

Blue Chip Farms
Town of Shawangunk, New York
Draft Environmental Impact Statement (DEIS)
Scoping Document

Name of Project: Blue Chip Farms

Property Owner: Blue Chip Farms LLC
807 Hoagerburgh Ln
Wallkill, NY 12589

Applicant: Elixir Design Build LLC
Suite 8-208
Rhinebeck, NY 12572
David Alexanian (contact)

Project Location: 807 Hoagerburgh Road
Shawangunk, New York 12589
Wallkill, NY 12589

Tax ID: 100.3-1-21.120
100.3-1-21.200

SEQRA Classification: Type I

Lead Agency: Town of Shawangunk Planning Board
14 Central Avenue
PO Box 247
Wallkill, New York 12589
planning@shawangunk.org

Lead Agency Contact: Mark Watkins, Chair
Shawangunk Planning Board
(845) 895-3356 Ext. 1

Date of Scoping Meeting: XXX

Date of Scope Adoption: XXX

DEIS Preparer: LaBella Associates (Stuart Mesinger, AICP)
4 British American Boulevard
Latham, NY 12110

**Blue Chip Farms
Town of Shawangunk, New York
Draft Environmental Impact Statement (DEIS)
Draft Scope**

This document identifies the issues to be addressed in the Draft Environmental Impact Statement (DEIS) for the proposed Blue Chip Farms Project (the "Project") in the Town of Shawangunk, New York (the "Town"), proposed by Elixir Design Build LLC (the "Applicant"). This Scope document contains the items described in 6 NYCRR Part 617.8 (e) (1) through (7). For purposes of this Scope, the term "Project" means the Project and all related implementing actions, such as approvals and permits.

DEIS GENERAL GUIDELINES

1. The Draft Environmental Impact Statement ("DEIS") shall address all items and conform to the format outlined in this Scoping Document including the potentially significant adverse impacts of the project identified by the Town of Shawangunk Planning Board ("Planning Board") in the Positive Declaration, adopted on April 4, 2023. The DEIS may also contain studies completed by the applicant, in addition to those detailed herein. Unless otherwise directed by this Scoping Document, the specifications for environmental impact statements found in 6 NYCRR 617.9(b) apply to the content of the DEIS and are incorporated herein by reference.
2. The document should be written in the third person. The terms "we," "us," and "our" should not be used. The Applicant's conclusions and opinions should be identified as those of the "Project Sponsor," "Applicant" or "the Developer."
3. Narrative discussions should be accompanied by appropriate charts, graphs, maps and diagrams whenever possible. If a particular subject matter can most effectively be described in graphic format, the narrative discussion should merely summarize and highlight the information presented graphically.
4. The entire document should be checked carefully to ensure consistency with respect to the information presented in the various sections.
5. Environmental impacts should be described in terms that the layperson can readily understand and will be written in plain language that can be easily read and understood by the public.
6. All discussions of mitigation measures should consider at least those measures mentioned in the Scoping Document. Where reasonable and necessary, mitigation measures should be incorporated into the Proposed Action if they are not already included.
7. The DEIS may incorporate in the text or as appendices all or portions of other documents including other EISs that contain information relevant to the Project Site.

8. Highly technical material will be summarized and, if it must be included in its entirety, referenced in the DEIS and included as an Appendix.
9. The DEIS will discuss, where appropriate, all related short-term and long-term impacts, cumulative impacts and associated environmental impacts.
10. Full-scale Site Plans are to be submitted with the DEIS as a separate appendix. All plans and maps showing the Site will include adjacent homes, other neighboring uses and structures, roads, and water bodies within 100 feet of the property boundaries, a legend and north arrow.
11. The entire document will be provided in both paper and electronic (PDF only) formats. In paper form for the Planning Board's completeness review and for later public and agency review. In electronic form for posting on the Town's website, once it has been deemed "complete" by the Planning Board.
12. Where relevant to the discussion of off-site impacts (such as traffic and community services), potential cumulative impacts with other projects proposed in the Town of Shawangunk or adjoining municipalities, where relevant, will be analyzed and discussed. The Planning Board shall approve the additional projects to be examined.

The DEIS is intended to convey general and technical information regarding the potential environmental impacts of the Proposed Project to the Town of Shawangunk Planning Board (as Lead Agency), as well as several other agencies involved in the review of the Proposed Project. The DEIS is also intended to convey the same information to the interested public. The Preparer of the DEIS is encouraged to keep this audience in mind as it prepares the document. Enough detail should be provided in each subject area to ensure that most readers of the document will understand, and be able to make decisions based upon, the information provided.

