

## A. INTRODUCTION

This section considers the potential for significant adverse impacts of the proposed Four Seasons at Hamptonburgh project on cultural resources, which include archaeological resources and historic resources such as buildings, districts, structures, sites, and objects. Located in the Town of Hamptonburgh between County Route 99 to the north and Quarry Road to the south, the irregularly shaped project site is roughly bounded by Route 416 and the Wallkill River on the west, Eager Road on the north, and railroad tracks on the east.

The study area for archaeological resources is the project site itself where disturbance from excavation and construction can be anticipated. Due to the size of the project site, the historic resources study area is defined as being within a ½-mile radius from the project site. This boundary was drawn to include properties in the vicinity of the project site and to take into account physical, visual, and contextual effects to historic resources. Within the study area, historic resources analyzed include properties listed on the State and National Registers of Historic Places (S/NR), properties determined eligible for S/NR listing, any locally designated properties or historic districts, and potential resources that may meet the eligibility criteria for S/NR listing. The study area does not contain any properties listed on the Registers—or any locally designated landmarks.

## B. EXISTING CONDITIONS

To determine the presence of cultural resources on the project site and in the surrounding ½-mile study area, the Town of Hamptonburgh began consultation with the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) in August 2004. OPRHP reviewed preliminary project documentation and requested more information in a letter dated August 25, 2004. To determine the presence or absence of archaeological resources, OPRHP recommended that a Phase I archaeology survey be conducted for portions of the project site that would be disturbed by project construction, unless substantial prior ground disturbance could be documented. In addition, OPRHP requested photographs of structures over 50 years old within or adjacent to the project site, because the project area has not been comprehensively surveyed for historic resources. As requested by OPRHP and in conformance with the Scoping Outline for this DEIS, a Phase IB Cultural Resource Investigation was prepared in May 2005 and revised in August 2005.<sup>1</sup> That report addresses both archaeological and historic resources, and it incorporates the results of a Phase IA literature review and sensitivity assessment and Phase IB

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<sup>1</sup> Dillian, Carolyn (Cultural Resource Consulting Group), *Phase IB Cultural Resource Investigation: Four Seasons at Hamptonburgh, Town of Hamptonburgh, Orange County, New York*. August 17, 2005.

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archaeological field testing. In July 2005, a Phase II archaeological investigation<sup>2</sup> was performed on a portion of the project site adjacent to the Walkill River (Parcel C) that was identified in the Phase IB archaeological field testing as containing Native American artifacts. Results of the Phase II investigations are summarized in a report<sup>3</sup>, which has also been submitted to OPRHP for review. The Phase IB and Phase II reports are summarized below.

### **ARCHAEOLOGICAL RESOURCES**

#### *PHASE IB CULTURAL RESOURCE INVESTIGATION*

The Phase IB Cultural Resource Investigation evaluates the possibility that archaeological resources may exist on the project site. It focuses on both potential precontact-period (Native American) archaeological resources and on those from the historic period (beginning in the 17th Century). The Phase IB report includes a sensitivity assessment of the project site, the results of an initial project site field inspection, a scope of work for field testing, and the results of archaeological shovel testing conducted between May 10 and May 15, 2005. The Phase IB report has been submitted to OPRHP for review, and the following discussion summarizes the report's findings.

##### *Potential Precontact-Period Sensitivity*

An assessment of the project site's precontact-period sensitivity was based on the presence of known precontact-period archaeological sites in the vicinity, a review of prior cultural resource surveys, site file research at OPRHP and the New York State Museum, and a consideration of the area's former and current topographic and physiographic characteristics. In addition to documentary research, an initial pedestrian reconnaissance was conducted in December 2004.

The project site contains topographical features that would have been conducive to Native American activity including raised ground with moderate slopes, soils with good drainage, and nearby sources of fresh water. Sources of water within and adjacent to the project site include the Walkill River that borders the site to the west, several streams and ponds, and wetlands. Other portions of the project site characterized by steep, rocky slopes and seasonally wet, poorly drained soils would not have been attractive locales for Native American habitation or exploitation of natural resources.

Documentary research has established Native American activity in the area since 10,000 years ago. Further, site file research at OPRHP revealed the presence of four documented precontact-period archaeological sites within one mile of the project site. The sites were found in environmental settings similar to those that characterize portions of the project site. Recorded in the early 20th century, the four sites were located on relatively level ground within close proximity to fresh water sources such as the Walkill River, Otter Kill (located southeast of the project site), and their tributaries.

In addition, three recent cultural resource surveys have been conducted within one mile of the project site. A 2003 survey performed by CITY/SCAPE for an area at the site's eastern

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<sup>2</sup> A Phase II archaeological investigation involves excavation and additional research to evaluate a site's data potential, research significance, and National Register eligibility.

<sup>3</sup> Dillian, Carolyn (Cultural Resource Consulting Group), *Phase II Archaeological Investigation: Four Seasons at Hamptonburgh, Town of Hamptonburgh, Orange County, New York*. July 21, 2005.

boundary along the bordering rail line concluded that the area of investigation retained a moderate to high sensitivity for precontact-period archaeological resources. The 2003 survey, however, did not include field testing. The second survey, conducted in 1991 by Heritage America Ltd., investigated an area ¼-mile north of the project site along the rail line. That survey consisted of Phase IB field testing and did not identify any precontact-period archaeological deposits, although it did identify two historic farmsteads that were subsequently determined not to be eligible for S/NR listing. The third cultural resource survey investigated an area ¼-mile north of the project site along Route 416. Conducted in 1994 by Heritage America Ltd., the third survey identified two precontact-period archaeological sites that were investigated at the Phase II level and determined not to be eligible for S/NR listing.

