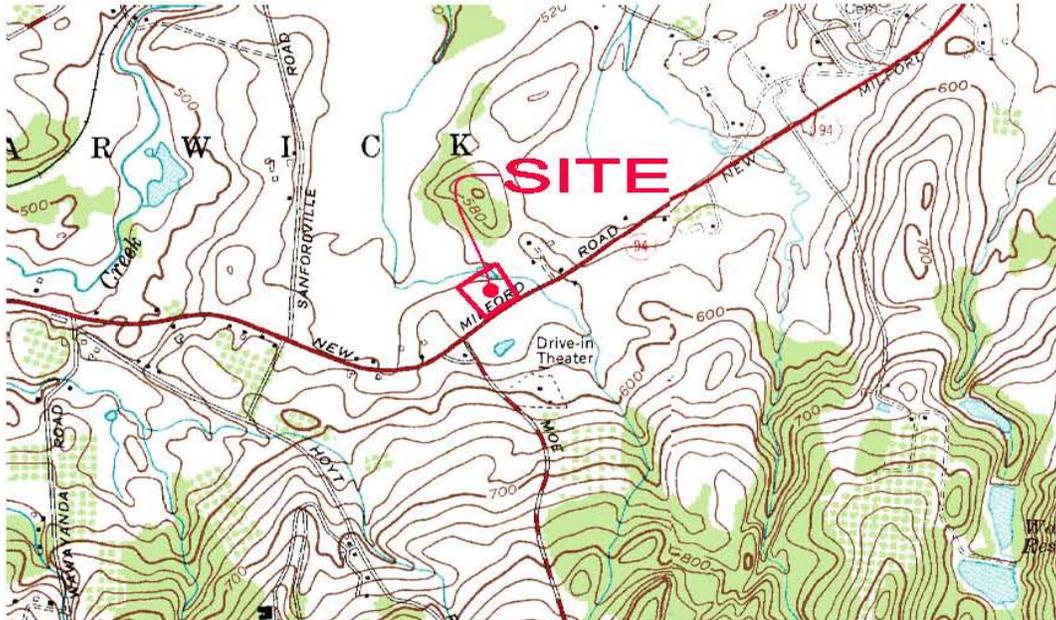


DRAFT ENVIRONMENTAL IMPACT STATEMENT



HOMARC COMMERCIAL DEVELOPMENT

152 NY STATE ROUTE 94 SOUTH

TOWN OF WARWICK
ORANGE COUNTY, NEW YORK

Project Sponsor:
Homarc Land, LLC

Lead Agency:
Town of Warwick Planning Board

Prepared By:
ERS Consultants, Inc.
October 2013

HOMARC COMMERCIAL DEVELOPMENT

DRAFT ENVIRONMENTAL IMPACT STATEMENT 152 NY STATE ROUTE 94 SOUTH

Tax Map Number: Section 51, Block 1, Lot 5.231
TOWN OF WARWICK
ORANGE COUNTY, NEW YORK

Project Sponsor:
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Planning Board
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Lead Agency Acceptance Date: _____

Date of Public Hearing: _____

Written comments on the DEIS will be accepted by the Lead Agency
until _____.

Classification of Action: Type 1 Action

October 2013

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HOMARC
Draft Environmental Impact Statement

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1.0 SUMMARY

Homarc Land, LLC, proposed to develop professional office and retail uses on approximately 2.35 acres of a 5.1 acre site on New York State Route 94 (New Milford Road) east of Warwick Turnpike (County Route 21) in the Town of Warwick, Orange County, New York. The property is zoned for this purpose. The proposed development is comprised of an approximately 21,900 square feet (SF) one-story building. The project will utilize municipal water and sewage system, and will have a total of approximately 84 parking spaces. Access is proposed from a new marginal access road that will parallel NYS Route 94 and connect with the adjoining Price Chopper Plaza.

Scope of the Draft Environmental Impact Statement

The Draft Environmental Impact Statement (DEIS) has been prepared in accordance with Section 8-0101 et. seq. of Environmental Conservation Law and the regulations promulgated by the New York State Department of Environmental Conservation there under which appear at 6 NYCRR Part 617 (the State Environmental Quality Review Act or SEQRA). The Town of Warwick Planning Board conducted a coordinated review pursuant to SEQRA, and having received no objection to its declared intent to be Lead Agency, established itself as Lead Agency on April 16, 2008.

The scope of the DEIS was finalized after the Planning Board, acting as Lead Agency and in cooperation with all other involved agencies, held a public scoping meeting on January 21, 2009. Since that date the project was significantly modified. The modified project now consists of a smaller building with municipal water and sewer and a marginal road access. The project is proposed in the Town's Community Business (CB) Zoning District. The Planning Board adopted this Final Scoping Document on July 17, 2013.

Site Description

The site is currently vacant and undeveloped lands containing agricultural, meadow/brushland, freshwater wetlands and wooded uplands. The site topography is gently sloped, rising toward the southern portion of the property and generally draining toward the watercourse to the north and east and toward the wetland on the northeast portion of the site.

The site contains an area of US Army Corps of Engineers wetlands totaling approximately 0.5 acres. A New York State protected stream flows through the Federal wetland on the site that is a tributary of the Wawayanda Creek. No New York State Department of Environmental Conservation (NYSDEC) wetlands are present on site or immediately adjacent, but State wetlands are located in the general vicinity of the site. Well-drained to moderately drained soils cover the majority of the property.

