HILLCREST COMMONS

SENIOR HOUSING DEVELOPMENT

SUPPLEMENTAL DRAFT ENVIRONMENTAL IMPACT STATEMENT

NYS Route 52
Towns of Carmel and Kent, New York

Lead Agency: Carmel Planning Board
Carmel Town Hall
60 McAlpin Avenue
Mahopac, New York 10541
Contact: Peggy Moore, Planning Board Secretary
(845) 628-1500

Project Sponsor: BBJ Associates, LLC
570 Taxter Road, Sixth Floor
Elmsford, NY 10523
Contact: John Bainlardi
(914) 347-3333

SDEIS Prepared By: Tim Miller Associates, Inc.
10 North Street
Cold Spring, New York 10516
Contact: Tim Miller, AICP
(845) 265-4400

Project Engineer: Insite Engineering, Surveying & Landscape Architecture, PC
3 Garrett Place
Carmel, NY 10512
Contact: William Brickelmaier, III, P.E.
(845) 225-9690

Project Archeologist: Columbia Heritage, Ltd.
56 North Plank Road - Suite 287
Newburgh, New York 12550
Contact: Stephen J. Oberon

Lead Agency Acceptance Date: July 8, 2009

Date of Public Hearing: August 26, 2009

Deadline for Receipt of Public Comments: September 25, 2009

~~**April 3, 2009**~~
Revised: July 23, 2009

HILLCREST COMMONS
Supplemental Draft Environmental Impact Statement

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1.0 SUMMARY

The Hillcrest Commons project has been the subject of a previous environmental review under the State Environmental Quality Review Act (SEQRA). Previously, a Draft Environmental Impact Statement (DEIS) was submitted to the Town of Carmel Planning Board, the Lead Agency for the Hillcrest Commons project, in June, 2005. The DEIS analyzed the potential impacts anticipated from an application that included 60,000 square feet of office space, 150 senior housing units, and supporting infrastructure. The site plan presented in the DEIS (hereinafter the "DEIS Plan") was modified to reduce potential impacts, in response to comments on the plan from the Lead Agency, the public and involved and interested agencies, resulting in the office component of the project being eliminated (hereinafter the "FEIS Plan").

The FEIS Plan (2006) and the potential impacts anticipated from it were described in the Final Environmental Impact Statement (FEIS). The FEIS was accepted by the Lead Agency on August 9, 2006 and a Findings Statement was adopted by the Lead Agency on August 23, 2006. Following the adoption of Findings and during the Site Plan review process, modifications were made to the FEIS Plan as a result of Planning Board and public comment (hereinafter "Revised Site Plan"). This Revised Site Plan (2009) is presented and evaluated in this Supplemental Draft Environmental Impact Statement (SDEIS).

The Hillcrest Commons Findings Statement, which was adopted by the Lead Agency on August 23, 2006, was challenged pursuant to Article 78 of the New York Civil Practice Law and Rules in the Supreme Court of the State of New York. The court's disposition concerning the Article 78 challenge annulled the Findings Statement and remitted the matter back to the Lead Agency for further environmental review of the issues outlined in the judgment (June 19, 2007). The judgment indicated that the evaluation of wetlands and archeological resources were deferred by the Lead Agency, and that these two issues warranted further evaluation. Therefore, the project's potential impacts on wetlands and archeological resources, as well as impacts associated with the plan modifications that occurred after the approval of the FEIS and adoption of the August, 2006 Findings, are the focus for this SDEIS.

The Revised Site Plan (2009) involves a Subdivision and Site Plan application, as well as, a Special Exception Use Permit application for a total of 150 senior housing units in eight buildings and associated infrastructure. The Revised Site Plan includes a separate clubhouse building with an outdoor swimming pool and a separate water control building. A new public road from New York State (NYS) Route 52 would provide access to the project site. The prior SEQRA review also included a potential 10,000 square foot expansion, and 50 new parking spaces for the existing Shoprite supermarket located adjacent to the proposed residential development. At this time, no plans for expansion of Shoprite are proposed. A Special Exception Use Permit is required from the Town of Carmel Planning Board for the construction of residential housing in the C-Commercial zone.

Affordable Senior Alternative

An evaluation of project alternatives was not included in the Scoping Document for this SDEIS, since the NYS Supreme Court judgment pursuant to the Article 78 focused on the potential impacts of the project on wetlands and archeological resources. The former DEIS and FEIS for the Hillcrest Commons project evaluated a range of alternatives, including alternative access into the property.

The applicant, BBJ Associates, LLC has continued to review and consider project alternatives since the adoption of Findings by the lead agency (August 23, 2006), and since the Supreme Court judgment pursuant to the Article 78 proceeding (June 19, 2007). Several new senior housing communities in the area and the current downturn in the real estate economy are factors that have influenced the applicant's position on the prior residential plans. The applicant anticipates that the project will be a senior affordable rental housing project. The proposed 150 unit affordable rental project is described in Section 5.0 Alternatives. This alternative would utilize the proposed entrance at NYS Route 52, north of the Carmel Plaza shopping center.

The Affordable Senior alternative offers several benefits. It is more marketable given current economic conditions. Secondly, the alternative would reduce overall site disturbance, as compared to the Revised Site Plan (2009). These issues are further discussed in Section 5.0 Alternatives.

1.1 Brief Description of the Proposed Action

The Project Sponsor, BBJ Associates, LLC, proposes to develop a subdivision consisting of 150 senior housing units in eight buildings and associated infrastructure on a 80.85 acre site. The Carmel Plaza property and a residential parcel on Route 52 consist of 26.90 acres. All property involved in the subdivision consists of 107.75 acres. The project would include a clubhouse building with an outdoor swimming pool and a separate water control building. A proposed public road from New York State (NYS) Route 52 would provide access to the project site.

The prior SEQRA review also included a potential 10,000 square foot expansion, and 50 new parking spaces for the existing Shoprite supermarket, located in the western portion of the site adjacent to the proposed residential development. No plans have been developed at this time for the Shoprite expansion.

A Special Exception Use Permit is required from the Town of Carmel Planning Board for the construction of residential housing in the C-Commercial zone.

According to the Applicant, the 150 senior housing units are proposed to help meet a growing demand for senior housing in the Town of Carmel and in Putnam County. Under the Revised Site Plan, all of the 150 units would be market rate, condominium units. As described in Section 5.0 Alternatives, the applicant is considering an affordable, for rent residential project.

For a discussion of the previously submitted site plans to the Town of Carmel Planning Board as part of the State Environmental Quality Review (SEQR), refer Section 3.0, Description of the Proposed Action.

1.2 Involved Agencies, Approvals, and Interested Agencies

Involved Agencies and Approvals

Approvals and referrals required for this project and agencies having approval and permitting authority for the proposed action ("Involved Agencies") are listed below:

Subdivision Approval, Site Plan Approval, Special Exception Use Permit
Town of Carmel Planning Board, as Lead Agency

60 McAlpin Avenue
Carmel, New York 10512
Status: Approvals Pending

Site Plan Approval, Subdivision Approval and Waiver of Town Road Standards, Town Wetlands Permit, Town Steep Slopes Permit, Town Erosion Control Permit
Town of Kent Planning Board
531 Route 52
Kent Lakes, New York 10512
Status: Approvals Pending

Area Variances for Residential Lot
Town of Carmel Zoning Board
10 McAlpin Avenue
Carmel, New York 10512
Status: Approvals Pending

Water Connection and Sewer Connection
Putnam County Department of Health
Fair Street
Carmel, New York 10512
Status: To be applied for.

Stormwater Management/Sewer Connection
New York City Department of Environmental Protection
465 Columbus Avenue, Suite 350
Valhalla, New York 10595
Status: Applied for and approval pending.

SPDES General Permit for Stormwater (GP-0-08-001)
New York State Department of Environmental Conservation
21 South Putt Corners Road
New Paltz, New York 12561
Status: Notice of Intent to be submitted

New York State Department of Transportation
New York State Department of Transportation, Region 8
4 Burnett Boulevard
Poughkeepsie, New York 12601
Status: To be applied for

Wetland Permit - Town of Carmel Environmental Conservation Board
10 McAlpin Avenue
Carmel, New York 10512
Status: To be applied for

Carmel Architectural Review Board
10 McAlpin Avenue
Carmel, New York 10512
Status: To be applied for

Individual Wetland Permit
United States. Army Corps of Engineers
26 Federal Plaza
New York, New York
Status: Applied for and approval pending

Interested Agencies

The following is a list of interested parties, as defined in 6 NYCRR, Part 617, SEQRA regulations. These agencies and boards may review this Supplemental Draft Environmental Impact Statement (SDEIS) and provide comments to the Lead Agency.

- Town of Carmel Architectural Review Board
- Putnam County Department of Planning and Development
- Carmel Fire Department
- Carmel Police Department
- Carmel Volunteer Ambulance Corps
- Putnam County Parks
- Carmel Central School District
- New York City Watershed Inspector General (NYS Office of the Attorney General)

1.3 Anticipated Impacts and Proposed Mitigation

1.3.1 Wetlands

Impacts on Wetlands

Wetland A is a disturbed remnant of the larger wetland that was described in the June, 2005 Draft Environmental Impact Statement (DEIS) as Wetland B. This portion of the wetland was isolated from the rest of the wetland system following construction of the Carmel Plaza and its associated parking area. A four-foot diameter culvert under the parking area maintains a hydrologic connection between the two wetlands. However, the isolation of Wetland A, along with the construction of residences to the north and Carmel Plaza to the south, has significantly compromised the functions and values that Wetland A may have had.

Though disturbed, Wetland A still conveys stream flows and runoff from north to south, and provides some storage of stormwater immediately following rain events. However, the wetlands proximity to Route 52, the absence of open water hydrology in the wetland, and the intense development on three sides of the wetland precludes the wetland from being a significant habitat for wetland dependent plant or animal species. The presence of formerly inhabited structures, foundations and rubbish within Wetland A are an indication that this area was previously used for residential, and other purposes, and has not been a highly functioning wetland for some time.

Wetland A must be partially filled (0.53 acres) in order to provide access to the Hillcrest Commons site. The Applicant has identified an area of 0.65 acres that would be added to Wetland B, to mitigate the impact on Wetland A resulting from construction of the access road. The mitigation would replace and enhance the functions of Wetland A in the same watershed in Wetland B. In addition to this mitigation, the Applicant now proposes to expand Wetland A by

0.10 acres. In total, 0.75 acres of wetlands would be created to offset the unavoidable impacts on Wetland A.

The project engineer has redesigned the emergency access road by shifting it 100 feet to the east of Wetland B, and now the access road no longer encroaches into the buffer of Wetland B.

Wetland Mitigation

A Wetland Mitigation Plan is provided in Appendix C of this document. The goal of the plan is to mitigate the impacts on Wetland A by expanding Wetland A by 0.10 acres and expanding Wetland B by 0.65 acres. The 0.75 acre expansion would provide a nearly 1.5 to 1 mitigation ratio for lost of 0.53 acres of Wetland A that would result from construction of the proposed access road. The 0.65 acre mitigation wetland would be created in an area that is contiguous to Wetland B and would be planted with indigenous wetland vegetation that is similar to the vegetation that now occupies Wetland B. Similarly, the 0.10 acre expansion of Wetland A would be planted with indigenous wetland vegetation that is similar to the vegetation that occupies Wetland B.

Due to the disturbed condition of Wetland A, it does not provide any substantial wetland functions or benefits. In contrast, the expanded areas of Wetland A and Wetland B are expected to provide higher functioning wetlands than the disturbed portion of Wetland A that will be further disturbed.

Hydrology in the expanded wetlands will be provided by intercepting shallow lateral flow of surface water from the adjacent hillsides, as well as, overflow from the proposed stormwater basin near Wetland A, and from the existing stormwater management basins on the Carmel Plaza parcel that discharge toward Wetland B.

1.3.2 Cultural Resources

Impacts on Cultural Resources

Columbia Heritage conducted the Phase IA, Phase IB, and Phase II investigations at the project site in 2005. LaPorta and Associates LLC (LPA) conducted a supplemental Phase IB in 2005 and a supplemental Phase II in 2007.

Information provided by NYS Office of Parks, Recreation and Historic Preservation (OPRHP) and NYSM (New York State Museum) indicates that no historic and/or prehistoric sites listed on the State or National Registers of Historic Places are located on, or within the vicinity of (one mile), the project area. Furthermore, there are also no structures located on the site, or adjacent to it, that are currently under consideration for listing on the State or National Registers of Historic Places.

Based upon the Phase 1A findings, a Phase 1B site identification survey was recommended for specific areas identified as having potential for containing archeological remains. The Phase 1B was conducted to determine whether buried cultural resources might be present within the proposed limits of disturbance.

Phase 1B/ Phase II Investigations

According to the Phase 1B Report, cultural material suggesting Native American activity was encountered in three sub areas of the proposed development site. This material indicates that at least the processing of lithic resources and stone tools was being carried out at these locations. No early European American era cultural material was encountered in the Phase 1B sampling. Other portions of the site showed no evidence of cultural remains. Columbia Heritage recommended further investigation in the three sub areas where cultural material was recovered to clarify the nature and extent of the deposit.

Following the Phase II investigation and fieldwork conducted by Columbia Heritage, the firm LaPorta & Associates was retained by the applicant to conduct further detailed evaluation of these Native American quarry areas that would better enable OPRHP to evaluate significance.

LaPorta & Associates Phase 1B and Phase II Investigations

In the period 2005 through 2008 LaPorta & Associates (LPA) conducted supplemental geological and archeological investigations of the alleged quarry sites found during the initial cultural resource studies.

LPA investigators identified forty-two locations of quartz veins, geologic interests and archeological interest. Twenty of these locations were divided into four clusters (Cluster 1, Cluster 2, Cluster 3, and Cluster 4) that included locations along north-south trending bedrock outcrops occupying the edges of the hilltop on the property. The remaining twenty-two locations were singular locations of thin quartz veins, quartz sub crops, and artifacts in the rest of the property.

The July, 2008 Addendum indicates that LPA recognized an additional cluster (Cluster 5) based on Columbia Heritage's positive STP locations, artifact findings and proximity to quartz in outcrops. LPA recommends no further work in Cluster 5.

LPA concluded that Cluster 1 and Cluster 2 are eligible for placement on the National Register. Cluster 3 and Cluster 4 were not deemed eligible for placement on the National Register. Due to the amount and quality of work conducted on this project, LPA recommends no additional fieldwork.

Mitigation Measures

The NYS OPRHP reviewed the Phase 1B and Phase II reports for the Hillcrest Commons site in accordance with the New York State, Recreation and Historic Preservation Law, Section 14.09. The OPRHP concurred that Precontact Quartz Quarry Cluster 1 (A07901.000076) and Precontact Quartz Quarry Cluster 2 (A07901.000077) are eligible for inclusion in the State and National Registers of Historic Places. The Precontact Quartz Quarry Clusters 3 and 4 are not eligible. The OPRHP recommended that an avoidance plan be prepared for Clusters 1 and 2 so that they are protected short term during construction and long term through a covenant which will transfer with the deed (see March 27, 2008 letter). The September 5, 2008 letter from OPRHP recommended that recently identified Precontact Quartz Cluster 5 (A07901.000080), a rock shelter and two small quarry related loci be protected as well in the resource Avoidance Plan.

The applicant has prepared an Avoidance Plan for the Protection of Archeological Resources. The plan includes fencing to avoid any disturbance to the identified archeological resources during construction. In addition, the applicant has provided language and a commitment that the Clusters 1, 2 and 5 will be protected long term through a deed restriction. Given this proposed mitigation, the project will have No Adverse Impact to historic properties in or eligible for inclusion in the State and National Registers of Historic Places.

1.4 Issues and Potential Controversy

The primary concerns that generated comments in response to the DEIS included the overall amount of grading and disturbance on the project site, the extent of proposed impervious surface, proposed development on steep slopes, and increased in traffic along Route 52. The Revised Site Plan presented in this SDEIS addresses all of these issues and the potential controversy associated with them, including traffic, since under the former plan, the majority of traffic generated by the project was associated with the proposed office uses.

