

ROCK HILL TOWN CENTER FINDINGS STATEMENT

State Environmental Quality Review
Adopted November 18, 2009

Pursuant to Article 8 of the New York Environmental Conservation Law and 6 NYCRR Part 617 -- the State Environmental Quality Review Act (SEQRA) -- the Planning Board of the Town of Thompson ("the Planning Board"), as Lead Agency, makes the following Findings.

Name of Action: Rock Hill Town Center

Name of Applicant: RH Land Development, LLC

Lead Agency: Town of Thompson Planning Board

Agency Jurisdiction: The Town of Thompson Planning Board is acting as Lead Agency under SEQRA for the proposed action. The Planning Board is an involved agency because the applicant must obtain subdivision and site plan approvals and a special use permit from the Planning Board.

SEQR Status: Type I

Date Final EIS Filed: September 2, 2009

Description of Action and Location:

RH Land Development, LLC, proposes to construct a mixed use residential and commercial development known as the Rock Hill Town Center, on approximately 527 acres of mostly vacant land in the unincorporated portion of the Town of Thompson, Sullivan County, New York. The project site is located north of NYS Route 17 and Rock Hill Drive, east of Edwards Road, south of Marsh Road, and east and west of Glen Wild Road (County Route 58).

The tax parcels comprising the project site are identified on the Town of Thompson tax maps as follows: 24-1-9, 24-1-10, 24-1-11, 24-1-12, 25-1-9, 25-1-10, 25-1-15.2, 25-1-16, 25-1-17, 25-1-21.2, 25-1-24, 32-1-6, 32-1-7, 32-1-10.

The project site falls into three zoning districts. The southern portion of the site with frontage along Rock Hill Road is zoned Highway Commercial 2 (HC-2), the northern portion is Suburban Residential (SR) and the eastern portion of the site, abutting the HC-2 zoned property and located along Glen Wild Road, is Rural Residential (RR-1). Zoning within the project site can be seen in Figure 3.4-2A following Chapter 3.4 of the DEIS/DGEIS.

The Proposed Action is the construction of an as-of-right plan, as shown in Figure 1-1: Current Concept Plan at the end of FEIS/FGEIS Chapter 1.0, which is primarily a residential development plan designed in accordance with existing zoning. The project as proposed, which is anticipated to be built in three phases on the subject site, could result in the construction of a total of 1,613 residential units and approximately 60,000 square feet of commercial space. These figures were the basis for the evaluation of environmental impacts; they are the subject of continued Town review as part of the special use permit, site plan and subdivision review processes. The Rock Hill Town Center development is proposed to be built over a fifteen to twenty year period. The gradual construction of the

project and occupancy of units over time (four to five years for Phase 1 and fifteen to twenty years, dependant upon market conditions for the entire project) would allow for a gradual increase in population and building development in Rock Hill Town Center. Project phasing is shown in Figure 1-2 of the FEIS/FGEIS, at the end of Chapter 1.0.

The residential development could consist of 217 single family dwellings, 1,012 townhome units, and 384 multifamily dwellings, totaling 1,613 dwelling units. Slightly more than ten percent or 168 units of the total residential units proposed would be set aside as age restricted, allowing only adults 55 years of age and older to reside in these units. Distribution and siting of these housing units will be based on a number of considerations that will be addressed through discussions between the Applicant and the Town as the special permit and site plan review process advances. Currently, the target is to provide 10 percent of the total housing developed in each phase as age restricted units. The final number of age restricted units may vary from the ten percent if market conditions warrant.

The commercial portion of the proposed project (southwest corner) would include the development of 60,000 square feet of neighborhood convenience retail uses (two, three or four separate retailers, possibly including a small supermarket) adjoining the Rock Hill hamlet at Exit 109 of NYS Route 17. A gasoline service station would not be included as part of this project.

The Rock Hill Town Center development would be serviced by central (private) sewer and water facilities including a new on-site water storage tank(s) and a new sewage treatment plant (STP) on the west side of Glen Wild Road. Potable water would be taken from on-site groundwater wells and distributed through a community water system that would service the project site.

Access to and through the proposed development would be from Glen Wild Road on the east and Rock Hill Drive on the south via two roads built to Town specifications and potentially offered to the Town for dedication as public roads. Access within the individual neighborhoods in the development would be provided via an internal system of roads to remain privately owned and maintained.

Lands owned by the Applicant east of Glen Wild Road are not to be developed with the exception of the installation of the STP outfall pipe (across from the STP) and a possible well and pump house (across from southern entrance to the development). These infrastructure improvements would require review and approval from the appropriate regulatory agencies. The area of the southerly open space lot includes NYSDEC regulated wetlands and their associated 100 foot adjacent area, which will remain subject to regulation by the State. The applicant will prepare and record an appropriate open space easement for that parcel, with exceptions for these potential infrastructure improvements, to be approved by the Town Attorney.

The development plan includes five distinct residential neighborhoods, consisting of the following:

- The Lower West Side neighborhood would consist of a mix of single family detached and two-family dwelling units with access to Rock Hill Drive via the north-south internal collector road. The commercial component would have direct access to Rock Hill Drive. A club house and recreation facilities are included for this neighborhood. The commercial component and the collector road are included in proposed Phase 1; the residential development would occur in a future phase.

- The East Side neighborhood would consist of the development of multifamily dwellings and townhomes with access to one of the two internal collector roadways. A club house, outdoor pool, and large commons area are proposed for the East Side neighborhood. This neighborhood is included in proposed Phase 1.
- The Glen Wild South neighborhood would consist of a mix of single family detached and two-family dwelling units with access to Glen Wild Road via the east-west internal collector road. Glen Wild South is in the location where the Town Center commercial park was proposed in the original plan. Recreation facilities, developed with Town input, will be included in this neighborhood. There is no Town Center commercial development proposed in the as-of-right plan in this area. This neighborhood is included in proposed Phase 1.
- The Upper West Side neighborhood would consist of the development of a mix of multifamily and townhome dwelling units with access to the internal collector roadway. A club house, outdoor pool, and large commons area are proposed for the Upper West Side neighborhood. This neighborhood will be included in a future phase of development.
- The North Side neighborhood would consist of the development of townhome dwellings with access to Glen Wild Road via the main internal collector road. A club house and recreation facilities are included in the plan. This neighborhood will be included in a future phase of development.

The overall layout of the project development is based on establishing the neighborhoods as separate entities and allowing for road right of ways consistent with Town specifications.

Figure 2-1, Project Phasing, following page 22 of the FEIS/FGEIS, provides additional information on each neighborhood related to the phasing of the project.

The general phasing of improvements is identified below.

Phase 1 will require the following:

- Construct a portion of the central north/south road from Rock Hill Drive to the north extent of the East Side neighborhood.
- Construct the east/west section of the central road connecting the north/south road to Glen Wild Road through the Glen Wild South Neighborhood.
- Construct the water supply system including wells, pump houses, storage tank and all trunk lines between the wells and storage tanks and in the main roads with stubs to minor roads.
- Construct adequate sewer capacity for Phase 1 in the proposed plant. Construct all sewer lines in the main roads with stubs for minor roads. Construct force main and pump station as necessary for Phase 1.
- Construct minor roads in first sales areas with all necessary utility extensions. Construct sales models and office, and thereafter build out Phase 1 buildings.
- Before the first certificate of occupancy for any neighborhood, construct the recreational amenity specifically set aside for that neighborhood.

- Add all landscaping including street trees for each home prior to a Certificate of Occupancy being granted except for in winter, when a bonding and/or cash deposit provision can be made until the spring planting season.
- Construct off-site roadway improvements in accordance with Table 5 - Phasing of Mitigation Measures in the letter from Adler Consulting, dated May 25, 2009, appended to both this document and the FEIS/FGEIS and as modified herein.¹
- Public utilities including the water supply system and treatment plant, sewer system and treatment plant, drainage system and roadways, with the exception of pavement, will be constructed and found substantially complete by the Town Engineer prior to the issuance of Building Permits.

Phase 2 will include the following items:

- Construct the balance of the main north/south road from the north extent of the East Side neighborhood to its connection to Glen Wild Road.
- Construct the necessary water supply system and capacity for Phase 2 including any additional wells, pump houses, storage tank and all trunk lines between the wells and storage tank(s) and in the main roads with stubs to minor roads. Construct force main and pump station as necessary for Phase 2.
- Construct adequate sewer capacity for Phase 2 in the proposed plant. Construct all sewer lines in the main roads with stubs for minor roads. Construct force main and pump station as necessary for Phase 2.
- Construct minor roads in first sales areas with all necessary utility extensions. Construct sales models and office, and thereafter build out Phase 2 buildings.
- Before the first certificate of occupancy for any neighborhood, construct recreational amenity specifically set aside for that neighborhood.
- Add all landscaping including street trees for each home prior to a Certificate of Occupancy being granted except for in winter, when a bonding and/or cash deposit provision can be made until the spring planting season.
- Construct off-site roadway improvements in accordance with Table 5 – Phasing of Mitigation Measures in the letter from Adler Consulting, dated May 25, 2009, appended to both this document and the FEIS/FGEIS.
- Public utilities including the water supply system and treatment plant, sewer system and treatment plant, drainage system and roadways, with the exception of the pavement, will be constructed and found substantially complete by the Town Engineer prior to the issuance of Building Permits.

¹ Modifications to the May 25, 2005 Adler letter are limited to a) Expunging the footnoted reference to combining Glen Wild Road and Katrina Falls Road to a single intersection with Rock Hill Road in Table 3, as this is a vestige of the original development concept and is no longer proposed, and b) Corrections to Table 5 regarding the geometric improvement for the intersection of Glen Wild Road & Rock Hill Road (i.e. Milestone 3 should be “widen the eastbound approach to provide a left-turn lane, a *through lane* and two receiving lanes”).

Phase 3 will include the following items:

- Construct the necessary water supply system and capacity for Phase 3 including any additional wells, pump houses, storage tank and all trunk lines between the wells and storage tank(s) and in the main roads with stubs to minor roads.
- Construct adequate sewer capacity for Phase 3 in the proposed plant. Construct all sewer lines in the main roads with stubs for minor roads. Construct force main and pump station as necessary for Phase 3.
- Construct all remaining on-site roads to support completion of the Phase 3 development.
- Construct minor roads in first sales areas with all necessary utility extensions. Construct sales models and office, and thereafter build out Phase 3 buildings.
- Before the first certificate of occupancy for any neighborhood, construct recreational amenity specifically set aside for that neighborhood.
- Add all landscaping including street trees for each home prior to a Certificate of Occupancy being granted except for in winter, when a bonding and/or cash deposit provision can be made until the spring planting season.
- Construct off-site roadway improvements in accordance with Table 5 – Phasing of Mitigation Measures in the letter from Adler Consulting, dated May 25, 2009, appended to both this document and the FEIS/FGEIS.
- Public utilities including the water supply system and treatment plant, sewer system and treatment plant, drainage system and roadways, with the exception of pavement, will be constructed and found substantially complete by the Town Engineer prior to the issuance of Building Permits.

In this Findings Statement, the FEIS, where referenced, relates to Phase 1 of the Proposed Action while the FGEIS, where referenced, relates to all future phases. Reference to the DEIS relates to the originally proposed Phase 1/1A portion of the development while reference to the DGEIS relates to all future phases. Where DEIS/DGEIS and FEIS/FGEIS are used, the reference is to the Proposed Action in its entirety (EIS and GEIS portions combined) as presented in these documents.

The roads, water and sewer systems, stormwater facilities, drainage systems as well as the amenities (playgrounds, community building) will require financial security from the Applicant and/or owner/operator and/or managing entity(s) in the form of bonds and/or cash deposits. Financial securities shall be made prior to signature of final plat or site plan approval by the Planning Board Chair.

Prior to site plan approval, the Planning Board shall review and approve any proposed declarations of the homeowners association(s) proposed within the development, including relevant portions of the proposed condo/homeowners association or similar documents to ensure that requirements and commitments relating to the Town review process are included.

Residential and commercial development, like that proposed for the Rock Hill Town Center, are permitted uses in the zoning districts within which the project site lies. A Special Permit

would need to be granted by the Town of Thompson Planning Board to allow multifamily dwellings and the wastewater treatment plant in the SR zone, and to allow a shopping center in the HC-2 zone.

Additional approvals will be required for wetland impacts (US Army Corps of Engineers – Phases 2 and 3), wetland adjacent area and stream bed and banks impacts (New York State Department of Environmental Conservation), stormwater management (New York State Department of Environmental Conservation), wastewater disposal and water supply (New York State Department of Health), roadway improvements (New York State Department of Transportation and Sullivan County Department of Public Works), SPDES (New York State Department of Environmental Conservation) and ground and surface water withdrawal in the Delaware River Basin (Delaware River Basin Commission). While preliminary approval of site plans are granted prior to receipt of any regulatory agency approval, a final approval of the site plans may be granted conditioned upon the receipt of certain regulatory agency approvals (to be determined by the Town). Regardless, all of the above regulatory agency approvals are to be obtained prior to signature of final plat or site plan approval by the Planning Board Chair.

Recommendations for specific milestones and the phasing of off-site traffic improvements are documented in the letter from Adler Consulting, dated May 25, 2009, appended to this Findings Statement and the FEIS/FGEIS.

