# A. INTRODUCTION

As detailed in Chapter 1, "Project Description," the Applicant proposes to develop a master planned destination resort community on a 1,538-acre site in the Town of Thompson (the "Proposed Project"). The Project Site would be developed in a series of phases over the course of approximately 10 years pursuant to a Comprehensive Development Plan (CDP) created for the Site. Construction for Phase 1 is anticipated to begin in late 2012, pending necessary approvals.

Any large construction project has the potential to result in temporary impacts associated with traffic, noise, air quality, and soil erosion. Potential construction impacts for both the overall site development program (i.e., the Proposed Project) and the more near-term Phase 1 are evaluated in separate sections of this chapter. Measures that would be implemented to avoid or minimize potential impacts are also discussed. In addition, this chapter provides a more detailed discussion of the sequencing of construction activities for Phase 1.

# B. COMPREHENSIVE DEVELOPMENT PLAN (DGEIS)

### SUMMARY OF THE CONSTRUCTION PROGRAM

The project would be developed in a series of phases over the course of an anticipated 10- year period, subject to market conditions and required approvals. **Figure 18-1** shows the various phases of development. Eventual build out of the Proposed Project would include a mix of recreational and entertainment uses (e.g., casino, hotel, harness horse racetrack, golf courses, sporting club, etc.), residential uses, commercial uses, and medical uses, as summarized in Tables 1-5 and 1-8.

Below is a summary of the phases of development:

- **Phase 1 – Casino Resort A**. Phase 1 would include a casino, a harness horse racetrack, and a 248-room hotel, as well as a paddock, a maintenance building, and associated parking. Phase 1 comprises an approximately 125-acre development area in the southern portion of the Project Site. Construction of Phase 1 is expected to occur between late 2012 and 2014, and is the subject of a more detailed site-specific analysis later in this chapter.
- **Golf**. The Golf Phase, at approximately 229 acres, will be comprised of renovation of the Monster Golf Course and construction of the golf clubhouse, golf maintenance building, and the golf cottages. After the receipt of site plan approval for Phase 1, the Applicant will finalize design review details for the golf course program which will be subject to site-specific environmental review and site plan approval. Construction of the golf course program is anticipated to occur in 2014.

- **Entertainment Village.** The Entertainment Village Phase will comprise the movie theater, the event field, and approximately 115,000 square feet of commercial retail. After the receipt of site plan approval for Phase 1, the Applicant will finalize design review details for the select components of this program, which will be subject to site-specific environmental review and site plan approval. Construction of select components of the entertainment village is anticipated to occur in 2014.
- **Casino Resort B**. The Casino Resort B Phase, at approximately 69 acres, is anticipated to include the construction of an additional 250-room hotel tower at the Casino Resort site, west of the Entertainment Village, and the development of supplementary back-of-house needs for the Casino Resort.
- **Residential Village, Hospitality & Recreation.** This phase will include several parcels within the Project Site totaling approximately 478 acres. It will consist of the Recreational Vehicle Park as well as a Lakefront Conference Hotel. In addition, it will include the Residential Village, Recreation Core, and Resort Hotel.
- **Hospitality, Commercial & Residential.** This phase will include several parcels within the Project Site totaling approximately 605 acres. It will include the Sporting Club, as well as future residential and commercial uses.

## PRE-CONSTRUCTION/SITE PREPARATION

Prior to the start of any construction activity or site disturbance, a pre-construction meeting would be held with the contractor, project engineer, and representatives from the appropriate regulatory agencies (such as the Town of Thompson, NYSDEC, etc.) to discuss construction details and erosion and sediment control plans. For each phase, a construction site entrance would be established and properly graded and stabilized. Security fencing would be installed at construction entrances, as needed. The contractor and workers would be informed of construction truck routes established to minimize impacts on surrounding areas.

## DEMOLITION/GRADING

Careful attention in laying out the development program has been given to respect the natural topography and environmental features on the Project Site. As such, construction activities would avoid adverse impacts related to erosion and degradation of important resources such as wetlands to the maximum extent practicable.

