

FINAL SCOPING DOCUMENT

**State Environmental Quality Review Act (SEQR)
Warwick Views Subdivision
Town of Warwick, Orange County, New York**

Lead Agency: Town of Warwick Planning Board

ADOPTED: December 6, 2006

INTRODUCTION

A Draft Environmental Impact Statement (DEIS) will be prepared in accordance with the requirements of 6 NYCRR Part 617.9, to assess the potentially significant adverse impacts of a proposed 53 lot subdivision of a ± 250-acre site. The proposed development site is located on Bloom Corners Road in the Town of Warwick, Orange County, New York. This Final Scoping Document will serve as a guide to the contents of the DEIS rather than a strict table of contents. The DEIS must address all of the issues raised in this document but the DEIS may contain studies in addition to those detailed herein.

The proposed Warwick Views Subdivision was classified as a Type I Action and was subject to a Positive Declaration, issued by the Town of Warwick Planning Board on October 2, 2006. At that time, the Planning Board directed the applicant to prepare a DEIS. Potentially significant adverse impacts of the project identified by the Planning Board include, but are not limited to, the following:

1. Construction activities on slopes of 15 percent or greater and in areas where bedrock is at or near the surface.
2. Potential soil erosion and subsequent sedimentation of protected surface waters.
3. Construction activities adjacent to State protected wetlands, Federal Jurisdictional wetlands and an on-site stream and long-term discharge of stormwater runoff from developed areas to surface waters.
4. Use of approximately 27,560 gallons of water per day from 53 individual groundwater wells, about the same amount of sanitary sewage discharged into 53 individual septic disposal systems. Many of the septic systems are proposed in soils deemed marginally suitable for septic systems by § 137, Appendix A of the Town Code.
5. The cumulative effects of a total of 77 wells and septic systems in combination with an adjoining proposed subdivision.
6. Some of the site is located over an aquifer with the potential of yielding 10 to 100 gallons per minute of groundwater and is within the Town of Warwick's Aquifer Protection Overlay Zoning District. However, most of the proposed wells are located

outside of the Aquifer Protection Overlay District in an area where groundwater supply problems are known to exist.

7. Irreversible conversion of prime agricultural soils and soils of statewide significance on active farmland within a New York State Agricultural District.
8. The potential to impact traffic on local and county roads as well as pedestrian movements in the area.
9. The project is located on a Scenic Road, designated by the Town of Warwick for its rural and agricultural character and the proposed project has the potential to affect such scenic views, which are known to be important to the community.
10. The project is located within an area designated as sensitive for archaeological sites by the State of New York.
11. Approximately 1.3 miles of new Town roads are proposed, potentially affecting Town services as well as surface water quality.
12. The project has the potential to affect community service providers including fire, police, and schools from additional Town residents and school children.

PROJECT SCOPING

Public Scoping was conducted through circulation of a Draft Scoping Document, prepared by the applicant, to all involved and interested agencies and members of the public by posting of the document on the Town's Web Site and availability of the Draft Scoping Document at the Town Hall for viewing or copying. A public scoping session was conducted after publication of a notice of a DEIS Scoping Session appeared in the official Town newspaper. The scoping session took place at a Planning Board meeting on October 4, 2006 and the period for public comment on the Draft Scoping Document ended on October 16, 2006.

DESCRIPTION OF THE PROPOSED ACTION

The applicant, Warwick Views, LLC c/o Horizon Acres, is proposing a 53-lot residential cluster subdivision of a \pm 250-acre parcel, commonly known as the Sanford Farm. The applicant has proposed that all 53 lots, for 53 new single-family dwellings, be served by individual wells and individual septic disposal systems. Four of the proposed 53 lots would be designated for affordable housing under the Town of Warwick's affordable housing program. Approximately 7,050 feet of new roads are proposed along with a roadway interconnection to an adjoining parcel that was recently subject to Preliminary Subdivision Plat review and approval by the Town of Warwick Planning Board (Luft Subdivision for 24 lots). This proposed subdivision is currently undergoing Realty Subdivision review by the Orange County Department of Health. The site consists of approximately \pm 68 acres of farmland (27% of the site), \pm 105 acres of forested land (42% of the site), and \pm 74 acres of State Protected Freshwater wetlands (30% of the site).

Additional areas of Federal Jurisdictional Wetlands may also be located on the parcel. The applicant has proposed that 62.5 percent of the site be conserved as open space under a proposed cluster subdivision plan. A Special Use Permit will be required to comply with the Town of Warwick's Affordable Housing Program.

The project site is located generally west of Bloom Corners Road approximately 2,000 feet north of the intersection with Newport Bridge Road and approximately 2,000 feet south of the intersection with Pine Island Turnpike in the Town of Warwick, Orange County, New York. The site is identified on the Orange County tax maps as parcels 27-1-41.131, 27-1-47 and 27-1-48.1.

The project site is within the Rural (RU) Zoning District, as designated on the Town of Warwick Zoning Map. The project site also lies within the Town's Agricultural Protection Overlay (AP-O) District and a portion of the site lies within the Town's Aquifer Protection Overlay (AQ-O) District.

REQUIRED APPROVALS

At this time it is anticipated that the following approvals and permits will be required:

Type of Approval	Agency
Subdivision Approval (Cluster Development)	Town of Warwick Planning Board
Special Use Permit	Town of Warwick Planning Board
Water supply wells	Orange County Department of Health
Sewage disposal system	Orange County Department of Health
Road Access Approval	Town of Warwick Department of Public Works
Wetlands Disturbance	NYS Department of Environmental Conservation
	U.S. Army Corps of Engineers
Stormwater SPDES Permit	NYSDEC

If central water and/or services are to be provided, additional approvals will be necessary from the County, State and Federal government.

GENERAL SCOPING CONSIDERATIONS

Unless otherwise directed by this Scoping Document, the specifications for environmental impact statements found in 6 NYCRR 617.9(b) apply to the content of the DEIS and are incorporated herein by reference. The DEIS will assemble relevant and material facts, evaluate reasonable alternatives, and will be written in plain language that can be easily read and understood by the public. Highly technical material will be summarized and, if it must be included in its entirety, referenced in the DEIS and included as an Appendix.

The DEIS will be written in the third person without use of the terms I, we, and our. Narrative discussions will be accompanied to the greatest extent possible by illustrative tables and graphics. All graphics will clearly identify the project site, and footnotes are the preferred form of citing references. All assertions will be supported by evidence. Opinions of the applicant that are unsupported by evidence will be identified as such.

Full scale Subdivision Plans (including the 4 step process and other cluster subdivision maps) are to be included with the DEIS as an appendix and reduced copies of such Plans will be included in the text of the DEIS.

DEIS SCOPE AND CONTENT

- i. The DEIS Cover Sheet will list names, addresses and phone numbers of individuals or organizations that prepared any portion of the DEIS, title of project, location of the project (identify surrounding roads, town, county, state), DEIS identification, location, name and address of the Lead Agency as well as the name and telephone number of the person at the lead agency who can provide further information, and relevant dates (i.e. date of DEIS submittal, provision for future insertion of date of acceptance of DEIS by the Lead Agency, date, time, and place of the public hearing, and final date for acceptance of written comments).
- ii. Provide a DEIS Table of Contents including listings of tables, figures, maps, charts, appendices, and any items that may be submitted under separate cover (identified as such).
- iii. Environmental impact issues for which the applicant submitted plans and data, all SEQR documents (including Full Environmental Assessment Form, Positive Declaration/Circulation Notice, Final Scoping Document, technical letters from

- involved and interested agencies) proposed mitigation measures, and correspondence prior to the Planning Board's Positive Declaration, will be resubmitted in the DEIS as an Appendix. Summaries of the materials or reference to them will be included in the DEIS to provide a complete record of all environmental review issues and their consideration.
- iv. A list of all Consultants involved with the DEIS preparation with names, addresses, telephone numbers and project responsibilities.

I. EXECUTIVE SUMMARY

All of the information presented in the Executive Summary will be provided in greater detail and substance in the Existing Setting, Potential Environmental Impacts, and Proposed Mitigation Measures Sections as appropriate. Section I will be a precise summary which adequately and accurately summarizes the DEIS but it should not constitute an exhaustive narrative discussion that will be provided elsewhere.

A. Description of the Proposed Action

A description of the action will be provided including:

- Site location (roads, Town, County, Tax ID numbers)
- Total site acreage
- Easements or fee ownership of utility installations, rights of way or other private agreements affecting the site
- Existing zoning districts
- Existing access
- Existing site character and vegetative conditions
- A list of abutting properties
- Any known plans for development on abutting parcels owned or under contract by the Applicant
- A brief description of the proposed action, including all project components
- The social and economic benefits to the Town

B. List of Involved Agencies

A list of all involved agencies will be provided, along with the required approvals and permits they are responsible for granting.

C. List of Interested Agencies

A complete list of all interested agencies will be provided.

D. Summary of Potential Impacts and Mitigation Measures

A summary of the proposed project's potential impacts and proposed mitigation measures will be provided.

E. Summary of Project Alternatives Considered

A summary of each alternative to the proposed action will be provided, preferably in a matrix table providing a comparison of the alternatives relative to each impact issue addressed in the document.

II. DESCRIPTION OF THE PROPOSED ACTION

Section II of the DEIS will provide a description of the project site and its location, a description of the proposed project, the public need and targeted demographic, as well as the social and economic benefits of the project to the Town, the objectives of the project sponsor, and a description of required approvals, reviews, and permits.

A. Site Location and Description

1. A written and graphic description of the location of the project site in the context of the Town of Warwick, with emphasis on the Hamlet of Edenville, will be provided. This will include zoning designations and land uses on the site and within a ½ -mile radius of the site.
2. An identification of the exact dimensions of the property through a survey prepared by a licensed land surveyor, including any easements, rights-of-way, restrictions or other legal devices affecting the subject property's development potential. The survey will also delineate overlay district boundaries and will include a calculation of the amount of restricted areas on the site such as the acreage of easements, freshwater wetlands and regulatory adjacent areas or buffers, streams, floodplains, slopes equal to or greater than 15 percent, and hydric soils. Other resources of significance, as outlined in § 164-41.1.E(2) of the Town Zoning Law, will be included, such as prime farmland and statewide significant soils. The Site Context Map and Existing Resources and Site Analysis Plan, as required by § 164-41.1.E(1)(f) of the Zoning Law will also be provided.
3. Description of the infrastructure serving the project site and/or its immediate environs including site access and the road network within a one-half (½) mile radius of the site.

4. Subdivision Plans

A description of the proposed Subdivision Plan's conformity to the Town Zoning Law and Subdivision Regulations will be presented in narrative and graphic forms. This will include a written and detailed description of the proposed action, including the proposed use, all proposed project components and site amenities, and all information required by the Town of Warwick Zoning Law and Subdivision Regulations, including, but not limited to:

- Four Step Design Process
- Yield Plan
- Acres of open space to be protected, use of open space, and description of the method of open space preservation. Include the acreage of the proposed open space that is already restricted due to freshwater wetlands, streams, unsuitable soils for septic systems or development (from § 137, Appendix A of the Town Code) or are subject to other natural resource constraints.
- Number and type of dwelling units.
- Landscaping and site amenities to be provided.
- Acres of proposed impervious surfaces.
- On-site grading activities for road and house lot construction activities.
- Vehicular circulation system.
- Entrances onto local roads.
- Pedestrian circulation and amenities such as sidewalks, potential pedestrian and/or bicycle connections to adjoining lands (especially Luft Farm), and bicycle lanes or bicycle-compatible roadways within the subdivision.

This section will include a point-by-point description of how the proposed subdivision plan complies with or is inconsistent with the Agricultural Protection Overlay District (AP-O) guidelines for design of house lots found in § 164-41.1.H of the Zoning Law.

The yield plan required for establishing a lot count in the proposed cluster subdivision will address the following:

- Width of easement for gas transmission line
- DEC identification number for stream
- Justification for placement of septic systems in soils not suitable for septic systems
- Percolation and deep test pit information for each lot using the Environmental Control Formula found in § 164-41.3
- Profiles for proposed roads and a discussion of whether they are designed as private or public roads.

5. Utilities

This section will include a summary of the Applicant's preferred plans for water supply and sewage disposal. The summary will include a statement regarding a community septic system or a sewage treatment plan.

6. Objectives of Project Sponsor

The objectives of the project sponsor will be clearly stated.

B. Project Purpose, Need and Benefits

1. Public Need and Benefits

The public need for the proposed action, including its social and economic benefits to the community, will be provided. This section will also provide a statement of consistency with adopted policies and/or plans set forth within the *Town Comprehensive Plan* and the recently adopted and approved *Community Preservation Project Plan*. The size, scale, and potential market for the proposed dwellings will be identified and discussed. The proposed four affordable housing units will also be discussed.

C. Construction and Operation

1. Construction Schedule

This section will include a discussion of:

- Expected year of project completion
- Construction periods and phasing including a flowchart for the maximum anticipated duration, the start and completion of key milestone tasks such as site clearing, grading and fill placement, infrastructure, foundations, and site amenities
- Safety plans if any construction activities will be on-going after any part of the subdivision is in use
- Environmental protective measures such as stormwater pollution prevention, topsoil stockpiling, noise reduction, and soil erosion and sediment control
- Hours and days of the week when construction operations will occur
- Construction access and staging, including routing of heavy machinery and trucks on Town roads
- Areas for material handling and storage

2. Operations

This section will include descriptions of:

- The proposed management of the open space areas
- Any planned activities related to continuation of farming
- For community septic system(s) or a sewage treatment plant, the method of operation and management including district formation or Transportation Corporation.

III. EXISTING SETTING, POTENTIAL ENVIRONMENTAL IMPACTS AND PROPOSED MITIGATION MEASURES

This section of the DEIS will identify the existing environmental conditions, potential impacts of the action, and proposed mitigation measures as appropriate for each of the major issues identified in this Scoping Document. The format or organization of this section will include the following subsection headings for each topic:

- Existing Environmental Setting
- Potential Environmental Impacts
- Proposed Mitigation Measures

Sections III.A ~ III.M of the DEIS will evaluate the potential significant adverse impacts to both natural and human resources resulting from the proposed Warwick Views Subdivision, including cumulative impacts and secondary effects, if applicable. Potential impacts resulting from the proposed action will be graphically presented on maps and discussed in the DEIS text. This evaluation will be objective and will constitute disclosure of both quantitative and qualitative information. Adverse impacts that cannot be mitigated will be specifically identified, the magnitude of those impacts will be evaluated and such impacts will be specifically identified in Section IV, Unavoidable Adverse Impacts.

A. Soils and Geology

Surface and subsurface soil and rock conditions on the site will be evaluated. Associated impacts relevant to these features, due both to site grading and long-term residential use of the site will be addressed. Specify whether blasting is anticipated; if so, quantify to the extent practicable. Constraints imposed by soils, geology, and topographic conditions will be fully evaluated, including construction limitations, permeability, and seasonal high water table.

