

TOWN OF CAIRO RESOLUTION #2025-00_

RESOLUTION ADOPTING A NEGATIVE DECLARATION UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)

WHEREAS, the Planning Board has received an application (the "Application") from RCBG JV Manager LLC ("Applicant") for a proposed redevelopment of Blackhead Mountain Lodge for purposes of an expanded Hotel, Tourist Resort/Spa to be constructed on lands situated generally on 64 Crows Head Nest Road in the Town of Cairo, Greene County, New York (the "Action"); and

WHEREAS, the proposed Action is located on three tax parcels (SBL 116-1-24 & 25, as well as 116.16-1-1) totaling approximately 102.31 acres of land and is zoned Mountain Top Residential where the proposed tourist resort/spa and hotel are permitted uses subject to special use and site plan approval from the Planning Board; and

WHEREAS, the proposed Action includes the redevelopment of an existing resort with a hotel, restaurant/bar and golf course into an expanded tourist resort with approximately 127 hotel keys/units, a 66,270 square foot Main Lodge with spa and restaurant, along with accessory off-street parking and recreational amenities (tennis courts and pools); and

WHEREAS, the Action to redevelop the existing hotel resort is subject to the State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, SEQRA" requires the Lead Agency to undertake a thorough review of a proposed action's potentially significant adverse environmental impacts prior to any discretionary approvals being granted by the Planning Board, or any other Involved Agency; and

WHEREAS, the Planning Board has previously determined that the Action is a Type 1 action pursuant to SEQRA and stated its intention to serve as the Lead Agency for purposes of conducting and coordinating the SEQRA environmental review of the Action on behalf of all Involved Agencies; and

WHEREAS, thereafter, as required by 6 NYCRR § 617.6 of the SEQRA regulations, the Planning Board conducted a coordinated review by distributing relevant SEQRA documentation to all potentially Involved and Interested Agencies; and

WHEREAS, no Involved or Interested Agencies objected to the Planning Board serving as the SEQRA Lead Agency for the Action; and

WHEREAS, the Planning Board held a public hearing on the following dates, March 7, 2024, April 4, 2024, May 2, 2024, June 13, 2024, July 11, 2024, August 1, 2024, and February 6, 2025, wherein members of the public were provided numerous opportunities to comment on the Application prior to the issuance of the Planning Board's SEQRA determination; and

WHEREAS, the Applicant has supplemented the Application based on requests for information by the Planning Board, its consultants and the public; and

WHEREAS, the SEQRA regulations provide that for any action the Lead Agency making a determination of significance must: (1) consider the action as defined in sections 617.2(b) and 617.3(g) of SEQRA; (2) review the Environmental Assessment Form, the criteria for determining significance contained in SEQRA and any other supporting information to identify the relevant areas of environmental concern; (3) thoroughly analyze the identified relevant areas of environmental concern to determine if the action may have a significant adverse impact on the environment; and (4) set forth its determination of significance in a written form containing a reasoned elaboration and providing reference to any supporting documentation; and

WHEREAS, the SEQRA regulations also provide that "[t]o determine whether a proposed Type I or Unlisted Action may have a significant adverse impact on the environment, the impacts that may be reasonably expected to result from the proposed action must be compared against the criteria in this subdivision", see Section 617.7(c)(1)(i) to (xii) of the SEQRA regulations; and

WHEREAS, the Planning Board has reviewed and considered Part 1 of the SEQRA Full Environmental Assessment Form ("FEAF"), along with the supporting reports/maps/documentation, for the Action provided by the Applicant; and

WHEREAS, after reviewing FEAF Part 1 and completing Parts 2 and 3 of the FEAF; after reviewing the supplemental materials submitted to the Planning Board by the Applicant and comments from the Planning Board's consultants, other agencies and the public; and after reviewing the criteria for determining significance set forth under Section 617.7(c)(1)(i) to (xii) of the SEQRA regulations and analyzing the relevant areas of environmental concern, the Planning Board determines that the proposed project will not result in any significant adverse environmental impacts on the environment.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board hereby officially declares itself the Lead Agency for purposes of SEQRA environmental review; and

BE IT FURTHER RESOLVED, that the Planning Board approves the FEAF (Parts 1, 2 and 3) and the Planning Board Chairman is authorized to sign Part 3 of the FEAF on behalf of the Planning Board; and

BE IT FURTHER RESOLVED, that the Planning Board issues a Negative Declaration for the Action concluding that the Action will not create any significant adverse environmental impacts and that a draft environmental impact statement is not necessary; and

BE IT FURTHER RESOLVED, that the Planning Board adopts and incorporates herein by reference the attached written Negative Declaration for the Action; and

BE IT FURTHER RESOLVED, that the Planning Board directs its Secretary to file, distribute and publish the attached Negative Declaration as required by 6NYCRR § 617.12 of the SEQRA regulations; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

OFFERED BY: _____

SECONDED BY: _____

Results of the Vote on the Above Resolution:

Board Member	Aye	Nay	Abstain	Absent
Joseph Hasenkopf	_____	_____	_____	_____
Edward Forrester	_____	_____	_____	_____
Allen Veverka	_____	_____	_____	_____
Beth Hansen	_____	_____	_____	_____
Stacey Poulsen	_____	_____	_____	_____
Raymond Pacifico (alternate)	_____	_____	_____	_____

VOTE IS CERTIFIED BY:

_____. March ____, 2025
Donna Volmer, Secretary to the Planning Board

The Resolution is hereby approved and order to the record by

_____. March ____, 2025
Joseph Hasenkopf, Chair

Town of Cairo Planning Board

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

DATE

This notice is issued pursuant to the New York State Environmental Quality Review Act, Article 8 of the NYS Environmental Conservation Law and its implementing regulations contained in Part 617 of the New York State Code of Rules and Regulations (collectively, “SEQRA”).

