THE PUTNAM COMMUNITY FOUNDATION
SENIOR HOUSING DEVELOPMENT

FINAL ENVIRONMENTAL IMPACT STATEMENT

Stoneleigh Avenue

Town of Carmel, New York

Lead Agency: Carmel Planning Board
Carmel Town Hall
60 McAlpin Avenue
Mahopac, New York 10541
Contact: Peggy Moore, Planning Board Secretary
(845) 628-1500

Project Sponsor:
The Putnam Community Foundation
2 Route 164
P.O. Box 573
Patterson, NY 12563
Contact: Joseph DiVestea, President
(845) 878-2600

Prepared By: Tim Miller Associates, Inc.
10 North Street
Cold Spring, New York 10516
Contact: Tim Miller, AICP
(845) 265-4400

Project Engineer: Insite Engineering, Surveying & Landscape Architecture, P.C.
3 Garrett Place
Carmel, NY 10512
Contact: Jeffrey Contelmo, P.E.
(845) 225-9690

Lead Agency Acceptance Date: November 19, 2008

November 19, 2008

LIST OF CONSULTANTS

Contributors to this document include the following:

Lead Agency: CARMEL PLANNING BOARD
Carmel Town Hall, 60 McAlpin Avenue
Mahopac, New York 10541 (845) 628-1500

Project Sponsor: The Putnam Community Foundation
2 Route 164
P.O. Box 573
Patterson, NY 12563
(845) 878.2600

Environmental Planner: TIM MILLER ASSOCIATES, INC.
10 North Street
Cold Spring, New York 10516 (845) 265-4400

Project Engineer: INSITE Engineering, Surveying & Landscape Architecture, P.C.
3 Garrett Place
Carmel, NY 10512
(845) 225-9690

Project Architect: LISCUM MCCORMACK VANVOORHIS
Architects, Planners, Interiors
181 Church Street, Poughkeepsie, NY 12601
(845) 452-2268

THE PUTNAM COMMUNITY FOUNDATION
SENIOR HOUSING DEVELOPMENT
FINAL ENVIRONMENTAL IMPACT STATEMENT (FEIS)

Table of Contents

List of Tables

List of Figures

APPENDICES

LIST OF DRAWINGS

INTRODUCTION

This Final Environmental Impact Statement (FEIS), prepared pursuant to the State Environmental Quality Review Act (SEQRA), provides responses to agency and public comments received by the lead agency on the Draft Environmental Impact Statement (DEIS) prepared for The Putnam Community Foundation Senior Housing project, Town of Carmel, Putnam County, New York. The FEIS has been prepared in accordance with Section 8-0101, et. seq. of the Environmental Conservation Law and the regulations promulgated by the New York State Department of Environmental Conservation (NYSDEC) thereunder, which appear at 6 NYCRR, Part 617.

The Applicant prepared a Draft Environmental Impact Statement (DEIS) in response to a Positive Declaration issued by the Town of Carmel Planning Board. The DEIS scope was established by a scoping outline developed by the Carmel Planning Board, acting as lead agency, in cooperation with all other involved agencies and interested parties. The accepted scope outlining the information to be covered in the DEIS as adopted on December 15, 2006 is provided in Appendix A of that document.

The DEIS was originally submitted to the Town of Carmel on May 23, 2007 for completeness review. Based upon comments received from the lead agency and its consultant, the Applicant submitted a revised DEIS to the Planning Board on June 29, 2007. The lead agency reviewed the DEIS for adequacy and content with respect to its scope for the purpose of public review and issued a Notice of Completion for the DEIS and a Notice of SEQRA Hearing on August 17, 2007. The Planning Board conducted a Public Hearing on the DEIS on September 12, 2007. The open written public comment period was closed on October 12, 2007.

The FEIS consists of this volume the accompanying set of drawings, and the DEIS, which is hereby incorporated by reference as part of this FEIS.

The plan revisions described below and throughout this FEIS have been prepared in response to comments received during the SEQRA review process. No significant adverse environmental impacts are anticipated from these revisions. Plan revisions have resulted from comments from the New York City Department of Environmental Protection, the public, and the Putnam County Coalition to Preserve Open Space. Revisions to further mitigate impacts were completed by refining the Stormwater Pollution Prevention Plan (SWPPP), reducing site disturbance, relocating the site access road, and reducing the amount of development proposed on the project site. The plan revisions evaluated herein include less impervious surface and less development when compared with that presented under the original Proposed Action.

Summary of Proposed Action

The project is proposed on two parcels of land located along Stoneleigh Avenue in the Town of Carmel, New York encompassing approximately 78.4 acres. The first parcel is the Putnam Community Foundations (PCF) 35.2 ± acre parcel of vacant land designated as Town of Carmel Tax Map Parcel #66.-2-58, which is mostly wooded with second growth forest. The second parcel is a 43.2 ± acre parcel of land containing the existing Putnam Hospital Center (PHC). The PHC parcel is designated as Town of Carmel Tax Map Parcel #66.-2-57. The subject parcels are located in the R (residential) zoning district and are depicted on Figure I-1 Overall Site Plan.

It is proposed to create 120 single bedroom senior housing units on the PCF parcel with an access driveway on the hospital lot to provide access to both the hospital and the proposed senior housing development. The Town of Carmel, and therefore the subject site, are located wholly within the surface watershed of the New York City water supply system.

The proposed project consists of a mix of 120 senior residential rental units, housed in either multi-family, two story buildings or single family one story attached buildings. A separate community building and recreation area are included in the plan. The residential development will be located on the eastern and central portions of the property where the land is relatively level.

A total of 72 single-family, attached, condo/townhouse-style units would be housed in 18 single story buildings situated along the eastern property line. All of these buildings would contain four attached units. The units would house residences with two conceptual elevations, a single distinct floor plan with a variety of amenities. Each unit would include a patio or deck in the rear of the unit. The square footage of these units would be approximately 1,520 square feet. Refer to Figures I-2 and I-3 for a depiction of the two conceptual elevations and two distinct floor plans.

Forty-eight units would be housed in two, two story (with basement level parking), multi-family buildings located in the north central portion of the site (see figure I-4). Buildings A and B would each contain 24, one bedroom units with three unique floor plans and a variety of amenities. A common space is situated on the parking level, lounges are depicted on the second floor while roof top patios and lobbies are proposed for each floor of these buildings. Elevators would transport residences between floors. The square footage of these units would range from approximately 1,235 to 1,395. Refer to Figures I-5, I-6 and I-7 for detailed depictions the multi-family building floor plans.

A one story Community Building would be sited to the south of and across the proposed access road from Building B. Uses in this Building could include meeting rooms, storage, administrative offices, a library, and a computer room. The community building would include similar architectural features to those proposed for the dwelling units.

Recreational facilities proposed would include tennis and bocce courts. These uses would be located immediately to the east of the Community Building at the intersection of the internal roadways that provide access to the residences and would be accessible by sidewalk. A gazebo is proposed for the center of the Community Green to be located in the east central portion of the site.

The Proposed Action presented in this FEIS represents a substantial reduction in impacts from the original proposal of 240 housing units and a reduction of impacts when compared to the DEIS Proposed Action. This fifty percent reduction in the number of units when compared with the original proposal corresponds with reductions in impacts to the resources assessed in each of the categories that follow.

Comments received on the DEIS for the project expressed concerns with the location of the access drive with respect to the Croton Falls Reservoir and the land disturbance and potential erosion associated with the construction of the access drive. These concerns were expressed by the NYCDEP and other commentors. In response to these comments, the project sponsor reached out to the Putnam Hospital Center (PHC) to determine if an alternate access drive

could be developed that would eliminate the concerns expressed. It was determined that the PHC had a need to develop a a second entrance into their campus in order to provide for redundant access and a more direct route between Stoneleigh Avenue and the emergency department for ambulances. The Putnam Community Foundation and PHC have agreed to the development of a common access driveway, which would serve both the hospital and the subject project. The proposed common access drive would be located at the southern end of the hospital campus and outside of any NYCDEP limiting distances. The construction of the common access driveway would also involve less earthwork and related disturbance thereby reducing overall impacts. Refer to the confirmation letter dated May 19, 2008 from PHC in Appendix A documenting the agreement between the Hospital and PCF.

Associated with the secondary hospital access drive would be a new parking field on the PHC lot. The parking field would be located in the southern portion of the parcel between an existing field and the PHC southern property line. The proposed field would provide the PHC with an additional 163 parking spaces. This field will provided the PHC with much needed parking to support the expanded facility.

It should be noted that, while the access road has been relocated as depicted in FEIS plan, the access drive presented on the DEIS plan is a feasible alternative as mitigation can be put in place to offset all impacts associated with its construction and the runoff from its surface post-development.

Proposed Modifications to the Site Plan

Modified Project Layout

The current proposal, described within this FEIS, is 120 units with a total disturbance of approximately 25.3 acres between the two parcels (PCF and PHC). While the total disturbance is greater than the plan presented in the DEIS, the disturbance on the PCF parcel has been reduced. The increase in overall disturbance results from the additional parking proposed for the PHC parcel. Total impervious surface area under the plan presented herein is 6.7 acres for the PCF parcel, a decrease of 0.2 from the DEIS plan, and 2.1 acres for the PHC parcel. The decrease in impervious surface on the PCF parcel from the plan presented in the DEIS is a result of the relocation of the access drive to eliminate all proposed impervious surfaces from the reservoir buffer zones (limiting distances). The impervious surface proposed on the PHC parcel is due to the additional parking and the access road. Unlike the previous plan, this proposal includes a relocated access road, parking below the multi-family, two story buildings that will house 48 units, reconfigured single-family attached residences, a Community Building with parking abutting the recreation area and revised stormwater management system.

The access road was originally proposed via an approximately 2,200-foot long internal road with a connection to Stoneleigh Avenue near the southwestern corner of the project site. This access road could be built and operated with impact to the downstream receiving waters. However, to address comments received on the original proposal, under the modified plan, the access road is located roughly 2,000 feet to the north of the original proposed curb cut on Stoneleigh Avenue. The first 1,050 feet (approximately) of this roughly 2,100-foot main access road is sited on the Putnam Hospital Center property. The project engineer, in coordination with the Hospital, has configured the access road to provide direct access to both the emergency room and the new hospital parking fields on the south end of the PHC property. The incoming and outgoing lanes are split for approximately 100 feet on either side of the property line

between the PHC and PCF parcels. Plantings are proposed over roughly half this distance to enhance the entrance into the senior housing development.

From the point at which the road crosses into the project parcel it runs roughly north-south in front of the proposed multi-family buildings before turning to the east where it passes the Community building and recreation area prior to splitting to provide access to the single family units along the southern boundary of the parcel. All internal drives terminate with cul-de-sacs. Interior roads are proposed to be 24 feet wide.

The number of units in the two multi-family buildings (Buildings A and B) have been reduce from a total of 64 to 48 in order to accommodate parking under the buildings. This change reduces the impervious surface needed for parking at these buildings and allows covered parking protected from the weather and easy access to the building elevators.

Seventy-two single family residences are now proposed compared with 56 under the DEIS plan. The square footage of each of these units is now 1,520 square feet and all eighteen buildings now contain four units. Under the plan presented in the DEIS, sixteen of the eighteen buildings contained only three units. These changes allow for all the single-family units to be built in a very similar configuration when compared with the plan presented previously in the DEIS and more importantly over the same area meaning the disturbance remains the essentially same.

The Community Building has been relocated to a point south of and across the access road from the location originally presented in the DEIS. The new layout provides parking for both the Community Building and the recreation area; the later was previously accessed by a walking trail only. All components of this community complex in the FEIS plan remain the same size as in the DEIS plan, therefore impacts remain the same. Uses anticipated in the building include meeting rooms, storage, administrative offices, a library, and a computer room. As with the original plan, the recreation area would provide residents tennis and bocce courts.

It is noted that the building locations, footprints, and square footage may be altered as the final plans are developed. If such modifications result in construction activity staying substantially within the same limits of disturbance set forth in this FEIS, with similar impervious surface areas, and no new significant adverse environmental impacts, no further environmental review will be required.

Based on the Town regulations, the development is required to provide a minimum of 203 total spaces for the proposed senior housing development. This includes 1.5 spaces per dwelling unit (120 units) and 1.0 space per 200 square feet of Community Building (approximately 4,480 sf) as per the Carmel Zoning Code. Handicapped spaces must be provided in accordance with Section 156-42A(9) of the Zoning Code. The Code requires that a minimum of two percent of the total number of parking spaces be designated for handicapped persons.

A total of 245 parking spaces are proposed for the project including: 72 indoor spaces and 72 outdoor spaces (in the driveway) for the condo/townhouse-style units; 54 indoor spaces and 16 outdoor spaces for the multi-family housing units (Buildings A and B); and 18 spaces for the Community Building - Should be 22.4 per code formula. A total of 26 additional outdoor spaces would be available at various points along the drives serving the residential units. This provides an average of approximately 1.9 spaces per dwelling unit, excluding the parking set aside for the Community Building.

Contained in Appendix F and G, respectively, are revised versions of the Wastewater and Water Engineering Reports. Changes to the building layout between the plans presented in the DEIS and FEIS required adjustments to the length and location of the sewer and water lines, which are documented in the two reports.

The following table presents a comparison between the impacts resulting from the plans presented in the DEIS and the FEIS.

Table 1:
Impact Comparison Between the DEIS and FEIS Plans

Impact Area	DEIS Plan Impact	FEIS Plan Impact
Total Area of Disturbance (acres)	20.62 on PCF	18.1 on PCF / 7.2 on PHC [1] Total = 25.3
Watercourse Disturbance	None	None
Town Watercourse Buffer Disturbance (acres)	0.5 on PCF	0.61 on PCF / 0.02 on PHC[2]
Impervious Surface Within the 300 ft NYCDEP Reservoir Limiting Distance (approximate acres)	0.05 on PCF	None
Steep Slope (25%) Disturbance (acres)	0.9 on PCF	0.3 on PCF / 1.9 on PHC [3] Total = 2.2
Cut/Fill Volumes (Cubic Yards)	105,000 / 73,000 on PCF	37,033 / 44,385 on PCF 20,835 / 30,538 on PHC[1]
Impervious Surface Area (acres)	7.24	6.7 on PCF / 2.1 on PHC [1] Total = 8.8
Access Road Length (approximate)	2,200 linear feet	2,100 linear feet
Number of Units in Single-Family Buildings	56	72 [4]
Number of Units in Single-Family Buildings	64	48
Total Number of Units	120	120

[1] Impacts reduced on the PCF site. Impact on the PHC site includes parking lot, access drive and additional stormwater treatment infrastructure required for impervious surfaces on the PHC parcel.
[2] Area of Town watercourse buffer disturbance increased on PCF to comply with the new NYSDEC general permit Chapter 10 phosphorus removal requirements. Area of Town watercourse buffer disturbance on PHC ios required to treat stormwater from parking and access road to new NYSDEC standards.
[3] Much of the steep slope disturbance on the PHC site would occur in areas recently constructed for during parking lot expansion work.
[4] Square footage of proposed single family units has be reduced from that proposed under the DEIS plan.

Project Conformance with the Town of Carmel Zoning Code

The proposed project, as designed, meets the Town of Carmel Zoning Code bulk and area requirements for a R (Residential) Zoning District. Multi-family dwellings for the elderly are allowed in the Residential District as a conditional use that requires a Special Exception Use Permit subject to approval by the Planning Board. Upon review of the project, the Planning Board referred the Applicant to the Zoning Board of Appeals (ZBA) for an interpretation regarding compliance with § 156-39.B (16) of the code which requires that the project "...site shall be within 2,500 feet of retail and service establishments at the time of its approval." On February 27, 2008, the ZBA determined that the Proposed Action, as designed, complies with this paragraph of the Town Zoning Code.

SEQRA Background

In accordance with SEQRA, this FEIS provides written responses to substantive and relevant comments on the DEIS received by the lead agency during the public review period, including

oral comments made at the September 12, 2007 Public Hearing. Complete copies of all written comments received on the DEIS are included in Appendix B. A transcript of the Public Hearing is provided in Appendix C.

