



**New York State Office of Parks,
Recreation and Historic Preservation**

Historic Preservation Field Services Bureau • Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

www.nysparks.com

P.B. #08-01
cc: M.E.
D.C.
Michele
Babcock

Elliot Spitzer
Governor

Carol Ash
Commissioner

March 6, 2008

Mark J. Edsall, P.E.
Planning Board Engineer
Town of New Windsor
555 Union Avenue
New Windsor, NY 12553

Re: **SEQRA**
Legacy Woods Senior Housing
New Windsor, Orange County
08PR00922

Dear Mr. Edsall:

The State Historic Preservation Office (SHPO) has received the Full Environmental Assessment Report and the plans that were provided for this project. We have initiated the review of the project in accordance with Section 106 of the National Historic Preservation Act of 1966 and relevant implementing regulations.

Our office does not have concerns regarding the Town of New Windsor Planning Board assuming Lead Agency status for the project under the State Environmental Quality Review Act.

Enclosed, please find Archeology Comments directing requesting a Phase I Survey be undertaken and the results submitted to our office for further review and comment. We also note that the project area is nearly adjacent to the National Register of Historic Places listed and State Historic Site Knox Headquarters.

Please forward the requested archeology information so that we can complete our review and offer our formal project opinion. If you have any questions regarding this letter, please feel free to contact me at your convenience. Ext. 3273

Sincerely,

Kenneth Markunas
Historic Sites Restoration Coordinator

Attachment: Archeology Comments

*No. not need
before P.H. per
Jerry A. at 3/26/08 meeting*

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ARCHEOLOGY COMMENTS
08PR00922

Based on reported resources, there is an archeological site in or adjacent to your project area. Therefore the Office of Parks, Recreation and Historic Preservation (OPRHP) recommends that a Phase 1 archeological survey is warranted for all portions of the project to involve ground disturbance, unless substantial prior ground disturbance can be documented. If you consider the project area to be disturbed, documentation of the disturbance will need to be reviewed by OPRHP. Examples of disturbance include mining activities and multiple episodes of building construction and demolition.

A Phase 1 survey is designed to determine the presence or absence of archeological sites or other cultural resources in the project's area of potential effect. The OPRHP can provide standards for conducting cultural resource investigations upon request. Cultural resource surveys and survey reports that meet these standards will be accepted and approved by the OPRHP.

Our office does not conduct cultural resources surveys. A 36 CFR 61 qualified archeologist should be retained to conduct the Phase 1 survey. Many archeological consulting firms advertise their availability in the yellow pages. The services of qualified archeologists can also be obtained by contacting local, regional, or statewide professional archeological organizations. Phase 1 surveys can be expected to vary in cost per mile of right-of-way or by the number of acres impacted. We encourage you to contact a number of consulting firms and compare examples of each firm's work to obtain the best product.

Documentation of ground disturbance should include a description of the disturbance with confirming evidence. Confirmation can include current photographs and/or older photographs of the project area which illustrate the disturbance (approximately keyed to a project area map), past maps or site plans that accurately record previous disturbances, or current soil borings that verify past disruptions to the land. Agricultural activity is not considered to be substantial ground disturbance and many sites have been identified in previously cultivated land.

Please also be aware that a Section 233 permit from the New York State Education Department (SED) may be necessary before any archeological survey activities are conducted on State-owned land. If any portion of the project includes the lands of New York State you should contact the SED before initiating survey activities. The SED contact is Christina B. Rieth and she can be reached at (518) 402-5975. Section 233 permits are not required for projects on private lands.

If you have any questions concerning archeology, please contact Michael Schifferli at 518-237-8643. ext 3281

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