The first step during each construction phase would be to install stormwater management and erosion control measures in areas where vegetation will be cleared and any existing structures will be demolished. The Project Site is largely undeveloped, but contains several bungalows, houses, cottages, and barns that would need to be removed. Prior to site clearing and demolition, all necessary permits and approvals would be obtained. The Project Site also comprises two golf courses and the Chalet Golf Clubhouse. The Monster Golf Course (currently in use) and portions of the International Golf Course (now fallow) would be redeveloped with continued use as a single golf course. The Chalet Golf Clubhouse would remain.

Following demolition of existing structures, stormwater management and erosion control measures would be implemented at the remaining portions of the Site during grading of the Site and prior to construction (discussed further below). Existing roadways that traverse the Project Site would be improved in accordance with current Town design standards. Roadway improvements would occur as necessitated by progression of the construction phases. Joyland

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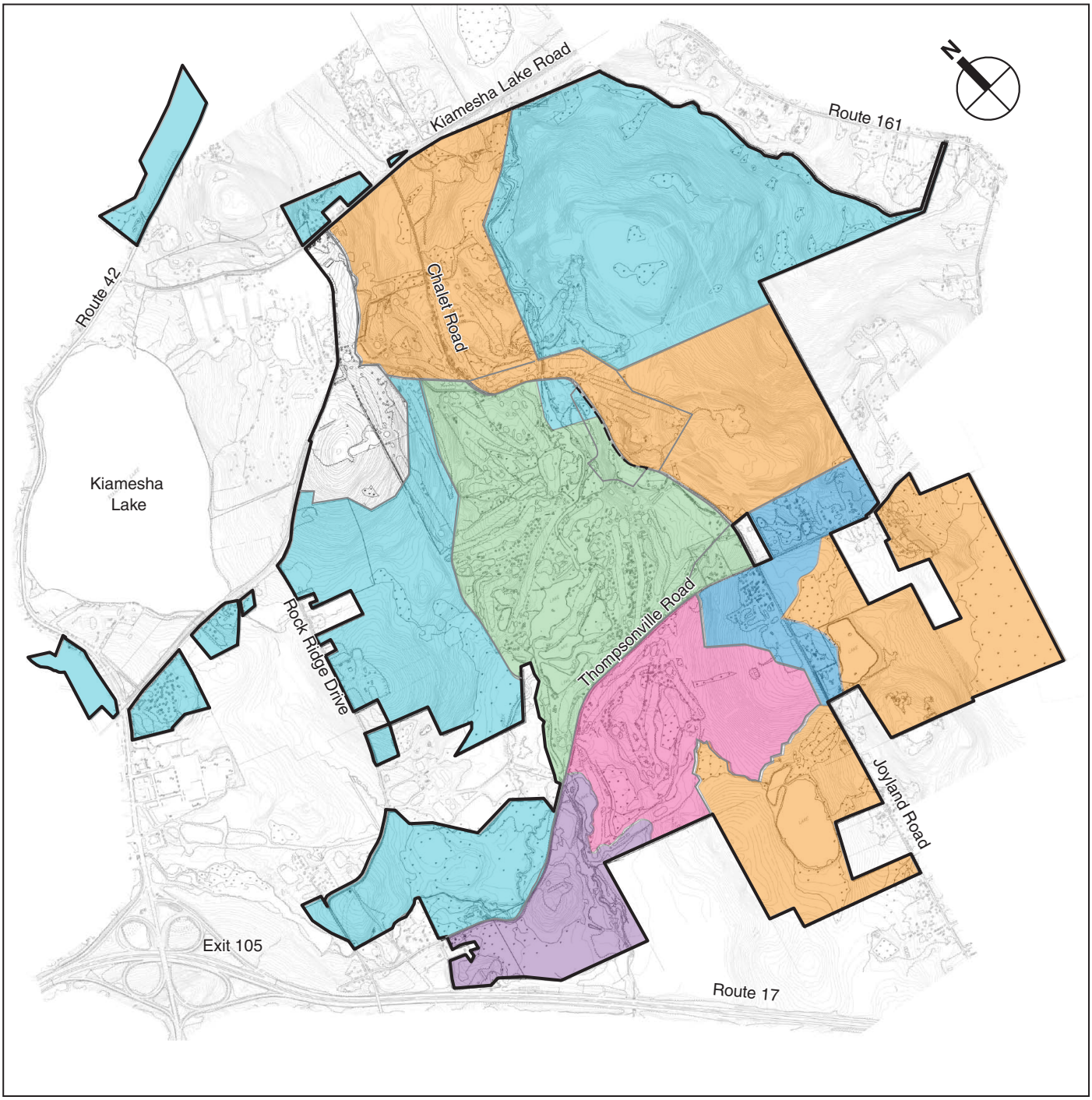