Disturbance to precontact-period resources (usually shallowly buried within three to four feet, if they existed) has most likely not occurred over large portions of the project site, which has remained agricultural since the late 18th century. Based on the relative lack of prior subsurface disturbance, the site's topographic and physiographic characteristics, and the known precontact-period archaeological sites in the vicinity, the Phase IB report classifies the project site into areas of potential high, moderate, and low archaeological sensitivity. In a meeting on January 15, 2004, OPRHP concurred with the Phase IB report's sensitivity assessment. Areas of high sensitivity include Parcel C, which borders the Wallkill River, and areas of relatively level ground within 300 feet of water sources and wetlands. Areas of moderate sensitivity include gently sloped terrain and areas more than 300 feet from water sources. Portions of the project site that have a low sensitivity for hosting precontact-period archaeological deposits include areas with slopes greater than 12 to 15 percent that are not located near water sources.

#### *Potential Historic-Period Sensitivity*

An assessment of the project site's historic-period sensitivity was based on cartographic research, a review of secondary sources at the Goshen Public Library, the New York Public Library, and the OPRHP, an examination of previous cultural resource surveys, and a project site field inspection.

Orange County was one of the original twelve counties established by the colony of New York in 1683. By the early 18th century, the county was a source of agricultural products that were shipped to New York City from New Windsor and Newburgh. In the vicinity of the project site, the earliest Colonial settlement (circa 1720) was located in the present village of Hamptonburgh, which developed as the center of the surrounding agricultural areas. In 1830, Hamptonburgh Township was formed, and eighteen years later a branch of the Erie Railroad was constructed through the project area—the right-of-way forms the eastern border of the project site. By the late 19th century, the area supported a prominent dairy industry with access to four railroads that converged in Campbell Hall to the south of the project site.

Early documented property owners on the project site included the Eager, Neely, and Booth families. In 1741, William Eager settled in the area, and a 1798 map identifies the additional homesteads of W. Tumble, J. Jackson, and W. Jackson in the approximate location of the project site. An 1851 J.C. Sidney map depicts buildings on the project site belonging to N.S. Davenport, W. Lupton, and B.T. Booth. Throughout the 19th century, the project site remained divided into several farms, on which were a few recorded buildings. An 1875 F.W. Beers map depicts the extant District No. 5 schoolhouse at what is now the intersection of Route 416 and Lazy Lane. Due to the presence of homesteads and farms on the project site dating back to the 18th century, the Phase IB report concludes that the project site may be sensitive for the presence of potential historic-period archaeological resources associated with those 18th- and 19th-century

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occupations. Areas of high sensitivity include the approximate sites of structures depicted on 18th- and 19th-century maps, areas of moderate sensitivity include locations of suspected historic-period occupation, and areas of low sensitivity include the portions of the project site where research and site inspections do not indicate known or suspected locations of historic-period occupation.

### *Archaeological Field Testing*

To further investigate the presence of significant archaeological resources and to develop appropriate mitigation measures, if necessary, archaeological field testing was conducted between May 10 and May 15, 2005 on the portions of the site that will be disturbed for project construction. Particular attention was focused on areas of high sensitivity for precontact-period resources (Parcel C along the Wallkill River) and historic-period archaeological resources (the vicinity of the houses at 55 Lazy Lane). Areas that will be left as open space were not tested. OPRHP requested that all portions of the project site within the area of project disturbance that have slopes less than 12 to 15 percent be investigated through subsurface testing, and the testing strategy was developed in consultation with OPRHP and approved on January 15, 2005.

In identified areas of high and moderate sensitivity within the area of project disturbance, shovel tests were excavated on a 50-foot interval grid. Shovel tests had a diameter of 18 inches and were excavated well into subsoil. The soil matrix recovered from each test was passed through ¼-inch hardware cloth to recover potential artifacts. Stratigraphic profiles were recorded and are presented in the Phase IB report. In addition, the ground surface was examined during testing to locate potential surface evidence of buried archaeological deposits. Areas of low sensitivity were not systematically tested using a 50-foot interval shovel test grid. Instead, those areas were visually inspected and judgmentally sampled using 18-inch-diameter shovel tests. All field testing was coordinated with OPRHP, and the results of the archaeological shovel tests were submitted to OPRHP for review.

Although the subsurface testing revealed only a moderate degree of prior disturbance across the project site, the initial program of 50-foot interval shovel tests identified the presence of only a single area of precontact-period occupation. On Parcel C, three shovel tests yielded precontact-period archaeological material in the form of black chert flakes. An additional flake was found during the surface inspection. Around the three positive shovel tests, four judgmental shovel tests were excavated at 25-foot intervals. Those tests recovered additional chert flakes.

