



# **FINAL SCOPE**

**Prepared For:**

## **EAGLE BAY**

**Town of Stony Point  
Rockland County, New York**



**Date: September 27, 2018  
Job No. 1407**

# FINAL SCOPE



## **FINAL SCOPE**

Identifying the Potentially Significant Adverse Environmental Impacts, Mitigation Measures and Alternatives Pursuant to State Environmental Quality Review Act ("SEQRA") 6 NYCRR 617.8.

Name of Proposed Action

### **Eagle Bay Site Plan and Conditional Use Permit**

Location Town of Stony Point, Rockland County, NY

Existing Zoning Planned Waterfront District (PW)

Tax Lots 15.04-6-3  
15.04-6-4  
15.04-6-6

SEQRA Classification Type 1

Draft Scope Submitted May 24, 2018

Draft Scope Officially Received: June 28, 2018

Public Scoping Hearing July 31, 2018  
RHO Building  
5 Clubhouse Lane  
Stony Point, NY 10980

Deadline for Submission of Comments: August 8, 2018

Adoption of Final Scope: September 27, 2018

#### **Lead Agency and Contact Person:**

Thomas Gubitosa, Chairman  
Stony Point Planning Board  
74 East Main Street  
Stony Point, NY 10980  
(845) 786-2716  
tgubitosa@townofstonypoint.org

**Project Sponsor:**

Breakers Stony Point LP  
Eliezer Hershkowitz, Member  
5 Eastview Road  
Monsey, NY 10952  
914-403-8228

**Project Attorney:**

Amy Mele, Esq.  
The Law Office of Amy Mele 103  
Van Houten Fields  
West Nyack, NY 10954  
845-596-8260

**Project Engineers/Surveyors:**

Ryan A. Nasher, PE  
Atzl, Nasher & Zigler, PC  
232 North Main Street  
New City, NY 10956  
845-634-4694

**Project Architect:**

Mark Schulman, AIA, LEED AP  
Design Development LLC  
165 Mamaroneck Avenue, Floor  
2 White Plains, NY 10601  
914-949-4272

**Traffic Consultant:**

Ronald P. Rieman  
Maser Consulting P.A.  
400 Columbus Ave Suite 180E  
Valhalla, NY 10595  
914-347-7500 ext 4807  
rrieman@maserconsulting.com

**Cultural Resources:**

Alfred Cammisa., MA TRACKER  
Archeology, Inc  
62 Pickerel Road  
Monroe, NY 10950  
845-783-4082

**Landscape Architect:**

Robert G. Torgersen, LA,  
CPESC Three Main Drive  
Nanuet, NY 10954  
845-623-4835  
rtorger271@gmail.com

**Waterfront Consultant:**

Shea Thorvaldson  
TMS Waterfront  
181 Westchester Ave, Suite 409  
Port Chester, NY 10573  
914-426-6788  
shea@tms-waterfront.com

## **A. INTRODUCTION**

A Draft Environmental Impact Statement (DEIS) will be prepared in accordance with the requirements of 6 NYCRR Part 617.9, to assess the potentially significant adverse environmental impacts of a waterfront mixed-use development including residential dwelling units in multi-unit structures, non-residential commercial use, a marina and public esplanade along the Hudson River. The proposed development site is located on Hudson Drive approximately 600 feet north of the intersection with Tomkins Avenue in the Town of Stony Point, Rockland County, New York. Consistent with 6 NYCRR 617.8, the primary goals of this scope are to focus the EIS on potentially significant adverse impacts and to eliminate consideration of those impacts that are irrelevant and/or insignificant.

The Project Sponsor declared his intent to prepare a DEIS upon submission of his application for site plan and conditional use permit applications and therefore pursuant to 6 NYCRR 617.6(a)(4) no Environmental Assessment Form (EAF) will be required. Additionally, pursuant to 6 NYCRR 617.8 the Project Sponsor initiated public scoping with the submission of a Draft Scoping Document on June 28, 2018.

The Project Sponsor initiated public scoping by submitting the scope with its application on May 24, 2018, however, this date was past the submission deadline to be considered at the May 24, 2018 Planning Board meeting. Therefore, the draft scope is considered to be officially received by the Planning Board on June 28, 2018 (the next meeting of the Planning Board following submission).

The Planning Board announced its intent to declare lead agency status on June 28, 2018 and preliminarily classified the action as Type 1 under SEQR (over 62 units to be connected to existing public water and sewer on lands substantially contiguous to publicly owned or operated parkland). The SEQR timeframes require that a final scope be adopted by August 27, 2018. Barring objection by involved agencies, the Planning Board will assume lead agency status on July 31, 2018. A positive declaration and public notice of this meeting will be published in newspapers of record and the Environmental News Bulletin no later than July 17, 2018.

The Planning Board scheduled a public scoping session on July 31, 2018 at 7:00 PM. Comments on the draft scope were received until August 8, 2018.

Potentially significant adverse environmental impacts of the project identified by the Planning Board at the time of this Draft Scope include, but are not limited to, the following.

1. The proposed construction is located in a FEMA designated 100-year flood zone;
2. The proposed action is proposed adjacent to State and Federal Jurisdictional wetlands.
3. The proposed construction is located in an area with limited access to emergency vehicles;
4. The proposed construction has the potential to impact traffic at area intersections;
5. The proposed construction has the potential to impact limited water and sewer resources;
6. The proposed construction has the potential to result in visual impacts to public viewpoints, including the Hudson River and the Stony Point Battlefield Historic Site (included on National Registry of Historic Sites), and to neighboring residences; and
7. The proposed construction has the potential to impact the Hudson River and Haverstraw Bay Significant Coastal Fish and Wildlife Habitat.

## **B. PROJECT DESCRIPTION**

The project site is bound by private properties on the south; the CSX Railroad Corporation right-of-way to the west; the Stony Point Battlefield State Historic Site and Lighthouse to the north; and by the Hudson River to the east. The site is currently occupied by a marina and its various industrial buildings and boat yards, used for offices, boat repair, and storage. Redevelopment of the site is proposed to include the demolition of existing buildings and the investigation and cleaning of environmental hazards that may be associated with its current use. The total combined acreage of the site is 41 acres, with 20.6 acres located within the Hudson River.

The property is proposed to be redeveloped as a multi-family residential complex with a commercial component concentrated on its south end and a public esplanade along the entirety of its Hudson River frontage. It is designed for approximately 268 units of proposed housing in accordance with the density standards promulgated by the Stony Point Zoning Local Law for mixed-use waterfront developments. Residential units will be divided into at least four buildings to break up the bulk of a single monolithic structure.

In accordance with the Stony Point Zoning Local Law, height of the buildings is to be measured from the higher of existing grade or the FEMA 100-year storm elevation of 12 feet plus two feet and will not exceed 45 feet above base flood elevation.

The design of these residences will maximize views and create a waterfront neighborhood complementing the area. Proposed building materials will be in keeping with the project site’s setting and neighborhood character, using durable low-maintenance materials for exterior finishes. A pool, lawns and patios will be included in the development.

The project will include an esplanade walkway along the Hudson River which will be open to the public.

A 2-story building located at the south end of the site (accessed via Hudson Drive) will contain a restaurant with terrace, commercial and office spaces. The existing boat slips and docks are proposed to be rebuilt and reconfigured into a total of approximately 100 boat slips. A public fishing pier will be constructed in the southern portion of the waterfront area. Parking for the public spaces, such as the restaurant, fishing pier and esplanade, will be provided as per the Town’s code.

**C. REQUIRED APPROVALS**

**a. Involved Agencies**

It is anticipated that the following approvals will be required:

Site Plan	Stony Point Planning Board
Conditional Use	Stony Point Planning Board
Nationwide General Permit 404 Clean Water Act Section 10 Rivers and Harbors Act Individual Permit	US Army Corps of Engineers
Protection of Waters Excavation & Fill of Navigable Waters Docks, Moorings or Platforms 401 Water Quality Certification Coastal Erosion Management SPDES GP-0-15-002 Freshwater Wetlands	New York State Department of Environmental Conservation

Possible Incidental Takings Permit	New York State Department of Environmental Conservation
Possible Site Remediation	
Storm Water Management Plan and Report for MS4	
Certificate of Compliance	New York State Department of State, Division of Coastal Zone Management
Utility Easements (Cable)	New York State Office of General Services
Permanent Structures Easement	
Sewer Hookups	Stony Point Town Board; Joint Regional Board
Sewer Main Extension	Rockland County Health Department
Water Main Extension	Rockland County Health Department
Acceptance of Esplanade	Stony Point Town Board
LWRP Compliance	Stony Point Waterfront Commission
Mosquito Control Permit	Rockland County Department of Health

**b. Interested Agencies**

Additionally, the following interested agencies have been identified that may have interest in the proposed development:

- Town of Stony Point Fire District
- Town of Stony Point Ambulance Corps
- Town of Stony Point Police Department
- North Rockland Central School District
- Stony Point Battlefield State Historic Site
- Palisades Interstate Park Commission
- New York State Office of Parks, Recreation, and Historic Preservation
- Town of Cortlandt
- Rockland County Department of Highways
- Rockland County Department of Planning
- Rockland County Office of Fire and Emergency Services
- Stony Point Architectural Review Board
- Orange and Rockland Utilities
- SUEZ Water
- CSX Railroad



## **D. GENERAL SCOPING CONSIDERATIONS**

The Draft Environmental Impact Statement (“DEIS”) shall address all items in this Scoping Document and conform to the format outlined in this Scoping Document. If appropriate, impact issues listed separately in this outline may be combined in the DEIS, provided all such issues described in this Scoping Document are addressed as fully in a combined format as if they were separately addressed.

The document shall be written in the third person. The terms "we" and "our" should not be used. The Applicant's conclusions and opinions should be identified as those of the “Project Sponsor,” "Applicant" or "the Developer."

Narrative discussions should be accompanied by appropriate charts, graphs, maps and diagrams whenever possible. If a particular subject matter can most effectively be described or illustrated in graphic format, the narrative discussion should summarize and highlight the information presented graphically.

The entire document should be checked carefully to ensure consistency with respect to the information presented in the various sections. The document will be concisely written and information will be cross-referenced rather than repeated.

Environmental impacts should be described in terms that the lay person can readily understand (e.g., truck-loads of fill and cubic yards rather than just cubic yards).

All discussions of proposed mitigation measures should consider at a minimum those measures outlined and described in the Scoping Outline. Where reasonable and necessary, proposed mitigation measures should be incorporated into the Proposed Action if they are not already included.

The DEIS is to convey general and technical information regarding the potential environmental impacts of the proposed project to the Lead Agency, as well as identified Interested and Involved agencies involved in the review of the proposed project. Enough detail will be provided in each subject area to ensure that lay readers of the document will understand, and be able to make decisions based upon, the information provided. Highly technical material will be summarized and, if it must be included in its entirety, will be referenced in the DEIS and included as an Appendix.

To the greatest extent practicable, the DEIS will contain objective statements and conclusions of facts based upon technical analyses. Subjective evaluations of impacts where evidence is inconclusive or subject to opinion will be prefaced by statements indicating that “It is the Applicant’s opinion that...”. The Lead Agency reserves the right, during review of the document, to require that subjective statements be removed from

the document or otherwise modified to indicate that such subjective statements are not necessarily representative of the findings of the Planning Board acting as Lead Agency for the Proposed Action.

Full scale plans will be included with the DEIS as an appendix and reduced copies of such plans will be included in the text of the DEIS. Interested and Involved agencies will be given all appendices in Adobe Portable Document Format (.pdf) on a CD-ROM. The entire document will be provided in .pdf format, for posting on the Town's website, once it has been deemed "complete" by the Planning Board acting as Lead Agency.

## **E. PRIOR ENVIRONMENTAL REVIEW**

The Town of Stony Point adopted a Negative Declaration of Environmental Significance at the time that the zoning for mixed-use waterfront developments was added to the PW District. This negative declaration was based on a generic impact analysis of the type of development that could proceed under the zoning that was adopted.

It is not necessary that analyses, and investigations conducted for that SEQR be repeated or duplicated within the DEIS. To the extent that potential impacts have been previously considered the DEIS may instead:

1. Identify the considerations upon which the Town Board based their Negative Declaration;
2. Verify that the proposed development is within the thresholds established for consideration of potential impacts (e.g. height and bulk for visual impact, anticipated schoolchildren for school impacts, trip generation for traffic, etc.);
3. Update and provide more detail on the proposed project to establish that impacts would not result from the specific development as proposed in comparison with the generic development envisioned or anticipated when the zoning was adopted;
4. Update information that may have changed since the adoption of the zoning, or that may have been generic or dated when the zoning was adopted (e.g. traffic counts at area intersections).

## **F. DEIS SCOPE AND CONTENT**

### **I. COVER SHEET**

- a) The cover sheet of the DEIS will include the following information:
- b) Identify that the document is a draft EIS;
- c) Identify the Project as: Eagle Bay;
- d) Identify the parcel by location (county and town), street address(es), and taxID;
- e) Identify the Lead Agency as the Stony Point Planning Board along with address of the lead agency and the name and telephone number of the Planning Board Chairman who can provide further information;
- f) List the names of individuals or organizations that prepared any portion of the DEIS;
- g) Provide the date of the DEIS's acceptance by the lead agency; and
- h) Provide the date by which comments on the DEIS must be submitted.

### **II. TABLE OF CONTENTS AND SUMMARY**

#### **A. Table of Contents**

The DEIS will include a table of contents identifying major sections and subsections of the document. Table of contents must also include a list of figures, tables, and a list of appendices and a list of any additional volumes if necessary.

#### **B. Project Summary**

An Executive Summary shall be required and will provide a précis of the more comprehensive information included within the document. No information will be included in the Executive Summary that is not found within the body of the document. The executive summary will include the following elements at a minimum:

1. Description of Action
2. Significant, Beneficial, and Adverse Environmental Impacts

3. Proposed Mitigation Measures
4. Alternatives to the Proposed Action
5. Regulatory Requirements: List of required Permits and Approvals

### **III. PROPOSED DESCRIPTION AND NEED**

#### **A. Project, Sponsor, Objective, and Public Need**

1. Background and History of Sponsor and Project
2. Public Need for Project
3. Objectives of Sponsor
4. Benefits of Proposed Action
  - a. Social
  - b. Economic/Fiscal
  - c. Housing

#### **B. List of Involved and Interested Agencies**

#### **C. Location**

1. Geographic Boundaries of Site with map
2. Access to Site with map
3. Existing Land Use and Zoning with maps
4. Easements, fee ownership of any utility installation on the site, or private agreements that may affect the proposed use of the site

#### **D. Design and Layout**

1. Environmental Character of Site and Adjacent Land
  - a. Description of Site
  - b. Description of Stony Point Battlefield State Historic Site, a National Landmark
  - c. Description of Surrounding Waters, including the Haverstraw Bay Significant Coastal Fish and Wildlife Habitat to the east, and the Stony Point Bay

- d. Description of how public areas and private areas will interact.
2. Total Site Area
    - a. Proposed Impervious Surface
    - b. Amount of Land to be Cleared
    - c. Open Space and Wetlands
    - d. Proposed Facilities – General discussion of number and size of buildings, proposed uses, number of units and general layout including public esplanade. General discussion of proposed utilities. Include concept plan.
    - e. Building Envelopes
    - f. Littoral zone uses
  3. Design consideration and construction methods relative to location within a FEMA 100-year floodplain (A and V zones)

## **E. Construction and Operation**

1. Total Construction Period Anticipated and hours of daily operation.
2. Construction Schedule and Associated Factors (i.e. employment, and quantification of construction vehicle trips and access.)
3. Phasing, including description of how phasing will avoid, minimize or reduce impacts to Significant Coastal Fish and Wildlife Habitat
4. Staging area – location(s) and description of proposed area
5. Operation - operation of commercial component, hours and time of year of operation for boat slips, including winter boat storage and operation of public amenities. Hours of operation for access.

