

FINDINGS STATEMENT

State Environmental Quality Review Act (SEQR)

6 NYCRR Part 617.11

This Findings Statement is issued pursuant to Article 8 of the New York Environmental Conservation Law - the State Environmental Quality Review Act (SEQR), and its implementing regulations at 6 N.Y.C.R.R. Part 617. The Town of Warwick Planning Board, as Lead Agency, makes the following findings:

- Name of Action:** World Headquarters of Jehovah's Witnesses
- Description of Action:** Development of a campus of buildings on approximately 45 acres of a total 253-acre site in the Sterling Forest area of the Town. The purpose of the development is to relocate the World Headquarters of the Watchtower Bible and Tract Society of New York, Inc. from Brooklyn, NY to the site of the former International Nickel Company, which closed and has been vacant for more than two decades. The proposal includes an administration offices building, services building with kitchen, laundry, storage and infirmary; four residential buildings housing 588 one- and two-bedroom units for approximately 1,000 residents; a vehicle maintenance building; a waste separation facility; a powerhouse/maintenance building, and a recreational facility. The majority of parking is proposed to be within attached underground parking structures.
- Location:** The proposed development is located at 1 Kings Drive, Tuxedo, New York 10987-5500 (Postal address) in the Town of Warwick, Orange County, New York. The parcels are identified as Tax Map Section No. 85, Tax ID Numbers 85-1-2.22, 85-1-2.3, 85-1-4.1, 85-1-4.2, 85-1-5.1, 85-1-5.2, 85-1-6.
- Lead Agency:** Town of Warwick Planning Board
Warwick Town Hall
132 Kings Highway
Warwick, NY 10990
Contact: Benjamin Astorino, Chairman
Phone: (845) 986-1127
- Agency Jurisdiction:** The Town of Warwick Planning Board, as Lead Agency, has been authorized to issue Site Plan Approval and Special Use Permits in accordance with §§ 274-a and 274-b of New York State Town Law

and Article IV, Chapter 164, § 164-46 of the Town of Warwick Zoning Law.

SEQR Classification: Type 1
Date Final EIS Filed:¹ July 3, 2012
Date Findings Adopted: August 1, 2012

I. INTRODUCTION

A. Development Concept

Watchtower Bible and Tract Society of New York, Inc. (the “Applicant” or “Project Sponsor”) proposes to locate the World Headquarters of Jehovah's Witnesses to the Project Site. The proposed religious administrative campus will be comprised of approximately eight buildings along with several accessory site structures constructed on approximately 45 acres of the 253-acre site. The proposed project is intended to relocate the offices of the Governing Body of Jehovah’s Witnesses and various supporting departments and committees to a rural setting in closer proximity to the Project Sponsor’s two existing Upstate New York facilities in the towns of Pawling and Shawangunk. The proposed project is to be an integrated working and living facility, initially for approximately 850 members of the Worldwide Order, with sufficient construction planned to allow this number to eventually grow to 1,000. These individuals will work and live on-site. For this reason, virtually no commuter traffic will be generated by the proposed project.

The project will disturb approximately 45 acres (18 percent) of the total 253 acres with a total impervious area of about 13 acres. The development will be largely contained within the area previously developed by International Nickel Company (INCO), the prior user of the site. The existing main entrance road will be reused as the proposed main entrance road with minor realignment and functional enhancements. To monitor admission to the site, a manned gatehouse and an entrance gate will be positioned inside the property line to accommodate deliveries and visitors. A second site entranceway southeast of the existing entrance will be created as required by the Town Code. This will also provide operational flexibility.

The main building complex will be in the area of the present development constructed by INCO (see below for prior procedural history). The site is constrained between Blue Lake on the north, an Orange & Rockland electrical easement on the south, and the property boundaries on the east and west. The proposed complex is laid out with a main circulation spine bounded on either side by the proposed buildings. As proposed, the new buildings will consist of a total footprint of approximately 360,000 square feet. The maximum height of any building will be 60 feet.

¹ Date of Notice of Completion of Final EIS published in the New York State Environmental Notice Bulletin.

Structures have been sited to provide a sufficient distance between the buildings to appear as separate edifices. Attention has been given to providing a balance of massing harmonious to the eye. In addition, several techniques are employed to visually break the massing of the larger buildings. These techniques include “U-shaped” structures around large courtyards, varied planes of building façades and building heights, interrupting large façades with projecting porches, recessed wings or columns, and different fenestration sizes, types, and patterns. These measures will be complemented by the use of exterior finish materials of natural stone and masonry with varying shades and textures.

Outdoor recreation facilities, to be located southeast of the proposed buildings, consist of two tennis courts, a basketball court, and two sand volleyball courts of regulation size. In order to reduce the overall impervious area and visual impact, roads were kept to a minimum and surface parking was replaced by enclosed parking garages providing for 85 percent of the needed parking requirements.

The following buildings are proposed:

Administration Offices/Services Building

- This structure comprises three joined buildings. An office building will have a basement and three stories, which will average 56 feet in height with 210,000 square feet of total building area. This building will be set into the trees on all sides except for the south side which faces the main entry.
- A public entry lobby, which includes a Visitor Center and connects to an auditorium seating 1,100 persons, consists of a basement and two-story atrium space. The building is 32-to-46 feet in height with 40,200 square feet of total building area.
- A services building houses the kitchen, dining room and laundry spaces along with other support spaces. This building ranges from 46 to 60 feet in height with 206,000 square feet of total building area and is made up of a basement with three floors. Included in the basement is 11,000 square feet for parking.

Residence Buildings

- Four residence buildings 30 to 58 feet in height with 494,000 square feet of total building area. The buildings generally have a basement with four floors above and contain a total of 588 residence rooms and support spaces. The residence rooms are studio or one-bedroom units ranging from 350 square feet to 600 square feet including a kitchenette and private bathroom.

Maintenance Building/Resident Parking

- A maintenance and resident parking building with basement, varying from 15 to 52 feet in height with 427,000 square feet of total building area. 280,000 square feet of this space is

for parking. Also included in the building footprint are the Powerhouse and recreational facilities.

Vehicle Maintenance Building

- A maintenance building will be located between the main entrance road and the Orange & Rockland electric easement and will be 30 to 46 feet in height with 35,000 square feet of total building area. The building consists of a basement with one or two floors above.
- Visitor Parking
- A three-level partially enclosed below-ground parking garage with 240 parking spaces for visitors and 92,200 square feet of total building area.

Accessory Buildings

- Several small outbuildings, totaling less than 8,000 square feet, will be distributed within the general development area for recreation, waste separation, visitor conveniences, and maintenance areas.

Since the administration offices/services building will be open to the public for guided tours, this building has been developed nearer to the main entry. The main loading docks are also developed near the main entrance to reduce vehicular traffic at the residential and recreational areas of the site, but are hidden from general public view. The residence buildings are located further from the main entrance in the more secluded and private area of the site. All major buildings are designed to take maximum advantage of lake views while minimizing the visual impact from areas outside of the site.

All of the proposed uses comply with existing zoning since places of worship, convents and monasteries, offices, and vehicle repair uses are allowed by Special Use Permit. Although the initial move-in is proposed to have 500 dwelling units for a population of 850 persons, future expansion possibilities for a maximum of 588 dwelling units serving a population of 1,000 persons will be built-in as part of the initial construction. The additional dwelling units are needed for residents' guests and for turnover accommodations to allow for maintenance and upgrade of the units on an ongoing basis. The project is being designed in this manner in order to maintain the unified and compact nature of the proposal and to avoid future construction activities in the midst of a functioning site. No further expansion is planned beyond what is proposed as part of the present application and the remainder of the site (i.e. 208 acres or 82 percent of the site) is proposed to remain in its natural condition.

The Project Sponsor has proposed that the new residences, office, service and maintenance buildings will be designed to accepted sustainability standards. The goal of the Project Sponsor is to achieve a three Green Globes™ award level in sustainable design through the Green Globes™ System. This roughly corresponds to a "LEED® Green Building Rating System™ Gold award level. According to the Green Globes website at <http://www.thegbi.org>, the Green Globes™

system is a voluntary, consensus-based national rating system developed by the not-for-profit organization, Green Building Initiative (GBI).

B. Procedural History and SEQR Review

The Town of Warwick Planning Board (the “Planning Board”), as SEQR lead agency, has conducted a site specific environmental review of the proposed Project. This document is the lead agency’s Findings Statement required pursuant to 6 N.Y.C.R.R. § 617.11.

The main portion of the property consists of a 168-acre tract formerly sold by the Sterling Forest Corporation to the International Nickel Company (INCO). After years of use as metallurgical laboratories and a pilot alloying facility by INCO, the site was sold to Lynmark Development Associates, which proposed development of a residential subdivision (known as the Blue Lakes Subdivision). A Findings Statement was issued by the Warwick Town Planning Board as Lead Agency on November 15, 1989, for a 150-lot residential subdivision. In July 1991, the site was purchased by King’s College and on January 5, 2000, site plan approval was given for a 1,500-person college of approximately 706,000 square feet. Under the approved King’s College site plan, approximately 102 acres (61 percent) were to be disturbed. Of the 102 acres, 26 percent of the disturbed area was on slopes of 15 to 25 percent, and 5 percent was on slopes of 25 percent or greater. The development proposed blasting of approximately 50,000 cubic yards of rock. The plans, though approved, were not acted upon.

Touro College purchased the property in 2004 along with an additional 50 acres of property northeast of Long Meadow Road. However, no formal application was submitted for use of the INCO parcels by Touro College. On July 17, 2009, the entire 253 acre property was purchased by the Watchtower Bible and Tract Society of New York, Inc. for use as the World Headquarters of Jehovah’s Witnesses. The subject property has now been under SEQR review on three occasions including the present Project Sponsor action. The only physical result of the prior applications has been an upgrade of the Blue Lake Wastewater Treatment Plant (Blue Lake STP) to accommodate the prior King’s College proposal.

C. Site Characteristics

The property includes two parcels northeast and five parcels southwest of Long Meadow Road. An access easement also exists to permit United Water to access their storage tank above the property and their water pipes that traverse the property along the Lake. Lot #2.22 (13.2 acres) and #2.3 (36.9 acres) northeast of Long Meadow Road are contiguous wooded lots, although bisected by the Orange & Rockland Utilities, Inc., easement (“O & R Easement”). The 203 acres southwest of Long Meadow Road are made up of five lots as follows: Lot 1-6 (34.4 acres) consists of woodlands bordering Long Meadow Road to the north and Blue Lake (a.k.a. Sterling Forest Lake) to the southwest. Lot #4.1 (2.8 acres) houses the former INCO sewage treatment plant. Lot #4.2 (2.5 acres) is the proposed road. Lot #5.2 (24.7 acres) is a mixed wooded and developed parcel bordering

Blue Lake to the west and the Rockland and Orange Utilities, Inc., easement. This is the principal location of the former INCO complex. Lot #5.1 (138.6 acres) lies east of the easement and is woodlands, the southern portion of which falls mostly within the Town's Ridgeline Overlay District. As part of the proposed project, the Applicant has requested a tax lot merger for tax lots 1-6, 4.1, 4.2, 5.1, and 5.2.

There are numerous easements on the property, the most significant of which is a 100-foot-wide O & R easement that contains a utility substation and overhead electric wires. Orange & Rockland has proposed replacing the utility substation with a new state of the art substation that will add reliability to electric service for the World Headquarters complex and surrounding residential areas. The replacement project will also remove a potential source of contamination from aging substation equipment. The Project Sponsor has proposed undergrounding some of the overhead utility lines, a beneficial effect to surrounding aesthetic resources including Blue Lake and Sterling Forest State Park. A right-of-way also exists along the course of the former Sterling Mine railroad siding.