The Final Environmental Impact Statement (FEIS) dated July 28, 2006 (with addendum August 9, 2006) addressed the issues noted above, as did the Findings Statement adopted by the Carmel Planning Board on August 23, 2006. Based on an Article 78 challenge of the Findings Statement and a determination by the New York State Supreme Court, this SDEIS is limited to three topics: 1) minor modifications that have occurred to the site plan; 2) wetlands; and 3) cultural resources.

1.5 Listing of Matters to Be Decided

As noted above, the identified Involved Agencies will make decisions concerning the following discretionary approvals and permits:

- Town of Carmel Planning Board: Subdivision Approval, Site Plan Approval, Special Exception Use Permit;
- Town of Kent Planning Board: Site Plan Approval, Subdivision Approval and waiver of road standards, Town Wetlands Permit, Town Steep Slopes Permit, Town Erosion Control Permit;
- Town of Carmel Zoning Board of Appeals: Area Variances for Residential Lot;
- Putnam County Department of Health**:** Water Connection and Sewer Connection;
- NYCDEP: Stormwater Pollution Prevention Plan/Sewer Connection;
- NYSDEC: Stormwater Pollution Prevention Plan;
- New York State Department of Transportation - Region 8**:** Highway Work Permit;
- Town of Carmel Environmental Conservation Board: Wetland Permit;
- Carmel Architectural Review Board: Architectural Approval;
- United States. Army Corps of Engineers: Individual Wetland Permit.

In addition to the regulatory approval matters noted above that will be decided, the Lead Agency will, pursuant to State Environmental Quality Review Act (SEQRA), render decisions concerning the completeness of this SDEIS, the subsequent SFEIS, and SEQRA findings,

which will consider the relevant environmental impacts, facts and conclusions disclosed in the SFEIS; weigh and balance relevant environmental impacts with social, economic and other considerations; and provide a rationale for the agency's decision.

2.0 DESCRIPTION OF THE PROPOSED ACTION

2.1 Introduction and Background

The Hillcrest Commons project has been the subject of a previous environmental review under the State Environmental Quality Review Act (SEQRA). Previously, a Draft Environmental Impact Statement (DEIS) was submitted to the Town of Carmel Planning Board, the Lead Agency for the Hillcrest Commons project. The Lead Agency issued a Notice of Completion for the DEIS and a Notice of SEQRA Hearing on June 1, 2005. The Planning Board reviewed the DEIS, which analyzed the potential impacts anticipated from an application that included 60,000 square feet of office space, 150 senior housing units, and supporting parking lots and stormwater management facilities. The site plan presented in the DEIS (hereinafter the "DEIS Plan") was modified to reduce potential impacts, in response to comments on the plan from the Lead Agency, the public and involved and interested agencies, resulting in the office component of the project being eliminated (hereinafter the "FEIS Plan").

The FEIS Plan (2006) and the potential impacts anticipated from it were described in the Final Environmental Impact Statement (FEIS). The FEIS was accepted by the Lead Agency on August 9, 2006 and a Findings Statement was adopted by the Lead Agency on August 23, 2006. Following the adoption of Findings and during the Site Plan review process, modifications were made to the FEIS Plan as a result of Planning Board and public comment (hereinafter "Revised Site Plan"). This Revised Site Plan (2009) is presented and evaluated in this Supplemental Draft Environmental Impact Statement (SDEIS).

A project location map and local land use is shown in Figure 2-1 and 2-2, respectively. The Revised Site Plan (2009) is shown in Figure 2-3 and an enlargement of the building layout is provided as Figure 2-4. For comparative purposes, the FEIS Plan (2006) is shown in Figure 2-5.

The Hillcrest Commons Findings Statement, which was adopted by the Lead Agency on August 23, 2006, was challenged pursuant to Article 78 of the New York Civil Practice Law and Rules in the Supreme Court of the State of New York. The court's disposition concerning the Article 78 challenge annulled the Findings Statement and remitted the matter back to the Lead Agency for further environmental review of the issues outlined in the judgment (June 19, 2007). A copy of the judgment is provided in Appendix A. The judgment indicated that the evaluation of wetlands and archeological resources were deferred by the Lead Agency, and that these two issues warranted further evaluation. Therefore, the project's potential impacts on wetlands and archeological resources, as well as impacts associated with the plan modifications that occurred after the approval of the FEIS and adoption of the August, 2006 Findings, are the focus for this SDEIS.

The Revised Site Plan (2009) involves a Subdivision and Site Plan application, as well as, a Special Exception Use Permit application for a total of 150 senior housing units in eight buildings and associated infrastructure. The Revised Site Plan (2009) includes a separate clubhouse building with an outdoor swimming pool and a separate water control building. A new public road from New York State (NYS) Route 52 would provide access to the project site. The prior SEQRA review also included a potential 10,000 square foot expansion, and 50 new parking spaces for the existing Shoprite supermarket located adjacent to the proposed residential development. At this time, no plans for expansion of Shoprite are proposed. A

Special Exception Use Permit is required from the Town of Carmel Planning Board for the construction of residential housing in the C-Commercial zone.

The proposed subdivision entails the consolidation and re-subdivision of four existing tax lots. The parcels to be combined and re-subdivided include two tax lots in the Town of Carmel (44.10-1-4 and 44.09-1-9), one tax lot in the Town of Kent (44.10-2-1) and one lot that straddles the Town line, known as the Carter parcel (44.09-2-27). The applicant proposes to realign the lot line between Carmel Plaza (the Urstadt Biddle Properties) and BBJ Associates property, enlarging the Carmel Plaza parcel. The applicant also proposes to merge the Carter parcel with the BBJ Associates Parcel, create two new lots, and create an access road right-of-way. The access road right-of-way parcel would straddle the Town line of the Towns of Kent and Carmel, with 1.08 acres in the Town of Carmel and 1.99 acres in the Town of Kent.

The project site considered in this SDEIS will be referred to as the "Hillcrest Commons" site and is 80.85 acres in size. The Carmel Plaza property and a residential parcel on Route 52 consist of 26.90 acres. All property involved in the subdivision consists of 107.75 acres.

2.2 Affordable Senior Alternative

An evaluation of project alternatives was not included in the Scoping Document for this SDEIS, since the NYS Supreme Court judgment pursuant to the Article 78 focused on the potential impacts of the project on wetlands and archeological resources. The former DEIS and FEIS for the Hillcrest Commons project evaluated a range of alternatives, including alternative access into the property.

The applicant, BBJ Associates, LLC has continued to review and consider project alternatives since the adoption of Findings by the lead agency (August 23, 2006), and since the Supreme Court judgment pursuant to the Article 78 proceeding (June 19, 2007). Several new senior housing communities in the area and the current downturn in the real estate economy are factors that have influenced the applicant's position on the prior residential plans. The applicant anticipates that the project will be a senior affordable rental housing project. This alternative plan is similar to the successful Hughson Commons development in Carmel, owned and operated by the applicant. The proposed 150 unit affordable rental project is described in Section 5.0 Alternatives. This alternative would utilize the proposed entrance at NYS Route 52, north of the Carmel Plaza shopping center.

The Affordable Senior alternative offers several benefits. It is more marketable given current economic conditions. Secondly, the alternative would reduce overall site disturbance, as compared to the Revised Site Plan (2009). These issues are further discussed in Section 5.0 Alternatives.

2.3 Approvals and Involved Agencies

Approvals and referrals required for this project and agencies having approval and permitting authority for the proposed action (“Involved Agencies”) are listed below:

Subdivision Approval, Site Plan Approval, Special Exception Use Permit
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60 McAlpin Avenue
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Site Plan Approval, Subdivision Approval and waiver of road standards, Town Wetlands Permit, Town Steep Slopes Permit, Town Erosion Control Permit
Town of Kent Planning Board
531 Route 52
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SPDES General Permit for Stormwater (GP-02-01)
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21 South Putt Corners Road
New Paltz, New York 12561

New York State Department of Transportation
New York State Department of Transportation, Region 8
4 Burnett Boulevard
Poughkeepsie, New York 12601

Wetland Permit - Town of Carmel Environmental Conservation Board
10 McAlpin Avenue
Carmel, New York 10512

Carmel Architectural Review Board
10 McAlpin Avenue
Carmel, New York 10512

Wetland Permit
United States.Army Corps of Engineers
26 Federal Plaza,
New York, New York 10278

2.4 Interested Parties

The following is a list of interested parties, as defined in 6 NYCRR, Part 617, SEQRA regulations. These agencies and boards will review the SDEIS and provide comments to the Lead Agency.

- Town of Carmel Architectural Review Board
- Putnam County Department of Planning and Development
- Carmel Fire Department
- Carmel Police Department
- Carmel Volunteer Ambulance Corps
- Putnam County Parks
- Carmel Central School District
- NYC Watershed Inspector General (NYS Office of the Attorney General)

2.5 Project Location, Description and Environmental Setting

The proposed project is located mostly in the Town of Carmel with a small portion of the site located in the Town of Kent. The total property involved in the subdivision includes 99.38 acres located in the Town of Carmel and 8.37 acres located in the Town of Kent, or 107.75 acres. The project site considered in this SDEIS will be referred to as the "Hillcrest Commons" site and is 80.85 acres in size. A location map is provided as Figure 2-1 and an aerial photograph which shows the project site and surrounding land uses is provided as Figure 2-2.

The project site is zoned Commercial (C) in the Town of Carmel and split between Commercial (C) and R-40 Residential districts in the Town of Kent. The project site s behind a large parking lot. These buildings include the Shoprite supermarket, some smaller retail and commercial service establishments in the northerly building, and a cinema, a gym, and several smaller commercial establishments including a video store and a restaurant in the southerly building. A one-story bank is located on the western side of the parking lot.

Land uses surrounding the project site include institutional uses (cemetery), a monument sales establishment, residential properties, vacant land, and other commercial uses (see Figure 2-1 Aerial Photograph). The Route 52 corridor supports mixed uses that extends north of downtown Carmel. Directly across the site on Route 52 is the Raymond Hill Cemetery. Further to the west, behind the cemetery, is the Laurel Farms residential subdivision, located off Old Farm Road. Directly east of the site is the Hill and Dale residential development. Approximately four existing residences adjoin the northwest portion of the property.

Portions of the project site in the Town of Kent, located east of Route 52, abut several single-family homes along Willow Trail and vacant wooded land. These homes are generally two stories tall and occupy lots that are approximately one quarter acre in size. The generally wooded portions of the project site, which are located in the Town of Kent, comprise less than ten percent of the total area of the site.

2.6 Project Description and Layout

The Applicant, BBJ Associates, LLC., proposes to construct one-hundred and fifty (150) senior housing units in eight buildings (Revised Site Plan, 2009). Putnam County and the Town of Carmel are areas of a steadily growing population and continuing demand for senior housing.

The applicant proposes 150 senior housing units on project site to help to meet this growing demand. Under the current proposal, all of the 150 units will be sold at market rates. The Revised Site Plan (2009) is shown as Figure 2-3. An enlarged Building Layout is shown as Figure 2-4.

The residential development would be located on the slopes of the hilltop, in the central portion of the property, surrounding the existing water tank. The eight residential buildings would be situated around two cul-de-sacs with a central, passive recreation area. The residential buildings would be two stories and would contain 16 to 20 units in each building. The residential buildings would be constructed into the sloping topography, exposing the lowest floor of each building on the downslope side. The stand alone recreation building would be approximately 4,500 square feet in size on a single floor and would include an outdoor swimming pool.

Proposed access to the site would be from single entrance along Route 52 at the northern limits of the property. This entrance road would pass through the Town of Kent. The entrance drive will end in a cul-de-sac in the north central portion of the property and would be constructed to the Standards of the Town of Carmel and the Town of Kent. It is anticipated that the main entrance drive will become a Town of Carmel Town Road, following construction and acceptance by the Town.

The main entrance drive would provide access to two additional cul-de-sac driveways. The eastern driveway would provide access to Buildings A, B, C, D, E, and the clubhouse building. The western driveway would provide access to Buildings F, G, H. Visitor and additional parking areas are proposed for each of the eight residential buildings and for the clubhouse building. These parking areas are situated along the two cul-de-sacs at the front of each residential building.

Parking for residents will be provided under each of the residential buildings with access driveways located at either the front or sides of the buildings, depending upon the topography and building position. A total of 306 parking spaces are provided for the residential buildings and clubhouse.

Section 3.1 Review of Plan Changes Subsequent to FEIS provides a summary of the DEIS Plan and FEIS Plan, which were previously submitted to the Town of Carmel Planning Board as part of the SEQRA review. For illustrations of the previously submitted plans, refer to Figure 2-5 FEIS Site Plan (2006) and Figure 2-6 DEIS Site Plan (2005).

2.6.1 Characteristics of Site and Surrounding Areas

As noted above, the Hillcrest Commons site is primarily vacant wooded land (See Figure 2-2 Local Land Use). The site contains mature trees and contains stone walls and areas of rock outcrop. A Town owned water tower (Central Water District No. 2) is located in the approximate center of the property and is accessed by an existing gravel road. A single existing residence is located in the northwest corner of the site on Route 52. The Carmel Plaza shopping center, which fronts onto Route 52, borders the project site to the west. Single family residences border the site to the north (in the Town of Kent), to the east and to the southwest. Portions of the property border vacant wooded land.

2.6.2 Structures and Site

Building Layout, Size and Use

The Hillcrest Commons project consists of a senior residential development with 150 residences in eight buildings and a separate clubhouse with outdoor pool. The proposed site plan and layout is shown in Figure 2-3, Revised Site Plan (2009). A full size set of Site Plan drawings are provided with this SDEIS. The residential development will be located in the central portion of the property, surrounding the existing Town water tower.

As noted above, the eight residential buildings will be situated around two cul-de-sacs with a central landscaped passive recreation area (see Figure 2-4 Revised Building Layout). The residential buildings would be two stories and would contain 16 to 20 units in each building. The residential buildings would be constructed into the sloping topography, exposing the lowest floor of each building on the downslope side. The residential buildings will be of classic contemporary design. The stand alone community building will be approximately 4,000 square feet in size and a single story. The outdoor pool will be approximately 45 feet by 25 feet in size surrounded by a terrace.

In addition to the community building and pool a passive recreation area will be provided at the hilltop, central to the residential development. Picnic tables and benches will be provided in an area of existing mature woods. All existing mature trees would be preserved in this area and woodchip paths provided for pedestrian access. In addition, a walking trail will be provided along the western and southern wooded slopes of the development, passing through existing mature woods.

Parking Area and Traffic Circulation Layout

As noted above, access into the site, which would pass through the Town of Kent, would be from a single entrance on Route 52 at the northern edge of the property. The access road will be constructed to the Standards of the Town of Carmel and the Town of Kent, and following its construction, the access road will be offered for dedication to the Town of Carmel.

The main entrance drive would end in a cul-de-sac at the northern edge of the development. Following construction the access road would be offered for dedication to the Town of Carmel. Two private access drives are proposed from the Town cul-de-sac; one on the western side of the water tower providing access to three buildings (Buildings F, G and H), and a second providing access to five residential buildings and the clubhouse, located east of the water tower (Buildings A through E). These two private drives both end in cul-de-sacs.

A twelve-foot wide gravel emergency access drive is proposed to provide access into the site in the event that the main entrance is blocked. The emergency access runs from the southeastern corner of the Carmel Plaza shopping center, crosses the southern slopes of the site, and joins the access road at the eastern edge of the development. Emergency access gates at both ends of the drive would be provided to prohibit through traffic.

Separate parking areas are provided for each of the eight residential buildings and for the clubhouse building. Each of the residential buildings would have parking provided at the ground floor, with access provided by driveways at the front or sides of the buildings. A total of 220 parking spaces are provided with under-building parking. In addition, 86 outdoor parking spaces

are provided for visitors and for the clubhouse, located along the access drives. A total of 306 parking spaces are provided for the residential buildings and community center.

Drainage and Stormwater Management Plans

The project engineer has prepared a Preliminary Stormwater Management Report (SDEIS Appendix G) for the proposed project. The report describes existing stormwater runoff conditions, post-development conditions and proposed erosion and sediment controls and stormwater management practices designed to minimize impacts anticipated from erosion and sedimentation and post construction changes in stormwater characteristics.