*Project Site Boundary*

*Phase 1 - Casino Resort A*

*Golf*

*Casino Resort B*

*Entertainment Village*

*Residential Village, Hospitality and Recreation*

*Hospitality, Commercial and Residential*

0 1000 2000 FEET

**SCALE**

Construction Phasing Plan

Road would be improved during Phase 1 as it would serve as the gateway to the Project Site from NYS Route 17. Joyland Road would become a widened boulevard with two lanes in each direction separated by a landscaped median. Areas for interior circulation routes would also be cleared, graded, and stabilized as needed for each phase.

*BLASTING*

Based on preliminary geological assessments, it is not anticipated that blasting would be required for the Proposed Project for removal of bedrock or other earth material. In the event that blasting is required, a blasting plan would be prepared in conformance with all applicable local, State, and Federal regulations, including Chapter 120, "Drilling and Blasting," of the Town of Thompson Town Code and Industrial Code Part 39, administered by the New York State Department of Labor (NYSDOL). Any blasting activities would be conducted by an authorized and qualified engineer. All proper and required notifications would be distributed and appropriate mitigation measures would be implemented to ensure safety of construction workers and people in the surrounding area.

## BUILDING CONSTRUCTION

The major components of the building construction stage would involve installation of utilities and infrastructure, pouring the foundation, and erecting the structure of the building, interior finishing work, and landscaping. This would be the most intensive stage of construction where the number of construction employees on site would be greatest and where delivery of materials would be most frequent. In order to minimize disturbance to local residents, construction activities would be scheduled to comply with all applicable local regulations. Truck routes would be carefully established to minimize impacts on residents to the extent practicable. The Project Site is not located in a heavily populated area; therefore, construction activities would not be expected to result in significant disturbance to area residents.

## FUTURE WITHOUT THE PROPOSED ACTION AND PROPOSED PROJECT (NOBUILD CONDITION)

The development program previously proposed for the Project Site (the CALP project) would result in construction related impacts similar in type and scope to those documented below related to the current proposal.

## PROBABLE IMPACTS OF CONSTRUCTION FROM THE PROPOSED PROJECT (BUILD CONDITION)

*TRAFFIC AND TRANSPORTATION*

Construction of the Proposed Project would create daily construction-related traffic to and from the Project Site, including vehicle trips related to workers and delivery of materials and equipment. In addition, there would be some truck traffic associated with removal of construction debris, demolished structures, and potentially from excavated materials from the Project Site.

NYS Route 17 is a major limited-access roadway in close proximity to the Project Site. Construction-related vehicles would be instructed to take Exit 106 off NYS Route 17 and travel north on Joyland Road into the Project Site. This route would require construction vehicles to pass by several small clusters of houses and bungalows, many of which are seasonal or vacant.

While improvements are being made to Joyland Road, the primary access for construction vehicles will remain Joyland Road. Therefore, construction vehicles will be subject to the same roadway use limitations as the general public, such as lane closures. It is possible that construction workers would come from local areas and access the site from local roads. Some heavy equipment and trucks might travel to the Project Site via NYS Route 42 using either Concord Road or Kiamesha Lake Road to access the Site.

The number and type of vehicles would vary depending on the exact work being done at the Project Site. During land clearing, grading, and excavation, the primary activity would be limited to that specific equipment (which would remain on-Ssite during the land preparation phase) and the workers operating the equipment and generally working on the initial effort. Building construction typically requires the greatest number of workers and generates more vehicle trips than other phases of development. However, construction-related peak traffic hours for the morning and afternoon/evening are typically from 6:00 AM to 7:00 AM and 3:00 PM to 4:00 PM, respectively. As such, construction traffic would avoid significant conflicts with commuter peak hours, which are typically between 8:00 AM to 9:00 AM and 5:00 PM to 6:00 PM as well as local peak traffic hours, which were determined, based on the collected traffic data, to take place from 5:00 PM to 6:00 PM on Friday and 3:30 PM to 4:30 PM on Sunday.

