

PURSUANT TO THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT FINDINGS STATEMENT

This Statement of Findings is issued by the Town of Monroe Town Board pursuant to the New York State Environmental Quality Review Act (SEQRA) -- Article 8 of the New York State Environmental Conservation Law -- and the regulations promulgated there under 6 NYCRR Part 617 (collectively referenced herein as "SEQRA"), in connection with the Proposed Action identified below.

ADOPTION OF AMENDMENTS TO CHAPTER 57 (ZONING) CREATING A CONSERVATION CLUSTER RESIDENTIAL (CCR) FLOATING ZONE DISTRICT, Town of Monroe New York

SEQRA Lead Agency:

**Monroe Town Board
Hon. Anthony Cardone, Supervisor
Monroe Town Hall
1465 Orange Turnpike
Monroe, NY 10950
(845) 783-1900**

SEQR Status: Type I

Date Adopted: July 13, 2020

1. PROCEDURAL HISTORY

Timetable of the SEQRA review process of the Project (to date) is as follows:

- September 23, 2019 Positive Declaration adopted.
- October 7, 2019 Public scoping session.
- November 25, 2019 Scoping document adopted.
- March 2, 2020 DGEIS accepted as adequate and complete for public review.
- March 25, 2020 DGEIS public hearing held and was continued on April 6, 2020 at which time it was closed.
- April 20, 2020 End of Public Comment Period on DGEIS.
- June 15, 2020 FEIS accepted as complete. Publication of notice of acceptance by the Planning Board was duly published in the ENB. The required 10-day period for consideration was commenced on June 26, 2020.

2. PROJECT DESCRIPTION

The project entails the adoption of the proposed Local Law for the Conservation Cluster Residential (CCR) Floating Zone which will create an unmapped “floating zone” that will allow petitioners to undertake a process demonstrating that they meet certain prescribed conditions, before they are provided the use and dimensional rights conveyed by the CCR zone. The CCR requires a Master Development Plan to be proposed and approved which guides the conformance of future applications rather than conformance with strict yard, setback, lot-size and other dimensional requirements.

In order to “land” the floating zone on any particular tract of land, the Town Board would be required to make several findings including:

- A negative declaration or findings to approve consistent with SEQR;
- That the proposed petition and master development plan are consistent with the goals and objectives of the Town of Monroe Comprehensive Plan;
- That the proposed plan meets the criteria of eligibility;
- That the Town Board has considered the input of the Planning Board and incorporated any recommendations it feels appropriate;
- That the Town Board has considered the input of interested and involved SEQR agencies and incorporated any recommendations it feels appropriate;
- That the master development plan meets the purpose of the CCR district and incorporates best practices for sustainable development.

In order to make a finding that the proposed plan meets eligibility requirements of the CCR district, the Master Development Plan must conform to the following criteria:

- Be comprised of no more than 8 contiguous (including contiguous parcels separated by a street) parcels totaling at least 80 acres;
- At least 40 acres of the proposed petition area must be located within a half-mile of one of the Town’s two incorporated Villages;
- The site must be served by central water and sewer approved by the Town;

- At least 65% of the petition area must be preserved as open space and protected by conservation easement or dedication, with priority given to areas of most conservation value;
- No more than two units per gross acre (1/2 acre per unit) are proposed;
- At least 20% of units are reserved for workforce or affordable housing;
- At least 15% of units are reserved for adult/senior housing (all or a portion of the senior housing may be workforce/affordable housing and serve to meet both requirements);
- An average of no more than 2.25 bedrooms per unit is proposed and no more than 20% of units have more than three bedrooms;
- The proposed layout is conceptually sound and marketable;
- There are adequate public facilities to serve the proposed development;
- The property be in single ownership prior to approval by the Planning Board;
- There will not be significant adverse fiscal impacts to the Town, school or emergency service providers;
- The MDP proposes only authorized uses including:
 - Single-family detached dwelling units on lots of less than 15,000 square feet;
 - Single-family attached dwelling units;
 - Single-family semi-attached units;
 - Multiple-family residences;
 - Assisted living facilities;
 - Open space and parkland;
 - Hotels, spa and conference facilities subject to certain requirements;
 - Up to 5% of floor area may be restaurants, personal service establishments and retail integrated into recreation and other accessory non-residential structures;
 - Agricultural use;
 - Certain accessory uses typical of planned residential developments;
- The proposed MDP meets the following dimensional requirements:
 - Up to 65% coverage of the 35% developable area;
 - Buffering (100 feet) from wetlands and conformance with the Town's wetland chapter;
 - Minimum separation between buildings;
 - Buffering from existing public street (75 feet);
 - Parking in accordance with existing code requirements;
 - Adequate right-of-way and pavement widths;

The Town Board will also consider the following advisory elements, which are not necessarily mandatory:

- Interior visual screening with landscaping;
- Setback from proposed internal roads;
- Avoidance of front-loaded garages;
- Provision of sidewalks;
- Incorporation of historic resources such as stone walls and foundations;

In order to make their determination, the Town Board will review the following required submissions by the applicant, and may retain their own consultants to peer-review all petition and MDP materials:

- Master Development Plan (map) detailing the proposed layout of development and open spaces, as well as how the proposed development relates to and existing physical and environmental characteristics and resources as well as existing infrastructure;
- Conservation plan showing areas of the lot with conservation value;

- Proposed bulk requirements applicable to different areas of the site and which will serve as guidelines during site plan review;
- Conceptual building elevations;
- Traffic analysis;
- Phasing plan;
- Narrative discussing consistency with Comprehensive Plan;
- Fiscal impact analysis;

Other notable requirements of the proposed CCR include:

- Requirement for site plan approval by the Planning Board;
- Provisions regarding expiration of CCR “landing” in the event that development is not initiated in a timely manner;
- Requirements governing homeowner’s associations;
- Requirements governing deed restrictions;
- Requirements governing the Town’s emergency maintenance rights;
- Requirements governing site features and infrastructure;

2.1.1. STUDY AREA AND TEST CASE SITE - LOCATION AND DESCRIPTION

Based on the eligibility requirements of the proposed CCR, the DGEIS identified several areas of the Town that could petition for “landing” of the CCR district. The Town Board finds that it is unlikely that the entirety of all areas that will fall under the CCR criteria would seek rezoning to CCR. It is much more likely that a few discrete areas may meet the requirements of the CCR district such that the Town Board authorizes mapping of the floating zone. A Test Case was developed in the DGEIS in order to determine the potential impacts of a proposed development.