D. Project Information

1. Zoning

The zoning designation for the entire site is LC (Land Conservation). Under this designation privately held lands are to be considered as OI or CO to determine allowable uses. Portions of the property are subject to Ridgeline Overlay (elevations over 700 feet) and Biodiversity Conservation Overlay (currently undisturbed areas) District regulations. As-of-right uses include single-family residences and commercial agricultural operations. Uses that are allowable with a Special Use Permit from the Planning Board include migrant worker dormitories, farm markets and retail establishments, processing agricultural materials, storage and sale of agricultural products, animal hospitals, commercial recreation, warehouses, offices, commercial garages, commercial lumbering and sawmill operations, dog kennels, eating and drinking establishments, mines, hotels/motels, health resorts, light manufacturing, motor vehicle sales, repair and cleaning, research and design, service establishments, membership clubs, camps, community recreation, golf courses, institutions of higher learning, nursery schools, outdoor amusement establishments, places of worship, schools, convents and monasteries.

2. Water and Sewer Systems

Water and sewer services to the site are to be provided by United Water's facilities which occupy adjacent parcels. In their "Willingness to Serve" letter, United Water stated that 147,000 gallons per day (gpd) can be made available for the Project Sponsor's proposed use. United Water has a State Water Taking Permit for withdrawal from Blue Lake for 500,000 gpd. The rated capacity of the existing water plant is 650,000 gpd. The average daily demand on the plant is 119,000 gpd and maximum daily demand is 188,000 gpd. The plant presently supplies IBM, the Blue Lake STP, and Woodlands Development in addition to the Project Sponsor's property.

Water consumption in the offices is anticipated to be less than 10 gallons per square foot per year, achieving the highest Green Globes™ points in this category. The residences will have a lower-than-normal consumption through the use of low-flush toilets, water-saving or no-water urinals, water-saving faucets and shower heads, and other water conserving appliances and equipment.

Wastewater is to be handled by the Blue Lake STP, which was upgraded in 2002 to a 150,000-gpd plant with tertiary treatment (SPDES Permit dated November 6, 2002). At present, the nearby IBM facility is the only user of this plant. United Water South County Sewer has confirmed that the proposed site has a maximum allotment of 130,000 gallons per day of available treatment capacity. However, a maximum average of 80,000 per day will be discharged due to the conservation measures proposed by the Project Sponsor.

3. Landscaping and Lighting

Clearing of existing vegetation around the site will be minimized. However, currently open areas including areas along the existing utility line easement, dam, and along Blue Lake will be maintained in an open unwooded character in order to maintain habitat for species that prefer this type of ecological community. The site's remaining landscaping will be designed to be appropriate to the site's location in a wooded area. Small ornamental planting areas and small retaining walls will make generous use of on-site boulders and stone. Any large retaining walls will be supplemented with green walls. No large lawn areas are planned. Only native plant species will be used for planting areas. The total impervious area will be limited to approximately 13 acres. The use of vegetated roofs will decrease the impervious area of the site by approximately 3.5 acres. Where heavy traffic is not anticipated, pervious paving, as defined by the 2010 *New York State Stormwater Management Design Manual* will be used.

Site lighting is proposed to use full cut-off fixtures for roadways and parking, pedestrian walkways and spaces, service areas, building entrances, main site entrance, and the outdoor recreation area. The site entrance will continue to be provided with street lighting. The proposed entry sign will use reflective lettering but no lighting. The proposed lights will be consistent with similar lighting at the Woodlands, IBM, and United Water's area facilities in the surrounding area.

E. Required Permits, Approvals and Reviews by Other Agencies

The following agencies are Involved Agencies under SEQRA, and have approval authority over various aspects of the proposed action. The environmental impacts of each resource issue is discussed, mitigation or avoidance is presented, concluding with a determination of the Planning Board's Findings on the issues:

Town of Warwick Planning Board: Site Plan and Special Use Permit Approvals

Town of Warwick Building Department: Demolition Permit, Blasting Permit, Building Permits

Town of Warwick Architectural Review Board: Review of architectural drawings

Orange County Department of Public Works: Approval of Water, Sewer, Road Access,

New York State Department of Environmental Conservation: SWPPP conformance with SPDES General Permit, MS4 Acceptance Form, 401 Water Quality Certification, Air Facility Registration, Petroleum Bulk Storage Registration, and Protection of Waters Permit.

Orange County Department of Planning was referred the application for review pursuant to Section 239 of the New York State General Municipal Law

Federal compliance is required under several Nationwide Permits (NWP) from the US Army Corps of Engineers including NWP 3 (Maintenance), NWP 12 (Utility Line Activities), NWP-13 (Bank Stabilization), NWP 33 (Temporary Construction, Access and Dewatering), and NWP 39 (Commercial and Institutional Developments).

II. IMPACTS, MITIGATION MEASURES AND SPECIFIC FINDINGS:

The DEIS and FEIS included an environmental evaluation of the following resource issues:

- Geology, Topography and Soils
- Water Resources
- Air Resources
- Terrestrial and Aquatic Ecology
- Traffic and Transportation
- Community Services and Facilities
- Infrastructure and Utilities
- Fiscal Resources
- Visual Character
- Cultural, Historic and Archaeological Resources

A. Geology, Soils and Topography

Impacts to the geology, soils and topography of the Project site will occur because approximately 45 acres, or 18 %, of the site must be graded to accommodate the Project. Potential impacts and proposed mitigation is summarized as follows:

Geology

The soil study performed by the applicant indicates that there is a predominance of boulders and moderately to severely weathered rock below the surface at the proposed building site. The construction of the proposed buildings with subsurface parking will require significant excavation that may encounter this subsurface geology. As such the majority of rock removal during excavation should be able to be performed primarily by normal excavation methods including the ripping of weathered rock. However, it is anticipated that some blasting may be necessary. If blasting is necessary the potential noise, dust, and vibration impacts produced by blasting operations will be mitigated by implementation of a blasting plan that conforms to State and local codes. Licensed personnel will perform blasting in a manner that protects existing structures and nearby property owners will be notified in accordance with Town of Warwick requirements.

The prudent selection of building types, building location and designs will minimize the need for rock removal. Where bedrock is known to be present, its elevation has been factored into the design of the site. The intent of the development is to reuse excavated rock on site. In order to accomplish this rock crushing is planned. To limit noise and vibration impacts on adjacent recreational areas, rock crushing equipment will be located centrally. Hours of crushing will be restricted to daytime hours of 8:00 AM to 4:00 PM Monday through Friday.

Reusing material excavated on the site will significantly reduce the need to bring additional materials and trucks onto the site, thereby decreasing noise levels, truck traffic, and air emissions during the early phases of construction. A color-coded cut-and-fill analysis has been prepared and reviewed by the Planning Board engineer. The analysis is broken down per construction phase. Construction truck traffic associated with trucking materials to and from the site is estimated to be between 30 and 50 trips per day for approximately three and one-half years. Truck traffic will be present for approximately three to four years and will include dump trucks removing excess site material, along with semi-flatbed and box trucks transporting construction materials.

The Applicant has contracted with Clough Harbor Associates (CHA) Engineering to identify further opportunities to re-use excavated fill. It is believed that the additional refinement of the cut and fill analysis will result in a further reduction in the amount of spoils taken off site as well as the amount of structural fill that will be brought to the site.

Blasting and rock crushing work will be completed on a continuous basis to minimize the length of time it will take, and thus minimize the impact on neighboring structures and passive recreational use of the surrounding parklands. The blasting will be done under strictly controlled conditions. The direction of the force will be controlled by the actual design of the blasting procedure. All blasting activity is regulated by the following agencies:

Occupational Safety & Health Administration (OSHA) 29CFS 1910.109.

US Department of Interior—Bureau of Mines.

NYS Department of Labor—Division of Safety and Health.

Town of Warwick—Town Clerk issues permit.

Prior to conducting blasting, the depth to be blasted will be determined by soil borings. This information will be used to establish a blasting plan based on final grade for the area. As part of the site plan application, a blasting plan will be drawn by a licensed blaster, an application completed and submitted to the Town of Warwick for approval. In addition to the approved blasting plan, a professional firm that specializes in blasting and vibration monitoring will conduct a Pre-blast Survey. This Survey involves a detailed inspection of the interior and exterior of all buildings within 200 feet of the limits of the blasting, if any. Permission to enter upon lands of adjacent property will be obtained as necessary.

Soils

All of the disturbance proposed on the site will be proposed over Swartswood and Mardin very stony sloping soils. It is anticipated that seasonal high groundwater may be encountered during site construction depending upon the ultimate location and depth of the proposed structures. The Project Sponsor will ensure that dry conditions are maintained so that foundation construction may be completed in the dry. Dewatering methods will be employed including the use of sumps and pumps, diversion and drainage ditches, toe drains and other similar methods.

The subgrade beneath the proposed structures, backfill behind building foundations, and backfill behind basement walls will be maintained in dry conditions at all times to prevent wet slabs, cracking, and heaving. A *drainage* system will be designed to adequately reduce hydrostatic pressure behind basement walls and maintain the groundwater level six inches below basement floors.

Drain tile with crushed stone or gravel backfill will be placed adjacent to exterior footings at an elevation below floor slabs. Crushed stone or gravel backfill shall extend a minimum of 12 inches around the drain tile. Drain tile will also be placed beneath floor slabs in the crushed stone subbase. All drain tiles will be connected to a storm sewer, day lighted at a lower elevation, or lead to a sump-equipped with duplex pumps. Surface runoff will be diverted away from excavations during construction.

An Environmental Site Assessment (ESA) conducted on the site indicated a number of areas of concern including former underground storage tanks, potential subsurface contamination due to waste sewerage piping, potential subsurface contamination due to filter sand beds from the sewage treatment plant in a nearby wooded area, the sewage treatment plant, a former drum storage area and potential subsurface contamination due to historic operations at the former INCO facility. There are four areas of potential soil contamination contamination that are identified on the site. Each of these four areas will be remediated prior to the start of site construction.

CHA soil investigations indicate that the on-site soils are suitable for supporting the proposed site development on shallow spread foundations. Because the depth to bedrock differs across the site and because bedrock has a much higher bearing capacity (recommended up to 10 tons per square foot) than the sand and glacial till (recommended up to 3 tons per square foot), the proposed site buildings will require design specific to their location on the site, including consideration of the potential for differential settlement for some buildings. With proper design, CHA believes that differential settlement may be kept to less than one inch among footings. On-site soils are adequate for reuse as subgrade fill with proper compaction.

Because of the complexity of on-site soils, a qualified geotechnical engineer will be onsite during excavation for foundations to ensure that all existing fill soils are removed beneath planned footings. The geotechnical engineer will carefully inspect final excavation surfaces for foundations and floor slabs to ensure that the subgrade has been properly prepared and is consistent with design recommendations.

Topography

Overall, the site will be designed to blend and adapt to the existing topography. However, to accomplish this along with the goal of reducing site disturbance, the Project Sponsor is proposing significant grading for the installation of parking structures, basements, footings and foundations.

Static-load bearing basement walls and retaining walls will be required to accomplish the site design. According to the geotechnical investigation, such walls can be accomplished with incorporation of proper drainage methods as detailed in the DEIS.

Finding: The Planning Board finds that, although there will be impacts to the geology, soils and topography that are inherent in the construction of the proposed Project, impacts from construction will be temporary and will be minimized by implementation of limitations on site disturbance, compliance with the detailed Stormwater Pollution Prevention Plan for the Project, and with the Blasting requirements of the Town of Warwick, State of New York and Federal government. Further, areas of contaminated soils on the site will be remediated in accordance with 6 NYCRR Part 360 prior to the start of construction activity.

B. Water Resources

Groundwater

It is not anticipated that the proposed project will have a significant impact on the quantity or quality of groundwater resources. The increase of impervious areas after construction is complete will have some impact on groundwater recharge, but no effect on water quality is anticipated due to the stormwater management system, which will be designed in accordance with the proposed Project's Stormwater Pollution Prevention Plan (SWPPP).

The Project Sponsor will take an integrated approach to pest management/removal and the use of organic fertilizer on landscaped areas of the site. Bulk storage of petroleum products or other chemicals in underground tanks is not proposed. Therefore, there will be no potential impact on groundwater from chemical storage or usage.

Although impacts to groundwater are expected to be minimal, mitigation measures include maintenance of permeable areas and existing vegetation where possible, best management practices for the application of landscape upkeep substances, location and design of the wastewater and stormwater treatment facilities, and conservation of water usage. A combination of underground snow-melt systems and use of coarse sand will minimize the need for salt in dealing with sidewalk and roadway snow. Any salt storage needed will be covered. The underground snow-melt system proposed will be a hydronic system consisting of flexible tubing imbedded in the concrete pavement or below the interlocking pavers. The flexible tubing is filled with a mix of hot water and ethylene or propylene glycol in a closed loop that warms the pavement before or during a snow event.

