

MITIGATION OF IMPACT TO HOST MUNICIPALITY AND NEARBY MUNICIPALITIES

EXHIBIT IX. A.3

Sterling Forest Resort may result in potential traffic and noise impacts, watershed impacts from storm water and waste water discharge, and hydrologic impacts to surface waters and wetlands. RW Orange County LLC has committed financial resources both to minimize potential impacts and mitigate any impacts that may occur.

Key components of the Sterling Forest Resort mitigation strategy include:

- Constructing the proposed interchange 15B on the New York State Thruway to relieve traffic impacts, resulting in an overall net reduction in traffic along Route 17 both to the north and south of its intersection with Route 17A/CR 106.
- Minimizing construction noise and lowering of speed limits or replacing residential windows with double- or triple-pane windows to reduce traffic noise between the proposed interchange and the resort site.
- Avoiding groundwater impacts to the Ramapo River sole source aquifer by using areas of the site with permeable soils as “recharge” areas.
- Meeting or exceeding waste water discharge requirements by designing a water reclamation facility (WRF) that will be designed to effluent discharge limitations more stringent than Class C stream discharge requirements.
- Employing storm water management best practices, reducing the effects on soil erosion and enhancing the current stream system with a net effect of improving both water quality and hydrology over existing conditions.
- Avoiding visual impacts and enhancing the visual character of the site through removal of deteriorating buildings and the introduction of LEED measures while maintaining the existing rural character of the area.

Mitigation of Impacts on Traffic and Roadway Infrastructure

The Sterling Forest Resort Traffic Impact Study and the I-87 Exit 15B Traffic Impact Study will serve as the basis for the proposed traffic mitigation. Upon completion and approval of these studies, the mitigation measures will be finalized. The traffic mitigation measures developed to date will benefit not only the users of Sterling Forest Resort, but also the local residents, surrounding communities, commuters, tourists, and emergency services providers. Broadly, these mitigation measures have been developed to efficiently manage traffic, minimize costs, and enhance the public safety. Roadway and multimodal transportation improvements currently being proposed to mitigate the traffic and transportation impacts of the Sterling Forest Resort are as follows.

Traffic Management

To manage traffic associated with this new tourism destination, RW Orange County LLC proposes to construct interchange 15B on the New York State Thruway, connecting the Thruway with State Route 17. This proposed full-movement interchange will be designed and constructed to provide direct access to Route 17A for patrons traveling to the Sterling Forest Resort via the Thruway.

It is anticipated that most if not all of the non-project vehicles using the proposed interchange 15B would represent existing trips diverted from Route 17, which parallels the Thruway. Therefore, this proposed interchange will decrease traffic along Route 17, which is the primary access route today without the proposed interchange.

The proposed interchange will mitigate capacity constraints along Route 17 and will result in traffic being diverted off of Route 17. With fewer vehicles along Route 17, operational conditions and overall mobility of the corridor will be improved. The proposed interchange will significantly improve accessibility to the area and provide the most direct access to the Sterling Forest Resort. With this new connection and

MITIGATION OF IMPACT TO HOST MUNICIPALITY AND NEARBY MUNICIPALITIES

direct access, traffic will be more effectively managed as it will be primarily concentrated along one key corridor: Route 17A.

A new roundabout will be constructed at the point where the north and south ramps from Route 17 connect to Route 17A. With increased traffic volumes on Route 17A, this roundabout will streamline traffic operations at the intersection and maintain an acceptable level of service during the design year. The roundabout also provides significant benefits versus a traditional intersection. Given the anticipated traffic volumes, traffic signalization of this intersection likely would be warranted; however, to mitigate overall long-term operational and user costs, the roundabout is the optimal configuration at this location.

In addition, the operational analysis indicates acceptable levels of service with the implementation of a roundabout. Vehicular delay is minimized and throughput maximized, particularly east and west to/from Sterling Forest Resort and the Thruway. The roundabout configuration also provides the ancillary mitigation measure of improved safety due to a significant reduction of conflict points. All improvements will be made in accordance with New York State Department of Transportation (NYSDOT) standards.

As determined in the Traffic Impact Study, any impacts to intersections east of Sterling Forest Resort along Route 17A between the Route 17/17A roundabout and the Sterling Forest Resort will be mitigated. Traffic mitigation measures to these intersections may range from turn lanes to traffic signalization. All improvements will be made in accordance with NYSDOT standards.