The area chosen to serve as a Test Case is an assembly of vacant parcels that remain vacant in the “Rye Hill Road Corridor” and this assembly was the site of several past development proposals. These developments were in various stages of approval at the time of adoption of the 2017 Town of Monroe Comprehensive Plan and its implementing code amendments. The Comprehensive Plan, made several changes to the zoning of this area, most notably:

- Redefining the term “acre” from 40,000 square feet to 43,560 square feet;
- Designating portions of the property as part of the new Water Supply Protection Overlay and Ridgeline Protection Overlay districts, which contain additional requirements for the location of structures, and the extent of coverage; and
- Requiring that environmental constraints not be counted toward minimum lot area requirements.

The developments previously proposed for the test case site are described in Table 1-1.

Table 2-1: Previous Developments Proposed for Test Case Site

Proposal Name	Parcel ID	Area	Lots	Bedrooms	Status in 2017
Eagle Ridge	31-1-2.4	44.7	40	160	Conditional Preliminary Subdivision Approval
Shea Meadows	31-1-1.11 & 1.12	50.1	46	184	Conditional Final Subdivision Approval
Polak	31-1-18.31, 62 & 63	150.4	49	196	Conditional Final Subdivision Approval
Rye Hill	31-1-29	21.0	10	40	No Approval
Total	7 parcels	*266.2	145	580	

*The lot areas listed here are as reported in the 2017 Comprehensive Plan. In the case of an actual development application, the lot area would be established by certified surveys.

Source: 2017 Town of Monroe Comprehensive Plan

The Test Case development is comprised of two development sections, western and eastern parcels. The two development sections are separated by stream and wetland areas. The existing western parcel is undeveloped land that fronts on Rye Hill Road between Reynold Street and Alex Smith Avenue. The existing eastern parcel is undeveloped land that fronts on Orange Turnpike between Hawxhurst Road and Prestwick Drive.

2.2. THEORETICAL DEVELOPMENT SCENARIO

In conceptualizing a theoretical development scenario (“Test Case”) to serve as the development program to analyze environmental impacts, the following factors were considered:

- One of the key purposes of the CCR is to significantly cluster development within a small (35% area) of the least ecologically valuable and most sustainable portion of a given tract. Due to the provisions requiring preservation of open space and buffering from wetlands, the proposed CCR will be more protective of ecological resources, open space resources and wetlands.
- Based on initial estimates, it was determined that the CCR would promote development with less impervious surfaces than under a traditional standard or cluster subdivision and would generate less stormwater.
- Because the proposed CCR requires a 75-foot wooded buffers between existing public streets and new structures it was determined that the proposed CCR would be less impactful to existing community character and visual resources given that the development would remain screened from substantial public view.

- Because the proposed CCR would allow a development with significantly more units than a conventional subdivision, it was determined that the proposed development had the greatest potential for impacting community services, infrastructure, utilities, traffic and water resources – impacts related to the number of persons residing on the site.

With these factors in mind, the Test Case development was created to maximize the on-site population and school enrollment given the proposed zoning constraints on the types of residential uses permitted, the density permitted, the restriction on number of bedrooms, and the requirement for age-restricted housing. A “worst-case” development scenario that could be reasonably anticipated to occur given understanding of market conditions was developed utilizing demographic multipliers developed by the Rutgers University, Center for Urban Policy Research based on 2000 US Census public use microdata for New York State as a basis for forecasting population. For senior housing, a widely accepted rule of thumb of 1.2 adults per one-bedroom units and 1.7 adults per two-bedroom unit was utilized.

First development was clustered on the roughly 35% of land that was furthest north, to maintain the greatest area of open space that was contiguous with other existing open space and clustering development closest to existing areas of settlement (the Village of Monroe). For reference purposes, the Test Site development will be divided into three sections and referred to as such:

- Eastern Parcel – the section east of the on-site wetland network gaining access from Orange Turnpike and located on the lot formerly proposed for the Eagle Ridge subdivision;
- Western Parcel – the section west of the onsite wetland network gaining access from Rye Hill Road and located on the two lots formerly proposed for the Shea Meadows subdivision; and
- Conservation Area – the remaining lands south of the parcels identified for development is proposed to remain vacant and/or used for open space, recreational or agricultural purposes;

The proposed CCR zoning allows two units per gross acre (491 total) and up to 2.25 bedrooms per unit (1,105 total). The CCR restricts units with four or more bedrooms to no more than 20% of units (98).

Utilizing these factors as a guide the following was developed as a test-case scenario:

Table 2-2: Test Case Development

Unit Type	Owner Type	Number of Units	Floor area per unit (sq. ft.)	Total Floor Area (sq. ft.)	Bedrooms per unit	Bedrooms total	Persons Per Unit	Schoolchildren per Unit	Persons	Schoolchildren
Townhouse	Owned	84	1,700	142,800	2	168	2.16	0.22	181.4	18.5
Townhouse	Owned	40	2,500	100,000	4	160	3.83	1.19	153.2	47.6
Townhouse	Rental	45	1,700	76,500	2	90	2.51	0.49	113.0	22.1
Townhouse	Rental	47	2,000	94,000	3	141	4.20	1.36	197.4	63.9
Patio Home	Owned	11	2,700	29,700	4	44	3.78	1.16	41.6	12.8
Apartments	Rental	190	850	161,500	2	380	2.51	0.49	476.9	93.1
Senior Apts	Rental	37	650	24,050	1	37	1.20	0.00	44.4	0.0
Senior Apts	Rental	37	850	31,450	2	74	1.70	0.00	62.9	0.0
Total		491		660,000		1,094			1,271	258

Source: Rutgers University, Center for Urban Policy Research: Residential Demographic Multipliers

In developing this scenario, the following considerations were made:

- The 2.25-unit average requires that for every three-bedroom or four-bedroom unit proposed a sufficient number of one- or two-bedroom units would be proposed to maintain the average.
- The least desirable unit type from a market standpoint, and the least impactful unit type would be the age restricted units. It was anticipated for the test case that a builder would seek to build the fewest senior apartments possible. While there would be a strong market preference for two-bedroom units, a petitioner would want to propose one-bedroom units as well to offset non-age-restricted three and four-bedroom units. Therefore a 50/50 split was assumed.
- It is believed there is a strong market for four-bedroom for-sale housing, locally. It was assumed that a builder would try to maximize four-bedroom units based on the CCR 20% limit. Single-family detached residences on small individual lots (patio homes) would be a good way for a developer to capture some of this market, but would be land consumptive, so four-bedroom single-family attached units would be another means of capturing this market. Because owned townhouse units typically require a homeowners association, these were located in the eastern section separate from the remaining development which occurs on the larger and less sloping western parcel.

