FULL ENVIRONMENTAL ASSESSMENT

PART 3 – Evaluation of the Magnitude and Importance of Project Impacts

Attachment A

Lead Agency: Town of Warwick Planning Board

Project Sponsor: Beth Medrash Meor Yitzchok College (the "College")

Project Site: 57 and 61 Old Forge Road (Section 83 Block 1 Lots 2 & 5.1)

Area: 7.01+/- acres

Zoning: Land Conservation (LC) with Ridgeline Protection Overlay

Action: Renovation and re-occupancy of existing structures previously used as a New York University-owned and operated medical research laboratory for use a men's religious college for up to 200 resident students and approximately 47 faculty and staff.

Related Approvals: Site Plan approval – Town of Warwick Planning Board
Special Use Permit approval – Town of Warwick Planning Board
Orange County Department of Health – Improvements to wastewater treatment plant and/or public water system
Possible Timber Rattlesnake Permitting – NYSDEC
Possible Abatement permitting – NYSDEC

BACKGROUND

Site History

Albert Gallatin founded in 1831 a non-denominational university called the University of the City of New York which would become New York University.[1] More particularly to the Site, it is our understanding from the attached September 1959 Journal of Metals article entitled "Sterling, Ringwood, and Greenwood" that the main rustic stone building itself started as a school for the children of miners working for Ramapo Ore Company. NYU owned and operated the Site for approximately 70 years.

The Site has existed and been significantly occupied in its current building and parking layout for several decades spanning from before 1974 through at least 2015 as reflected by Aerial Photography available

[1] *See* https://www.nyu.edu/about/news-publications/news/2015/january/albert-gallatin--behind-the-man-behind-nyu.html.

from the NYS Geographic Information Systems Clearinghouse and Historic Aerials by Netronline.[2] Based on Aerial Photography, usage appears to have declined following 2015.

Figure 1: NYU Site Circa 1975

Figure 2: NYU Site Circa 2006

A review of the Town of Warwick Building Department's records and other historic documents suggests that the Town has issued Building Permits and Certificates of Occupancy to NYU (or NYU Medical Center or NYU A.J. Lanza Research Lab) for the Site since at least as early as March 1962 (for "Alterations to Laboratory," and "Industrial Medicine Research Bldg") with the most recent Certificate of Occupancy issued to NYU School of Medicine for a "Labs renovation," dated September 30, 2021, and numbered as CO313360.

Access to the Site is currently provided by three curb cuts on the East side of Old Forge Road in Town to the north of the Sterling Forest State Park Visitor Parking Lot. The improvements presently include three interconnected buildings totaling approximately 81,000 square feet with various sections ranging in height from 2-stories to 3-stories. Ramapo Ore Company constructed the East Building in the 1920s. NYU constructed both the West Building in the 1960s and the South Building in the 1970s. All three of these buildings are served by Veolia Water New York (formerly Suez) for water and wastewater.

Current Site Disposition

As previously detailed, New York University ("NYU") College of Medicine had been operating the Project Site as a Research Laboratory for well over 50 years under the name: Nelson Institute of Environmental Medicine," with the decommissioning of the Site beginning sometime in 2017 and the site ultimately being closed in 2018. Since the shuttering by NYU in 2018, the facility and the Site have remained mostly dormant until its eventual sale in 2021.

Sometime after the sale of the facility in 2021, the site endured multiple acts of vandalism to the building's interior and exterior. The trespassers were able to gain access into the building by breaking through the glass entry doors of the structure. Once inside

[2] *See* https://orthos.dhses.ny.gov/; https://www.historicaerials.com

the building windows were broken on the first and second floors, walls and surfaces were spray-painted, and water fixtures were inappropriately operated.

Figure 3: NYU Site Circa 2015

The damage performed to the building has permitted the admittance of precipitation into the building, leading to an excessive growth of mold and mildew within the structure. During the October 4th, 2023 site visit to the exterior of the building, members of the Planning Board remarked upon the smell of mold and mildew permeating from the structure. Additionally, members of the Planning Board were able to bear witness to the damage of the building interior during a site visit conducted on November 2nd, 2024. See Exhibit M.

While operated by NYU, buildings were heated by an oil-fired boiler system utilizing #2 fuel oil. This fuel oil was stored in two (2) underground storage tanks in separate locations, near their respective boilers. Due to the large amount of #2 fuel oil stored on-site (30,000 gallons) a Petroleum Bulk Storage ("PBS") permit was secured from the New York State Department of Environmental Conservation ("NYSDEC"). Section 16 of this Draft Full EAF Part III further discusses the necessary removal of these tanks to comply with current codes and regulations. Additionally, the Project Sponsor has submitted a report by Luzon Environmental Services entitled "Underground Petroleum Tank Closure Report," dated June 18, 2024, and on file with the Town of Warwick Planning Board. This report lays out a plan for the proposed removal of these tanks.

The Proposed Action.

The Project Sponsor proposes to undertake interior renovations, perform minimal site improvements and re-occupy the existing buildings on the Site for use as a college awarding Bachelor's Degrees and Associate's Degrees in Talmudic Studies. The project sponsor proposes interior renovations of existing meeting rooms and other spaces into classrooms, quad-occupancy dormitory rooms, and a 370-seat auditorium. The Project Sponsor proposes matriculating up to 200 adult male resident students with a conservative estimate of 43 professors/administrators/support staff.

The Project Sponsor has applied to the Town Planning Board for Site Plan Approval and an Institution of Higher Learning Special Permit per Section 164-46J and Use Group 84. Further, the Project Sponsor's application complies in all respects with the use, area, and bulk standards for the LC zoning district in which the Site is classified, as well as the Ridgeline Overlay District 2 ("RL-O2"). The Project Sponsor also will file with the County of Orange and Town of Warwick Tax Assessor, upon receipt of its land use entitlements, the necessary Consolidation Deed and other paperwork to merge the Site's two lots into one tax lot.

It is noted that the attorney for the applicant has repeatedly advanced the idea that the prior use as an NYU-operated medical research laboratory qualified it as an "Institution of Higher Learning" under zoning and that the proposed use as a college is also an "Institution of Higher Learning." This Part 3 remains silent on this contention as a determination on the use is not necessary to consider whether significant adverse environmental impacts are likely to result from the proposed project. In any event, both Institutions of Higher Learning and State-Accredited Private Schools are permitted by Special Use Permit in the LC district.

In terms of physical changes to the project site, most of the proposed construction will be the renovation of the existing structures to suit the modified use. Proposed exterior construction includes the following:

- Restriping of the upper parking area.
- New pavement widening at the upper parking area totalling 204+/- square feet.
- Replacement of lightpoles along a path between building and lower parking area.
- Installation of landscaping.
- New pavement widening at the lower parking lot of 1851+/- square feet to improve vehicular circulation.
- Removal of 11,396+/- square feet of existing macadam parking area.
- Trenching to repair or replace underground sewer lines as required.
- Offsite wastewater or water plant improvements as required.

The Project Sponsor anticipates that the College will operate on Old Forge Road in many respects consistent with its facility, also named Beth Medrash Meor Yitzchok, located at 85 Dykstras Way East in Monsey, NY, which opened its doors in the Fall of 2005 as the post-secondary affiliate of Mesivta Meor Yitzchok, itself an established high school in Monsey, NY.

The College awards Bachelor's Degrees and Associate's Degrees in Talmudic Studies. It is in Good Standing with the New York State Higher Education Services Corporation ("HESC"), and, based on an audit of its financial statements, is on HESC's Inventory of Registered Programs. The College is accredited by the Association of Advanced Rabbinical and Talmudic Schools, Accreditation Commission ("AARTS")[3], which itself is recognized by both the US Department of Education ("USDE") and the Council for Higher Education Accreditation ("CHEA").

The College is listed on the US Department of Education's Office of Postsecondary Education's Database of Accredited Postsecondary Institutions and Programs. See https://ope.ed.gov/dapip/#/institution-profile/227465. Reference to the College's profile notes that the College is accredited by the Association of Advanced Rabbinical and Talmudic Schools Accreditation Commission since December 2011 with renewals of accreditation occurring in April 2017 and April 2024 with the next accreditation review date set for December 2030.

Were the facility to have opened in 2024, the Project Sponsor estimated the Academic Calendar would have approximated:

Fall Semester: September 4, 2024 – February 6, 2025

[3] *See* https://www.chea.org/national-faith-related-accrediting-organizations-accreditor-type.

Fall Breaks:	October 10, 2024 – November 2, 2024
	December 27, 2024 - December 29, 2024
Spring Semester:	February 10, 2025 - July 22, 2025
Spring Breaks:	March 14, 2025 – March 16, 2025
	March 30, 2025 – April 28, 2025

It is proposed that students will reside on the premises and arrive and depart by bus on an approximately monthly basis as indicated by the approximated schedule above. None of the students will commute daily. It is expected that the College will have overlapping administration with its Monsey facility. It is conservatively estimated that there will be 43 faculty and staff working on-site. Admission to the College is open to male members of the Orthodox Jewish faith, regardless of race, color, national origin or physical handicap. The Academic Program the College proposes is a five-year, 150 credit undergraduate program in Talmudic studies. Students who successfully complete the Yeshiva's five-year program are eligible to receive a First Talmudic degree. The College also will offer an associates-level program of study comprised of 60 credits leading to an Intermediary Talmudic Degree.

The State Environmental Quality Review SEQR Process to Date

In its December 27, 2023, submission, the Project Sponsor respectfully submitted that its proposed action was a Type II action exempt from SEQR, based on several of the sub-sections codified in 6 NYCRR Part 617.5(c), including sub-sections 2, 9, 10 and 18. Type II actions require no further review under SEQRA. Because the Project Sponsor asserted that it was proposing a Type II action, it did not provide either a Full Environmental Assessment Form or a Short Environmental Assessment Form with its initial application.

As a result of the Project Sponsor's submission, on January 17, 2024, the Planning Board adopted a resolution indicating that it preliminarily classified the proposed action as Type I. It rejected the Project Sponsor's claims that the proposal was a Type II action as follows:

- With regard to 617.5(c)(2), the project is not a reconstruction of a facility in kind, and therefore this Type II action does not apply. The previous facility was a research laboratory, while the proposal is for classrooms, dormitories, libraries and supporting facilities.
- With regard to 617.5(c)(9), the proposed construction involves more than 4,000 square feet of non-residential floor area and includes residential facilities, and therefore this Type II action does not apply.
- With regard to 617.5(c)(10), the initial construction of an 87,000 square foot school is not a "routine" activity of an educational institution, and therefore this Type II action does not apply.
- With regard to 617.5(c)(18), the action exceeds a Type I threshold. Notably, the proposed action proposes, "*an unlisted action, that exceeds 25 percent of any threshold in this section (activities, other than the construction of residential facilities that exceed… in a… town… having a population of less than 150,000 persons or less, a facility with more than 100,000 square feet), occurring… substantially contiguous to any publicly owned or operated parkland…*" The exact amount of non-residential floor area proposed is not known, but seems to exceed 25,000 square feet, the maximum amount under this threshold. Therefore, this Type II action does not apply.

The Project Sponsor thereafter provided on August 14, 2024, a SEQRA Full Environmental Assessment Form ("EAF") including completed Parts I & II with Appendices.

With this submission, the Project Sponsor suggested that there are no Involved Agencies other than the Planning Board given that the scope of the Action entails solely the re-occupancy and interior renovation of the existing buildings along with landscaping and parking area improvements decreasing the impervious surfaces on Site.

