

**SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT  
(SEIS)  
VILLAGE VIEW CLUSTER SUBDIVISION  
VILLAGE OF WARWICK, ORANGE COUNTY, NEW YORK**

**Project Name:** Village View Cluster Subdivision

**Location:** Sleepy Valley/Locust Street and Woodside Drive, Warwick, New York.

**Tax Map Parcels:** Section 201, Block 1, Lots 1.1,1.2,1.3 and 2 (Village of Warwick)  
Section 31, Block 2, Lot 84.1, 84.2, 85.2, (Town of Warwick)  
Section 43, Block 1, Lot 3 (Town of Warwick)

**Lead Agency:** Village of Warwick Planning Board, Village Hall, P.O. Box 369, Warwick, NY 10990 (845) 986-9888

**Applicant Sponsor:** Village View Estates, LLC, 4 Fosse Court, Airmont, NY, 10952  
Phone (845) 222-1812. **Contact:** Robert Silber

**DEIS Preparer and Primary Contact:** Hudson Valley Planning and Preservation, 26 Laura Road, Monroe, NY 10950. Phone (845)893-0134 Fax (845)230-8749. **Contact:** Susan Roth

**Project Engineer:** Kirk Rother, PE, PLLC, 5 Saint Stephens Lane, Warwick, NY 10990  
Phone (845) 988-0620, **Contact:** Kirk Rother, P.E.

**Traffic Engineer:** Creighton Manning, LLP 2 Winners Circle, Suite 201. Albany, NY 12205  
Phone (845) 698-1834 Contact: Ken Wersted,

**Ecological Consultant:** Michael Nowicki, Ecological Solutions, LLC 1248 Southford Road, Southbury, CT 06488 Phone: (203) 910-4716

**Cultural Resources:** Alfred Cammisa, Tracker Archeology Services, Inc. Monroe, NY

**DATE OF SUBMISSION** 9/24/2019, Last Revised 11/12/2019

**DATE OF ACCEPTANCE** 11/12/2019

**DATE OF FILING** 11/18/2019

**DATE OF PUBLIC HEARING** 12/10/2019

**COMMENT DUE DATE** 12/20/2019 or 10 days after the close of the public hearing, whichever is later.

**This document was sent to the following involved and interested Agencies**

Village of Warwick Village Board  
Village Hall, PO Box 369  
Warwick, NY 10990

Town of Warwick Town Board  
132 Kings Highway  
Warwick, NY 10990

Town of Warwick Planning Board  
132 Kings Highway  
Warwick, NY 10990

NYS Department of Environmental Conservation  
Region 3  
21 South Putt Corners Road  
New Paltz, NY 12561

NYS Office of Parks, Recreation and Historic Preservation  
Field Services Bureau – Peebles Island  
PO Box 189  
Waterford, NY 12188-0189

Orange County Department of Planning  
124 Main Street  
Goshen, NY 10924

Orange County Department of Health  
124 Main Street  
Goshen, NY 10924

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# Section I: Executive Summary

## A. Introduction

This Supplemental Environmental Impact Statement was prepared on behalf of the Village of Warwick Planning Board, acting as Lead Agency for a Project known as “Village View Cluster Subdivision.” The project is located at the corner of Woodside Drive and Locust Street in the Village of Warwick, Orange County, New York. As required by New York State Law, the approval of this project is subject to the New York State Environmental Quality Review Act in accordance with Part 617 of the Environmental Conservation Laws of the State of New York.

This Supplemental Environmental Impact Statement (SEIS) was prepared pursuant to completion and examination of the potential impacts of this project. This document is a supplemental to the Draft Environmental Impact Statement (DEIS) prepared for the proposed Village View Subdivision Cluster Subdivision proposal that was accepted by the Village of Warwick Planning Board on July 5<sup>th</sup>, 2018, and is available for public inspection at the Village of Warwick Village Clerk’s office, as well as on their website. The Village View DEIS is incorporated by reference to this SEIS.

## B. Reasons for Consideration of the Reduced Scale Alternative.

The DEIS public comment period ended October 28<sup>th</sup>, 2018 to result in the preparation of a draft Final Environmental Impact Statement (FEIS), which is a formal response to comments obtained during the Public Comment Period for the original DEIS. The FEIS requires approval by the Village of Warwick Planning Board (Lead Agency) prior to release to the public. After a preliminary review of the draft FEIS by the project consultants and Lead Agency, it was determined that an alternative subdivision layout could provide an opportunity to lessen the environmental impacts of the project. This alternative design would provide road access through the applicant’s adjacent land in the Town of Warwick and eliminate the proposed road access to Locust Street. Doing so eliminates all disturbance to the stream and wetlands that run through the property by removing the need for the stream crossing altogether. The alternate plan also results in the creation of more open space consistent with the goals of the Cluster Subdivision Regulations adopted by the Village Board.

Review of the draft FEIS was put on hold and the Planning Board, with the advice of its consultants, requested a Supplemental Environmental Impact Statement be prepared to analyze the anticipated impacts of the new alternative plan, which is now the preferred plan of the applicant, and which is the subject of this SEIS document. Once this SEIS has been subject to review and comment by the public, a Final Environment Impact Statement will be prepared and will include responses to comments from the public on both the original DEIS, with updates as necessary to reflect the new preferred plan, and this SEIS. The new proposed alternative layout is called the “**Reduced Scale Alternative**” (shown in SEIS Figure 1). This

alternative is the subject of this SEIS, together with discussion of the potential impacts from future development of the adjacent land owned by the applicant in the Town of Warwick through which road access is now proposed.

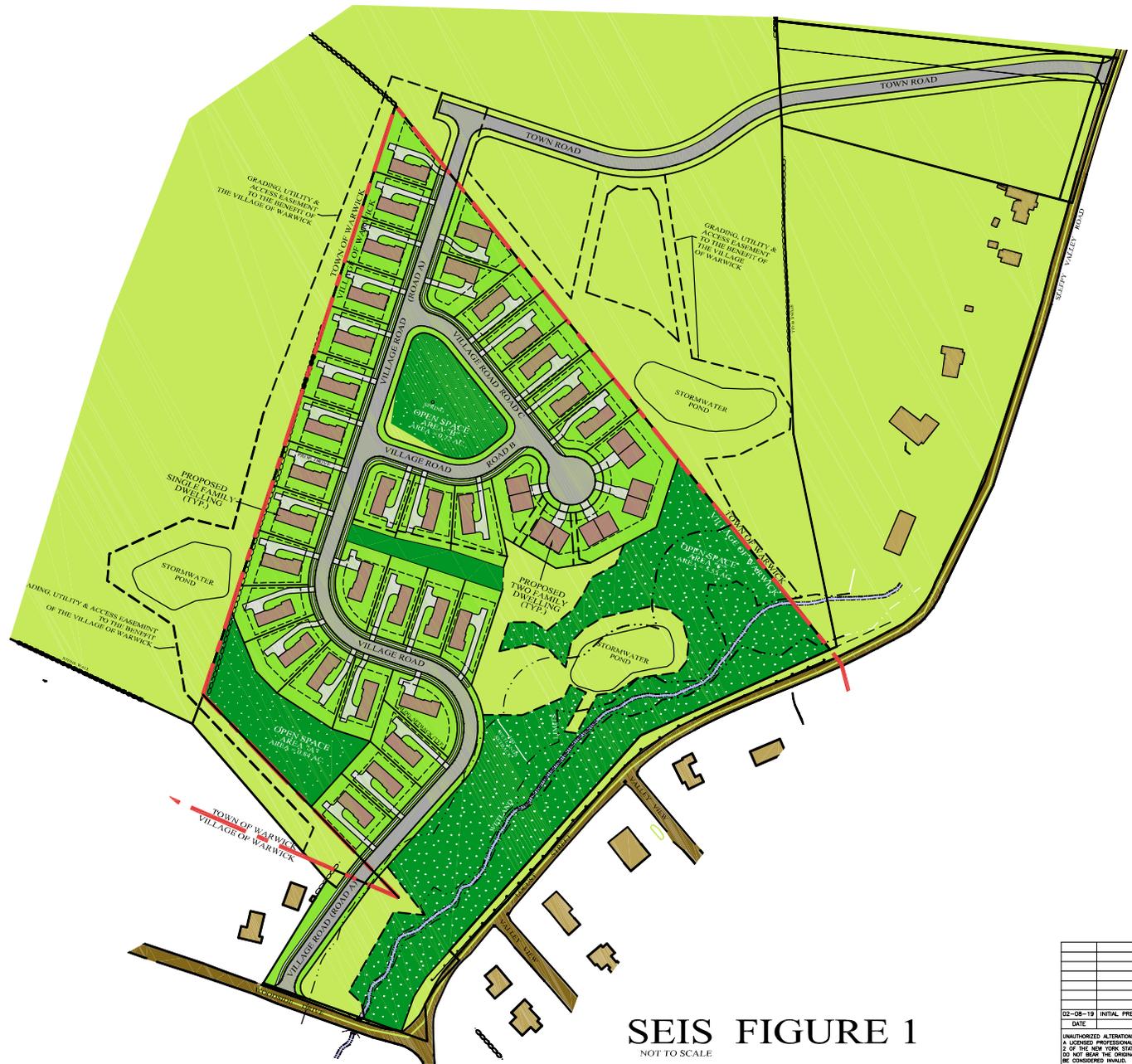
The impacts created from the new road access through the Town property is included in the analysis presented in this SEIS. Concept subdivision plans have also been prepared for the land in the Town for the purpose of determining the projected number of lots that could potentially be approved in the Town under current Town of Warwick Zoning. The impacts associated with that potential future development, which is determined to be up to 25 additional single-family homes, have also been discussed in this SEIS. Any actual future development of land in the Town of Warwick would be subject to review and approval by the Town of Warwick Planning Board.

### **C. Project Description**

The project site is a vacant 20.3-acre parcel of overgrown former agricultural land located at the corner of Woodside Drive and Locust Street in the Village of Warwick at the Town of Warwick - Village of Warwick municipal boundary. The property is moderately sloping from west to east and is drained by an intermittent stream located just west of, and parallel to, Locust Street. **(See SEIS Figure 2) (See Section III-A of this SEIS for more information)**. The stream is a tributary to the Wawayanda Creek and has areas of federal wetlands flanking it on both sides.

The proposed **Reduced Scale Alternative Subdivision Plan (See SEIS Figure 1)** is a residential subdivision plan of 33 lots, having a mix of one family and Townhouse Structures for a total of 42 dwelling units constructed as 37 structures. Also included are associated utility improvements and an internal road network with road connections through adjacent land belonging to the project sponsor and lying in the Town of Warwick. Access to the site will be from Woodside Drive, located in the Village, and Sleepy Valley Road located within the Town. All proposed dwellings lie within the land in the Village of Warwick and will be served by Village water and sewer services. A minimum of 44% of the project site is proposed to be preserved as permanent open space.

The proposed plan **“45-lot Cluster Subdivision Plan”** that was the subject of the original Draft Environmental Impact Statement (DEIS) is a residential realty subdivision of 45 single family lots using the cluster zoning provisions (Village of Warwick Zoning code, Section 145-29 Cluster Subdivisions) of the Village of Warwick Code. The road network that would serve the subdivision accessed Locust Street in one location opposite Valley View Estates and in one location off Woodside Drive. **(See SEIS Figure 3)**



**SEIS FIGURE 1**  
NOT TO SCALE

**VILLAGE VIEW  
CLUSTER SUBDIVISION**  
VILLAGE OF WARWICK,  
ORANGE COUNTY, NEW YORK

**REDUCED SCALE  
ALTERNATIVE**

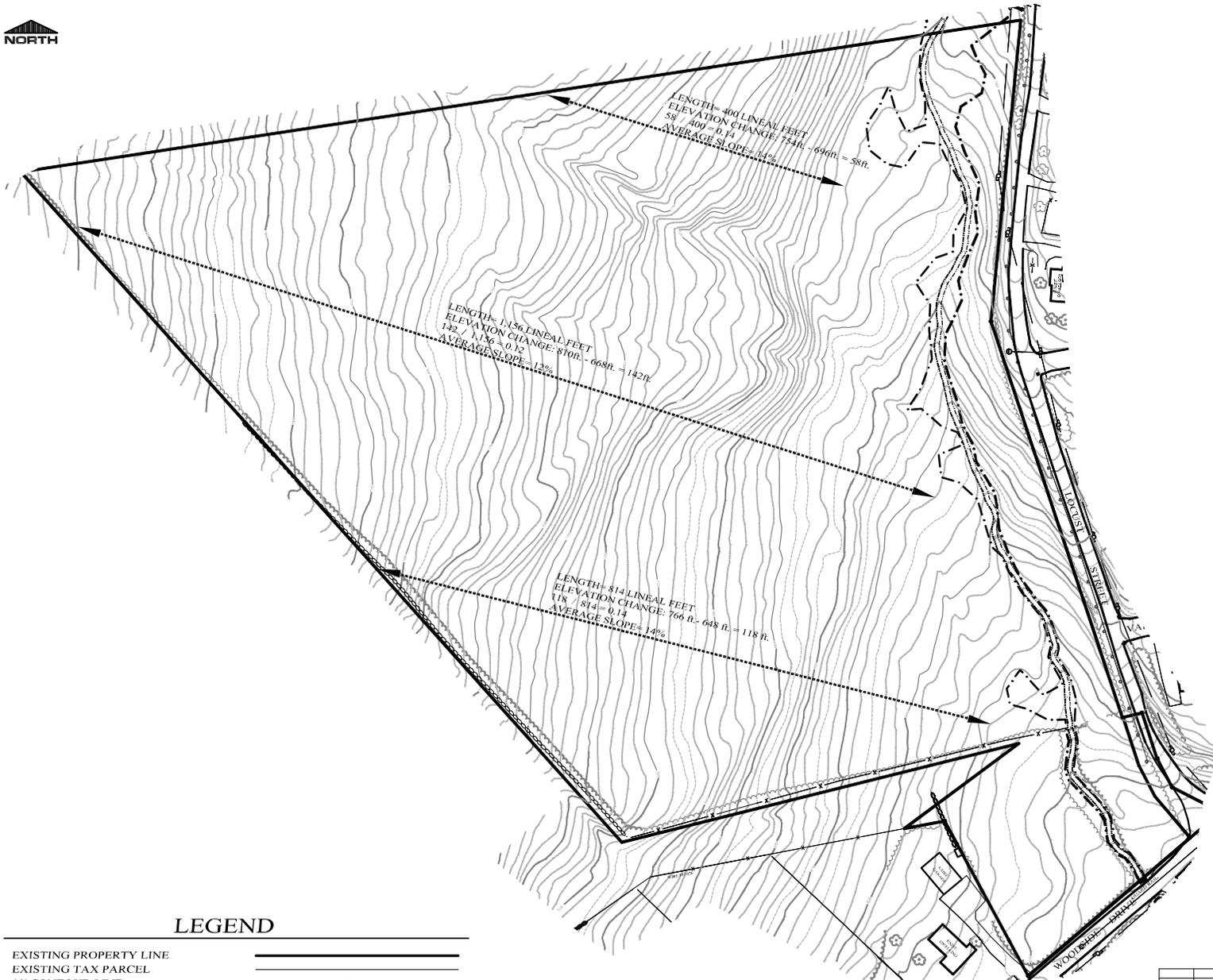
**KIRK ROTHER, P.E.**  
CONSULTING ENGINEER, PLLC  
5 St. Stephens Lane, Warwick, NY 10990  
(845) 938-0620

DATE	REVISIONS
02-08-18	INITIAL PREPARATION

DATE	REVISIONS	KIRK ROTHER, P.E.	N.Y.S. LIC. NO. 079085	DATE

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BLDG. SHEET #	N.A.	DEC. SHEET #	N.A.	TOTAL SHEET #	N.A.	SHEET #	1 OF 1
PROJECT #	04170	SCALE	AS SHOWN				
CLUS	1-17	04170.0					



**LEGEND**

EXISTING PROPERTY LINE	
EXISTING TAX PARCEL	
10' CONTOUR LINE	
2' CONTOUR LINE	
EXISTING EDGE OF PAVEMENT	

**SEIS FIGURE 2**

NOT TO SCALE

**VILLAGE VIEW  
REDUCED SCALE  
CLUSTER SUBDIVISION**  
TOWN & VILLAGE OF WARWICK,  
ORANGE COUNTY, NEW YORK

PROJECT TITLE  
**EXISTING  
SLOPE SECTIONS  
ANALYSIS**

DRAWING TITLE  
**KIRK ROTHER, P.E.  
CONSULTING ENGINEER, PLLC**  
5 St. Stephens Lane, Warwick, NY 10990  
(845) 988-0620

DATE	REVISIONS	KIRK ROTHER, P.E.	N.Y.S. LIC. NO. 079053	DATE	
		D.O.T. SHEET #	N.A.	D.E.C. SHEET #	N.A.
		CAD #	04170	PROJECT #	04170.0
		CLUS	4-19	SCALE	AS SHOWN

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1 OF 1



# VILLAGE VIEW CLUSTER SUBDIVISION

## VILLAGE OF WARWICK ORANGE COUNTY, NY



**LOCATION MAP**  
SCALE: 1" = 2,000'

**BULK REQUIREMENTS**

**R-1 ZONE**

CLUSTER DEVELOPMENT		MINIMUM REQUIRED
LOT AREA (S.F.)		10,000
LOT WIDTH (FT.)		50
FRONT YARD (FT.)		15
REAR YARD (FT.)		25
ONE SIDE YARD (FT.)		5
BUILDING SEPARATION (FT.)		10

MAXIMUM ALLOWED	
BUILDING HEIGHT (FT.)	35
LOT COVERAGE (%)	35

**SHEET INDEX**

SHEET #1	COVER SHEET
SHEET #2	SUBDIVISION PLAT
SHEET #3	SITE PLAN
SHEET #4	SUBDIVISION PLAN
SHEET #5	SUBDIVISION PLAN
SHEET #6	SUBDIVISION PLAN
SHEET #7	SUBDIVISION PLAN
SHEET #8	ROAD A PROFILE
SHEET #9	ROAD A PROFILE
SHEET #10	ROAD B PROFILE
SHEET #11	EROSION CONTROL PLAN
SHEET #12	DETENTION POND DETAILS
SHEET #13	BIRETENTION AREA DETAILS
SHEET #14	DETAILS
SHEET #15	DETAILS
SHEET #16	NORTH CULVERT CROSSING PLAN

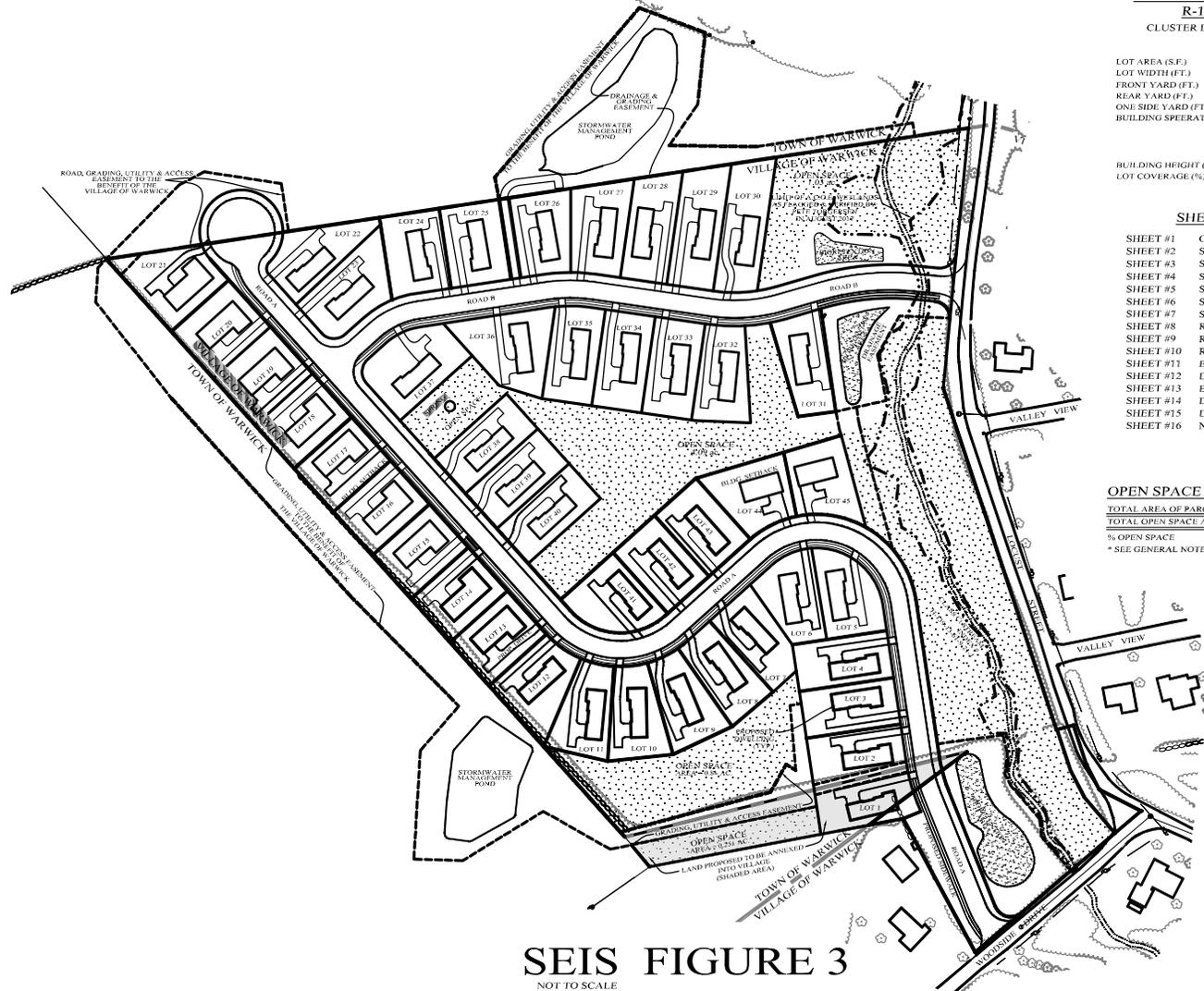
**GENERAL NOTES:**

- VILLAGE OF WARWICK TAX MAP DESIGNATION, SEC. 201, BLK. 7, LOTS 15, 12, 13 & 2
- TOTAL AREA OF PARCELS IN VILLAGE: 30.34 ACRES
- TOTAL AREA TO BE ANNEXED INTO VILLAGE FROM TOWN: 0.621 ACRES
- TOTAL AREA OF PROPOSED PARCELS IN VILLAGE: 30.921 ACRES
- ENTIRE PARCEL IS LOCATED IN THE R-1 ZONING DISTRICT.
- TOTAL NUMBER OF RESIDENTIAL LOTS WITHIN THIS SUBDIVISION: 45
- PARCEL IS LOCATED WITHIN THE WARWICK VALLEY CENTRAL SCHOOL DISTRICT.
- PROPOSED SUBDIVISION TO BE SERVED BY VILLAGE OF WARWICK PUBLIC WATER & SEWER.
- BOUNDARY & TOPOGRAPHY INFORMATION DIGNITY TAKEN FROM DRAWING ENTITLED: SURVEY OF PROPERTY FOR KALPUS PROCEEDINGS
- PREPARED BY ADRIAN HOLLAND, P.L.S., ORANGE COUNTY, NY
- ACCUTY, WESTBORO, MASSACHUSETTS, VERIFIED BY WIFE TORGERSON IN AUGUST 2017
- PLAN APPROVAL IS LIMITED TO 5 YEARS. TIME EXTENSIONS FOR PLAN APPROVAL MAY BE GRANTED BY THE ORANGE COUNTY DEPARTMENT OF HEALTH SERVICES UPON THE PROPER FACILITY AND THE HEALTH SUBDIVISION REGULATIONS IN EFFECT AT THAT TIME. A NEW PLAN SUBMISSION MAY BE REQUIRED TO OBTAIN A TIME EXTENSION.
- THE APPROVED PLANS MUST BE FILED WITH THE ORANGE COUNTY CLERK'S OFFICE PRIOR TO THE FILING DATE FOR SALE AND WITHIN 90 DAYS OF THE LAST APPROVAL OF THE FINAL PLANS
- ALL UTILITIES SHALL BE INSTALLED UNDER CROSSING
- THE DESIGN AND LOCATION OF SANITARY FACILITIES (WATER AND SEWER) SHALL NOT BE CHANGED

**OPEN SPACE AREAS CALCULATION**

TOTAL AREA OF PARCEL *	= 20.921 ACRES
TOTAL OPEN SPACE AREA	= 6.174 ACRES
% OPEN SPACE	= 29.5%

\* SEE GENERAL NOTES #2, #3 & #4.



