

## A. INTRODUCTION

This Draft Environmental Impact Statement analyzes the potential impacts and proposed mitigation associated with the construction of The Four Seasons at Hamptonburgh, an active adult, age-restricted residential community.

## B. LOCATION AND SITE DEFINITION

### LOCATION

The project site is located in the Town of Hamptonburgh, in central Orange County, in the State of New York, as depicted in Figure 2-1. The project site is located south and east of Interstate 84, west of the New York State Thruway, and north of Route 17 (the future Interstate 86), as depicted in Figure 2-2. The proposed development is roughly bounded by Eager Road to the north, railroad tracks to the east, and NYS Route 416 to the west.

The project site and surrounding areas are typically low density, rural residential and agricultural uses on gently rolling hills. A county park is located west of the project site. Manufacturing, warehousing, shipping and industrial uses are located to the north of the project site, along Neelytown Road.

### SITE DEFINITION

The project site comprises an assemblage of three parcels located at or near the intersection of Route 416 and Eager Road, as illustrated in Figure 2-3. Table 2-1 describes the project site parcels. The project site is currently utilized as a horse farm and consists of rolling hills, ponds, and wetlands with both pasture areas and stands of mature trees.

**Table 2-1**  
**Project Site Description**

Tax ID Number	Parcel Label	Approximate Acreage	Location
1-1-21.22	A	284 acres	southeast corner of Eager Road and Route 416
1-1-21.21	B	80 acres	northeast corner of Eager Road and Route 416
portion of 1-1-20.2	C	9 acres	west side of Route 416 at Eager Road intersection
total:		373 acres	

## Four Seasons at Hamptonburgh

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		approx. 370 acres	
<b>Source:</b>	Town of Hamptonburgh Assessors Office, September 2004 and 2005.		
<b>Note:</b>	Parcel C consists of a 9-acre right of repurchase area held by the Applicant within the 75.5-acre parcel identified on the tax map as Section 1, Block 1, Lot 20.2.		

The proposed development and associated amenities are primarily to occur on a portion of Parcel A, disturbing only approximately 115 acres. The proposed community will feature detached single-family homes and attached single-family townhomes. Recreational amenities will include a clubhouse that will serve as a focal point for the community. A water tower and two wells are also to be constructed on this parcel.

Portions of Parcel A, and the entirety of Parcel B, totaling approximately 255 acres, are to remain as open space.

The wastewater treatment facility is to be constructed on Parcel C.

The proposed project site is in an R-4A zoning district where age-restricted communities containing up to 400 dwellings are a permitted use provided a special use permit and site plan approval are obtained from the Town of Hamptonburgh. As required by Section 150-2B of the Town of Hamptonburgh's Zoning Code, ownership of the homes within the community would be restricted, to residents 55 years of age or older.

A portion of the project site is also located within the Gateway Road Overlay District along NYS Route 416. The Gateway Road Overlay District is intended to preserve the historic resources, stone walls, other natural features, and views from the roadways and other public areas by channeling new development away from those areas and onto lands which are not as scenic or historically significant. The proposed development generally avoids the portion of the site located within the Gateway Road Overlay District.

A portion of the project site is also located within the Airport Overlay Subdistrict. The Airport Overlay Subdistrict consists of areas which are within the radius of takeoff, landing, and approach zones to the Orange County Airport. These areas have been delineated for the purpose of protecting human life and property against the hazards of low-flying aircraft and aircraft flying in normal patterns around the Orange County Airport. The Airport Overlay Subdistrict primarily restricts the height of proposed structures. All proposed structures will conform to the requirements of the Airport Overlay Subdistrict.

### C. PROJECT DESCRIPTION

The proposed project involves the development and construction of 300 single-family homes and townhomes and associated recreational amenities and other facilities on approximately 370 acres of real property located at Route 416 and Eager Road in the Town of Hamptonburgh. The proposed community will include approximately 232 detached single-family homes, 68 attached townhomes. The single family homes featured in the project will range from 1,500 to 2,500 square feet and are intended to be market-rate, with no provision for affordable units. The proposed townhomes will consist of approximately 2,400 square feet. The community will be an active adult age-restricted residential complex, with residents restricted to persons 55-years old and above.

Four Seasons at Hamptonburgh will include a variety of on-site recreational amenities to serve the homeowners such as a clubhouse, swimming pool, tennis courts, putting greens, and walking paths. The proposed community will be designed in a neo-traditional layout, with several discrete clusters of homes within the development.

