

# **SEQRA Statement of Findings**

for the

## **Cloewood Project Subdivision and Site Plan Approval**

Date Adopted: August 9, 2022

## **Village of South Blooming Grove Village Board of Trustees and Planning Board Co-Lead Agencies**

**SEQRA FINDINGS OF THE VILLAGE BOARD OF TRUSTEES AND PLANNING BOARD OF THE VILLAGE OF SOUTH BLOOMING GROVE REGARDING THE CLOVEWOOD PROJECT SUBDIVISION AND SITE PLAN APPROVAL**

Pursuant to the New York State Environmental Quality Review Act (Article 8 of the New York State Environmental Conservation Law) and its implementing regulations, 6 NYCRR Part 617, (referenced herein as “SEQRA”), the Village Board of Trustees and the Planning Board of the Village of South Blooming Grove, NY, as Co-Lead Agencies, make the findings contained herein for the Proposed Action identified below:

**Name of Action:** CLOVEWOOD PROJECT  
SUBDIVISION AND SITE PLAN  
APPROVAL

**Co-Lead Agencies:** Village Board and Planning Board of the  
Village of South Blooming Grove

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**SEQR Status:** Type 1

**Date FEIS Accepted:** July 29, 2022

**Co-Lead Agencies Adoption of this Statement of Environmental Findings:** August 9, 2022

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## ***Section 1: Introduction***

This Finding Statement completes the SEQRA process for the Clovewood Project Site Plan and Subdivision Approval. The Project involves 600 single family homes in a real estate subdivision including all associated community facilities.

The Clovewood Project Site Plan and Subdivision Approval was evaluated in the Draft Environmental Impact Statement (DEIS) accepted for review on March 5, 2020 and March 16, 2020, and for which the public comment period ended on January 15, 2021. The Final Environmental Impact Statement (FEIS), was adopted by the Village of South Blooming Grove Village Board of Trustees and Planning Board (“Co-Lead Agencies”) on July 29, 2022 and was filed on July 29, 2022, as required in accordance with the SEQRA regulations. The DEIS and FEIS are on file with the Village of South Blooming Grove and are available online at [www.cpceis.com](http://www.cpceis.com) and at [www.clovewood.com](http://www.clovewood.com).

## ***Section 2: Project Location and Zoning Designation***

The Site that is subject to site plan and subdivision approval in the Village of South Blooming Grove consists of approximately 708.2 acres of land located on the east side of NYS Route 208 and Clove Road (a/k/a Orange County Route 27) within the Village of South Blooming Grove, Orange County, New York. The site consists of two adjoining tax map parcels identified as Tax Map Section 208, Block 1, Lots 2 and 3. Approximately 702 acres of land is within the Village of South Blooming Grove RR Zoning District, and the remaining 6.2 acres of land is within its RC-I Zoning District. The Project conforms to the Village’s Zoning Code and all other land use regulations and no rezoning, zoning changes, waivers or variances are requested or required.

## ***Section 3: Description of the Proposed Action***

The Project is a clustered residential development of 600 single-family lots/homes. This includes 506 market rate housing units and 94 affordable housing units. The Project preserves 50% of the Site as open space including 8.5% of the Site (60± acres) as Village parkland to be available for public use, 10% of the Site (70± acres) as active recreation area for the Project’s residents, and 209 acres with deed restrictions for the preservation of timber rattlesnake habitat areas.

Access to the Site is proposed from NYS Route 208 and from Clove Road. Two additional connections for vehicular access to the Site will be provided southwest of the Site for purposes of minimizing the use of NYS Route 208, in accordance with the interconnectivity provisions of the Village Zoning Code. The Project will contain thirteen internal roadways, of which four will be classified as collector roads and feature 60-foot wide right of ways, and the remaining nine interior roads will be classified as local/minor roadways and feature 50-foot wide right of ways. In addition, the Project proposes six community bus stops with shelters.

The Project includes a water supply system, comprised of six on-site water wells, new distribution piping, fire hydrants and water storage tanks. The Project's six wells have the capacity to generate 785,520 gallons of water per day when the best well is included and 550,800 gallons of water per day with the best well excluded. An average daily water demand for the Project's 600 four-bedroom residential single-family dwelling units has been calculated based on the State Standard of 110 gallons per day (gpd) per bedroom, totaling an overall demand of 264,000 gpd or 183.33 gallons per minute (gpm). The water demand for the associated community wellness centers (10 gpd minus 20% for water saving fixtures = 8 gpd x 600) will total 4,800 gpd (or 3.33 gpm). In regard to the community facilities, there will be four buildings (150 homes per building x 2 users from each home = 1,200 people/users x 5 gpd = 6,000 gpd minus 20% for water saving fixtures) and the water demand will also total 4,800 gpd (or 3.33 gpm). After subtracting the 4,800 gpd from the remaining supply, there will still be a surplus of 3,600 gallons of water per day. Accordingly, the Project's wells will have sufficient capacity to support the water demand of 273,600 gpd (or 190 gpm) for 600 four-bedroom single-family dwelling units, community wellness centers and associated community facilities. The Project's wells, without the best well in service, will be able to supply more than twice the average water demand in accordance with NYSDOH water supply system requirements. The Village anticipates that the water supply will be offered for dedication to the Village in the future. The wells will serve the Project's water needs both before and after dedication to the Village. In the short-term the Village may use the wells subject to an agreement and agency approvals.

The Project's sewage is proposed to be treated at a new, on-site wastewater treatment plant ("WWTP") that will discharge sewage to an existing on-site tributary to Satterly Creek. A new gravity collection system comprised of sewer mains and manholes, together with a proposed sewer pump station, is proposed to convey raw sewage to the WWTP. The WWTP was designed to accommodate a capacity of approximately 280,000 gpd, which will be sufficient capacity for the Project's demand of 273,600 gpd.

Stormwater management ponds and other related appurtenances are proposed to accomplish the Project's stormwater management objectives, which will be accomplished via an open and closed storm drain infrastructure consisting roof leaders, splash blocks, rain-gardens, drainage swales, catch basins, pipes, culverts, bio-retention areas, and stormwater detention ponds. Run-off reduction practices are proposed to be implemented in an effort to retain stormwater run-off at its source with the primary run-off reduction practice used on the Project being rain gardens on individual lots, where practical, or bio-retention practices for larger impervious areas. Impervious area reduction is proposed to be accomplished by the planting of trees in the areas adjacent to buildings and roadways.

No accessory apartments are proposed as part of the Project; however, should future homeowners apply for accessory apartments, they will require an approval from the Planning Board in accordance with the Village Zoning Code § 235-45.6. Nonetheless, accessory apartments were evaluated throughout the DEIS wherever applicable as per the requirement of the Project's Scoping Document.