During the course of the DEIS public comment period, the comment letters on the DEIS and listed in Table 1 were received from the New York City Department of Environmental Protection, the Putnam County Coalition to Preserve Open Space and the public

Table 2:
List of Letters Received on DEIS

Letter #	Author	Date
1	Marilyn Shanahan, Chief, SEQRA Coordination Section, The City of New York Department of Environmental Protection.	9/21/07
2	Ann Fanizzi, Chair, Putnam County Coalition to Preserve Open Space	10/12/07
3	Margaret Ross	Undated
4*	Ann Fanizzi, Chair, Putnam County Coalition to Preserve Open Space	10/11/06

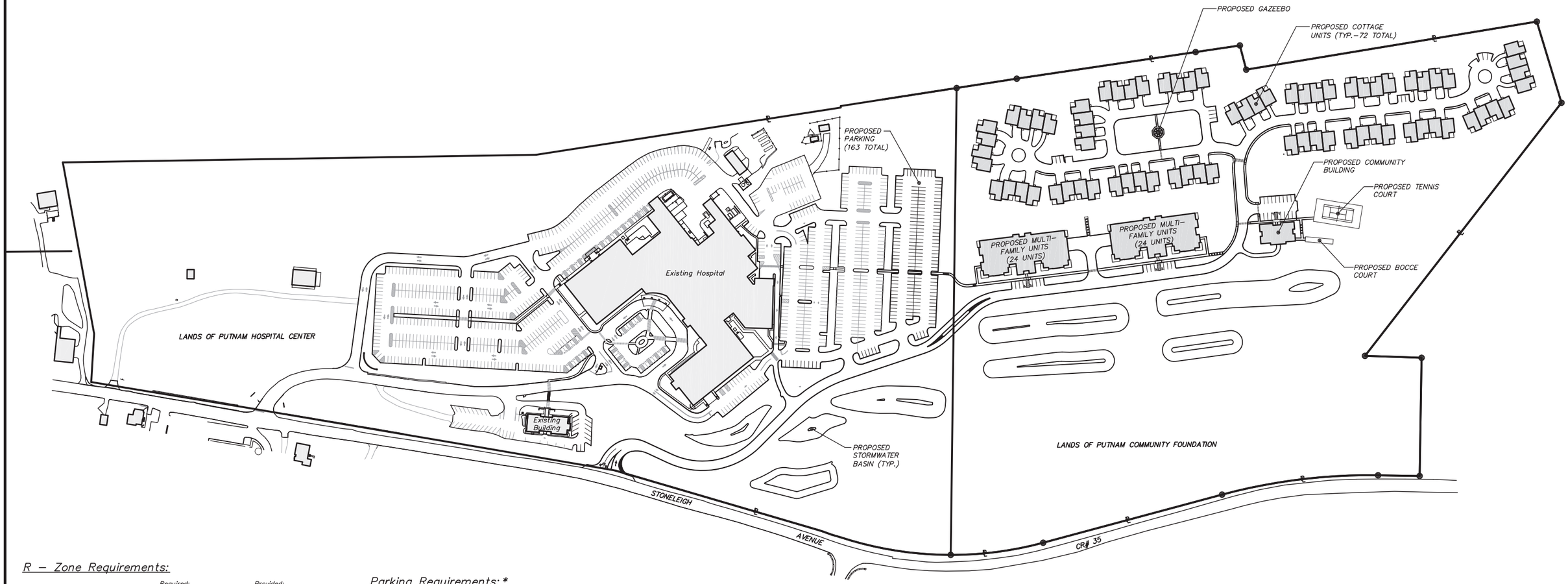
* This letter provides comments on the proposed Scoping Document not on the DEIS. However, it was provided to the Planning Board at the DEIS Public Hearing held on September 12, 2007 so a copy is included herein and the comments relevant to the information presented in the DEIS are addressed in this FEIS.

The FEIS is arranged in sections, with comment summaries and responses arranged by subject area similar to the DEIS. A comment summary, in some cases, may incorporate more than one individual comment on the same subject, followed by a response to that comment. The sources of each comment are referenced. The format of the comments and responses is as follows:

Comment # (Source): Comment summary text.

Response #: *Response text.*

Comment/response numbers follow the sequence and numbering of chapters in the DEIS.



R – Zone Requirements:

	Required:	Provided:
Min. Lot Area:	120,000 SF	1,536,611 SF ±
Min. Lot Width:	200'	1,170' ±
Min. Lot Depth:	200'	1,161' ±
Min. Yard Setbacks:		
Front:	40'	
Side:	25'	
Rear:	40'	
Max. Building Height:	35'	*
Max. Building Coverage:	15 %	*

* See Senior Citizens Multi–Family Dwellings Zoning Requirements below.

Senior Citizens Multi–Family Dwellings Zoning Requirements: *

	Required:	Provided:
Min. Lot Area	217,800 SF (5.0 AC)	1,536,611 SF ± (35.28 AC)
Min. Road Frontage	125'	1,544'
Max. Density (Units/Acre)	8	3.4
Max. Dwelling Units	150	120
Max. Building Coverage	35%	9%
Min. Property Line Setback	40'	>40'
Max. Building Height	40' / 2 stories	<40' / 2 stories
Min. Recreation Space	300 SF / unit	319 SF / unit

* Per section 156–39 of the Town of Carmel Zoning Code.

Parking Requirements: *

1.5 spaces per unit x 120 units	= 180 spaces
1 space per 200 sf x 4,480 sf (1 story community building)	= 23 spaces
Total spaces required	= 203 spaces
Total spaces Provided	= 245 spaces

* Per section 156–39 of the Town of Carmel Zoning Code.

Parking Distribution Table:

Multi–family housing units	70
Cottage units *	157*
Clubhouse	18
Total spaces provided	245

* 1 parking space in garage and 1 parking space in driveway of each unit.

Recreation Requirements:

1. Clubhouse Area: 10,000 SF
2. Community Green: (91' x 223') 20,300 SF
3. Active Recreation Area: (Tennis Court, Bocce Court) 8,000 SF

TOTAL RECREATION PROVIDED: 38,300 SF

TOTAL RECREATION REQUIRED: (300 SF/Unit x 120 Units) 36,000 SF

GRAPHIC SCALE

150 0 75 150 300 600

(IN FEET)

List of Drawings

DRAWING NO.	DRAWING NAME	SHEET
SP–1	Overall Site Plan	1
SP–2.1	Layout, Landscape, & Lighting Plan	2
SP–2.2	Layout, Landscape, & Lighting Plan	3
SP–3.1	Grading & Utilities Plan	4
SP–3.2	Grading & Utilities Plan	5
SP–4.1	Erosion Control & Phasing Plan	6
SP–4.2	Erosion Control & Phasing Plan	7
PR–1	Road Profiles	8
D–1	Site Details	9
D–2	Site Details	10
D–3	Site Details	11
D–4	Stormwater Pond Details	12
D–5	Stormwater Pond Details	13
D–6	Stormwater Pond Details	14

Figure I-1: Overall Site Plan

Putnam Community Foundation
Town of Carmel, Putnam County, New York
Source: Insite Engineering, Surveying & Landscape Architecture, P.C.
Revision Date: 08/08/08
Scale: As shown

File 06047 8/07/08
JS/06047

Tim Miller Associates, Inc.,10 North Street, Cold Spring, New York 10516 (845) 265-4400 Fax (845) 265-4418

1.0 EXECUTIVE SUMMARY

No comments were received on this Chapter.

2.0 PROJECT DESCRIPTION COMMENTS AND RESPONSES

Comment 2.0-1 (Ann Fanizzi, Public Hearing, September 12, 2007): Here we have an EAF that says 24 -- 22 acres will be deforested for the project.

> ***Response 2.0-1:*** *The EAF states that the approximate forested acreage will be reduced from 35.2 acres to 13.2 acres, a reduction of 22 acres. The DEIS reduces the area to be disturbed to approximately 21 acres. The area of disturbance under the modified FEIS plan totals 18.1 acres on the Putnam Community Foundation project site. An additional 7.2 acres would be disturbed on the Hospital Center site.*

Comment 2.0-2 (Ann Fanizzi, Public Hearing, September 12, 2007): Here we have an EAF that says that these 22 acres are going to be converted to impervious surfaces.

> ***Response 2.0-2:*** *The EAF states that 7.9 acres of impervious surface would be created. The DEIS reduces that area to approximately 7.24 acres of impervious surface. Under the revised plan the total area of impervious surfaces for the PCF parcel would remain at 7.2 acres, the PHC parcel would have 2.1 acres of additional impervious surfaces.*

Comment 2.0-3 (Letter #1, Marilyn Shanahan, DEP, September 21, 2007): Other factors to note regarding variances that may not specifically apply to the water quality impacts discussed herein are the facts that a variance applicant must demonstrate that compliance with the regulations would create a substantial hardship due to site constraints or limitations and that granting of variances is purely discretionary. The DEIS should more fully address these issues.

> ***Response 2.0-3:*** *The property location limits access to Stoneleigh Avenue; there are no other roads to which the project could connect. The entire frontage of the project site falls within the NYCDEP limiting distance from Croton Falls Reservoir. In an effort to minimize the amount of land disturbed in the limiting distance, eliminate impervious surface in the limiting distance, and maximize the distance to the reservoir stem on the site, the Applicant has worked with the Putnam Hospital Center to relocate the access road approximately 2,000 feet north of the original curb cut on Stoneleigh Avenue. The road would run through the Hospital property providing direct access to the Hospital emergency room and new parking fields on the southern portion of the property. As proposed, a variance would not be required for development within the limiting distance of the reservoir, reservoir stem or regulated watercourse.*

Comment 2.0-4 (Letter #1, Marilyn Shanahan, DEP, September 21, 2007): Appendix C. "Senior Housing Market Analysis" includes substantial discussion of the unavailability of housing units for seniors in Carmel and Putnam County. No reference is made to the number of age restricted housing projects that have recently been constructed, are currently under construction or are currently approved for construction in the area. Since the Watershed Regulations were promulgated in 1997, NYCDEP has approved a number of this type of housing project and others are currently under review. Among those approved (some of which are occupied or nearing completion) are Hughson Commons, Mahopac Hills, Stoneleigh Woods, Carmel Centre Senior Housing, and Stonecrest Senior Residence. Projects currently under review include Hillcrest Commons. It is recommended that the DEIS be revised to reflect the senior housing that will be available in the near future and its impact on the need for this action.

Response 2.0-4: *It is acknowledged that there are other senior housing projects, both existing and proposed, within the area as noted in the comment above. However, the limited number of senior rental housing options in the Town of Carmel influence seniors to move out of Carmel for nearby or bordering municipalities that have existing senior housing complexes, such as Danbury and Brookfield, Connecticut, and Somers and Fishkill, New York. This resultant loss of senior households in the Town of Carmel does not support the County's recommendations that highlight the need for respect of the county's Home Rule system; maintaining the county's population diversity, ecosystem, community values; and promoting citizen involvement, as set forth in Putnam County Vision 2010.*

The Market Analysis done for this project indicated that it would be necessary to capture only 1.2 percent of the age and income qualified households within Putnam County to fully occupy the proposed 120 units. The existing complexes that were noted in the Comment above were contacted to ascertain current availability. All indicated that they are fully occupied and there is a one to three year waiting list, depending upon the type of unit needed, in several of the complexes. This is further support to the hypothesis presented in the Market Analysis that there is a need for additional housing of the type proposed.

The following table was developed from the list of complexes named in the comment above, from discussions with the Town of Carmel Planning Department, and from the Concerned Residents of Southeast website www.crse.org/seniorhousing.html. More than 1,100 units are covered by the information in the table. Four of the complexes containing a total of 302 units are existing and, as noted, are fully occupied. Two complexes containing 411 units are under construction. There are three developments with a total of 450 units pending. While it may appear that the number of senior units proposed for the Town is substantial, the current occupancy rates in existing projects clearly indicate that there is additional, unmet demand. The waiting lists of up to three years for certain types of units further supports this hypothesis.

Table 2-1
Existing and Proposed Senior Complexes in the Town of Carmel

Complex Name	Address/Location	Number of Units	Status	Occupancy
Hughson Commons	130 Hughson Road, Carmel	94 senior units	Existing	Waiting List
Senior Housing at Mahopac Hills		48 senior units	Existing	Waiting List
Stoneleigh Woods	Stoneleigh Avenue, Carmel	68 condo units	Under Construction	NA
Carmel Centre Senior Housing (The Retreat)	Stoneleigh Avenue, Carmel	343 senior units	Under Construction	NA
Stonecrest Senior Residence		136 senior units	Existing	Waiting List
Hillcrest Commons	NY Route 52, Carmel & Kent	150 senior units	Pending	NA
Fairways Senior Residences	US Route 6, Carmel	150 senior units	Pending	NA
Gateway Summit	US Route 6, Carmel	150 senior units	Pending	NA
Glenida Senior Apartments	20 Glenida Court, Carmel	24 senior units	Existing	Waiting List

Notes: Senior Housing at Mahopac Hills and Glenida Senior Apartments are Putnam County Housing Corporation (PCHC) developments. PCHC reports that all their complexes are fully occupied and have a waiting list. Stonecrest and Hughson Commons are Wilder Balter developments.

The building permit data reported by the U.S. Census Bureau indicates that there has still not been any significant activity in the permitting of multifamily developments in Putnam County or Carmel. The market study reported on units permitted through 2006. A review of more recent permitting activity indicates that in 2007 only six units were permitted in the County in buildings of five or more family units. In the first four months of 2008, there have not been any multifamily units permitted in the County or in the Town. In Carmel, only six units were permitted in buildings of five or more units in 2007.

The indicated demand for senior units, shown both statistically by analysis and concretely in the vacancy rates, and the dearth of units coming online, as indicated by the lack of building permit activity, support the need for additional units as proposed by the applicant.

Comment 2.0-5 (Letter #1, Marilyn Shanahan, DEP, September 21, 2007): The DEIS fails to note that NYCDEP approval will be required for the proposed sewage system/sewage connection pursuant to Section 18-37(e) of the Rules and Regulations for the Protection from. Contamination, Degradation, and Pollution of the New York City Water Supply and its Sources (Watershed Rules and Regulations). The applicant should note this permit requirement.

Response 2.0-5: *Comment noted; the Applicant will apply for the required permit.*

N
W E
S

Site Property Boundary

Figure 2-1: Regional and Local Setting

The Putnam Community Foundation
Town of Carmel, Putnam County, New York
Source: USGS 7.5-minute Topographic Map, Lake Carmel Quad
Scale: 1" = 4,000'

File 06047 5/1/07
JS/06047

Tim Miller Associates, Inc.,10 North Street, Cold Spring, New York 10516 (845) 265-4400 Fax (845) 265-4418

3.1 SOILS AND TOPOGRAPHY COMMENTS AND RESPONSES

Comment 3.1-1 (Joann Henwood, Public Hearing, September 12, 2007): I've been home during the times when we had a lot of blasting, that has been ongoing with all of these ongoing projects. And during that time a lot of building have been shaking. I read in the paper over the last week that one of the areas where the blasting was going on, they do have cracks in the foundation. And I have a real concern that no one really has checked on our foundations. I don't know who is legally responsible when those situations. We were not told about any of the blasting going on at that time either. but the blasting that occurred was in November of last year, November 2006.

> ***Response 3.1-1:*** *As stated in the DEIS, blasting is not anticipated during the construction of the Proposed Action.*

Comment 3.1-2 (Ann Fanizzi, Public Hearing, September 12, 2007): Here we have an EAF that absolutely says that 30 percent of the construction is going to be occurring on steep slopes.

> ***Response 3.1-2:*** *The EAF stated that 30 percent of the project site (35.3 acres) contains slopes 15 percent or greater. The DEIS, on the other hand, quantifies the area of disturbance, which is three acres on slopes between 15 percent and 25 percent and 0.9 acres of disturbance to slopes in excess of 25 percent. The revised plan proposes 0.3 acres of disturbance to slopes in excess of 25 percent for the PCF parcel and 1.9 acres for the PHC parcel.*

Comment 3.1-3 (Letter #1, Marilyn Shanahan, DEP, September 21, 2007): Steep slopes and erosive soils found on the site are discussed in various sections relating to soils and topography (sections 1.3.1, 2.5 and 3.1). However, very little emphasis is put on the fact that these conditions are immediately across the street from the Croton Falls Reservoir. While disturbance on the steep slopes is minimal compared to the amount of disturbance that will take place in the flatter areas that are somewhat further from the reservoir, the disturbance on steep slopes having erosive soils immediately across the street and hydrologically connected to the reservoir through drainage culverts should be emphasized in the DEIS. Emphasis should be given to the location of these steep slopes and erosive soils relative to the reservoir and their hydrologic connection through existing (and proposed) drainage structures. Based on the tables in section 3.0, about 40% of the steeply sloping areas with erosive soil areas will be disturbed for construction. These are all closely connected to Croton Falls Reservoir through the existing culvert system in Stoneleigh Avenue. Additional information is necessary to demonstrate that these areas can be developed without impacts to the reservoir.

> ***Response 3.1-3:*** *The modified plan presented herein has further reduced the area of impact on steep slopes for the PCF parcel to 0.3 acres down from 0.9 acres associated with the DEIS plan. This was accomplished by relocating the access drive to a point outside of the NYCDEP limiting distance. The disturbance of 40 percent of the steeply sloping areas with erosive soil on the project site has been reduced to 1.4 percent.*
>
> *In addition, the permitting required from the NYCDEP and the NYSDEC would include the approval of the site specific Erosion and Sediment Control Plans as a part of the overall Stormwater Pollution Prevention Plan (SWPPP) and the construction documents. Proposed erosion and sediment control practices would need to address*

the heightened potential for erosion on the disturbed steep slopes due to the soil types. It is noted that the majority of the disturbances on the steeper slopes are due to NYCDEP requirements for multiple stormwater management facilities the proposed access drive.