The Hillcrest Commons project site is located within the Croton Falls Reservoir Watershed, part of New York City's public drinking water supply watershed. Therefore, the quantity and quality of stormwater discharge resulting from the proposed project must be analyzed in a Stormwater Pollution Prevention Plan prepared in accordance with New York State Department of Environmental Conservation (NYSDEC) General Permit for Stormwater Discharges GP-93-06 which is incorporated into the New York City's Watershed Rules and Regulations by reference, as well as, NYSDEC SPDES General Permit GP-0-08-001. The Applicant notes that the 107.75 acre project site occupies only 1.05 percent of the 10,240 acre Croton Falls Reservoir watershed and that the 7.22 acres of proposed impervious surfaces would occupy only 0.07 percent of that watershed.

As described in the Stormwater Management Report, a series of stormwater basins and water quality swales have been designed pursuant to GP-0-08-001 to capture and treat 90 percent of the average stormwater runoff (the water quality volume). The stormwater management facilities include four stormwater basins in the northern portion of the site and three basins in the southern portion of the property. As required by the NYCDEP, 24 hour detention of the 2-year, 24-hour storm has also been provided. The proposed stormwater management plan was further described in Section 3.4 Water Resources of the DEIS.

Landscaping Plan

A landscaping plan has been developed as part of the overall site plan for the proposed development. The landscaping plan is provided in the set of drawings appended to this document (Drawings SP 2.1, 2.2, and 2.3 Layout & Landscaping Plan). Landscaping will be provided along the fronts of all the residential buildings proposed, as well as, the front of the clubhouse building. Proposed plantings will serve as a visual landscaping buffer between the residential buildings (Buildings D and F) and the existing water tank. The center of each of the three proposed cul-de-sac will be landscaped with bushes and shrubs, and the relatively dense existing vegetation will be retained around the perimeter of much of the site, and between the senior residences and the existing off-site residences located northwest of the site.

Lighting Plan

Proposed lighting is provided in Drawings SP 2.1 through 2.3 Layout & Landscaping Plan. The plan shows pole mounted lights located along the access drives and post or bollard type lighting located along sidewalks and at the front of residential buildings and the clubhouse. The pole mounted lights are designed to be directed downward to avoid off-site nighttime visual impacts.

Setbacks and Buffer Treatments

The project provides the appropriate setbacks as required by the Town of Carmel Zoning Code. The Town of Kent setback requirements do not apply to the project since all of the buildings are located in the Town of Carmel. Bulk requirements for uses in the commercial district are provided in Drawing SP-1 Overall Site Plan. The project as proposed meets all setback, bulk and density requirements of the C - Zone District.

The landscaping plan proposes buffer landscaping along the entrance drive to provide screening for the five residences directly north of the site, near the project entrance. The landscaping in this area will include a mix of deciduous and evergreen trees to provide an attractive buffer and screening for those residents.

During the Site Plan review process in 2006, a building in the northeast portion of the site was relocated to minimize the visual impacts to existing residents in the Hill and Dale development. This modification to the Site Plan provides additional buffer and setback between existing neighbors and the proposed residential buildings.

Erosion and Sedimentation Control Plan

An Erosion and Sediment Control Plan has been developed by the project engineer to minimize potential impacts resulting from soil erosion and sedimentation during construction. The Erosion and Sediment Control Plan (see drawings SP 4.1, 4.2, 4.3) is provided in the drawings located at the end of this document and in the Stormwater Management Report found as Appendix G.

The primary aim of the plan is to prevent erosion of areas exposed during construction and prevent sedimentation of on and off-site water resources and off-site properties. All soil erosion and sedimentation control practices will be installed in accordance with New York State Standards and Specifications for Erosion and Sediment Control, August 2005, the Erosion and Sediment Control Best Management Practices Manual Series, Putnam County, and the Towns of Carmel and Kent municipal codes.

Prior to any grading activity, erosion and sediment control measures will be installed in accordance with the Erosion Control Plan and specifications attached to final construction drawings. Erosion control features will be maintained in good condition and left in place until permanent vegetative cover is established.

The Town of Carmel and the Town of Kent may require construction bonds to insure the proper installation and maintenance of erosion and sediment control measures, and for site restoration if necessary. The construction contractor will be required to install all sediment and erosion control measures and maintain them throughout the entire construction process. These measures will be monitored during construction by the project construction manager and will be available for monitoring by representatives of both Towns.

The proposed plan will limit the extent of disturbed soil to five acres at any one time in accordance with GP-93-06, and GP-0-08-001, unless authorization to exceed the five acre threshold is secured. Erosion, and resulting sedimentation, will be controlled during the construction period by temporary devices specified in the Erosion Control Plan developed

specifically for the Hillcrest Commons project. Following construction, erosion will be prevented by the established vegetation and by the permanent stormwater management devices shown on the plans.

Environmental Considerations

The Revised Site Plan considered in this FEIS is the result of a deliberative SEQRA review process and incorporates design elements resulting from Town, agency and public comment.

- The proposed development has been located on the most level portions of the site and wetlands and steep slopes have been avoided to the extent possible. The project would involve disturbance to approximately 30 percent of the site, while existing vegetation would remain on 70 percent of the property.
- An area consisting of approximately 2.5 acres of prominent hilltop will remain undisturbed and the existing mature trees in that area will be preserved. This area of preserved green space will be available to project residents for passive recreation.
- The proposed Hillcrest Commons buildings were relocated away from existing residences in the Hill and Dale neighborhood to provide greater distance and buffer between those residences and the proposed residential buildings.
- Parking has been provided under the residential buildings to reduce impervious surface and the overall "footprint" of the development. A total of 220 parking spaces are provided with under-building parking.
- The project would provide mitigation for unavoidable wetlands impacts associated with the entrance drive. The entrance drive would require the filling of 0.53 acres of Wetland A, near Route 52. The applicant proposes a 0.65 acre expansion of Wetland B located south of the Carmel Plaza shopping center and a 0.10 acre expansion of Wetland A north of the proposed access road. Wetland impacts and proposed mitigation are described in Section 3.2 (Wetlands).
- The project provides an Archeological Preservation Plan for three areas identified as containing archeological resources. The historic and archeological studies and Preservation Plan are described in Section 3.3 Cultural Resources.

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Figure 2-1: Location Map

Hillcrest Commons
Towns of Carmel & Kent
Putnam County, New York

Source: USGS 7.5-minute Topographic Map, Lake Carmel Quad
Approx. Scale: 1" = 2,000'

File 0373 11/15/05
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Tim Miller Associates, Inc.,10 North Street, Cold Spring, New York 10516 (845) 265-4400 Fax (845) 265-4418

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Figure 2-2: Local Land Use
Hillcrest Commons
Towns of Carmel & Kent
Putnam County, New York
Source: New York State GIS Clearinghouse
Approx. Scale: 1 inch = 430 feet

File
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Tim Miller Associates, Inc.,10 North Street, Cold Spring, New York 10516 (845) 265-4400 Fax (845) 265-4418

File 0373 3/16/09
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Figure 2-3: Revised Site Plan
Hillcrest Commons
Towns of Carmel and Kent
Putnam County, New York
Source: Insite Engineering, Surveying & Landscape Architecture, P.C.
Date: 3/11/09

Figure 2-4: Revised Building Layout
Hillcrest Commons
Towns of Carmel & Kent
Putnam County, New York
Source: Insite Engineering, Surveying & Landscape Architecture, P.C.
Date: 3/11/09

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Figure 2-5: FEIS Site Plan
Hillcrest Commons
Town of Carmel, Putnam County, New York
Source: Source: Insite Engineering, Surveying & Landscape Architecture, P.C.
Scale: 1" = 225'

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Figure 2-6: DEIS Site Plan
Hillcrest Commons
Towns of Carmel and Kent
Putnam County, New York
Source: Insite Engineering, Surveying & Landscape Architecture, P.C., 11/05
Scale: 1" = 300'

3.0 IMPACT ISSUES

3.1 Review of Plan Changes Subsequent to FEIS

This section of the Supplemental Draft Environmental Impact Statement (SDEIS) discusses changes in the proposed plan of development, and summarizes changes in anticipated impacts for each environmental impact category, such as soils, water resources, and noise, that could result from modifications in the plan of development that were made since the Final Environmental Impact Statement (FEIS) was accepted by the lead agency in August 2006. In each impact category below, potentially significant changes in anticipated impacts that could alter the conclusions in the previously adopted findings statement are identified. In instances where there is no substantive change to any prior disclosed or analyzed impact, then no further discussion of that subject are provided. Also refer to Table 3.3-1, Impact Comparison Chart, for a summary comparison of potential impacts between the Revised Plan and the FEIS plan.

3.1.1 Description of the Proposed Physical Changes to the Site Plan

Subsequent to the FEIS and issuance of Findings, several meetings were held by the lead agency to discuss the site plan with Board members and the public. A public hearing on the FEIS Site Plan (2006) was held on November 29, 2006. As a result of those meetings, the applicant made several building layout modifications to the FEIS Site Plan (2006). Primarily, modifications were made to address concerns of the adjoining residential neighbors located northeast of the site, including those neighbors residing in the Hill and Dale neighborhood, on Willow Trial Court.

In summary, the applicant modified the site plan to move the residential buildings on the Hillcrest Commons site further from the neighbors in the Hill and Dale neighborhood to retain a larger wooded buffer between existing residences and on-site development. The total number of residential units (150 units) was not modified. Former Building B (FEIS Site Plan), which was located closest to the Hill and Dale neighborhood was eliminated. Several of the residential buildings were made slightly larger to accommodate the total number of units. Former Building D (FEIS Plan) was shifted southwest of the Hill and Dale community by approximately 80 feet. These building layout modifications are further described below.

3.1.2 Proposed Modifications to the Site Plan

Revised Project Layout

The Revised Plan (2009) consists of eight multi-family residential buildings located at the end of a cul-de-sac entrance road from Route 52 (see Figure 2-3). The entrance road and cul-de-sac design have not been modified from the original Site Plan. The proposed residential buildings are located on two private driveways that extend to the west and the east of the cul-de-sac. The existing Town of Carmel water tower and the wooded hilltop will separate the two clusters of buildings. Five buildings will be located on the eastern side of the hilltop, with the buildings and driveway located and graded to fit into the sloping hillside. Three buildings will be located on the western side of the hilltop, also positioned parallel to the contours on the slope. The Revised Site Plan (2009) is shown as Figure 2-3. The FEIS Plan (2006) is shown as Figure 2-5.

A difference between the current layout and the FEIS Site Plan (2006) is the elimination of a building (Building B in the FEIS Site Plan) and the shifting of the development away from the

northeastern property line and existing homes on Willow Trail Court. The Revised Site Plan (2009) consists of eight residential buildings, while the FEIS Site Plan (2006) proposed nine buildings. In order to maintain the total number of units at 150, five of the buildings were made slightly larger to accommodate three or four additional units. The entrance road, cul-de-sac layout and the two driveways were not modified for the Revised Site Plan (2009).

As further described below, modifications to building layout and grading resulted in small changes to the total areas of grading and impervious surface. Impact areas are compared in Table 3.1-1, below.

Table 3.1-1
Environmental Impact Comparison Chart

Impact Category	*Revised Plan (2009) (SDEIS Proposed Layout)*	*FEIS Plan (2006) (Senior Residential - 150 units)*	*DEIS Plan (2005) (Office and Senior Residential)*
Developed Area			
Office Space (sq. feet)	0	0	69,000
Residential Units	150	150	150
Impervious Surfaces (acres)	7.22	6.95	9.1
Lawn/ Landscaping (acres) **	15.88	16.95	18.8
Open Space Resources (acres)			
Wetlands	13.05	13.2	13.2
Woods (uplands)	44.70	48.75	39.75
Natural Resource Impacts (acres)			
Total Construction Disturbance	23.10	23.9	27.9
Total Woodland Disturbance	22.56	23.5	27.5
Wetland Disturbance	0.53	0.39	0.39
Wetland Buffer Disturbance	0.88	0.9	0.9
Disturbance to slopes > 15 percent	10.21	10.1	12.7
Community Resources			
Population	270	270	270
Water Demand/Sewage Flow (gpd)	36,000	36,000	40,720
Revenues to School District	TMA	$256,048	$337,853
Revenues to County	TMA	$26,583	$35,076
Revenues to Town of Carmel	TMA	$192,236	$248,376
Revenues to Town of Kent	TMA	$2,320	$2,320
Total Project Revenues	$477,187	$477,187	$663,625
Traffic			
Traffic Generation * (Total AM Peak Hour Trips/ Total PM Peak Hour Trips/ Total Saturday Peak Hour Trips)	40/ 46/ 46	40/ 46/ 46	163/ 191/ 70

Source: Tim Miller Associates, Inc., Insite Engineering, Surveying & Landscape Architecture, LLC.
** Includes areas of stormwater management basins.
* Traffic generation numbers at proposed access drive.
Note: Hillcrest Commons site totals 80.85 acres. The Shoprite and Red House Parcels total 26.90 acres. Total area of land involved in the subdivision is 107.75 acres

The following discussion is a comparison of impacts between the FEIS Plan and the currently proposed Revised Site Plan and modifications to the Plan subsequent to the FEIS.

Soils and Topography

The Revised Site Plan (2009) would result in relatively small changes to grading and site disturbance. Total site disturbance would be reduced by approximately one acre comparing the Revised Site Plan (2009) to the FEIS Plan (2006). As shown above, the current project would result in total site disturbance of approximately 23.1 acres, compared to the 23.9 acres for the FEIS Plan. The Revised Plan and the shifting of the building layout would result in a slight increase (approximately 0.1 acre) in disturbance to slopes greater than 15 percent. As provided in the comparison table, the current Plan would involve nearly five acres less site disturbance and grading compared to the DEIS Plan.

Wetlands

The Revised Site Plan (2009) would slightly increase (by 0.15 acres) impacts to wetlands compared to the FEIS Plan (2006). This change is the result of required modifications to the stormwater detention facility located in Wetland A at the project entrance near NYS Route 52. Site topography dictates that this basin be located within the wetland to ensure that drainage from the lower portion of the access road is captured and treated. Information provided in support of the ACOE Section 404 Wetland Permit further describes the modifications to the wetland impacts and the applicant's proposed wetland mitigation (see Appendix C, August 14, 2008 letter to US Army Corps of Engineers). Wetland impacts, proposed mitigation and the permitting process are described in detail in Section 3.2 (Wetlands) of this SDEIS.

Since the FEIS was prepared, New York State Department of Environmental Conservation (NYSDEC) has adopted more stringent stormwater regulations, particularly related to the capture and treatment of phosphorus and the reduction of runoff volumes. The project engineer has redesigned the stormwater basin, enlarging it to the east in order to accommodate the required additional volume. The result is a slight increase in the impacts to Wetland A from 0.39 acres to 0.53 acres.

As further described in Section 3.2, below the applicant propose the creation of 0.65 acres of expansion at Wetland B. In addition, the applicant proposes the expansion of Wetland A by 0.10 acres. The current proposal is to replace 0.53 acres of regulated wetland with 0.75 acres, for an impact to creation ratio of 1.4 to 1.

Terrestrial and Aquatic Ecology

The Revised Site Plan (2009) will result in an approximately 0.8 acre reduction in overall site disturbance compared to the FEIS Plan. This reduction results in the preservation of an additional one acre of woodland habitat on the Hillcrest Commons property. Overall, 23.1 acres of the 80.85 acre property would be disturbed under the revised plan or approximately 29 percent of the site. Existing vegetation and habitat would be preserved on the remaining approximately 58 acres. The applicant intends to impose formal development restrictions on portions of the site that will not be disturbance. These restrictions will take the form of a conservation easement or similar mechanism. Such restrictions will be finalized with the Lead Agency as part of the SEQR and Site Plan review and approval process.

Similar to the FEIS Plan (2006), the Revised Site Plan (2009) would not result in significant adverse impacts to wildlife or wildlife habitat.

Water Resources

The revised project will result in the disturbance of 23.10 acres (29 percent) of the site and the introduction of 7.22 acres of new impervious surface compared to the proposal analyzed in the FEIS that would have resulted in the disturbance of 23.9 acres and the introduction of 6.95 acres of new impervious surface. Most of the area that will be graded (15.88 acres) will be re-seeded or planted and will become revegetated road embankments, lawns, and stormwater quality basins.