Construction of the Project will likely take a number of years and will be conducted in accordance with the approved Stormwater Pollution Protection Plan approved and filed for this Project, as well as any other applicable permits.

### ***Section 4: SEQRA Processing History***

This document, a Findings Statement, provides the Co-Lead Agencies' findings on the potential environmental impacts studied during the SEQRA process of the Clovewood Project Site Plan and Subdivision Application. The findings consist of required mitigation, if any, that will be imposed on the Applicant as conditions to the site plan and subdivision approvals.

This environmental review has been coordinated resulting in the establishment of the Co-Lead Agencies who have conducted the required SEQRA review on behalf of all the other involved agencies. (For a complete list of agencies and approvals see following **Section 4.1.**) All involved agencies participated in the development of the environmental record and any concerns or questions raised by the involved agencies were addressed in the DEIS and FEIS, by the Applicant as directed by the Co-Lead Agencies. A Scoping Document for the Project was adopted on June 2, 2016. As detailed above in **Section 1**, this SEQRA process included DEIS and FEIS; as well as associated Public Hearings during the Public Comment Period.

### **Section 4.1: Involved Agencies**

Following is a list of the involved agencies for this Project: New York State Department of Environmental Conservation (NYSDEC), Region 3; New York State Department of Transportation (NYSDOT); New York State Department of Health (NYSDOH); Orange County Department of Health (OCDOH); Orange County Department of Public Works (OCDPW).

The Project will require the following governmental approvals:

- Subdivision and site plan approval from the Village Planning Board and OCDOH;
- Village Board of Trustees acceptance of dedication of subdivision roads and parkland;
- State Pollutant Discharge Elimination System (SPDES) Permit and the Approval of Plans for a Wastewater Disposal System issued by NYSDEC;
- Stormwater MS4 Acceptance Form from the Village for the Stormwater SPDES Permit issued by the NYSDEC;
- Water Withdrawal Permit from NYSDEC and water supply system approval issued by NYSDEC and NYSDOH;
- Article 11 Incidental Take Permit for Timber Rattlesnakes from NYSDEC;
- Nationwide Permit # 29 for the crossing of Waters of the US including streams and wetlands;
- Perm 33 from NYSDOT;
- Road Opening Permit from OCDPW; and
- HOA Approval from the Attorney General

## ***Section 5: Findings and Mitigation Requirements***

The following is the Findings of the Village Board and Planning Board of the Village of South Blooming Grove as Co-Lead Agencies regarding areas of impact studied in the DEIS, by topic as it is presented in the DEIS and FEIS.

### **Section 5.1: Land Use, Zoning and Public Policy**

The Project is proposed in accordance with the Village's zoning code, land use, and public policy. Approximately 702 acres of land is within the Village of South Blooming Grove RR Zoning District, and the remaining 6.2 acres of land is within its RC-I Zoning District. The 600-single family lots/homes proposed is the allowable developed density achieved through the Village Zoning Code's Site Analysis Process without the need for variances, waivers, modifications or zoning changes. The Project is a clustered residential development of 600 single-family lots/homes, and will include 506 market rate housing units and 94 affordable housing units. The Project preserves 50% of the Site as open space including 8.5% of the Site (60± acres) as Village parkland to be available for public use, and 10% of the Site (70± acres) as active recreation area.

**The Co-Lead Agencies find that the following mitigation is necessary for this Project:**

No mitigation is required for impacts related to Land Use, Zoning and Public Policy.

### **Section 5.2: Socioeconomics**

The additional tax revenue generated by the Project would both offset the projected costs of services used by residents of the Project and would generate a positive net financial benefit for the Village, Town, County, School District and their taxpayers. The associated increase in population provides additional opportunities for the provision of community services and support for local businesses. The Project would generate increased demand for goods and services provided by local businesses, thereby bolstering the local economy and generating both long term and short term employment, including construction jobs.

**The Co-Lead Agencies find that the following mitigation is necessary for this Project:**

No mitigation is required for impacts related to Socioeconomics.

### **Section 5.3: Community Facilities and Services**

To the extent the Project will create additional demand for community services, they will be administered by existing providers who will add additional staff and resources as needed. The Project's population has the potential to provide additional volunteers for fire prevention and ambulance service sufficient to offset any additional demand upon such services as a result of the Project. The increased tax revenue from the Project will more than offset the increased costs for community services needed by Project residents. There is no identified need for capital expenditures to build new community facility buildings arising from increased demand caused by the Project.

**The Co-Lead Agencies find that the following mitigation is necessary for this Project:**

No mitigation is required for impacts related to Community Facilities and Services.

## **Section 5.4: Community Character**

The Project is consistent with the Village's community character. The Project's consistency with the Village's Zoning Code without the need for variances is an indicator of consistency with the community character.

The existing visual character of the communities adjacent to the Project Site is varied, formed mostly by the appearance of single-family homes and some multi-family buildings, as well as some vacant land, and some commercial and retail stores along NYS Route 208. The Village is characterized by its suburban appearance featuring varying ages and styles of houses mostly situated on lots less than half of an acre in size, particularly in the area adjacent to the southwest of the Project Site, which includes the Worley Heights, Capitol Hill, and Merriewold Lake subdivisions, as well as the Stone Gate a/k/a Rolling Hills Condominiums - these residential projects have a total of 1,012 parcels/dwelling units, situated upon approximately 480 acres of land. The Project's overall density of 600 residential lots/homes on 708 acres of land (approximately one dwelling unit per 1.2 acres) will be less than half of the density of the residential developments located within the adjacent Village communities. The Project is consistent with the character of the Village communities and will help the Village be more consistent with the character of the communities in the other villages in the Primary and Secondary Study Areas as well as those in the Priority Growth Areas in Orange County.

**The Co-Lead Agencies find that the following mitigation is necessary for this Project:**

No mitigation is required for impacts related to Community Character.

## **Section 5.5: Historic and Cultural Resources**

The Phase 1A for the Project Site addressed the presence of sensitive archeological sites within the Project Site identified on the New York State Historic Preservation Office (SHPO) inventory maintained by NYS Office of Parks, Recreation and Historic Preservation (OPRHP). A Phase 1B was conducted for the Project Site in accordance with "Standards for Cultural Resource Investigations and the Curation of Archeological Collections," published by NYAC and recommended for use by OPRHP. A total of 1,056 shovel tests were undertaken in accordance with applicable guidelines and requirements within the Project Area of Potential Effect (APE) in areas considered to have the potential to yield prehistoric and historic cultural material. Based on the results of the Phase 1B, no further archaeological work was recommended for the landscape within the boundaries of the current Project Site APE.