A traffic management plan would be in place to minimize impacts on local traffic. Measures would include clear signage, detours, and flagmen, as necessary. All construction vehicles and staging are expected to be accommodated on site, thereby limiting any queuing on public streets. In addition, Work Zone Traffic Control Plans (WZTCP) would be developed as necessary and approved by the Town for any construction performed on its roads. Finally, local roads that carry construction vehicles and other local traffic will be swept or washed down as needed as determined by the Town.

*AIR QUALITY*

Air quality impacts associated with construction activities are typically from the generation of fugitive dust and emissions from vehicles and equipment. Fugitive dust can result from grading, excavation, filling, or movement of vehicles over dry dirt. Erosion and dust control measures to minimize impacts during construction would include:

- Installing truck mats or anti-tracking pads at egress points to clean the trucks' tires prior to leaving the Project Site;
- Watering of exposed areas during dry periods;
- Using drainage diversion methods (silt fences) to minimize soil erosion during site grading;
- Covering stored materials with a tarp to reduce windborne dust;
- Proper maintenance of equipment; and
- Using truck covers/tarp rollers that cover fully loaded trucks and keep debris and dust from being expelled/emitted from the truck along its haul route.

Fugitive dust would be expected to remain on-Ssite and have minimal effect on surrounding properties. Due to the distance of construction activities from sensitive land uses, fugitive dust would not result in any significant adverse impacts.

Vehicle emissions from construction vehicles and equipment can result in elevated levels of nitrogen oxides ($NO_x$), particulate matter (PM), and carbon monoxide (CO). Greatest impacts

are typically associated with heavy duty equipment that is used for short durations. To minimize emissions, vehicle operators would be required to comply with any applicable idling restrictions; use clean fuels as feasible; conform to any applicable local, State, or Federal emission standards; and use vehicles and equipment with Tier 2-rated engines or better. Because emissions would be temporary in nature and construction activities would not be in close proximity to sensitive land uses, construction activities would not be expected to result in any significant air quality impacts.

*NOISE*

Construction of the Proposed Project would typically generate noise and vibration from construction equipment, construction vehicles, worker traffic, and delivery vehicles traveling to and from the Project Site. Noise levels caused by construction activities would vary widely, depending on the phase of construction—demolition, excavation, foundation, construction of the structures, etc.—and the specific task being undertaken. All construction activities would be conducted in full compliance with existing regulations, including local day and hour construction limitations. Construction activities would be conducted in full compliance with the Town's noise ordinance (Chapter 170 of the Town Code) which restricts use of any pile driver, steam shovel, pneumatic hammer, derrick, steam or electrical hois,t or other excessively loud apparatus between the hours and 8:00 PM and 7:00 AM, unless where authorized by the Town. The Town also has a general provision in its noise ordinance that prohibits unreasonable and disruptive noise between 8:00 PM and 7:00 AM on weekdays, and 8:00 PM and 9:00 AM on Sundays or holidays, with which construction activities would also comply.

Local, State, and Federal requirements mandate that certain classifications of construction equipment and motor vehicles be used to minimize adverse impacts. Thus, construction equipment would meet specific noise emission standards. Usually, noise levels associated with construction and equipment are identified for a reference distance of 50 feet.

Significant noise levels typically occur nearest the construction activities and may reach as high as 90 A-weighted decibels (dBA) under worst-case conditions. **Table 18-1** provides an overview of potential noise emissions from typical construction vehicles and equipment. The exact sequence and duration of construction activities would vary, but the equipment producing the highest noise levels would typically be used intermittently or for short durations. Because high noise levels would be temporary, proposed construction activities would be a substantial distance from sensitive land uses (e.g., residences), and all construction activities would be conducted in compliance with all applicable noise ordinances, no significant adverse noise impacts during construction would be expected.

*STORMWATER AND EROSION AND SEDIMENT CONTROL*

Ground disturbance can expose soils to erosive forces such as rain and wind, which can lead to sedimentation of nearby waterbodies. To prevent potential impacts to water quality, any projects that disturb more than 1 acre of land are required to obtain a SPDES General Permit (GP-0-10-001) from the New York State Department of Environmental Conservation (NYSDEC). As part of this permit process, a Stormwater Pollution Prevention Plan (SWPPP) must be developed, which includes an Erosion and Sediment Control Plan (ESCP). Appropriate erosion and sediment control measures for each phase, including the reconstruction of Joyland Road, would be developed as the Proposed Project progresses. These measures would require review and

approval from NYSDEC before any earth work activities can take place. Upon completion of construction activities, a landscape plan would be implemented to revegetate disturbed areas.