#### **IV. PHYSICAL ENVIRONMENTAL SETTING AND IMPACT/MITIGATION ANALYSIS**

##### **A. Geology**

###### **Existing Conditions**

1. Summary of existing site geology
2. Description of the depth to bedrock
3. Geotechnical Investigation/Report: conduct on site borings to determine soil characteristics and depth of any unsuitable or bedrock, depth to any water will also be noted.

###### **Potential Impacts:**

1. An assessment of potential impacts to site geology based on proposed grading plans, what impacts will result if adverse geology is encountered.

###### **Proposed Mitigation:**

1. Discuss how identified impacts are proposed to be mitigated.

##### **B. Soils and Topography**

###### **Existing**

###### **Conditions:**

1. Soil Types based on the Rockland County Soil Survey and distribution on the site.
2. Soil Characteristics – potential for erosion or other limiting factors of soil types, if any.
3. General description of site topography, identification of slopes over 15% and 25% and discussion of the amount of proposed disturbance within these slope categories.
4. Historic Fill – discuss potential for historic waste. A phase 1 environmental site assessment shall be provided documenting any known contamination issues on the site, including the location of existing bulk storage facilities

### **Potential Impacts:**

1. Impacts from disturbance of soils based on conceptual grading plans and discussion of amount of soil to be imported or exported from the site.
2. Impacts from proposed retaining walls.
3. Ability of soil to support proposed structures. A discussion of the extent of soil borings/testing to be provided
4. A discussion of rules and regulations pertaining to the importation of fill to be included if applicable. The cut and fill analysis will describe town regulations.
5. Analysis of potential for soil or water contamination during a flood event.

### **Proposed Mitigation:**

1. Mitigation of impacts including but not limited to conceptual Erosion Control and Sediment Control Plan in Accordance with the "New York State Guidelines for Urban Erosion and Sediment Control.
2. In the event that any contaminated soils or bulk storage containers are discovered, mitigation will be discussed.

## **C. Ecology**

### **Existing Conditions:**

1. Identify and catalog species of plants and fauna found on site or potentially to be found on site, including those within the tidal area in the Hudson River. Include correspondence with the DEC Natural Heritage Program.
2. Identify species which are included on federal and/or state lists of endangered, threatened, protected/invulnerable species which may be found on the site or in the immediate vicinity, including the Shortnose sturgeon (*Acipenser brevirostrum*) and the Bald Eagle (*Haliaeetus leucocephalus*).

3. Description of Haverstraw Bay Significant Coastal Fish and Wildlife Habitat, including reference to NYS Office of Planning and Development Standards.
4. Provide a map of the location of beds of Sub-Aquatic Vegetation (SAV).

**Potential Impacts:**

1. Impacts to Plant and Animal life as a Result of the Proposed Construction Activity and Post Development Impacts on both a long- and short-term basis. Habitat loss, lighting and noise impacts, etc.
2. Impacts to habitat for identified species included on federal and/or state lists of endangered, threatened, and protected/invulnerable species and the likelihood of the habitat being located on the project site.
3. Impacts to Regulated Wetlands or Watercourses
  - a. Identify size and jurisdiction of wetland areas and any required regulated areas.
  - b. Site construction impacts including the amount of disturbance and whether disturbance will be temporary or permanent.
  - c. Impacts from stormwater runoff.
  - d. Hudson River aquatic impacts, including submerged aquatic vegetation (SAV) and a description of Haverstraw Bay Significant Coastal Fish and Wildlife Habitat, including reference to NYS Office of Planning and Development Standards and conduct of Habitat Impairment Test as required by Stony Point LWRP:  
[http://www.dos.ny.gov/opd/programs/consistency/Habitats/HudsonRiver/Haverstraw\\_Bay\\_FINAL.pdf](http://www.dos.ny.gov/opd/programs/consistency/Habitats/HudsonRiver/Haverstraw_Bay_FINAL.pdf)
  - e. Protection of Waters – Article 15, Title 5 of ECL- Identify work waterward of Mean High Water. Discuss any modification, replacement or expansion of existing bulkheads as well as pilings for proposed docks. Provide underwater bathymetry.



- Discuss intended use of docks and impact on boat draft.
- f. Discuss whether repair, replacement or modification to shoreline is contemplated and if so reference DEC guidance on Shoreline Stabilization Techniques and Hudson River National Estuarine Research Reserve, Hudson River Sustainable Shorelines Project.
  - g. Discuss if dredging will be required.
  - h. Include discussion of whether there is an existing water grant and whether any portion of the docks will be constructed on State owned land under water.
  - i. Include discussion justifying size, location, number and use of structures over water in relation to current and historic marina.
  - j. Address impact from lawn fertilizer, pesticides, and herbicides which might be applied to lawn areas, plus pool chemicals on wetlands and the Hudson River.
4. Discuss the potential for impacts to any SAV beds in the study area.

**Proposed Mitigation:**

- 1. Discuss how identified impacts are proposed to be mitigated.
- 2. Discuss alternative shoreline stabilization measures such as living shorelines.
- 3. Discuss alternative breakwater design options
- 4. Discuss storm and flood resilience techniques

**D. Flooding and Stormwater Management**

**Existing Conditions:**

- 1. Existing Drainage Patterns shall be described and presented on maps and in a SWPP.
  - a. Pre-construction drainage calculations

2. Beach Road review and analysis of existing conditions, flooding history and existing issues.
3. Analyze the effect of sea level rise using projections from 6 NYCRR Part 490. Consider the analysis and recommendations of the Report on Coastal Vulnerability and Sea Level Rise for the Town of Stony Point prepared by Turner Miller Group and Great Ecology dated December 8, 2014 as it relates to the project site.
4. Discussion of FEMA flood hazard areas existing on the site.

**Potential Impacts:**

1. Proposed Stormwater Drainage Plans shall be described and presented on maps and in a SWPP.
  - a. Long- and short- term impacts.
  - b. Post construction drainage calculations – include relevant water quantity and/or water quality provisions as per the most up-to-date NYS DEC regulations.
2. Evaluation of stormwater or flood impacts to Beach Road as a result of the Proposed Action.
3. Evaluation of water quality impacts to the Hudson River due to stormwater runoff or flood conditions including consideration of pollutants likely to accumulate on parking lots such as, road salt oil and other vehicular pollutants.
4. Evaluation and discussion of post-construction flood impacts to surrounding neighbors.
5. Discussion of conformance with relevant regulations governing construction in a floodplain.
6. Provide a map and description of buildings to be located in the floodplain.

**Proposed Mitigation:**

1. Discuss how identified impacts are proposed to be mitigated.
2. Identify green infrastructure and water conservation opportunities that may mitigate flood or stormwater impacts and contamination from upland pollutants to the Hudson River.

## **V. SOCIOECONOMIC SETTING AND IMPACT ANALYSIS**

### **A. Land Use and Zoning**

#### **Existing Conditions:**

1. Existing Zoning of the Site and Surrounding Areas. Reference existing zoning and the analysis that was done during the adoption thereof.
2. Description of the existing land use of the project site and surrounding area.

#### **Potential Impacts:**

1. Compliance with current Town Comprehensive Plan.
2. Compliance with Town Zoning and other applicable Town regulations. Discuss the need for any variances or waivers.
3. Compliance with the Stony Point Local Waterfront Revitalization Program (LWRP) and the New York State Coastal Management Program (CMP) and consistency with LWRP policies.
4. Compliance with NY Communities Rising Stony Point: Community Reconstruction Plan ([https://stormrecovery.ny.gov/sites/default/files/crp/community/documents/stonypoint\\_nyrcr\\_plan.pdf](https://stormrecovery.ny.gov/sites/default/files/crp/community/documents/stonypoint_nyrcr_plan.pdf))
5. Description of New York Rising with regard to the Waterfront Resiliency Plan.
6. A discussion of the AT&T easement on the project site is to be included.
7. Any proposed affordable housing will be identified.
8. Description of the minimum combined acreage required for the Proposed Action under the new PW zoning code amendments, including buildable acreage calculation demonstrating land and water acreage and the unit count.
9. Discuss application for HUD grants if applicable.
10. Discuss how the Proposed Action has the potential to impact neighborhood character.

**Proposed Mitigation:**

1. Discuss how identified impacts are proposed to be mitigated.

**B. Historical and Archaeological****Existing Conditions:**

1. A Phase 1A Archaeological site investigation analysis will be provided identifying the potential for encountering archeological resources based on a literature search and sensitivity study. The potential presence of archeological resources will consider the extent to which previous site construction and disturbance precludes the presence of archeological resources.

**Potential Impacts:**

1. Any Phase 1B investigations should be limited to those areas of impact that are likely to contain archeological resources and do not have a record of previous site disturbance for site grading and building construction. If items of historic significance are located, the appropriate agency will be contacted to ensure proper preservation.
2. Impacts on the visual effect of the proposed development on the neighboring historical sites (the Stony Point Battlefield and Stony Point Lighthouse), and the visual appearance from the Hudson River, and the adjoining residential community will be evaluated and discussed.
3. Impact of potential noise from the development on conducting cultural events at the Stony Point Battlefield.

### **Proposed Mitigation:**

1. Discuss how identified impacts are proposed to be mitigated.

### **C. Transportation**

#### **Existing Conditions:**

1. The traffic capacity analysis performed for the mixed-use waterfront development zoning amendments shall be updated with more recent counts on all intersections considered in the EAF Part III of that analysis, including an update of the capacity analysis of the North area of the PW District. Capacity analysis will be conducted at the following intersections which are likely to be impacted by the Project:

- Route 9W/East/West Main Street;
- Route 9W/Tompkins Avenue;
- Wood Avenue/Farley Drive/Tompkins Avenue; • Beach Road/Tompkins Avenue/Hudson Drive;
- Beach Road/East Main Street.

Counts shall be taken during morning and evening hours when school is in session and during summertime (between June 1<sup>st</sup> and September 30<sup>th</sup>). Additionally, the update shall address the eight identified limitations to the EAF Part III analysis, listed here and attached as an appendix:

- a. The traffic data used are several years old. There has not been much development in this area in the last several years, and the recession has affected traffic volumes, but it is uncertain whether traffic volumes have gone up or down in this time period.
- b. The capacity calculations are based on optimum (idealized) signal timing set by the computer. These timings may be different from those set by NYSDOT.
- c. The capacity analysis for the P.M. peak hour at the intersection of Route 9W and Main Street shows three

lane groups operating at level of service E. Revising the optimized signal time could reduce this to one lane group, but average vehicle delays to the major traffic movements (the north/south movements on Route 9W) and to the intersection as a whole would increase.

- d. The southbound left turn is projected at 20 vehicles per hour. Since the signal would operate at between 36 and 40 cycles per hour, the southbound left turn green phase would be actuated in no more than a half of the signal cycles. The capacity analysis methodology does not take this fully into account.
- e. Some left turn vehicles may be able to make the movement during the thru green phase, thus reducing the time required for the green arrow phase.
- f. If the delays to the left turn movement out of Tompkins Avenue become excessive, some of the traffic from the north area may divert to East Main Street to access Route 9W. If the delays to the left turn from East Main Street to southbound Route 9W become excessive, some of the traffic from the south area may divert to Grassy Point Road and Beach Road to access Route 9W at Railroad Avenue.
- g. Because the retail components of the waterfront developments were assumed to basically be serving the residential and marina components, these trips were considered to be internal, and were not added to the total generated traffic. Also, these internal trips could have been subtracted from the trip generation from the retail component; it is not considered that this would be of a significant impact.
- h. Possible physical mitigation measures are limited. If future traffic calls for it a traffic signal could be installed at the intersection of Route 9W and Tompkins Avenue. A signal warrant analysis would be required. A right turn lane from northbound Route 9W into East Main Street would be useful, but the presence of Lowland Hill Road may make this physically infeasible.

Any new developments not considered by that analysis and anticipated to be constructed prior to build year of the proposed project shall be considered. This will include consideration of the currently closed US Gypsum site coming back to full

operation in the event that the site can come back without discretionary approval requiring SEQR review.

The analysis shall describe the current alignment of roads, any traffic control devices, posted speed limits for approaches and indicate the current ownership of all roads.

2. Identify current levels of use, weight limits and potential traffic safety concerns at the impacted intersections as well as along Beach Road.
3. Describe any pedestrian amenities, trails, crosswalks, means of pedestrian safety. Describe any available public transportation.
4. Current impacts to roadways and traffic during flood conditions including the CSX tunnel and Beach Road access.

#### **Potential Impacts:**

1. Potential adverse impacts to capacity and or safety of vehicular, nonmotorized or public transportation shall be identified. The potential need for the improvements described in the traffic capacity analysis for the project will be evaluated and discussed.
2. Describe the impact of the Project on Hudson Drive north of Tomkins Avenue, currently a private road. Discuss whether public dedication is appropriate.
3. Discussion of parking to support anticipated uses.
4. Microscale CO analysis screening using NYSDOT's screening tools at <https://www.dot.ny.gov/divisions/engineering/environmentalanalysis/repository/envtools.html> and if potential significant air quality impacts are proposed to occur, further analysis consistent with DOT protocol.

5. Traffic analysis will use rates for boat slips and public promenade consistent with peak season.
6. Traffic report should analyze any impacts to above listed intersections due to potential flooding of Beach Road as it relates to not only site but also emergency services during construction and operation of the site.
7. Identify potential truck routes, delivery hours of operation, anticipated truck trips sequencing and time frame in which impacts could be expected.
8. Discuss whether vehicular or pedestrian access to any areas of the site will be limited.

**Proposed Mitigation:**

1. Discuss how identified impacts are proposed to be mitigated.

**D. Visual Resources**

**Existing Conditions:**

1. This section should discuss the existing visual character of the area.

**Potential Impacts:**

1. This section should discuss any change in visual character of the area as a result of the Proposed Action by presenting architectural elevations and/or renderings of the proposed structures and public openspace.

