

**SEQR**  
**State Environmental Quality Review**  
**Positive Declaration and Notice of Scoping Session**  
Notice of Intent to Prepare a Draft EIS  
Determination of Significance

Project Name: Summit Woods

Date: February 19, 2002

This notice is issued pursuant to Part 617.7 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of East Fishkill Planning Board, as lead agency, has determined that the proposed action described below may have a significant adverse effect on the environment and that a Draft Environmental Impact Statement will be prepared.

**Name of Action:** Summit Woods

**SEQR Status:** Type 1 ☒  
Unlisted ☐

Type 1 Action based upon the following threshold:

- 617.4(b)(5) more than 75 new residential units proposed to connect to a new water system and wastewater treatment facility
- Other thresholds may apply.

**Description of Action:**

The project sponsor intends to subdivide a 325-acre parcel of property into one hundred seventy five (175) residential, single-family lots. The applicant has proposed to cluster the units on the property. The site will be served by a community water system and a wastewater treatment facility.

The proposed action includes the above described application, as well as all local, regional, and state approvals necessary to authorize the development of the site in accordance with the proposed development plans.

**Scoping:** No ☐ Yes ☒ If yes, indicate how scoping will be conducted:

A scoping meeting will be held March 26 at 7:00 p.m..

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## **SEQR Positive Declaration: Summit Woods, East Fishkill, NY.**

### **Location:**

Town of East Fishkill, Dutchess County, NY. The 325-acre project site is located within the Town of East Fishkill, along NY State Route 52 north of Interstate 84.

### **Tax Parcel Nos.:**

132800-6656-00-045715  
132800-6656-00-233608  
132800-6656-00-349637  
132800-6656-00-350690  
132800-6656-00-361675

### **Reasons Supporting This Determination:**

(See SEQR Regulations 617.7(a), (b), and (c) for requirements of this determination)

Based upon a review of the Full Environmental Assessment Form and other application materials that were submitted for this action, The Town of East Fishkill Planning Board has determined that the proposed action may have a significant adverse impact on the following:

- **Land.** The site contains significant amounts of steep slopes and earth-moving operations will last for more than one year.
- **Water.** The site contains a protected water body, wetlands, and an unnamed stream. The applicant proposes a community water supply for this project as well as a wastewater treatment facility. There are potential impacts on groundwater and surface water conditions in the area.
- **Aesthetic Resources.** The conversion of 325 undeveloped acres into 175 residential lots will be visible to the community. The site is visible from the Appalachian Trail.
- **Plants & Animals.** A significant amount of the land will be converted to residential uses, which could adversely impact local flora and fauna.
- **Noise & Odor.** There may be adverse temporary impacts to noise and odor during the construction phase, which may last for 60 months.
- **Transportation.** The addition of 175 homes along State Route 52 may significantly impact traffic along Route 52.
- **Growth & Character.** The addition of 175 homes may significantly alter the present character of the site.

### **For further information:**

**Contact Person:** Pat Twomey, Planning Board Clerk  
Town of East Fishkill Planning Board  
**Address:** Town Hall, 330 Route 376, Hopewell Junction, NY 12533  
**Telephone:** (845) 221-2428

**SEQR Positive Declaration: Summit Woods, East Fishkill, NY.**

**INVOLVED AND INTERESTED AGENCIES  
Distribution List**

Commissioner, Department of Environmental Conservation  
625 Broadway  
Albany, NY 12233-1011

New York State Department of Environmental Conservation  
Region 3 Headquarters  
Division of Regulatory Affairs  
21 South Putt Corners Road  
New Paltz, NY 12561-1696

New York State Department of Health  
Flanigan Square  
547 River Street, Room 400  
Troy, NY 12180-2211

Dutchess County Health Department  
387-391 Main Mall  
Poughkeepsie, NY 12601

Town of East Fishkill Town Board  
Town Hall, 330 Route 376  
Hopewell Junction, NY 12533

Town of East Fishkill Highway Superintendent  
Town Hall, 330 Route 376  
Hopewell Junction, NY 12533

U.S. Army Corps of Engineers  
James Haggerty, Chief  
Eastern Permit Section – Op. Div., Reg. Br.  
26 Federal Plaza  
New York, NY 10278

Roger P. Akeley, Commissioner  
Dutchess County Department of Planning and Development  
27 High Street  
Poughkeepsie, NY 12601

Robert A. Dennison, Regional Director  
New York State Department of Transportation  
Region 8  
4 Barnett Boulevard  
Poughkeepsie, NY 12601