The subject property is located in the Community Business (CB) zoning district. Land use in the vicinity of the site includes vacant, agricultural, commercial, and residential uses. The site has approximately 440 feet of frontage on Route 94. The tax map designation is Section 51, Block 1, Lot 5.231.

1.1 Involved and Interested Agencies

Involved Agencies

Approvals required for this project and agencies having approval and permitting authority for the proposed action (“Involved Agencies”) are listed below. As of the date of submittal, no applications or approvals have been obtained.

Site Plan Approval, Special Use Permit(s)

Town of Warwick Planning Board, Town Hall, 132 Kings Highway, Warwick, NY 10990

Orange County Department of Health, 124 Main Street, Goshen, NY 10924

Approval of Wastewater Treatment Facilities

New York State Department of Environmental Conservation, Region 3, 21 South Putt Corners Road, New Paltz, NY 12561-1696

Stormwater Pollution Prevention Plan

New York State Department of Environmental Conservation, Region 3, 21 South Putt Corners Road, New Paltz, NY 12561-1696

Work Permit for Activities in the State Right of Way

New York State Department of Transportation, Region 8, 4 Burnett Boulevard, Poughkeepsie, NY 12603

Referral of Site Plan per General Municipal Law §239-m

Orange County Department of Planning, Attn: David Church, AICP, 124 Main Street, Goshen, NY 10924

Interested Parties

The following parties are identified in the DEIS Scope as “Interested Parties” in this SEQR review.

Town of Warwick Architectural Review Board

Town of Warwick Conservation Board

Orange County Department of Planning

New York State Department of Environmental Conservation

New York State Office of Parks, Recreation and Historic Preservation

United States Army Corps of Engineers

United States Fish and Wildlife Service

1.2 Anticipated Impacts and Proposed Mitigation Measures

Soils and Topography

Potential impacts to soils and topography will result from site development and grading which will occur in upland areas located mainly in the western portion of the site. Approximately 2.49 acres or 49 percent of the site must be graded to accommodate the proposed development. As shown on the site plan, the project has been designed to avoid areas of wetlands and steep slopes. Slope is minimal within the development area. The proposed project will disturb approximately 1.83 acres of statewide important agricultural soils by converting them to other uses. Surrounding land uses have changed due to development pressure in the NYS Route 94 corridor and given the environmental constraints on site including wetlands, agricultural use on the project site is not sustainable.

In general, grading will occur in the development area to create a level area for the building and parking areas, marginal access road and stormwater management facilities. Total earth movement to develop the proposed project will entail approximately 2,968 cubic yards (cy) of material to be excavated and 3,108 cubic yards (cy) of fill material. The bulk of the earth cuts will occur in the western portion of the site to create a level area for the building and parking. Based upon the proposed engineering design, no earth cut will need to be exported from the site. No blasting is anticipated on this site.

The greatest potential impact associated with this project relative to soils disturbance would be from erosion and sedimentation during construction. Mitigation measures include Sediment and Erosion Control Plan is provided in the set of site plans accompanying this document. All soil erosion and sedimentation control practices will be installed in accordance with the New York Guidelines for Urban Erosion and Sediment Control, best management practices of Orange County Soil Conservation Service, and the Town of Warwick municipal code. Prior to the commencement of any phase of this project that will result in the disturbance of soils, erosion and sediment control measures will be placed in accordance with the specifications on the construction drawings.

Wetlands

The project will not directly impact wetlands. Additionally, the project would not result in any short-term or long-term modifications to the functions of these wetlands. Erosion and sedimentation are potential indirect impacts to adjacent wetland areas.

Although construction of the project will require regrading over most of the western portion of the site, existing drainage patterns will generally remain the same. There will not be any significant diversion of surface runoff. However, as a result of additional impervious area more surface runoff will occur.

The proposed development will also increase pollutant loadings found in stormwater runoff. During construction activities potential short-term impacts from regrading and stockpiling of soil materials can impact surface water quality both on site and downstream. Long-term impacts to surface water quality can result once the development is complete and operational. Increase pollutants typically associated with commercial land use activities, including stormwater runoff from the paved areas and rooftops as well as wastewater treatment can be expected.

Other potential impacts to wetlands include indirect impacts on wetlands such as water table fluctuations. The source of water for the proposed development will be municipal water from the Price Chopper site. Therefore, no impacts to the water table within the wetlands are anticipated.

Erosion and sedimentation from construction and development are potential indirect impacts to adjacent wetland areas. Mitigation measures include Soil Erosion and Sediment Control Plan has been developed and provided in the site plans. The primary aim of this plan is to minimize the potential for soil erosion from areas exposed during construction and prevent sediment from reaching the down gradient wetlands and watercourses. All soil erosion and sediment controls will be installed in accordance with Best Management Practices, Orange County Soil Conservation Service, and the Town of Warwick municipal code.

Terrestrial and Aquatic Ecology

The project proposes to disturb approximately 2.49 acres or 49 percent of the project area. The majority of impacts will be to agricultural/cropland cover type, the largest cover type found on the project site. This agricultural land taken out of production is not expected to have a significant impact upon the local agricultural economy.