Additionally, a visual analysis illustrating the topographic and roof-height relationship of the Proposed Action to surrounding properties will be prepared. A balloon test shall be conducted during leaf-off months and photographed (using 35mm to 50mm focal length) from vantage points



identified in the EAF Part 3 for the mixed-use waterfront development zoning amendments:

- a. View from Riverfront Park toward the project site and Stony Point Battlefield;
  - b. View from Beach Road looking north across Clark Park toward the project site and Stony Point Battlefield;
  - c. View from Beach Road at Tomkins Avenue north across the site toward the Stony Point Battlefield;
  - d. View from Hunter Place at railroad underpass;
  - e. View from Farley Avenue at Nordica Circle (northerly intersection) looking east to Hudson River
  - f. View from Stony Point Battlefield looking south toward project site (contact PIPC to discuss prominent vantage points for consideration);
  - g. Views from Jackson Drive just east of Lincoln Oval looking southeast over the project site;
  - h. Views from the Hudson River in the Stony Point Bay/Haverstraw Bay looking toward the project site from 1/4 and 1/2 mile east of site
  - i. Views from the Town of Cortlandt looking toward the project site and Stony Point Battlefield, including from public access areas of Town of Cortland Waterfront Park and Georges Island Park.
2. Involved Agencies shall be notified at least seven (7) days prior to the balloon tests. Advertisement of the tests will be published in the newspaper of record and on the Town website in advance of the test. Computer generated simulations shall depict pre-and post-development conditions. This visual analysis to be provided by the applicant will exceed NYSDEC regulations for assessing visual impacts.
  3. Describe site lighting in terms of proposed fixture locations, spacing and wattage for building-mounted lighting, parking area lighting and lighting of the public esplanade and boat slips. Potential impacts to neighboring uses and night sky shall be assessed.

4. Describe the mitigative effects of proposed landscaping plan, if any.
5. Describe building architecture including building colors materials and texture.
6. Appropriate reference shall be made to *Revitalizing Hudson Riverfronts*, and other relevant visual resource guides.
7. Potential adverse impacts and proposed mitigations shall be identified.

**Proposed Mitigation:**

1. Discuss how identified impacts are proposed to be mitigated.

**E. Community Services and Utilities.**

**Existing Conditions:**

1. Describe existing domestic water supply system and capacity.
2. Municipal sewer system. Describe existing system and proposed improvements. Investigate existing capacity of public system.
3. Interview the plant operator to ascertain any potential limitations to support the proposed development. Interview Town Engineer with regard to existing conditions of conveyance system including pipe size, slope, carrying capacity, pump stations, infiltration, permitting and impacts of flooding and impacts from project, during both wet and dry weather flows.
4. Emergency services (fire, police, ambulance and paramedics and mutual aid services). Identify and describe existing service (day and evening) from each department and response time to protect site. Describe areas prone to flooding and historical emergency response during floods. Discussion of flood management and evacuation plans currently in place for the area.

5. This section shall discuss any relevant town and/or county plans and policies regarding the management of solid waste.
6. School district. Identify existing public-school facilities that will be impacted by future residents of the project.

**Potential Impacts:**

1. Domestic water supply.
  - a. Central water system. Describe proposed improvements. Calculation of anticipated usage and describe and provide a plan of proposed system with sizing calculations. Include analysis of potential conservation measures including irrigation and detention methods, use of drought resistant plant species, low- flow and water-sense fixtures and appliances.
  - b. Evaluate the source of water for fire department requirements based on the proposed housing size, type, and style. Include a description and analysis of fire flow rates.
2. Municipal sewer system. Describe proposed improvements. Evaluate possible impacts of the proposed development including impacts on existing pump stations. Calculation of anticipated usage and provide plan of proposed system and sizing calculations.
  - a. Potential impacts to the system from flooding
3. Emergency services (fire, police, ambulance and paramedics and mutual aid services). Based on department interviews, discuss the ability of each department to provide service and demonstrate coordination with each department.
  - a. Emergency evacuation routes and schedules will be demonstrated.
  - b. Emergency access by firefighting and ambulance equipment during 100-year flood events should be discussed. Examine interior

and exterior fire access roads including underpass on Tompkins Avenue and Hunter Place.

4. This section shall discuss the anticipated volume of solid waste and proposed method of collection or disposal.
5. School district. The project shall revisit the consideration to school impacts made during the SEQRA review of the proposed PW zoning amendments allowing mixed-use waterfront developments and update and discuss as appropriate based on more detailed project considerations available.
6. Fiscal Impact. Based on the per capita multiplier average costing method, a fiscal impact analysis shall be provided that predicts the per capita cost of the proposed development to the Town of Stony Point and North Rockland School District. Tax revenues shall be predicted based on proposed sales prices taking into account the fee-simple or condominium ownership of proposed residential units. Assessed value of proposed non-residential uses shall be estimated using area comparables on a square footage or other appropriate basis. Cost for nonresidential uses shall be based on the proportional valuation average costing method. Discuss whether applicant will be applying for any tax relief such as a PILOT program. The fiscal implications of units being rented or owned as fee-simple or condominium units shall be discussed, and the calculations shall account for the project proposal.
7. Evaluate the possible impacts of the proposed Champlain Hudson Power Express (CHPE) installation of underground DC cable presently planned within the CSX railroad R.O.W. on the proposed site development with regard to public safety.

8. Describe the size, design and proposed amenities for public spaces, including the proposed esplanade, and access and parking associated with public spaces. An alternative to include potential extension of the proposed public trail north to the Battlefield site will be considered, including feasibility of construction and how access to the battlefield could be adequately controlled.
  - a. Discuss proposed public amenities: Physical access points, hours of operation, how they will be maintained and by whom, and the proposed legal mechanism guaranteeing public access.
  - b. Discuss how public areas will be divided from private areas either through physical barriers, differentiation of design, signage or other mechanisms.
  - c. Discuss how many of the proposed boat slips will be available for public, transient use. Discuss how public and private boat slips will be maintained, and the ongoing viability of a marina.

**Proposed Mitigation:**

1. Discuss how identified impacts are proposed to be mitigated.
2. Efforts to reduce solid waste on site.
3. Discuss the use of native plants in the landscape plan and proposed irrigation plan including any proposed water conservation measures

**VI. ALTERNATIVES**

- A. Alternative Design and Technologies – Applicant is seeking less than maximum density under current zoning regulations. In addition, the following alternatives will be discussed:

1. No Build/Action
2. Maximum-density proposal under PW District provision.
3. Proposed-density plan.
4. Reduced-density plan of 200 residential units.
5. Structural Parking plan which shows parking under some or all proposed buildings.

**VII. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT ON RESOURCES**

- A. Human or natural resources that will be consumed, converted, or made unavailable for future use as a result of this project.

**VIII. UNAVOIDABLE ADVERSE ENVIRONMENTAL IMPACTS**

- A. Adverse environmental impacts associated with the project that cannot be avoided despite any proposed mitigation.

**IX. IMPACTS OF THE PROPOSED USE ON THE USE AND CONSERVATION OF ENERGY.**

This discussion is required by SEQR regulations. The energy service provider should be identified, and any improvements required for service. Any energy saving techniques should be discussed such as LED lighting, purchase of electric energy from wind or solar sources, use of Energy Star rated appliances or LEED (Leadership in Energy and Environmental Design) certification

**X. GROWTH INDUCING ASPECTS**

This section will describe the potential growth aspects the proposed project may have.

**XI. APPENDIX**

- A. List of consultants with addresses and telephone numbers
- B. List of references
- C. Copies of correspondence relating to this project.
- D. Copies of all technical reports and documentation in their entirety.

**THE FOLLOWING APPENDICES ARE ANTICIPATED:**

- Underlying studies, reports and information considered and relied on in preparing the DEIS
- Traffic technical analyses and report
- Stormwater Calculations, including all supporting technical data
- Water Supply data and supporting technical reports
- Sewage technical data
- Fiscal Impact technical analyses
- Emergency responders' study – access and services to be provided
- Visual impact analysis – riverfront, neighboring community, historic sites

**RESPONSE TO  
PUBLIC COMMENTS  
AND  
TRANSCRIPT**

---



## Responses to Public Comments on the Eagle Bay Draft Scoping Document

The following is provided in response to the written and oral comments received in response to the Draft Scope. All received comments are listed in chronological order. A “Response” immediately follows each verbatim or paraphrased comment. The response refers the reader to the section of the Final Scope which addresses the comment, or, if the comment is not addressed, provides the reader with an explanation as to why the comment is not addressed. Following these comments are the actual written comments received by the Lead Agency annotated to where the response may be found. Comments received at the public hearing are listed in chronological order.

### A. Pictures of Deteriorating Wall and Roadway

**Dated July 2018 from Gregory and Nancy Barbuto**

1. Comment: *Concerns about flooding along Beach Road.* Response: Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection D Flooding & Storm Water Management, Potential Impacts, Items 1 and 2, will provide drainage studies and an evaluation of potential stormwater impacts to Beach Road as a result of the proposed action.

### B. Rockland County Health Department

**Letter dated July 11, 2018 from Elizabeth Mello, PE, Senior Public Health Engineer**

1. Comment: *Various permits may be required, such as sewer main extension, water main extension, mosquito breeding suppression, bathing facility and food service establishment.* Response: All required permits will be obtained at site plan approval and construction stages.
2. Comment: *Discussion of existing bulk storage facilities should be included. There should be an indication whether they will remain or are to be removed in accordance with NYSDEC regulations. Potential for existing soil and ground water contamination should be discussed.* Response: Section IV Physical and Environmental Setting, Subsection B Soils and Topography requires a Phase 1 Environmental Assessment documenting historic waste and potential contamination. Existing conditions item 4 discusses historic fill, including the location of existing bulk storage facilities, and Potential Impacts item 5 will discuss any potential for soil or water contamination and Proposed Mitigation item 2 will discuss any mitigations required for impacts regarding potentially contaminated soils or bulk storage containers.

**C. State of New York, Department of State**

**Letter dated July 26, 2018 from Laura C. Mclean, Coastal Energy Review Specialist**

1. Comment: *Include Department on all SEQRA filings.* Response: All SEQRA filings will include the Department of State since the Department's Coastal Zone Management Office is listed as an Involved Agency in the DEIS Scope.
2. Comment: *Analyze effect of sea level rise using projections from 6 NYCRR Part 490.* Response: The sea level rise and its effects will be addressed per Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection D Flooding & Storm Water Management of the DEIS Scope. Reference to section 6 NYCRR Part 490 has been added.
3. Comment: *The alternatives analysis should include breakwater design options to reduce impacts on Hudson River habitat and hydrodynamics.* Response: All breakwater design options to reduce impacts on the Hudson River habitat and hydrodynamics will be considered per the requirement for a Habitat Impairment Test, as noted in Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection C Ecology, Potential Impacts Item 3d, and analysis of Impacts on Watercourses, as noted in Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection C Ecology, Potential Impacts Item 3, in the DEIS Scope. Mitigations within this section now include a discussion of alternative breakwater design options.
4. Comment: *Alternative shoreline stabilization measures, such as living shorelines and natural based features, should be considered in lieu of bulkheads.* Response: DEC guidelines for shore stabilization will be addressed in Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection C: Ecology, Potential Impacts, Item 3f. Mitigations within this section now include a discussion of alternative shoreline stabilization measures.

**D. Kevin Maher, Letter of July 29, 2018**

1. Comment: *Not one mention has been made by anyone reviewing these plans... that a significant portion of the property is in a mapped floodplain. In accordance with NFIP, Unit 5... no filling is allowed in such an area as it would cause flood waters to build up on adjoining properties.* Response: The location of the site within the floodplain is noted in the DEIS Scope under III. Proposed Description, D. Design and Layout item 3, design consideration relative to location within a FEMA 100-year floodplain. Additionally, A discussion of the FEMA flood hazard area, discussion of conformance with relevant regulations has been added to

Section IV, D. Flooding & Stormwater Management.

2. Comment: *The decorative walkways and other amenities, such as the Observation Deck and the Fire Pit, may in fact encroach into the floodplain... When you combine that with the other structures depicted and mentioned, you have filling in the floodplain that will displace floodwater that will flood other properties.* Response: Floodplain impacts will be addressed in Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection D Flooding & Storm Water Management. A discussion of the FEMA flood hazard area, discussion of conformance with relevant regulations and a map with a description of buildings to be located in the floodplain has been added as part of the Proposed DEIS Scope.
  
3. Comment: *Traffic. Analyze traffic and parking needs and impacts of proposed development. Project impacts if US Gypsum becomes occupied and active. Identify emergency evacuation route "The tunnel under the CSX rail line is a dangerous choke point that will not be upgraded by CSX".* Response: Traffic and parking needs as well as impacts of proposed development will be analyzed and addressed in Section V Socioeconomic Setting and Impact Analysis, Subsection C Transportation, Existing Conditions and Potential Impacts. The consideration of US Gypsum as a potential traffic generator has been added to the scope. A capacity analysis will be conducted at several intersections, which are likely to be impacted by the project. Section V Socioeconomic Setting and Impact Analysis, Subsection D. Community Services & Utilities, will identify potential emergency evacuation routes and schedules.
  
4. Comment: *Beach Road. Address the redesign and reconstruction of Beach Road.* Response: Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Section D Flooding & Storm Water Management, Existing Conditions, Item 2, specifies Beach Road review and analysis of existing conditions and flooding; while Potential Impacts, Item 2 includes an evaluation of stormwater impacts to Beach Road as a result of the Proposed Action. Mitigations will be discussed when impact is determined.
  
5. Comment: *Water Demand. Analyze water demand and pressure (including for firefighting purposes) analyze the constraints of the SUEZ water delivery system and identify green infrastructure and water conservation opportunities such as water-conserving plumbing fixtures. Rockland County recently signed on as a "water sense" partner... this project should try and embrace this idea.* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection E Community Services & Utilities, Item 1 Domestic Water Supply requires analysis of proposed

demand, which would include the need for firefighting, and impacts, which would include an analysis of SUEZ capacity A discussion of green infrastructure and water conservation opportunities has been added to section IV, Part D, Flooding & Stormwater Management, proposed mitigation item 2.

6. Comment: *Sanitary Sewerage. Analyze sanitary sewer flow projected from development and project impacts on existing system. Analyze capacity and constraints of Beach Road Pump Station, Kay Fries By Pass Pump Station, Joint Regional Sewerage Board.* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection C Community Services & Utilities, addresses existing conditions and potential impacts to the municipal sewer system. A full review of the existing sewer system is therefore already required per the proposed DEIS scope.
7. Comment: *Stormwater Runoff. Address project impacts to water quality, Haverstraw Bay and Atlantic Sturgeon.* Response: Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection D Flooding & Storm Water Management, identifies existing drainage, proposed impacts and mitigation.

Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection C Ecology, Item 3d requires assessment of impacts to Haverstraw Bay Significant Coastal Fish and Wildlife habitat and conduct of a Habitat Impairment Test.

Section C Ecology, Item 2 requires an assessment of impacts on endangered, threatened, protected/invulnerable species on the site and immediate vicinity, including Shortnose Sturgeon.

8. Comment: *CHPE and Future Electric Lines, account for incursion of CHPE easement, as well as other power easements, and impacts on site.* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection E Community Services & Utilities, Item 7 requires the evaluation of the impacts of the CHPE installation.
9. Comment: *Waterfront Resiliency Plan. Address issues of waterfront resiliency, wave protection from storm surge.* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection A Land use and Zoning identifies Items as follows:
  - Compliance with Stony Point Local Waterfront Revitalization Program (LWRP) and the New York State Coastal management Program (CMP) and consistency with LWRP policies.