The Planning Board of the Town of Cairo (the “Planning Board”), as the lead agency under SEQRA, has determined that the proposed action described below will not have a significant adverse environmental impact and a draft environmental impact statement will not be prepared.

Name of Action: Blackhead Mountain Lodge

Applicant: RCBG JV Manager LLC

Location: The project is comprised of 102.31 acres generally located on 64 Crows Nest Road in the Town of Cairo, Greene County, New York (the “Project Site”).

SEQR Status: Type 1

Description of Action:

The project, Blackhead Mountain Lodge is located on three parcels in the Town of Cairo, Hamlet of Round Top with a total acreage of 102.31 acres. The following are the parcels that comprise the Project Site:

1. 64 & 74 Crow's Nest Road (116.00-1-24) – 94.95 acres
2. 54 Crow's Nest Road (116.00-1-25) – 1.23 acres
3. 153 Bald Hills Road N (116.16-1-1) – 6.13 acres

The proposed action is illustrated on a site plan prepared by the LRC Group dated November 25, 2024(the “Site Plans”), and the potential impacts of the Proposed Action are evaluated in the supporting information referenced herein.

The Project Site is currently zoned Mountain Top Residential (MT) Zoning District where a tourist resort/spa and hotel are permitted uses subject to a special use permit and site plan approval from the Planning Board.

The main project parcel is currently operating as a hotel and restaurant/bar with outdoor recreation (golf course). The expansion will include improvements that are predominantly within the existing previously disturbed areas. The redevelopment will include approximately 127 keys/units with a 66,270 square foot Main Lodge, tennis courts, pools, restaurant, and 280 proposed parking spaces placed throughout the property (the “Proposed Action”). While the Project Site will operate as one

cohesive tourist resort/spa and hotel, some of the hotel units will be owned in fee simple for separate condominium ownership.

Primary guest access will be through a new main access on Bald Hills Road North, about 2,000 feet north of Blackhead Mountain Road. Secondary access (employees, maintenance, etc.) will be from Crow's Nest Road at the existing access point.

Reasons Supporting This Determination:

The Planning Board has carefully considered whether the Project would potentially have a significant adverse impact on the environment. For the reasons set forth below, the adoption of a SEQRA Negative Declaration by the Planning Board is appropriate and a draft environmental impact statement is not necessary.

1. The Planning Board has given due consideration to the proposed action as defined in 6 NYCRR §§ 617.2(b)(1) and 617.3(g).

2. The Planning Board has given due consideration to the public comments and comments from other agencies', its own consultants and the reports, letters and information supplied by the Applicant's consultants (a list of which is attached as **Exhibit A**).

3. After receipt of the completed Part 1 of the Full Environmental Assessment Form (FEAF) from the Applicant, and review of the Part 1 information and other supporting information provided by the Applicant, the Planning Board has completed FEAF Parts 2 and 3 and has concluded that the environmental effects the project can be mitigated so that they would not result in any significant adverse impact on the environment as more fully described below:

1. Impact on Land

The main project parcel has operated as a hotel and restaurant/bar with outdoor recreation (golf course), and prior to that was a resort with a downhill ski facility. The expansion proposed by the applicant will include improvements that are predominantly within the existing previously disturbed areas. The proposed Action will redevelop the Project Site to include approximately 127 keys/units with a 66,270 square foot Main Lodge, tennis courts, pools, restaurant, and 280 proposed parking spaces placed throughout the Project Site.

While some removal of existing tree cover will need to occur during construction, removal of mature trees and forested areas has been minimized to the greatest extent possible. Internal areas of the Project Site will be rewilded with tree plantings and restored with pollinator meadows and native plantings to improve biodiversity and establish some native habitat throughout the resort.

As noted throughout the applicant's documents and plans, the Proposed Action will involve the re-wilding of the Project Site. This process will return the golf course from a manicured lawn to an ecosystem consistent with the surrounding areas helping to facilitate additional wildlife habitat. Although this process will take time and will not result in an immediate functional ecosystem and, will not immediately replace some of the mature trees, the holistic approach to the Project Site will begin

to reinvent it and return the land to useful habitat that is more consistent with the surrounding properties and land and will re-introduce proper habitat and range for many of the species that are found throughout this community.