Comment 3.1-4 (Letter #1, Marilyn Shanahan, DEP, September 21, 2007): The section notes that there will be an excess of cut material from the proposed project and states that "if the excess material cannot be used onsite the resulting 32,000 CY of excess material would be removed from the site and transported...". Onsite areas designated to receive excess material must be identified and the associated impacts with additional clearing and grubbing, possibly on steep slopes or close to watercourses, should be fully addressed and mitigated.

Response 3.1-4: *There are no areas identified outside the proposed area of disturbance depicted on the attached plans where excess materials are proposed to be deposited; all excess material will be placed within the limits of disturbance until used or conveyed off of the project site. The intent of the text from the DEIS noted in the comment was to identify a potential impact related to the trucking of excess material off-site should the final grading plans not be able to incorporate the excess material. Clearing and grubbing is not proposed beyond that noted on the plans. The revised plan will not have any excess material generated; approximately 17,000 CY of materials (approximately 10,000 CY on the PHC property and roughly 7,000 CY for the PCF project site) will be needed for the full construction between the two parcels.*

In response to this and other concerns raised regarding impacts within the limiting distance of the reservoir, the Applicant worked with the neighboring property owner (PHC) to develop a plan that would mitigate these impacts. The modified plan eliminates proposed disturbance and impervious surface within the reservoir limiting distance, provides the PHC the opportunity to develop a much needed Emergency Room access road and additional parking while reducing the amount of excess material to be generated from the proposed senior housing development.

Comment 3.1-5 (Letter #1, Marilyn Shanahan, DEP, September 21, 2007): An erosion and sediment control drawing is included as Figure 3.1-5, This drawing will require substantial revision before mitigation of construction impacts can be demonstrated. For instance, the initial staging area is in the vicinity of a future detention basin along Stoneleigh Avenue. The area is very steep, having slopes over 20%. In addition, it is immediately upslope of a culvert carrying runoff into Croton Falls Reservoir. The alignment of the temporary haul road from this area extends uphill through areas that are sloped on the order of 40%.

Response 3.1-5: *Comment noted; access to the site through the area noted in the comment is no longer proposed. Refer to Responses 3.1-3 , 3.1-5 and FEIS Figure I-1.*

Comment 3.1-6 (Letter #1, Marilyn Shanahan, DEP, September 21, 2007): Impacts of dewatering excavations or groundwater leaching from cut sections should be fully addressed in the DEIS. In addition, construction during freeze/thaw conditions should also be addressed.

Response 3.1-6: *Should construction operations require dewatering or activities associated with groundwater seepage, impacts would be fully mitigated through the site specific Erosion and Sediment Control plans and the SWPPP. These documents*

through the SPDES permit and the NYCDEP regulations are dynamic in that they are to be modified as needed throughout the construction phase to address circumstances that may arise. Required erosion and sediment control inspections conducted by both the Applicant and the NYCDEP would act to additionally mitigate the potential for sediment laden waters to be discharged off-site. All on-site discharges, whether dewatering or associated with thaw events, would be directed to sediment basins for settling before being discharged off-site. Also refer to Response 3.1-3.

3.2 TERRESTRIAL AND AQUATIC ECOLOGY COMMENTS AND RESPONSES

Comment 3.2-1 (Joann Henwood, Public Hearing, September 12, 2007): I have seen wolfs that are running in our backyards, up to our backdoors, and this is also impacting the wildlife. Wolves, yes, and red foxes.

> ***Response 3.2-1:*** *As stated in the DEIS, some wildlife would be displaced by the construction of the proposed project. Some of the displaced wildlife would relocate to adjoining areas or other property in the region that meet their habitat requirements. Other wildlife would continue to use acceptable habitat on-site in the areas that will remain undisturbed by the project. Upon completion of the project, a large block of forest habitat would remain in the northwest and the stormwater basins would offer new wetland and transitional/edge wildlife habitat. The DEIS notes that there would be a loss of wildlife habitat with the build out of this project.*
>
> *It should be noted that there are no wolves know to inhabit the area.*

Comment 3.2-2 (Letter # 3, Margaret Ross): With all the building going on along Stoneleigh Avenue what is happening to our environment? Where are all the wild life species going?

> ***Response 3.2-2:*** *Refer to Response 3.2-1.*

Comment 3.2-3 (Letter # 4, Ann Fanizzi, October 11, 2006): There are further significant issues, among them the lack of data on disturbance of wildlife habitat, possible presence of endangered species that need to be presented.

> ***Response 3.2-3:*** *Disturbance to wildlife habitat resulting from the Proposed Action was addressed in detail in the DEIS Chapter 3.2 Terrestrial and Aquatic Ecology. Potential impacts to protected species identified by both the New York State Department of Environmental Conservation (NYSDEC) Natural Heritage Program (NHP) and the US Fish and Wildlife Service as possibly occurring on or in the vicinity of the project site were also documented in this DEIS chapter.*
>
> *The NYSDEC NHP recommends that a request for a threatened and endangered species database check is made once per year. As such, the NHP was contacted and their most recent response letter dated May 29, 2008 is contained in Appendix A herein. This time the database query yielded only one record, that for the vascular plant large twayblade. The Eastern small-footed bat, documented in the March 6, 2006 letter was not identified as being on or in the vicinity of the project site by the State during the most recent database search. As documented in the DEIS, the project site was surveyed for the presence of both species; none were found.*

3.3 WATER RESOURCES COMMENTS AND RESPONSES

3.3.1 Introduction

Relocation of the proposed access drive in order to reduce and offset potential impacts that may result from the project required that the NYCDEP visit the PHC parcel to determine if regulated watercourses are present. Three additional east to west flowing reservoir stems were identified and flagged on the PHC property by NYCDEP. These watercourses are depicted on Drawing SP-2.1 in the attached Drawing Set. The NYCDEP regulates New York City water supply reservoirs under the Rules and Regulations for the Protection from Contamination, Degradation and Pollution of the New York City Water Supply and its Sources, May 1997 (Watershed Regulations). The regulated boundaries of this resource include reservoir stems, defined as any watercourse segment which is tributary to a reservoir and lies within 500 feet or less of the reservoir. The portion of this stream that lies within 500 feet of the reservoir requires a 300 foot buffer (referred to as a limiting distance) within which impervious surfaces are prohibited.

The new hospital parking field and the shared access drive have been designed to fall outside of the City's impervious restriction zone of 300 feet.

The noted watercourses are additionally regulated by the Town of Carmel pursuant to Chapter 89 of the Town Code. The Town regulates all activities within 100 feet of the watercourse, referred to as the adjacent area. Potential grading activities within this 100 foot Town regulated buffer area for the development of proposed stormwater management facilities would require an application for permit for these disturbances.

Comment 3.3-1 (Margaret Ross, Public Hearing, September 12, 2007): And what is being done about the environment, the runoff into the reservoir.

> ***Response 3.3-1:*** *The Proposed Action is regulated by both the NYSDEC and NYCDEP. Permitting is required for stormwater discharges, as such the agencies would review and have approval over the site specific Erosion and Sediment Control Plans as a part of a Stormwater Pollution Prevention Plan prior to construction. Once built, all stormwater would be routed through stormwater basins to reduce pollutant loads. In accordance with Chapter 10 of the NYSDEC Stormwater Management Design Manual; (the "manual") Enhanced Phosphorus Removal, multiple micropool extended detention ponds are proposed on site in series to provide for runoff detention and water quality treatment. The pollutant loading analysis provided in the Stormwater Pollution Prevention Plan (SWPPP) identifies that the post-developed mean concentration of total phosphorous would be less than, in consideration of adjunct treatments, the pre-developed condition thereby enhancing the existing water quality discharges to the reservoir.*
>
> *A copy of the SWPPP is contained in Appendix D of this FEIS.*

Comment 3.3-2 (Ann Fanizzi, Public Hearing, September 12, 2007): Now, this is so bad, so bad, because this particular development impacts the Croton Falls Reservoir, a reservoir that now the DEP is looking into, and deforesting land and so forth, that is declared to be phosphorous impaired.

> ***Response 3.3-2:*** *As noted, the estimated phosphorous loads from the entire proposed development site would be less than pre-construction loads. Under the mean estimate, the total annual post construction load of TP, as shown in the SWPPP , would decrease*

by 0.05 lbs (0.02 kg). These quantities are taken from the SWPPP as the conservative model which does not consider adjunct treatments such as lawn and wooded filter strips and catch basin sumps which are included in the proposed plan. The adjuncts would further reduce the total phosphorus loads discharging off-site.

Comment 3.3-3 (Letter #1, Marilyn Shanahan, DEP, September 21, 2007): It appears that the document does not fully convey the importance of impacts to Croton Falls Reservoir by failing to stress the proximity of the proposed action to the reservoir and by failing to note that runoff from the site is currently conveyed to Croton Falls reservoir via culverts under Stoneleigh Avenue. Both during and after construction, these culverts will provide a means by which turbid or pollutant laden water could be conveyed directly to the reservoir in a very short time if adequate protective measures are not implemented. The DEIS should be revised to adequately address concerns regarding the proximity to the reservoir.

Response 3.3-3: *It is noted that the proximity to the Croton Falls Reservoir increases the importance of designing and implementing adequate stormwater management practices. The Applicant has considered this further and modified the project to extend the distance between the reservoir stem and the nearest impervious surfaces from roughly 290 feet to greater than 300 feet. The NYSDEC and the NYCDEP would review and comment on the proposed practices before the Project would receive final approvals and permits. The Applicant has no objection to implementing practices that are preferred by the NYCDEP due to the project site's proximity to the reservoir.*

The closest dwelling unit is proposed to be at a distance from the reservoir that is greater than the adjacent Hospital Center. There are approximately six culverts that convey runoff underneath Stoneleigh Avenue in the area of the project. All storm flow is proposed to be captured for detention and treatment in multiple stormwater ponds arranged in series as requested by the NYCDEP before being released under control to these culverts to prevent turbid and pollutant laden waters of higher concentrations from reaching the reservoir.

Comment 3.3-4 (Letter #1, Marilyn Shanahan, DEP, September 21, 2007): The document states that the Croton Falls Reservoirs is part of the Croton Water Supply System which provides only 10% of New York City's drinking water. In fact, the Croton Falls Reservoir is considered part of the Delaware Water Supply System as water can be pumped from this reservoir into the Delaware Aqueduct. The Delaware System provides about 90% of New York City's drinking water and will remain unfiltered under the latest Filtration Avoidance Determination. As such maintenance of water quality in this area is a high priority to NYCDEP.

Response 3.3-4: *The high priority of water quality in the Croton Falls Reservoir is noted. The Applicant's SWPPP was developed in accordance with GP-0-08-001 and Chapter 10, Enhance Phosphorus Removal, from the manual. The stormwater management plan incorporates vegetated filter strips and multiple ponds in series. The ponds are designed to detain stormwater and provide for water quality treatment prior discharge off site as requested by the NYCDEP. As documented in the revised SWPPP, Appendix D, the SWPPP incorporates the needed and appropriate practices for enhanced phosphorous removal.*

Comment 3.3-5 (Letter #1, Marilyn Shanahan, DEP, September 21, 2007): As noted in the DEIS, the project will require a variance from the Watershed Regulations to construct new impervious surfaces within 300 feet of Croton Falls Reservoir. However, while the DEIS discusses the variance application that would need to be submitted to NYCDEP, the document

does not fully discuss or assess the impacts associated with adding impervious surfaces within the limiting distance to the reservoir or measures proposed to mitigate the addition of these impervious surfaces.

Response 3.3-5: *The revised site plan has relocated the access drive outside of the regulated limiting distances. There are no longer any proposed impervious surfaces located within the 300 foot reservoir stem limiting distance.*

Comment 3.3-6 (Letter #1, Marilyn Shanahan, DEP, September 21, 2007): In fact, no measures are proposed to mitigate the impacts of the impervious surfaces within the limiting distances at all. Runoff from these impervious surfaces will be conveyed directly to the reservoir without mitigation via the existing culvert in the vicinity. Granting of variances is not simply an administrative process. Among other things, an applicant must demonstrate mitigation that is as protective of the water supply of the regulation that cannot be met.

Response 3.3-6: *Refer to response 3.3-5. There is a very minor segment of the proposed access drive where stormwater flow is unable to be directed to the stormwater management basins for treatment. This area would be treated by a proprietary subsurface stormwater filter facility that meets the NYSDEC requirements and therefore complies with the new enhanced phosphorous removal requirements.*

Comment 3.3-7 (Letter #1, Marilyn Shanahan, DEP, September 21, 2007): The 300 foot limiting distance was established in the Watershed Regulations to address particular impacts to water quality. These must be addressed in the DEIS.

Response 3.3-7: *Comment noted. The Applicant proposes multiple water quality basins in series to treat the majority of the runoff from the impervious surfaces proposed. The Proposed Action no longer would result in the construction of any impervious surfaces within the 300 foot reservoir stem limiting distance. The proposed basins in series would each remove a percentage of the pollutant concentration, with a smaller residual concentration entering into each subsequent basin prior to being discharged off-site.*

Comment 3.3-8 (Letter #1, Marilyn Shanahan, DEP, September 21, 2007): The document states in several places that NYCDEP's authority to review and approve SPPPs is the result of an agreement with NYSDEC. This is not the case. NYCDEP has review and approval authority independent of NYSDEC under the Watershed Regulations which were promulgated pursuant to public health law. The document must be revised throughout for accuracy throughout.

Response 3.3-8: *Comment noted.*

Comment 3.3-9 (Letter #1, Marilyn Shanahan, DEP, September 21, 2007): As noted above, this section briefly refers to the proximity of the Croton Falls Reservoir to the project site, and discusses the relative small percent of the watershed that the project site occupies. Emphasis must be given to the importance of maintaining the water quality in the reservoir.

Response 3.3-9: *Refer to responses 3.3-3 and 3.3-4.*

Comment 3.3-10 (Letter #1, Marilyn Shanahan, DEP, September 21, 2007): Both this section and the SPPP to which it refers (Appendix D) note that the stormwater analysis was conducted along a 'design line' encompassing the section of the Croton Falls Reservoir shoreline immediately downhill of the site. Since stormwater flows to the reservoir through two distinct conveyances - the watercourse flowing through a culvert roughly in the middle of the frontage and a

culvert conveying runoff at the south end of the site - it is recommended that the analysis be revised to analyze the localized changes at these two distinct points. In this way relative impacts of diverting stormwater volumes, peaks and pollutant transport can be more clearly analyzed.

Response 3.3-10: *The stormwater model has been revised based on the modified project and now utilizes three design points and two design lines.*

Comment 3.3-11 (Letter #1, Marilyn Shanahan, DEP, September 21, 2007): The section refers to the source of flow in the watercourse identified onsite as "sheet flow". This is not entirely correct. While the watercourse does convey a significant amount of surface runoff, it also has groundwater seepage as a source. This is part of the reason it is considered a watercourse under the Watershed Regulations.

Response 3.3-11: *At the time of the site visits conducted by the Applicant's consultants, groundwater seepage was not observed by the field personnel. However, groundwater could contribute to water flow within some or all of the regulated watercourses at certain times of the year.*

Comment 3.3-12 (Letter #1, Marilyn Shanahan, DEP, September 21, 2007): The stormwater analysis shows that peak flows are maintained or reduced for the post development condition. Review of the SPPP indicates that although the peaks are reduced, the volume is discharged over such a long period of time that stormwater management basins are not likely to adequately drain before the next rainfall event during wetter seasons. The long drainage period is also associated with elevated temperatures in the discharge. These impacts must be addressed in the document.

Response 3.3-12: *The stormwater volume is released over a period of time to reduce peak discharges and to allow for water quality treatment with extended detention as required by NYSDEC and NYCDEP. It is agreed that, should multiple significant rain events be stacked upon one another, the ponds may not drain down to the permanent pond elevation in between. Regardless, in the scenario offered in the comment, the peak discharges would always remain within the appropriate parameters and the pollutant load in the system would diminish over time. In order for thermal impacts to be realized within the stormwater ponds, the water would need to be stagnant, or retained over a long period of time. Large and multiple storm events would create a continual inflow and outflow condition. Extended detention of the water quality volume would be over a 24 hour period; this period would include both a rising temperature phase (daytime) and a cooling phase (overnight). Any minor increase in temperature due to the extended detention would not be realized as a significant impact when discharged to the Croton Falls Reservoir.*

Comment 3.3-13 (Letter #1, Marilyn Shanahan, DEP, September 21, 2007): Changes in volume of stormwater runoff must be fully addressed in the DEIS and avoided or mitigated to the extent practicable.

Response 3.3-13: Increases in impervious surfaces results in increases in stormwater volumes; this can not be avoided. Soil erosion impacts associated with increased runoff volume are generally related to flooding. The increase in volume with this project would have a negligible increase in the elevation of the Croton Falls Reservoir, which is mechanically adjusted by the NYCDEP.

The site was evaluated and found that it does not have suitable soils needed for infiltration. It is anticipated that with the completion of the project the 100 year storm event will discharge an additional three acre feet of stormwater runoff. With the reservoir being approximately 1,024 acres in size, the resulting change in elevation would be three thousands of an inch for the 100 year storm event. Refer to the SWPPP Appendix for details on runoff volume associated with this project site.

