SCOPING DOCUMENT
For Preparation of a Draft Environmental Impact Statement
for
Lost Lake Resort
Town Forestburgh, Sullivan County, New York

Revised May 20, 2009 - Adopted June 11, 2009

PROJECT NAME: Lost Lake Resort - Planned Development

PROJECT LOCATION: St. Joseph's Road, Town of Forestburgh, Sullivan County, New York

SEQR CLASSIFICATION of ACTION: Type 1

LEAD AGENCY: Town of Forestburgh Town Board

INTRODUCTION

This Scoping Document applies to the preparation of a Draft Environmental Impact Statement (DEIS) for the Lost Lake Resort Planned Development pursuant to the New York State Environmental Quality Review Act (SEQRA), and will serve as the foundation for identifying all potentially significant adverse impacts anticipated from the proposed action and appropriate mitigation measures. This Scope is also intended to eliminate consideration of any impacts that are irrelevant or non-significant.

The purpose of preparing the DEIS is to evaluate the zoning and land use suitability of the subject property for the proposed action, to assess potential environmental impacts associated with development of the site as proposed, to evaluate alternatives to the proposed action, and to identify, and determine the adequacy of, proposed means by which the identified impacts would be mitigated.

DESCRIPTION of the PROPOSED ACTION

The proposed action is the application for approval of a planned resort development known as Lost Lake Resort that would provide an upscale recreational destination consisting of a gated community of up to 2,557 single family residence lots and 70 single family cottages and multifamily units, which will be individually described, together with on-site recreational amenities for residents and guests including an 18-hole championship golf course and driving range, inn, swimming pool and tennis courts, spa, amenity village, clubhouse and restaurant, conference center, and wilderness walking trails.

The project includes development of interior road systems, utilities and stormwater infrastructure, and community water supply and wastewater treatment facilities.

Site Description

The project site consists of ten tax parcels that total approximately 2,091.06 acres in the Town of Forestburgh, Sullivan County, New York. The tax parcels are listed as:

3-1-1.1	3-1-3	4-1-10.2	8-1-1.2	20A-1-1
3-1-2.1	4-1-7	7-1-1	8-1-2	20B-1-1

The property boundary on the north is coincident with the Town of Thompson / Town of Forestburgh town line. St. Joseph's Road (County Route 108) transverses the project site in an west-east orientation and Cold Spring Road (CR 102) borders the east side of the site. CR 102 and Forestburgh Road (NYS Route 42) connect the project site to the village of Monticello and NYS Route 17 to the north, and the City of Port Jervis and Interstate 84 to the South.

The natural setting of the project site consists of rugged, undulating topography and is almost entirely wooded, with a ±50-acre lake (known as Lost Lake on local maps and Trout Lake on USGS maps), in the northeastern portion of the property. The project site is generally bisected by a lowland/wetland corridor oriented in a NW/SE direction containing an unnamed stream that flows to the Bush Kill in the southeastern corner, and ultimately to the Neversink River.

GENERAL SCOPING CONSIDERATIONS

The DEIS will address all items in this scoping document and will conform to the general format set forth herein. Each impact category, such as traffic, land use and zoning, and water resources, will be presented in a separate subsection which includes a discussion of existing conditions, potential impacts anticipated from the proposed action, and proposed mitigation measures designed to avoid, or minimize, the identified impacts. If appropriate, issues listed separately in this document may be combined in the DEIS.

Narrative discussions should be accompanied by appropriate tables, charts, graphs, and figures whenever possible. If a particular subject can be most effectively described in graphic format, the narrative discussion should merely summarize and highlight the information presented graphically. All plans and maps depicting the site, and elements of the project, should show adjacent properties, neighboring uses and structures, roads, and surface water resources.

All information should be presented in a manner that can be readily understood by the public. Efforts should be made to avoid the use of technical jargon. To the extent practical, the DEIS should be written in terms which a lay person can readily understand.

Discussion of mitigation measures in the DEIS should consider at least those measures identified in this Scope. Where reasonable and necessary, the measures should be incorporated into the proposed action. For any mitigation measures listed in this scoping document that are not incorporated into the proposed action, the reason why the applicant considers them unnecessary shall be discussed in the DEIS. The applicant may also suggest additional mitigation measures beyond those identified in this scope where appropriate. When no mitigation is needed, the DEIS should so indicate.

The document and any appendices or technical reports should be written in the third person, and the terms "we" and "our" should not be used. The applicant's conclusions and opinions, if given, should be identified as those "of the applicant."

Any assumptions incorporated into assessments of impact should be clearly identified. In such cases, the "worst case" scenario analysis should also be identified and discussed.

The entire document should be checked carefully to ensure consistency with respect to the information presented in the various sections.

DEIS CONTENT

I. INTRODUCTORY MATERIAL

Cover Page: The DEIS will begin with a cover sheet that identifies the following:

1. That the document is a Draft Environmental Impact Statement;
2. The name or descriptive title of the project;
3. The location of the project, including the street address, municipality, county and state, as well as the tax parcels that comprise the project site;
4. The Town of Forestburgh Town Board as the Lead Agency for the SEQRA review and the name and telephone number of the following person who can provide further information about the SEQRA review of the project:

   Town Board
   P.O. Box 114 – King Road
   Forestburgh, New York 12777
   Contact: James P. Galligan, Supervisor
5. The name and address of the applicant, and the name and telephone number of a contact person representing the applicant;
6. The name and address of the primary preparer of the DEIS and the name and telephone number of a contact person representing the preparer;
7. The date the DEIS was submitted to the Lead Agency and all revision dates;
8. The date of acceptance of the DEIS (to be inserted upon acceptance);
9. The date and location of the public hearing on the DEIS (to be inserted upon acceptance);
10. The date by which comments on the DEIS are due (to be inserted upon acceptance);
11. Following the cover page: List of consultants that have a role in the preparation of any part of the DEIS.