Techniques will be developed to address and mitigate traffic impacts associated with special events at Sterling Forest Resort. Such techniques typically include additional traffic control, signing, and special traffic signal timing plans; manual traffic control; and parking control measures.

RW Orange County LLC will bear all costs for constructing the necessary improvements associated with the Sterling Forest Resort, including interchange 15B and the roundabout at the intersection of Route 17/Route 17A.

Site Access Improvements

Access to the Resorts World Grand Hotel area of the site will be provided along Route 17A at two proposed locations. The first proposed location is a roundabout at the eastern end of the site connecting 17A (a four-lane, divided roadway east of the roundabout and a two-lane undivided roadway west of it) and the proposed four-lane, divided access roadway to the Resorts World Grand Hotel. This roundabout mitigates traffic delays and minimizes disruption of westbound Route 17A traffic. The design of the roundabout from Route 17A in the eastbound direction includes a bypass lane for Route 17A through traffic to allow vehicles to traverse the roundabout unimpeded. The roundabout configuration also provides the ancillary mitigation measure of improved safety due to significantly fewer conflict points compared to a traditional intersection. Construction of the roundabout will require the slight realignment of Route 17A and the extension of the four-lane section of Route 17A from its current two-lane section to the roundabout, adding consistency and capacity to Route 17A. All improvements will be made in accordance with NYSDOT standards.

The second proposed location providing access to the Resorts World Grand Hotel area is west of the first location—at an existing unsignalized intersection east of the Ski Village. This intersection currently provides access to a large surface parking area used during the New York Renaissance Faire. Currently, the intersection has no turn lanes along Route 17A, is located in a curve, and has poor sight distance. The proposed intersection will mitigate these concerns with the addition of a left-turn lane into the Resorts World Grand Hotel, an acceleration lane onto Route 17A westbound from the site, restricted to right turns out, right turns in, and left turns in only, and improvements to the sight distance. All improvements will be made in accordance with NYSDOT standards.

Along Route 17A across from the World Fairgrounds and Ski Village areas of the Sterling Forest Resort, mitigation measures will be incorporated to improve existing traffic conditions. Driveways and access points to development and parking lots will be more clearly defined through access management techniques. Reducing points of access through elimination and consolidation will contribute to a better managed, more efficient, and safer section of Route 17A. Turn lanes will be added at the driveways

MITIGATION OF IMPACT TO HOST MUNICIPALITY AND NEARBY MUNICIPALITIES

accessing the surface parking lots. The addition of turn lanes will separate turning traffic from through traffic, minimize vehicle delays, and maximize throughput.

RW Orange County LLC will bear all costs for constructing the necessary improvements to provide access to the Sterling Forest Resort.

Parking

Parking facilities will support the needs of the entire Sterling Forest Resort. These facilities also will ensure adequate parking and mitigate the existing condition that occurs during the New York Renaissance Faire when motorists park along Route 17A, some up to 1 mile from the site. This situation creates an unsafe condition for pedestrians and motorists walking and driving along Route 17A.

The proposed design will alleviate parking issues currently associated with the Renaissance Faire by providing shared parking, with a net increase of 6,930 spaces. Parking will be shared between the Resorts World Grand Hotel, including its casino, lodging, retail, and restaurants, as well as the Renaissance Faire, Ski Village, and other recreational uses.

Providing adequate on-site parking facilities will significantly improve safety along this corridor during the New York Renaissance Faire. Both pedestrians and motorists will benefit from a safer, more efficient multimodal environment.

Accommodations will be made for the drop-off and pick-up of buses and other livery vehicles. The parking garage will include preferential parking spaces for hybrid, electric, and alternative fuel vehicles. Electric vehicle charging stations also will be provided. Parking impacts will be avoided by fully accommodating peak demand with on-site parking.

RW Orange County LLC will bear all costs for constructing the proposed parking facilities.

Multimodal Transportation and Pedestrian Safety Improvements

Multimodal transportation accommodations also will relieve current demand parking issues at the park-and-ride lots near the intersection of Route 17A and Park Road 106 by providing shuttle buses to on-site parking at Sterling Forest Resort. Bicycle and pedestrian accommodations include new bicycle and pedestrian trails and a multiuse path along the proposed utility right-of-way on State Route 17A from Indian Kill Reservoir to the Sterling Forest Resort site.