The Project Sponsor mistakenly prepared and submitted an EAF Part II answering the plurality of the Questions "No" and as to the several Questions answered "Yes", all the detailed responses in the sub-sections were answered "No, or small impact may occur". The College asserted that a Part 3 assessment was unnecessary, and the project did not warrant even a cursory investigation into environmental impacts (beyond the EAF Part 1 supplements it had already submitted). In sum, the College concluded that its application would not have a significant adverse environmental impact; and therefore, adoption of a SEQRA Negative Declaration was warranted. This analysis and assertion is outside the normal process of SEQR, which mandates that the lead agency make the Part 2 determinations.

On September 18, 2024, the Planning Board noticed its intent to become Lead Agency to the Town of Warwick Zoning Board, the Orange County Department of Health and the New York State Department of Environmental Conservation. The Planning Board had identified the following potential approvals as being required:

- Town of Warwick Zoning Board – Interpretation of Use[4] and/or possible use variance.
- Orange County Health Department – Approval of Public Water Supply and/or Public Wastewater Treatment Plan modifications
- NYS Department of Environmental Conservation – Possible permitting relating to rare, endangered or threatened species, possible permitting relating to abatement of asbestos, lead, building or soils contamination.

While the Project Sponsor disagreed with the Planning Board's determinations regarding SEQR classification and involved agencies, given that the Lead Agency was going to distribute a coordination notice anyway, the Project Sponsor's agents requested it be as widely distributed as possible to potentially interested agencies and three potentially interested parties. The following additional non-involved agencies and/or parties were noticed:

- Town of Tuxedo Planning Board
- Palisades Interstate Park Commission
- NYS Office of Parks, Recreation & Historic Preservation
- Town of Warwick Town Board
- Orange County Department of Planning
- Orange County Department of Public Works
- NYS Education Department
- Town of Warwick Police Department
- Tuxedo Union Free School District

[4] It was later determined by the Planning Board upon advice of its attorney, that such an interpretation or use variance was not required.

- Tuxedo Fire District
- Greenwood Lake EMS District
- The Sterling Forest Partnership[5]
- NY/NJ Trail Conference
- Open Space Institute

The Planning Board has not received any objection to it serving as Lead Agency for the Coordinated Review of this Project Classified as a Type I Action. Accordingly, the Planning Board assumed the status of Lead Agency under SEQRA. The Orange County Department of Public Works responded on October 1, 2024, indicating no comment and that no approval is necessary from the Department. The Orange County Department of Health indicated that a backflow protection device will be required, that a water main extension (if required) will require County Health Department review, and that all water distribution improvements will require a County Health Department permit. The Orange County Department of Planning responded to the Lead Agency Coordination on October 3, 2024, requesting that it be copied on future SEQR submissions by the Project Sponsor, and that those submissions include a traffic study and a full-sized site plan.

On November 20, 2024, the Planning Board adopted a Full EAF Part 2 (the draft having been prepared by Nelson Pope Voorhis as the Town's Consulting Planner) identifying the following areas of potential environmental concern:

a. Impact on Land

   i. The proposed action may involve construction on land where depth to water table is less than 3 feet. The applicant indicates groundwater elevations as shallow as 1 foot.

   ii. The proposed action may involve construction on slopes of 15% or greater The applicant indicates that the area of the site containing slopes over 15% comprise 49% of the site.

   iii. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface. The applicant indicates the site contains exposed bedrock.

   iv. The proposed action may involve construction that continues for more than one year or in multiple phases. The applicant indicates 18-month construction period.

[5] Between the Project Sponsor's submission on August 14, 2024 and the Planning Board's September 9, 2024 work session and its September 18, 2024 public meeting, the Planning Board received numerous letters from agencies and environmental organizations such as The Sterling Forest Partnership, Palisades Interstate Parks Commission, New York New Jersey Trail Conference, and the Open Space Institute.

b. Impact on Groundwater

   i. The proposed action may require new water supply wells or create additional demand on supplies from existing water supply wells.

   ii. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Veolia Water indicates improvements needed to increase capacity.

   iii. Other: Project will withdraw water from a sole source aquifer (Highlands Aquifer System).

c. Impact on Plants and Animals

   i. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government. While the proposed disturbance is limited, there is a potential for habitat degradation associated with more intensive, 24-hour occupancy of the project site.

   ii. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government. While proposed disturbance is limited, there is a potential for habitat degradation associated with more intensive, 24-hour occupancy of the project site.

   iii. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community.

d. Impact on Aesthetic Resources. While the structures are existing, they have been vacant for some time. Significantly increased activity at the site will impact views from the Sterling Forest Visitor's Center and area trails, which is substantially contiguous to the property site.

e. Impact on Historic and Archaeological Resources. While the project is in an area identified as sensitive for archeological resources, sub items are recommended to be identified as "no or small impact," as there is very limited site disturbance proposed and those are proposed in areas that are adjacent to significant previous disturbance, such as minor expansion of parking areas.

f. Impact On Open Space and Recreation. – Other: The project may diminish recreational resources in the adjacent State Park.

g. Impact on Transportation. Projected traffic increases may exceed the capacity of the existing road network.

h. Impact on Energy. The project will increase energy usage, but all sub items are identified as "no or small impact."

i. Impact on Noise, Odor and Light

i. The proposed action may result in light shining onto adjoining properties.

ii. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.

j. Impact on Human Health

i. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.

ii. Other: Renovation of buildings may result in the release of lead paint, asbestos, or chemicals used during the previous owner's occupancy as a laboratory.

k. Consistency with Community Character

i. The proposed action may create a demand for additional community services (e.g. schools, police and fire)

The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources. The Lead Agency resolution adopting the Full EAF Part 2 also requested that the Project Sponsor submit a draft Part 3 addressing the importance of these potential moderate to large impacts including:

- Magnitude factors such as severity, size or extent of an impact.
- Importance of geographic scope, duration, probability of occurrence, number of people affected and any additional environmental consequences of the proposal.
- Any design element or project changes to be considered.
- The reason(s) why the impact may, or will not, result in a significant adverse environmental impact.

The project sponsor provided a first draft Full EAF Part 3 dated January 29, 2025, addressing all areas of potential environmental concern. The Planning Board's consulting planner, which assisted with the review of the Project Sponsor-prepared draft Full EAF Part 3, requested that additional information be provided regarding the following subject matters:

- Threatened and endangered species.
- Potential significant natural communities on or near to the site.
- History of site remediation, including a synopsis of Environmental Site Assessments.
- Information on potential fiscal impacts and impacts on community services.

Supplemental information was provided to the Planning Board addressing these matters on or around March 14, 2025. The Planning Board's consulting planner revised the draft EAF Part 3 and submitted it to the Planning Board on April 14, 2025, for consideration.

Over the course of Planning Board review, the applicant made several minor changes to the project, including but not limited to:

- Proposed site lighting, including prescribing more wildlife-friendly lighting color temperatures, reduced lighting intensity, and lower bollard style lighting.
- Changes to environmental notes throughout the plan set.
- Incorporation of park benches as requested by Orange County Planning.
- Removal of one parking space to retain a significant white pine tree.

Based on these project changes, on or around March 12, 2025, the Planning Board recirculated the application to all identified involved and interested agencies and parties along with revised plans allowing all agencies to comment on the proposed plan changes and the project as amended over the course of project review.

No agency has responded to this notice of project change to indicate any environmental concerns that were not previously considered by the Lead Agency, nor remarked on the adequacy or inadequacy of project changes to address identified areas of environmental concern.

On or around April 16, 2025 at 7:00 PM, the Planning Board opened its public hearing on the proposed project. An earlier draft of this proposed Part 3 was available for review on the Town's website starting on April 14, 2024. The Planning Board accepted extensive public comment during this meeting, and allowed for written comment to be submitted through April 26, 2025 (10 days).

In response to the comments received by the public, the applicant submitted additional information by letter dated June 24, 2025.

Public Comment

Over the course of project review, the Planning Board has received numerous comments by interested parties.[6] Several of these commenters have raised concerns about the proposed action and its potential impact on the environment. The comments have been reviewed in depth, and the Planning Board has requested additional information in response to these comments including information on certain species identified by the public as potentially existing on the site.

Many of the comments have requested that the project be subjected to an Environmental Impact Statement (EIS) due to the value and sensitivity of Sterling Forest State Park in order to subject the project to more thorough public review or agency consultaton. It is noted that to require a DEIS, the Lead Agency must identify at least one significant adverse environmental impact to occur because of the proposed action. SEQR does not allow a lead agency to require an EIS solely due to the presence of a highly valuable or sensitive environmental resource, absent a finding that the proposed action is likely to significantly and adversely impact that resource. SEQR also does not allow a lead agency to require an EIS solely to subject a project to higher degrees of public or agency consultation.

[6] The Planning Board notes that it is in receipt of several comments that are biased, discriminatory and inflammatory, regarding the religion of the College operators and future students. The Planning Board disavows such comments without reservation and has not and will not consider such comments in the course of its SEQR, site plan and special use permit review of this application.

ASSESSMENT OF IMPACTS

General Considerations

In determining whether the project may result in significant adverse impact, the Planning Board relied on the following general considerations, which are all indicated on the plan or attested to by the project sponsor during the course of site plan review (and will be made requirements of approval):

- The proposed area of new permanent disturbance is approximately 0.37 acres to support improved vehicular circulation.
- Assuming a 20-foot swath of clearing along the site's 240 feet of sewer line through naturalized areas of the site, approximately 5,000 square feet of additional clearing will potentially require temporary disturbance of the naturalized areas to repair or replace sewer lines to meet the requirements of the Orange County Health Department and the sewer utility.
- The applicant is permanently removing approximately 11,396 square feet of parking area and allowing that area to return to natural conditions.
- By removing the net area of parking, the project will increase the area of natural meadow/wooded conditions post-construction versus existing site conditions.
- The project sponsor has clarified that all adult students will travel to and from the facility in buses and remain on-site in approximately month-long intervals.
- A conservative estimate of faculty and staff is 43 persons.
- Only adult male students will reside on-site. There will be no families or children of students residing on the site.

Specific Considerations:

1. Impact on Land

1.A Existing Conditions

The total parcel area of the Proposed Action is 7.01± acres. The parcel currently contains an 81,000± sq.ft. building, multiple paved parking areas, wooded areas, and lawn & landscaped areas. Table 1.A below summarizes the existing land coverage conditions found on the Project Site.

Table 1.A – Existing Site Coverage

Land Cover Type	Area (Acres)
Impervious Surfaces	2.56
Wooded Areas	2.61
Surface Water Features	0.01
Exposed Bedrock	0.10
Lawn & Landscaping	1.73
Total	**7.01**

1.A.1 Soils

The Project Site contains three (3) soil groups according to the *Soil Survey of Orange County, New York*, a publication of the National Cooperative Soil Survey compiled by the U.S. Department of Agriculture, Soil Conservation Service and Cornell University Agricultural Experiment Station. The on-site soil groups contain the following three (3) groups: Erie, extremely stony soils, gently sloping ("ESB"), Rock outcrop-Hollis complex, 15 to 35 percent slopes ("ROD"), and Swartswood and Mardin soils, sloping, very stony ("SXC").

Table 1.A.1 below lists the various soil types present on the Project Site, their on-site acreages, and associated characteristics. According to the *Soil Survey of Orange County, New York,* the depth to the high-water table is less than three (3) feet for two (2) soil groups found on the Site and the depth to bedrock is less than five (5) feet for all soil groups found on the Site. The NY Agricultural Land Classification table published by NYS Agriculture and Markets lists ESB & ROD soils in soil group 9, with SXC in soil group 8, which is not considered a highly productive soil group (Groups 1-4).

