

1.0 EXECUTIVE SUMMARY

Introduction

This Draft Environmental Impact Statement (DEIS) reviews the construction and operation of a retail center in the Town of Southeast, Putnam County, New York referred to as Stateline Retail Center (“the Proposed Action”).

1.1 Description of the Proposed Action

The Stateline Retail Center project site is an undeveloped 44.0 acre parcel located between US Routes 6/202 and Interstate 84 in the Town of Southeast, New York. PLI, LLC (“the Applicant”) proposes to construct a 184,800 square foot retail center, 11,000 square feet for community, management office and office/personal service uses and a 14,800 square foot, 2-story office building on the subdivided project site. The Stateline Retail Center project is proposed within the Gateway Commercial District of the Town of Southeast. Retail uses would be housed in a large retail establishment with associated stormwater management and wastewater treatment facilities and related infrastructure. Approximately 16.9 acres of the site would be undisturbed by the development of the Proposed Action and, in total, 27.8 acres would be retained as open space after site development.

Since the initial submission of the Stateline DEIS on March 16, 2007, the Town of Southeast has amended Chapter 138 of the Town Code, ‘Zoning’ “...to protect the community character and environmental quality of the Town.” Accordingly, and in response to concerns expressed by the Town Board and residents regarding big box retail development and the project’s location at one of the Town’s defined “Gateways and Entrance Corridors” the Applicant revised the project plan. The architecture and site design in the revised proposal provide a pedestrian friendly environment that incorporates elements of local building patterns and landscaping. Pedestrian scale public space with amenities including plazas with seating, a fountain, bike racks, decorative paving, and three inch caliper street trees are now proposed. Patrons would be able to walk easily between the retail uses and leave their cars parked while shopping.

The Project would be a retail destination for the community and the surrounding region. Such use would generate additional property and sales tax revenues for the Town of Southeast, Putnam County, the State of New York and the Metropolitan Transportation Authority (MTA). The site presently generates approximately \$14,535 in yearly property taxes to the County, the Town of Southeast, and affiliated taxing districts, and the Brewster Central School District. Future projected annual property taxes would be approximately \$566,471 to these districts.

Annual retail sales are projected to be \$60.9 million. This would generate \$4.8 million sales tax revenues per year. Putnam County would receive \$2.1 million annually, the State of New York would collect an additional \$2.4 million a year and the MTA would collect approximately \$228,257 annually. Construction employment and part- and full-time long term retail and office employment opportunities would also be generated by the Proposed Action.

Consistent with the Town of Southeast Comprehensive Plan and the Town of Southeast Croton Plan, the Project would advance the Town’s visions for the site by providing commercial development in proximity to the interstate highway, and would reduce vehicle miles traveled by local residents who now must travel out of the area for many of their shopping needs. Given the

recent escalation in fuel costs, this would represent a financial savings to local residents, and reduce the release of associated vehicular emissions to the local and regional environment.

The project, which complies with the existing zoning requirements, proposes a two lot subdivision with a two story office building on Lot 1 and a large retail establishment with community, management office and office/personal service uses on Lot 2. The proposed retail center would comprise 184,800 square feet of retail floor area along with 11,000 square feet for community, retail center management office and office/personal service uses. The revised plan reorganizes and consolidates the buildings with a smaller development envelope and is more pedestrian friendly than that proposed in the initial submission of the DEIS. Patrons of the retail center would be able to walk easily between on-site uses (retail, office and community) without having to get back into their cars.

1.2 Description of Prior Approvals and Site Work Completed

There have been no prior approvals granted or site work completed at the project site.

1.3 Local, County and State Approvals Required

Site Plan

- Town of Southeast Planning Board
Southeast Town Hall
1 Main Street
Brewster, NY 10509

Subdivision Approval

- Town of Southeast Planning Board
Southeast Town Hall
1 Main Street
Brewster, NY 10509

Special Use Permit

- Town of Southeast Town Board
1360 Route 22
Brewster, NY 10509

Wetland Permit

- Town of Southeast Town Board
1360 Route 22
Brewster, NY 10509

Building Permits and Certificates of Occupancy

- Town of Southeast Town Building Inspector
Southeast Town Hall 1 Main Street
Brewster, NY 10509

Stormwater Pollution Prevention Plan/Subsurface Sewage Treatment System

- New York City Department of Environmental Protection
465 Columbus Avenue, Suite 350
Valhalla, NY 10595

Stormwater Pollution Prevention Plan / GP-02-01 Coverage

- New York State Department of Environmental Conservation
21 South Putt Corners Road
New Paltz, NY 12561

Highway Work Permit

- New York State Department of Transportation, Region 8
4 Burnett Boulevard
Poughkeepsie, NY 12603