FINDINGS

After due consideration and pursuant to Article 8 of the Environmental Conservation Law and 6 NYCRR Part 617, the Planning Board of the Town of Thompson, as Lead Agency, finds that:

- 1) The requirements of 6 NYCRR Part 617 have been met and complied with in full; and
- 2) Consistent with social, economic, and other essential considerations from among the reasonable alternatives thereto, the action to be approved is one that minimizes or avoids significant adverse environmental impacts to the maximum extent practicable; and
- 3) Consistent with social, economic, and other essential considerations, to the maximum extent practicable, significant adverse environmental impacts identified in the environmental impact statement will be minimized or avoided by incorporating as conditions to the decision the mitigation measures identified in the environmental impact statement; and
- 4) The proposed action balances potential beneficial impacts in the form of new jobs for residents of the Town of Thompson and Sullivan County; generation of tax revenues for the Town, School District, County and State; new homes for future residents and provision of an area set aside for a future Town amenity (such as a park facility) off Rock Hill Drive with potential adverse impacts; and
- 5) This written findings statement contains the facts and conclusions used by the Planning Board to support its decision.

SEQR Process

This Findings Statement attests to the fact that the Town of Thompson Planning Board, as Lead Agency, has complied with all of the applicable procedural requirements of Part 617 in reviewing this matter, including but not limited to:

- Coordinated designation of the Planning Board as Lead Agency;
- Issuance of a Positive Declaration by the Planning Board;
- Public Scoping Session and adoption of Scoping Document for DEIS/DGEIS;
- Preparation of a DEIS/DGEIS by the Project Sponsor; Acceptance of the DEIS/DGEIS by the Planning Board; Filing of the DEIS/DGEIS and a Notice of Completion;
- Establishment of a Comment Period and the holding of a Public Hearing on the DEIS/DGEIS by the Planning Board;
- Consideration of correspondence between the Applicant and the Involved and Interested Agencies as well as outside organizations;
- Preparation of a FEIS/FGEIS;
- Acceptance of the FEIS/FGEIS by the Planning Board;
- Filing of the FEIS/FGEIS and a Notice of Completion by the Planning Board;
- Establishment of a reasonable period for review of the FEIS/FGEIS by the public and involved agencies prior to adoptions of a findings statement; and
- Preparation and adoption of this Findings Statement by the Planning Board.

This Findings Statement attests to the fact that the Planning Board has given due consideration to the EIS prepared in conjunction with this action. Further, this Findings Statement contains the facts and conclusions in the EIS relied upon by the Planning Board to support its future decisions and indicate the social, economic and other essential factors and standards which will form the basis for its decisions.

SUMMARY OF POTENTIAL IMPACTS AND PROPOSED MITIGATION

GEOLOGY, SOILS, TOPOGRAPHY

Potential Impacts

Topography

Grading and modification of the site's topography will be required to develop the property, including the installation of roadways, building foundations and parking areas. The majority of grading for the Rock Hill Town Center will occur in areas with slopes of less than 20 percent. Impacts to steep slopes of 20 percent or greater are mostly limited to the northwestern portion of the site for the construction of the access road and for grading for a number of homes and stormwater detention basins. This impact to steep slopes is small with only 4.66 acres of the steep slopes being impacted by the proposed development.

Soils

Grading and recontouring of soils is required for the construction of roads, dwellings, recreational facilities, commercial facilities, parking areas and the storm water detention basins, as shown in the Grading Plan attached in the drawing set as Drawings C101-107. The total area of grading or site disturbance is estimated to be approximately 293.64 acres of the site. Therefore, 233.38 acres of the site will remain undisturbed.

Preliminary estimates for Phase 1 (FEIS) indicate approximately 207,000 cubic yards (cy) will be cut and approximately 140,000 cy will be filled. The Erosion and Sediment Control Plan presented in the FEIS/FGEIS includes an outline of the area where the contractor is to place all Phase 1 excess material. Protection measures for the stockpiled materials are included in the Erosion and Sediment Control Plan (Drawing C-107 of the Plan Set). While the Applicant anticipates that there will be no excess or deficit of material upon the completion of the project, a similar analysis will be performed for all future phases.

The potential for soil erosion associated with grading work is temporary in nature, as all areas are ultimately stabilized by impervious cover or landscaping. Any disturbed area that is not developed with impervious surface would be graded, seeded or otherwise landscaped, including the stormwater management basins.

Geology

Based on a review of the site's geology, rock removal will be required to accommodate the development. Rock removal can be completed using methods other than blasting. In areas where rock is weathered, hammering, ripping, or chipping with excavators will be used wherever possible. However, there may be areas where blasting is required as a final option. Blasting would be carried out in accordance with the Blasting Protocol developed for this project and any specific blasting plan prepared by the blasting contractor. This plan would meet all New York State and Town of Thompson, Chapter 120, Drilling and Blasting, requirements for blasting.

The project engineer is proposing to use a rock crusher on-site to utilize the blasted rock as road base material and fill. This will help to reduce the number of trucks that will be needed to travel on local roads to supply fill material and road base material to the site. The rock crusher would be located in the center of the project site to limit potential noise impacts to adjoining properties.

Mitigation Measures for Geology, Soils, Topography

Soils Mitigation

Potential erosion and sedimentation will be controlled during the construction period by temporary devices which are described in the Storm Water Pollution Prevention Plan (SWPPP) and shown on the Erosion and Sediment Control Plan presented in Appendix F of the FEIS/FGEIS. The erosion and sediment control devices for the proposed plan have been developed in accordance with the Erosion and Sediment Control Guidelines in the

NYSDEC SPDES General Permit for Stormwater Discharges for Construction Activities (Permit No. GP-0-08-001), *Best Management Practices Manual for Erosion and Sediment Control (1991)* and *New York State Standards and Specification for Erosion and Sediment Control (2005)*. The proposed temporary and permanent erosion and sediment control facilities are described in the SWPPP. Temporary erosion control measures include but are not limited to stabilized construction entrances, temporary sediment traps, and silt fences/or hay bales.

The permanent erosion and sediment control facilities to be constructed include but are not limited to: grassed swales, grassed swales with check dams, dry swales, culverts, detention ponds, stoned lined outlet protection, and re-vegetation on all disturbed area that are not proposed to be impervious surfaces. The principle objectives of an Erosion and Sediment Control Plan are as follows:

- divert clean surface water before it reaches the construction area;
- control erosion at its source with temporary and permanent soil protection measures;
- capture sediment-laden runoff from areas of disturbance and filter the runoff prior to discharge; and,
- decelerate and distribute storm water runoff through natural vegetative buffers or structural means before discharge to off-site areas.

These objectives can be achieved by utilizing a collective approach to managing runoff, i.e. Best Management Practices (BMPs) as set forth in Appendix C.

Blasting Mitigation

While the distance between the blasting site and off-site structures cannot be controlled, the amount of explosives and their configuration can be controlled by the blasting contractor. Carefully controlled test blasting, with monitoring by seismographs will be used to assess vibrations in the specific rock type and geologic setting at the project site. The test blasting will then be used to design the amount and configuration of the required charges, thereby minimizing the potential for damage.

A blasting plan limiting peak particle velocity will be developed for the project, set forth in the construction documents and adhered to by the blasting contractor. A blasting agreement with a summary of operations to address any Town concerns will also be provided as a condition of site plan approval. In addition, a ground vibration monitoring plan will be developed for the area surrounding the Lake Wanaksink Dam and a report documenting the findings will be generated. Finally, the Applicant will conduct pre-blast inspections of all buildings and structures on properties immediately adjacent to the project site to ensure damage does not occur as a result of on-site blasting.

New York State regulations require insurance and licensing for the contractor. The Town of Thompson Code requires work to be completed under a New York State blaster's license and that a blasting permit be issued by the Town of Thompson Clerk after approval by the Town Board. The blasting contractor will carry the appropriate insurance as required by law.

In addition, the Applicant has agreed to provide insurance as necessary and to comply with all regulations regarding blasting that are connected with this application, not the independent actions of others.

SURFACE WATER RESOURCES

Potential Impacts

The DEIS/DGEIS and FEIS/FGEIS include extensive analysis of the potential impacts to surface water bodies, including wetlands and stream corridors on the project site. This analysis is part of the stormwater management system created for the proposed project to be reviewed and approved by the NYSDEC and the Town of Thompson.

Potential impacts to the on- and off-site surface water resources that might be expected to result from the proposed action include sedimentation during construction, post development increases in pollutant loading in stormwater, post development flooding from increased peak rates of stormwater discharge, and bed and bank erosion in receiving watercourses resulting from increased stormwater discharge velocities. NYSDEC regulations require that all construction activities that disturb greater than five acres of land must prepare a full stormwater pollution prevention plan, including water discharge quality and quantity control components.

A stormwater pollution prevention plan (SWPPP) was prepared for the project and reviewed by the Planning Board and its technical consultants. The New York State Department of Environmental Conservation (NYSDEC) will also review the SWPPP in consideration of the NYSDEC Stormwater Management Design Manual requirements. The project will require coverage under NYSDEC General Permit GP-0-08-001. The SWPPP will ensure that post-development stormwater flow volumes and rates will not exceed pre-development flow volumes and rates and that post-development pollutant loading (phosphorus, nitrogen, and biological oxygen demand) will not exceed pre-development levels to the maximum extent practicable.

The proposed plan, Figure 1-1 of the FEIS/FGEIS and the FEIS/FGEIS Site Plan, would discharge effluent from the proposed sewage treatment plant to Fowlwood Brook in accordance with an approved NYSDEC SPDES permit that would stipulate the approved limits on discharge quantity and quality. With the exception of the sewage treatment plant outfall no portion of the current plan would fall within any flood prone area, nor would it disturb the bed and banks of any NYSDEC regulated watercourse.

Mitigation Measures for Surface Water

As described above, the stormwater pollution prevention plan (SWPPP) is designed to mitigate potential project impacts to stormwater run-off quantity and quality. The SWPPP comprises a series of stormwater management practices (SMPs) including catch basins and conveyance structures (pipes and flow splitters), grassed swales, water quality basins, and detention ponds. The SWPPP has been designed by the project engineer to meet the New York State standards for detention and treatment.

As now proposed, the SWPPP provides substantial mitigation of potential impacts on water resources. Additional measures not included in the SWPPP can be called for by the NYSDEC and the Town of Thompson during review of the SWPPP and/or in the field to address specific concerns including those required to address suspended colloidal solids. Beyond the implementation of the project specific SWPPP and those measures required by the regulatory agencies moving forward with the SWPPP and site plan review, no further mitigation measures are currently proposed.

ECOLOGY AND WETLAND RESOURCES

Potential Impacts

Wetlands

The proposed project will result in approximately 1.1 acres of disturbance to non-regulated wetlands (areas not under the jurisdiction of the NYSDEC or the USACE) and temporary disturbance to a dirt road within a NYSDEC regulated wetland buffer for the installation of underground utility lines. These disturbances are required and are unavoidable. A permit will be required from the NYSDEC for the temporary disturbance in the 100 foot regulated buffer; the USACE does not regulate a buffer area surrounding a protected wetland. Under Phase 1 of the Proposed Action, wetlands regulated by the USACE will not be disturbed and therefore a permit will not be required. For future phases of the development, the applicant will be required to provide an assessment of potential wetland disturbance and the need for permits from the USACE and/or the NYSDEC.

Ecology and Vegetation

The proposed project will disturb areas of wetlands, and hardwood uplands. Approximately 2.8 percent of wetland communities and 18.8 percent of hardwood uplands and its understory will be cleared or disturbed for construction of the proposed action. The disturbance and loss of on-site vegetation is unavoidable and required for the development and construction of the project. The unavoidable loss of these wetland and hardwood upland areas does not constitute a significant adverse environmental impact.

Mitigation Measures for Ecology and Wetlands

Ecology

As described in the DEIS/DGEIS, there may be opportunities to preserve tree stands within the overall development area as the site plan is advanced and refined. Where these tree stands are identified, there should be no disturbance of any kind within the projected root zone of these trees or within the drip line of the tree foliage. Snow fencing or other highly visible means of marking should be placed around the maximum area of the root system to prevent the destruction of roots by exposure or through the compaction of soils. Construction crews would be notified to exclude all equipment from these protected areas. If necessary, trees would be protected by tree wells in fill areas, and retaining walls in cut areas.

Should incursion into areas intended to be protected occur, the disturbed areas will be reestablished and replanted with the appropriate type of vegetation and to the satisfaction of the Town Engineer.

Wetlands

As mitigation for the wetland buffer disturbance, the Applicant will replant trees, shrubs and herbaceous vegetation that are indigenous to the existing wetland adjacent area on the site. Only native plant species will be utilized in the restoration, and a maintenance and monitoring plan would be prepared, implemented and enforced to ensure long term success of the plantings and the maintenance of appropriate hydrology.

LAND USE AND ZONING

Potential Impacts

The project site consists of approximately 527 acres of primarily vacant land located in the vicinity of the Rock Hill hamlet in the Town of Thompson. Land uses in the site vicinity include a mix of commercial uses, single family residential dwellings, and vacant land. The hamlet of Rock Hill in the vicinity of the Glen Wild Road / Rock Hill Drive intersection hosts a variety of commercial uses that include retail sales, personal service establishments, restaurants, service stations and office space. Glen Wild Road north of Rock Hill Drive includes commercial uses eventually giving way to residential properties and vacant land within about one-half mile. Some commercial uses occur in converted residential structures and include such businesses as kennels and antique shops. Generally speaking, outside the hamlet area land use takes on a distinctly rural character.