Approximately 0.12 acres or about 14 percent of the successional old-field will be disturbed by the proposed development. The existing vegetative cover and habitat on the remaining 54 percent of the site would remain natural. Due to current environmental restrictions, including wetlands and the 100 foot management area, further development of the site is not possible. The Applicant proposes a deed restriction of no further development within the 100 foot management area. The project will not disturb wetlands or upland woods. There will be loss of wildlife habitat at the site.

Construction activities would result in short term disturbances due to noise and potential erosion and sedimentation. Erosion and sedimentation are potential indirect impacts to adjacent wetland areas as well as downstream resources such as the Wawayanda Creek. The proposed development will also increase pollutant loadings found in stormwater runoff. During construction activities, potential short-term impacts from regrading and stockpiling of soil materials can impact surface water quality both on site and downstream. Long-term impacts to surface water quality can result once the development is complete and operational.

Erosion and sedimentation from construction and development are potential indirect impacts to adjacent wetland areas and downstream resources. Mitigation measures include a Soil Erosion and Sediment Control plan has been developed and provided in the site plans. All soil erosion and sediment controls will be installed in accordance with Best Management Practices, Orange County Soil Conservation Service, and the Town of Warwick municipal code.

To mitigate increased surface runoff, stormwater facilities have been engineered to prevent impacts to on site wetlands and downstream areas. A water detention basin, cistern, and dry swale are proposed to reduce post-development peak flow rates to levels below existing rates.

Proposed development will be concentrated within portions of the property that have been previously disturbed or cleared where the ecological integrity is compromised to a significant degree within active agricultural lands.

Water Resources

The development of the proposed project will involve the construction of approximately 1.5 acres of impervious area (building, parking areas, sidewalks, and marginal access road) on the site. As a result, the peak rates of runoff from the development areas will increase and the response time (time of concentration) will decrease. Construction of the project will require regrading of the western portion of the site and existing drainage patterns will generally be maintained. There will not be any significant diversion of runoff from one side of the site to the other.

Without corrective measures, the proposed project will increase pollutant loadings found in stormwater runoff from the proposed development areas. During construction, the regrading and stockpiling of soil materials will create the potential for erosion and as a result, potential sedimentation of downstream areas.

Operation of the project will also potentially create long-term impacts on runoff water quality. An increase can be expected in the levels of pollutants commonly associated with commercial land uses, including particulates, metals and thermal impacts. This increase is typically most evident in the "first flush," the initial runoff from the ground surface during a storm event. To minimize these effects, stormwater quality mitigation is proposed.

Without the provision of the proposed stormwater management system, the project would increase the runoff and decrease the quality of the runoff entering the wetland areas on and adjoining the site, which has the potential to adversely impact the vegetation and wildlife as well as the groundwater resources of the unconsolidated aquifer at the site. However, the project includes a stormwater management plan that conforms to the NYSDEC State Pollution Discharge Elimination System (SPDES) requirements to minimize the potential for adverse stormwater-related impacts. The stormwater management facilities in this project are designed to mitigate potential water quality impacts to the groundwater resources within the unconsolidated aquifer, in conformance with NYSDEC regulations. Nutrient loading to stormwater runoff is likely to decrease with cessation of the current agricultural use of the site. Therefore, no short-term or long-term adverse stormwater related impacts are anticipated on the nearby wetland areas and associated unconsolidated aquifer.

Wastewater will be treated at the plant adjacent to the subject site. This facility, known as the Fairgrounds Wastewater Treatment Facility, has been approved by the NYSDEC. This plant has capacity for up to 10,000 gallons per day. The Fairgrounds project consists of Price Chopper, Mavis, Chase, Auto Zone, and the newly constructed empty retail building which in total are allocated up to 8,000 gallons per day. The Homarc project is allocated up to 2,000 gallons per day. No adverse impact to downstream water resources may be anticipated. Water supply for both potable water and fire suppression will be provided by the supply well on the adjacent property. The supply well meets all parameters for a safe drinking water supply.

Stormwater runoff from the development areas will be directed to stormwater collection systems designed to mitigate the potential adverse effects of increases in runoff and pollutant loading. These will be sized in accordance with Town, NYSDEC standards, and the *New York State Stormwater Management Design Manual*. The stormwater facilities have been designed to prevent hydrologic impacts to the on-site wetlands and downstream properties by reducing post-development peak flow rates to levels below existing rates.

The proposed building, driveway, parking area and marginal access road will be located safely above established flood elevations.

The property owner will be responsible for inspection and maintenance of all on-site stormwater facilities, including the water quality basin, cistern and dry swale after completion of project construction. Specific requirements for each facility will be detailed on the project plans.

The applicant will comply with NYSDEC requirements regarding the preparation of a Stormwater Pollution Prevention Plan and filing of Notice of Intent and Notice of Termination forms as required under the NYSDEC SPDES General Permit for Stormwater Discharges and Construction Activities. Adherence to the Stormwater Pollution Prevention Plan and General Permit conditions will require ongoing maintenance of stormwater controls for the protection of water resources.

During construction, a comprehensive soil erosion and sediment control plan will be implemented to mitigate potential impacts on receiving wetlands and streams.

