

State Environmental Quality Review
POSITIVE DECLARATION
Notice of Intent to Prepare a Draft EIS
Determination of Significance

Date of Transmittal: **XX, 2023**

This Notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

On April 4, 2023, the Town of Shawangunk Planning Board, as lead agency, has determined that the proposed action described below may have a significant effect on the environment and that a Draft Environmental Impact Statement will be prepared.

Name of Action: Blue Chip Farm Planned Development Group and Cluster Subdivision

Applicant: Elixir Design Build LLC

Owner: Blue Chip Farms, LLC

Lead Agency: Town of Shawangunk Planning Board

SEQR Status: Type I Action

**Description
of Action:**

As per the Applicant's submission, the proposed action is the construction of a planned development group and cluster subdivision to be located on approximately 650± acres in the Rag-4 zoning district. The Shawangunk Grasslands National Wildlife Refuge is immediately to the north of the project site.

To the west of Hoagerburgh Road, the Applicant proposes: 100 dwellings to be owned, operated and maintained by a single entity as a resort; five (5) single-family one-acre lots to be sold in fee; a two-story private clubhouse with spa, gym, pool and restaurant; family and children's activity center with pool; terrace restaurant, welcome/arrival and activity center with tennis/paddleball/pickleball courts; maintenance building, offices, and parking.

On the east side of Hoagerburgh Road, the Applicant will maintain the existing Blue Chip Farms / equestrian facilities on the north side of Bates Lane and a conservation easement will protect this 212± acres. On the south side of Bates Lane, the Applicant proposes: 67 one-acre single-family fee-simple dwelling lots located adjacent to a twelve-hole golf course; a resort check-in, golf course clubhouse with café; wastewater treatment plant, and various wells would be installed to service the project components. The overall project will be developed and managed as an overall single entity with some public roads, shared private roads and paths and access to amenities and services to be owned, operated and maintained by the same single entity that operates the resort.

The Project's compliance with the Town of Shawangunk Zoning Law will be assessed during SEQRA review. The Applicant has expressed that it is also contemplating a potential zoning amendment that would allow a similar

development buildout, but with more flexibility for the arrangement of the proposed land uses.

Permits and approvals that are required include but are not limited to: Shawangunk Planning Board subdivision, special use permit and site plan approval; Shawangunk Town Board approval of drainage, sewer and water districts; Shawangunk Highway road opening permit and potential new Town highways; Ulster County Health Department approval of the water/sewer connections; Ulster County DEPT road openings; NYSDEC Freshwater Wetlands permit; NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity - GP-0-20-001 (PDF); US Army Corps of Engineers Nationwide Permit.

Location: 807 Hoagerburgh Road, 23 Old Fort Road, Bates Lane, and Whiskey Hill Road in the Town of Shawangunk, Ulster County, New York (see attached)

Tax Parcels: Section/Block/Lots 100.3-1-21.120 and 100.3-1-21.200.

DEIS Scoping: Scoping will be conducted by the Planning Board pursuant to 6 NYCRR Part 617.8 to focus the DEIS content on potentially significant adverse impacts and to eliminate consideration of those impacts that are irrelevant or insignificant. As required by Part 617.8, scoping will include public participation. The Planning Board will provide a period of time for the public to review and provide written comments on a draft scoping document and provide for public input through the use of meetings, exchanges or written material or other means. The attached draft Scoping Document has been submitted by the Applicant.

A Scoping Session will be held on May 2, 2023, at 7 PM at Shawangunk Town Hall, 14 Central Avenue, Wallkill, NY 12589, and the time period for written public comments will be held open until end of business day, May 19, 2023. Comments may be sent to planning@shawangunk.org.