Curbing will not be used on roadways in general since low-impact design is being used. In areas where curbing is required on streets and parking areas it will channel stormwater runoff and snowmelt into green infrastructure practices and standard stormwater practices. The methods implemented to handle stormwater are designed to facilitate groundwater recharge. Site maintenance personnel will periodically clean these structures to prevent sediment build-up.

Surface Water

The potential adverse environmental impacts to water resources associated with the proposed project include increased stormwater runoff volume from new impervious areas, increased runoff rates due to shorter travel of runoff through pipes and compacted soils, and decreased groundwater recharge. The project will avoid causing potential impacts to surface waters and wetlands by not directly disturbing wetlands, Blue Lake, or streams. More specifically, no water body or wetland fill, excavation, or clearing is proposed that will not be covered by a Nationwide Permit. In addition, there will be no stream disturbance, either temporary or permanent.

While the proposed impacts associated with the new impervious surfaces and change in land use will increase the peak flow rate and decrease water quality, strictly adhering to the requirements of the New York State and Town of Warwick stormwater regulations in the implementation of mitigation measures will reduce the rate to pre-existing conditions and improve water quality thereby eliminating potential impacts to surface water quality or aquatic habitats.

Several stormwater management practices, including green infrastructure practices and standard stormwater management practices, will be implemented and have been designed for the proposed project using the 2010 New York State Stormwater Management Design Manual (NYSSMDM). These stormwater management measures will provide attenuation of the runoff flow rate, prevent downstream erosion and sedimentation, and reduce concentrations of pollutants in stormwater runoff, thus, avoiding adverse impacts to Blue Lake, unnamed tributaries to the Ringwood River, and wetlands. By adhering to the stormwater management guidelines contained in these

regulations, the proposed project will not result in adverse changes to the water quality or quantity of on-site and off-site streams and wetlands.

Green infrastructure practices include sheet flow to riparian buffers, disconnection of rooftops, green roofs, stormwater planters and pervious pavers to provide water quality treatment for the proposed impervious areas. These practices will remove stormwater pollutants, including sediment, nutrients, and oxygen-demanding constituents, thus preventing adverse changes to runoff water quality leaving the Project Site.

Pollution control during construction includes a complete Erosion and Sediment Control Plan, (included within the SWPPP), to minimize impacts during construction. The Plan will include the use of silt fencing, temporary sedimentation basins, seeding and mulching, and project phasing during the construction period. Post-construction inspection and maintenance will include a long-term inspection and maintenance program to ensure the proper functioning of the stormwater management system. The program will be carried out fully by the Project Sponsor. A detailed checklist inspection and maintenance for each stormwater management practice is included in the SWPPP.

The Applicant will implement several provisions to prevent industrial stormwater from being discharged from a proposed temporary concrete plant. These include covering the aggregate storage areas and grading away from these locations. Use of a dust-collector and regular housekeeping around the bins and concrete plant will also prevent sediments from entering the stormwater system. Additionally, the concrete truck wash water will be recycled in a closed-loop system and the excess water will be removed by an approved hauler to an approved disposal location. These provisions will be included in the construction documents for the project. All floor drains from the vehicle maintenance shop floor will be tied into a separate collection tank for removal by an approved hauler to an approved disposal location.

The Blue Lake dam, constructed more than 50 years ago, requires what is considered “ordinary maintenance,” as defined by 6 NYCRR Part 608.1, and does not require a permit. However, “repairs” to the dam, as defined by 6 NYCRR Part 608.1, require a permit from the DEC. The Applicant is working with a dam safety engineer to determine whether repairs are needed. The Applicant will submit the required documentation to DEC prior to making repairs to the dam and will secure a permit if necessary.

Finding: The Planning Board finds that impacts to water resources will be appropriately minimized or avoided by the Project’s design and operation which avoids disturbance to wetlands to the greatest extent practicable, extensive physical and operational mitigation measures for the Project which protect water resources, and implementation of the Stormwater Prevention and Pollution Plan in accordance with the New York State SPDES General Permit for Stormwater Discharges from Construction Activity as well as the Town of Warwick Stormwater Management regulations embodied in § 164-47.10 of the Zoning Law.

C. Air Resources

Air quality impacts due to vehicular traffic associated with the Project Sponsor's proposed project were evaluated for the year 2015 using the MOBILE 6.2 and CAL3QHC computer modeling software packages. One scenario evaluated air quality impacts if the project was not constructed (2015 No-Build); while a second scenario included the full build-out of the project (2015 Build). Thus, the 2015 Build scenario demonstrates the influence that the project will have on projected air quality conditions. None of the results exceeded the State's Ambient Air Quality Standards, which are for Carbon Monoxide, Lead, Nitrogen Dioxide, Particulate Matter (PM_{2.5}) Ozone and Sulfur Dioxide.

Geothermal and combustion-based heating options are both being considered for the project. If a combustion-based heating plant is used exclusively, the combined heat input of the boilers will be approximately 1,450 boiler hp or 48.5-million Btu/hr. It is anticipated that the geothermal heating option will be capable of supplying only a small portion of the overall heating capacity required for the site. Therefore, a boiler system will still be used in conjunction with the geothermal system. The boiler system under this option could be between 1,150 and 1,350 boiler hp. Thus, emissions under the geothermal option will not exceed those anticipated under the combustion-based heating option.

If geothermal wells are used, they will be less than 500 feet in depth and will be part of the closed-loop system. A Mined Land Reclamation Permit from the State will not be required; neither will registration or certification of the geothermal system.

Facilities with a heat input exceeding 10-million Btu/hr are required to be registered by NYSDEC. The Project Sponsor currently operates two other facilities that are registered with the NYSDEC. Emissions at these facilities are capped by rule in accordance with 6 NYCRR 201-7.3, which stipulates that emissions cannot exceed 50 percent of the major stationary source thresholds for regulated air pollutants. It is expected that the proposed facility will also have its emissions capped by the same rule.

Construction of the project is expected to last approximately 60 months. Cut-and-fill activities will be completed during the first 30 months and will require the use of heavy equipment, which will result in a temporary increase in pollutant emissions during that time. Dust generated during site clearing, excavation, demolition, and grading activities will largely be limited to the first 30 months of the construction. The site is not in close proximity to public receptors; thus, the risk to public health is minimal.

In 2008 a licensed asbestos handling contractor was retained to remove asbestos from the existing on-site building, which has been or will be demolished as part of this project. The asbestos in the building was fully remediated as per NYSDEC standards. The use of asbestos containing materials was largely discontinued beginning in the 1970s; however, the parcel was developed in the 1950's prior to the ban of some asbestos containing construction materials. Therefore, the potential exists for encountering additional asbestos on the property in locations other than the existing building (e.g., in the underground utilities or at the non-operational wastewater treatment plant).

If additional asbestos is encountered at the site, the Project Sponsor will take appropriate measures consistent with New York State Departments of Health (DOH), Labor (DOL) and Environmental Conservation (DEC) for asbestos abatement and removal.

The U.S. Environmental Protection Agency (EPA) sets an Action Level for radon mitigation at 4.0 picocuries per liter (pCi/l). In 1991, the existing on-site building was monitored for the presence of radon at five worst-case locations. The readings ranged between 0.6 and 0.9 pCi/l, which are below the actionable level of 4.0 pCi/l. The presence of radon is typically less prevalent in large commercial buildings than it is in residences due to the use of HVAC systems that prevent radon gas from accumulating in the building. Although the presence of radon gas is currently not a concern, it cannot be ruled out for future buildings to be constructed on the site. Therefore, monitoring for the presence of radon will be undertaken by the Project Sponsor and if warranted, mitigation will be implemented as described below.

Unavoidable adverse air quality impacts include an increase in emissions and fugitive dust generation during construction and emissions from the heating plant. Mitigation measures to minimize these emissions are discussed below.

- Vehicular emissions resulting from traffic generated by the project are not anticipated to impact air quality; hence, mitigation measures are not necessary for vehicular traffic.
- Heating plant emissions at an existing similar facility operated by the Project Sponsor do not exceed state limits. However, to minimize air quality impacts, the Project Sponsor will use fuel oil with a maximum sulfur content of 0.5 percent by weight, which will further reduce the sulfur dioxide emitted by the heating plant.
- Construction-related air quality impacts will largely be confined to the first 30 months of construction activity and generally will not be in proximity to public receptors. Best construction management practices (BMPs) will be employed to reduce soil erosion and possible sources of fugitive dust. This includes but is not limited to the daily use of water/spray trucks in dry periods, anti-tracking pads at construction entrances and installation of erosion and sediment controls per the SWPPP. Additionally, ultra-low sulfur fuel will be used in diesel equipment, thus further minimizing air quality impacts due to heavy construction equipment.
- If encountered on-site, asbestos will be abated by a licensed asbestos contractor. The qualified contractor will use personal protective equipment such as respirators, protective clothing, and eye protection to guard against exposure to asbestos. Proper work procedures will be employed such as erecting barricades, placing signs around the affected area and isolating the work area using polyethylene sheeting. Wetting of asbestos containing materials and the use of HEPA filters in vacuums will also be used during removal and clean up. Asbestos will be disposed of in accordance with 6 NYCRR Part 364.
- Radon monitoring will be conducted and mitigation will be implemented using guidelines set forth by the EPA and in the American Society of Heating, Refrigeration, and Air-Conditioning Engineers (ASHRAE) Indoor Air Quality Guide. Mitigation includes the

installation of a venting pipe from below the foundation to outside of the building; use of impermeable membranes to prevent radon gas from entering the building; and sealing openings and cracks in the foundation and around the perimeter of the structure.

Finding: The Planning Board finds that any impacts to air quality from construction activities will be temporary and intermittent. Mitigation measures have been identified which will minimize those temporary impacts to the maximum extent practicable. No ambient air quality impacts are anticipated as a result of the vehicle traffic generated by the Project when it is built and occupied nor as a result of heating plant emissions.

D. Terrestrial and Aquatic Ecology

The proposed project intends to locate predominantly within recently previously disturbed areas surrounding the existing INCO building. These areas have already to some extent adapted to human disturbance subsequent to site grading, installation of utility infrastructure, construction of the building and human occupancy of the areas. Although the INCO building itself has been vacant for several years, human occupancy of the area has been maintained periodically through the servicing of utility infrastructure present on the site. Although previously disturbed, the area closest to Blue Lake will be protected by maintenance of a buffer of at least 75 feet. The maintenance of this upland buffer will not only decrease the likelihood of impacts to aquatic species, but also to any waterfowl that may be using the lake and its shores as habitat.

Two previously undisturbed areas are proposed for disturbance. These areas coincide with the proposed Vehicle Maintenance Building and Resident Recreation/Picnic area. Disturbance associated with the latter will be limited to site grading and installation of three minor recreation, storage and convenience buildings. The graded area will be used for installation of court sport areas, such as basketball, tennis and volleyball. Project implementation will require the disturbance of approximately 16 to 17 acres of forest habitat.

The newly disturbed areas are within close proximity to previously disturbed areas associated with the INCO building, Long Meadow Road (CR-84) and the Orange & Rockland utility right-of-way. They are in areas of the predominant eastern deciduous hardwood forest and transects in these areas did not indicate any unique vegetation.

The proposed development will retain well over 80 percent of the forested land in its natural state thereby providing nesting habitats for a variety of wildlife species. In addition, off-road recreational vehicles and hunting will be prohibited on the site.

No impacts to protected species are anticipated with the exception of Hyssop Skullcap and possibly Timber Rattlesnakes. No dens are known to occur on the site and no habitat is found in the areas proposed for disturbance but the presence of Timber Rattlesnakes in nearby areas means that some foraging may occasionally occur on the site.