Zoning and Surrounding Land Use

The proposed project is not expected to result in significant adverse land use or zoning impacts. The increase in commercial uses in the area and associated loss of farmland are part of current land use trends in the Town of Warwick. The change in land use of the subject parcel is not expected to induce changes in land use patterns in the immediate surrounding area or in the Town of Warwick as a whole, although the character of NYS Route 94 in this vicinity will be altered to some degree.

The proposed development of the site with a commercial building would be consistent with the current zoning of the site. The project is expected to be compatible with adjacent and nearby land uses. Building design and siting and proposed landscape buffering are expected to provide adequate separation and screening from NYS Route 94 and surrounding properties.

The proposed action would increase the extent of commercial uses on the NYS Route 94 corridor and the degree of activity on the project site. However, the site's size allows for the development of an attractive commercial building with significant landscaped and natural buffers on all sides that would preserve the existing character of the NYS Route 94 corridor.

The proposed project furthers the *Town Comprehensive Plan's* objective to "provide commercial development next to existing commercial uses." The project traffic would access and egress via the marginal access road. To the extent possible, the proposed site plan responds to issues raised relative to commercial development in the *Town Comprehensive Plan* and the Town's Design Guidelines.

The proposed site plan conforms to the area requirements of the zoning code. The proposed site plan would also conform to the dimensional requirements associated with a marginal access road. No variances from the zoning code requirements are requested or needed for this project as currently proposed. The proposed uses are subject to review and approval of a special use permit by the Town Planning Board.

The *Orange County Comprehensive Plan (2010)*, recommends that commercial development be located within existing villages and also areas designated as “Priority Growth Areas”. The site and immediately surrounding area is designated within a “Priority Growth Area”. These growth areas are described in the Plan as “general areas of preference for future development to maximize efficiency of infrastructure and services and to minimize open space losses.” The development in this area is described as a “mixed use corridor” that links the Village of Warwick with “activity nodes” and “neighborhood centers” such as the commercial area at the intersection of NYS Route 94 and Warwick Turnpike, and the Hamlet of New Milford. The proposed project conforms to the type of development envisioned in the *Orange County Comprehensive Plan* for this area.

The proposed project will result in the loss of a small amount of agricultural soils. While this is not consistent with some County goals to preserve farmland, the *Orange County Comprehensive Plan* recommends that commercial development be located in the NYS Route 94 mixed use corridor.

The proposed project has been designed to meet the requirements of the Town zoning code with regard to uses, area and parking requirements, landscape requirements, and the applicable design guidelines of the Town. The proposed project has also been designed to meet the requirements of the applicable special conditions for the general types of commercial uses proposed on the site. At this time the Applicant anticipates 25-50 percent of the uses will be professional office. The remaining uses will be retail, possible health & beauty stores, food services such as a café or deli but no restaurant, and perhaps fitness.

Preservation of approximately 54 percent of the site in its natural condition, including all of the trees and the proposed landscape treatment for the developed areas of the project will provide significant buffers from NYS Route 94, adjoining properties, and other view points to minimize the change from an undeveloped site to a developed site. Other measures that have been incorporated into the proposed project to make it compatible with surrounding uses include the placement of the building a significant distance away from the roadway and the selection of building architecture that is intended to complement the area. No further mitigation measures are proposed.

Vehicular Traffic and Roadways

Current levels of service will deteriorate slightly within proximity to the project area under future traffic conditions even without project traffic. The potential impacts with project traffic would be for the level of service on NYS Route 94 to diminish as a result of a direct entrance onto this State highway.

The proposed project will result in construction activity taking place. Due to the small size of the site development, construction traffic to and from the site is not expected to be excessive.

To mitigate the increase in traffic onto NYS Route 94, all vehicles will enter and leave the project site from a marginal access road. Currently, the marginal access road will connect to the Price Chopper Plaza.

Community Services/Socioeconomics

Taxes

Tax revenues to the various tax jurisdictions in which the project lies will take the form of both increased property tax and sales tax revenues. The additional permanent jobs that will be added to the local economy will also add to the income tax revenues of both the State and Federal governments.

The property tax revenues are estimated to increase by about 700 percent, based upon current tax rates. The project would provide significant benefits to the Warwick School District by adding tax revenue without creating any burden on school services.

The Homarc project is not expected to result in adverse population such as school aged children or tax burden. Therefore, no mitigation measures are proposed.

Community Services

No significant adverse impacts to police, fire protection and ambulance services are anticipated based upon previous verbal communications with each of these services. At this time we have received written comments from the Warwick Community Ambulance Service and they have no concerns pertaining to the proposed development. Correspondence can be found in Appendix B. No mitigation measures are proposed.

Solid Waste

No indirect adverse impacts would be expected from solid waste generation from the Homarc site, with the cost of disposal being borne by the future tenants. Proper location and screening of dumpster and solid waste storage areas will avoid visual impacts, and pest management would be contracted as needed.

As stated above, proper location and screening of dumpster and solid waste storage areas will avoid visual impacts to surrounding uses. Pest management would be contracted as needed. These proposed measures will avoid significant adverse impacts resulting from project-generated solid waste. No further mitigation measures are proposed.

Air Quality

Ozone levels would not be significantly affected by the Homarc project since it would add relatively little traffic to a relatively small number of streets within the regional scale.