The archaeological shovel testing did not identify the presence of any historic-period archaeological sites. Within 150 to 200 feet of the two buildings at 55 Lazy Lane, the testing grid of 50-foot intervals was reduced to 25-foot and 12½-foot intervals to investigate the potential presence of subsurface features or backyard deposits and evidence of earlier construction. The program of reduced testing intervals did not identify any subsurface deposits associated with undocumented historic-period occupation of the property. Scattered glass, ceramic, and metal fragments that were recovered in the vicinity of the structures at 55 Lazy Lane represented random trash disposal over the last 150 years. The type and quantity of artifacts recovered and the mixed contexts in which they were found do not represent a potential source of important archaeological information.

Although the archaeological shovel testing did not identify any intact subsurface deposits or shaft features (such as privies or wells) associated with the farmhouse at 55 Lazy Lane, or evidence of other undocumented historic-period structures, shovel testing was not conducted on the southeast side of the house where there is a paved driveway and parking area. It is possible

that historic-period shaft features may exist under the existing paved parking surface. Therefore, the Phase 1B report recommends that, if there will be project construction at the site of the house, archaeological testing or mechanical stripping should be conducted in that area during project grading or excavation to determine the presence of potential shaft features.

#### *PHASE II CULTURAL RESOURCE INVESTIGATION*

To evaluate the S/NR eligibility of the Native American archaeological site identified during the Phase 1B subsurface testing on Parcel C, Phase II archaeological field testing was conducted in June 2005. The Phase II investigation sought to provide information on the site's stratigraphic composition, chronology, use, and historical significance.

Fifty-four three-foot-square excavation units were dug across Parcel C, and the topsoil layer (the plowzone) in each excavation unit was examined for archaeological materials. The subsoil was also examined for evidence of Native American occupation. The Phase II investigation revealed that 20th-century plowing has disturbed the upper six to eight inches of the ground surface but that the subsoil is largely undisturbed. Ten Native American artifacts were recovered in the fifty-four excavation units. Consisting largely of chert flakes and related debitage, the artifacts represent scattered material and they were all found within the plowzone. No evidence of hearths, pits, or artifact clusters was identified in the subsoil.

The identified artifacts suggest that the site on Parcel C represents a small, temporary Native American campsite that was most likely associated with seasonal hunting, gathering, and food processing. Therefore, based on the location of artifacts only within the plowzone, the low occurrence of artifacts, the scattered nature of Native American material, and the lack of hearths, pits, or other such features, the Phase II evaluation concluded that the site can not supply significant information for the study of Native American history and is not eligible for listing on the Registers.

The Phase II report was submitted to OPRHP for review, and in a letter dated September 9, 2005 OPRHP concurred with the report's conclusion that the Native American site is not eligible for listing on the Registers (see Appendix A for OPRHP correspondence). As written in the letter, OPRHP has no further archaeological concerns for the proposed project.

#### **HISTORIC RESOURCES**

In order to determine whether any known historic resources are located on or adjacent to the project site, consultation was undertaken with OPRHP. Known historic resources would include S/NR properties or properties determined eligible for S/NR listing. Determinations of eligibility are made by OPRHP using the National Register criteria found in the Code of Federal Regulations, Title 36, Part 63. Following these criteria, districts, sites, buildings, structures, and objects are eligible for the National Register if they possess integrity of location, design, setting, materials, workmanship, feeling, and association, and: 1) are associated with events that have made a significant contribution to the broad patterns of history (Criterion A); 2) are associated with significant people (Criterion B); 3) embody distinctive characteristics of a type, period, or method of construction, represent the work of a master, possess high artistic value, or that represent a significant and distinguishable entity whose components may lack individual distinction (Criterion C); or 4) may yield [archaeological] information important in prehistory or history (Criterion D). Properties that are younger than 50 years of age are ordinarily not eligible, unless they have achieved exceptional significance.