Table 1.A.1 – On-Site Soil Types

SOIL	Symbol	Acres	Slope Range	Hydrologic Group	Depth to Rock	High Water Table
Erie, extremely stony	ESB	0.5	3-8%	D	10"-21"	6"-18"
Rock outcrop, Hollis	ROD	1.9	15-35%	D	8"-23"	> 80"
Swartswood & Mardin	SXC	4.6	8-15%	C	14"-26"	13"-24"

1.A.2 Topography

Topography on the Site generally slopes from a ridgeline on the northern portion of the site, along Old Forge Road, towards the southern portion of the Site. There is an elevation difference of roughly 58 feet across the Site. The highest natural elevation on the Site, approximately 858 feet above Mean Sea Level ("MSL"), is located on the northeastern portion of the parcel. The lowest elevation, approximately 800 feet above MSL, is found along the Site's southwestern property line. Topography of the Site is depicted in the full-sized set of plans on file with the Planning Board.

Slopes on the Site fluctuate from the previously developed portions containing more gentle topography, to the remaining undeveloped areas of the property consisting of steeper slopes. Approximately 4.28± acres, or 61% of the Project Site's slopes exceed 10% in grade. The remaining 2.73± acres, or 39% of the Site, contain slopes of less than 10%. Table 1.A.2 below lists the existing slope range areas found on the Project Site.

Table 1.A.2 – Existing Slopes		
Slope Category (%)	**Area (Acres)**	**Percentage of Site (%)**
0 – 10	2.73	39
10 – 15	0.84	12
> 15	3.44	49
Total	**7.01**	**100**

1.B. Potential Moderate or Large Impacts on Land Resources

1.B.1 Disturbance of Soils

As previously mentioned, most of the Site had been previously disturbed by the initial construction of the existing buildings, driveways, parking area, and pedestrian accessways. A grading plan for the Proposed Action has been developed to widen portions of the existing parking areas to comply with current code requirements for vehicular access.

As depicted on the Grading Plan for the Project, there are five distinct locations of proposed earth disturbances yielding a total amount of disturbance of 0.37± acres. This is not a significant area of disturbance.

1.B.2 Erosion & Sedimentation

It is anticipated that erosion and sedimentation may also be a potential impact due to the physical disturbance and vegetation removal during construction. Erosion is defined by the New York State Department of Environmental Conservation ("NYSDEC") as the "*wearing away of the land surface by running water, wind, ice or other geological agents",* and sediment is defined as "*solid material, both mineral and organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water, gravity, or ice and has come to rest on the earth's surface either above or below sea level*". While both erosion and sedimentation are intrinsic natural processes, in many places they are increased by human land use. A certain amount of erosion and sedimentation is natural and, in fact, healthy for the ecosystem. Excessive erosion, however, can cause problems, such as degradation of surface waters, ecosystem damage, and the outright loss of soil. Poor land use practices such as deforestation and unmanaged construction activity are the largest causes of excessive erosion. Construction of the Project will result in some amount of soil erosion and sedimentation when soil is disturbed and relocated on-site. This potential erosion can be in the form of sediment laden stormwater, or airborne fugitive dust from construction activities on exposed soil areas during dry weather.

The excavation of soil during long periods of construction has the potential to increase soil erosion and sedimentation. While it is estimated that the total development of the Site will take over one year to complete, the proposed earth disturbances are estimated to be completed under one year with the total area of disturbance consisting of 0.37± acres, or approximately 5.3% of the entire Project Site. The potential for erosion can be exacerbated by large areas of disturbance, disturbance of steep slopes, disturbance of highly erodible soils, poor on-site management of soils, and erosion control techniques.

Disturbance by slope range category on the Project Site is listed in Table 1.B.2 below.

Table 1.B.2 – Disturbances by Slope Range	
Slope Category (%)	**Disturbance Area (Acres)**
0 – 10	0.13
10 – 15	0.14
> 15	0.10
Total	**0.37**

Some erosion due to soil disturbance is unavoidable but will be reduced by the Project's design. To reduce the potential for soil erosion, preventative measures will be implemented in conformance with NYSDEC standards. A detailed Erosion and Sediment Control Plan for the Project is designed and included with the plans on file with the Planning Board.

All construction activities will proceed in a manner that is designed to prevent sediment from entering any wetland, watercourse, water body, and/or conduit carrying water. Proposed measures to be employed during construction include the following:

- Stormwater runoff from the Site will be captured, stored, and treated in existing stormwater facilities to remove sediment prior to being discharged from the Site.
- Existing vegetation will be retained when possible. Following construction, permanent vegetation will be established on all exposed soils.
- Site preparation activities will be designed to minimize the area and duration of soil disturbance.
- Permanent traffic corridors will be established and routes of convenience through the Site ("shortcuts") shall be avoided.
- Stabilized construction entrances will be installed at all points of entry into the Project Site to minimize fugitive dust and tracking of soil material from construction areas.
- Storm drain sediment inlet filters will be constructed at storm drains as required. These measures will be maintained in good condition until the final vegetative cover is well established on all disturbed areas upstream of the inlet.
- No erodible materials will be stockpiled within 25 feet of any ditch, stream, or other surface water body.
- Removal of healthy trees along the limits of disturbance will be avoided where possible. No construction materials will be stored, and no machinery operated outside the limits of disturbance, as shown on the Site Plans.
- All areas with a slope ratio s of 2:1 or steeper will be stabilized with jute netting and hydroseeded.
- Any washouts will be immediately repaired, reseeded, and protected from further erosion.
- All accumulated sediments will be removed and contained in appropriate spoils areas.

- Water will be applied to newly seeded areas as needed until grass cover is established.
- To effectively control wind erosion, water will be applied to all exposed soils as necessary.

All erosion control measures will be inspected in accordance with NYSDEC standards for the duration of the construction process. Proper maintenance of all erosion control items will ensure the optimum operation of the proposed erosion and sedimentation controls.

Through incorporation of the foregoing best management practices, significant soil erosion and sedimentation is unlikely.

1.B.3 Stormwater

There are currently numerous stormwater conveyances, catch basins and drainage culverts located throughout the Project Site that were previously constructed during the initial development. The locations of these stormwater conveyances can be found on the Existing Conditions Plan included in the plans on file with the Planning Board.

As depicted on the Grading Plan for the Project, there are five (5) distinct locations of proposed earth disturbances yielding a total amount of disturbance of 0.37± acres. Pursuant to NYSDEC's State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges for Construction Activity ("GP-0-20-001"), activities involving soil disturbances under one acre, that are not located within Watersheds with Lower Disturbance Threshold (GP-0-20-001 Appendix D), are excluded from permit coverage.

In addition to the minimal amount of earth disturbance here, (i.e. less than one acre), the Project includes the removal of existing impervious surfaces to offset the proposed addition of pavement. The Existing Conditions Plan depicts the locations of the existing 2.56± acres of existing impervious surfaces, including but not limited to buildings, paved parking areas, concrete sidewalks, etc. The Grading Plan details the proposed 0.28± acres of earth disturbance to remove approximately 0.26± acres of existing impervious surfaces to yield a net total of 2.35± acres of impervious surfaces within the Project Site.

The Site Plan prepared for the Proposed Action details the area of existing impervious surfaces to be removed, encompassing approximately 11,396± sq.ft. or 0.26± acres. Additionally, this Site Plan also details the five (5) separate locations where impervious surfaces are to be added totaling approximately 2,139± sq.ft. or 0.05± acres. This change in impervious surfaces yields a net decrease of 9,257± sq.ft. (0.21± acres) or a net reduction ratio of over 5:1. There will be less stormwater runoff under post-construction conditions.

1.B.4 Construction Phasing

Although the total ground disturbance is estimated to be 0.37± acres, the Project will be constructed in two or more phases of development, taking over one year to complete. It is anticipated that the first phase of development will comprise of the necessary demolition and remediation work within the existing building, with subsequent phases including the proposed building interior renovation work. The last phase of development will include the necessary site improvements, and the installation of the

lighting and landscaping in accordance with the design plans provided included in the plans on file with the Planning Board.

All topsoil within the disturbed area will be stockpiled for later use on-site. Cut soils generated by the Project will be reused on-site as fill material to the greatest extent practical. Any unusable material will be disposed of in accordance with all applicable Town of Warwick and the NYSDEC regulations. No significant impacts are anticipated from construction in multiple phases or construction periods over 12 months.

1.B.5 Construction Best Management Practices

To minimize the effect of undesirable soil compaction during construction, several best management practices will be employed during the construction of the Project. The limits of disturbance will be clearly delineated in the field prior to any earthwork. In critical areas, such as near surface waters and wetlands, fencing will be installed to prevent construction vehicles from erroneously entering areas that are not to be disturbed.

Furthermore, construction traffic will travel on designated construction routes throughout the Site. "Routes of convenience" through the Site will be avoided. By restricting construction traffic to designated areas, overly compacted soil in landscaped areas will be minimized. All areas to be re-vegetated upon completion of construction will be "de-compacted" through soil restoration, including tilling and scarifying the underlying soil layer to mature root depths, and prepared to receive new plantings.

1.C Land Resource Impact Avoidance

Since the Proposed Action will not result in any significant adverse impacts to Land Resources, no additional avoidance measures are required beyond those detailed above. With conformance to the engineered grading plan, construction phasing plan, implementation of the erosion and sediment control plan, and construction best management practices, any adverse environmental impacts to land resources resulting from the construction of the Proposed Action will be minimized such that impacts should not be significant, nor adverse.

4. Impact on Groundwater

4.A Existing Conditions

4.A.1 Water Supply

The Project Site is located wholly within the Sterling Lake Water District (PWS ID: NY3512133) currently owned and operated by Veolia Water New York, identified as a Community Water System ("CWS") by the Orange County Department of Health ("OCDOH"). This water district was previously established and operated as the South County Water Corporation in the 1960s and subsequently sold to United Water New York (aka Veolia) in 2002.

The Sterling Lake Water District contains approximately 31 tax parcels encompassing approximately 130.8± acres, located along Old Forge Road in the Town of Warwick. The source of the water for the District is withdrawn directly from Sterling Lake, with an estimated safe yield of 0.5 million gallons per

day ("MGD"), per OCDOH facility report. The raw water from Sterling Lake is then filtered and treated through the existing treatment plant, with a listed treatment capacity of 200,000 gallons per day ("GPD"), or 0.2 MGD, prior to distribution. Excess water produced by the District is then stored in a recently constructed (October 2022) storage tank with a capacity of 130,000 gallons, or 0.13 million gallons. According to the OCDOH facility report, the average daily production in 2023 for the District was 13,863 GPD with a maximum day of 62,000 gallons (July 18, 2023).

4.A.2 Aquifer

The Project Site is located wholly within the sole source aquifer ("SSA") identified as the Highlands Aquifer System Passaic, Morris, & Essex Counties, NJ SSA. Sole Source Aquifers are designated as the sole or main source of drinking water for a community by the US Environmental Protection Agency ("EPA") under provisions of the Federal Safe Drinking Water Act. The EPA further defines a sole source aquifer as one where the aquifer supplies at least 50 percent of the drinking water for its service area, or where there are no reasonably alternative drinking water sources, should the aquifer become contaminated.

4.B Potential Moderate or Large Impacts on Groundwater Resources

4.B.1 Water Supply

Based on the New York State Design Standards for Intermediate Sized Wastewater Treatment Systems, issued by the NYSDEC in 2014, Table B-3 'Typical Per-Unit Hydraulic Loading Rates', Table 4.B below estimates the average domestic water demand for the Proposed Action.