- The most impactful unit type from a population generation standpoint would be three-bedroom rentals. The maximum number of three-bedroom rental townhouses were added to the scenario given the 2.25 bedroom average requirements.
- Lastly, given remaining space requirements on the eastern and western parcels, additional two-bedroom owned single-family attached units were added to the eastern parcel (so that parcel remains uniformly condominium-owned), and 2-bedroom rental townhouse and multifamily uses were added to the western parcel.

2.3. PUBLIC NEED, BENEFITS, AND OBJECTIVES

The CCR is intended to serve the following goals of the Town of Monroe Comprehensive Plan:

- Residential neighborhoods will be designed to blend with and preserve, not dominate, the existing rural woodland landscape, and developed at an appropriate range of densities that take into consideration proximity to open space and sensitive ecological habitat, proximity to major transportation corridors, proximity to employment and shopping opportunities, and availability of sewer and water service.
- Encourage an interconnected system of open space and recreational lands that provides a supporting sustainable framework for the neighborhoods within the Town and preserve the environmental resources that sustain the health and welfare of the Town’s residents.
- Implement regulations necessary to ensure that applicants submit development applications that fully disclose the proposed density, intensity, size, environmental constraints and design of projects so that the boards can fully assess a project’s potential impacts and adopt mitigation measures that are consistent with the goals and objectives and policies of this Plan Update.

The CCR is intended to serve the following objectives of the Town of Monroe Comprehensive Plan:

- Allow medium density, suburban residential neighborhoods in those areas that are close to existing Village residential neighborhoods, are served by central water and sewer, and proximate to major employment and shopping centers within the Town.
- Allow limited high density, urban residential neighborhoods which are immediately adjacent to one or more of the Town’s villages and are not significantly constrained by sensitive environmental features and allow a variety of housing types in these neighborhoods.
- Ensure that large developments proposed within urban residential neighborhoods, e.g., over 50 dwelling units, be designed to provide a mix of housing units, e.g., a mix of two-, three-, multifamily, townhome, and other housing types, rather than one single dwelling unit type, so as to promote housing diversity.
- Require that applications for subdivisions which meet a defined minimum number of proposed lots submit both a conventional and cluster development layout, and allow the Planning Board to determine whether the cluster development must be pursued so that the Town’s objective for preserving undisturbed open space are met.
- Ensure that all developments are designed to “fit” within the existing landscape, and that a minimum percentage of undisturbed woodland is integrated into all new developments to promote healthy and attractive neighborhoods.

The housing stock within the unincorporated Town of Monroe is overwhelmingly single-family detached homes. One of the key public benefits of the CCR would be a significant increase in housing choice within

the Town of Monroe – both in terms of price, and in variety of housing unit types (multifamily, single-family detached, senior housing).

The second key public benefit of the CCR would be the incentivization of significant clustering of subdivisions and the preservation of open space.

2.4. ALTERNATIVES CONSIDERED

In addition to the analysis of the CCR and Test Case development scenario, also referred to as the Proposed Action, the DGEIS also included an analysis of two alternatives, as follows:

No Action Alternative

SEQRA requires a comparative assessment of what it refers to as the “No Action Alternative.” The No Action Alternative provides the basis for evaluating anticipated changes in environmental conditions as well as the benefits and impacts that are possible in the reasonably foreseeable future in the absence of the Proposed Action. The Town Board finds the No Action Alternative would have none of the negative or positive impacts of the proposed Test Case development. In this scenario, the 245 acres of Test Case site would remain as developable land. The Town’s goals for the CCR would not be met. These goals include the preservation of a significant tract of open space and that the majority of the tract be located within one-half mile of one of the Town’s Villages so as to encourage development in a sustainable pattern, where density is accommodated closest to already established settlements with existing infrastructure and services. If the site remains undeveloped no new vegetation clearing or soil disturbance would take place, and no new traffic, population or school-age children would be generated from the project. There would also be no new tax revenues generated for the Town and no new residents would be brought to the area to provide further support for the businesses within the Town, both in terms of spending power and potential employees. The Town Board finds that the No Action is not a viable alternative because it does not meet the Town’s land use goals and policies as outlined in the CCR and the Town’s Comprehensive Plan.

Development Under Existing Zoning (RR-1) Alternative

It is anticipated that under the existing zoning, the Test Case development site could be built to accommodate 172 single family units. The number of units and bedrooms would decrease under this alternative but the number of gross square floor area and impervious coverage would increase. The number of school children would increase under this alternative, but the total population would decrease. Traffic and water usage would both decrease under this alternative.

However, the Town Board finds that by applying this alternative the Town would not implement the recommendations, nor fulfill the many goals of CCR floating zone, which is to concentrate density closest to already established settlements with existing infrastructure and services and provide for additional diversity in housing types. The pattern of single-family development that currently exists in the RR-1 would remain unchanged including the inability to preserve large tracts of open space. Development of the Test Case site under the CCR will result in the preservation of 159.8 acres compared to 30.9 acres if the site was developed under existing zoning. There are known wetlands and streams on the Test Case site. Development under RR-1 could have a greater impact on those resources due to runoff from single-family homes with treated lawn areas and greater impervious coverage.

Compared to the development under the CCR, development under the RR-1 would have the benefits of reduced peak traffic trips. However, after implementation of the traffic mitigation measures for the Test Case development, significant impacts are not anticipated. Development under the RR-1 would not consume as much water or generate as much wastewater; however, based on a review of the Town's water and sewer facility capacity information, proposed service, and recommended mitigations, significant impacts are not anticipated for development at the Test Case site. Development under the CCR would contribute an additional 494 people. As with all public services, new residents would offset the limited impacts expected by property taxes or would pay the necessary utility fees as future customers and the additional population would be accommodated by the Town's current emergency services.

Section 57-21.7, Cluster Development, of the Zoning Code allows for the clustering of singlefamily homes in the RR-1 as detached dwellings on individual lots in order to preserve historic, ecological, agricultural, water resources, scenic or other natural resource value. If the Test Case site were developed under the cluster development provisions, the type of housing (singlefamily), the number of units, and size of units would remain the same as if developed as a conventional subdivision. However, the lot area would be able to be reduced by the Planning Board to a minimum of 50% of what would otherwise be required for a conventional lot within the RR-1. If the 50% reduction in lot size were applied, this would increase the number of acres that could be preserved open space from 30.9 to approximately 116 acres. This would be 43.8 acres below the proposed preserved open space of the Test Case development scenario. In addition, the number of acres impervious surfaces related to roadways would be reduced slightly due to the cluster development layout of the units but would still require a larger roadway network than the townhome and apartment development proposed in the Test Case development scenario. The cluster development would not provide the diversity in housing type that the CCR would be providing.