Subsurface Sewage Treatment System/Well Permits

- Putnam County Department of Health
1 Geneva Road
Brewster, NY 10509
- New York State Department of Health
Corning Tower
Empire State Plaza,
Albany, NY 12237

Manufactured Slopes and Retaining Walls Variance

- Town of Southeast Zoning Board of Appeals
Civic Center
67 Main Street
Brewster, NY 10509

State Pollution Discharge Elimination System (SPDES) Permit

- New York State Department of Environmental Conservation
21 South Putt Corners Road
New Paltz, NY 12561

Project Architecture and Signage

- Town of Southeast Town Board
1360 Route 22
Brewster, NY 10509
- Town of Southeast Architectural Review Board
Southeast Town Hall
1 Main Street
Brewster, NY 10509

1.4 Involved and Interested Agencies

1.4.1 Involved Agencies

The following is a list of Involved Agencies under SEQRA.

- Town of Southeast Planning Board
- Town of Southeast Town Board
- Town of Southeast Town Building Inspector

- Town of Southeast Zoning Board of Appeals
- New York City Department of Environmental Protection
- New York State Department of Environmental Conservation
- New York State Department of Transportation, Region 8
- Putnam County Department of Health
- New York State Department of Health

1.4.2 Interested Agencies

The following is a list of Interested Agencies under SEQRA.

- Town of Southeast Architectural Review Board
- Putnam County Department of Planning and Development
- Putnam County Department of Highways and Facilities

1.5 Summary of Significant Impacts of the Proposed Project

1.5.1 Land Use, Zoning, Public Policy, and Community Character

Land use patterns within a one-mile radius of the project site are mixed and include commercial, industrial, residential, open space, water supply, transportation, utility and governmental activities. Commercial and industrial uses are concentrated along the US Route 6/202 corridor, while residential uses occur to the north and south. From a land use perspective, the Proposed Action continues the trend of development that has been occurring along US Route 6/202 in the Town of Southeast.

The Stateline Retail Center conforms to requirements of the Zoning Code of the Town of Southeast for a Gateway Commercial Zoning District (GC-2) with the exception of the height of the manufactured slopes proposed on the southern edge of the site. The Town amended its local land use regulations for commercial areas (Chapter 138 of Town Code) in July 2007 to protect environmental quality and community character. The project would advance the objectives of the GC-2 District and is not expected to result in constraints or conflicts on surrounding lands and potential uses.

The construction of the retail center and office building is not expected to adversely effect the land use, zoning, and community character of this portion of US Route 6/202 or the greater Town of Southeast. The proposed development is consistent with the other existing commercial/industrial uses along this corridor and is expected to preserve the semi-rural character of the area while improving the entrance into the Town of Southeast and thereby complying with the Town's Comprehensive Plan.

The location of the project site is identified as a Gateway into the Town of Southeast from Connecticut along US Route 6/202, according to the Town's Comprehensive Plan. The Applicant has considered the incorporation of Gateway features along this road and the proposed plan identifies the two retail site entrances as distinct public spaces that can be embellished with edge treatment (such as stone walls, fences and/or stone pillars), informational and directional signage, and landscaping to enhance the gateway experience. Little change to the overall visual character of the area is expected from roads in the site vicinity, or from other publicly accessible land as a result of the proposed development. No

views have been identified from aesthetic resources that would be adversely affected by this project.

1.5.2 Community Services

Police protection for the project site would be provided by a combination of personnel from the Putnam County Sheriff's Department and the New York State Police. In addition, individual stores may employ their own security services. The Putnam County Sheriff's Department anticipates no significant impact to service as a result of the proposed project.

Calls for fire/medical emergencies would be routed through the Putnam County Emergency Operations Center (EOC), where dispatchers would notify the Brewster Fire Department. The existing Mutual Aid agreement for all Fire Departments in Putnam County ensures that additional fire fighting and rescue resources are available if required.

According to the Brewster Fire Department, the proposed project would not result in a significant impact to the Department. The Brewster Fire Department has all necessary equipment and manpower to respond to calls from the project site.

The need for emergency care at the Stateline Retail Center project would be met by contacting the "911" call center, where a dispatcher would determine the type of emergency response required and send the nearest appropriate unit. The anticipated response times to the project site for first responders would be five to ten minutes. Significant impacts to the emergency services providers is not expected to result from the development and operation of the project. A positive benefit would be derived from the increased tax dollars collected from this development program that could be used to supplement emergency service providers.

1.5.3 Economic Conditions

There is limited existing retail development in the Town of Southeast or within Putnam County. Existing businesses to the west are neighborhood oriented convenience retail and services. These businesses are limited in terms of their variety of goods and hours of operations. To the east, there is little development that would provide competition for a modern shopping center. The proposed Project would be expected to serve a wider market area than do the businesses in Southeast and Brewster.