Table 4.B – Estimated Water Demand

Type of Use	# of Units	Demand Rate (GPD)	Average Daily Demand (GPD)
School (College) – Boarding	200	75	15,000
School (College) – Employees	43	15	645
Cafe. – Students (3 meals) *	200	6.27	1,254
Cafe. – Employees (2 meals) *	43	4.18	180
Landscaping Irrigation	1	1,000	1,000
		Total Demand:	**18,079**

* Cafeteria and Food Service water demand calculated utilizing '24-Hour Restaurant' with a base flow of 50 GPD per seat. 50 GPD / 24 Hours = 2.09 gallons per hour. One hour per meal yields 4.18 GPD for two meals (2.09 x 2) and 6.27 GPD for three meals (2.09 x 3).

As summarized in the table above, the project is estimated to create a water demand of 18,079 gallons per day ("GPD"), or 12.6 gallons per minute ("GPM"). The maximum daily demand is estimated to be twice the average daily demand, or approximately 36,158 GPD. Based on the permitted capacity of the water treatment system (200,000 GPD) and the recorded maximum daily production from 2023 (62,000 GPD), there is approximately 138,000 GPD, or 0.14 MGD of capacity within the district.

An application for the Willingness to Serve the project was submitted to Veolia Water New York in January 2024, utilizing the above estimate water demand for the project. On June 12, 2024, Veolia Water New York issued an approval for this Willingness to Serve application, listing several conditions the project will need to comply with. A copy of these correspondences is provided, See Exhibits G & H. A renewed Willingness to Serve letter dated March 14, 2025 is included as Exhibit S.

4.B.2 Aquifer

The sole source aquifer found below the Site could potentially be impacted should pesticides or chemicals and hazardous materials be stored or used on the Site. Pesticides serve to control insects, fungi and weeds as well as controlling invasive plants and promoting a uniformly healthy landscape. The presence of chemicals and hazardous materials, if any, on the Site may also find their way into underground water supplies over time.

4.C Groundwater Impact Avoidance

Although the Proposed Action is not expected to cause any adverse impacts to groundwater, impact avoidance measures will include the use of water saving fixtures and appliances. Since the proposed water demand does not exceed the supply capacity of the Sterling Lake Water District, no impacts to groundwater resources are expected to result from the Proposed Action. Additionally, the aquifer protection measures outlined above will reduce or eliminate any significant, adverse environmental impacts to the aquifer that lies beneath the Site.

With the utilization of native plant species for the proposed landscaping plantings within the Site, it is **not** anticipated there will be a necessity for the use of pesticides, nor herbicides. However, in the event pesticides or herbicides are to be employed, several methods will be utilized to ensure they do not contaminate ground water resources. Best management practices for landscaping will be employed to minimize or eliminate any contamination of the soil and underlying aquifer caused by their use. Pesticides will be used according to the manufacturer's labeling and all applicable NYSDEC standards, and pesticides will be stored within enclosed buildings. Pesticides and herbicides will only be used within the developed areas of the Site, and not within the undisturbed areas of the Site. These avoidance measures will reduce or eliminate any significant, adverse environmental impacts to groundwater resources.

Additionally, any storage tanks containing chemicals or hazardous materials will be maintained indoors or within a suitable secondary containment system to prevent leaks or spills. Facility maintenance personnel shall perform, and document, routine inspections of the tanks, or secondary containment, in accordance with Federal, State and local requirements. Necessary repairs to the tanks, and secondary containment systems, shall be performed in a timely manner. These avoidance measures will reduce or eliminate any significant, adverse environmental impacts to groundwater resources.

Furthermore, the previous facility owner and operator, NYU, was identified as a Large Quantity Generator ("LQG") of hazardous wastes by the United States Environmental Protection Agency ("EPA"). According to the Phase I ESA report by TRC, dated September 29, 2017 (on file with the Town of Warwick Planning Board), *"… the facility was a large quantity generator in 2012 of ignitable, corrosive, and reactive waste, spent halogenated solvents, and acute hazardous waste from discard commercial products".* Additionally, within this Phase I ESA, it was identified that asbestos containing material ("ACM") and lead-based paint ("LBP"), were found within the facility, and partially abated. As the

Proposed Action will include the removal of hazardous materials, inclusive of the abatement of ACM and LBP, the applicant will be adequately removing and properly disposing of these items that could have potentially contaminated the underlying groundwater aquifer and downstream water supply.

Lastly, as previously mentioned, the Site is currently in a state of disrepair due to excessive vandalism. As the Proposed Action will include the cleanup of the Site, within and surrounding the building and previously improved areas, the act of cleaning up the site will remove, and properly dispose of, potential groundwater contamination sources. Moreover, the applicant has recently removed the existing two underground petroleum bulk storage tanks in accordance with NYSDEC regulations; See Underground Petroleum Tank Closure Report prepared by Luzon Environmental Services, dated June 18, 2024, on file with the Town of Warwick Planning Board.

Based on the foregoing, the proposed project will not significantly impact the supply of groundwater in the area. Additionally, the cleanup, retrofitting and reoccupancy of the site is likely to reduce the potential for impacts to groundwater as compared to the site continuing to degrade and remain open to the elements.

7. Impact on Plants and Animals

7.A Existing Conditions

The Site was developed by the previous occupant with the remaining undeveloped areas covered mostly by wooded areas, meadows, and grasslands or brushlands. The Site is bordered by residential homes, wooded areas, and parklands. Existing impacts, including noise and light, to plant and animal habitats near the Site are activities related to vehicular traffic on nearby roadways, commercial businesses, and residential homes.

The Project Site is in an area noted for potentially having certain threatened or endangered plants and animal species. The New York State Department of Conservation ("NYSDEC") EAF Mapper lists the Northern Long-eared Bat, an endangered species, and the Timber Rattlesnake, a threatened species, as being potentially present on or near the Site. The Mapper also listed the Eastern Small-footed Myotis, an animal listed by NYS as a species of special concern, present on or near the Site.

Additionally, the NYSDEC EAF Mapper identified the existence of the Hemlock-Northern Hardwood Forest and Appalachian Oak-Hickory Forest, designated significant natural communities, near the Project Site.

7.B Potential Moderate to Large Impacts to Plants and Animals

As the Proposed Action was identified by the EAF Mapper to contain, or to be near suitable habitat for threatened and endangered species, an investigation was performed by an environmental consultant. The Threatened & Endangered Species Investigation on the Old Forge School Property, prepared by ERS Consultants, dated March 31, 2025; See Exhibit L; identified that none of the previously identified threatened or endangered species were found on-site. However, this report identified the existence of potential suitable habitat on-site for some of these species.

ERS Consultants conducted a fourth investigation on June 3, 2025, investigating additional rare, threatened and endangered species investigations on the property, located at 57-61 Old Forge Road; a

copy of this document is included in this submission package as Exhibit R. This recent investigation did not find any evidence of rare, threatened and endangered species existing within the project site. This latest determination is consistent with the three previous investigations that were performed by the same environmental professional on March 19th 2025, March 9th 2025, and June 22nd 2023.

It is expected that some temporary displacement of on-site wildlife will likely occur during construction of the Proposed Action. Potential summer habitat for the Northern Long-eared Bat may exist within the Project area. The Northern Long-eared Bat species use trees greater than five inches diameter at breast height ("DBH"), especially trees containing dead wood and snags or even dead trees and trees with exfoliating bark. Trees meeting this threshold are not expected to be encountered during construction of the Project.

The NYSDEC recommends that in areas where potential summer habitat exists, clearing of trees over five inches DBH should occur between November 1 and March 31. If this recommendation is followed, then no impacts to these species will likely occur.

Timber rattlesnakes are generally found in deciduous hardwood forests in rugged terrain. They can also be found in lowlands, wetlands, or residential areas near dens. Crevices in rocky faces or talus with westerly to easterly southern exposures are used for denning or overwintering. Open areas with rocky surfaces are used for basking, shedding, and birthing. The surrounding forests provide foraging habitat.

7.C Plants and Animals Impact Avoidance

With the proposed impact avoidance measure of restricting the clearing of trees over 5 inches DBH from March 31 and November 1, the Proposed Action is not expected to cause any adverse impacts to the Northern Long-eared Bat.

The Proposed Action shall utilize a Timber Rattlesnake exclusion fence placed around disturbance and/or development areas to the maximum extent practicable. A licensed Timber Rattlesnake Wildlife Monitor will also be required to be on-site prior to, and during, land disturbance and/or clearing activities as well as during installation of the exclusion fence. Upon completion of all construction activities, the exclusion fence will be completely removed from the Site.

The Eastern Small-footed Myotis winter in caves and mines, with summer habitat consisting of talus slopes, rock outcrops or manmade structures, such as bridges or abandoned buildings. During the on-site investigation by ERS Consultants, Inc; it was documented that the Site did not contain talus slopes, rock outcrops or ephemeral water sources. Additionally, there was no evidence documented of the occurrence of bats around the buildings.

The proposed luminaires for the Project Site were selected as they provide a full cutoff output and thus are certified to meet either the "Nighttime Friendly", or the IDSA "Dark Sky Approved" design requirements. These programs provide objective, third-party certification for lighting products that minimize glare, reduce light trespass, and reduce light pollution. Additionally, the lighting fixtures selected are a lower wattage LED luminaire, with most of the fixtures being less than 50 watts of output. The six proposed light poles, to be utilized in the parking lots, are the only luminaires greater than 50 watts, each producing only 69 watts. Lastly, each luminaire will utilize a 2700 Kelvin Color Corrected Temperature ("CCT") LED. This 2700K CCT will produce a "Warm White" appearing light, by utilizing less blues and decreasing the possible impact to the wildlife.

The NYSDEC Environmental Resource Mapper has identified the location of potential designated significant natural communities, Hemlock-Northern Hardwood Forest and Appalachian Oak-Hickory Forest, within the parkland properties surrounding the Site. The site was examined for the presence of these communities, and they were not identified on-site. The New York Natural Heritage Program ("NYNHP") recommends the following conservation and development strategies to minimize impacts to these natural communities:

- Focus on activities that help maintain regeneration of the species associated with the communities.
- Management efforts should strive to ensure that regenerating trees and shrubs are not so heavily browsed that they cannot replace overstory trees.
- Avoid cutting old growth examples and encourage selective logging areas.
- Minimize fragmentation of large forest blocks by focusing development on forest edges.
- Minimize the width of roads and road corridors extending into forests.

Furthermore, NYNHP has identified that *"Development projects with the least impact on large forests and all the plans and animals living within these forests are those built on brownfields or other previously developed land."* As the Proposed Action does not intend to disturb any of the existing wooded areas beyond the Project Site, nor disturb large blocks of existing wooded areas, these natural communities will not be impacted by the Proposed Action.

Lastly, the proposed landscaping plan for the project included in the plans on file with the Planning Board, has been developed utilizing plantings that are identified as "Characteristic Species" for the Appalachian Oak-Hickory Forest and the Hemlock-Northern Hardwood Forest by the NYNHP. More specifically, the following "Characteristic Species" plantings have been specified for the Proposed Action:

- Ostrya virginiana (American Hophornbeam)
- Cornus racemosa (Gray Dogwood)
- Hamamelis virginiana (Common Witch Hazel)
- Rhus aromatica (Fragrant Sumac)
- Viburnum dentatum var. lucidum (Smooth Arrowwood)

As stated previously, only an insignificant area of new disturbance is proposed, consistent with the area that would need to be disturbed for the construction of a large single-family detached residence – a use that is a Type II action exempt from SEQR. The site has been investigated several times for the presence of rare, threatened or endangered species and for potential habitat supporting these species. No such areas are proposed for significant disturbance and impacts to Plants and Animals is anticipated to be insignificant. The project site's location surrounded by the Sterling Forest State Park provides displaced wildlife with opportunities for relocation.