COPY OF THIS NOTICE ALSO FILED WITH:

Peter Idema III, Town Supervisor  
Town Hall, 330 Route 376  
Hopewell Junction, NY 12533

M.A. Day Engineering, P.C.  
924 Route 376  
Wappingers Falls, NY

cc: Mr. Peter Hobday, Town Engineer  
Ms. Jennifer Van Tuyl, Esq., Town Attorney  
Mr. Frank Fish, Town Planner

**DRAFT SCOPING DOCUMENT March 19, 2002**  
**FOR**  
**THE PROPOSED SUMMIT WOODS SUBDIVISION**  
**TOWN OF EAST FISHKILL, NY**

The Planning Board of the Town of East Fishkill, having been confirmed as Lead Agency, having determined that the project is a Type 1 action, and having made a Positive Declaration on February 19, 2002, has issued this document to guide the preparation of a Draft Environmental Impact Statement.

The following pages describe the content and format of the Document.

**I. COVER SHEET**

- A. The DEIS shall start with a cover sheet and opening pages to include:
1. Identifying the document as a Draft Environmental Impact Statement.
  2. Name and location of the project.
  3. Date submitted.
  4. Date of acceptance of the DEIS (to be filled in when known).
  5. Date of public hearing and date by which comments are due (to be filled in when known).
  6. Name, address, telephone number and contact person of the lead agency.

7. Name, address, telephone number and contact person of the project sponsor/applicant.
  8. Name, address, telephone number and contact person of the preparer of the DEIS.
  9. Following the cover sheet, a list of all interested and involved agencies and parties.
- B. The DEIS shall include a list of the consultants who worked on the DEIS and the name, address and area of responsibility of each consultant. The consultants' professional qualifications shall be placed in an appendix to the DEIS or included with each professional's report. The Planning Board reserves the right to approve or reject each consultant. NOTE: THE PLANNING BOARD MAY CONSIDER THE DEIS NOT COMPLETE FOR ANY ISSUE THAT IS NOT SUPPORTED BY A REPORT PREPARED BY A PROFESSIONAL WHO IS KNOWLEDGEABLE OF THE SUBJECT MATTER.
- C. The DEIS shall include a Table of Contents - The table should include all subsections, map, figures, tables, appendices and volumes with appropriate page numbers.

## **II. EXECUTIVE SUMMARY**

- A. The Executive Summary shall include the following:
1. Format and contents of the DEIS.
  2. Purpose of the DEIS.

3. A description of the proposed action, including a description of the project location and the expected year of completion of the project.
4. A description of the significant beneficial impacts.
5. A description of the significant adverse impacts and proposed mitigation for each.
6. A list of involved agencies and corresponding permits or approvals.
7. A summary of issues of controversy.
8. A list of cumulative/additive impacts of this and other nearby development projects. For the purposes of this DEIS, cumulative impacts shall include:
  - Moore Farm
  - Undeveloped sections of the Legends
  - Hopewell Glen
  - Twin Creeks
  - Ron Scheckter's parcel along 376
  - Lake Walton Park
  - Crooked Oaks
9. A description of project alternatives and their respective benefits and impacts.

B. Involved and Interested Agencies

Involved agencies and required approvals: A complete list of involved agencies, including name and address, and all permits or approvals required. The preliminary list includes:

1. Town of East Fishkill Town Board:

- a. Approval of Transportation Corporations for both water and sewer.
- 2. Town of East Fishkill Planning Board:
  - a. SEQRA Findings Statement.
  - b. Approvals per Chapter 163 of East Fishkill Town Code:
    - i. Subdivision approval.
    - ii. Site plan approval of central utilities buildings (e.g. treatment buildings, pump stations and tanks).
- 3. NYSDOT:
  - a. Construction permits for entrances on State Route 52.
- 4. NYSDEC:
  - a. Stream crossing/stream disturbance.
  - b. SPDES permit for sewage treatment plant discharge.
  - c. General Permit for Stormwater Discharge.
  - d. Water Supply Application.
- 5. Dutchess County Department of Health (DHCD) and New York State Department of Health (NYSDOH):
  - a. Water taking.
  - b. Water system.
  - c. Sewer system (DCHD only).
- 6. Architectural Review Board:



- a. Review of architectural components of Water Supply and Sewage Treatment buildings.
- B. Interested Parties: A complete list of all agencies, persons or groups who have expressed an interest in reviewing and commenting upon the DEIS.

