on page 6*" of the RCR (see Appendix M), which are the conclusions listed above.

The NYSDEC affirmed that no adverse contaminants exist on the Project Site and that the Project would not have the potential to generate any significant adverse hazardous materials impacts. A No Further Action letter was not required from NYSDEC, and no other further approval or documentation from NYSDEC or other agencies would be required. Therefore, as the Project would proceed with demolition and new construction in a manner compliant with the RAWP, the Project would not have the potential to generate any significant adverse impacts regarding hazardous materials, and no mitigation would be required.

Construction Impacts: The potential short-term construction impacts are evaluated in Section 3.16, which includes an analysis of the potential impacts of construction on the following resources: geology, soils, and topography; water resources; traffic systems; noise; and air quality.

Geology, Soils and Topography: The Project would implement the recommendations found in the Geotechnical Report in Appendix D and the erosion and sediment control plan found in Appendix H and in the plan sheets in Appendix A. Accordingly, no significant adverse impacts upon geology, soils and topography would result from Project construction and no mitigation would be necessary.

Water Resources: The Project's wells have already been drilled and developed. No additional well development would be required as part of the Project's construction and the Project's wells would not be utilized during construction. Therefore, there would be no adverse impacts upon water supply during construction. Likewise, there would be no impacts upon sewer/wastewater during Project construction as the wastewater treatment plant would not be utilized.

Stormwater quantity management, run-off reduction practices, stormwater quality control measures and erosion control measures have been designed and would be implemented in conformance with NYS SPDES Permit GP-0-15-002 requirements as provided in Appendix H. The specific best management practices would be implemented based on standardized criteria as set forth in the NYS Stormwater Design Manual and the NYS Standards for Erosion and Sediment Control. Accordingly, there would be no significant adverse impacts to water resources as a result of the Project's construction and no mitigation would be necessary.

Traffic: The Project's construction traffic would be limited and there would not be an additional construction entrance to the Project Site. Triaxle dump truck trips would be limited to three days, construction deliveries would be limited as required by the Village Zoning Code, the number of trips related to construction workers would be less than the number of trips when the Project Site

Cloewood Draft Environmental Impact Statement

was utilized as the Lake Anne Country Club and golf course, and the Project Site would not involve the removal of material off-site.

Projected construction worker trips would occur prior to the Peak AM Highway Hour on NYS Route 208 and prior to the Peak PM Highway Hour on NYS Route 208 and therefore would not have the potential to generate any significant adverse impacts on traffic. As part of the NYSDOT Highway Work Permit, a Maintenance and Protection of Traffic plan for conditions during construction, including any temporary traffic control measures such as flagmen, signing or other requirements of NYSDOT, would be implemented to ensure no significant impacts to the traveling public. As Project construction would not have the potential to generate any significant adverse impacts to traffic, no mitigation would be necessary.

Noise: Due to the size of the property and the Project's layout and design, the majority of construction activity, including storage and staging areas would occur in the interior of the Project Site; therefore, the noise to neighboring residential properties from short-term increases in noise during construction of the proposed Project would be very limited. As shown in the Grading Plan, open space or parkland consisting of existing vegetation would be preserved along all of the property boundaries and this buffer would insulate nearby residential noise receptors from construction noise. According to the NYSDEC Assessing and Mitigating Noise Impacts guidance document, dense vegetation that is at least 100 feet in depth would reduce sound levels by 3 to 7 dBA. Given the vegetated buffers provided, noise at many of the residential receptor locations would be significantly attenuated by the intervening vegetative buffers. Accordingly, Project construction would not have the potential to generate significant adverse noise impacts and no mitigation would be necessary.

Air Quality: The Project would not include blasting or rock hammering; however, any required rock processing would occur a minimum of 1,000 feet from adjacent residences, which meets NYSDEC guidelines and would prevent potential significant air quality impacts. All construction vehicles and equipment would be maintained in accordance with the manufacturers' specifications and operated in an efficient manner to prevent potential air quality impacts. In particular, the mufflers on all construction equipment would be fully functional and maintained by the construction contractors. Therefore, there would no adverse impacts to air quality as a result of construction and therefore no mitigation is necessary.

Cumulative Impacts: Cumulative impacts of the Project are analyzed in Section 3.17. This section concludes the Project would not have the potential to generate any significant adverse impacts regarding cumulative impacts and therefore, no mitigation is required.