The Town Board finds that the development under the existing zoning is not a viable alternative because it does not fulfill the Town's land use and environmental goals and policies as outlined in the CCR and the Town's Comprehensive Plan. The Town Board finds that Development Under Existing Zoning, both conventional or cluster layouts, do not outweigh the potential impacts in comparison with the Proposed Action and the Test Case development scenario.

3. FINDINGS CONCERNING ENVIRONMENTAL IMPACTS

The Town Board has analyzed the potential environmental impacts of the CCR and the Test Case development scenario, as set forth in this Findings Statement, based upon the proposed adoption of the CCR. The Town Board recognizes that, with the Test Case development scenario, depending on the economic realities and the developer's goals not all of the proposed elements of the Test Case Site may be developed exactly as set forth in the Test Case development scenario. Changes to any proposed development of the Test Case site will require supplemental environmental review under SEQRA if they exceed the applicable environmental impact thresholds studied in the FEIS and established in these Findings.

The Lead Agency has given due and thorough consideration to the Draft and Final Environmental Impact Statements, the transcript of the public hearing, all written agency and public comments received, all comments submitted by Town staff and its professional consultants, and all plans and other information that are part of the record of this application. The Lead Agency considered all of the afore-mentioned

information with regard to the potentially significant adverse environmental impacts that may be expected from the adoption of the CCR and Test Case development scenario, as well as the measures proposed to mitigate such impacts. These findings show that the Lead Agency has taken a hard look at the potential environmental impacts of the adoption of the CCR and the Test Case development and has considered and addressed each significant potential negative environmental impact.

The Lead Agency finds and determines that all requirements of New York State Environmental Law Article 8 and N.Y.C.R.R. Part 617 have been met, and further makes the following findings, organized by topic. The DEIS and FEIS (together, the “EIS”) include an environmental evaluation of the following resource issues:

- Topography and Soils
- Water Resources (Groundwater, Surface Water, and Wetlands)
- Ecological Resources
- Land Use, Zoning, and Plans
- Community Services
- Vehicular Traffic and Roadways

Topography and Soils

Based on topographic data for the area, there are no significant adverse environmental issues associated with steep slopes or any clear development constraints associated with the topography that would preclude or significantly affect development potential in the future. The Test Case site, in conforming with the siting requirements of the CCR, will concentrate disturbance and development in the northern section of the site in areas that are the least impactful in terms of topography and the amount of grading that would be needed.

The layout of the buildings and area of disturbance on both the eastern and western parcels of the Test Case site avoids areas of hydric soils. These soils also correlate to the more environmentally sensitive wetland areas on the site.

The adoption of the CCR does not change the level of scrutiny given to site plan or building permit reviews that would result from the development of parcels within the district.

Findings: The Town Board finds that the proposed layout of the development within the Test Case site, in order to comply with the siting requirements of the CCR, was designed to minimize developing on steep slopes and in hydric soils and therefore no significant adverse impacts are anticipated. Additional measures to minimize any impacts include grading, erosion control, and construction phasing plans will be prepared for individual site developments during the land use application and permit reviews as appropriate and necessary.

Water Resources (Groundwater, Surface Water, and Wetlands)

Wetlands

Initial wetlands investigations identified wetlands on the Test Case site. All wetlands will need a formal delineation and jurisdictions over those wetlands would need to be verified by the Town of Monroe, USACE and NYSDEC for the existing wetlands on the Test Case development site as part of any approval process. The current layout plan for the Test Case site intentionally avoids all known wetlands and wetland buffer areas.

Surface Water and Stormwater

The Test Case development for the eastern parcel consists of the construction of 124 townhouses, a clubhouse, and dedicated parking. The proposed development would require suitable drainage infrastructure to accommodate the additional generated surface runoff to ensure proper drainage and prevent flooding on the proposed development, adjacent properties and street rights-of-way. The total additional impervious coverage for the conceptual eastern portion of the site is approximately 5.7 acres.

The current concept for the western parcel consists of the construction of 92 townhouse dwellings (rentals), 11 patio homes, 190 apartments, 74 senior housing apartments and a clubhouse with pool. The proposed development would require suitable drainage infrastructure to accommodate the additional generated surface runoff to ensure proper drainage and prevent flooding on the proposed development, adjacent properties and street rights-of-way. The total additional impervious coverage added to western section is approximately 15.0 acres.

The Test Case development would not encroach in the flood hazard area within the Ramapo River Reach 2 and it does not propose any construction or disturbance in the Water Supply Protection Overlay area.

Groundwater

The western development parcel falls within a water district within the Town of Monroe and it is likely that potable water would be provided through this Town District. Water use required to support this development parcel, would not impact the groundwater demand of the Test Case development scenario.

The eastern development parcel would require the installation of drinking wells unless it is able to successfully petition the extension of the water district to this parcel. If this parcel is unable to connect to a public water supply district, this parcel would be served by individual wells and central sewer. Since the parcel would be served by central sewer, ground water taken from the individual wells will not be returned to the underlying bedrock aquifer. As a result, the estimated groundwater demand (and consumption) of this subdivision is approximately 36,080 gallons per day.

Approximately 200 acres of the site would not require groundwater withdrawal and the groundwater supply available throughout the entire site would be adequate to service the eastern parcel. It is assumed that the larger infiltration of the Rye Hill Subwatershed Basin could be utilized to support any development on the eastern parcel.

Wetlands Findings: The Town Board find that the current proposed layout of the Test Case Site minimizes any impacts on wetland and wetland buffer areas and no significant impacts are anticipated. The Test Case scenario currently avoids all known wetland and wetland buffer areas. The Town Board further finds that wetlands will need a formal delineation and jurisdictions over those wetlands would need to be

verified by the Town of Monroe, USACE and NYSDEC for the existing wetlands on the Test Case development site as part of any approval process. Further, the Board finds that if the layout changes during the approval process causing an intrusion into the wetland or wetland buffer area any necessary permits needed from USACE, NYSDEC, or the Town would need to be sought during the approval process.