Table of Contents: All primary headings which appear in the text should be presented in the Table of Contents along with the appropriate page numbers. In addition, the Table of Contents shall include lists of figures, tables, appendices, and additional DEIS volumes, if any.

II. EXECUTIVE SUMMARY

The DEIS will include an Executive Summary. The summary will include only information found elsewhere in the main body of the DEIS and will be organized as follows:

1. Brief description of the proposed action
2. List of Involved and Interested Agencies and required approvals/permits.
3. Brief listing of the anticipated impacts and proposed mitigation measures for each potential adverse impact discussed in the DEIS. This presentation should be simple and concise.

4. Brief description of the project alternatives considered in the DEIS. A table should be presented which summarizes the quantifiable potential impacts in each impact category anticipated for each alternative considered.
5. Brief description of significant impact issues and potential controversy, if any.

III. DESCRIPTION OF THE PROPOSED ACTION

This chapter of the DEIS is to provide a detailed description of the proposed action and its component parts (including site access and road layout, lot layout, proposed open space and proposed utilities), and is to establish the context in which potential impacts have been assessed. The chapter will also document the site's location and provide a historical summary and background of the proposed action, including access, site usage, zoning, extent of prior site disturbance. The chapter will be organized as follows and contain the information specified:

A. Introduction: The reasons for, and purpose of, the DEIS and the nature of the proposed action.

B. Approvals and Involved Agencies: A complete listing of all Involved Agencies along with their addresses and required approvals/permits they may grant.

C. Interested Parties: A listing of agencies, persons, and groups who have expressed interest in reviewing the DEIS.

D. Project Purpose and Need.

   1. Describe purpose and need of proposed project including consideration of consistency with adopted policies and plans (with reference to the Land Use section for detailed discussion). Describe the project's target market, affordability, and ownership of the residential portion of the proposed development and describe the target market and membership details of the golf course and recreation amenities proposed on site.

   2. Objectives of the project sponsor

E. Site Location and Environmental Setting.

   1. Description of the geographic boundaries of the site in the region and in the Town of Forestburgh.
   2. Description of access to the site relative to the surrounding area, roadways, and infrastructure.
   3. Brief description of the site and surrounding area including existing natural features, zoning, land use, topography, drainage, wetlands, watercourses, vegetation and existing improvements.
   4. History and past uses of the project site, prior project proposals, and prior approvals for use of the property.
   5. Identification of contiguous property owners, including a map identifying the location of said property owners.

F. Project Description and Layout

1. Description of the proposed development concept, proposed structures and site improvements, including descriptions of each proposed component in narrative format and depicted in plans, maps, drawings, or renderings, as appropriate, including the following:

   - Buildings and building layout
   - For proposed residential units - unit types, size of units, number of bedrooms
   - Concise description of the proposed range of lot sizes
   - Describe road layout
   - Provide a "Site Master Plan" showing locations of all the proposed developmental elements above ground, on a base map that shows existing topography and areas constrained by slopes >25%, wetlands, watercourses, open water, 100-year floodplain, and easements.
   - Define "Amenity Village" in plan and description
   - Identify all guestroom lodging proposed, anticipated users, and the anticipated occupancies: weekday, holiday, weekend, and seasonal.
   - Building floor area(s)
   - Building use(s)
   - Building style, architectural design, height, separation of buildings. Describe proximity of houses to the golf course and describe provisions to avoid damage to these homes such as window breakage.
   - Open space, including definition of "open space" as used in this document. Discuss open space in a narrative and show on a plan, and define permissible uses in the open space. Describe how the open space area was calculated, how it will be used and the acreages of each use.
   - Recreation facilities plan and description, including hours of operation and special events
   - Maintenance facilities in plan and description
   - Golf course routing plan and description
   - Parking area and traffic circulation layout including golf cart routing and emergency access
   - Identify all proposed trails, trail systems and their use
   - Describe and locate all proposed bridges and tunnels on the project site, and describe how these will relate to existing public roads.
   - Project phasing plan and description
   - Drainage and Stormwater Management Plan and description
   - Sanitary sewer and water system plans and descriptions
   - Golf course management plan including irrigation water recycling system, if proposed.
   - Landscaping Plan and description

- Lighting Plan and description
- Erosion and Sediment Control Plan and description
- Setbacks and Buffer treatments
- Briefly describe proposed draft covenants and restrictions on home site development, including landscaping, above ground propane tanks versus below ground tanks, size of residential units.
- Area of land to be cleared, new impervious surfaces to be constructed, including building coverage (acreages and percent of site)
- Public access

2. Overview of the Town's PDD regulation as applies to this site (with reference to Land Use section for detailed discussion)
   - conformance with PDD regulations
   - permitted density
   - overview of proposed density bonuses and how the bonuses were calculated.
   - list all special PDD waivers requested, if any, with a justification for each.

G. Construction and Operation

1. Construction Period
   a. Total construction period anticipated
   b. Schedule and sequencing of construction
   c. Erosion and sedimentation controls, and dust controls to be implemented during construction
   d. Construction equipment and staging area(s).
   e. Potential blasting and construction vehicle impacts
   f. Construction traffic, including routing on local area roads
   g. Provisions for construction workforce and summary of Section I description of temporary and permanent work force impacts associated with the project.