With NYSDEC-approved erosion and sediment control measures in place, no significant adverse impacts related to erosion and sedimentation would occur.

**Table 18-1**
**Typical Noise Emission Levels For Construction Equipment**

| Equipment Item | Noise Level at 50 Feet (dBA) |
|---|---|
| Air Compressor | 81 |
| Asphalt Spreader (paver) | 89 |
| Asphalt Truck | 88 |
| Backhoe | 85 |
| Bulldozer | 87 |
| Compactor | 80 |
| Concrete Plant | 83[(1)] |
| Concrete Spreader | 89 |
| Concrete Mixer | 85 |
| Concrete Vibrator | 76 |
| Crane (derrick) | 76 |
| Delivery Truck | 88 |
| Diamond Saw | 90[(2)] |
| Dredge | 88 |
| Dump Truck | 88 |
| Front End Loader | 84 |
| Gas-driven Vibro-compactor | 76 |
| Hoist | 76 |
| Jack Hammer (Paving Breaker) | 88 |
| Line Drill | 98 |
| Motor Crane | 93 |
| Pile Driver/Extractor | 101 |
| Pump | 76 |
| Roller | 80 |
| Shovel | 82 |
| Truck | 88 |
| Vibratory Pile Driver/Extractor | 89[(3)] |

**Notes:**
[1] Wood, E.W., and A.R. Thompson, Sound Level Survey, Concrete Batch Plant; Limerick Generating Station, Bolt Beranek and Newman Inc., Report 2825, Cambridge, MA, May 1974.
[2] New York State Department of Environmental Conservation, *Construction Noise Survey, Report No. NC-P2*, Albany, NY, April 1974.
[3] F.B. Foster Company, Foster *Vibro Driver/Extractors, Electric Series Brochure*, W-925-10-75-5M.

**Sources:** Patterson, W.N., R.A. Ely, And S.M. Swanson, *Regulation of Construction Activity Noise*, Bolt Beranek and Newman, Inc., Report 2887, for the Environmental Protection Agency, Washington, D.C., November 1974, except for notated items.

*MITIGATION MEASURES*

As described above, a number of measures would be implemented to reduce impacts from construction. These measures would be developed in full compliance with all applicable local, State, and Federal regulations. Therefore, construction of the Proposed Project would not be expected to result in any significant adverse impacts on site or in the surrounding area.

# C. SITE-SPECIFIC DEVELOPMENT OF PHASE 1

## SUMMARY OF THE CONSTRUCTION PROGRAM

Phase 1 of the Proposed Project, as described in Chapter 1, would involve construction of the Casino Resort on an approximately 125-acre portion of the Project Site. (See Appendix M for the Draft Conceptual Plan Submission.) Joyland Road would be widened to two lanes in each direction with a landscaped median. Thompsonville Road would also be improved, but would maintain its existing lane configuration (i.e., one lane in each direction). Construction would commence in late 2012, pending necessary approvals, and be completed by early 2014.

The general sequence of construction activities would begin with site clearing and grading, followed by the installation of exterior utilities infrastructure, followed by the construction of buildings and installation of interior utilities infrastructure, followed by the completion of circulation and road improvements, and finished with landscaping and other final site improvements. Some of these activities may happen concurrently for different components of Phase 1.

The number of construction workers on-site would vary depending on the work being conducted but would be expected to range from 50 workers during initial site work to about 300 workers during building construction and interior improvements. Construction activities would be conducted in accordance with applicable hours of operation and noise regulations.

## PRE-CONSTRUCTION/SITE PREPARATION

Prior to construction, a pre-construction meeting would be held with the contractor, project engineer, and representatives from appropriate regulatory agencies (such as the Town of Thompson, NYSDEC, etc.) to discuss construction details and erosion and sediment control plans and to ensure they are properly implemented. The contractor would be informed of construction truck routes and site entrances to ensure construction traffic minimizes impacts on surrounding areas.