**Reasons Supporting
This Determination:**

Potential environmental impacts associated with the Proposed Action have been identified by the Planning Board based upon a review of the Full Environmental Assessment Form Parts 1 and 2. These impacts, which may be reasonably expected to result from the Project, have been compared to the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3). The Planning Board finds that the proposed project may have a significant adverse impact on the following resources – the list below is not intended to be all inclusive:

- Extensive land disturbance
- Ecological habitat and wetland disturbances
- Community character – departure from existing single-family land uses and traditional gridded street layout and change of much of the property from existing agricultural use to residential, resort, and golf course development
- Traffic generation and impacts to roadway levels of service
- New demand placed on community services and facilities, including Town public recreational facilities, schools and emergency services
- Fiscal impact to municipal and community service providers

- Water supply demand
- Sewer demand
- Stormwater runoff and impacts to surface waters and wetlands
- Visual and historic/archaeological resource impacts
- Ambient noise level changes and increase in ambient light levels

For Further Information:

Contact Person: Mark Watkins, Chairperson
Town of Shawangunk Planning Board
P.O. Box 247
Wallkill, NY 12589

Contact Phone No: 845-895-3356 and/or planning@shawangunk.org

A Copy of this Notice Sent to the following involved and interested agencies on or before April 7, 2023:

Environmental Notice Bulletin
625 Broadway
Albany, NY 12233-1750

Involved and Interested Agencies:

Town of Shawangunk Planning Board
Mr. Mark Watkins, Chair
Town Hall, PO Box 247
Wallkill, New York 12589

Town of Shawangunk Town Board
Mr. John Valk, Jr., Supervisor
Town Hall, PO Box 247
Wallkill, New York 12589

New York State Department of Environmental Conservation
Kelly Tuturro, Region 3 Director
21 South Putt Corners Road
New Paltz, New York 12561

New York State Secretary of State
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-0001

NYS Office of the Attorney General
The Capitol
Albany, NY 12224-0341

NYS Public Service Commission
Secretary to the Commission
Empire State Plaza
Agency Building 3
Albany, NY 12223-1350

Ulster County Department of Public Works
Engineering Department, Adam Deitz, Permits
317 Shamrock Lane
Kingston, New York 12401

Ulster County Department of Health
Carol M. Smith, MD, Commissioner
239 Golden Hill Lane
Kingston, New York 12401

Town of Shawangunk Highway Department
Richard J. Blazeski, Highway Superintendent
Town Hall, PO Box 247
Wallkill, New York 12589

Town of Shawangunk Building Inspector / CEO
Robert Wallner
Town Hall, PO Box 247
Wallkill, New York 12589

Town of Shawangunk Water and Sewer Department
Town Hall, PO Box 247
Wallkill, New York 12589

Town of Shawangunk Zoning Board of Appeals
Dennis Arluck, Chairman
Town Hall, PO Box 247
Wallkill, New York 12589

Town of Shawangunk Environmental Management Council
David Haldeman, Chair
Town Hall, PO Box 247
Wallkill, New York 12589

Wallkill Fire District
Wallkill Hook, Ladder & Hose
Commissioner Anne Barnhart
112 Bona Ventura Avenue
PO Box 460
Wallkill, New York 12589

Town of Shawangunk Police Department
Gerald Marlatt, Chief of Police
Town Hall, PO Box 247
Wallkill, New York 12589

Wallkill Central School District
1500 Route 208
Wallkill, New York 12589

Ulster County Planning Department
Dennis Doyle, AICP, Director
244 Fair Street, PO Box 1800
Kingston, New York 12402

NYS Office of Parks, Recreation and Historic Preservation
Historic Preservation Field Services Bureau
Ruth L. Pierpont, Director
Peebles Island, PO Box 189
Waterford, New York 12188

Shawangunk Town Historian
Attn: Kyle Williams
Town Hall, PO Box 247
Wallkill, New York 12589

Historical Society of Shawangunk / Gardiner
PO Box 570
Wallkill, NY 12589

United States Department of the Interior
Fish and Wildlife Service
Ms. Robyn Niver
3817 Luker Road
Cortland, New York 13045

Wallkill River National Wildlife Refuge
1547 County Rd 565
Sussex, New Jersey 07461

United States Army Corps of Engineer
New York District
Western Permits Section
Brian Orzel
26 Federal Plaza
New York, New York 10278-0090

Richard Hoyt, Esq.
PO Box 402 Walden, New York 12586
(For the Planning Board)

John Cappello, Esq., J&G Law
158 Orange Avenue, Walden, NY 12586
(For the Applicant)

Town of Gardiner Town Clerk
Gardiner Town Hall
2340 US-44, Gardiner, NY 12525