

## **STERLING FORGE ESTATES FACT SHEET**

The NYSDEC denial of the Sterling Forest Corporation's ability to use the eastern side of Long Meadow Road (County Route 84) for the originally proposed 18-hole golf course has resulted in a revised proposal for 107 luxury units. Procedurally, this revised application still requires Town Board approval to rezone the entire parcel from Research Office (RO) and Light Industrial Office (LIO) to Open Space Residential (R-1). All of the projected environmental impacts are reduced, such as blasting, earth movement, and water quality, and some are completely eliminated, such as impacts from pumping water from the Scott Mine, pesticide/herbicide applications on the golf course, and all federal wetland issues. Most of the additional studies and issues contained in the new SEIS (Supplemental Environmental Impact Statement) have also become irrelevant, such as the pesticide/herbicide impacts on water quality, hydrogeologic impacts from the development of the golf course, and the independent wetlands evaluation. The rattlesnake study remains relevant, especially if further study determines that the western side of Long Meadow Road also comprises significant habitat. The impact on cultural (historical/archaeological) resources also remains very relevant.

Beyond those issues addressed in the SEIS, many of the issues addressed in the DEIS (Draft Environmental Impact Statement) also remain very relevant including forest fragmentation, blasting, cuts and fills, erosion control, development on steep slopes, impacts on the neighboring Sterling Forest State Park, impacts on flora and fauna, etc. It is important to note, however, that these are not the issues which are the subject of the current SEIS, whose sole purpose was to do specific, narrowly defined studies to supplement the overall analysis done in the DEIS.

However, it is equally important to note that the analysis in the DEIS focused on the golf course, and paid little attention to the residential component of the proposed development. Instead, housing sites were represented by generic circles, with no disclosure provided about specific limitations that may affect these individual housing sites, such as steep slopes, depth to bedrock, etc. No analysis has been provided regarding cuts and fills, and blasting, which may be required to develop these large luxury homes in a rugged terrain. Rather, the applicant intends to submit a Land Development Plan to the Tuxedo Planning Board AFTER the rezoning has been adopted, and in place of doing a proper SEQRA (State Environmental Quality Review Act) analysis, the applicant is instead proposing the Planning Board apply a set of performance of performance standards in reviewing the Land Development Plan and subsequent subdivision plat. This would segment the SEQRA process, with the Town Board doing part of the analysis, and placing the burden on the Planning Board to do the rest. This is contrary to SEQRA requirements, and does not allow for a full environmental impact assessment prior to the approval by the Town Board. It is therefore essential that a proper environmental analysis of the new residential proposal be demanded before the SEQRA process is closed.

Specifically, the following impacts will remain at issue for the remaining residential units, and need to be subject to more scrutiny than has already occurred.

### **Summary of Selected Impacts**

#### **Blasting/Earth Moving**

Overall, the western parcel is very rugged, consisting of steep ridges of exposed bedrock and very thin soils. The current SEQRA documents provide absolutely no analysis of potential blasting and earth moving impacts for the 107 residential units. Project plans do indicate several areas of significant cuts for the proposed roadways. An examination of these plans indicates that these cuts will exceed 50 feet below the existing ground surface. These cuts will obviously occur primarily within bedrock, requiring significant blasting, and leaving cut walls with slopes in excess of 60%, and as high as a nine-story building. Road construction in another area will require a fill of 30 feet.

### **Water Quality**

Surface water entering the groundwater system over much of the site passes through very thin soil cover, if any at all, and therefore receives little or no natural filtration or treatment for contaminants. Once within the bedrock, the cracks and fissures act like a pipeline, delivering the groundwater directly to receiving areas, such as Sterling Lake without any further treatment. Any contaminants, such as pesticides and herbicides used in the management of lawns and landscaping, can be transported long distances via these conduits.