Along the section of Route 17A across from the World Fairgrounds and Ski Village, there are currently two marked pedestrian crossings. The east crossing includes a traffic signal that is periodically operational. To mitigate the existing condition of pedestrians crossing at-grade and the inherent conflicts that occur with vehicular traffic, two grade-separated pedestrian crossings will be constructed. These pedestrian bridges will significantly improve current conditions and minimize pedestrian and vehicular conflicts along 17A, thereby providing a safer environment. RW Orange County LLC will bear all costs for constructing the proposed pedestrian bridges.

Further detail on traffic mitigation is provided in **Exhibit X. C.1. Traffic Mitigation**.

Mitigation of Noise Impacts

Given the impact threshold of 6 dBA above ambient, there could be periods when construction noise exceeds impact criteria. Project contractors would be required to monitor construction noise near the residential area across NY 17A from the Resorts World Grand Hotel. If noise levels exceed ambient levels by more than 6 dBA, mitigation measures would be enacted. Such measures could include:

- Using noise sheds around noisy equipment, temporary noise-absorbing walls situated between construction activity and receptors, and shrouds consisting of sound-absorbent material around pile driving rigs
- Replacing back-up beepers on machinery with strobe lights, eliminating impulse beeping
- Using sound-absorbing mats to cover areas to be excavated by blasting
- Using appropriate mufflers to reduce the frequency and amplitude of sound on machinery

MITIGATION OF IMPACT TO HOST MUNICIPALITY AND NEARBY MUNICIPALITIES

- Using electric motors instead of compressed air driven machinery and using low-speed fans instead of high-speed fans
- Using electric-powered cranes in place of diesel-powered cranes
- Conducting public outreach to inform nearby residents of the schedule of particularly noisy activities and limiting the hours when such activities are conducted to reduce complaints

Increased traffic due to the project could generate noise exceeding impact criteria in the vicinity of residences near Indian Kill Reservoir and residences located south of NY 17A in the vicinity of the Resorts World Grand Hotel. Traffic noise mitigation measures could include lowering speed limits or replacing residential windows with double- or triple-pane windows. Additional mitigation measures could include the planting of dense vegetation between NY 17A and the residences.

Mitigation of Water Demand, Supply and Infrastructure Costs

Mitigation measures and supply augmentation are not anticipated for potable water as the project will not place additional stresses on the water balance of United Water New York's Indian Kill system. The Sterling Forest Resort is located within an aquifer recharge zone. Therefore, the resort does not need to capture storm water for reuse on-site.

Areas of the site with permeable soil will be used as "recharge" areas to replenish groundwater supplies. The proposed lake will be created by excavating existing soil in the proposed lake area, which will allow the ground water to maintain the permanent pool elevation in the lake. The design intent is to clean the storm water runoff prior to discharge into the new lake and to minimize any mixing of untreated site runoff with natural ground water.

As discussed in the "Mitigation of Waste Water Production, Discharge, and Infrastructure Costs" section below, it is anticipated that 30 percent to 50 percent of the waste water average daily flow (ADF) will be reused as reclaimed water, thus conserving potable water in the area.

RW Orange County LLC will bear all costs for constructing a large, parallel master main beyond the master meter that will expand the service area to the interior of the project site and for relocating the existing 12-inch water main north of 17A in concert with the 17A roadway realignment.

Mitigation of Waste Water Production, Discharge, and Infrastructure Costs

In accordance with the State Pollutant Discharge Elimination System (SPDES) permit process, Sterling Forest Resort will meet or exceed the waste water discharge requirements set forth by the New York State Department of Environmental Conservation. The proposed WRF includes a high level of treatment followed by the use of reclaimed water for non-potable uses on the site, with the ultimate goal of improving existing water quality conditions.

The WRF will include two parallel 150,000-gpd membrane bio reactor (MBR) treatment plants. Secondary treatment and high-level disinfection will be provided in the treatment plant to meet public access reuse water quality treatment requirements. The treatment facility will operate as a five-stage Bardenpho MBR process. The plant will incorporate anaerobic treatment for phosphorous removal followed by a four-stage anoxic/oxic denitrification/nitrification process with internal recycle for nitrogen reduction. The membrane treatment process will be provided for clarification and filtration. Effluent meeting the requirement of less than 5 mg/l TSS will be allowed to pass into the ultraviolet (UV) process for disinfection and discharge to Indian Kill Creek. Additionally, the treatment facility will be designed to meet Class I reliability standards.