- Compliance with the NY Communities Rising Stony Point: Community Reconstruction plan
- Description of New York Rising with regard to the Waterfront Resiliency Plan.

Further, impact of sea level rise will be analyzed in IV, D. Flooding & Storm Water Management, and will consider the analysis and recommendations of the Report of Coastal Vulnerability and Sea Level Rise for the Town of Stony Point prepared by Turner Miller Group and Great Ecology.

10. Comment: *Eagle Nest in Battlefield Park. Account for impact to Bald Eagle.*  
 Response: Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection C Ecology, Existing Conditions, Item 2 specifies an analysis of Bald Eagle and other plants and fauna. Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection C Ecology, Potential Impacts, Item 1, addresses potential impact to the Bald Eagle as a result of the Proposed Construction Activity and Post Development Impacts.
11. Comment: *Rivercrest vs. Eagle Bay- concern that the property will be granted a religious tax exemption.*  
 Response: Whether or not a project is owned by a religious organization is not a relevant consideration of environmental impact review and not appropriate for consideration under SEQR. The project sponsor is not proposing a closed religious community and the proposed design is not consistent with such.

#### **E. Phil Cipollina, Email August 2, 2018**

1. Comment: *Parking is inadequate. 1 parking space for a 1 bedroom apt shared by a couple that has 2 cars will overflow into the parking spaces allocated to visitors. 20 spaces for retail seems low as well.*  
 Response: Section V Socioeconomic Setting and Impact Analysis, Subsection C Transportation, Potential Impacts Item 3, parking will be discussed to adequately support anticipated uses.
2. Comment: *Access to the community via Beach Road and or Tompkins Ave is impossible. Beach Road currently acts as a catch basin, just south of the entrance. Will any modification cause flooding elsewhere?*  
 Response: Section IV Physical Environmental Setting and Impact Mitigation, Subsection D Flooding & Storm Water Management requires an analysis of Beach Road conditions relating to drainage and flooding.
3. Comment: *Traffic is gradually increasing along 9W, will this project prevent other viable expansion and prohibit economic development by overcrowding 9W? There are other locations that need to be developed in the future. Holt Drive, the*

*spaces abandoned by US Gypsum and LJ Kennedy, come to mind at this moment.* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection C Transportation, Existing Conditions Item 1 mentions capacity analysis to be conducted along 9W that will account for future traffic concerns. The consideration of US Gypsum as a potential traffic generator has been added to this section in the scope. LJ Kennedy is the shipping company which operated from US Gypsum and is not currently employed at the site.

4. Comment: *Economic impact. Will this project sustain the increased expense of maintaining a rental community? Additional police officers, teachers, busing, sanitation, road maintenance and repair, and water system upgrades.* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection E Community Services & Utilities, Potential Impacts includes a fiscal impact analysis to assess the development impact to municipal and school services.
5. Comment: *Emergency access and egress. Will this project require a substation for the Fire Department and Ambulance Corp? It does not seem likely there could be a safe evacuation that would allow emergency access, with only a small road as the shared single entry and exit point.* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection E Community Services & Utilities, will discuss existing conditions of the flood management and evacuation plans (item 4 existing conditions), analyze potential impacts to emergency service capacity and post-development emergency evacuation routes and schedules (item 3, potential impacts).
6. Comment: *How will the contaminated run off from the paved areas be addressed? (Parked vehicles leave residue from tires, road salt and occasionally leak fluids).* Response: Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection B Soils and Topography, Potential Impacts Item 4 states that potential for historic waste and contamination issues will be discussed and an environmental site assessment shall be provided. Subsection D Flooding & Storm Water Management of the Scope requires analysis of drainage and runoff on water quality, specifically, item 3 of potential impacts in this section has been added to discuss water quality impacts due to runoff or flood conditions. Item 2 of proposed mitigations in this section has been added to include discussion of green infrastructure to mitigate upland pollutants.
7. Comment: *Use of the Marina in season and off season? Maintenance of the marina and dock? Is the public access guaranteed (In the event of a post development sale)?* Response: Section V, Socioeconomic Setting and Impact Analysis, Part E, Community Services & Utilities now includes a discussion of proposed public amenities, including access, hours of operation, maintenance

and the mechanism by which they will remain public. Discussion of the size, design and amenities for public spaces have also been included.

8. Comment: *Sampling and remediation of any contaminated soil from previous use of the site? (It has an industrial history and was previously a marina that endured hurricane damage.)* Response: Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection B Soils and Topography, Potential Impacts Item 4 states that potential for contamination issues will be discussed and an environmental site assessment shall be provided. If impact is found, mitigations will be proposed.
9. Comment: *What can be done to prevent this project from becoming a closed community and seeking religious exemption? (We lost the Marvella Country club from the tax roll, Fishkill and Wappingers lost significant assets as well).* Response: Response: Whether or not a project is owned by a religious organization is not a relevant consideration of environmental impact review and not appropriate for consideration under SEQR. The project sponsor is not proposing a closed religious community and the proposed design is not consistent with such.
10. Comment: *Adjustment of the breakfronts in the water as well as the addition of the fishing dock. How will this affect flooding?* Response: Section IV, Physical Environmental Setting, Part D, Flooding & Stormwater Management now includes an analysis and discussion of post-construction impacts to flooding.
11. Comment: *How does this project fit into the waterfront development plan and vision for the waterfront?* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection A Land Use and Zoning, Potential Impacts, Item 3 and 5, will include sections on compliance with Stony Point Local Waterfront Revitalization Program, the NY State Coastal Management Program, consistency with LWRP policies and description of NY Rising with regard to the Waterfront Resiliency Plan.

**F. Maryann Costabile, 3 Nordica Circle, Stony Point, NY**

**Letter dated August 3, 2018**

Many of Ms. Costabile's comments do not pertain to the Draft DEIS Scope for Eagle Bay or environmental impacts of the project. Relevant comments to the scope or environmental impacts are included below.

1. Comment: *Questions 1 thru 3. Total acres, total land area, total water area.* Response: As noted in the Project Description, the total combined acreage of the site is 41 acres, with 20.4 acres of land area and 20.6 acres of water area.
2. Comment: *Questions 4 thru 7. Number of units, number of bedrooms (1,2 and 3).* Response: As noted in the Project Description, there are 268 units proposed for the site. Number of bedroom units will be analyzed as noted in Section III Proposed Description and Need, Subsection D: Design and Layout, Item 2D of the Scope.
3. Comment: *Question 8. Formula to determine number of projected Eagle Bay residents.* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection E Community Services & Utilities, Potential Impacts will include a formula to determine the number of projected Eagle Bay residents.
4. Comment: *Question 9 and 10. Commercial square footage proposed and allowable commercial uses.* Response: Section III Proposed Description and Need, Subsection D Design and Layout, Item 2d will include the proposed size and allowable uses of the facilities.
5. Comment: *Question 11 and 12. Number of parking spaces proposed, and will the amount be sufficient?* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection C Transportation, Potential Impacts Item 3 will discuss the number of parking spaces and their support for the anticipated uses of the site.
6. Comment: *Question 13. Formula used to determine number of cars per unit and for retail space.* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection C Transportation, Potential Impacts Item 1 will show potential number of cars per unit and parking for retail space.
7. Comment: *Question 14. How will Bald Eagle and Osprey Nests be saved?* Response: Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection C Ecology, Potential Impacts Item 2 will discuss impacts on habitats for identified species listed as endangered or threatened and discuss potential mitigations.
8. Comment: *Question 15 thru 19. How many municipal employees will need to be hired for various departments as a result of the project (clerical, planning board, building department, highway department).* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection E Community Services & Utilities,



Potential Impacts Item 6 will discuss Fiscal Impact Analysis in the Town and how many municipal employees needed to be hired as a result of the project.

9. Comment: *Question 20 thru 24. Quantify impacts to staffing and community facilities (library, ambulance, school and police).* Response: Impacts to staffing and community facilities (fire, police, ambulance and paramedics and mutual aid services) will be analyzed as noted in Section V Socioeconomic Setting and Impact Analysis, Subsection E: Community Services & Utilities, Potential Impacts, Item 3 of the Scope. Impacts to schools and school districts will be analyzed as well, as noted in Section V Socioeconomic Setting and Impact Analysis, Subsection E: Community Services & Utilities, Potential Impacts, Item 5 of the Scope.
10. Comment: *Question 25 to 28. Will development create impacts like in Piermont, can construction vehicles be accommodated on Stony Point roads, will sewers be crushed by collapsing roadways. An engineer needs to study roadways affected (Tomkins, Wood, Main).* Response: Section III Proposed Description and Need, Subsection E Construction and Operation, Item 2 will discuss potential impacts of development construction, as well as how vehicles can be accommodated on Stony Point roads.
11. Comment: *Question 29, Request Project Engineer, not Land Surveyor attend hearings to respond to public questions on project design and impacts.* Response: The Project Engineer, Ryan Nasher PE from Atzl, Nasher, & Zigler PC, will respond to public questions related to the design and impacts of the project.
12. Comment: *Question 30. Pilings will be required, please identify consultant.* Response: Pilings for proposed docks will be discussed within the proposed DEIS as noted in Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection C: Ecology, Item 3E of the Scope. Waterfront Consultant is Shea Thorvaldson from TMS Waterfront.
13. Comment: *Question 31. Flood Hazard area concerns about if project be built at ground level. Elevating structure will impact views from the west.* Response: As noted in, Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection D Flooding & Storm Water Management, Potential Impacts, will describe proposed stormwater drainage plans with maps and in a SWPPP and potential long and short term impacts in areas of concern. Section V Socioeconomic Setting and Impact Analysis, Subsection D Visual Resources, Potential Impacts, will include a visual analysis illustrating the topographic and

roof-height relationship of the Proposed Action to surrounding properties through photorealistic simulations of sensitive areas.

14. Comment: *Question 32 Sustainable Drainage Systems should be investigated for the project.* Response: Modifications have been made to Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection D: Flooding & Stormwater Management, in the DEIS Draft Scope, to address the use and feasibility of green infrastructure.
15. Comment: *Question 33. What is management plan in the event of a hurricane.* Response: Section V, Subsection E, Community Services & Utilities will discuss existing conditions of the flood management and evacuation plans (item 4 existing conditions), potential impacts to emergency service capacity and post-development emergency evacuation routes and schedules (item 3, potential impacts).
16. Comment: *Question 34. What improvements will be made to Beach Road.* Response: As noted under Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection D: Flooding & Storm Water Management, Potential Impacts, Item 2 in the DEIS Draft Scope, Beach Road will be reviewed, and proposed conditions and issues will be analyzed.
17. Comment: *Question 35: How will the access roads be improved to allow for the new traffic?* Response: Impacts to roads will be analyzed in Section V, C. Transportation, and mitigations will be discussed.

**G. Robert Caiati, 29 Stubbe Drive, Stony Point, NY**

**Email dated August 5, 2018**

1. Comment: *Why is there no commercial establishment or component to expand the commercial tax base?* Response: As noted in the Project Description, the site is proposed to be redeveloped as a multi-family residential complex with a two-story commercial component located at the south end of the site (accessed via Hudson Drive) that will contain a restaurant with terrace, other commercial and office spaces.
2. Comment: *Will there be capital improvements to the roads in the surrounding area?* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection C Transportation, Potential Impacts Item 1 will include a discussion of the potential need for improvements to the roads in the surrounding area.
3. Comment: *Emergency Access?* Response: Emergency access will be analyzed as noted in Section V Socioeconomic Setting and Impact Analysis, Subsection C: Transportation, Potential Impacts, Items 6 which requires an analysis of

emergency services via Beach Road during flooding. Additionally, Section V, Subsection E, Community Services & Utilities & Utilities will discuss existing conditions of the flood management and evacuation plans (item 4 existing conditions), potential impacts to emergency service capacity and post-development emergency evacuation routes and schedules (item 3, potential impacts).

## H. Palisades Interstate Park Commission

### **Letter dated August 3, 2018 from Karl B. Roecker, Senior Landscape Architect**

The letter references concerns expressed during a site visit in June 2016 attended by Donna Holmqvist, AIPC, PP, Karl Roecker (PIPC) and Julia Warger (OPRHP).

1. Comment: *Battlefield/Lighthouse Activity Southern Orientation. Views south are important to PIPC.* Response: The views south of the historic property will be analyzed under existing and proposed conditions as noted in Section V Socioeconomic Setting and Impact Analysis, Subsection D: Visual Resources, Potential Impacts, Item 6 of the Scope. Section V Socioeconomic Setting and Impact Analysis, Subsection B: Historical and Archaeological Conditions, Potential Impacts, Item 2, mentions visual impacts from neighboring historic sites such as the Battlefield/Lighthouse.
2. Comment: *Nature Conservation/Observation. Bald Eagle nesting and Bird watching activities occur on the state historic site.* Response: The location and habitat for Bald Eagle will be evaluated as noted in Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection C: Ecology, Existing Conditions in the Scope. The conditions proposed will be analyzed for impacts to Bald Eagle and Birds, as noted in Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection C: Ecology, Potential Impacts, Items 1 and 2 of the Scope.
3. Comment: *Kayak Area. Noise and light impacts from development may impact the area and affect cultural events at the historic site, particularly night time events such as lantern tours.* Response: Noise impacts to the historic site have been added to the scope, and will be evaluated and addressed in Section V.B Historic and Archaeological Conditions, Potential Impacts, item 3. Site lighting impacts from the development will be evaluated as noted in Section V Socioeconomic Setting and Impact Analysis, Subsection D: Visual Resources, Potential Impacts, Item 3 of the Scope.

4. Comment: *Project Height and Mass. Proposed conditions should be evaluated via photo simulation.* Response: Proposed conditions will be evaluated via a photo simulation as noted in Section V Socioeconomic Setting and Impact Analysis, Subsection D: Visual Resources, Item 1 of the Scope. The assessment will illustrate the topographic and roof-height relationship of the Proposed Action to surrounding properties from different vantage points.
  
5. Comment: *Land Trail Connection. Any connection must control access to the State Historic Site.* Response: Land trail connections have been added to the scope and will be assessed in Section V Socioeconomic Setting and Impact Analysis, Subsection E, Community Services & Utilities, potential impacts item 8.

**I. Phil Cipollina, Email August 7, 2018**

1. Comment: *Conduct counts when school in session and out of session.* Response: As noted in the Scope, Section V Socioeconomic Setting and Impact Analysis, Subsection C: Transportation, Item 1 requires traffic counts when school is in session and during summertime (between June 1<sup>st</sup> and September 30<sup>th</sup>)
  
2. Comment: *Account for future development US Gypsum, LJ Kennedy, Shop Rite.* Response: As noted in the Scope, Section V Socioeconomic Setting and Impact Analysis, Subsection C: Transportation, Item 1 requires any new developments anticipated to be constructed prior to build year of the proposed project to be considered. The scope has been amended to analyze US Gypsum as a potential traffic generator. Shop Rite would not be relevant to the traffic impacts of the proposed project. LJ Kennedy is a trucking company which operated out of US Gypsum and is not a landowner in the study area.
  