2. Operation Period
   a. Hours of operation of proposed recreation facilities and rounds of golf per season
   b. Lighting plan details including illumination of the golf course and/or driving range if proposed

IV. ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION

The sub-headings below represent the impact categories that will be addressed in the DEIS. A discussion, and graphic representations, shall be provided under each item in each heading and will include a description of existing conditions, the analysis of potential impacts anticipated from the proposed action, and identification of the mitigation measures that are proposed to avoid, or minimize, any identified potential adverse impacts.

A. Geology, Soils and Topography

1. Existing Conditions
    a. Physiographic and geologic conditions on, and in the vicinity, of the site
    b. Existing topography and slope categories (0-15 percent, 15 to 25 percent, greater than 25 percent)
    c. Soils types (including any prime agricultural soils) and characteristics, based upon a United States Department of Agriculture soil survey.
    d. Identify visually prominent rock formations exceeding 10' height and 50' length that exist within 200' of a public road based on site observations and available topographic mapping.
    e. Limitations imposed by on-site soils, including erosion hazard, depth to groundwater, and shallow bedrock.
    f. Identify Marcellus shale formation relative to project site, based on publicly available information.
2. Potential Impacts
    a. Impacts on physiography and geologic conditions, including those from blasting.
    b. Changes in topography including acreage of soil disturbance by phase and total, grading plan and cut and fill estimates.
    c. Area of disturbance of each slope category.
    d. Total acreages of post-development cover types, including managed vegetated areas, impervious surface.
    e. Describe the sub-soils to be used for the golf course.
    f. Describe how rock formations on site may be preserved, disturbed, and created. Describe location and extent of rock removal, nature of rock material likely to be encountered, and method(s) of removal.
    g. Address potential use of Marcellus shale formation relative to natural gas exploration at the site.
3. Mitigation Measures
    a. Project specific Erosion and Sediment Control Plan including phasing and sequencing, temporary and permanent erosion and sediment controls, and a plan for monitoring and maintaining erosion and sediment controls during construction.
    b. Turf management operations/long-term stabilization measures, including scheduled maintenance, integrated pest management, and measures to control catastrophic failure.
    c. Discuss alternative methods for rock removal. Propose blasting mitigation measures.

B. Wetlands

1. Existing Conditions
    a. Delineate and map existing NYSDEC and federally regulated (ACOE) wetlands, all regulated adjacent areas (buffers), and vernal pools. All identified features shall be shown on a map of surface water resources and on project plans.

b. For each wetland identified, provide descriptions of:
   i. Wetland location and position in the landscape
   ii. Wetland type and characteristics, including dominant vegetation, soils and hydrology
   iii. Regulatory jurisdiction for each wetland
   iv. Wetland and wetland buffer acreage
   v. Wetland functions and values
   vi. Wetland habitat value, including the value of any vernal pools
c. Relationship of the onsite wetlands to the Neversink River Unique Area
d. Describe the existing drainage patterns on, and contributing to, the site that affect the wetlands

2. Potential Impacts
   a. Describe the acreage of direct wetland and wetland buffer disturbances, as regulated by the NYSDEC
   b. Describe the acreage of direct wetland disturbances, as regulated by the ACOE
   c. Identify and detail wetland and wetland buffer disturbances for each phase
   d. Assess potential indirect wetland and wetland buffer impacts
   e. Identify all federal and State permits required to conduct regulated activities in wetlands, watercourses, and their buffers
   f. Describe short-term and long-term impacts on identified wetland functions
   g. Describe other impacts on wetlands and their buffers, including those associated with post construction changes in stormwater runoff
   h. Describe potential indirect impacts on the Neversink River Unique Area
3. Mitigation Measures
   a. Describe any creation and enhancement of wetlands to compensate for loss of wetlands and their functions, or intrusion into the wetland buffers
      i. Goals and effectiveness of mitigation
      ii. The size and location of proposed created/enhanced wetlands
      iii. Proposed maintenance and monitoring schedule for created/enhanced mitigation wetlands.
   b. Provide an Erosion and Sediment Control Plan which specifies practices to control erosion and sedimentation during construction, and prevent sedimentation of wetlands, including:
      i. Principle elements
      ii. Implementation technique and responsibilities
      iii. Monitoring and maintenance
   c. Other special construction techniques
   d. Other mitigation measures

C. Vegetation

1. Existing Conditions
    a. List of vegetation species found, or expected to be found, on-site (including any "endangered", "threatened" or "special concern" plant species) based on existing information, contact with the New York State Natural Heritage Program, and field observations.
    b. Description and identification of vegetative communities on-site.
    c. Identify and describe species that are dominant in the forest community.
    d. Discussion of potential for State listed or exploitably vulnerable plant species inhabiting the site will be included.
    e. Utilize the following survey protocol(s) as accepted by NYSDEC:
        i. Vegetation Survey Methodology (Attachment 1)
2. Potential Impacts
    a. Impacts on endangered or threatened species or species of special concern, and significant habitats on-site.
    b. Location, acreage and types of vegetation communities proposed to be cleared.
    c. Methods of tree removal and disposal.
    d. Extent of removal of species identified to be dominant in the forest community.
    e. Impact of conversion of woodland to residential development.
3. Mitigation Measures
    a. Preservation of portions of the existing vegetation.
    b. Proposed revegetation and landscaping.