A Supplemental Phase 1B was conducted to include additional archaeological testing on the Project Site to address areas included in the Project's APE which had not previously been tested. The Supplemental Phase 1B included investigative measures such as a walkover and visual inspection of

the site to identify and assess the additional APE locations; systematic visual inspection of slopes and rock faces to rule out the presence of rock shelters and veins or deposits of cryptocrystalline rock suitable for raw material for making stone tools; shovel testing in the areas identified as having potential sensitivity for precontact or historic remains; and photographic documentation of the overall Project Site.

The Project received a “No Impact” letter from the NYS OPRHP. To mitigate any potential impacts to archeological or historical resources the Project design includes a buffer around the Round Hill Cemetery, which is located on a separate tax lot and is not part of the Site. In accordance with the Project’s Phase 1A, Phase 1B and Supplement Phase IB reports; as well as input from the NYS OPRHP, the Project further proposes as mitigation the establishment on-site of a buffer around the M.H. Howell Farm and Clove Road Precontact and the Schunnemunk Precontact Sites in order to preclude any potential impacts on these areas. The Applicant will be required to implement the avoidance and preservation plans for these Sites as approved mitigation measures.

**The Co-Lead Agencies find that the following mitigation is necessary for this Project:**

1. Preservation of a buffer around the M.H. Howell Farm and Clove Road Precontact Site and
2. Compliance with the avoidance and preservation plan for the Schunnemunk Precontact Site.

No other mitigation is required for potential impacts on Historic and Cultural Resources.

## **Section 5.6: Vegetation and Wildlife**

Based upon the definitions presented in the “Ecological Communities of New York State” (Edinger, 2002) and the “Classification of Wetlands and Deepwater Habitats of the United States” (Cowardin, 1979), the following ecological communities have been identified on the Project Site: chestnut oak forest; acidic talus slope woodland; oak-tulip tree forest; successional southern hardwood forest; successional old field; successional shrub land; red maple hardwood swamp/Palustrine forested wetland; palustrine scrub-shrub wetland; palustrine emergent wetland; and artificial pond.

Some of the dominant species of vegetation observed within the Chestnut oak forest ecological community include, but are not limited to: chestnut oak (*Quercus montana*), shrub oak (*Quercus ilicifolia*), red oak (*Quercus rubra*), mountain laurel (*Kalmia latifolia*), rhododendron (*Rhododendron spp.*), black huckleberry (*Gaylussacia baccata*), low-bush blueberry (*Vaccinium pallidum*), wild sarsaparilla (*Aralia nudicaulis*) and Pennsylvania sedge (*Carex pennsylvanica*). This ecological community is located at the highest elevational portions of the ridge that extends along the southeast Project Site boundary.

Some of the dominant species of vegetation observed within the Acidic talus slope woodland ecological community include, but are not limited to: chestnut oak, mountain paper birch (*Betula cordifolia*), striped maple (*Acer pensylvanicum*), shrub oak, mountain laurel, rhododendron, witch-hazel

(*Hamamelis virginiana*), black huckleberry, low-bush blueberry, wild sarsaparilla, rock polypody (*Polypodium virginianum*), wood fern (*Dryopteris intermedia*), and various mosses. This ecological community possesses many rocky outcroppings and is located along the steepest sloped portions of ridge that extends along the southeast property boundary. The Acidic talus slope is situated between the Chestnut oak forest and the Oak-Tulip tree forest communities, and predominantly occurs between the elevations of 1,020 feet and 1,240 feet.

Some of the prominent species of vegetation observed within the Oak-Tulip tree forest ecological community include, but are not limited to: northern red oak, white oak (*Quercus alba*), tulip tree (*Liriodendron tulipifera*), American beech (*Fagus grandifolia*), sugar maple (*Acer saccharum*), red maple (*Acer rubrum*), white ash (*Fraxinus americana*), black birch (*Betula lenta*), black cherry (*Prunus serotina*), shagbark hickory (*Carya ovata*), Japanese barberry (*Berberis thunbergii*), witch-hazel, winged euonymus (*Euonymus atlatus*), wild sarsaparilla, wood fern, Christmas fern (*Polystichum agrostichoides*), garlic mustard (*Alliaria officinalis*), common blue violet (*Viola sororia*), wild geranium (*Geranium maculatum*) and false solomon's seal (*Smilacina racemosa*). This ecological community is contained along the less steep areas of the ridge that extends along the southeastern property boundary, in areas that were not previously developed/cleared by the golf facility. This ecological community is positioned between the Acidic-talus slope woodland and the Successional southern hardwood forest, and is readily established between the elevations of 940 feet and 1020 feet.

Some of the prominent species of vegetation observed within the Successional southern hardwood forest ecological community include, but are not limited to: sugar maple, red maple, black locust (*Robinia pseudoacacia*), walnut (*Juglans spp*), quaking aspen (*Populus tremuloides*), wild apple (*Malus sylvestris*), common buckthorn (*Rhamnus cathartica*), honeysuckle (*Lonicera tatarica*), multiflora rose (*Rosa multiflora*), Japanese barberry, red raspberry (*Rubus ideaus*), black raspberry (*Rubus allegheniensis*), Virginia creeper (*Parthenocissus quinquefolia*), oriental bittersweet (*Celastris orbiculata*), poison ivy (*Toxicodendron radicans*), garlic mustard, common blue violet, snakeroot (*Ageritina altissima*) and stick-tight (*Lappula virginiana*). This forested community comprises the majority of the forested lands that are located within and/or immediately adjacent to previously cleared land found at an elevation below 940 feet.

Some of the prominent species of vegetation observed within the Successional old field ecological community include, but are not limited to: Canada goldenrod (*Solidago canadensis*), early goldenrod (*Solidago juncea*), timothy (*Phleum pratense*), wild carrot (*Daucus carota*), spotted knapweed (*Centaurea maculosa*), black-eyed susan (*Rudbeckia hirta*), common milkweed (*Asclepias syraca*), ragweed (*Ambrosia artemisiifolia*), little blue stem (*Andropogon scoparius*), quackgrass (*Agropyron repens*), birdsfoot trefoil (*Lotus corniculatus*), orchard grass (*Dactylis glomerata*), evening primrose (*Oenothera biennis*), herbaceous cinquefoil (*Potentilla simplex*), red clover (*Trifolium pratense*), white clover (*Trifolium repens*), mullein (*Verbascum thappsus*) and dewberry (*Rubus procumbens*). This ecological community is limited to the areas that were contained within the previous golf course fairways, fringe rough and greens. All of these fields are located below an elevation of 940 feet.