Comment 3.3-14 (Letter #1, Marilyn Shanahan, DEP, September 21, 2007): The section includes a relatively long discussion of Phosphorus TMDL limitations for Croton Falls Reservoir, but does not discuss whether or not the project can address the issues of phosphorus reduction other than to note that adjunct practices are proposed to increase the pollutant reduction from the site post-development. This may demonstrate the phosphorus loading can be reduced to roughly predevelopment conditions, but it does not address TMDL issues. The section must be revised for clarity. The applicant should clearly identify any actions proposed regarding TMDL mandates for the reservoir.

Response 3.3-14: *Refer to response 3.3-2.*

According to the NYSDEC GP-0-08-001 FACT SHEET (Fact Sheet), in the New York City Watershed East of the Hudson (EoH Watershed), the stormwater controls contained in GP-0-08-001 are based, in large part, on recommendations from the Center for Watershed Protection (CWP) report entitled 'Recommendations for Developing an NPDES Phase II Stormwater General Permit for Municipal Separate Storm Sewer Systems in the East of Hudson Watershed'. The Fact Sheet notes that the CWP report recognizes the EoH Watershed "is among the most sensitive watersheds in New York State that supplies drinking water to millions of people, but at the same time experiences substantial development pressure." The Fact Sheet further notes that conditions in the EoH Watershed warrant practices that prevent, and reduce, phosphorus contributions to the entire watershed and that "because the needed reductions will be so difficult to attain and because protection of drinking water is at the top of the environmental protection hierarchy, the conditions that apply in the EoH Watershed are the most rigorous to be included in GP-0-08-001."

The SWPPP must, according to the Fact Sheet, "include post-construction stormwater management practices designed in conformance with the Enhanced Phosphorus Removal Design Criteria included in the current Manual, or the most current version or its successor." According to the Manual, enhanced phosphorus treatment specifically refers to a measurable, significant improvement in phosphorus treatment performance over the design methodology and associated design criteria included in the August 2003 Manual.

The revised SWPPP was prepared in accordance with SPDES GP-0-08-001 and Chapter 10 of the Manual, Enhanced Phosphorus Removal and, as such, would comply with all regulations and requirements. The Applicant is tasked with not creating additional phosphorus loads, which is accomplished through adherence to the Manual.

The Applicant notes that the stormwater treatment practices specified in the SWPPP for the project are expected to achieve better than the calculated phosphorus 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 the proposed ponds 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.

As a NYSDEC regulated Municipal Separate Storm Sewer System (MS4), the Town of Carmel, like other MS4s in the Croton Falls Watershed, is obligated to reduce current phosphorous loading to achieve the East Branch Reservoir TMDL. A program for achieving phosphorous reductions has been established in the NYSDEC Interim document entitled New York City Watershed Croton Reservoir System Phase II Phosphorous TMDL Non-point Source Implementation Plan (TMDL Implementation Plan). The TMDL Implementation Plan states that, for simplicity and ease of local government administration, the plan is largely structured to use existing programs to achieve phosphorous reductions. Applicable to the Croton Falls Reservoir, these programs include:

- *Putnam County Croton Plan;*
- *NYCDEP Croton Strategy; and,*
- *NYCDEP East of Hudson Water Quality Investment Funds, including the Putnam County Septic Repair Program.*

As specified in the TMDL Implementation Plan, NYSDEC "remains committed to the development of a final implementation plan." Further, according to NYSDEC "the timing of the final implementation plan will depend on the findings and completion of Croton Planning in Putnam and Westchester Counties, as well as the implementation of Phase II Stormwater Regulations and continued monitoring in the Croton Watershed."

The Putnam Community Foundation Senior Housing Development project is consistent with the TMDL Implementation Plan and applicable portions of the above-cited programs. Further, based on the effectiveness of the proposed SWPPP in reducing post-construction increases in phosphorous, the Applicant believes the project will not impact the Town of Carmel's ability to achieve the established TMDL.

The Applicant notes that the specific goal of the TMDL Implementation Plan, which was prepared in accordance with the January 1997 New York City Watershed Memorandum of Agreement, and Section 303(d) of the Clean Water Act, is to reduce the phosphorus concentration in the eight reservoirs, including the Croton Falls, listed in the Phase II Phosphorus TMDL as needing further phosphorus reduction than will be achieved by the wastewater treatment plant upgrades required by the Watershed Regulations.

According to NYSDEC, a substantial part of the TMDL Implementation Plan relies on the Stormwater Management Plans (SWMPs) that MS4 operators were required to develop pursuant to GP-02-02. The Applicant notes that NYSDEC issued SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s) GP-0-08-002 in April, 2008, and that the permit became effective on May 1, 2008. GP-0-08-002 replaces GP-02-02 and also imposes the requirement for MS4s to achieve significant reductions in current phosphorous loads to the reservoirs. Like GP-02-02, GP-0-08-002 applies to each municipality within the East of Hudson portion of the New York City watershed, including the Town of Carmel, which have been designated as

MS4s. The plan also relies on non-point source projects selected by Putnam County and NYCDEP, and supported by NYCDEP East-of-Hudson Water Quality Investment Funds. To further help meet the TMDL, the plan also includes tasks to reduce phosphorus from agriculture, sanitary collection systems, and fertilizer use, and other phosphorus source controls.

In addition to the Implementation Plan, NYSDEC has developed heightened requirements for the MS4s in the East of Hudson Watershed that, if the MS4s implemented as part of their SWMPs, they were presumed to be in compliance with the TMDL Strategy requirements in Part III.B.2 of GP-02-02. Part III.B.2 required that an MS4 with discharges to an approved TMDL water body, such as the Croton Falls, that is not meeting the TMDL stormwater (load) allocations to modify its SWMP to ensure that the reduction of the phosphorous is achieved. The MS4 permit requires that modifications to the SWMP be considered for each of the six minimum measures established in GP-02-02.

Discussions with NYSDEC during January, 2007, revealed that the Implementation Plan has not been formally adopted.

The Applicant has developed the SWPPP for the proposed action pursuant to the requirements of New York City's Watershed Regulations, which incorporates GP-93-06 by reference, and with GP-0-08-001. The SWPPP contains proposed activities that, when implemented, will reduce post-construction increases in phosphorus loading in stormwater discharged from the developed site. Using accepted phosphorus loading rates, it is expected that post-construction annual phosphorus loading from the entire project area will not be substantially different than pre-construction loading. The SWPPP has been designed to include redundant primary stormwater treatment practices in series as well as the use of stormwater treatment adjuncts. Based upon the designs of the measures in the SWPPP, it is expected that pollutant removal rates will be at the high end of the accepted range, and that any increases in post-construction phosphorous loading will be controlled to the fullest extent attainable.

As noted, NYSDEC has been assigned responsibility by the United States Environmental Protection Agency for implementing the TMDL program and achieving the necessary nonpoint reductions in phosphorus. NYSDEC will determine if an Individual Stormwater Permit is required. If so, the Applicant will apply for one. Otherwise, the Applicant will seek coverage under GP-0-08-001 by filing a Notice of Intent, the SWPPP in its final form, and the required supporting documents. In any event, the elements of the required SWPPP, and its goal of reducing post-construction increases in pollutant loading to pre-construction levels (rather than reducing pre-construction phosphorous loads through retrofitting), are identical. The Applicant notes that an Individual Permit does not impose any greater demands on the performance of an SWPPP than does coverage under the GP-0-08-001.

As also noted, NYSDEC, not the Applicant, is required by the USEPA to implement the TMDL program by achieving reductions in existing nonpoint loads of phosphorous that enter certain waters of the State. Nonetheless, the Applicant has prepared a SWPPP that will, through proposed construction phasing and other means, reduce post-construction increases in phosphorous loading in stormwater from the project site. The proposed means of reducing post-construction increases in phosphorous are

included in the SWPPP found in Appendix D of this FEIS. To control potential increases in phosphorous loading associated with sedimentation during construction, the phasing plan limits disturbed areas to five acres on the project site in accordance with GP-0-08-001 and GP-93-06. The Applicant welcomes input from the State's technical experts, through the Town of Carmel Planning Board, and will determine if an individual SPDES Permit is required for the stormwater discharge from the proposed action through ongoing discussions with NYSDEC.

Comment 3.3-15 (Letter #1, Marilyn Shanahan, DEP, September 21, 2007): Low Impact Development (LID) measures are discussed, but it is unclear from the documentation provided exactly which measures are proposed and how significant they will be in providing source control. The locations and extend of buffer strips, grass swales, rainwater reuse, infiltration, etc. must be provided to demonstrate that the measures are feasible for the project and that a sufficient amount of the practices will be employed to be effective. It is recommended that a table be provided listing locations and dimensions of each proposed LID practice.

Response 3.3-15: *LID measures are proposed to be incorporated into the final design of the project. The various LID practices were not included in the stormwater model, offering a more conservative approach. Any degree of LID practice utilization would therefore further reduce the impact as described in the project's SWPPP.*

Comment 3.3-16 (Letter #1, Marilyn Shanahan, DEP, September 21, 2007): In order to reduce potential adverse impacts from stormwater runoff, the applicant intends to reduce the use of road salt, use no phosphorus fertilizers for landscape maintenance, and install porous pavers in some areas of the site. The FEIS should clearly indicate how these measures will be legally enforced in perpetuity.

Response 3.3-16: *The measures proposed to mitigate potential project impacts, such as reduced use of road salt and use of non-phosphorus fertilizers for landscape maintenance will be legally enforced by including them as an operation and maintenance note/condition on the final site plans.*

Comment 3.3-17 (Letter # 3, Margaret Ross): With the addition of 120 homes where will the run off go?

Response 3.3-17: *The Croton Falls Reservoir would receive all runoff from the project site. Impervious portions of the Property would be routed through stormwater management facilities for water quality treatment before being discharged off-site. Refer to the updated SWPPP for the Proposed Action included in Appendix D herein.*

Comment 3.3-18 (Letter # 3, Margaret Ross,): Will all the salt that will be used on the roads in the winter end up in the reservoir so polluting the water even more than it is now?

Response 3.3-18: *Refer to response 3.3-16. Application of road salt would follow strict guidelines in accordance with the State of New York, Office of the Attorney General memo regarding Scientific Guidance on Lower-Phosphorus Roadway De-icers. Road deicing agents (i.e. salt) would be stored at the maintenance contractor's facility or elsewhere off-site."*

Comment 3.3-19 (Letter # 4, Ann Fanizzi, October 11, 2006): The proposed senior housing development will be located not 300 ft from the Croton Falls Reservoir, designated by the

Department of Environmental Protection Agency as one of the most phosphorous-impaired and in times of drought a significant replacement for the Catskill/Delaware system which provides 90% of water to 9 million New York City inhabitants and yet, a 2,500 ft linear road is contemplated as an access to the project; 30% of construction on slopes exceeding 15% and 22 acres will be deforested and "converted to impervious surfaces and landscaped acres," further compounding the problem of nutrient loading. On this basis alone, the project should be rejected without further comment.

Response 3.3-19: *The Proposed Action has been designed with the sensitivity of the Croton Reservoir System noted. The revised access drive layout has increased the minimum distance to the reservoir stem buffer from 290 feet to more than 300 feet. The Project incorporates multiple stormwater treatment facilities and proposed restrictions and or regulations on pesticides, fertilizers and deicing salts. The project is subject to SEQRA review and approval from the NYCDEP with regard to potential impacts on the reservoir system. The SWPPP includes measures as recommended, and required by the NYCDEP and the NYSDEC. As documented in the revised SWPPP, Appendix D, the SWPPP incorporates the needed and appropriate practices for enhanced phosphorous removal.*

3.4 ZONING AND SURROUNDING LAND USE COMMENTS AND RESPONSES

Comment 3.4-1 (Michael Carnazza, Public Hearing, September 12, 2007): As I said, there's ongoing comments about the retail sales and services within 2500 feet of the site, a variance is required or an interpretation of the zoning board of appeals.

> ***Response 3.4-1:*** *The Town of Carmel Zoning Code states, in Section 156-39. Senior citizens multifamily dwellings. [Added 5-31-1984; amended 10-21-1998 by L.L. No. 9-1998, in part "The site shall be within 2,500 feet of retail and service establishments at the time of its approval." On February 27, 2008, the ZBA determined that the Proposed Action, as designed, complies with this paragraph of the Town Zoning Code.*

Comment 3.4-2 (Gregory L. Folchetti, Public Hearing, September 12, 2007): So my understanding or I would understand it would be referred to the zoning board for further interpretation or for a variance, as the case may be.

> ***Response 3.4-2:*** *Refer to response 3.4-1.*

Comment 3.4-3 (Ann Fanizzi, Public Hearing, September 12, 2007): This is a project that is not only violative of the environment, of the quality of life of every single resident, but it is against the law. I have here, 1998, a law that was passed in 1998 that says that multifamily senior housing shall be 2,500 feet away from retail. May I ask where is the retail?

> ***Response 3.4-3:*** *The Putnam Hospital Center offers retail sales as a part of its operations. Additionally, both the Hospital and the medical offices located at the "Barn" offer medical services. Further, Manassa Window Fashions, a commercial use, is located just southwest of Drewville Road and Stoneleigh Avenue Intersection. With the aforementioned retail and service uses, the ZBA determined that the section of the code requiring such within 2500 feet is met.*

Comment 3.4-4 (Letter #2, Ann Fanizzi, October 12, 2007): In light of the applicant's stated advocacy for open space and the intense development now occurring along Stoneleigh Avenue necessitating infrastructure changes, Putnam Hospital's considerable expansion, the construction of Countyscapes, and the glut of senior housing development in the Hamlet, I countered that the land should be kept as open space in perpetuity. This was not a recommendation made frivolously but must seriously in light of the factors that I enumerated in the previous sentences.

> ***Response 3.4-4:*** *As stated in the DEIS "From a land use perspective, the proposed senior housing project is expected to be compatible with surrounding development. With an overall density of approximately one-third acre per senior unit, the proposed senior housing would be of similar density to most of the existing multi-family residential development located to the north of the subject site, which are developed on one-quarter acre lots. There are no abutting land uses that would experience operational impacts from the development of the project site as proposed." The no-build alternative, as inferred in the comment above "would not be consistent with the Applicant's goals or with the Town's zoning and not compatible with "Putnam County Vision 2010" as previously stated in the DEIS.*

Given the allowable uses permitted under local zoning, the No-Build Alternative would only be viable if either a government agency, the Town of Carmel with funding from the NYCDEP (or other agency, organization, etc.) or a conservation organization were to purchase the property for permanent open space protection and compensate the property owner accordingly.

Comment 3.4-5 (Letter #2, Ann Fanizzi, October 11, 2006): One of the requirements of the recently enacted Town of Carmel Local Law regulating Multi-Family Housing for the Elderly, stipulates that the distance between senior housing and shopping centers be no more than 2,400 ft. The rationale for the adoption of such a stipulation was to provide convenient shopping opportunities within walking distances of proposed complexes and thereby reduce senior auto dependency. This project does the reserve: it is distant from shopping opportunities and compels seniors to travel by auto. Statistics have pinpointed seniors in addition to youngsters between the ages of 18-21, as the most accident prone. Yet the applicant chooses to ignore these statistics by creating conditions that are inimical to seniors safety and in violation of the Local Law.

Response 3.4-5: *Refer to Response 3.4-1.*

3.5 VEHICULAR TRAFFIC AND ROADWAYS COMMENTS AND RESPONSES

3.5.1 Introduction

The Proposed Action has been modified in response to comments raised and concerns expressed during the review of the Putnam Community Foundation DEIS. FEIS Figure 3.5-1, Local Roads, shows the intersections of concern including the revised site access on the Putnam Community Hospital property. The site access has been moved to create a direct connection between the project site and the Putnam Community Hospital and to share an access with the Putnam Community Hospital. The hospital will retain their existing access and will have the shared access as a second access. The two access configurations are shown in FEIS Figures 3.5-2 (DEIS Plan) and 3.5-3 (FEIS Plan).

The hospital has proposed additional parking nearest the shared access to Stoneleigh Avenue. The overall parking spaces will be slightly more numerous on the south side of the hospital near the shared access. Thus, there is no effective bias on hospital trip distribution based on the number of spaces in proximity to the hospital accesses. Nearly 90 percent of the hospital traffic is arriving or departing from and to the north of the Hospital. Thus, there is anticipated to be a bias of hospital traffic using the northern access.

For the purpose of analysis, a 60/40 directional bias is projected for hospital traffic to and from the nearest access (either the old/north or new/south). Thus, 60 percent of traffic to and from the north would use the northern access and 60 percent of the traffic to and from the south would use the southern access. The remaining 40 percent would use the further access. Use of the further access reflects the near equality in parking availability and access potential to the building. The DEIS reflected a condition of the hospital traffic using exclusively the northern access. Since the existing hospital traffic is projected to be larger than the Putnam Community Foundation site traffic, at the shared access drive, a conservatively high peak hour factor equal to the peak hour factor of the hospital traffic was used in the analyses of the shared access.