**SEIS FIGURE 3**  
NOT TO SCALE

**RECORD OWNER / APPLICANT**

ROBERT SILBER  
VILLAGE VIEW ESTATES, LLC  
4 FOSSE COURT  
ARLINGTON, N.Y.

**VILLAGE VIEW  
CLUSTER SUBDIVISION**

VILLAGE OF WARWICK,  
ORANGE COUNTY, NEW YORK

**COVER  
SHEET**

DRAWING TITLE

**KIRK ROTHER, P.E.**  
CONSULTING ENGINEER, PLLC  
5 St. Stephens Lane, Warwick, NY 10990  
(845) 988-0620

DATE	REVISIONS	DATE	REVISIONS
08-22-18	REV. PER ENGINEER'S COMMENTS		
08-01-18	REV. PER ENGINEER'S COMMENTS		
05-18-18	KAD SPRING		
04-04-18	ADDITIONAL DESIGN		
03-01-18	DETAILED DESIGN		
10-05-17	GENERAL REVISIONS		
03-29-17	REV. PER VILLAGE ENGINEER'S COMMENTS		
02-12-18	INITIAL PREPARATION		

DATE	REVISIONS	KIRK ROTHER, P.E.	NYS. LIC. NO. 079063	SHEET #	DATE	REVISIONS	KIRK ROTHER, P.E.	NYS. LIC. NO. 079063	SHEET #
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# VILLAGE VIEW

## VILLAGE OF WARWICK ORANGE COUNTY, NY



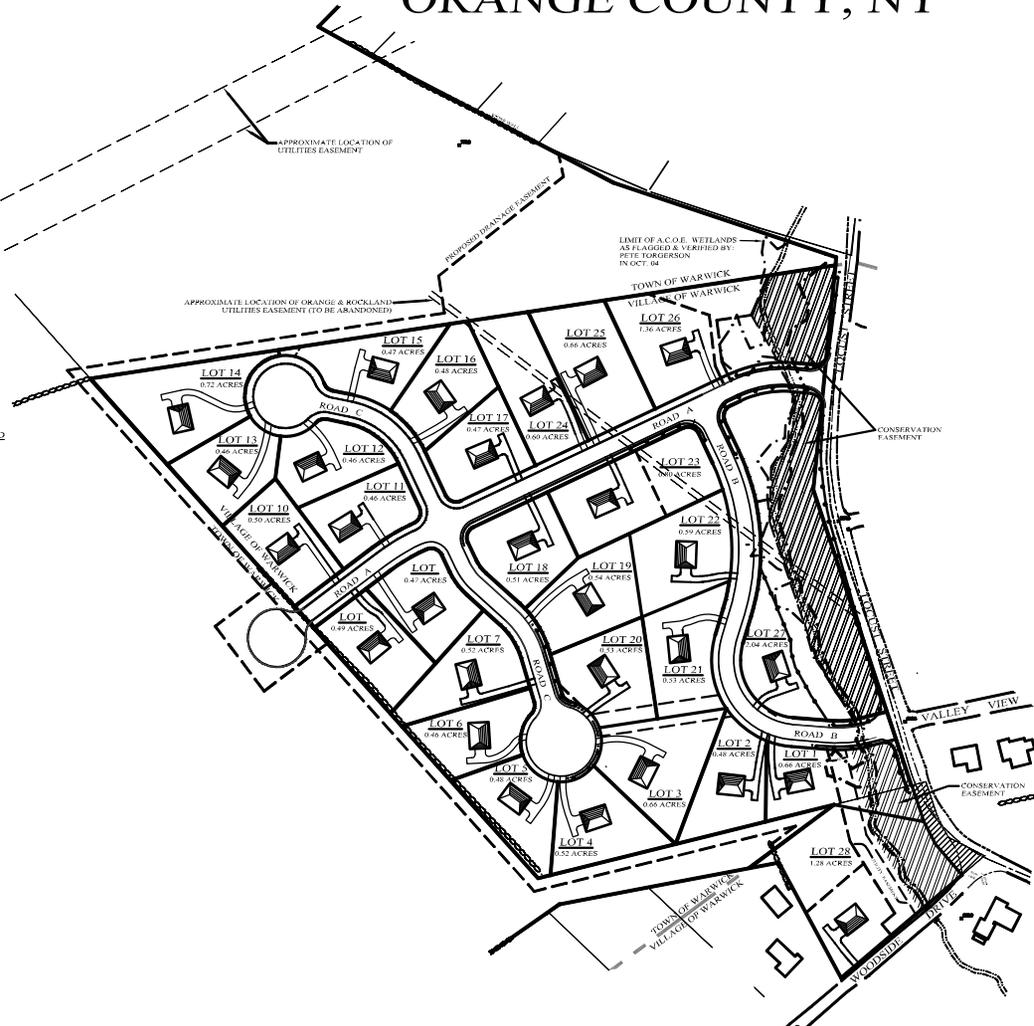
LOCATION MAP

### SHEET INDEX

SHEET #1	COVER SHEET
SHEET #2	SURVEY SHEET
SHEET #3	SUBDIVISION PLAN
SHEET #4	SUBDIVISION PLAN
SHEET #5	ROAD PROFILES
SHEET #6	EROSION CONTROL PLAN
SHEET #7	LOCUST STREET IMPROVEMENTS
SHEET #8	DETENTION POND DETAILS
SHEET #9	STORM WATER QUALITY POND DETAILS
SHEET #10	DETAILS
SHEET #11	DETAILS
SHEET #12	STORM WATER MAINTENANCE PLAN

### BULK REQUIREMENTS R-1 ZONE USE GROUP "B"

	MINIMUM REQUIRED
LOT AREA (S.F.)	20,900
LOT WIDTH (FT.)	100
LOT DEPTH (FT.)	125
FRONT YARD (FT.)	35
REAR YARD (FT.)	35
ONE SIDE YARD (FT.)	20
BOTH SIDE YARDS (FT.)	50
FLOOR AREA (S.F.)	1,250
MAXIMUM ALLOWED	
BUILDING HEIGHT (FT.)	35
LOT COVERAGE (%)	35



### GENERAL NOTES:

- VILLAGE OF WARWICK TAX MAP DESIGNATION: SEC. 30, PAR. 5, LOTS 11, 12, 13 & 2.
- TOTAL AREA OF PARCEL: 20.4 ACRES.
- ENTIRE PARCEL IS LOCATED IN THE R-1 ZONING DISTRICT.
- TOTAL NUMBER OF RESIDENTIAL LOTS WITHIN THIS SUBDIVISION: 28.
- PARCEL IS LOCATED WITHIN THE WARWICK VALLEY CENTRAL SCHOOL DISTRICT.
- PROPOSED SUBDIVISION TO BE SERVED BY VILLAGE OF WARWICK PUBLIC WATER & SEWER.
- BOUNDARY & TOPOGRAPHY INFORMATION SHOWN TAKEN FROM DRAWING ENTITLED "SURVEY OF PROPERTY FOR R-1 REDEVELOPMENT" PREPARED BY JOHN MACGONIGAL P.E.S. ON APRIL 6, 1993.
- A.C.O.E. WETLANDS AS FLAGGED & VERIFIED BY: PETE TORGERSON IN OCTOBER, 2004.
- IF PLAN APPROVAL IS ELIMINATED 10+ YEARS, TIME EXTENSION FOR PLAN APPROVAL MAY BE GRANTED BY THE ORANGE COUNTY DEPARTMENT OF HEALTH & ENVIRONMENTAL FACTS AND THE HEALTH SUBDIVISION REGULATIONS IN EFFECT AT THAT TIME. A NEW PLAN SUBMISSION MAY BE REQUIRED TO OBTAIN A TIME EXTENSION.
- THE APPROVED PLANS MUST BE FILED WITH THE ORANGE COUNTY CLERK'S OFFICE PRIOR TO OFFERING LOTS FOR SALE AND WITHIN 90 DAYS OF THE LAST APPROVAL OF THE FINAL PLANS.
- ALL UTILITIES SHALL BE INSTALLED UNDER GROUND.
- THE DESIGN AND LOCATION OF SANITARY FACILITIES (WATER AND SEWER) SHALL NOT BE CHANGED.

**RECORD OWNER**  
ROBERT SILBER  
VILLAGE VIEW, L.L.C.  
C/O CROWN CONSTRUCTION  
4 FOSSE COURT

## VILLAGE VIEW

VILLAGE OF WARWICK,  
ORANGE COUNTY, NEW YORK

PROJECT TITLE

### COVER SHEET

DRAWING TITLE

**KIRK ROTHER, P.E.**  
CONSULTING ENGINEER, PLLC  
206 Pine Island Turnpike, Warwick, NY 10990  
(845) 938-0620

DATE	INITIAL PREPARATION	REVISIONS	KIRK ROTHER, P.E.	N.Y.S. LIC. NO. 079905	DATE

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## SEIS FIGURE 4

NOT TO SCALE

This property was also previously examined under another DEIS for a 28-lot subdivision, which received preliminary subdivision approval in 2007 with that approval having received extensions and remaining in full force and effect as of the date of the writing of this SEIS. The 28-lot plan was examined in a DEIS written in 2006 by Garling and Associates, a copy of which is on file with the Village of Warwick Planning Board. **(See SEIS Figure 4).**

**SEIS Table 2** is tabular summary of the impacts of three layouts: the “Reduced Scale Alternative” shown in **SEIS Figure 1**, the “45-Lot Cluster Subdivision”, shown in **SEIS Figure 3**, and the previously approved 28 Lot Subdivision, shown as **SEIS Figure 4**. The table and associated discussion are included in **Section II-B: Project Description of this SEIS**.

#### **D. Required Permits**

This action will require permits and approvals from other agencies, and the Lead Agency is conducting a SEQRA review on behalf of these Agencies. The following permits are required for approval of each of the alternative subdivisions and are shown on **SEIS Table 1**. This table also includes required compliance and reviews.

**SEIS Table 1: Required Permit, Approvals and Reviews**

<b>Agency</b>	<b>Permit, Approval, or Required Review</b>
Village of Warwick Planning Board (Lead Agency)	Subdivision approval, Site Plan approval.
Village of Warwick Village Board	Acceptance of dedicated public improvements, Annexation, Special Use Permit (Clustering)
Village of Warwick Department of Public Works	Highway work permit for curb cut to Woodside Drive.
Orange County Department of Health	Realty Subdivision approval; Approval of Water main extensions
Orange County Department of Planning	Referral under Section 239 of the General Municipal Law.
New York State Department of Environmental Conservation (NYSDEC)	SPDES Permit for Stormwater Discharge, approval of new sewer facilities.
Town of Warwick Planning Board	Special Use Permit for stormwater improvements and roadway.
Town of Warwick Town Board	Annexation, acceptance of road dedication for Road within the Town.
Town of Warwick Department of Public Works	Highway work permit for curb cut to Sleepy Valley Road
NYS Office of Parks, Recreation, and Historic Preservation	Compliance with State Historic Preservation Act for action requiring State agency permit.

## **E. Summary of Anticipated Impacts of the Reduced Scale Alternative as compared with previous alternatives presented in the DEIS.**

The proposed Reduced Scale Alternative has less overall impact than the proposed 45-lot Cluster Subdivision Plan presented in the DEIS. The Reduced Scale Alternative sets aside approximately 44 percent of the lot as permanently protected open space and it eliminates all disturbance to the on-site wetlands and associated stream. The 45 Lot Subdivision set aside approximately 29 percent of the property as open space. The number of proposed dwelling units decreases in the Reduced Scale Alternative by three residential units from 45 dwelling units to 42 dwelling units. Because the Reduced Scale Alternative proposes five of those dwellings units to be two family structures, the number of actual structures to be built decreases from 45 single family structures to 37 structures in a mix of one- and two-family buildings (32 single family dwellings and five two family dwellings). Given the distance that the homesites are from Locust Street, it is likely that the new residential homes will be less visible from Locust Street since the Reduced Scale Alternative eliminates all construction in the stream and wetland areas adjacent to Locust Street.

The Reduced Scale Alternative shows a change in the proposed road access to the site: It eliminates all connections to Locust Street in favor of providing a secondary access to Sleepy Valley Road within the Town of Warwick on the applicant's property. Planning the secondary access through the Town land eliminates all impacts related to the stream crossing and wetland disturbance for the project as studied in the DEIS for the 45-Lot Cluster Subdivision proposal. Preservation of streams and wetlands are identified as a primary conservation goal in the Village's clustering regulations.

The proposed Town Road connection to Sleepy Valley road intersects at a location that was previously used as an access point to the property, presumably for prior agricultural use of the land. The road alignment and sight distance of the existing roadbed has been studied and was found to be acceptable in terms of site distance and grade. Since the roadbed already exists, it will also have the least construction related impacts with regard to clearing and grading.

The land owned by the applicant in the Town of Warwick is comprised of several existing tax parcels. Upon initial submittal of the through road connection to the Town of Warwick Planning Board the Planning Board indicated that, as a condition of any approval, they would require the applicant to combine all tax parcels into one lot and limit the extent of allowable improvements to the road and stormwater improvements depicted on the Reduced Scale Alternative road connection plan. The applicant agrees to merge the existing parcels, however, the creation of the through road would result in a natural subdivision of the lands lying to both sides of the new road right-of-way. The applicant has asked that, absent a

formal subdivision development submittal, they be allowed to construct one single family home on each of these naturally subdivided parcels that will exist once the through road improvements are complete.

The road connection through the Town has been designed so that it could also serve as an access for future development of the Town land. Designing the road in this way has the effect of resulting in less overall road length, and therefore less impervious area, if and when the ultimate buildout of the Town and Village parcels occurs. In this ultimate buildout scenario what would have been the third, redundant connection to Locust Street across the stream and wetland is eliminated with the Reduced Scale Alternative Plan. It is noted that both of the previous development proposals, those being the 28 lot subdivision plan and the 45 lot Cluster subdivision plan, reserved a connection point between the applicant's properties in the Town and Village, but actual development of the road within the Town for access to the Village lots was not required with those prior plans. Conceptual subdivision plans for land in the Town have been prepared for this SEIS analysis. It is estimated that a subdivision within the Town would yield approximately 25 lots if current zoning was applied utilizing the base density and density bonuses available under the Town's clustering provisions.

The subdivision within the Town would not affect the water and sewer usage within the Village and the Village would see a slight reduction in the demand for water and sewer with the Reduced Scale Alternative because of the reduced number of homes. The development of the property within the Village would likely require improvement to the Sewer conveyance system to serve the property. **Section III-C of this SEIS** provides more information about viable options that could be considered by the Village. Town water and sewer needs are required to be provided by individual wells and septic systems on each of the respective lots.

The traffic study indicated that for all scenarios, including traffic from the 42 dwelling units in the Reduced Scale Alternative and the potential 25 future homes in the Town, all intersections maintained an acceptable level of service for all proposed development of the Village and Town residential units. In addition, it was found that there was existing capacity to serve the new residents within the Town and Village, within all service districts.

## **F. Project Alternatives Considered**

Project alternatives are discussed in the **Draft Environmental Impact Statement (DEIS)** in three places. They are summarized in **Executive Summary (Section I-E starting on page 10); the Project Description, Section II starting on Page 27, and in Project Alternatives, Section V, starting on page 88**. These prior alternatives are incorporated by reference to this SEIS. The alternatives discussed in the DEIS are:

### **1. The No-Action Alternative**

**2. The approved plan of 28 lots**, which was studied in the DEIS for this project written in 2006, entitled Draft Environmental Impact for Village View Estates, written by Garling and Associates and accepted by the Village of Warwick Planning Board in November 16, 2006 and filed on November 21, 2006. The SEQRA for the former project was closed and the site plan received approval on July 17, 2008

**3. Previous Annexation Proposal:** This discussion relates to a previous proposal to annex the Town Property into the Village to create a denser layout, in accordance to Village Zoning laws. This proposal has been rejected by the Town and Village

**4. The subject of the DEIS, which was labeled the “Preferred Alternative throughout the DEIS.**

**5. The Affordable Housing Alternative.** This alternative layout was developed after the initial review of the DEIS and was requested by the Planning Board after they expressed concerns about the affordability of housing in the Village of Warwick.

**This SEIS** only examines the impacts related to the proposal that was not examined in the DEIS for this project, known as the “Reduced Scale Alternative” and shown as **SEIS Figure 1** of this document. Additionally, there is a discussion in **SEIS Section II-B, Project Description**, that compares the impacts of the 45-lot Cluster Subdivision, the 28-lot subdivision that has prior approval, and the 33-lot Reduced Scale Alternative. The **SEIS Alternatives, Section V.** contains a short summary of these alternatives and discusses alternatives available should the Town Board decide to accept dedication of the planned access road through the applicant’s property located within Town municipal boundaries.

## Section II: Description of the Proposed Action

### A. Introduction/State Environmental Quality Review Act (SEQRA) Process

The Village View application currently under review by the Planning Board is a realty subdivision proposed for a 20.3-acre tract of land within the Village of Warwick.

The site is composed of four different adjoining tax map parcels Section 201, Block 1, Lots 1.1, 1.2, 1.3, and 2. The site fronts on the corner of Locust Street and Woodside Drive. The project is being proposed as a cluster subdivision under Section 145-29 of the Village of Warwick Zoning Code. This project also included the use of property holdings of the applicant for drainage infrastructure, which has now been expanded to include road access for the subdivision on Tax lots lying in the Town of Warwick and identified as Section 31, Block 2, Lot 85.2, 84.1 and 84.2 and Section 43, Block 1, Lots 3, 4.12, and 4.2. This new plan, called the “Reduced Scale Alternative”, is described in the following section and explains how it differs from the previous proposal discussed in the Draft Environmental Impact Statement (DEIS).

This Supplemental Environmental Impact Statement (SEIS) document was prepared in accordance with state requirements to formally identify and evaluate the potentially significant environmental impacts of the proposed Reduced Scale Alternative and provide potential mitigation of any impacts that are identified. All information in the Draft Environmental Impact Statement prepared for Village View Estates in 2018 is incorporated by reference. Information in the DEIS is repeated in this SEIS only for ease of understanding by the reader. This SEIS is focused specifically on changes to the environmental impacts caused by consideration of the proposed “Reduced Scale Alternative” for the Village View Subdivision request.

The section of the New York State law that requires this study is called the New York State Environmental Quality Review Act (SEQRA), enacted under Part 617 of the Environmental Conservation Law, which requires agencies (including municipalities and their boards) to formally consider environmental impacts of any project and incorporate the findings into their environmental process.

Agencies require the preparation of an Environmental Impact Statement (EIS), which includes a DEIS or SEIS like this one<sup>1</sup>, if they deem that an action or approval may have the potential to create a significant harmful environmental impact. The EIS is a tool that creates a systematic means to evaluate the potentially significant areas of harmful environmental impact. If significant harmful impacts that would be generated by the

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<sup>1</sup> Other documents included as part of the EIS are discussed later in this section.

project are disclosed, the SEQRA process provides a means to consider alternatives or mitigating measures that can reduce or avoid such impacts in a way that is consistent with the applicant's purposes, the community, the zoning and with other rules of law.

The purpose of a "Supplemental Draft Environmental Impact" is to study the environmental impacts of things not previously considered in the DEIS. In this case, the proposed subdivision design was changed to eliminate a stream and wetland crossing with a proposed road and add second means of access through adjacent land lying in the Town of Warwick. It was the determination of the Village of Warwick Planning Board, acting as Lead Agency, that this was a significant enough change to require an additional analysis of the potential impacts from the revised project. Like the SEQRA process for the DEIS, the lead agency formally reaffirms its status as Lead Agency for the SEIS (in this case, the Village of Warwick Planning Board) and all involved agencies (including the Town of Warwick Planning Board and Town Board) have agreed to abide by the findings of the Village Planning Board regarding the SEQRA findings under the SEIS' limited scope. Once this review process concludes, the other agencies agree to the conclusions or "findings" of the Lead Agency concerning the environmental impacts when reviewing and issuing their own permits.

Although the review of the SEIS is being done as a coordinated review and the Town of Warwick Planning Board and Town of Warwick Town Board have agreed to allow the Village of Warwick Planning Board to act as Lead Agency, the Town of Warwick Planning Board explicitly reserved the right to conduct its own SEQRA review of any future development of the land lying within the Town's municipal boundaries. The Reduced Scale Alternative includes a proposed through road connection and stormwater management facilities within the Town boundary and an analysis of the impacts associated with these improvements are included in this SEIS.

Any future development of the land within the Town, beyond the through road connection and stormwater management facilities, would be subject to a full Town of Warwick subdivision or Site Plan application and the Town of Warwick will perform its own SEQR review for any such future action. A Sketch Yield Subdivision Plan and Sketch Cluster Subdivision Plan have been prepared for the land lying within the Town for the purpose of demonstrating the potential build-out. The combined impacts from the potential future build out and the Reduced Scale Alternative as relates to traffic, stormwater run-off, domestic water consumption, sanitary discharge and land disturbance are discussed in this SEIS. The preparation of these plans, however, are in concept only and are not be construed as vesting the Applicant's right to develop the Town land in the manner shown on those plans without first going through a formal subdivision and SEQR review with the Town of Warwick Planning Board.

The SEIS is just one document that is prepared under this current review process. In this case, it was preceded by a formally adopted “Scoping Document,” which provides a summary listing of the required minimum content of the SEIS. This Scoping Document was subject to public comment prior to its final approval by the Planning Board on August 12, 2019.

The SEIS was then prepared in accordance with the requirements laid out in the approved Scoping Document. The dates of submission and acceptance are located on the cover page of this document.

The public hearing for the SEIS is coordinated with the required public hearings of the proposed “Reduced Scale Alternative” subdivision for Village View Estates. The initial public hearing date for this SEIS is also located on the front page of this document. During the public review period, if there are any material comments or questions on the SEIS, they will be formally answered in a Final Environmental Impact Statement (FEIS). The FEIS will also include comments and responses to questions raised during the public review of the DEIS for this project, updating the responses to reflect the current proposed “Reduced Scale Alternative” presented in this SEIS.

The FEIS would be prepared as an official response to comments of all Agencies, consultants and the public. After a satisfactory FEIS is prepared and filed for public review, the Lead Agency prepares a “written findings statement” considering the relevant environmental impacts, facts and conclusions. The adoption and filing of the Findings Statement with the other Agencies required for approval of this project concludes the SEQRA process. Until the SEQRA review process is concluded, no other Agency may issue a discretionary permit or approval.

The intent of SEQRA is to provide better information through the coordinated environmental review to the permitting agencies prior to approvals. This coordination helps to avoid irrevocable decisions that could occur during the permitting phases that could potentially cause unintended or lasting harm to our communities.

## **B. Project Description**

The site that is subject to subdivision approval in the Village of Warwick is a vacant 20.3-acre tract of land located at the northeast corner of the intersection with Woodside Drive and Locust Street at the Village/Town of Warwick border. The site consists of four different adjoining tax map parcels Section 201, Block 1, Lots 1.1,1.2, 1.3, and 2. The site lies within the R-1 zoning district. The bulk of the site’s road frontage is on Locust Street,

roughly 1,100 linear feet from the intersection of Woodside Drive all the way to the Village/Town line. Just over 300 feet of the site fronts directly on Woodside Drive.