The project site falls in three zoning districts, as shown in Figure 3.4-2A: Zoning Map (Project Site) of the DEIS/DGEIS. The southern portion of the site with frontage along Rock Hill Road is zoned Highway Commercial 2 (HC-2), the northern portion is Suburban Residential (SR) and the eastern portion, located along Glen Wild Road, is Rural Residential (RR-1). The eastern portion abuts an HC-2 zone. While the original project plan would have required zoning changes to accommodate commercial land use in the center of the site, the land uses proposed in the as-of-right plan are permitted uses for the applicable districts in which they fall.

In accordance with the Town of Thompson site plan regulations, the proposed plan has taken into consideration the public health, safety, and welfare, the comfort and convenience of the public in general (including the prospective occupants of the proposed development) and of the immediate neighborhood in particular as spelled out in Section 250-50 of the law. The objectives of the project design highlight the following:

- Traffic access - adequate points of access but not excessive in number, and safety considerations at all new intersections, both internal and at access points with existing public roads.

- Circulation and Parking - adequate off-street parking (and loading spaces for commercial uses) to prevent regular parking in streets. The internal circulation pattern will provide safe accessibility within and between the various use areas in the site.
- Landscaping and Screening - all recreation areas, parking and service areas shall be reasonably screened from view of adjacent residential lots and public streets year-round.
- Fire and Police protection - all proposed structures shall be readily accessible for fire apparatus and reasonably visible for police protection.
- Harmony with Community - the proposed project is of such size, location and character to ensure it will be in harmony with appropriate and orderly development of the local area.

It is the Applicant's opinion that the overall project development is consistent with the Town's adopted Comprehensive Plan.

Mitigation Measures for Land Use and Zoning

The Rock Hill Town Center is planned such that it would preserve the community character of the project site's vicinity while creating housing and employment opportunities. The design and scale of the proposed action are expected to be compatible with respect to the existing buildings, streets, and amenities and the project's surrounding area. The proposed architecture would be compatible in style, scale, and detail with the surrounding development and the natural landscape. As such, it is not anticipated that there would be any impacts to land use requiring implementation of mitigation measures.

The As-of-Right plan presented in the FEIS/FGEIS has been designed by the Applicant to comply with existing zoning, and will be further reviewed for compliance by the Planning Board during the site plan review stage.

As no significant impacts to public policies are anticipated as a result of the proposed development, no mitigation measures are proposed.

TRANSPORTATION

Potential Impacts

A traffic impact study was prepared for the originally proposed project, as shown in Figure 2-2 of the DEIS/DGEIS, and the study was reviewed by the Planning Board and its technical consultants (DEIS/DGEIS, Appendix F). Based on input received during the public review process, among other considerations, the Applicant modified its proposal for Rock Hill Town Center to the as-of-right Residential Alternative under which the commercial component of the project would be reduced by more than 85 percent resulting in a significant reduction in traffic-related impacts. The 480,000 square feet of commercial development proposed off of Glen Wild Road has been reduced to 60,000 square feet of neighborhood convenience retail located on Rock Hill Drive. A revised Traffic Analysis of the Residential Alternative has been prepared by Adler Consulting, dated February 27, 2009, and is included in the FEIS/FGEIS

as Appendix E.² The revised traffic study was reviewed by the Lead Agency and its technical consultants.

This project change has resulted in peak-hour traffic volumes being reduced by up to 60 percent. Peak hour vehicle trips have been reduced from approximately 3,000 to 1,100 trips. Extensive mitigation measures were proposed in the DEIS/DGEIS to offset the anticipated impacts of the original DEIS/DGEIS Plan. Modified mitigation measures commensurate with the potential impacts of the as-of-right Residential Alternative are now proposed and are presented herein.

As a result of the project modifications, the mitigation measures proposed at the intersection of Katrina Falls Road at Lake Louise Marie Road are no longer necessary or proposed (as relates to the effects of this project). The realignment of the intersection of Glen Wild Road and Katrina Falls Road is no longer necessary or proposed. The widening of Glen Wild Road at the original commercial site access is also no longer necessary.

In conjunction with the work on Route 17/Interstate 86 and unrelated to the Proposed Action, the New York State Department of Transportation proposes to reduce access to all properties in the immediate vicinity of the west bound exit ramp except for Dutch's Tavern. The As-of-Right plan proposed herein would require a reduction in access to Dutch's Tavern, which would impact its parking.

The proposed roadway improvements for the Rock Hill Town Center project have been designed using the NYSDOT preliminary design plans for the reconstruction of the Exit 109 ramps and, as such, avoid takings. It is noted that, based on the NYSDOT right-of-way information, the existing roadbed of Glen Wild Road appears to encroach onto the gas station property at the northwest corner of the intersection of Glen Wild Road with Rock Hill Drive and that the existing roadbed of Katrina Falls Road appears to encroach onto Dutch's Tavern property at the southwest corner of the intersection of Katrina Falls Road with Rock Hill Drive. The improvements have been designed to essentially overlay the existing roadbed at these locations limiting encroachment to that in the existing condition. This will be confirmed by undertaking a survey to verify that the right-of-way information, provided by the NYSDOT, is accurate. It should be noted that project related impacts to the Rock Hill Fire Department driveway will not result as the widening of Glen Wild Road will not extend to that point.

² Based upon an interim Phase 1 site plan, the revised traffic analysis utilized a unit mix of 84 single family homes, 265 townhouse units and 192 multifamily units. The currently proposed project includes 95 single family homes, 264 townhouse units and 192 multifamily units. It is not anticipated that this slight discrepancy will have any significant impact on the conclusions, nor the identified mitigation measures, discussed in the traffic analysis.

Mitigation Measures for Traffic

Under the current plan, it is proposed to install and coordinate signals at the following intersections:³

- Rock Hill Drive at Glen Wild Road
- Rock Hill Drive at the Route 17 westbound ramps
- Rock Hill Drive at Katrina Falls Road
- Katrina Falls Road at the Route 17 eastbound ramps

Traffic Signals shall only be installed after an engineering study conducted for the Town which establishes, per Manual of Uniform Traffic Control Devices criteria, that the signals 1) are warranted, or 2) are reasonably expected to be warranted with the next phase of development. Engineering studies will be paid for by the applicant or developer.

In addition to signalization of the intersections listed above, other off-site traffic improvements are proposed as part of the modified site plan. The following list summarizes all the mitigation measures required for the Full Build Condition, presented as part of the FGEIS. The subset of this list, which represents the Phase 1 traffic improvements presented as part of the FEIS, follow this complete list of improvements. The Phase 1 (FEIS) improvements will include the installation and coordination of all the traffic signals noted previously. As part of this effort, the Applicant will coordinate its mitigation plans with NYSDOT.

Full Build Condition Traffic Improvements (FGEIS)

1. Glen Wild Road and Rock Hill Drive

- Widen the eastbound approach to provide a left-turn lane, a through lane and two receiving lanes.
- Widen the westbound approach to provide a through lane, a through/right-turn lane and one receiving lane.
- Widen the southbound approach to provide a left-turn lane, a right-turn lane and one receiving lane.
- Install a traffic signal and interconnect with Katrina Falls Road and Route 17 Westbound Ramps signals.

2. Rock Hill Drive and the NYS Route 17 Westbound Ramps

- Widen the westbound approach to provide a left-turn lane, a through lane and two receiving lanes.

³ Traffic signal warrants are discussed starting on page 63 of the Revised Traffic Impact Study, dated February 27, 2009, FEIS Appendix E.

- Widen the northbound approach to provide a left-turn lane, a right-turn lane and one receiving lane.
- Install a traffic signal, provide a presence loop 200 feet in advance of the off-ramp stop bar and interconnect the signal with those at Katrina Falls Road and Glen Wild Road.

3. Katrina Falls Road and Rock Hill Drive

- Widen eastbound approach to provide one approach lane and two receiving lanes.
- Widen northbound approach to provide a left-turn lane, a left/right turn lane and one receiving lane.
- Install a traffic signal and coordinate with those at the Route 17 off-ramps and Glen Wild Road.

4. Katrina Falls Road and NY Route 17 Eastbound Ramps

- Install a traffic signal and coordinate with those at Rock Hill Drive and Glen Wild Road. (The NYSDOT is contemplating relocation of the eastbound ramp to Holiday Mountain Trail. The Applicant will coordinate its mitigation plans with NYSDOT, and will install the traffic signal at the location designated by the NYSDOT ramp placement.)

Phase 1 Traffic Improvements (FEIS) – Refer to Figures 33 and 34 of the February 27, 2009 Traffic Impact Study included in Appendix E of the FEIS/FGEIS.

1. Glen Wild Road and Rock Hill Drive

- Widen the eastbound approach to provide a left-turn lane, a through lane and one receiving lane.
- Widen the westbound approach to provide a through lane, a right-turn lane and one receiving lane.
- Widen the southbound approach to provide a left-turn lane, a right-turn lane and one receiving lane.
- Install a traffic signal and interconnect with Katrina Falls Road and Route 17 Westbound Ramps signals.

2. Rock Hill Drive and the NYS Route 17 Westbound Ramps

- Widen the westbound approach to provide a left-turn lane, a through lane and one receiving lane.
- Install a traffic signal, provide a presence loop 200 feet in advance of the off-ramp stop bar and interconnect the signal with those at Katrina Falls Road and Glen Wild Road.

3. Katrina Falls Road and Rock Hill Drive

- Widen eastbound approach to provide one approach lane and two receiving lanes.

- Widen northbound approach to provide a left-turn lane, a left/right turn lane and one receiving lane.
- Install a traffic signal and coordinate with those at the Route 17 off-ramps and Glen Wild Road.

4. Katrina Falls Road and NY Route 17 Eastbound Ramps

- Install a traffic signal and coordinate with those at Rock Hill Drive and Glen Wild Road. (The NYSDOT is contemplating relocation of the eastbound ramp to Holiday Mountain Trail. The Applicant will coordinate its mitigation plans with NYSDOT, and will install the traffic signal at the location designated by the NYSDOT ramp placement.)

It is also proposed to construct a sidewalk along Rock Hill Drive from Katrina Falls Road to west of the NY Route 17 Westbound Ramps, to the extent possible. The goal is to provide sidewalks on Rock Hill Drive between Katrina Falls Road and potential sources of pedestrian activity to the west, where such a demand exists or is likely to materialize as the development progresses. The plans prepared for Full-Build improvements to Rock Hill Drive as part of the SEQRA process show this sidewalk on the south side of the road from Katrina Falls Road to the Route 17 westbound ramps, with crosswalks at the intersections of Katrina Falls Road, Glen Wild Road and the Route 17 westbound ramps with Rock Hill Drive. To the extent that available right-of-way exists, the pedestrian demand exists (or may reasonably be expected to materialize) and the project can support it, a sidewalk will be extended to the west on Rock Hill Drive to the new ball field and possibly to the retail component of the development as determined by the Planning Board. The future traffic studies, which will be conducted for the subsequent phases of the development, will include pedestrian counts and projections to this end.

The construction of the full program of traffic mitigation is dependent upon confirmation of the accuracy of right-of-way information presented by the New York State Department of Transportation (NYS DOT) in preliminary plans for the reconstruction of Exit 109 on Route 17 and, depending on whether or not the NYS DOT advances its plans to reconstruct this interchange, may or may not have impacts to abutting property owners. Since the Town, County and State all need to issue highway work permits for the completion of the traffic improvements, the Applicant will be required to work with these agencies and satisfy whatever conditions they require. Potential solutions to possible property impacts may include access/parking improvements to abutting properties and/or adjustment of the permitted amount of development. The Applicant shall reach an agreement with Dutch's Tavern regarding the replacement of as many of those parking spaces as possible (up to 13) which would be eliminated from the north side of the building with a like number of spaces on the south side of Dutch's Tavern. A note will be placed on the site plan regarding this issue.

Traffic Mitigation Milestones

Since traffic impact is primarily a function of added volume, milestones for implementation of the mitigation measures have been proposed based on the volume of traffic anticipated to be generated. The volume milestones for traffic monitoring and the phased implementation of the mitigation will be based primarily on weekday PM peak hour conditions, as this period

reflects the broadest representation of trips generated by the mix of uses and this period has been shown to be most critical in terms of traffic operations. If development and occupancy of the Proposed Action results different peak hour conditions, these time periods will also be evaluated.

The volume milestones will specifically address potential traffic impacts. Milestones can also be identified in terms of residential units or square feet of commercial development with supplemental traffic monitoring. The volume-based milestones proposed can be converted to development size using the following formula: Milestone equals the sum of the number of single-family units x 0.82, plus the number of townhouse units x 0.33, plus the number of multi-family units x 0.40, plus the number of thousand square feet of commercial development x 7.1.