D. Wildlife Ecology

1. Existing Conditions
    a. List of terrestrial, aquatic and avian species found, or expected to be found, on-site (including any "endangered", "threatened", "transient" or "special concern" animal species) based on existing information, contact with the New York State Natural Heritage Program, and field observations. Species of special concern to be evaluated will be identified using the *Comprehensive Wildlife Conservation Strategy* wildlife "species of greatest conservation need" lists.
    b. Description of existing habitat types on-site and discussion of potential for wildlife use by protected species. Description will include evaluation of potential wildlife corridors, including vernal pool connections and large species movements (including bear).
    c. Discussion will include presence or likelihood of presence of bog turtle, bald eagle, and timber rattlesnake.
    d. Presence/ absence surveys of fish in the regulated water bodies and water courses will be reported.

e. Utilize the following survey protocol(s) as accepted by NYSDEC:

i. Bird Survey Methodology (Attachment 2)

ii. Vernal Pool Survey Methodology (Attachment 3)

iii. Vernal Pool Survey Data Sheet (Attachment 4)

iv. Timber Rattlesnake Survey Methodology (Survey Protocol Report to Natural Heritage Program 2007 by Randy Stechert)

2. Potential Impacts

a. Site disturbance by habitat type

b. Potential impacts on wildlife species and habitats identified in existing conditions surveys

c. Potential impacts on endangered, threatened or special concern animal species

d. Habitat loss, fragmentation, hydrological changes to water-dependent habitats, wildlife corridors, and biodiversity

e. Potential impacts to fish on site and on the Bush Kill and Neversink River

f. Potential impacts to transient migration of wildlife species

3. Mitigation Measures

a. Preservation/ protection of existing habitats

b. Restoration or enhancement of habitats

c. Mitigation of potential nuisance wildlife

E. Water Resources

1. Existing Conditions

a. Map and describe existing surface water resources on, and adjacent to, the project site. All identified features shall be shown on a map of surface water resources and on project plans.

b. Identify NYSDEC classifications of streams, wetlands and waterbodies, and describe general characteristics of all receiving streams, including seasonal low-flow.

c. Provide baseline surface water quality data. If water sampling is performed, identify locations of sampling, parameters tested, and purpose of the information collected.

d. Identify existing drainage patterns on the site, and full extent off-site of the drainage basin(s) contributing to the site, that affect the wetlands, waterbodies and watercourses on the site and watercourses downstream to the Bush Kill and Neversink River. Identify the direction of surface flow.

e. Identify any areas subject to flooding.

f. Identify existing points where stormwater discharges from the property.

g. Identify existing stormwater runoff quantity, including the existing volumes of stormwater runoff and peak discharge rates from the 2, 10, 25, 50, and 100-year storm events.

h. Identify existing stormwater quality and pollutant loading at each discharge point from the site.

i. Describe existing groundwater resources, including information from available sources on the capacity and extent of the aquifer.

2. Potential Impacts

a. Wastewater treatment

i. Estimate wastewater flows by facility and unit type

ii. Describe type of facilities proposed for wastewater treatment, including the location of treatment plant(s) and type of facilities for servicing individual residential lots. Provide a conceptual plan of the wastewater collection and treatment system, including proposed locations of effluent discharge.

iii. Describe the proximity of treatment facilities to existing and proposed residences in relation to potential noise and odor impacts.

iv. Identify NYSDEC effluent limitations that apply to receiving streams.

v. Describe potential direct and indirect effects of proposed sanitary sewer collection, treatment, and discharge on natural resources, including wetlands, streams and ecological communities on site and downstream on the Bush Kill and Neversink River. Identify the pollutant and nutrient loads associated with the wastewater discharges.

vi. Describe administrative structure including ownership and operations responsibilities for the wastewater collection and treatment system.

b. Stormwater

i. Prepare a drainage study with engineering calculations in accordance with NYSDEC regulations, comparing existing to post-construction stormwater runoff, for inclusion as an appendix to the DEIS.

ii. Prepare a drainage plan showing conceptual locations and sizes of stormwater management facilities to support the proposed project in accordance with NYSDEC regulations.

iii. Describe ownership of and responsibility for long term maintenance of proposed stormwater facilities.

iv. Identify construction-related impacts on surface water resources relating to stormwater runoff quantity and quality.

v. Identify post construction potential impacts on surface water resources relating to stormwater runoff quantity. Provide post construction volumes of stormwater runoff and peak discharge rates for the 2, 10, 25, 50, and 100 year storm events at each stormwater discharge point.

vi. Identify and describe post construction potential impacts on surface water resources (including the Bush Kill and Neversink River) relating to pollutant and nutrient loads from impervious surfaces, including golf cart and equipment storage areas, maintenance areas, storage areas for turf management chemicals, and from other managed landscape areas and residential lawns.

c. Water reuse

i. Describe grey water reuse for golf course irrigation, if proposed. Address flooding potential related to surface effluent holding ponds.

ii. Examine use of alternative irrigation water source from surface water for golf course watering, if proposed, either from capturing existing water bodies or water courses on site or new holding ponds.

d. Ground water resources

i. Identify potential impacts on groundwater resources from post- construction increases in surface water pollutant loads.

ii. Describe/quantify potable groundwater demand, and demand for irrigation water if proposed from groundwater, and related potential impacts on groundwater resources.

iii. Describe and quantify the expected water demand in relation to expected yield.

iv. Prepare a pre- and post-construction water budget (recharge analysis) that includes recharge and evapotranspiration rates for the study parcel and watershed accounting for normal and drought conditions.

v. Conduct a pump test of proposed wells in accordance with NYSDEC's protocol while monitoring select existing wells to establish potential groundwater interference (72-hour pump test while monitoring select existing wells within ¼ mile of the test well sites demonstrating 6-hour stabilized yield, unless otherwise specified by the Health Department). Provide summary of pump test and groundwater quality testing results.

vi. Identify potential impacts on wells within ¼ mile of the proposed well sites from groundwater use.

vii. Identify potential impacts of geothermal systems, if proposed, on the aquifer.

viii. Identify potential impacts (fluctuations) of surface water within 500' from proposed wells.