Wasted sludge from the treatment plant process will be directed to a solids process facility for thickening and storage. The processed biosolids will be treated and dewatered to create a fertilizer grade product. The fertilizer then will be used on-site and/or sold for agricultural use.

The facility is being sized for Class I reliability, meaning there will be enough equalization tanks and duplicate pumps for 100 percent redundancy. It is being designed for peak flow, which is three times higher than average flow; an overflow tank also will be included to accommodate 100 percent of the demand. Further, it will have permanent back-up power using a natural gas generator.

MITIGATION OF IMPACT TO HOST MUNICIPALITY AND NEARBY MUNICIPALITIES

To minimize odor and eliminate aerosol drift, the WRF will be completely housed inside a climate-controlled building. The building ventilation will be equipped with an odor scrubbing filtration system. Housing the WRF inside the building also will minimize the potential for off-site noise concerns. Noise inside the treatment facility building will be minimized by using low-noise producing equipment and sound attenuation shielding where needed.

The proposed effluent discharge will be located on Indian Kill Creek—either on-site or downstream of the Indian Kill Reservoir near the intersection of Indian Kill and Highway 17A. Indian Kill is designated by the New York State Department of Environmental Conservation as a Class C stream. The design of the current WRF will be modified to meet the effluent discharge limitation requirements of a Class A stream. The finishing process of the WRF will include ultraviolet disinfection prior to discharge; only water intended for reclaimed water use in toilet flushing will include the addition of chlorine.

The WRF will discharge into the Indian Kill Creek downstream of the Indian Kill Reservoir and will be capable of producing reclaimed water to be used on-site for irrigation, toilet flushing, snow making, other non-potable uses, and fire flow demand equalization.

Proposed landscaped areas will incorporate reclaimed water irrigation. The proposed buildings will be dual-plumbed such that toilet flushing uses reclaimed water versus potable water. Approximately one-third to one-half of the waste water flow is anticipated to be reused in these non-potable uses.

RW Orange County LLC will bear all costs for construction of the waste water treatment plant and enter into a memorandum of understanding with United Water New York to operate and maintain the waste water treatment plant, relieving United Water New York of all costs associated with construction, operations, and maintenance of the plant.

Storm Water Management and Mitigation of Storm Water Discharge

Due to the nature of the resort development, the area will be excavated significantly and programmed mostly with impervious structures, buildings, a parking garage, a waste water treatment plant, driveways, and other point sources. Therefore, Sterling Forest Resort and interchange 15B have been planned to employ storm water management best practices, with a net effect of improving both water quality and hydrology over existing conditions.

Mitigation of Watershed Impacts

In accordance with the *Town of Tuxedo 2011 Comprehensive Plan Update*, this proposed development on the New York Renaissance Faire site will mitigate impacts by limiting impervious cover, retrofitting new development with storm water management best practices, including green infrastructure. It also will ensure that any expansion or introduction of centralized waste water treatment systems provide appropriate water quality measures as dischargers would be introduced into the Ramapo River sole source aquifer. Also consistent with the Town's Comprehensive Plan Update, the proposed Interchange 15B will introduce storm water facilities to improve Ramapo River water quality in consultation with NYSDOT and NYSTA. Overall, water quality and hydrology are expected to be equal to or better than existing conditions.

Sterling Forest Resort will meet or exceed the storm water quality requirements set forth in the *New York State Storm Water Design Manual*. Storm water discharge will exceed the required water quality volume for the project by 10 percent or more, if possible. Nearly all site storm water will pass through a treatment facility, which will include restored wetlands, new wetlands, sand filters, etc. The cleaned storm water then will be released at pre-development rates to ensure no erosion of the downstream receiving channels.

The resort will employ a suite of measures to maintain or improve infiltration, where practical. Runoff will be captured on-site for cleaning and controlled discharge. Green infrastructure best management practices will include capturing rooftop storm water runoff in cisterns; using pervious pavement in surface parking lots to provide storage of storm water and water quality improvement (i.e., nitrogen and phosphorous removal); and constructing bioswales where permeable soils exist.

