

INTRODUCTION

SEQRA Background

This document is a Final Environmental Impact Statement and Final Generic Environmental Impact Statement (FEIS/FGEIS) prepared in accordance with the New York State Environmental Quality Review Act (SEQRA) and its implementing regulations, 6 NYCRR Part 617. The FEIS/FGEIS consists of this volume, including appendices, and accompanying maps, and the Draft Environmental Impact Statement/Draft Generic Environmental Impact Statement (DEIS/DGEIS), which is hereby incorporated by reference as part of this FEIS/FGEIS. (It is noted that, for simplicity, throughout this document the acronym DEIS may be used to mean DEIS/DGEIS and FEIS may be used to mean FEIS/FGEIS.)

The SEQRA documents have been prepared to describe and evaluate the application of RH Land Development (the "Applicant" or "project sponsor") to develop a realty subdivision on 527 acres of land located in the Town of Thompson, Sullivan County, New York. The subject site is located north of NYS Route 17 and Rock Hill Drive, east of Edwards Road, south of Marsh Road and west of Glen Wild Road (County Route 58). The property and proposal is referred to as the "Rock Hill Town Center". The Town of Thompson Planning Board is the SEQRA lead agency for this action. SEQRA prescribes that the lead agency is responsible for the adequacy and accuracy of the FEIS.

The Applicant will request preliminary subdivision approval, and other related approvals, subsequent to the adoption of SEQRA Findings by the lead agency that result from the environmental review process on the proposed plans. For this review, the project plans, and the DEIS that were prepared for those plans, describe the level of design in sufficient detail to evaluate potential environmental impacts from the initial area of project development (Phase 1 and Phase 1A). Based on the SEQRA review, the Applicant will complete the subdivision plan and submit same to the Town, requesting preliminary subdivision approval for the entire development plan and all other approvals only for Phase 1. Subsequent to preliminary approval for Phase 1, a fully detailed set of site development drawings will be provided to the permitting agencies for review. For final approval, all conditions of the preliminary approval must be satisfied. Other approvals that are necessary for the development of this subdivision plan are identified in the DEIS Project Description.

The Applicant prepared the DEIS for this application in response to a Positive Declaration issued by the lead agency on September 13, 2006 and based on a public scoping process that concluded with a Scoping Document accepted by the lead agency on September 13, 2006. The DEIS was prepared and submitted by the applicant and reviewed by the lead agency on several occasions as part of the Lead Agency's requirement under SEQRA to take a "hard look" at the Proposed Action. The project plans and the DEIS were modified based on the Town's comments that resulted from these multiple reviews. Copies of the Town Consultant's (*McGoey, Hauser and Edsall Consulting Engineers P.C., Robert Geneslaw Co. and Clough Harbor & Associates*) comment memos are included in Appendix D of this FEIS. Once all of the Town's comments and concerns were addressed in the DEIS it was accepted as complete on October 15, 2008. A public hearing was held on the DEIS on December 10, 2008, and the public comment period held open through December 31, 2008, six longer than the State required ten days.

Pursuant to SEQRA, this FEIS addresses all substantive and relevant comments received on the DEIS encompassing the written comments directed to the Planning Board during the

comment period and the public hearing that were not from an anonymous source(s); comments received from unidentified sources are not addressed. In response to Town comments on the initial submission of the Preliminary FEIS, dated April 27, 2009, the project plans were updated and the FEIS revised. The resubmitted Preliminary FEIS (June 5, 2009) incorporated those changes required to address the bulk of the Lead Agency's comments and concerns.

Additional comments from the Town's Consultant's (Appendix J) were received on the resubmitted document and responded to on June 24, 2009 by letters from the Applicant to the Town's Consultants. Refer to Appendix J for copies of the letters from the Applicant's Consultants to the Town. Comments were then solicited from the public at a formally scheduled and officially noticed public hearing held on June 24, 2009. A transcript of the public hearing is included in Appendix J herein. Written comments from the public and the Town Consultant's were accepted until July 6, 2009 (see Appendix J). These comments were addressed and change pages to the FEIS provided to the Lead Agency on July 6, 2009. Subsequent modifications to the FEIS were required to finalize the document in accordance with all remaining comments to the satisfaction of the Lead Agency. This version of the FEIS was submitted to the Lead Agency on July 21, 2009 and accepted as complete with the condition that the final FEIS/FGEIS distributed for review incorporates all remaining changes required by the Town and its consultants at a regularly scheduled Planning Board Meeting held on July 22, 2009. The remaining changes required by the Town were made and are included in this final version of the FEIS/FGEIS.

Modified Project Plans

Since the DEIS public hearing, after considering public comment, input from the Planning Board and its consultants, and evolving economic conditions, the Applicant has decided to propose the as-of-right Residential Alternative as the preferred alternative for development of the subject site. The Residential Alternative plan was presented and evaluated in the DEIS (DEIS Section 5.2), and was presented at the public hearing on the DEIS in addition to the proposed action. This alternative plan encompasses a primarily residential, "as-of-right" subdivision plan designed in accordance with existing zoning. This is fully in accordance with SEQRA which anticipates that project proposals will evolve during the review process. Therefore, this FEIS presents further description of the current proposed plan and its potential environmental impacts where they differ from DEIS.

This document provides a revised Project Description that describes the project plan as currently proposed and also includes responses to comments received on the original plan. Since the proposal has changed, the responses to comments presented herein apply to the current proposed Residential Alternative plan. Comment/response sections herein may provide an introductory discussion to describe the relevancy of the comments in relation to the current proposed plan, where appropriate.