The original Subdivision request was for 28 single family lots. It received preliminary approval in 2007 and was the subject of a DEIS prepared by Garling and Associates. Access to the 28-lot subdivision was provided on Locust Street in two places with both locations requiring wetlands disturbance and a stream crossing. In addition, the approved 28-lot preliminary subdivision only set aside 2.9 acres of the property for conservation and encroached on the wetland in various places on the plan. **(See SEIS Figure 4)**

In 2017 a proposed Cluster Subdivision application was submitted to the Village of Warwick Planning Board and a DEIS for same was prepared. The subdivision request discussed in the **DEIS** included the use of property owned by the applicant in the Village of Warwick, and with improvements within the Town of Warwick Municipal boundaries for use for drainage improvements. The application included a request for annexation of a small area of land which would square off an irregularly shaped boundary line and allow for all roads planned within the Village of Warwick to be dedicated to it without the need for cross-easement agreements with the Town. This Cluster Subdivision proposal was for 45 single family lots and is described more fully in the Village View Cluster Subdivision **DEIS in Section II-C, starting on page 23**. The proposed subdivision plan is illustrated in this **SEIS as Figure 3**.

The proposed “Reduced Scale Alternative” is a cluster subdivision proposal for 33 lots, one of which would be used for 5 two-family units constructed as townhouses. **(See SEIS Figure 1)** The total number of residential dwelling units that would be created would be 42, which is a reduction from the 45 units proposed in the original Cluster Subdivision. Because five of the dwelling units are proposed to be two-family, the number of proposed structures is reduced from 45 structures to 37 structures.

The “Reduced Scale Alternative” action also proposes off-site drainage improvements on lands lying within the Town. These improvements lie on Town of Warwick Tax map Section 31, Block 2, Lot 85.2 (swale and stormwater detention basins) and on Section 43, Block 1, Lots 3, 4.12, and 4.2, (swales). These features are incorporated into the plans being reviewed and approved by the Town of Warwick Planning Board.

The original Cluster Subdivision proposal had both subdivision road entrances located on roads that were within the Village of Warwick with one entrance on Woodside Drive and the other on Locust Street. The entrance on Locust Street required a stream crossing and the filling of approximately 1990 square feet of wetlands as well as site distance improvements within the existing Locust Street right-of-way.

The Reduced Scale Alternative eliminates the entrance on Locust Street, and provides for one of the entrances to the subdivision to be constructed through the applicant's property holdings in the Town of Warwick with road access onto Sleepy Valley Road, about 700 feet north of the originally planned road access to Locust Street. (Sleepy Valley Road and Locust Street are the same road.) This second access would be traversing Town of Warwick Tax Lots currently known as Section 31, Block 2, Lots 85.2, 84.1 and 84.2. All parcels proposed for development are shown on **SEIS Figure 5: Applicant Property Affected by the Reduced Scale Alternative**. This figure illustrates the entire property holdings, current lot lines, and proposed subdivision, road and easement locations.

An internal road network is proposed to serve the lots and would be offered for dedication as public roads to the Village of Warwick and Town of Warwick respectively. The main through road, shown as "Road A" on **SEIS Figure 1**, would start at a new intersection created on Woodside Drive on the south end of the property, and would traverse in a northerly direction and connect to a proposed Town Road, which would then terminate at Sleepy Valley Road. Two other roads connect in a circular pattern (shown as Road B and Road C on **SEIS Figure 1**). At the connection of these two roads, there is a cul-de-sac driveway that will serve the five two-family units.

Stormwater Drainage infrastructure is located within the Village and Town properties and has been designed to accommodate stormwater needs for the subdivision in the Village, the planned town road connection, and possible future development of the Town property as shown on the conceptual Cluster Subdivision Plan that was prepared for the town property. As required by Village Code, the stormwater management system serving the Reduced Scale Alternative is designed to provide 10% percent reduction in rate of stormwater run-off from the rates determined to be present in the existing, non-developed condition.



All road infrastructure would be offered for dedication to the Village or Town for use as a public street and would be maintained by the respective municipality. Water and sewer service for the Reduced Scale Alternative would be by existing public water and sewer services provided by the Village of Warwick. Any future residential units within the Town of Warwick will be served by individual on-site wells and septic systems.

The Reduced Scale Alternative also includes the option for the same minor annexation of land of approximately 0.60 acres from the Town of Warwick to the Village of Warwick. Annexation of the land would “square-off” a boundary between the two municipalities and put the entirety of right-of-way for the road connection to Woodside Drive within the Village of Warwick Municipal boundaries. The property proposed for annexation is owned by the applicant. The annexation petition has been submitted to both the Village of Warwick Village Board and Town of Warwick Town Board for consideration.

Besides the difference in the planned road entries, the “Reduced Scale Alternative” plan illustrates less disturbance to the Village Site than the previous proposal. The new plan shows a significant increase in the proposed open space on the plan, and better preserves the natural topography and avoids construction on areas of contiguous 25% slopes. It also entirely eliminates the need to disturb the stream and wetlands on the property, and places larger buffers around these natural habitat areas.

The project is anticipated to involve the disturbance of approximately 19.5 acres of land to construct the development, including the disturbance for improvements located in the Town. To protect the environment from possible contamination from exposed soil during storm events during construction a full Stormwater Pollution Protection Plan (SWPPP) has been developed. The SWPPP includes measures to minimize soil erosion during periods of construction

Project construction and phasing was described in the original Cluster subdivision **DEIS on page 27**. The same general plan will be used as the construction and phasing plan for the “Reduced Scale Alternative”. The roads and infrastructure would need to be established and constructed or performance security posted prior to construction of the homes on the lots.

The proposed 45 lot original Cluster subdivision plan was projected to have 45 single family, four-bedroom structures. Consistent with the latest census data<sup>2</sup>, that project

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<sup>2</sup> American Community Data Estimates from U.S. Census Bureau for Village of Warwick NY for 2016, accessed 2-20-2018, available online at <https://factfinder.census.gov> More recent data available indicated that the Village of Warwick only gained one person. The analysis herein would not be affected.

would generate approximately 2.29 persons per home, or 103 new residents, of which 21 would be school-aged children.

The “Reduced Scale Alternative” Plan would generate approximately 96 new residents, 18 of which would be school aged.

Potential development of the Town parcel using the current Town of Warwick clustering regulations could yield approximately 25 new single-family homes, with approximately 3.06 people per household and would generate approximately 77 new residents and 17 school children. The houses on the Town property would be on approximately one-acre lots, and therefore would generally be more valuable than the lots in the Village. Projected Total Tax revenue would be approximately \$12,123 per home, with a projected value of \$480,000 per lot, based on a recent assessment of a home built by the applicant on a similar size adjacent property within the Town.

### **C. Comparison of Impacts of Proposed Alternatives**

**SEIS Table 2** provides a summary analysis of several points of comparison relative to the approved 28 lot subdivision, the previous request of 45 lots Cluster subdivision discussed in the DEIS, and the current “Reduced Scale Alternative” discussed in this SEIS. The same data was used as a base line for comparison as was used in the DEIS for the Village: taxes generated, new population, and school children generated, since the differences in updated data were relatively minor and did not yield new conclusions. When differences were noteworthy, they are described in Section III: Environmental Setting, Existing Conditions, Anticipated Impacts, and Proposed Mitigation. New discussions appear in the following section for Town Taxes generated, population and school children.

**Table 2: Comparison of Alternative Subdivision Layouts**

	28 Lot Subdivision	45 Lot Cluster Subdivision	Reduced Scale Alternative 42 residential units	Town Property development potential created with new lots
Acreage	20.3	20.3	96.6 acres*	Included with Reduced Scale Alternative
Total acreage to remain dedicated open space in Village**	2.8 acres	6.8 acres	8.9 acres	N.A.
Number of Dwellings	28	45	42	25
Number of Structures	28	45	37	25
Estimated new residents, children,	57 new residents 12 school aged	103 new residents 21 school aged	96 18 school aged	77, 17 school aged
Water/Sewer Requirements (gpd)***	12,320/12,300	19,800/19,800	17,380/17,380	Individual wells and septic systems
Total land disturbance	17.5	14.8 acres	13.1 acres in Village, 7 acres in Town	18 acres with all improvements
Total impervious surface	4.7	5.5 acres	4.8 in Village, 1.2 in Town	Total of 3.3 acres with Road
Linear Feet of Roadway	3120 feet	2950 feet	2635 feet plus 1400 in Town	1800 feet including road built for Reduced Scale Alternative
Buffer from unnamed tributary Stream (feet) and Wetlands	Less than 25 feet, building lots encroach on wetlands	30 to 80 feet from all structures and roads, depending on location.	100 feet from all structures and roads, depending on location.	100 feet from the edge of the wetlands to the nearest property line or structure.
Wetland Disturbance	4342 sq. ft.	1990 sq. ft.	0 sq. ft.	N/A
Assessed evaluation (in 2017 terms)	\$1,568,000****	\$2,538,000	\$2,268,800	\$1,650,000
County/Town/Taxes generated	\$50,790	\$82,210	\$76,729	\$34,361
School District Taxes generated	\$237,569	\$384,535	\$358,899	\$260,171
Village Taxes	\$41,717	\$77,713	\$72,535	N/A

Notes: \*includes Property used for Town Road. \*\*protected by the HOA. \*\*\* all numbers based on 440 GPD per residential DU. \*\*\*\*The original DEIS suggested the average sales price would be between \$500,000 or more per property, and derived the taxes paid based on this number. This DEIS derives evaluation based on an average sales price of \$400,000 for the Village Units and \$480,000 for the Town Residential units. Sources: Census estimates based on the most currently available U.S. Census Data in 2018. Parcel and Tax Information: Orange County, NY Real Property Information.

## D. Involved and Interested Agencies and Required Approvals and Reviews

This action will require permits and approvals from other agencies, and the Lead Agency is conducting a SEQRA review on behalf of these Agencies. The following permits are required for approval of this subdivision are shown on **SEIS Table 1**, following this paragraph which is repeated from the previous section.

**SEIS Table 1: Required Permit, Approvals and Reviews**

<b>Agency</b>	<b>Permit, Approval, or Required Review</b>
Village of Warwick Planning Board (Lead Agency)	Subdivision approval, Site Plan approval.
Village of Warwick Village Board	Acceptance of dedicated public improvements, Annexation, Special Use Permit (Clustering)
Village of Warwick Department of Public Works	Highway work permit for curb cut to Woodside Drive.
Orange County Department of Health	Approval of Water main extensions; Realty Subdivision approval.
Orange County Department of Planning	Referral under Section 239 of the General Municipal Law.
New York State Department of Environmental Conservation (NYSDEC)	SPDES Permit for Stormwater Discharge; Plan review for sewer main extension
U.S. Army Corps of Engineers (USACE)	No longer needed for Reduced Scale Alternative
Town of Warwick Planning Board	Special Use Permit for stormwater improvements and roadway.
Town of Warwick Town Board	Annexation, acceptance of road dedication for Road within the Town.
Town of Warwick DPW	Road opening permit to Sleepy Valley Road
NYS Office of Parks, Recreation, and Historic Preservation	Compliance with State Historic Preservation Act for action requiring State agency permit.

No other agency as defined by SEQRA has expressed interest in this project. A hard copy of this document was also made available for public review at the Warwick Public Library and the Warwick Municipal Offices. A digital copy of the document was made available online on the Warwick Municipal website.

## Section III: Environmental Setting: Existing Conditions, Anticipated Impacts and Proposed Mitigation

### A. Soils, Topography and Geology

#### 1.0 Existing Conditions

Orange County is best characterized by its rolling hills and valleys. The topography was created by glacial advances and retreats starting some 300,000 years ago and ending about 12,000 years ago. According to the United States Department of Agriculture Soils Survey for Orange County, this property is part of the geological region known as the Hudson Mohawk Lowland. The property is dominated by Mardin Soils over most of the property, except for the portion of the property nearest to and running parallel to Locust Street. This small portion of the property is classified as Alden Silt Loam and is generally associated with the wetlands and stream present on the property. Soil testing for the previous subdivision proposal confirmed the presence and type of soils found on the Village portion of the property.

The Mardin soils and Arden Soils are described in the Draft Environmental Impact Statement (DEIS) on page 32. A portion of soils on the Town Property that is planned for construction is classified as Bath-Nassau shaly silt loam, 3 to 8 percent slopes. According to the Soil Survey of Orange County, NY: "This soil complex consists of deep, well drained soils and shallow, somewhat excessively drained soils that formed in glacial till deposits derived from shale and slate. It is found on hilltops, and ridges in uplands." This soil is also well suited for urban development according to the narrative descriptions found in this soil survey.

The Mardin Soils were found to be suitable for the residential construction proposed for the Village View subdivision. The DEIS for the 45-lot original Cluster subdivision disclosed that most of the construction would occur in areas identified as Mardin Soils, with one exception being an area required for crossing the wetlands and stream with an access road to Locust Street. That crossing is eliminated in the Reduced Scale Alternative. Plan (See Figure 3 in Section 1 of this SEIS).

The property within the village, where the subdivision is planned, generally slopes from the northwest corner of the parcel toward the southeast where the wetland and stream are located. The highest elevations of the Village portion of the site lie at approximate elevation 820 feet in the western extremities with the lowest extremities being at approximately 630 feet where the stream discharges under Woodside Drive. The site can be generally described as moderately sloping with the majority of the terrain being sloped at 10% to 15%. See SEIS Figure 2. A few pockets of steeper slopes are spread throughout the site with steep slopes also being found adjacent to Locust Ave. The land in the Town through which the proposed road connection is

located continues to rise to the northwest. The intersection of the Village View street and Sleepy Valley Road lie at the highest elevation which is found to be approximately 864 feet. **(Refer to SEIS Figure 2 in Section I).** **SEIS Figures 6: Existing Soils and Slopes over 15%** illustrates the soil types and slopes over 15% for the entirety of the property proposed for development.

The Village of Warwick Cluster Subdivision Regulations identify areas of slopes over 25% as primary conservation areas. These areas should be avoided for the placement of lots and generally avoided by development to the greatest extent possible. **SEIS Figure 7: Existing Soils and Slopes over 25%** illustrates the locations of 25% slopes based on the aerial topography obtained for the property. On site observations reveal that some of the areas identified as 25% slope on the aerial topographic analysis are not naturally occurring areas of steep slopes. There is evidence that one area has been previously excavated. Other areas are associated with a ravine that has been eroded due to prior land clearing associated with prior agricultural uses.

The Village of Warwick Code does not identify the required contiguous square footage for an area to be considered an area of steep slope to be avoided. As seen in SEIS Figure 7, the slope analysis reveals a patchwork of spots, some as small as 25 square feet, that compute as 25% slope. An alternative slope analysis was performed using the two-foot topographic survey data available from the Orange County Geographic Information System. This topography is less sensitive to subtle topographic changes and more generally defines the slope of the overall landform. **SEIS Figures 7A: Existing Soils and Slopes over 25% - County GIS Topography** depicts the 25% slope analysis utilizing the Orange County GIS two-foot topographic survey. As is seen on the analysis, the overall landform of the Village parcel has three areas of slopes over 25%. **SEIS Figure 8: Proposed Reduced Scale Cluster Subdivision** illustrates the locations of proposed subdivision in relation to slopes and soils using the project aerial topography. **SEIS Figure 8A: Proposed Reduced Scale Cluster Subdivision - County GIS topography** illustrates the locations of proposed improvements in relation to the 25% slopes as computed using the County GIS topography. As is seen on the latter, all areas of 25% slope are avoided by the development.



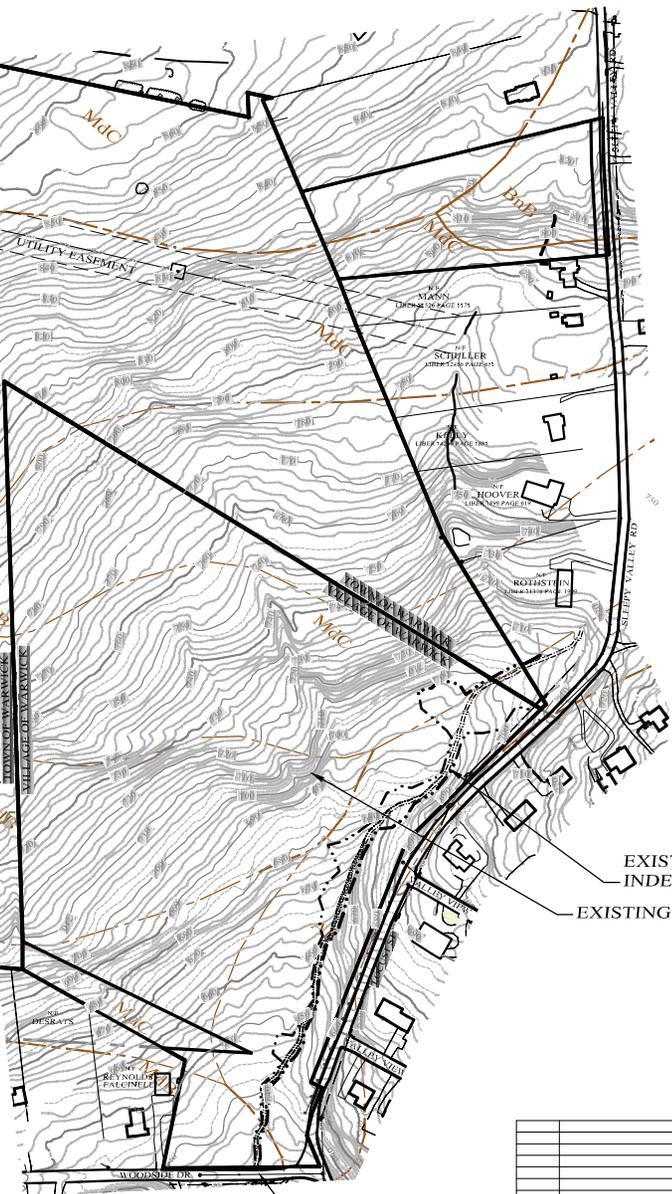


EXISTING PROPERTY LINE

HIGHEST POINT  
ON SITE = 876

SEIS FIGURE 7  
NOT TO SCALE

LOWEST POINT  
ON SITE = 632



### LEGEND

- EXISTING PROPERTY LINE
- EXISTING TAX PARCEL
- 10' CONTOUR LINE
- 2' CONTOUR LINE
- EXISTING EDGE OF PAVEMENT
- USDA SOILS BOUNDARY
- EXISTING SLOPES 25% OR GREATER

**VILLAGE VIEW  
REDUCED SCALE  
CLUSTER SUBDIVISION**  
TOWN & VILLAGE OF WARWICK,  
ORANGE COUNTY, NEW YORK

PROJECT TITLE

**EXISTING  
SOILS &  
SLOPES OVER 25%**

DRAWING TITLE

**KIRK ROTHER, P.E.**  
CONSULTING ENGINEER, PLLC  
5 St. Stephens Lane, Warwick, NY 10990  
(845) 988-0620

DATE	REVISIONS	KIRK ROTHER, P.E.	NYS. LIC. NO. 070003	DATE

D.O.T. SHEET #	D.E.C. SHEET #	O.C.R.D. SHEET #	SHEET #
N.A.	N.A.	N.A.	1 OF 1

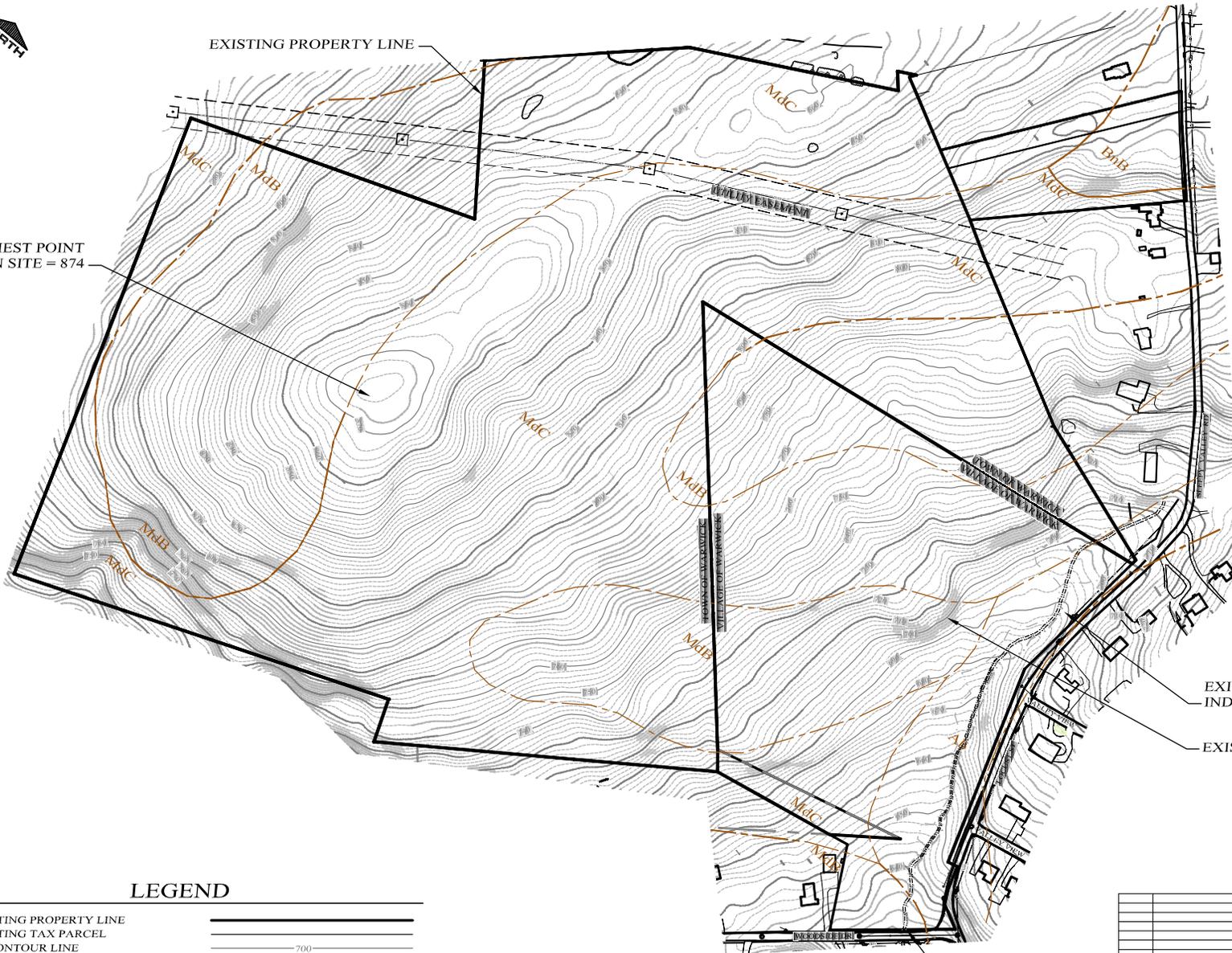
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CD # 04170 PROJECT # SCALE 1 OF 1  
CLUS 4-19 04170.D AS SHOWN



EXISTING PROPERTY LINE

HIGHEST POINT  
ON SITE = 874



EXISTING CLASS CT STREAM  
INDEX # H-139-13-61-9-21-1

EXISTING SLOPES 25% OR GREATER

### LEGEND

EXISTING PROPERTY LINE	
EXISTING TAX PARCEL LINE	
10' CONTOUR LINE	
2' CONTOUR LINE	
EXISTING EDGE OF PAVEMENT	
USDA SOILS BOUNDARY	
EXISTING SLOPES 25% OR GREATER	

## SEIS FIGURE 7A

NOT TO SCALE

LOWEST POINT  
ON SITE = 632

**VILLAGE VIEW  
REDUCED SCALE  
CLUSTER SUBDIVISION**  
TOWN & VILLAGE OF WARWICK,  
ORANGE COUNTY, NEW YORK

PROJECT TITLE

**EXISTING SOILS &  
SLOPES OVER 25%  
COUNTY GIS TOPOGRAPHY**

DRAWING TITLE

**KIRK ROTHER, P.E.**  
CONSULTING ENGINEER, PLLC  
5 St. Stephens Lane, Warwick, NY 10990  
(845) 988-0620

DATE	REVISIONS	D.O.T. SHEET #	D.E.C. SHEET #	D.C.H.D. SHEET #	SHEET #
		N.A.	N.A.	N.A.	1 OF 1

KIRK ROTHER, P.E.	N.Y.S. LIC. NO. 07963	DATE	
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**LEGEND**

- EXISTING PROPERTY LINE
- EXISTING TAX PARCEL
- 10' CONTOUR LINE
- 2' CONTOUR LINE
- EXISTING EDGE OF PAVEMENT
- USDA SOILS BOUNDARY
- EXISTING SLOPES 25% OR GREATER

**SEIS FIGURE 8**  
NOT TO SCALE

**VILLAGE VIEW  
REDUCED SCALE  
CLUSTER SUBDIVISION**  
TOWN & VILLAGE OF WARWICK,  
ORANGE COUNTY, NEW YORK

PROJECT TITLE  
**PROPOSED  
SUBDIVISION  
WITH SLOPES OVER 25%**  
DRAWING TITLE

**KIRK ROTHER, P.E.**  
CONSULTING ENGINEER, PLLC  
5 St. Stephens Lane, Warwick, NY 10990  
(845) 988-0620

DATE	REVISIONS

DATE	REVISIONS	KIRK ROTHER, P.E.	N.Y.S. LIC. NO. 076033	DATE

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**LEGEND**

EXISTING PROPERTY LINE	
EXISTING TAX PARCEL	
10' CONTOUR LINE	
2' CONTOUR LINE	
EXISTING EDGE OF PAVEMENT	
USDA SOILS BOUNDARY	
EXISTING SLOPES 25% OR GREATER	

EXISTING SLOPES 25% OR GREATER

**VILLAGE VIEW  
REDUCED SCALE  
CLUSTER SUBDIVISION**  
TOWN & VILLAGE OF WARWICK,  
ORANGE COUNTY, NEW YORK

PROPOSED  
SUBDIVISION  
WITH SLOPES OVER 25%  
COUNTY GIS TOPOGRAPHY

**KIRK ROTHER, P.E.**  
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5 St. Stephens Lane, Warwick, NY 10990  
(845) 988-0620

DATE	REVISIONS

DATE	REVISIONS	KIRK ROTHER, P.E.	N.Y.S. LIC. NO. 079083	DATE

**SEIS FIGURE 8A**  
NOT TO SCALE

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10.017.0	SHEET #	N.A.	10.017.0	SHEET #	N.A.	1 OF 1
CLUS 4-19	PROJECT #	04170.0	SCALE	AS SHOWN		

Approximately 44% of the site is slated to be preserved as open space, which includes most of the areas of 25% and steeper slope. **(See SEIS Figure 8)**

Given the deepness of the soils, it is not anticipated that blasting will be needed to construct this project.