9. Impact on Aesthetic Resources

9.A Existing Conditions

The Proposed Action intends to re-occupy an existing two- and three-story building totaling approximately 81,000± square feet. The overall existing building is a culmination of three annexes of different sizes. The original building, identified as the East Building, is a two-story masonry and stone, with post and beam attic space, originally constructed in the 1920s. The first expansion, the West Building, was performed in the 1960s and consists of a two-story frame and masonry construction with an exterior façade consisting of brick and stone. The second and last expansion, the South Building, was completed in the 1970s and consists of a three-story steel frame and masonry construction with a brick exterior façade.

The Project Site is generally surrounded by the Sterling Forest State Park, with a 20-unit single-family residential development, "Sterling Pines", located to the northwest of the Site. Due to this proximity to the State Park, it is expected that the Proposed Action will be visible from portions of the park.

Located to the northwest of the Project Site is Old Forge Road, a Town of Warwick roadway providing access to the Sterling Pines development as well as public accessible portions of the Sterling Forest State Park, including the Frank R. Lautenberg Visitor Center. Portions of the existing two-story building are located between 40' and 80' from the edge of pavement of Old Forge Road.

Located to the southwest of the Project Site is the Sterling Lake Loop trail from the Sterling Forest State Park. The trail is located within the park's property and approximately 10' from the property line of the Site. Portions of the existing three-story building, "South Building," are located between 120' and 150' from the edge of this trail.

The Sterling Forest State Park was created in 1998 as a negotiated purchase of approximately 15,805± acres from Sterling Forest, LLC to the Palisades Interstate Park Commission. Through additional subsequent purchases, the State Park has increased in size over the last 27 years to now encompass approximately 22,180 acres of property. A portion of the Sterling Lake Loop trail, along the property's southern corner, appears on the Boundary Survey of Sterling Forest LLC maps as created by C.T. Male Associates, PC; filed in the office of the Orange County Clerk in Unit 1 Drawer 1, on December 11, 2000 (instrument #2019M000785). The future Sterling Lake Loop trail is depicted on sheet 7 of 9 of the filed map, identified as a "Traveled Way" that connected NYU's lower parking area to the approximate location of the cooling tower. Additionally, provided within Appendix C of the Phase 1 Environmental Site Assessment prepared by TRC Engineers, Inc, on file with the Planning Board, provides historical aerial photography of the Project Site from 1940 through 2011. The aerial photograph from 1974 depicts the completed construction of the three-interconnected buildings, whereby Long Meadow Road, also known as Orange County Route 84, had not been constructed yet, and precedes the creation of the State Park by approximately 24 years. The subsequent aerial photograph from 1984 depicts the construction of Long Meadow Road being completed and the 20-home Sterling Pines residential development, to the project north, had not yet commenced construction. The Sterling Pines residential development appears to have commenced construction in the 1990s, with construction being completed sometime in the early 2000s.

The Architectural Drawings, prepared by Kenneth Irving Architect PC of Suffern, NY, signed by Manuel Antonio Andrade, AIA, LEED AP BD+C, dated June 22, 2024, last revised January 15, 2025, reflect there

are no changes proposed in the building footprints. See Exhibit K. Indeed, these Architectural Drawings measure the total building square footage under both the existing condition and the proposed condition as 81,020± square feet, with 12,447± square feet in the Basement, 36,195± square feet on the First Floor, and 32,378± square feet on the Second Floor.

The existing ground floor of the building currently consists of a mix of utility space (6,701± sq.ft.), research labs and offices (4,258± sq.ft.), with the balance (1,488± sq.ft.) consisting of circulation areas (hallways, stairways and an elevator). The proposed renovations will convert portions of the designated research and circulations areas (3,270± sq.ft.) into a mikvah (a bath used for ritual immersion), with associated bathrooms (309± sq.ft.) and circulations areas (289± sq.ft. of stairways and elevator). The balance of the proposed ground floor (8,579± sq.ft.) will then be utilized for utility and storage space.

The existing first floor of the building largely consists of office space (11,389± sq.ft.) and research labs and offices (14,757± sq.ft.) with the remaining portions consisting of: circulation areas (5,739± sq.ft.), auditorium / conference space (2,071± sq.ft.), food and cafeteria (1,477± sq.ft.), and bathrooms (762± sq.ft.). The proposed renovations to this level will predominately create dormitory space (14,476± sq.ft.) and designated office space (11,726± sq.ft.). The remaining portions of this floor will also consist of circulation areas (5,018± sq.ft.), gym (2,543± sq.ft.), bathrooms (1,815± sq.ft.) and cafeteria space (617± sq.ft.).

The existing second floor of the building largely consists of office space (8,824± sq.ft.) and research labs and offices (14,627± sq.ft.) with the remaining portions consisting of: circulation areas (4,281± sq.ft.), auditorium / conference space (2,489± sq.ft.), food and cafeteria (1,307± sq.ft.), and bathrooms (850± sq.ft.). The proposed renovations to this level will create a mix of office space (9,828± sq.ft.), designated religious space (6,374± sq.ft.), cafeteria space (5,985± sq.ft.), classrooms (4,435± sq.ft.), circulation areas (2,504± sq.ft.), library space (2,146± sq.ft.), and bathrooms (1,106± sq.ft.). It is also worth noting that the interior renovations and use reallocation will not alter the existing fenestration as viewed from Old Forge Road.

The proposed project does not intend on making any modifications to the existing building façade unless it is deemed necessary during the required remediation and renovation work on the existing building. All proposed changes to the building would be designed, detailed and included within the complete architectural plans developed for the proposed work on the buildings, which would be reviewed and approved by the Town of Warwick Building Department as part of the Building Permit Application process.

The applicant also states that its signage will comply with the standards in Zoning Code Section 164-43.1 and that it will seek a Sign Permit from the Building Inspector in accordance therewith. As detailed on its provided Site Plans for the project, the applicant intends to remove the existing freestanding sign that served the prior operation and not install any new signage in the same location. The project applicant has expressed reservations for the installation of new signage to serve the college due to the current antisemitism landscape globally and locally. This apprehension is further compounded as the facility was previously the target of numerous acts of vandalism and damage. Additionally, General Note #14 provided on the Overall Plan of the plan set, prohibits the erection of any signs unless a permit has been applied for, and approved by the Town of Warwick Building Department.

9.B Potential Moderate to Large Impacts on Aesthetic Resources

As documented and detailed within the design plans for the Proposed Action, the renovations necessary to support the re-occupancy of the existing building will be contained to the interior portions of the building. The exterior façade of the building will not be modified, with the only work performed to be repairs as determined necessary by the Architect.

The Grading Plan for the Proposed Action has identified the removal of existing vegetation necessary for the numerous small expansions of paved surfaces to support the Site. This removal of limited vegetation could potentially increase the visual impact of the existing building as seen from the nearby State Park.

9.C Aesthetic Resources Impact Avoidance

The Proposed Action does not propose to modify or expand the building footprint, with most of the modifications to be performed on the building interior. The existing two-story portion of the building, visible from Old Forge Road, is in general conformity with the neighboring properties.

The Landscape Plan & Details Plan has detailed the existing vegetation and landscaping that will be maintained during the development of the Proposed Action. Additionally, the landscaping plan proposes the placement of additional plantings along the northwestern portion of the property to shield the existing building from the surrounding properties and improve the overall appearance of the Site, particularly when compared to the existing condition.

The proposed feature of design of maintaining the existing vegetation to the greatest extent possible, along with the placement of supplemental landscape plantings, will decrease the visual impact of the existing building from neighboring properties. Additionally, as the Proposed Action does not intend to significantly modify the existing building, the proposed cleanup, retrofit and reoccupancy of the site will constitute the elimination of a derelict structure and an improvement over existing visual conditions.

10. Impact on Historic and Archeological Resources

With the Sterling Forest State Park adjacent to the Project Site, the Proposed Action was determined to be adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office ("SHPO") archaeological site inventory. In reviewing the SHPO's Cultural Resource Information System ("CRIS"), Sterling Forest State Park has been identified as a Building District. A Building District is a Historic District that SHPO has inventoried, and is generally composed of buildings and structures, but may also include objects and sites eligible for listing.

As the Planning Board may recall from Exhibit F, the New York State Office of Parks, Recreation and Historic Preservation ("SHPO"), after reviewing a dossier of information to evaluate improving the Site with limited exterior work, concluded in a June 22, 2023 No Impact Sign-Off letter that, "… *it is the opinion of OPRHP that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by this project*." This determination was made by OPRHP after requesting additional information regarding the building on June 7, 2023, which requested the following: "*Now that it has reached 50 years of age, we will need to assess the school for National Register eligibility. Please provide photos of the full façade and other significant elevations and areas, and major interior areas such as lobby, main office, auditorium, cafeteria, library, representative halls and classrooms."* Accordingly, the OPRHP's Cultural Resource

Information System ("CRIS") website lists the Sterling Mountain Fire Observation Town and Observer's Cabin as the only listed historic place or building within 1.5 miles of the Site. However, the Sterling Furnace and the Augusta Mine are approximately 2,000 feet (0.4 miles) from the Site. While these sites have significant intrinsic historical value, neither are listed on the New York State Historic Sites nor the National Register of Historic Places.

Based on the foregoing, the proposed project is not anticipated to significantly impact historic or archeological resources.

11. Impact on Open Space and Recreation

The Sterling Forest State Park was created in 1998 as a negotiated purchase of approximately 15,805± acres from Sterling Forest, LLC to the Palisades Interstate Park Commission. Through additional subsequent purchases, the State Park has increased in size over the last 27 years to now encompass approximately 22,180 acres of property. A portion of the Sterling Lake Loop trail, along the property's southern corner, appears on the Boundary Survey of Sterling Forest LLC maps as prepared by C.T. Male Associates, PC; filed in the office of the Orange County Clerk in Unit 1 Drawer 1, on December 11, 2000 (instrument #2019M000785). The future Sterling Lake Loop trail is depicted on sheet 7 of 9 of the filed map, identified as a "Traveled Way" that connected NYU's lower parking area to the approximate location of NYU's cooling tower.

Additionally, provided within Appendix C of the Phase 1 Environmental Site Assessment prepared by TRC Engineers, Inc, on file with the Planning Board, provides historical aerial photography of the Project Site from 1940 through 2011. These aerial photographs detail the development of the site preceding the 1940 image, and the surrounding area through the decades. The aerial photograph from 1974 depicts the completed construction of the on-site three-interconnected buildings, whereby Long Meadow Road, also known as Orange County Route 84, had not yet been constructed, and precedes the creation of the State Park by approximately 24 years. The subsequent aerial photograph from 1984 depicts the construction of Long Meadow Road being completed and the 20-home Sterling Pines residential development, to the project north, had not yet commenced construction. The Sterling Pines residential development appears to have commenced construction in the 1990s, with construction being completed sometime in the early 2000s, which is evident from the 2006 aerial photograph.

The adjoining Sterling Forest State Park currently permits the public to perform the following activities within their property; biking, fishing, hiking, horseback riding, hunting, ice-fishing, snowshoeing, and skiing (cross-country). Presently these recreational activities do not encroach, nor impact the Project Site.

The Sterling Lake Loop trail currently traverses the State Park property, located to the southeast of the Project Site. The Proposed Action does not propose to disturb or modify the area adjacent to this trail, nor change the existing brick building façade that faces this trail, thus eliminating potential impacts. As the Proposed Action will not impact this trail, no impact avoidance measure for this biking and/or hiking trail is provided. The Hunting Season Regulation Map prepared by the Sterling Forest State Park, dated August 2, 2023, does not permit hunting within portions of the park property adjacent to the Project Site. Therefore, the Proposed Action will not impact the hunting activities on the State Park property.