### **III. DESCRIPTION OF THE PROPOSED ACTION**

- A. Introduction:
  - 1. The introduction should describe
    - a. Identification of local and regional area location.
    - b. Tax map parcel numbers and total area.
    - c. Land uses and existing zoning.
    - d. Description of site access and surrounding road network.
    - ✓e. Section 278 compliance (lot count plan).
  - 2. Project purpose, public need and benefit to the Town.
  - 3. Objectives of the project sponsor.
  - 4. Project background and site history.
  - 5. Conformance to Town Master Plan and Zoning Code, and need, if any, for amendment or revision to site zoning.
- B. Project Description: The description of the proposed plan for the site shall include narrative and graphic descriptions for:
  - 1. Project layout and design concept and philosophy. Include drawings that show the individual environmental factors and a table that quantifies slopes > 20%, wetlands, and any floodplain area, if applicable. Include an overlay to show the most suitable building

areas on site. Include an overlay to show the proposed development. Environmental factors to be shown include:

a. Geology

- i. slopes > 20%
- ii. rock outcrops
- iii. hydric and other soils with severe construction limits
- iv. faults

b. Surface water

- i. ponds
- ii. streams

c. Wetlands

- i. NYSDEC and buffers
- ii. ACOE

- 2. Open space (including preservation of existing vegetation and trees), buffer and recreation areas, land to be cleared, impervious area created.
- 3. Drawing(s) at 200 scale or larger may be provided in the bound DEIS, and shall be supplemented by plans on min. 24" x 30" sheets at max. 100 scale.
- 4. Site access and internal and future connections for through routes for automobiles and service vehicles (e.g. fuel delivery, infrastructure maintenance), and traffic calming measures.

5. Circulation and parking. Also, emergency vehicle access and alternate routes.
  6. Housing design, including:
    - a. Type of construction, and provisions for parking, basement, garage, and storage.
    - b. Fuel and energy sources.
    - c. Architectural style (including architectural renderings of sample proposed units), unit sizes, bedroom distributions, and any special features. Discuss if developer will build all units, or if lots will be sold to independent builders, and if so, any architectural or other restriction or review by project sponsor/developer.
    - d. Separation between single-family homes.
  7. Planting and buffering, signs, etc.:
    - a. Street trees, including list of proposed species, tree spacing and size.
  8. Utilities, to include stormwater management, sanitary sewer, potable and fire protection water. Show as general layout only, details to be provided with subdivision plat and construction plans.
  9. Wetland management, and stream crossings (culverts).
- C. Construction – provide a narrative description of:
1. A potential schedule with phases, including a map showing the proposed phases and each expected year of completion.

2. Hours of operation.
3. Noise control, erosion control and dust control.
  - a. Schedule construction for “normal business” hours minimizing noise impacts during sensitive times (early morning, evening, night, holidays, weekends). Adhere to construction noise standards.
  - b. Provide general arrangement of proposed erosion control and dust control. Detailed grading and detailed sediment and erosion control plans are not required with the EIS, but shall be submitted for approval with plat and other construction plans.

## **NATURAL ENVIRONMENTAL SETTING, ANTICIPATED IMPACTS, MITIGATION**

(yes)

### **A. Geology**

1. Existing Conditions:
  - a. Subsurface:
    - i. Composition and thickness of subsurface material.
    - ii. Depth to bedrock and rock outcrops.
    - iii. Nature of bedrock formation.
  - b. Surface:
    - i. List of soil types on site (refer to Dutchess County Soil Survey of 1992) and site-specific soils studies.

- ii. Description of soil characteristics, including degree of suitability for various aspects of development.
- iii. Investigate past farming practices, and use of chemicals, fertilizers, herbicides and pesticides, and mixing and storage areas.
- c. Topography:
  - i. Slopes.
  - ii. Unique features.

Description of topography of surrounding area.

2. Project Impacts:

- a. Land disturbance and potential impacts from site grading with respect to soil erosion, slope stabilization and rock removal, and soil disturbance with chemical, herbicide and pesticide residues if present.
- b. Increased impervious surface.
- c. Cut and fill needs, and specifically a description and analysis of impacts if cuts and fill are not balanced. Also address the restrictions and permit requirements of Town Code §194-75.
- d. Potential for siltation.

Time frame and phasing.

- f. Cumulative and additive impacts with recent, planned and potential development in project vicinity.