Critical Environmental Areas ("CEAs"): The Project would not impact any CEAs, which are defined as a specific location in a town, village, city, county, or state that has been specifically

Clovewood Draft Environmental Impact Statement

identified because it has one or more of the following unique characteristics: constitutes a benefit or threat to human health; has an important or unique natural setting; holds important agricultural, social, cultural, historic, archaeological, recreational, or educational values; or has an inherent ecological, geological, or hydrological sensitivity that might be adversely affected by any change.

According to the NYSDEC, there are currently three designated CEAs in Orange County, New York, which are listed in Table 11 below. None are proximate to the Project Site.

Table 11				
Critical Environmental Areas in Orange County, NY				
Designating Agency	CEA Name	Recorded Date	Effective Date	Reason for Designation
Village of Greenwood Lake	9 Mile Stretch of Greenwood Lake	9/6/79	10/7/79	Natural Setting
Town of Newburgh	Chadwick Lake Reservoir Environs	4/21/87	5/21/87	Development Threat to Public Health
Town of Wawaywanda	Ridge Preservation Areas	11/2/93	12/2/93	Preserve Ridgelines to Reduce Erosion
Source: NYSDEC				

Because all three CEAs in Orange County are located more than 10 miles from the Project Site and there are no other CEAs in adjoining counties to which the Project would be in close proximity, the Project would not have the potential to generate any significant adverse environmental impacts on CEAs.

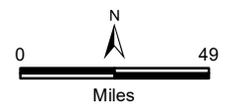
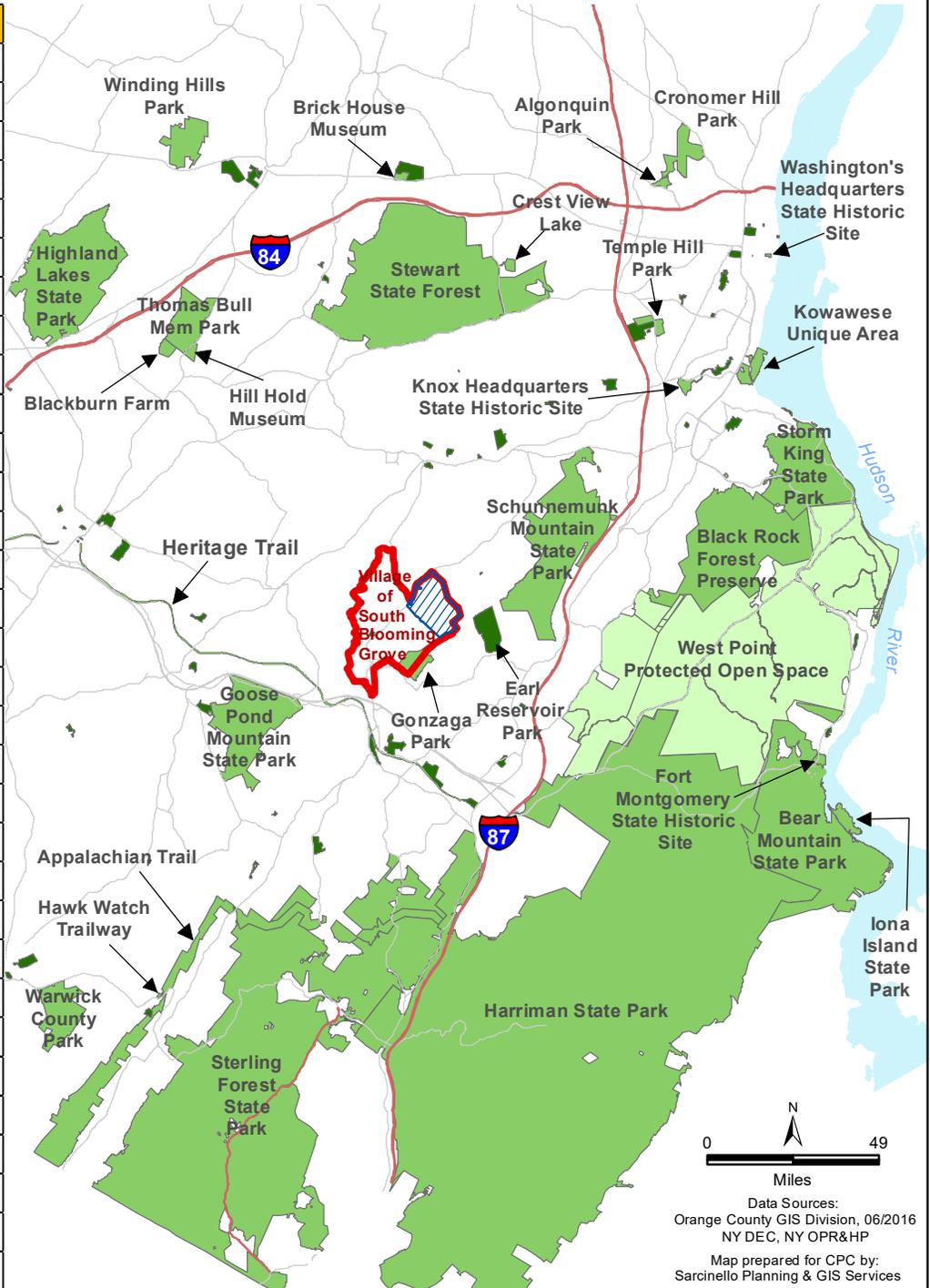
Open Space Resources: The Project would not result in a loss or a reduction of any open space resources as designated in any adopted municipal open space plan. Additionally, Figure 15 illustrates the vast amount of protected open space (over 100,000 acres) within a 10-mile radius of the Village of South Blooming Grove. The Project would limit development to approximately 140 acres of the Project Site and would permanently preserve as open space approximately 80% of the Project Site.