Surface Water and Stormwater Findings: The proposed stormwater management system for the proposed eastern portion of the Test Case site will consist of a gravity storm sewer collection system and two micropool extended detention basins connected in series. The proposed outlet structure controls the rate of runoff from the basin. The stormwater discharge from the basin facilities will be conveyed overland and ultimately make its way to the existing creek. The proposed stormwater management system for the proposed western portion of the project will consist of a gravity storm sewer collection system and two micropool extended detention basins connected in series. The proposed outlet structure controls the rate of runoff from the basin.

The Stormwater Management water quality component for the proposed project has been achieved through the construction of the proposed Micropool Extended Detention Basins. NYDEC states that a Micropool Extended Detention basin is an acceptable measure for meeting the water quality treatment goals. The proposed detention basin treats the majority of the water quality volume through extended detention and incorporates a micropool at the outlet of the pond to prevent permanent resuspension.

In accordance with NYSDEC Stormwater Management Rules, groundwater recharge design is required as part of this project. However, based on USDA-NRCS Web Soil Survey, the site soils are classified hydrological group "D", which means the soils have a very low infiltration rate. Therefore, it is assumed that the larger infiltration of the Rye Hill Subwatershed Basin would have to support any development on the eastern parcel.

The Town Board finds that incorporating the stormwater measures detailed above would mitigate any impacts and as a result no significant adverse impacts are anticipated as a result of the Test Case development scenario. If different stormwater measures are identified during the approval process, it must be demonstrated that the water quantity and quality would be equal to or greater than what is proposed in this Findings Statement or additional SEQR review would be required.

Groundwater Findings: The Town Board finds that the western parcel to be developed in the Test Case scenario will be serviced by municipally supplied water through the High Ridge Water District. The eastern parcel identified to be developed will be subject to the Town guidelines and regulations related to private wells. The Board finds that it is anticipated that the eastern parcel will petition to be included in the same water district as the western parcel and therefore no impacts to the groundwater would occur.

The Town Board further finds that if extension is not approved, it is anticipated that a future project sponsor will conduct the appropriate testing and design of the wells for the eastern parcel under the purview of the Town. The Town Board finds that impacts to the groundwater would be minor and the groundwater available site-wide will be able to support the additional withdraw to services those units on the eastern development parcel. The servicing of water demand needs of proposed units on the Test Case site by other than a Town water supply district will require additional environmental consideration under SEQR.

Ecological Resources

Vegetation

The impacts to the ecological resources of a site are typically a direct result of clearing of vegetation, increase in human activity and associated wildlife stressors, and the resulting loss and increased fragmentation of wildlife habitat. As the Test Case site is positioned as a “peninsula” and is surrounded on three side by moderately dense single-family residences, the potential impacts associated with vegetation are lessened. The Test Case proposes 159 acres of open space remaining in its current natural condition. The limestone woodland represents the rarest habitat on the site but is not considered a rare or significant ecological community under the NYS Natural Heritage Program.

Two of the three wetlands habitats should be considered of high value and represent potentially vulnerable habitat and as a result will not be disturbed in the Test Case development scenario. These areas will require special attention prior to any development activities, inclusive of local, state, and federal permitting.

Wildlife

Given the surrounding residences, it is expected that the field, shrub, and woodland habitats on the property should support several wildlife species common to suburban habitats, particularly those species that are more tolerant of human activity. Species less tolerant of human activity likely occur on a transient basis given the proximity of the site to multiple single-family homes. Potential disturbances to the site related to construction activities have the potential to disrupt the habitat utilized by these species; therefore, temporary impacts to these species may occur but would cease once construction is complete. The proposed open space in the Test Case is contiguous with large expanses of undeveloped land and surface water immediately to the southwest. As such, it is expected that the most mobile organisms will relocate to the southwest wooded areas.

Species most adapted to suburban development (e.g., rodents, racoons) will likely be able to reutilize areas of the project site subsequent to any development and may experience a population increase due to a decrease in predation from more specialized species.

Rare and Endangered Species and Unique Habitats

No rare, threatened or endangered plants were observed on site. The NYS Natural Heritage Program did not have any records of known occurrences of rare or state listed animal or plants or significant natural communities on the Subject Property. The NYNHP did; however, identify the presence of a winter hibernaculum of Northern Long-eared Bat (*Myotis septentrionalis*) within two miles from the project site. Reportedly, several additional winter hibernaculum of the species are located within five-mile from the project site. This species is identified as Threatened by both New York State and the federal government. As winter hibernaculum are located close to the site, but are not specifically identified on the site, the main impact of concern is the cutting or removal of potential roost trees. Restrictions and/or permitting with respect to this species may be required for potential development activities.

Findings: The Town Board finds the Test Case development scenario will cluster the development on 86 acres and will provide 159 acres of open space remaining in its current natural condition reducing the potential impacts on habitat, vegetation, and wildlife. These measures already minimize any adverse impacts. In addition, the Town Board finds the following mitigation measures will be incorporated into any potential future development on the Test Case site:

- Disturbance associated with development should be minimized to the maximum extent practicable, including delineating clearing limits at the site prior to construction in order to prevent inadvertent clearing.
- Plant species that provide food and shelter to wildlife should be utilized in landscaped areas. Any activities that occur should include a landscape plan that utilizes appropriate native trees, shrubs, and other plants.
- Clustering of development to allow for the largest amount of natural vegetation retention would be incorporated as currently proposed in the Test Case scenario, with modification to further avoid areas of limestone woodland.
- New structures and improvements may require design elements such as pervious pavement, setbacks, buffering, and landscaping as part of site plan and design review, both with the local and state government.
- Prior to any development activities, local, state and federal wetlands on-site should be delineated. The Test Case scenario currently avoids all wetlands and wetland buffer areas. Should development infringe upon the 100-foot regulated area from State and Local wetlands, additional review under SEQR would be required.
- No rare or endangered species were observed on-site or reported by the NYNHP. The NYNHP did; however, identify the presence of a winter hibernaculum of the state and federally listed Northern Long-eared Bat (*Myotis septentrionalis*) within two miles from the project site. Reportedly, several additional winter hibernaculum of the species are located within five-mile from the project site. As the species is identified within five miles of multiple occupied hibernaculum, the NYSDEC requires the following guidance with respect to the project site:

Table 3-1: Northern Long-eared Bat (NLEB) Guidance

<u>Project Type (occurring within five miles of an occupied hibernaculum)</u>	<u>Time Period (of any given year)</u>	<u>Restrictions</u>
Projects that result in a change of land use within NLEB Occupied Habitat	November 1- March 31	No activities that may result in disturbance to a hibernation site including, but not limited to, actions that would alter the hydrology, increase noise or introduce fill may occur. ¹
	April 1-October 31	Leave uncut all snag and cavity trees unless their removal is necessary for protection of human life and property. For the purposes of this guidance, protection of human life and property includes removal of trees that, if not removed, could result in the loss of electric service. Snag and cavity trees are defined under DEC Program Policy ONR-DLF-2 Retention on State Forests.
Project that do not Result in a Change of Land Use Within NLEB Occupied Habitat	November 1- March 31	No restrictions
	April 1- October 31	Leave uncut all snag and cavity trees unless their removal is necessary for protection of human life and property. For the purposes of this guidance, protection of human life and property includes removal of trees that, if not removed, could result in the loss of electric service. Snag and cavity trees are defined under DEC Program Policy ONR-DLF-2 Retention on State Forests.

