

December 29, 2009

Andrew M. Dance
Assistant Vice President
Related
60 Columbus Circle
New York, NY 10023

Dear Mr. Dance

Re: OPRHP
Additional Information to consider
Tuxedo Reserve Project, Phases 2/3 Phase 1
changes
Archaeological Review
Tuxedo, Orange County, NY
09PR02019

As you know, the State Historic Preservation Office (SHPO) has previously reviewed archaeological studies completed for this project by Historical Perspectives, Inc. (HPI). During that work several archaeological sites were identified which we recommended be avoided and we continue to await word from you on just how that avoidance will occur. As part of that previous work, HPI has identified the presence of the "Continental Road" (Road) in the vicinity of the project area. This road was built by the Continental Army during the Revolutionary War and played an important role by providing alternative route for transport and communication during the war. Although HPI reported that the road was in the vicinity, it was their opinion that, aside from a small section, the road was not located within this project's Area of Potential Effect (APE). At the time SHPO reviewed the report, we had no information to suggest otherwise and concurred with that finding. However, we have recently been approached about new finds with the subject property which suggests that the Road may have actually been more than a single corridor, and that intact portions of corduroy construction may exist within the Areas of Potential Effect. I met with the person on December 29, 2009 to assess his information and based on that meeting, it seems credible enough to suggest that it be given serious consideration during the Environmental Review process. Therefore, SHPO is recommending that additional study be completed to assess this newly available information to determine: 1) the extent of the newly identified features; 2) reconsider the probable location of the Road network in light of the provided information; 3) evaluate the potential impacts of the project on the Road corridor and any intact sections of it; and 4) if the Road will be adversely impacted, to consider modifications to the project to remove those impacts, or to develop mitigation measures designed to reduce any negative impacts.

Additional information provided by Thomas Wilson includes a series of maps which suggest that road names used in assessing probable locations of the Road have changed and which suggest additional side routes which may have been part of a road complex; photographs of intact sections of the corduroy road which are reportedly within the subject property; historic texts describing the Road which may suggest a different location for its route than previously suspected. SHPO recommends that your archaeological consultant meet with Mr. Wilson on site to visually inspect the corduroy road section he has identified and to evaluate how it relates to the APE and your project. This meeting will also allow them to gather any additional information which he may have and to discuss the map based information with Mr. Wilson and to gain a

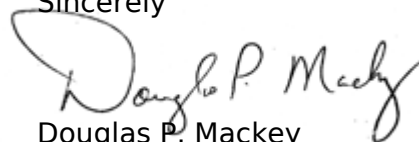
better sense of the concerns related to this important historic feature. Ultimately, they should be able to incorporate any new information into an analysis that re-examines potential impacts to this feature and in assessing if additional field work will be needed to identify and document additional sections of the feature.

In addition, it does not appear that SHPO has ever received a project plan that shows the specifics of the proposed development. The archaeological report included maps which showed topography, but nothing which identified what would be built. We understand that final plans may not yet be available; however we would recommend providing our office with whatever current plans are under discussion. In addition to helping our office with the current discussion regarding the Road, these plans would also provide us with an initial look at if and how you are planning avoidance of other sites as suggested in previous archaeological reports, and provide us with an opportunity to provide early comments regarding avoidance, which may be helpful to you as you progress your plans.

I have attached copies of several items that Mr. Wilson provided our office so that your consultant can have them in hand when speaking with Mr. Wilson. These include; several transcribed texts that mention the Road; a series of historic maps on which Mr. Wilson believes remnants of the road may be demarcated as older roads/trails; recent photographs of visible sections of a corduroy road which may be remnants of the Continental Road. Based on my discussion with Mr. Wilson, the section illustrated in the photographs is not along the alignment typically considered to be the location of the Continental Road and provides the strongest evidence to suggest that additional consideration is necessary.

Please contact me at extension 3291, or by e-mail at douglas.mackey@oprhp.state.ny.us, if you have any questions regarding these comments.

Sincerely



Douglas P. Mackey
Historic Preservation Program Analyst
Archaeology

Att: Series of Historic Maps
Transcribed text of 2 documents
Photographs of intact Corduroy Road

Cc: Nils Gerling, Chair, Tuxedo Planning Board
Cece Saunders, HPI (e-mail)
Julian Adams, NYSOPRHP (e-mail)
Erik Kulleseid, NYSOPRHP (e-mail)
Carol Ash, Commissioner, NYSOPRHP