Some of the prominent species of vegetation observed within the Successional shrubland ecological community include, but are not limited to: gray dogwood (*Cornus racemosa*), common buckthorn, tatarian honeysuckle, winged euonymus, multiflora rose, Japanese barberry, oriental bittersweet, catbrier (*Smilax spp.*) summer grape (*Vitis aestivalis*), blackberry (*Rubus occidentalis*), red raspberry, Canada goldenrod, early goldenrod, spotted knapweed, ragweed, and dewberry. This ecological community is limited to areas that were cleared for the previous golf facility, but which were not graded and utilized for play. These areas are transitional habitats found between the Successional old field and the Successional southern hardwood ecological communities.

Some of the prominent species of vegetation observed within the Red-Maple hardwood swamp/Palustrine forested wetland ecological community include, but are not limited to: red maple, green ash (*Fraxinus pennsylvanica*), American elm (*Ulmus americana*), ironwood (*Carpinus caroliniana*), box elder maple (*Acer negundo*), witch hazel, highbush blueberry (*Vaccinium corymbosum*) silky dogwood (*Cornus amomum*), tussock sedge (*Carex stricta*), fox sedge (*Carex vulpinoidea*), skunk cabbage (*Symplocarpus foetidus*), sensitive fern (*Onoclea sensibilis*), fowl manna grass (*Glyceria striata*) and moneywort (*Lysimachia nummularia*). This wetland community is located within natural topographical depressions found in forested components of the property, where previous disturbances from the golf facility did not occur.

Some of the prominent species of vegetation observed within the Palustrine scrub-shrub and emergent wetland communities include, but are not limited to: silky dogwood, red-osier dogwood (*Cornus stolonifera*), gray dogwood, arrowwood (*Viburnum dentatum*), nannyberry (*Viburnum lentago*), sensitive fern, tussock sedge, late goldenrod (*Solidago gigantea*), slender goldenrod (*Solidago tenuifolia*), jewelweed (*Impatiens capensis*) common reed (*Phragmites australis*), cattail (*Typha latifolia*), purple loosestrife (*Lythrum salicaria*), boneset (*Eupatorium perfoliatum*), joe-pye weed (*Eupatorium maculatum*), willow herb (*Epilobium glandulosum*), fringed sedge (*Carex crinita*), lurid sedge (*Carex lurida*), dark green bulrush (*Scirpus atrovirens*), wool grass (*Scirpus cyperinus*), soft rush (*Juncus effusus*), fox sedge, NY Aster (*Aster novi-belgii*) and New England Aster (*Aster novae-angilae*). These wetland communities are limited to the western half of the Project Site, in areas that were part of the previous golf course facility.

The predominant fauna that occupy or use that portion of the Project Site proposed to be developed include: white-tailed deer, raccoons, muskrats, and woodchucks. Smaller mammals confirmed present are: cottontail rabbit, chipmunk, gray squirrel, and white-footed mice. The largest birds confirmed present are wild turkey, red tailed hawk, turkey vulture, mallard ducks, Canadian geese, and crow. Common bird species confirmed on the Project Site include: red-bellied woodpecker, downy woodpecker, red-winged blackbird, song sparrow, cardinal, blue jay, catbird, mockingbird, ovenbird, Carolina wren, phoebe, white breasted nut hatch, starling, and robins. Amphibians and reptiles confirmed present included painted turtles, green frogs, garter snakes, wood frogs, leopard frogs, salamanders, and newts. None of these species will be negatively impacted in any significant way by

development, and the preserved areas of the Project Site includes substantial suitable habitat for all of these species.

The following species of fauna typically found in and around wetlands, streams and ponds were identified in the Project Site's wetland areas. These species include the following: mink (*Mustela vison*), wood duck (*Aix sponsa*), mallard (*Anas platyrhynchos*), great blue heron (*Ardea Herodias*), red-winged blackbird (*Agelaius phoeniceus*), green heron (*Butorides striatus*), belted kingfisher (*Megaceryle alcyon*), American Woodcock (*Scolopax minor*), eastern kingbird (*Tyrannus tyrannus*), American toad (*Anaxyrus americanus*), common snapping turtle (*Chelydra serpentine*), painted turtle (*Chrysemys picta*), northern two-lined salamander (*Eurycea bislineata*), gray treefrog (*Hyla versicolor*), northern slimy salamander (*Plethodon glutinosus*), spring peeper (*Pseudacris crucifer*), bull frog (*Lithobates catesbeiana*), green frog (*Lithobates melanota clamitans*) and pickerel frog (*Lithobates palustris*).

Investigations for endangered or threatened species of flora and fauna referenced by the regulatory agencies and specific reviews of existing ecological communities for habitats conducive to their existence were conducted after consultations with US Fish and Wildlife Service ("USFWS") and the DEC Natural Heritage Office ("NHO"). All of the field reviews that are relevant to threatened, endangered, or rare species were conducted during the appropriate time periods when each species was most visible and/or encounters most likely. The updated field reviews can be found in section 10.3.1 of the FEIS and the original field reviews in Appendix C of the DEIS.

The Project preserves approximately 50% of the Site as open space, with forested areas suitable for use as habitat by wildlife, including approximately 270 acres (209 acres on-site and 61 acres off-site on an adjacent parcel owned by the Applicant in the Town) proposed to be deed-restricted as part of the Project for the preservation of timber rattlesnake habitat areas as part of the Project's Incidental Taking Permit submitted to NYSDEC. The majority of the Project's development will take place on previously disturbed lands not defined as pristine forested area.

The Project will not adversely impact any endangered or threatened bird or aquatic species. Additionally, the Project will include the Mitigation Plan found in the FEIS in section 10.3.1 in regard to the Timber Rattlesnake which sets forth measures to be implemented to reduce potential impacts during and after construction including Education and Encounter Plan, Sighting Protocol, and a Snake Monitor. The Project's construction plans will protect against harm to endangered or threatened bat species by limiting tree clearing activities to the period between November 1 and March 31 of a given calendar year, when bats are hibernating in caves and not found in trees.

**The Co-Lead Agencies find that the following mitigation is necessary for this Project:**

1. Deed restriction of the 270 acres of potential Timber Rattlesnake habitat (209 acres on-site and 61 acres off-site on an adjacent parcel owned by the Applicant in the Town).

2. Implementation of the Mitigation Plan in regard to the Timber Rattlesnake.
3. Limiting tree clearing activities to the time period between November 1 and March 31 of a given calendar year to address potential impacts on protected species of bats.
4. Preservation of approximately 50% of the Site as open space including forested areas suitable for use as habitat by wildlife will benefit all species of wildlife on the Site.

No other mitigation is required for impacts on Vegetation and Wildlife.