2. Mitigation:

- a. General outline of grading plan, specific plan and details will be provided with the subdivision plat and construction plans. If applicable, mitigation measures for disturbance of contaminated soils.
- b. General outline for preparation of a Stormwater Pollution Prevention Plan, construction sequence plans, concept and principles for control of erosion and sedimentation, temporary sediment basins and first flush basins and other appropriate BMPs.
  - i. Follow "New York Guidelines for Urban Erosion and Sediment Control"
  - ii. Specifically provide soil erosion plan to protect areas of steep slope.
- c. Siltation fencing and diversion swales, if applicable.  
Temporary access control.
- e. If applicable, blasting plan and controls, including Town of East Fishkill policy. (Include a copy of the policy as an appendix to the DEIS.) Developer to repair or replace damaged property in adjoining developments, etc.
- f. Dispose of construction and demolition debris in a licensed site.

- d. Mitigation for groundwater recharge impacts, including
  - i. Directing road drainage to enhanced recharge areas on site.
  - ii. Directing WWTP effluent to enhanced recharge areas on site.
  - iii. Other.

C. Surface Water Resources

1. Existing Conditions:

- a. Open water:
  - i. Location and description of surface water ponds on and off site that may be impacted by the development.

Streams

- i. Location and description of surface water streams on and off site that may be impacted by the development.
- ii. Regional watershed and on-site drainage patterns, drainage areas and drainage paths. The drainage analysis shall be made using the SCS TR20/TR-55 methodology, for the 25-year and the 100-year design storms.
- iii. Flows in on-site streams during drought and normal conditions, and how the flows vary seasonally.

b. Floodplains and floodways

- i. As shown on the FIRM
- ii. Other floodplains
- iii. Computation of the BFE for unnumbered A zone floodplains

c.. Sanitary Sewer:

- i. Permit requirements.
- ii. Anticipated flows.

2. Project Impacts:

- a. Changes to local drainage patterns. (Detailed layout and pipe sizing, and control measure design, are not required for the EIS and will be reviewed for subdivision plat approval.)
- b. Potential impacts to floodplain and floodways.
- c. Effect of new SPDES rules on drainage mitigation layout.
- d. Loss of groundwater recharge and indirect impacts on ponds and streams,
- h. e. Potential for eutrophication, due to lawn maintenance.
- f.. Impact from WWTP outfall Changes in stream water chemical and physical conditions.
  - (a) Wastewater treatment requirements:
  - (b) Use of chlorine.
  - (c) Other chemical residuals
  - (d) Effluent water temperature



- (e) Effluent water clarity
- ii. Changes in stream water quantity.
- iii. Anticipated WWTP effluent flows vs. flow capacity of stream channel, including during flooding.

- g. Cumulative and additive impacts with recent, planned and potential development.

3. Mitigation:

Include as appropriate:

- a. Follow suggestions contained in the DEC Manual “Reducing the Impacts of Stormwater Runoff From New Development”.
- b. Temporary sediment basins and permanent first flush basins.
- c. Measures required by NYSDEC.
- d. Stormwater collection system including detention or retention basins (detailed drainage calculations are not required for the EIS, but if included shall be placed in an appendix).
- e. Stormwater Pollution Prevention Plan.
- f. Construction sequence schematic.
- g. Construction of sewage treatment plant.
  - i. Provide information on proposed process, building/enclosure, etc., but not complete design. Design details will be approved during site plan approval.

- ii. Discuss measure to be taken to prevent untreated sewage from entering stream.
- h. Design stormwater drainage system for treatment of runoff prior to recharge of groundwater.
- i. Maintain permeable areas of the site.
- j. Avoid direct discharge to surface water bodies.

#### D. Wetlands

##### 1. Existing Conditions:

- a. List and map the wetlands within and contiguous to the project site.
- b. Describe the wetlands:
  - i. Acreage.
  - ii. Functional analysis.
  - iii. Classification.
  - iii. Identify as NYS or Federal.

##### 2. Project Impacts

- a. Quantification of the amount of disturbance.
- b. Qualitative analysis of effects on wetland functions.
- c. Qualitative analysis of effects on wetland character.
  - i. Loss of runoff water for maintaining wetlands.
  - ii. Change in chemical and physical properties of surface water flows to wetlands.

- lii. Decreased groundwater basal flow to wetlands d.

Description of method to mark and protect environmentally sensitive areas after plat approval.

3. Mitigation:

Avoid construction in wetlands, mitigate as required by the NYSDEC. b. Discuss method of protecting wetland buffer areas during construction and after development.

- c. NYSDEC requirements, including SPDES permit for stormwater runoff quantity and quality.