Most earthwork will involve the excavation for subsurface features including building foundations, underground utilities, stormwater management systems, and placement of fill to level building and parking areas. Following excavation for these features, backfilling and fill operations will bring the development area to the desired grade. A grading plan for the entire Project Site has been prepared by the LRC Group and attached within the Site Plan Set. The Grading Plan shows that the Proposed Action is feasible, while still meeting all the applicable building criteria for slopes, like minimal grades for the proposed roads and sidewalks to ensure a safe and walkable community. Site impacts on steep slopes will be avoided to the maximum extent possible, including the preservation of an entire area of steep slopes located on the southern portion of the site adjacent to lands referred to by NYS as the Windham-Blackhead- Range Wilderness.

The site has been designed as a balanced site and therefore there is no export of materials anticipated.

In addition, erosion control measures will be implemented during construction to minimize the erosion of land pursuant to NYSDEC sediment control requirements.

The LRC Group prepared a full SWPPP (Stormwater Pollution Prevention Plan). Stormwater will further be managed onsite via the creation of new forested and landscaped areas and stream corridors, all with the purpose of facilitating infiltration of water back into the subsoils. The Proposed Action will permanently provide landscaping and open areas on the remaining acreage of the Site in conformance with the Town's zoning and site plan requirements.

2. Impact of Geological Features

There are no unique landforms on the Site that will be impacted by the Proposed Action. No geological feature registered as a National Natural Landmark is present on or next to the Site.

3. Impacts on Surface Water:

Surface Water/Water Bodies

The project site contains waterbodies in the form of man-made ponds. These features were created as part of the existing golf course near the existing lodge. The surface of the existing water bodies is 3.09 acres.

The NYSDEC provided the project team with a map showing the streams that their Bureau of Ecosystem Health staff determined to be perennial and protected under Article 15 Protection of Waters regulations. These perennial streams are hereby considered protected Class C(TS) streams, and Article 15 permit coverage will be required for any bed or bank disturbance proposed as part of the project. During an onsite review of natural features, NYSDEC staff did not find any streams on site that originated from NYSDEC Forest Preserve Lands. As a result, it was concluded that none of the streams would take on a higher classification in this case (e.g., Class A).

The Proposed Action will include several small new bridge crossings over non-regulated streams. Further, the SWPPP will utilize portions of the non-regulated water features for stormwater management.

Existing un-regulated water bodies will be graded to expand and re-shape their physical appearances (the proposed total surface area of water of 4.72 acres resulting in an increase of 1.63 acres). These improvements are limited in size and do not adversely affect rare or unusual or listed species, habitats, or critical environmental areas.

A survey including a wetland delineation performed by Ecological Solutions, LLC was completed by Holtz Surveying on August 10, 2023, which are illustrated on Sheet EX-1 Existing Conditions. The Wetlands analysis by Ecological Solutions LLC has determined that there are no New York State Department of Environmental Conservation (NYSDEC) Article 24, jurisdictional wetlands on the Project Site. According to the report, three of the golf course ponds are likely not regulated by the USACE since they do not drain off the site and are isolated from navigable waters - i.e. the Hudson River. Five smaller ponds at the Southeastern corner of the Project Site are connected via drainage ditches/watercourses that drain off the site and appear to be jurisdictional to USACE. As the project progresses and the site plan layout and overall road system are reviewed by the Town of Cairo Planning Board, a Pre-Construction Notification (PCN) Form will be submitted to USACE for review.

The proposed action will not involve the use of pesticides or herbicides in or around any water body.

4. Impact on Groundwater

Water Supply

The Proposed Action will create a new public water supply system. The Proposed Action will require an average daily water demand of approximately 46,212 gallons per day (gpd). The source of the water supply will be from private wells with a required yield of 32 gallons/minute with the highest producing well out of service.

The Hydrogeologic Study documents that the safe yield of Well 4 and Well 5 is at least 32 gallons per minute (gpm) and capable of supporting development projects that will extract groundwater at a rate equal to or less than 32 gpm. As detailed in Part III of the EAF and the referenced appendixes, the slightly slower rate of recovery exhibited during the pump test was shown not to be slow at all based upon the follow-up 180 projections conducted by the Applicant (which follow-up analysis is consistent with DOH regulations). The direct influence observed at two offsite private residential water supply wells is not significant and does not indicate that the project would deplete the aquifer serving the private wells. Nevertheless, the following mitigation is available if deemed necessary:

1. Install Deeper Wells: The E. Maassmann and R. Green wells are installed into the deeper higher permeability fracture zone. Both wells could be extended deeper to set their pumps deeper than the stabilized drawdown elevation of Well 4 and Well 5. The drawdown at the offsite residential wells will not be deeper than the drawdown at the project pumping well.

2. Connect to Public Water Supply: The E. Maassmann and R. Green wells are immediately adjacent to the project site and could feasibly be incorporated into the project water supply system. To accomplish this, a Transportation Corporation would have to be established to deliver water across property boundaries. Single-family dwellings have a design water demand of 110 gallons per bedroom per day (i.e., 330 gpd for a three bedroom dwelling and 440 gpd for a four bedroom dwelling). Using a residential demand of 500 gpd per dwelling would require an allocation of 1,000 gpd (0.7 gpm) from the design demand flow for the project.