Recommendations for specific milestones and the phasing of improvements have been documented in a letter to the Applicant from Adler Consulting, dated May 25, 2009 (included in FEIS/FGEIS Appendix D, Correspondence), appended to this Findings Statement. The Adler letter identifies milestones for traffic monitoring that would occur after each third of Phase 1 development (which was the subject of the FEIS review) and after each subsequent phase in Table 2. Consistent with the Traffic Impact Study, mitigation measures will be implemented in accordance with Table 5, Phasing of Mitigation Measures, in the Adler letter, subject to the satisfactory outcomes of the traffic monitoring studies as described therein.

Prior to the issuance of building permits, the Applicant will be required to submit an estimate from a qualified professional of the anticipated number of trips that the subject permitted work would generate. These values will be added to the results of the previous monitoring study (if one was already completed) to determine the aggregate trip generation. If the next milestone is not exceeded, the building permits may be issued without further off-site traffic mitigation. If the next milestone is forecast to be reached, the developer will conduct the first part of the two part Traffic Monitoring Studies described in the Adler letter following completion of the permitted work.

Traffic monitoring will consist of traffic counts at the Rock Hill Center driveways (Trip Generation Monitoring) and analyses of existing and future traffic operating conditions at specific intersections identified by the Town (Traffic Operating Conditions Study). The identification of these intersections will be based on the results of the driveway counts and any anecdotal evidence indicating that the Threshold Performance Measures detailed in the Adler letter are or may be exceeded. The two part Traffic Monitoring Studies are described in the Adler letter.

Consistent with the recommendation of NYSDOT in its letter dated May 13, 2009 (and included in FEIS/FGEIS Appendix D), a complete traffic study will be conducted at the conclusion of the construction of Phase 1, including all identified Phase 1 mitigation measures.

The following provisions respond to the recommendations of NYSDOT in its letter dated September 3, 2009:

- In addition to the maximum permitted values for the average delay presented in Table 3, Threshold Performance Measures at no time will queues on the ramps exiting NYS Route 17 be permitted to spill back to the deceleration lanes on Route 17. For the westbound ramps the maximum “back of queue” will not be permitted to exceed 260 feet, while for the eastbound ramps, maximum “back of queue” will not be permitted to exceed 490 feet. As a safety factor, these values are 20 percent less than the storage space available on the ramp before the ramps would reach the deceleration lane. The new traffic signal to be installed at the Route 17 Westbound Ramp terminus with Rock Hill Drive will include a loop detector located 200 feet back from the stop bar. Should the queue extend to activate this loop, the signal operation will be actuated to clear out the ramp.
- The Applicant will forward two copies of all monitoring surveys and traffic studies performed in relation to the development of Rock Hill Center to the NYS DOT, one for the NYS DOT files and one to be forwarded by them to the FHWA.
- NYS DOT will be included in any proposed changes to the phasing of mitigation measures.
- In association with the proposed off-site improvements, the Applicant will determine existing right-of-way boundaries from records of acquisition maps on file with Sullivan County.

VISUAL RESOURCES

Potential Impacts

The proposed project would change presently undeveloped land that is largely wooded to a mixed development of residential and commercial uses, and therefore change the visual character of the site as viewed from several locations along the area roadways. Three potentially significant aesthetic resources were identified in the project vicinity: NYS Route 17, the Neversink River, and Anshei Glen Synagogue, a National Historic Register site on Glen Wild Road. Neither NYS Route 17 nor the Neversink River is a designated scenic resource, and the visual assessment determined that the project site would not be visible from the Anshei Glen Synagogue. In most cases the intervening topography and the dense evergreen and deciduous woods would obscure views of the proposed developed portions of the property. The proposed commercial component on Glen Wild Road would be visible along the road frontage.

The site plan has been designed to work with the topography and is proposed to be phased so that discrete areas of the property would be cleared and developed at any one time. Nevertheless, due to the extent of existing forest on the project site, it is inevitable that extensive areas would need to be removed to develop the property as allowed by zoning and this tree clearing would be visible from identified locations off the site. It is anticipated that the site plans will be further developed during the site plan review process to identify opportunities for preserving areas of the forest between building clusters so that specific limit of disturbance lines will be delineated on the plans to ensure such preservation.

The proposed Phase 1 development area (FEIS Plan) is similar in size and location to the original Phase 1/1A area (DEIS Plan). The effects of the visual environment described in the DEIS/DGEIS for the original plan are valid for the current plan. In addition, the potential view of the project site from Route 17 eastbound was evaluated in April 2009, and is presented in Figures 3.6-1 through 3.6-5 at the end of Chapter 3.6 of the FEIS/FGEIS.

The trees on the ridgeline on the property come into view for eastbound traffic approximately 9,300 feet west of the site, in the vicinity of Exit 106, and remain in view to the Bridgeville Bridge approximately 2,500 feet west of the site. Over this 1.3-mile stretch of road, the view from the highway includes a vista toward the west-facing slopes of the subject site, framed by woods and topography on both sides of the highway. The width of the vista actually narrows as the viewer approaches the site, and due to the angle of view, off-site tree cover in the foreground obscures view of the site from the closest potential view point (Bridgeville Bridge).

As with the DEIS (Phase 1/1A) plan, a portion of Phase 1 (FEIS) plan construction would occur on the ridgeline. In relation to the entire length of the ridgeline on the subject site that is visible from the west, the change in the view would encompass less than one-fifth of the ridgeline. Given the prominence of the ridgeline view from Route 17 eastbound, visibility of some of the proposed buildings may be possible from the highway in the short term; ultimately, the proposed landscaping can be expected to soften or hide their visibility. The current engineering plans show a single water tank to be located in the approximate center of the subject property. The approximate top elevation of this tank would be about 82 feet above the existing trees on the ridgeline. Study of sight lines indicates that the possibility of visibility of the upper portion of the tank would only be likely from eastbound Route 17 west of the Bridgeville Bridge. It is anticipated that the water tank would be painted a blue-grey color to minimize its visibility against the sky.

Overall, the change brought about by the developed project to the scenic views of the local landscape including from Route 17, in the Applicant's opinion, would not significantly affect the viewers' appreciation of the scenic qualities of Sullivan County in any season of the year.

Mitigation Measures for Visual Resources

Site Design

In the proposed site plan the curvilinear street design works with existing grades and limits direct views into the developed areas of the site. The houses are proposed to be tucked into existing land forms to create a harmonious relationship between architecture and the landscape. Residences closer to the surrounding roads would obscure views of homes behind them, diminishing the potential visual impact of the scale of the development. In the proposed plan, lower density housing is located closer to the frontage at the west end of Rock Hill Drive and the north frontage of Glen Wild Road. In most cases the townhouses and multifamily units would be located in the interior of the site, where topography and woods would limit views of them.

As described above, the proposed commercial uses connected to the project have been reduced from 480,000 square feet in the DEIS/DGEIS Plan to 60,000 square feet in the

FEIS/FGEIS Plan. The commercial buildings will be located in the southwest corner of the site on the north side of Rock Hill Drive and within approximately 700 feet of NYS Route 117. The commercial buildings will be single story with architecture compatible in style and scale with the surrounding development.

Architecture and Landscaping

The proposed architecture would be compatible in style, scale, and detail with the surrounding development and the natural landscape. The housing styles and custom variations would draw from the traditional architecture of the local area. In addition, the proposed commercial building would be designed with building materials, colors, and style to reduce its visual mass. While the architectural features will be more fully defined as the proposed development moves through the review process, the project sponsor is committed to selecting residential and commercial styles that complement the most pleasing examples in the community. Representative architecture for the commercial, residential and wastewater treatment facility buildings are presented in Figures 3.6-8, 3.6-9 and 3.6-10 respectively of the DEIS/DGEIS.

Throughout the proposed development, new landscaping would include ornamental plantings designed to provide screening of parking areas or other undesirable views, create privacy, complement building architecture, and integrate the development with the surrounding area. At the entrances to the residential and commercial areas the landscaping would include stone walls and various combinations of evergreen and deciduous trees and shrubs to provide an attractive appearance in all seasons. Where appropriate, drought resistant plant materials will be incorporated into the landscaping plan to reduce the need for watering plantings. Sheet L-1 of the FEIS/FGEIS drawing set shows the Landscape Plan developed for the project. As the project progresses through the site plan review process, the Landscape Plan will be further refined.

HISTORIC AND ARCHEOLOGICAL RESOURCES

Historic Resources

A Phase 1A Literature Review and Sensitivity Analysis was conducted for the Rock Hill property by CITY/SCAPE Cultural Resource Consultants (May 2009), the Applicant's consulting archaeologist, and is included in Appendix G of the FEIS/FGEIS. There were no historic resources listed on either the State or National Registers of Historic Places or determined to be eligible for inclusion on either list within the project site or in areas immediately adjacent to the project site. Based upon the Phase 1A study, no adverse impacts to historic resources have been identified, related to the project.

A full reconnaissance survey of the area surrounding the project site was conducted during which the exteriors of all the buildings located adjacent or within the boundaries of the Rock Hill Town Center site were examined by the project architectural historian. For all those buildings determined to have been constructed at least 50 years ago (63 in total), each was photographed and a brief description or history of the building, including, where appropriate, structural and architectural elements, was recorded on Historic Resource Inventory Forms. These forms were then provided to the NYS Office of Parks, Recreation and Historic

Preservation, as required. The purpose of the inventory was to provide an overview of the historic and architectural resources present in a particular area of Sullivan County, in this case the Town of Thompson, and more specifically the area surrounding the hamlets of Rock Hill and Glen Wild. The inventory also provides the State with information on properties that might be National Register (NR) eligible, but that have not been previously identified.

Based on review of this material, the OPRHP has determined that a number of properties are NR eligible and that others may prove to be NR eligible. The majority of these eligible and potentially eligible properties are located at distances great enough from the project area that the State has no concerns regarding potential impacts. Two of the properties, the Methodist Cemetery/Luna Cemetery and the Jaffe House, identified are of concern to the State for potential visual impact. In both of these cases, the State has yet to determine their eligibility. Should either or both be NR eligible, the Applicant will work closely with the OPRHP (and the NYSDEC on the Jaffe House) during the site plan review phase to develop a planting plan that will provide appropriate vegetation to screen these properties from the proposed development.

Archaeological Resources

A Phase 1B field-testing program was completed by CITY/SCAPE. The study was documented in their May 2009 report *Rock Hill Phase 1A Literature Review and Sensitivity Analysis – Phase 1B Field Reconnaissance Survey*, provided in Appendix G of the FEIS/FGEIS. No archaeological resources of any significance were encountered throughout the field testing of the project area. Therefore, it was the recommendation of CITY/SCAPE that no further archaeological investigations be undertaken on the Rock Hill site. Based upon the cultural resource studies and this recommendation, the project will not result in adverse impacts to historic and/or archeological resources.

Mitigation Measures for Historic and Archaeological Resources

Based upon the results of the Phase 1A and Phase 1B Cultural Resource studies, the project will not result in adverse impacts to historic and/or archeological resources, therefore, no mitigation is proposed.

COMMUNITY RESOURCES

Potential Impacts

A projection was calculated for the number of permanent residents and school-age children that would be generated by the modified project plan. According to standard demographic multipliers, the Rock Hill Town Center project as currently proposed could increase the population of the Town of Thompson by 3,825 persons, including 432 school-age children. While it is possible that the population of this project may resemble the seasonal characteristics of the general population of Sullivan County, which would generate up to 30 percent fewer residents, the full projected population was used to assess potential impacts on community providers in this discussion.

Police Protection

While the DEIS/DGEIS did not note any significant impact to the available police protection by the Sullivan County Sheriff's Department and the NYS Police for the project, new fiscal calculations for the project indicate that Sullivan County would ultimately receive \$1,559,029 annually in property tax revenues at full build-out, from which any added costs for police protection may be offset.

Fire Protection

The number of volunteer personnel currently participating in the Rock Hill Fire District exceeds the planning standards for fire service personnel for the entire Town of Thompson, including the projected population from the current full development plan (FEIS/FGEIS Plan). As noted in the DEIS/DGEIS, the fire district would ultimately require additional equipment to provide adequate fire protection services for the fully built project. As the Fire Chief stated in a letter included in the DEIS/DGEIS (Appendix B Correspondence), the proposed Rock Hill Town Center would facilitate the funding of equipment as necessary. It is expected that the increased need for funds to support the purchase of additional fire apparatus would be available as a result of increased ratables which will result upon development of the Rock Hill Town Center project.

Ambulance and Hospital Services

Based on the new population projection for the current project and standard planning multipliers for emergency services, the addition of permanent residents from the fully built project would not have a measurable impact on ambulance and hospital services. As noted in the DEIS/DGEIS, the Rock Hill Volunteer Ambulance Corps would require additional personnel and facilities to provide adequate emergency services to the fully built project. New fiscal calculations for the project indicate the Corps would ultimately receive \$53,663 annually in additional property tax revenues from which any increase in costs for its services would be offset. This amount is a negligible change (less than one percent) from the DEIS/DGEIS projected revenue.

Monticello Central School District

The Rock Hill Town Center project as currently proposed is projected to increase the school age population of the Town of Thompson by 432 children, over a span of fifteen to twenty years to complete full build-out. For proposed Phase 1, the projected school-age population increase is 139 children over a four to five year period once occupancy begins. The total number of school-age children to be generated by the project was calculated based on student multiplier data available from Rutgers University, Center for Urban Policy Research, Residential Demographic Multipliers, June 2006.