Within an arc of almost three miles surrounding the proposed project site in any direction, there is no direct competition for the stores likely to tenant the Stateline Retail Center. Existing businesses situated between the proposed project site and the Village of Brewster include a specialty food store, auto shops, medical offices, restaurants and small convenience personal service and goods stores with products not directly competitive with those likely to be sold at the Stateline Retail Center.

The proposed Project is expected to have an overall positive economic effect on nearby commercial centers. Highway oriented businesses such as gas stations and convenience stores are expected to see an increase in business as a result of increased traffic accessing the Stateline Retail Center. Some patrons of the proposed retail center would be expected to make purchases at local shops and take advantage of area restaurants and services. In addition, the proposed Project would provide residents an alternative to traveling long-distances to shop for major purchases. This is anticipated to increase sales taxes for Putnam County by capturing a

portion of the retail spending that is currently exported to retail centers in surrounding parts of the region.

The project is expected to create a positive economic impact for the Town of Southeast and its existing businesses. Once occupied, the total project (Lots 1 and 2) is projected to generate overall tax revenues (sales tax combined with property tax) of approximately \$5.4 million annually. Of this amount, Putnam County would receive combined annual tax revenues of approximately \$2.2 million. The Brewster Central School District would receive approximately \$447,841 in annual property taxes and the Town of Southeast would receive approximately \$58,262 in annual property taxes. Sales taxes for New York State would be expected to total \$2.4 million annually with the remainder of sales taxes for the MTA expected to total approximately \$228,257.

The proposed Stateline Retail Center has the potential to draw new economic activity to the Town of Southeast including the potential to add 269 employees to the employment base of the Town and the potential for further increases in later years. Employees can be expected to generate further economic activity in the form of local purchases at gas stations, local restaurants, food stores, and other personal services establishments.

Significant displacement of existing stores leading to blighting effects elsewhere in the Town of Southeast are not projected. The proposed project is expected to result in positive economic impacts on the Town of Southeast and provide tax benefits through increased property and sales taxes to all taxing jurisdictions.

1.5.4 Cultural Resources

There are no historic resources currently listed on the State or National Register of Historic Places located on the project parcel. An existing three-sided stone foundation, an "L"-shaped stacked stone construction, and a stone formation creating an aqueduct along (historic resources with buried prehistoric resources were identified on the project parcel during the Phase I Cultural Resources Survey. These cultural resources called for Phase II Site Evaluation which was conducted on the project parcel after consultation with OPRHP reviewers. As with the Phase I survey, the required Phase II Site Evaluation was conducted for Historic and Prehistoric Resources.

Based on the Phase II Site Evaluation, the Applicant revised the site plan to include measures for the avoidance of the identified historic resources in the area surrounding the SSTS access road. The OPRHP has reviewed the avoidance plan and concurred that it will protect the identified historic resources.

The prehistoric resources documented in the Phase II Report lead the OPRHP to determine that the south central portion of the project site is eligible for inclusion in the State and National Registers of Historic Places. The Applicant's Archeological Consultant is working closely with the State to develop a Data Recovery Plan (DRP) for this portion of the project site. The DRP will require additional investigation of the site and the collection and cataloging of all resources collected.

1.5.5 Natural Resources

The topography throughout the proposed project site ranges from flat to generally steep slopes that support a mixture of woods and maintained meadows. The woodlands and meadows provide wildlife habitat for a number of common species, including deer, raccoon, opossum, chipmunk and gray squirrel among others. Bird species that selectively reside within woodlands are also likely to be present, including wood thrush, owls, warblers and vireos. The woodlands on this site offer a number of cavities for owls, cavity nesting songbirds and small mammals. No rare or endangered species were found on the subject site.

The existing vegetative cover and habitat on approximately 27.1 acres of the project site would be disturbed as a result of the project development; much of this would be lost as future wildlife habitat. Roughly 16.9 acres of the site would remain undisturbed by the project. Approximately 27.8 acres (63.2 percent) of the developed site would be retained as open spaces that would have coverage of forest, meadows, wetlands, lawns or landscaping. These areas would continue to provide habitat for typical woodland species and species tolerant of human activities.

Trees and shrubs chosen for the proposed landscaping would provide both forage and nesting sites for birds, and or denning sites for small mammals, while the preserved habitat areas and re-vegetated open space areas would still be used by deer and other wildlife. The septic area in the southern part of the site would be re-vegetated and maintained as open meadow, and would provide a contrast to the surrounding tree line and new habitat opportunities for bird, reptile and small mammal species.

The proposed project has been designed to minimize impacts to natural features and to respect the environment to the maximum extent practicable through the incorporation of Low Impact Development and Green Building principals. As a result, significant impacts to natural resources are not expected to result from the development of the proposed project.