Water for irrigation purposes was not included in the maximum daily water demand of approximately 46,212 gallons per day (gpd) because it will not be withdrawn from the public water supply system (i.e. potable water). Water for irrigation purposes will be provided from the on-site non-regulated pond and/or the stormwater systems (See Appendix G.5). Water for all irrigation needs will be drawn from the existing non-DEC regulated pond onsite and/or the stormwater infrastructure system, once operational. One of the design goals for the Stormwater Plan is to reuse / recycle Stormwater collected on site for irrigation purposes to minimize withdraw of surface water.

The applicant must comply with any and all requirements of the NYS Department of Health and if applicable the NYS Department of Environmental Conservation and that no application can be made for utilization of potable water demand greater than 32 gpd. Further, the pumping test for the proposed water supply of 32 gpd followed the DOH procedures and has been provided to the Town by the applicant. The information provided concludes that there are no potential significant adverse environmental impacts for purposes of SEQRA. Further technical analysis and a detailed review of the proposed water supply system will be conducted by the State as part of its permitting review for the proposed system.

The well testing reports, data, and irrigation demand and supply calculations demonstrate an adequate on-site water supply to serve the potable and non-potable water demands of the Proposed Action.

Wastewater

The Proposed Action includes a new wastewater treatment plant with discharge into an unnamed stream. The total anticipated waste generation per day is 46,212 gallons per day.

The proposed wastewater treatment facility as designed will include primary, secondary, and tertiary treatment prior to discharge. The wastewater treatment plant is proposed with discharge into an unnamed on-site stream channel, which discharges to another unnamed stream and then ultimately to the Shingle Kill.

A SDPES permit will be required from NYSDEC prior to the commencement of discharge from the site. A condition of the permit would be testing of the treated effluent to ensure that treatment standards are being met. An effluent testing schedule would be provided with the SDPES permit. The testing would have to be completed by a certified operator. The exact testing schedule and discharge limits would be determined by NYSDEC during the permitting process.

In addition to the testing of the treated effluent, an Operation and Maintenance (O&M) plan will be prepared for the proposed wastewater treatment plant and included in the Engineer's report submitted to the NYSDEC for review and approval prior to commencing operations.

Stormwater

The Proposed Action's Site Plans and SWPPP are designed to comply with all applicable NYSDEC requirements for managing stormwater during and after construction. Further, during construction, erosion and sediment control, soil stabilization, dewatering and pollution prevention measures will be installed, implemented and maintained on the Site as set forth in the SWPPP to minimize the discharge of erosion of sediment and prevent a violation of the State's water quality standards. These measures are designed to limit erosion of land by controlling the flow of water until permanent stormwater control measures are installed and pervious surfaces are stabilized with vegetation and/or buildings and parking areas. Measures will include but not be limited to installation of silt-fencing to control disturbed area; stockpiling soils and vegetative soil stabilization; seeding and mulching of all disturbed surfaces; dust control (as necessary); and ongoing inspection and maintenance of erosion control measures to ensure their effectiveness until all disturbed surfaces are stabilized.

Post-construction stormwater management practices for the Proposed Action as set forth in the SWPPP are designed to conform to applicable requirements in the NYSDEC general stormwater permit, the standards provided by the New York State Stormwater Management Design Manual ("Design Manual"). The Proposed Action is designed, through the SWPPP, to provide for the installation, implementation and maintenance of permanent stormwater management practices to meet the standards in the Design Manual so that discharges comply with the State's water quality and quantity standards.

5. Impacts on Flooding

The proposed project is not in a floodway or floodplain nor located within a designated floodway. The proposed project has been redesigned to minimize impacts on existing water features. The project expands the existing non-regulated water bodies and develops areas for stormwater treatment.

6. Impacts on Air

The Proposed Action will not result in any significant adverse impacts on air quality. The Proposed Action does not include a State regulated air emission source or involve any activity that will have more than a minimal impact on air quality. Therefore, no significant localized air quality impacts are expected.

7. Impact on Plants and Animals

The Project Site is an existing golf course which predominantly consists of manicured lawn with scattered and isolated trees and shrubs. The proposed project will result in the following:

- A net gain of 16.32 acres of forested area
- A 14.86 acre net gain of meadows and grasslands.
- A loss of 1.86 acres of small clusters of trees within the existing golf course greens.

According to the report prepared by Ecological Solutions in Appendix L, USFWS identifies the following possible endangered or threatened species on the project site:

- Indiana Bat
- Northern Long-eared Bat
- Monarch Butterfly.

The applicant provided a Threatened and Endangered Species Habitat Suitability Assessment Report (see Appendix L & L.1). The provided report evaluates natural communities onsite and the proposed removal of limited amounts of trees and concludes that *“Impacts to [Indiana Bat] species are unlikely and there is no adverse impact that will occur from tree removal.”* The report further concludes that, *“The northern long eared bat requires/occupies practically the same habitat niche as the Indiana bat. Impacts to habitat and mitigation would be consistent with the recommendations for the Indiana bat.”* With regard to the Monarch Butterfly the report concludes that *“There is no successional field habitat or potential habitat for the monarch butterfly and no milkweed plants were observed in the project area so impact to this species is not expected. The open areas of the site are manicured golf course.”* Furthermore, according to EAF Part 1 Section E.1.b. the proposed project will add approximately 14.86 acres of meadows, grasslands, and brushlands which may serve as habitat for the Monarch Butterfly.