The new site access would provides a direct connection between the hospital and the Putnam Community Foundation site. The revised trip distribution for the site based on the new access location is shown in FEIS Figures 3.5-4 and 3.5-5. The project site trips and shift in hospital trips resulting from dividing hospital trips between the two access drives is shown in FEIS Figures 3.5-6 and 3.5-7. Traffic volume changes from the DEIS configuration affect only the site and hospital access drive intersections with Stoneleigh Avenue and not other studied intersections. FEIS Figures 3.5-8 and 3.5-9 show the resultant Build Condition traffic volumes from the adjusted DEIS No Build traffic volumes with site generated and updated hospital trips depicted on Figures 3.5-6 and 3.5-7. Traffic analysis for the intersections of Drewville Road at Stoneleigh Avenue and Stoneleigh Avenue at US Route 202 remain unchanged from the DEIS.

FEIS Appendix E provides a capacity analysis for the hospital access drives which is summarized in Table 3.5-1. This analysis is based on the revised site access drive location with the same number of units senior housing units (120) proposed for the project site. Overall the new access drive configuration presented in the FEIS provides better operation than the DEIS configuration by splitting the hospital traffic between to two access points. The main Hospital access drive delays are slightly shorter and the joint access with Putnam Community Foundation are longer than under the configuration presented in the DEIS. As

the hospital would generate 350 to 500 more vehicles than the Putnam Community Foundation development and would operate at a lower level of service than the site access, shifting traffic between the two drives tends to reduce the delays at the main hospital access. The resultant levels of service in the Build Condition for the proposed configuration incorporating the shared access drive will remain unchanged from the levels of service in the Existing Conditions as shown in Table 3.5-2.

The hospital can influence the distribution of its trips to access points through the location of reserved parking, restrictions at building access points, and timing of shift changes. The overall positive effect of the modified access drive configuration (decentralizing traffic) in comparison to the existing condition is not anticipated to be sensitive to such changes by the hospital over time due to the overall split in parking between the north and south side of the buildings.

This splitting of the traffic will improve the hospital's emergency ingress and egress as emergency vehicles regardless of the access used will have to contend with less traffic on site. Within the hospital site, decentralizing the traffic flow to two points of access should improve internal circulation by spreading the traffic out.

The proposed access also allows vehicles to travel between the two sites without using Stoneleigh Avenue. Improving access between the two sites may encourage volunteer work from the project's local residents.

Table 3.5-1
Build Condition Level of Service Summary

Intersection Roads	Lane Group (Approach Direction Movement)	A.M. Weekday Peak Hour		P.M. Weekday Peak Hour	
		Delay (secs./ vehicle)	Level of Service	Delay (secs./ vehicle)	Level of Service
Putnam Hospital Center and Stoneleigh Avenue					
Stoneleigh Avenue	*NB - L, T, R*	*8.5*	*A*	*7.6*	*A*
	SB - L, T, R	*7.9*	*A*	*8.3*	*A*
Putnam Hospital Center	*WB - L, T, R*	*11.9*	*B*	*13.7*	*B**
Barns Office Center	*EB - L, T, R*	*19.8*	*C*	*28.4*	*D**
Site Access, Putnam Hospital Center, and Stoneleigh Avenue					
Stoneleigh Avenue and Hospital	*SB - L, T*	*7.8*	*A*	*7.9*	*A*
Site Access, Putnam Hospital Center	*WB - L, R*	*13.2*	*B*	*11.7*	*B*

Level of Service (see DEIS Table 3.5-2 for level of service criteria).

NB = Northbound, SB = Southbound, EB = Eastbound, WB = Westbound.

L = left, R = right, T = through, {e.g. WB - L, T is westbound left-through lane(s)}.
Unsignalized intersections shown in *Italics*.

No decline in level of service from the DEIS No Build and Build Conditions.
** Improvement in level of service from the DEIS Build Condition anmd both the DEIS and FEIS No Build Condition.

Table 3.5-2
All Conditions Level of Service Summary

Intersection Roads	Lane Group (Approach Direction Movement)	Level of Service					
		A.M. Weekday Peak Hour			P.M. Weekday Peak Hour		
		Existing	No Build	Build	Existing	No Build	Build
Putnam Hospital Center (North) and Stoneleigh Ave.							
Stoneleigh Avenue	*NB - L, T, R*	*A*	*A*	*A*	*A*	*A*	*A*
	SB - L, T, R	*A*	*A*	*A*	*A*	*A*	*A*
Putnam Hospital Center (North)	*WB - L, T, R*	B	B	B	*B*	*C**	*B***
Barns Office Center	*EB - L, T, R*	C	C	C	*D*	*E**	*D***
Site Access, Putnam Hospital Center, and Stoneleigh Avenue							
Stoneleigh Avenue and Hospital	*SB - L, T*	---	---	*A*	---	---	*A*
Site Access, Putnam Hospital Center (South)	*WB - L, R*	---	---	*B*	---	---	*B*

LOS is Level of Service (see DEIS Table 3.5-2 level of service criterion).
NB = Northbound, SB = Southbound, EB = Eastbound, WB = Westbound.
L = left, R = right, T = through,
* Decline in level of service from the previous condition.
** Improvement in level of service from the previous condition.

3.5.2 Comments and Responses

Comment 3.5-1 (Joann Henwood, Public Hearing, September 12, 2007): I foresee there's going to be at least four lanes of traffic that's going to be needed for that one on Stoneleigh Avenue between the hospital.

> ***Response 3.5-1:*** *The traffic analysis presented in the DEIS documented the level of service for the studied intersections does not decline from the future No-Build Condition to the Build Condition meaning the Proposed Action will not result in significant impacts to the local read network. Therefore, mitigation in the form of roadway improvements is not proposed.*
>
> *There are no plans to reconfigure Stoneleigh Avenue into a four lane road by the Applicant or the County. The DEIS addresses Putnam County planned transportation improvements to Stoneleigh Avenue noted on the Transportation Improvement Program (TIP). The TIP includes adding turning lanes to the Drewville Road intersection along with signal re-timing at this intersection.*

Comment 3.5-2 (Ann Fanizzi, Public Hearing, September 12, 2007): Additionally, the over development that Ms. Henwood and Ms. Ross referred to on Stoneleigh Avenue is putting tremendous, tremendous pressure on the infrastructure of that particular road. We have yet to see the full build out of that particular -- of all of the projects along that particular road.

Response 3.5-2: *The traffic analysis includes all projects within the immediate area that have been recently approved or are pending planning board approval. Older and completed projects are included in the background or existing traffic volumes. As such, a reasonable traffic analysis is presented.*

Comment 3.5-3 (Letter # 3, Margaret Ross): Can Stoneleigh Avenue handle all the extra traffic that will be generated by the 120 new units? Stoneleigh Avenue is already a traffic nightmare at certain times of the day.

Response 3.5-3: *Refer to response 3.5-1.*

Comment 3.5-4 (Letter # 3, Margaret Ross): There have been several accidents an the stretch of road between the Drewville Road intersection and Vista on the Lake. This will only get worse. How many accidents will there be as residents attempt to gain access onto Stoneleigh Avenue?

Response 3.5-4: *Refer to Response 3.5-1. Collision data was collected and included in the traffic impact study presented in the DEIS. The number of collisions documented at the following locations are insufficient to establish definitive patterns.*

Drewville Road and Stoneleigh Avenue intersection,
US Route 202 and Daisy Lane intersection, and
Stoneleigh Avenue from Drewville Road to Magnetic Mine Road 2.5 mile section including the site driveway)

Proposed County improvements to the local road network as listed on the TIP would improve the level of service at local intersections and, in turn, should improve traffic safety in the area.

The shared access with the Hospital should would improve access of hospital traffic to Stoneleigh Avenue by distributing the hospital traffic between two drives thereby increasing access capacity.

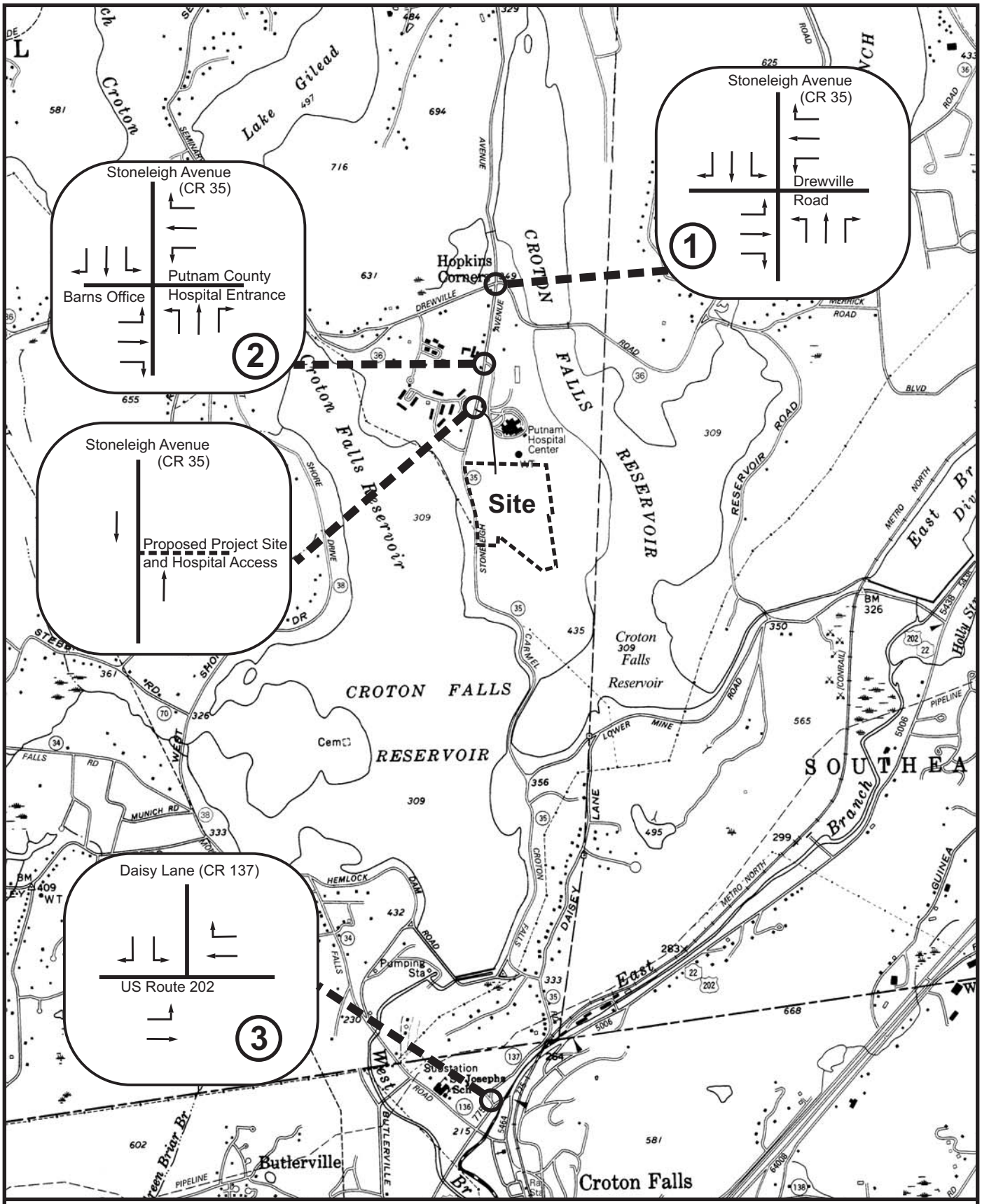
Comment 3.5-5 (Letter # 3, Margaret Ross): With the increasing traffic flow in and out of the of the Putnam Hospital with each addition, the new homes built at the Drewville Road intersection, the town houses that will soon be built adjacent to Vista on the Lake, the new homes being built near the Carmel end of the road, and now the possibility of 120 new homes, where will the traffic go?

Response 3.5-5: *Refer to Responses 3.5-1 and 3.5-2.*

Comment 3.5-6 (Letter # 3, Margaret Ross): With more traffic there will be more gas/diesel fumes creating more air pollution.

Response 3.5-6: *Comment noted. The shared access drive will reduce delays and the peak hour queuing of hospital traffic. Hospital traffic coming to and from the south may have a slightly shorter trip using the new southern access. Internal circulation should be easier within the hospital as internal traffic will be less centralized. These changes in hospital traffic circulation will reduce air pollution at the existing hospital*

entrance and offset some pollution generated by the introduction of additional vehicles in this area.



N

W E

S

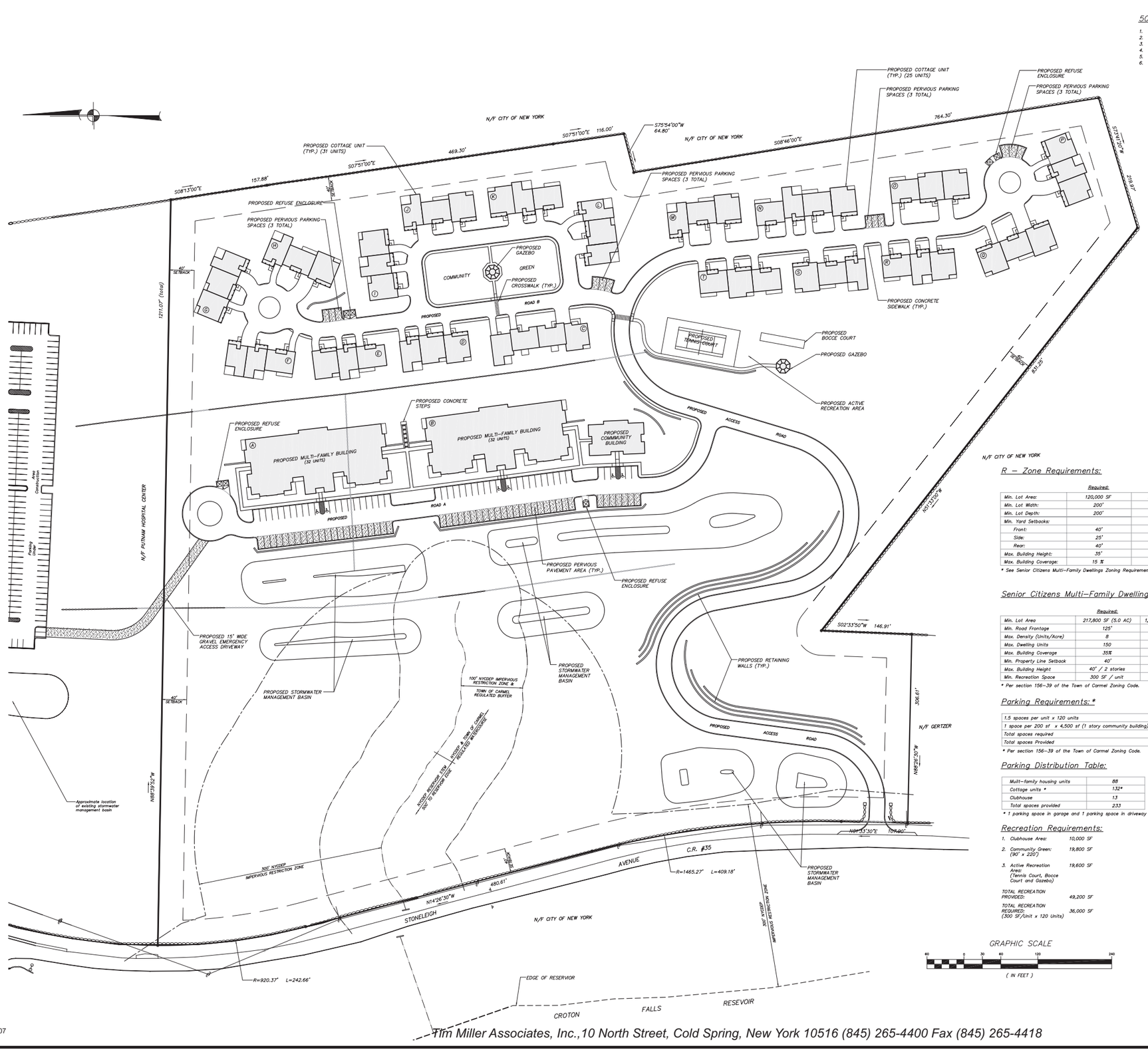
1 Intersection Number
see Section 3.5

Figure 3.5-1: Local Roads

Putnam Community Foundation
Town of Carmel, Putnam County, New York
Base Map: NYS DOT Planimetric Map, Lake Carmel Quad, 1997
Scale: 1 inch = 2000 feet

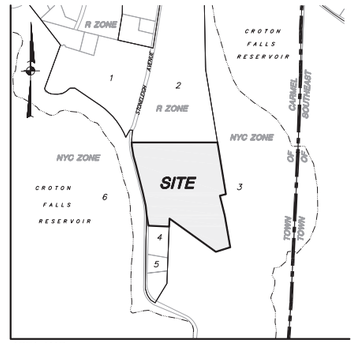
File 06047 6/17/08
TMAWP:\06047\Figures\