If the above cannot be adhered to, a permit for incidental take of endangered species will likely be required from both the state and federal government. In addition, if any bats are observed flying from a tree, or on a tree that has been cut, forestry activities in the area should be suspended and NYSDEC Wildlife staff should be notified as soon as possible. Responses from the NYNHP are generally considered

¹ Additionally, the NYSDEC recommends the same restrictions as indicated for the summer period for this type of project; however, these measures are voluntary.

current for up to a year after said response is received. Potential future projects should contact the NYNHP to ensure the most up-to-date information on protected species. Additional requirements may be required should any additional species be identified within or proximate to the site, including Northern Long-eared Bats.

Land Use, Zoning, and Plans

Land Use

Adoption of the proposed zoning modifications is a regulatory action that will not initially result in physical changes and environmental impacts on the Town; therefore, no impact on land uses will occur from the initial rezoning and adoption of the CCR.

It is the intent of the CCR to provide a more flexible zoning framework to incentivize more intensive clustering of residential development along the boundaries of the Town's villages in order to preserve large expanses of continuous open space to serve as a "growth edge" and discourage a sprawling, land- and resource-consumptive, large-lot development pattern.

If the CCR is applied to the Test Case site, there are a few additional uses that are not provided for in the RR-1 that would be permissible in the CCR. They include:

- Single-family attached dwelling units;
- Single-family semi-attached units;
- Multiple-family residences;
- Assisted living facilities;
- Open space and parkland;
- Hotels, spa and conference facilities subject to certain requirements;
- Up to 5% of floor area may be restaurants, personal service establishments and retail integrated into recreation and other accessory non-residential structures;
- Agricultural use; and
- Certain accessory uses typical of planned residential developments.

Zoning

The application of the CCR on the Test Case site will primarily increase the density of the development (491 units for CCR versus 172 units for RR-1) and decrease the lot area per residential unit (0.5 acre per unit for CCR versus 1 acre per unit for RR-1) compared to development under the RR-1 zoning.

The increased density will allow a development with significantly more units than a conventional subdivision. For environmental impact analysis purposes, the Test Case development was designed to represent a layout and unit mix that has the greatest potential for impacting community services, infrastructure, utilities, traffic and water resources – impacts related to the number of persons residing on the site. Applying the CCR will significantly cluster development within a small, no more than 35% of total area, least ecologically valuable and most sustainable portion of a given tract. The CCR will promote development with less impervious surfaces than under RR-1 zoning. The CCR will be less impactful to existing community character and visual resources given that the development will remain screened from substantial public view.

Land Use Plans

Town of Monroe Comprehensive Plan, 2017

The Test Case development and the adoption of the CCR is consistent with the objectives of the Town of Monroe Comprehensive Plan. Future development in accordance with the proposed zoning is not expected to have a material conflict with existing plans but would be further evaluated with each additional application under the CCR.

Orange County Comprehensive Plan

The CCR and the Test Case development are supported by the goals and objectives of the Orange County's 2019 Comprehensive Plan. It promotes protection of land affecting a drinking water supply, steep slopes, wetlands, including those not protected by State or Federal regulations, floodplains and riparian buffers, scenic views, and land adjacent to protected areas, such as parks, nature preserves, or conservation areas. The CCR requires that at least 65% of the petition area must be preserved as open space and protected by conservation easement or dedication, with priority given to areas of most conservation value.

Findings: The Town Board finds that future site-specific actions must comply with agency regulations and SEQRA (6 NYCRR Part 617) and should be consistent with the proposed CCR regulations and its criteria. The Town Board also finds that the proposed land use and zoning changes with the adoption of the CCR and application to the Test Case site minimizes adverse impacts that would potentially result if developed as of right under the RR-1, therefore no significant adverse impacts are anticipated and no mitigation is necessary.

Further, the Town Board finds that in order to ensure the preservation of large expanses of continuous open spaces in the CCR, modifications will be incorporated into the proposed CCR. Specifically, the local law will be modified to require:

- (1) A conservation easement on the open space will be held jointly by the Town and a reputable land trust or fee dedication to the Town with conservation easement held by the reputable Land Trust;
- (2) Ownership and maintenance for the open space conservation easement will be identified as Site Plan approval conditions and recorded on the deed;
- (3) The deed restriction will identify the open space conservation easements and include a clause that the conservation easement terminates any development rights of that land in perpetuity and prohibits transfer of those rights to any other property;
- (4) Modification of any conservation easement shall require the unanimous consent of the Town Board and unanimous consent of the land trust governing board;
- (5) The conservation easements cannot be modified to confer private benefit or inurement not included in the original easement.

Community Services

Schools

A projected total of 258 school age children would result from the Test Case development scenario. The introduction of new students as a result of the Test Case development may actually offset the decline in the student body and have a positive effect on controlling District costs. The students of the Test Case site would go to the Sapphire and Pine Tree Elementary Schools (grades K to 5), Monroe-Woodbury Middle School (grades 6 to 8), and the Monroe-Woodbury High School (grades 9 to 12).

Schools Findings: The Town Board finds that based upon information received from the District, the new students should be able integrate within existing programs and school buildings at the secondary level. The Town Board also finds the specific impact to Sapphire Elementary and Pine Tree Elementary may require additional analysis to determine if the two schools in question have the physical capacity to absorb this number of students. However, based upon current enrollment and capacities at the other elementary schools, it is anticipated that the projected elementary school students would be able to be absorbed into the school district. The Town Board finds that prior to any development approvals, an applicant would need to reaffirm the Monroe-Woodbury Central School District elementary school district capacity and if capacity concerns exist, work with the school district to introduce mitigation measures, including potential project phasing to avoid overwhelming building capacities.