## DEMOLITION/GRADING

The construction process would be initiated by clearing and grading activities, expected to begin in late 2012. Site clearing for the harness horse racetrack would occur in early to mid-2013. Once appropriate permits and approvals are obtained, selective vegetation would be removed. There are no existing structures in the construction area to be demolished. Erosion and sediment control measures pursuant to the approved SWPPP would also be implemented (discussed further below). This process would take approximately 2 months.

The total area of disturbance for Phase 1 would be approximately 101 acres. Phase 1 would require excavation of approximately 226,333 cubic yards of earth material and placement of roughly 442,449 cubic yards of fill. Excavation of bedrock is not anticipated. Exported earth material would be sampled and characterized to determine appropriate handling and disposal requirements pursuant to all applicable local, State, and Federal regulations.

A staging area for storage of equipment and materials would be set up in the area of the proposed parking lot in the northwest section of the Project Site. Parking for construction workers would be established in the area of the proposed employee lot in the northeast section of the Site.

*BLASTING*

As described above, it is not anticipated that geological conditions on-Site would require blasting. However, in the event that blasting is needed, it would be performed by an authorized engineer in conformance with all applicable local, State, and Federal regulations, including Chapter 120, "Drilling and Blasting," of the Town of Thompson Town Code and Industrial Code Part 39, administered by NYSDOL.

## BUILDING AND ROADWAY CONSTRUCTION

The major components of the building construction stage would involve installation of utilities and infrastructure, pouring the foundation, and erecting the proposed casino, hotel, and accessory structures. Development of the harness horse racetrack would happen concurrently. External building construction activities are anticipated to take approximately 9 months. Interior finishing work (including installation of utilities) for the casino, hotel, and accessory structures would be completed in 2014. A landscaping plan, designed to revegetate disturbed areas and improve the aesthetic of the site, is also expected to be completed in early 2014.

Pouring of foundations would involve a small crane and concrete pump trucks, requiring up to 50 concrete loads in a day. Precast concrete for the structured parking facility would require up to 25 trailer loads in a day. Structural steel installation would require up to 10 trailer loads in a day. Construction-related vehicles would be instructed to take Exit 106 off NYS Route 17 and travel north on Joyland Road into the Project Site. This route would require construction vehicles to pass by several small clusters of houses and bungalows, many of which are seasonal or vacant. It is possible that construction workers would come from local areas and access the site from local roads. Some heavy equipment and trucks might travel to the site via NYS Route 42 using either Concord Road or Kiamesha Lake Road to access the site.

As discussed above, as part of Phase 1, Joyland Road and Thompsonville Road would also be improved. Joyland Road is an existing two-lane road (one lane in each direction) connecting the Project Site to NYS Route 17 at Exit 106. After demolition of certain structures to the west of Joyland Road, this roadway would be widened to approximately 120 feet to accommodate two lanes in each direction and would have a landscaped median. Thompsonville Road would be widened between Joyland Road and the western boundary of Phase 1, but would remain a two-lane roadway. Roadbed construction is expected to occur in early-mid 2013 and be completed in approximately 12 months. All roadway improvements would be developed in accordance with all applicable local and NYSDOT roadway design standards, as appropriate.

In order to minimize disturbance to local residents, construction activities would take place during daytime weekday hours and comply with any applicable operation or noise regulations. The Project Site is located in a sparsely populated area; therefore, construction activities would not be expected to result in significant disturbance to area residents.

## PROBABLE IMPACTS FROM THE CONSTRUCTION OF PHASE 1

*TRAFFIC AND TRANSPORTATION*

Construction of the Proposed Project would create daily construction-related traffic to and from the Project Site, including vehicle trips related to workers as well as for the delivery of materials and equipment. In addition, there would be some truck traffic associated with removal of

construction debris, demolished structures, and potentially from excavated materials from the Project Site.

With NYS Route 17 (a major limited-access highway suitable for large trucks) in close proximity to the Project Site, construction traffic impacts on local streets would be minimized. Construction vehicles would be instructed to take Exit 106 off Route 17 and use Joyland Road to access the Project Site.

The number and type of construction vehicles would vary depending on the exact work being done at the Site. The number of workers on-site would range from about 50 to 300. During land clearing, grading, and excavation, the primary activity would be limited to that specific equipment (which would remain on site during the land preparation phase) and the workers operating the equipment and generally working on the initial effort. As described above, the building construction stage would involve the greatest number of workers and trucks, thereby resulting in the greatest amount of construction traffic.