8. Impact on Agricultural Resources

Although the Project Site contains productive soils, it has been used as a golf course/hotel/restaurant for decades. Thus, the Project Site is not being used for Agricultural Purposes. The site is not located next to other properties within a New York State Agricultural District currently partaking in agricultural activities.

9. Impact on Aesthetic Resources

The proposed Project Action and structures are consistent with land uses in the surrounding area. The existing land use onsite includes one- and two-story structures that are predominantly located along the eastern portion of the site. However, although the existing land use is a golf course/hotel/restaurant with large, the Project Site is predominantly cleared areas for golf course greens. The proposed action falls under the same land use pattern as the existing use.

The architecture of the project has been purposefully designed as one – two story structures with massing similar to nearby residential structures. Further, the applicant has provided a viewshed analysis that illustrates the structures will be predominantly located within the existing slopes of the project area limiting the view of the buildings. The proposed buildings comply with the Town’s Zoning requirements with respect to height and setbacks. A landscaping plan has been proposed that provides an extensive landscaped berm and plantings adjacent to the nearest residential properties as well as creates 16.32 acres of forested area and 14.86 acres of meadows and landscaping, effectively re-wilding the property back to an ecosystem more similar to the surrounding area.

The Proposed Action will not obstruct any officially designated scenic views. Further, the proposed action is not located in or adjacent to any NYS Scenic Areas of Statewide Significance (SASS).

10. Impact on Historical and Archeological Resources

It is not anticipated that the Proposed Action will impair the character or quality of any important historical and/or archaeological resources. No historic buildings or sites listed on the State or National Registers of Historic Places are located on or near the Property. The Property is not located in or adjacent to an historic district. Further, the NYS Office of Parks, Recreation and Historic Preservation Office reviewed the Proposed Action and issued a letter concluding that development on the Site will have no adverse effect upon archeological or historic resources.

11. Impact on Open Space and Recreation

The Project Site is not located within an area listed in an adopted municipal open space plan. The Project Site has been utilized as a private recreational golf course and hotel/restaurant. The redevelopment of the Property will include private recreational resources in the form of pools, tennis courts, gym, and expansive walking trails. The facility will also be served by regional recreational services such as the nearby Windham-Blackhead- Range Wilderness Area within the Catskill Park and Cairo Nature Preserve. Therefore, the Proposed Action will not result in any loss of a public open space resource designated in a governmental open space plan.

12. Impact on Critical Environmental Areas

Redevelopment of the Project Site will not have any impact on any critical environmental areas (CEAs) designated by NYSDEC because the Project Site does not contain any CEAs. Nor are any CEAs located adjacent to the Project Site.

13. Impact on Transportation

The Applicant has provided a Traffic Analysis prepared by Creighton Manning Engineering, LLP. The Traffic Assessment included an evaluation of traffic operations and intersection level of services and concluded that presently all study area intersections operate at LOS A on all approaches. Upon full build out of the Proposed Action, for both the Friday and Sunday peak hours, delays will increase by less than one second per vehicle. Therefore, given the de minimis traffic impacts, no mitigation is necessary.

The Applicant's Traffic Engineer also conducted an inventory of local roads as part of their Traffic Assessment. The Traffic Assessment found that area roadways are in generally fair shape with signs of cracking and fatigue. However, the Traffic Assessment also notes that construction is expected to occur over 26 months and that trucks are expected to use Blackhead Mountain Road as the primary route to the site. The Applicant will repair any deteriorated public roadway conditions that have resulted from construction traffic on the roadway system. Further, the Applicant will post a bond in an amount agreed upon by the Town Highway Superintendent that will be held in escrow by the Town to ensure that any deterioration of the roadway is repaired by the Applicant.

A sight distance evaluation was also completed at the two proposed Site Driveway locations on Bald Hills Road and Crows Nest Road. The available intersection sight distance will provide drivers a sufficient view of the intersecting roadway to allow passenger cars to enter or exit the intersection

without excessively slowing vehicles traveling at or near the operating speed on the intersecting mainline.

Stopping sight distance was also measured on Bald Hills Road and Crows Nest Road at both site driveway locations. The available stopping sight distance on a roadway will be of sufficient length to enable a vehicle traveling at or near the operating speed to stop before reaching a stationary object in its path.

14. Impact on Energy

The Proposed Action will require the use of energy—specifically electricity — for heating, cooling, lighting and other purposes. This energy usage will be similar in amount to the energy used for other existing facilities in the Town, County, and across the State. The Proposed Action is not a high-demand energy user. Overall, the Proposed Action will not result in a significant increase in the use of energy and will meet the NYS Energy Code.

15. Impact on Noise, Odor, and Light

No significant adverse noise or odor impacts are expected from the Proposed Action. During construction, any noise and odor impacts from construction equipment will be temporary, of short duration and non-significant and compliant with the Town's noise regulations (to wit, no building construction operations outside the hours of 6:00 AM and 8:00 PM). After construction, during Proposed Action operations, no odor impacts are anticipated. The Proposed Action is not a manufacturing or industrial facility and will not produce any odors.