3. Mitigation Measures

a. Turf Management and Integrated Pest Management plans that include measures to mitigate potential impacts on groundwater and surface water associated with the use of turf management chemicals.

b. Stormwater Pollution Prevention Plan (SWPPP) for the first phase of the project that specifies practices to control post-construction changes in the peak rates and volume of stormwater discharged as well as increases in pollutant loads. The SWPPP shall meet the requirements of the NY State Pollutant Discharge Elimination System General Permit for Stormwater Discharges from Construction Activities (GP-0-08-001), including descriptions of:

i. Principle design elements

ii. Implementation techniques and responsibilities

iii. Monitoring and maintenance of stormwater management facilities

iv. General design guidelines for stormwater management for future phases

v. Soil Erosion and Sediment Control Plan – provide conceptual plan and narrative description

c. Mitigation measures for identified impacts to surface water resources, which may include water conservation to reduce discharge flows, location of components to minimize or avoid siting constraints, alternative technologies.

d. Mitigation measures for identified impacts to groundwater resources.

e. Other mitigation measures.

F. Zoning, Land Use, and Public Policy

1. Existing Conditions - Zoning
    a. Describe the existing zoning for the project site and surrounding area in the Town of Forestburgh. Include information on allowed uses, setbacks, bulk and area requirements.
    b. Describe PDD regulations applicable to the project site
2. Potential Impacts to Zoning
    a. Describe how the proposed project would conform to the applicable zoning regulations with respect to use, setbacks, bulk and area requirements, or describe waivers or variances that would be required.
    b. Provide computation of the number of units being proposed and compliance with the PDD regulations as relates to Constrained Land, and Open Space provided.
    c. Describe proposed density bonuses. Provide analysis of how the density bonuses were calculated and rationale for each bonus.
3. Mitigation Measures - Zoning
4. Existing Conditions - Land Use
    a. Existing land use conditions on the project site and in the vicinity of the project.
5. Potential Impacts to Land Use
    a. Relationship of the proposed project with adjoining uses and discuss the effects of the proposed project on the general land use pattern within the vicinity of the project site.
6. Mitigation Measures – Land Use
7. Existing Conditions - Public Policy
    a. Brief description of adopted public policy documents with respect to the proposed development, including the *Town of Forestburgh Master Plan (2007), Sullivan 2020 Toolbox (2005), Sullivan County Open Space Conservation and Growth Plan (2008), and NYS Open Space Plan (2006)*. List specific provisions within these Plans that are relevant to the proposed development
8. Potential Impacts to Public Policy
    a. The compatibility of the proposed project with relevant public policy documents
9. Mitigation Measures – Public Policy

G. Historical and Archeological Resources

1. Existing Conditions
    a. A Phase 1A Archaeological Survey is to be conducted and a recommendation made as to whether further analysis should be conducted (a Phase 1B). The Phase 1A report will be sufficient for completeness of the DEIS. If a Phase 1B is recommended it should be provided in the FEIS.
        i. Identify location of 'Old Train Depot" building (a.k.a. "Gilman's Station")
        ii. Identify the location and course of the old rail line.
        iii. Identify the location and course of the old stage coach route.
    b. Coordinate historic and archeological investigation with New York State Office of Parks, Recreation and Historic Preservation.
2. Potential Impacts
    a. Effect of proposed site improvements with respect to the location and extent of any found historic and/or cultural resources.
    b. Disturbance or removal of existing stonewalls.
    c. Identify the intended use of the old rail line.
    d. Identify the intended use of the old stage coach route.
3. Mitigation
    a. Measures proposed to avoid or minimize impacts to any found historic and/or cultural resources.

H. Transportation

1. Existing Conditions
    a. A description of the area roadways including pavement width, pavement conditions, number of lanes, posted speed limits, types of roadways, and traffic controls.
    b. Manual traffic movement surveys at the following intersections for existing weekday p.m. peak hour and Saturday midday peak periods. Traffic volumes should reflect conditions on typical days.

        - St. Joseph's Road CR 108 and Forestburgh Road NYS Route 42
        - St. Joseph's Road CR 108 and Cold Spring Road CR 102
        - Cold Spring Road CR 102 and Rose Valley Road
        - Rose Valley Road and E. Broadway CR 42 (Monticello)
        - St. John Street CR 102 and Broadway CR 42 (Monticello)
        - Forestburgh Road NYS Route 42 and W. Broadway CR 42 (Monticello)
        - Cold Spring Road CR 102 and Waverly Avenue

    c. Capacity analyses should be completed for conditions at each intersection noted above following procedures from the Highway Capacity Manual (latest computer program).

d. Capacity analysis of the site main access(es).