As the Project Site does not front, nor provide direct or indirect access to, Sterling Lake; there is no potential for impact of fishing or ice-fishing recreational activities by the Proposed Action.

Additionally, per written comments received by the Town of Warwick Planning Board from the Palisades Interstate Park Commission ("PIPC"), dated September 6, 2024; New York State Parks, Recreation and Historic Preservation ("NYSPRHP"), dated September 16, 2024; and the Open Space Institute ("OSI"), dated September 18, 2024; these entities have expressed concerns regarding the potential impact to traffic volumes on Old Forge Road caused by the Proposed Action. Detailed within Section 13, provided below, a Trip Generation Assessment Report has been prepared for the Proposed Action analyzing the potential impacts to traffic volume and the parking requirements for the Site. Additionally, by letter dated June 24, 2025, Kenneth Wersted, P.E. (included as Exhibit Q) addressed the use of Old Forge Road by hikers and the increase of traffic to Old Forge Road. Mr. Wersted notes that the average daily increase of peak hour traffic from the proposed project will not exceed recent historic use of the facility by NYU. Old Forge Road, which is posted for 30-mile per hour and which will carry relatively low traffic volumes even after the facility is in operation, will be safer for use by hikers than other existing area trails such as the nearby McKeags Meadow connector, which traverses Long Meadow Road, a much higher volume roadway with a 55 mile per hour speed.

Furthermore, per written comments received by the Town of Warwick Planning Board from the New York-New Jersey Trail Conference ("NYNJTC"), date received September 17, 2024; expressed concerns regarding the potential impacts to the existing trails, the natural habitats, and the recreational opportunities within Sterling Forest State Park, that would be caused by the Proposed Action. As detailed above, the existing hiking/biking trail (Sterling Lake Loop) traverses along the project site, with no direct adverse impact to the trail anticipated. Section 7 of this document identifies the potential impacts to the plants and animals, including their habitats, and the proposed avoidance measures to minimize potential adverse impacts. Also detailed above is a detailing of the currently available recreational facilities that operate within the State Park, and adjacent to the Site, along with the avoidance measures to minimize potential adverse impacts to these activities.

The lead agency is keenly aware of the project site's adjacency to Sterling Forest State Park. Sterling Forest is a sensitive, important and widely used recreational and open space resource. The Planning Board has required the applicant to provide extensive investigation of the potential impacts of retrofitting this facility for a religious institution of higher education. This resource was acquired in 1997. After its acquisition and protection as parkland, NYU operated a medical research laboratory on this almost identical site for 20 years, during which time more traffic travelled to and from the site on a typical weekday than is projected to travel to the site under proposed conditions. Employees of the facility were free to utilize the park, just as future students will be free to utilize the park as a resource available to all people. Several commenters have noted that the site receives 300,000 visitors per year. The addition of 200 college-aged students to an area that receives 300,000 annual visitors should not constitute a significant impact to the recreational resource. While the site is located on an important access road to the Visitor Center, generally one would assume an improvement in character from replacement of broken windows, inoperable site lighting, cracked pavement, and rusting site equipment largely in-kind, resulting in an overall site appearance with the site as it existed under NYU's operations. Given the extensive public and institutional comments relating Sterling Forest State Park, the lead agency has given this issue extensive consideration. Given the operational limitations that the applicant has self-imposed, the Planning Board cannot conceive of any basis for identifying a significant adverse impact on open space or recreational resources.

13. Impact on Transportation

Keith Wersted, P.E. of Creighton Manning Engineering LLP prepared, on behalf of the College, a Trip Generation Assessment Report, dated June 25, 2024, and last revised January 9, 2025. See Exhibit I. Mr. Wersted supplemented this report in a letter dated June 24, 2025 attached here as Exhibit Q. It is noted that this study was peer-reviewed by HDR, Inc., the Planning Board's consulting engineers.

Inclusive of this study, the traffic consultant installed an Automatic Traffic Recorder ("ATR") on Old Forge Road in the approximate vicinity of the Project Site. The ATR collected bi-directional traffic volume and speed data from Wednesday, June 21, 2023, to Wednesday, June 28, 2023. Table 13 summarizes the traffic volume and speed data collected, respectively.

Table 13 – 2023 Traffic Volume and Speed Data on Old Forge Road

Volumes/Speed Data		Direction		
		EB	WB	Combined
Volume Data	AM Peak Hour (8AM-9AM)	8	11	20
	PM Peak Hour (3PM-4PM)	7	8	15
	Vehicles Per Day (vpd)	73	99	172
Speed Data	Average	28-mph	27-mph	27-mph
	85th-percentile	32-mph	31-mph	31-mph

Based on the observed number of vehicles per day (172 vpd), Old Forge Road is a low-volume roadway according to Section 1.2 in the American Association of State Highway Transportation Officials ("AASHTO") publication "Guidelines for Geometric Design of Low-Volume Road", 2019.

The Proposed Action is estimated to generate 57 trips during the AM and PM peak hour. It was estimated that 53 trips would be generated by the 23 teachers, 12 administrative staff, eight support staff, and 10 potential visitors. Four additional trips would be generated from the night shift either entering, or exiting, the Site at approximately the same peak hour as the 53 trips. It is anticipated that the 200 proposed students will be shuttled to the Site through the utilization of four 50-passenger buses, which will arrive and/or depart approximately monthly on average, based on the approximated schedule described on pages 4 and 5, thus creating a total predicted worst-case peak hour of 61 trips. As explained by Mr. Wersted, in most cases buses carrying students would most likely arrive on weekend off-peak hours. Further, teachers, staff and visitors are not likely to all arrive during the peak hour, so the typical peak hour is most likely less than the 61 trips analyzed.

Based on these previous estimates, the peak hour volumes along Old Forge Road could increase to 81 vehicles (20 existing plus 61 future) in the AM peak hour and 76 vehicles in the PM peak hour (15 existing plus 61 future). According to the Federal Highway Administration's 2017 "Simplified Capacity Calculation Method for the Highway Performance Monitoring System", the capacity of Old Forge Road is greater than 1,000 vehicles per hour per direction.

Several commenters suggested that the June traffic counts were conducted after school was out, and existing school bus traffic was not included. Further, they noted that regional traffic is higher in fall during apple-picking and Renaissance Faire seasons. Due to the few number of homes along Old Forge Road, the inclusion of school buses would not significantly increase the traffic on Old Forge Road, which is already far below capacity. Additionally, it is likely that June traffic to the Sterling Forest Visitor center

is higher during the summer months, when school is not in session. Mr. Wersted notes that per NYSDOT, June tends to have 11 to 12% higher traffic than average traffic conditions. By comparison, fall traffic as listed by NYSDOT is 7.7 to 8.0% higher, therefore suggesting that June traffic conditions represent the worst-case scenario. It is also noted that the existing facility was in use within the last 10 years, and being accessed by more vehicles than is anticipated with the proposed use. There is no basis to believe that visitation to the Renaissance Faire or regional seasonal traffic is significantly greater than when NYU operated the facility. Lastly, it is noted that as a Jewish religious school, there generally is an instructional break on Fridays and Saturdays, so that there will be fewer (if any) teachers and administration travelling to and from the site on Saturdays when fall tourist visitation is at its peak.

The 78 parking spaces proposed, inclusive of the four ADA-compliant spaces, proposed are sufficient to meet the anticipated parking demand for the College. The Planning Board has reviewed the parking requirement proposed by the applicant of 23 teachers, 12 administrators, eight support staff, and 20 visitors (twice that anticipated for the peak hour parking requirement) and has generally agreed that 63 spaces are adequate for the use as proposed Additionally, there is sufficient space for the accommodation of large school buses to stage in the lower lot, generally during times just before or after instruction begins and the full 63 spaces are not required.

It is noted that the most recent traffic supplement by Mr. Wersted addresses concerns regarding overflow parking on Old Forge Road during special events. Mr. Wersted concludes that through valet parking or off-site parking and bussing visitors to the site, the full parking requirement of the proposed 370-seat auditorium could be met without requiring on-street parking. More significantly, the site plan being considered by the Lead Agency specifically prohibits parking on Old Forge Road, Sterling Pines Road or within the Sterling Forest Visitor's Center parking lot. Any valet or remote parking scheme that significantly departs from the approved site plan parking layout will require further review and approval by the Building Department and/or Planning Board.

Based on the foregoing, impacts to traffic are likely to be well within the capacity of area roadways. Additionally, the proposal is anticipated to return area roadways to a similar (but less intensive) condition to that which existed between 1997 and 2017, when Sterling Forest State Park existed and NYU operated the site as a laboratory. Such a condition was not significantly hazardous to hikers utilizing Old Forge Road and posed less of a risk than existing trail crossings of Long Meadow Road, which carries higher volumes of traffic at higher speeds.

14. Impact on Energy

Question D.2.k from the Full EAF Part I identified the Proposed Action will generate new or additional demand for energy, without the requirement to upgrade or construct a substation. The Full EAF Part II has identified the Proposed Action may cause an increase in the use of any form of energy. However, it was further defined within each of the four sub-questions, that the Proposed Action will have 'No, or small impact' with no criteria meeting the 'Moderate to large impact'.

The Project Site was, among other things, previously occupied and operated as a research and education center for New York University ("NYU") School of Medicine, including the Nelson Institute of Environmental Medicine. This facility had previously utilized numerous oil-fired steam boilers to provide heat throughout the 81,000± sq.ft. building. Additionally, the facility utilized over 20 separate air conditioning units in conjunction with a 200-ton chiller system, and numerous refrigeration systems necessary to support these previous activities. This demand for electric service yielded the utilization of

a 13,200-volt transformer to provide three separate services of a combined total of 3,600 amp, 3-phase 240/480 volt to the existing building.

The Proposed Action intends to remove these older inefficient energy systems and provide mini split air conditioner systems for the individual rooms. This change in the heating system, will eliminate the requirement for the transport, storage, and burning of heating oil for the Proposed Action. Additionally, the Proposed Action is estimated to consume approximately 1,315 MWH of electricity on an annual basis. For comparison, a single 800-amp 240-volt service can provide approximately 1,681 MWH of electricity on an annual basis. The applicant intends on utilizing the existing emergency backup generators, previously installed and operated by the prior occupant, to the greatest extent possible.

Significant impact to energy area not likely based on the scope of the use, and the incorporation of more modern technologies.

15. Impact on Noise, Odor, and light

The enclosed Lighting Plan and its photometric analysis, document the footcandle levels from the selected light fixtures proposed. This Plan also substantiates compliance with the Town Code Section 164-43.4's provisions relative to lighting and that there is no impact associated with the minimal lighting levels on- and off-Site. It is noted that this lighting plan was reviewed by Nelson Pope Voorhis, the Planning Board's Consulting Planner.

The proposed luminaires for the Project Site were selected as they provide a full cutoff output and thus are certified to meet either the "Nighttime Friendly," or the IDA "Dark Sky Approved" design requirements. These programs provide objective, third-party certification for lighting products that minimize glare, reduce light trespass, and reduce light pollution. Additionally, the lighting fixtures selected are a lower wattage LED luminaire, with most of the fixtures being less than 50 watts of output. The six proposed light poles, to be utilized in the parking lots, are the only luminaires greater than 50 watts, each producing only 69 watts. Lastly, each luminaire will utilize a 2700 Kelvin Color Corrected Temperature ("CCT") LED. This 2700K CCT will produce a "Warm White" appearing light, by utilizing less blues and decreasing the possible impact to neighboring properties and/or wildlife.