These slight modifications in areas of disturbance and impervious surfaces, compared to the FEIS Plan (2006) have been addressed through the revisions of the Stormwater Management report for the project. The revised Stormwater Management Report dated August 15, 2008 is provided in Appendix G.

The project construction and the introduction of impervious surfaces on the site will result in increases in the rate of runoff as well as the volume of runoff generated by this site. These activities are subject to review by the New York City Department of Environmental Protection (NYCDEP), under the Rules and Regulations for the Protection of the New York City Watershed. Regrading for the creation of building sites and roads will also result in some changes to the drainage patterns of the site. If not properly mitigated, these activities could cause soil erosion and possibly flooding impacts due to these increases, and change the hydrology of associated wetlands and floodplains. Changes to the site's stormwater drainage patterns, will be mitigated through the construction of stormwater management facilities to detain and treat the increased stormwater run-off. Stormwater management facilities include the construction of seven (7) stormwater management basins. The applicant notes that the 80.8 acre project site occupies less than one percent of New York City's 10,240 acre Croton Falls Reservoir watershed and that the 7.22 acres of proposed impervious surfaces would occupy only 0.07 percent of the watershed. As such, no potential significant adverse impacts on the reservoir, or its watershed, are anticipated from the proposed project.

Groundwater

The Revised Site Plan (2009) would not alter the existing groundwater table or flow nor are impacts related to the quantity or quality of groundwater resources expected as a result of the Plan. As further described in the discussion of utilities, below, the project will utilize municipal water from the Town of Carmel Water District #2.

Zoning and Surrounding Land Uses

The Revised Site Plan (2009), which shifted the building layout is not anticipated to result in adverse impacts to existing zoning and land use. The project remains 150 senior residential units. The project consisting of multi-family dwellings for the elderly (55 years of age and older) is a use allowed by Special Permit in the Commercial District, and subject to the approval of the Planning Board. Land use and zoning was fully analyzed in the former DEIS and FEIS and the land use impacts have not changed since the FEIS was prepared.

Traffic and Transportation

The Revised Site Plan (2009) maintains the same site entrance and layout of the proposed internal driveways. Therefore, traffic circulation is unchanged from the FEIS and DEIS. Since the number of residential units is unchanged from the FEIS Plan, the anticipated traffic generated as a result of the project is unchanged from the FEIS plan. Table 3.1-1 shows that the project is expected to generate 40 trips in the AM peak hour and 46 trips in the PM peak hour. These estimates are substantially lower than the traffic analyzed for the DEIS, since that plan included the formerly proposed 58,960 square feet of office space. This modification has reduced site trip generation of the site by 123 weekday a.m. peak hour trips, 145 weekday p.m. peak hour trips, and 24 Saturday peak hour trips. These are reductions of 75%, 76%, and 34% for the respective peak hours.

The FEIS described and analyzes potential mitigation measures for the proposed site access at NYS Route 52, in addition to those that were analyzed in the DEIS with the office and residential site use. These improvement measures included: 1) a second lane exiting the project site, and 2) a left turn lane on NYS Route 52 for southbound traffic to enter the site and a center turn lane between the site access and Dykeman Road. These mitigation measures are not proposed for the Revised Site Plan (2009), given the reduction in the estimated peak hour traffic, compared to the former residential and office use proposed in the DEIS.

The current plan assumes no change in the speed limit on NYS Route 52 under the current plan. The applicant will relocate the 30 mph speed sign to the north of the site on NYS Route 52 if requested to do so, as part of the highway work permit. According to the Applicant, this action would lower speeds in the vicinity of the site entrance, increasing safety. A reduction in speed limit will require review and approval from the New York State Department of Transportation (NYSDOT).

Community Services/Socioeconomics

The Revised Site Plan (2009) would result in the development of 150 senior residential units. The number of units and bedrooms is unchanged from that analyzed in the former project FEIS. Therefore the population, demographics and anticipated demand on community services would be the same for the Revised Site Plan as for the FEIS Plan (2006).

Consistent with the FEIS Plan (2006) and the DEIS Plan (2005), the project is estimated to result in approximately 270 residents for the development. Water and sewer demand for the project would remain at the estimated 45,000 gallons per day. The tax revenues generated are estimated to be unchanged as compared to the estimated $475,000 per year under the FEIS Plan. The project will not add any fiscal burden to the school district since no school age children will reside at Hillcrest Commons.

Visual Quality

The potential visual impacts of the project to motorists on Route 52 and local residents would remain unchanged since the location of the three residential buildings on the western slope of the project site is unchanged from the FEIS Plan. Potential visual impacts for the residents of Willow Trail Court would reduced by the proposed modifications to the Revised Site Plan.

As described above, the project building layout was modified, in large part to address concerns by project neighbors about the potential visual and development impacts in close proximity to existing homes on Willow Trail Court. Former Building C was eliminated at the northeast corner of the site and former Building D was shifted approximately 80 feet to the south. The buffer of existing trees between neighbors and the project development was enlarged to 85 feet.

Visual impacts of the project are also reduced by the preservation of approximately 2.5 acres of existing mature woods and vegetation at the hilltop occupied by the residential project. While the grading, clearing and construction of residential buildings would alter views of the existing site, in the Applicant's opinion these impacts have been reduced by the reconfiguration of buildings, preservation of existing vegetation in key areas, and the overall reduction in amount of grading required to construct the project.

Given the proposed revisions to the Plan which were done to specifically address visual impacts, the project impacts to visual resources are not anticipated from the Revised Site Plan.

Cultural Resources

In December 2005, the consulting archeologist completed a geologic and archeological mapping investigation (Phase 1B) to map potential archeological deposits. Following this initial fieldwork, the consulting archeologist recommended a Phase 2 evaluation be conducted on the property. The findings were discussed with Ms. Cynthia Blakemore of the Office of Parks, Recreation and Historic Preservation (OPRHP) and a plan was developed for a Phase 2 evaluation. The Phase 2 study was completed and the report submitted to the OPRHP in June 2008. A copy of the studies are provided in Appendix D Cultural Resource Studies.

Cultural resource studies, findings and mitigation proposed are described in detail in Section 3.3 of this SDEIS.

Air Quality and Noise

Given that the project site use, density and number of units has not changed compared to the FEIS Plan, air quality and noise impacts have not changed. The proposed senior residential project is not expected to result in significant noise or air quality impacts, consistent with the former FEIS and Findings Statement.

3.2 Wetlands

3.2.1 Existing Conditons

Delineated Wetlands

In the fall of 2004, the boundaries of the wetlands on the Hillcrest Commons site were delineated by a Certified Professional Wetland Scientist (PWS) with Tim Miller Associates, Inc. (TMA). The delineation was conducted in accordance with United States Army Corps of Engineers (ACOE), Town of Carmel, and Town of Kent, criteria and confirmed the presence of two wetlands (Wetland A and Wetland B) on the property. The surveyed boundaries of the two delineated wetlands are shown on Figure 3.2-3.

Prior to TMA's delineating the wetlands, background data characterizing conditions on the site was complied and analyzed, as recommended in ACOE wetland delineation methodology. These data included United States Geological Survey Quadrangle Maps, New York State Department of Environmental Conservation (NYSDEC) Freshwater Wetland Maps, United States Department of Agriculture Soil Survey Maps, and United States Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) Maps. The NWI map of Lake Carmel, New York, (Figure 3.2-1) shows the general configuration, location, and types of wetlands found on the project site.

Because the NWI maps are limited in precision by their scale (1:24,000), and by the identification methods used, the boundaries of wetlands shown on the NWI maps were subject to the delineations noted above. Commonly, small wetland areas, and less frequently large wetland areas, are not shown on the NWI maps. The NWI map of the site depicts a portion of one small wetland on the southern portion of the project site. That wetland is identified as a Palustrine Forested wetland (PFO1C) with broad leaved deciduous vegetation and subjected to seasonal flooding. During the on-site delineation, it was determined that this wetland is more extensive than the NWI mapping indicates.

On September 13, 2006, TMA staff submitted a map depicting the boundaries of the delineated wetlands to the United States Army Corps of Engineers (ACOE) with a request for a jurisdictional determination that would confirm the delineated wetland boundaries. TMA staff then walked the site, on November 11, 2006, with ACOE staff who requested modifications to the delineated wetland boundaries. On November 8, 2007, TMA submitted a revised wetland boundary map to the ACOE to reflect the requested modifications. By letter of January 11, 2008 (included in this SDEIS Appendix B, Correspondence) the ACOE confirmed the accuracy of amended boundaries of the federally regulated wetlands, and that the wetlands would be regulated by the ACOE.

The NYSDEC is responsible for mapping freshwater wetlands that are 12.4 acres and larger, and smaller wetlands that are of unusual local importance (Environmental Conservation Law, Article 24). The NYSDEC Freshwater Wetlands Map for Lake Carmel, Putnam County, covers the site (see Figure 3.2-2). The map indicates that no State-regulated wetlands are present on, or adjacent to, the project site, that the closest State regulated wetlands are Wetlands LC-17, LC-25, and LC-26, and that these wetlands are located approximately one half mile from the site.

Wetlands A and B Summary

Wetland A occupies 0.7 acres, or 30,700 square feet (sf), in the northwest corner of the project site (See Figure 3.2-4). In addition to being regulated by the ACOE, Wetland A is regulated by the Town of Carmel pursuant to its Freshwater Wetlands and Drainage Law in Article 62 of the Carmel Town Code. This wetland is not regulated by the Town of Kent since it does not meet the 40,000 square foot area requirement set forth in Chapter 39A of the Kent Town Code. However, a NYSDEC Class C watercourse flowing southerly through Wetland A, and a one hundred foot buffer around it, are regulated by the Town of Kent and the Town of Carmel. The NYSDEC does not regulate disturbance of this watercourse since it does not have a classification of C(T) or higher.

Wetland B occupies approximately 11.7 acres, or 510,000 sf, in the southwest corner of the project site in the Town of Carmel (see Figure 3.2-5). The Town of Carmel exerts regulatory jurisdiction over the freshwater wetlands and watercourse on the project site, as well as, a 100 foot buffer adjacent to the wetlands and the watercourse. By contrast, the ACOE regulates only the wetlands and watercourse but not the adjacent buffer areas. The NYSDEC classified watercourse, the Town of Carmel regulated wetlands, and the 100 foot buffers associated with these wetlands, are shown on the figures noted above and on the construction plans that accompany this SDEIS.

Field investigations included a review of soils found on site. The United States Department of Agriculture, Natural Resource Conservation Service (NRCS) defines a hydric (wetland) soil as "a soil that formed under conditions of saturation, flooding or ponding long enough during the growing season to develop anaerobic conditions in the upper part."

The NRCS Soil Survey of Putnam County identifies hydric soils on the project site and indicates their general location on a large scale map. According to that mapping, Sun loam (Sh) and (Su) and Leicester loam (Lc) hydric soils occupy Wetland B, while Su soil occupies Wetland A.

According to the survey, the Sun soils is very deep, nearly level, and poorly drained or very poorly drained. It is located in small depressions and along drainage ways on till plains. The water table ranges from 1.0 foot above to 0.5 feet below the surface from November through April. Permeability is moderate in the surface layer and slow to very slow in the subsoil and substratum. The erosion potential for this soils is none or slight. The depth to bedrock is more than 60 inches.

The survey also indicates that the Leicester soils are gently sloping, very deep, and somewhat poorly drained and poorly drained. The soil is located on the lower parts of hillsides and along small drainage ways in bedrock-controlled areas. Slopes in this soil unit range from 3 to 8 percent. The water table is within a depth of 1.5 feet in November through May. Permeability is moderate or moderately rapid in the surface layer and subsoil and moderate to rapid in the substratum. The erosion potential for this soil is moderate. The depth to bedrock is more than 60 inches.

The ACOE defines hydrophytic vegetation as "the sum total of macrophytic plant life that occurs in areas where the frequency and duration of inundation, or soil saturation, produce permanently or periodically saturated soils of sufficient duration to exert a controlling influence on the plant species present." An area is typically considered a wetland when, under normal

circumstances, more than 50 percent of the dominant species of a vegetation unit represent species that are typically hydrophytic.

Detailed Wetland Descriptions

As summarized above, two wetlands are located on the subject property as shown on Figures 3.2-4 and 3.2-5, as well as the engineering drawings included with this SDEIS. Detailed descriptions of each wetland follows.

Wetland A.

This wetland occupies 0.7 acres in the northwestern portion of the site. The northern 0.47 acres (20,700 sf) of Wetland A is located in the Town of Kent and the southern 0.23 acres (10,000 sf) is located in the Town of Carmel. The Applicant notes that Wetland A is regulated by the Town of Carmel since it occupies an area of 5,000 square feet or more.

The eastern portion of Wetland A is occupied by seasonally saturated soils and second growth woodland vegetation. The western side of Wetland A is disturbed by previous development, driveways and lawn associated with an existing single family residence. The NYSDEC classified stream flows through the lawn area in this portion of Wetland A. Stream flows are present in this channel during seasonally wet periods of the year, as well as, during and after rain events.

Immediately south of the lawn area, the stream channel is crossed by a dirt driveway with approximately fifteen feet of two foot diameter corrugated metal culvert to convey the stream flows. From the outlet of the culvert, the stream channel remains open through the off-site parcel to the south. At the northern edge of the supermarket parking lot, on the project site, the stream channel is directed into a four foot diameter corrugated metal pipe that conveys the flows under the parking lot for more than 800 linear feet to Wetland B located on the southern portion of the project site.

The dominant vegetation in the wooded portion of Wetland A includes red maples, black cherry, white birch, multi-flora rose, jewelweed, sensitive fern and poison ivy. As noted above, the eastern portion of Wetland A has been converted to lawn and developed areas and does not support hydrophytic vegetation.

As discussed above, Wetland A is subject to both ACOE and Town of Carmel wetland regulations. The Town of Carmel also regulates a 100 foot buffer around the wetland. In addition, both the Town of Kent and the Town of Carmel regulate the watercourse in Wetland A and a 100 foot buffer around the watercourse within their respective jurisdictions. The regulated wetland buffer encompasses approximately 2 acres (86,300 sf). Most the buffer area to the north has been developed as single family residential home sites, while most of the buffer area to the south remains undeveloped woodlands.

Wetland B

This wetland occupies approximately 11.7 acres on the lowest elevation of the site. Wetland B is in the southwestern portion of the site next to the existing shopping center parking lot. The northernmost portion of Wetland B is an open wet meadow wetland with seasonally saturated soils. The southern portion of the wetland is wooded.

The dominant vegetation in the wet meadow portion of Wetland B includes common reed, purple loosetrife, jewelweed, milkweed, redtwig dogwood, bullrush, and sedges. The dominant vegetation in the wooded portion of Wetland B includes red maple, elm, ash, box elder, willow, sensitive fern, skunk cabbage, and poison ivy.

As noted above, Wetland B is subject to both the ACOE and Town of Carmel regulations. In addition, the Town of Carmel regulates the adjacent 100 foot buffer area, which encompasses an additional 3 acres (130,000 sf) on the site. Most of the on-site buffer area to the north is developed as a parking lot. Other off-site portions of the buffer to the east, south, and west are developed with commercial and residential uses.

Wetland Functions

Wetlands can provide many functions and benefits including fish and wildlife habitat, recreation, flood control, and water quality improvement. The wetlands on the Hillcrest Commons site have specific, but limited, functions and benefits.

Wetlands A and B are part of the headwaters of an unnamed tributary to Michael Brook. The intermittent stream that flows through Wetland A is piped underneath the shopping center parking lot and outlets into Wetland B, where it continues to flow south until its confluence with Michael Brook on the north side of Fair Street.

The functions performed by Wetland A, and its buffer, are very limited due to their small size, their currently disturbed condition, and the intermittent nature of flows in the associated stream channel. Existing disturbance of Wetland A, and its buffer, have resulted from construction of structures, lawns, and travelways within them. The vegetation in the wooded portion of Wetland A consists of common species such as red maple, sensitive fern, and poison ivy, that do not provide significant wildlife habitat or benefits. Wetland A provides no habitat for fish or other aquatic species.

The primary function of Wetland A is surface water conveyance during seasonally wet periods and during and after storm events.