E. Traffic and Transportation

1. Existing Conditions:

- a. Traffic counts at intersections identified and required by the Planning Board. Note: traffic counts shall be taken when school is in session or seasonally adjusted. Traffic counts shall be taken for the weekday AM and PM peak hours, at the impacted intersections.
- b. Determine existing traffic volumes and existing levels of service for the proposed entrances.
- c. Prepare an analysis of sight and stopping distances along NYS Route 52, and in particular during inclement weather, and the site entrances for both horizontal and vertical alignment.

- d. Provide an accident history at the nearby intersections on NYS Route 52 for the past five years of record.
  - e. Describe the existing pedestrian environment.
  - f. Give a description of public transportation availability and usage.
2. Project Impacts:
- a. Compute the projected levels of service in the build year without the project. Account for remote development with 2% growth rate in background traffic, and include the additional traffic from known proposed developments within ½ mile of the project.
  - b. Calculate the projected levels of service at build-out for the proposed site entrances and discuss the safety of the proposed site entrances. Specifically consider queues on Route 52
  - c. Discuss emergency vehicle internal circulation.
  - d. Describe the cumulative and additive impacts with recent, planned and potential development.
3. Mitigation:
- a. Describe any proposed improvements to State Route 52, including horizontal alignment, vertical alignment and turning lanes.

F. Vegetation

1. Existing Conditions:

- a. Provide an inventory of existing habitat for both annual and perennial flora, addressing all seasons. The inventory shall place particular emphasis on unique, rare, threatened, endangered or protected species. If any such unique, rare, threatened, endangered, or protected species are found, conduct field surveys or utilize results of surveys, of adequate duration in the optimum season for such species, by specialists in these fields.
- a. Discuss site vegetation characteristics, and provide maps as appropriate, for:
  - i. Species and species distribution.

2. Project Impacts:

- a. Discuss population changes due to habitat changes
- b. Discuss loss of vegetation and ground cover. Include a qualitative assessment of impacts to plant communities due to construction within the proposed limits of disturbance.

3. Mitigation:

- a. Clear only necessary areas.
- b. Preserve part of the site as a natural area.

- c. After construction, landscape with native species vegetation (describe source of plants).

G. Fauna (Fish, Shellfish and Wildlife)

1. Existing Conditions:

- a. Make an inventory of existing fauna. The inventory shall place particular emphasis on unique, rare, threatened, endangered or protected species. If any such unique, rare, threatened, endangered, or protected species are found, conduct field surveys or utilize results of surveys, of adequate duration in the optimum season for such species, by specialists in these fields.
- d. Provide a discussion of wildlife population characteristics:
  - i. Species abundance.
  - ii. Species distribution.
  - iv. Special concern species.
- e. Consult with DEC and EPA to obtain known wildlife reports and proper methodology to conduct wildlife assessment. Summarize all reports.

2. Project Impacts:

- a. Include a qualitative assessment of impacts to communities due to construction and animal displacement, particularly within the proposed limits of disturbance.

3. Mitigation:

- a. Planting of replacement or enhanced wild animal food sources.
- b. Animal relocation.
- c. Schedule construction to avoid sensitive periods of fish, shellfish and wildlife cycles.

H. Fiscal Matters and Community Services.

1. Existing Conditions:

- a. Existing taxes levied on the site.
- b. Existing level of services available:
  - i. Volunteer fire department.
  - ii. Police.
  - iii. Volunteer emergency ambulance.
  - iv. Schools, including capacity analysis from Wappingers Central School District and travel time estimates for bussing.
  - v. Public recreation and youth activities.
  - vi. Library.
  - vii. Highway department.
  - ix. Solid waste disposal.
  - x. Telephone, electric and CATV utilities.

2. Project Impacts:

- a. Qualitatively discuss projected taxes levied on development, impact on surrounding property values and therefore on tax receipts.
  - b. Projected need for services in areas defined above, including capacity analysis from Wappingers Central School District.
  - c. Projected growth in school age children.
3. Mitigation
- a. Taxes.
  - b. Recreation fees.
  - c. School bus waiting areas and possible turnaround locations.

## V. OTHER ENVIRONMENTAL IMPACTS

- A. Unavoidable adverse impacts from construction of project.
- B. Irreversible and irretrievable commitment of resources.
- C. Growth inducing, cumulative and secondary impacts.
- D. Effects on energy use and conservation:
  - 1. Existing conditions.
  - 2. Proposed Conditions:
    - i. Oil tanks above ground.
    - ii. Need for increased utility capacity (electric, telephone, etc.).