Potential short-term adverse air quality impacts from the proposed project include fugitive dust and particulate matter from the project site, emissions from construction equipment and vehicles, and construction-related noise. Fugitive dust is generated during ground clearing and excavation activities as earth moving equipment modifies the land form to its final elevation. Throughout the construction period, passage of delivery trucks and other vehicles over temporary dirt roads and other exposed soil surfaces also generates fugitive dust.

Products of fuel combustion are also generated by construction equipment; however, these emissions are generally insignificant in comparison to vehicular emissions from adjacent roadways if the equipment is properly maintained.

No ambient air quality impacts are anticipated as a result of the vehicles generated by this project when it is built and occupied, therefore no mitigation is proposed.

The applicant's construction contractor will commit to maintaining construction equipment in proper operating condition. In addition, dust control measures will be provided as needed throughout the construction period.

Impacts from fugitive dust can be maintained below the state or federal ambient air quality standards (AAQS) at off-site properties. Although exhaust emissions from construction equipment is not as significant as fugitive dust generation, particulates from diesel exhaust emission would also be controlled through proper tuning of the engine and maintenance of the air pollution controls. This will minimize additional contribution to site generated particulate emissions during construction.

Noise

Ambient daytime noise levels will increase in the immediate vicinity of the site during project construction. The level of impacts of these noise sources depends on the type and number of pieces of construction equipment being operated, as well as the distance from the construction site.

Off site noise will increase slightly with the addition of traffic to local roads due to project-related traffic as well as normal growth. Normal operations at the project site will increase noise primarily from rooftop HVAC equipment on the building, from customer car traffic on the site, and from truck circulation and loading on the site.

No long term adverse impacts to residential properties will result from the proposed project. Permanent mitigation measures incorporated into the proposed development include building design and siting, and landscape buffering. Mitigation of construction-related impacts included the short construction period and limitation of construction to daytime hours.

Cultural Resources

No prehistoric artifacts or features were encountered. Additionally, no historic artifacts or features were encountered. Therefore, no potential impacts are proposed. A full copy of the report has been forwarded to the New York State Office of Parks Recreation and Historic Preservation (OPRHP) for review. No potential impacts are proposed. Therefore, no mitigation measures are necessary.

Utilities

Potential impacts include an average daily water demand of 2,000 gallons per day (gpd) that is projected for the facility. The municipal water supply system has enough capacity to meet the needs of the project. The municipal water supply system has enough capacity to meet the needs of the project. The project sponsor will pay the fair share of costs associated with connection to, operation, and maintenance of the Town's water supply system. There is a private water supply well on site that will be abandoned.

It is proposed that the Homarc site will become part of the Town of Warwick's sewer district, and that the wastewater from the project will be discharged to the Fairgrounds Wastewater

Treatment Facility located on the Price Chopper Plaza site. This facility has the capacity for up to 10,000 gallons per day with 2,000 gallons allocated to the Homarc project. A pump station and force main system is proposed to provide the connection from the Homarc site to the gravity sewer mains located on the Price Chopper Plaza property. The project sponsor will also pay the fair share of costs associated with connection to, operation, and maintenance of the Town's wastewater collection and treatment system.

Part of the proposed development includes new heating systems, mechanical equipment, lighting, and related facilities which will create demands for electric and gas services. The project sponsor will coordinate the proposed development plans with Orange and Rockland Utilities, Inc.

1.3 Alternatives

The New York State Environmental Quality Review Act (SEQRA) calls for a description and evaluation of reasonable alternatives to the proposed action that are feasible, considering the objectives and capabilities of the project sponsor.

The following alternatives to the proposed action were reviewed as part of this DEIS: No Action; and Original Proposed Development. Table 1-1 compares the impacts for each alternative.

No Action Alternative

The No Action alternative is represented by existing conditions on the project site. Under this alternative, the site would remain agricultural land, meadow/brushland, freshwater wetlands and wooded uplands. Development of the land as allowed by the CB zoning designation of the site would continue to be unimplemented. Potential tax revenues resulting from the development that is allowed by current zoning would not be realized by the Town, County or School District. New sources of sales tax revenue would also not be realized.

Original Proposed Development Alternative

The project sponsor originally proposed to develop professional office, retail, and food service uses on approximately 2.4 acres or 46 percent of the 5.1 acre site. The original proposed development was comprised of an approximately 29,120 square feet (SF) two-story building with parking around the building as well as in the basement level. The project proposed utilizing an on-site water supply and septic system, with a total of 115 parking spaces, and a separate entrance onto NYS Route 94.

The overall visual prominence of the site would be significantly increased due to the height of the proposed two-story building. With a septic system adjacent to NYS Route 94 and ingress and egress directly onto NYS Route 94 a landscape buffer along NYS Route 94 would be sparse.

Construction traffic would be greater under this alternative. Trips generated by this alternative would increase over the current proposed development due to the additional 7,200 square feet of commercial space. Ingress and egress would be directly onto NYS Route 94 creating delays in startup, deceleration and acceleration impacting the level of service along this State road. The entrance of the site would most likely be signalized, further impacting traffic along this corridor.

Due to an increase in building size, there would be an increase in demand for services such as electric, water, sewerage, and solid waste disposal.