As the DEIS will become, upon acceptance by the Lead Agency, a document that may, if appropriate, support objective findings on approvals requested under the application, the Preparer is requested to avoid subjective statements regarding potential impacts. The DEIS should contain objective statements and conclusions of facts based upon technical analyses. Subjective evaluations of impacts where evidence is inconclusive or subject to opinion should be prefaced by statements indicating that "It is the Applicant's opinion that...". The Town of Shawangunk Planning Board reserves the right, during review of the document, to require that subjective statements be removed from the document or otherwise modified to indicate that such subjective statements are not necessarily representative of the findings of the Lead Agency.

SEQRA DETERMINATION OF SIGNIFICANCE – POSITIVE DECLARATION

On **December 6, 2022**, the Shawangunk Planning Board declared its intent to serve as Lead Agency for the SEQRA environmental review of the Proposed Action. A Notice of Intent to Establish Lead Agency was circulated to involved and interested agencies on **December 29, 2022**. After waiting the required 30 days and receiving no written objections from any agency, the Planning Board assumed Lead Agency status.

Pursuant to the rules and regulations of the State Environmental Quality Review Act (SEQRA, Article 8 of the Environmental Conservation Law and its implementing regulations at 6 NYCRR 617), the Planning Board, acting as Lead Agency adopted a Positive Declaration on **April 4, 2023**, thereby finding that the Proposed Action may potentially have a significant adverse impact on the environment and therefore requiring preparation of a DEIS.

The SEQRA Positive Declaration adopted by the Planning Board found that the Proposed Action, when compared with the SEQRA criteria of environmental impacts listed in Section 617.7 of the SEQRA regulations, may have potential significant adverse impacts on the environment and listed the following as reasons supporting its Determination of Significance:

- Extensive land disturbance activities
- Ecological habitat and wetland disturbances
- Traffic generation and impacts to levels of service
- Community services and facilities, including schools and emergency services
- Fiscal impact to municipal and community service providers
- Water supply demand
- Sewer design and demand
- Stormwater runoff and impacts to wetlands and surface waters
- Ambient noise level changes and increase in ambient light levels

The following involved and interested agencies have been identified:

Involved Agencies

Town of Shawangunk Planning Board
Town of Shawangunk Town Board
New York State Department of Environmental Conservation
New York State Secretary of State
NYS Office of the Attorney General
NYS Public Service Commission
Ulster County Department of Public Works
Ulster County Department of Health
Town of Shawangunk Highway Department
Town of Shawangunk Building Inspector / CEO
Town of Shawangunk Water and Sewer Department
Town of Shawangunk Zoning Board of Appeals

Interested Agencies

Town of Shawangunk Environmental Management Council
Wallkill Fire District
Town of Shawangunk Police Department
Wallkill Central School District
Ulster County Planning Department
NYS Office of Parks, Recreation and Historic Preservation
Shawangunk Town Historian

Historical Society of Shawangunk / Gardiner
United States Department of the Interior
Walkill River National Wildlife Refuge
United States Army Corps of Engineer
Town of Gardiner Town Clerk

PROJECT SCOPING PROCESS

Pursuant to Part 617.8, the Lead Agency is conducting scoping, the primary goals of which are to focus the DEIS on potentially significant adverse impacts, and to eliminate consideration of those impacts that are not significant or irrelevant. A public scoping session will be held in the Town of Shawangunk Town Hall, on **May 2, 2023**, at 7:00 p.m. The purpose of the scoping session will be to consider public and agency comments on the draft Scoping Document for the Blue Chip Farms Project. The document is being made available on the Town of Shawangunk website at <https://www.shawangunk.org/>.

Written public comments on the Draft Scope will be accepted by the Planning Board until the close of business day on **May 19, 2023**. This draft Scoping Document incorporates any relevant SEQR comments raised by the public or agencies which were not addressed previously.

REQUIRED ELEMENTS OF THE DEIS

The DEIS shall conform to requirements for preparation and content of environmental impact statements as stipulated in 6 NYCRR 617.9, which include but are not limited to the following:

- A description of the proposed Project and its environmental setting;
- A statement of the environmental impacts of the proposed Project, including its short- and long- term effects, and typical associated environmental effects;
- An identification of any significant adverse environmental effects that cannot be avoided if the proposed Project is implemented;
- A description of mitigation measures proposed to minimize or avoid any significant adverse environmental impacts of the proposed Project;
- A discussion of alternatives to the proposed Project; and
- An identification of any irreversible and irretrievable commitments of resources that would be involved of the proposed Project should it be implemented.