Police

The Test Case development would increase the residents by 1,271 residents. Assuming all these residents would be new to the Town, this population increase would likely result in a proportionate increase in demand for police services.

Police Findings: The Town Board finds the additional population projected from the new residences is not anticipated to create a significant adverse impact to Monroe's Police Department. Adequate emergency access will be provided to the Test Case site. It is anticipated that any adverse impacts to the Police Department would be offset by the taxes generated by the development.

Fire

The Test Case development would increase the residents by 1,271 residents. Assuming all these residents would be new to the Town, this population increase would likely result in a proportionate increase in demand for fire services.

Fire Findings: The Town Board finds the additional population projected from the new residences is not anticipated to a create significant adverse impact to the Joint Monroe Fire District. It is anticipated that any adverse impacts to the Fire Department would be offset by the taxes generated by the development.

EMS

The Test Case development would increase the residents by 1,271 residents. Assuming all these residents would be new to the Town, this population increase would likely result in a proportionate increase in demand for ambulance services.

EMS Findings: The Town Board finds the additional population projected from the new residences is not anticipated to a create significant adverse impact to the Monroe Volunteer Ambulance Service. It is anticipated that any adverse impacts to the Ambulance would be offset by the taxes generated by the development.

Water

The western parcel would add a new demand on the existing domestic water system due to the additional domestic water demand generated by the new residential units within the proposed project.

The eastern parcel is not within the Water Districts within the Town of Monroe. Therefore, the proposed development will petition for inclusion into the High Ridge Water District or it will be served by proposed well(s) and new domestic water system infrastructure within the development.

Water Findings: The Town Board finds the additional water demand for the Test Case site is not anticipated to create a significant adverse impact. The western parcel will be served by the existing domestic water system infrastructure owned and operated by the Village of Monroe.

The Town Board also finds the eastern parcel will likely seek to petition for expansion of the Town water district. In the case that water district extension is not approved, the proposed project would be served by new proposed water well(s) and a new water system infrastructure.

Sanitary Waste

The Test Site development will generate additional sanitary sewer flow that will be collected via a proposed on-site sanitary sewer system connected to the existing offsite infrastructure owned by the Town of Monroe.

Sanitary Findings: The Town Board finds that the treatment facility has capacity for the proposed development and there are no anticipated significant adverse impacts associated with providing sanitary service to the Test Case development scenario.

Electric/Natural Gas

The Test Case will have an impact on the existing electric and gas infrastructure by adding an additional demand on both systems.

Electric/Natural Gas Findings: The Town Board finds that any future development at the Test Case site will have to request “will serve letters” for both gas and electric to determine if Orange and Rockland Utilities can support the proposed development and the results will have to be submitted to Orange and Rockland Utilities as part of any development approval. The Town Board finds that the development proposed at the Test Case site will not have a significant adverse impact on utilities.

Senior Center

The Test Case development scenario would increase the senior population by 107 people and demand for the Senior Center would increase.

Senior Center Findings: The Town Board finds the additional population projected from the new residences is not anticipated to create a significant adverse impact to the Senior Center. It is anticipated that any adverse impacts to the Senior Center would be offset by the taxes generated by the development. Therefore, no other mitigation measures are required.

Fiscal

The Test Case is projected to generate twice as much net cost to the Town, Fire and Library funds than an as-of-right single-family detached residential subdivision that could be constructed in the absence of the action. While the Test Case development would generate more cost than revenue to the school district, it would result in approximately \$600,000 less in shortfall than a conforming residential subdivision. Overall, the proposed test case, which was designed and programmed to result in the most impactful population that could be reasonably anticipated to reside, results in less fiscal impact than a conforming residential subdivision currently permitted as-of-right, largely by virtue to the reduced number of schoolchildren (258 school children) that are likely to reside in a development that imposes limits on the number of schoolchildren (272 school children).

Fiscal Findings: The Town Board finds that the fiscal impacts from residential development cannot be completely mitigated. The Town Board also finds that the Test Case development would result in approximately \$600,000 less in revenue shortfall than a conforming residential subdivision and it finds that a mix of units which results in lower population or fewer schoolchildren were to be developed, this would help to minimize impacts further.

Vehicular Traffic and Roadways

The Test Case would generate 207 trips (49 entering, 158 exiting) during the AM peak hour, 244 trips (158 entering, 96 exiting) during the PM peak hour and 249 trips (136 entering, 113 exiting) during the Saturday midday peak hour. The following intersections were studied as part of the SEQR process and the impacts of the Test Case development of each of the intersections are detailed below.

Rye Hill Road at Reynolds Road/Mine Road

The northbound and southbound approaches will continue to operate at LOS A and the eastbound approach will continue to operate at LOS C or better during the analyzed peak hours under the Test Case scenario. The westbound approach will operate at LOS B, F and E during the weekday AM, PM and Saturday midday peak hours respectively.

Orange Turnpike at Reynolds Road

The northbound and southbound approaches will continue to operate at LOS A during the analyzed peak hours under the Test Case scenario. The eastbound approach will degrade from LOS E and C to LOS F and D during the weekday PM and Saturday midday peak hours respectively.

Orange Turnpike at East Mombasha Road

Under the Test Case scenario conditions at the unsignalized intersection of Orange Turnpike and East Mombasha Road the northbound and southbound approaches will operate at LOS A during the analyzed peak periods and the eastbound approach operates at LOS B during the analyzed peak periods.

Rye Hill Road and Berry Road

Under the Test Case scenario conditions at the unsignalized intersection of Rye Hill Road and Berry Road all the approaches the currently operate at LOS A during the analyzed peak periods.

West Mombasha Road and Berry Road

Under the Test Case scenario conditions at the unsignalized intersection of West Mombasha Road and Berry Road the northbound and southbound approaches will operate at LOS A during the analyzed peak periods and the westbound approach operates at LOS B or better during the analyzed peak periods.

Rye Hill Road and Site Driveways

All the site driveways on Rye Hill Road will operate at LOS B or better under the Test Case scenario.

Orange Turnpike and Site Driveway

The site driveway on Orange Turnpike will operate at LOS B or better under the Test Case scenario.

Findings: The Town Board finds that based on the results of the Traffic Impact Study that, with the minor improvements proposed below, the construction of the Test Case development scenario would not significantly impact the operation of the roadways and intersections in the study area.

Rye Hill Road at Reynolds Road/Mine Road

The Town Board finds that an installation of STOP signs on all the four approaches of the intersection (ALL WAY STOP control) will be installed with any proposed future development of the Test Case site. With the ALL WAY STOP control, the northbound, southbound and eastbound approaches will operate at LOS B during the PM peak hours and the westbound approach will operate at LOS C during the PM peak hours.

