

3.11 Impact on Historic and Archaeological Resources

3.11.1 Existing Conditions

Section 14.09 of the New York State Historic Preservation Act of 1980 act establishes a review process for State agency activities affecting historic or cultural properties, requiring State agencies to consult with the Commissioner of the Office of Parks, Recreation and Historic Preservation (OPRHP) prior to approving a project. If a project requires any permits or is receiving funding/grants or any other approvals from State agencies, review by OPRHP is required. This project is subject to New York State Department of Environmental Conservation review and approval thus it must follow the criteria determined by OPRHP for cultural resource management, as set forth in the "Standards for Cultural Resource Investigations and the Curation of Archaeological Collections in New York State". These standards were developed by the New York Archaeological Council and adopted by the Office of Parks, Recreation and Historical Preservation to ensure uniformity in the review of cultural material in New York State. Cultural Resource Management investigations are divided into three levels of assessment, called Phase I, II and III. A project may receive OPRHP approval after the completion of any of these phases by a qualified archaeologist, based on the determination that the project site has undergone sufficient investigation to eliminate the probability of significant artifacts being recovered within the area of potential effect. A Phase I investigation is subdivided into a Phase IA and Phase IB. The Phase IA consists of a Literature Review and Sensitivity Assessment, which entails the following:

- 1) a review of pertinent published historic material pertaining to this portion of the Town;
- 2) a search of the historical or archeological site files of the New York Museum and the New York Historic Preservation Office to identify documented cultural resources located on or adjacent to the property, and;
- 3) a reconnaissance of the parcel to identify areas of greater and lesser potential for containing buried cultural remains, and to note areas where serious prior disturbance to upper soils may have eliminated such potential, and to photodocument any potentially affected standing structures over 50 years of age.

If necessary, any sensitive area that will potentially be disturbed by the proposed action, a Phase IB Field Investigation may be conducted, which involves a systematic, on-site field inspection to verify the presence or absence of archaeological or historic artifacts. The most common method for conducting a Phase IB is systematic subsurface testing, which requires the excavation of small test pits at fixed intervals throughout the project site. The soil from these pits is examined for buried cultural remains. Significant findings can trigger the requirement for more extensive investigation via a Phase II or Phase III investigation. However, mitigation or avoidance of that portion of the site where remains are known or suspected may be accepted by OPRHP and allow the modified project to continue.

OPRHP guidelines do not require testing in areas with previously disturbed soils, steep slopes of 12% or greater, or poorly drained soils, as they are not considered to likely produce intact cultural resources.

3.11.2 Potential Impacts

The Phase IA Literature Review and Sensitivity Analysis was conducted on the project parcel in May 2011, by CityScape: Cultural Resource Consultants, and is summarized below. This study is included in Appendix H. The Cultural resource study is identical for the Hemlock Road Access Plan and the Meola Road Access Alternative.

Project Site

The Orchard Ridge site is an irregular shaped parcel of land that lies on the western side of NYS Route 303, south of Meola Road. The site is bounded to the west by the Conrail rail line, and to the north and south by commercial development. Colonial Plaza, a mix of shopping and commercial structures is located on the northern side of the intersection of Meola Road and NYS 303. Across from the project area on the east side NYS Route 303 is a mix of residential and commercial development. Two residential structures along the east side of Meola Road, within the project area are slated for removal. These residences are contemporary in architectural style and date to the late 20th Century. The current acreage of the Orchard Ridge Development site is \pm 30.31 acres, the proposed Area of Potential Effect (APE) will impact \pm 25.44 acres, excluding wetland and wetland buffer areas on the property. Primarily the project area is re-forested woodlands and a large (\pm 5.2 acre) wetland, located in the northwestern portion of the site.