1.4 Mitigation

The Project, which would be consistent with the Village’s Zoning Code and would comply with all applicable Federal, State, County and other local governmental codes, rules, regulations and standards, would not have the potential to generate any significant adverse impacts. The Project has incorporated multiple practicable preventive measures into its design as detailed above and throughout the DEIS, including those required by relevant governmental agencies, to preclude the Project from generating any significant adverse environmental impacts. These include soil and erosion control plans, wetland and historic site buffers, etc. Because the design of the Project would preclude its potential for generating any significant adverse environmental impacts, no mitigation

Figure 15: Village of South Blooming Grove 10-Mile Radius (Protected Open Space)

Open Space Area	Acres
Algonquin Park	43
Appalachian Trail	2,482
Bear Mountain State Park	1,483
Blackburn Farm	69
Black Rock Forest Preserve	3,694
Brick House Museum	37
Crest View Lake	42
Cronomer Hill Park	323
Earl Reservoir Park	274
Fort Montgomery State Historic Site	47
Gonzaga Park	229
Goose Pond Mountain State Park	1,722
Harriman State Park	47,867
Hawk Watch Trailway	5
Heritage Trail	160
Highland Lakes State Park	3,122
Hill Hold Museum	43
Iona Island State Park	133
Knox Headquarters State Historic Site	55
Kowawese Unique Area	181
Schunнемunk Mountain State Park	2,941
Sterling Forest State Park	19,430
Stewart State Forest	6,816
Storm King State Park	1,900
Temple Hill Park	89
Thomas Bull Mem Park	611
Warwick County Park	708
Washington's Headquarters State Hist. Site	6
West Point Protected Open Space	15,852
Winding Hills Park	511
Municipal Parks	1,405
Total	112,281



Data Sources:
 Orange County GIS Division, 06/2016
 NY DEC, NY OPR&HP
 Map prepared for CPC by:
 Sarcinello Planning & GIS Services
 November 21, 2017

Legend

- Village of South Blooming Grove
- Project Site
- State and Regional Parks and Preserves
- Municipal Parks and Preserves
- Federal Parks and Preserves
- Interstate Highways
- Major Roads



**Draft Environmental
 Impact Statement**
Blaggs Clove
 Village of South Blooming Grove
 Orange County, New York



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This map is intended to be used for reference and illustrative purposes only. It is not a legally recorded plan, survey, official tax map or engineering schematic and it is not intended to be used as such. Sarcinello Planning & GIS Services makes no representation as to the accuracy of lines, points, or other features shown on this map, and assumes no liability for use of this map.

Cloewood Draft Environmental Impact Statement

measures are proposed, aside for continued compliance with applicable standards and traffic monitoring.

1.5 Alternatives

In addition to the proposed Project, this DEIS assesses the No Action Condition, Low Density and Base Lot Count Alternatives. These alternatives are discussed in more detail in Section 4.0 and are summarized below.

No Action Condition: The direct financial effects of leaving the land as is -- fallow and without any economically productive use -- render the No Action Condition infeasible. The Applicant is in bankruptcy and is required to have a feasible plan for use of the Project Site to retain it. Otherwise, it would be liquidated at considerable financial loss to the Applicant, who has already invested over \$20 million in this Project Site. Because of the dire financial consequences to the Applicant if the Project Site lays fallow, the No Action Condition is neither a reasonable nor feasible alternative. The No Action Condition would also fail to address any of the local and regional unmet demand for housing, including affordable housing.

