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# MITIGATION

## Chapter Seventeen

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### 1. Introduction

This chapter will summarize mitigation measures discussed in the various chapters presented herein. This section will be used as a guide in defining potential conditions should this proposal eventually obtain approvals.

### 2. Land Use and Zoning

The applicant's proposed project, a 200 room Hotel, two level large box retail development (with 156,500 SF± on the lower level and 148,000 SF± on the upper level), a free standing bank and restaurant will not be possible without implementation of the proposed HC-1A Zone.

The proposed zone change provides the Town Board discretion deciding upon the particulars of a project. The Town Board can mitigate potential impacts since the uses are all proposed as Special Permits. The Town Board is allowed discretion in regard to Section 138-12 Performance Standards, specifically Section I & J, Ridge Line Protection and Stone walls and Section 138-15.1 A&B Grading and Disturbance; retaining walls (manufactured slopes). The Town Board can waive or modify these sections when considering the balance between public protection site disturbance area character, economic development and tax return.

Provisions in the HC-1A regulation require special attention to building design and site planting. This will mitigate the impact of larger retail development.

The implementation of the HC-1A Zone would allow the possibility of achieving the desires for economic development at the Route I-84/Route 312 interchange as expressed in the Town Comprehensive Plan and the Croton Plan.

### 3. Community Services

No specific needs were defined by members of the police, fire, or emergency service agencies. It appears present staff and equipment are capable of responding to issues at the site, if developed per the plan. No specific mitigation is required.

#### **4. Economic Conditions**

The Town of Southeast and Putnam County, like others of their kind, are facing serious economic problems in meeting ongoing budget commitments. There has been little growth in property value due to inflation or appreciation and little sales tax growth.

The poor economic conditions can, to some degree, be mitigated with the approval and construction of this project. Based on 2012 dollars, this development will generate the following property taxes:

County:	\$ 169,375
Town:	\$ 165,125
Fire District:	\$ 28,758
School District:	\$1,580,625

The County will see an annual increase in sales tax of \$6,400,000. If constructed, this development can significantly address the deficit issues now facing the Town, County and School District.

The Town has the ability to further mitigate its economic position by enacting a Hotel Room Tax, as have other towns. A room tax could generate on an annual basis, for the Town of Southeast \$264,375. Presently, the property generates \$27,423 in total property taxes. Without waivers of provisions of Sections 138-12 and 138-15.1, this site development will not be possible and economic mitigation, as herein shown, cannot happen.

The Alternatives Section has demonstrated that development under the present RC Zone or a standard HC-1 Zone will not provide the economic return proposed in the DEIS and is not within the capability of the applicant.

#### **5. Visual Resources and Community Character**

The Ridge Line Area will be disturbed for construction of the hotel. Trees will be removed and the site graded for the development.

The site visibility balloon test indicated that the site is not immediately visible from I-84 west or east bound. The hotel site is partially visible from the I-84 interchange area. The site may be partially visible from the rear yards of homes on the west side of North Brewster Road. The site will be visible from Route 312 immediately in front of the property.

The air photographs and site photographs of the environment around the property clearly

demonstrate the character of the interchange of I-84 and Route 312 is commercial retail and light industrial.

The lands to the north, south and west of the site are zoned commercial. Only two homes are adjacent to the site to the north, both homes are zoned rural commercial, EC, Economic Development. At least one of the homes is a rental property.

The site is not going to be visible from surrounding roads except for the frontage on Route 312 where immediately opposite the frontage is the previously developed Terravest Corporate Park, a commercial facility.

The most visible building will likely be the hotel. The view of the building will be mitigated by preserving a screen of existing surrounding trees on the south, east, and west sides. The building will have a first floor elevation at approximately 633. This elevation will place the roof of the hotel in the 700' to 710'. range. The architecture of the hotel blend with the development and have a traditional appeal. Screen plantings will be added to filter views.

The Site Planting Plan will add vegetation to the frontage along Route 312. The new vegetation will filter the view of parking lots. Deciduous and Coniferous trees will filter the view of the buildings but will not attempt to hide the development. Views of commercial buildings are economically important. For the Town to realize a tax return on economic development assets there must be an assumption that some views are good, particularly from the I-84 interchange area and along the site frontage with Route 312. Views generate land value and views support the business people in Town by letting the customers know where the business is located.

## **6. Cultural Resources**

The project will not impact either prehistoric or historic cultural resources. A complete site investigation was undertaken and no traces of activity were discovered; no mitigation is necessary.