MITIGATION OF IMPACT TO HOST MUNICIPALITY AND NEARBY MUNICIPALITIES

Geotechnical investigations have determined that high ground water is present throughout the project site, and the storm water measures will be designed to respect the ground water levels. The proposed project will excavate some areas of the poor soils identified in the geotechnical report, which may lower the groundwater elevation in that immediate area. The excavation areas will be replaced with engineered fill allowing for infiltration to the new groundwater elevation.

Recommendations from the Ramapo River Watershed Management Plan, which also appear in the Town's Comprehensive Plan, include installing a curb line and draining water into adjacent vegetation along Route 17, stabilizing the river bank, improving storm water management, and installing soil erosion and sediment control measures. The Management Plan also suggests compliance with the Orange County Sewer District #1 Final EIS Biota Report, which recommends stream bank vegetation, erosion control and pollution prevention planning, and regional stream restoration activities such as dredging areas where sediment has built up, improving stream geomorphology, and vegetating stream banks to restore riparian buffer capacity. The designs for the proposed interchange 15B will comply with these recommendations, and all trees removed for the interchange will be replaced through reforestation. Highway storm water control best management practices will be a key component of the design.

Storm Water Pollution Prevention and Post-Construction Storm Water Management Plans will be developed for both Sterling Forest Resort and the proposed interchange 15B to provide sediment control, prevent erosion, and protect water quality. RW Orange County LLC will bear all costs for storm water management best practices.

Mitigation of Flooding Impacts

The geotechnical testing recently conducted indicated that permeable soils do not exist in this area; therefore, no infiltration is proposed in this area of the project. Surface parking lots in this area are planned to use pervious pavement as much as possible. Infiltration will occur in either bioretention areas or underground infiltration basins.

If surface features do not work with the ultimate design, then underground sand filters will be employed to provide the water quality treatment in this drainage area. These systems will be designed to clean and control storm flow. Large subsurface pipe arrays will be constructed under the parking area to hold the water that passes through the pervious pavement system. Release of this water will be controlled by structures to insure pre-development discharge rates.

Once the storm water has been cleaned and slowed to pre-development flow rates, it will be safely discharged into an existing stream along the eastern portion of the site and wetland areas along the southern portion of the site for conveyance downstream via Indian Kill Creek. The restoration of wetland areas within the Indian Kill Creek floodplain will provide for additional flood storage through the removal of fill material.

A component of the development of this area is the relocation of the existing western drainage ditch to the eastern drainage ditch. Both of these ditches were constructed as part of the previous development on the site (between 1952 and 1965, based on a review of historic aerial maps) and were not adequately designed to handle significant flows or provide high quality stream habitat. Sterling Forest Resort will relocate the western ditch generally into the eastern ditch alignment, but provide a riparian buffer and proper stream geometry. This relocation will aid in storm water management from both a quality and quantity perspective. RW Orange County LLC will bear all costs for the stream relocation and the on-site storm water treatment systems.

Mitigation of Impacts on Wetlands and Surface Waters

Throughout the design process, attempts have been made to avoid and minimize impacts to wetlands and open waters. The design and placement of structures, roads, and other features have been reduced, shifted, or modified to the extent practicable while still achieving their functional and operational needs. For unavoidable impacts to aquatic resources (wetlands and waters), the project site has the

MITIGATION OF IMPACT TO HOST MUNICIPALITY AND NEARBY MUNICIPALITIES

capacity to provide for the mitigation of stream and wetland impacts such that no net loss of aquatic habitats would occur with the implementation of the project. The mitigation plan would include:

- Relocating an existing first order tributary to Indian Kill Creek through the implementation of a natural channel design process to incorporate features that will improve the stream's water quality and habitat functions, resulting in an ecological uplift over existing conditions
- Providing on-site restoration of former wetland areas to replace in-kind the wetland types impacted by the project (forest, emergent, and open water)
- Enhancing existing wetlands and riparian buffers to improve and protect functions through minor grading and native vegetation establishment
- Implementing an Invasive Species Management Plan to actively remove and control the spread of invasive plant species within the project site
- Implementing storm water control that treats runoff from both the proposed impervious areas and existing, untreated areas (parking lots), which will result in a net improvement to water quality within the watershed

Discussions are underway to determine if the Ski Village's snowmaking process, which currently uses water from the on-site lake for makeup water, can use reclaimed water from the waste water treatment plant as discussed above in "Mitigation of Waste Water Production, Discharge, and Infrastructure Costs," thus further preserving the surface water in the watershed.