2. Future Transportation conditions without the project.
    a. Background traffic volume for the design year, including a general growth factor and any planned developments in the immediate vicinity of the site.
    b. Capacity analysis based on future background traffic conditions for each intersection for the proposed design year conditions.
3. Future Transportation conditions with the project.
    a. Site generated added to peak hour traffic
    b. Estimation of distribution of additional site-generated traffic on area roads.
    c. Capacity analysis of combined conditions for each intersection (including proposed development of site plus future background traffic).
    d. Description of interior circulation on proposed trails, sidewalks, and cart paths.
    e. Discussion of transportation services to be provided from the site.
    f. Discussion of internal traffic circulation.
    g. Discussion of special events traffic and parking requirements, such as conferences and tournaments.
    h. Describe and identify facility-related maintenance operations and building locations.
    i. Describe any public parks proposed on the site and public use and/or access to the site.
    j. Sight distance evaluation at the proposed access drives.
    k. Emergency access to the site.
    l. Impact on condition of area roads.
    m. Description of the impact of construction traffic on local roads and traffic. Identify construction traffic routing.
4. Mitigation Measures
    a. Transportation improvements, relative to each phase
        i. Identify types of improvements needed to mitigate traffic impacts, such as traffic control at intersections, road widening, intersection improvements, additional lanes, and surface improvements.
        ii. Responsibility for improvements
        iii. Methods of funding improvements, as appropriate. Identify additional costs to the Town for these improvements.
    b. Other

I. Fiscal & Employment

1. Existing Conditions - Taxes
    a. Current level of taxes generated from project site.
        i. Sullivan County

ii. Town of Forestburgh
iii. Monticello School District taxes
iv. Other special district taxes

2. Potential Impacts - Taxes
   a. Property taxes after development
      i. Sullivan County
      ii. Town of Forestburgh Town taxes
      iii. Monticello School District taxes
      iv. Other special district taxes
   b. Comparison of future taxes generated by the project to existing taxes
3. Mitigation - Taxes
4. Existing Conditions - Employment
5. Potential Impacts & Mitigation - Employment Opportunities
   a. Short-term construction jobs – identify and describe impacts and benefits.
   b. Describe construction workforce housing and temporary and permanent work force impacts.
   c. Long-term employment

J. Community Services

1. Existing Conditions - The proposed project may potentially create the need for additional community services in the Town of Forestburgh, and possibly Sullivan County. Describe each existing service area in terms of its existing capacity, projected changes in service levels in the future without the project, including the following services. Information will be based on personal communications with service providers and/or review and confirmation of available information.
   a. Police
   b. Fire protection
   c. Emergency medical services
   d. Public education
   e. Public recreation facilities
   f. Utilities (availability of public services for electric, natural gas, water supply and wastewater disposal)
   g. Solid waste disposal.
2. Potential Impacts - The impact of the proposed project on each service area identified above will be estimated, according to generally accepted practices. In order to estimate impacts, this section will include a demographic analysis to project the number of persons that would occupy the new development. This analysis will use standard multipliers reported by such sources as Urban Land Institute and the Rutgers University

Center for Urban Policy Research (Burchell and Listokin), as well as the applicant's historical data from other comparable built projects.

a. Costs and/or benefits to the Town from proposed recreational amenities will be evaluated, including clubhouse uses and other community spaces available for residents and the public. Discuss whether any facilities (roads, walks, drainage facilities, recreation areas, etc.) will be offered for dedication to the Town of Forestburgh, and if so, identify maintenance/management responsibilities.

b. Evaluate current town resources and capabilities for fire protection and need for enhanced fire protection. Describe all existing mutual aid agreements and possible changes to those agreements necessitated by the project.

c. Identify additional costs to the Town to hire Police, Fire or other Town employees and project-generated revenues that offset such costs.

d. Identify additional costs to the school district to add or expand educational facilities and project-generated revenues that offset such costs.

e. Identify impact (for example, as tons per year) of solid waste generation and potential effects on capacity of receiving facility.

3. Mitigation - Mitigation measures will be discussed, including increasing the capacity of any community service area that may be needed as a result of the proposed action.

K. Noise

1. Existing Conditions
    a. Current ambient noise levels in vicinity of project site;
    b. Compliance with local noise ordinance.
    c. Any changes of noise buffering due to loss of trees.
2. Potential Impacts
    a. Construction noise including noise impacts from blasting activities
    b. Operational noise
    c. Truck and automobile traffic
    d. Delivery and loading
    e. Identify applicant's prohibitions on use of open space by ATVs, snowmobiles.
    f. Describe all lake access and lake use by motorized and non motorized water craft.
3. Mitigation Measures

L. Visual Quality

1. Existing Conditions
    a. Views of the site from public areas including public roads surrounding the project site
    b. Views of the site from identified public vantage points

c. Identify and describe any significant view sheds known to be on the project site.

d. Identify visually prominent rock formations that may be visible from public roads.

e. Describe the site as relates to a public open space/visual resource.

2. Potential impacts

   a. Analysis of impacts on existing views of the project site using photographs, sight line diagrams and/or cross-sections, as appropriate.

   b. Analysis of potential impacts from proposed site lighting including project visibility at night, direct glare and night sky, particularly with respect to public roads in the immediate vicinity of the site.

   c. Analysis of potential visual impacts along existing area roadways from the construction of the proposed development.

   d. Analysis of potential visual impacts on public roadways and identified public vantage points

   e. Describe preservation of rock outcrops visible from public roads.

3. Mitigation

   a. Tree preservation - Describe the protocol used to preserve trees on the site both during and after construction.

   b. Streetscape, lighting design, and building site landscaping program.

   c. Other

V. ALTERNATIVES

The following alternatives to the proposed action are to be evaluated in terms of the impact issues listed above. The description and evaluation of each alternative should be a level of detail sufficient to permit a comparative assessment of the alternatives discussed and shall be analyzed in summary and matrix format. Identify the number of residence units, lots, and range of lot sizes in each alternative and provide a conceptual layout plan for each. This section should clearly describe each of these alternative layouts and provide clear rationale as to why they may or may not be practicable for development by this applicant.