To protect the wetlands and stream and to reduce loss of soil on the property, an Erosion Control Plan has been developed in accordance with New York State Standards for Erosion and Sediment Control. The Erosion Control Plan is prepared to mitigate potential environmental impacts caused by erosion due to construction. In addition, the Reduced Scale Alternative plan avoids construction on the more sensitive and scenic areas on the property than the previously proposed 45-Lot original cluster subdivision or the 28-lot subdivision that has preliminary approval. On the Reduced Scale Alternative, no construction is planned in the wetland or stream areas and the plan provides a 100-foot wetland buffer for all proposed improvements with the exception of some of the stormwater management features.

The land proposed as permanent open space will be protected and maintained through an easement and ownership by the Homeowner's Association.

## **2.0 Anticipated Impacts**

Because of the deepness of the soils, it is not anticipated that blasting would be required to construct the homes or associated roads and utilities. Bedrock is not expected to be encountered. There are no anticipated impacts to bedrock geology.

Development of the site will require stripping of the vegetation, thus exposing the soils to erosion. Grading of the site will also increase the risk of soil erosion and will require the stockpiling of materials on site. The steep embankment created by stockpiling is susceptible to erosion.

## **3.0 Proposed Mitigation**

The development of the Village View property as a clustered subdivision as depicted on the present Reduced Scale Alternative is, itself, a mitigating measure with regard to impacts to soils and topography. The site has been designed to avoid areas of steep slopes to the greatest extent possible, to eliminate all disturbance to hydric soils associated with the wetlands and stream while also keeping approximately 44% of the overall parcel undisturbed as permanent open space.

An erosion control plan will be implemented and proposed erosion control measures will be in accordance with a publication entitled New York State Standards and Specifications for Erosion

and Sediment Control (Nov. 2016 ed.). Erosion control will be accomplished by means of temporary and permanent measures with the timing of the installation of said measures to be in accordance with the construction sequence found on the Erosion Control Plan sheet of the approved drawings.

Temporary erosion control measures will include a stabilized construction entrance, silt fence, temporary sediment traps, temporary diversion swales, stone check dams, inlet protection, mulching, land grading and temporary topsoil stockpiling, seeding and haying. Areas to be disturbed will have the area of disturbance delineated. Areas to remain un-disturbed will be protected with a perimeter construction fence, or snow fence. Activities resulting in site disturbance will be phased to keep the area disturbed at any one time under five acres.

Upon completion of clearing and grubbing activities, topsoil shall be stripped, and temporary topsoil stockpiles created in locations out of the way of construction and any runoff water course. Stockpiles will be surrounded with silt fence and immediately stabilized with seed and hay per the temporary seeding schedule shown on the Erosion Control Plan. Temporary seeding will be placed in all areas that are expected to remain disturbed for a period of 14 days. Dust control by means of spraying water shall be incorporated as necessary.

Permanent erosion control measures include grass lined waterways, permanent seeding and landscaping, land grading, mulching, and slope stabilization. Slope stabilization will be accomplished utilizing rolled erosion control matting in all areas of proposed slopes of two horizontal to one vertical or steeper and in the inverts of earthen swales.

During the construction process, erosion control measures will be inspected daily by a "Trained Contractor" to be employed by the excavation company. A thorough review and report by a "Qualified Inspector", will be performed at least once every seven days. The definition of a Trained Contractor and Qualified Inspector can be found in the NYS SPDES Permit located in SWPPP report. Inspection logs identifying the site conditions, impacts to adjacent properties or water bodies, and any defects in erosion control measures, together with photographs of the site, shall be prepared by the Qualified Inspector. Defects identified shall be reported to the project owner in a timely manner of one day or less. Corrections will be made immediately.

Implementation of the above best practices will mitigate potential adverse impacts due to erosion caused by construction.

## **B. Ground and Surface Water Resources**

### **1.0 Existing Conditions**

As described in **the Draft Environmental Impact Statement (DEIS) starting on page 35**, a detailed study of the Groundwater resources in the Village and Town of Warwick was prepared in January of 2005 by Leggett, Brashears and Graham. This study describes the abundant water resources available to the Village and Town of Warwick. This abundance is due to several important geological features found under the bedrock in this area.

In addition, surface waters enjoyed by the residents include the Wawayanda Creek, which is protected in the Town by a parkland reserve. Village View lies entirely within the Wawayanda Creek watershed which is part of the Wallkill River Sub Basin and is ultimately tributary to the Lower Hudson River drainage basin. The site and lands upstream of it are the headwaters of an unnamed Class C(t) tributary, identified as Index #H139-13-61-9-21-1, which flows under sleepy Valley Road to the north of the site, at the approximate Town-Village municipal boundary, then through the Village View property to discharge to the south under Woodside Drive via an eight foot wide by four foot high reinforced concrete box culvert. The rating of the stream is C (t) as derived from the rating of the Wawayanda Creek into which it flows, even though the stream on the property is dry for much of the year. Protecting the stream from pollution is important to the overall health of the Wawayanda Creek. An area of federal wetlands, approximately one acre in size, flanks both sides of the intermittent stream. An intermittent spring is also located on the property with the spring only observed to flow during the wetter spring season. There are no other surface water sources associated with the Village View project or its immediate surroundings.

### **2.0 Anticipated Impacts**

There are no anticipated impacts to groundwater sources from the development.

Impacts to surface waters during construction include the potential introduction of silt into the surface water features due to erosion. In addition, the existing topographic setting is such that post -developed stormwater run-off will flow toward the stream. Pollution from ordinary residential uses such as trace oils deposited on the road and other containments from cars; the use of fertilizer and pesticides in yards; and spillage of water from swimming pools into yards (which often contain chemicals), can then flow through the natural drainage system into the stream and into downstream resources.

### **3.0 Proposed Mitigation**

The Reduced Scale Alternative proposes that all the wetlands and the stream on the village property to be included in an area to be preserved as permanent open space. On the Reduced

Scale Alternative plan the wetland and stream areas are protected by greater buffers than the 45-lot Cluster Subdivision Plan and the 28-Lot Subdivision plan that has received preliminary approval. The Reduced Scale Alternative also places the seasonal spring in an area that will not be developed.

A Stormwater Pollution Protection Plan (SWPPP) was prepared in accordance with New York State SPDES Permit for construction type activities. The SWPPP is prepared to meet established state standards for the mitigation of potential pollution related to construction and post-construction activities. The goal of the SWPPP is to protect the water resources that could be affected both on site and downstream. The SWPPP is described more fully in **Section E of this SEIS**.

## **C. Wastewater Management**

### **1.0 Existing Conditions**

As discussed in the **DEIS, Section III-C Wastewater Management, starting on page 39**, the proposed lots in the Village of Warwick are within the Village of Warwick's wastewater treatment service area. The Village of Warwick Wastewater Collection and Treatment Plant is located on the west side of the Village of Warwick, south of Wawayanda Creek, where treated water is eventually discharged. The plant has a permitted capacity of 1,000,000 gallons per day (gpd) and operates at an average capacity of 799,000 gpd based on 2017 data. Based on these values the plant has available capacity to serve the project. Given the plants age, the Village is currently planning modernization of the sewage treatment works.

As disclosed in **DEIS Section III-C**, improvements to the operations of the system are paid for by hookup fees to serve the individual homes, user fees, and taxes paid to the Village of Warwick. Existing gravity sewer mains are present at the site on Locust Street and Woodside Drive. Connection to these existing mains would extend the Village's sewer system into the Village View property to serve the development. Sewer discharges from Village View area are conveyed to the Village's sewage treatment plant via an existing pump station known as the Robin Brae pump station. The Village has indicated that this pump station is currently in need of improvement.

The Town properties that could be developed as part of a future Town Subdivision application would require individual septic systems since the Town does not provide centralized sewer service in this area and there are no plans, nor is there a precedent, to extend Village wastewater services to properties in the Town.

### **2.0 Anticipated Impacts**

This project would require the commitment of 17,380 gpd for use by the new homes in the Village View Reduced Scale Alternative Plan, which is a reduction from the anticipated 19,800 gpd for

the 45-Lot original Cluster Subdivision proposal presented in the DEIS. This figure is based on 32 four-bedroom single family dwellings and 10 three-bedroom two family dwellings with each bedroom discharging 110 gallons per day. The sanitary sewer discharge would be conveyed to the existing treatment plant thereby consuming a portion of the plant's available capacity. Discharge from the project would also be tributary to the existing Robin Brae pump station thereby placing additional stress on the pump station that is already in need of improvement.

Establishment of septic systems in a possible future development within the Town parcel require approvals from the Town of Warwick and Orange County Department of Health. Soil testing and septic designs would need to be prepared in accordance with NYS Department of Health Standards by a Licensed Professional Engineer. The placement of the septic systems would meet minimum separation distances from existing and proposed sources of drinking water as well as from surface water features and property lines. It is estimated that for each proposed four-bedroom home the septic system would be required to demonstrate that it would be capable of treating 440 gpd of wastewater. Soils present at the site (predominately Mardin) are generally suitable for the establishment of septic systems. Based on the forgoing there are no significant environmental impacts associated with the proper design and installation of individual sewage disposal systems on possible future lots in the Town.

### **3.0 Proposed Mitigation**

The design and connections of the proposed residences to the Village's existing sewer system is subject to review and approval by the Village of Warwick, Orange County Department of Health, and the New York Department of Environmental Conservation. As discussed in the **DEIS on page 40**, the proposed sewers within the project will all be gravity fed into an existing main located in Woodside Drive. All connections and designs would be in accordance with applicable regulatory and engineering standards. An analysis of the gravity sewer system by the project engineer indicates that satisfactory capacity is available to serve the sewer needs of the homes that will be constructed on the site. Sanitary waste will discharge into the Village's existing sewage treatment plant which also has available capacity. No other mitigation is required with regard to the proposed Village View gravity sewers, existing Village of Warwick gravity sewers in the area of the project or the Village's treatment plant.

With regard to the Robin Brae pump station, the Village of Warwick is considering four possible improvement scenarios and has asked the applicant to analyze them. These scenarios include: the installation of a new pump station at the Robin Brae location, installation of new gravity sewer main through private property to Colonial Avenue, installation of a new gravity sewer main along NYS Route 17A, and construction of a new sewer pump station in the area of Woodside Drive and Locust street to minimize existing and future loads at Robin Brae.

For scenario one, the Village Engineer solicited an estimate for a complete replacement of the Robin Brae pump station with a package type pump station capable of meeting existing and future demands. The estimated material cost quoted to the Village Engineer for the complete

pump station package is \$175,000 excluding installation costs and costs associated with removal of the old pump station. Based on an inquiry with a reputable Orange County, NY based contractor familiar with municipal pumping stations, the installation and removal costs are estimated to be an additional \$75,000 resulting in a total scenario cost of \$250,000.

Scenario two analyzes the feasibility of installing a new gravity sewer main from the Robin Brae pump station south, through private property, to an existing sewer line within Colonial Avenue. Existing village sewer mapping was reviewed and the existing sewer manhole locations were surveyed and sewer invert elevations measured. A conceptual sewer route has been drawn and is depicted on **Figure 8B**. A possible gravity sewer connection would include the installation of approximately 1,300 linear feet of sewer main through two parcels of land that are currently privately owned. Easements or fee ownership would need to be acquired to complete this scenario. Based on the existing elevations at the Robin Brae pump station and the existing manhole in Colonial Avenue, installation of a gravity sewer line is technically feasible. A review of available FEMA floodplain mapping and National Wetland Inventory mapping indicate that there are no obstacles with regard to these two features. The sewer main would result in multiple crossings of a Class C(t) tributary stream to Wawayanda Creek. Based on an inquiry with a reputable Orange County based contractor familiar with the installation of municipal sewer mains, the installation of sewer main through unimproved land is approximately \$65 per linear foot resulting in an estimated cost of sewer main improvements equal to \$85,000. Scenario two would result in the complete elimination of the Robin Brae pump station at an additional cost of approximately \$15,000. The cost of obtaining property rights from the two private property owners is unknown.

Scenario three analyzes the feasibility of running a new gravity sewer main from the low point of the existing gravity sewer main under NYS Route 17A, just north of Robin Brae Drive, at existing Village manhole #1397, south for a distance of approximately 1250 linear feet to another existing manhole located in New York State Route 17A identified as Village manhole #2026. The new line would be completely installed within the New York State Route 17A right of way. Either the existing residences and their corresponding residential sewer service connections would be reconnected to the new sewer main or a new parallel main could possibly be installed if right of way space allows. Existing water service and gas connections would also need to be avoided. As with scenario two, the rim elevations of existing manholes were surveyed in the field and invert elevations measured. Based on the elevation data it appears that a gravity sewer connection is feasible. To maintain a positive slope portions of the new sewer will be approximately 15 ft deep. Based on the Contractor inquiry; work within the state right of way, the need to reconnect existing utilities and remove the old sewer line, and the increased depth of the main would add approximately \$20 per linear foot to the base price of \$65 per foot used in scenario two. The resulting total project cost is estimated to be \$106,250. In this scenario the Robin Brae pump station would still be needed but the demands placed on it would be reduced from the 137 existing dwellings plus 42 new dwellings to less than 10 existing homes. Given this substantial decrease in demand the existing pump station may be adequate without the need for improvements.



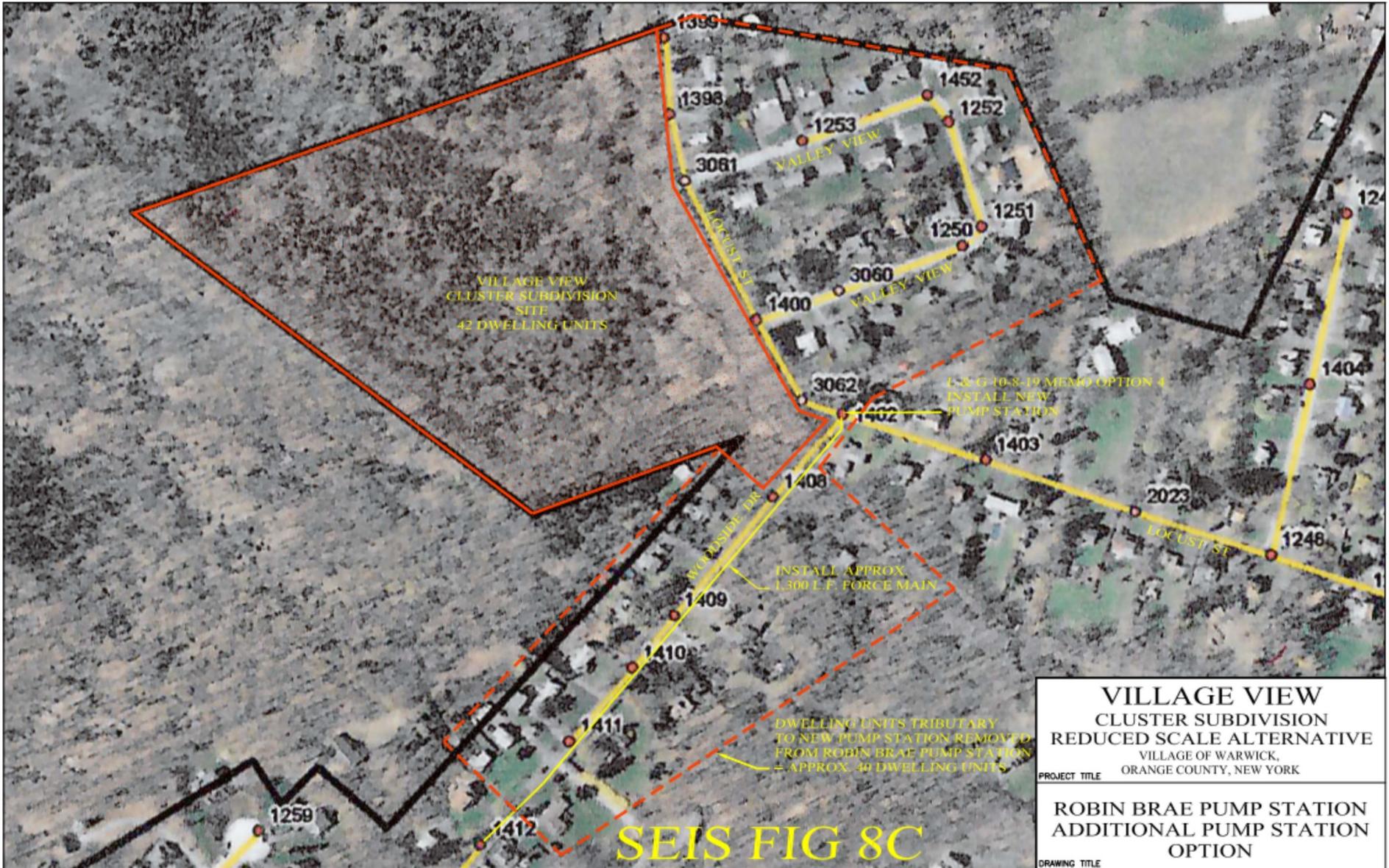
**VILLAGE VIEW**  
**CLUSTER SUBDIVISION**  
**REDUCED SCALE ALTERNATIVE**  
 VILLAGE OF WARWICK,  
 ORANGE COUNTY, NEW YORK

**ROBIN BRAE PUMP STATION**  
**GRAVITY SEWER OPTIONS**

PROJECT TITLE

DRAWING TITLE

SCALE: 1" = 150'



Scenario four analyzes the feasibility of installing a new pump station in the area of Woodside Drive and Locust Street. Based on a review of Village sewer mapping it appears that the installation of a pump station in this general location could divert approximately 40 existing dwelling units away from the Robin Brae pump station. The presumed service area is identified in **Figure 8C on the previous page**. Upon full build out of the 42 Village View units, a total of 179 dwelling units will be located within the existing Robin Brae pump station service area. Diverting 82 units from Robin Brey via a new pump station would result in Robin Brae still receiving flows from approximately 97 homes. The cost of installing a new pump station in the area of Woodside and Locust is estimated to be \$225,000. In this scenario it is likely that the given the number of homes that would still be tributary to Robin Brae the pump station would still be in need of improvement. Furthermore, in this scenario the Village would then own and operate an additional pumping station.

Village View has indicated, as a condition of the approved 28 lot subdivision plan, that they are willing to make a fair share contribution to the Robin Brae pump station improvements. Village View continues to be willing to make a fair share contribution to the Robin Brae improvements to mitigate for potential impacts to the pump station from the proposed Reduced Scale Cluster Subdivision Alternative.

## **D. Water Supply**

### **1.0 Existing Conditions**

As described in the **DEIS under Section III-B, Water Resources**, the Village of Warwick is located within an area well suited to providing high yielding wells that support its future water needs. The Village's Water System has the capacity to treat 1,000,000 gallons per day for Well #2, which is the primary source of water for this property. There are two other wells that are in reserve as backup, and two reservoirs that can feed treated water into the water system as needed. The Village of Warwick provided an average of 647,123 gpd of treated water to the residents in 2017.<sup>3</sup>

Residences in the Town that would potentially be part of a future subdivision request are required to establish individual wells for potable water use. Wells established on the properties developed within the Town would be required to demonstrate that they would be able to serve the residential uses. There are no current arrangements with the Village to extend water service to the properties that will be developed within the Town.

### **2.0 Anticipated Impacts**

As disclosed in the **DEIS on page 41**, The 45-lot original Cluster Subdivision required 19,800 gpd of potable water to serve the needs of the residents. The Reduced Scale Alternative requires

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<sup>3</sup> Annual Drinking Water Quality Report for 2017. Accessed online at the Village of Warwick Website on 5/30/2018 at <http://villageofwarwick.org>

17,380 gpd of water. Individual hookups will be provided via an expansion of the system from existing water mains located on Locust Street or Woodland Drive. The lines will generally be located within the right of ways of the roads serving the homes. All new lines and connections will be subject to review by the Village and the Orange County Health Department prior to final design and being placed into service. A booster pump station will serve the Village View development to bring pressures to acceptable levels for the homes located in the higher elevations of the development.

The individual wells established in the Town would be in accordance with the Orange County Health Department Standards for private water wells. Each well would be required to meet minimum setbacks from possible sources of contamination. Wells will also need to demonstrate a continuous yield of five gallons per minute or, in the alternative, a minimum continuous yield of two gallons per minute if one full day of water storage is provided within the well bore between the static water level and well bottom. As a part of the realty subdivision approval of any future development, the Orange County Department of Health will require that a minimum of one well for every 10 proposed lots be drilled and tested for both capacity and water quality prior to approval of the subdivision plans.

### **3.0 Proposed Mitigation**

No other mitigation is required or proposed.

## **E. Stormwater Management**

### **1.0 Existing Conditions**

**As stated in the DEIS in Section III-E, Stormwater Management on page 41,** The drainage from the property currently flows from the Northwest corner of the property and travels toward the lowest point on the site to an onsite creek and wetlands. Village View lies entirely within the Wawayanda Creek watershed which is part of the Wallkill River Sub Basin and ultimately tributary to the Lower Hudson River drainage basin. The site and lands upstream of it are the headwaters of an unnamed Class C(t) tributary to Wawayanda Creek, identified as Index #H139-13-61-9-21-1, which flows to the south under Woodside Drive via an eight-foot-wide by four-foot-high reinforced concrete box culvert. For the purposes of storm water quantity, this box culvert was taken as the point of analysis. The stream continues its course to the south and east to eventually be piped under NYS Route 17A before discharging into Wawayanda Creek.