The project involves some disturbance to the power-line right-of-way, particularly for the installation of berms necessary for stormwater management, for possible undergrounding of the high-voltage power lines, and partially for installation of a roadway to the recreational fields and vehicle maintenance building. Identified threats to Hyssop Skullcap indicated on the New York Natural Heritage Program Guide for this species includes succession of meadow and grassland to woody plants and potential deer browsing. The activities of the Project Sponsor near the powerline right-of-way will involve some clearing of trees and brush plants. Mitigation measures identified in the DEIS will help to manage the grassland habitat from woody plant succession.

The Project Site contains several areas of US Army Corps of Engineers Federal jurisdictional wetlands. The Project Sponsor will not be permanently disturbing any wetlands and is planning to maintain buffers between 25 and 86 feet from all wetland areas.

The Project Sponsor has committed in writing to mitigating potential impacts to both protected and unprotected species to the greatest extent practicable. Potential impacts from chance encounters to species (whether protected or unprotected) during construction will be mitigated as follows:

Hyssop Skullcap

- Minor modification to the grading plan to avoid disturbance of Hyssop Skullcap colonies if practicable.
- Retention of a qualified horticulturalist or landscape architect to identify suitable Hyssop Skullcap habitat on site and a program to establish a stable colony of the plants from seed.
- Possible incorporation of Hyssop Skullcap into the site's landscape plan if practicable and desirable.
- Making Hyssop Skullcap seed available to NYSDEC and through NYSDEC to organizations or individuals intending to reestablish the species throughout the region, if practicable and desirable to DEC.
- The Project Sponsor will coordinate all mitigation activities with NYSDEC.
- In the event that no plants are observed upon reinvestigation, the Project Sponsor will limit significant grading and clearing activities within the power-line right-of-way to the period from October 1 through March 31. This period corresponds with the period after which seeds have been dispersed and before germination. Disturbance during this period will have the lowest potential for harming Hyssop Skullcap plants that may exist unknown on the site.

Timber Rattlesnakes

- The Project Sponsor recognizes that rattlesnakes are an integral part of the area ecosystem, have confirmed in writing that they have no reservations about sharing their property with them, and recognizes their obligation to protect any species that may use their land. In the

event that a rattlesnake is found in a parking lot or near the buildings where it would be unsafe, Watchtower would call one of the NYS DEC listed Nuisance Rattlesnake Responder volunteers or have someone on staff trained in the protocols to safely move them. Also, residents will be educated on the presence of rattlesnakes in the area. The Applicant will post signs at the trails indicating that rattlesnakes may be encountered, that they are protected, and that individuals should remain on the trail.

- Vegetation removal, clearing, grubbing, and grading will be performed between November 1 and March 31. In the unlikely event that clearing, grubbing, or grading is needed between the dates noted above, the Applicant will provide a completely enclosed fence around the disturbed area. The fence will comply with the requirements noted in the New York State DEC's letter dated March 7, 2012, except that hardware cloth will not be used. The DEC has advised that one fence could be used to serve the purpose of erosion control and as a wildlife barrier. Where the erosion control fence doubles as a wildlife barrier, it will be 4 feet tall. Where two separate fences are used, they will not be placed so close to each other that animals could get trapped or entangled between the two fences. The Applicant will show fencing and requirements on the plans. If the fence is installed between April 1 and October 31, a monitor (individual licensed by New York State to handle snakes) will be required to be on hand to determine if snakes are in the disturbed area. No monitor is required if the fence is installed between November 1 and March 31.
- If a maintenance-access easement is required for the sanitary sewer pump station, the easement will address the need for habitat management.

Wood Turtles and Eastern Box Turtles

- Prior to construction, the area of disturbance will be bounded by silt fence to deter wood turtles in the area from entering the construction area. After installation of the fence, the fence will be inspected to prevent potential trapping of wood turtles inside the construction area.

Eastern Bluebird

- In order to avoid direct impacts to eastern bluebirds, tree removal will be conducted from October 1 through March 31, after the population has migrated for the winter. Although no Indiana bats were observed on site and mitigation is not necessary for that species, limiting removal of trees to winter months corresponds with best management practices for the protection of that species as well.
- Further, after disturbance of the power-line right-of-way, bluebird nesting boxes will be installed in this area, along the dike, and along the power-line right-of-way north of Long Meadow Road (CR-84) to encourage reestablishment of the bluebird populations in this area following construction.

Aquatic Wildlife

- In order to reduce thermal impacts to streams, stormwater runoff is being designed with the minimum amount of extended detention required. In addition, the use of stormwater ponds is currently not proposed as the 2010 New York State Stormwater Management Design Manual advises that "available evidence suggests that these practices can increase stream temperatures". Underground detention chambers will be used instead to maintain lower temperatures than if exposed to the sun in shallow ponds.

Invasive Species

- Non-indigenous potentially invasive plant species currently exist on the site. All disturbed areas of exposed soils shall be promptly re-vegetated with rye or other quick growing grasses consistent with best management practices of the erosion control plan. Care will be taken not to track plant propagules (e.g., root fragments) into undisturbed areas or areas of exposed soils. Upon completion of disturbance to the area, the soil will be replanted with appropriate native species. Based on such practices, there should not be any significant increase in invasive plant species on the site.

Finding: The Planning Board finds that impacts to terrestrial and aquatic ecology have been appropriately minimized or avoided by Project design; implementation of the extensive construction phase and long-term physical and operational measures for the Project; and the Erosion Control Plan and stormwater management practices for the Project.

E. Traffic and Transportation

The proposed project is not expected to have significant impacts on existing traffic volumes, accident rates, or the public transportation system that would require mitigation. Four of the seven intersections studied are expected to experience a minimal decrease in Level of Service (LOS) under the 2015-Build scenario when compared to the 2015-No-build scenario.

The intersection of Sterling Mine Road (CR-72) and Long Meadow Road (CR-84) is expected to experience additional delays of up to 2.0 seconds per vehicle, lowering the LOS from A to B during the weekend peak hours under the Build scenario. The intersection of Long Meadow Road (CR-84) and Eagle Valley Road will experience additional delays of up to 0.8 second per vehicle, decreasing the LOS from A to B during the weekday PM peak hour and during the weekend peak hours. The intersection of Long Meadow Road (CR-84) and Woodlands Drive will experience delays of up to 1.2 seconds per vehicle, decreasing the LOS from A to B during the Saturday peak hour. Finally, the intersection of Sterling Mine Road (CR-72) and Sister Servants Lane/Eagle Valley Road is expected to experience additional delays of up to 0.6 second per vehicle, decreasing the LOS from B to C during the Sunday peak hour.

Factors that minimize significant traffic impacts include the live-work arrangement employed by the Project Sponsor whereby members of Watchtower's Worldwide Order reside and work at the proposed facility. Additionally, the Project Sponsor will provide shuttle service between the

project site and its other complexes. These two factors greatly reduce the amount of commuter traffic that is generated by the project.

Construction is proposed to begin upon anticipated completion of the permit process in 2012 and is expected to continue for approximately four to five years. Once underway, construction truck traffic will include between 30 and 50 trips per day for approximately three and one-half years. Truck traffic will be present for approximately three to four years and will include dump trucks removing excess site material, along with semi-flatbed and box trucks transporting construction materials. The majority of the trucks will travel on Long Meadow Road south from Route 17A. The others will travel Route 17 to Sterling Mine Road (CR-72) to Long Meadow Road (CR-84).

The majority of the 30 to 50 trips associated with the construction truck traffic will be distributed between 7 AM and 3 PM with some trips occurring between 3 PM and 7 PM. Approximately 50 vehicles carrying construction workers are expected to arrive at the site at approximately 6 AM and are expected to depart at approximately 5 PM. Some construction workers will arrive at and exit the site by shuttle from and to the Applicant's staging area located at 1422 Long Meadow Rd, while others will arrive in private vehicles and will approach and leave the site using Long Meadow Road (CR-84), Sterling Mine Road (CR-72), and NYS Routes 17 and 17A.

The site entrance will be reviewed with the Orange County Department of Public Works (DPW) to determine if additional turning lanes and/or road widening are warranted for Long Meadow Road (CR-84) at the site's entrance. During construction, truck traffic to and from the site will be routed along Long Meadow Road (CR-84), Sterling Mine Road (CR-72), and NYS Route 17A. No construction traffic will be routed along Eagle Valley Road due to the four-ton weight limit. Other than coordination with the Orange County DPW, no further mitigation measures are proposed nor warranted for traffic or transportation.

Provisions will be made for bicycle parking at various locations throughout the site, although on-site bicycle traffic is expected to be minimal. Signage, speed tables, and striping will be provided to maintain low speeds (traffic calming) and to ensure pedestrian and vehicle traffic do not conflict. Pedestrian crosswalks will be provided to ensure safe and effective pedestrian travel.

The Applicant has proposed to contact the Orange County Department of Public Works for input on the proposed access during the Site Plan Approval process and, as part of the County's Highway Work Permit process, and complete any improvements at the site access deemed necessary by the County. The applicant will install "stop" signs and stop bars on the site access approach as well as a new double yellow centerline along Long Meadow Road (CR-84) where the double yellow centerline is currently faded.

Finding: The Planning Board finds that the proposed project will not significantly increase traffic on local highways due to the operational characteristics of the project. Therefore, no traffic mitigation measures are proposed for the project. Construction traffic will cause a short-term increase in traffic levels but this is not expected to be significant enough to warrant any permanent measures other than the proposed construction traffic routing.

F. Community Services and Facilities

Police Protection

The proposed project will increase the number of residents within the Town of Warwick Police Department's jurisdiction. The Urban Land Institute has developed national standards for the number of police officers per 1,000 persons. If the Urban Land Institute's standards were to be applied to the proposed project, between 1.7 and 2.0 full-time equivalent police positions would be recommended for the project. Based on existing Town of Warwick staffing levels, 0.85 to 1.0 full-time equivalent positions would be needed to maintain current service ratios. However, it is noted that the needs of the future residents of the proposed development will not be equivalent to the needs of the existing non-institutionally housed Warwick resident.

The impacts of the proposal upon local law enforcement are expected to be comparable to the Applicant's similar existing upstate facilities. In the Town of Shawangunk (Ulster County) facility, their Police Department responded to calls for assistance with petty mischief by outside parties, minor property damage, vehicle collisions, incomplete or abandoned 911 calls, and other miscellaneous matters on average, four times per year.

In the Project Sponsor's Patterson Educational Facility, the Putnam County Sheriff's Office stated in writing that a similar de minimus impact could be anticipated in Warwick based upon their experience. Between January 1, 2010, and December 31, 2010, the Warwick Police Department responded to 24,952 calls for police services. This is approximately 0.80 calls per Warwick resident per year. By comparison, the existing Project Sponsor's facility in Shawangunk generates a call rate of 0.004 calls per resident per year. Another way of stating this is that the entire 850 to 1,000 resident proposed development is likely to demand as many annual calls for service as five typical Warwick residents or approximately two average Warwick households.

Only adults will reside on site and all residents will be members of a religious order. Before they become members of the Worldwide Order, members go through a strict screening process in order to verify, to the extent possible, that they are law-abiding and honest. Further, on-site security staff are proposed to maintain continuous physical and video surveillance of the property, buildings, and related facilities, which helps deter trespassing and vandalism. Security staff are trained to assist with on-site storm preparation, accidents, intruders, stranded vehicles, and other on-site emergencies, contacting appropriate authorities as necessary. Facility activities, including emergency incident response, will be coordinated from a central desk, which will be equipped with radio and telephone communication. This central station will also be the monitoring location for all fire and building alarms. There will be full emergency back-up power generation facilities

available in the event of an outage. Generators will be housed either within buildings or outdoors. Where installed outdoors, generators will be provided with sound-attenuated enclosures that offer an average of 75 dB(A) sound level at 23 feet using 2 inches of acoustic insulation and provided with insulated critical exhaust silencers.

Based on experience with the Project Sponsor's other facilities, it is unlikely that the proposed project would result in significant impacts to the Warwick Police Department. The proposed facility therefore, is not anticipated to result in a significant increase in demand for police resources.