Tim Miller Associates, Inc.,10 North Street, Cold Spring, New York 10516 (845) 265-4400 Fax (845) 265-4418



500' ADJOINERS

1. N/F INB PROPERTIES – SOUTHEAST, INC.
2. N/F PUTNAM HOSPITAL CENTER
3. N/F CITY OF NEW YORK
4. N/F GERTZER
5. N/F RICE
6. N/F CITY OF NEW YORK



AREA MAP

Record Owner/Applicant:

The Putnam Community Foundation
P.O. Box 573
2 Route 164
Patterson, NY 12563

Site Data:

Total Area:	35.28 AC. ±
Tax Map No.:	66-2-58
Zoning District:	R (Residential)
Proposed Use:	Senior Housing Development

General Notes:

1. Property boundary shown hereon taken from subdivision plat entitled "Boundary line adjustment Map prepared for Putnam Community Foundation and Putnam Hospital Center..." filed January 4, 2006 as map no. 3008 ."
2. Existing conditions and topography shown hereon taken from survey entitled "Topographic Survey prepared for The Putnam Community Foundation', last revised April 5, 2001.
3. The subject application requires a Special Exception Use Permit in accordance with section 156-39 of the Town code as amended by Local Law 3 of 2006. The project conforms to the requirements of said law as follows:

   1) The subject property is situated in the R Zone.
   2) The site exceeds the minimum frontage of one hundred twenty-five (125) feet on a state, county or town road.
   3) The site exceeds the minimum site area of five acres.
   4) The site is served by municipal water (CWD#2) and municipal sewer (CSD#2).
   5) The project density is 3.4 units per acre and is less than the permitted eight (8) dwelling units per acre.
   6) The project density is 120 units and is less than the permitted 150 dwelling units. The proposed building coverage is less than the maximum (35%) thirty-five percent allowed.
   7) All buildings are set back a minimum of forty (40) feet from the front property line.
   8) No buildings exceed forty (40) feet in height or two (2) stories above ground. Note the lower level of the proposed buildings do not meet the definition of a story.
   9) All multi-level buildings shall contain an elevator.
   10) All buildings shall contain a fire suppression system.
   11) A minimum of three hundred (300) square feet of recreation space per unit is required.
   12) A minimum of one and one half (1.5) on site parking spaces are provided for each dwelling unit, including required handicap parking.
   13) All units shall be occupied exclusively by persons of fifty-five (55) years of age or older and the spouse of any such person.
   14) The apartment sizes shall be a minimum of four hundred seventy-five (475) square feet for efficiency (studio) apartments and a minimum of six hundred (600) square feet for one bedroom apartments.
   15) The site is located on Stoneleigh Avenue, which is a County road that has a public bus route.
   16) The site is located within 2500 feet of Putnam Hospital Center, an establishment that contains retail and services uses.
   17) Washing machines and clothing dryers shall be located in a common laundry room in each building or in each individual unit.
   18) All requirements of the New York State Fire and Building Code and all applicable state, county and town regulations shall be met.

R – Zone Requirements:

	Required:	Provided:
Min. Lot Area:	120,000 SF	1,536,611 SF ±
Min. Lot Width:	200'	1,170' ±
Min. Lot Depth:	200'	1,161' ±
Min. Yard Setbacks:		
Front:	40'	*
Side:	25'	*
Rear:	40'	*
Max. Building Height:	35'	*
Max. Building Coverage:	15 %	*

* See Senior Citizens Multi-Family Dwellings Zoning Requirements below.

Senior Citizens Multi-Family Dwellings Zoning Requirements: *

	Required:	Provided:
Min. Lot Area	217,800 SF (5.0 AC)	1,536,611 SF ± (35.28 AC)
Min. Road Frontage	125'	1,544'
Max. Density (Units/Acre)	8	3.4
Max. Dwelling Units	150	120
Max. Building Coverage	35%	9%
Min. Property Line Setback	40'	41.0'
Max. Building Height	40' / 2 stories	<40' / 2 stories
Min. Recreation Space	300 SF / unit	410 SF / unit

* Per section 156-39 of the Town of Carmel Zoning Code.

Parking Requirements: *

1.5 spaces per unit x 120 units	= 180 spaces
1 space per 200 sf x 4,500 sf (1 story community building)	= 23 spaces
Total spaces required	= 203 spaces
Total spaces Provided	= 233 spaces

* Per section 156-39 of the Town of Carmel Zoning Code.

Parking Distribution Table:

Multi-family housing units	88
Cottage units *	132*
Clubhouse	13
Total spaces provided	233

* 1 parking space in garage and 1 parking space in driveway of each unit.

Recreation Requirements:

1. Clubhouse Area:	10,000 SF
2. Community Green: (90' x 220')	19,800 SF
3. Active Recreation Area: (Tennis Court, Bocce Court and Gazebo)	19,600 SF
TOTAL RECREATION PROVIDED:	49,200 SF
TOTAL RECREATION REQUIRED: (300 SF/Unit x 120 Units)	36,000 SF

List of Drawings

DRAWING NO.	DRAWING NAME	SHEET
SP-1	Overall Site Plan	1
SP-2	Layout, Landscape, & Lighting Plan	2
SP-3	Grading Plan	3
SP-4	Utilities Plan	4
SP-5	Erosion Control & Phasing Plan	5
SP-6	Off-site Utility Connection Plan	6
PR-1	Road Profiles	7
PR-2	Road Profiles	8
D-1	Site Details	9
D-2	Site Details	10
D-3	Site Details	11
D-4	Stormwater Pond Details	12
D-5	Stormwater Pond Details	13
D-6	Stormwater Pond Details	14

GRAPHIC SCALE

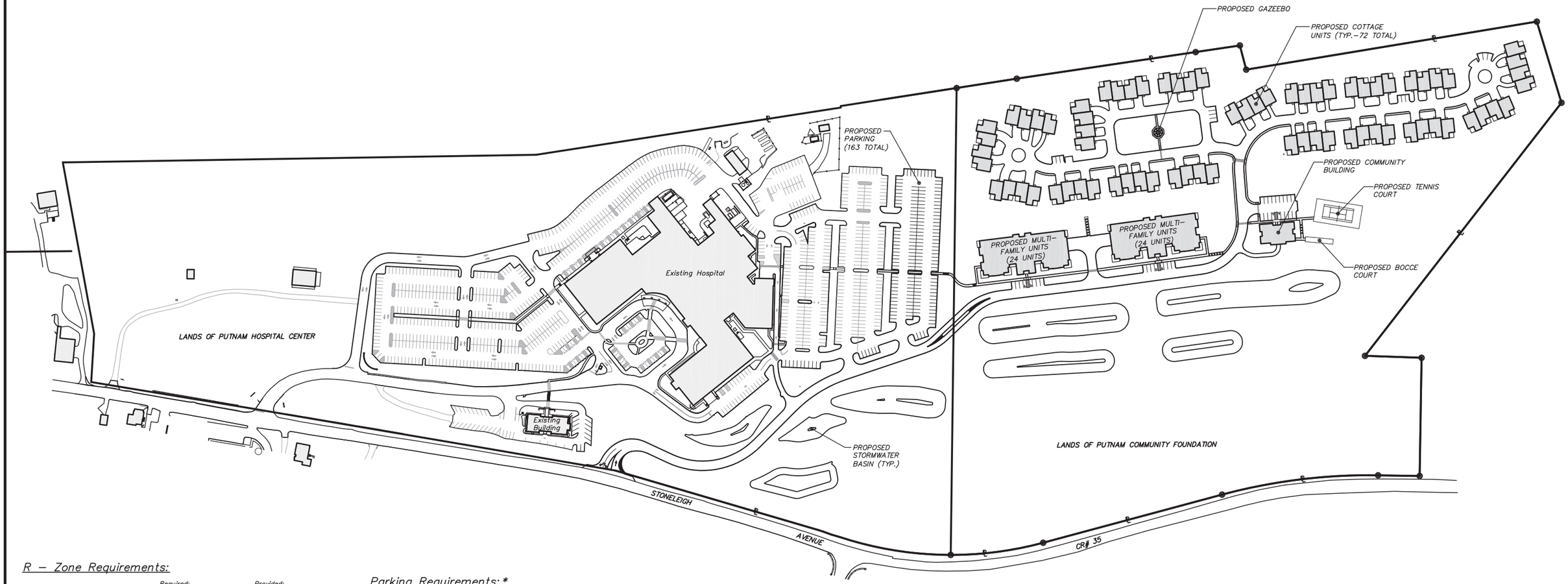
40 0 30 60 120 240

(IN FEET)

Figure 3.5-2: DEIS Site Plan
The Putnam Community Foundation
Town of Carmel, Putnam County, New York
Source: Insite, Date: 05/09/07
Scale: Graphic

File 06047 6/26/07
JS/06047

Tim Miller Associates, Inc.,10 North Street, Cold Spring, New York 10516 (845) 265-4400 Fax (845) 265-4418



R – Zone Requirements:

	Required:	Provided:
Min. Lot Area:	120,000 SF	1,536,611 SF ±
Min. Lot Width:	200'	1,170' ±
Min. Lot Depth:	200'	1,161' ±
Min. Yard Setbacks:		
Front:	40'	
Side:	25'	
Rear:	40'	
Max. Building Height:	35'	*
Max. Building Coverage:	15 %	*

* See Senior Citizens Multi–Family Dwellings Zoning Requirements below.

Senior Citizens Multi–Family Dwellings Zoning Requirements: *

	Required:	Provided:
Min. Lot Area	217,800 SF (5.0 AC)	1,536,611 SF ± (35.28 AC)
Min. Road Frontage	125'	1,544'
Max. Density (Units/Acre)	8	3.4
Max. Dwelling Units	150	120
Max. Building Coverage	35%	9%
Min. Property Line Setback	40'	>40'
Max. Building Height	40' / 2 stories	<40' / 2 stories
Min. Recreation Space	300 SF / unit	319 SF / unit

* Per section 156–39 of the Town of Carmel Zoning Code.

Parking Requirements: *

1.5 spaces per unit x 120 units	= 180 spaces
1 space per 200 sf x 4,480 sf (1 story community building)	= 23 spaces
Total spaces required	= 203 spaces
Total spaces Provided	= 245 spaces

* Per section 156–39 of the Town of Carmel Zoning Code.

Parking Distribution Table:

Multi–family housing units	70
Cottage units *	157*
Clubhouse	18
Total spaces provided	245

* 1 parking space in garage and 1 parking space in driveway of each unit.

Recreation Requirements:

1. Clubhouse Area: 10,000 SF
2. Community Green: (91' x 223') 20,300 SF
3. Active Recreation Area: (Tennis Court, Bocce Court) 8,000 SF

TOTAL RECREATION PROVIDED: 38,300 SF

TOTAL RECREATION REQUIRED: (300 SF/Unit x 120 Units) 36,000 SF

GRAPHIC SCALE

150 0 75 150 300 600

(IN FEET)

List of Drawings

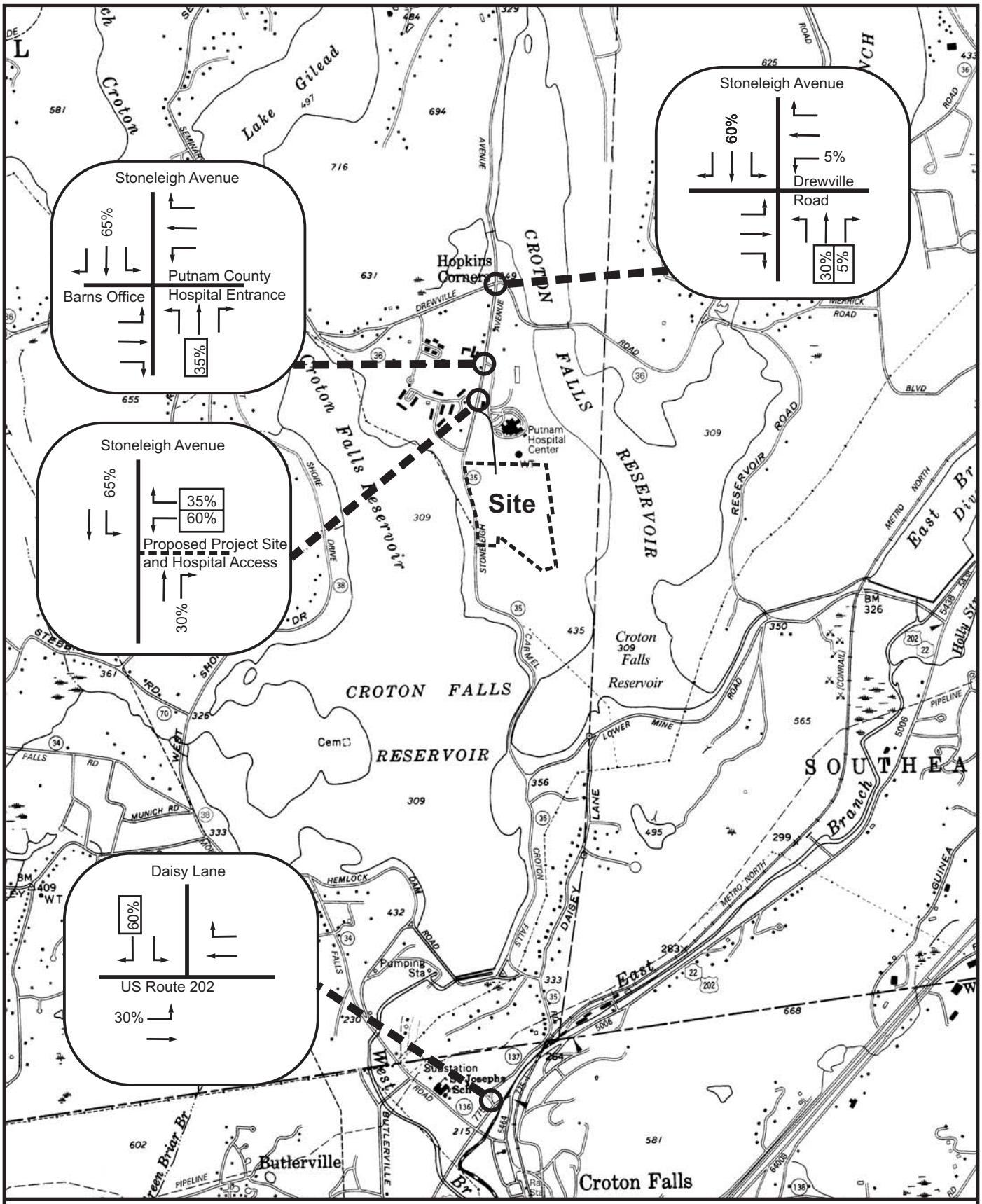
DRAWING NO.	DRAWING NAME	SHEET
SP–1	Overall Site Plan	1
SP–2.1	Layout, Landscape, & Lighting Plan	2
SP–2.2	Layout, Landscape, & Lighting Plan	3
SP–3.1	Grading & Utilities Plan	4
SP–3.2	Grading & Utilities Plan	5
SP–4.1	Erosion Control & Phasing Plan	6
SP–4.2	Erosion Control & Phasing Plan	7
PR–1	Road Profiles	8
D–1	Site Details	9
D–2	Site Details	10
D–3	Site Details	11
D–4	Stormwater Pond Details	12
D–5	Stormwater Pond Details	13
D–6	Stormwater Pond Details	14

Figure 3.5-3: FEIS Site Plan

Putnam Community Foundation
Town of Carmel, Putnam County, New York
Source: Insite Engineering, Surveying & Landscape Architecture, P.C.
Revision Date: 08/08/08
Scale: As shown

File 06047 8/07/08
JS/06047

Tim Miller Associates, Inc.,10 North Street, Cold Spring, New York 10516 (845) 265-4400 Fax (845) 265-4418



N

W E

S

Putnam Community Foundation*

XX% Percent Entering Trips

XX% Percent Exiting Trips

Figure 3.5-4: Site Distribution AM Peak Hour Traffic

Putnam Community Foundation

Town of Carmel, Putnam County, New York

Base Map: NYS DOT Planimetric Map, Lake Carmel Quad, 1997

Scale: 1 inch = 2000 feet

* Shift in hospital traffic not shown, and 5% traffic to and from hospital not shown.