3. Comment: *Analyze traffic patterns and potential diversion of 9W.* Response: As noted in the Scope, Section V Socioeconomic Setting and Impact Analysis, Subsection C: Transportation, Item 1 identifies multiple intersections to be studied, including two on Route 9W and two on Beach Road.
  
4. Comment: *Evaluate emergency access.* Response: As noted in the Scope, Section V Socioeconomic Setting and Impact Analysis, Subsection C: Transportation, Item 6 requires an analysis of emergency services via Beach Road. Section V Socioeconomic Setting and Impact Analysis, Subsection E: Community Services & Utilities, Potential Impacts, requires analysis of

emergency access by firefighting and emergency equipment during the 100-year flood events, including the underpasses at Tomkins Avenue and Hunter Place.

5. Comment: *Estimate cost for Beach Road upgrades, flood diversions.* Response: As noted in the Scope, Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection D: Flooding & Stormwater Management, includes a review and analysis of Beach Road flooding history and discussion of mitigations that may be required.
  
6. Comment: *Quantify construction vehicle trips and access.* Response: Section III Proposed Description and Need, Subsection E: Construction and Operation, Item 2 includes a mention of associated factors to the construction, which now includes the quantification of construction vehicle trips and access.
  
7. Comment: *Analyze potential of project generated need and cost for fire and ambulance substations.* Response: Section XI Appendix will include an emergency responders' study that will outline the access and services to be provided to the site.
  
8. Comment: *Analyze offsite road and drainage improvements to encourage development of other sites and indicate funding.* Response: Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection D: Flooding & Storm Water Management, Item 1 includes a description of Proposed Stormwater Drainage Plans and will analyze offsite road and drainage improvements, if warranted.
  
9. Comment: *Analyze the impact of impervious coverage.* Response: Section III Proposed Description and Need, Subsection D: Design and Layout, Item 2A includes the proposed impervious surface. Section IV, subsection D, Flooding & Stormwater Management analyzes and discusses post-development impacts from stormwater.
  
10. Comment: *Flood Zone Management. Will the area be rezoned?* Response: The proposed project is a permitted use under the current zoning and a rezoning is not requested.
  
11. Comment: *What is the SWPPP plan?* Response: A SWPPP will be provided that describes Existing Drainage Patterns and Proposed Stormwater Drainage Plans, as noted in Section IV, Physical Environmental Setting and Impact/Mitigation Analysis, Subsection D Flooding & Storm Water Management, Item 1.

12. Comment: *Address existing contamination.* Response: Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection B Soils and Topography, Item 4 requires a discussion of the potential for historic waste and a Phase 1 environmental site assessment to document any known contamination issues on the site. The scope now includes an analysis of the potential for soil or water contamination during a flood event and in the event that contaminated soils or bulk storage containers are discovered, mitigation will be discussed.
13. Comment: *Indicate plans for cut and fill removal.* Response: Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection B Soils and Topography, Item 5 notes that the cut and fill analysis of the site will describe town regulations and the importation of fill to be included or removed will be applicable.
14. Comment: *Address electric and gas demand.* Response: Section IX Impacts of the Proposed Use on the Use and Conservation of Energy will address the electric and gas demands for the site.
15. Comment: *Analyze school district impacts and busing.* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection C Community Services & Utilities, Potential Impacts, Item 5 requires analysis of the potential impact to the school district.
16. Comment: *Quantify development impacts on emergency personnel and services.* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection C Community Services & Utilities, Potential Impacts, Item 3 includes a mention of emergency services and their potential development impacts.
17. Comment: *Analyze impacts to water and sewer infrastructure.* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection C Community Services & Utilities, Potential Impacts, Item 2 requires analysis of the municipal sewer system for the site and will include an analysis of impacts to the local water and sewer infrastructure.
18. Comment: *Discuss adequacy of parking and determine sufficient amount.* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection C Transportation, Potential Impacts, Item 3 will include a discussion of parking to support anticipated uses. Also, as noted in the Project Description of the Scope, parking for the public spaces, such as the restaurant, fishing pier and esplanade, will be provided as per the Town's code.

19. Comment: *Analyze impacts of proposed impervious area.* Response: Section III Proposed Description and Need, Subsection D Design and Layout, Item 2a analyzes the proposed impervious surface area.
20. Comment: *Discuss winter boat storage.* Response: Winter boat storage has been added to the scope in section III, E.
21. Comment: *Provide SWPPP and ground water quality impact.* Response: Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection D Flooding & Storm Water Management, Existing Conditions, Item 1 and Potential Impacts Items 1 and 2, require analysis of existing and proposed drainage patterns and a SWPPP, along with relevant water quality provisions as per the most up-to-date NYS DEC regulations.
22. Comment: *Provide testing underwater, marina impacts.* Response: Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection C Ecology, Potential Impacts, Item 3e, provides underwater bathymetry and Item 3f requires analysis of marina impacts.
23. Comment: *Address project dredging and fill.* Response: Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection B Soils and Topography, Potential Impacts, Items 1-5 require an analysis of impacts from disturbance of soils. Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection B Soils and Topography, will include a cut and fill analysis.
24. Comment: *Identify mechanisms for public waterfront access, is public access guaranteed?* Response: As noted in the Project Description, the proposed project will include an esplanade walkway along the Hudson River which will be open to the public. In addition, a 2-story commercial building containing a restaurant with terrace, as well as a public fishing pier will be constructed in the southern portion of the waterfront area. The public spaces, such as the restaurant, fishing pier and esplanade will be provided as per the Town's code. Section V, Socioeconomic Setting and Impact Analysis, Part E, Community Services & Utilities includes a discussion of proposed public amenities, including access, hours of operation, maintenance and the mechanism by which they will remain public.
25. Comment: *Is there a possibility for low income housing?* Response: As noted in the Scope, Section V Socioeconomic Setting and Impact Analysis, Subsection A Land Use and Zoning, Potential Impacts, Item 7, any proposed affordable housing will be identified. And, as noted in item 9, this section will also discuss application for HUD grants if applicable.

26. Comment: *Statement of developer vision.* Response: As noted in Section III. Proposed Description and Need, Subsection A Project, Sponsor, Objective, and Public Need, Item 1 and 3, will discuss the background and history of the Sponsor and Project as well as the objectives of the sponsor.

**J. SPACE – Stony Point Action Committee for the Environment, Inc.**

**Letter dated August 7, 2018 from George Potanovic, Jr, President SPACE**

Mr. Potanovic's Preliminary Comments begin on Page 3 of his letter.

1. Comment: *Requesting land use calculation of buildable acres separated by land area and water area acres. Backup for density calculation.* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection A Land Use and Zoning, Potential Impacts Item 8 will include land use calculations for buildable acreage, this has been further specified under item 8.
2. Comment: *Requesting updated traffic study with population projections. What are traffic patterns over past 3 to 4 years?* Response: There will be an up to date traffic capacity analysis with projections, as noted in the Section V Socioeconomic Setting and Impact Analysis, Subsection C: Transportation, Item 1 within the DEIS Draft Scope.
3. Comment: *Traffic data needs to be collected when schools are in session in addition to summer months.* Response: As noted in Section V Socioeconomic Setting and Impact Analysis, Subsection C: Transportation, Item 1 within the DEIS Draft Scope, counts shall be taken during morning and evening hours, both when school is in session and during summertime (between June 1<sup>st</sup> and September 30<sup>th</sup>).
4. Comment: *Account for future occupancy of US Gypsum and LJ Kennedy sites and additional traffic.* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection C Transportation, Existing Conditions Item 1 will account for any new developments anticipated to be constructed prior to build year, as well as any resulting additional traffic. Consideration of US Gypsum has been added to the scope. LJ Kennedy was the shipping company that contracted with US Gypsum.
5. Comment: *Road Infrastructure/Emergency access. Discuss emergency access. Will additional equipment be required? How will offsite improvements be funded.* Response: As noted in Section V Socioeconomic Setting and Impact Analysis,



Subsection E: Community Services & Utilities, Potential Impacts, Item 3 in the DEIS Draft Scope, the ability of each department to provide services and coordination with each department will be discussed, based on department interviews.

6. Comment: *What improvements are required? How are they funded?* Response: As noted in Section V Socioeconomic Setting and Impact Analysis, Subsection E: Community Services & Utilities, Potential Impacts, Item 3 in the DEIS Draft Scope, the proposed improvements will be discussed, including their requirements and funding.
7. Comment: *Flood management: evacuation plan concerning Beach Road.* Response: As noted in Section V Socioeconomic Setting and Impact Analysis, Subsection C: Transportation, Potential Impacts, Item 6 in the DEIS Draft Scope, the traffic report will analyze impacts due to potential flooding of Beach Road as it relates both the construction and operation of the site. Section V, E. Community Services & Utilities has added a discussion on evacuation and emergency response planning.
8. Comment: Site plans should include all offsite improvements needed for Beach Road. The road infrastructure, widening, flood mitigation, are all critical to whether or not this proposed development can even be built. Response: Site plans and maps will be included throughout the document to illustrate all proposed improvements off-site and on site.
9. Comment: *Current and available capacity are pumps and pipes adequate.* Response: As noted in Section V Socioeconomic Setting and Impact Analysis, Subsection E: Community Services & Utilities, Existing Conditions, Item 2 in the DEIS Draft Scope, the engineer for the Town of Stony Point will be consulted in regard to existing conditions of the pumps, pipes and current and available capacity.
10. Comment: *What is additional demand?* Response: As noted in Section V Socioeconomic Setting and Impact Analysis, Subsection E: Community Services & Utilities, Existing Conditions, Item 2 in the DEIS Draft Scope, the engineer for the Town of Stony Point and utility providers will be consulted regarding additional utility demands for the site.
11. Comment: *What is the total projected gas and electric demand for all residential and commercial components of Eagle Bay?* Response: As noted in Section V Socioeconomic Setting and Impact Analysis, Subsection E: Community Services & Utilities, Existing Conditions, Item 2 in the DEIS Draft Scope, the project demand for utilities will be estimated.

12. Comment: *Is there O&R capacity for project?* Response: As noted in Section V Socioeconomic Setting and Impact Analysis, Subsection E: Community Services & Utilities, Existing Conditions, Item 2 in the DEIS Draft Scope, the utility will be consulted in regard to the Orange & Rockland Utilities' capacity for the project.
13. Comment: *What energy conservation methods will be implemented (interior and exterior)?* Response: As noted in Section V Socioeconomic Setting and Impact Analysis, Subsection E: Community Services & Utilities, Potential Impacts, Item 1A in the Draft DEIS Scope, analysis of potential conservation measures will be conducted, including irrigation methods, use of drought resistant plant species, low-flow and water-sense fixtures and appliances. Additionally in Section IX, Impacts of the Proposed Use on the Use and Conservation of Energy, an analysis of energy saving techniques and discussion has been added to the Draft DEIS scope.
14. Comment: *What is the projected water demand?* Response: As noted in Section V Socioeconomic Setting and Impact Analysis, Subsection E: Community Services & Utilities, Potential Impacts, Item 1A, the anticipated water demand for the project will be calculated and a plan of the proposed system with sizing calculations would be provided.
15. Comment: *What is the SUEZ capacity?* Response: As noted in Section V Socioeconomic Setting and Impact Analysis, Subsection E: Community Services & Utilities, Potential Impacts, Item 1A, the anticipated demand and water capacity will be evaluated with SUEZ.
16. Comment: *Proposed water conservation measures?* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection D: Visual Resources, Potential Impacts, Item 4, will describe a proposed irrigation plan that includes any proposed water conservation measures. Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection D Flooding & Storm Water Management, Existing and Potential Impacts, will also include pre-construction drainage calculations and post-constructions drainage calculations (relevant water quantity and/or water quality provisions as per the most up-to-date NYS DEC regulations.)
17. Comment: *Can there be a reduced demand by BMP's and conservation?* Response: Section V: Socioeconomic Setting and Impact Analysis, Subsection E: Community Services & Utilities, Potential Impacts, Item 1A, will include analysis of potential conservation measures including irrigation methods, use of drought resistant plant species, low-flow and water-sense fixtures and

appliances. Section IX: Impacts of the Proposed Use on the Use and Conservation of Energy, will also provide a discussion on the energy service provider and any improvements required for service. Any energy saving techniques will be discussed here.

18. Comment: *Will there be an impact on water pressure?* Flooding & Storm Water Management Section V Socioeconomic Setting and Impact Analysis, Subsection E Community Services & Utilities, Existing Conditions, Item 3, will discuss existing water supply system and capacity, water pipe size, slope, carrying capacity, pump stations, infiltration, permitting and impacts of flooding and impacts from project, during both wet and dry weather flows. These items directly relate to water pressure.
19. Comment: *Are parking alternatives, pervious pavers, and underground parking underneath the buildings being considered?* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection E: Community Services & Utilities, Potential Impacts, Item 8, will discuss access and parking associated with public spaces. Section V: Socioeconomic Setting and Impact Analysis, Subsection C: Transportation, Potential Impacts, Item 3, will include a discussion of parking to support anticipated uses. An alternative which considers underground parking has been added to the scope.
20. Comment: *Will soil studies be conducted to ensure soil and land is stable? Will it support multistory buildings in a flood zone?* Response: Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection A: Geology, Item 3, will include a geotechnical investigation/report conducted on site borings to determine soil characteristics and depth of any unsuitable soil or bedrock. Depth to water will also be noted here. Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection B Soils and Topography, Existing Conditions, Item 2 includes a mention of soil characteristics, stability and potential for erosion. Section III Proposed Description and Need, Subsection D: Design and Layout, Item 3, provides a mention of design consideration and construction methods relative to location within a FEMA 100-year floodplain (A and V zones). Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection B Soils and Topography, Existing Conditions, Item 3 includes a mention of potential impacts to regulated wetlands or watercourses.
21. Comment: *Is there a removal of the breakwaters on the site plan?* Response: Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection C: Ecology, Potential Impacts, Item 3e, Protection of Waters. This section includes a discussion about any modification, replacement, or expansion of existing bulkheads as well as pilings for proposed docks and will provide underwater bathymetry.

22. Comment: *Why did the developer remove approximately 200 boat slips from the original 300+ boat slips that occupied this marina?* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection A Land Use and Zoning, Existing Conditions describes the existing zoning and use of the site and the developer's plan for the boat slips in the marina. The project sponsor's proposed plan including the number of boat slips reflects a balance between maintaining a marina on the site and minimizing potential impacts to aquatic habitat.
23. Comment: *What are the projected impacts on School system? What are the projected costs and services?* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection E: Community Services & Utilities, Existing Conditions, includes a mention of existing public-school facilities that will be impacted by the project. Section V Socioeconomic Setting and Impact Analysis, Subsection E: Community Services & Utilities, Potential Impacts, Item 6, will provide a fiscal impact analysis that predicts the per capita cost of the proposed development to the North Rockland SD.
24. Comment: *What is the demand and cost for municipal services? Will additional personnel be needed to supply these services?* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection E Community Services & Utilities, includes a mention of existing municipal services that will be impacted by the project. Potential Impacts, Item 3, includes a discussion on emergency services based on department interviews to determine ability to provide service, coordination, and support.
25. Comment: *What are financial impacts of "fee-simple" or "rental units?"* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection E Community Services & Utilities, Potential Impacts, Item 6 includes a mention of the fiscal impacts where tax revenues shall be predicted based on proposed sales prices taking into account the fee-simple or condominium ownership of proposed residential units. Assessed value of proposed non-residential uses shall be estimated using area comparable on a square footage or other appropriate basis. Cost for nonresidential uses shall be based on the proportional valuation average costing method.
26. Comment: *Will applicant be applying for HUD money?* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection A Land Use and Zoning, Potential Impacts Item 9 discusses the application for HUD grants if applicable.
27. Comment: *How does the Eagle Bay plan fit in the goals and objectives of our waterfront plan as described in our LWRP?* Response: Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection C: Ecology,

Potential Impacts, Item 3, includes a description of consistency and compliancy with Stony Point LWRP.