Consistent with the principles of traditional neighborhood design, each street will include a variety of architectural elevations and a mix of home types all designed to create a pedestrian oriented street experience. There will be a variety of different types of homes, including a mix of townhouses, cottages and villages. Residents will be able to choose from a mix of different styles designed specifically for each unit size. These models will be mixed throughout each block to create an interesting and harmonious mix of architectural types, ensuring that similar models are not adjacent or across the street from another.

The proposed dwelling units are carefully designed, recognizing that the most important element of the building is the front façade and how it functions and looks within the streetscape. Since front facades shape the streetscape, their form, proportions, architecture, and “friendliness” have a major impact on the quality of public spaces and their sense of place. For this reason, the architectural design of each home type has been carefully designed with consideration for the distinct character of the overall site. Illustration 2-1 provides a key in order to locate perspective rendering and streetscape views in the proposed development. Illustrations 2-2 – 2-4 show how the proposed units will be situated on the street and are designed specifically for the proposed site plan. Illustrations 2-5 – 2-7 represent some of the housing styles that will be available.

The driveways and garages will be accessed from the front, side, and rear of a lot, depending on the site topography, the home design and the location of community greens. However, in all cases, the garage doors have been designed to set back from the street edge.

There will be a mix of front-loaded and rear-loaded housing units in order to maintain a strong and consistent orientation to the street. Table 2-2 provides the proposed breakdown for unit-types. In addition, all streets will be connected to one another to provide easier and safer access to all automobiles and to distribute traffic evenly throughout the proposed project.

**Table 2-2  
Unit Type Breakdown**

<b>Unit Type</b>	<b>Number</b>
Single Home- Front Access Garage	161 Units
Single Home- Rear Access Garage	71
Three Unit Townhome- Rear Access Garage	48
Four Unit Townhome- Rear Access Garage	20

Many of the proposed buildings will include front porches and will be located close to the tree-lined street to encourage an interaction between pedestrians and residents, reinforcing the notion that the neighborhood is a community. The homes are designed to have a 15-foot separating distance between them. This is important for maintaining a sense of comfortable enclosure and will help foster a community environment. Buildings that are closer together help shape and give coherent form to public spaces. In addition, by placing the homes closer together and on smaller

## **Four Seasons at Hamptonburgh**

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areas, significantly more open space and rural vistas can be preserved. Illustration 2-4, “Streetscape Elevations,” which show the townhouse, cottage, and village streetscapes, is representative of this separating distance. These smaller areas will also match the active adult preference for lower maintenance yards and gardens.

The design is also intended to preserve and highlight the site’s natural features like ponds, wetlands, woodlands and views of the country side. In addition to the preserved natural areas, landscaped public greens will offer outdoor space for public gathering and socializing, as illustrated in Figure 2-4. The conceptual site plan, Figure 2-5, illustrates the design and layout of the community. Figure 2-6 illustrates the proposed Tree Preservation Plan.

Several stone wall segments exist on the periphery of the site where they appear as property boundaries. These walls are evident along segments of the southern and easterly boundaries of Parcel A, and the northerly boundary of Parcel B. These walls will not be disturbed. Under the Proposed Project, several sections of retaining wall would be necessary to establish and stabilize grade changes, as necessary. The existing stone walls and proposed retaining walls are shown on the accompanying large-scale site plans and in Figure 2-5.

Development of the project will occur primarily on approximately 115 acres leaving approximately 255 acres of the site undeveloped. Portions of Parcel A, and the entirety of Parcels B, totaling approximately 255 acres, are to remain as open space. Deed restrictions could be placed on the open space portions of Parcel B to further restrict development in the areas. By preserving these parcels as open space, the scenic corridor along NYS Route 416 is further protected.

The proposed project has been designed to conform with the provisions of the Town of Hamptonburgh Zoning code and specifically to the provisions of the special permit use for “Active-Adult, age-restricted housing.” In order to accomplish the proposed neo-traditional layout, the project deviates from one standard: the proposed building separation distance of 15 feet is less than the 50 foot minimum separation as specified in the code. This cluster design, allowed by permitting narrower than specified building separation distances, is intended to preserve significantly more open space.

The project will be serviced by an on-site wastewater treatment plant, as well as drinking water production wells, and related treatment and storage facilities. A water storage tower and two wells are to be constructed on Parcel A. Figure 3.8-1 illustrates the wastewater treatment plan and water tower location.

The wastewater treatment facility is to be constructed on approximately 9 acres of Parcel C and will include a direct discharge into the Wallkill River. As part of the project, a subdivision approval will be required for Parcel C. The proposed subdivision of Parcel C will create a “flag” shaped lot located over 1000’ from Route 416 that will have direct road frontage. The main body of the lot will house the treatment plant, its driveway and small parking area as well as reserve areas for possible future plant expansion or subsurface disposal. The utility lines would connect Parcels A and C by running under Route 416. Parcels A and C would both be owned by the applicant and used together as part of the project. The applicant will apply for an area variance for the creation of this lot.