Rock Hill Town Center would generate annual property tax revenues of \$4,151,486 to the Monticello Central School District. Based on information published by the Monticello Central School District the District's adopted budget for the 2007-2008 school year totaled \$69,812,716, with \$36,296,867 of the budget raised through property taxes. The School District's enrollment for the 2007-2008 school year was 3,468 students based on information

provided by the Superintendent's office, resulting in a per student cost raised through taxes of \$10,466.

The costs associated with a population of 432 children (over the projected fifteen to twenty year build-out period) would be \$4,521,312 annually resulting in a net annual deficit of \$369,826. If the project's population would mirror the Town's population, i.e., 30 percent of all housing units are seasonal, then the school-age children population would be reduced to 302 students over the full build out period. The costs associated with a population of this size would be \$3,160,732 annually resulting in a net annual benefit of \$990,754.

As noted, the proposed action would be constructed in phases. The first Phase is expected to be completed in 2014. The population of school-age children projected for Phase 1 would be 139. Once complete, Phase 1 would increase the total costs to the District by \$1,454,774 compared to school tax revenue projected to be \$1,249,827. These children are likely to arrive in the Monticello School District over a four to five year period once occupancy begins, resulting in an annual school-age population increase of approximately 30 to 35 new children. For comparison purposes, if the project's population mirrored the Town's population, i.e., 30 percent of all housing units were seasonal, then the school-age children population would be reduced to 97 students over a four to five year build out period. The costs associated with a population of this size would be \$1,015,202 annually resulting in a net annual benefit of \$234,625.

Mitigation Measures for Community Facilities and Services

The gradual construction of the project and occupancy of units over time (four to five years for Phase 1 and fifteen to twenty years, for the entire project, dependant upon market conditions) would allow for a gradual increase in population and building development in Rock Hill Town Center, thus potential increases in demand for community services would be introduced gradually over time. Similarly, tax revenues generated directly and indirectly by the project would also increase as the project is developed.

These analyses indicate that, to the extent that the proposed project results in impacts to community services, tax revenues generated by the built project can be expected to offset a portion if not all the public costs for those services. As demand for community facilities and services grows over time, the tax rates on the various taxing jurisdictions will change to accommodate the need, with tax payers in this development contributing their fair share for such facilities and services. The subsequent phase(s) of the project, as they are proposed, will need to evaluate and address any additional demand that would be attributable to future development of the project in light of actual local experience information, if available.

UTILITIES

Potential Impacts

Wastewater Treatment

The current proposal incorporates construction of a new private STP on the west side of Glen Wild Road. The STP would collect and treat sewage from this project alone,

discharging treated effluent to the Fowlwood Brook east of Glen Wild Road. The STP would be designed to be expanded as future phases are developed, and built in stages to optimize its operation. The facility will require review and approval by NY State based on specified regulatory limits of discharge quality and quantity to avoid any significant adverse effect on surface waters. The estimated discharge from the plant for the proposed site plan at full build-out (FGEIS Plan) is 0.62 cubic feet per second (cfs) or 419,000 gallons per day (gpd). Under Phase 1 (FEIS Plan) discharge from the facility was estimated to be 0.21 cfs or 135,000 gpd.

Calculations for wastewater flows were based on the unit counts and commercial square footage presented in Table 1. The design flow rate applied per bedroom was 110 gpd. Phase 1 of the project as presented in the FEIS includes a total of 294 two bedroom units and 197 three bedroom units. Under the full build-out condition, as presented in the FGEIS, the unit count and number of bedrooms that would be added to the totals for Phase 1 breakdown as follows: 192 one bedroom units, 459 two bedroom units, 417 three bedroom units and 54 four bedroom units.

Wastewater flows from commercial uses were calculated using 70 gpd per 1,000 square feet for a supermarket and 106 gpd per 1,000 square feet for other retail. The proposed 60,000 square feet of commercial space, proposed for construction under Phase 1 of the project, was divided evenly between a supermarket use and other retail uses. Commercial space is not proposed beyond Phase 1.

Table 1 Rock Hill Town Center Development Program As-of-right Residential Alternative Plan							
	Lower West Side	East Side	Glen Wild South		Upper West Side	North Side	Totals
Single-Family Dwellings (du)	117		95		5		217
One-Family Attached Townhomes (du)		204			320	488	1012
Multifamily Dwellings (du)		192			192		384
Commercial Development (sf)	60,000						60,000
Phase 1							
Total Residential (du)	0	396	95				491
Total Commercial (sf)	60,000	0	0				60,000
Future Phase(s)							
Total Residential (du)	117				517	488	1122
Total Commercial (sf)	0				0	0	0
Source: Tim Miller Associates, Inc., 2009.							
Notes: Approximately ten percent of the units in each phase are set aside for residents age 55 years and older.							

It is anticipated that the level of treatment at the Rock Hill Town Center STP will be equal to or greater than the existing Emerald Green Treatment Plant. An assimilation study was performed and included in the FEIS/FGEIS, which evaluated existing flows in Fowlwood Brook and concluded that a dilution ratio of 1:47 would be possible. Based on the estimated discharge, effluent distributed to the Fowlwood Brook would meet water quality standards before it enters the watercourse. Thus, no significant adverse environmental impacts are anticipated to result from the construction or operation of the proposed STP.

The revised location of the STP is shown on the updated drawing set included in the FEIS/FGEIS. The entire treatment facility will be contained within a one-story building, and therefore, visual impacts and those resulting from noise or odor would be minimized. Figure 3.6-10 of the DEIS/DGEIS depicts representative architecture considered for the wastewater treatment facility for the Proposed Action. The design will be finalized during the site plan review process but this example provides a starting point for the design of the proposed facility. The proposed location of the STP places existing residences within the recommended 500 foot setback from a wastewater treatment facility. NYSDEC has review and approval authority over the plan and will consider all impacts including those from noise and odor, requiring abatement strategies as required.

It is anticipated that the wastewater treatment plant infrastructure will be owned and managed by a transportation corporation unless and until another ownership/management structure, acceptable to the Town, is established. The community wastewater system will require an individual SPDES permit. According to NYSDEC regulations Section 750-1.6 (b)(2)(f) Applications to Obtain New SPDES Permits, "a permit for a sewage disposal system or approval of a sewer extension intended to serve more than one separately owned property shall be issued only to a governmental agency, municipality or sewage disposal corporation formed and regulated pursuant to Article 10 of the Transportation Corporations Law". Financial guarantees will be established in accordance with Article 10 to ensure the continued operation and maintenance of the sewer systems if the agency that owns, operates and maintains the system is no longer able to do so.

Water Supply

The current proposed plan at full build-out (FGEIS Plan) is projected to use 419,000 gallons of water per day (gpd), or approximately four percent over the DGEIS Plan. For Phase 1 (FEIS), the domestic water demand is estimated at approximately 135,000 gpd. Table 1 of this Findings Statement and the variables for calculating domestic water demand is provided in the preceding *Wastewater Treatment* subsection.

A private community water supply system will be developed to serve the proposed Rock Hill Development, including, wells, water storage, and treatment and distribution facilities. Wells would be developed sequentially in order to accommodate the additional demands added to the system through the completion of each phase of the development. Two wells have been drilled on the east side of the property (Wells TCW-1 and PTCW-2). The two wells were subject to a 72 hour pump test conducted in June, 2009 by GeoLogic NY, Inc. of Homer, NY. The testing procedure was reviewed and approved by the NYSDEC and the NYSDOH and conducted in accordance with NYSDEC Recommended Pump Test Procedures for Water Supply Applications. The pump test indicates that each well is capable of providing

the proposed water demand of 91 gpm, for Phase 1 of the project. As indicated above, any future development for Rock Hill would require the development, testing and approval of additional wells and water supply. The project community water supply will require a Public Water Supply Permit from the NYSDEC.

It is anticipated that the water supply and treatment plant and related infrastructure will be owned and managed by a transportation corporation unless and until another ownership/management structure, acceptable to the Town, is established. Financial guarantees will be established which satisfy the Town that the operation and maintenance of the water systems will continue if the agency that owns, operates and maintains the system is no longer able to do so properly.

Solid Waste

Solid waste generation for the current project is calculated to be in the same order of magnitude as for the original plan. As with the original plan, existing solid waste facilities and transport systems are projected to be able to accommodate the proposed project without significant adverse effect.

Mitigation Measures for Utilities

The project will be serviced by a private community water supply and wastewater treatment plant. These private utilities will not impact the existing municipal water supply or the wastewater treatment facilities.

The Applicant will assume the responsibility and cost to mitigate any impacts to existing neighboring wells as a result of the development, including but not limited to deepening the existing well, drilling a new well, filtering existing water or providing a connection to the project's water supply system. The impact will be evaluated and the appropriate mitigation will be determined by the Town Engineer with input from the impacted property owner considered.

To offset the potential impacts associated with the location of the STP, the proposed sewage treatment plant will incorporate covered tanks and odor control equipment to lessen the noise and odor from the facility. The plant façade will incorporate walls to hide equipment; it will be aesthetically pleasing. Landscaping, such as fencing and evergreens, along the road and between the plant and the existing residences will be provided to screen and lessen the visual and noise impacts associated with the operation of the plant. The Applicant will work with the NYSDEC as part of the permitting process to refine the mitigation plan and will implement any mitigation measures required by the NYSDEC or the NYSDOH related to the design and construction of the wastewater treatment plant.

It is important to note that the Delaware River Basin Commission (DRBC) regulates both wastewater discharge and potable water withdrawal in the Delaware River Basin. As such, the project will comply with DRBC guidelines and the Applicant will seek a docket from the Commission as required. The Applicant will work with the Commission as well as the State to develop sewage treatment plant and water supply designs that comply with all regulatory requirements.

No other mitigation measures related to utilities are necessary or proposed.

FISCAL ANALYSIS

The As-of-Right plan will provide 420,000 square feet less commercial development than the original plan (DEIS/DGEIS Plan). This decrease in on-site commercial development will result in reduced tax revenues generated for the various taxing jurisdictions as compared to the original plan. However this may be partially offset by anticipated expansion of existing businesses and establishment of new businesses in the Rock Hill hamlet to accommodate the increased population resulting from the project, and the resulting need for goods and services

A revised fiscal analysis of the proposed As-of-Right Residential Alternative development plan (Proposed Action) has been prepared. The tax rates used remained constant to the rates used in the DEIS/DGEIS in order to allow a direct comparison between the current proposal and the previous plan. Assessment methodologies used are consistent with those used in the DEIS/DGEIS.

Potential Fiscal Impacts

Projected annual property tax revenues were calculated by estimating the future assessed value of the Proposed Action and multiplying that by the tax rate applicable to each taxing jurisdiction.

To determine costs, the various service providers were contacted and interviewed to determine what demand, if any, would be created by the new development. Impacts associated with community services and facilities are presented in the Community Resources section of this Findings Statement.

The development's projected tax revenues were then compared to anticipated costs to determine the net fiscal effect that would result from construction of the Residential Alternative.

Projected Assessed Value

Table 1 provides a summary of the estimated assessed value for the proposed project. The dwellings would have a market value that ranges between \$179,000 for the one-bedroom multifamily dwellings to \$269,000 for the four-bedroom single-family detached dwellings. An average assessed value of \$259,000 was used for the 217 proposed single family homes. The assessed value of each dwelling was determined by multiplying the market value by the Town equalization rate. The 2008 equalization rate for the Town of Thompson is 72.4 percent. As agreed upon with the Town of Thompson, the calculations of assessed value are based on fee simple ownership of the single family homes, two family attached units and the Townhouse units. The calculations for the multifamily units are based upon condo ownership.

The tax revenues to be generated by commercial component of the Proposed Action were determined by projecting the assessed value for the property, after development, and

multiplying that value by the current tax rates for each taxing jurisdiction. The projected assessed value of the project was calculated by using construction costs for the proposed buildings and adding the current land assessed value. This is the method that the Town of Thompson Tax Assessor uses to generate the assessed value for all commercial property in the Town.

Table 2 summarizes the projected assessed value of the proposed development for Phase 1 and through full build-out.

Table 2 Projected Assessed Value		
Development Type	Phase 1 Projected Assessed Value	Full Build Projected Assessed Value
Residential		
Multifamily Dwellings	\$17,515,008	\$35,030,016
Townhome Dwellings	\$32,345,424	\$160,458,672
Single Family Dwellings *	\$17,814,020	\$40,690,972
Total Residential AV	\$67,674,452	\$236,179,660
Total Commercial AV	\$4,905,500	\$4,905,500
Total Project Assessed Value	\$72,579,952	\$241,085,160
AV = Assessed Value.		
* Note: An average market value of \$259,000 was used to estimate the assessed value of single family homes.		

Projected Tax Revenues

Consistent with fiscal impact methodology⁴, the property tax revenues have been determined by considering what would be generated if the development were completed and occupied today. This approach recognizes that development often requires several years to be completed and that inflation will increase costs and revenues over time. It assumes that the rising costs of public services will be matched by an essentially comparable increase in revenues through increases in the tax rate, all other factors being held constant.

The Rock Hill Town Center would result in the conversion of vacant land to a mixed use residential and commercial development. The increased market value of the project site with these improvements would result in an increase in property tax revenues. In order to estimate the property tax revenues that would be generated by the Proposed Action, the market value and the assessed value for the proposed housing development must be estimated.