Fire Protection

The project will increase the number of residents within the Greenwood Lake Joint Fire District #1. The Urban Land Institute's national standards recommend 1.65 full-time fire personnel for every 1,000 persons. Based on these national standards, the proposed development would require the addition of 1.4 to 1.65 full-time equivalent firefighter positions. According to the International Standards Organization (ULI does not suggest a standard), 3 volunteer firefighters are equivalent to a career firefighter. Based on these standards the proposed facility would demand an additional 4.2 to 4.95 volunteer firemen. However, as with police protection, the needs of the future residents will not be equivalent to the needs of the existing non-institutionally housed Warwick resident.

According to the Patterson Fire Department No. 1, Inc.'s records, they have responded to approximately twelve fire calls and approximately fifteen EMS calls at Watchtower's Patterson facility in the last ten years. Of these, at least half of the fire and EMS runs were for motor vehicle accidents in the vicinity of the facility, which is located along a busy stretch of State Route 22. Similar experiences have been noted from the Shawangunk Valley Volunteer Company in the Town of Shawangunk (Ulster County). According to the Company, "On average, the Shawangunk Valley Fire Company response history is minimal and may incur an average of only once per year...Overall, we find the Watchtower Farms brings a positive presence to our community."

Between January 1, 2010, and December 31, 2010, the Warwick Police Department dispatched 758 calls for fire services. This is approximately 24.23 calls per 1,000 Warwick residents per year. By comparison, the existing Project Sponsor's facility in Patterson (current design population of 1,550 persons) generates 0.396 calls per 1,000 residents per year and the Shawangunk facility (design population of about 1,350 persons, recently increased to about 1,560) generates a call rate of 0.66 calls per 1,000 residents per year. Based on this, it may be assumed that the proposed facility will demand 0.396 calls per year or approximately one call for service every three years. Another way of stating this is the entire facility will generate the same demand annually as approximately 16.33 average Warwick residents (approximately 61 Applicant's residents demand the same service as one Warwick resident).

The Project Sponsor has confirmed with the Greenwood Lake Joint Fire District #1 and the Tuxedo Fire Department (Tuxedo has a joint agreement to serve the site) that their 75-ft truck at

its maximum reach is able to access the highest floors planned. The Project Sponsor will contribute the sum of \$2,000 per year to the Greenwood Lake Joint Fire District #1 in order to offset possible additional costs to the Fire District. Payments will begin following receipt of the Building Permit.

In addition, the following Fire District recommendations will be considered during the Site Plan review process:

- 14-foot vertical clearance for all fire truck access routes.
- Verify that their trucks can maneuver the stabilized path along building face; they had their doubts about the turning radii used.
- Reinforced soil areas for fire trucks need to be clear of snow.
- In parking garages design stairways that reach the roof thus smoke can vent outside away from the attached buildings.
- Recommend secondary exits from tunnel.
- Recommend providing at least two Fire Department Connections (FDC)'s at each building.
- Treat the Administration/Home offices as two buildings and provide four (4) FDCs.
- Provide drop keys for elevators on each floor.
- Keep tunnels well lit from the floor up. Glowing tape is very helpful as well.
- It would be helpful if the second to last turnabout be sized for full turn of their trucks.
- Request self-closing doors controlled by the fire alarm system be installed.
- Provide means of smoke venting in all structures.
- Consider a vehicle that can enter the garage structure to address a car fire. Car fires are more difficult to address with just men with hoses.

Fire prevention measures instituted by the Applicant include a strict site-wide no-smoking policy and guidelines on the use of such items as candles, halogen lamps, and similar objects that have the potential to be ignition sources. As is the case at the Applicant's other facilities, each year every resident will receive fire safety reminders, view a fire safety video, and be required to read the fire escape plan for their room and building. There will be an annual fire safety inspection of each occupant room, storage area, and work area, looking for such things as hazardous use of candles, overloaded electrical outlets, and frayed cords. Additionally, each work group will include various fire and safety reminders in their regular meetings.

The proposed project will not involve industrial production, and any small hazardous materials storage locations for activities such as paint for building maintenance will be in specific fire-resistant locations equipped with the required ventilation, fire suppression systems, and spill containment equipment in accordance with the building and fire codes of New York State. The Applicant will maintain required inventories of chemicals on site, and their associated Material Safety Data Sheets (MSDS).

Access to the site will be provided from Long Meadow Road (CR-84), and all major buildings will be connected by an internal loop driveway. A secondary emergency access from Long Meadow Road (CR-84) will also be provided. The internal loop driveway will be capable of carrying large

equipment, such as fire apparatus. The landscaping plan has been designed with firefighting and rescue operation access in mind and trees and dense or uneven landscape features that would make firefighting and rescue operations difficult are not proposed in potential access areas.

Proposed structures will be constructed of non-combustible and fire-resistant materials. Fire spread will primarily be limited to any combustible finishes. All proposed buildings will be compartmentalized with code-compliant fire-rated doors, partitions, and construction reducing the risk of fire spread. All buildings and parking garages with the exception of small recreational buildings and storage sheds will have standpipes and sprinkler systems installed.

All buildings, with the exception of parking garages, will be equipped with a wet automatic sprinkler system and Class III standpipe and hose system, and a Siamese connection will be added to an accessible face of the building. The parking garages will have a dry-pipe Class III standpipe and hose system, and a Siamese connection will be added to an accessible face of the building.

Construction will meet the following building codes as applicable: 2010 Building Code of New York State, 2010 Fire Code of New York State, NFPA 13–07 edition (Standard for the Installation of Sprinkler Systems), NFPA 13R–2010 edition (Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height), NFPA 14–07 edition (Standard for the Installation of Standpipes and Hose Systems), NFPA 20-07 (Installation of Stationary Pumps for Fire Protection) and 2010 Fuel Gas Code of NYS.

Site design will include emergency access lanes that are in compliance with the 2010 Fire Code of New York State. Each building and residential unit will be equipped with alarms and smoke detectors. These alarms and detectors will be tied into the central monitoring system for the facility and maintained and tested as required. The sensors connected to this network will be tested regularly in accordance to NFPA 25 and NFPA 72. The system will detect malfunctioning sensors so that they can be replaced. Each of the smoke alarms in the residence rooms will be regularly tested by hand to ensure proper operation.

All buildings will have enclosed stairways exiting directly outdoors in compliance with the 2010 Building Code of New York State and be equipped with standpipe systems and sprinkler systems as required by the 2010 Fire Code of New York State. Design will emphasize life safety.

There will be adequate water resources for on-site use in fire protection, including Sterling Forest Lake (Blue Lake) and a 500,000-gallon elevated water tank connected to the facility-wide hydrant system. Fire hydrants will be installed in the vicinity of the new buildings and within 100 feet of fire department connections, following criteria requested by the Tuxedo Joint Fire District and NFPA 14-07. The storage capacity of the elevated water-storage tank (500,000 gallons) meets the worst-case volume required by NFPA 1142 (Standard on Water Supplies for Suburban and Rural Fire Fighting) for the building with the largest existing fire area at the proposed facility, which is the dry system within the garage with a design area of 2,535 square feet and worst case flow demand of 700 gpm including hose streams for 60 minutes for a total of 42,000 gallons. The storage capacity meets minimum design flow for fire purposes of 2,000 gpm for 2 hours (240,000 gallons), and the one-day average demand of 85,000 gallons as required by the Orange County

Department of Health. Siamese connections are provided for the new buildings as required by Code. Booster pumps would be installed as needed, particularly for the new residences, due to their elevation in relation to the water storage tank. Fire suppression system pumps will have emergency back-up power. These systems become active within 10 to 60 seconds of a power disruption depending on the location. There will also be emergency generator power provided for the potable system as a secondary backup within 30 minutes.

Ambulance

The project will increase the number of residents within the Greenwood Lake Ambulance Corps jurisdiction. The Urban Land Institute's recommended national standards are 4.1 full-time EMS personnel for every 30,000 residents. Based on these national standards, the proposed development would require the addition of 0.12 and 0.137 full-time equivalent EMS positions. Because the existing Ambulance Corps has well over the national standard staffing level, it is assumed that the proposed facility would not result in significant service deficits. Further, it is noted that the proposed facility will include an on-site infirmary with licensed physicians, registered nurses, and certified emergency medical technicians present on site at all times. Additionally, a basic-life support (BLS) ambulance will be maintained on site for non-critical transport of patients to area medical facilities. The closest emergency medical facilities are Good Samaritan Hospital approximately 7.7 vehicle miles away and St. Anthony's Community Hospital approximately 19 vehicle miles away.

The ambulance policies and procedures for the proposed project will have been developed in harmony with the NYS EMS Code (Part 800) and Article 30 of the NYS Public Health Law for EMS. In addition, several automatic defibrillators will be located in various buildings, and the on-site registered nursing staff will have been trained in advanced cardiac life support. Many dozens of occupants also receive regular refresher training in cardio-pulmonary resuscitation (CPR).

As an example of the typical response process currently in place at the Applicant's three existing facilities, the 24-hour on-site medical dispatch desk immediately informs the on-site responders who include emergency medical technicians, doctors, and registered nurses. If necessary, 911 is called for additional help. Letters from the service providers all make reference to the minimal needs at the Project Sponsor's other three facilities. The proposed project designates major access to all the residence buildings as no parking fire zones in order to allow access to these areas by emergency vehicles at all times.

Because the Greenwood Lake Ambulance Corps has adequate staffing and equipment to service the site and because on-site medical resources will be employed, no significant impacts to ambulance services are anticipated. The provision of on-site medical equipment and facilities may be considered mitigation of impacts; however, it is the policy of the Project Sponsor to provide these services to its resident members regardless of the availability of outside service. In the case of a catastrophic event affecting the entire region, to the extent possible the Applicant would fully cooperate with the department(s) taking the lead in the response.

Recreation Services

The increased number of residents (850 to 1000) may increase use of local parks and recreation facilities. The Urban Land Institute recommends a standard of approximately 6.25 to 10.5 acres of parkland per 1,000 residents, approximately 1.25 to 2.5 of which should be active local parkland. Using this standard, the projected residents of the project would require 5.31 to 10.5 acres of parkland, approximately 1.06 to 2.5 acres of which should be local and actively-programmed recreation land. The amount of active parkland is more than satisfied on the proposed project's site. Also of note is the site's location in an area noted for passive park resources. The site is surrounded on several sides by Sterling Forest State Park which contains almost 22,000 acres of pristine natural parkland. Additionally, the site is very close to Harriman State Park, another park within the Palisades Interstate Park System that contains more than 200 miles of hiking trails and several public beach and camping facilities. The site is also virtually contiguous with the Ringwood Manor State Park and Wanaque Wildlife Management Area in New Jersey which provide additional outdoor passive park opportunities. These large state parks more than satisfy the recreational needs of the future residents for approximately 6.75 acres of passive parkland.

The grounds of the proposed project not being used for building site construction are being preserved in their natural state for passive enjoyment by facility residents. Several miles of walking trails are proposed on existing trails (that require maintenance and clearing to make them accessible) through the private lands for the enjoyment of facility residents and to provide locations for residents to walk, pray, and meditate in quiet solitude and without distraction.

Additionally, the project proposes 70,000 square feet of active recreational facilities on site, including a number of outdoor tennis, volleyball, and basketball courts. Blue Lake may also be used for non-motorized boating. Indoor facilities totaling approximately 24,200 square feet are proposed and would include weight/exercise room(s), an aerobics room, an indoor basketball court, racquetball courts, music/social rooms, a sauna, and a therapeutic pool. The proposed plan maintains approximately 88 percent of the Project Site as open space. Based on this, under §75-3A(2)(a)[3] of the Town Code, the applicant has requested that no recreation fee be levied on the project.

Finding: Given the low service demands associated with the proposed uses of the property and the proposed payments in lieu of taxes to the fire districts, the Planning Board finds the Project will not cause any significant adverse impacts to community services and facilities.

G. Infrastructure and Utilities

Wastewater

Historical per capita wastewater generation measured at other similar facilities operated by the Project Sponsor has averaged approximately 80 gallons per person per day. Thus, at full future occupancy of 1,000 residents, the total quantity of wastewater generated at the Project Sponsor's facility is anticipated to be 80,000-gpd average flow. Wastewater from the Project Sponsor's new facilities will be conveyed by buried gravity sewer mains routed from the proposed buildings to a

trunk sewer line traveling parallel to the existing United Water water supply line and between that line and the proposed buildings. The gravity sewer main is proposed to be 8 inches in diameter, or larger where required in the downstream portions. A minimum slope of 0.4 percent may be used, or steeper where required to provide flow capacity, or a minimum velocity of 2 feet per second.