The site is currently vacant land and is entirely brush and woodland except for the stream and associated wetlands which lie parallel to the stream edge. The Federal Jurisdictional wetlands and stream sit in the northern portions of the property, adjacent to Locust Street. The wetlands have been delineated by Robert Torgersen, LA and a jurisdictional determination received from the US Army Corps of Engineers. Vegetation on the property is taken to be in good hydrologic

condition. The property was formerly used as an agricultural property. In consideration of this there is no old growth woodland present at the site.

The highest elevations of the Village portion of the site lie at approximate elevation 820 feet in the western extremities with the lowest extremities being at approximately 630 feet where the stream discharges under Woodside Drive. The site can be generally described as moderately sloping with the majority of the terrain being sloped at 10% to 15%. A few pockets of steeper slopes are spread throughout the site with steep slopes also being found adjacent to Locust Ave.

The project is not tributary to a Total Maximum Daily Load (TMDL) watershed or 303d impaired water body. There are no flood areas or floodplains on the property based on a review of FEMA mapping. Soils on the site were found to be predominantly Mardin type soil of Hydrologic Soil Group D. The entire site is within a single drainage basin that extends beyond the property to the north. The total upstream acreage tributary to the existing culvert at Woodside Drive is found to be approximately 137.5 acres.

## **2.0 Anticipated Impacts**

Potential impacts due to storm water run-off include soil erosion during site construction and the introduction of pollutants such as garbage, construction debris, chemicals and sediments from roof tops, roadways, construction equipment and people. The storm water management plan also addresses potential downstream impacts, such as flooding and channel erosion, caused by the conversion of natural, vegetated areas to impervious surfaces which results in increased rates of run-off.

Overall, stormwater volumes associated with the construction of the Reduced Scale Alternative is a reduction from the stormwater volumes associated with the 45-Lot Cluster Subdivision because there is less overall disturbance with this plan and more natural open space preserved. Wetlands and the stream on the property are left undisturbed with larger buffers, which helps maintain the natural drainage patterns. Linear road length within the Village has also been reduced, although there is a need for a longer road to be created through the town to serve the subdivision. However, if the road created within the Town is counted as part of the overall roads being created, it's important to account for the total 88 acres of land in the project (Town and Village Parcel) and note that the proposed Town road will also serve the future town subdivision.

## **3.0 Proposed Mitigation**

The most significant mitigative factor related to impacts from storm water run-off is the design of the Reduced Scale Alternative plan. The Reduced Scale Alternative plan leaves 44% of the property as open space, places development of the least sensitive slopes to the latest extent practical, completely avoids disturbance to the wetlands and steam corridor all which reducing the overall length of roads needed for development of both the Village and Town parcels thereby reducing the amount of impervious area.

A Storm Water Pollution Prevention Plan (SWPPP) has also been prepared for the Reduced Scale Alternative. This SWPPP will further help to minimize potential impacts to the water shed from the development. Stormwater quantity management, run-off reduction, storm water quality control measures and erosion control measures will be implemented in conformance with the NYS Stormwater Design Manual, (Jan. 2015 ed.), the NYS Standards for Erosion and Sediment Control, (Nov. 2016 ed.), and SPDES permit GP-0-15-002 criteria.

Stormwater Management is to be accomplished via an open and closed storm drain infrastructure. The conveyance mechanisms will convey storm water runoff towards multiple run-off reduction-water quality practices. Attenuation of peak run off rates to 10% below the existing peak run-off rates, as required by Village of Warwick Code, will be accomplished by means of multiple dry type detention ponds. Upon treatment for water quality and detention of peak flow rates, storm water run-off will continue its existing course of drainage toward the Wawayanda Creek.

Erosion control will be implemented via means of temporary and permanent erosion control measures. Erosion control features will be installed prior to the start of construction activities. Construction shall be performed in phases with no more than five acres of the site disturbed at any one time. The design and placement of the erosion control practices can be found on the Erosion Control Plan sheets of the Reduced Scale Alternative drawings with associated construction details being found on in the Erosion Control Details sheets.

By implementing the above best management practices, storm water quality and quantity objectives will meet or exceed those required by the New York State SPDES Permit. Reducing the rate of run-off to 10% below existing conditions will also satisfy the storm water run-off objectives set forth by the Village of Warwick. The SWPPP report can be found in **Appendix F of this DEIS**. The SWPPP has more detailed discussion of pre and post developed drainage impacts and proposed mitigation measures.

## **F. Flora and Fauna**

### **1.0 Existing Conditions**

**DEIS in Section F, Flora and Fauna starting on page 44**, describes the onsite habitat of the Village and Town Properties. The habitat is best characterized as successional farmland, which has been stripped of its original vegetation for farming, then allowed to regrow. This type of habitat is typical for this area, and the species on the site are generally common species that have adapted to urban areas. Because the site was stripped of its natural vegetation, regrowth is not as diverse, and non-native and invasive species dominate portions of the site. The area with the most value on the site in terms of habitat is the area surrounding the unnamed stream and the wetlands.

The original study included an inventory of plants and animals surveyed in 2005. The ecologist for this project re-examined the site and confirmed that the site habitat was the same as what was described in the 2005 study. However, new policy adopted by New York State focuses more on preservation of quality habitat known to be suitable to threatened and endangered species rather than defining habitat by types of species found during an ecological survey. The policy and its origin are also summarized in the **DEIS**. The most recent report prepared by the project ecologist can be found in **Appendix C of this SEIS**.

According to the New York State Department of Environmental Conservation, the project is potentially located near an area native to the New York State endangered Indiana bat (*Myotis sodalis*) and Northern long-eared bat (*Myotis septentrionalis*). Both species are protected under state law, and potential habitat requires protection or consideration so that natural roosting and nesting habits are undisturbed.

## **2.0 Anticipated Impacts**

Construction of the property will require the removal of approximately 60 percent of the successional habitats on the site in the Village, with some additional clearing for the roads and stormwater basins situated in the Town. Housing, driveways, and access roads would be constructed in the cleared portions of the site and these areas would no longer be available for habitat for the local wildlife. When compared to the original 45-lot Cluster Subdivision Plan, the reduced scale plan provides for more conservation areas on the property. These conserved areas will continue to support local flora and fauna. Most of the 7.8 acres of wooded areas on the Village property would remain intact with only select cutting of trees to establish site distances along the roadways. Trees removal would be removed in accordance with applicable NYS DEC regulations.

The project ecologist recommended that any tree clearing be conducted between December – March. This will ensure that trees that may be attractive to bats for summer roosts and nurseries for young would not be disturbed when they would be active on the property. The project ecologist found no evidence of roosts on the property when he examined it, however, there are trees present that could potentially be suitable for roosting habitat.

## **3.0 Proposed Mitigation**

The Reduced Scale Alternative Plan preserves more open conservation space than the 45-lot Cluster Subdivision Plan thereby better protecting the wetlands and stream that are present on the property. Preservation of these features will allow for the natural systems to better protect the quality of water flowing through the site toward Wawayanda Creek while also allowing spaces for wildlife to find sources of food, water and shelter.

No wetlands disturbance or stream crossings are required for the Reduced Scale Alternative plan and a 100-foot wetland buffer is maintained. The Village of Warwick zoning code (Section 145.29 of the Village Zoning Code) requires that a minimum of 20% of the land to be set aside as open space. The 45-Lot Cluster Subdivision discussed in the DEIS planned to conserve approximately

30% of the property, and the 28-lot approved subdivision only preserved 2.8 acres of the Village Property, or approximately 13% of the property, and it requires disturbance to the wetlands and stream in two road crossing locations while having some areas of no buffers between the wetlands and the residential properties. The Reduced Scale Alternative plan provides for approximately 46% of the land located within the Village limits to be preserved as permanent open space.

Development on the Town property would only be for the road and stormwater management facilities. As such there is no immediate impact on a significant portion of the approximate 80-acre Town site. If developed at some point in the future, the clustering provisions in the Town zoning regulations would promote the further creation of at least 50% of the Town parcel being preserved as permanent open space.

Further mitigation will be provided through the planting of native species of trees and shrubs sedges. Over 140 street trees consisting of Maple, Honey Locust and Linden will be planted along the proposed access roads. Hundreds more Maples, Dogwoods and sedges will be planted in the Bio-Retention areas and stormwater management ponds. The planting of native vegetative species will promote the return of lands to their natural vegetative state prior to clearing for prior agricultural activities.

## **G. Traffic**

### **1.0 Introduction**

The traffic report that appeared in the **DEIS under Section III-G** was prepared by Creighton and Manning, LLP. **(See Page 49-63 of the DEIS)**. This initial report and the supporting analysis are found in the **DEIS under Appendix G**. This analysis includes a description of the roads adjacent to the site, their conditions, and provides an analysis of the traffic conditions before and after construction of the 45-Lot Cluster Subdivision. It also included potential traffic generated with the development of the adjacent Town Lot owned by the applicant. The study concluded that there was sufficient capacity in the road system to manage traffic coming from the site if it were to be developed with the 45-lot Cluster Subdivision.

This analysis was updated to take into consideration of the change in the planned access points of the proposed Reduced Scale Alternative, and to update the number of units to 42 from the Village View site. It includes the potential traffic that could be created in the Town if the Town property was subdivided in accordance with its zoning provisions for 25 new residential units.

For the 45-lot Cluster Subdivision, access was proposed via one full access roadway located on Locust Street approximately 1,000 feet north of Woodside Drive and an additional access road on Woodside Drive located approximately 250 feet south of Locust Street. This has changed in the Reduced Scale Alternative to eliminate that access on Locust Street to an access point about

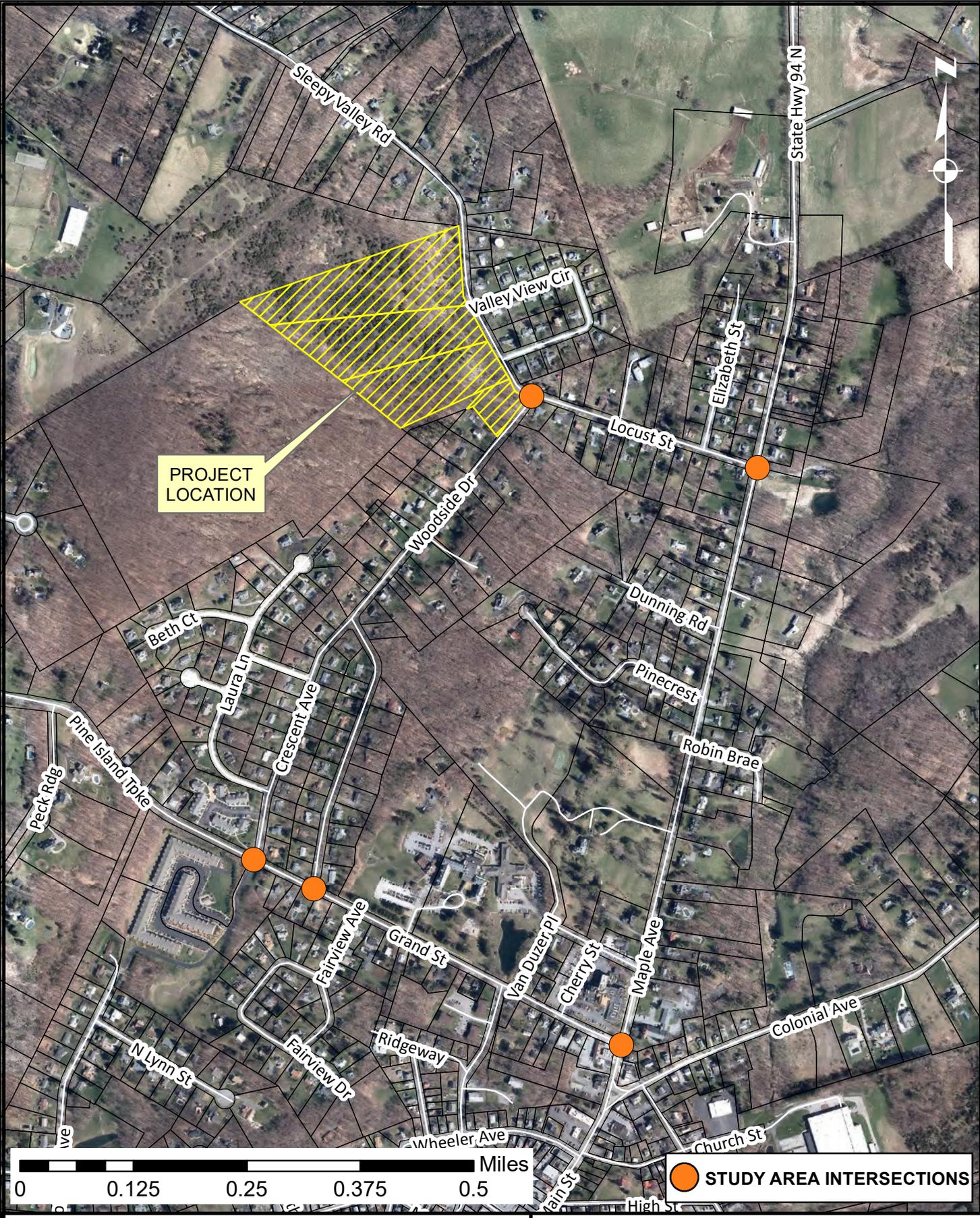
700 feet north of the original access on Locust that would be created on the applicant's property holding within the Town. **(See SEIS Figures 1 and 3 in Section 1 of this document).**

This study compares the 28-lot subdivision request with the Reduced Scale Alternative Request in terms of potential traffic generation and impact on area roads, and is provided in its entirety, with exception of minor edits to table and heading numbering.

## **2.0 Project Description**

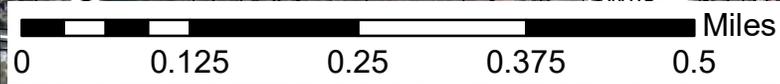
The project includes the construction of a residential subdivision with 42 homes on a site previously approved for 28 units. Access to the site is proposed via one full access roadway that will extend into the Town of Warwick on property owned by the applicant to Sleepy Valley Road approximately 0.4 miles north of Woodside Drive, and an additional access road on Woodside Drive located approximately 250 feet south of Locust Street in the Village of Warwick. The proposed project is expected to be completed and fully occupied in 2021. The study area is shown in SEIS Figure 9.

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PROJECT LOCATION

STUDY AREA INTERSECTIONS



PROJECT LOCATION

VILLAGE VIEW SUBDIVISION  
VILLAGE OF WARWICK, NEW YORK



PROJECT: 118-010	DATE: 6/2019	SEIS FIGURE 9
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### 3.0 Existing Conditions

#### Roadways Serving the Site

Sleepy Valley Road is a local road that runs primarily in an east-west fashion from NY Route 17A/94 (as Locust Street in the Village) to West Ridge Road in the Town of Warwick. Sleepy Valley Road is a two-lane road with one 10 to 11-foot wide travel lane in each direction and no paved shoulders. There are no sidewalks on this section of Sleepy Valley Road and the posted speed limit is 25-mph in the Village as Locust Street, 30 mph in the Town. The pavement condition is generally good in the vicinity of the site with minor edge cracking and longitudinal cracking.

Woodside Drive is an urban local street traveling in a north-south direction between Grand Street (CR-1) and Locust Street. In the project vicinity, Woodside Drive is a two-lane street with one 12-foot wide travel lane in each direction and no paved shoulders. No sidewalks are provided on Woodside Drive and the posted speed limit is 25-mph. The pavement condition on Woodside Drive is generally good in the vicinity of the site with minor edge cracking and longitudinal cracking.

#### Study Area Intersection

The Locust Street/Woodside Drive intersection is a three-leg intersection operating under stop control on all approaches. A single lane is provided on all approaches for shared travel movements. No sidewalks or crosswalks are provided.

The Locust Street/NY Route 17A/94 (Maple Avenue) intersection is a three-leg intersection operating under stop control on the eastbound Locust Street approach. A single lane is provided on all approaches for shared travel movements. No sidewalks or crosswalks are provided.

The Grand Street (CR-1)/NY Route 17A/94 (Maple Avenue) intersection is a three-leg intersection operating under stop control on the eastbound Grand Street (CR-1) approach. A single lane is provided on all approaches for shared travel movements. Sidewalks are provided on both sides of NY Route 17A/94 (Maple Avenue) as well as the south side of Grand Street (CR-1). A marked crosswalk with curb ramps and detectable warning is provided across Grand Street (CR-1); there are no accommodations to cross NY Route 17A/94 (Maple Avenue).

The Grand Street (CR-1)/Woodside Drive intersection is a three-leg intersection controlled by a stop sign on the Woodside Drive approach. A single lane is provided on all approaches for shared travel movements. A sidewalk is provided on the north side of Grand Street (CR-1) with a marked crosswalk across the Woodside Drive approach.

The Grand Street (CR-1)/Crescent Avenue intersection is a four-leg intersection operating under all way stop control. A single lane is provided on all approaches for shared travel movements. Sidewalks are provided on the west side of Crescent Avenue and north side of Grand Street (CR-1). A marked crosswalk is present across the west leg of the intersection, but we believe the north leg also had a marked crosswalk at one time but has since worn away.

## Transit

Transit service in the study area is provided by the Town of Warwick which provides a local shuttle bus through the Town including the Villages of Warwick, Florida, Greenwood Lake, and Pine Island. Service is available seven days a week with three to five shuttle trips per day.

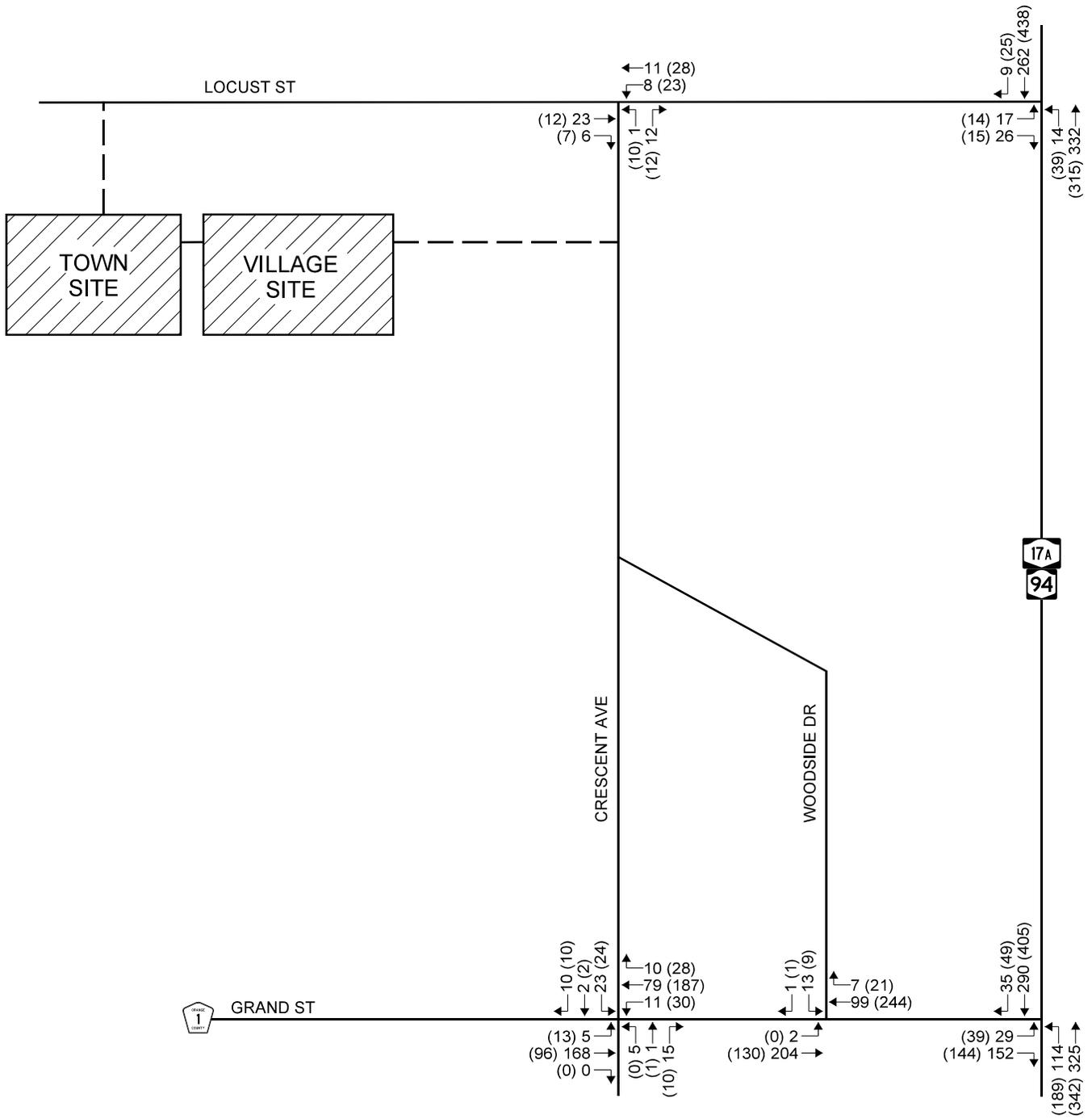
## Data Collection

Turning movement counts were conducted at the study area intersections on Thursday January 25, 2018 and Thursday February 1, 2018 during the morning peak period from 7:00 to 9:00 a.m. and on Wednesday January 24, 2018 and Thursday February 1, 2018 during the afternoon peak period from 4:00 to 6:00 p.m. which coincides with peak operating conditions of the site and adjacent street traffic. The raw turning movement count data is included under Attachment B. The existing peak hour traffic volumes are shown on **SEIS Figure 10** and form the basis for all traffic forecasts.

## Accident Analysis

Accident data was requested from NYSDOT to determine accident trends at the study area intersections and on the roadway segments within the study area. Accident summaries and details were provided by the NYSDOT Safety and Information Management System for the latest five years of available data from the period between September 1, 2012 and August 31, 2017 and are included in Attachment C. The accidents were reviewed to quantify the number of accidents and identify any abnormal accident patterns or concentrations. The predominant accident types for the study area intersection and roadway segments are summarized in **SEIS Table 3**.

As shown in the table, there were 126 total accidents within the study area, most of which occurred on NY Route 17A/94 given the higher traffic volumes. Rear end collisions were the predominant collision type, accounting for 44 of the 126 crashes (35%) with driver inattention and following too closely being the common contributing factors. There were five pedestrian crashes in the study area of which three occurred on NY Route 17A/94 (Maple Avenue), two on Grand Street (CR-1). There was one fatal crash in the study area, which occurred on Grand Street west of Van Duzer Place, presumably at or near the mid-block crossing, due to the driver's failure to yield the right of way. In the other cases, failure to yield on the part of the driver was cited in two cases, while pedestrian's error/confusion was cited in the remaining two cases.