⁴ The Fiscal Impact Handbook, Robert Burchell and David Listokin, 1978.

The market value of the project site, with these improvements, would result in an increase in property tax revenues when compared to the revenues generated presently by the project site. The project’s potential impacts to the Monticello Central School District are described in Community Resources, above.

Table 3 below summarizes the projected tax revenues for Phase 1 and the Full Build development of the Rock Hill Town Center project.

Table 3 Projected Tax Revenues			
	Rate (per \$1,000 AV*)	Phase 1 Total Property Tax Revenues	Full Build Total Property Tax Revenues
Taxing Jurisdiction			
Sullivan County	\$6.496040	\$471,482	\$1,566,099
Town General Fund (Outside Village)	\$0.031860	\$2,312	\$7,681
Town Highway	\$1.390969	\$100,956	\$335,342
Highway (Outside Village)	\$1.508657	\$109,498	\$363,715
Library	\$0.270344	\$19,622	\$65,176
Rock Hill Fire District	\$1.233522	\$89,529	\$297,384
Rock Hill Ambulance	\$0.222591	\$16,156	\$53,663
Monticello Central School District	\$17.2200	\$1,249,827	\$4,151,486
TOTAL		\$2,059,382	\$6,840,546
Source: Town of Thompson, Tax Receiver’s Office; Tim Miller Associates, Inc.			
* Assessed Value. Values rounded to the nearest dollar.			
Note: The total projected property tax revenue does not include the Rock Hill Light Tax for parcels: 32.-1-7 and 32.-1-10.			

Fiscal Mitigation Measures

The fiscal analysis completed for the Rock Hill project indicates that the additional taxes generated by the project for Town departments, services and the Monticello Central School District will more than off-set the demands by the project for these services. No additional mitigation measures are proposed.

CONSTRUCTION-RELATED EFFECTS

Potential Impacts

Any impacts associated with the construction period will be temporary and will be controlled using standard best management practices and observance of applicable rules and regulations. The Town of Thompson will conduct weekly (at a minimum) inspections of the site to ensure that the practices in place are performing consistent with the approved erosion and sediment control plan. These inspections will be funded with escrow funds provided by the Applicant, to be established at the time of approval of each phase.

Noise

Local daytime ambient noise levels will increase both on and off of the project site during construction of the proposed Rock Hill Town Center. Noise levels experienced on nearby properties would vary, depending upon the distance of the property from the noise source and the type of activity. It is anticipated that nearby properties would experience elevated noise levels at occasional periods during construction of the proposed project. This is a temporary, unavoidable impact resulting from project construction.

Due to the known presence of rock outcrops and bedrock and the required grading, the project engineer anticipates that blasting would be required for the proposed development. It is anticipated that some bedrock near the site's surface can be removed by mechanical means (i.e. ripping, chipping). Blasting would be carried out in accordance with the Industrial Code Rule 39 of the New York State, Department of Labor, Industrial Board of Appeals and the applicable section of the New York State Labor Laws as well as the Town of Thompson Code, Chapter 120, Drilling and Blasting, requirements for blasting.

Rock crushing is proposed on-site to avoid the transport of excavated rock and to utilize on-site material needed for construction of roads, parking lots and foundations. Rock crushing would be done at a single location in the west central portion of the project site. This location was chosen in order to minimize the rock crushing operation's potential impact on nearby residences, businesses and noise receptors. Given the large size of the property, the rock crusher would be located a minimum of 2,000 feet from any existing residence or business. This distance would provide for the attenuation, or lowering of the noise from the crusher over distance

Air Quality

The construction of the proposed Rock Hill Town Center development will involve grading activities that may result in the temporary generation of fugitive dust and particulate matter from the project site. Such increases in construction-related dust will be temporary. Construction-related air emissions will result from the use of diesel fuel as a source of energy for construction vehicles and equipment.

Mitigation Measures for Construction Related Effects

Construction activities must comply with the Town's noise ordinance, Chapter 170 of the Town of Thompson Code. To mitigate against potential noise impacts, construction will be limited to the hours of 7:00 am to 8:00 pm on weekdays and Saturdays. No work will be conducted on Sundays and legal holidays.

The following measures will be implemented during the full construction period to minimize the potential impacts from dust.

- Minimizing the area of grading at any one time and stabilizing exposed areas with mulch and seed as soon as practicable;
- Minimizing vehicle movement over areas of exposed soil, and covering all trucks transporting soil;

- Spraying unpaved areas subject to traffic with water to reduce dust generation;
- Washing trucks and other construction vehicles on pads sited at all construction entrances to avoid the tracking of soil onto paved surfaces.

Although exhaust emissions from construction equipment is not as significant as fugitive dust generation, particulate matter from diesel exhaust emission will also be controlled through proper maintenance of construction equipment engines. Equipment maintenance will reduce additional contribution to site generated particulate emissions during construction.

ALTERNATIVES

The New York State Environmental Quality Review Act (SEQRA) calls for a description and evaluation of the range of reasonable alternatives to the action, which are feasible, considering the objectives and capabilities of the project sponsor. Five alternatives were analyzed in the Rock Hill Town Center DEIS/DGEIS. These alternatives are summarized below. Each of the alternatives was evaluated under ten areas of potential impacts in the DEIS/DGEIS.

(a) No Action Alternative. The No Action Alternative is the scenario that would occur if the site were to remain undeveloped except for the existing automotive repair garage which would continue to operate. A summary of impacts of this alternative, as compared to the proposed Rock Hill Town Center development, is presented in Section 5.0 of the DEIS/DGEIS. Under the No-Action alternative, none of the impacts identified in the DEIS/DGEIS, whether adverse or beneficial, would occur.

(b) As-of-Right Alternative. The DEIS/DGEIS evaluated an as-of-right plan (Figure 5.0-2 of the DEIS/DGEIS) designed to be consistent with present zoning regulations. The area presently zoned HC-2 would be developed primarily for residential purposes, with a 60,000 square foot commercial building fronting along Rock Hill Drive. Since December 2008, the Applicant modified its application by making the as-of-right Residential Alternative plan presented and evaluated in the DEIS/DGEIS the proposed project plan. The FEIS/FGEIS provided a comprehensive description of the plan and its potential environmental impacts.

(c) Water/Wastewater Treatment Plant Alternative. With regard to water supply, the Applicant does not anticipate that the Emerald Green Lake Louise Marie Water Company (EGLLM) facilities can be expanded further to handle the demands created by the proposed Rock Hill Town Center development. Thus, this alternative utilizes the project sponsor's proposed plan to develop an on-site water supply system to serve the site as documented in the DEIS/DGEIS. With regard to wastewater treatment, this alternative would connect the project development to the existing Rock Hill Sewer District of the Town of Thompson. Sewerage from this district is currently pumped through the Rock Hill Sewage Pumping Station located near the intersection of Rock Hill Drive and Katrina Falls Road, to the Emerald Green/Lake Louise Marie Sewage Treatment Plant (Emerald Green STP) for processing. That pump station is designed for a peak flow of 175 gpm. These existing facilities do not

currently have the capacity to serve the expanded customer base represented by the proposed project. A Preliminary Wastewater Treatment Feasibility Report was produced on November 22, 2006 and revised on May 29, 2007 and April 2, 2008 by Keystone Associates to address the alternative of connecting to Rock Hill Sewer District. The report concluded that neither the existing Rock Hill Drive pump station nor the existing forcemain is sized adequately to service the proposed development upon full build-out. A modified pump station and a new forcemain would be required in order to connect the proposed development to the Emerald Green STP.

This matter has subsequently been further evaluated by the town engineer and deemed plausible that the Emerald Green STP could likely be expanded by an additional \pm 200,000 gpd within the existing parcel bounds of the plant site, thereby increasing the capacity from 0.41 MGD existing to approximately 0.61 MGD. This increase of almost 50 percent over current capacity would serve to provide approximately 50 percent of the projected wastewater flows from the proposed project upon completion of 0.41 MGD; or a lesser amount as allocated by the town if portions of the 0.20 MGD capacity increase are allotted to other proposed users, subject to sewer district expansions. Further, an increase in capacity above the 0.2 MGD that is only obtainable within the existing town plant footprint could be achieved by Town acquisition of an adjoining private parcel, which would permit the physical enlargement of the treatment facility in proportion to the amount of district treatment capacity required.

Regarding the existing Rock Hill Drive Duplex Pump Station and six-inch forcemain, its current capacity would serve the initial development phases of the proposed project, with upgrading to include pumps and controls replacement and modifications necessary at a projected average daily and peak flow figure to be determined. Subject to a developer's agreement currently being prepared by the town attorney to further study and fund the Emerald Green STP expansion project, a final determination will be made on the location.

(d) 2007 Proposed Plan Alternative. The 2007 proposed plan, as shown in Figure 5.0-3 of the DEIS/DGEIS, is similar to the DEIS/DGEIS Plan but has a greater number of residential dwelling units. The basic difference in the two plans is a reduction of 133 single family units and 16 townhouse units in the DEIS/DGEIS Plan. This is a ten percent reduction in the total number of units proposed. Other elements of the plans are the same. The amounts and locations of the proposed commercial development (480,000 square feet in the Town Center) are the same. As with the DEIS/DGEIS proposed action, the 2007 Plan necessitated a zoning change for the commercial component.

(e) Regional/Town Commercial and Residential Alternative. The Regional/Town Commercial and Residential Alternative (Figure 5.0-4 of the DEIS/DGEIS) presents 88 more residential units and 950,000 more square feet of commercial/office space than the DEIS/DGEIS Plan. This Alternative has the most intense development of the various alternative plans envisioned for the property. Both a Town Center and a Regional Center would be developed under this Alternative. The Regional Center would be located north of Rock Hill Drive in the Lower West Side area. Single family

residential units are located in this area in the DEIS/DGEIS Plan and all of the other alternatives. In this alternative, this area would contain six major buildings ranging from 60,000 to 128,000 square feet and seven smaller office/retail buildings of 25,000 square feet in size. The Town Center would contain five of the larger buildings and ten of the smaller buildings. Residential development would consist of 384 multifamily units in 16 buildings and 1,044 townhouse units built in quads. This Alternative would have a potential population of 3,200 persons.

(f) DEIS/DGEIS Proposed Plan. The project plan evaluated in the DEIS/DGEIS as the proposed action was abandoned by the Applicant in favor of the as-of-right alternative plan described above. The DEIS/DGEIS plan (Figure 5.0-1 of the DEIS/DGEIS) consisted of 448 single family detached dwellings, 508 townhome units, and 384 multifamily dwellings totaling 1,340 dwelling units. Commercial space would total 480,000 square feet of gross floor area in this plan. The DEIS/DGEIS plan would require a zone change to rezone the RR-1 portion of the site to HC-2 to allow commercial uses in an area presently zoned RR-1, and a zone change for the portion of the site from HC-2 to SR to allow the residential cluster plan.

ENERGY RESOURCES

Electricity

Electricity for the proposed action will be provided by New York State Electric and Gas (NYSEG) from a new underground distribution system that will be constructed to distribute electricity to the development. According to NYSEG sufficient electricity supply is available in the Rock Hill vicinity.

Natural Gas

According to NYSEG, there are no gas mains located in the Rock Hill vicinity. Future occupants of the Rock Hill Town Center development will utilize a combination of electricity, heating oil and propane in place of natural gas.

Distribution:

A copy of this document will be sent to the following:

Lead Agency

Town of Thompson Planning Board
4052 Route 42, Monticello, NY 12701

Interested & Involved Agencies

Town of Thompson Town Board
4052 Route 42, Monticello, NY 12701

Town of Thompson Conservation Advisory Council
4052 Route 42, Monticello, NY 12701

Sullivan County Planning and Environmental Management
100 North Street, Monticello, NY 12701

Sullivan County Division of Public Works
100 North Street, Monticello, NY 12701

Delaware River Basin Commission
25 State Police Drive, P.O. Box 7360, West Trenton, NJ 08628-0360

Monticello Central School District
237 Forestburgh Road, Monticello, NY 12701

NYS Department of Environmental Conservation
Commissioner, 625 Broadway, Albany, NY 12233

NYS Department of Environmental Conservation
Regional Director, Region 3, 21 South Putt Corners Road, New Paltz, NY 12561

NYS Office of Parks, Recreation and Historic Preservation
Historic Preservation Field Services Bureau, Peebles Island, PO Box 189, Waterford, NY
12188-0189

NYS Department of Transportation, Region 9
44 Hawley Street, Binghamton, NY 13901

NYS Department of Health
Corning Tower, Empire State Plaza, Albany, NY 12237

United States Army Corps of Engineers
Jacob Javits Federal Building, 26 Federal Plaza, New York, NY 10278-0090

Applicant

RH Land Development, LLC, 4446 State Route 42, Suite B, Monticello, NY 12701

EIS/GEIS Preparer

Tim Miller Associates, Inc., 10 North Street, Cold Spring, NY 10516

Environmental Notice Bulletin

NYS Department of Environmental Conservation, 625 Broadway, 4th Floor, Albany, NY 12233-1750

Adler Consulting,
235 Main Street
White Plains, NY 10601-2401

Transportation Planning & Traffic Engineering, PLLC

Tel # (914) 997-8510
Fax # (914) 997-7140

May 25, 2009

Mr. Steve Proyect
R H Land
4446 State Route 42
Monticello, NY 12701

Subject: Rock Hill Center,
Response to Comments

Dear Mr. Proyect:

Adler Consulting has reviewed the comments to Glen Smith from MHE, dated, April 2009. Regarding Traffic, Mr. McGoey's main concerns appear to relate to the basis of "thresholds" for subsequent traffic monitoring studied, "phasing" of traffic improvements consistent with Town Traffic Consultant and NYS DOT requests, project milestones, the composition of the 60,000 sf of convenience retail, queue lengths on the Rt. 17 WB off ramp, and the most effective way to document this important information in the SEQRA Findings so that it can easily and effectively be referred to as the project progresses. Based on these comments, we note the following and propose that it be incorporated in the Findings Statement.