The plans for the Proposed Action indicate a dense vegetated buffer along the portions of the Project Site which are adjacent to residential properties. Additional landscaping will be added to provide a further visual and noise buffer.

New, modern and energy-efficient lighting will be utilized throughout the Project Site. Exterior site lighting will be designed to comply with the Zoning and Site Plan Regulations and are the minimum necessary while ensuring a safe and secure facility. All proposed lighting will be downward facing and will minimize sky glow and light pollution from the Property. Where appropriate, lighting fixtures will be of a full cutoff type or provided with shields to reduce glare and light pollution. The fixture locations have been sited to minimize light trespass onto adjacent properties. The following measures have been incorporated to minimize otherwise potential adverse impacts from site lighting of the new building and parking facilities. The applicant has prescribed a schedule that limits the hours of operation of lighting that will further mitigate any potential lighting impacts.

16. Impact on Human Health

No significant impacts to human health are anticipated from the Proposed Action because all construction and operational activities will be undertaken in accordance with and in compliance with all pertinent environmental and land development regulations and related permit and approval procedures and requirements. The Proposed Action will be serviced by a public municipal water and

sewer systems (approved by the Department of Health and NYSDEC) and no onsite septic system will be used.

The Project Site has been designed so that fire and emergency vehicles will have full access to the site and all structures. The plans have been reviewed by the local Fire Department and Police Department(s) accordingly. The Applicant will continue to work with both departments throughout the Site Plan review process to address any further necessary design modifications.

17. Consistency with Community Plans

The Proposed Action is consistent with the Town of Cairo Comprehensive Plan, complies with the Zoning and Site Plan Regulations, is consistent with the existing land use and surrounding area, and is consistent with the Special Use Permit review criteria outlined in Section XI of the Town of Cairo Zoning Law. The Applicant is expanding and updating the existing resort use at the Project Site to encompass a Hotel and Tourist Resort/Spa which are both permitted uses in the MT Zoning District via Special Use Permit and Site Plan approval from the Planning Board.

The Town of Cairo's Comprehensive Plan notes that aging resorts and changing tourism clientele and needs are a weakness hindering the Town from accomplishing its vision of a highly sought after tourist destination¹.

18. Consistency with Community Character

The Proposed Action is consistent with the residential and commercial character of the area and will not have a significant adverse impact upon the prevailing agricultural character of the Town.

Proposed buildings are designed to be architecturally consistent with the vernacular styles of the community. The proposed architectural design of the project is that of a modern chalet style being consistent with the Alps/chalet style influence which is prevalent in the Round Top community, helping to preserve the community character and culture of the surrounding area. The new buildings will utilize the existing grades onsite to visually screen the massing of the buildings.

A landscaping plan has been proposed that provides an extensive landscaped berm and plantings adjacent to the nearest residential properties as well as creates 16.32 acres of forested area and 14.86 acres of meadows and landscaping, effectively re-wilding the property back to an ecosystem more similar to the surrounding area.

The lighting has been designed to comply with the Zoning and Site Plan Regulations and are the minimum necessary while ensuring a safe and secure facility. Accent and landscape lighting around primary amenity buildings, guest lodging units or adjacent to hotel operational spaces shall be activated by photocell and shall remain operational from dusk to dawn.

¹ Town of Cairo Comprehensive Plan pages 7 and 10.

For further information:

Contact Person: Joseph Hasenkopf, Chair
Town of Cairo Planning Board

Address: 512 Main Street
P.O. Box 728
Cairo, NY 12413

Telephone: (518) 622-9218

A copy of this Notice of Negative Declaration will be filed with:

Town of Cairo Zoning Officer/Code Enforcement Officer
Town of Cairo Zoning Board of Appeals
Town of Cairo Conservation Advisory Council
Town of Cairo Town Board
Town of Cairo Town Clerk
Town of Cairo Highway Department
Town of Cairo Planning Board
Greene County Planning Board
Greene County Department of Health
Greene County IDA
Greene County Economic Development Agency
New York State Department of Health
New York State Department of Environmental Conservation
New York State Office of Parks, Recreation and Historic Preservation
New York State Attorney General's Office
US Army Corps. of Engineers

Notice of this Negative Declaration must be published in the Environmental Notice Bulletin (ENB)
Notices must be submitted by the lead agency to the Environmental Notice Bulletin by e-mail to
<https://dec.ny.gov/enb/seqra-form> and to the following address:

Environmental Notice Bulletin
625 Broadway
Albany, NY 12233-1750

EXHIBIT A
Blackhead Mountain Lodge
Submissions Index

2023.12.21 – Planning Board Site Plan Submission

1. Cover Letter with Narrative (12.21.2023)
2. Site Plan Application
3. Letter of Consent (Authorization)
4. Site Plan Set (12.21.2023)
5. EAF with appendices 12.21.2023