Wetland B is located at the lowest elevation on the site and receives runoff from adjacent areas and from a culvert underneath the shopping center. The primary function of Wetland B is surface water conveyance through both its open meadow, and wooded portions, towards Michael Brook near Fair Street to the south.

Wetland B, and its buffer, also provide some water quality benefits to downstream surface water resources in several ways. First, by physically removing suspended materials from overland runoff through vegetative filtering and settling. Second, by removing pollutants and nutrients through biological update and chemical oxidation. Wetland B may also temporarily store stormwater runoff and reduce the peak rates of flow to downstream surface water resources, thereby helping to protect such areas from flooding, erosion, and sedimentation.

The diversity of vegetation in Wetland B also provides a wildlife habitat benefit. Wetland B and its buffer also provide open space benefits.

The NYSDEC Natural Heritage Program indicated that there were no documented occurrences of rare, endangered, or protected wildlife species in either wetland on the project site. Field

investigations conducted by TMA staff at the project site found no state-listed protected wildlife species.

Regulatory Modifications

Subsequent to the June, 2005, preparation of the Draft Environmental Impact Statement (DEIS), the NYSDEC replaced its State Pollutant Discharge Elimination System General Permits for Stormwater Discharges GP-02-01 and GP-02-02 with GP-0-08-001 and GP-0-08-002, respectively. GP-0-08-001 requires, among other things, that the stormwater treatment practices included in the SWPPP for the project be designed in accordance with the Enhanced Phosphorous Removal Standards set forth in Chapter 10 of the State's Stormwater Management Design Manual.

3.2.2 Potential Impacts

Proposed Wetland Disturbances

Wetland A will be directly impacted by the construction of the proposed access road and a stormwater management basin (see Figure 3.2-4). Wetland permits authorizing these activities will be required from the Town of Carmel and the ACOE. The Applicant notes that New York City Department of Environmental Protection (NYCDEP) requested deep hole tests in the proposed locations of the stormwater basins. On September 8, 2005, representatives from NYCDEP and the project engineer observed the deep hole tests conducted at the Hillcrest Commons property. According to the project engineer, the deep hole test investigation did not reveal any threshold issues relative to constructing basins in their proposed locations.

As discussed above, Wetland A is currently affected by an existing single family residence, accessways, and a lawn. In its disturbed condition, Wetland A performs little wetland functions other than water conveyance through the stream channel.

Construction of the access road and associated stormwater treatment basin for the Hillcrest Commons project would impact) 0.53 acres of Wetland A.

As shown on the construction plans that accompany this SDEIS, a culvert is proposed in the stream channel in Wetland A to allow unimpeded flow of surface water from north to south through the wetland. Under the current plan, the stream flow will be conveyed by the culvert for approximately 50 feet.

Impacts from the construction activities include temporary alteration of the flow through the stream channel and increased potential for sedimentation of the wetland. The potential impacts associated with the construction activities will be mitigated through the implementation of the Erosion and Sediment Control Plan included in the Hillcrest Commons Stormwater Pollution Prevention Plan (SWPPP).

In addition to the 0.53 acres of disturbance to Wetland A, the proposed crossing would directly disturb approximately 0.88 acres of the wetland's 100 foot buffer. However, as the surface water conveyance function of the wetland would be maintained by the proposed culvert, and the proposed mitigation measures (see Section 3.2.3) no significant adverse impacts on the wetland, or wetland buffer, functions are anticipated.

On the south side of the property, the proposed emergency access road would be constructed near, but outside of, Wetland B's 100 foot buffer. Since the DEIS, the emergency access road was relocated outside of the wetland buffer to avoid impacts. This road would be gated and used by emergency vehicles during emergency situations, and only if the primary access road were obstructed for some reason. As the emergency access road is expected to be seldomley used, runoff from the road is not expected to contain any vehicle related contaminants (such as oils and grease). The road would be plowed in the winter, but road salt is not expected to be used for routine winter deicing. As such, the emergency access road is not expected to adversely impact water quality in the wetland, or downstream. It is also noted that 100 feet or more of undisturbed wooded buffer would remain between the emergency access road and Wetland B. Give the project's current design, and the proposed mitigation measures (Section 3.2.3) no significant impacts to Wetland B or its buffer are anticipated.

Short and Long Term Modifications

Water Budgets, Wetland Hydrology, and Pollutant Loading

The proposed project does not involve permanent interception or diversion of surface or ground water associated with the two wetlands on the site. As such, no short or long term impacts on the either wetland's hydrology, water budgets, or Inputs to and discharges from the wetlands, are anticipated. In addition, as set forth in the Hillcrest Commons SWPPP, erosion and sediment controls will be implemented during construction to mitigation short term impacts associated with pollutant loading. Following treatment of stormwater in the proposed stormwater management basins, there would be no significant long term impacts associated with post construction increases pollutant loading.

Wetland Functions and Vegetative Cover

As noted above, the primary function of Wetland A is surface water conveyance. This function would be slightly modified during construction when the stream would be temporarily diverted to allow for installation of the proposed culvert. Upon completion of the culvert installation, stream flow would be redirected through the culvert. Erosion controls are proposed to minimize the potential for sediment to enter the stream during construction. Upon project completion, all disturbed vegetative cover would be restored with vegetative cover, or stabilized by structural means, to prevent long term erosion and sedimentation. As also described above, this stream channel is already piped in two nearby locations to the south of Wetland A.

The proposed emergency access road requires no disturbance to Wetland B or to the vegetative cover in Wetland B's buffer. Since no disturbance to the wetland is proposed, the project is not expected to have any adverse impacts on Wetland B or to result in any short, or long, term modifications of its functions or the wetland's vegetative cover.

Description of Required Permits

The project requires a wetland permit from the Town of Kent for construction of the access road and a stormwater basin within the watercourse's controlled area and for piping the watercourse within Wetland A. The disturbance of 0.2 acres (8,800 sf) of Wetland A, and disturbance of 0.35 acres (15,500 sf) of its buffer, in the Town of Carmel also requires a permit from the Town of Carmel.

The proposed disturbance of ACOE regulated wetlands is 0.53 acres, a disturbance threshold under which the proposed activity would be authorized under ACOE Nationwide Permit 29. However, because the project site is located in New York City's East of Hudson Drinking Water Supply Watershed, an Individual Permit must be secured from the ACOE. The Applicant notes that an Individual Permit application has been submitted to the ACOE and approval of that permit is pending.

Construction of proposed impervious surfaces within a 100 foot limiting distance to the on-site watercourse, which in some instances is prohibited by New York City's Watershed Regulations, is permitted by the NYCDEP since the access is necessary for a subdivision.

The project also requires a wetland permit from the Town of Carmel for proposed disturbance of 0.2 acres of Wetland A and 0.35 acres of Wetland A buffer for the proposed access road. The standards by which the Town of Carmel issues wetland permits are provided in Section 62-E of the Town Code.

Summary of Proposed Wetland Restoration/Mitigation

As discussed in detail in Section 3.2.3 Mitigation Measures, the development would disturb 0.53 acres of Wetland A which is already disturbed by existing development. Given the proposed mitigation measures and the maintenance of the wetland's water conveyance functions, no significant adverse impacts on the wetland, or its functions, would result from the project.

To compensate for the proposed wetland disturbance, the Applicant proposes the expansion of Wetland A and Wetland B as mitigation. The Wetland Mitigation Plan that accompanies this SDEIS has been designed to fully compensate for the proposed loss of a portion of Wetland A, and the function it performs (See Appendix C). As detailed on the plan, the expanded section of Wetland B (0.76 acres total) will have a greater capacity and greater capability, than the area of Wetland A that will be impacted. The created wetland area will be subject to annual inspections, necessary maintenance, and removal of invasive species.

Construction-Related Impacts

Erosion and sediment controls specified in the SWPPP and on the project plans, are proposed to prevent erosion of disturbed soils, and the subsequent siltation of wetlands during construction. These proposed controls were described in Chapter 3.1 of the DEIS and are shown on the full-size plans in the rear of this SDEIS.

Other construction-related impacts, such as those from air emissions, and increased noise and traffic, are not anticipated to impact wetland resources.

Other Impacts

No direct, or indirect, impacts on the wetlands, or their buffers, beyond those described above are anticipated from the proposed development.

3.2.3 Mitigation Measures

Replacement and Enhancement of Wetlands

The proposed development would disturb approximately 0.53 acres of Wetland A, which is already disturbed by existing development. As noted, the primary function of Wetland A is surface water conveyance during wet periods and after storm events. This function would be maintained following completion of the project. As such, no adverse impacts on the functions or benefits of this small, previously disturbed, wetland are anticipated. Nonetheless, to compensate for the proposed wetland disturbance, the Applicant proposes the creation of two new wetland areas. The proposed mitigation would replace the disturbed wetland at a creation to loss ratio of nearly 1.5 to 1. The Wetland Mitigation Plan accompanying this SDEIS specifies expanding Wetland B in the southern portion of the site by 0.76 acres. The revised July 1, 2009 plan, which includes proposed plantings and a cross section through the mitigation area, is included in this SDEIS in Appendix C. The plan and was designed to fully compensate for the proposed loss of a portion of Wetland A and its function.

The Wetland Mitigation Plan that accompanies this SDEIS has been designed to fully compensate for the proposed loss of a portion of Wetland A, and the function it performs. As detailed on the plan, the expanded sections of Wetlands A and B will have greater capacities, and greater capabilities, than the area of Wetland A that will be impacted. The created wetland areas, which will also function more effectively that the area of Wetland A that will be disturbed, will be subject to annual inspections, necessary maintenance, and the removal of invasive species.

Erosion and Sediment Control and Stormwater Management Plans

As noted, erosion and sedimentation controls and stormwater management practices are proposed to prevent erosion of disturbed areas, sedimentation of wetlands during construction, and post construction impacts resulting from increases in pollutant loading. The principle elements of the Erosion and Sediment Control Plan include construction phasing that will limit the areas of disturbed soil, silt fencing to prevent the migration of sediment, temporary sediment basins, and a stabilized construction entrance. These proposed erosion controls were described in DEIS Chapter 3.1 and are shown on the full-size plan in the rear of this document. The stormwater management measures are described in Chapter 3.4 of this document, and include stormwater management basins.

The Applicant notes that implementation of the erosion and sediment control and stormwater management provisions of the SWPPP will be overseen and monitored by a Certified Professional in Erosion and Sediment Control (CPESC)/Certified Professional in Stormwater Quality (CPSWQ) or other equally qualified professional.

Special Construction Techniques

With the exception of the proposed stream crossing, no direct impacts to regulated wetlands or watercourses are proposed. A detailed construction plan for the crossing is provided in the construction plans that accompany this SDEIS. The plan calls for the sequencing of construction to ensure that impacts to downstream receiving waters are avoided, in compliance

with NYSDEC and NYCDEP stormwater regulations. This sequencing plan includes installation of a temporary stream diversion, construction of footings, and side slope stabilization.

Alternatives That May Reduce or Avoid Wetland and Wetland Buffer Impacts

Alternative access to the site is limited due to existing development. An existing shopping center occupies most of the project site's road frontage. An alternative providing access through the shopping center is provided in Chapter 4.0.

The impacts to Wetland A and its buffer discussed above are unavoidable since no alternative access to the property is available to the Applicant. The proposed project entrance at the frontage on NYS Route 52 (130 feet of frontage) is the only access into the site owned by the Applicant. The Applicant has explored alternative access routes into the site, but these would require easements or legal agreements with other parties or the acquisition of land. The Applicant is seeking an agreement with the Carmel Plaza shopping center owner to access the site through the existing shopping center and that alternative is discussed in Section 5.0 of this SDEIS. To date, the proposed entrance on Route 52 is the only access into the site available to the Applicant.

Other Mitigation Measures

Based upon the lack of potential for significant adverse impacts on the two wetlands and their buffers, no other specific wetland mitigation measures are proposed.

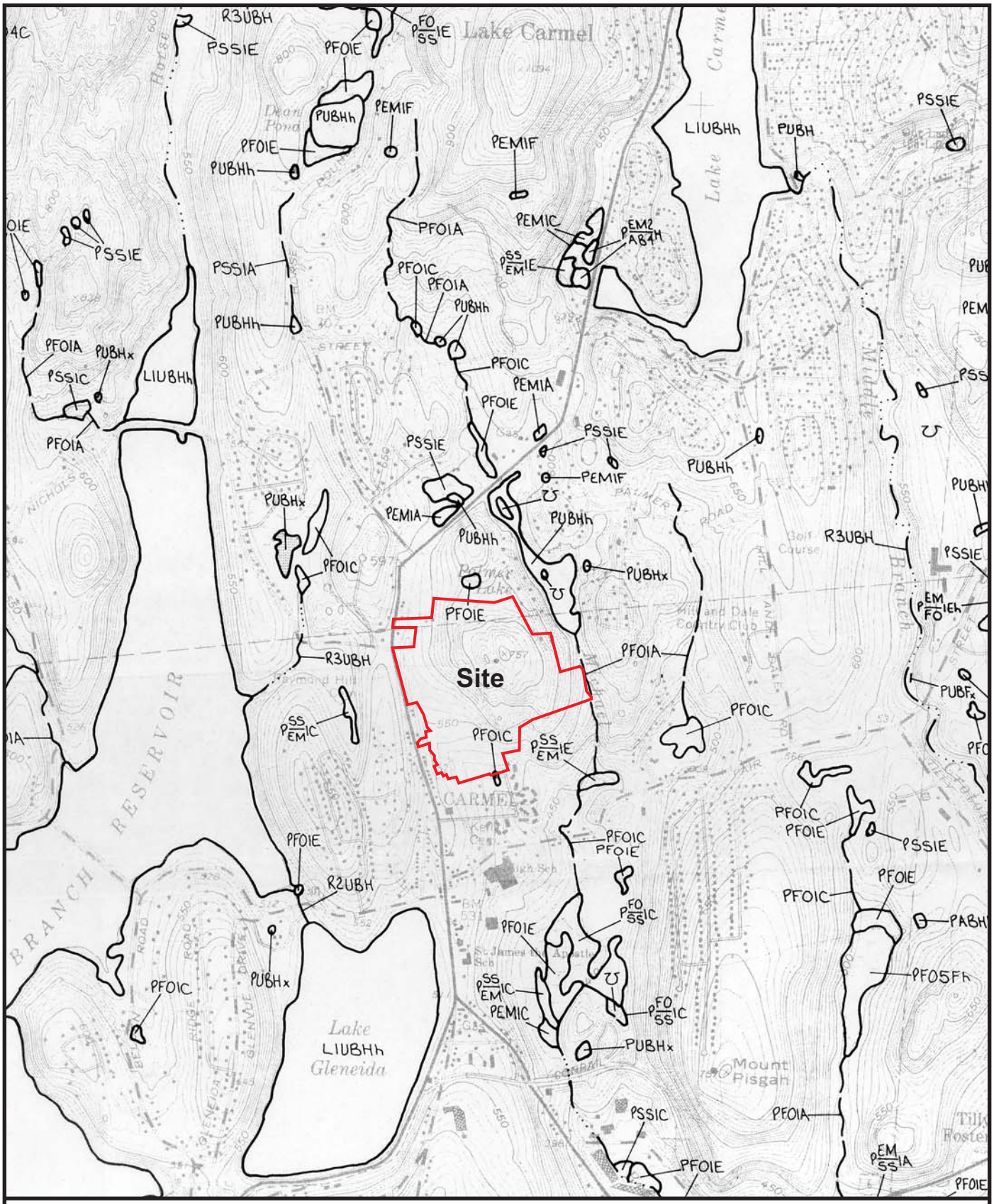

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Figure 3.2-1: Site on National Wetlands Inventory Map
Hillcrest Commons
Towns of Carmel & Kent
Putnam County, New York
Source: U.S. Dept. of the Interior, Fish and Wildlife Service
Scale: 1" = 2,000'