File 06047 6/17/08
TMAWP:\06047\Figures\

Tim Miller Associates, Inc.,10 North Street, Cold Spring, New York 10516 (845) 265-4400 Fax (845) 265-4418

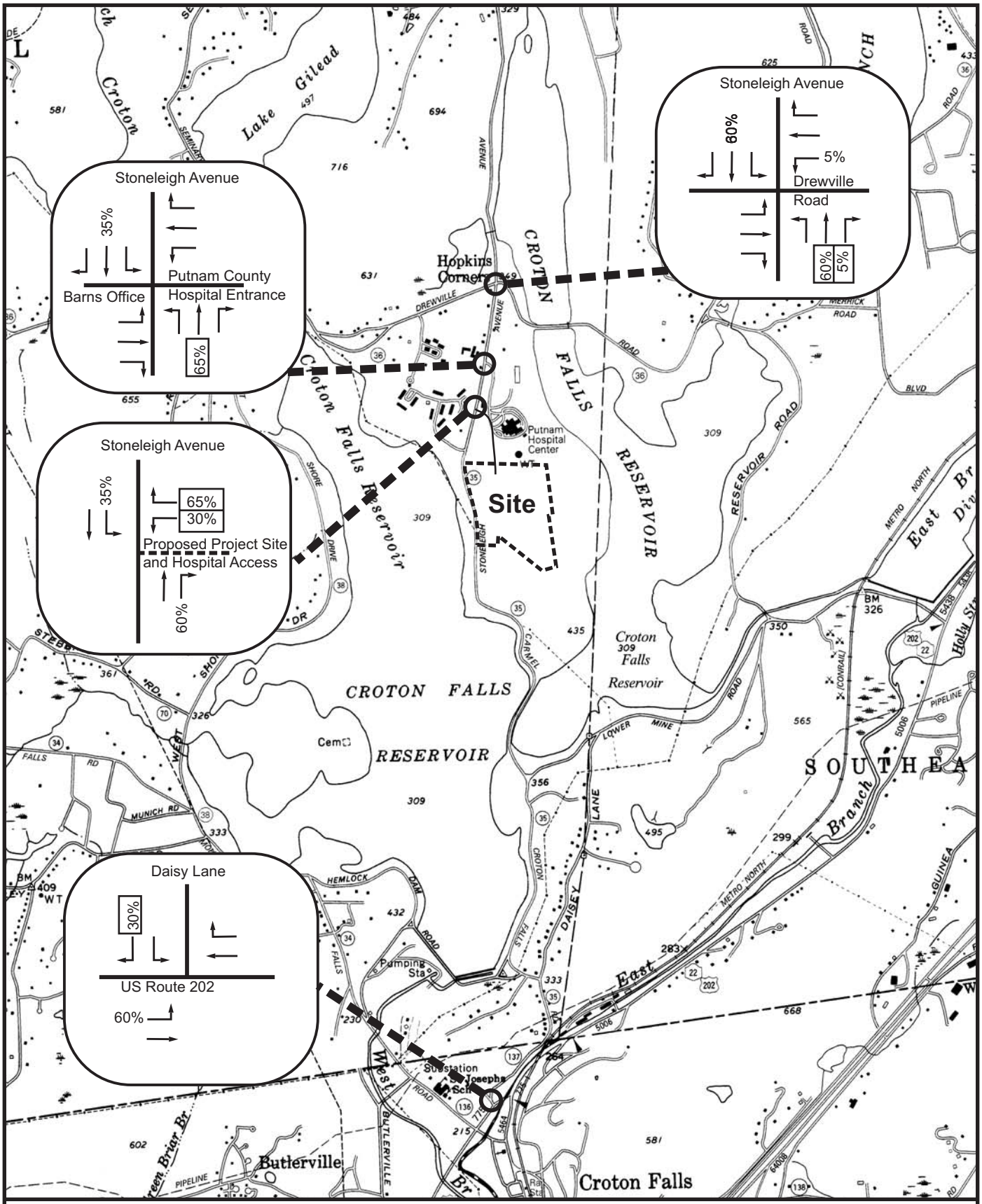


Figure 3.5-5: Site Distribution PM Peak Hour Traffic

Putnam Community Foundation

Town of Carmel, Putnam County, New York

Base Map: NYS DOT Planimetric Map, Lake Carmel Quad, 1997

Scale: 1 inch = 2000 feet

N

W E

S

Putnam Community Foundation*

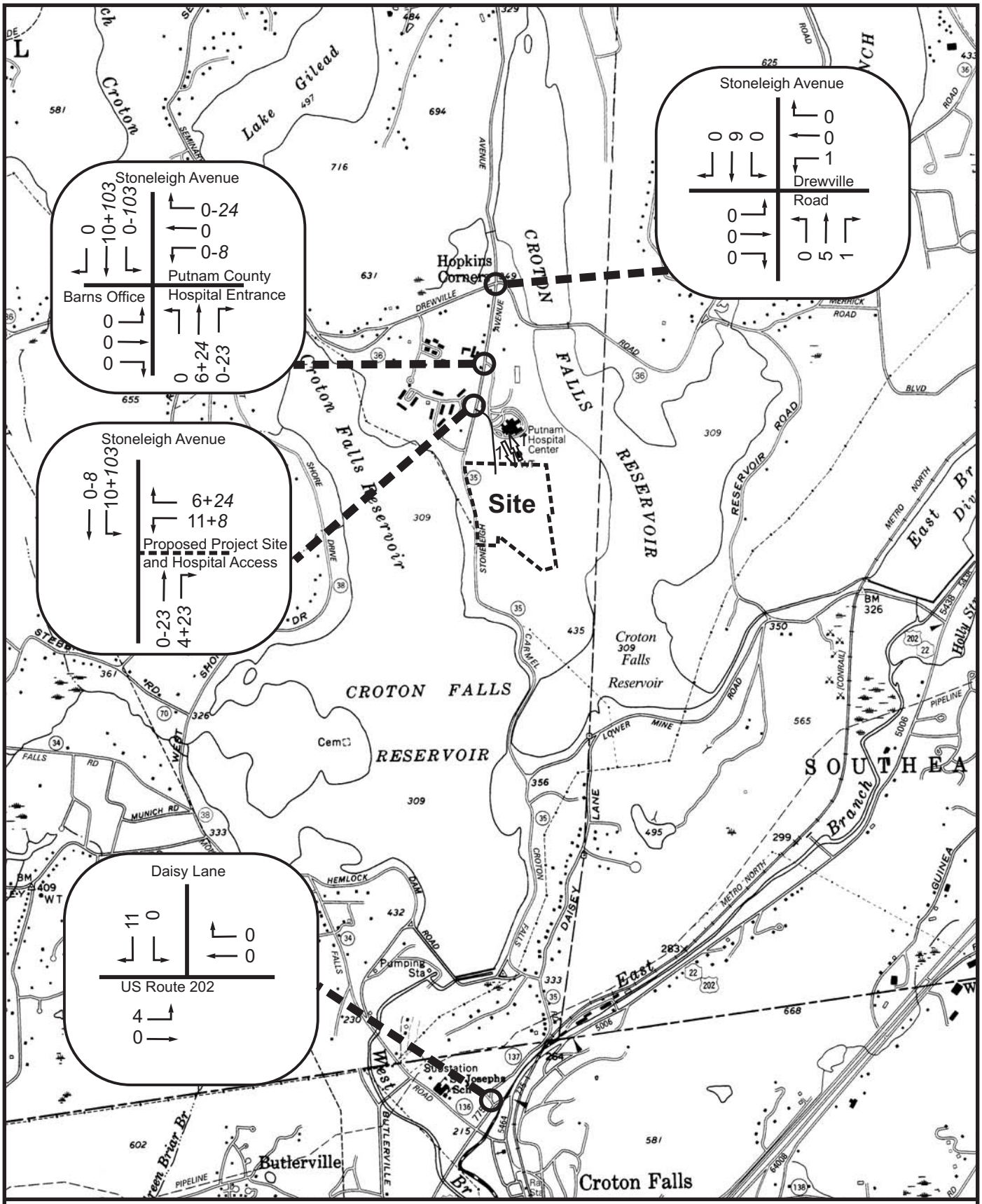
XX% Percent Entering Trips

XX% Percent Exiting Trips

* Shift in hospital traffic not shown, and 5% traffic to and from hospital not shown.

File 06047 6/17/08
TMAWP:\06047\Figures\

Tim Miller Associates, Inc.,10 North Street, Cold Spring, New York 10516 (845) 265-4400 Fax (845) 265-4418



N
W E
S

Site - hospital trips
XX Site Trips
YY Change in Hospital Trips

Figure 3.5-6: Site Generated AM Peak Hour Traffic

Putnam Community Foundation
Town of Carmel, Putnam County, New York
Base Map: NYS DOT Planimetric Map, Lake Carmel Quad, 1997
Scale: 1 inch = 2000 feet

File 06047 6/17/08
TMA\WP:\06047\Figures\

Tim Miller Associates, Inc.,10 North Street, Cold Spring, New York 10516 (845) 265-4400 Fax (845) 265-4418

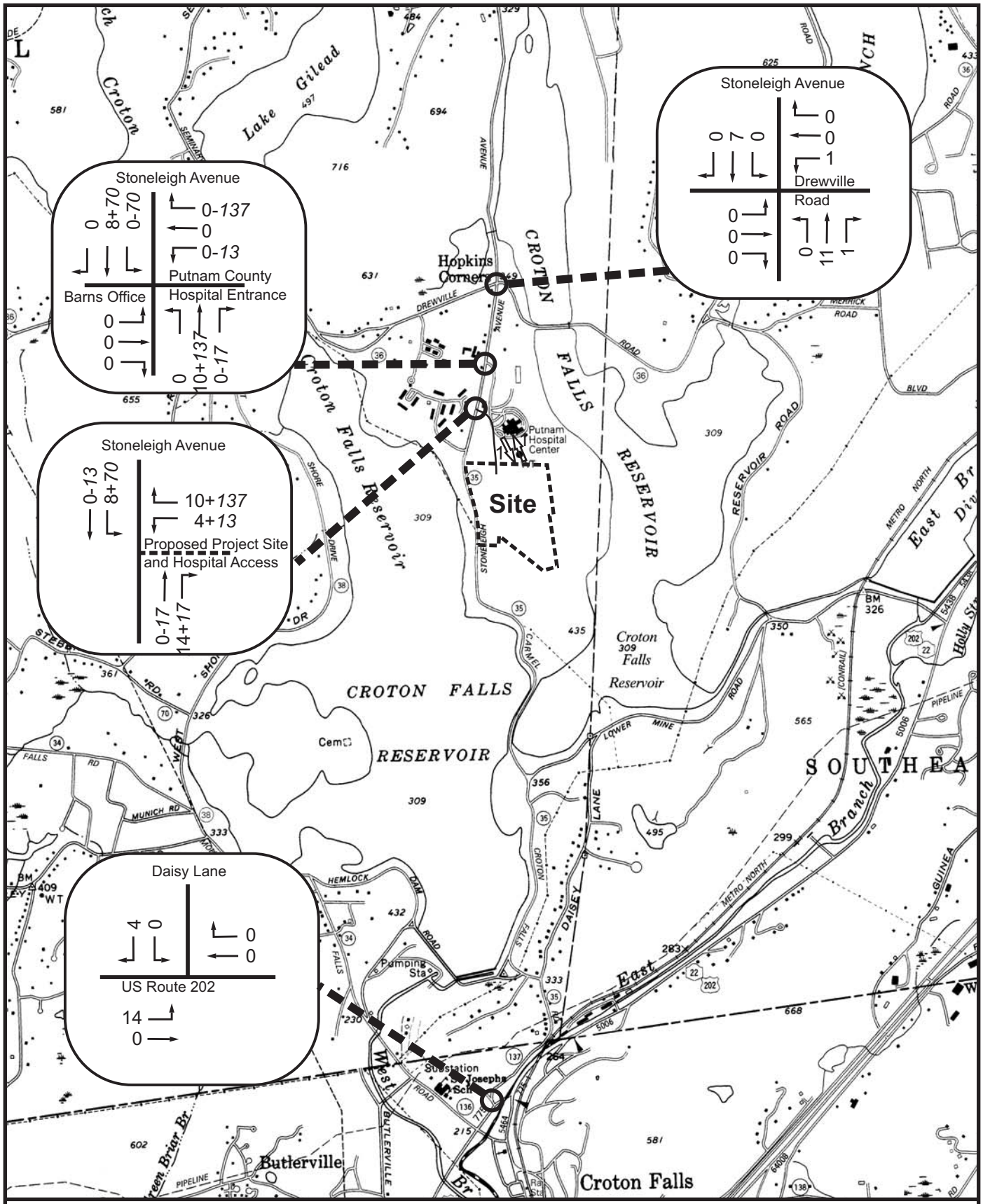


Figure 3.5-7: Site Generated PM Peak Hour Traffic

Putnam Community Foundation

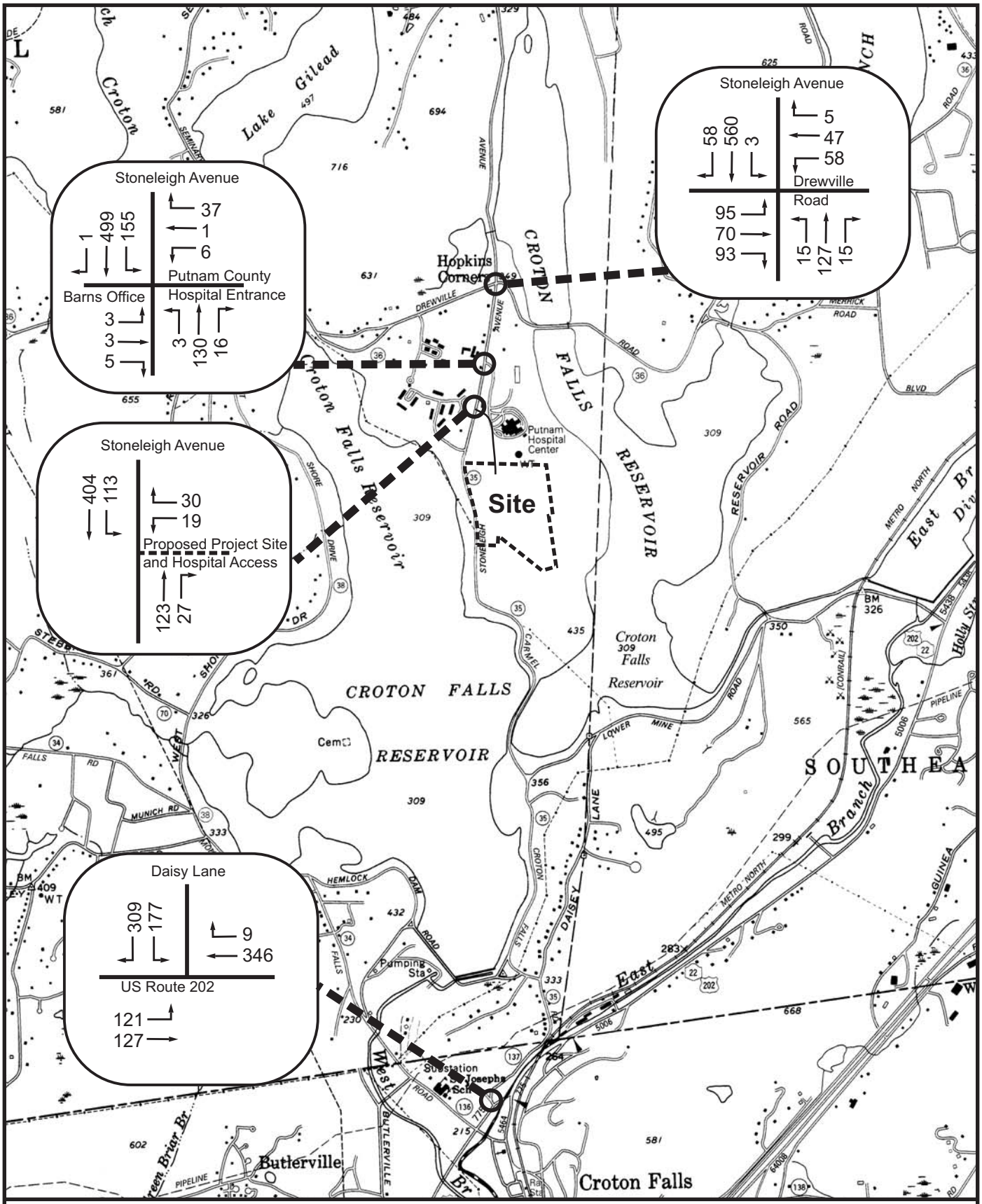
Town of Carmel, Putnam County, New York

Base Map: NYS DOT Planimetric Map, Lake Carmel Quad, 1997

Scale: 1 inch = 2000 feet

File 06047 6/17/08
TMAWP:\06047\Figures\

Tim Miller Associates, Inc.,10 North Street, Cold Spring, New York 10516 (845) 265-4400 Fax (845) 265-4418