It is anticipated that the same contract haulers that are typically used currently by the Town of Hamptonburgh residents would be retained to provide domestic solid waste pick-up service for the proposed project. Trash pick-up would be arranged for the proposed community by the homeowner association.

Primary access to the proposed development will be located on Eager Road through a gated entrance, with emergency entrances on Eager Road and Route 416. The internal roadway network will be privately maintained by a homeowner's association. There will be approximately 17,500 linear feet of new roads with primary egress and ingress from Eager Road, just east of NYS Route 416. Figure 3.8-2 illustrates the proposed road plan.

The project will be serviced by underground utilities originating from Eager Road and Route 416. The individual utilities will include telephone, cable, and electricity and shall be installed within the roadway network, just outside the curb line, within an access and utility easement. Each of these utility companies has confirmed that there is adequate capacity to service this project.

The stormwater collection system for the proposed project is designed to collect runoff from all developed areas through a series of catch basins and a piping network to convey this runoff to onsite detention ponds. These improvements, including roads, buildings, utilities, and other improvements are shown on the large scale plans prepared by Schoor DePalma, Inc, which accompany this DEIS.

Consistent with Section 150-15(K) of the Town's Zoning Ordinance, the proposed community will be a condominium form of ownership, with each home being a separately identified unit that is owned and maintained by each homeowner. Separate and apart from the units, the common elements of the community such as the land, common structural elements of buildings, roads and related roadway improvements, water distribution and sewer collection lines, and the recreational improvements will be owned by a homeowners association and maintained using dues paid by all homeowners as required members of the association. Services such as snow removal, refuse collection and disposal (including bulk pick-up) and recycling could be provided by the Town or by private contractors and haulers engaged by the homeowners association and paid from association dues paid by the homeowners as members of the association. The water treatment and storage facilities, and the sewer treatment and disposal system, will be owned and maintained by a transportation corporation created by the Town and funded from usage fees paid by the homeowners in the community for their use of such services.

The methods for ensuring that the community remains an age-restricted community are primarily two-fold. First, the R-4A provisions of the Town's zoning ordinance which govern the use of the property, together with the approvals being sought by the applicant, will limit the use of the property to only age-restricted residential development. This is enforceable by municipal action. Second, a master deed to be recorded in the land records of Orange County creating the condominium will contain language consistent with the Fair Housing Act, limiting the occupancy of the homes in the community to persons who are 55 years or older, including members of a household in which one of the members is 55 years or older, provided that no member is less than 18 years of age. This restriction runs with the land and is enforceable by other members of the community.

In the event that a home in the community becomes occupied by a non-age-qualified resident, the homeowners association is constrained by the requirements of the Fair Housing Act to prohibit the residency of such non-age-qualified person to continue and to require that such non-age-qualified person relocate from the community in reasonable time.

Construction of the proposed project would take place in three phases. The initial construction effort would be focused on establishing access roadways and construction staging areas, followed by the development of Phase I roadways and infrastructure (including water, sewer,

## **Four Seasons at Hamptonburgh**

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stormwater, electrical, and other utility systems), clearing of lots and construction areas, and ultimately, development of individual lots and structures. To avoid and minimize temporary impacts from initial clearing and grading activities, an Erosion and Sediment Control Plan and a Stormwater Pollution Prevention Plan would be implemented. (see Figure 4-4). Phase one is the largest phase in the amount of earthwork required and number of units to be constructed. It is anticipated that this phase of the project will be completed in 24 months. It is anticipated that the construction of Phases 2 and 3 will be completed in 12 months each. It is expected that the site will be completely stabilized with final landscaping and lawns within 5 years after construction begins.

### **PROJECT PURPOSE AND NEED**

Four Seasons at Hamptonburgh aims to create a community for active adult residents with an approach that promotes a sense of place that considers the significant features of the natural environment. The proposed development responds to the need on the part of active adults aged 55 years or older for alternatives to traditional single-family detached dwellings. Market analyses and studies, including those conducted by the National Investment Conference for the Senior Living and Long Term Care Industries, indicate that the active-adult segment totals from 35 to 50 percent of the entire market for seniors housing<sup>1</sup>. Active adult age-restricted housing such as that proposed provides younger seniors, many of whom have built up substantial long-term equity in single-family detached houses, the opportunity to stay in or near their home communities where currently there is a limited range of housing options available. Census data also document the trend among older homeowners to move from current dwellings to those convenient to friends or relatives; 28 percent of those who moved within the last year did so for this reason. In addition, 19 percent of those who moved did so because they liked the looks and/or design of the neighborhood.<sup>2</sup>