The morning peak hour for construction-related traffic is typically from 6:00 AM to 7:00 AM and the afternoon peak hour is typically between 3:00 PM and 4:00 PM. During these times, construction-related trips would range from about 60 to 270 trips, depending on the site work being conducted. Between 7:00 AM and 3:00 PM, the majority of the traffic generated would be truck trips ranging from 10 to 20 trips per hour. This level of traffic would not significantly impact traffic operating conditions on the access roads (e.g., Exit 106, Joyland Road, etc.) to the Project Site. Peak construction traffic typically occurs outside normal commuter peak hours (i.e., 8:00 AM to 9:00 AM and 4:00 PM to 5:00 PM), as well as local peak traffic hours, which were determined, based on the collected traffic data, to take place from 5:00 PM to 6:00 PM on Friday and 3:30 PM to 4:30 PM on Sunday, thereby avoiding significant traffic conflicts.

Because Joyland Road would be improved (i.e., widened from two to four lanes with a landscaped median) between Exit 106 and Thompsonville Road during Phase 1, there would be some periodic disruption to local traffic along this stretch of the roadway for a period of approximately 6 to 9 months. Thompsonville Road would also be improved between Joyland Road and the western boundary of Phase 1 over a period of approximately 4 to 6 months. These roads would remain open to local traffic but would be subject to periodic lane closures. Roadway closures would be avoided to the extent practicable. A Maintenance and Protection of Traffic Plan would be developed prior to construction to minimize potential adverse impacts. Measures to minimize impacts and maintain orderly flow of traffic would include clearly marked signage to alert motorists, flagmen to guide traffic, and clearly marked detour signs in the unlikely event that the road should become temporarily inaccessible. In addition, WZTCPs would be developed as necessary and approved by the Town for any construction performed on its roads.

The segment of Joyland Road that would be affected by construction is lined by several clusters of residences and bungalows, primarily in the vicinity of Exit 106. The affected area along Thompsonville Road comprises one single-family residence but is otherwise undeveloped or passes through an existing golf course. Therefore, disturbance to residents from daily construction traffic would be minimal. However, in order to minimize impacts on residents, construction activities would take place during hours specified in the Town Code. In addition, all construction vehicles and staging would be accommodated on site, thereby limiting any queuing on Joyland and Thompsonville Roads.

*AIR QUALITY*

Air quality impacts associated with construction activities are typically from the generation of fugitive dust and emissions from vehicles and equipment. Fugitive dust can result from grading, excavation, filling, or movement of vehicles over dry dirt. Erosion and dust control measures to minimize impacts during construction would include:

- Installing truck mats or anti-tracking pads at egress points to clean the trucks' tires prior to leaving the Project Site;
- Watering of exposed areas during dry periods;
- Using drainage diversion methods (silt fences) to minimize soil erosion during site grading;
- Covering stored materials with a tarp to reduce windborne dust;
- Proper maintenance of equipment; and
- Using truck covers/tarp rollers that cover fully loaded trucks and keep debris and dust from being expelled/emitted from the truck along its haul route.

Fugitive dust would be expected to remain on-site and have minimal effect on surrounding properties. Due to the distance of Phase 1 construction activities from sensitive land uses, fugitive dust would not result in any significant adverse impacts.

Vehicle emissions from construction vehicles and equipment can result in elevated levels of nitrogen oxides ($NO_x$), particulate matter (PM), and carbon monoxide (CO). Greatest impacts are typically associated with heavy duty equipment that is used for short durations. In order to minimize emissions, vehicle operators would be required to comply with any applicable idling restrictions; use clean fuels as feasible; conform to any applicable local, State, or Federal emission standards; and use vehicles and equipment with Tier 2-rated engines or better. Because emissions would be temporary in nature and construction activities would not be in close proximity to sensitive land uses, construction activities would not be expected to result in any significant air quality impacts.