Based on the foregoing, significant light impacts are unlikely, and the area to be lit will be highly localized. Glare and night-sky impacts are unlikely.

16. Impact on Human Health

Phase I and Phase II ESA reports attached hereto as Exhibits O and P, were performed by two separate environmental professionals at the direction of the prior property owner and operator, as well as the then purchaser and current property owner. The Phase I ESA report prepared for NYU Langone Medical Center was performed by the then seller of the property per American Society of Testing and Materials Practice E 1527-13 *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process* ("ASTM E 152713"). The Phase II ESA report was prepared for the potential purchaser of the facility per ASTM E 1903-19, after reviewing the Phase I ESA report.

Inclusive of the Phase I ESA report, the preparer, TRC Engineers, Inc. ("TRC"), reviewed the documentation available at the then operating NYU facility, including conducting interviews with key personnel from the facility to identify Recognized Environmental Conditions ("RECs") in connection with

the site. Throughout this report numerous statements are made that identify and substantiate that the facility is essentially "clean and free of environmental contamination" (section 3.3, page 8). The subsequent section within the report, further substantiates this by stating "Hazardous waste manifests documenting onsite chemicals and proper disposal in compliance with New York State Department of Health ("NYSDOH") regulations are available", (section 3.4, page 9).

In addition, an environmental database report was prepared by Environmental Data Resources, Inc. ("EDR") and included in Appendix A of the Phase I ESA report. A summary of the report's findings are provided within Section 4.2.1 (page 11) of the Phase I ESA, which identified the site being a large quantity generator ("LQG") by the United States Environmental Protection Agency ("EPA") in 2012 of ignitable, corrosive, and reactive waste (D-list waste), spent halogenated solvents (F-listed waste), and acute hazardous waste from discarded commercial products (P- and U-listed waste); according to the Resource Conservation and Recovery Act ("RCRA") database; EPA RCRA ID: NYD010969079. This LQG designation is based on the total quantity of hazardous waste generated by the facility exceeding 1,000 kilograms per month, which was generated as part of NYU's laboratory operations. The EPA regulates hazardous waste under the Resource Conservation and Recovery Act ("RCRA") to ensure these wastes are managed in ways that protect human health and the environment. Furthermore, the report stated "*According to information provided by Ms. JeeHee Kang, Senior Environmental Specialist of NYU Environmental Health and Safety Department, …there is no record of a release associated with hazardous waste generation or hazardous chemical use at the Site and there are no reported violations. Additionally, based on Site reconnaissance, there was no evidence of a release or material mismanagement associated with laboratory operations. Finally, Ms. JeeHee Kang indicated that she is not aware of release(s) of hazardous materials or hazardous material mismanagement at the Site.*"

The Phase I ESA report also identified the presence of several drains located within the boiler rooms and a laboratory within the building, Table 5.1 page 21. Furthermore, the Site representatives from NYU identified that these floor drains are connected to the building sewer collection system that discharges to the municipal sewer system serving the site, thereby ensuring if anything was poured down the drain it would have been adequately treated before discharge. Table 5.1, provided on page 21 of the Phase I ESA report, also identified no current or historic evidence of odors, pools of liquid (including surface water bodies and sumps handling hazardous substances or substances likely to be hazardous only), stains or corrosion, and pits, ponds & lagoons.

In addition to these hazardous wastes, the Phase I ESA also detailed a history of the Site containing asbestos-containing materials ("ACM") and lead-based paints ("LBP"), with documented evidence of numerous abatement work being performed from 2002 through 2016. Inclusive of these abatement work reports, Environmental Planning & Management, Inc. ("EPM"), prepared the most recent report entitled "Asbestos Abatement Monitoring Closure Report, New York University Langone Medical Center, Sterling Forest Campus, Second Floor, 57 Old Forge Road, Tuxedo, New York 10987," dated August 9, 2017, and on file with the Town of Warwick Planning Board. According to that report, EPM provided Asbestos Project Monitoring and Air Sampling as well as mold abatement oversight at the Site in three (3) separate phases between August and November 2016. Asbestos abatement was conducted from select rooms on the second floor of the South Building in support of the renovations of the second-floor laboratory rooms due to mold contamination from multiple roof leaks in the deteriorated roof. PAL Environmental Services ("PAL") completed the asbestos and mold abatement. Asbestos Containing Material ("ACM") abated included floor tile and associated black mastic, black countertop material, and black sink undercoating.

Additionally, gypsum wallboards contaminated with mold were removed. Asbestos waste was disposed of at Minerva Enterprises Landfill in Waynesburg, Ohio. EPM concluded that the asbestos abatement was completed in accordance with applicable Federal and State regulations and the abated spaces met applicable criteria for reconstruction. The College anticipates that a similar process would occur here potentially with the same consultants once land use entitlements are obtained and interior renovations are pursued per NYS DOL, NYS DEC and Town of Warwick standards.

Inclusive of the Phase II ESA report, the preparer, PVE Engineering ("PVE"), reviewed the documentation presented in the previously mentioned Phase I ESA report, and outlined additional testing to be performed on the Site. As outlined within the report ten (10) soil borings, two (2) groundwater monitoring wells, and three (3) soil vapor probes were utilized to obtain samples from the facility for laboratory testing. The soil sample collected from SB-4, located immediately adjacent to the former electrical transformer pad, contained several SVOCs. This transformer pad was identified as a source of a spill of approximately 50 gallons of transformer oil, documented as NYSDEC Spill #2004022, opened on August 7, 2020 with the cause of the spill due to storm damage. This NYSDEC Spill was subsequently closed on November 19, 2021.

As the two remaining larger Underground Storage Tanks ("UST") remained out of service for a period of more than 12 calendar months, NYS Petroleum Bulk Storage Regulations require closure or recertification of these tanks before they can be placed back in service. Luzon Environmental was contracted by the current property owner to remove these unknown condition USTs to prevent spill events from occurring. Luzon Environmental applied for and obtained permits for this work with the New York State Department of Environmental Conservation ("NYSDEC") and the Town of Warwick Building Department in March of 2024. On April 5, 2024 work began on site including the removal of approximately 2,995 gallons of liquid/sludge petroleum from the two (2) tanks and properly disposed of this material. On May 13, 2024, excavation and removal of the two tanks begun and was completed by May 21, 2024 when 18 soil samples were then collected for laboratory analysis. The results of these 18 sample analyses were all "*non-detect or low levels of SVOCs for the target compounds*", copies of which are provided within the attached report. This document was subsequently submitted to the NYSDEC for their review and approval, including the request for closure of the existing Petroleum Bulk Storage ("PBS") registration for the Site. The PBS registration for the facility, and the remaining open spill reports, were then closed by the NYSDEC on February 18, 2025.

It should be noted that within the attachments provided in the Luzon Environmental referenced report, is a FOIL report for NYSDEC Spill #2401668 that was opened for the facility on May 14, 2025. This spill was reported by a citizen calling the NYSDEC Spill Hotline with the following remarks cited in the report: "*The notifier is the Co-chair of the Sterling Forest Partnership organization. Notifier has contacted DEC Spills and Law Enforcement multiple times to file a complaint stating an unknown contractor 'is bringing up compromised oil tanks and, perhaps, other hazardous waste' at this location*." The NYSDEC FOIL report also provided the following remarks made by the NYSDEC: "*Notifier has provided photos of the activity. The photos show excavation work being conducted by Luzon Environmental. Luzon submitted a PBS PWN for removal of USTs that was scheduled for 3/28/24*."

It is also noteworthy that the Site is no longer subject to the Petroleum Bulk Storage Program because the Site does not exceed any of the NYSDEC PBS thresholds. See Exhibit J which includes the NYSDEC Bulk Storage Database Search Details for closure of Site No. 3-146285 and the Town of Warwick Certificates of Compliance for UST Removals.

Prior to renovation and demolition, due diligence will be performed to not expose the workers or the public to contaminants used during the construction of the building and to maintain compliance with state and federal regulations. Building products of the past are found to contain Asbestos, PCB and universal wastes such as mercury in switches, fluorescent bulbs, etc.; therefore, a comprehensive Hazardous Materials Inventory ("HMI") Survey will be completed that will involve visual inspections and laboratory analysis. At the completion of the HMI, an inventory of the building materials that contains materials of concern ("MOC") will be developed. Then a site-specific work plan/specification will be developed for the abatement and disposal of the materials in a safe and legal manner.

In areas where demolition is to be performed, removal of the MOC's will be completed. In the instances where the materials are asbestos containing, a third-party independent air monitoring firm will be utilized to monitor the work, procedures, and air to maintain compliance with NYS Industrial Code Rule 56. In the areas where a MOC is not going to be disturbed during demolition, or the subsequent renovation, and it is chosen that it will be left in place, the area will be clearly demarcated and conspicuously labeled to warn and protect workers. As the removals are conducted, in compliance with the appropriate regulations, while on-site the MOC's will be properly stored in the appropriate containers and labeled with warnings signs as to their contents. All waste haulers will have the proper NYS DEC permits and waste will be transported to permitted landfills, as appropriate.

It should also be noted that neither the Phase I ESA report prepared by TRC Engineers, Inc., nor the Phase II report prepared by PVE, provided any evidence of radioactive materials being previously used, or found within the Site during their respective on-site investigations. The inclusion and investigation of radioactive materials for the Site is relevant as the Cintichem facility operated approximately three miles to the north, previously located at 1556 Long Meadow Road, within the Town of Tuxedo.

Originally constructed by the Union Carbide Corporation during the late 1950s, and subsequently sold to Cintichem, Inc in 1985, the facility's research reactor and radiochemical processing facilities operated for 30 years until their shutdown in 1990. During its operation, the facility employed a 5 megawatt (MW) nuclear reactor inclusive for the production of medical application radioisotopes through thermal neutron activation. Subsequent to the facility's shutdown in 1990, a complete decommissioning of the site was performed by the property owner and completed sometime in the late 1990s. The 100-acre property was eventually unconditionally gifted to the Palisades Interstate Park Commission on March 9th, 2007; thereby incorporating the property into the Sterling Forest State Park.

It is noted that all chemical cleanup plans and related materials have been reviewed by HDR, Inc., the Planning Board's consulting Engineers.

Based on the foregoing, with incorporation of standard protections and controls, the cleanup of the site is unlikely to result in significant risks to human health. On the contrary, cleanup will remove a potential hazard to human health that would increase over time if the existing site buildings were left open to the elements and subject to continuing degradation.

18. Consistency with Community Character

18.a Community Services

The Full EAF Part II has identified the Proposed Action may create a demand for additional community services, such as but not limited to, schools, police and fire. As previously defined, the Proposed Action will re-occupy the existing 81,000± sq.ft. building for the "College" further defined in the Town of Warwick Zoning Code ("Code") as an "Institution of Higher Learning". As such, the College, and the Proposed Action will not include families, nor school-aged children, that would contribute to the Town of Tuxedo School District. Thus, it is anticipated that the Proposed Action will not create a demand for the local school district.

The Proposed Action anticipates the re-occupancy of the existing building will require the installation of a sprinkler system throughout the entire building, to be verified by the Architect during the building permit process. Additionally, the proposed improvements to the Site include the widening of the paved access driveways to bring the Site into compliance with current NYS Fire Code requirements. Furthermore, the Proposed Action will utilize trained personnel on-site 24-hours a day, and 7-days a week, that will continuously monitor the facility to contact the local fire department in the event of a fire. With the utilization of a sprinkler system, adequate access to the Site for fire apparatus, with continuous monitoring, it is expected the Proposed Action will not create an increase in demand for fire services.