1.5.6 Geology

Based upon an analysis of site conditions, blasting would likely be required for project construction. It is estimated that approximately 60,000 cy of rock would be excavated. The rock excavated for the development of the site is suitable for use as construction material and will be used on-site, eliminating the need to import rock for this purpose.

Grading would be required for the construction of building sites, roads, stormwater management basins and utilities and would disturb approximately 27.1 acres of the 44.0 acre site. Total earthwork for the Stateline Retail Center site is currently estimated at 221,890 cubic yards (cy) of earth cut and 180,399 cy of fill.

The Project would result in disturbance of slopes greater than 25 percent. Because the site is a gently sloping hillside and commercial projects of this nature require large level building pads and gently sloping parking lots, the net result of construction would be cutting and filling to create a more level site. Impacts from disturbance to steep slopes are directly related to the potential for soil erosion during construction. Most disturbance would occur in areas with slopes of less than 15 percent. Building locations and parking lots, as well as storm water basins, have been located on the site to minimize disturbance to steep slopes and Town regulated water resource buffers.

The site disturbance and grading is proposed throughout the central portion of the property and extends along the southern boundary towards the west. Most cutting of slopes is expected along the southern boundary adjacent to Interstate 84. Due to the natural topography of the property along the southern boundary, impacts to steeper slopes would be required. The soil and rock cuts proposed along the southern boundary of the property, to the south of the Proposed Retail Building A, will require retaining walls to stabilize the exposed surface. Approximately thirty-nine (39) feet of cut will be needed for a short length of the wall to establish the proposed elevation of the site. The middle section of the wall will consist of rock slope at the base of the wall and a double-tiered retaining wall system above. This rock slope is proposed to be an approximate 1 horizontal to 5 vertical (1H:5V) with a maximum height of 24 feet. The eastern section of the wall will be constructed with a double walled tiered system..

1.5.7 Water Resources and Wetlands

The project site contains two wetlands totaling approximately 3.8 acres in size. These wetlands, located adjacent US Route 6/202, on the north side of the project site, are regulated by the Town of Southeast and the US Army Corps of Engineers. No New York State Department of Environmental Conservation (NYSDEC) regulated wetlands are on the subject site. The East Branch Reservoir is located downstream of the project parcel.

There are three watercourses on the property designated as NYC-A, NYC-B and NYC-C. All three watercourses have been identified, delineated and their locations validated by the New York City Department of Environmental Protection (NYCDEP). These unnamed streams cross under US Route 6/202 and discharge at points on the East Branch Reservoir shoreline. Watercourse NYC-A has been defined by the NYCDEP as a reservoir stem and therefore is regulated with an additional buffer zone (limiting distance).

Minor grading of approximately 1.8 acres of the Town regulated wetland buffers are anticipated with the construction of the multiple stormwater management facilities and the parking and internal roads. These areas would be replanted with native vegetation appropriate for the conditions.

The Town buffer zone to Wetland B would be impacted by grading activities for the western and central stormwater ponds; approximately 1.0 acre of grading activities are proposed within this buffer zone. The Town buffer zone to Wetland A is impacted by grading activities for the northeastern most stormwater ponds; approximately 0.8 acres of grading activities are proposed within this buffer zone.

Treated stormwater discharges would be directed toward the wetlands. No changes are proposed to existing streams on the site.

Temporary impacts would result to the centrally located stream related to the installation of the proposed forcemain between the buildings and the SSTS. The disturbed area would be returned to pre-development grades and planted with native vegetation after the installation is completed.

1.5.8 Stormwater Management

The 44.0 acre project site occupies just 0.09 percent of the 48,000 acre East Branch Reservoir Watershed, a part of New York City's Croton Reservoir System. Untreated stormwater from off-site is conveyed onto the project site by two watercourses which are tributary to the reservoir. Construction of the proposed project would result in the temporary disturbance of 27.1 acres of the site and the creation of approximately 14.0 acres of impervious surface. Erosion and sedimentation during construction, post construction increases in stormwater volume and peak rates of discharge, and increases in pollutant loading in stormwater following construction, could each adversely impact receiving surface water resources and downstream properties.

Implementing the erosion and sediment controls, and stormwater management practices, specified in the Stateline Retail Center Stormwater Pollution Prevention Plan (SWPPP), will mitigate potential significant adverse impacts both on the wetlands and watercourses on and off the site, and on the East Branch Reservoir, associated with changes in runoff. Generally maintaining existing stormwater drainage patterns, as proposed, will further mitigate potential adverse impacts on these surface water resources.

The Stateline Retail Center SWPPP has been carefully developed in compliance with all applicable New York State and City regulatory requirements, as well as, those of the Town of Southeast. To comply with these requirements, the measures in the SWPPP have been designed to accomplish the following:

- Reduce or eliminate erosion and resulting sedimentation of surface waters during construction;
- Mitigate or eliminate the impact(s) that post development changes in stormwater, including any increases in pollutants in it, can have on the quality of receiving surface waters;
- Reduce post construction increases in the peak rates of stormwater discharge during and after construction to prevent downstream erosion and flooding; and
- Maintain stormwater controls during and after construction.