Vehicles owned by the Project Sponsor and the site residents are expected to be washed on site. The Applicant will not discharge industrial wastewater from the car washing activities to the Blue Lake Wastewater Treatment Plant (STP). The Applicant will recycle the wastewater to the extent possible, and collect the balance for removal by an approved hauler to an approved disposal location.

Both the water supply and sewer trunk lines will be on the lake side of the complex. Manholes will be provided at each change in direction or slope. Discharge from the gravity trunk sewer will require pumping to the Blue Lake STP via a new lift station and force main along Long Meadow Road (CR-84). The new gravity sewer mains, lift station, and force main are proposed to be constructed by the Project Sponsor or by an outside specialty contractor where directional drilling will be used for portions of the force main.

The Project Sponsor will be responsible for constructing a lift station and force main to deliver wastewater to the headworks of the Blue Lake STP. The plant's existing influent main is currently equipped with a tee joint that can be used to make the connection. Additionally, the existing Blue Lake STP will continue to have excess capacity after the wastewater needs of the Project Sponsor are met. The plant was designed to handle domestic wastewater flows and is permitted to discharge treated effluent into the Ringwood River.

The Applicant will own, operate, and maintain the portions of the collection system located on its private property, with the exception of the pump station and force main. The Applicant will construct the pump station and force main and transfer ownership to United Water. If, as currently proposed, the pump station and force main are to be constructed on the Applicant's property, then United Water will be granted access to the pump station and force main through a written agreement. A copy of any agreement made with United Water regarding the sewer collection system will be provided to DEC and the Town by the Applicant along with the wastewater engineering report and sewer extension plans and specifications.

The Applicant will submit to the DEC the engineering report, plans, and specifications for the sewer extension per Part 750-2.10 of the DEC regulations. No additional mitigation measures are required for conveying wastewater to the plant, treating, or discharging it.

Water Supply

Historical per-capita water demand measured at the Project Sponsor's other similar facilities at Patterson and the hamlet of Wallkill has averaged approximately 85 gallons per person per day. Thus, at full future occupancy of 1,000 residents, the average daily potable water demand for the proposed action is projected to be 85,000 gallons per day (gpd) and maximum daily demand for the proposed action is projected to be 145,000 gpd. The majority of the projected average daily

demand will occur between 5:30 a.m. and midnight. No on-site storage tanks are expected to be required.

By “willingness to serve” letter, dated October 25, 2010, United Water has indicated that an allotment of 147,000 gpd (maximum per day) available treatment capacity could be provided from their Blue Lake Water Treatment Plant to serve the proposed development of the former King’s College property. The current United Water Plant system capacity is 650,000 gpd (maximum day). United Water must obtain a Water Supply Permit pursuant to Article 15, Title 15 of the Environmental Conservation Law and 6 NYCRR Part 60 I in order to service the proposed project. United Water will provide copies of the required permits to the Town of Warwick.

Proposed fire-flow and storage is required to be 2,000 gallons per minute (gpm) for 2 hours (240,000 gallons) kept as a reserve above the domestic water requirements. Water mains are proposed to be cement-lined ductile iron pipe with a 6-inch-minimum diameter. The typical proposed water pressure at the ground floor of the proposed buildings is anticipated to be 120 pounds per square inch (psi). The distribution mains to the various proposed buildings will be designed to maintain the United Water pressure to meet fire protection needs for standpipes and sprinkler systems. However, this pressure shall be reduced for domestic water by pressure reducing valves within buildings to achieve a suitable domestic use pressure of not more than about 65 psi for normal plumbing fixtures.

Although the existing United Water supply infrastructure and distribution system can adequately supply the proposed project’s water supply needs, the Project Sponsor is planning to voluntarily implement the following water-saving fixtures and practices to minimize the potable water requirements of the site:

- Install low-flow showerheads with a maximum flow rate of 1.5 gpm.
- Install dual flush flushometers in women's restrooms.
- Install high-efficiency urinals in high-use areas in men's restrooms.
- Install dual-flush gravity tank toilets in residence rooms.
- Install water conserving washing machines in the personal laundry areas.
- Utilize recycled stormwater to provide non-potable water for cooling towers.

Solid Waste

Based on similar facilities owned and operated by the Watchtower Bible and Tract Society of New York, the anticipated average amount of municipal solid waste that will be generated is 3.39 pounds per capita per day. Based on an average overnight population of 1,000 people (maximum future expansion), the anticipated monthly total is 101,710 pounds (30,520 pounds of which is to be recycled). This is below the national average published by EPA (for 2008) of 4.50 pounds per capita per day.

The Applicant has proposed to store solid waste on-site and have it hauled on a regular basis by third party vendors. As part of the proposed project the Project Sponsor would include an on-site recycling facility. The proposed recycling facility would handle all of the non-hazardous waste and recyclable materials generated on site. It is anticipated that a minimum of 30,520 pounds will be

recycled, that is 30 percent of the mixed solid waste generated by the facility. This includes glass, metal, plastic, cardboard, and paper waste streams. Recyclables will be separated from solid waste in accordance with Orange County Local Law No. 2 of 1989. Cardboard, paper, bottles, and cans will be consolidated into one recycling stream with a pick-up frequency of two to three times per month. The Applicant will enter into an agreement with an organization that will separate recyclables into their components off-site thereby reducing the Proposed Project's impervious area by approximately 12,300 square feet (0.28 acres).

The Applicant considered the possibility of conventional composting on-site; however, due to the presence of bears and other scavenger wildlife it was seen as impractical. As an alternative, the Applicant is investigating other processes for the disposal of food scraps. Options include grinding the food waste and discharging it into the wastewater system for treatment and digestion at the Blue Lake Wastewater Treatment Plant (STP). Another option evaluates chopping up the waste, dewatering it, and disposing of it in the municipal solid waste compactor where it will be transported to a landfill. The extracted liquid would be discharged into the wastewater system. This option greatly reduces the volume of the disposed food waste. Discussions with the Blue Lake Wastewater Treatment Plant (STP) are ongoing to determine the viability of these options.

The Applicant will engage several vendors to haul solid waste off site, depending on the nature of the waste to be disposed of at the proper facilities. Provision for the collection of the recyclable materials will be available at each building and will be sized to meet or exceed minimum standards required by the Green Globes™ System. The standards stipulate at least 20 square feet of designated storage space for recyclables per 10,000 square feet of space or 100 square feet for buildings greater than 50,000 square feet. These storage rooms will be sized to provide adequate space for the temporary sorting and storage of recyclables at the collection points near the sources of waste on each floor. In addition, larger recyclable storage rooms located near each loading dock will serve as a collection point for each building.

Finding: The Planning Board finds that there will be no significant adverse impacts to infrastructure and utilities anticipated as a result of the proposed project and therefore, no additional mitigation measures are necessary beyond those offered by the Project Sponsor and/or discussed herein.

H. Fiscal Resources

The Project Sponsor intends to maintain exempt status over all tax parcels. Based on this, the proposed project is not anticipated to increase tax revenues to any taxing jurisdiction. On the other hand, the proposed project is designed to be self-sustaining and to require few public services that would potentially increase the costs to taxing jurisdictions. The project is anticipated to have the following cost impacts on the community:

Orange County

Although being located on a County road and having somewhat of a significant resident population, the proposed development is not likely to significantly increase costs to the County. This is because the proposed development will not result in a significant increase in use of County roads.

Town of Warwick

The proposed development will contain several recreational resources on-site and it is unlikely that the proposed project will significantly impact the Town's recreation budget. No Dial-a-bus use is anticipated as the Project Sponsor operates its own shuttles for off-site travel. Generally, there is a very low-to-absent incidence of criminal activity in the Project Sponsor's existing facilities and it is not anticipated that the project will result in a significant increase in Town Court costs.

Warwick Open Space

The proposed development will not increase the Town's costs associated with repayment of the Open Space-PDR bond.

Warwick Highway

The project is not located on a Town road and there are no Warwick Town roads between the site and regional arterials that are likely to be frequently used for travel between the Applicant's other facilities. No new Town roads are proposed in conjunction with the proposed project. It is not anticipated that the project will result in increased costs to the Town Highway Department.

Warwick Part Town

It is anticipated that the level of service that will be demanded from the Town Police Department will be similar to that demanded by one single-family detached Warwick residence. This will not present a significant additional cost to the Police Department.

Greenwood Lake Ambulance

The project will include an on-site infirmary, doctors, nurses, and emergency medical technicians. It will be operated similarly to the Project Sponsor's Patterson facility, so ambulance service will only be requested if the on-site ambulance is out of service or if additional transport is required. As a result, it is anticipated that there will be an insignificant demand for ambulance services.

Warwick Fire District #2

The project site is within the Greenwood Lake Joint Fire District #1 and this Fire District contracts with Tuxedo to cover the area. The Warwick Fire District #2 also has a contractual agreement with the Tuxedo Fire District to provide services to the site. The proposed project will not affect this agreement and therefore it will not result in increased costs to the District. The proposed project will result in the same level of demand as approximately 16.3 average Warwick residents.

Based on the recently accepted “Warwick Views DEIS,” the average cost per capita for fire services in the Town of Warwick is \$43.67. Using the demand equivalency of 16.3 average Warwick residents, the proposed project can be expected to cost the Fire District approximately \$712 in annual costs.

Tuxedo Union Free School District

No school-aged children will reside at the site. The project will not result in any increased costs to the Tuxedo Union Free School District.

The proposed project is not likely to result in significant additional increases in cost to the Orange County, Town Fund, Town Highway, Open Space, Part Town, and ambulance taxing jurisdictions. The Fire District will experience increased costs and a net negative fiscal impact, but this is likely to be insignificant in comparison to their total budget. Although no significant impacts are anticipated, the Project Sponsor is proposing to contribute \$2,000 per year to Greenwood Lake Joint Fire District #1 to help to offset the cost of fire protection.

Finding: The Planning Board finds that the low service demands associated with the proposed uses of the property and the voluntary payments in lieu of taxes to the Greenwood Lake Joint Fire District #1, will not cause any adverse impacts to community services or fiscal resources.

I. Visual Character

The existing visual character of the site is predominantly composed of three elements: the forested slopes of the site, the existing INCO buildings on the shore of Blue Lake, and meadow/brushland in the existing cleared easement used and maintained by Orange & Rockland Utilities (O&R). The proposed project is comprised of approximately eight new buildings, including new utilities, recreational amenities, open-space areas for common use by residents and visitors, parking, and driveways. These will be largely contained within the area previously developed by INCO. As proposed, the new buildings will consist of a total footprint of approximately 360,000 square feet. The maximum height of any building is 60 feet. The outdoor recreation facilities are comprised of two tennis courts, a basketball court, and two sand volleyball courts of regulation size. These are located southeast of the proposed buildings and will be set back from Long Meadow Road (CR-84) of sufficient distance to be obscured by the foliage in all seasons. The building located closest to Long Meadow Road (CR-84) is setback approximately 330 feet from the road.