A. No Action Alternative

B. Conventional Residential Subdivision Alternative

C. Cluster residential subdivision without the amenities

D. Discuss Hotel expansion alternatives available to the applicant under the PPD regulation.

E. A PDD subdivision layout of 735 units (2.25 acres density), with zero bonus units

F. A PDD subdivision layout of 1,235 units, with 500 bonus units.

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

VII. OTHER ISSUES

A. Irreversible and Irretrievable Commitments of Resources

1. Identify the natural and manmade resources consumed, converted or otherwise made unavailable for future use as a consequence of the proposed action.

B. Growth Inducing Impacts

1. Identify short term, long term, primary, and secondary (indirect) growth inducing impacts generated by the project.
2. Identify cumulative impacts from other pending development projects in the site vicinity, including a map showing project locations.

C. Effects on the Use and Conservation of Energy Resources

1. Identify energy sources for the proposed action, related to both construction and operation of the project.
2. Discuss consideration of Leadership in Energy and Environmental Design (LEED) Green Building Rating System certification criteria in developing building plans and site plans for this project.
3. Assessment of Energy Use and Greenhouse Gas Emissions.[1] In response to a NYSDEC initiative, the DEIS shall evaluate qualitatively the potential greenhouse gas (GHG) emissions relative to energy use for the proposed project. The DEIS shall describe the effects on the short and long term energy use and opportunities for conservation of energy resources, including ways to reduce inefficient or unnecessary energy consumption during construction and operation. The DEIS shall discuss the following:
    a. energy use resulting from construction activities, including the manufacture and transport of construction materials.
    b. energy use during the operation phase of the proposed development, including production of materials and fuels that would be used.
    c. direct emissions from stationary sources post construction that typically result from the combustion of fossil fuels for heat, hot water, etc.
    d. direct emissions from non-stationary sources, if applicable.
    e. indirect emissions from stationary sources, i.e. off-site production of electricity and other fuels that would be used onsite (most often this is dependency on electricity purchased through a utility).
    f. indirect emissions from non-stationary sources as relates to vehicle trips generated associated with the proposed project, i.e. personal vehicles of future residents, employees and customers/users of the project, suppliers'/vendors' vehicles, as well as the transportation of waste.
    g. emissions from waste generation, if applicable.

[1] Source: New York State Department of Environmental Conservation. "Guide for Assessing Energy Use and Greenhouse Gas Emissions in Environmental Impact Statements." New York State Department of Environmental Conservation Technical Guidance. Draft September 9, 2008.

h. measures taken to minimize emissions to the maximum extent practicable relative to off-site energy generation and vehicle trips generated by the project.

4. Mitigation Measures and Discussion of Alternatives – Mitigation measures that can increase energy efficiency and reduce energy demand, thereby reducing GHG emissions from the proposed project, will be discussed. Describe and evaluate the alternatives presented in this DEIS (identified in Section V. of this scope) with respect to their implications on energy use. This section of the document will discuss energy dependency reductions from mitigation measures, and compare the proposed action without mitigation measures to the proposed action with mitigation measures and the alternatives presented in this DEIS.

VIII. SOURCES AND BIBLIOGRAPHY

IX. APPENDICES

A. All SEQRA documentation, including a copy of the filed Environmental Assessment Form (EAF), the Positive Declaration, and the accepted DEIS Scoping Outline.

B. Copies of all official correspondence pertaining to issues discussed in the DEIS.

C. Copies of all technical studies, in their entirety, including the following:

1. Wetland Report
2. Habitat Study
3. Wastewater Study
4. Stormwater Pollution Prevention Plan
5. Groundwater Study
6. Archaeology Study
7. Traffic Impact Study

(4 Attachments)

Vegetation Survey Methodology
Lost Lake Site

Purpose

- To provide qualitative information regarding the diversity of the plant communities of a site, and generalized quantitative characterization expressed as apparent species dominance.
- Vegetation field survey utilizes a random walk technique that visits all habitat types on the site and concentrates work within the habitats where subject targets might be located.

Background Review

Preliminary site assessment includes in-office review of available soils, habitat and wetlands mapping information and aerial photographs to identify target areas where seasonally flowering or non-flowering vegetation might be located, i.e. woodlands for springtime ephemeral flowering plants, but typically the more open field and wetland marsh areas for summer and fall-flowering plants. If there are any NHP plants listed for the site, we will also target habitats specific to those specific plants.

General Survey Methodology

On-site observations are then conducted, visiting all identified habitat types and target areas previously identified and recording observations in handwritten notes or tape recorded. We also take specimen photographs of any unusual or less common specimens found and take representative photos of the variety of habitats on the site. GPS coordinates are recorded for select specimen or habitat locations, if possible.

Approximately five mandays of summer surveys (2008) have been performed to date. Three additional days of surveys in spring 2009 will be performed for spring flowering species.

The survey product is a list of tree, shrub and herbaceous species observed and species expected to inhabit the project site and a narrative description of each habitat type. Observed species are noted.

A sampling of references that may be utilized to identify plants observed during field survey follows. This is not an exhaustive list, and other technical as well as general guides may also be utilized as practicable.

USDA PLANTS online database for nomenclature;
Gray's Manual of Botany;
Wildflowers in the Field and Forest by Clemants, S. and Gracie, C.;
Newcomb's Wildflower Guide;
Peterson Field Guides for trees, shrubs, wildflowers;
Wild Flower Guide by Wherry, E.;
The New Field Book of American Wildflowers by Rickett, H.;
Ferns of the Vicinity of New York by Small, J.