Since the Project's traffic impact and the implementation as well as effectiveness of the necessary mitigation measures are the issues of primary concern as they relate to the SEQRA process, we propose that the SEQRA Findings Statement focus on the number of trips forecast to be generated by the development, the timing and implementation of the improvement measures required to offset the impact of this additional traffic and the ultimate effectiveness of these measures.

A. TRIP GENERATION

A summary of the number of peak-hour trips projected to be added to the surrounding roadway network by the Rock Hill Center development (taken from Table 4 and Table 5 of the February 27, 2009 Revised Traffic Impact Study) is provided in Table 1.

**Table 1 - Projected Peak-Hour Trip Generation
Rock Hill Center**

Trip Type	Phase I			Full Build		
	AM	PM	Sat	AM	PM	Sat
Diverted	24	90	124	24	90	124
External	288	604	728	620	1022	1103
Driveway Trips	312	694	852	644	1112	1227

Source: Feb 27, 2009 Revised Traffic Impact Study

As can be seen from the table above, Phase 1 of the proposed Rock Hill Center development is projected to generate a maximum of approximately 850 peak-hour trips at the roads and driveways leading into the development. Upon full buildout, that number is projected to increase to a maximum of approximately 1,230 peak-hour trips. As the development goes forward, traffic monitoring studies must be undertaken at appropriate milestones to predict and confirm that these projections are accurate.

It is noted, as indicated on page 43 of the February 27, 2009 Revised Traffic Impact Study, that trip generation for the proposed 60,000 sf of commercial space was generated using ITE Land Use Code 820 for shopping centers. This indicates that there could be a mix of individual uses in the center. However, with a total size of only 60,000 sf, the commercial component would not support regional retail, which requires centers of 200,000 sf or more. Therefore, tenants of the commercial component of the development will serve predominantly the Rock Hill Community.

B. PROJECT MILESTONES

Since traffic impact is primarily a function of added traffic, rather than designating milestones in terms of residential units or square feet of commercial development, designating milestones based on the volume of traffic generated or expected to be generated would specifically address the core issue, potential traffic impact. Table 2 provides suggested milestones for traffic monitoring. These milestones would essentially occur after each third of Phase 1 of the development is completed and then after Phase 2 and after Phase 3 of the development are completed.

**Table 2 - Traffic Monitoring Milestones
Rock Hill Center**

	Milestone*	Peak Hour Trips**		
		AM	PM	Sat
Phase 1	1	100	200	300
	2	200	450	600
	3	300	700	850
Phase 2	4	530	975	1100
Phase 3	5	650	1110	1230

*Based on each 1/3 of Phase 1, then Phase 2, then Phase 3

**Traffic Monitoring required when driveway volumes reach these levels

Prior to the issuance of building permits, the Applicant shall be required to submit an estimate from a qualified professional as to the number of trips that the subject permitted work would generate. These values would be added to the results of the previous monitoring study (if one was already completed) to determine the projected aggregate trip generation. If the next trip milestone is forecast to be reached, the developer shall be required to conduct the first part (Trip Generation Monitoring) of a two-part traffic monitoring study following the completion of the permitted work.

For the record, it is noted that future intersection delays (shown in Table 3 hereafter) during the Peak PM Hour on a Friday are projected to be approximately 33% greater than Peak Saturday Hour delays and approximately 67% greater than Peak AM Hour delays. For this reason, extra emphasis should be placed on the Peak PM Project traffic (in bold in Table 2 above).

Regardless of whether the most recently permitted and completed portion of the development is projected to reach one the next milestone indicated in Table 2, the

Mr. Steve Proyect
May 25, 2009
Page 4

Town may require the developer to undertake the second part (Traffic Operating Conditions Monitoring) of the two-part monitoring study following the completion of the permitted work should the Town Building Inspector, Highway Superintendent or the Town Engineer, based on reasonable anecdotal evidence provided by the public or gathered by the Town, conclude that any of the threshold performance measures established in the SEQRA review process are being exceeded under typical conditions.

C. THRESHOLD PERFORMANCE MEASURES

Table 9 of the February 27, 2009 Traffic Impact Study and Table 12 of the Traffic Impact Study, last revised for the May 22, 2009 responses to Clough Harbor Associates comments detail the projected performance of the studied intersections (as measured by the average delay by lane-group) following the completion of Phase I and Full Build, including the required mitigating measures traffic operating conditions. These tables, also include the projected NO-Build performance of the intersections or the average delay at the studied intersections if the project were not to proceed. The No-Build, Phase 1 and Full Build values provided in Table 9 and revised Table 12 are presented in Table 3 of this report. Based on a review of these values, minimum threshold levels are recommended in Table 3. These values were based on the greatest delay projected to be experienced without the Project or with the Project AND its mitigation, except that in no case shall the average delay per vehicle exceed 55 seconds per vehicle (or the threshold between Level-of-Service "D" and "E").

In addition to the maximum permitted values for the average delay on individual lane groups or overall for signalized intersections, which are presented in the rightmost column of Table 3, at no time shall queues on the ramps exiting NY Route 17 be permitted to spill back to the deceleration lanes on Route 17. **For the westbound ramps, it is recommended that the maximum back of queue shall not be permitted to exceed 260 feet, while for the eastbound ramps, maximum back of queue shall not be permitted to exceed 490 feet** (as a safety factor, these values are 20 percent less than the storage space available on the ramp before the queues would reach the deceleration lane).

Table 3. Threshold Performance Measures

Intersection	App ¹	Peak AM Hour ^{2,3}			Peak PM Hour ^{2,3}			Peak Saturday Hour ^{2,3}			Maximum Permitted Value
		No-Build	Phase I Build	Full Build	No-Build	Phase I Build	Full Build	No-Build	Phase I Build	Full Build	
Glen Wild Road and Old Glen Wild Road	NB l/t	a (0.4)	a (0.4)	a (0.5)	a (0.4)	a (0.5)	a (0.5)	a (1.0)	a (0.9)	a (1.0)	2 sec
	EB l/r	b (10.3)	b (10.3)	b (10.5)	a (9.6)	a (9.8)	b (10.1)	a (9.6)	a (9.9)	b (10.1)	15 sec
	Overall	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Glen Wild Road and Rock Hill Drive	EB l	NA	A (7.7)	B (11.0)	NA	B (10.6)	B (15.7)	NA	A (10.0)	A (9.9)	16 sec
	EB l/t	a (5.1)	NA	NA	a (6.6)	NA	NA	a (4.1)	NA	NA	NA
	EB t	NA	A (7.3)	B (12.3)	NA	A (7.5)	A (6.9)	NA	B (10.1)	B (10.2)	13 sec
	WB t/r	NA	A (5.5)	A (4.8)	NA	A (7.9)	A (6.7)	NA	A (5.8)	A (5.4)	8 sec
	SB l/r	f (50.7)	NA	NA	f (151.6)	NA	NA	d (25.7)	NA	NA	NA
	SB l	NA	C (32.9)	C (33.9)	NA	C (27.3)	C (27.6)	NA	C (27.5)	C (28.7)	55 sec
	SB r	NA	A (5.6)	A (4.6)	NA	A (7.1)	A (6.3)	NA	A (6.6)	A (6.0)	8 sec
Overall	NA	B (13.3)	B (15.0)	NA	A (9.9)	B (10.1)	NA	A (9.9)	B (10.1)	15 sec	
Rock Hill Drive and Katrina Falls Road	EB t/r	NA	A (2.8)	A (6.1)	NA	A (4.0)	A (6.7)	NA	A (3.8)	A (5.3)	7 sec
	WB l/t	a (3.0)	A (7.6)	A (9.1)	a (3.6)	B (14.0)	C (22.1)	a (3.7)	A (9.1)	A (9.5)	23 sec
	NB l/r	d (28.4)	B (14.7)	B (15.9)	f (280.3)	C (22.2)	C (31.0)	e (38.0)	B (19.5)	C (25.2)	55 sec
	Overall	NA	B (8.5)	B (10.2)	NA	C (14.6)	C (21.1)	NA	B (12.2)	B (15.1)	21 sec

- Notes: 1. EB = eastbound, WB = westbound, NB = northbound, SB = southbound, l = left, t = through and r = right.
 2. LOS - Level-of-Service. Uppercase letters represent Levels-of-Service for signalized intersections, while lowercase letters represent those for unsignalized intersections.
 3. Delays are the average for each lane group in seconds per vehicle. For signalized intersections, the average delay per vehicle for the entire intersection is also included. For unsignalized intersections, the average delay per vehicle for the entire intersection is not meaningful.
 * Existing Separate Intersections of Glen Wild Road and Katrina Falls Road are proposed to be combined.
 NA - Not Applicable as separate lane-group did not exist or since overall delay for unsignalized intersections is not meaningful.

Table 3. Threshold Performance Measures, Continued

Intersection	App ¹	Peak AM Hour ^{2,3}			Peak PM Hour ^{2,3}			Peak Saturday Hour ^{2,3}			Maximum Permitted Value
		No-Build	Phase I Build	Full Build	No-Build	Phase I Build	Full Build	No-Build	Phase I Build	Full Build	
Route 17 WB Ramp and Rock Hill Drive	EB t/r	NA	B (11.0)	B (15.2)	NA	C (20.8)	D (40.8)	NA	C (23.2)	D (37.3)	41 sec
	WB l	NA	A (3.4)	A (4.8)	NA	B (16.4)	C (20.8)	NA	B (13.3)	C (21.3)	22 sec
	WB t/r	NA	A (1.1)	A (1.4)	NA	A (2.1)	A (2.9)	NA	A (3.3)	A (4.3)	8 sec
	WB l/t/r	a (7.8)	NA	NA	a (7.9)	NA	NA	a (7.5)	NA	NA	NA
	NB l/t	NA	NA	C (26.0)	NA	NA	C (29.0)	NA	NA	C (27.4)	29 sec
	NB l/t/r	a (9.2)	B (12.2)	NA	b (11.9)	C (20.9)	NA	a (9.6)	C (22.6)	NA	23 sec
	NB r	NA	NA	A (2.2)	NA	NA	A (6.1)	NA	NA	A (2.4)	6 sec
	Overall	NA	A (7.0)	A (8.4)	NA	B (16.5)	B (19.9)	NA	B (16.0)	C (20.3)	21 sec
Katrina Falls Road and Lake Louise-Marie Road	WB l/r	b (15.0)	c (15.6)	c (20.3)	c (17.1)	c (21.4)	d (34.9)	b (13.5)	c (17.6)	c (23.9)	35 sec
	SB l/t	a (2.8)	a (2.6)	a (2.8)	a (2.9)	a (3.3)	a (3.8)	a (3.0)	a (3.1)	a (3.5)	5 sec
	Overall	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Katrina Falls Road and Route 17 EB Ramp	EB l/t/r	e (44.4)	A (9.9)	B (15.7)	f (88.1)	B (12.8)	C (24.0)	c (20.3)	B (10.8)	B (13.8)	55 sec
	WB l/t/r	b (11.4)	A (3.8)	A (4.3)	b (13.3)	A (4.0)	A (5.0)	b (11.4)	A (4.6)	A (4.2)	15 sec
	NB l/t/r	a (1.0)	B (19.0)	B (15.5)	a (0.5)	C (25.5)	C (22.1)	a (0.4)	C (23.0)	C (21.6)	26 sec
	SB l/t/r	a (1.8)	C (23.6)	C (20.7)	a (1.0)	C (26.4)	C (26.8)	a (1.0)	C (19.9)	C (26.9)	27 sec
	Overall	NA	B (16.1)	B (17.1)	NA	B (19.2)	C (23.6)	NA	B (16.0)	B (19.6)	20 sec

- Notes: 1. EB = eastbound, WB = westbound, NB = northbound, SB = southbound, l = left, t = through and r = right.
 2. LOS - Level-of-Service. Uppercase letters represent Levels-of-Service for signalized intersections, while lowercase letters represent those for unsignalized intersections.
 3. Delays are the average for each lane group in seconds per vehicle. For signalized intersections, the average delay per vehicle for the entire intersection is also included. For unsignalized intersections, the average delay per vehicle for the entire intersection is not meaningful.
 * Existing Separate Intersections of Glen Wild Road and Katrina Falls Road are proposed to be combined.
 NA - Not Applicable as separate lane-group did not exist or since overall delay for unsignalized intersections is not meaningful.