In order to reduce the overall impervious area and visual impacts of roads and parking areas, surface-paved parking areas were kept to a minimum. This objective is achieved by the inclusion of enclosed parking garages, which will meet 85 percent of the parking requirements. The proposed site design locates the majority of the proposed buildings in the previously developed area significantly reducing visual impacts. The proposed site design has addressed visual impacts as follows:

- Buildings are kept near the lake at a lower elevation resulting in proposed building heights that fall well below the ridgeline from any viewpoint beyond the property line. The outcome is that the viewshed of the Project Site is mainly determined by topography and vegetation to the Blue Lake basin.
- Reduction of the overall impact on the site physically and visually due to the majority of the disturbance within the previously disturbed areas, limiting the spread of the development and thus minimizing the increase in visibility. This reduces the area of existing woodland needing to be cleared for the proposed project to 16.5 acres with 5 acres being reforested following construction. The majority of the property will remain in its current condition as forested slopes.
- An increase in building footprint and building heights over the existing INCO buildings will be minimal because the proposed buildings will generally still only be visible from viewpoints where the existing buildings can already be seen. The increase in visibility is offset by the qualitative improvement of the view from the existing abandoned and deteriorated structures which have existed for 21 years to a maintained site of detailed architectural design.
- The Project Sponsor is in discussions with O&R, concerning the possibility of burial of the existing overhead power lines within the existing 100- foot-wide easement. Also being discussed is the relocation and updating of the existing electrical substation, to reduce its size and improve the overall aesthetics. The maintenance of the easement made up of meadow/brushland will be enhanced by the Project Sponsor.
- Visual improvement in the area of the existing wastewater treatment facility. This area is near the existing site entry where the abandoned wastewater treatment facility is located. The Project Sponsor is proposing to demolish the existing structures and roadway, remediate the existing sand filters and redevelop this area as a wetland buffer using native planting as part of the action. Water and sewer services to the site will continue to be provided by United Water, which maintains an existing water tank with a storage capacity of 500,000 gallons to the west of the property (within Sterling Forest State Park property). No visible modifications are proposed to this tank that will result in a visual impact.
- The existing elevated water tower located within the property will be demolished along with the adjacent equipment building. No additional water towers are proposed.
- Communications infrastructure (two rooftop platforms) are proposed for the installation of a cellular/two-way radio antenna array. Additional dish-type receiver antennas are proposed on the maintenance building and each residence building for Master Antenna Television (MATV) reception. These antenna installations are proposed in locations that minimize the visual impact from the direction of sensitive views.
- Developed areas of the site will fall almost entirely outside the boundaries of the Ridgeline Overlay District. The small portion that falls within this district will be sensitively developed, restricting site clearing and grading to the minimum necessary and in harmony with the current requirements of Chapter 164-47.1 of the Code of the Town of Warwick, New York.

- Analysis of views from Sterling Forest State Park, New Jersey State Parks, and the Appalachian Trail demonstrate that visibility of the site will largely remain limited to areas where the existing site is currently visible, namely from the Boat Launch, Long Meadow Road (CR-84) and non-marked wood roads within the Blue Lake basin. Sterling Forest State Park requires that hikers stay to blazed trails and hiking along wood roads is discouraged. All Sterling Forest State Park blazed trails are totally screened by intervening vegetation or terrain.
- Views “especially from hiking trails and fire towers in the Park” were defined and only one location provides a full view of the project: the public boat launch at Location #5 on the DEIS’s “Viewshed Photograph Location Map.” A thorough investigation revealed only two actual vantage points, each of which are approximately one-quarter mile off the blazed trail.

The only private improved land that will afford views of the site is the existing IBM office facility located on the opposite shore Blue Lake. The most visible elements of the proposed campus from these locations will be those structures which extend above the existing tree canopy. The proposed roadways, surface parking, parking garages, and recreation courts will remain largely screened from the IBM office facility’s view. Views of the site from the boat launch and the IBM office facility exist today and are characterized by the existing dilapidated building. Post construction, the proposed development will improve the quality of views of the site, although the total number and height of buildings will increase.

The remaining sites included in the DEIS’s Inventory of the Aesthetic Resources found that none presented views of the proposed development because of intervening vegetation or terrain. These will include those on the National and State Register of Historic Places and the State Parks: the Village of Tuxedo Park, Long Pond Ironworks and Ringwood Manor, and Harriman State Park.

Site Lighting

Site lighting is proposed to use full cut-off fixtures for the following areas of the proposed project: roadways and parking, pedestrian walkways and spaces, service areas, building entrances, main site entrance, and outdoor recreation area. The effect of the proposed site lighting, including internal building lighting, may result in increased visual impact within a limited viewshed above existing site conditions, or conditions that existed previously at the INCO facility. The viewshed of the Project Site is limited by topography and vegetation to the Blue Lake basin. Within this area there are three primary receptors which will be impacted by the proposed site lighting. These are the private IBM facility on the northeast side of Blue Lake, woods roads within Sterling Forest State Park within the Blue Lake basin, and the public boat launch located at the north end of Blue Lake. Considering that the boat launch is substantially used for daytime recreational activities, the impact of proposed site lighting on recreational users within the viewshed will be minor. Similarly, the majority of employees and visitors to the IBM site are present during daylight hours, and IBM contains its own site lighting.

From Long Meadow Road (CR-84), the proposed illumination of the majority of the on-site buildings and parking will not be visible from Long Meadow Road (CR-84) due to the topography and vegetation along the roadway, except those on the roadside perimeter of the development.

This impact will increase during the six-to-seven months of the year when deciduous tree covering is not present. The site entrance will continue to be provided with street lighting and a previously proposed lighted entry sign has been eliminated. Lighting on the buildings and roadways located on the east side of the site, closest to Long Meadow Road (CR-84) will be visible due to the proximity to the road. However, the appearance of a limited number of lights visible through the trees from Long Meadow Road (CR-84) will be consistent with similar lighting at the Woodlands, IBM, and United Water's area facilities.

The proposed new buildings have been designed in cooperation with the award-winning architectural firm of Perkins Eastman. Care was taken to develop a design which blends with the scenic and rural character of the area while minimizing impact on the view corridor. Although minimally increased from the existing impact, the view afforded from the Sterling Forest State Park boat launch was carefully analyzed. This consideration is reflected in the small overall footprint and warm palette color and textures which blend well with the natural surroundings. The building heights are limited to an overall height of 60 feet.

The lighting plan will be designed to provide nighttime illumination at intensity levels to avoid lighting "hot spots" while, at the same time, be adequate for public safety and security. Lighting is proposed for the following areas: primary roadways and parking, pedestrian walkways and spaces, service areas, building entrances, main site entrance, and outdoor recreation area by means of pole-mounted roadway lights and lighting bollards. The driveway lights are not intended to uniformly illuminate the entire road, but to light the intersections of travel and a few points along the way as is typical of rural roads. The Project Sponsor plans to construct enclosed parking garages which will meet 85 percent of the parking requirements, thereby reducing the overall visible lighting associated with surface parking.

The proposed lighting will be night-sky friendly. The pole-mounted driveway lights are Illuminating Engineering Society (IES) designated "full cutoff" induction type fixtures that do not provide any uplight above horizontal, thus avoiding night trespass and night sky glow. This approach is part of the initiative to address green building design issues using The Green Globes™ System. Lighting bollards will be located around the building entrances and sidewalks. These induction type (or possibly LED type for additional energy savings) bollard fixtures are designed as low-wattage, low-intensity fixtures providing minimal uniform illumination housed in an ornamental package. In some instances, wall-mounted "full cut-off" fixtures will be located over emergency exit doorways at some locations of the buildings to provide low-level lighting to reduce night trip hazards. The courts of the outdoor recreation area will have lights on timer-control with a manual override "On" or "Off." Automatic shut-off controls will limit the hours of use.

Active and inactive building entrances will be equipped with U2 wall-mounted fixtures over the door. Fixtures will be of adequate wattage to provide a minimum of 5 foot-candles at active entrances and 1 foot-candle at inactive entrances.

The height of the proposed lighting will be controlled to minimize visual impact, shielding overflow lighting and any glare from off-site locations. The Applicant will no longer be pursuing a variance for lighting heights. On-site lighting poles will not exceed 16 feet in height. Decreasing

the lighting pole height from 25 feet to 16 feet resulted in seven additional lighting fixtures across the entire site. Based on a survey performed by the Applicant, the on-site tree canopy ranges between 55 and 70 feet in height. The 16-foot lighting poles are significantly lower than the existing tree canopy. Full cut-off fixtures will be provided to prevent glare to off-site locations.

Design and Siting

Structures have been sited to provide a sufficient distance between the buildings to appear as separate edifices in a general balance of massing harmonious to the eye. In addition, several techniques are employed to visually break down the overall massing of the larger buildings. One technique is varying the planes of the building façade and the heights of differing building sections to make the buildings appear as separate structures. The façades of the larger buildings will in some cases be interrupted with other elements, such as projecting porches, recessed wings, or columns, to reduce the appearance of mass. In the case of the residence buildings, the layout of a “U-shaped” building around large courtyards will help to boost the effect of separate structures. A second technique of providing different fenestration size, types, and patterns will be implemented, minimizing sections of uninterrupted walls. These measures will be complemented by a third technique; the use of exterior finish materials of natural stone and masonry with varying shades and textures.

The selection of natural stone and masonry is intended to ground the buildings into their immediate surrounding when combined with a careful color selection of the materials. The architectural feature of providing a building “base” of stone will augment the overall appearance and provide human scale.

While flat roofs will be used on a majority of the buildings to allow ecologically sensitive “green roofs” to be developed for sustainability benefits and further visual mitigation, efforts will be made to vary the heights of building sections and to elevate stair towers to provide visual relief. The roofs of the residence buildings will be designed using a complementary combination of gable-roof lines intersecting with flat roofs. The gable roofs will be featured at the building ends facing Blue Lake to soften the appearance of the structures from the distant views.

Mechanical equipment will be screened from public view, in most cases locating it inside the buildings or behind screened walls. Site utilities will be buried where possible; or when not possible, they will be screened by using fencing, walls, vegetation, or mechanical rooms scaled to resemble outbuildings. Heating, ventilation, and air conditioning equipment typically mounted on the roof will be situated behind sloped roofs, projections or at the rear of buildings so that it is beyond the sight lines as viewed from the boat launch.

Paved areas are significantly reduced by providing enclosed below-grade parking garages for the majority of the parking needs. Remaining surface parking is proposed at the rear or side of buildings and landscaping is provided to screen these areas.

Landscape Design

Removal of existing vegetation will be by minimizing by the proposed clearing and grading in the development. The Project Site will be predominantly undeveloped, allowing the area to retain more forested land, virtually eliminating the visual impact from most surrounding locations. Care has been taken to maintain all of the mature forest vegetation along the background ridge line. The buildings have been located, for the most part, in the existing cleared area. Impacts on scenic views from adjacent properties and parklands will be minimized by developing the campus as close to the existing topography as possible.

Since a road buffer is critical for softening the impact of large buildings along roadways, efforts have been made to retain the natural vegetation and terrain of the existing site along the road to provide screening. The project development has been placed with sufficient distance from the road to maintain the natural character of Long Meadow Road (CR-84) as a rural country road. Underground storage chambers are planned rather than a typical detention basin in the existing lawn area on the south side of the entry as a component of the Stormwater Management Plan. The existing lawn area and vegetation at the entry will be replaced with plantings of native trees, shrubs and ground cover to reduce the visual impact of the buildings located at the east side of the site. A similar planting approach will be used at the development of a secondary site entry to the south side of the existing entry which will require the removal of some of the natural vegetation.

At the central part of the development, it is the Project Sponsor's vision that the campus be a blend of facilities interspersed with forested area that will reflect the beauty of the adjacent parkland and retain the feel of a woodland site. Additionally, the landscape design proposes significant new plantings to re-vegetate the disturbed areas with native planting further mitigating views from off-site as well as enhancing the aesthetic character of the campus. The landscaping features of the site will also incorporate the "green" stormwater practices as encouraged by the State DEC. Features of stormwater control include "green roofs," "stormwater planters," "bioretention areas," and "riparian buffers." With the exception of the green roofs, these stormwater methods will be mixed with areas of restored woodland and rock gardens of low shrubs and perennials. The existing boulders and rock outcroppings will be retained for re-use in the landscaping plan.

Unnatural expanses of large lawn areas are not a part of the landscaping scheme. The planting plan provides visual interest in all four seasons by including deciduous trees, conifers, shrubs, and perennials. The purpose of these plantings is not only to mitigate off-site visual impact, but also reestablish a woodland character to the campus compatible with the surrounding natural landscape.

A lacustrine buffer will be provided at the 100-foot lakefront wetland setback. A minimum of 25 feet along the water's edge will remain undisturbed. The remaining 75 foot setback will be vegetated for use as a "riparian buffer," a feature of the stormwater "green" practices encouraged by the DEC. This approach will maintain existing open habitat currently being used by Bluebirds and other species of conservation concern. Landscaping in this buffer will specifically be designed to protect the water quality by trapping sediments and pollutants that will otherwise run off the

land and into the water while also mitigating the visual impact of the proposed project on the views from across Blue Lake.