To further mitigate potential impacts, implementation of the Erosion and Sediment Control Plan, including its construction sequencing component, will be overseen by a Certified Erosion and Sediment Control Specialist/Certified Professional in Stormwater Quality, or equally qualified professional. Following treatment in the proposed stormwater management facilities, post construction peak rates of stormwater discharge would be reduced from existing discharge rates to prevent downstream flooding and stream bed and bank erosion. In addition, the calculated range of post-development pollutant loads are in the range of, or below, pre-development loads. Accordingly, neither erosion and sedimentation during construction, or post construction changes in stormwater characteristics, represent the potential for significant adverse impacts on the receiving waters. The Applicant notes that the SWPPP will be subject to review and approval by NYSDEC, NYCDEP, and the Town of Southeast.

1.5.9 Traffic and Transportation

Traffic was examined at twelve intersections in the Town of Southeast and one in the Village of Brewster. With or without the project, there would be decreases in level of service at some of the studied intersection. With the noted improvements, all studied signalized intersections are anticipated to perform at level of service D or better under the 2009 No-build Condition.

The Proposed Action is expected to generate 267 external trips during the weekday a.m. peak hour, 981 external trips during the weekday p.m. peak hour and 1298 external trips at the Saturday peak hour including trips already passing the site. The bulk of the traffic would travel along US Route 6/202 between the site accesses and Interstate interchanges. An estimated five percent of retail site trips are already on US Route 6/202 and 20 percent on Interstate 84. Of the remaining trips, 67 percent are expected to travel directly to or from Interstates 84 and 684. These numbers include trips already passing the site.

Privately owned and maintained two-way drives with 12 foot wide lanes would provide access to the Property at three locations, one for Lot 1 (office) and two for Lot 2 (retail center).

Under the Build Condition, with the noted improvements, all studied signalized intersections are anticipated to perform at level of service D or better. The unsignalized US Route 6/202, and Interstate 84 westbound ramp at Peach Lake Road intersection would continue to perform at level of service F. The unsignalized Sodom Road intersections, west and east, would continue to operate at levels of service E and F respectively.

Most trucks would come from and return to Interstate 84 or US Route 6/202. The eastern access road will direct trucks onto the rear service road behind the main building.

The project is anticipated to capture trips from Interstate 84 formerly traveling to other shopping destinations. The project is also expected to capture commuter trips passing the site during the p.m. weekday commute and Saturday trips of local residents that might otherwise have left the area to shop elsewhere. This would reduce the number of longer distance trips currently taken by local residents.

The proposed layout is pedestrian friendly, eliminating the need for patrons to use their cars while shopping. Parking management strategies are proposed to ensure adequate holiday parking, and a Putnam County Rapid Transit (PART) Route 1 bus stop is proposed by the Applicant. Proposed network improvements would reduce existing and future No-Build and Build Condition delays to acceptable levels. As a result, impacts to traffic and the transportation network resulting from the development of the Stateline Retail Center would not be significant.

1.5.10 Air Quality

The Stateline Retail Center would not introduce major stationary sources of air pollution either during its construction or operation. The traffic generated by the proposed project was insufficient to require a refined air analysis of any intersection. The Stateline Retail Center development does not meet New York State's criteria for a microscale analysis.

The operation of the facilities proposed for the project would result in minor increases in the overall atmospheric air pollutant burden from stationary sources. Heating and air conditioning systems may release small amounts of air pollutants that are insignificant and should not cause

an exacerbation of applicable standards or guidelines. The relative air pollution burden added by the construction and operation of the project is insignificant when compared to the current and expected conditions. The net difference in total air pollution burden is considered to be minimal for this proposed Project and existing air quality levels at the nearest monitoring stations are well within allowable standards and the proposed Project would not be a major source of pollutants.

Construction of the modified Proposed Action would potentially result in temporary, localized air quality impacts similar to those identified above. Long-term air quality impacts are also not expected from the implementation of the Gateway Enhancement Concept Plan.

1.5.11 Noise

Analysis of existing and future noise levels requires the identification of noise receptors, or locations which can be expected to be affected by the noise generated from the project. The nearest sensitive receptors are single-family residences located along US Route 6/202 in the project vicinity.

No man-made noise is currently generated on the Stateline Retail Center property with the exception of the occasional cutting of vegetation in the open fields, since the site is undeveloped. Existing noise levels in the vicinity of the Stateline Retail Center is dominated by traffic on Interstate 84 and US Route 6/202.