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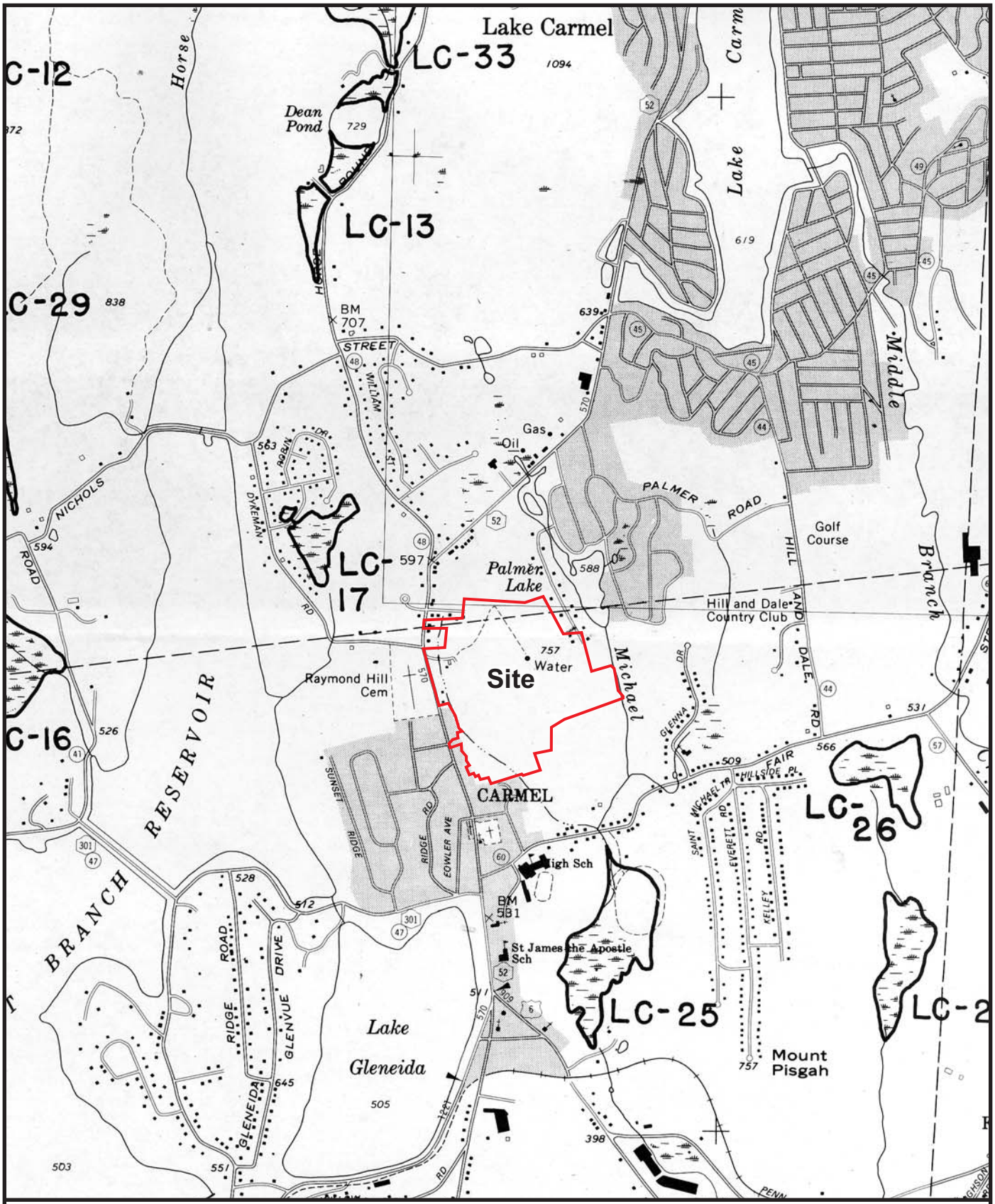

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Figure 3.2-2: Site on NYSDEC Wetlands Map
Hillcrest Commons
Towns of Carmel & Kent
Putnam County, New York
Source: NYSDEC Freshwater Wetlands Map
Scale: 1" = 2,000'

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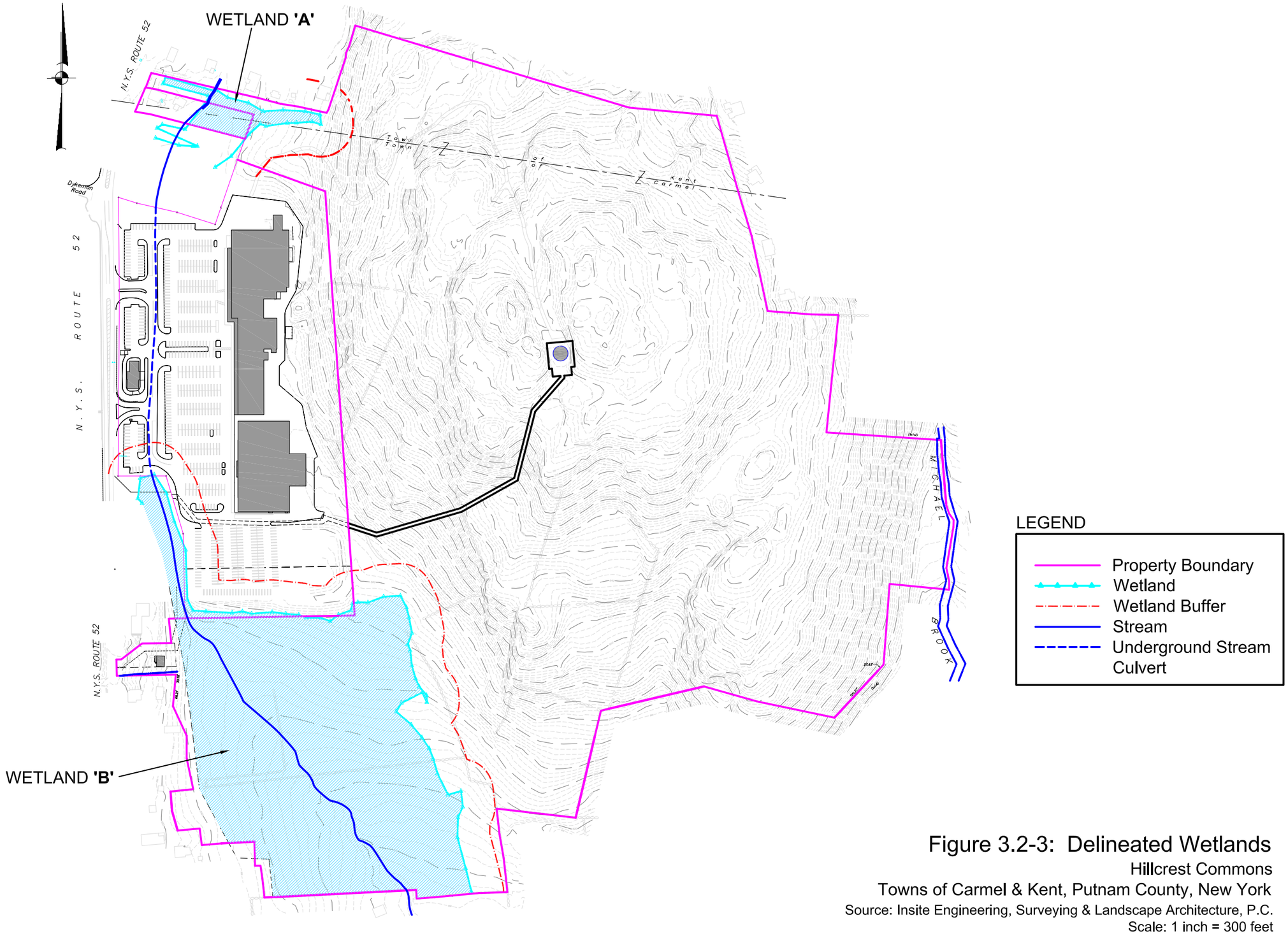

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Figure 3.2-3: Delineated Wetlands

Hillcrest Commons

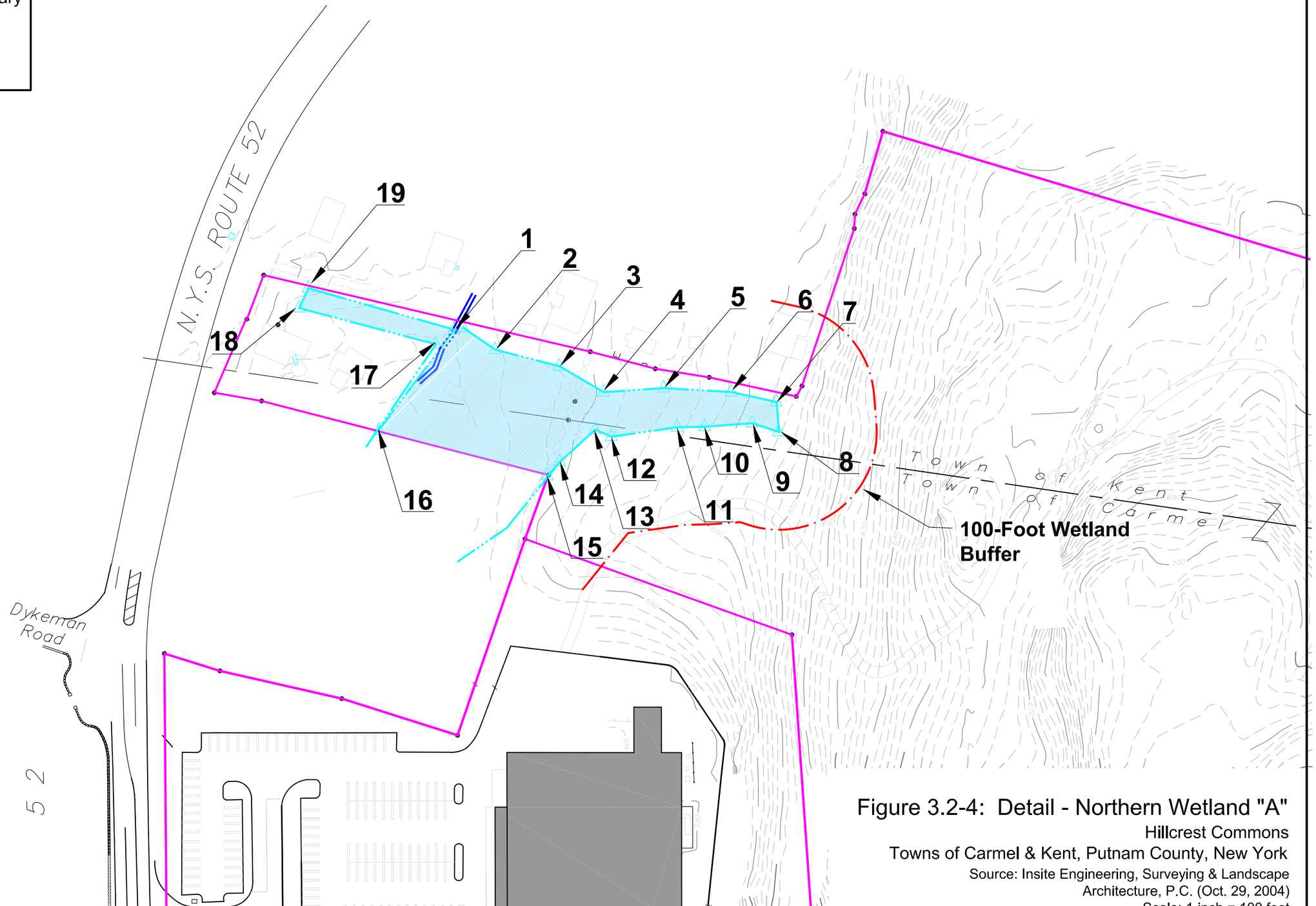
Towns of Carmel & Kent, Putnam County, New York

Source: Insite Engineering, Surveying & Landscape Architecture, P.C.

Scale: 1 inch = 300 feet

LEGEND

- Property Boundary
- Wetland
- Stream
- # Wetland Flags



North

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Figure 3.2-4: Detail - Northern Wetland "A"

Hillcrest Commons

Towns of Carmel & Kent, Putnam County, New York

Source: Insite Engineering, Surveying & Landscape Architecture, P.C. (Oct. 29, 2004)

Scale: 1 inch = 100 feet

N.Y.S. ROUTE 52

68.21'

30.18'

100-Foot Wetland Buffer

LEGEND

- Property Boundary
- Wetland
- Stream
- # Wetland Flags

NOTE:
Wetland Boundary extends off-site.

North

File: 0373 11/02/04
JS:\0373 Hillcrest Commons\Autocad\Fig 3.2-5 Wetland B Detail.dwg

Figure 3.2-5: Detail - Southern Wetland "B"
Hillcrest Commons
Towns of Carmel & Kent, Putnam County, New York
Source: Insite Engineering, Surveying & Landscape Architecture, P.C. (Oct. 29, 2004)
Scale: 1 inch = 150 feet

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3.3 Cultural Resources

Introduction

Cultural resources were evaluated for the Hillcrest Commons site by Columbia Heritage, Ltd and by LaPorta & Associates, LLC. according to professional standards and the *Standards for Cultural Resource Investigations and the Curation of Archeological Collections in New York State* (1994, New York Archeological Council). Columbia Heritage conducted a Phase 1A cultural resource investigation in November, 2004 (Columbia Heritage 2004). Columbia Heritage also conducted Phase IB and Phase II physical testing on the property (February 2007). As a result of finding evidence of Native American quartz mining activity, the consulting firm of LaPorta & Associates was retained by the applicant to complete a more extensive Phase IB and Phase II testing and evaluation (LaPorta Associates 2007 and 2008). These studies are summarized below, but are provided in full in Appendix D Cultural Resource Studies).

These studies were submitted and reviewed by the New York State Office of Parks Recreation and Historic Preservation (NYS OPRHP). Correspondence and conditions of the OPRHP are described below.

3.3.1 Existing Conditions

Phase 1A Investigation

A Phase 1A Cultural Resource Survey was completed for the site in September and October, 2004 by Columbia Heritage, Ltd. The complete report is provided in Appendix D, and is summarized below. The Phase 1A was carried out to evaluate the potential for the proposed construction to cause impact to standing or buried European American era and/or Native American cultural resources.

As part of the Phase 1A study, standing structures adjacent to and within view of the study area were evaluated with regard to meeting minimum age requirements for inclusion on State and National Register of Historic Places. Although several historic structures and archeological sites were identified within Carmel and Kent, none of the known sites were within one mile of the project site (see Phase 1A, Columbia Heritage, Ltd. November, 1994).

Information provided by NYS Office of Parks, Recreation and Historic Preservation (OPRHP) and NYSM (New York State Museum) indicates that no historic and/or prehistoric sites listed on the State or National Registers of Historic Places are located on, or within the vicinity of (one mile), the project area. Furthermore, there are also no structures located on the site, or adjacent to it, that are currently under consideration for listing on the State or National Registers of Historic Places.

Based upon known settlement patterns associated with these two occupations, documented cultural resources in the immediate vicinity of the parcel, and a walkover of the property, the flatter western portions of the site were considered to have an above average potential for containing buried Native American cultural remains. The study area is seen as unlikely to contain structural remains and cultural features related to early European American era occupation, based upon the apparent use of the property for agricultural and pastoral purposes since the arrival of settlers to the area.

Based upon the Phase 1A findings, a Phase 1B site identification survey was recommended for specific areas identified as having potential for containing archeological remains. The Phase 1B was conducted to determine whether buried cultural resources might be present within the proposed limits of disturbance.

Phase 1B/ Phase II Investigations

Initially a Phase 1B investigation was completed for the site by Columbia Heritage, Ltd. This investigation included testing by means of screened hand-dug shovel test holes systematically placed in a grid pattern of every 50 feet, over the project's Area of Potential Effect (APE). Testing was not done in those portions of the site where slopes exceeded 12 percent or areas that were subject to serious prior disturbance to upper soils, in accordance with procedures of the NYS OPRHP. The results of testing are described in the *Phase IB and Phase II Cultural Resource Survey, Columbia Heritage, Ltd., February, 2007* (see Appendix D).

According to the Phase 1B Report, quartz tools, cores, reduction flakes and culturally modified fragments and chert were encountered in three sub areas of the proposed development site: south-central portion, northeastern portion, and near the southern limits of the development, suggesting Native American Activity. This material indicates that at least the processing of lithic resources and stone tools was being carried out at these locations. No early European American era cultural material was encountered in the Phase 1B sampling. Other portions of the site showed no evidence of cultural remains. Columbia Heritage recommended further investigation in the three sub areas where cultural material was recovered to clarify the nature and extent of the deposit.