N

W E

S

Figure 3.5-8: Build A.M. Peak Hour Traffic

Putnam Community Foundation

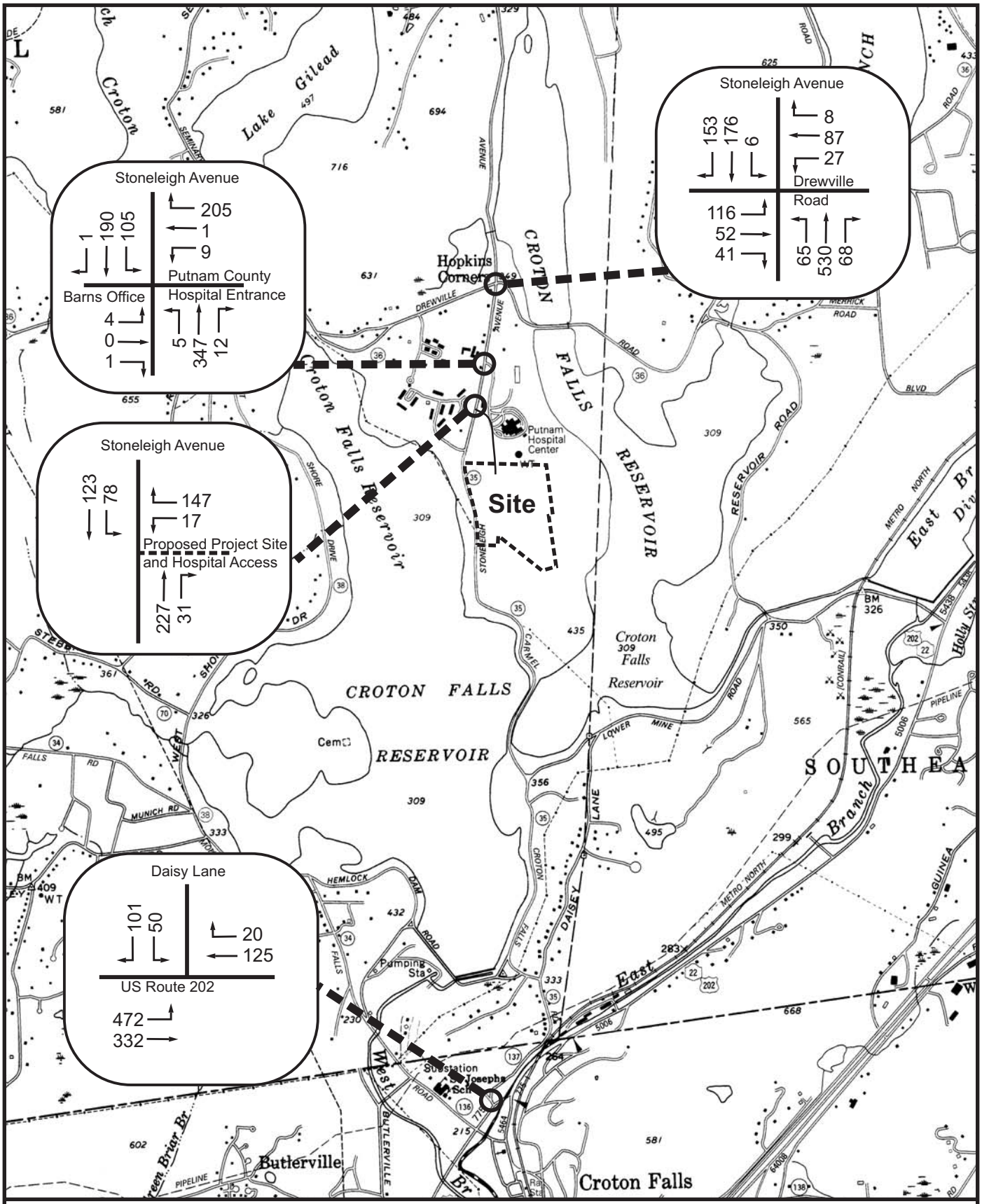
Town of Carmel, Putnam County, New York

Base Map: NYS DOT Planimetric Map, Lake Carmel Quad, 1997

Scale: 1 inch = 2000 feet

File 06047 6/17/08
TMAWP:\06047\Figures\

Tim Miller Associates, Inc.,10 North Street, Cold Spring, New York 10516 (845) 265-4400 Fax (845) 265-4418



N

W E

S

Figure 3.5-9: Build P.M. Peak Hour Traffic

Putnam Community Foundation

Town of Carmel, Putnam County, New York

Base Map: NYS DOT Planimetric Map, Lake Carmel Quad, 1997

Scale: 1 inch = 2000 feet

File 06047 6/17/08
TMAWP:\06047\Figures\

Tim Miller Associates, Inc.,10 North Street, Cold Spring, New York 10516 (845) 265-4400 Fax (845) 265-4418

3.6 COMMUNITY SERVICES & SOCIOECONOMICS COMMENTS AND RESPONSES

Comment 3.6-1 (Margaret Ross, Public Hearing, September 12, 2007): Is the water district to be -- if the Carmel district would be able to handle all the increase.

> ***Response 3.6-1:*** *As noted in the DEIS "the CWD #2 is prepared to supply 72,000 gallons of water to the project site per the Out of Water District Agreement between the Applicant and Town of Carmel. This water supply demand was calculated based on a 240-unit (two bedrooms only) development that was originally proposed by the Applicant. The number of proposed units and bedroom counts were scaled back by the Applicant in order to reduce associated water demand on CWD #2 and mitigate impacts across the board including water usage/demand." The new design flow of 18,000 gpd is a reduction in demand of 54,000 gpd over the volume originally allocated in the out of district user agreement.*

Comment 3.6-2 (Margaret Ross, Public Hearing, September 12, 2007): I also wanted to know if it would be any problem with the sewer lines extended along Stoneleigh. If ever there was a backup, would it actually backup into our facility. I think it would be on the same line.

> ***Response 3.6-2:*** *The sanitary sewer system along with the wastewater treatment plant have adequate capacity as indicated in the DEIS. "The Proposed Action is expected to generate 14,400 gallons per day (gpd) of sewage, which is five times less than the 72,000 gpd of sewage a day that CSD #8 could receive from the project site as per the Out of Sewer District Agreement. Therefore, the proposed project would place less demand on CSD #8."*
>
> *Blockages in a sewer main line are very unusual. The main line is comprised of eight inch diameter pipe with manholes at every angle point. Sources of wastewater flow are far smaller in diameter, disallowing large object to enter the system. Additionally, the Sewer District is continually monitored and maintained for proper functioning.*

Comment 3.6-3 (Ann Fanizzi, Public Hearing, September 12, 2007): Down the block we have 381 houses, we don't need another. We have Mr. Camarda not three, four miles away building another 300 houses. We have even though we won a case, we will have Hillcrest Commons with another 150. Do we need another 120?

> ***Response 3.6-3:*** *As discussed in the DEIS, a senior housing market analysis was prepared by the Applicant to ascertain the demand for senior housing in Carmel and Putnam County and the economic viability of the proposed rental units. It is important to note that, of the projects identified in the comment, all the units are offered as for sale, whereas the proposed action will offer the community rental senior housing.*
>
> *Typically, a high percentage of seniors prefer to remain in the town in which they have lived for some time. Seniors have strong ties to the local community, which includes family, friends, religious institutions, and familiar area businesses and services. Much of the senior housing built in Carmel to date consists of owner occupied housing, and is intended for either low income tenants or high-end luxury buyers . Little rental housing has been built for the 70 percent of seniors that fall between these two ends of the spectrum. In Carmel and Putnam County, this segment represents the middle and lower-upper income levels.*

One of the key indicators described in the Senior Housing Market Analysis is the fact that by the year 2008 39.1 percent of the households in the Town of Carmel would have a head of household age 55 years or older. This equates to 4,951 senior households of the total projected 12,085 households in the Town of Carmel. It is expected that Proposed Action would provide only a fraction of the suitable housing needed in the future for Carmel and Putnam County seniors.

Since few suitable alternatives for senior housing exist in the marketplace, this project supports the partial fulfillment of the need for such housing by area seniors. This fact, coupled with the affordability of the proposed units, would ensure the feasibility of this project in the Applicant's opinion.

Also refer to Response 2.0-4.

Comment 3.6-4 (Letter #1, Marilyn Shanahan, DEP, September 21, 2007): The DEIS indicates that seniors from, within the Town of Carmel would reside in the proposed senior housing and claims that the project would not generate additional school age children nor would there be any significant secondary impacts. However, without a demographic analysis presenting the number of children with and without the project, a conclusion with regard to the number of new school-age children is unsupported. Similarly, the applicant suggests that secondary impacts are not significant despite no evidence within the DEIS. The Final EIS should include additional documentation to support the conclusions outlined in the DEIS.

Response 3.6-4: *As the Proposed Action is Age Restricted, children would not be allowed to reside at the development. Therefore there is no change in the number of school children directly associated with the development of the Proposed Action. The current lack of available housing for seniors (there is a one to three year waiting list at Hughson Commons, according to the rental agent - refer to Response 2.0-4) is having either one of two consequences -- seniors are moving away to other communities that offer suitable housing, or they are continuing to live in their homes that no longer suit their needs. Both consequences adversely affect the community.*

Recent Census data offer insights into the composition of the population of Putnam County and the Town of Carmel and the changes that have taken place in that population since the 2000 Census. In 2000, 9.6 percent of the population of Putnam County was aged 65 and over. Nationally, 12.4 percent of the population was in that category. This is a strong indication that the older residents of the County were moving elsewhere. Because there was a relatively small older population in the County, the percentage of residents under 18 years old was higher than the national average. In the County, 26.5 percent of the population was under 18 in 2000. Nationally, 25.7 percent of the United States population was in that age group at the time of the 2000 Census.

Current Census estimates show that the patterns have changed little since 2000. There has been an increase in the percentage of the population aged 65 and over in the County, to 10.6 percent. This is still well under the 2006 national level of 12.5 percent, however. The median age of the County population increased from 37.4 in 2000 to 40.0 in 2006. Nationally, the median age was 35.3 in 2000 and rose to 36.4 in 2006. The 2006 percentage of residents under 18 years was 24.1 percent, down from 26.5 percent

in 2000. Nationally, 24.6 percent of the 2006 population was under 18, down from 25.7 in 2000.

The percentage of the County population represented by residents under age 18 is declining at a more rapid rate than is the national rate. In fact, the absolute number of persons under age 18 declined between 2000 and 2006. In 2006, there were 25,374 persons under age 18 living in Putnam County. By 2006, this age group numbered 24,336 persons, down 1,038 or four percent over the six year period analyzed.

The population of the County grew 5.0 percent between 2000 and 2006, compared to a national growth of 6.2 percent and the State of New York rate of 1.7 percent for the 2002-2006 period. During this same period, the housing stock of the County increased by four percent, from 35,030 units in 2000 to 36,448 units in 2006, an increase of 1,418 dwelling units.

If suitable housing is offered to older residents of the community, they will stay in the community, move into the suitable housing and the resultant turnover of existing housing to younger families will make for a more viable, age balanced community. The current housing situation is creating a stagnant environment, if not declining.

The proposed development of 120 age-restricted units would, theoretically, be occupied by older residents who would vacate their homes within the County. These homes could be sold to younger residents who may have school aged children. The statistical analysis above has shown that there was a decline of more than 1,000 preschool- and school-aged children in the County in the six-year period, 2000-2006. Even if all the 120 homes that might be vacated by seniors moving to the proposed development were then occupied by families with two children under age 18, that would only replace one-quarter of the 'lost' population of the last six years.
The data used in this analysis show the following:

- *The percentage of older persons living in the County is substantially lower than the national level.*
- *The percentage of persons under 18 years in the County more nearly reflected the national statistic.*
- *The median age of the County population is higher than the national median.*
- *The number of persons in the County under age 18 declined between 2000 and 2006 by more than 1,000.*

The proposed development would provide housing for older persons who may otherwise move out of the county to find suitable housing. Residents of the proposed development will move from existing housing within the County, freeing units that may be occupied by younger families with children, reversing the current trend of a declining population of residents under 18 years. The resultant population would be more age-balanced.

The number of out-of-town households with school age children moving into homes in the Town of Carmel that are vacated by future senior residents moving to the proposed senior housing development from the Town of Carmel can not be determined at this time.

One thing that is known, is that seniors either move to housing that requires less care, move in with relatives, or move into assisted living or a nursing home as they age. At

some point in the next thirty or forty years, every senior citizen living in Carmel today, will vacate their home for one reason or another.

The notion that senior housing, thus will promote growth within the school district is somewhat specious. All single family housing in the town eventually turns over to someone else.

Some of these households may move from within the Town and School District, with their children already attending local schools. More importantly, the existing homes of seniors moving to the proposed senior housing development would potentially be reoccupied by non-senior households with school-age children even without construction of the proposed projects, since these seniors would eventually move to other more appropriate housing elsewhere or would pass away. School impacts from the future turnover of existing homes occupied by seniors to younger families are not considered to be related to the proposed projects as they would be occurring with or without the proposed project. Therefore, the secondary impacts to school enrollment referenced in this comment are not considered to be significant.

Comment 3.6-5 (Letter # 3, Margaret Ross): Can the Town of Carmel Water District support another large community? With 120 units, all the sports activities, and the resulting visitors, how much water can Carmel provide? Will there be a reduction in pressure for all users at peak times?

Response 3.6-5: *Refer to responses 2.0-4 and 3.6-3.*

Comment 3.6-6 (Letter # 3, Margaret Ross): Can the Town of Carmel Sewer District handle all the extra sewage that will be generated?

Response 3.6-6: *Refer to response 3.6-2.*

Comment 3.6-7 (Letter # 4, Ann Fanizzi, October 11, 2006): Without benefit of a credible and valid survey, 120 units of senior housing are being proposed, partially funded by New York State Division of Housing and Community Renewal. For almost three years, I have attempted to obtain a survey that was initially proposed by the Putnam County Housing Corporation that would have provided definitive data that there is indeed a need for subsidized housing in Putnam County and that residents of the highest salaried county would fulfill the income eligibility requirements.

Response 3.6-7: *A. The subject project is not being developed under a specific housing program but will be developed within the guidelines of The Putnam Community Foundation. The Putnam Community Foundation is a local, not for profit, organization which has undertaken other senior housing projects in the Village of Brewster including those at Mayor Mitchell Court and 50 Main Street.*

B. Putnam County residents over the age of 62 will be eligible for the proposed senior housing.

C. The Applicant is currently seeking grants and other opportunities for local, state, and federal funding as they become available. Based on the uncertainty of funding, a ratio of contribution from state and community renewal programs can not be provided.

3.7 VISUAL RESOURCES COMMENTS AND RESPONSES

No comments were received on this Chapter.

3.8 CULTURAL RESOURCES COMMENTS AND RESPONSES

No comments were received on this Chapter.

4.0 ALTERNATIVES COMMENTS AND RESPONSES

Comment 4.0-1 (Letter #1, Marilyn Shanahan, DEP, September 21, 2007): Alternative C, the Reduced Scale Alternative, includes less disturbance but also includes more housing units than proposed under the Preferred Alternative. From the materials received, it is unclear as to why the Reduced Scale Alternative did not include a similar number of units as the Preferred Alternative, which would allow for a more meaningful comparison.

> ***Response 4.0-1:*** *Alternative C, the Reduced Scale Alternative, as presented in the DEIS, complies with all the requirements set forth in the adopted scope. The scope does not specify a number of units that should be included in the Alternative C plan. Note that impacts associated with each of the alternatives presented in the DEIS are compared directly with the Proposed Action in Chapter 4.0, Alternatives. The comparison is presented in text and tabular format and covers each area of potential impact required by the scope for the assessment of the Proposed Action.*

Comment 4.0-2 (Letter #2, Ann Fanizzi, October 12, 2007): In response to questions that I raised, the applicant's representative stated that the DEIS covered alternatives aside from "No Build". They were a denser version of that which was designed and "seven houses". I considered the last as a throwaway meant to fill up space and not a recommendation of consequence to be used as a basis for further discussion.

> ***Response 4.0-2:*** *The adopted scope required that an alternate use plan, consistent with the Residential (R) Zoning District, be developed and assessed. Under this alternative and consistent with the Town's residential zoning, a seven, single-family lot subdivision was developed by the project engineer.*

Comment 4.0-3 (Letter #4, Ann Fanizzi, October 11, 2006): As proposed, the project represents one of the most egregious examples of sprawl development, criticized for its wasteful use of land resources. The applicant should provide an alternative compact site design which minimizes land use and fragmentation of open space, thereby eliminating the extraordinary 2,500 linear access road and reducing the potential destructive water quality impacts of impervious surfaces and phosphorous loading.

> ***Response 4.0-3:*** *The DEIS includes a Reduced Scale Alternative, which, as required by the adopted scope, results in less disturbance and less impervious surface than the Proposed Action. This alternative reduces the impacts to on-site habitat when compared with the Proposed Action. The implementation of the required Stormwater Pollution Prevention and Erosion and Sediment Control Plans will protect downstream water resources from stormwater runoff and associated pollutants originating on the project site.*

5.0 ADVERSE ENVIRONMENTAL EFFECTS THAT CANNOT BE AVOIDED IF THE PROJECT IS IMPLEMENTED COMMENTS AND RESPONSES

No comments were received on this Chapter.

6.0 OTHER ISSUES COMMENTS AND RESPONSES

No comments were received on this Chapter.

7.0 SOURCES AND BIBLIOGRAPHY COMMENTS AND RESPONSES

No comments were received on this Chapter and no additional sources have been referenced since the acceptance of the DEIS.