The Project design is intended to minimize noise impacts to adjoining residential properties. The buildings have been located towards the southern edge of the property, adjoining Interstate 84. Loading docks and refuse collection areas for the retail buildings would be located at the rear (south side) of the buildings. Noise associated with truck deliveries, unloading and garbage pick-up would be mitigated to a large degree by the location of the buildings between the loading docks and the residential properties.

Based on measurements made on-site and at the property lines, standard noise levels of on-site generators and calculations of anticipated noise from on-site sources at distances equal to the closest residential receptor, noise from building equipment would not be noticeable due to the existing ambient noise levels.

1.5.12 Construction

During the 12 to 18 month construction period, heavy construction, and worker vehicles, would be entering and exiting the site during the hours between 7:00 am and 6:00 pm Monday through Friday and 9:00 am and 5:00 pm on Saturday, excluding legal holidays. Construction truck traffic would access US Route 6/202 from Interstate 84 and travel to the project site entrance on the state road except for local contractors. As a result, it is expected that heavy construction truck traffic would not travel local roads to reach the site. This should minimize road damage and limit impacts on the Towns roads resulting from construction vehicles.

Local daytime ambient noise levels would increase both on- and off-site during clearing and grading activities, and the construction of the accesses to the site, utility lines, buildings, and parking lots. Construction activities and the operation of construction equipment are an expected and required short-term consequence of any new residential, commercial or industrial project, and cannot be avoided.

Construction activities on the project site would have a potential impact on the local air quality through generation of fugitive or airborne dust. Fugitive dust is generated during ground clearing and excavation activities. Throughout the construction period, passage of delivery trucks and other vehicles over temporary dirt roads and other exposed soil surfaces also generates fugitive dust.

Sedimentation resulting from erosion of disturbed soil during construction is a potential indirect impact to wetlands, watercourses, receiving waters and downstream properties. The Project has the potential to increase the volume and velocity of stormwater through land clearing and conversion of existing land forms into impervious surfaces and landscaped areas. A project specific SWPPP has been developed to control stormwater runoff and erosion and sedimentation during construction.

Due to the known presence of rock outcrops and bedrock and the required grading, the project engineer anticipates that blasting would be required for the proposed development. Based on preliminary estimates, the total amount of material to be moved by blasting is 60,000 cubic yards all of which will be used on site. Blasting would result in short-term localized impacts that would be offset to the maximum extent practicable through the incorporation of the blasting protocol and blasting plan developed for this project and a final blasting contract with the Blasting Contractor. This plan would meet all New York State and Town of Southeast requirements for blasting.

Through the incorporation of the measures noted, no significant impacts would result from the construction of the project.

1.5.13 Infrastructure and Energy

Water demand and wastewater design flows for the proposed project is 4,900 gallons per day according to the Preliminary Water and Wastewater Reports, prepared by the project engineer. Water for the proposed development would be from on-site wells. The waste stream will be treated in two subsurface sewage treatment systems (SSTS) prior to release back into the environment. The largest contributing sources of wastewater from the proposed uses would include the lavatories in each of the proposed retail stores and in the office building. The ability to treat the proposed wastewater volume has been confirmed through the subsurface and hydrogeological investigations performed in the areas proposed for the SSTS.

The project would result in 14.0 acres of new impervious surface thereby reducing aquifer recharge. All stormwater from impervious surfaces would be directed to stormwater treatment facilities, such as vegetated swales and detention basins thereby allowing some runoff to potentially contribute to aquifer recharge. The recharge analysis completed for the project demonstrates that more water is recharged to the aquifer, on the subject property, than is proposed to be used by the project.

The entire project is estimated to have a total electric load of 4,000 to 5,500 amps. This demand assumes all building heating and cooling systems operate on electricity. NYSEG has confirmed that facilities are in place to provide this service to the project without capacity problems.

No significant impacts to infrastructure and energy would result from the development of the Proposed Action.

1.6 Summary of Mitigation Measures of Potentially Significant Adverse Impacts of the Proposed Project

Potential adverse impacts associated with the construction and operation of the Stateline Retail Center have been identified in this DEIS. All adverse impacts can be ameliorated through the means suggested within the study. The incorporation of measures proposed would minimize, to the maximum extent practicable, those adverse impacts to non-significant levels. It is anticipated that with the incorporation of measures identified in this DEIS, minimal adverse impacts would result with the construction and operation of this project.

The Applicant would construct three site accesses, including one with a traffic signal and turn lanes at the eastern access (Lot 2). Signalization of the US Route 6/202 and NYS Route 121 intersection would best address traffic delays under the Existing and future No Build and Build Conditions. The Applicant has met with the NYS DOT to discuss the warrant analysis and possible mitigation strategies.

The intersections of US Route 6/202 and Sodom Road, west and east, operate at level of service E and F respectively under the Existing Condition. The NYS DOT indicated that they have no plans to improve the Sodom Road intersections.

