

**State Environmental Quality Review**  
**NEGATIVE DECLARATION**  
**Notice of Determination of Non-Significance**

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

The **TOWN OF CLINTON PLANNING BOARD**, as lead agency, has determined that the proposed action described below will not have a significant environmental impact and a Draft Environmental Impact Statement will not be prepared.

**Name of Action:** **Old Stone Farm Amended Special Use Permit and Site Plan**

**SEQR Status:** Type 1   
Unlisted

**Conditioned Negative Declaration:**  Yes  
 No

**Description of Action:**

In August 2016 the Town of Clinton Planning Board received an application (the "August 2016 application") from The Dutchess, LLC for Amended Special Use Permit approval to allow the expansion of an existing Dude Ranch/Conference Center that was approved by the Planning Board in October 2005. The Board circulated the August 2016 application to the identified involved and interested agencies seeking their consent to the Board acting as the lead agency and thereafter assumed lead agency designation. The Board has never taken any action on the August 2016 application, but in July 2017 received a second application for amended Special Use Permit and Site Plan approvals to increase the number of permitted guests from 28 to 44 and for additional guest accommodations by constructing up to five (5) "yurts" to be placed on wooden platforms to be located to the south of the existing guest houses, and connected to the existing sewage disposal and water supply facilities.

**Location:**

The project site is located at 68 Naylor Road ( $\pm 228.4$  acres) and 2450 Route 9G (8.3 acres), tax parcel numbers 6268-00-591367 and 461408 respectively, and is located in both the AR-5 and AR-3 zoning districts as delineated by the Town of Clinton.

**Reasons Supporting This Determination:**

1. Access to the Dude Ranch would be via the existing driveway from NYS Route 9G. The location of the proposed improvements in relation to the public access have been reviewed and have been determined to be adequate so as to assure safe all-weather access to the site by passenger and emergency vehicles.
2. Amending the Special Use Permit to allow an additional 16 guests would increase the number of vehicle trips during an average day but would not have any impact on the morning and afternoon peak hours since guest arrivals and departures would not typically occur during those peak times. Given that the Average Annual Daily Traffic (AADT) for this part of Route 9G is in excess of 5,000 vehicles any project generated vehicle travel is not considered significant and would not result in changes to the operating level of service of area

intersections, and would not result in a significant adverse change in air quality from vehicle exhaust.

3. Increasing the number of allowed guests by up to 16 persons would result in a slight increase in the potential demand for local police, fire and emergency services. It is not expected to increase the demand for general municipal or educational services. With respect to solid waste, the use would generate some level of additional waste that must be removed by a licensed hauler thereby assuring that disposal of collected domestic waste would occur in an approved facility. No large or potentially significant change in demand for police, fire or emergency services or solid waste disposal has been identified.
4. Development of the yurt accommodations would result in minor land disturbance. The additional development will utilize best management practices to control erosion and sediment runoff. Accordingly, the project is not expected to cause a substantial adverse change in existing ground or surface water quality or quantity.
5. The proposed improvements would be located in an area of the site that was previously cleared as pasture. The placement of the yurt platforms in an area of modest slopes would ensure that adverse effects associated with erosion, stream siltation, slope failure, and loss of habitat are avoided.
6. With respect to rare, endangered and threatened species of flora and fauna, the Board previously reviewed and approved a "Blanding's Turtle Habitat Suitability Assessment" prepared by Ecological Solutions, LLC that was part of the October 2005 application. The report indicated that the site does contain habitat favored by Blanding's Turtles, but not in the area proposed for the yurt platforms. In fact, none of the proposed construction is located near the on-site wetlands or in areas that would typically be used for turtle nesting. The Board has examined the proposed site plan layout and is satisfied that the proposed improvements would limit the amount of land disturbed by development and would not occur in areas of the site that contain turtle habitat. Therefore, development of the site as proposed would not result in the removal or destruction of large quantities of vegetation or fauna and is not expected to substantially interfere with the movement of any resident or migratory fish or wildlife species.
7. The proposed modification to the use is allowed under the Town Zoning Law subject to issuance of an amended Special Use Permit. The proposed activity is consistent with all current development plans and goals as officially approved and adopted, and will not result in a substantial change in the use, or intensity of use, of land devoted to agricultural, open space, or recreational use.
8. Information maintained by the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP) on its GIS website indicates that the proposed project site is not located near any sites considered sensitive for historic or pre-historic remains. In addition, the site does not contain, and is not located near, any site(s) listed on the state or federal registers of historic places. The project is a low-intensity commercial use that is consistent with the existing horse farm use, and is therefore consistent with the low density agricultural/rural residential character of the area. The proposed activity is not expected to impair the character or quality of important historical, archaeological, architectural, or aesthetic resources or the existing community or neighborhood character.
9. The new buildings will utilize electricity for lighting and cooling, and oil for heat. Supplies of these domestic energies are considered adequate for the use. The proposed action would not result in a major change in the use of either the quantity or type of energy, and will not create a hazard to human health.

**For Further Information:**

Hon. Michael McCormack, Chairman  
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Rhinebeck, New York 12572  
Tele: 845-266-5704

***THIS NEGATIVE DECLARATION WAS AUTHORIZED AT A MEETING OF THE LEAD AGENCY HELD  
ON AUGUST 1, 2017.***