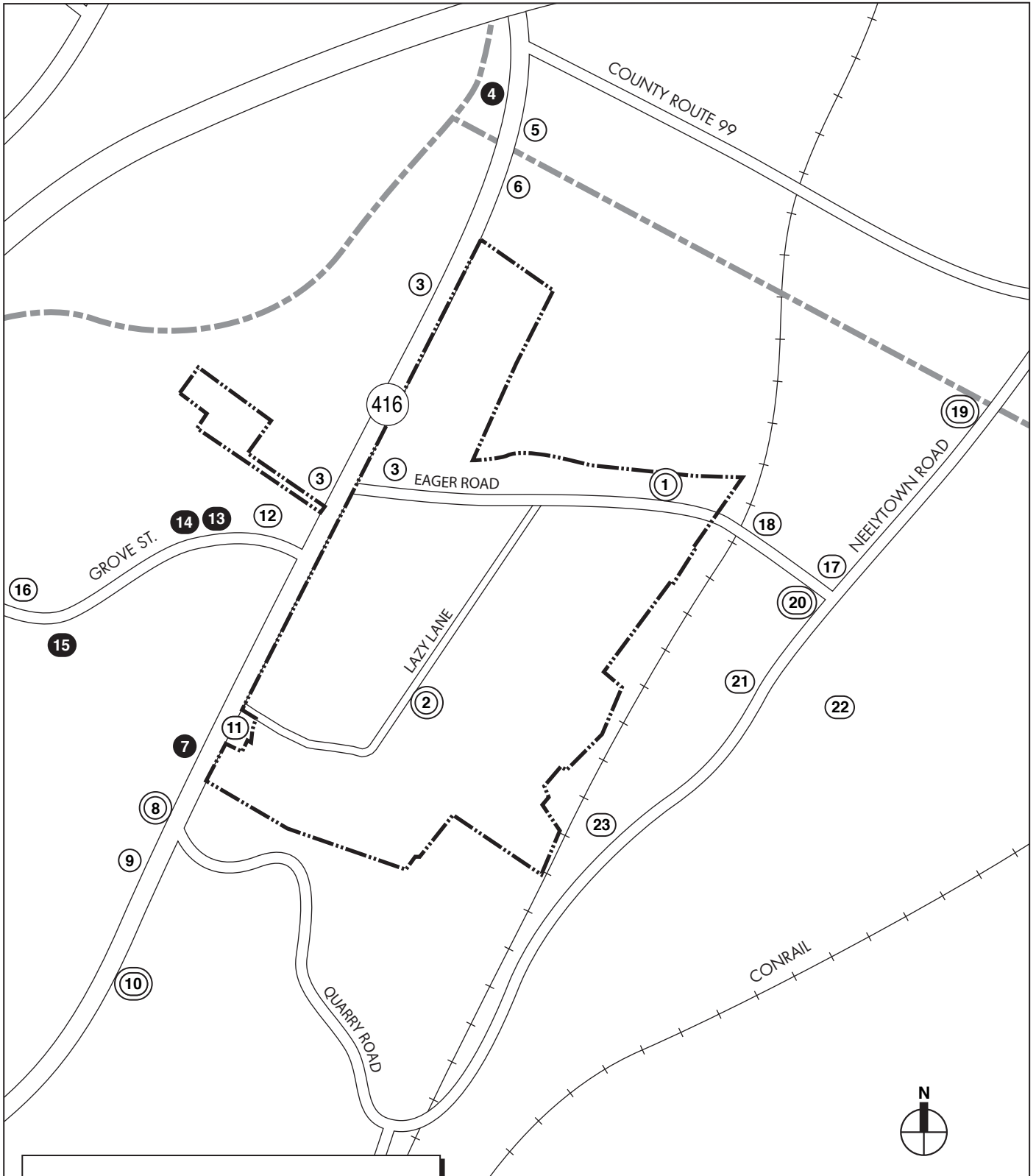
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There are no properties on the project site or within the ½-mile study area that are listed on the Registers. In addition, there are no local laws for designating historic resources in either the Town of Hamptonburgh or Orange County. However, portions of the project site and study area along Route 416 fall within the local Gateway Road Overlay District, which seeks to preserve the agrarian setting of the Route 416 corridor and defining features that include historic buildings, trees and woodland, fields, vistas, and stone walls. Although the Code of the Town of Hamptonburgh identifies Route 416 as possessing critical features, such as historic buildings, that contribute to the character of the Town, it does not identify specific buildings within the overlay district that could be classified as historic.

In compliance with SEQRA guidelines and as requested by OPRHP in a letter dated August 25, 2004, the Phase 1B Cultural Resource Investigation includes an inventory of structures that could warrant recognition as historic resources—structures that appear to be older than 50 years of age. From this architectural inventory, potential historic resources (i.e., those that appear to meet one or more of the National Register criteria) were identified based on background research and a field inspection, conducted on December 21st and 22nd, 2004, of all structures on the project site and within the ½-mile study area. Background research involved an examination of prior cultural resource surveys, interviews with local individuals (including the Town Historian), and a review of historic maps and secondary sources.

On the project site and within the study area, the historic resource investigation identified 23 properties consisting of structures considered to be 50 years of age or older (see Table 3.15-1 and Figure 3.15-1). The architectural inventory was submitted to OPRHP for an evaluation and determination of eligibility. In a letter dated August 3, 2005, OPRHP identified six properties as being individually eligible for listing on the Registers—two of those properties are located on the project site (see Table 3.15-1 and Figure 3.15-1). See Appendix A for the OPRHP letter. Five properties were found not to meet the eligibility criteria for S/NR listing, and no further consider of effects to those properties is warranted. While OPRHP made no eligibility determinations for the remaining twelve properties, those undetermined resources are considered—for purposes of this analysis—to be potential resources that may later be determined by OPRHP to meet the eligibility criteria for S/NR listing.

<b>Table 3.15-1</b>				
<b>Structures Over 50 Years of Age</b>				
<b>Map Ref. #</b>	<b>Name/Address</b>	<b>Description</b>	<b>Integrity</b>	<b>OPRHP Evaluation</b>
<b>Structures on the Project Site</b>				
1	22 Eager Road	Greek Revival house and three stables	Loss of materials and design	S/NR-eligible
2	Top Call Farm/55 Lazy Lane	Two gabled-roof farmhouses, one with stone wing, and stable	Good	S/NR-eligible
3	282 Route 416	Duplex house, gambrel-roof barn, two pitched-roof stables, tractor shed, modern silo and	Good	Undetermined



	Project Site
	Properties Consisting of Structures Older than 50 Years of Age
	S/NR - Eligible Historic Resources
	S/NR - Non-Eligible Properties