28. Comment: *Is there consideration for a greater use of public space? Is there a plan to link a walking path for town residents and visitors to Stony Point Waterfront to the Stony Point Battlefield State Park?* Response: Section B Project Description includes mention a public esplanade planned for the project to run across the entirety of the Hudson River frontage. Section V Socioeconomic Setting and Impact Analysis, Subsection E Community Services & Utilities, Potential Impacts, Item 8, includes a mention of the size, design, and proposed amenities for public spaces including the proposed esplanade.
29. Comment: *Does the project emphasize environmentally Green building techniques?* Response: Section IX Impacts of the Proposed Use on the Use and Conservation of Energy, discusses any Green improvements required for service and energy saving techniques.
30. Comment: *Will this be a gated or closed community? Who will maintain the roads?* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection C Transportation, Potential Impacts, Items 1-3, discuss the potential need for the improvements described in the traffic capacity analysis for the project to be evaluated and whether public dedication is appropriate. Item 8 requires a discussion of any proposed access limitations.
31. Comment: *How will the community agreement be enforced?* Response: A description of the property construction and maintenance will be included in the Project Description, Section III of the Scope. Any agreements between the applicant and the Town may be discussed as mitigations in the DEIS, but will be negotiated outside of the EIS process.
32. Comment: *Is there a feasibility study and cost/benefit analysis for town residents being produced?* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection E Community Services & Utilities includes requirement for analysis of potential fiscal impacts.
33. Comment: *What is the projected tax assessment for all components for Eagle Bay?* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection E Community Services & Utilities, Potential Impacts, Item 6, will include the entire fiscal impact analysis for the project: residents and non-residents, residential and commercial.

34. Comment: *What is the anticipated tax revenue compared to anticipated costs for infrastructure improvements, upgraded sewer plant, need for additional personnel, increased cost for municipal personnel and equipment and vehicles for needed services including police, fire, ambulance, highway, additional school children and related expenses, etc.* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection E Community Services & Utilities, Potential Impacts, Items 3 and 6, requires analyzing the ability of each department to provide services, as well as the inclusion of a fiscal analysis that projects the per capita cost of the proposed development to the Town of Stony Point.

**K. Kevin Maher Letter dated August 11, 2018**

1. Comment: *Assess visual impacts for homes on Lincoln Oval.* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection D: Visual Resources, Potential Impacts, Item 1G, requires a visual analysis through photo simulations to illustrate the views from Jackson Drive, just east of Lincoln Oval looking southeast into the project site. Section V Socioeconomic Setting and Impact Analysis, Subsection B Historical and Archaeological Conditions, Potential Impacts, Item 2, mentions evaluating and discussing visual impacts from adjoining residential communities.
2. Comment: *Provide calculation of acreage for density proposed.* Response: Section V: Socioeconomic Setting and Impact Analysis, Subsection A Land Use and Zoning, Potential Impacts, Item 8, mentions a description of the minimum combined acreage required for the Proposed Action under the new PW zoning code amendments.

**L. Sierra Club, Comments dated August 20, 2018**

1. Comment: *Include these on list of interested and involved agencies.*
  - *NYS Department of State, Division of Coastal Zone management*
  - *Rockland County Department of Health*
  - *Highways and Office of Fire and Emergency Services*
  - *CSX Railroad*
  - *Suez*
  - *Orange and Rockland Utilities*

Response:

- NYS Department of State, Division of Coastal Zone management – this agency is included on page 7 of Draft DEIS Scope
  - Rockland County Department of Health – This is included on page 7 of Draft DEIS Scope
  - Highways and Office of Fire and Emergency Services – Rockland County Highway Department and Office of Fire and Emergency Services is included on page 7 of Draft DEIS Scope
  - CSX Railroad – This organization is included on Page 7 of the Draft DEIS Scope
  - Suez Water - The utility company is included on Page 7 of the Draft DEIS Scope
  - Orange and Rockland Utilities – The utility company is included on Page 7 of the Draft DEIS Scope
2. Comment: *Include identification of parcels by tax map number and zoning district in which the parcels are located. Include total acreage for project and minimum combined acreage under the new PW zoning code amendments.* Response: Section F DEIS Scope and Content, Item 1d requires each parcel to be identified. Section III Proposed Description and need, Subsection D Design and Layout, item 2, requires the total site area along with breakdowns of wetlands and impervious surface.
3. Comment: *Address safety issue of site access by emergency vehicles during flooding of Beach Road; describe plan for providing emergency access. Indicate whether the public will have access to the esplanade.* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection C Transportation addresses emergency access. Potential Impacts, Item 6, includes analyzing any impacts due to potential flooding of Beech Road as it relates to site and emergency services. The public will have access to the esplanade. Section V, Subsection E, Community Services & Utilities will discuss existing conditions of the flood management and evacuation plans (item 4 existing conditions), potential impacts to emergency service capacity and post-development emergency evacuation routes and schedules (item 3, potential impacts).
4. Comment: *Identify drainage issues resulting from proposed impervious surface and proposed mitigation. Identify the impact of new drainage patterns on nearby areas and the Hudson River. Describe possible use of pervious pavers.* Response: Section D Stormwater requires an analysis of drainage, impacts and mitigation. The scope now requires a discussion of Green infrastructure methods that can be incorporated. This would include a discussion of pervious pavers if appropriate.

5. Comment: *Identify proximity to and impacts on open space, wetlands and the Hudson River, and proposed mitigation. Identify required and voluntary mitigations to reduce or eliminate these impacts.* Response: Section III Proposed Description and Need, Subsection D Design and Layout, Item 2c, includes open space and wetlands. Item 3 includes a discussion about design considerations and construction methods relative to location within a FEMA 100-year floodplain. Additionally, Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection A Geology, Proposed Mitigation, Item 1, will include a discussion of how identified impacts are proposed to be mitigated. Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection C: Ecology, Potential Impacts, Item 3a-3i will address impacts to regulated wetlands and watercourses as well as potential drainage impacts on wetlands and the Hudson.
6. Comment: *Identify impacts of flooding and stormwater runoff from higher elevations to the west, and proposed mitigation. How can a project such as Eagle Bay be built from “the FEMA 100-year storm elevation of 12 feet plus two feet” when extreme storm events are becoming more common? How long would the project last?* Response: Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection D, Flooding & Stormwater Management now includes a discussion and analysis of FEMA floodplain delineation and the effects of sea level rise and post-construction flood impacts using NYS projections. Additionally, subsection C: Ecology, Potential Impacts, Items 3a-3i will address impacts to regulated wetlands and watercourses, site construction impacts including potential disturbance, stormwater runoff, shoreline stabilization techniques and potential drainage impacts on wetlands and the Hudson. The scope has been revised to require a discussion of storm resilience techniques and the Town’s Report on Coastal Vulnerability and Sea Level Rise.
7. Comment: *Identify impact of erosion of disturbed soils, especially from steep slopes, on water infrastructure, wetlands, and the Hudson River.* Response: Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection B Soils and Topography, discusses the existing conditions, potential impacts, and proposed mitigation for Erosion and Sediment Control.
8. Comment: *Include identification and cataloging of species in the Hudson and specify impacts to the life in this habitat because of this project. Identify whether dredging of the Hudson River will be required and its impact. What mitigations will the applicant carry out to reduce these impacts?* Response: Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection C: Ecology, Existing Conditions, will include the identification and cataloging of species found on site or potentially to be found on site, including those within the tidal area in the Hudson. Potential Impacts, Items 1 and 2, will specify potential impacts to life in



this habitat because of the project. Potential Impacts 3f and g looks at whether repair, replacement, or modification to shoreline is contemplated, and if dredging is required.

9. Comment: *Identify the liability of the Town if this project is flooded after the Town grants approvals of site plans. Identify the liability of the Town if nearby properties are flooded and damaged after the Town grants approvals of site plans, including possible road and drainage improvements to Beach Road to address flooding concerns. Identify parties responsible for the resulting environmental impact if soil, drainage and land around the project is disturbed by construction of Champlain Hudson Power Express.* Response: Legal liability is not an appropriate consideration of environmental review. The DEIS already requires broad consideration of the potential impact on flooding. The project sponsor is not proposing construction of the Champlain Hudson Power Express, nor are there any easements on this property for construction of the Champlain Hudson Power Express, nor has the Town been made aware of any plans to construct such on this project site. If the Champlain Hudson Power Express proposes to construct on this parcel, it will need to consider the environmental impacts of that action cumulatively with this proposed project.
  
10. Comment: *Fully describe the plan if archaeological artifacts are found in this historical area.* Response: Section V Socioeconomic Setting and Impact analysis, Subsection B: Historical and Archaeological Conditions, Existing Conditions and Proposed Impact Item 1, requires analysis of archaeological conditions.
  
11. Comment: *Identify use of native plants and drought tolerant species. What required or voluntary mitigations will the applicant use to reduce or eliminate the environmental impact of landscaping?* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection D: Visual Resources, Potential Impacts, Item 4, will describe a proposed landscaping concept that includes the use of native plants and proposed irrigation plan that includes any proposed water conservation measures. Section V Socioeconomic Setting and Impact analysis, Subsection E: Community Services & Utilities, Potential Impacts, Item 1a, addresses how mitigations such as irrigation methods, low-flow, and water sense fixtures and appliances will reduce environmental impacts of landscaping.
  
12. Comment: *Describe the anticipated need for potable water supply for all components of the project and specify mitigations such as water neutral development techniques that would be adopted.* Response: Section V Socioeconomic Setting and Impact analysis, Subsection E: Community Services & Utilities, Existing Conditions and Potential Impacts, will include the anticipated need for water supply across the project and appropriate mitigations.

13. Comment: *In describing the existing municipal sewer system and anticipated usage at full buildout, include potential impacts and mitigations to the system from flooding.* Response: Potential impacts from the sewer system will be addressed in the Section V Socioeconomic Setting and Impact Analysis, Subsection E Community Services & Utilities, Potential Impacts section requires analysis of impacts and mitigations to the sewer system, impacts during a flood scenario has been added as item 2.a of potential impacts.
14. Comment: *In addition to calculating the anticipated volume of solid waste, describe any efforts at solid waste reduction and recycling which will be included by the applicant to reduce the impact of the solid waste stream.* Response: This has been added to the Proposed Mitigation section for Community Services & Utilities. =
15. Comment: *This section should include calculation of the carbon and GHG footprints of anticipated energy use by this project once completed. Specify energy saving techniques which the applicant proposes to use, such as LED lighting, purchase of electric energy from wind or solar sources, and installation of Energy Star rated appliances.* Response: The DEC policy guide on GHG emission analysis states that in situations where the DEC is an involved agency, DEC staff would advise the lead agency of any identified climate change or energy use impacts and if a GHG analysis is required. The DEC as an involved agency on this project has not required a GHG analysis. However, Section IX Impacts of the Proposed Use on the Use and Conservation of Energy requires an estimate of energy demand and appropriate mitigations and the scope has been updated to include discussion of specific energy saving techniques as this comment recommends.

**M. Dierdre O'Connor, Email dated August 20, 2018**

1. Comment: *Projection of population impacts and number of school age children.* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection E Community Services & Utilities, Potential Impacts, Item 6, will have the fiscal impact analysis which includes the number of school age children and projection of population.
2. Comment: *Will there be a need for more emergency responders.* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection E Community Services & Utilities, Potential Impacts, Item 3, includes emergency responder department interviews, and a discussion about the ability of each department to provide service and demonstrate coordination with each department.

3. Comment: *Evacuation plan for waterfront residents.* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection E Community Services & Utilities, Potential Impacts, Item 3, includes analysis of emergency access by firefighting equipment during 100-year flood events, department interviews regarding the ability of each department to provide service and coordinate, as well as an examination emergency access roads. Additionally, the scope has been amended to discuss as existing conditions the flood management and evacuation plans (item 4 existing conditions), potential impacts to emergency service capacity and post-development emergency evacuation routes and schedules (item 3, potential impacts).

**N. Town of Cortlandt, Letter dated August 21, 2018 from Michael Preziosi, P.E.**

1. Comment: *Provide rendering of views from Cortlandt Waterfront Park looking toward Eagle Bay.* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection D Visual Resources, Potential Impacts, Item 1i, requires a visual analysis from the Town of Cortlandt looking towards the project site. This has been clarified to include the Town of Cortlandt Waterfront Park and Georges Island Park.
2. Comment: *Visual changes affecting historic character of existing viewshed.* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection B: Historical and Archaeological Conditions, Potential Impacts, Item 2, mentions evaluating impacts on the visual effect of the proposed development on the neighboring historical sites and area.
3. Comment: *Contact Westchester County (George's island) and Veterans Administration Hospital in Montrose to determine best locations for renderings from these sensitive resources.* Response: The scope has been clarified to require visual analysis from Georges Island Park. Given that the VA Hospital is located directly behind the park relative to the project site, the analysis should be representative given that both are over a mile away.

**O. Scenic Hudson, Letter dated August 23, 2018 from Jefferey Anzevino, AICP**

1. Comment: *Projections of sea level rise per NY Community Risk and Resiliency Act for the Lower Hudson Valley are 15 to 75 inches by Year 2100, and flooding and storm surge are a concern. How would the results of a flooding/wave attenuation study be used to inform future development of the site?* Response: Scope has been modified to require analysis of NYS sea level rise projections as well as consistency with recommendations provided in the Coastal Vulnerability and Sea Level Rise report for Stony Point, prepared in cooperation and with funding

assistance of the NYS DEC-Hudson Estuary Program and NEIWPC. This report includes specific analysis of coastal vulnerability for this area of shoreline and wave attenuation was not found to be a critical area of vulnerability. Vulnerability in this area was determined to be water elevation, shoreline composition and access restrictions.