Table 1-1 Alternative Impact Comparison			
	Proposed Plan	Alternative Development Plan	No Action (Existing Conditions)
Developed Areas			
Development Areas (% of site)	46	46	0
Parking Pavement (acres)	0.68	0.79	0
Marginal Access Pavement (acres)	0.27	0	0
Building Footprint (acres)	0.50	0.33	0
Sidewalk (acres)	0.07	0.04	0
Lawn and Landscaping (acres)	0.83	1.20	0
Natural Areas (Remaining)			
Natural Area (% of site)	54	54	100
Wetlands and Watercourses (acres)	0.52	0.52	0.52
Woods, upland (acres)	0.13	0.13	0.13
Meadow (acres)	2.10	2.09	0.85
Agriculture	0.00	0.00	3.60
Community Resources			
Peak Traffic (Saturday trips/hour)	76	101	0
Water Demand/Sewer Flow (gpd)	2,000	4,000	0
Revenue to Town	8,500	11,000	1,215
Revenue to School District	64,000	86,000	9,510
Source: ERS Engineering Consultants, P.C.			

2.0 DESCRIPTION OF THE PROPOSED ACTION

2.1 Introduction

Homarc Land, LLC, proposes to develop professional office and retail uses on approximately 2.4 acres of a 5.1 acre site on New York State Route 94 (New Milford Road) east of Warwick Turnpike (County Route 21) in the Town of Warwick, Orange County, New York. The property is zoned for this purpose. The proposed development is comprised of an approximately 21,900 square feet (SF) one-story building. The project will be serviced by municipal water and sewage system, and will have a total of approximately 84 parking spaces. Access is proposed from a new marginal access road that will parallel NYS Route 94 and connect with the adjoining Price Chopper Plaza.

Scope of the Draft Environmental Impact Statement (DEIS)

The Draft Environmental Impact Statement (DEIS) has been prepared in accordance with Section 8-0101 et. seq. of Environmental Conservation Law and the regulations promulgated by the New York State Department of Environmental Conservation there under which appear at 6 NYCRR Part 617 (the State Environmental Quality Review Act or SEQRA). The Town of Warwick Planning Board conducted a coordinated review pursuant to SEQRA, and having received no objection to its declared intent to be Lead Agency, established itself as Lead Agency on April 16, 2008.

The scope of the DEIS was finalized after the Planning Board, acting as Lead Agency and in cooperation with all other involved agencies, held a public scoping meeting on January 21, 2009. The Scope was revised based on comments made at the scoping meeting and input from various agencies. This Final Scoping Document represents a modification of the Final Scoping Document adopted by the Town of Warwick Planning Board, as Lead Agency, on March 4, 2009 due to project modifications. The modified project now consists of a smaller building of \pm 21,900 square feet whereas the previous building was proposed at \pm 29,120 square feet for office, retail and food services. The project is proposed in the Town's Community Business (CB) Zoning District. This represents a change from the Town's former Design Shopping (DS) Zoning District in existence in 2009. The now proposed one-story building (previously a two-story building was proposed) calls for 84 surface parking spaces. Previously, some of the 115 parking spaces were proposed in the basement of the building. The applicant has proposed that the building be served by municipal water and sewage disposal. Previously, an on site well and septic system had been proposed. Access is proposed from a new marginal access road that will parallel NYS Route 94 and connect with the adjoining Price Chopper Plaza. Previous access was directly onto NYS Route 94. The Planning Board adapted this Final Scoping Document on July 17, 2013. A copy of the adopted scope is provided in DEIS Appendix A.

2.2 Project Purpose, Needs, and Benefits

The Applicant purposes a commercial building that will attract economic development and reduce the increasing tax burden on local residents without destroying the rural character of the town. The purpose of the proposed project is to provide needed facilities to the community by utilizing the existing zoning for the site in furtherance of the comprehensive plan of the Town of Warwick. Moreover, the site, situated along a State highway in an area which is becoming an important retail corridor for the Town, is well suited for the professional office and retail uses. The Town of Warwick has a diverse base of economic development including a mix of small to medium sized companies in a number of sectors. These include agricultural

and retail stores serving both local and visitor needs, office support businesses, located in close proximity to the existing village.

The applicant seeks through this project to earn a reasonable return from this site in a manner compatible with the community and its comprehensive long-range land-use plans. The applicant believes that the size and program of the proposed project are consistent with those of successful contemporary retail centers operating in other communities similar to Warwick, and will address a need for such retail use in this area of the Town.

The benefit of the project is the utilization of the project site for retailing purposes. Such use would generate additional property and sales tax revenue to the Town of Warwick, the taxing districts in which the site is situated, and Orange County. The greatest tax benefit would accrue to the Warwick Valley Central School District. Following completion of the proposed development and occupancy of its retail space, project-generated taxes are expected to total \$80,000-90,000, or an increase of \$67,500-77,500 above existing site-generated revenues. The project will generate \$60,000-68,000 in new property tax revenue for the Warwick School District without creating any burden on school services.