2024.02.16 – Planning Board Submission

1. Cover Letter (02.16.2024)
2. Architectural Sketches and Material Board (02.16.2024)
3. Site Plan Set (02.16.2024)
4. APPENDIX Q – Cross Sections and Viewshed Analysis (02.16.2024)
5. APPENDIX G.1 – Water & Wastewater Engineer Report (02.16.2024)
6. APPENDIX H.1 – Traffic Correspondence (02.16.2024)
7. APPENDIX R – Preliminary Engineering Report (02.16.2024)
8. APPENDIX O.1 – OPRHP Sign Off Letter (02.09.2024)

2024.03.25 – Planning Board Submission (Public Comments)

1. Cover Letter (03.25.2024, updated 03.28.2024, updated 04.03.2024)
2. Attachment A – Agency Letters
3. Attachment B – Written Public Comments (updated 03.28.2024)
4. Attachment C – Verbal Public Comments

2024.03.28 – Planning Board Interim Submission – Amended

1. Cover Letter (updated 03.28.2024)

2024.04.03 – Planning Board Interim Submission – Amended

1. Cover Letter (updated 04.03.2024)
2. Attachment A – Agency Letters
3. Attachment B – Written Public Comments (updated 04.03.2024)
4. Attachment C – Verbal Public Comments

2024.04.22 – Planning Board Submission

1. Cover Letter (04.22.2024)
2. Site Plan Application (amended 04.22.2024)
3. Consultant & Agency Response Letter (04.22.2024)
4. Public Comment Response Letter (04.22.2024)
5. Catania Mahon Rider Correspondence (04.19.2024)
6. Amended EAF Part 1 (04.22.2024)
7. Site Plan Set (04.22.2024)
8. APPENDIX E.1 – Town of Cairo Zoning Determination Letter (02.27.2024)
9. APPENDIX G.2 – Crawford Wastewater & Water Preliminary Report (04.22.2024)
10. APPENDIX H.2 – CME Traffic Report (04.22.2024)
11. APPENDIX I.1 – Soils Map (updated 04.16.2024)
12. APPENDIX L.1 – Ecological Solutions Correspondence (04.12.2024)

13. APPENDIX R.1 – Preliminary Engineering Report (amended 04.22.2024)

14. APPENDIX S – Weitzman Fiscal Impact Analysis (04.22.2024)

2024.06.03 – Planning Board Submission

1. Cover Letter (06.03.2024)
2. Public Comment Response Letter (06.03.2024)
3. Public Comments as of 05.02.2024

2024.07.01 – Planning Board Submission

1. Cover Letter (07.01.2024)
2. Lamont Memo response Letter (07.01.2024)
 - a. BHML Photos of Road Conditions
3. Public Comment Response Letter (07.01.2024)
 - a. Public Hearing Transcript and Sign In Sheet (06.13.2024)
4. Site Plan Set (07.01.2024)
5. SWPPP (07.01.2024)
6. EAF Part 1 (amended 07.01.2024)
 - a. EAF Part 1 Notes Addendum (07.01.2024)
 - b. EAF Part 1 Updated Table of Contents
 - c. APPENDIX G.3 – Well Evaluation Report (07.01.2024)
 - d. APPENDIX T – Agricultural Data Statement

2024.07.24 – Planning Board Submission

1. Cover Letter (07.24.2024)
2. Clarification Letter (07.24.2024)
3. APPENDIX T – Agricultural Data Statement (updated)
4. Part 1 EAF Amended Page 7 (07.22.2024)
5. SEQRA Review Binder (Documentation of all SEQRA materials to date as of 07.2024)

BINDER 1: SEQRA Review Documentation

TAB 1

- Site Plan Application, last amended April 22, 2024
- Cover Letter, submitted December 21, 2023
- Cover Letter, submitted February 16, 2024
- Cover Letter, submitted March 25, 2024
- Cover Letter, submitted April 3, 2024
- Cover Letter, submitted April 22, 2024
- Cover Letter, submitted June 3, 2024
- Cover Letter, submitted July 1, 2024

TAB 2

- EAF part 1, last amended July 1, 2024

TAB 3

- Lead Agency Resolution, dated January 4, 2024
- Agency Addresses for SEQRA Circulation
- Example Agency Response Letter for SEQRA Circulation
- January 4, 2024 Planning Board Agenda

- January 4, 2024 Planning Board Minutes

TAB 4

- Blackhead Mountain Lodge Public Hearing Notice, dated February 20, 2024
- Public Hearing Mailing Receipts
- Public Hearing Newspaper Advertisement Receipt
- Planning Board Venue Change Public Notice
- Public Hearing Dates
- March 7, 2024 Planning Board Agenda
- March 7, 2024 Planning Board Minutes
- March 7, 2024 Planning Board Text Conversion of Audio Recording
- Public Hearing Notice, dated March 15, 2024
- Public Hearing Mailing Receipts
- April 4, 2024 Planning Board Agenda
- April 4, 2024 Planning Board Minutes
- April 4, 2024 Planning Board Text Conversion of Audio Recording
- May 2, 2024 Planning Board Agenda
- May 2, 2024 Planning Board Minutes
- May 2, 2024 Planning Board Text Conversion of Audio Recording
- June 13, 2024 Planning Board Agenda
- June 13, 2024 Planning Board Minutes
- June 13, 2024 Planning Board Text Conversion of Audio Recording
- July 11, 2024 Planning Board Agenda
- July 11, 2024 Planning Board Minutes
- July 11, 2024 Planning Board Text Conversion of Audio Recording