The Applicant will continue to work closely with the Town and the State to implement improvements deemed necessary at these intersections. Should mitigation be required and permitted by NYS DOT the Applicant will contribute funds commensurate with the traffic through the intersection related to the Proposed Action.

The Applicant would close, as directed by the NYS DOT, the US Route 6/202 median openings along the frontage of the property.

The Applicant has proposed a holiday parking management plan to handle potential seasonal short falls in retail parking. This plan is described in Section 3.9.5.

The SWPPP has been specifically developed to mitigate impacts associated with erosion and sedimentation during construction, with post development increases in peak rates of stormwater discharge, and with increases in pollutant loads following construction. The stormwater treatment facilities included in the SWPPP for the project will reduce peak discharge rates to below existing rates and are expected to achieve better than the calculated pollutant removal due to the enhanced measures and adjunct stormwater practices that have been incorporated into the project design, but were not considered in the calculation of pollutant loading. These measures, and adjuncts, include a detailed maintenance program to ensure optimum long term pollutant removal efficiency; specific plantings in stormwater management ponds 1.0P, 2.0P and 2.2P to increase pollutant removal; preserving the existing wooded filter strips below the proposed low gradient grass swales with check dams to further polish runoff; catch basin/drain inlet sumps; and the addition of permanent pools in the stormwater basins. These permanent pools will include landscaping that will also remove dissolved phosphorus.

In addition to the one acre of pervious pavement that has been incorporated into the proposal, additional Low Impact Development (LID) techniques could be incorporated into the final

development plans as further mitigation of stormwater related impacts. LID techniques address a variety of stormwater management issues, including compliance with GP-02-01 and NYCDEP Watershed Regulations, TMDL limits, non-point source program goals, and other specific water quality goals and standards. The benefits of LID measures were not considered in the stormwater management calculations upon which the SWPPP was based. This resulted in projections of post construction stormwater characteristics that are conservative. LID measures proposed to further reduce post construction could be incorporated into the proposed action and include additional pervious pavers, bioretention cells, buffer strips/bioretention slopes, grassed swales, rainwater reuse, infiltration trenches, planter boxes, and tree box filters.

The Archeological Phase II Site Evaluation identified a small area of the site that is eligible for the National Register. The Applicant has acknowledged this potential resource and has included in the modified site design the avoidance of the extant historic remains identified during the Phase II Site Evaluation.

Prehistoric remains in the south central portion of the site will require a Data Recovery Plan. The Applicant is working with the State to develop this plan that will require further excavation and the collection and cataloging of all resources uncovered in the area.

1.7 Description of Alternatives Analyzed

The New York State Environmental Quality Review Act (SEQRA) calls for a description and evaluation of the range of reasonable alternatives to the action which are feasible, considering the objectives and capabilities of the project sponsor. Alternatives for the Stateline Retail Center that have been analyzed include a “No-Action Alternative”, a “Reduced Scale Alternative”, an “Alternative Retail Configuration”, and a “Permitted Principal Use Alternative”.

1.7.1 No-Action Alternative

The No-Action Alternative represents a scenario in which the project site would remain undeveloped. Considering the objectives of the Applicant, the allowable uses permitted under local zoning for the site, the relative scarcity of developable land that can be readily accessed by major roadways, and the increasing demand for such land in the market place, this alternative is unlikely. In order for the site to remain vacant, either a government agency or a conservation organization would need to purchase the property for permanent open space protection and compensate the property owner accordingly. Such use of the site would not be consistent with the designated zoning uses at the property, would not support the Comprehensive Plans for the Town of Southeast, would not support the 2003 draft master plan for Putnam County, known as “Vision 2010”, since it would not provide residents the opportunities to live and work locally and finally, this alternative would be contradictory to the County’s “Shop Putnam Today” program, which was designed to help stem the flow of retail dollars to neighboring counties and assist in addressing the “Putnam Paradox”. Under the No-Build Alternative, significant tax revenues would not be realized by the local, county and state governments.

Although inconsistent with the objectives of the local governments, the No-Build Alternative would eliminate impacts identified in this report, both adverse or beneficial.

Should the Proposed Action not occur, none of the direct impacts related to the construction and operation of the Stateline Retail Center identified in this report would take place.

1.7.2 Reduced Scale Alternative

The Scope requests that a reduced scale alternative be examined. This alternative includes reducing the building footprint on the site and minimizing the parking area with a multi-story parking facility.

Under this alternative, total retail space would be reduced from 184,800 to 170,000 square feet (eight percent), through the elimination of the westernmost retail buildings (Buildings C and D) and reconfiguration of the proposed retail development. Building A, the proposed retail anchor building, would be increased by 1,000 square feet to 135,000 square feet and Building B would increase from 25,000 to 35,000 square feet. The requirement for parking spaces would be reduced from 812 spaces to 680 spaces. The 14,800 square foot office building and the 11,000 square feet of community, management office and office/personal service space are eliminated under this alternative.