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Figure 3.15-1  
**Cultural Resources**

		stables		
<b>Structures in the Project Study Area</b>				
4	212 Route 416	Colonial Revival house, garage, and shed	Good	Not eligible
5	432 Route 416	Greek Revival farmhouse, barn, and metal outbuildings	Loss of materials	Undetermined
6	424 Route 416	Gabled-roof stable and corrals	Loss of materials	Undetermined
7	243 Route 416	Craftsman-style house and garage	Loss of materials	Not eligible
8	498 Route 416	Greek Revival house and garage	Good	S/NR-eligible
9	211 Route 416	Colonial Revival house and garage	Loss of materials and setting	Undetermined
10	194 Route 416	Stone and wood Colonial Revival house, garage, two barns, and storehouse	Good	S/NR-eligible
11	Grove Street District No. 5 School	Vernacular schoolhouse with bell tower and modern addition	Good	Undetermined
12	24 Grove Street	Colonial Revival house	Loss of materials and design	Undetermined
13	38 Grove Street	Greek Revival house	Loss of materials and design	Not eligible
14	46 Grove Street	Modest Craftsman-style house	Loss of materials and design	Not eligible
15	71 Grove Street	Modest Craftsman-style house	Loss of materials and design	Not eligible
16	84 Grove Street	Greek Revival house and barn	Good	Undetermined
17	24 Eager Road	Ruined gabled-roof house and circa 1965 house	Poor	Undetermined
18	28 Eager Road	Queen Anne-style William Eager House, barn, shed, garage, and summer kitchen	Loss of materials	Undetermined
19	Neelytown East and West Cemeteries	Two cemeteries with stone walls and tombstones and monuments from 1796 to 1890s	Good	S/NR-eligible
20	Windfall Farms/301 Neelytown Road	Greek Revival house, barn, and modern greenhouses	Good	S/NR-eligible
21	387 Neelytown Road	Ranch-style house	Good	Undetermined
22	398 Neelytown	Craftsman-style farmhouse, garage, shed, gabled-roof tenant	Loss of design, setting, and	Undetermined

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	Road	houses, and gambrel-roof barn	materials	
23	155 Neelytown Road	Colonial Revival house, barn, and garage	Loss of design, setting, and materials	Undetermined

*PROJECT SITE*

Three horse farms are located on the project site at 22 Eager Road, 55 Lazy Lane, and 282 Route 416 that consist of structures appearing to be older than 50 years of age. Although the Phase 1B report concludes that they do not appear to meet the criteria of eligibility for listing on the State and National Registers due to the loss of integrity, OPRHP determined that the farmhouse at 22 Eager Road and the main farmhouse at 55 Lazy Lane are eligible for listing on the Registers. OPRHP did not make an eligibility determination for the farm at 282 Route 416—it is, therefore, considered to be a potential historic resource for purposes of this analysis. The two S/NR-eligible farmhouses, and the farm at 282 Route 416, are briefly described below.

*22 Eager Road (Map and Table No. 1)*

The horse farm at 22 Eager Road consists of a farmhouse and three modern stables. The farmhouse, which has been determined by OPRHP to be S/NR-eligible, is a 1½-story, modest Greek Revival-style structure that appears to date to the early 19th century. The house has a center passage layout, it sits on a stone foundation, is clad in wood siding, and has a side-gabled roof and brick chimney. It is somewhat deteriorated. OPRHP determined that the house is eligible for listing on the Registers as a representative example of vernacular domestic architecture in the lower Hudson Valley. It may also incorporate a late-18th-century section. The modern stables do meet the eligibility criteria for S/NR listing.

*55 Lazy Lane (Map and Table No. 2)*

Known as Top Call Farm, the horse farm at 55 Lazy Lane in the approximate center of the project site consists of two farmhouses, a modern stable, and corrals. Both farmhouses are two-story buildings with one-story wings. The smaller farmhouse is a vernacular building clad in wood siding with a side-gabled roof, a modest entrance porch, and a concrete foundation. Appearing to date to the early 20th century, it has been altered with asphalt roof shingles and new front and rear entrance doors. The lattice work on the entrance porch does not appear original and the façade around the rear door has been infilled. It may be that the house has been moved and raised on a non-original base. The nearby stable is a large, wood rectangular building with a pitched roof that appears to have been constructed in the late 20th century. These structures are not eligible for S/NR listing.

The larger farmhouse, which has been determined by OPRHP to be S/NR-eligible, is a two-story vernacular building with wood clapboard siding and a small one-story stone wing that has been converted into a garage. The stone wing was purportedly built for Charles Booth before the 1770s, and the property was once part of the Booth family’s 1,000-acre farm. It has coursed rubble walls and a gabled roof covered in asphalt shingles. A modern garage entrance has been inserted into one of the facades. The main portion of the house has a side-gabled roof and a large front porch with square posts supporting a hipped roof. The windows and doors appear to be modern. Both sections of the farmhouse have brick chimneys. The larger frame structure appears to date to the end of the 18th century or the early 19th century. OPRHP determined that the main

farmhouse has architectural and historical significance for its association with the early settlement of the lower Hudson Valley and the Booth family, a prominent early family in Orange County. The stone portion is an important example of a pre-Revolutionary War Orange County house with a later frame addition.