The Lead Agency has held an additional public hearing on the current plan to receive comments specifically relevant to the current plan for its consideration prior to issuing SEQRA Findings. The Lead Agency's Findings Statement will conclude the environmental review process for Phase 1 and thereby allow approving agencies to issue the project approvals for Phase 1 necessary to implement that portion of the project development. The Findings will also stipulate environmental or development thresholds specific to topics of concern evaluated in the SEQRA process, under which approvals for the future phase(s) may be issued. Should such thresholds be exceeded by future plans for the future phase(s), further environmental review would be needed. FEIS Appendix I includes a draft SEQRA Evaluation Form for Site Plan Applications

After Phase 1, that would be finalized as part of the SEQRA Findings to identify the thresholds to be evaluated for any subsequent site plan submission.

Criteria for Subsequent Reviews

This FEIS broadly analyzes the potential environmental impacts of future development of the Rock Hill Town Center Development subsequent to Phase 1. Section 617.10(d) of the SEQRA regulations provides that where a Final Generic Environmental Impact Statement is prepared and accepted by a lead agency:

- No further SEQRA compliance is required if a subsequent proposed action will be carried out in conformance with the conditions and thresholds established for such actions in the generic EIS or its finding statement;
- An amended findings statement must be prepared if the subsequent proposed action was adequately addressed in the generic EIS but was not addressed or was not adequately addressed in the findings statement for the generic EIS;
- A negative declaration must be prepared if a subsequent proposed action was not addressed or was not adequately addressed in the generic EIS and the subsequent action will not result in any significant environmental impacts; and
- A supplement to the final generic EIS must be prepared if the subsequent proposed action was not addressed or was not adequately addressed in the generic EIS and the subsequent action may have one or more significant adverse environmental impacts.

Based on the matters addressed in this FEIS, it is anticipated that when future site-specific plans for components of the project are submitted to the Town of Thompson for site plan approval and/or subdivision approval, environmental review under SEQRA will be limited to site-specific engineering issues, such as extent of grading, stormwater management, water supply and sanitary sewer facilities, for that project component, provided the plan for that component is generally consistent with the approved overall concept development plan and the SEQRA Findings Statement that will be issued by the Town Planning Board, as lead agency under SEQRA, in connection with the environmental review for the Rock Hill Town Center Development.

To assist the Town in its "site-specific" review of each component for which site plan approval and/or subdivision approval is sought, the Applicant will submit a Full Environmental Assessment Form that includes a "Part 3" report that addresses site-specific issues. If a proposed "site-specific" development plan materially differs from the overall concept development plan, then before such approval can be granted by the Planning Board, a SEQRA Determination of Significance would need to be adopted, possibly requiring a supplemental EIS that analyzes the new application.

The site-specific impacts of "Phase I" of the overall concept development plan for the Rock Hill Town Center Development have been analyzed in this FEIS. Accordingly, once Findings have been adopted by the lead agency, no further review under SEQRA of that project component will be required.

Format of the Comments and Responses

The full text of written comments received on the DEIS and the transcript from the public hearing are included in FEIS Appendix B and Appendix C, respectively. All substantive and relevant comments received by the lead agency on the DEIS, together with responses to comments, are provided in this document in comment/response format and organized by subject area following the sequence of the DEIS. In some cases, an author's comment may be summarized or paraphrased to clarify its context, and similar comments expressed by multiple authors are combined as a single comment. Some responses for comments that have been previously addressed in this document refer to the prior response. In Appendices B and C, a reference to the location of the response that addresses each substantive comment is provided in the right hand margin.

This FEIS provides additional and updated studies, analysis, and data as necessary for the Planning Board, involved and interested agencies, and the public. The following letters on the DEIS/DGEIS were received; a full copy of each letter is included in Appendix B.

Table I-1		
List of Comment Letters Received on the DEIS/DGEIS		
Letter #	Author	Date
1	Clifford H. Schwart, Resident	December 10, 2008
2	Steve Gottlieb, Rock Hill Fire District	December 10, 2008
3	Norman B. Gold, Levy & Gold, LLP	December 3, 2008
4	Sheldon Bellovin, Resident	December 2, 2008
5	John F. Konefal, President, Wanaksink Lake Club, Inc.	Unknown Date
6	Peter J. Connery, P.E., NYSDEC	October 30, 2008
7	John F. Konefal, President, Wanaksink Lake Club, Inc.	Unknown Date
8	Kenneth D. Hill, Resident	December 10, 2008
9	Douglas P. Mackey, NYSOPRHP	December 9, 2008
10	Susan Roth, AICP, Hudson Valley Planning and Preservation	December 9, 2008
11	Pamela M. Eshbaugh, P.E., NYS DOT	December 15, 2008
12	Martin & Fran Kotler, Resident	December 16, 2008
13	Arlene Shapiro, Resident	December 19, 2008
14	James Gollner & Mutsumi Gollner, Resident	December 30, 2008
15	Mrs. Scarano, Resident	December 31, 2008
16	Janet Newberg, Resident	December 31, 2008
17	Michael D. Merriman, NYSDEC	January 23, 2009
18	William J. Pammer, Jr., PhD, Sullivan County Division of Planning and Environmental Management	December 19, 2008
19	Steve Gottlieb, Rock Hill Fire District	January 19, 2009
20	Robert Geneslaw, Robert Geneslaw Co.	December 31, 2008