Tree protection details include construction fencing around protected vegetation as well as posted signs identifying the "Tree Protection Area." All disturbed areas that are to remain as pervious areas will have the soil prepared as outlined by the DEC's "Deep-Ripping and Decompaction," publication dated April 2008.

Tree and shrub planting will include a two-inch mulch layer; planting soil will consist of one-third sand, one-third topsoil, one-third peat moss, mycorrhizal fertilizer placed per manufacturer's instructions and fertilizer briquettes. Perennial planting will include a two-inch mulch layer; planting soil will consist of four parts topsoil, two parts peat moss, one part aged manure, and mycorrhizal fertilizer placed per manufacturer's instructions. Groundcover planting will include a six-inch-deep planting bed consisting of three parts topsoil and one part peat moss or compost and mycorrhizal fertilizer placed per manufacturer's instructions.

Finding: The Planning Board finds that no significant adverse impacts to visual resources will be created provided that the Site Lighting, Landscape Design, and overall Site Design and Siting are implemented as well as the proposed preservation of well over 80 percent of the site's forested land in its natural state. The Planning Board also finds that visual impacts will be minimized by utilizing the proposed natural stone and masonry materials together with the varying architectural styles and techniques proposed in keeping with the rural and scenic character of the area.

J. Cultural, Historic and Archaeological Resources

Ground disturbance in the approximately 45-acre Area of Potential Effect (APE) will generally occur within the existing developed portion of the former INCO property. Ground disturbance will result from the demolition of existing buildings and construction of a religious administrative campus. New road construction, installation of utilities, and landscaping also will occur within the APE as part of construction activities.

The current and former environmental setting of most of the current project area is similar to that of known Pre-Contact period camp sites. Specifically, these are the property's terrace-like locations and other relatively level, raised areas overlooking the valley that now contains Sterling Forest Lake, its outlet stream, and adjoining wetlands. Such locations within the current APE, where undisturbed, are considered to be sensitive for the presence of Pre-Contact period archaeological resources. Blue Lake was created in 1956 when the stream that ran through the valley was dammed inundating the area. The stream was the outlet for Little Cedar Pond, located northwest of the project area.

Portions of the APE immediately south of Sterling Forest Lake, however, have been disturbed as a result of the construction of the INCO facility during the early 1960's. Numerous multi-story buildings associated with the facility are present there. Their location constitutes the developed

portion of the APE. The amount of construction that has occurred there would have disturbed or destroyed any Pre-contact period sites that may have been present. No caves or rockshelters or outcrops of chert, quartz, quartzite, or other useable lithics were identified during the pedestrian reconnaissance of the project area.

Portions of the current APE fronting onto Long Meadow Road (CR-84) and its vicinity within the project's western parcel are considered to be sensitive for Historic period archaeological resources associated with the mid to late nineteenth century Sterling Works. The Sterling Works was an iron producing community established in 1847-1848 by the Sterling Company. The Works included a furnace and forge, a number of support structures (Church, store, shop etc.), worker residences, and associated outbuildings. Many of the community's structures were located east of Long Meadow Road and will not be impacted by the proposed development project. Some of the associated structures, however, formerly were located within the current project's APE fronting onto what is now Long Meadow Road (CR-84) and its vicinity.

Phase 1A and 1B and Phase II Archaeological Investigations were completed. A sunken road found on the site was the only feature that warranted a Phase II investigation. The previously completed Phase IB investigation did not identify other potentially significant archaeological sites within the APE. Accordingly, based upon the results of the two investigations, no additional archaeological studies are warranted for the Jehovah's Witnesses World Headquarters project's APE. The New York State Historic Preservation Office agreed with the finding and in a letter dated April 16, 2012 stated that their project "will have No Impact upon cultural resources in or eligible for inclusion in the State and National Register of historic Places."

Finding: The Planning Board finds that no significant cultural resources have been identified on the Project site and no further archaeological investigations are warranted provided that the APE is not expanded beyond what was identified in the EIS.

III. ALTERNATIVES

Four alternatives to the proposed action were studied in the EIS. None of the four alternatives have been selected by the Planning Board.

- No-action Alternative.
- Educational facilities previously approved.
- Low-height Alternative.
- As-of-right Alternative.

A. No Action Alternative

The No Action alternative is represented by the existing conditions on the Project site. Under this alternative, no action is taken on the part of the Project Sponsor to develop the proposed project or that the existing site could be reoccupied by a user similar to the International Nickel Company (INCO). INCO utilized the site as their headquarters office and for research and development. The research and development at the Blue Lake facility was related to metal plating processes. The facility was not used for production. If this site is reoccupied by a similar user, environmental impacts to the site will be similar to those present during the time the INCO facility was in operation. This alternative does not meet the objectives and capabilities of the Project sponsor to relocate its World Headquarters to the Town.

B. Educational Facilities Alternative

The King's College proposal included construction of a four-year liberal arts college for 1,500 students on the 168-acre former INCO property with the intention of beginning to admit freshman students in the fall of 2001. Construction was expected to begin in summer 1999 and to be phased incrementally until complete occupancy was achieved in three-to-seven years. Proposed facilities were to include:

- The existing INCO building, which consists of 198,000 square feet of floor space, was to form the core of the new campus. Adaptive reuse and building additions would have resulted in a total of 377,450 square feet of floor space in this main building to accommodate administrative and faculty offices, classrooms/labs, food service, support facilities, student/campus center, theater/performing arts center, library, and gymnasium/indoor pool.
- On-campus student housing was to be constructed on the hillside to the southeast of the existing INCO building. A complex of six (6) residence halls, totaling approximately 320,000 square feet and made up of suite-type and single- and double-dormitory-type living units, were proposed. Married student housing for 40 couples was to be constructed adjacent to the student dormitory buildings. A variance was required to permit the proposed dormitories to be constructed to a height of four stories.
- A 42,170-square-foot Chapel Music Center was planned for a site immediately northeast of the main building.
- An athletic complex was to be constructed on the plateau at the top of the campus hill and would have included an all-weather track/multi-use field, soccer and baseball fields, tennis courts, and other passive recreational areas. The recreational complex was to be serviced by a 3,000-square-foot athletic field building and a 4,050-square-foot campus service building was to be located near the recreational fields.
- The existing on-site 10,000-gpd wastewater treatment plant (STP) was to be replaced with a new STP located at the site of the existing Blue Lake STP. This new plant was completed in 2002 in conjunction with the South County Sewer Corporation (SCSC) and is capable of treating the 130,000 gpd of sewage that will be generated by The King's College.
- Land area had been reserved adjacent to the main building for development of a future educational facility, assumed to be approximately 50,000 square feet in size.

- A total of 1,370 (31 handicapped) parking spaces were to be provided on-campus. The total parking lot pavement area was to amount to approximately 13.3 acres in 21 separate lots.
- The construction of a complete loop road was to provide improved vehicular circulation and emergency access throughout the campus.

The potential environmental impacts of the educational facilities alternative would, in nearly all cases, exceed the proposed project.

C. Low-height Alternative

This alternative assumes that the Project Sponsor will develop the site with a maximum building height of 40 feet. To accommodate the same building square footage, approximately 59 acres of the site would be disturbed as opposed to 45 acres under the current proposal. The potential impacts of the physical alteration of the site under the low-height alternative would be greater than the proposed project. Visual impacts of the proposed project are not expected to significantly differ from the low-height alternative.

D. As-of-right Alternative

This project alternative analyzes development of an alternate land use on the Project Sponsor's property in accordance with existing zoning regulations, but will not accomplish the goals being sought by the Project Sponsor. Regulations set forth by the Town Zoning Law for the Land Conservation (LC) district in which the Project Site is located allows for detached single-family residences on lots of at least six acres. For this analysis, the number of single-family residential lots that could potentially be subdivided on the property was calculated and a sketch subdivision plan was created. This alternative assumes that the property will be purchased by a private developer and that new residential lots will be occupied by the general public and not be associated with the Project Sponsor's operations. To be conservative, these residences are assumed to be five-bedroom houses approximately 3,200 square feet in area. Subsequently, potential impacts from this type of development were assessed. Estimates show that approximately 200 acres of the 253-acre parcel are available for development of lots; the remaining 53 acres are reserved for infrastructure (i.e., roadways and stormwater facilities, open-space and contingency).

Although the Town encourages a subdivision to be developed as a cluster subdivision in order to preserve important open lands, the as-of-right alternative has been developed as a conventional subdivision. The reason for this is the clustering designation is made by the Town Planning Board and requires approval for the higher density of five acres per lot. This alternative assumes no additional waiver or approvals are required from the Town.

For a conservative estimate and to show the greatest possible number of potential subdivided lots, environmentally sensitive areas were not considered in the calculation of the number of lots. Accounting for environmentally sensitive areas could potentially reduce the number of total subdivided lots, and it is assumed that these factors will be considered if this alternative is realized.

The Project Sponsor's property could be subdivided into 33 lots, occupied by single-family residences. However, taking into account the shape of the property, existing steep slopes, proposed road circulation, minimal disturbance of natural features (Ringwood River and wetlands) and necessary stormwater management areas, it was determined feasible to subdivide the property into 25 lots ranging in size from 6.0 to 10.9 acres.

While some impacts would be less for the As-of-right alternative, the impacts on fiscal resources would be significantly greater (especially for schools) than the proposed project as would be the impacts on stormwater (due to greater impervious surfaces), steep slopes disturbance, and total area of disturbance.

IV. CONSISTENCY WITH DRAFT AND FINAL ENVIRONMENTAL IMPACT STATEMENTS

The Planning Board has determined that the Draft EIS and Final EIS documents and the public hearing and public comment period on the Draft EIS are sufficient to inform the public of all environmental aspects of the proposed project's effects. The Planning Board has also determined that the detailed mitigation measures specified in the Draft and Final EIS's as well as the proposed preliminary Site Plans are adequate to avoid or minimize environmental impacts of the project. All such measures are incorporated by reference in this Findings Statement as if they were enunciated herein.

V. CERTIFICATION OF FINDINGS TO APPROVE

Having considered the Draft and Final EIS, and having considered the preceding written facts and conclusions and specific findings relied upon to meet the requirements of 6 N.Y.C.R.R. Part 617, this Statement of Findings certifies that:

1. The requirements of 6 N.Y.C.R.R. Part 617 have been met;
2. Consistent with the social, economic and other essential considerations, from among the reasonable alternatives thereto, the action approved is one which minimizes or avoids adverse environmental effects to the maximum extent practicable; including the effects disclosed in the environmental impact statement; and
3. Consistent with social, economic and other essential considerations, to the maximum extent practicable, adverse environmental effects revealed in the environmental impact statement process will be minimized or avoided by incorporating as conditions to the decision those mitigative measures which were identified as practicable.

For Town of Warwick Planning Board:

Signature of Responsible Official

Name of responsible Official

Title of Responsible Official

Date

Town of Warwick Planning Board (Lead Agency)
Warwick Town Hall
132 Kings Highway
Warwick, New York 10990

Findings Statement Filed With:

Town of Warwick Planning Board
Michael Sweeton, Town Supervisor
Town Board of the Town of Warwick
Town of Warwick Zoning Board of Appeals
NY State Department of Environmental Conservation
Division of Regulatory Services
625 Broadway
Albany, NY 12233

NY State Department of Environmental Conservation
Region 3 Office
21 South Putt Corners Rd.
New Paltz, NY 12561

Charles W. Lee P.E., Commissioner
Orange County Department of Public Works
2455-2459 Route 17M
P.O. Box 509
Goshen, NY 10924

Interested Agencies

Town of Warwick Conservation Board
Town of Warwick Architectural Review Board
Palisades Interstate Park Commission
United States Army Corps of Engineers

Town Board of the Town of Tuxedo

Village of Greenwood Lake Board of Trustees

Greenwood Lake Fire District

Borough of Ringwood Council

Tuxedo Union Free School District

Orange County Department of Planning

New York State Office of Parks Recreation and Historic Preservation: Historic Preservation Field Services Bureau

US Army Corps of Engineers

2012-08-01-Watchtower-Findings-Adopted