### **Flora & Fauna**

Sterling Forest possesses the highest level of biodiversity found anywhere in the entire State of New York. This high value habitat is not limited to the eastern side of Long Meadow Road. The NYSDEC has now determined that the eastern side of Long Meadow Road is part of one of the most valuable timber rattlesnake habitats in the entire State of New York. As many rattlesnake carcasses have been found on Long Meadow Road, it is obvious that rattlesnakes utilize both the eastern and western parcels, and cross back and forth between them. The proposed development will eliminate habitat and interrupt centuries-old migratory routes. The increased vehicular traffic will significantly increase road kills of both rattlesnakes and other herp species, and inevitable conflicts between timber rattlesnakes and humans will also undoubtedly result in higher rates of rattlesnake mortality. In regard to flora, the SEIS includes an updated inventory of plants. However, according to our wildlife expert, Spider Barbour, the inventory was conducted at an improper time to detect rare plants, and also failed to visit critical areas that would likely contain rare plants.

### **Forest Fragmentation**

Sterling Forest is a component of a large contiguous forest that includes Harriman and Bear Mountain State Parks in New York, and Ringwood and Long Pond Ironworks State Park in New Jersey. The preservation of this unfragmented forest was one of the key issues in preserving Sterling Forest as a park. In fact, the portion of Sterling Forest in which this development lies is the largest parcel of unfragmented forest in the NY-NJ Highlands as documented by Richard Lathrop of Rutgers University. The development of this project would have a serious fragmenting effect on the forest, which would extend deep into the adjacent Sterling Forest State Park. The proposed 107 units will significantly increase edge forest (defined as laying within 250 meters from a road or development) and will decrease interior forest habitat (defined as laying more than 750 meters from a road or development).

### **Wetlands**

Denying development of the golf course eliminates most of the potential impacts to wetlands and buffers. NYSDEC wetland permits will still be required for encroachment into the NYSDEC wetland buffer for the construction of Roads A and C. In the case of Road A, a portion of the 100-foot wetland buffer will be eliminated in its entirety, terminating in a retaining wall at the wetland edge. In the case of Road C, the encroachment consists of a 30-foot high fill at a 50% slope, which extends to within 35 feet of the wetland's edge. Both of these encroachments illustrate the extreme extent to which the landscape must be manipulated to accommodate the proposed development. The most significant effect of the continued need for NYSDEC wetlands permits, however, is the continued scrutiny of the NYSDEC, and the strong possibility that the western parcel will also be found to be valuable rattlesnake habitat.

### **Historic and Archaeological Resources**

The project site was part of the Sterling Iron Estate, which was critical in manufacturing arms, cannon balls, anchors, and, most importantly, the Great Chain across the Hudson River during the Revolutionary War. Most of the historic mines within the Sterling Forge property are located underneath the western parcel, which is still subject to development. While the location of these mines are well documented, any evidence of other lesser known or unknown features, such as test mine sites, collier's (charcoal maker's) camps, charcoal bottoms (where charcoal was made),

occupation sites, etc., will be destroyed by the massive earth movement, blasting, and development program proposed. The historic Scott Mine head frame was originally proposed to be torn down, but OPRHP has determined this structure to be eligible for the National Register. Similarly, every single mine on the Sterling Forge Estates property has also been determined to be eligible for the National Register, and OPRHP will soon be proposing to establish a Nationally-registered Archaeological District which encompasses both the publicly owned park, and the very portion of the Sterling Forge Estates property now proposed for development.

### **Fiscal Impact**

The SEIS claims that the revised proposal will have a positive fiscal impact on all taxing districts, including a razor-thin \$15,000 net gain to the school district. To accomplish this, the analysis assumed a very high property value (\$1.2 – \$2.2 million) and an extremely low generation rate for school children (0.783 student per home). A slight decrease of home value, or a slight increase of school children (say, even just 1.0 per home) would result in a negative fiscal impact. Likewise, The Tuxedo School District now projects that for the upcoming school year the cost of educating a grade K-6 child will increase by \$5,458, and a grade 7-12 child by \$716 over the figures used in the fiscal impact analysis, which would also change the result to tax negative.