Mitigation of Electricity Demand and Infrastructure Costs

Orange and Rockland Utilities (ORU) has committed to providing electrical service for the Sterling Forest Resort. The existing utility lines along Route 17A are one circuit with 4-5 MW of remaining capacity. The distribution line has low voltage 13 kv coming out of the existing Sterling Forest substation, which steps voltage down from 69 kv to 13 kv. The existing substation is located on Long Meadow Road, approximately 2 miles south of Route 17A.

The evaluation of the transmission-system source and the best usage of the distribution system have not been finalized. Several options are under consideration with permutations for either overhead or underground lines or a new or upgraded substation. Improvements that are included in ORU's Long-Range Transmission Plan will be accommodated to the extent possible.

Additionally, use of the proposed utility corridor along Route 17A will help minimize construction risk. A substation is proposed on-site, with the capacity to serve approximately 18 MW daily. Supply potentially will be provided by an existing ORU high voltage transmission line west of the site. Line 26 (west of the site) has an existing capacity of 138kv, and Line 311 (east of the site) has an existing capacity of 69 kv.

The cost of the proposed line will be borne by the developer in accordance with the ORU tariff set by the New York State Public Service Commission (PSC). The anticipated cost of the electrical service improvements described above is approximately \$11.5 million. The estimated date of completion is November 2014.

The Sterling Forest Resort also will procure or generate on-site 10 percent of the main facilities' annual electrical consumption from renewable energy sources qualified by the New York State Energy Research and Development Authority (NYSERDA). To generate 1.9 million kilowatt-hours, a solar photovoltaic system of approximately 1.5 megawatts of DC nameplate capacity may be installed on the upper level of the parking garage. Other renewable energy systems also are being considered, as further detailed in **Exhibit X. C.6.**

Mitigation of Impacts on Protected Habitats and Species

To avoid potential impacts to Indiana and Northern long-eared bats, and reduce potential impacts to breeding birds, tree removals will be conducted between September 30 and April 1. During construction, on-site monitoring of the construction site will be performed as needed to prevent species of concern from entering into active construction zones. Species targeted for monitoring include timber rattlesnake and

MITIGATION OF IMPACT TO HOST MUNICIPALITY AND NEARBY MUNICIPALITIES

wood and spotted turtles. Undeveloped portions of the property outside of the immediate project site would be protected through a conservation easement.

The mitigation activities outlined above also will benefit wildlife species. In addition, on-site wetland and stream mitigation will target replacement of wildlife habitats similar to those that will be impacted by the project. In addition, landscaping around the proposed facility will use native species to the extent feasible.

The proposed project has focused on the use of disturbed, sparsely vegetated portions of the site to minimize impacts to natural communities. Mitigation for unavoidable impacts may include the development and implementation of an Invasive Species Management Plan that would assist in preventing the degradation of these habitats over time. In addition, the placement of the remaining areas within a conservation easement would offer added protection from future disturbance to the site's remaining areas.

Mitigation of Light Pollution and Visual Impacts

No significant impacts have been identified in relation to aesthetic and visual resources. It is anticipated that the proposed development will enhance the visual character of the site by removing old, deteriorating buildings, removing all site lighting, and introducing a modern, sustainable development scheme with LEED designed buildings, revegetation of graded areas, and added landscape plantings in keeping with the rural character of the area. Areas outside the limits of disturbance specified on the project construction plans will be protected and preserved in existing vegetative cover.

Nonetheless, the proposed project plans will incorporate the following mitigation measures to minimize or avoid adverse visual impacts.