March 2009

Bird Survey Methodology
Lost Lake Site

Purpose

- To identify and record the species of birds occurring or utilizing habitats available on the project site.

- To determine if any federal or state-listed endangered or threatened, state-listed special concern, or uncommon bird species utilize the project site.

Breeding Bird Atlas Review

Data from both the 1980-1985 and the 2000-2005 Breeding Bird Atlases of New York State will be reviewed for records of breeding birds that were observed within the breeding blocks that cover the project site. Any records of rare, special concern, threatened or endangered species occurring within those blocks will be noted and, if appropriate habitat exists for these species on the project site, the general survey will include survey routes or survey points within these communities.

General Survey Methodology

Bird surveys will be conducted between mid-April through the end of June. Surveys will be conducted during the day from one hour of dawn to one hour before dusk to maximize the opportunity to observe as many birds as possible. Residents, breeding birds and migrant birds on, and in the vicinity of, the project site will be observed. The surveys will be conducted when the weather is fair, including at least one day of sunny weather.

Ecological communities on the site will be identified by inspection of topographic maps, wetlands maps and aerial photographs. Representative survey points will be selected across the project site within or near each of the ecological communities identified to collect data that represents bird use in all habitat types found on the property. Survey routes will be chosen to access multiple ecological communities, with the surveyors stopping at established points within differing communities along the route to make stationary observations for a period of up to fifteen minutes. If birds are approached at any time along the survey route, the surveyors will stop and record what species are present and may choose to add a stationary observation point if warranted.

Point counts will be performed at each identified location for up to fifteen minutes. Surveyors will record all birds heard and/or seen during the point counts. Observations of birds and other indicators, including nests and feathers, will be documented. Incidental observations will be recorded as surveyors travel between identified survey points and on days environmental staff is on-site for purposes other than bird surveys. Breeding behavior, if observed, will be noted.

Approximately seven mandays of surveys have been performed to date (June, Sept., Oct. 2008). Two to three days of surveys will be performed in spring 2009 for breeding birds.

Call-back Survey Methodology

Mobbing call recordings may be used sparingly to determine bird use of particular areas. Other recordings may be used as appropriate to attempt to identify specific species.

Breeding Raptor Methodology

The survey method for locating breeding raptors on the project site will be based partially on observations made during the general bird survey. In areas where raptors are observed along survey routes, their behavior will be noted and nest searches conducted in potentially suitable nesting areas near the location.

Nest searches will be conducted in habitats likely to support nesting of particular species based on observations during walking of survey routes. Nest searches will be performed before leaf out in the spring to allow for increased visibility of nests. Multiple surveyors will walk through potential nesting habitat and visually scan the tree canopy for potential nests or nesting cavities. Other indicators of raptor presence (i.e. feathers, droppings, pellets) will be noted. If any potential nests or nesting cavities are located, their GPS coordinates will be logged and the locations will be revisited during any subsequently scheduled surveys to identify if the nests are active and to what species they belong.

The bald eagle is a State listed threatened species known to nest near the project site. Particular attention will be given to potential eagle nesting and roosting habitat on the project site (i.e. Lost Lake, large wetland corridor) during the breeding raptor survey.

March 2009

Vernal Pool Survey Methodology
Lost Lake Site

- Initial identification of potential vernal pool sites has been completed (Fall 2008), boundaries are within delineated wetland boundaries that have been surveyed
- Six (6) visits to each vernal pool location will be made, starting when snow has disappeared at site, through May 2009
- Surveys will be undertaken between dawn and dusk (nightime surveys are considered unsafe due to the rugged site conditions and remoteness of survey areas)
- Presence/absence of characteristic species will be observed and recorded
- Characteristics of identified vernal pool areas will be recorded in narrative to the extent that the general ecological value can be characterized for each area. Observed date that a pool area dries out will be recorded.
- Data sheets will be used, using the attached format
- Data will be recorded via handwritten notes and/or transcribed tape recordings
- A site map will be prepared showing locations, boundaries and sizes of vernal pool areas

February 2009

Vernal Pool Survey

Location: _____

Pond/wetland name: _____ Property owner: _____

County: _____ Town: _____

(Lat) North: _____ (Long) East: _____

Elevation: _____ M or Ft.

Weather and Temperature: _____

Form completed by (names):_____

Date: _____ Time: _____

CHECK SPECIES OBSERVED: NOTE ADULT, EGG MASS OR LARVAE AND NOTE THE NUMBER OF EGG MASSES, LARVAE OR ADULTS OBSERVED.

Jefferson Salamander: _____ Four toed Salamander: _____

Blue-spotted Salamander: _____ N Red Salamander: _____

Spotted Salamander: _____ E. Red-spotted Newt: _____

Marbled Salamander: _____ N. Redback Salamander: _____

Northern Slimy Salamander: _____ N. Spring Salamander: _____

Wood Frog: _____

Spring Peeper: _____

American Toad: _____

Pool Origin: Natural Man-made

Perimeter of site: _____ M or Paces

Primary Substrate: Silt/Mud Sand/Gravel Cobble Bedrock Leaf Litter Other

Max. depth: <1 M 1-2 M >2 M _____

Description (circle one): Permanent lake/pond Temporary lake/pond Marsh/Bog Swamp forest

Other:

% of Water Margin with Emergent Vegetation: 0 1-25 25-50 50-75 >75

Within Forest? Yes No If yes, Distance to Forest Edge: _____ M or Ft.

Forest Tree Species: _____ Photograph of site attached? Yes No

OBSERVATIONS:_____

_____

_____

_____

_____

_____ ___

TMA Form dated 4/1/09