*NOISE*

Construction of Phase 1 would typically generate noise and vibration from construction equipment, construction vehicles, worker traffic, and delivery vehicles traveling to and from the Project Site. As described above, noise levels caused by construction activities would vary widely, depending on the phase of construction—demolition, excavation, foundation, construction of the structures, etc.—and the specific task being undertaken. All construction activities would be conducted in full compliance with existing regulations, including local day and hour construction limitations. Construction activities would be conducted in full compliance with the Town's noise ordinance (Chapter 170 of the Town Code) which restricts use of any pile driver, steam shovel, pneumatic hammer, derrick, steam or electrical hoist, or other excessively loud apparatus between the hours and 8:00 PM and 7:00 AM, unless where authorized by the Town. The Town also has a general provision in its noise ordinance that prohibits unreasonable and disruptive noise between 8:00 PM and 7:00 AM on weekdays, and 8:00 PM and 9:00AM on Sundays or holidays, with which construction activities would also comply.

Local, State, and Federal requirements mandate that certain classifications of construction equipment and motor vehicles be used to minimize adverse impacts. Thus, construction equipment

would meet specific noise emission standards. Usually, noise levels associated with construction and equipment are identified for a reference distance of 50 feet.

Significant noise levels typically occur nearest the construction activities, and may reach as high as 90 A-weighted decibels (dBA) under worst-case conditions. Table 18-1 above provides an overview of potential noise emissions from typical construction vehicles and equipment. The exact sequence and duration of construction activities would vary, but the equipment producing the highest noise levels would typically be used intermittently or for short durations. Because high noise levels would be temporary, proposed construction activities would be a substantial distance from any sensitive land uses (e.g., residences), and all construction activities would be conducted in compliance with all applicable noise ordinances, no significant adverse noise impacts during construction would be expected.

*STORMWATER AND EROSION AND SEDIMENT CONTROL*

As discussed above, ground disturbance can expose soils to erosive forces such as rain and wind, which can lead to sedimentation of waterbodies. To prevent potential impacts to water quality, any projects that disturb more than 1 acre of land are required to obtain a SPDES General Permit for Stormwater Discharges from Construction Activity (Permit No. GP-0-10-001) from NYSDEC. As part of this permit process, a SWPPP must be developed, which includes an ESCP. Phase 1 would disturb more than 1 acre of land and would therefore require a SWPPP and SPDES General Permit.

A preliminary draft SWPPP for Phase 1 has been prepared in accordance with the SPDES permit and New York State Stormwater Management Design Manual and is included in Appendix G. Erosion and sediment control measures would be implemented to ensure that measures are in place to prevent sediment and other pollutants from entering the stormwater system.

With these erosion and sediment measures in place, no significant adverse impacts related to erosion and sedimentation would result.

*MITIGATION MEASURES*

As described above, construction of Phase 1 would not be expected to result in any significant adverse impacts on-site or in the surrounding area with regard to traffic, air quality, noise, stormwater, and erosion and sediment control. As such, mitigation measures, in addition to those described above, would not be required. Since a landscape plan would be implemented, all temporary site disturbances not developed would ultimately be revegetated.

Specifically with regard to erosion and sediment control, inspection and maintenance of proposed management features would be important to ensure that the erosion and sediment control practices that are part of the SWPPP continue to be effective in preventing sediment and other pollutants from entering the stormwater system. It is the responsibility of the owner to ensure that inspections are completed in accordance with SPDES GP-0-10-001.

As a part of the SWPPP inspection and maintenance activities during construction, forms would be updated and kept on site, including:

- Erosion and Sediment Control Inspection Report
- Monthly Summary of Inspection Activities
- Record of Stabilization and Construction Activities (used when five acres or more would be disturbed at any given time).

Inspections would be conducted by the qualified inspector periodically according to the schedule required by the SPDES GP-0-10-001. During each inspection, the qualified inspector would record the areas of disturbance, deficiencies in erosion and sediment control practices, required maintenance, and areas of temporary or permanent stabilization. The need for modifications to the ESCP would be identified and implemented immediately.

All maintenance would be completed in accordance with the New York State Standards and Specifications for Erosion and Sediment Control. Any material removed from the implementation of erosion and sediment control measure would be properly disposed. Disturbed areas and materials storage areas would be inspected for evidence of potential pollutants entering stormwater systems.

All measures would be maintained in good working order; if repairs are found to be necessary, the qualified inspector would notify the owner or operator and appropriate contractor (and subcontractor) of any corrective actions needed within one business day.

NYSDEC has the authority to enforce compliance with the approved SWPPP. Should compliance not be maintained, a stop work order can be placed on the project development and the parties found responsible for violations fined. ✷