A small stream drains the wetland located in the northwestern portion of the site. ATV trails and dirt roads traverse the wetland and provide access to the interior of the site. A stone wall bisects the southern portion of the project area, indicating the sites former use as pasture and farmland. The site is characterized by wooded areas with secondary growth or old field succession. The ground surface is mostly clear of understory, but vegetation indicative of "old field succession" is present. Portions of the site exhibit evidence of ground disturbance with dirt hummocks and large boulders marking the surface. A large earthen berm borders the small stream south of Meola Road.

The overall topography does not vary significantly within the site. The ground slopes up to the east with a high point of 230 feet above mean sea level (AMSL) along NYS Route 303, and a low point of 170 feet AMSL in the western portion of the site. A wetland is located in the northwestern portion off the site. This wetland drains through the site to the south and south east.

As discussed, the present plan for the Orchard Ridge site is to build 320 residential senior condominiums units, associated garage buildings and parking areas. The Orchard Ridge plan includes a clubhouse, community building, community pool and game courts.

Research Undertaken

As part of the research for the Orchard Ridge site, surveys completed for sites in the general area were consulted. Two surveys have been completed in the general vicinity of the project area. The closest survey is located one quarter mile north of the project area. This survey tested the intersection of Route 9W and Route 303 and a 225,000 sq. ft. parcel of land at this intersection. The area was scheduled for alterations by the NYS Department of Transportation. The survey was undertaken by Leonard Eisenberg on behalf of the New York State Museum in 1981. The shovel tests, excavated at 100' intervals documented significant subsurface disturbance. No materials were recovered and no further work was recommended. Approximately three quarters of a mile south east of the project Jay Cohen excavated a Cultural Resource Investigation for the proposed residential development at Swans Landing, located on the northern edge of Swartwout Lake

(Cohen 1998). The survey identified fourteen cottages and two stucco structures all built around 1940, but did not identify any historic or prehistoric cultural resources. No historic or prehistoric sites were identified as a result of these surveys. These reports have been referenced fully in the bibliography of the full study included in Appendix H.

Prehistoric Site Sensitivity

Although several professional surveys have taken place in the vicinity of the project area, little in the way of prehistoric sites has been identified. The reasons for this are unclear, since environmentally the area would appear favorable, with ample sources of fresh water and elevated knolls overlooking wetlands and stream corridors. The proximity to the Hudson River, and the wetlands located nearby would have presented an ideal location for prehistoric peoples. Based on environmental conditions on the site, including the small stream corridor and adjacent wetland areas, the potential of the project area to contain prehistoric resources is considered moderate to high.

Historic Site Sensitivity

With respect to the project area's historic sensitivity, historic maps show that the project area was not occupied by any structures or dwellings. Based on the Phase 1A research and observations in the field, the project area was located within interior farm land. The likelihood of finding historical surficial features such as middens, or foundations is considered low.

PHASE 1A Conclusions and Recommendations

Based on the model used by OPRHP and the New York State Museum, and reported resources in the immediate area, it was determined that the Orchard Ridge site may have a moderate to high potential to contain prehistoric cultural material, and a low probability to contain historic cultural material. It was therefore recommended that a Phase 1B Archaeological Field Reconnaissance Survey be undertaken to rule out the presence of prehistoric and/or historic cultural resources within the project area.

Overall Conclusions and Recommendations

In May 2011, CITY/SCAPE: Cultural Resource Consultants completed a Phase 1B field reconnaissance inspection of the Orchard Ridge Development Site in the Town of Clarkstown, Rockland County, New York. Based on a review of the existing body of archaeological data relevant to the project area, conclusions were drawn concerning the probability of encountering historic and prehistoric cultural remains on the site. Wetland areas were eliminated from testing. Sensitive areas within the APE were identified and subjected to comprehensive subsurface testing.

A total of 86 shovel tests were excavated along 15 transects within the undisturbed portions of the Orchard Ridge Development Site. No cultural material of any kind was identified. Based on these results, no further archaeological investigation is recommended for the Orchard Ridge Development Site.

3.11.3 Project Mitigation

Based upon the findings of the archaeological review as described, no further cultural resource investigation is recommended.