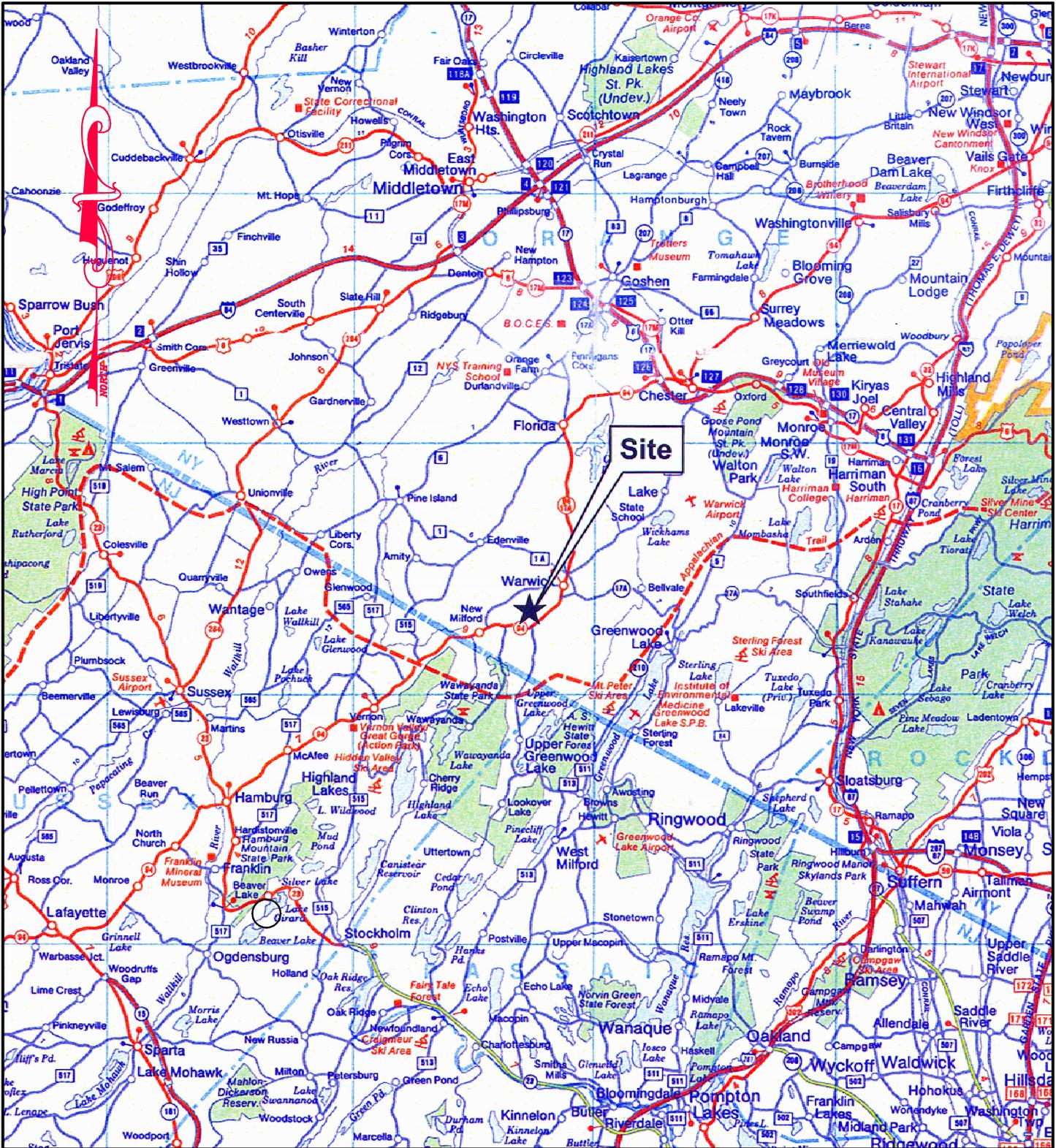
The project will benefit the local community by providing jobs, opportunities to establish local businesses, as well as places to shop. Construction employment and long-term retail employment opportunities would be generated. A substantial portion of these positions are expected to be filled by residents of Warwick. Many residents commute long distances to work and are interested in establishing local businesses as an alternative to long daily commutes.

2.3 Project Location, Description and Environmental Setting

2.3.1 Geographic Boundaries in the Region and Town

Warwick is located in the south-central portion of Orange County, New York. The project site is located on the north side of NYS Route 94 approximately one mile southwest of the Village of Warwick and approximately 2.5 miles northeast of the NY/NJ State line. NYS Route 94 is the primary east-west transportation corridor extending between the Village of Warwick and the New Milford area, and the communities in and around Vernon in Sussex County, New Jersey, to the west. Figures 2-1 and 2-2 show the regional and local setting of the subject site.

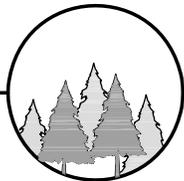
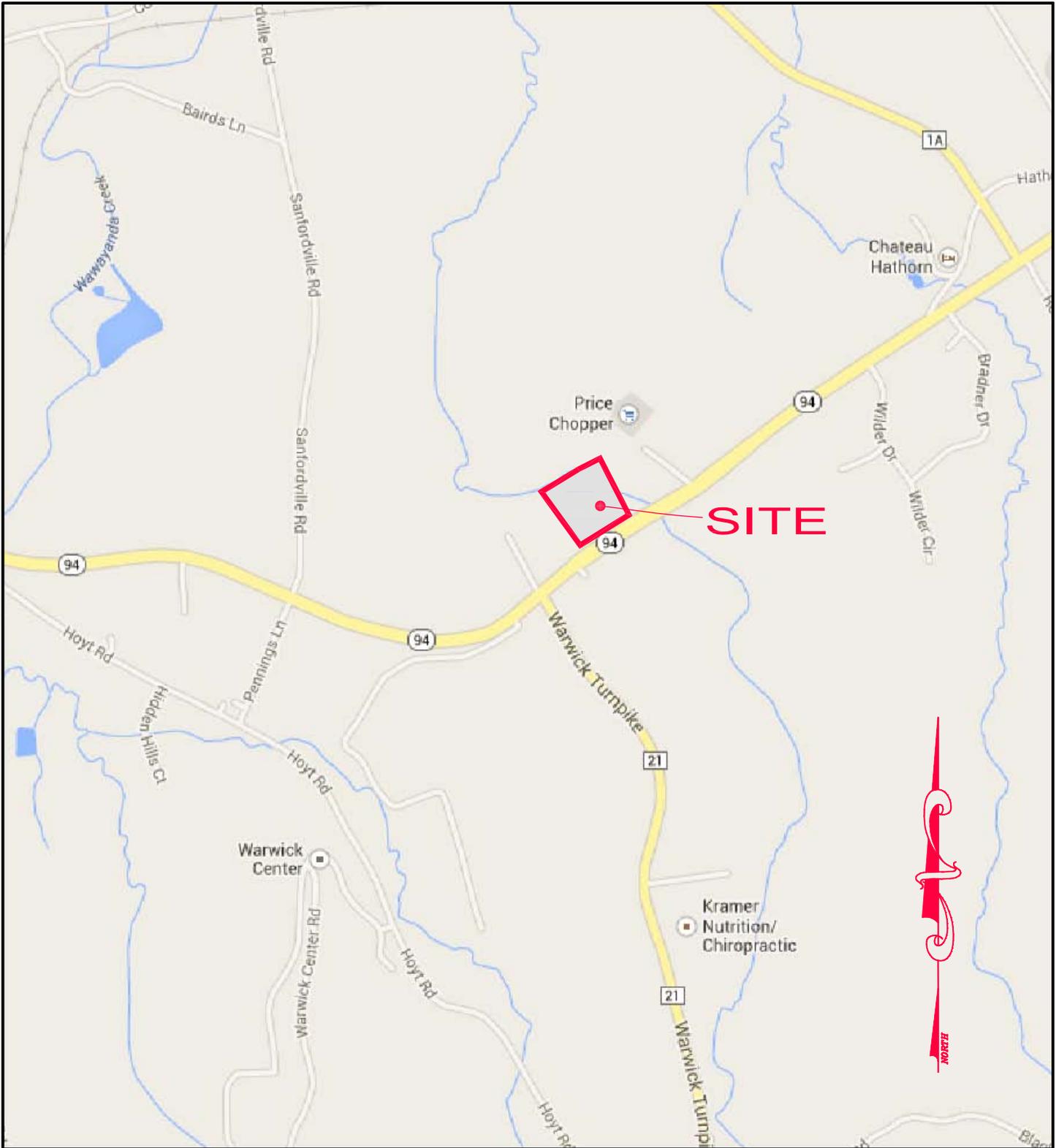
Other commercial projects in the vicinity of the project site include an auto dealership (Kaytes Ford) that is located opposite of the project site. The Frontier Lanes bowling center with a small antique shop is located adjacent to and west of the project site on NYS Route 94. The recently constructed Price Chopper, Auto Zone, Chase Bank and Mavis Tire Shop are located adjacent to and northeast of the project site. The Meadowcrest Building is located east of the project along NYS Route 94. This center currently contains 11 stores including nail spa, interior design, boutique, bakery, art studio, tanning salon, finance services, hair salon, dance studio, professional office, and fitness studio. An existing shopping center with ShopRite as its anchor store is located a short distance south of the project site along the southeast side of NYS Route 94 at its intersection with Warwick Turnpike (County Route 21). This center includes a drug store, liquor store, hair salon, physical rehabilitation facility, restaurant, convenience food store, and recreational use. South of County Route 21 Pennings Orchards and Farm Market is located a short distance to the southwest on the opposite side of NYS Route 94. The General's Gardens & Greenhouses is a nursery use along NYS Route 94. Further south is an auto dealership (Chrysler Jeep Dodge). Figure 2-3 depicts an aerial view of the site area.



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REGIONAL SETTING
 PREPARED FOR
HOMARC LAND, LLC

SECTION 51 BLOCK 1 LOT 5.231
 TOWN OF WARWICK, COUNTY OF ORANGE, NEW YORK
 SCALE: 1"= 5 MILES
 FIGURE 2-1



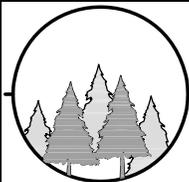
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LOCAL SETTING
 PREPARED FOR
HOMARC LAND, LLC

SECTION 51 BLOCK 1 LOT 5.231
 TOWN OF WARWICK, COUNTY OF ORANGE, NEW YORK
 SCALE: 1"= 1,000' FIGURE 2-2



SOURCE: NEW YORK STATE GIS
CLEARING HOUSE



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AERIAL VIEW EXISTING CONDITIONS

PREPARED FOR

HOMARC LAND, LLC

SECTION 51 BLOCK 1 LOT 5.231

TOWN OF WARWICK, COUNTY OF ORANGE, NEW YORK

SCALE: 1"=300'

FIGURE 2-3