## **7. Natural Resources**

Vegetation on the site will be removed. Earth will be moved on a hillside. These activities have the potential to cause significant damage to the environment if not mitigated.

As a mitigating measure, a Stormwater Pollution Prevention Plan (SWPPP) is proposed which indicates construction phasing and specifies erosion and sedimentation practices to prevent damage to the environment. It will be critical to follow the SWPPP and minimize areas of disturbance; to stabilize areas prior to starting work in additional work

phases; to maintain all erosion control devices.

During the operational phase of the development the maintenance of LID stormwater devices and maintenance of permanent stormwater basins will be necessary to mitigate pollutant loading and peak discharges from the stormwater system.

No disturbance of wetlands or watercourses is proposed. Some disturbance of variable town buffer areas is proposed. The buffer disturbance is mitigated with proper erosion controls during construction which will maintain a minimum 100' buffer to remain undisturbed. The variable width buffers appear designed to trap sediment, should there be a break in erosion barriers, before the sediment reaches a wetland – In this case, the installation of stone retaining walls as well as haybales and silt fence barriers above most variable buffers will ensure that no sediment disturbance ever reaches the wetland.

The buffer is further mitigated with a Habitat Planting Plan along the outer edge of the entire buffer. Hundreds of plants which are intended to provide cover and food to small animals will be planted.

## **8. Geology**

Earthwork will include rock removal will include blasting as a removal technique. A careful pre-blasting survey of the area will be critical to the success of the operation. The contractor will be obliged to follow all state and local codes in regard to rock removal.

The site earthwork is balanced. Rock cut on the property will be processed with a portable crusher and the rock will be used during construction as a product for road and slope stabilization. This activity will minimize offsite trucking operations and mitigate impacts on the road system and neighbors.

## **9. Water Resources and Wetlands**

No wetlands or watercourses are to be disturbed but site activities will be mitigated with erosion control measures and new extensive habitat plantings.

## **10. Sanitary Sewage and Stormwater Management**

Sewer lines will be extended from the existing, underutilized waste water treatment plant built in Phase 3 of Terravest Corporate Park.

Stormwater will be mitigated during both construction and operational periods. The

SWPPP and erosion control measures will mitigate construction phase stormwater discharge.

Operation methods to mitigate stormwater impacts may include: LID techniques of rain gardens and for porous paving. Stormwater basins will capture, treat and detain storm flows.

## **11. Traffic and Transportation**

The development of the property as proposed will generate additional traffic and cause congestion and delay on the existing road network unless mitigated. The following actions are proposed to mitigate traffic generation impacts:

1. Additional travel lanes and modified traffic signal at the proposed project entry opposite the Route I-84 west bound ramp.
2. Improved traffic signal at the Route 312 and I-84 east bound lanes.
3. New traffic signal on Independent Way at the intersection of the Home Depot driveway and Applebee's driveway.
4. Lane modifications and signal modification at the intersection of Route 312 and Route 6.
5. Improved traffic signal at the intersection of Route 312 and International Boulevard.
6. New traffic signal at the project proposed north entry/exit point on Route 312.
7. New traffic signal at Brewster North Road and Route 312 intersection.

The improvements will not only maintain traffic flows by mitigating the impact of the new development, but will also improve existing problems.

## **12. Infrastructure and Energy**

The development will require roadway infrastructure mitigation as described immediately above.

NYSE&G, the utility provider of gas and electric, has indicated that adequate capacity exists in the system to serve the needs of the development; No mitigation is necessary.

### **13. Air Quality**

During construction air quality issues related to dust and vehicular emissions will be mitigated. Mitigation for dust emissions will include minimizing exposed areas and watering surfaces. Construction vehicle emissions would be mitigated through proper tuning of engines. No mitigation is required during operation of the facility.

### **14. Noise**

The site evaluation for noise created during construction and during operation including vehicle noise, mechanical equipment noise and loading dock/service noise suggest there will be no impact to surrounding properties.

Other than tuning construction equipment engines, specific mitigation measures are not required.

### **15. Construction**

Mitigation to minimize impacts would include:

- Construction activity must follow the SWPPP
- Erosion control measures must be installed and maintained
- Earthwork must be phased in small areas.
- Rock removal via blasting must follow all regulatory protocols
- Sections of the site must be finally stabilized as complete, not waiting for the end of the project.