The project site, and surrounding area, is located within the Greenwood Lake Ambulance EMS District. The Greenwood Lake Ambulance ("GWLA") Corps is a 100% volunteer operated company that currently deploys three (3) ambulances, providing an Emergency Medical Technician ("EMT") level of care for its district of approximately 22.6± square miles. From previous discussions with the GWLA Corps, they estimated the project site would have an approximate response time of 20-25 minutes. The GWLA Corps are currently located at 74 Windermere Ave, Greenwood Lake; approximately 10.4 miles from the facility and roughly 16 minutes of travel time. The project site, however, is not the most remote point within their service area, which is located at 15 Kings Drive, Tuxedo Park, NY, approximately 13.4 miles to the southeast, with an estimated travel time of 19 minutes.

As previously detailed, the Proposed Action will employ trained personnel that will continuously monitor the Site 24-hours a day, and 7-days a week. The College also intends to employ and maintain on-site a healthcare professional during peak operation hours (8 AM – 5 PM). These personnel will be able to contact and assist emergency services (ambulance and police) thus reducing the demands for those services from the Proposed Action.

To determine the potential impact to emergency services from the Proposed Action, Freedom of Information Law ("FOIL") requests were made for the Site, and the currently operating location of the College in Monsey. The FOIL request made to the Town of Warwick Police Department was for the service address of 57 Old Forge Road for all "calls for service" from 2010 through 2018, as those time periods were during the operation by NYU. The FOIL request made to the Town of Ramapo Police Department, which serves Monsey, was made for the service address of 85 Dystras Way E for all "calls for services" from 2020 through 2025.

The Town of Warwick Police Department detailed a total of 17 calls, that included nine (9) 911 hangups, two (2) property checks, two (2) motor vehicle accidents, one (1) larceny, one (1) utility service, one (1)

mental health, and one (1) fire alarm call. This equates to approximately two (2) calls for service each year.

The Town of Ramapo Police Department detailed a total of 25 calls, that included seven (7) fire alarms, six (6) follow-up calls including 911 hangups, five (5) complaint calls, four (4) motor vehicle accidents, and three (3) hazardous conditions calls. This equates to approximately five (5) calls for service each year, for this service address in Monsey, NY.

Unfortunately, these two separate distinct service addresses cannot be utilized as a direct comparison between each other but provide some perception of the change in the calls for emergency services. Additionally, the Proposed Action will employ key personnel that will monitor and maintain the facility 24-hours a day, 7-days a week.

With the College employing and utilizing on-site professionals for healthcare, police & fire; it is anticipated that minor requests for those services will be diminished, permitting the community services to direct resources to essential requests elsewhere. The Site currently employs the use of security cameras at key access points to the property due to the vandalism the property previously experienced. These security cameras are currently being monitored 24 hours a day through an off-site remote surveillance service. It is anticipated this remote monitoring service will continue through the renovation and construction process for the Proposed Action. The College will also evaluate the necessity of continuing the 24-hour off-site remote surveillance service, using permanently affixed security cameras, upon project completion.

Based on the foregoing, the proposed project is anticipated to have minimal impacts on community services, consistent with past historic use of the property.

18.b Use and Enjoyment of Public Resources

The Full EAF Part II has also identified the Proposed Action may interfere with the use or enjoyment of officially recognized or designated public resources. Detailed within Section 11 of this Full EAF Part III, the Proposed Action has identified the potential moderate to large impacts to these resources and the measures to be utilized to ensure these impacts are diminished or avoided all together.

18.c Community Plans and Policies

18.c.1 Community Preservation Fund

It is also worth noting that during the review of the Proposed Action, it was questioned if this Site would be eligible and applicable for the Town of Warwick's Community Preservation Fund, as it is surrounded by the Sterling Forest State Park.

The Town Board of the Town of Warwick adopted on August 17, 2006, through Local Law No. 4-2006 a Community Preservation Fund. The Town of Warwick Town Board codified the Community Preservation Fund as Chapter 7 in the Town Code. Further, the Town Board has adopted a Community Preservation Project Plan originally dated July 27, 2006, and last revised August 24, 2018. Reference to Chapter 7 Section 7-2 sets forth that the purpose is the "protecting and preserving open and undeveloped lands in the Town of Warwick, including wetlands, woodlands, agricultural lands, shorelands, and the other natural resources of the Town; for the purpose of protecting historic places and properties within the

Town; and for the purpose of providing the Town's visitors and residents with outdoor recreational opportunities."

Moreover, Section 7-3 defines Community Preservation, and Section 7-5B establishes that the acquisition of interests and rights in real property under the fund shall be in cooperation with willing sellers, while Section 7-7B provides that any resolution of the Town Board approving an acquisition of land pursuant to this chapter shall include a finding that acquisition was the best alternative for the protection of community character of all reasonable alternatives available to the Town.

The Community Preservation Project Plan identified and mapped a total of seven (7) target areas summarized as:

1. Agricultural Lands; 2. Open Space; 3. Freshwater Wetlands and Biodiversity Conservation Areas (as identified in the Southern Wallkill Biodiversity Plan); 4. Aquifer Recharge Areas; 5. Village/Hamlet Greens and parks; 6. Historic Places; and 7. Public Water Supply Watersheds.

Recommendations for each of these target areas were as follows:

1. 6,037.7± acres of unprotected prime agricultural lands and operating farms contained within the Agricultural Overlay District.

2. 4,191.5± acres of open space, trails, and greenbelt areas defined by the draft Open Space Plan and the 1999 Comprehensive Plan.

3. 5,113.4± acres of biodiversity conservation areas as identified in the Southern Wallkill Biodiversity Plan for the Town of Warwick and freshwater wetlands as identified on the New York State Department of Environmental Conservation ("DEC"), US Fish & Wildlife Service's and Town Conservation Board freshwater wetland maps.

4. 17.9± acres of significant parcels identified within the Aquifer Protection Overlay District including favorable locations for targeting high yield bedrock wells to provide potable groundwater and to assure clean surface water.

5. 41.0± acres of significant parcels identified within hamlet centers to create traditional greens, parks, recreation opportunities and other forms of open space.

6. 142.15± acres of historic places and properties defined as local landmarks or listed on the national and state registers of historic places.

7. 1105.4± acres of public water supply watersheds including Glenmere Lake, Greenwood Lake and the Village of Warwick reservoirs.

All told, the Community Preservation Project Plan ("CPPP") identified **16,649.05±** acres as the highest priorities for preservation through the appropriate land-use alternatives noted. Part II and Appendix A of the CPPP also identify various categories of priority parcels and projects situated within the target areas based on a number of sources including: Recommendations from the Comprehensive Plan and the draft Open Space Plan; Inventory of agricultural land resources completed as part of the Town's Farmland Preservation Strategy; Priority recommendations from the Town's Conservation Advisory Board; Priority

recommendations from the Town's Agricultural Advisory Board; New York State Open Space Plan recommendations; Recommendations from each of the three villages; Recommendations from the Orange County Plan and Orange County Open Space Plan; Recommendations from the Warwick Valley Land Trust and the Orange County Land Trust; Recommendations from the Metropolitan Conservation Alliance; Recommendations defined by various citizen groups during the comprehensive and related planning processes; Recommendations from various local environmental groups; Recommendations defined through analyses completed by the Town Planning Department.

The Community Preservation Project Plan concluded that "[t]ogether, the seven target areas and the priority projects and parcels form a comprehensive system of open space and greenways that, if preserved utilizing the Community Preservation Fund in combination with other land use alternatives, will ensure the short- and long-range protection of Warwick's rural and agricultural environment as well as its social, economic and community character."

The Site was not listed in the Community Preservation Project Plan, and thus the Proposed Action will not affect this resource.

18.c.2 Highlands Regional Study

As detailed from the U.S. Fish & Wildlife Service's ("USFWS") website, "The Highlands region spans 3.4 million acres across Pennsylvania, New Jersey, New York, and Connecticut. In an effort to conserve natural resources in this region, the Highlands Conservation Act was passed in 2004, founding the Highlands Conservation Act grant program." The entire municipal bounds of the Town of Warwick is wholly within this designated Highlands Region, however there is only a singular project of note (McMahon Property) that previously received funding for land conservation, as identified on the USFWS's 2024 New York Factsheet, copy attached hereto.

The McMahon Property is an approximate 116-acre property located along the northern portion of Greenwood Lake immediately adjacent to the Sterling Forest State Park, identified as Section 47 Block 1 Lot 18.22 on the Town of Warwick Tax Map. This 116-acre undisturbed vacant property (Section 47, Block 1, Lot 18.22) was purchased by the Orange County Land Trust in 2019 utilizing funds from the Highlands Conservation Act and transferred to the Palisades Interstate Park Commission. This property was recognized to contain forest habitat identified by the New York Natural Heritage Program as significant, as well as contain the headwaters of the Trout Brook, a tributary of the Moodna Creek.

Additionally, the United States Department of Agriculture Forest Service ("USDA") issued a New York – New Jersey Highlands Regional Study: 2002 Update that replaced the previous study conducted in 1992. These reports identified conservation strategies with the following goals: manage future growth, maintain an adequate supply of quality water, conserve contiguous forests, provide appropriate recreational opportunities, and promote economic prosperity that is compatible with the preceding goals.

This study focuses on major clusters and large contiguous tracts of land that are unprotected to identify areas with high resource conservation values, with areas being considered consisting of hundreds to thousands of acres in size. As this proposed project site is presently developed, with very little amount of earth disturbances anticipated, and an overall parcel area of approximately 7.0 acres, the property would not qualify for grant funding through the Highlands Region Conservation Act.

The approval of this project would not foreclose any of the goals or objectives of the Highlands Regional Study.

18.c.4 Land Use and Zoning

In terms of land use, the College is similarly situated to NYU as an "Institution of Higher Learning" under the Town of Warwick Zoning Code ("Code"). Accordingly, it seeks Site Plan Approval and an Institution of Higher Learning Special Permit per Section 164-46J and Use Group 84 to undertake re-occupancy and interior renovation of the existing buildings. Landscape and parking area improvements are also proposed, which will decrease impervious surfaces on-Site and comply with the standards enunciated for the Ridgeline Overlay 2 District per Section 164-47.1.

Exhibits

Exhibit F: SHPO June 22, 2023 No Impact Sign-Off letter concluding that "no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by this project".

Exhibit G: Veolia June 12, 2024 Water Service Will Serve letter.

Exhibit H: Veolia June 12, 2024 Sewer/Wastewater Service Will Serve letter.

Exhibit I: Creighton Manning Engineering, LLP; Trip Generation and Parking Assessment Report, dated January 9, 2025

Exhibit J: NYS DEC Bulk Storage Database Search Details for closure of Site No. 3-146285 and the Town of Warwick Certificates of Compliance for UST Removals.

Exhibit K: Architectural Drawings prepared by Kenneth Irving Architect PC of Suffern, NY, signed by Manuel Antonio Andrade, AIA, LEED AP BD+C, dated June 22, 2024, last revised January 15, 2025.

Exhibit L: Threatened & Endangered Species Investigation on the Old Forge School Property, prepared by ERS Consultants, Inc, dated March 31, 2025

Exhibit M: Exterior and Interior Photographs of the Existing Buildings.

Exhibit N: SEQRA Full EAF Part I and Part II

Exhibit O: Phase 1 Environmental Site Assessment

Exhibit P: Phase 2 Environmental Site Assessment

Exhibit Q: Project Sponsor Traffic Engineer Responses

Exhibit R: ERS Consultants - 4th investigation of Rare, Threatened and Endangered Species

Exhibit S: Updated Water and Sewer Willingness to Serve Letters