It should be noted that this alternative, by reducing the total area of retail development at the project site, does not utilize the site to its full potential, does not provide as much retail synergy between tenants, nor does it provide adequate gross square footage for ancillary retail and other permitted uses. This scenario would likely result in the development of other sites in the area to provide supporting retail space to address market demand.

Impacts of this alternative are similar or less than those of the proposed action. In addition, this alternative would result in a decreased in tax revenue generation for the taxing districts. Under this alternative, the cumulative impacts would be less than those of the Proposed Action, until such time as other retail sites are developed.

The reduction in retail floor space and lack of an office component to offset, in part, additional gateway enhancement components, and community space renders this alternative unfeasible for the Applicant.

1.7.3 Alternative Retail Configurations

Alternative Retail Configuration 1

An alternative layout for the proposed Project that divides the retail anchor building into two buildings is central to this alternative. Under this alternative the total development square footage is slightly reduced from 184,800 square feet of retail space to 183,000 square feet. In addition, the anchor building is divided roughly in half to accommodate two smaller tenants (70,000 sf and 65,000 sf) and the office building (14,800 square feet) and the 11,000 square feet of second floor community, management office and office/personal service space are eliminated under this plan. As with the Proposed Action, there are five buildings but all five are retail; none are office space. With this alternative, there are two access points from US Route 6/202 while there are three under the Proposed Action. Under the Proposed Action, the office building is separate from the other development. The number of parking spaces under this alternative is reduced from 812 to 732. Building orientation remains roughly the same due to the limiting physical constraints of the project site.

Under this alternative the implementation of a two story building and/or structured parking facilities were to be considered. Multi-level retail stores and multi-level parking were researched

when this alternative was developed. Both of these development alternatives would result in higher initial and operational costs. Retailers are willing to incur these higher costs only in densely populated areas where average incomes are high (e.g. White Plains, New York and Stamford, CT) so that the higher costs are adequately offset. Even with its visibility from a major interstate and relatively low land costs, demographics in the vicinity of the Proposed Action, including population density and average income are below the threshold that would allow likely tenants to offset the high costs associated with multi-level parking and/or buildings. As a result, neither multi-level development alternative is incorporated into either Alternative Retail Configuration.

Impacts of this alternative are generally similar to those of the Proposed Action. However, the reduction in retail floor space and lack of an office component to offset, in part, additional gateway enhancement components, and community space renders this alternative unfeasible for the Applicant.

Alternative Retail Configuration 2

This alternative is the original Proposed Action presented in an earlier version of the DEIS. The proposal has a total of 183,000 square feet of retail space in four buildings and 732 parking spaces in compliance with the updated Town Code. Under this concept, there are two access points, as opposed to three in the current Proposed Action. The traffic circulation throughout the project is connected under this alternative; under the Proposed Action, the office access roadway is not connected to the retail roadways. The basic locations of the buildings under this alternative are similar to the Proposed Development. The size of the anchor under this alternative is 135,000 square feet with three ancillary buildings containing an additional 48,000 square feet. The total development square footage is slightly reduced from 184,800 square feet of retail space to 183,000 square feet under this alternative. However, the office building (14,800 square feet) and the second floor community, management office and office/personal service space (11,000 square feet) are eliminated under this configuration. There are four buildings under this alternative but five under the Proposed Action.

As with the Alternative Retail Configuration 1, impacts associated with this alternative would be similar to those of the Proposed Action. The reduction in retail floor space and lack of an office component to offset, in part, additional gateway enhancement components, and the lack of a community space renders this alternative unfeasible for the Applicant.

1.7.4 Permitted Principal Use Alternative

An alternative use consistent with the existing site zoning was considered. This alternative evaluates the development of the site with a two-story office building. The site plan prepared for this alternative shows a single building with 204,000 square feet of office space. The building footprint would be 102,000 square feet. For this amount of square footage of office space, 816 parking spaces are provided based upon the parking requirement of one space for each 250 square feet of building.

This alternative is smaller in total square footage than the Proposed Development which totals 210,600 (184,800 square feet in retail space, 14,800 in the office building, and 11,000 in second floor community, management office, and office/personal service space).

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Impacts of this alternative are similar or less than those of the proposed action. This alternative would result in a decrease in tax revenue generation for the taxing districts. Finally, the lack of retail floor space associated with this plan would not meet the Applicant's objectives.

Chapter 4.0, Alternatives, of this DEIS presents information on potential impacts associated with each of these alternatives and compares these impacts with the those that would result from the Proposed Action in both text and tabular format.