The Scoping Outline for this DEIS identified an old farmhouse and stone pumphouse on the project site for further evaluation. The only stone building identified in the Phase 1B historic resource field investigation is the stone wing of the farmhouse at 55 Lazy Lane. On January 13, 2005, the Town Historian John Gramm and Town Clerk Diane Fortuna were contacted to determine whether the stone farmhouse wing was the structure identified in the Scoping Outline. Although neither person could confirm that it was, the Phase 1B report assumes that the farmhouse wing is the referenced stone pumphouse.

*282 Route 416 (Map and Table No. 3)*

Since OPRHP has not made an eligibility determination for the horse farm at 282 Route 416, the property is considered to be a potential historic resource that may meet the criteria of eligibility for S/NR listing. The horse farm consists of a number of buildings on both sides of the road. The main cluster of buildings is located northwest of Eager Road. Surrounded by corrals, this group includes a mid-20th-century house, a gambrel-roof barn, two stables, and a tractor shed. Built circa 1950, the house is a brick and wood duplex structure with overhanging ends supported on posts. It has a pitched roof and a second-story porch. Immediately behind the house is a large, gambrel-roofed barn clad in wood with a concrete base. The barn appears to date to the 1920s. A concrete stable with a pitched roof is located to the rear of the barn and a similar looking brick stable is located to the south. Both stables appear to have been constructed roughly between 1920 and 1950. The open tractor shed is found to the west. Located south of the main group are several modern stables and a silo that were constructed in the 1970s and 1980s. Another modern, pitched-roof stable is located at the northeast corner of Eager Road and Route 416.

*STUDY AREA*

In the ½-mile project study area, there are four historic resources that have been determined by OPRHP to meet the criteria of eligibility for S/NR listing. In addition, there are eleven properties for which OPRHP has not made an eligibility determination—those properties are considered to be potential resources that may later be found to be eligible for S/NR listing. The S/NR-eligible resources are described more fully below. A list and brief description of the eleven potential resources is also provided.

*498 Route 416 (Map and Table No. 8)*

Located southwest of the project site, the house at 498 Route 416 is a 2½-story Greek Revival-style building. In the letter dated August 3, 2005, OPRHP determined that the house meets the eligibility criteria for S/NR listing. It appears to have been originally constructed around the late 18th or early 19th centuries and later enlarged. The most notable feature of the house is the double-height porch with square piers supporting a shed roof. The piers have modest capitals, and there is a balcony at the second floor. Set on a stone foundation, the house has wood cladding and a side-gabled roof. The ground floor entrance has side lights, while the more elaborate entrance onto the balcony has a molded enframing and side lights flanked by pilasters. The windows retain their original surrounds.

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### *194 Route 416 (Map and Table No. 10)*

In the letter dated August 3, 2005, OPRHP determined that the stone house at 194 Route 416 meets the eligibility criteria for S/NR listing. Located south of Quarry Road, the house is part of a larger property that includes a garage, two barns, and a storehouse. Faced in sandstone, the house has a side hall plan with a side-gabled roof. There is an entrance porch with a hipped roof supported by slender Doric columns. There is also a wood side porch, and a two-story rear addition with clapboard siding. The garage, barns, and storage shed are wood structures with stone foundations and gable roofs.

### *Neelytown East and West Cemeteries (Map and Table No. 19)*

The Neelytown East and West Cemeteries are located northeast of the project site on each side of Neelytown Road. In the letter dated August 3, 2005, OPRHP determined that the cemeteries meet the eligibility criteria for S/NR listing. Located on slightly elevated ground, the two cemetery properties are enclosed within squared rubble walls, and they contain a variety of tombstone and monument types ranging in date from 1796 to the 1890s. Iron gates mark the entrances. Families associated with the early history of the area, such as the Eagers and Neelys, have graves inside. Although a cemetery is not normally eligible for listing on the National Register, it can qualify if its primary significance stems from distinctive design features, association with historic events, age, or graves of persons of transcendent importance. The Neelytown East and West Cemeteries are historically significant for their association with the original 18th-century settlement of Neelytown and the 19th-century development of the area.

### *301 Neelytown Road (Map and Table No. 20)*

In the letter dated August 3, 2005, OPRHP determined that the house at 301 Neelytown Road meets the eligibility criteria for S/NR listing. Known as Windfall Farms, the house at 301 Neelytown Road, just south of the intersection with Eager Road, is an ornate Greek Revival-style building with one- and two-story sections linked by a front porch. The house appears to have been constructed around 1840. Ornamental elements include scrolled brackets on the porch columns, an elaborate geometric rail enclosing the porch, windows with heavy architraves and cornices, an entablature, and an entrance characterized by a heavy architrave, framing pilasters, and side lights. In addition, the house has wood cladding and a side-gabled roof. There is a dormer on the one-story wing. Associated with the house is a 19th-century wood barn with a decorative barge-board and several modern greenhouses.