Consistent with the principles of traditional neighborhood design, each street will provide a variety of architectural elevation variations and a variety of home types all designed to create a pedestrian oriented street experience. Many of the proposed buildings will include front porches and will be located close to the tree-lined street to encourage an interaction between pedestrians and residents, reinforcing the notion that the neighborhood is a community. By placing the homes closer together and on smaller areas, significantly more open space and rural vistas can be preserved. The design is also intended to preserve and highlight the site's natural features like ponds, wetlands, woodlands and views of the countryside. In addition to the preserved natural areas, landscaped public greens will offer outdoor space for public gathering and socializing. The proposed project intends to enhance the community character of the Town of Hamptonburgh and surrounding areas, and, as discussed above, to broaden the range of housing types available to the area's younger seniors – those persons aged 55 years or older.

### **DEFINITION OF THE PROPOSED ACTION**

On June 14, 2004, the applicant submitted the Special Use Permit application with an Environmental Assessment Form, sketch plan, and Agricultural Data Statement to the Town of

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<sup>1</sup> National Housing Survey of Adults Age 60+, The National Investment Conference for the Senior Living and Long Term Care Industries, Inc., 1997.

<sup>2</sup> U.S. Census Bureau, American Housing Survey, 2003, see:  
<http://www.census.gov/hhes/www/housing/ahs/ahs03/ahs03.html>

Hamptonburgh Town Board for the development and construction of 340 active adult age-restricted single-family homes and townhomes and associated recreational amenities and other facilities on approximately 400 acres.<sup>1</sup> The Town subsequently declared intent to be Lead Agency, and on September 1, 2004, the Town Board designated itself lead agency and issued a Positive Declaration. A public hearing on the Scoping Outline and Conceptual Site Plan for the project ran from October 4, 2004 to November 4, 2004, during which comments and suggestions were offered by the public and interested and involved agencies. On January 3, 2005, the Town Board accepted the Scoping Outline. This DEIS is prepared and submitted according to the scoping requirements outlined in the Scoping Outline of Issues to be Addressed in Draft Environmental Impact Statement (DEIS) dated December 16, 2004 and adopted by the Town Board on January 3, 2005. The adopted Scoping Outline is contained in Appendix A.

This DEIS analyzes the potential impacts and proposed mitigation associated with the construction of the proposed project. It is subject to public review, and the Town Board will schedule a public hearing at which members of the public and public agencies will be invited to comment on the DEIS. In addition, written comments will be accepted by the Town Board for a period, usually 10 days, following the closure of the public hearing. As necessary, the applicant will revise this DEIS to address the substantive comments presented during the review of this DEIS. The responses to the substantive comments will be presented to the Town Board in the Final Environmental Impact Statement (FEIS). Upon acceptance of the FEIS and preparation of the Findings Statement by the Town Board, Town Board and other permitting and approval agencies (see below) may issue necessary permits and approvals to enable the project to move forward. It is important to note that certain permits and approvals may require additional or more detailed technical analyses beyond that required for the preparation of this DEIS.

The following major approvals are required for the project:

**Table 2-3  
Required Approvals**

<b>Approval/Permit/Review</b>	<b>Agency</b>
<b>Town of Hamptonburgh</b>	
Special Use Permit	Town Board
Site Plan Approval	Planning Board
Subdivision Approval	Planning Board
<b>Orange County</b>	
Water Supply and Distribution Designs	Department of Health
<b>New York State</b>	
Water Supply Application	Department of Environmental Conservation
Sewage Treatment Plant and Sewage Collection	Department of Environmental Conservation

<sup>1</sup> The June 14, 2004 Special Use Permit application was for a development comprised of 340 units. Based on subsequent wetland delineations, the unit count was reduced to 300, the number of units subject to this Draft Environmental Impact Statement.

**Four Seasons at Hamptonburgh**

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System Designs	
SPDES Permit for Waste Water Discharge	Department of Environmental Conservation
SPDES Permit(s) for Stormwater Discharges	Department of Environmental Conservation
Protection of Water Permit for Stream and Bank Disturbance	Department of Environmental Conservation
Freshwater Wetlands Permit	Department of Environmental Conservation
Water Quality Certification	Department of Environmental Conservation
Highway Work Permit and Possible Road Entrance Permit	Department of Transportation
<b>Federal Agencies</b>	
Nationwide or Individual Wetlands Permit	US Army Corps of Engineers