Following the Phase II investigation and fieldwork conducted by Columbia Heritage, the firm LaPorta & Associates was retained by the applicant to conduct further detailed evaluation of these Native American quarry areas that would better enable OPRHP to evaluate significance.

LaPorta & Associates Phase 1B and Phase II Investigations

In the period 2005 through 2008 LaPorta & Associates (LPA) conducted supplemental geological and archeological investigations of the alleged quarry sites found during the initial cultural resource studies. Specifically, the LaPorta & Associates studies included: 1) high resolution geologic mapping, 2) photo-documentation and identification of what needs further testing and 3) surface sampling prior to removal. The Phase II studies included trenching, excavation and documentation of artifacts found.

LPA investigators identified forty-two locations of quartz veins, geologic interests and archeological interest. Twenty of these locations were divided into four clusters (Cluster 1, Cluster 2, Cluster 3, and Cluster 4) that included locations along north-south trending bedrock outcrops occupying the edges of the hilltop on the property. The remaining twenty-two locations were singular locations of thin quartz veins, quartz sub crops, and artifacts in the rest of the property.

As described in the report, the four clusters include quartz veins and the remnants of Native American quartz mining including tools, tailings and artifacts (see Appendix D, *Phase IB Supplemental Resource Investigations of the Proposed Hillcrest Commons, LaPorta & Associates, LLC, with Addendum July, 2008*).

The July, 2008 Addendum indicates that LPA recognized an additional cluster (Cluster 5) based on Columbia Heritage's positive STP locations, artifact findings and proximity to quartz in outcrops. LPA recommends no further work in Cluster 5.

LPA concluded sufficient scientific investigation of prehistoric quarries and other archaeological resources have been undertaken such that the standards set forth by NYAC (New York Archaeological Council) are satisfied. Archaeological excavations were conducted not only in the APE, but also in areas outside the APE, to allow LPA researchers the opportunity to understand the dataset without constraints imposed by developmental boundaries that have little or no parallel to the spatial boundaries of prehistoric quarries and/or other archaeological sites.

LPA concluded that Cluster 1 and Cluster 2 are eligible for placement on the National Register. Cluster 3 and Cluster 4 were not deemed eligible for placement on the National Register. Due to the amount and quality of work conducted on this project, LPA recommends no additional fieldwork.

3.3.2 Potential Impacts

Based upon the extensive cultural resource studies and evaluation, the project will have no impact to historic structural resources on or in the vicinity of the site. Given the proposed mitigation, described below, the project will have No Adverse Impact to historic properties in or eligible for inclusion in the State and National Registers of Historic Places (see September 5, 2008 letter from OPRHP, Appendix D).

3.3.3 Mitigation Measures

The NYS OPRHP reviewed the Phase 1B and Phase II reports for the Hillcrest Commons site in accordance with the New York State, Recreation and Historic Preservation Law, Section 14.09. The OPRHP concurred that Precontact Quartz Quarry Cluster 1 (A07901.000076) and Precontact Quartz Quarry Cluster 2 (A07901.000077) are eligible for inclusion in the State and National Registers of Historic Places. The Precontact Quartz Quarry Clusters 3 and 4 are not eligible. The OPRHP recommended that an avoidance plan be prepared for Clusters 1 and 2 so that they are protected short term during construction and long term through a covenant which will transfer with the deed (see March 27, 2008 letter). The September 5, 2008 letter from OPRHP recommended that recently identified Precontact Quartz Cluster 5 (A07901.000080), a rock shelter and two small quarry related loci be protected as well in the resource Avoidance Plan.

The applicant has prepared an Avoidance Plan for the Protection of Archeological Resources (see Figure 3.3-1 and Drawing AP-1). The plan includes fencing to avoid any disturbance to the identified archeological resources during construction. In addition, the applicant has provided language and a commitment that the Clusters 1, 2 and 5 will be protected long term through a deed restriction see Attached letter, Appendix D). Given this proposed mitigation, the project will have No Adverse Impact to historic properties in or eligible for inclusion in the State and National Registers of Historic Places.

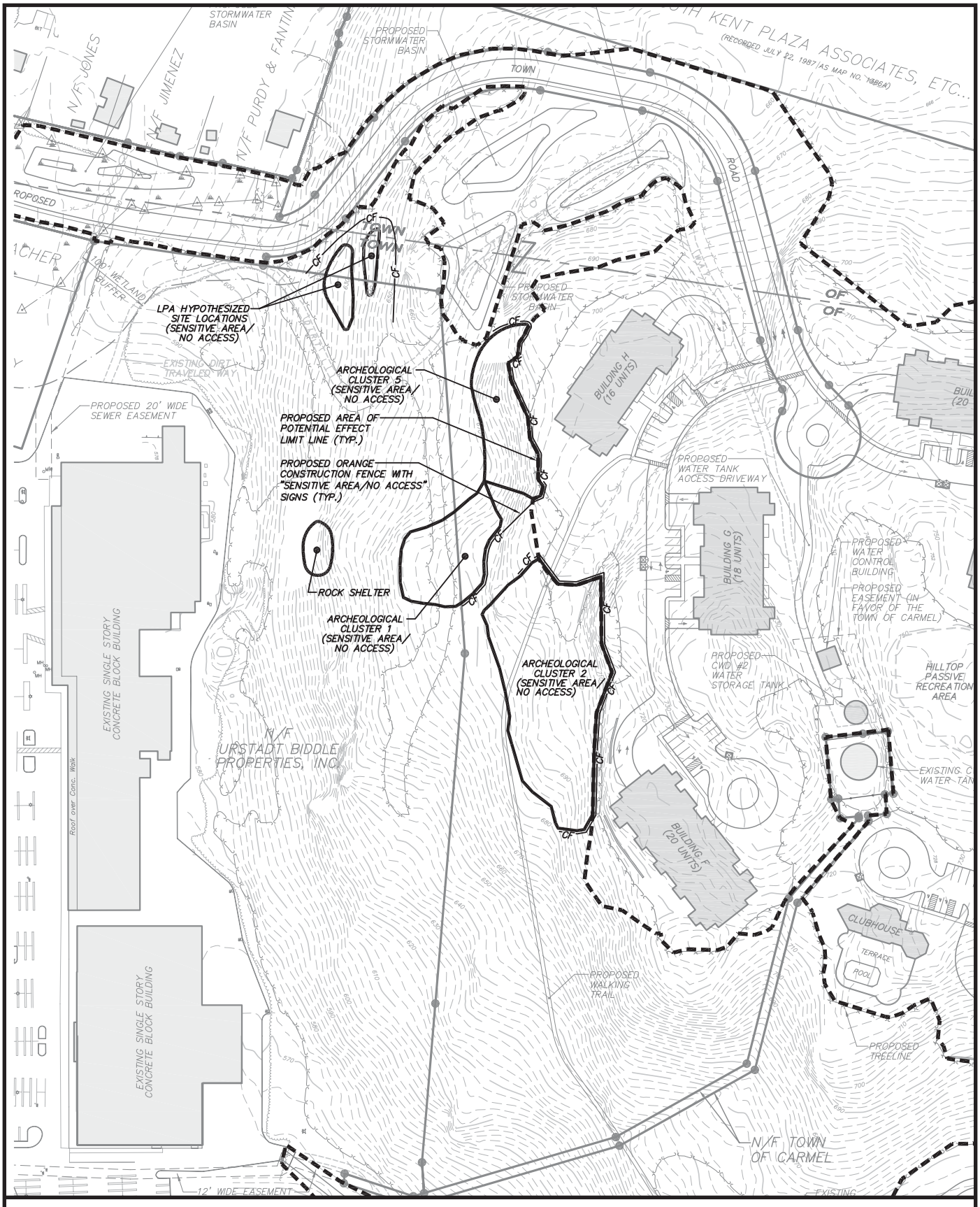

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Figure 3.3-1: Avoidance Plan for Archaeological Resources

Hillcrest Commons
Towns of Carmel & Kent
Putnam County, New York

Source: Insite Engineering, Surveying & Landscape Architecture, P.C., 03/06/09
Scale: 1" = 170'

File 0373 04/01/09
JS:\0373

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4.0 ADVERSE ENVIRONMENTAL IMPACTS THAT CANNOT BE AVOIDED IF THE PROPOSED ACTION IS IMPLEMENTED

The development of the Hillcrest Commons project will result in some adverse environmental impacts which cannot be avoided. Potential adverse impacts which may occur as a result of the proposed action are discussed in Sections 2.0 and 3.0 of this SDEIS. However, the implementation of various mitigation measures also discussed in Section 3.0 will limit the extent of the impacts which prove unavoidable. Some of these impacts will be temporary or short term impacts associated with the construction of the project, while others will be long term impacts associated with the occupation and use of the site.

Short Term Impacts

- soil disturbance, steep slopes disturbance, and potential erosion
- disturbance to wetlands, wetland buffer, and associated wildlife habitats
- increased traffic associated with construction on the site and on local roads
- increased local noise from construction

Long Term Impacts

- increase in impervious surfaces with concomitant decrease in vegetation land cover
- loss of woodland vegetation and associated wildlife habitats
- increase in solid waste generation
- increase in sewer and water demand
- increase in traffic to the area network
- increase in local noise levels from traffic

5.0 ALTERNATIVES

An evaluation of project alternatives was not included in the Scoping Document for this SDEIS, since the Supreme Court judgment pursuant to the Article 78 focused on the evaluation of the potential impacts of the project on wetlands and archeological resources. The former DEIS and FEIS for the Hillcrest Commons project evaluated a range of alternatives, including alternative access into the property.

The applicant, BBJ Associates, LLC has continued to review and consider project alternatives since the adoption of Findings by the lead agency (August 23, 2006), and since the Supreme Court judgment pursuant to the Article 78 proceeding (June 19, 2007). Several new senior housing communities in the area and the current downturn in the real estate economy are factors that have influenced the applicant's position on the prior residential plans. The applicant anticipates that the project will be a senior affordable rental housing project. This alternative plan is similar to the successful Hughson Commons development in Carmel, owned and operated by the applicant. This alternative would utilize the same entrance on NYS Route 52 as proposed for the current action.

This section describes an alternative proposed by the applicant and evaluates the potential environmental impacts associated with that alternative.

5.1 Affordable Senior Alternative

The applicant proposes a residential development similar to that proposed in the FEIS, except that the development would include senior affordable rental units. In addition, the layout of the development would change and the overall development impacts would be reduced. This plan is referred to as the Affordable Senior Alternative in this document. A plan of this alternative is shown in Figure 5-1 and the building and parking layout is shown in Figure 5-2.

Description of the Alternative

The proposed Affordable Senior Alternative would consist of 150 senior residential units in six buildings, which is the same number of units as the Revised Site Plan. The residential units would be senior residential, restricted to residents 55 years of age or older, consistent with the Town of Carmel Local Law #2. The units would be affordable rental units, as opposed to the market rate condominium ownership units proposed in the Revised Site Plan. The units would be affordable as defined by the New York State Division of Housing and Community Renewal (DHCR). Currently, the rents for the one-bedroom units would be $771 per month and the rent for two-bedroom units would be $920. These rents are exclusive of tenant paid utilities.

The Affordable Senior Alternative would include a mix of 122 one-bedroom units and 28 two bedroom units. The Revised Site Plan, described in Section 2.0, includes 150 two-bedroom units. Given that the one bedroom units would be smaller in overall size, the number of residential buildings would be reduced to six buildings in this Affordable Senior Alternative, compared to the eight buildings in the Revised Site Plan. This alternative would not include a separate recreation building and pool. Instead, a recreation area for the development would be provided on the ground floor of one of the residential buildings.

The six buildings would be located on both the eastern and western sides of the Town water tower and hilltop, similar to the Revised Site Plan, except that two buildings would be eliminated

from the eastern portion of the site (see Figure 5-2 Alternative Building Layout). In addition, the Affordable Senior Alternative would incorporate at grade parking for the entire development and no under building parking would be provided. This Alternative would include 225 at grade parking spaces for residents and visitors, consistent with the Town Code. The Revised Site Plan includes a total of 220 parking spaces provided under the buildings and 86 outdoor spaces provided for visitors and for the clubhouse.

The Affordable Senior Alternative would result in less site disturbance and impacts to natural resources, compared to the Revised Site Plan. Impacts to natural resources are summarized in Table 5-1, below. In summary, the Affordable Senior Alternative would involve total site disturbance of 21.24 acres and 5.51 acres of impervious surface compared to 23.1 acres of disturbance and 7.22 acres of impervious surface, for the Revised Site Plan.

Table 5-1
Environmental Impact Comparison Chart
for Affordable Senior Alternative

Impact Category	*Affordable Senior Alternative*	*Revised Plan (SDEIS Proposed Layout)*	*FEIS Plan (Senior Residential - 150 units)*	*DEIS Plan (Office and Senior Residential)*
Developed Area				
Office Space (sq. feet)	0	0	0	69,000
Residential Units	150	150	150	150
Impervious Surfaces (acres)	5.51	7.22	6.95	9.1
Lawn/ Landscaping (acres) *	15.73	15.88	16.95	18.8
Open Space Resources (acres)				
Wetlands	13.05	13.05	13.2	13.2
Woods (uplands)	46.56	44.70	48.75	39.75
Natural Resource Impacts (acres)				
Total Construction Disturbance	21.24	23.10	23.9	27.9
Total Woodland Disturbance	20.70	22.56	23.5	27.5
Wetland Disturbance	0.53	0.53	0.39	0.39
Wetland Buffer Disturbance	0.88	0.88	0.9	0.9
Disturbance to slopes > 15 percent	8.45	10.21	10.1	12.7
Community Resources				
Population	204	270	270	270
Water Demand/Sewage Flow (gpd)	21,600	36,000	36,000	40,720
Revenues to School District	$110,519	$256,048	$256,048	$337,853
Revenues to County	$11,474	$26,583	$26,583	$35,076
Revenues to Town of Carmel	$82,997	$192,236	$192,236	$248,376
Revenues to Town of Kent	$1,009	$2,320	$2,320	$2,320
Total Project Revenues	$206,000	$477,187	$477,187	$663,625
Traffic				
Traffic Generation ** (Total AM Peak Hour Trips/ Total PM Peak Hour Trips/ Total Saturday Peak Hour Trips)	41/ 46/ 46 [1]	41/ 46/ 46 [1]	40/ 46/ 46	163/ 191/ 70
Traffic Improvements	None	None	Left turn lane SB	Left turn lanes SB and WB

Source: Tim Miller Associates, Inc., Insite Engineering, Surveying & Landscape Architecture, LLC.
* Includes areas of stormwater management basins.
** Traffic generation numbers at proposed access drive.
[1] See section 6.0 for details (Based on Insatiate of Transportation Engineers, Trip Generation, 8th edition, 2008)
Note: Hillcrest Commons site totals 80.85 acres. The Carmel Plaza and Red House Parcels total 26.90 acres. Total project site totals 107.75 acres.

The following discussion is an evaluation of specific impacts of the Affordable Senior Alternative plan and a comparison of those impacts to the proposed Revised Site Plan.

Soils and Topography

The Affordable Senior Alternative would reduce the overall site disturbance and grading impacts, compared to the Revised Site Plan. As shown above, the alternative project would result in total site disturbance of approximately 21.24 acres, compared to the 23.1 acres for the Revised Plan. Total site disturbance would be reduced by approximately 1.86 acres or a reduction of 8 percent comparing the Affordable Senior Alternative to the Revised Site Plan. The shifting of the building layout would result in a decrease of approximately 1.76 acres in disturbance to slopes greater than 15 percent. As provided in the comparison table, the Affordable Senior Alternative would involve 6.66 acres less site disturbance and grading compared to the DEIS Plan.

Wetlands

The Affordable Senior Alternative would result in the same wetland impacts as the Proposed Action, since the project entrance would remain unchanged. In summary, the entrance drive would require the filling of 0.53 acres of Wetland A, near Route 52. The project would provide mitigation for unavoidable wetlands impacts associated with the entrance drive. The applicant proposes a 0.76 acre expansion of Wetland B located south of the Carmel Plaza shopping center. Wetland impacts and proposed mitigation are described in Section 3.2 Wetlands.