2. Comment: *Investigate ways to improve public access to and along this site.* Response: As noted in the Project Description, the project will include several points of access to and along the site. The project will include an esplanade walkway along the Hudson River which will be open to the public. Additionally, a 2-story building located at the south end of the site and accessed via Hudson Drive, will contain a restaurant with terrace open to the public, and a public fishing pier will be constructed in the southern portion of the waterfront area. Enhanced discussion on public amenities has been included in Subsection E, Community Services & Utilities including discussion of the connection of the public trail to the battlefield site, discussion of physical access, hours of operation, maintenance, design of private versus public areas and the mechanism by which public areas are guaranteed to be public.
3. Comment: *Describe and justify the timing of the proposed development project relative to the completion of the Master Plan, LWRP, Harbor Management Plan, and Marina Protection Plan.* Response: This justification of timing does not pertain to the DEIS Draft Scope. However, Section V Socioeconomic Setting and Impact Analysis, Subsection A Land Use and Zoning, Potential Impacts, Item 3, includes a discussion regarding compliance with the Stony Point Local Waterfront Revitalization Program (LWRP) and the New York State Coastal Management Program (CMP) as well as consistency with LWRP policies.
4. Comment: *Protect environmental and historic resources adjacent to site.* Response: Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection C Ecology, will analyze existing conditions and impacts to plants and animals that may be found on site, threatened, endangered or vulnerable species and the Haverstraw Bay Significant Coastal Fish and Wildlife Habitat. Section V, Socioeconomic Setting, Subsection B, Historical and Archaeological Conditions will complete a phase 1A and 1B site investigation, and will analyze the visual, noise and lighting effect of the proposed development on the Stony Point Battlefield and Lighthouse.
5. Comment: *Include two reduced density alternatives (175 and 200 units) to include a mix of uses to better activate the waterfront in ways that attract visitors and are more attractive to residents.* Response: Section VI Alternatives now includes five

alternatives, including a reduced density plan of 200 units, and an alternative which includes structural parking under some or all proposed buildings.

6. Comment: *Evaluate parking beneath buildings to reduce impervious coverage.* Response: Section VI Alternatives now includes an alternative which includes structural parking under some or all proposed buildings.
7. Comment: *Broaden scope to vary architectural styles to reflect industrial past uses.* Response: As noted in Section B Project Description, the proposed building materials will be in keeping with the project site's setting and neighborhood character, using durable low-maintenance materials for exterior finishes. As noted in Section V: Socioeconomic Setting and Impact Analysis, Subsection D: Visual Resources, Potential Impacts, Item 5, this section will describe building architecture including building colors, materials, and textures with references to *Revitalizing Hudson Riverfronts*, and will also take effort in reflecting back to Stony Point's culture and history.
8. Comment: *Solicit public input for waterfront park design.* Response: The DEIS will have public hearings where public can offer comments on the Proposed Action.
9. Comment: *Provide a waterfront trail to connect Eagle Bay with Stony Point Battlefield State Park, subject to PIPC requirements.* Response: The PIPC is an Interested Agency and was consulted as early as 2016 regarding linkage, as indicated in their most recent (2018) comments on the DEIS Scope. Enhanced discussion on public amenities has been included in Subsection E, Community Services & Utilities including discussion of the connection of the public trail to the battlefield site.
10. Comment: *Add an additional DEIS section to address consistency with NYCR Stony Point: Community Reconstruction Plan. Evaluate consistency for proposed action and alternatives with these goals and objectives.* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection A Land Use and Zoning, Potential Impacts, Item 4, will include a discussion on the compliance with NY Communities Rising Stony Point: Community Reconstruction Plan.

**P. SPACE (Susan Filgueras), Letter dated August 23, 2018**

1. Comment: *All documents for this proposed project must be made available to the public on the Town website in electronic form and readily available to provide total transparency on the project.* Response: Documents will be provided to the public regarding the project.

2. Comment: *Will the Planning Board post all comments to the project on the site and put a summary comments chart together so that the public can follow the process?*  
Response: Project comments will be noted publicly by the Planning Board.

**Q. Stev Hull-Allen Email dated August 23, 2018**

1. Comment: *The ecosystem in this area is undeniably fragile and already fragile from development. The proposed area is in wetlands prone to flooding. The light pollution and general presence of the project would surely disrupt and displace the wildlife of Stony Point that draws tourism.* Response: Environmental impacts will be analyzed and mitigated as will potential flooding, as noted in Section IV Physical Environmental Setting and Impact/Mitigation Analysis. Impacts of lighting will be discussed in Section V.D, Visual Resources.

**R. Stephen Bekerle, Email dated August 23, 2018**

1. Comment: *Analyze congestion impacts of 268 units proposed.* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection C Transportation, Potential Impacts outlines the steps that will be taken to identify and address potential adverse impacts caused by traffic congestion resulting from the 268 proposed units.

**S. Roger Neset, Email dated August 23, 2018**

1. Comment: *Analyze impacts to emergency services, as well as fiscal impacts.* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection E Community Services & Utilities, requires analysis of emergency services, and potential impacts that the site will have on emergency services.
2. Comment: *Fiscal impacts for the site need to be evaluated.* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection E Community Services & Utilities, Potential Impacts Item 6 discusses potential fiscal impacts for the site and analyses that will be provided in order to address these impacts.
3. Comment: *Water and Sewer Demand.* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection E Community Services & Utilities, Potential Impacts Items 1 and 2 focus on the impacts the site will have on domestic water supply and the municipal sewer system.

**T. Jacqui Drechsler and Jocelyn deCrescenzo, Email dated August 23, 2018**

1. Comment: *Bald Eagles must be identified and protected from adverse impacts from the development.* Response: Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection C Ecology, Existing Conditions Item 2 and Potential Impacts Items 1 and 2 require the endangered, threatened, protected, invulnerable species on site and in the immediate vicinity, including the Bald Eagle, be evaluated for impacts and mitigations.
2. Comment: *Impact of impervious surface on water quality and drainage.* Response: Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection D Flooding & Storm Water Management, Potential Impacts requires analysis of impacts on drainage and water quality.
3. Comment: *There will be erosion and sediment issues that will need serious mitigation.* Response: Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection B Soils and Topography requires analysis of existing conditions and impacts to soils along with possible mitigation to reduce or avoid impacts from the site.
4. Comment: *There must be a full environmental study to identify any flora and fauna that is unique.* Response: Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection C Ecology requires identification of plants and fauna on site and in the tidal area of the Hudson River. Correspondence with the NY Natural Heritage Program is required. Potential impacts to habitats will be identified, along with any necessary mitigations.
5. Comment: *The habitat of Haverstraw Bay will be totally disrupted by the building process and needs to be addressed.* Response: Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection C Ecology, Potential Impact Items 3d to 3j require an analysis of the Haverstraw Bay Significant Coastal Fish and Wildlife Habitat, with impacts and potential mitigations to be identified.
6. Comment: *An analysis of the demand for the water supply must be conducted.* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection E Community Services & Utilities requires analysis of the domestic water supply system.
7. Comment: *Information is needed about the traffic impacts on the site.* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection C Transportation requires an analysis of existing conditions and potential impacts at specific locations.



8. Comment: *What are the details of access to the site for emergency responders and emergency vehicles?* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection E Community Services & Utilities requires an analysis of emergency access for vehicles and responders, including during the event of a flooding on site. Additionally, items have been added to the scope to discuss existing conditions of the flood management and evacuation plans (item 4 existing conditions), potential impacts to emergency service capacity and post-development emergency evacuation routes and schedules (item 3, potential impacts).
9. Comment: *What are the fiscal impacts the proposal will have on the surrounding area?* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection E Community Services & Utilities requires an identification of the fiscal impacts of the proposal.

**U. Stephen Leonardo Email dated August 23, 2018**

1. Comment: *What are the details of access to the site for emergency responders and emergency vehicles?* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection E Community Services & Utilities requires an analysis of emergency access for vehicles and responders, including during the event of a flooding on site.
2. Comment: *What is the planned response to flooded roads?* Response: Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection D Flooding & Storm Water Management includes a required analysis of flooding history and potential future impacts to the area. Additionally, items have been added to the scope to discuss existing conditions of the flood management and evacuation plans (item 4 existing conditions), potential impacts to emergency service capacity and post-development emergency evacuation routes and schedules (item 3, potential impacts).
3. Comment: *The Hudson River habitat and surrounding area wildlife will be disrupted by the building process and needs to be addressed.* Response: Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection C Ecology, Potential Impact Items 3d to 3j require an analysis of the Haverstraw Bay Significant Coastal Fish and Wildlife Habitat, with impacts and potential mitigations to be identified.

**V. Rebecca S. Crist, DEC Letter dated August 31, 2018**

1. Comment: *No underwater bathymetry has been provided. This must demonstrate whether any dredging will be needed for the proposed docking facility.* Response: Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection C Ecology, Potential Impacts Item 3e requires underwater bathymetry for the site.
2. Comment: *The draft EIS must delineate the extent of underwater land ownership with respect to the State and the applicant. Any construction, replacement, or modification of structures in or over water that is not the property of NYS and subject to NYS Office of General Services approval, will not be exempt from Protection of Waters Docks & Moorings regulation pursuant to §608.4(c)(1). If any portion of the proposed docks is over state-owned lands underwater, then an approval from OGS will be required in addition to the DEC permit.* Response: The boundaries of the lot and acreage of land-types within the site will be detailed in the Project Description (Section III.D.2).
3. Comment: *The use of structures over navigable waters of the State for non-water-dependent uses and extensive shading of near-shore areas generally does not meet Protection of Waters permit issuance standards. Justification of the size, location, number, and use of structures over water will be required for DEC permits and should be included in the Draft EIS.* Response: A discussion of the structures over water is included in the scope under Section IV. C, Ecology, item 3, impacts to Regulated Wetlands or Watercourses.
4. Comment: *DEC staff request that the SAV beds be mapped and that specific consideration of SAV bed impacts be included in the Draft EIS.* Response: Consideration of SAV beds has been included in the scope in section IV. C, Ecology.
5. Comment: *The previous industrial use of the property suggests there may be site contamination. DEC recommends that the Draft EIS include the history of spills on the site and a description of the environmental conditions of structures to be demolished so that hazardous products such as asbestos or lead paint are appropriately identified.* Response: Section IV, B. Soils and Topography will investigate historic fill and the potential for contaminated soil and the location of bulk storage facilities.

6. Comment: *Historic waste to be included in the Soils and Topography section of the Draft EIS.* Response: Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Subsection B Soils and Topography, Potential Impacts Item 4 states that potential for historic waste will be included in the discussion.
7. Comment: *A determination of impact on cultural and historic resources by New York State Office of Historic Preservation will be a requirement of a complete application for DEC permits.* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection B Historical and Archaeological Conditions, Existing Conditions and Potential Impacts states that investigations will be conducted in order to determine the impact on items and resources of historic and cultural significance.
8. Comment: *It must be addressed that the proposed docking facility is located in the DOS Significant Coastal Fish & Wildlife Habitat Area in Haverstraw Bay.* Response: Section III Proposed Description and Need, Subsection D Design and Layout, Item C includes analysis of the surrounding waters, including the Haverstraw Bay Coastal Fish and Wildlife Habitat to the east. Section IV Physical Environmental Setting, subsection C, Ecology describes the Significant Coastal Fish and Wildlife Habitat, standards of operation, and any impacts to the area as a result of modification of bulkheads, pilings and docks.
9. Comment: *This site is in the Coastal Management Zone and review by the NYS State Office of Planning & Development for coastal consistency may be required.* Response: Section V Socioeconomic Setting and Impact Analysis, Subsection A Land Use and Zoning, Potential Impacts Item 3 states that compliance with the New York State Coastal Management Program will be addressed.
10. Comment: *Please note that the required approvals list for DEC is not complete, it should also include a freshwater wetland permit and a permit for incidental taking of endangered/threatened species may be required. In addition, DEC review and approval of site remediation may also be required* Response: The indicated Permits will be added to the list of required permits in the DEIS Scope.

**Response to Public Hearing Comments**  
**on**  
**Eagle Bay DEIS Scope**  
**(July 31, 2018 Public Hearing Transcript)**

**Greg Barbuto, 61 Beach Road, Stony Point NY**

1. Comment: *Flooding will obstruct the main access to the complex. Emergency vehicles will be unable to reach the site, the road may cave in and not be visible. Beach Road and the wall needs repairs. (Page 17 Lines 15 thru 22).* Response: Flooding issues and emergency access, including considerations of impacts and mitigations for the roadways are included in the following portions of the DEIS Scope: Section III Proposed Description and Need Subsection D; Section IV Physical Environmental Setting and Impact/Mitigations Analysis, Flooding & Storm Water Management; Section V Socioeconomic Setting and Impact Analysis Sections on Transportation and Community Services & Utilities.

**George Potanovic, 597 Old Gate Hill Road, Stony Point, NY**

2. Comment: *What is the town's vision for the future of Stony Point's waterfront? And how will this proposed project refine that vision while providing immediate economic development opportunities and strengthening our town's connection as a Hudson River Community?(page 21 Lines15 through 21)* Response: Section V, A. Land Use and Zoning will discuss how the proposed project is consistent with Town Comprehensive Plan which is the Town's visioning document, and with the goals and recommendations outlined in other plans pertaining to Stony Point, which are listed in this section of the scope.
3. Comment: *The proposal has too many residential units and is no longer a marina. (Page 22 Lines 14 thru 16).* Response: DEIS Scope Section V Socioeconomic Setting and Impact analysis, land Use and Zoning requires an analysis of compliance with the Town zoning and Comprehensive plan. It also requires a discussion of how the Proposed action has the potential to impact neighborhood character.
4. Comment: *The traffic study needs to be done when school is in session and during summer months. (Page 23 Lines 6 thru 8)* Response: DEIS Scope Section V Socioeconomic Setting and Impact Analysis, Transportation specifies counts during school and in the summer.

5. *Comment: How will US Gypsum and LJ Kennedy, not currently in operation, when eventually restored, impact traffic patterns and volumes? (Page 23 Lines 13 thru 17)* Response: The consideration of US Gypsum as a potential addition to traffic has been added to the scope under section V,C Transportation.
6. *Comment: How will emergency vehicles and apparatus enter the site since Beach Road is impacted from flooding and the railroad truss over Tomkins Avenue may not provide sufficient height for a fire truck to pass under it. (Pages 23 Lines 18 thru 25; Page 24 Lines 1 thru 5)* Response: The scope now includes: impacts to Beach Road during a flood event will be analyzed and discussed in section IV, D. Flooding & Stormwater Management. The scope now includes discussion of emergency response plan and schedule during a flood scenario in section IV, E. Community Services & Utilities
7. *Comment: Is special emergency equipment necessary for Stony Point Fire Department and Ambulance to serve the development? (Page 24 Lines 5 thru 7).* Response: DEIS Section V Socioeconomic Setting and Impact Analysis, Community Services & Utilities specifies an evaluation of emergency service needs for Fire, police, ambulance, paramedics and mutual aid services.
8. *Comment: What is the plan for necessary offsite road and drainage improvements? What entity will fund offsite road improvements necessary for safe and reliable road access to and from Eagle Bay at the proposed site? (Page 24 Lines 13 thru 17).* Response: DEIS Scope Section V Socioeconomic Setting and Impact Analysis Section on Transportation requires an analysis of existing conditions and potential impacts of development to Beach Road and along impacted intersections, and will outline mitigations. The scope now includes analysis on emergency access during a flood event and any improvements deemed necessary will be detailed in the mitigations sections.
9. *Comment: Off-site improvements for Beach Road should be included with the plan for Eagle bay including infrastructure, flood mitigation, road widening to determine whether the development is feasible. (Page 24 Lines 18 thru 24).* Response: DEIS Scope Section V Socioeconomic Setting and Impact Analysis Section on Transportation requires an analysis of potential impacts and mitigation. Section IV, D, Flooding & Stormwater Management now also includes a discussion on flooding impacts to Beach Road.
10. *Comment: The sewer system capacity and available capacity for the facilities and pipes needs analysis, including the pumps for the entire distance between the development and the Stony Point Sewer Plant. (Page 25 Lines 3 thru 9).* Response: DEIS Scope Section V Socioeconomic Setting and Impact Analysis,

Community Services & Utilities requires an analysis of sewer infrastructure conditions and impacts.