Table 3. Threshold Performance Measures, Continued

Intersection	App ¹	Peak AM Hour ^{2,3}			Peak PM Hour ^{2,3}			Peak Saturday Hour ^{2,3}			Maximum Permitted Value
		No-Build	Phase I Build	Full Build	No-Build	Phase I Build	Full Build	No-Build	Phase I Build	Full Build	
Katrina Falls Road and Holiday Mountain Trail ⁴	EB l/t/r	b (10.2)	C (26.6)	C (31.2)	b (13.0)	C (33.8)	D (52.4)	b (11.5)	C (27.9)	D (35.8)	53 sec
	WB l/t/r	a (9.5)	A (6.3)	A (7.0)	a (9.8)	A (3.9)	A (3.8)	b (10.1)	A (5.0)	A (5.4)	10 sec
	NB l/t/r	a (0.3)	B (13.4)	B (13.6)	a (0.3)	C (20.6)	C (25.2)	a (0.3)	B (17.2)	C (17.2)	25 sec
	SB l/t/r	a (0.5)	A (6.9)	A (3.0)	a (0.4)	B (18.4)	C (23.5)	a (0.4)	A (9.4)	A (9.5)	24 sec
	Overall	NA	B (16.5)	B (15.3)	NA	C (26.1)	C (40.5)	NA	B (19.4)	C (22.2)	41 sec
Relocated Rt 17 EB Ramps and Holiday Mountain Trail ⁴	SB l/r	NA	b (14.2)	c (18.4)	NA	c (20.2)	e (39.5)	NA	c (15.4)	c (21.4)	40 sec
	EB l/t	NA	a (0.9)	a (0.9)	NA	a (0.4)	a (0.3)	NA	a (0.2)	a (0.4)	2 sec
	WB t/r	NA	a (0.0)	a (0.0)	NA	a (0.0)	a (0.0)	NA	a (0.0)	a (0.0)	0 sec
Glen Wild Road and Proposed Glen Wild South Residential Access	EB l/r	NA	b (11.8)	b (12.6)	NA	b (12.1)	b (11.8)	NA	b (11.3)	b (11.4)	15 sec
	NB l/t	NA	a (0.6)	a (0.6)	NA	a (1.2)	a (1.1)	NA	a (1.3)	a (1.1)	2 sec
	SB t/r	NA	a (0.0)	a (0.0)	NA	a (0.0)	a (0.0)	NA	a (0.0)	a (0.0)	0 sec
Proposed Residential Northerly Access and Glen Wild Road	EB l/r	NA	NA	b (13.5)	NA	NA	b (14.0)	NA	NA	b (12.5)	15 sec
	NB l/t	NA	NA	a (0.8)	NA	NA	a (1.8)	NA	NA	a (1.9)	2 sec
	SB t/r	NA	NA	a (0.0)	NA	NA	a (0.0)	NA	NA	a (0.0)	0 sec
Proposed Westerly Residential Access and Rock Hill Drive ⁵	EB l/t	NA	a (0.0)	a (0.0)	NA	a (0.0)	a (0.0)	NA	a (0.0)	a (0.0)	2 sec
	WB t/r	NA	a (0.0)	a (0.0)	NA	a (0.0)	a (0.0)	NA	a (0.0)	a (0.0)	0 sec
	SB l/r	NA	a (9.8)	b (11.3)	NA	b (13.5)	c (17.7)	NA	c (16.6)	c (24.4)	30 sec

- Notes: 1. EB = eastbound, WB = westbound, NB = northbound, SB = southbound, l = left, t = through and r = right.
 2. LOS - Level-of-Service. Uppercase letters represent Levels-of-Service for signalized intersections, while lowercase letters represent those for unsignalized intersections.
 3. Delays are the average for each lane group in seconds per vehicle. For signalized intersections, the average delay per vehicle for the entire intersection is also included. For unsignalized intersections, the average delay per vehicle for the entire intersection is not meaningful.
 4. From the analyses appended with Feb 29, 2009 Traffic Impact Study assuming the relocation of the EB Rt. 17 Ramps to Holiday Mt. Trail.
 5. Maximum Permitted Values include an allowance for the elimination of the secondary driveway to the new residential Town road.
 * Existing Separate Intersections of Glen Wild Road and Katrina Falls Road are proposed to be combined.
 NA - Not Applicable as separate lane-group did not exist or since overall delay for unsignalized intersections is not meaningful.

D. MITIGATING MEASURES

Table 4 lists the Mitigation Measures required for the Full Build condition. Which are presented in Table 11 as well as in Figures 35 and 36 of the February 27, 2009 Traffic Impact Study.

Table 4 - Full Build Mitigation Measures.

Location	Improvement Measures
Glen Wild Road and Rock Hill Drive	Widen the eastbound approach to provide a left-turn lane, a right-turn lane and two receiving lanes.
	Widen the westbound approach to provide a through lane, a through/right-turn lane and one receiving lane.
	Widen the southbound approach to provide a left-turn lane, a right-turn lane and one receiving lane.
	Install a traffic signal and interconnect with Katrina Falls Road and Rt 17 Westbound Ramps signals.
Rock Hill Dr. & the Rt 17 WB Ramps	Widen the westbound approach to provide a left-turn lane and two receiving lanes.
	Widen the northbound approach to provide a left-turn lane, a right-turn lane and one receiving lane.
	Install a traffic signal, provide a presence loop 200 feet in advance of the off-ramp stop bar and interconnect the signal with those at Katrina Falls Road and Glen Wild Road.
Katrina Falls Road and Rock Hill Drive	Widen the eastbound approach to provide one approach lane and two receiving lanes.
	Widen the northbound approach to provide a left-turn lane, a left/right-turn lane and one receiving lane.
	Install a traffic signal and coordinate with those at the Rt 17 off-ramps and Glen Wild Road.
Katrina Falls Rd & Rt 17 EB Ramps	Install a traffic signal and coordinate with those at Rock Hill Drive and Glen Wild Road.

Consistent with Table 8 and Figures 33 and 34 of the February 27, 2009 Traffic Impact Study and Table 2 of this report, it is recommended that the Mitigation Measures be implemented in accordance with the Table 5, subject to the satisfactory outcomes of all Traffic Monitoring Studies, as described hereafter. It is further recommended that the Applicant be permitted to construct multiple phases of the mitigation measures at one time, for logistical and financial reasons, provided that at least the minimum level of required mitigation measures are included.

Table 5 - Phasing of Mitigation Measures.

Location	Mitigation Measures				
	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5
Glen Wild Road and Rock Hill Drive	Install a new traffic signal and coordinate it with the new signal at Katrina Falls Road	Interconnect traffic signal with the new signal at the Rt 17 Westbound Ramps.	Widen the eastbound approach to provide a left-turn lane, a right-turn lane and two receiving lanes.		All Work shall be completed prior to Milestone 5
			Widen the westbound approach to provide a through lane, a through/right-turn lane and one receiving lane.		
			Widen the southbound approach to provide a left-turn lane, a right-turn lane and one receiving lane.		
Rock Hill Drive and Rt 17 WB Ramps		Install a new traffic signal and interconnect it with the signal at Glen Wild Road ¹	Widen the westbound approach to provide a left-turn lane and two receiving lanes.	Widen the northbound approach to provide a left-turn lane, a right-turn lane and one receiving lane.	All Work shall be completed prior to Milestone 5
Katrina Falls Road and Rock Hill Drive	Install a traffic signal and coordinate it with the new signal at Glen Wild Road.	Interconnect traffic signal with the new signal at the Rt 17 Eastbound Ramps.	Widen the eastbound approach to provide one approach lane and two receiving lanes.		All Work shall be completed prior to Milestone 5
			Widen the northbound approach to provide a left-turn lane, a left/right-turn lane and one receiving lane.		
Katrina Falls Rd & Rt 17 EB Ramps		Install a traffic signal and coordinate with the signal at Rock Hill Drive ²			All Work shall be completed prior to Milestone 5

Notes: 1. If the NYS DOT has (or is in the process of) relocated the westbound ramps further west on Rock Hill Drive, this signal shall be installed at the new westbound ramps.

2. If the NYS DOT has (or is in the process of) relocated the eastbound ramps to Holiday Mountain Trail, this signal shall be installed on Katrina Falls Rd. at Holiday Mtn Trail. If the NYS DOT has not yet relocated the eastbound ramps, installation of a traffic signal at this intersection shall be deferred to Milestone 3, provided that Monitoring Study results indicate that tolerable (no mainline queues) conditions will be maintained at peak times.

E. TRAFFIC MONITORING STUDIES

The SEQRA Process has established the level of traffic activity, the required mitigation (including phasing) and the future operating conditions (performance measures) which the Town has deemed acceptable from an environmental impact perspective. The purpose of the two-part traffic monitoring studies, required to be conducted at each of the development milestones, is to ensure that these forecast values and conditions are adhered to and to provide the Town with a mechanism to correct the situation if they are not.

As stated in Section B of this report, prior to the issuance of building permits, the Applicant shall be required to submit an estimate from a qualified professional as to the number of trips that the subject permitted work would generate. These values would be added to the results of the previous monitoring study (if one was already completed) to determine the projected aggregate trip generation. If the next trip milestone is forecast to be reached, the developer shall be required to conduct the first part (Trip Generation Monitoring) of the traffic monitoring study following the completion of the permitted work.

Further, even if the most recently permitted and completed phase of the development was not projected to reach the next milestones indicated in Table 2, the Town may require the developer to undertake the second part (Traffic Operating Conditions Monitoring) of the two-part monitoring study following the completion of the permitted work should the Town Building Inspector, Highway Superintendent or the Town Engineer, based on reasonable anecdotal evidence provided by the public or gathered by the Town, conclude that any of the Threshold Performance Measures established in the SEQRA process and detailed in Table 3 are being exceeded under typical conditions.

Trip Generation Monitoring shall consist of traffic counts at the Rock Hill Center driveways while Traffic Operating Conditions Monitoring will consist of analyses of existing and future traffic operating conditions at specific intersections identified by the Town for each monitoring study. The identification of these intersections will be based on the results of the driveway counts and any anecdotal evidence indicating that the Threshold Performance Measures, detailed in Section C of this report are or may be exceeded.

Mr. Steve Proyect

May 25, 2009

Page 11

If the volume of development-driveway traffic is found in any of the Trip Generation Monitoring studies to be significantly more than forecast (perhaps, for example, the developer leases a commercial tenant with higher than average intensity of trip generation at the commercial component of the project), a Traffic Operation Conditions Monitoring study, consisting of detailed additional traffic analyses, must be undertaken of then-existing and Full-Build conditions to determine the impact of this additional traffic and what actions need to be taken to ensure that the performance measures, detailed in Table 3, can be restored to the approved levels. The additional traffic analyses must be consistent with the methodologies employed in the Traffic Impact Study for the Project or with the latest methodologies if there have been significant changes in best engineering practice since February of 2009.

If the Trip Generation Monitoring determines that the volume of traffic generated by the development continues to be less than or equal to what was projected and there is no indication that traffic operating conditions at the studied intersections are exceeding the approved levels, a Traffic Operating Conditions Monitoring study (i.e., additional intersection analyses) will not be required for that phase of the Project and no further action shall be required until the developer applies for permits to undertake additional work.

F. CONCLUSIONS

The SEQRA process has identified improvement measures which were determined to mitigate for the additional traffic projected to be generated by Rock Hill Center. The Applicant has identified a construction phasing plan and a traffic mitigation phasing plan which are also being reviewed and approved. While the traffic analyses have been prepared to provide a conservative assessment of future conditions and the Project's impacts, there are, nevertheless, many variables over the life of the Project which could potentially result in worse future traffic operating conditions, either during phasing or thereafter, than expected. To allow the Town to continually check that the Project's impacts and the benefits of its mitigation are occurring as forecast and to provide the Town with the control necessary to respond to and correct conditions which may not, the mechanism detailed in this report has been developed.

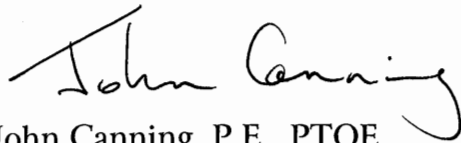
The projected Level of Traffic Activity, Project Milestone Traffic, the required Mitigation Measures, the Phasing of their Implementation and the necessary Threshold Performance Measures all documented herein. The Trip Generation and

Mr. Steve Proyect
May 25, 2009
Page 12

Traffic Operating Conditions Monitoring program provides the mechanism by which the Town can confirm that all of the above parameters are being adhered to. If they are not, the Town will have the justification that it needs to withhold the issuance of any subsequent building permits until the developer restores intersection operating conditions to the approved Threshold Performance Levels. The monitoring program also provides the developer with the opportunity to modify the phasing and composition of the development without undertaking a SEQRA review (FOR TRAFFIC ONLY) provided that the developer provides a Traffic Study demonstrating that the level of traffic activity and the Threshold Performance Measures will not be exceeded.

I trust that this information will assist you with you continued planning for this project. Please do not hesitate to contact us should you have any questions.

Sincerely,
Adler Consulting,
Transportation Planning & Traffic Engineering, PLLC

A handwritten signature in black ink that reads "John Canning". The signature is written in a cursive style with a large, sweeping initial "J".

John Canning, P.E., PTOE
Senior Associate