### *Potential Historic Resources*

As mentioned above, OPRHP has not made eligibility determinations for eleven of the study area properties identified by the Phase IB report as consisting of structures considered to be 50 years of age or older. For purposes of this analysis, these properties are considered to be potential historic resources (see Table 3.15-1 and Figure 3.15-1). This consideration is conservative, because it identifies any potential adverse effects to those properties that have not yet been determined to meet, or not meet, the S/NR eligibility criterion. The eleven potential historic resources include the following:

- The farm at 432 Route 416 that consists of a Greek Revival farmhouse, a barn, and several metal outbuildings (Map and Table No. 5);
- The gabled-roof stable at 424 Route 416 (Map and Table No. 6);
- The Colonial Revival-style house at 211 Route 416 (Map and Table No. 9);

- The Grove Street District No. 5 School, a vernacular wood schoolhouse constructed in 1875 (Map and Table No. 11);
- The Colonial Revival-style house at 24 Grove Street (Map and Table No. 12);
- The Greek Revival-style house and associated barn at 84 Grove Street (Map and Table No. 16);
- The property at 24 Eager Road that consists of a modern house, circa 1960s, and the ruin of a 19th-century house (Map and Table No. 17);
- The William Eager House at 28 Eager Road, a Queen Anne-style house surrounded by a barn and several outbuildings (Map and Table No. 18);
- The Ranch-style house at 387 Neelytown Road (Map and Table No. 21);
- The farm at 398 Neelytown Road that consists of a Craftsman-style farmhouse, a tenant house, barn, garage, and shed (Map and Table No. 22); and
- The Colonial Revival-style house at 155 Neelytown Road and associated barn and garage (Map and Table No. 23).

## **C. THE FUTURE WITHOUT THE PROPOSED PROJECT**

### **ARCHAEOLOGICAL RESOURCES**

Although no specific development is anticipated on the project site in the future without the proposed project, the current horse farm uses would continue in the near future. These uses are not considered to be a source of disturbance to archaeological resources. In any case, OPRHP has determined that the project site is not sensitive for archaeological resources, as written in a letter dated September 9, 2005.

### **HISTORIC RESOURCES**

In the future, the status of historic resources could change. Potential historic resources could be determined eligible for S/NR listing or listed on the Registers. Changes to the historic resources identified above or to their settings could occur irrespective of the proposed project. Future projects could also affect the settings of historic resources. It is possible that some historic resources in the study area could deteriorate, while others could be restored. In addition, future projects could accidentally damage historic resources through adjacent construction.

Historic resources that are listed on the S/NR or that have been found eligible for listing are given a measure of protection under Section 106 of the National Historic Preservation Act of 1966 from the effects of projects sponsored, assisted, or approved by federal agencies. Although preservation is not mandated, federal agencies must attempt to avoid adverse effects on such resources through a notice, review, and consultation process. Properties listed on the Registers are similarly protected against effects resulting from projects sponsored, assisted, or approved by State agencies under the State Historic Preservation Act of 1980. However, private owners of properties eligible for, or even listed on, the Registers using private funds can alter or demolish their properties without such a review process.

*PROJECT SITE*

It is assumed that the S/NR-eligible farmhouses at 22 Eager Road and 55 Lazy Lane, and the potential historic resource at 282 Route 416 will remain in the future without the proposed project, and the project site will remain in its current condition.

*STUDY AREA*

Within the ½-mile project study area, there are five projects under consideration or currently under construction. Four of those projects are not located in the vicinity of any S/NR-eligible or potential historic resources. However, one project currently under consideration by the Planning Board would be just south of the S/NR-eligible house at 301 Neelytown Road. That project is an industrial subdivision of five office and warehouse buildings that would change the rural setting of the Greek Revival-style farmhouse.

**D. POTENTIAL IMPACTS OF THE PROPOSED PROJECT**

As more fully described in Chapter 2, “Project Description” and Chapter 3.2, “Visual Character,” the proposed project would develop approximately 115 acres of the 370-acre project site with a residential community of 232 detached single-family houses and 68 attached townhouses. The majority of the project site, approximately 255 acres, would remain as open space. The residential development would be laid out in an asymmetrical plan of house clusters and curved roads, and the design of the proposed project references older, traditional residential developments through the tight clusters of different housing types and styles, small lots and varied building arrangements, and the asymmetrical street plan of curved and relatively straight streets. The project would also include a clubhouse, swimming pool, tennis courts, putting greens, walking trails, a water storage tower, and a wastewater treatment plant west of Route 416 near the Wallkill River on Parcel C.

**ARCHAEOLOGICAL RESOURCES**

As described above, the Phase IB archaeological shovel testing did not indicate the presence of precontact- and historic-period archaeological resources on the majority of the project site. Therefore, no further archaeological investigation of the majority of the project site is warranted. Since shovel testing, however, was not conducted on the site of the paved parking area immediately adjacent to the farmhouse at 55 Lazy Lane, the presence or absence of shaft features associated with the farmhouse can not be discounted. Project construction could, therefore, disturb buried historic-period features at the site of the paved parking area.

The Phase IB archaeological field testing did identify the presence of a small precontact-period archaeological site on Parcel C. Seven black chert flakes were recovered approximately 300 feet from the Wallkill River on a high terrace. The flakes were shallowly located within six inches of the surface, and no buried features such as hearths, pits, or artifact clusters were identified. Since the precontact-period site could be disturbed by construction of the proposed wastewater treatment plant, a Phase II archaeological investigation was conducted in consultation with OPRHP. As described above, the Phase II addressed the boundaries, character, stratigraphic integrity, chronology, and data content of the precontact-period site. Further, the Phase II investigation evaluated the site’s S/NR eligibility, and concluded that the site is not eligible for listing on the Registers. OPRHP reviewed the Phase II report and concurred with the recommendation that that the site is not eligible for S/NR listing. Therefore, no further

archaeological testing of Parcel C is warranted, and there would be no adverse effects to archaeological resources.