## **Section 5.7: Geology, Soils and Topography**

The surficial material (overburden, unconsolidated material above bedrock) underlying the Site is mapped as mainly glacial till. Glacial till consists of non-sorted, non-stratified sediments deposited by glacial activity. The sediments contain varying proportions of clay, silt, sand, gravel and boulders. There is also a small area of sand and gravel mapped in the valley setting on the northwestern portion of the Site along Clove Road. The bedrock units mapped underlying the Site include the Martinsburg Formation (On), Undifferentiated Lower Devonian and Silurian Rocks (DS), and Undifferentiated Hamilton Group (Dh); to the northeast of the Project Site is mapped the Wappinger Group (OEw); and to the west and northwest some Undifferentiated Gneiss (mu). The Martinsburg Formation contains shale, siltstone, sandstone and greywacke; the Undifferentiated Lower Devonian and Silurian Rocks are comprised of shale, sandstone and conglomerates; the Undifferentiated Hamilton Group contains shale, siltstone, sandstone, conglomerate and greywacke and the Wappinger Group is comprised of limestone, dolomite and shale. There are three predominant soil types on the portion of the Site proposed for development, including Mardin (60%), Swartswood (25%) and Erie (15%) soils in various associations.

The Project and its excavation, building construction and underground utilities will be designed to comply with the recommendations detailed its Geotechnical Report and with applicable Village Code. The Project's temporary and permanent erosion and sedimentation control plan will be followed in accordance with applicable NYS requirements as detailed in the Project's Stormwater Pollution Prevention Plan (SWPPP).

### **The Co-Lead Agencies find that the following mitigation is necessary for this Project:**

1. Implementation and monitoring of the approved SWPPP for this Project.
2. Compliance with the recommendations detailed in the Project's Geotechnical Report.

No other mitigation is required for Impacts on Geology, Soils and Topography.

## **Section 5.8: Surface Waters, Wetlands and Groundwater**

*Surface Waters and Wetlands:* The Site includes a total of 37.48 acres of wetlands, watercourses and surface waters. Drainage, generally, is into the stream which flows through and across the Site into Satterly Creek, which flows into the Otterkill and Moodna Creek. Moodna Creek is a tributary of the Hudson River. The 37.48 acres of wetlands can be defined as follows: 2.12 acres of unnamed watercourse and 35.36 total acres of wetlands, of which 34.98 acres are under the jurisdiction of the United States Army Corps of Engineers (“USACOE”) and 0.38 acres are isolated non-jurisdictional wetlands. Of the 34.98 acres under the jurisdiction of the USACOE, 23.03 are NYSDEC eligible wetlands. The total regulatory jurisdictional wetlands total an area of 34.98 acres, which is approximately 5% of the Site. All wetlands mapping has been verified by both the NYSDEC and the USACOE.

A SWPPP has been prepared to minimize potential impacts to the watershed from the Project. The Project will also implement a stormwater management system that includes a combination of infrastructure improvements and stormwater management best practices to ensure the rate of stormwater leaving the Project Site does not increase and the quality of effluent from the facilities does not degrade the quality of receiving watercourses.

The Project proposes to include a wastewater treatment facility capable of meeting effluent standards that ensure there will be no degradation to the unnamed tributary of Satterly Creek to which it will discharge. This facility will address the wastewater treatment needs of the Project while protecting surface water quality.

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*Groundwater:* A 72- Hour Water Well Pumping Test was conducted for the Project in order to demonstrate the water yield of the Project's wells. The Pumping Test was conducted on wells C-6, C-12, C-14, C-16, and C-23, which were pumped concurrently for 132 hours (60 hours more than the regulatory requirement) and demonstrated pumping rates of 45 gpm, 40.5 gpm, 157 gpm, 50 gpm, and 90 gpm, respectively, for a combined yield from the five wells of 382.5 gpm or 550,800 gpd. An individual pumping test was conducted on Well C-21, the best well, for 72.5 hours. This well alone demonstrated a pumping rate of an additional 163 gpm or 234,720 gpd. The total combined yield of the 6 wells demonstrated a rate of 545.5 gpm or 785,520 gpd. An average daily water demand for the Project's 600 four-bedroom residential single-family dwelling units has been calculated based on the State Standard of 110 gpd per bedroom, totaling an overall demand of 264,000 gpd or 183.33 gpm. The water demand for the associated community wellness centers (10 gpd minus 20% for water saving fixtures = 8 gpd x 600) will total 4,800 gpd (or 3.33 gpm). In regard to the community facilities, there will be four buildings (150 homes per building x 2 users from each home = 1,200 people/users x 5 gpd = 6,000 gpd minus 20% for water saving fixtures) and the water demand will also total 4,800 gpd (or 3.33 gpm). After subtracting this 4,800 gpd from the remaining supply, there will still be a surplus of 3,600 gallons of water per day. Accordingly, the Project's wells will have sufficient capacity to support the water demand of 273,600 gpd (or 190 gpm) for 600 four-bedroom single-family dwelling units, associated community wellness centers and community facilities. The Project's wells, with the best well out of service, will be able to supply more than twice the average water demand for the Project which is required by the NYSDOH water supply system requirements.

**The Co-Lead Agencies find that the following mitigation is necessary for this Project:**

1. Avoidance and protection of NYSDEC eligible wetlands and their 100 foot adjacent areas.
2. Protection of USACOE regulated wetlands and streams, and avoidance of impacts to them with the exception of necessary crossings for roadways and utilities, which will be achieved through the use of appropriately sized box culverts and other construction techniques as may be authorized by the Nationwide Permit program.
3. Implementation and monitoring of the approved SWPPP for this Project.

No other mitigation is required for impacts on Surface Waters, Wetlands and Groundwater.

## **Section 5.9: Water and Sewer Infrastructure**

The Project includes a water supply system, comprised of six on-site water wells, regulatory buffers, new distribution piping, fire hydrants and water storage tanks. The Project's sewage is proposed to be treated at a new, on-site WWTP that will discharge sewage to an existing on-site tributary to Satterly Creek. A new gravity collection system comprised of sewer mains and manholes, together with a proposed sewer pump station, is proposed to convey raw sewage to the WWTP. The WWTP was designed to accommodate a capacity of approximately 280,000 gpd, which will be sufficient capacity for the Project's demand of 273,600 gpd.

Stormwater management ponds and other related appurtenances will accomplish the Project's stormwater management objectives, which will be accomplished via an open and closed storm drain infrastructure consisting roof leaders, splash blocks, rain-gardens, drainage swales, catch basins, pipes, culverts, bio-retention areas, and stormwater detention ponds. Run-off reduction practices are proposed to be implemented in an effort to retain stormwater run-off at its source with the primary run-off reduction practice used on the Project being rain gardens on individual lots, where practical, or bio-retention practices for larger impervious areas. Impervious area reduction is proposed to be accomplished by the planting of trees in the areas adjacent to buildings and roadways.