Terrestrial and Aquatic Ecology

As described above, the Affordable Senior Alternative would result in total site disturbance of approximately 21.24 acres, compared to the 23.1 acres for the Revised Plan, or a reduction of 8 percent. Therefore, only 21.24 acres of the 80.85 acre project site or approximately 26 percent of the site would be impacted by the development. Approximately 60 acres of existing mature woods, wetlands and wetland buffer habitat would remain on the property following development. The applicant intends to impose formal development restrictions on portions of the site that will not be disturbed. These restrictions will take the form of a conservation easement or similar mechanism. Such restrictions will be finalized with the Lead Agency as part of the SEQR and Site Plan review and approval process.

Similar to the Revised Site Plan the Affordable Senior Alternative would not result in significant adverse impacts to wildlife or wildlife habitat.

Water Resources

The Affordable Senior Alternative will result in the disturbance of 21.24 acres (26 percent) of the site and the introduction of 5.51 acres of new impervious surface. Disturbed area not covered by buildings or pavement (15.73 acres) would be graded re-seeded or planted and will become revegetated road embankments, lawns, and stormwater quality basins.

The project construction and the introduction of impervious surface on the site will result in increases in the rate of runoff as well as the volume of runoff generated by this site. These activities are subject to review by the New York City Department of Environmental Protection (NYCDEP), under the Rules and Regulations for the Protection of the New York City Watershed.

This Alternative would require a stormwater pollution prevention plan (SWPPP) consistent with the requirements of New York State Department of Environmental Conservation (NYSDEC) and NYCDEP. Given the reduction in total site disturbance and impervious surface involved with this Alternative, all necessary stormwater facilities can be accommodated on the project site. Preliminary drainage calculations indicate that seven stormwater facilities would provide for stormwater management for the development, as shown in Figure 5-1. The location and configuration of stormwater management facilities for the Affordable Senior Alternative would be similar to the Revised Site Plan. Given the reduction in the area of impervious surface (1.7 acres) the stormwater facilities in the southeastern portion of the site would be reduced in size. Changes to the site's stormwater drainage patterns will be mitigated through the construction of stormwater management facilities to detain and treat the increased stormwater run-off. No potential significant adverse impacts on the reservoir, or its watershed, are anticipated from the Alternative.

Groundwater

This Alternative would not alter the existing groundwater table or flow, nor are impacts related to the quantity or quality of groundwater resources expected as a result of the this Plan. As further described in the discussion of utilities, below, the project will utilize municipal water from the Town of Carmel Water District #2.

Groundwater is not proposed to be extracted for potable water or irrigation purposes. Due to the developed nature of the region, it is questionable whether the groundwater in the vicinity of the site is potable.

Zoning and Surrounding Land Uses

The Affordable Senior Alternative is not anticipated to result in adverse impacts to existing zoning and land use. The project would remain a senior residential project with 150 units. The project consisting of multi-family dwellings for the elderly (55 years of age and older) is a use allowed by Special Permit in the Commercial District, and subject to the approval of the Planning Board. The potential impacts to land use and zoning for the residential project was fully analyzed in the former DEIS and FEIS and the land use impacts have not changed since the FEIS was prepared.

Traffic and Transportation

This Alternative would not involve a change in the site entrance, but the layout of the proposed internal driveways would change, compared to the Revised Site Plan. The Affordable Senior Alternative would not result in a change in the volume or timing of traffic generated from the site. Given that the majority of units will be one bedroom units, the estimated project population has been reduced, as well as the anticipated traffic generated from the site. The ITE Trip Generation formulas for senior residential developments do not account for one-bedroom units, and therefore the projected traffic generation analyzed for this SDEIS is conservative. Potential impacts to traffic on Route 52 and the local traffic network would be the same or somewhat less for the Affordable Senior Alternative (due to fewer projected residents), than for the Revised Site Plan.

Changes to traffic conditions since the DEIS and FEIS were evaluated as part of this SDEIS (see Appendix F and the December 2, 2008 letter from Tim Miller Associates, Inc. to the Planning Board, provided in Appendix C).

Community Services/Socioeconomics

The Affordable Senior Alternative would result in the development of 150 senior residential units. The number of units would be unchanged from that analyzed for the Revised Site Plan, although the number of bedrooms would be reduced from 300 to 178, total. Therefore the population, demographics and anticipated demand on community services would be less than for the Revised Site Plan. The Affordable Senior Alternative is estimated to result in approximately 204 residents, based upon multipliers provided by Rutgers University, Center for Urban Policy Research (June 2006). Water and sewer demand for the project would be reduced to 21,600 gallons per day, compared to 36,000 gallons per day for the Revised Site Plan. Water use estimates are based upon 120 gallons per day per bedroom, consistent with current Putnam County Health Department requirements.

A primary change in the Affordable Senior Alternative compared to the Revised Site Plan is the change in projected tax revenues for the Alternative. Since this Alternative would be an affordable rental project, the taxes generated would be less than for a market rate condominium development. The total tax revenues generated are estimated to be $206,000, less than the estimated $477,187 per year under the Revised Site Plan. Nevertheless, this Alternative would provide positive revenue for the School District, County and Town of Carmel and Town of Kent, as shown in Table 5-1, above. The Alternative will not add any fiscal burden to the school district since no school age children will reside at Hillcrest Commons.

Visual Quality

The potential visual impacts of the Affordable Senior Alternative to motorists on Route 52 and local residents would be similar to conditions for the Revised Site Plan. As shown in Figure 5-2, three buildings and associated surface parking would be constructed on the western slope of the hillside and the buildings would be visible to motorists on Route 52, behind and above the shopping center. In the summer months trees retained on the hillside would partially obscure lower portions of the buildings. During late fall, winter and early spring, the buildings would be more visible.

Potential visual impacts for the residents of Willow Trail Court would be similar or reduced compared to those resulting from the Revised Site Plan. Under the Affordable Senior Alternative, the closest residential building would be approximately 270 feet from the eastern property line. A minimum buffer of 100 feet of existing vegetation would be maintained between any site disturbance or grading and the eastern property line shared with Willow Trail Court neighbors.

Given the reduced clearing and grading and modification of the layout associated with this Alternative, the Affordable Senior Alternative would not result in significant visual impacts.

Cultural Resources

As described in Section 3.3 Cultural Resources, the historic and archeological resources were fully evaluated for the property by a two qualified cultural resource consulting firms and the

results of the investigations were provided to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP). Under the Revised Site Plan, portions of the northwest corner of the property would be preserved with an cultural resource Avoidance Plan (see Drawing AP-1 Archeological Resources Avoidance Plan). The Affordable Senior Alternative would result in no additional disturbance in the northwest portion of the site beyond the limits of disturbance as provided to the OPRHP in the Archeological Resources Avoidance Plan. Therefore, the Alternative would allow avoidance of all areas agreed upon with the OPRHP. The Affordable Senior Alternative would result in no impacts to cultural resources.

Air Quality and Noise

Given that the project site use, density and number of units would not change compared to the Revised Site Plan, air quality and noise impacts would be similar for the Affordable Senior Alternative. The Affordable Senior Alternative project is not expected to result in significant noise or air quality impacts, consistent with the Revised Site Plan.

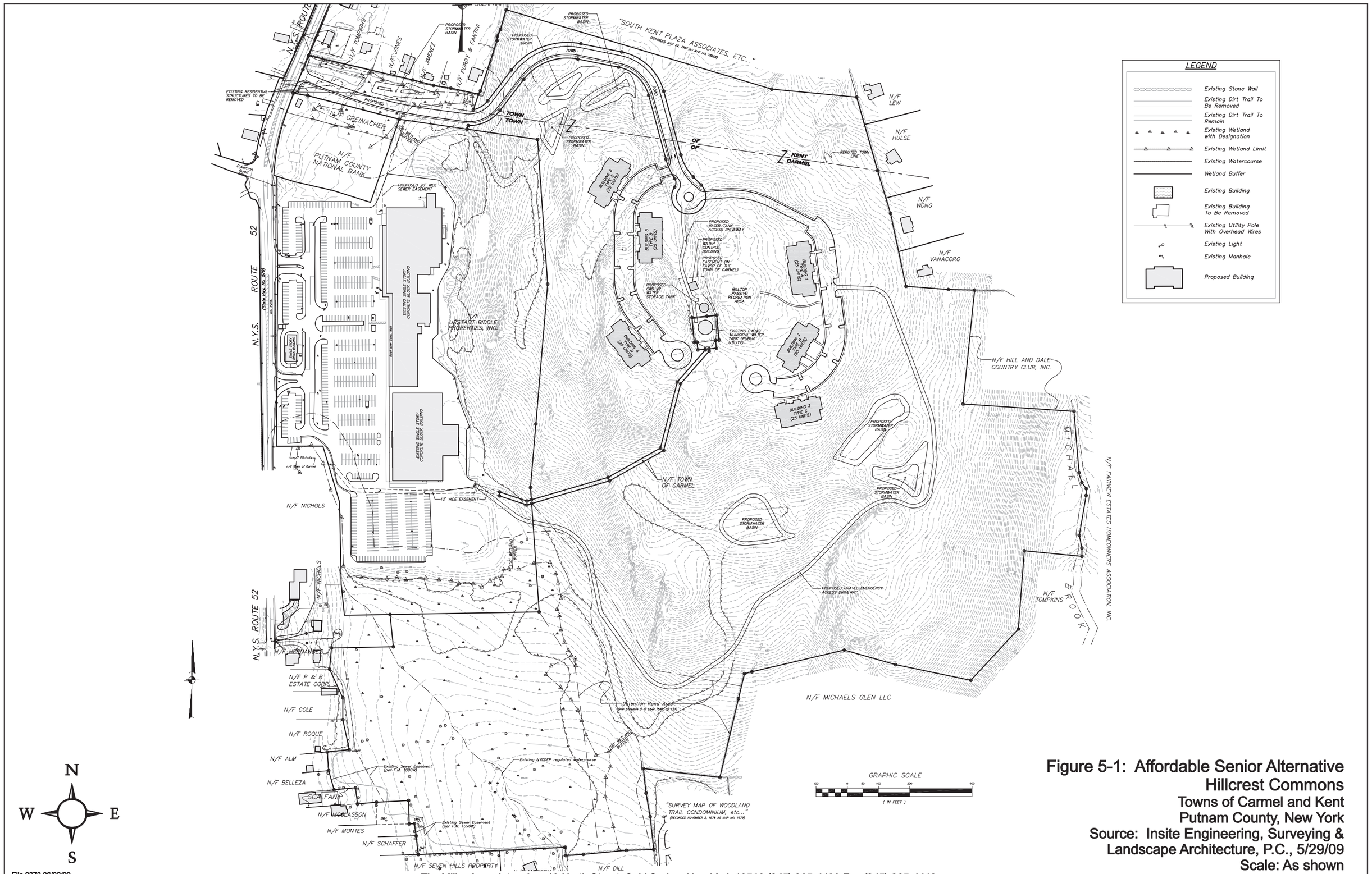

Figure 5-1: Affordable Senior Alternative
Hillcrest Commons
Towns of Carmel and Kent
Putnam County, New York
Source: Insite Engineering, Surveying & Landscape Architecture, P.C., 5/29/09
Scale: As shown

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JS/0373

Tim Miller Associates, Inc.,10 North Street, Cold Spring, New York 10516 (845) 265-4400 Fax (845) 265-4418

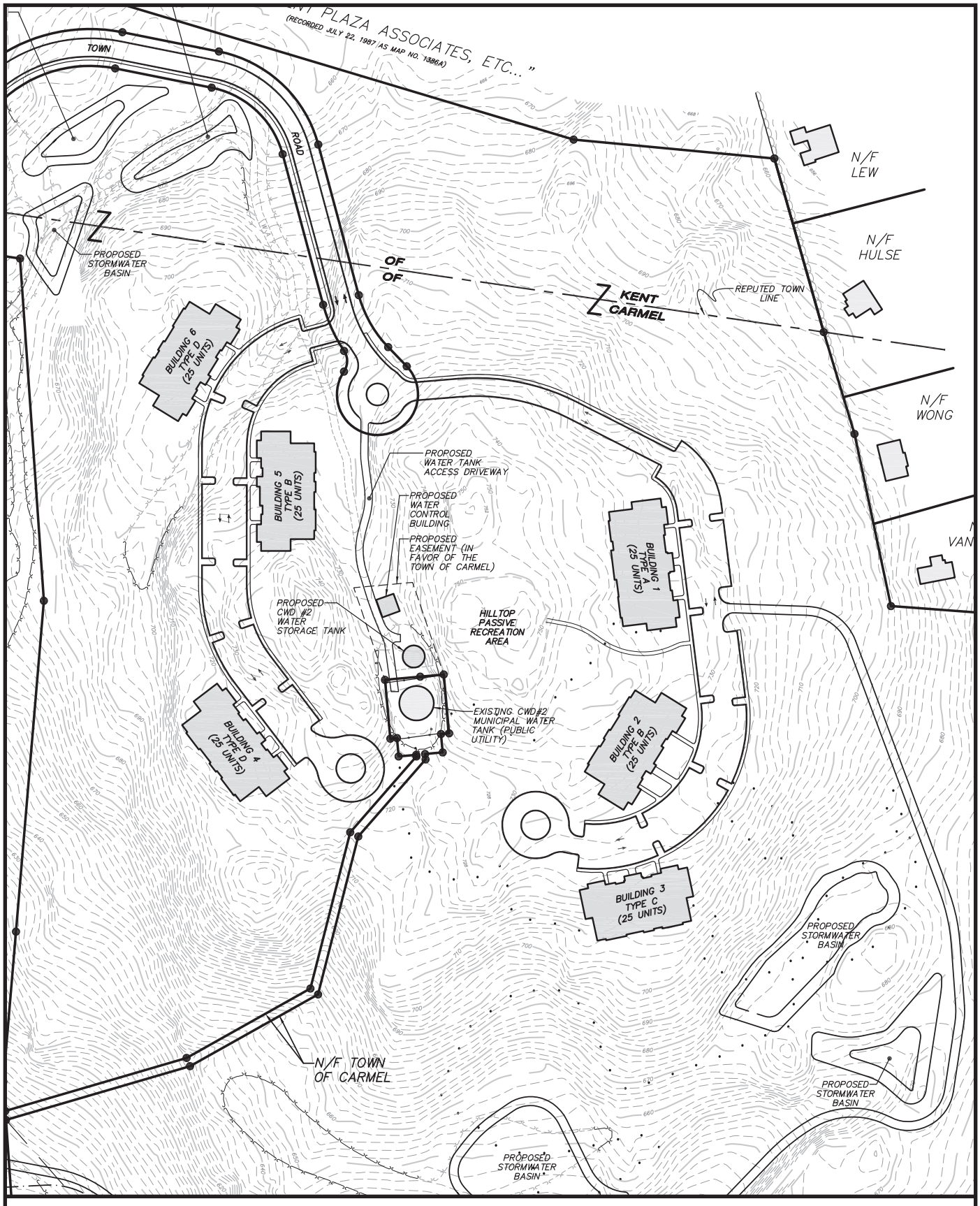

Figure 5-2: Alternative Building Layout

Hillcrest Commons
Towns of Carmel & Kent
Putnam County, New York
Source: Insite Engineering, Surveying & Landscape Architecture, P.C.
Date: 5/29/09

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6.0 Other Issues

Traffic

Traffic was not raised as an issue to be reanalyzed in the NYS Supreme Court judgment (June 2007). Nevertheless, traffic conditions do change over time and therefore, changes to traffic conditions since the DEIS and FEIS, were evaluated as part of this SDEIS. Detailed information is contained in Appendix E and the Tim Miller Associates, Inc. December 2, 2008 letter to the Planning Board (see Appendix B).

Current Traffic

A traffic count completed in November 2008 at the site access indicated the critical peak hour (p.m. peak hour) volume is lower than in the DEIS Existing Conditions. The trip generation of the site was further updated to reflect the Institute of Transportation Engineers' Trip Generation (8th edition, 2008) showing the projected site trips remain basically unchanged. No further traffic analysis is necessary for the proposed action based upon: 1) the lower NYS Route 52 volumes in combination with other projects already completed, reduced in scope, or dropped, and 2) estimates of site traffic remain nearly unchanged from the 2006 FEIS.

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