- Design standards are proposed to ensure buildings blend with the natural landscape through the use of natural materials and a limited color palette.
- Buildings, roads, and trails will be located along existing contours and within areas of existing development to the extent practicable.
- Landscaping of the development areas with native or naturalizing vegetation, particularly where open to public views of the site, will be part of the overall site landscape design. Particular attention will be paid to plantings needed for screening of vehicular areas (roadways and parking areas) from off-site views by the public, including vehicle lights at night. New buildings and pavement areas potentially visible from nearby off-site vantage points will receive screen planting to buffer the view.
- Treatment of the main entrance area on Minturn Bridge Road/Route 17A following excavation for the Resorts World Grand Hotel and access roads will entail minor sculpting of any exposed rock to create a natural looking rock face. Rock encountered during these excavations will be used as stabilized side slopes, thereby reducing the extent of earth cut and land disturbance needed for the road construction, while providing a visual amenity. Existing trees will be supplemented by new plantings along roadways and buffered areas.
- The lighting plan will limit exterior lighting to safety and comfort, reduce light power densities, and minimize light trespass, including the following specific measures:
 - Night sky compliant lighting fixtures to minimize "sky glow"
 - Down-lighting to direct light where specifically needed, thereby necessitating lower light intensity lamps
 - Cutoff fixtures to minimize stray light
 - Street lighting limited to road intersections and parking areas
 - Bollard lighting around buildings
 - All existing lighting will be removed (including the street lights along Minturn Bridge Road/Route 17A and all building-mounted flood lights)

MITIGATION OF IMPACT TO HOST MUNICIPALITY AND NEARBY MUNICIPALITIES

- The project will develop architectural guidelines and will use a limited palette of exterior building materials, colors, and styles that incorporate elements from local architecture to create a unified overall development style.
- The project will develop standards of design regarding earth grading, soil conservation, and erosion controls to limit changes in the landform, minimize adverse effects on soil and water resources, and ensure sustainable development.
- The project will develop management guidelines for the resort regarding exterior lighting to minimize light pollution.
- The project will develop landscaping guidelines for the resort regarding tree removal and new planting to preserve the natural character of the landscape.
- The project will incorporate minimal directional signage at the main entrance and secondary access points. There will be no entrance features located on the public road, such as stone pillars, project signs, and the like. The proposed main entry facility will be located internal to the site.

Mitigation of Impacts on Land and Geological Features

Mitigation measures will include Best Management Practices (BMPs) to minimize and reduce effects on soil erosion to less-than-significant levels. Adherence to the New York State Pollution Discharge Elimination System General Permit for Storm Water Discharges from Construction Activity, combined with the required storm water pollution prevention plan and soil protection BMPs to minimize effects, would reduce the potential effect to less than significant. The BMPs would include but not be limited to the following:

- Schedule construction sequences to minimize land disturbance during rainy and dry periods
- Provide soil stabilization to steep slope areas
- Provide sediment controls to intercept and slow down storm water flows
- Cover stockpiled soil
- Use dust suppressants, such as watering soils and unpaved roadways
- Preserve existing vegetation where no construction activities are planned and wherever possible
- Replant/revegetate all exposed disturbed areas immediately upon completion of construction

To mitigate impacts of excavation and grading, all topsoil within the disturbed areas will be cleaned and reused on site. When sound rock is encountered during excavation, it may be crushed on-site and used as base material. Blasting holes would be backfilled with native material from the original excavation. Dewatering will occur to install building foundations and underground utility infrastructure.

The following recommendations are offered to investigate and address the Recognized Environmental Conditions (RECs) identified for the site that have the potential to affect subsurface materials with oil or hazardous materials:

- Conduct a focused surface and subsurface probehole investigation to investigate potential impacts associated with the surficial soil staining in the area of the vehicle fuel tanks at the Ski Village as well as petroleum staining on soil that emanates from an upgrade stain on asphalt south of the central Ski Village building
- Conduct dye testing for the set production building floor drains to determine their discharge point(s)
- Conduct a subsurface sampling program for the filled-in areas of the site
- Remove and either replace the 550-gallon waste oil tank on south side of the World Fairgrounds maintenance building, or upgrade staging of waste oil for appropriate off-site disposal

Prior to the purchase of the property, it is recommended that stored waste oil be properly removed from the project site and that staining on the maintenance room floors and asphalt be cleaned. Additionally,

MITIGATION OF IMPACT TO HOST MUNICIPALITY AND NEARBY MUNICIPALITIES

it is recommended that empty drums and debris from the vicinity of the maintenance buildings be removed, and handling and management of hazardous and petroleum materials related to these buildings be upgraded.

Mitigation of Increased Emergency Services Costs

RW Orange County LLC has entered into a host community agreement with the Town of Tuxedo pursuant to which RW Orange County LLC will provide certain support payments to the Town of Tuxedo, including payments for increased costs of emergency services that will be required as a result of the impact caused by the development of the project.