TAB 5

- EAF Appendices Table of Contents
- Appendix A – Property Cards
- Appendix B – Site Plan
- Appendix C – Comprehensive Plan
- Appendix D – HRV Greenway and Heritage Area Maps
- Appendix E – Zoning Map
- Appendix E.1 – Cairo Zoning Determination Letter (02.27.2024)
- Appendix F – Wetland Delineation Report (12.21.2023)
- Appendix G – Water & Wastewater Daily Design Flows Report (12.21.2023)
- Appendix G.1 - Water & Wastewater Preliminary Report (02.16.2024)
- Appendix G.2 – Water & Wastewater Preliminary Report (04.22.2024)
- Appendix G.3 – Well Evaluation (07.01.2024)
- Appendix H – Preliminary Traffic Assessment (12.31.2023)
- Appendix H.1 – Traffic Route Assessment (02.16.2024)
- Appendix H.2 – Traffic Report (04.22.2024)

- Appendix I – Soil Map (12.21.2023)
- Appendix I.1 – Updated Soil Map (04.16.2024)
- Appendix J – Surface Water Features (12.21.2023)
- Appendix K – Flood Map (12.21.2023)
- Appendix L – Habitat Suitability Assessment (12.21.2023)
- Appendix L.1 – Significant Natural Communities Letter (04.12.2024)
- Appendix M – USFWS Species List (12.21.2023)
- Appendix N – Farmland Classification (12.21.2023)
- Appendix O – Phase 1A and 1B Report (12.21.2023)
- Appendix O.1 – OPRHP Sign Off Letter (02.09.2024)
- Appendix P – Hudson Scenic Areas (12.21.2023)
- Appendix Q – Cross Sections and Viewshed Analysis (02.16.2024)
- Appendix R – Preliminary Engineering Report (02.16.2024)
- Appendix R.1 - Preliminary Engineering Report – Revised (04.22.2024)
- Appendix R.2 – SWPPP (07.01.2024)
- Appendix S – Fiscal Impact Analysis (04.22.2024)
- Appendix T – Agricultural Data Statement – Revised (07.01.2024)

BINDER 2: SITE PLAN

CV-1	Cover Sheet
EX-1	Existing Conditions
LC-1	Lot Consolidation Plan
DM-1	Demolition Plan
OP-1	Overall Site Plan
SP-1 THRU SP-4	Site Plan
OG-1	Overall Grading / Drainage Plan
SG-1 THRU SG-4	Site Grading / Drainage Plan
OUP-1	Overall Utilities Plan
SUP-1 THRU SUP-4	Utilities Plan
OE-1	Overall Erosion & Sediment Control Plan
EC-1 THRU EC-4	Erosion & Sediment Control Plan
LL-0	Existing Conditions Illustrative
LL-1	Landscape Plan Overview
LL-2	Landscape Buffer Plan
LL-3	Landscape Buffer Plan
LLS-0	Landscape Key Plan
LLS-1 THRU LLS-3	Landscape Plan

BINDER 3: SITE PLAN

LP-1 THRU LP-5	Site Lighting Plan
CL-1	Construction Logistics Plan
OVT-1	Overall Truck Turning Plan
TT-1 THRU TT-4	Truck Turning Plan
CS-0	Cross Section Location Plan
CS-1	Perimeter Cross-Sections
CS-2	Perimeter Cross-Sections

CS-3	Perimeter Cross-Sections
PL-1 THRU PL-6	Plan Sheets (Roads / Drives)
PR-1 THRU PR-6	Profile Sheets (Roads / Drives)
DN-1	Site Details
DN-2	Stormwater Details
DN-3	Erosion Control Details
DN-4	Wastewater Details
DN-5	Water Details

BINDER 4: SWPPP

2024.11.25 – Planning Board Submission

1. Cover Letter (11.25.2024)
2. EAF Part 1 (updated 11.25.2024)
 - a. EAF Part 1 Notes Addendum (11.25.2024)
 - b. EAF Part 1 Updated Table of Contents (11.25.2024)
3. Site Plan Set (11.25.2024)
4. SWPPP (11.25.2024)
 - a. SWPPP Hydraulic Analysis Runoff Calculations (11.25.2024)
5. APPENDIX G.4 – Hydrogeologic Report (11.25.2024)
6. APPENDIX G.5 – Water Demand for Irrigation Memo

2025.01.27 – Planning Board Submission

1. Cover Letter (01.27.2025)
2. EAF Part 1 (amended 01.27.2025)
 - a. EAF Part 1 Notes Addendum (01.27.2025)
 - b. EAF Part 1 Updated Table of Contents (01.27.2025)
3. APPENDIX G.6 – Hydrogeologic Report (01.17.2025)

2025.02.05 – Planning Board Submission

1. Cover Letter (02.05.2025)
2. Hydrogeologic Report (revised 02.05.2025)