The Project's wastewater collection and treatment systems, as well as the stormwater management components of the Project, will not have the potential to generate any significant adverse impacts as confirmed in the analysis of wastewater treatment and collection design alternatives and studies of stream wastewater assimilative capacity. The selected wastewater collection and treatment system will meet NYSDEC effluent limits, and ensure protection of stream quality. Any potential significant adverse short-term impacts stemming from construction of the WWTP and collection system will be adequately prevented by incorporating the erosion and sediment controls.

**The Co-Lead Agencies find that the following mitigation is necessary for this Project:**

1. Implementation and monitoring of the approved SWPPP for this Project.
2. Establishment of wellhead protection areas as required by State regulation.

No other mitigation is required for impacts on Water and Sewer Infrastructure.

### **Section 5.10: Solid Wastes**

The Project proposes to utilize the existing solid waste management and recycling practices of the Village, Town and County. The cost for the handling and disposal of municipal solid wastes and recyclables is paid for through the annual Town/Village tax levy and the Project's property taxes will cover such costs.

**The Co-Lead Agencies find that the following mitigation is necessary for this Project:**

No mitigation is required for impacts related to Solid Wastes.

### **Section 5.11: Transportation**

The principal roadways in the vicinity of the Project are NYS Route 208 and Orange County Route No. 27 (Clove Road). The following is a list of other key area roadways included as part of the Project's Traffic Impact Study: Round Hill Road; Mountain Road (County Route 44); and Peddler Hill Road. The Project's Traffic Impact Study developed Traffic Volumes for the Typical Weekday peak AM, Typical Weekday Peak PM, Friday Peak PM, Saturday Peak and Sunday Peak Hours (as per the

Scoping Document) for the following intersections: NYS Route 208 and Clove Road (CR 27); NYS Route 208 and Round Hill Road; Clove Road and Round Hill Road; NYS Route 208 and Mountain Road (CR 44); NYS Route 208 and US Route 6/NYS Route 17 EB on/off Ramp; NYS Route 208 and US Route 6/NYS Route 17 WB on/off Ramp; NYS Route 208 and Peddler Hill Road; NYS Route 208 Stonegate Drive; NYS Route 208 and Museum Village Road S.; NYS Route 208 and Fairway Drive; NYS Route 208 and Duelk Avenue; NYS Route 208 and Lake Shore Drive; NYS Route 208 Captain Carpenter Road; NYS Route 208 and Red Bird Drive; NYS Route 208 and Mangin Road; NYS Route 208 and Merriewold Lane; NYS Route 208 and Shannon Lane; NYS Route 208 and Blooming Grove Plaza/Sunoco Driveways; NYS Route 208 and Orange & Rockland/Utilities/Office Park Driveway; Clove Road and Proposed Project Site Access; NYS Route 208 and Proposed Project Site Access; Clove Road and Orchard Lake Drive; and NYS Route 208 and NYS Route 94. Based on the turning movement and ATR count data, the peak hours were found to occur as follows: Typical Weekday Peak AM Highway Hour of 7:30 AM – 8:30 AM; Typical Weekday Peak PM Highway Hour of 5:00 PM – 6:00 PM; Peak September Friday PM Highway Hour of 5:00 PM – 6:00 PM; Peak September Saturday Hour of 12:00 PM – 1:00 PM; and Peak September Sunday Hour of 12:00 PM – 1:00 PM.

The Project includes all necessary roadway improvements for its two access points, one located on NYS Route 208 and a second on Clove Road, which will be developed in coordination with the NYSDOT and OCDPW. Several intersections in the vicinity of the Project now require improvements independent of the Project, such as the NYS Route 208 and Clove Road intersection. The Applicant will commit to paying a fair share contribution of the cost to make these improvements should they be undertaken by the governmental agencies with jurisdiction.

The Project proposes extensive sidewalk and trail system to accommodate the future peak pedestrian trips that will be generated by the Project. The Project is not proposing park and ride facilities; however, should the NYSDOT further pursue the development of a public park and ride facility, the Applicant will coordinate with NYSDOT and remains willing to transfer such land for a public park and ride facility to NYSDOT. The Applicant will work together with the Village on any additional land dedications that may be required for improvements, including future corridor upgrades. The Applicant will participate in the Village's efforts to upgrade NYS Route 208 by reserving a 30 foot right of way along the Site's entire frontage on NYS Route 208.

**The Co-Lead Agencies find that the following mitigation is necessary for this Project:**

1. Contribution of a fair share toward improvements on NYS Route 208 and traffic monitoring as required by NYSDOT and the Village.
2. Participation in the Village's efforts to upgrade NYS Route 208 by the reservation of a 30 foot right of way along the Site's entire frontage on NYS Route 208 to be dedicated in the future to the Village.
3. Installation of sidewalks along the Site's enter frontage on NYS Route 208.

No other mitigation is required for impacts on Transportation.

## **Section 5.12: Noise**

Existing ambient noise levels were measured at seven locations, both on- and off-Site. The locations were selected to assess existing on- and off-site noise conditions, to permit comparison to future noise estimates and potential noise impacts that could result from the Project. The locations are described as follows: Location 1 – Near the northwest entrance to the proposed Project; Location 2 – Near the northwest property line, between the proposed entrance and off-site neighbors on Clove Road; Location 3- Near the southwest entrance to the proposed Project; Location 4 – On-site, between the Project’s proposed residential development and existing Capitol Hill development residences; Location 5 – On the southwest property line of the Project Site, adjacent to existing Capitol Hill development residences; Location 6 – Off-site, near the intersection of NYS Route 208 and Duelk Avenue (this is the closest signalized intersection to the Site); and Location 7 – Near existing residences on Hilltop Drive, directly northeast of the property and proposed residences. The five receptor areas are identified as follows: Area 1 - The Capitol Hill residential development southwest and adjacent to the property; Area 2 - The Orchard Lake residential development northwest of the Site; Area 3 - Several single-family homes near the northeast entrance to the Project, including homes on Round Hill Road and the south side of Clove Road; Area 4 - Single-family homes on the northwest side of Clove Road, across from the property frontage; and Area 5 – Single-family homes on NYS Route 208, located west and southwest of the Site. Noise measurements were collected at the signalized intersection at Duelk Road and NYS Route 208.

The Project will generate increased noise levels from existing conditions for residences in the vicinity of the Project Site. These noise sources can be categorized as: “mobile” noise sources related to Project-generated on- and off-site traffic; and “stationary” noise sources resulting from residential activity on the Project Site, including residential HVAC equipment, outdoor activity such as lawn mowing, and the on-site sewage treatment plant. Due to the size of the property and the Project’s layout and design, the majority of development (internal roads and new homes) will be located in the interior of the Project Site. Open space or parkland consisting of existing vegetation will be preserved along the Site boundaries. . The slight noise that may be increased at neighboring residential properties located within 50 feet of the Project Site’s proposed entrance on Clove Road and on NYS Route 208, will be barely perceptible as it will be an increase of less than 2.0 dBA. Construction noise is discussed in section 5.16.