AM PEAK HOUR (PM PEAK HOUR)

SEIS FIGURE 10

2018 EXISTING TRAFFIC VOLUMES

VILLAGE VIEW SUBDIVISION VILLAGE OF WARWICK ORANGE COUNTY, NEW YORK



PROJECT: 118-010 DATE: 06/2019

**SEIS Table 3 – Accident Location and Type**

Intersections and Segments	Collision Severity				Collision Type									
	Non-Reportable	Property Damage	Injury	Fatality	Rear-End	Right Angle	Left Turn	Right Turn	Head On	Overtaking/Sideswipe	Fixed Object/Animal	Pedestrian	Other	Total
<i>Locust Street/Woodside Drive Intersection</i>	0	1	1	0	0	0	0	0	0	1	1	0	0	2
Locust Street – Rt 17A/94 to Fern Place	0	0	1	0	0	0	0	0	0	0	1	0	0	1
<i>Locust Street/NY Route 17A/94 Intersection</i>	1	4	1	0	2	1	0	0	0	1	2	0	0	6
NY Route 17A/94 – Locust St to Grand St	11	44	16	0	26	7	6	3	1	11	12	3	2	71
<i>Grand Street (CR-1)/NY Route 17A/94 Intersection</i>	5	17	3	0	12	5	1	0	0	5	1	0	1	25
Grand Street – Rt 17A/94 to Crescent Ave	5	4	2	1	3	0	1	0	0	2	3	1	2	12
<i>Grand Street (CR-1)/Woodside Drive Intersection</i>	2	0	1	0	1	0	0	0	0	0	2	0	0	3
<i>Grand Street (CR-1)/Crescent Avenue Intersection</i>	0	2	1	0	0	0	0	0	0	0	1	1	1	3
Woodside Drive Locust St to Grand St	1	2	0	0	0	0	0	0	0	1	1	0	1	3
<b>Total</b>	<b>25</b>	<b>74</b>	<b>26</b>	<b>1</b>	<b>44</b>	<b>13</b>	<b>8</b>	<b>3</b>	<b>1</b>	<b>21</b>	<b>24</b>	<b>5</b>	<b>7</b>	<b>126</b>

#### 4.0 Traffic Assessment (Anticipated Impacts)

##### Trip Generation

Trip generation determines the quantity of traffic expected to travel to and from a given site. The Institute of Transportation Engineers’ (ITE) *Trip Generation*, 10<sup>th</sup> Edition, is the industry standard used for estimating trip generation for proposed land uses based on data collected at similar uses. The trip generation for the proposed project was estimated using land use code (LUC) 210 for Single Family Detached Housing. **SEIS Table 4** summarizes the trip generation estimate for the AM and PM peak hours. It is noted that the site received approval for construction of 28 units in 2008. The estimated trip generation has been included in **SEIS Table 4** for comparison purposes.

**SEIS Table 4 –Trip Generation Summary**

Land Use	LUC	AM Peak Hour			PM Peak Hour		
		Enter	Exit	Total	Enter	Exit	Total
Approved Village View Subdivision – 28 Units	210	6	19	25	19	11	30
<b>Proposed Village View Subdivision – 42 Units</b>	<b>210</b>	<b>9</b>	<b>26</b>	<b>35</b>	<b>28</b>	<b>16</b>	<b>44</b>
<b>Net Increase</b>		<b>+3</b>	<b>+7</b>	<b>+10</b>	<b>+9</b>	<b>+5</b>	<b>+14</b>

**SEIS Table 4** shows that the site will generate 35 new trips during the AM peak hour (9 entering and 26 exiting) and 44 new trips during the PM peak hour (28 entering and 16 exiting). When compared to the approved 28-unit subdivision, this equates to 10 additional trips during the AM peak hour and 14 additional trips during the PM peak hour.

Further, this magnitude of traffic is less than the NYSDOT and ITE threshold of 100 site generated vehicles on any one approach for off-site intersection analysis. This guidance was developed as a tool to identify locations where the magnitude of traffic generated has the potential to impact operations at off-site intersections and screen out locations from requiring detailed analysis that do not reach the 100-vehicle threshold and are unlikely to require mitigation. Although the trip generation is well below the NYSDOT and ITE threshold, the detailed traffic evaluation for this project included the above five study area intersections in addition to the proposed site roadway intersections.

Future Traffic Volumes

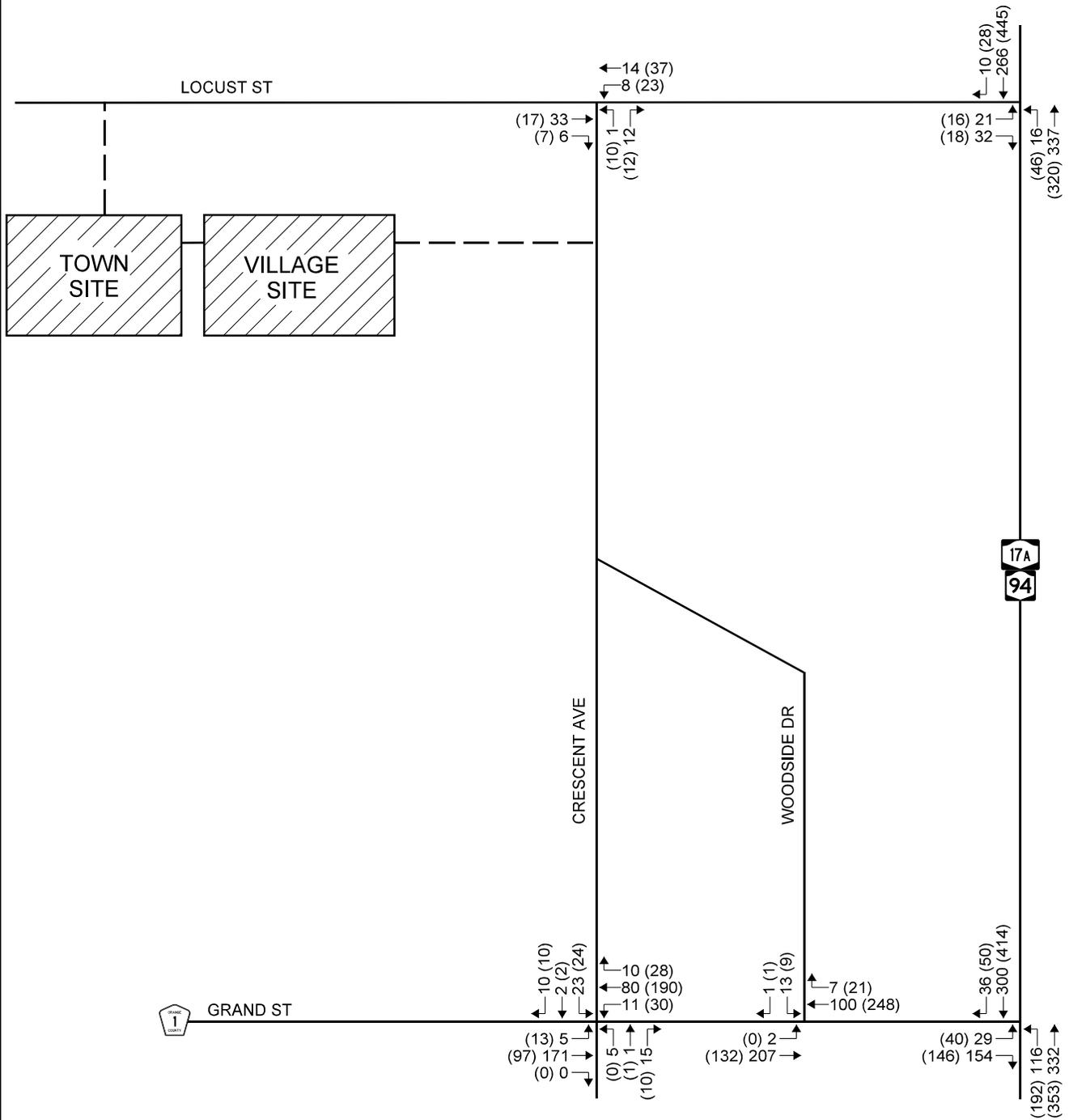
To evaluate the impact of the proposed development, traffic projections were prepared for the expected year of completion. Full build-out of the project is expected in the year 2021. Traffic volume data from the 2005 John Collins Engineers, P.C. report prepared for the original *Village View* subdivision, was compared to the 2018 existing traffic volumes at the study area intersections. The data indicates that traffic volumes at the Grand Street (CR-1)/NY Route 17A/94 (Maple Avenue) intersection have increased by 1.0% per year during the AM peak hour and decreased by 1.3% per year during the PM peak hour, an average decrease of 0.2%. Volumes at the Locust Street/NY Route 17A/94 (Maple Ave) intersection have increased by 0.37% per year during the AM peak hour and decreased by 0.53% per year during the PM peak hour, average decrease of 0.1%. To provide a conservative estimate, traffic projections were prepared for the anticipated year of completion (2021) by applying a ½ percent per year growth rate for three years to the 2018 existing traffic volumes.

In addition to general background traffic growth, vehicle trips associated with other developments in the project area were considered. Traffic volumes associated with a previously approved 16-unit residential subdivision (single family homes – Zadeh Drive) located south of the

W. Ridge Road/Sleepy Valley Road intersection were included in the future traffic volume projections. No other developments were noted by the Village or Town in this area.

The 2021 No-Build traffic volumes are shown on **SEIS Figure 11** and represent expected traffic volumes in 2021 without construction of the *Village View Subdivision*.

Traffic generated by the proposed project was distributed to the adjacent roadways based on existing observed travel patterns in the project area and probable travel routes for residents of the proposed development. Based on the existing regional travel patterns, it is expected that approximately 30 percent of the proposed development traffic will travel to and from the north on NY Route 17A/94 while approximately 50 percent will travel to and from the south on NY Route 17A/94. The remaining 20 percent of site generated traffic will travel to and from the west with 10 percent using Locust Street and 10 percent using Grand Street (CR-1). The trip distribution patterns and associated site-generated traffic volumes for the proposed development are shown on **SEIS Figures 12 and 13**. The site-generated trips were added to the 2021 No-Build traffic volumes, resulting in the 2021 Build traffic volumes for the weekday AM and PM peak hours (**SEIS Figure 14**).



AM PEAK HOUR (PM PEAK HOUR)

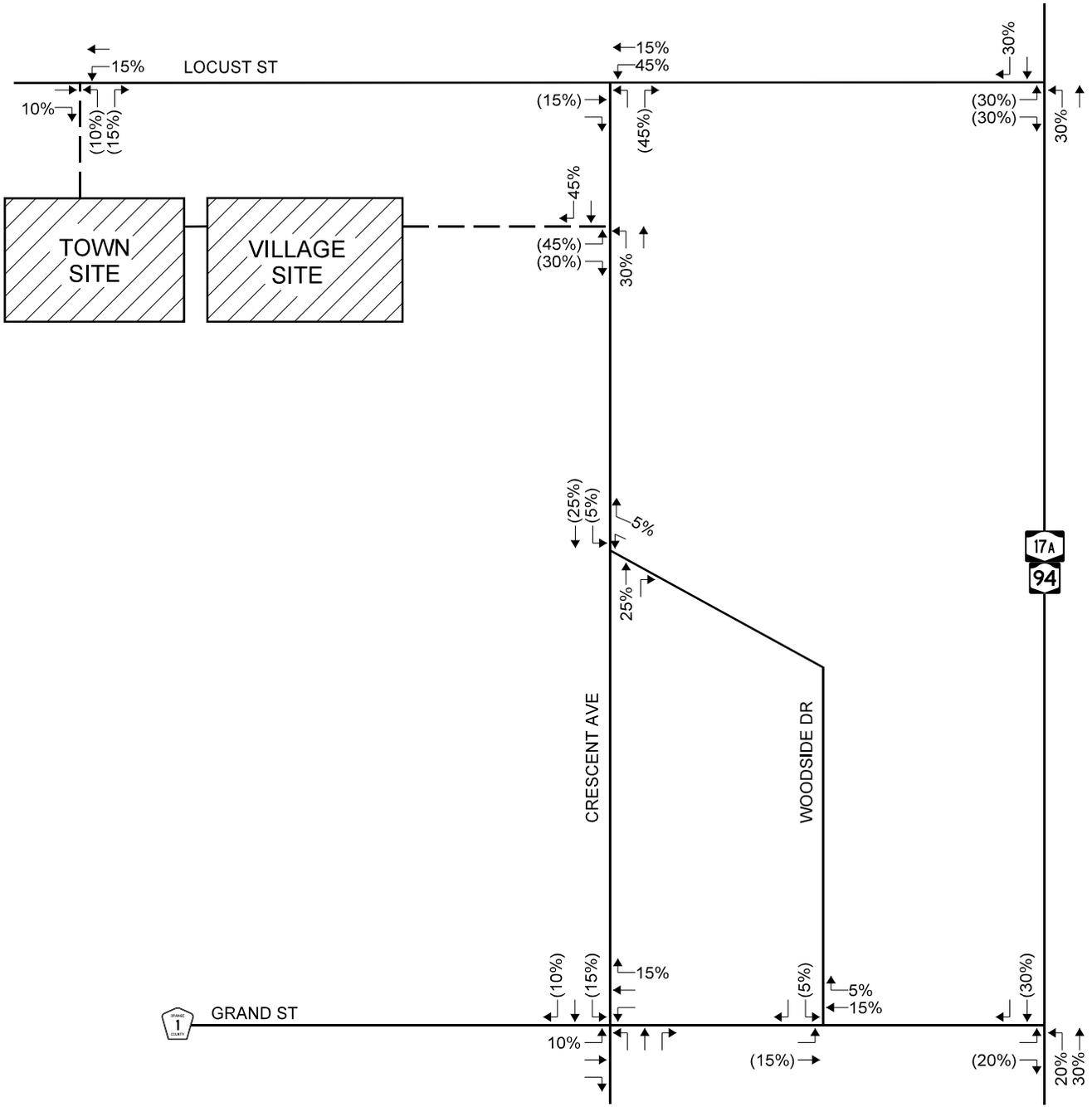
SEIS FIGURE 11

2021 NO-BUILD  
TRAFFIC VOLUMES

VILLAGE VIEW SUBDIVISION  
VILLAGE OF WARWICK  
ORANGE COUNTY, NEW YORK



PROJECT: 118-010 DATE: 06/2019



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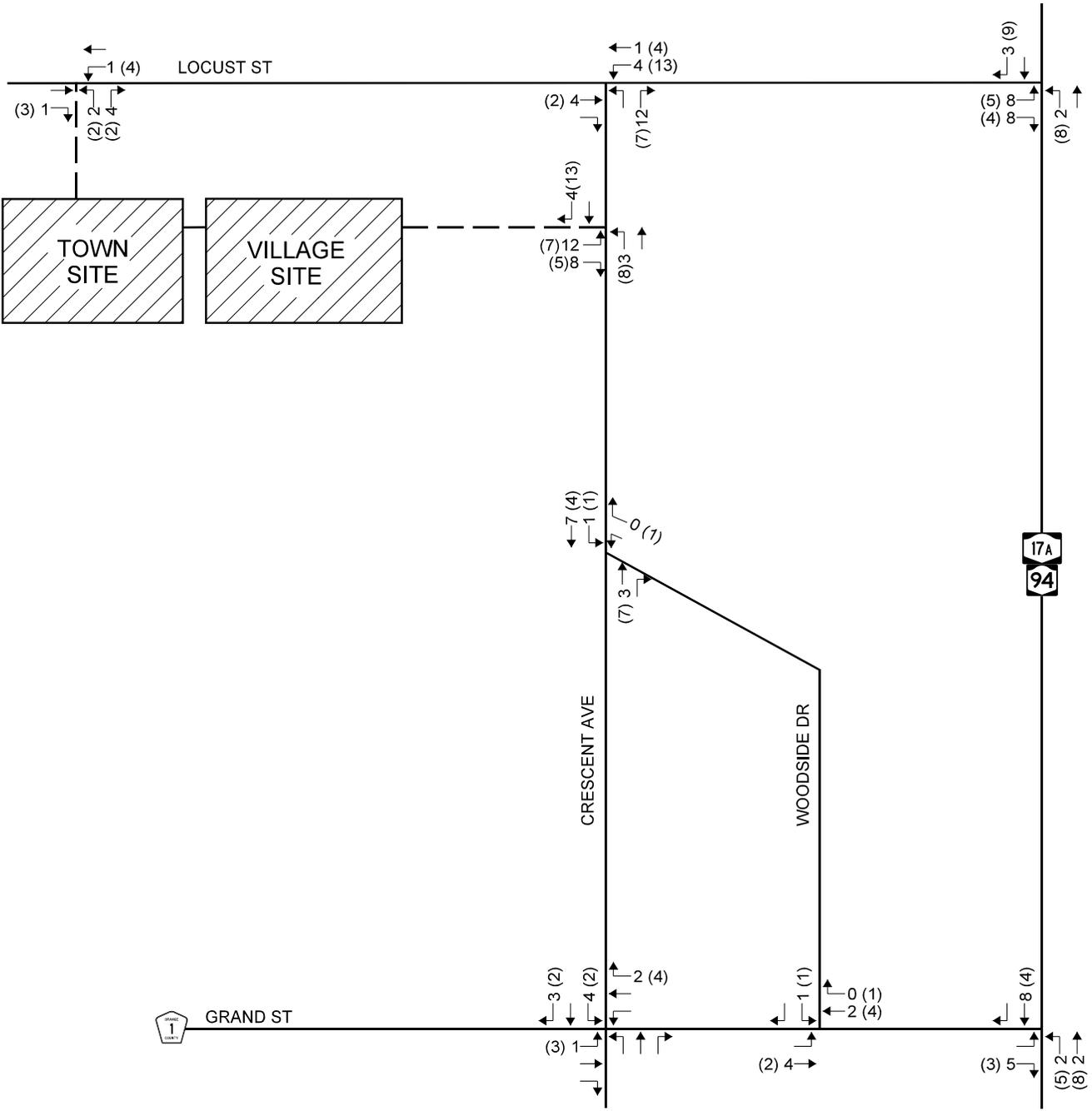
SEIS FIGURE 12

TRIP DISTRIBUTION

VILLAGE VIEW SUBDIVISION  
VILLAGE OF WARWICK  
ORANGE COUNTY, NEW YORK



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AM PEAK HOUR (PM PEAK HOUR)

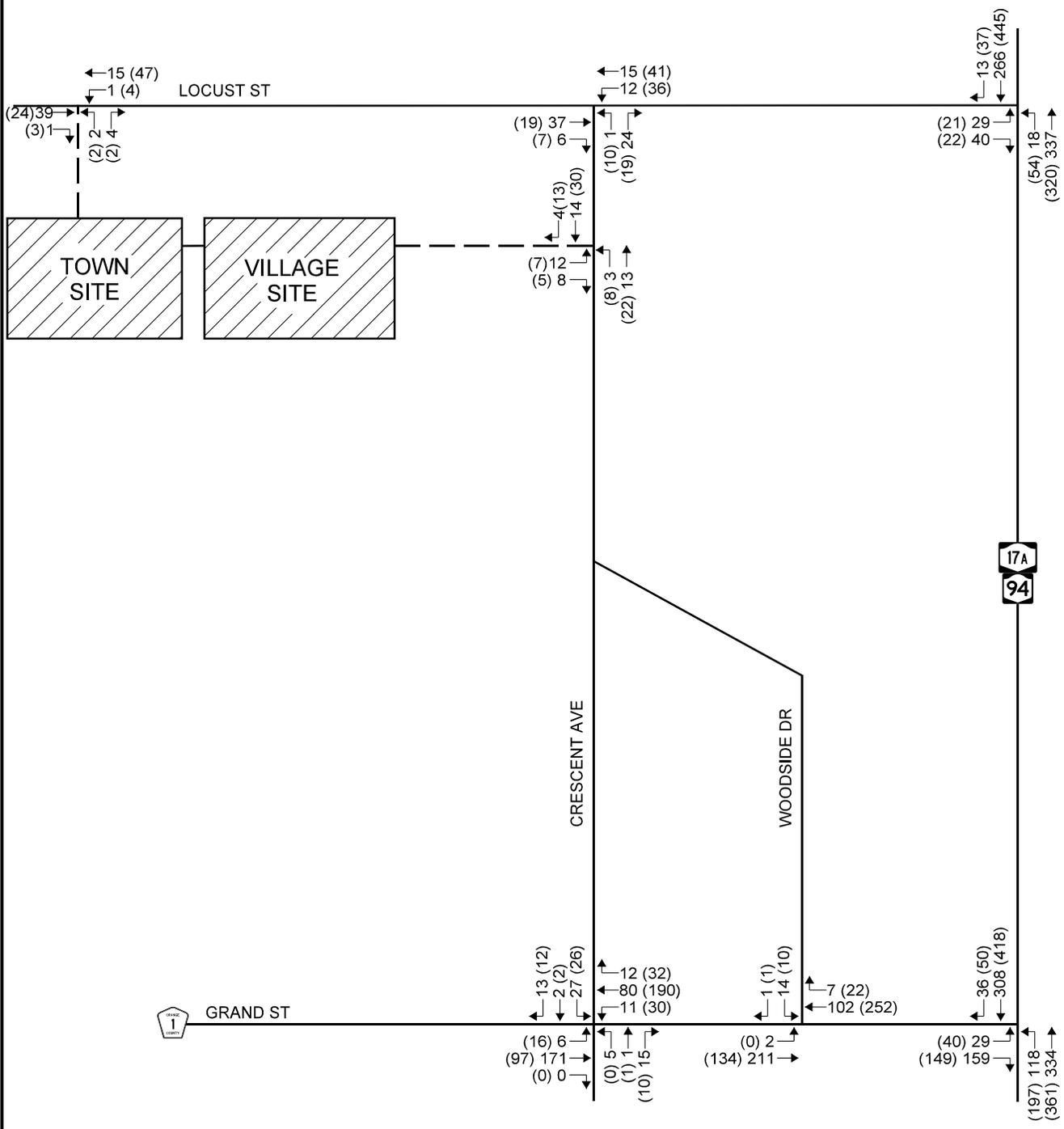
SEIS FIGURE 13

TRIP ASSIGNMENT

VILLAGE VIEW SUBDIVISION  
 VILLAGE OF WARWICK  
 ORANGE COUNTY, NEW YORK



PROJECT: 118-010 DATE: 06/2019



AM PEAK HOUR (PM PEAK HOUR)

SEIS FIGURE 14

2021 BUILD  
 TRAFFIC VOLUMES  
 VILLAGE VIEW SUBDIVISION  
 VILLAGE OF WARWICK  
 ORANGE COUNTY, NEW YORK



PROJECT: 118-010 DATE: 06/2019

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## Traffic Operations

Intersection Level of Service (LOS) and capacity analysis relate traffic volumes to the physical characteristics of an intersection. Intersection evaluations were made using Synchro Software Version 10 which automates the procedures contained in the *Highway Capacity Manual* (HCM-6<sup>th</sup> edition). **SEIS Table 5** summarizes the results of the level of service calculations for the proposed project. The detailed level of service analysis is included under Attachment D. **(Refer to traffic study located in Appendix D of this SEIS.)**

**Table 5– Level of Service Summary 2018 Existing, 2021 No Build and Build**

Intersection	Control	AM Peak Hour			PM Peak Hour		
		2018 Existing	2021 No-Build	2021 Build	2018 Existing	2021 No-Build	2021 Build
Locust Street/ Woodside Drive	U						
Locust Street EB TR		A (7.0)	A (7.1)	A (7.1)	A (6.9)	A (7.0)	A (7.1)
Locust Street WB LT		A (7.6)	A (7.6)	A (7.7)	A (7.4)	A (7.5)	A (7.6)
Woodside Drive NB LR		A (6.5)	A (6.6)	A (6.6)	A (7.2)	A (7.2)	A (7.2)
Locust Street/NY Route 17A/94 (Maple Avenue)	U						
Locust Street EB LR		B (11.1)	B (11.3)	B (11.7)	B (13.9)	B (14.3)	B (14.9)
NY Route 17A/94 NB LT		A (8.1)	A (8.1)	A (8.1)	A (8.6)	A (8.6)	A (8.7)
Grand Street (CR-1)/NY Route 17A/94	U						
Grand Street EB LR		C (16.3)	C (16.7)	C (17.2)	D (26.5)	D (28.7)	D (30.3)
NY Route 17A/94 NB LT		A (8.6)	A (8.6)	A (8.6)	A (9.1)	A (9.2)	A (9.2)
Grand Street (CR-1)/Woodside Drive	U						
Grand Street (CR-1) EB LT		A (7.4)	A (7.4)	A (7.4)	A (7.9)	A (7.9)	A (7.9)
Woodside Drive SB LR		B (10.6)	B (10.6)	B (10.7)	B (11.3)	B (11.3)	B (11.4)
Grand Street (CR-1)/Crescent Avenue	U						
Grand Street (CR-1) EB LTR		A (8.3)	A (8.3)	A (8.4)	A (8.0)	A (8.0)	A (8.1)
Grand Street (CR-1) WB LTR		A (8.2)	A (8.2)	A (8.2)	A (8.8)	A (8.8)	A (8.9)
Crescent Avenue NB LTR		A (7.7)	A (7.7)	A (7.7)	A (7.4)	A (7.4)	A (7.4)
Crescent Avenue SB LTR		A (7.9)	A (7.9)	A (8.0)	A (8.0)	A (8.0)	A (8.0)
Woodside Drive/Site Roadway	U						
Site Roadway EB LR				A (8.7)			A (8.9)
Woodside Drive NB LT				A (7.3)			A (7.3)
Sleepy Valley Road/Site Roadway	U						
Locust Street WB LT				A (7.3)			A (7.3)
Site Roadway NB LR				A (8.7)			A (8.8)

EB, WB, NB, SB = Eastbound, Westbound, Northbound, and Southbound intersection approaches

L, T, R = Left-turn, Through, and Right-turn movements

X (Y.Y) = Level of service (Average delay in seconds per vehicle)

The impact of the project can be described by comparing the analysis of the No-Build and Build operating conditions. The following observations are evident from this analysis:

- **Locust Street/Woodside Drive** – The level of service analysis indicates that all approaches will operate at LOS A through Build conditions during both peak hours with an increase in average delay of one second or less.
- **Locust Street/NY Route 17A/94 (Maple Avenue)** – The level of service analysis indicates

that the northbound NY Route 17A/94 (Maple Avenue) left turn movement will operate at LOS A and the eastbound Locust Street approach operates at LOS B through Build conditions during both peak hours with an increase in delay less than one second during both peak hours.