As per the SEQR regulations, this Scoping Document includes an initial identification of mitigation measures. As the impact analyses have not yet been performed, it is not yet possible to identify other possibly needed mitigation measures. Discussions of mitigation measures will include an explanation of how those measures would be implemented, potential environmental impacts of such implementation, the time frame associated with such implementation, and the entity that would be responsible for implementing the mitigation. The discussion will indicate proposed improvements that have been incorporated into the Proposed Action.

PROPOSED PROJECT

Elixir Design Build LLC proposes development of 272.4+/- acres and physical disturbance of 186+/- acres of the 655.6 +/- acre Blue Chip Farms, with preservation of 383.2 acres of the farm in a natural or enhanced for wildlife state as well as continuation of the Blue Chip Horse Farm. The property is located at 807 Hoagerburgh Road in the Town of Shawangunk and consists of tax parcels 100.3-1-21.120 and 100.3-1-21.200.

The property is zoned Residential-Agricultural 4 (R-Ag 4). Conformance with the Town's zoning law will be analyzed. An alternative to be examined in the DEIS is a zoning amendment that would provide for an integrated Planned Unit Development district specific to the proposed Project.

The attached figure illustrates the concept plan which includes the following elements:

- West of Hoagerburgh Road
 - 100 cottages/small dwellings to be owned, operated and maintained by a single entity to be booked by the public. Booking will occur in the same manner as at any resort.
 - 9 two-acre single family home lots which will be sold in fee and which will share roads and have access to amenities and services to be owned, operated and maintained by the same single entity that operates the resort
 - Private Club House inclusive of a spa, gym, pool and farm-to-table main restaurant
 - Family and Children's Activity Center with Pool
 - Terrace Restaurant
 - A welcome/arrival and activity center
 - Where guests arrive, check in and leave their vehicles for the duration of their stay.
 - Where guests can check in for activities such as golfing
 - Tennis/paddleball/pickleball courts
 - Maintenance building
 - Offices
 - Parking
- East of Hoagerburgh Road
 - The existing Blue Chip Farms operation will be consolidated on the parcel east of Hoagerburgh Road and North of Bates Lane
 - 59 one-acre single family home lots located along a twelve-hole golf course which will be sold in fee and which will share roads and have access to amenities owned, operated and maintained by the same single entity that operates the resort
 - Twelve-hole golf course
 - Golf Course Club House with a Café
 - Children's Barn

The plan proposes the re-use of many existing structures and the placement of much of the development in places that cannot be seen from roads so that the "feel" of much of the property and view of the Shawangunk Ridge will be much the same to people driving on Hoagerburgh Road or Bates Lane.

Single family lots will be subdivided and sold in fee. Homeowners will have access to common facilities such as the golf course and equestrian facilities, with the level of access up to the homeowner.

Cottages\small dwellings-will range in size from 800 to 1800 square feet. Guests will park at the Welcome Center and be shuttled by electric vehicle to their cottage/small dwelling where they will have golf carts and bicycles to use on the property.

Guests will have access to an extensive range of activities including use of the equestrian facilities for trail riding and jumping, as well as children’s activities focused on horse rearing and grooming. Both on and off-site activities will be offered, including golf, tennis/paddleball/pickleball, fishing, hiking, swimming and fitness and spa activities. The family and children’s activity center will provide facilities for teaching children about raising horses, gardening, etc.

The project will emphasize the property’s agricultural use. Workshops in agricultural subjects such as composting, woodworking and beekeeping will be offered. Food will be locally sourced. Cooking classes will be offered, and local farmers and chefs will be invited to give talks and classes. Local artists will be invited to display their works and an artist in residence program will be established

The proposed Project requires the approvals and permits identified in Table 1:

Table 1 Permits and Approvals

Involved Agencies	Permit/Approval	Application Date (Actual or Projected)
Shawangunk Town Board	<ul style="list-style-type: none"> Approval of water and sewer transportation corporations or districts 	TBD
	<ul style="list-style-type: none"> Acceptance of town roads 	TBD
Shawangunk Planning Board	<ul style="list-style-type: none"> Site Plan approval 	2022-2023
	<ul style="list-style-type: none"> Subdivision approval 	2022-2023
	<ul style="list-style-type: none"> Special use permit 	2022-2023
	<ul style="list-style-type: none"> GML 239-m referral 	TBD
Shawangunk Highway Superintendent	<ul style="list-style-type: none"> Road opening permits 	TBD
Ulster County Department of Health	<ul style="list-style-type: none"> Water and sewer system approvals 	TBD
New York State Department of Environmental Conservation	<ul style="list-style-type: none"> Article 11 Endangered Species 	TBD
	<ul style="list-style-type: none"> Article 24 Wetlands Stream Disturbance Permit 	TBD
	<ul style="list-style-type: none"> Article 15 Water Quality Certification 	TBD