### **The Co-Lead Agencies find that the following mitigation is necessary for this Project:**

1. Project design avoids significant noise impacts to off-site sensitive receptors.

No other mitigation is required for impacts on Noise.

## **Section 5.13: Air Quality**

Air quality is a relative measure of the amount of noxious substances that occur in the air and that are caused by natural and human processes. Certain airborne gases and particles can cause or contribute to the deterioration and/or destruction of biological life, as well as damage to property and other physical components of the environment. Air contaminants or pollutants can be defined as solid particles, liquefied particles, and vapor or gases which are discharged into, or form in, the outdoor atmosphere. Air quality in any particular location is influenced by contaminants discharged into the atmosphere and by regional and local climatic and weather conditions. Atmospheric conditions such as sunlight, rainfall and humidity, air turbulence, temperature differences, and wind speed and direction can disperse, intensify, or chemically change or alter the compositions of air contaminants.

The Site is located in Orange County, which is among the counties that make up Region 3 of the NYSDEC Hudson Valley Air Quality Control Region, one of nine regions in New York State monitored for compliance with Federal and State ambient air quality standards. Region 3 also includes Rockland, Ulster, Dutchess, Putnam, and Westchester Counties. The Project's air quality analysis evaluated air quality standards applicable to its development and found no adverse impacts would result from the Project.

Heat and electric supply to the residential units, as well as traffic ingress and egress to and from the Project as well as from idling cars, will not produce greenhouse gas emissions in significant enough quantities to constitute a significant adverse air quality impact. The Project's greenhouse gas emissions will be commensurate with those generated by typical residential development and use. The Project will not have the potential to generate any significant adverse impacts upon air quality, including those upon local sensitive receptors; and therefore, no mitigation will be required.

**The Co-Lead Agencies find that the following mitigation is necessary for this Project:**

No mitigation is required for impacts related to Air Quality.

## **Section 5.14: Visual and Aesthetics**

The Project's visual assessment and balloon testing was conducted in accordance with the Village Scoping Document and input from the Village's professionals. The visual assessment and balloon testing confirmed that the Project will not have the potential to generate any significant adverse environmental impacts related to visual impacts and aesthetics. The Project will include demolition of multiple deteriorating structures and property cleanup, as well as the construction of attractive entrances and adherence to the design requirements for new construction set in the Village Zoning Code.

**The Co-Lead Agencies find that the following mitigation is necessary for this Project:**

No mitigation is required for impacts related to Visual and Aesthetics.

## **Section 5.15: Hazardous Materials**

Approximately 1.7 acres, or 0.25% of the 708.2-acre property was utilized as an illegal dump by the Site's previous owners. The Phase I and Phase II Environmental Site assessments identified all areas in which dumping occurred and examined the material and soil in the areas of prior dumping. NYSDEC was consulted regarding proper removal and disposal. No hazardous wastes were found and the dumped material was removed. An abandoned fuel tank was also decommissioned, removed and disposed of in accordance with NYSDEC requirements. The materials from the former illegal dump have been removed and properly disposed of as per NYSDEC regulations to prevent contact and contamination. Subsequent sampling of the soils in the area where illegal dumping had previously occurred has revealed no contamination. The remedial actions confirmed that none of the spills have any significant impacts remaining. NYSDEC indicated "no further action" in this regard is required and confirmed that no adverse contaminants exist on the Site and that the Project will not have the potential to generate any significant adverse hazardous materials impacts.

### **The Co-Lead Agencies find that the following mitigation is necessary for this Project:**

No mitigation is required for impacts related to Hazardous Materials.

## **Section 5.16: Construction**

During construction, the Project proposes to implement the recommendations found in the Geotechnical Report and the erosion and sediment control plan found its SWPPP. Stormwater quantity management, run-off reduction practices, stormwater quality control measures and erosion control measures have been designed and will be implemented in conformance with NYS SPDES Permit GP-0-15-002 requirements as provided in the Project's SWPPP. The specific best management practices will be implemented based on standardized criteria as set forth in the NYS Stormwater Design Manual and the NYS Standards for Erosion and Sediment Control.

The Project's construction traffic will be limited as required by the Village Zoning Code and other applicable regulations. Projected construction worker trips are proposed to occur prior to the Peak AM and PM Highway Hour on NYS Route 208 to avoid generating any significant adverse impacts on traffic. As part of the NYSDOT Highway Work Permit, a Maintenance and Protection of Traffic plan for conditions during construction, including any temporary traffic control measures such as flagmen, signing or other requirements of NYSDOT, will be implemented to ensure no significant impacts to the traveling public.

Due to the size of the property and the Project's layout and design, the majority of construction activity, including storage and staging areas will occur in the interior of the Project Site; therefore, the noise to neighboring residential properties from short-term increases in noise during construction of the proposed Project will be very limited. Open space or parkland consisting of existing vegetation will be preserved along the property boundaries and this buffer will insulate nearby residential noise receptors from construction noise. According to the NYSDEC Assessing and Mitigating Noise Impacts guidance

document, dense vegetation will reduce sound levels. Given the vegetated buffers provided, noise at many of the residential receptor locations will be significantly attenuated by the intervening vegetative buffers.

The Project will not include blasting or rock hammering; however, any required rock processing will occur a minimum of 1,000 feet from adjacent residences, which meets NYSDEC guidelines and will prevent potential significant air quality impacts. All construction vehicles and equipment will be maintained in accordance with the manufacturers' specifications and operated in an efficient manner to prevent potential air quality impacts. In particular, the mufflers on all construction equipment will be fully functional and maintained by the construction contractors.

**The Co-Lead Agencies find that the following mitigation is necessary for this Project:**

1. Implementation and monitoring of the approved SWPPP for this Project.
2. Compliance with the recommendations detailed in the Project's Geotechnical Report.
3. Compliance with the Village of South Blooming Grove construction ordinances.

No other mitigation is required for Construction.

## **Section 5.17: Alternatives**

The Co-Lead Agencies examined several alternatives to the proposed Project. The alternatives assessed including the No Action Condition (two dwelling units), Low Density (70 dwelling units) and Base Lot Count (340 dwelling units) Alternatives, described below.

*No Action Condition:* The direct financial effects of leaving the land as is -- fallow and without any economically productive use -- render the No Action Condition unreasonable and infeasible. The Applicant is in bankruptcy and is required to have a feasible plan for use of the Project Site to retain it. Otherwise, it would be liquidated at considerable financial loss to the Applicant. The No Action Condition would also fail to address any of the local and regional unmet demand for housing, including affordable housing.