## **HISTORIC RESOURCES**

### *PROJECT SITE*

The proposed project would remove the S/NR-eligible farmhouses at 22 Eager Road and 55 Lazy Lane, and their demolition would be an adverse effect. Therefore, mitigation will be developed and implemented in consultation with OPRHP, as described more fully below.

The proposed project would also remove some of the farm buildings composing the large property at 282 Route 416. Since OPRHP has not made an eligibility determination for the structures at 282 Route 416, their removal is considered to be an adverse effect, requiring the development and implementation of mitigation. If OPRHP determines, between completion of the DEIS and FEIS, that some or all of the structures at 282 Route 416 do not meet the criteria of eligibility for S/NR listing, the determination will be included in the FEIS and the analysis of effects to historic resources will be revised, as warranted.

### *STUDY AREA*

The proposed project would not have adverse effects on four S/NR-eligible properties located within the study area, or on any of the eleven properties for which an eligibility determination has not yet been made by OPRHP. The four S/NR-eligible resources are located more than 1,000 feet from the project site, well beyond the range of potential construction-related physical effects from ground-borne construction-period vibrations or other accidental damage. The potential resource located closest to the project site is the former Grove Street District No. 5 schoolhouse, which is located along Route 416 adjacent to the proposed site of an emergency access road to the project site. To minimize potential construction effects from the road improvements that would be necessary, the proposed access road would be re-aligned to provide an adequate separation between it and the schoolhouse, and the proposed project would take special precautions against accidental damage to the schoolhouse site. None of the other potential historic resources are located close enough (within approximately 100 feet) to areas of project construction to potentially experience adverse construction-related physical effects.

It is not expected that the proposed project would have visual or contextual effects on the four S/NR-eligible resources or on any of the eleven potential historic resources for which an S/NR eligibility determination has not yet been made by OPRHP. As described more fully in Chapter 3.2, "Visual Character," the central portion of the project site where the bulk of the residential development would be located is not visible from most locations in the study area. The proposed project would not be visible in relation to the house at 301 Neelytown Road and the Neelytown East and West Cemeteries, as the project site is not currently visible from their vicinities. Similarly, the proposed project would not be visible in relation to the houses at 498 Route 416 and 194 Route 416 due to distance, topography, and intervening vegetation. Similarly, the proposed project is not expected to be visible in relation to the majority of potential historic resources. In the letter dated August 3, 2005, OPRHP requested visual simulations of views of the proposed project from the locations of 22 Eager Road, 301 Neelytown Road, 194 Route 416, and the Neelytown East and West Cemeteries. In response, Chapter 3.2, "Visual Character," including the site section renderings, was submitted to OPRHP for review. See Appendix A for correspondence.

## **Four Seasons at Hamptonburgh**

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Although the southernmost cluster of houses could be visible in the distance to the east of the Grove Street District No. 5 schoolhouse, the houses would be background objects largely obscured by intervening woodlands. In addition, creating an emergency access road from Route 416 in the approximate location of Lazy Lane would not have visual or contextual effects on the adjacent schoolhouse. It is possible that some portions of the residential development could be visible from the vicinity of the potential historic resources at 28 Eager Road, 387 Neelytown Road, and 155 Neelytown Road. From the locations of those properties, it is expected that any visible houses would be background objects largely obscured by intervening vegetation and landscape buffers provided by the proposed project, and that there would be no adverse contextual or visual effects to the potential historic resources at 28 Eager Road, 387 Neelytown Road, and 155 Neelytown Road.

The proposed project would also not affect the agrarian setting of the Route 416 corridor or any of its defining features that include historic buildings (although no such buildings are specifically identified in the Code). The residential development would be located a good distance east of the roadway, with views of it largely obscured by existing woodland and landscape buffers that would be part of the project, as more fully described in Chapter 3.2, "Visual Character." Although the proposed wastewater treatment plant would be located off Route 416, it would be partially hidden from view by landscape buffers.

## **E. MITIGATION**

### *ARCHAEOLOGICAL RESOURCES*

As described above, OPRHP has no further archaeological concerns for the project site, as written in the letter dated September 9, 2005. However, the Phase IB report recommends archaeological testing or mechanical stripping at the site of the paved parking area adjacent to the farmhouse at 55 Lazy Lane, if the proposed project would disturb that area. The need for testing, and any subsequent archaeological work at 55 Lazy Lane, including the development of mitigation, will be coordinated with OPRHP.

### *HISTORIC RESOURCES*

Demolition of the S/NR-eligible farmhouses at 22 Eager Road and 55 Lazy Lane would be an adverse effect, as would demolition of any of the structures that make up the potential historic property at 282 Route 416. Therefore, the project applicant will consult with OPRHP to develop and implement mitigation for the demolition of the historic resources on the project site. Mitigation could include documentation of the historic properties in accordance with the Historic American Buildings Survey standards, architectural salvage of significant features of the resources, or rehabilitation and reuse of one, some, or all of the historic resources. Developed in consultation with OPRHP, any mitigation measures will be summarized in the FEIS for this project.