	<ul style="list-style-type: none"> • SPDES wastewater discharge permit • SPDES stormwater permit • Water supply permit for community water system 	TBD TBD
New York State Secretary of State	<ul style="list-style-type: none"> • Formation of water and sewer corporations 	TBD
New York State Attorney General	<ul style="list-style-type: none"> • Approval of Homeowners Association 	TBD
New York State Public Service Commission	<ul style="list-style-type: none"> • Determination of water rates/tariffs 	TBD
New York State Historic Preservation Office	<ul style="list-style-type: none"> • Consultation with State agencies regarding historic and archeological resources 	TBD
Interested Agencies	Permit/Approval	Application Date (Actual or Projected)
Ulster County Planning Board	<ul style="list-style-type: none"> • GML 239-m advisory opinion 	TBD
US Army Corps of Engineers	<ul style="list-style-type: none"> • Section 404 wetlands permit 	TBD
US Fish and Wildlife Service	<ul style="list-style-type: none"> • Endangered/threatened species consultation 	TBD

ORGANIZATION AND CONTENT OF THE DEIS

The DEIS will contain the following information and address the following issues as they relate to the proposed Project.

COVER SHEET identifying:

- (1) The proposed Project and its location;
- (2) The name, address, email and telephone number of the Lead Agency and contact person;
- (3) The name, address, email and telephone number of the preparer and other organizations that contributed to the DEIS; the date of DEIS submission and acceptance;
- (4) The name, address, email and telephone number of the Applicant/Owner;
- (5) Date of acceptance of the DEIS as complete;
- (5) Public hearing date and DEIS comment period; and
- (6) Website where the DEIS and Final Environmental Impact Statement (FEIS) will be posted.

Following the cover sheet, a list (name, address, email and telephone numbers) of all of the Applicant's consultants, and a list of all interested and involved agencies will be provided, with names, address, email and phone numbers for each agency provided.

TABLE OF CONTENTS, indicating the chapters of the DEIS and page numbers as well as lists of exhibits, tables and appendices.

The text of the DEIS will include the following:

I. EXECUTIVE SUMMARY

- A. Introduction;
- B. Description of the proposed Project;
- C. List of all involved and interested agencies and identification of local, county, State and other approvals required including, but not limited to;
 1. Involved Agencies
 - a. Town of Shawangunk Town Board
 - b. New York State Department of Environmental Conservation
 - c. Ulster County Department of Health
 - d. New York State Historic Preservation Office
 - e. New York State Secretary of State
 - f. New York State Attorney General

- b. Sustainability and Green Building Design: Description of sustainability measures and environmental building technologies that will be used.
- c. Conservation Component
 - (1) Description and mapping of land to be permanently preserved and managed for enhanced grassland bird habitat, including location, acreage, prohibited activities, management activities and funding.
 - (2) Description of conservation easements to be placed on lands proposed to be managed for grassland bird habitat.
 - (3) Description of proposed management enhancement at the existing Shawangunk Grasslands National Wildlife Preserve.
 - (4) Description and mapping of other open space lands to be preserved, including location, acreage and prohibited activities and any proposed management activities.
 - (5) Address whether the golf course is to be made part of the open space.
- d. Horse Farm Component
 - (1) Description and mapping of land to remain in use as a horse farm.
 - (2) Description of future management of the horse farm.
 - (3) Description of permitted and prohibited activities.
 - (4) Description of any and the number of dwelling units within the conservation easement area.
- e. Residential Component
 - (1) Number and types of dwelling units (including total number of bedrooms).
 - (2) Proposed building styles and materials, including architectural concepts. Provide elevations illustrating design concepts.
 - (3) Discuss compliance with the New York State Fire and Building Code including whether any variances will be requested.
 - (4) Discussion of planned ownership and management (rental, condominium, fee-simple, homeowner's association, etc.). Indicate the subletting and rental policy that will apply to the new dwelling units, if any.
- f. Residential Amenities Component
 - (1) Location, ownership, maintenance, type and use of proposed amenities, including type and frequency of events, number of employees, and hours of operation.
 - (2) Proposed building styles and materials, including architectural concepts. Provide elevations illustrating design concepts.
 - (3) Proposed parking and loading facilities, including location, layout and count.