*Low Density Alternative:* Because under the Low Density Alternative the Project would have excess water supply from existing wells, this alternative could induce growth elsewhere and would be based on very large minimum lot sizes which would fail to even minimally satisfy the local and regional need for housing, including affordable housing.

*Base Lot Count Alternative:* This is the density allowed by the Village Zoning Code in the RR Zoning District if a landowner chooses not to utilize the adjusted base lot count option after completing the site analysis process. The Village Zoning Code §235-14.1.A(3) encourages the development of affordable housing by allowing a landowner to utilize the adjusted base lot count. However, the Base Lot Count

Alternative would not include the adjusted base lot count provision and would therefore not include any affordable housing units. This alternative would fail to significantly address local and regional housing needs, especially for affordable housing. Because of the critical need for housing in the region and the suitability of the Project Site to support such housing, alternatives with less housing than what could be suitably provided in accordance with the Zoning Code are unreasonable given the demand for housing in the region as well as the rising costs that have the potential to affect the affordability of decent housing. This alternative would generate far less revenue than the Project, rendering the alternative unreasonable and economically infeasible, both because the cost of infrastructure development is significantly more reasonable when greater density is proposed and also because there are additional fiscal benefits to homebuyers and the community from greater density development.

*Proposed Project (With Action Condition):* The proposed Project would include a 600 single family lot/home subdivision fully described throughout this Environmental Impact Statement. The full analysis of the potential environmental impacts from the proposed Project is set forth throughout the DEIS and FEIS, which concludes the proposed Project would not have the potential to generate any significant adverse environmental impacts, while concurrently addressing local and regional needs for housing, including affordable housing.

Of all of the presented alternatives, the Co-Lead Agencies have determined that, overall, the proposed Project provides greater opportunities to address local and regional needs for housing, including affordable housing, Site preservation and financial feasibility.

**The Co-Lead Agencies find that the following mitigation is necessary for this Project:**

No mitigation is required for impacts related to Alternatives.

### **Section 5.18: Unavoidable Adverse Impacts**

Unavoidable adverse impacts are defined as those that meet the following criteria: 1) there are no reasonably practicable mitigation measures to eliminate a significant adverse impact; and 2) there are no reasonable alternatives to the development that will meet its purpose and need, eliminate its impacts, and not cause other or similar significant adverse impacts. The DEIS stated the Project will not result in any unavoidable adverse impacts.

**The Co-Lead Agencies find that the following mitigation is necessary for this Project:**

No mitigation is required for impacts related to Unavoidable Adverse Impacts as all impacts have been mitigated using the mitigation measures specified above.

### **Section 5.19: Growth Inducing Aspects**

The Project's water supply and sewage treatment capacity will not be sufficient to generate any significant excess capacity to induce growth on lands outside the Project Site. General business services to serve the residents of the Project will be met from existing commercial properties in the Village or

those within driving distance from the Project, including the Village of Kiryas Joel, Woodbury Commons and other nearby regional shopping centers. Community facilities and recreation areas serving the residents of the Project are included in the Project's plans. The DEIS states there will not be an unmet need for community facilities that will induce such facilities to be developed off-Site. The Project includes the creation of two new roadway connections. These connections will be located at the southwestern boundary of the Project Site, and such roadways will not increase the accessibility of previously difficult-to-access properties. The DEIS states that these roadway connections will have the beneficial impact of potentially reducing traffic burdens on NYS Route 208 and are proposed in accordance with the Village Code which promotes roadway interconnectivity.

**The Co-Lead Agencies find that the following mitigation is necessary for this Project:**

No mitigation is required for impacts related to Growth Inducing Aspects.

**Section 5.20: Irreversible and Irretrievable Commitments of Resources**

Resources, both natural and man-made, will be expended in the construction and operation of the Project. Certain resources will be irreversibly and irretrievably committed to the Project, including: money committed to the design, construction and operation of the Project which will not be available for other uses; natural resources such as foliage removed to allow the construction of the Project as well as materials dedicated to the Project's construction; long-term commitment of lands that are currently mostly vacant to the development of a residential subdivision, making the use of the Site for purposes other than the Project highly unlikely in the foreseeable future; manmade resources such as concrete, steel, timber, paint, topsoil, etc. used in the construction of the Project; creation of impervious surfaces for buildings, roads, parking, etc.; consumption of fossil fuels for the operation of construction equipment; and electricity and natural gas will be used by the Project's residents; the completed buildings will require electricity, natural gas, and oil. Additionally, human effort in the form of time and labor will be required to develop, construct, and operate the Project. Other commitments of labor will include the services of the police, fire, and emergency medical personnel, public works personnel, etc. that will be required to service the Project after its completion.

These commitments of resources and materials have been weighed against the Project's goal to develop vacant land to meet present and future, local and regional housing needs, while advancing a number of public goals, including those related to open space preservation and affordable housing. For these reasons, the Project will not result in any significant adverse impacts with respect to the irreversible and irretrievable commitment of resources dedicated to its construction and operation.

**The Co-Lead Agencies find that the following mitigation is necessary for this Project:**

No mitigation is required for impacts related to Irreversible and Irretrievable Commitments of Resources.

## ***Section 6: Certification of Approval of Findings***

After due consideration and pursuant to Article 8 of the Environmental Conservation Law and 6 NYCRR Part 6-17 of the relevant environmental impacts, facts and conclusions disclosed in the DEIS and FEIS for the Clovewood Project Site Plan and Subdivision Approval, and in the entire record, and after weighing and balancing the relevant environmental impacts with social, economic, and other considerations set forth in the Findings Statement, and more fully evaluated in the specific findings on the preceding pages, the Village Board of Trustees and the Planning Board of the Village of South Blooming Grove, as Co-Lead Agencies, certify, for the reasons set forth in these Findings:

1. that the requirements of 6 NYCRR Part 617 have been met and complied with in full; and
2. that consistent with social, economic and other essential considerations from among the reasonable alternatives available, the Proposed Action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision, those mitigative measures that were identified as practicable.

These Findings and all obligations set forth herein, shall be incorporated in any further approvals related to the Proposed Action.

These Findings shall be filed with the Village Clerk and Planning Board Clerk of the Village of South Blooming Grove and all Involved Agencies as identified in the DEIS and FEIS; and project Applicant.

A copy of the Findings shall be forwarded to and maintained by the Village Clerk of the Village of South Blooming Grove such that they are readily accessible to the public and made available upon request.

Certified by the Village Board of Trustees and the Planning Board of the Village of South Blooming Grove by Resolution adopted on August 9, 2022.

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George Kalaj  
Mayor, Village of South Blooming Grove  
Date:

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Solomon Weiss  
Chairman, Planning Board  
Date: