

V. ALTERNATIVES

VA. The No Action Alternative

The No Action alternative would eliminate the effects of development on the subject site, including the additional traffic generation, additional school age children, additional impervious surfaces, the loss of vegetation and wildlife habitat, etc. Notwithstanding the above, the No-Action alternative is not considered to be realistic, since the site is privately owned property that is zoned for 1-acre residential development.

VB. Subdivision Layout

The Applicant submitted three conventional subdivision layouts and appeared before the Town of East Fishkill Planning Board where a conventional subdivision plan was reviewed and indicated to be the preferred option for development on the site.

The Conventional "Lot Count" subdivision is analyzed as the preferred approach to development. This proposed plan calls for 21 lots, each on parcels of 1-acre or larger. Each lot has sufficient area outside steep slopes for development.

A cluster subdivision plan was reviewed pursuant to Town Law § 278 and the provisions of the Town of East Fishkill Code to provide an alternative permitted method for the layout, configuration and design of lots, buildings and structures, roads, utility lines, and other infrastructure, parks, and landscaping in order to preserve the natural and scenic qualities of open lands. This plan however was not the preferred plan because of the steep slope constraints on the site.

Alternative Plans

Figures V.1-1, V.1-2 and V.1-3 show plans of 26, 25 and 24 lots, respectively, each with a different lot layout and road alignment. These features, however, are clearly defined by the site topography that limits the location of the project access road from Creek Bend Road. A qualitative comparison of impacts on primary areas of concern relative to the proposed action is provided below.

Land Use and Zoning:

Any one of these alternatives would result in the same effect on existing land use as the proposed plan, all being of the same land uses. It is expected that the alternatives could be designed to conform to existing zoning as reflected in the Town's Comprehensive Plan.

Soils and Topography and Ecological Resources:

Any one of these alternatives would result in the substantially the same effect on soils, topography and ecological resources of the site. These alternatives all comprise very similar road layout which then dictates the general layout of the lots, all of which is largely dictated by the defined location of the access road from the Town road. Some of the perimeter and limited interior areas could remain undisturbed, preserved in their natural vegetative cover, although subsequent implementation of the plan would result in indirect disturbance to virtually all vegetative habitats in the central portion of the site. The plans would have the same effect on resident species as the proposed plan. These alternatives would likely require a similar amount of excavation and earth moving as the proposed plan. All of these plans

Alternatives, Unavoidable Effects and Other Issues

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envision on-site individual septic systems, which would rely on the availability of appropriate in-situ soil conditions at each system for adequate treatment of effluent.

Water Resources:

These alternatives would be expected to result in similar changes to the existing drainage patterns, with similar requirements for water quality treatment of surface runoff (which typically entails open stormwater management basins and other infrastructure) compared to the proposed plan. The alternative plans would result in similar areas of impervious surface (pavement) – Alternative A has approximately 3,010 linear feet (LF) of new roads and 26 developed lots; Alternative B has approximately 3,111 LF of new roads and 25 developed lots; and, Alternative C has approximately 2,728 LF of new roads and 24 developed lots. These features correspond to an estimated 4.6 acres of impervious surfaces in Alternatives A and B, 4.3 acres in Alternative C, compared to 4.3 acres in the proposed plan. All of these plans envision on-site individual wells and septic systems, which would rely on available groundwater for supply and would replenish the groundwater to some extent for disposal. These systems would require compliance with applicable public health and environmental standards in their design, construction and operation, whether for an alternative or the proposed plan.

Traffic:

These alternative plans and the proposed plan would result in progressively less traffic generation on roads in the site area due to the decreasing number of lots -- 26, 25, 24 in the alternatives, and 21 in the proposed plan. By comparison, the proposed plan would generate approximately 5 fewer peak hour trips than Alternative A.

Community Facilities and Services:

These alternative plans and the proposed plan would result in progressively less demand on community facilities and services due to the decreasing population associated with the number of lots -- 26, 25, 24 in the alternatives, and 21 in the proposed plan. By comparison, the proposed plan would generate approximately 19 percent less demand than Alternative A on municipal services, particularly police, fire protection, and emergency medical services, and recreation / open space resources of the Town. The demand would be generally commensurate with the project population. Likewise, the proposed action would also result in approximately 19 percent less annual tax revenues to the Town and other taxing jurisdictions including the School District. In any case, the built project that would typically offset some or all of the municipal costs generated by the new development.

Utilities – Solid Waste and Telecommunication Systems:

These alternative plans and the proposed plan would result in a corresponding demand for solid waste disposal and use of public electric, telephone and cable utility services, for which there is expected to be sufficient facilities to supply the project. In any alternative, like the proposed plan, there would be no demand on a public water supply or wastewater system. All of these plans envision on-site individual wells and septic systems.

Visual Resources:

The alternative plans would result in a change to the visual environment of the community similar to the proposed plan, as their overall area of disturbance is similar. All the studied plans utilize the same point of road access onto Creek Bend Road due to the steep slopes on the west side of the site. This is where the only public road frontage exists. Removal of trees is inevitable in any of these plans, like the proposed plan, to provide for access and building lots as well as the necessary stormwater management features. In any plan, the architecture of the project is anticipated to reflect the general character of homes in the local area without visual incongruity between the developed site and adjacent development.

Cultural Resources –

Historic and Archaeological: These alternative plans would result in the same impact, or lack of impact, to any *historic and archaeological* resources, like the proposed plan.

VI. ADVERSE ENVIRONMENTAL EFFECTS THAT CANNOT BE AVOIDED IF THE PROJECT IS IMPLEMENTED

The proposed project would have adverse impacts on the environment that cannot be avoided. Some of these are short-term impacts that would occur primarily during the construction phases. Most of these impacts arise from the alteration of existing site conditions. There are, however, other adverse impacts that would have permanent or long-term environmental effects. Most of these are an unavoidable consequence of the urbanization process.

The following adverse impacts that cannot be avoided if the project is implemented are identified below:

- Replacement or disturbance of on-site soils during the course of development, including blasting;
- An increase in impervious surfaces and alteration of stormwater runoff;
- Removal of 28.13 acres of existing vegetation;
- Replacement of native species with cultivars and ornamental plants by new residents;
- Creation of an access point on Creek Bend Road and generation of additional traffic;
- Introduction of approximately 16 school age children to the overall student population in the Wappinger Central School District School District;
- An increase in the usage of water, the generation of wastewater to individual septic systems, and in energy usage; and,
- Change in the existing land use and character of the project area.

VII OTHER ISSUES

VIIA. Irreversible And Irretrievable Commitment Of Resources

Some areas of existing undeveloped land will be committed to development of residences, roads, and landscaped areas. Some existing soils will be altered and replaced with paving. Some wildlife habitat, as it presently exists, will be irretrievably lost or altered.

Resources consumed during reconstruction of the site, including fossil fuels and construction materials, will be committed for the life of the project. Non-renewable fossil fuels will be irretrievably lost through the use of gasoline and diesel powered construction equipment during demolition and construction. Development of the site will generate an increased demand for electricity and natural gas.

Increased commitments will be made for solid waste disposal and municipal services such as police and fire protection. Commitments will also be made for the use of renewable and/or recyclable resources such as construction and building materials including timber, steel, concrete, and glass. The need for demolition/construction jobs and related service-oriented industries will be an irretrievable commitment of labor resources.

VII B. Growth Inducing Impacts

The site is within the R-1 zoning district. The development potential of the site is limited to those activities permitted by the Town of East Fishkill Zoning Ordinance. Permitted and specially permitted uses include but are not limited to single-family residences. The proposed project is use consistent with the currently allowed use of the property, and will therefore be in conformance with the Town of East Fishkill Zoning Ordinance.

The land in the surrounding area is residential and the proposed project, therefore, does not represent a precedent setting action that would spur large-scale development in this area. The corridor along US Route 9 is intensively developed with a variety of uses that support the existing residences and will likewise provide services for the residents of the Hilltop Manor Subdivision.

Major transportation corridors near the site include Route 9 that intersects with Route 52 west of the project site; Route 376, east of the site. The Taconic State Parkway that facilitates traffic in a north/south direction is east of the site and Interstate 84 is south of the site. The conclusions of the *Traffic Impact Study* are that the studied intersections within the immediate area of the site are not significantly deteriorated by the proposed residential development. Overall, operating characteristics will remain acceptable with the construction of the proposed development.

VIIC. Effects On The Use And Conservation Of Energy Resources

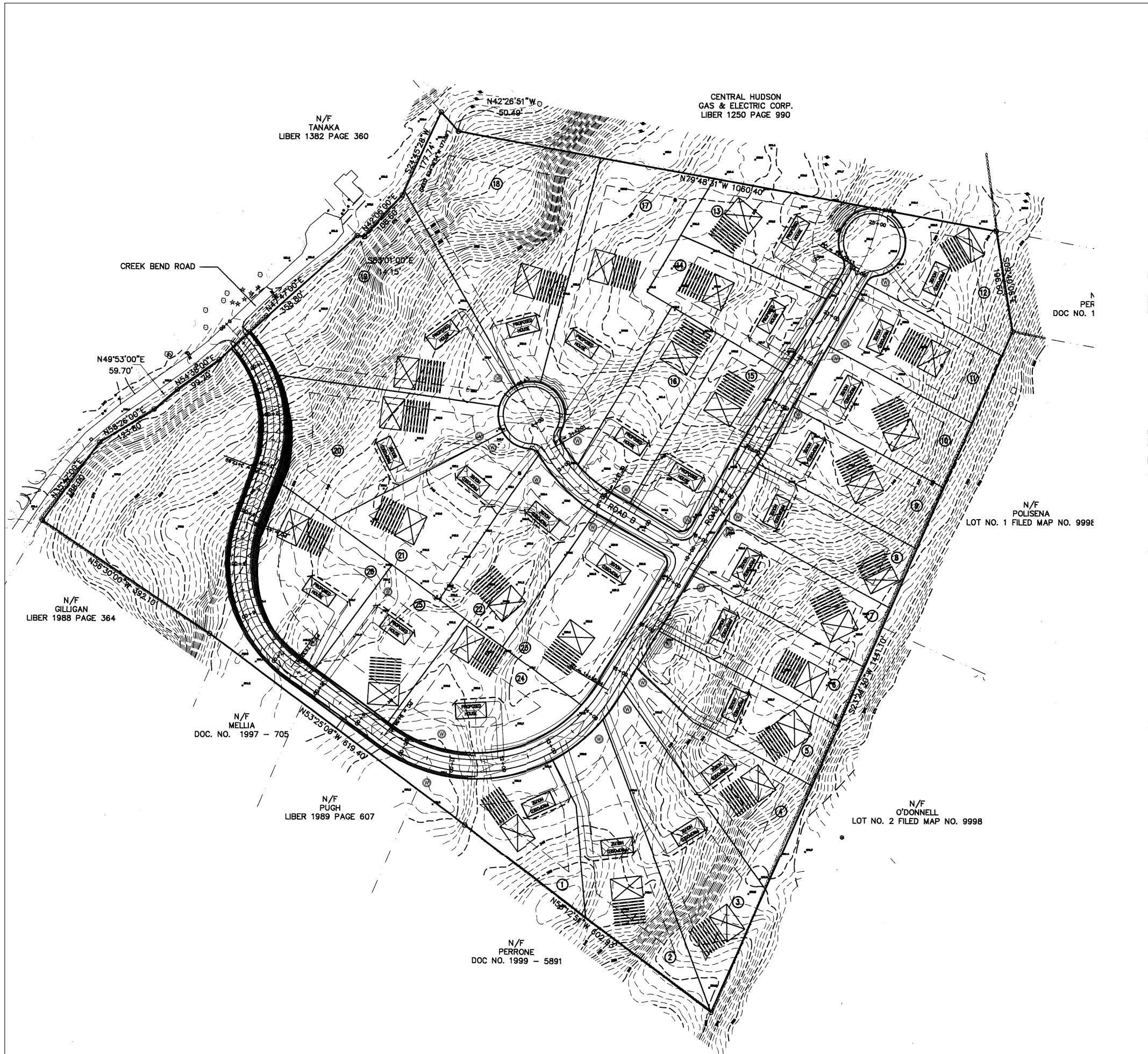
The existing and proposed primary energy sources for the project are electricity, fuel, and natural gas. Electricity and natural gas will be provided by Central Hudson Gas and Electric Corporation for lighting, cooling, cooking and operating internal equipment/appliances.

Alternatives for heating individual dwelling units are liquefied petroleum, gas, or as appropriate, passive or active solar designs. At the present, none of these alternatives are planned. Some dwellings may supplement heating requirements with wood, corn, coal, or pellet burning stoves depending on individual homeowner preferences. According to Central Hudson Gas and Electric, they are able to provide sufficient electric and gas service to the proposed subdivision. In addition, lighting fixtures will utilize energy saving lamps and ballasts.

All dwelling units will be built in conformance with the energy conservation regulations of the New York State Energy Conservation Construction Codes.¹⁸ In addition, low-flow water conservation plumbing devices will be installed on all showerheads and faucets consistent with the New York State Environmental Conservation Law.¹⁹ The impact of these water conservation devices is a reduction in the demand water, particularly for hot water, therefore reducing energy demand to heat water.

¹⁸ 9 NYCRR 7810-7816.

¹⁹ New York State Environmental Conservation Law, Article 15, Section 15-0314.



ZONING INFORMATION		
SEWER AND WATER	INDIVIDUAL TILE FIELDS AND INDIVIDUAL WELLS	
ZONING:	R-1 (RESIDENTIAL, MIN 1 ACRE)	
TAX MAP NUMBER:	132800-6457-02-885725	
TOPO DATUM:	U.S.G.S.	
AREA:	40.95 AC. +/-	
BULK REQUIREMENTS: R-1 (RESIDENTIAL - ONE ACRE)		
REQUIREMENT	MIN. REQUIRED	MIN. PROVIDED
MIN. LOT AREA	43,560 S.F.	43,560 S.F.
MIN. WIDTH	125'	125'
MIN. DEPTH	150'	150'
MIN. FRONT YARD (FROM FRONT PROPERTY LINE)	50'	50'
MIN. SIDE YARD	25'	25'
MIN. REAR YARD	50'	50'
MAX. HEIGHT	35'/2.5 STORIES	35'/2.5 STORIES
MAX. LOT COVERAGE (BUILD.)	12% LOT AREA	12% LOT AREA

SOURCE: TOWN OF EAST FISHKILL ZONING CODE

Figure V.1-1: Alternative A - 26 Lots
 Hilltop Manor Residential Subdivision
 Town of East Fishkill, Dutchess County, New York
 Source: Oswalt & Gillespie, PC, 08/12/02
 NTS