- Grand Street (CR-1)/NY Route 17A/94 (Maple Avenue) – The level of service analysis indicates that the northbound NY Route 17A/94 (Maple Avenue) left turn movement will operate at LOS A through Build conditions during both peak hours. The eastbound Grand Street (CR-1) approach currently operates at LOS C during the AM peak hour and LOS D during the PM peak hour. This approach will continue to operate at the same level of service through build conditions with an average increase in delay of two seconds or less as a result of the project.
- Grand Street (CR-1)/Woodside Drive – The level of service analysis indicates that the eastbound Grand Street (CR-1) left turn movement will operate at LOS A through build conditions during both peak hours. The southbound Woodside Drive approach will operate at LOS B during both peak hours through the Build conditions with an increase in delay less than one second during both peak hours.
- Grand Street (CR-1)/Crescent Avenue – The level of service analysis indicates that all approaches will operate at LOS A through Build conditions during both peak hours with an increase in average delay of one second or less.
- Site Roadways – After construction of the *Village View Subdivision*, the site roadways are expected to operate at LOS A during both peak hours with average vehicle delays of approximately nine seconds or less. It is recommended that the site roadways operate under stop sign control with a single lane entering and exiting the site. Left turn movements into the site will also operate at LOS A during Build conditions for both peak hours.

Based on the expected intersection operations, the area roadways will have sufficient capacity to accommodate the projected traffic volumes. Sidewalks are proposed within the site to accommodate pedestrians.

#### Approved vs Proposed Subdivision

In accordance with the Village's current Cluster Subdivision regulations, the applicant has submitted a Special Use application to the Village Board requesting an increase in density up to 42 dwelling units. Under the 42-unit condition, the study area intersections all operate adequately for peak hour conditions with delay increases of 2 seconds or less, and most intersections increase less than one second; therefore, there will be little to no perceivable difference in traffic operations when comparing the approved 28-unit and proposed 42-unit subdivisions.

## 5.0 Sensitivity Analysis of Future Road Connections

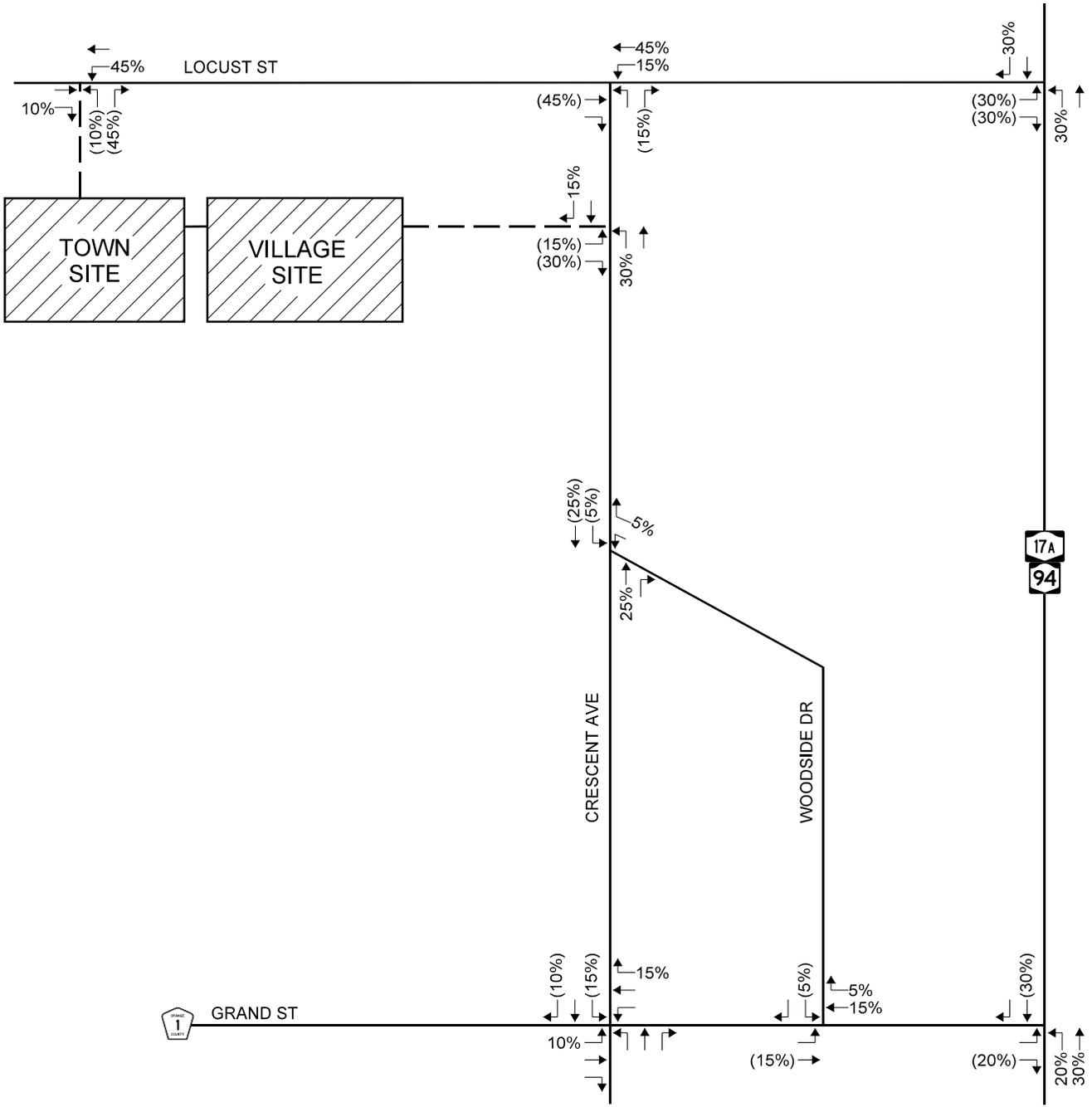
The site plan currently proposes to connect the project to Sleepy Valley Road through parcels in the Town, which will allow for future development on said parcels. A concept plan of the development of Town parcels is included under Attachment A (**Refer to original Study in Appendix of this SEIS**), labeled “Village View Town Parcel.” There are no plans to develop the property at this time, but it is reasonable to consider the development potential and resulting traffic impacts in the following sensitivity analysis.

### Traffic Volumes

The potential build out of the Town parcels into 25 single-family homes will result in an additional 23 trips in the AM peak hour (6 entering, 17 exiting) and 27 trips in the PM peak hour (17 entering, 10 exiting). This traffic was distributed (**SEIS Figure 15**), assigned (**SEIS Figure 16**), and added to the Build traffic volumes following the development of the 42-units in the Village (**SEIS Figure 17**).

### Results

Intersection Level of Service (LOS) and capacity analysis were performed for the 2021 relate traffic volumes to the physical characteristics of an intersection. Intersection evaluations were made using Synchro Software Version 10 which automates the procedures contained in the *Highway Capacity Manual* (HCM- 6<sup>th</sup> edition). **SEIS Table 6** summarizes the results of the level of service calculations for the proposed project. The detailed level of service analyses is included under Attachment D in the original report in located in **Appendix D of this SEIS**.



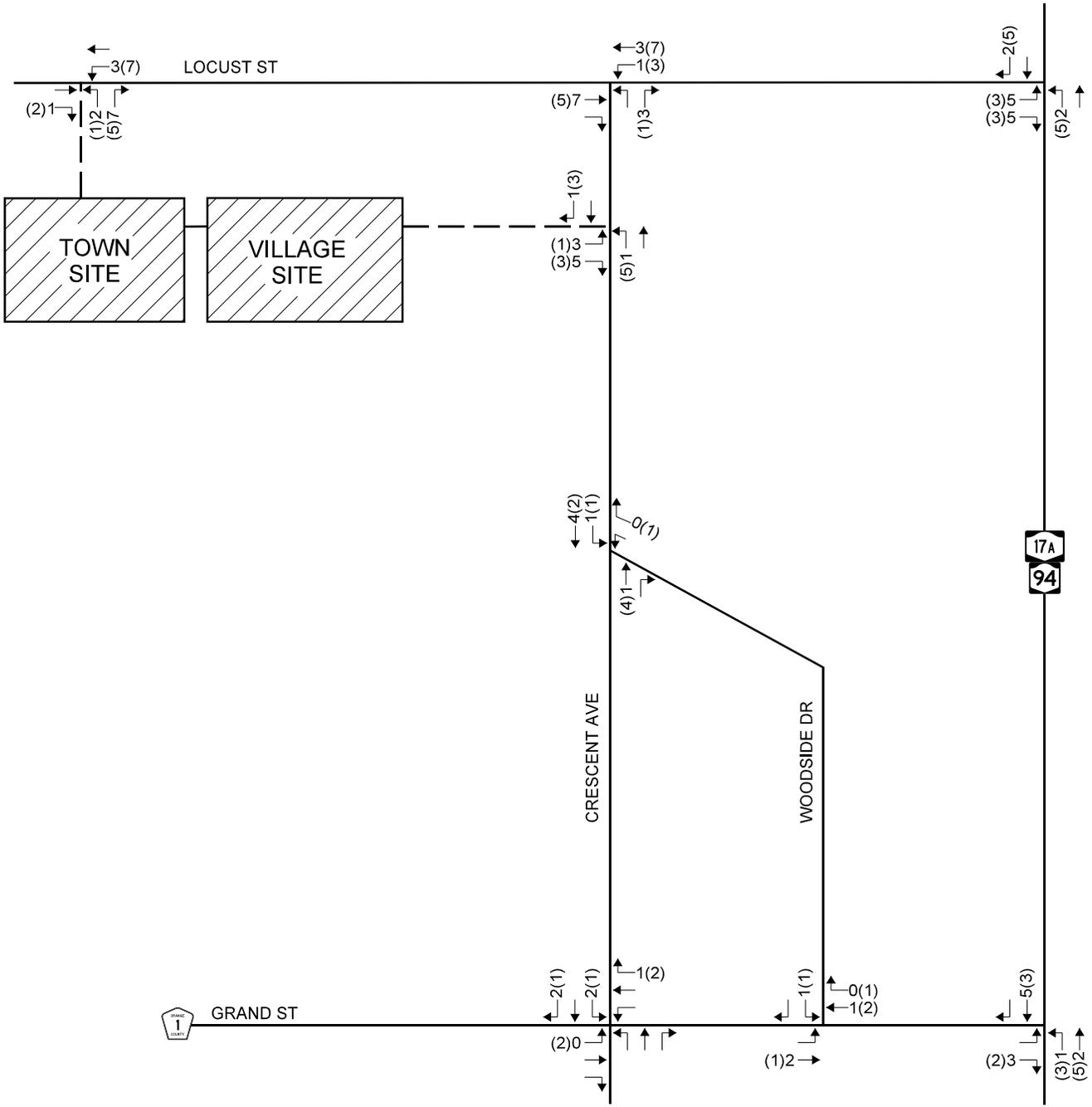
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SEIS FIGURE 15

SENSITIVITY TRIP DISTRIBUTION

VILLAGE VIEW SUBDIVISION  
VILLAGE OF WARWICK  
ORANGE COUNTY, NEW YORK





AM PEAK HOUR(PM PEAK HOUR)

SEIS FIGURE 16

SENSITIVITY TRIP ASSIGNMENT

VILLAGE VIEW SUBDIVISION  
VILLAGE OF WARWICK  
ORANGE COUNTY, NEW YORK



PROJECT: 118-010 DATE: 06/2019

**SEIS Table 6 – Level of Service Summary 2021 No Build, Build and Build with 25 Town Units**

Intersection	Control	AM Peak Hour			PM Peak Hour		
		2021 No-Build	2021 Build	2021 Build w/ 25 units	2021 No-Build	2021 Build	2021 Build w/ 25 units
Locust Street/ Woodside Drive	U						
Locust Street EB	TR	A (7.1)	A (7.1)	A (7.2)	A (7.0)	A (7.1)	A (7.1)
Locust Street WB	LT	A (7.6)	A (7.7)	A (7.7)	A (7.5)	A (7.6)	A (7.7)
Woodside Drive NB	LR	A (6.6)	A (6.6)	A (6.7)	A (7.2)	A (7.2)	A (7.3)
Locust Street/NY Route 17A/94 (Maple Avenue)	U						
Locust Street EB	LR	B (11.3)	B (11.7)	B (11.9)	B (14.3)	B (14.9)	C (15.3)
NY Route 17A/94 NB	LT	A (8.1)	A (8.1)	A (8.2)	A (8.6)	A (8.7)	A (8.7)
Grand Street (CR-1)/NY Route 17A/94	U						
Grand Street EB	LR	C (16.7)	C (17.2)	C (17.5)	D (28.7)	D (30.3)	D (31.6)
NY Route 17A/94 NB	LT	A (8.6)	A (8.6)	A (8.7)	A (9.2)	A (9.2)	A (9.3)
Grand Street (CR-1)/Woodside Drive	U						
Grand Street (CR-1) EB	LT	A (7.4)	A (7.4)	A (7.4)	A (7.9)	A (7.9)	A (7.9)
Woodside Drive SB	LR	B (10.6)	B (10.7)	B (10.8)	B (11.3)	B (11.4)	B (11.5)
Grand Street (CR-1)/Crescent Avenue	U						
Grand Street (CR-1) EB	LTR	A (8.3)	A (8.4)	A (8.4)	A (8.0)	A (8.1)	A (8.1)
Grand Street (CR-1) WB	LTR	A (8.2)	A (8.2)	A (8.3)	A (8.8)	A (8.9)	A (8.9)
Crescent Avenue NB	LTR	A (7.7)	A (7.7)	A (7.7)	A (7.4)	A (7.4)	A (7.4)
Crescent Avenue SB	LTR	A (7.9)	A (8.0)	A (8.0)	A (8.0)	A (8.0)	A (8.0)
Woodside Drive/Site Driveway	U						
Site Roadway EB	LR		A (8.7)	A (8.7)		A (8.9)	A (8.9)
Woodside Drive NB	LT		A (7.3)	A (7.3)		A (7.3)	A (7.3)
Locust Street/Site Roadway	U						
Locust Street WB	LT		A (7.3)	A (7.3)		A (7.3)	A (7.3)
Site Roadway NB	LR		A (8.7)	A (8.7)		A (8.8)	A (8.7)

EB, WB, NB, SB = Eastbound, Westbound, Northbound, and Southbound intersection approaches

L, T, R = Left-turn, Through, and Right-turn movements

X (Y.Y) = Level of service (Average delay in seconds per vehicle)

The impact of the project can be described by comparing the analysis of the No-Build and Build operating conditions. The following observations are evident from this analysis:

- Locust Street/Woodside Drive – The level of service analysis indicates that all approaches will operate at LOS A through Build conditions during both peak hours with an increase in average delay of one second or less.
- Locust Street/NY Route 17A/94 (Maple Avenue) – The northbound NY Route 17A/94 (Maple Avenue) left turn movement will operate at LOS A and the eastbound Locust Street approach operates at LOS B through Build conditions during the AM peak hour. During the PM peak hour, the additional 25 units in the Town will push the Locust Street eastbound approach just over the threshold into LOS C with a 0.4-second increase in average delay per vehicle. This is not considered significant; therefore, no mitigation is considered necessary.
- Grand Street (CR-1)/NY Route 17A/94 (Maple Avenue) – Each of the movements at this intersection will maintain the same levels of service through the Build conditions with increases in delays of about one second or less as a result of the 25 lot future Town project.

SEIS FIGURE 17

- Grand Street (CR-1)/Woodside Drive – Each of the movements at this intersection will maintain the same levels of service through the Build conditions with increases in delays of less than one second.
- Grand Street (CR-1)/Crescent Avenue – The level of service analysis indicates that all approaches will operate at LOS A through Build conditions during both peak hours with an increase in average delay of one second or less.
- Site Roadways – After construction of a 25-lot subdivision on the Town parcels, the site roadways are expected to operate at LOS A during both peak hours with average vehicle delays of approximately nine seconds or less. The site roadways will operate adequately under stop sign control with a single lane entering and exiting the site. Left turn movements into the site will also operate at LOS A during Build conditions for both peak hours.

Based on the expected intersection operations, the area roadways will have sufficient capacity to accommodate the cumulative development of the Village View Reduced Scale Alternative Subdivision and the future development of 25 single family lots on the Town parcels.

## **6.0 Conclusions & Proposed Mitigation**

The project includes the construction of a residential subdivision with 42 residential homes. Access to the site is proposed via one full access roadway to Sleepy Valley Road and an additional access road on Woodside Drive south of Locust Street. The proposed project is expected to be completed and fully occupied in 2021. The following is noted regarding the proposed project:

- The proposed project is expected to generate 35 new vehicle trips during the AM peak hour and 44 new vehicle trips during the PM peak hour. This magnitude of traffic does not call for detailed evaluation of off-site intersections based on NYSDOT and ITE guidelines; however, the detailed traffic evaluation for this project included five study area intersections in addition to the proposed site roadway intersections.
- The level of service analysis at the study area intersections indicates that all approaches will operate at the same level of service through Build conditions with no approach experiencing an increase in delay greater than two seconds. The existing traffic control at each intersection will accommodate traffic associated with the proposed site development. No mitigation is recommended.
- The Site Roadway on Woodside Drive and the Site Roadway on Sleepy Valley Road are both expected to operate at LOS A during both peak hours. It is recommended that the Site Roadways operate under stop sign control with a single lane entering and exiting the site.

- Given the very low delay increases, traffic from the proposed 42-unit subdivision will have little to no noticeable increase over the approved 28-unit subdivision.
- The road connection through the Town of Warwick parcels will allow for future development of additional lands. The build out of an additional 25 single-family residences will have no significant traffic impact on the surrounding road system. Would-be residents of *Village View* should be advised of the potential for future development.

## H. Land Use and Zoning

### 1.0 Introduction and Existing Conditions.

All properties included as part of the Reduced Scale Alternative proposal are zoned residential (both Town and Village.) After the subdivision for 28 lots was approved, the Village adopted a zoning change that permitted additional density under the Section 145-29: Residential Cluster, which was applied to the property for the proposed 45-Lot Cluster Subdivision approval. The discussion in **the DEIS in Section III-H Land Use and Zoning, located on pages 63-78**, is a detailed discussion of the application of this zoning to the property and how the provisions are applied in the design of the new subdivision and is incorporated by reference to this discussion provided in the SEIS. According to the provisions in Section 145-29, the design of the new subdivision follows a four-step process to highlight areas that are more vulnerable to development and set them aside as open space, while creating compact residential communities that encourage quality of life through connectivity in the new neighborhood and with the Village.

After reviewing public comments on the DEIS, the Planning Board requested another option for development, and worked with the Village Board and the Town of Warwick to develop an additional option to lessen the environmental impact of the project, resulting in the creation of this SEIS. This discussion is directed at the changes in the project that affect the final layout for the project, that was aimed at eliminating most of the disturbance on steeper slopes and provide a larger buffer to the more sensitive areas on the Village portion of the site. With these changes however, the Town requested that the SEIS discuss the development potential of the Town property that is included in this application, since having the road through the Town property will likely encourage development of the property.

As mentioned before, the applicant's property within the municipal boundaries of the Town is also vacant and is zoned Suburban Residential Low Density (SL) and is subject to the Ridgeline Overlay-01 district. The permitted lot size within the SL district is 3 acres per lot for a conventional subdivision. With using clustering provisions that are available in the Town's zoning code under Section 164-41.1 Cluster Subdivisions, the lot size can be a minimum of 2 acres, and

additional bonus density can be derived from the property without requesting a zoning change. The project engineer estimates that the maximum yield is 25 lots if clustering is applied.

## **2.0 Anticipated Impacts**

Both the 45 Lot Cluster Subdivision and the Reduced Scale Alternative utilize the provisions of the Village's zoning laws for Clustering Subdivision (145-29). The process of applying this zoning law is the same for both subdivision proposals, and was described in the DEIS on pages 67-77, starting with the discussion **145.29, D Density, at the bottom of the page**. The 45 Lot Cluster Subdivision and the Reduced Scale design both have several advantages over the previously approved 28-lot subdivision, including:

- Preservation of sensitive Areas, including the wetlands and stream. The 45-Lot Cluster Subdivision increased areas that are preserved as open space over the 28 Lot Plan, and the Reduced Scale Alternative Plan is a further increase in the preservation of sensitive areas located within the Village. Both the 45-lot Cluster Subdivision and the Reduced Scale Alternative proposals placed the wetlands and Stream within a conservation easement. However, the 45-lot subdivision required a stream crossing and disturbance of less than 2000 square feet of wetlands. All disturbance or fill to the stream and wetland is completely eliminated in the Reduced Scale Alternative by directing the second road access through the Town.
- The Reduced Scale Plan increases protected open space from 2.8 acres approved as part of the 28-Lot Plan to 8.9 acres. This increase is more than what was considered as part of the 45-Lot Subdivision, which proposed a protected conservation area of 6.7 acres.
- The Reduced Scale Alternative also avoids areas having contiguous slopes of 25% or more, whereas the 45 Lot Cluster Subdivision avoided steep slopes as much as practical. The 28 Lot Plan requires modification of most of the property for development, including areas with steep slopes on the property.
- The original Cluster Plan and the Reduced Scale Alternative both had buffers to protect the wetlands before and after construction. The buffer from the wetlands to 100 feet at the closest point from any lot or road right of way for the Reduced Scale Alternative Plan which is larger than previous proposals.
- The natural view will be preserved along Locust Street for both the 45-Lot Cluster and, to a greater extent, the Reduced Scale Alternative Proposal. The visual impact of the new residential units will be much less than what was originally proposed for the 28-lot subdivision.

### **Development within the Town**

The Town property is approximately 88 acres and will have a road crossing the property after all requests for subdivision and the road dedication within the Town is approved. The applicant has agreed to abandon lot lines in the Town as part of the approval to create two lots that would be bisected by the new Town Road. With the approval of the Village View

project proposal, the yield on the Town Property would be two residential homes. With subdivision approval by the Town for this 88-acre lot, the potential maximum yield utilizing current zoning on the property is estimated to be 25 lots.