Orange Turnpike at Reynolds Road

The Town Board finds that an installation of a traffic light at this intersection would reduce the wait time on Reynolds Road and a signal warrant analysis will need to be undertaken when a formal application is submitted to determine if the volumes would allow for an installation of a light. The Town Board also finds that this work would have to be coordinated with Orange County because Orange Turnpike is a County owned road.

Community Character, Visual Resources, and Historic and Archeological Resources

Adoption of the CCR would result in changes to the visual character of the Test Case site and other properties in the Town if the CCR is applied. However, these changes are expected to occur over time and would be guided by the proposed zoning and development design standards within the zoning.

The end result of this future development on visual character is expected to be beneficial as it seeks to preserve large expanses of continuous open space and improve the overall pattern of development within these areas.

The Phase IA and Phase IB archeological studies concluded no further archeological investigations were recommended on the eastern and western parcels and no historic buildings or site are located on both parcels, the Test Case development would not have any impacts on archeological and historical resources as long as any future development application remains within the eastern and western parcels of the Test Case site.

Findings: The Town Board finds significant focus has been placed on layout and preserving natural resources in the Test Case development and the CCR. No further mitigation is recommended for the protection of visual resources.

Further, the Town Board finds to ensure visual consistency with existing community character the following bulk limitations should be added to the CCR:

1. A maximum of 40 ft building height (only 5 ft above what is permitted in existing residential districts);
2. A maximum sitewide floor area ratio (including conservation areas) of 0.07;
3. Limitations on the maximum floor area of residential dwelling units as follows:
 - a. Single-family detached residence – 4BR or more – 2,700 square feet;
 - b. Single-family detached residence – 3BR – 2,250 square feet;
 - c. Single-family detached residence – 2BR – 1,800 square feet;
 - d. Single-family detached residence – 1 BR – 1,200 square feet;
 - e. Single-family attached/semi-attached residence – 4BR or more – 2,500 square feet;
 - f. Single-family attached/semi-attached residence – 3 BR – 2,000 square feet;
 - g. Single-family attached/semi-attached residence – 2 BR – 1,500 square feet;
 - h. Single-family attached/semi-attached residence – 1 BR – 1,000 square feet;

- i. Multifamily flat (exclusive of common areas and hallways) – 3 BR or more - 1,250 square feet;
- j. Multifamily flat (exclusive of common areas and hallways) – 2 BR – 1, 150 square feet;
- k. Multifamily flat (exclusive of common areas and hallways) – 1 BR – 850 square feet;

Based on the absence of federal and state eligible or listed historic buildings or sites, or archeological artifacts or features that require additional testing, the Town Board finds no significant adverse impacts to historic or archaeological resources are expected and no further mitigation is recommended.

4. FUTURE ACTIONS

The Town Board finds that the DGEIS and FEIS examines the potential impacts of developing the Test Case site (property tax lots 31-1-2.4, 31-1-1.11, 31-1-1.12, 31-1-18.31, 31-1-18.62, 31-1-18.63, and 31-1-29) in the CCR. The Town Board also finds that the CCR is a floating zone and its application would be a discretionary decision by the Town of Monroe, Town Board. Further, the evaluations and mitigation measures are only applicable to the Test Case site and development scenario presented within these Findings. Any application for the Test Case site which is submitted in accordance with the CCR, this Findings Statement, and thresholds identified below, will not require additional environmental review under SEQR as long as the environmental impacts analyzed in the DGEIS of the Test Case site are not exceeded. All other applications submitted under the CCR would require environmental review in accordance Chapter 617 State Environmental Quality Review Act of New York State.

Threshold under which further environmental review would not be warranted:

1. Construction within five years of adoption of the local law.
2. Construction in accordance with the density, bedroom and dimensional parameters of the CCR district.
3. Construction of development on the parcels identified as the western development (Shea Meadows) and eastern development (Eagle Ridge) sites with the uses presented in the Test Case and allowed in the CCR, with the exception of agricultural uses, open space, and public recreation, assisted living facility or hotel/spa/conference center.
4. Service via an approved Town of Monroe Water Districts approval of which may be subject to a separate SEQR review if a new source of potable water is proposed or the Town or Village of Monroe determines that existing supply and distribution infrastructure is not adequate.
5. No disturbance of regulated wetlands under Town, Federal or State jurisdiction and maintenance of any required 100-foot wetland regulated areas.
6. Proposal of different stormwater measures that do not demonstrate that the water quantity and quality would be equal to or greater than what is proposed in this Findings Statement.
7. Updated response from the NY Natural Heritage Program should be sought if a site plan is received after December 1, 2020, and any species identified that has not been assessed herein should be assessed in a separate SEQR review.
8. No tree cutting on-site from April 1 through October 31 shall be permitted.
9. Disturbance associated with development is minimized to the maximum extent practicable, including delineating clearing limits at the site prior to construction in order to prevent inadvertent clearing.

10. Plant species that provide food and shelter to wildlife is utilized in landscaped areas. Any activities that occur will include a landscape plan that utilizes appropriate native trees, shrubs, and other plants.
 11. Clustering of development to allow for the largest amount of natural vegetation retention will be incorporated as currently proposed in the Test Case scenario, with modification to further avoid areas of limestone woodland to the maximum extent practicable.
 12. New structures and improvements will include design elements such as pervious pavement, setbacks, buffering, and landscaping as part of site plan and design review, both with the local and state government.
 13. Installation of four-way stop control at intersection of Reynolds Road and Rye Hill Road.
 14. A signal warrant analysis to determine if the volumes will allow for an installation of a light at Orange Turnpike at Reynolds Road.
-

5. CERTIFICATION OF FINDINGS

Having considered the relevant environmental impacts, facts, and conclusions disclosed in the Draft and Final EIS and information derived from the public review during the course of the SEQRA review process, and having weighed and balanced relevant environmental impacts with social, economic and other considerations, the Town of Monroe, Town Board, as Lead Agency, finds and certifies that: the requirements of 6 NYCRR Part 617 have been met and the adoption of the CCR and the Test Case development are consistent with social, economic, and other essential considerations from among the reasonable alternatives available. Further the Town Board certifies that the Proposed Action is an action that avoids or minimizes adverse environmental effects to the maximum extent practicable; and, adverse environmental impacts revealed in the environmental review process will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the lead agency's decision those mitigation measures that have been identified herein as practicable.