Low Density Alternative: The Village Scoping Document describes the Low Density Alternative as a development of 70 single family homes with lot sizes of a minimum of ten acres each, as this is the default density allowed by the Village Zoning Code in the RR Zoning District if a landowner elects to forego the site analysis process. The Low Density Alternative would cause 50% of the Project Site to be preserved as open space versus the proposed Project, which would preserve approximately 80% of the Project Site as open space. No public park and ride would be constructed under this alternative. Wastewater treatment would likely be from individual septic systems instead of a central wastewater treatment plant. Because the Project would have excess water supply from existing wells, this alternative could induce growth elsewhere. This alternative would not include any affordable housing or LEED Certification.

This alternative would be based on very large minimum lot size zoning which would fail to even minimally satisfy the local and regional need for housing, including affordable housing. This minimum lot size zoning could very well be deemed unconstitutionally exclusionary and unreasonable.

Finally, this alternative would fail to generate the revenue necessary as approved in the bankruptcy plan by the U.S. Court. Accordingly, the Low Density Alternative is neither a reasonable nor feasible alternative.

Base Lot Count Alternative: The Village Scoping Document describes the Base Lot Count Alternative as the development of 340 single family homes/lots, as this is the density allowed by

Cloewood Draft Environmental Impact Statement

the Village Zoning Code in the RR Zoning District if a landowner chooses not to utilize the adjusted base lot count option after completing the site analysis process.

The Village Zoning Code §235-14.1.A(3) encourages the development of affordable housing, public recreational facilities and open space preservation by allowing a landowner to utilize the adjusted base lot count. However, the Base Lot Count Alternative would not include the adjusted base lot count provision and would therefore not include any affordable housing units, LEED certification or preserved open space in excess of the standard 50%.

In addition, this alternative would not be consistent with the community character in the Village as approximately 90% of parcels in the Village's RR Zoning District contain lot sizes of less than one acre in size, as shown in Figure 345 of Section 3.4, whereas this alternative would be based on a density of one dwelling unit per two acres. This alternative would also not be consistent with the Orange County Comprehensive Plan, which identifies the Project Site as located within a Priority Growth Area. The average density of parcels in other comparable Priority Growth Areas in Orange County contain approximately 1,000 parcels per square mile versus this alternative, which would include just 340 units on over one square mile.

Moreover, this alternative would fail to significantly address local and regional housing needs, especially for affordable housing. Finally, this alternative would generate far less revenue than the Project, rendering the alternative unreasonable and economically infeasible. The plan approved by the U.S. Bankruptcy Court assumes a development consisting of 600 lots/homes, which is permitted by the Village Zoning Code as of right and proposed by Project. This Base Lot Count Alternative of only 340 lots/homes would not generate sufficient revenue over the investment and expenses to be approved by the U.S. Bankruptcy Court.

Proposed Project (With Action Condition): The proposed Project would include a 600 single family lot/home subdivision fully described in Section 2.0 and throughout this DEIS. The full analysis of the potential environmental impacts from the proposed Project is set forth in Sections 3.1 through 3.17 of this DEIS, as well as in referenced appendices. The DEIS concludes the proposed Project would not have the potential to generate any significant adverse environmental impacts, while concurrently addressing local and regional needs for housing, including affordable housing. Furthermore, the proposed Project is the only economically feasible development and the only one which would generate sufficient revenue to satisfy the plan approved for the Applicant by the U.S. Bankruptcy Court, while also addressing current and future, local and regional housing needs.

Cloewood Draft Environmental Impact Statement

1.6 Required Approvals

The Project would require the following discretionary governmental approvals:

- Subdivision and site plan approval from the Planning Board and OCDOH;
- Village Execution of the Certificates of Incorporation for the water and sewage works transportation corporation;
- State Pollutant Discharge Elimination System (SPDES) Permit and the Approval of Plans for a Wastewater Disposal System issued by NYSDEC;
- Stormwater MS4 Acceptance Form from the Village for the Stormwater SPDES Permit issued by the NYSDEC;
- Water Withdrawal Permit Application from NYSDEC and water supply system approval issued by NYSDEC and NYSDOH;
- Nationwide Permit # 29 and/or Nationwide Permit # 33 for the crossing of ephemeral streams;
- Perm 33 from NYSDOT;
- Road Opening Permit from OCDPW; and
- HOA Approval from the Attorney General

No accessory apartments are proposed as part of the Project; however, should homeowners apply for accessory apartments, they would require an approval from the Planning Board in accordance with the Village Zoning Code. The Village Board would have the choice to accept the dedication of public parkland and streets, as well as extending the Village water and sewer districts to include the Project.