The property located within the Town is also subject to regulations in the Ridgeline Overlay District. This local law provides Standards for protection of the scenic beauty in the Town of Warwick, which includes those lands identified in the Town of Warwick Comprehensive Plan as "important views" and "scenic roads." The applicant's property within the Town is zoned RLO-1. RL-O1 areas constitute elevations of the Town 600 feet or more above mean sea level west of the Wawayanda Valley, as identified on the U.S. Geological Survey's topographic maps

Design requirements of Section 164-47.1 Ridgeline Overlay District provide guidance for the layout of subdivisions that is aimed at preservation of the natural features of the site. This property has some upland property, part of which the road is planned. The alignment of the road was previously planned for another project, and some of the rough grading had been completed to establish an entrance into the property. However, the parcel is large, and there is opportunity to preserve much of the scenic portions of the property along the ridgeline with the use of clustering as described in Section 164-41.1 Cluster Subdivisions. A preliminary design has not been submitted to the Town, and the applicant would be required to follow the regulations imposed by 164-47.1 during the process of subdivision design and review in the Town. Application of these design requirements is consistent with the current comprehensive plan for the Town.

### **3.0 Proposed Mitigation**

No mitigation is required or proposed.

## I. School Services

### 1.0 Existing Conditions

The proposed development site and the parcel proposed for the Town Road is in the Warwick Valley Central School District. The Warwick Valley School District is described in the **DEIS in Section III-I, on starting on page 80**, including enrollment figures for 2016-2017, which are updated in SEIS Table 7 below.

**SEIS Table 7 School Capacity and Enrollment Data — Warwick Valley Central School District**

School	Rated Capacity	2016-2017 Enrollment	2017-2018 Enrollment
2 Elementary Schools K-4	2,100	1,109	1,120
Warwick Valley Middle School (5-8)	1,125	1,081	1,077
Warwick Valley High School (9-12)	1,600	1,335	1,293

Source: New York State Department of Education, BEDS data for 2017-2018 and 2018-2019 available online at the NYSDE website, [www.nysde.gov](http://www.nysde.gov).

Overall, the school's enrollment has declined, and some of the property holdings of the district are rented out to other organizations in the community. The **DEIS** describes the school property held by the school district and their location on **pages 80-81**.

Since the writing of the DEIS last year, only 11 more elementary students were enrolled in the Warwick Valley Central School District. The middle school and high school lost 48 students total. It's more common for elementary schools to have varying enrollments with the moving of families in and out of the community, because younger parents are more likely to change jobs that require a move; or change from rentals to home ownership. Sometimes these moves are out of the school district boundaries. Overall, the student population is lower than the previous year, and excess capacity remains in the school district.

### 2.0 Anticipated Impacts

The current available Census Data indicates that the population of the Village of Warwick is 6,778 people, which is one more person than reported in the previous DEIS, since the total population has not changed in a year, the analysis that appears on page 82 of the DEIS of the number of school aged children estimated by analyzing the population number of the Village of Warwick is held constant, and results in an addition of 18 students from the Proposed Reduced Scale Alternative. The additional 25 units added by the Town would yield 18 school aged students, if

the most recent population figures are used to calculate the student population for the Town. This involves using the latest Census household size estimates for the Town of Warwick of 3.08 (which exclude Village populations) for a total of 77 total people (3.08 x 25) people, and multiplying it by the percentage of school age children (approximately 23%) Town-wide for the most recent estimate of school children in each household. We estimate that the proposed development would generate approximately 17 students, and the Village project would generate 19 students.

The DEIS estimated that the district spends approximately \$25,022 on each student, with approximately \$18,311 of the cost per student generated by taxes. Once the 25 homes within the Town are built and occupied, it is expected to generate approximately \$260,171. The Reduced Scale Alternative project is estimated to generate approximately \$ 358,899 in school taxes, paid by the future homeowners.

In addition, the following conditions are true:

1. It is unlikely that the Warwick Valley School District would need to expand to serve new students. The population of students is shrinking, and there is significant excess capacity in the classrooms that would allow these students to attend classes without significant costs to the district. In fact, costs per student have been rising partly because the student population is shrinking, since there are basic shared costs for all students would be divided into the whole budget in this analysis.
2. This analysis does not account for tax revenue paid by the commercial properties within the district, which provides a significant source of revenue to the school district.

In conclusion, the students projected to be enrolled as the result of building homes within the Village and the Town property will be easily absorbed into the existing school district.

### **3.0 Proposed Mitigation**

No mitigation is required. The students will be able to attend the Warwick Valley School District without the need for expansion to serve approximately students generated from this project in the Village and in the future when the Town property is developed.

## **J. Fiscal Impacts**

### **1.0 Existing Conditions**

A fiscal analysis for the Village property appears in the **DEIS, Section III-J, Fiscal Impacts, starting on Page 82**. It analyzes the projected impacts of providing services to the new residents and the anticipated costs and revenues to each of those taxing districts. Since the decrease in number of

units is minor for the Village (42 instead of 43 proposed units) this analysis was not updated. The impact would be nearly the same, and the study concludes that the new Village residents would pay taxes to cover their fair share of municipal services. All service districts have sufficient capacity to serve the residents in the Village without expansion. For more detailed information please see **DEIS, Section III-J, Fiscal Impacts starting on page 82.**

**Town Properties**

The Town property also generates taxes. These taxes and rates for the applicant’s properties are disclosed in **SEIS Table 8.**

**SEIS Table 8: Existing Tax Rates and tax liability Generate by Vacant Town Parcels.**

<b>Tax District</b>	<b>Tax Rate 2017 (per \$1000 of assessed value)</b>	<b>2019 Taxes Paid for all parcels included in this application within the Town</b>
County	26.7305	\$ 1,782.93
Town	7.136	\$ 475.97
Open Space-PDR	1.003	\$ 66.9
Highway	8.781	\$ 585.73
PT Town	5.9915	\$ 399.64
Warwick Ambulance	1.3875	\$ 92.55
Warwick Fire	4.3582	\$ 290.69
Warwick School	157.679040	\$ 10,517.19
Library Tax	4.09797	\$ 273.33
Library Building	1.083570	\$ 72.27
<b>Total</b>		<b>\$ 14,557.20</b>

Source Orange County Real Property Image Mate Online.

**2.0 Anticipated Impacts**

**a. Estimated Taxes**

For estimated taxes paid by the Village Parcels for the 45-lot Cluster Subdivision, please **See DEIS Section III-J.2, page 82.** In total, the Reduced Scale Project is anticipated to generate \$76,729 in taxes for the County, \$358,899 to the School, and \$72,535 to the Village for all Village districts, in terms of the 2017 tax year. (Reductions were taken to reflect three less residences.) Taxes paid in 2019 would be slightly higher.

**Taxes Generated from Development of parcels within the Town.**

Initially, the project will have two phases, the first would be to establish the development of the road for this project. This would result in the property being divided into two parcels, which

would be assessed and taxed. Since the property would initially not have any structures on them, it would be likely that assessments in the Town would reflect the properties vacant status. One parcel, 43-14.2 is located near Woodside Drive and would not be included in the Parcels affected by the Town Road.

After development of the parcel for the Town road serving the Village View Subdivision, the only change to service to the site would be the need to maintain the new public road. According to the Town Highway Department, breaking down the cost of maintenance of a single road is somewhat difficult, because the Town has roads in various conditions that is replaces, repairs, cleans, and plows in a single year and budgets vary.

The Highway Fund in the Town of Warwick is used to pay for road maintenance. This year the preliminary budget for the highway fund to be raised by taxes (on the lines Highway Fund and Highway OV fund is \$3,935,706. It covers roads in varying conditions and represents about 77 percent of the total budget for road maintenance. With the establishment of this road, the Highway Department estimated that the road would need little or no maintenance for the first 10 years, then would be put into the cycle of maintenance with the other approximately 300 miles of Town Roads maintained by the Highway Department within the Town of Warwick. The plowing of this road during inclement weather also varies from year to year, depending on the timing and severity of the weather event and the budgeted resources would be enough to take care of the plowing maintenance of this road.

#### **After Property Development in the Town**

This analysis assumes that the taxes generated from new homes on the Applicant's property within the Town would be the same as a property holding of the applicant's that is located on 71 Sleepy Valley Road, which is adjacent to the project parcels. It was developed in 2018 with a single-family home built by the applicant. The lot size, residential building size, and area would be like the 25 lots within the Town's subdivision, should it occur. It is in the same zoning district as the rest of the Town Parcels. Therefore, estimated taxes generated by this subdivision of the Town property into 25 lots are simply a multiplication of this previously developed lot and is shown in **SEIS Table 9**.

**SEIS Table 9**  
**Estimated Taxes Generated by Town Residential Development.**

<b>Tax District</b>	<b>Taxes Paid on 31-2-84.3</b>	<b>Estimated taxes Generated from Town Parcels</b>
County	\$ 641.53	\$16,038.25
Town	\$ 171.26	\$4,281.50
Open Space-PDR	\$ 24.07	\$601.75
Highway	\$ 210.76	\$5,269.00
PT Town	\$ 143.80	\$3,595.00
Warwick Ambulance	\$ 33.30	\$832.50
Warwick Fire	\$ 104.60	\$2,615.00
Warwick Recycling	\$ 45.12	\$1,128.00
Warwick School	\$ 10,406.82	\$260,170.50
Library Tax	\$ 270.47	\$6,761.75
Library Building	\$ 71.52	\$1,788.00
<b>Total</b>	<b>\$ 12,123.25</b>	<b>\$303,081.25</b>

Source of original Taxes paid: Orange County Real Property Image Mate Online.

**b. Impacts on Services funded by Tax Districts**

**County Services**

The DEIS provided an analysis of the impacts of Village residents on County Services on page 84 and concluded that Tax Revenue was enough to cover additional services. County Services are those government services that are enjoyed by all residents of Orange County, regardless of location. These include the DMV, County Legislature Offices, the County Court House and Jail, family support services, and more. Some of these services are funded partly by Federal and State Sources. According to the analysis above, the county would be collecting approximately \$16,038 for County Services needed by 77 new Town residents for an average of \$208 per person. The current portion of the Orange County budget estimated to be funded by taxes raised by property taxes is \$115,971,173.<sup>4</sup> On a per capita basis, the amount paid per person is approximately \$306 per person, if this amount is divided by the latest population estimate<sup>5</sup> of 379,210 people. Based on this analysis, there is sufficient revenue to cover the cost of the additional cost born by the County to serve Town residents.

<sup>4</sup> County Executive Proposed Budget for 2018, accessed online on March 8<sup>th</sup>, 2018 on the Orange County Website at <https://www.orangecountygov.com/ArchiveCenter/ViewFile/Item/657>

<sup>5</sup>U.S. Census Quickfacts for Orange County, NY. Accessed online at the U.S. Census website on March 8, 2018 at <https://www.census.gov/quickfacts/fact/table/orangecountynewyork/PST045216>

### **Village Services**

The **DEIS** provided an analysis of the impact of the new Village residents on the services within the Village on **page 84** and concluded that tax revenue generated from this project would be sufficient to cover needed services. The Town residents, who often come into the Village for shopping and business would support the Village government services indirectly with taxes paid at retail stores. They also support the Library with tax payments to the general library fund and the library building fund.

### **Town Services**

The **DEIS** provided an analysis of the impact on new Village residents on the services **on page 84** within the Town and concluded that tax revenue generated from this project would be enough to cover needed services. The Town received approximately \$11,522,158 from Town and Village residents' property taxes.<sup>6</sup> This amount includes all commercial and residential properties. The Town residents are served by the Town services, including road maintenance and other infrastructure service, garbage hauling, and emergency services, the Town police force, and municipal services within the Town for permits, etc.

When completed, it is anticipated that the new residents would be paying \$13,746 total to the Town. It is also unlikely that the service districts would need to expand to serve the residents of this subdivision, since it only represents .02 percent of the Town's population.

The need to provide maintenance for the road in the Town is addressed on **page 64 of this SEIS**.

### **School District**

The impact on the School District from new Village and Town residents is discussed **in Section III-I of the DEIS starting on page 80, and Section III-I of this SEIS**.

As discussed in **Section III-I of this SEIS**, the site is served by the Warwick Valley School District. The population of the School District has been declining in the last few years, which has the effect of raising the cost per student if calculated from the budget's contribution from property tax divided by total number of students, so the cost per child is rising because of the excess capacity in the system. Therefore, the School District could absorb the number of school children coming from the Reduced Scale Alternative and future Town residential units, and the taxes from the homes would help to pay their share of cost of education.

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<sup>6</sup> Town of Warwick 2018 Adopted Budget, accessed online on the Town of Warwick municipal website on March 8<sup>th</sup>, 2016 at <http://www.townofwarwick.org>

### **3.0 Proposed Mitigation**

No mitigation is required or proposed.

## **K. Cultural Resources**

### **1.0 Existing Conditions**

The DEIS completed for this project indicated that a formal request was made for information regarding any known “Historically Significant Properties” on the site, or within the viewshed of the site. The State Historic Preservation Officer indicated that there were no listed properties or records. Since this finding, there have not been changes to the historic resources that would be adjacent to, or visible from the site. For the parcel within the Village, the DEIS indicates that a Phase I and Phase II Archeological Study was conducted in June of 2007, and this study indicated that the site does not contain historical or archeologically significant resources, and files have been closed by the NYS Historic Preservation Officer, no impacts to cultural resources are anticipated from the proposed action. The original study is included in the DEIS under Appendix I.

Due to the access change in the project to include a road that would be built within the Town, the applicant engaged the services of Tracker Archeology Services to provide an addendum to the original study to include areas of proposed disturbance in the Town of Warwick. This addendum is included in the **Appendix I of this SEIS**. It indicates that the archeological consultant did not find any artifacts after completing of the study, which included shovel testing in accordance with New York Historic Preservation Office standards. The project archeologist indicates that the area of disturbance is unlikely to yield any archeological evidence and recommends no further study.

### **2.0 Anticipated Impacts**

Since the prior studies indicated that the site does not contain historical or archeologically significant resources, and files have been closed by the NYS Historic Preservation Officer, no impacts to cultural resources are anticipated from the proposed action.

### **3.0 Proposed Mitigation**

No mitigation is required or proposed.

## **Section IV: Adverse Impacts that could not be avoided**

The Valley View Cluster subdivision would not result in any impacts that could not be satisfactorily mitigated through careful design. The project is being proposed consistent with the current zoning laws and policies of the Village of Warwick and the Town of Warwick, and in several areas of potential impact studied in the DEIS, has less impact than the previously approved 28-lot subdivision, most notably, the most sensitive and valuable wetlands and stream have been included in a larger buffer that will be preserved as open space.

The building of additional residences in the village would create the need for Town and County services to provide for municipal needs, including use of the Village water and sewer systems, and other municipal needs, the residents would also pay into the taxing districts that provide these services, and help generate more revenue for businesses within the Town and Village of Warwick as they purchase goods and services from local businesses.

## **Section V: Alternatives**

Several alternatives were discussed in the **DEIS in Section V: Alternatives starting on page 88**. This included the No Action Alternative, The Approved Plan of 28 Lots, a previous annexation proposal, the 45-Lot Cluster Subdivision Proposal (called the “Preferred Alternative” in the DEIS), and an Affordable Housing Alternative. The discussion of these Alternatives is incorporated by reference to this SEIS.

For the benefit of the reader we are including the following Alternative Statements in the SEIS:

1. The No Action Alternative
2. The Approved Plan of 28 lots
3. The 45- Lot Cluster Subdivision proposal
4. The Reduced Scale Alternative
5. Alternatives Available to the Applicant should the Town not accept dedication of the Road through the Town.

**1. The No-Action Alternative**, as described in this DEIS, means that the property would remain as is, in its undeveloped state. Taxes and benefits of the property would also be the same, and the Village would have not realized the benefits of having new homes in the community built consistent with zoning, or new taxes paid to the Village and the School District. In addition, without new housing stock, the existing housing stock would experience upward pressure in value as demand to live in this popular community increased beyond the available housing stock.

**2. The Approved plan of 28 lots**, which was studied in the DEIS for this project written in 2006, entitled Draft Environmental Impact for Village View Estates, written by Garling and Associates and accepted by the Town of Warwick Planning Board in November 16, 2006 and filed on

November 21, 2006. The SEQRA for the former project was closed and the subdivision plan received preliminary approval on July 17, 2008. This project approval included two crossings over the wetlands, and permanent loss of about a half-acre of wetland overall. In addition, homes were closer to the wetland areas, increasing the potential for inadvertent pollution or filling by the homeowners, even with enforcement rights granted to the Village. The lots are larger and more spread out, and not consistent with the connectivity policies recently adopted by the Village. It is likely that the cost of the homes would be higher, since the cost of the infrastructure on the site would be spread over fewer homeowners.

**3. The 45-lot Cluster Subdivision (called the “Preferred Alternative” in the DEIS):** This alternative was the subject of this DEIS. The proposed subdivision would add 45 new single-family residential units in the Village of Warwick, using the Clustering provisions available to the applicant through recent changes in the Zoning Code last revised in December of 2016 (Section 145-29 of the current zoning code). This option preserves more acreage around the wetlands and streams on the property and allows for the increase of the allowable lots to 45, based on a four-step design process outlined in Section 145-29 of the Village of Warwick’s Zoning Code. The advantage of this alternative would be to provide more housing on a highly developable property at a density that would encourage connectivity within the newly built neighborhood. In addition, while being close enough to the Village Center to allow residents to take alternative transportation, such as biking or walking did not change with the 28-lot proposal, properties within walking distance of the Village are a finite resource. Therefore, building more homes within walking distance benefits the new homeowners, the environment, and the Village commercial areas, and is consistent with new urbanist policies expressed in planning documents adopted by the Village. The DEIS demonstrates that schools, the area road network, and other public services have enough capacity to absorb the new residential requirements and have sufficient tax revenue paid by the new homeowners to support improvements and maintenance of these services. Costs of the homes would be more likely to be affordable because the costs of the infrastructure would be spread over more homes.

### **5. The Reduced Scale Alternative (The subject of this SEIS)**

The proposed Reduced Scale Alternative has less overall impact than the proposed 45 lot subdivision proposal presented in the DEIS. The Reduced Scale Alternative sets aside 44 percent of the lot as open space and requires no disturbance within the wetlands or stream areas on the site. It also reduces the number of on-site dwellings by three residential units. As a comparison of the 45-lot cluster subdivision, the proposed open space was to be about a 30 percent (6.7 acres) of the 20.8-acre property. The Reduced Scale Alternative increases that area to 8.9 acres and preserves all the higher quality habitat along Locust Street. Because of the distance from Locust Street, the new residential homes would likely be less visible, if seen at all, from Locust Street, particularly in the leaf on condition, since the Reduced Scale Alternative eliminates all construction in the stream and wetland areas and provides a larger buffer of 100 feet at minimum from the edge of the wetlands.

Access to the site through the lands lying in the town would be partially over an area that was previously improved and used as an access drive for a prior use of the property. The entrance onto Sleepy Valley Road would line up with the existing dirt access road and the existing curb cut. The location has been studied and was found by the project engineer to be acceptable in terms of having the least impact in terms of construction within the Town while also providing adequate sight distance. The applicant has agreed to merge all Town parcels and give up the right to develop all but two homes without subdivision approval, with these two homes being an “as of right” use of the two parcels created by the new proposed road built across a single Town parcel.

With this access in the Town, the land within the Town would be easier to develop because of the presence of the road. It is important to note that access through the Village was never required to develop the Town parcels. It is estimated that a subdivision within the Town would yield approximately 25 lots based on current Town of Warwick Zoning and utilizing the base density and bonuses available if the Town’s clustering provisions were provided.

The subdivision within the Town would not affect the water and sewer usage within the Village since the Village and the Town operate on different systems. The Village would see a slight reduction in the demand for water and sewer for the Village portion of the project because of the reduced number of homes on the Village portion of the site for the Reduced Scale Alternative. Town water and sewer needs are required to be provided by individual wells and septic systems on the applicant’s property.

The traffic study indicated that for all scenarios, all intersections maintained an acceptable level of service for all proposed development of both the Village and Town residential units.

In addition, it was found that there is existing capacity to serve the new residents within the Town and Village, within all fire, police, and school service districts.

## **Section VI: Irretrievable and Irreversible commitment of Resources**

The proposed subdivision would add 42 new residences in the Village of Warwick and eventually 25 new residences in the Town of Warwick. The building of these homes would require permanent modification of the property used to create the homes and access to the individual homes. This property is well suited for the development of homes, since it does not contain high quality habitat or mature hardwood forests. The most environmentally sensitive habitat is proposed to be preserved as open space.

The project would also require services that would benefit the residents, including commitment of public resources to serve the new owners, the absorption of the addition of the traffic on the existing road network, the education of 36 additional students, and the dedication of an estimated 16,500 gpd of public water and sewer resources in the Village, and the establishment of individual wells and septic systems in the Town.

Costs to service districts are inevitable and are required for any residential development and would be fully supported by user fees and taxes paid by the new homeowners.

## **Section VII: Growth Inducing Impacts**

The addition of these homes would house approximately 96 residents in the Village and 77 residents in the Town. This represents only a 1.4 percent increase in the total current estimated population of the Village of Warwick, and .003 percent increase in the number of residents living in the unincorporated areas of Warwick.

## **Section VIII: Effects on use and conservation of energy**

The homes will require electrical and heating services, typical of single-family homes. The service providers have available capacity and are willing to provide service. Conduits in the roads will bring services to the individual homes from existing service lines in Locust Street and Woodside Drive. All homes will be built to incorporate energy saving water fixtures and be insulated in accordance with the building codes to be energy efficient.

In addition, the homes are consistent with the goals of the Village (as expressed in their comprehensive plan) to create a community that is compact, walkable, and encourages community interaction. Homes within the Town are consistent with Town goals of the preservation of the beauty of the area through large conservation areas.

## Section IX: Sources and Bibliography

American Community Data Estimates from U.S. Census Bureau, available online at <https://factfinder.census.gov>.

Annual Drinking Water Quality Report for 2017, Village of Warwick. Accessed online at the Village of Warwick Website on 4/3/2018 at <http://villageofwarwick.org>

County Executive Proposed Budget for 2018, accessed online on March 8th, 2018 on the Orange County Website at <https://www.orangecountygov.com>

“Draft Environmental Impact Statement for Village View Estates, Village of Warwick, Orange County, New York” Prepared November 21, 2006, Garling Associates.

Ecological Communities of New York State, Second Edition: A Revised and Expanded edition of Carol Reschke’s Ecological Communities of New York State. Edited by Gregory J. Edinger, et al. Published by New York Natural Heritage Program. Page Accessed online on February 28th, 2018 at the NYSDEC website <http://www.dec.ny.gov>

New York State Wildlife Action Plan, adopted 2015, Terrestrial Habitats Accessed online February 28, 2018 at the NYSDEC website <http://www.dec.ny.gov>

New York State Department of Education, BEDS data for 2016-2017 for Warwick Valley School District. Available online at the NYSDE website, [www.nysde.gov](http://www.nysde.gov).

Parcel information obtained at Orange County Real Property Image Mate Online, accessed at <http://propertydata.orangecountygov.com>

Town of Warwick 2019 Adopted Budget, accessed online on the Town of Warwick municipal website on August 31<sup>st</sup>, 2019 at <http://www.townofwarwick.org>

U.S. Census Quickfacts for Orange County, NY. Accessed online at the U.S. Census website on August 31<sup>st</sup> at <https://www.census.gov>

Village of Warwick Zoning Code, last revised December 2016, Village of Warwick, NY. Available on the Village Website at <http://villageofwarwick.org>

Village of Warwick 2017-2018 Adopted budget, accessed online on the Village of Warwick website, on March 8th, 2018 at <http://villageofwarwick.org>

Town of Warwick Zoning Code and zoning map, accessed online in August of 2019 <https://www.ecode360.com/11766563>

Town of Warwick Comprehensive Plan prepared by Green Plan, Inc. , Accessed online <http://www.townofwarwick.org>

**Section X: Appendices**