11. *Comment: The projected demand on gas, electricity and energy utilities should be estimated for the development. (Page 25 Lines 15 thru 21).* Response: DEIS Scope Section IX Impacts on the Proposed use and Conservation of Energy requires and analysis of impacts to energy and identification of service providers. Energy saving techniques are required to be discussed.
12. *Comment: Energy conservation methods for the indoor and outdoor environment should be indicated. (Page 25 Lines 22 thru 24).* Response: DEIS Scope Section IX Impacts on the Proposed Use and Conservation of Energy discussion of energy saving techniques are required to be discussed.
13. *Comment: The demand for potable water should be estimated for the development. (Page 26 Line 8 thru 12).* Response: DEIS Scope Section V Socioeconomic Setting and Impact Analysis Community Services & Utilities requires analysis of water supply system existing conditions, potential development impacts and mitigations.
14. *Comment: The projected water demand and SUEZ capacity to provide by letter of intent to serve should be indicated. (Page 26 Lines 8 thru 12 )* Response: DEIS Scope Section V Socioeconomic Setting and Impact Analysis, Community Services & Utilities requires analysis of potential impacts to the water supply system. Letter of Intent to Serve will be part of site plan approval process.
15. *Comment: What indoor and outdoor water management and conservation measures will be included (Page 26 Lines 13 to 15)?* Response: A discussion of green infrastructure and water conservation opportunities has been added to section IV, Part D, Flooding & Stormwater Management, proposed mitigation item 2.
16. *Comment: Please include a comparison between anticipated water demand projections for potable water and how much of that demand can be reduced through water management, and best water management practices and conservation (page 26 lines 16 through 20)* Response: This discussion is located in section V.E. Community Services & Utilities, potential impact item 1a.
17. *Comment: There should be an analysis of water pressure requirements. (Page 26 Lines 21 thru 25, Page 27 Lines 2 thru 5).* Response: DEIS Scope Section V Socioeconomic Setting and Impact Analysis, Community Services & Utilities requires analysis of water supply system existing conditions, potential development impacts and mitigations.

18. *Comment: The plan should indicate whether pervious pavers are being considered to reduce storm water runoff. (Page 27 Lines 10 thru 11). Response: DEIS Scope Section IV Physical Environmental Setting and Impact Mitigation Analysis, Flooding & Storm Water Management requires analysis of stormwater conditions, impacts and mitigations. A discussion of green infrastructure mitigations has been added to the scope.*
19. *Comment: Parking under the building should be considered to reduce impervious coverage. (Page 27 Lines 12 thru 14) Response: Section VI Alternatives will include viable alternatives to the Proposed Action. An alternative which considers underground parking has been added to the scope.*
20. *Comment: Soil studies should be conducted to evaluate soil stability and support for multistory building in flood zone (Page 27 Lines 19 thru 21). Response: DEIS Scope Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Geology requires a geotechnical investigation and soil boring to assess the presence of adverse geologic conditions. It also requires analysis of the ability of soil to support proposed structures.*
21. *Comment: Comment: Impact of the project to the North Rockland School District should be evaluated. (Page 27 Lines 23 thru 25, Page 28 Lines 2 thru 4) Response: DEIS Scope Section V Socioeconomic Setting and Impact Analysis, Community Services & Utilities requires an analysis of impacts to the school district.*
22. *Comment: Identify anticipated project demand and cost for fire, ambulance and police costs, will additional personnel be needed to supply these services? (Page 28 Lines 5 thru 11) Response: DEIS Scope Section V Socioeconomic Setting and Impact Analysis, Community Services & Utilities requires an analysis of fiscal impacts and emergency services impacts which would include analysis of the need to hire additional personnel.*
23. *Comment: We'd like to see an alternate plan for the use of the public space, which can be designed more like a waterfront park both for the town residents and visitors (Page 28 Lines 24 through 25, Page 29 Lines 2 and 3). Response: The Town will dictate the use of the public spaces. What is shown on the most recent site plans is the project sponsor's proposal. Any alternate plan or designs that include input from the public would be coordinated through the Town, not the project sponsor's EIS.*
24. *Comment: A plan for tourism or economic development needs to be part of this plan (Page 29 Line 4 through 6). Response: An EIS is not a plan. This project* 39

already underwent planning and environmental review at the time the zoning was adopted, and the uses/ densities/bulk requirements were all considered at that time. The Town may wish to separately undertake such a plan but that is not an appropriate consideration of this EIS.

25. *Comment: Public access to the waterfront should be inviting and unique for town residents and visitors. There should be a walking path coordinated with the Palisade Interstate Park Commission to link the promenade to the Battlefield. (Page 29 Lines 7 thru 14)* Response: DEIS Scope Section V Socioeconomic Setting and Impact Analysis, E. Community Services & Utilities now includes discussion of the feasibility of an alternative to extend the proposed trail to the battlefield site.
26. *Comment: Additional boat slips should be available for visitors to promote economic development of the waterfront. (Page 29 Lines 15 thru 23)* Response: DEIS Scope Section V Socioeconomic Setting and Impact Analysis, Community Services & Utilities requires a fiscal impact analysis. Public amenities are also proposed and discussed in section V, E, Community Services & Utilities. The applicant has not yet identified how many boat slips will be available to the public and how many will be leased for private use. This information request has been added to the scope.
27. *Comment: The projected tax assessment for all components should be itemized. (Page 30 Lines 4 thru 6)* Response: DEIS Scope Section V Socioeconomic Setting and Impact Analysis, Community Services & Utilities requires a fiscal impact analysis for the project.
28. *Comment: Anticipated tax revenue should be compared to costs for sewer, municipal services and emergency response and highway. (Page 30 Lines 7 thru 12)* Response: DEIS Scope Section V Socioeconomic Setting and Impact Analysis, Community Services & Utilities requires a fiscal impact analysis for the project.



**Kevin Maher, 130 Central Highway Stony Point, NY**

29. *Comment: Development in flood plain is concerning. (Page 31 lines 20 thru 22)* Response: DEIS Scope Sections III Proposed Description and Need, Section IV Physical Environmental Setting and Impact/Mitigation Analysis require a through analysis of construction methods relative to FEMA, flooding conditions and impacts of flooding on emergency access and transportation. V, E. Community Services & Utilities now includes a discussion and analysis of emergency access, plans and schedules in a flood event.
30. *Comment: Development in floodplain cannot cause flooding or increase risk to other properties. A HEC-RAS analysis of the Hudson River should be included to prove that fill will not increase flooding, especially upstream of the battlefield. (Page 32 Lines 4 thru 12)* Response: DEIS Scope Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Flooding & Storm Water Management requires an analysis of existing drainage patterns, potential impacts to flooding and will detail any required mitigations. Additionally, A discussion of the FEMA flood hazard area and discussion of conformance with relevant regulations has been added to Section IV, D. Flooding & Stormwater Management.
31. *Comment: An invasive species investigation at the Battlefield Park indicates a new eagle nest. (Page 32 Lines 19 thru 23)* Response: DEIS Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Ecology requires an analysis of flora and fauna and specifies evaluation of the Bald Eagle.

**Susan Filgueras, 87 Mott Farm Road, Tomkins Cove, NY**

32. *Comment: How do we get to the 29 acres that the applicant is claiming? 20.6 of those acres are land acres. But 20.4 of those acres are under the Hudson River... where does the 9 acres come from? (Page 37 lines 13-18)* Response: Section V.A, Land Use and Zoning of the draft scope has been updated to include a description of the combined acreage, and the calculation to determine unit count according to the zoning law.
33. *Comment: If you remove those breakwaters, will you affect the bulkhead, and will you affect flooding?(Page 40 Lines5-7):* Response: The scope includes sections which will discuss impacts to the bulkhead and flooding as a result of the proposed project.
34. *Comment: Application still says Breakers. Who is developer and what is legal name of project? Will there be affordable housing or HUD grant? What is the minimum combined acreage required for proposed action under the PW zoning code amendments. (Page 41 Lines 9 thru 15)* Response: The DEIS Scope

identifies the Project as Eagle Bay Site Plan and Conditional Use Permit and Project Sponsor as Breakers Stony Point LP. Section V Socioeconomic Setting and Impact Analysis, Land Use and Zoning requires a discussion of affordable housing, applicability of HUD grants and the minimum combined acreage required for the proposed action under the PW zoning code amendment.

35. *Comment: I believe we have an identity crisis, nobody is addressing it, and this scope has to. (page 42, lines 12 through 14)* Response: The scope determines the topics that will be included within the Environmental Impact Statement as it relates to the environmental impacts of development on this site. The scope, and the EIS, are not planning documents. The Town may choose to revisit its Comprehensive Plan or vision as a separate matter.

**Stephen Beckerle, 49 Beach Road Stony Point NY**

36. *Comment: High end residential should be on site. (Page 46 line 15 thru 16).* Response: DEIS Section V Socioeconomic Setting and Impact Analysis, Land Use and Zoning requires compliance with Town zoning. The Community Services & Utilities section requires a fiscal impact analysis of the plan.

**Jeffrey Anzevino, AICP, Director of Land Use Advocacy, Scenic Hudson, 1 Civic Plaza Suite 200, Poughkeepsie, NY**

37. *Comment: NY Community Risk and Resiliency Act of 2014 projects that lower Hudson Valley could experience up to 75 inches of sea level rise by year 2100. (Page 51 Line 17 thru 21)* Response: planning The analysis of sea level rise has been added to the scope under section IV, D. Flooding & Stormwater Management and will consider a Report of Coastal Vulnerability and Sea Level Rise for the Town of Stony Point prepared by Turner Miller Group and Great Ecology dated December 8, 2014. .

38. *Comment: The scope should require that the DEIS examine at least one alternate alternative that proposes fewer residential units in order to avoid, reduce, or mitigate the range of anticipated impacts resulting from the preferred alternative, as well as an alternative that provides a more balanced mix of residences and commercial uses ...(page 52-53 lines 22-25 and 1-5)* Response: The alternatives listed within the scope now includes the five alternatives, including a reduced density plan of 200 units, and an alternative which includes structural parking under some or all proposed buildings.

39. *Comment: There is too much surface parking, generated by the number of units proposed. There is excess parking provided at 737 parking spaces, there are 55 more stalls than required by zoning. Some additional parking is needed to serve public visiting waterfront park. (Page 53 Line 25 and Page 54 Lines 2 thru 9)* Response: Section V Socioeconomic Setting and Impact analysis, Transportation requires a discussion of the parking to support anticipated uses.
40. *Comment: Aside from the 5 acres, if there were less parking land could be added for landscape amenity and open space. (Page 54 Line 22 thru 25)* Response: DEIS Scope Section V Socioeconomic Setting and Impact analysis, Transportation requires a discussion of parking to support anticipated uses. A lower density alternative has been required by the revised scope.
41. *Comment: Parking under buildings would reduce surface pavement. Consider alternative building configuration to provide parking beneath buildings. (Page 55 Lines 12 thru 20)* Response: Section VI Alternatives of the DEIS Scope requires an analysis of alternative development schemes. An alternative which considers underground parking has been added to the revised scope.

**James Kraus, 21 Heights Road, Stony Point, NY**

42. *Comment: Identify where boats will go when pulled out of water. (Page 58 Lines 6 thru 8).* Response: DEIS Scope Section V Socioeconomic Setting and Impact Analysis, Land Use and Zoning requires compliance with Town zoning. A discussion regarding boat storage has been added to the project description section E. Construction and Operation.
43. *Comment: If poles in water from old marina are removed where will osprey and other birds rest or perch over water. (Page 58 Lines 21 thru 25)* Response: Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Ecology requires an analysis of habitat loss for federal and/or state listed endangered, threatened and protected/vulnerable species.

**Phillip Cipollina 18 Lincoln Oval Stony Point NY**

44. *Comment: Beach Road cannot handle traffic for 400 to 500 vehicle demand at peak condition. How can a fire engine access the site if there is an evacuation? (Page 60 Lines 9 thru 18)* Response: DEIS Scope Section V

Socioeconomic Setting and Impact Analysis Section on Transportation requires an analysis of potential impacts and mitigation.

**Stephen Beckerle**

45. *Comment: There should be a bridge over the bay from Beach Road flooding. (Page 61 Lines 16 thru 19)* Response: DEIS Scope Section V Socioeconomic Setting and Impact Analysis, Transportation will evaluate traffic impacts and mitigation. Flooding impact and mitigations to Beach Road will be addressed in Section IV, D Flooding & Stormwater Management.

**Mary Ellen Montross 6 Spring Drive Tomkins Cove, NY**

46. *Comment: Are citizens allowed to vote on the process? (Page 64 Lines 12 thru 14)* Response: The DEIS Scope is reviewed and the Final Scope is adopted by the Lead Agency. For this DEIS Scope the lead Agency is Town of Stony Point Planning Board. A public hearing will be opened once the Draft EIS has been submitted to the Lead Agency and the public may submit further comment.

**Elle Dickson 54 Jackson Drive Stony Point NY**

47. *Comment: How much of the wetlands will be preserved? (Page 66 Lines 14 thru 19)* Response: Wetland conditions, impacts and mitigations will be addressed per DEIS Scope Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Ecology in the discussion of existing conditions and impacts/mitigation for regulated wetlands and watercourses.

48. *Comment: Are all of the units going to have central air condition systems that everybody can listen to 24/7? (Page 66 and 67 lines 23-25 and 2 and3)* Response: The project description will discuss how the project will be developed, and impacts due to noise will be discussed in section IV, C. Ecology.

49. *Comment: The height of the buildings proposed is concerning. Will the rooftop mechanicals be visible? What will be visible from Lincoln Oval. (Page 67 Lines 12 thru 21)* Response: DEIS Scope Section V Socioeconomic setting and Impact Analysis, Visual Resources requires a detailed analysis of visual impacts, including views from Jackson Drive just east of Lincoln Oval.

50. *Comment: Concern about impact to Battlefield Historic Site and Bald Eagle (Page 67 Lines 24 thru 25 and Page 68 Line 2)* Response: DEIS Scope Section V Socioeconomic Setting and Impact Analysis, Historical and Archeological

Conditions requires an analysis of project impacts to the Stony Point Battlefield and Lighthouse. The Ecology section requires an assessment of project impacts to the Bald Eagle.

**Susan Filgueras, 87 Mott Farm Road Stony Point NY**

51. *Comment: The north end of the proposed development is built on landfill and the area was originally wetlands. What about potential contamination from prior uses? (Page 70 Lines 15 thru 20) Response: DEIS Section IV Physical Environmental setting and Impact/Mitigation Analysis, Soils and Topography requires a Phase I Environmental site assessment relating to historic fill, waste and potential contamination.*