EXISTING SETTING

This section will include:

- Identification of the existing on-site soils according to the United States Department of Agriculture's Orange County Soil Survey.
- Table of on-site soils identifying construction limitations, permeability, depth to bedrock, and seasonal high water table for each soil, using both the Soil Survey information as well as information found in § 137, Appendix A of the Town Code.
- Identification of existing rock outcrops.
- Identification of existing on-site slopes ranging from 0 -15%, 15 - 25% and greater than 25%.
- Identification of karst conditions including mapping of such areas on-site

POTENTIAL IMPACTS

This section will include the following items:

- The proposed grading plan will be provided at a scale of 1" = 100'.
- Identification of rock and soil removal (if any), including the need for blasting. In the event that blasting may be necessary, areas of possible blasting and material quantities will be explored.
- Slopes analysis identifying the amount of disturbance within each slope category.
- Description of soils that will be disturbed by the proposed project; include the potential for disturbance to hydric soils, prime agricultural soils and soils of statewide significance.
- A discussion of potential soil erosion based on soil type.
- Identify how subsurface conditions affect septic use and if there are any foreseeable impacts on proposed or existing wells and public water supply.
- Evaluate possible karst conditions associated with the bedrock and what impacts that karst would have on the proposed development, if the development might increase the possibility of the development of karst features and/or exacerbate the condition. Potential groundwater contamination from septic systems or stormwater infiltration associated with any karst features will be identified.

PROPOSED MITIGATION MEASURES

- Discussion of a blasting plan, if needed, including blasting methods and minimization, a blast monitoring and safety plan, and measures to be implemented to protect existing structures or nearby residential groundwater wells, if any are located near blasting locations.
- An estimate of proposed cut and fill earthwork volumes. If earthwork volumes cannot be balanced on the site, the anticipated volume of earth/rock to be imported to, or exported from the site shall be defined, the number of truck trips associated with such import/export shall be estimated, and the anticipated routing of such truck trips shall be identified.
- Discussion of the Erosion and Sediment Control Plan, designed to be in conformance with DEC's *SPDES General Permit for Stormwater Discharges from Construction Activities*

that are Classified as Associated with Construction Activity, to be implemented during the development of the site.

- Discussion of Best Management Practices.

B. Water Resources

This Section will evaluate the pre- and post-development conditions of surface water, floodplains, wetlands, and groundwater resources located within or in close proximity to the proposed project site, as designated by mapping provided by the Federal Emergency Management Agency (FEMA), US Geological Survey (USGA), National Wetlands Inventory (NWI), New York State DEC, and through on-site field delineations. The following reference resources are to be consulted where appropriate:

- *Reducing the Impacts of Stormwater Runoff from New Development*, NYSDEC, April 1993.
- *New York Guidelines for Urban Erosion and Sediment Control* (1997).
- Compliance with water quality mandates and guidelines promulgated by NYSDEC pursuant to Environmental Protection Agency (EPA) Phase II Stormwater Regulations (1999), including the *New York State Stormwater Management Design Manual* (August 2003).

EXISTING SETTING

The following will be described in this section:

- Pre-development drainage patterns and conditions.
- The relationship of surface water patterns to hydrologic characteristics, including subsurface aquifers.
- Identification and classification of on-site or adjacent streams and wetlands, including State verification of all DEC field delineations and Town or Federal verification of all Federal Jurisdictional Wetlands.
- Existing stormwater patterns for 2-, 10-, 25-, 50-, and 100-year storms.
- Identification of any mapped FEMA-delineated floodplains.
- Presence, extent, and present use of groundwater resources. Determine the characteristics of the aquifer, including but not limited to its thickness, material composition, and whether it is confined or unconfined. Verify and determine the extent of the aquifer on the site.
- Existing groundwater quality and availability for on-site use.

POTENTIAL IMPACTS

This section will include a discussion of the following items:

- Post-development drainage patterns and conditions.
- Stormwater quality, runoff, and peak discharge rates for the 2-, 10-, 25-, 50-, and 100-year storms. The ability of on- and/or off-site receiving waters to assimilate additional

runoff will be evaluated. The volume of sediment, nutrients and other pollutants that could adversely affect these surface waters, including both construction-related pollutants as well as pollutants that can be expected to be generated by roads, driveways, rooftops, lawns, and landscaping will be estimated and associated impacts evaluated. Calculate pollutant loading for both pre- and post- development for the following pollutants (see pages 2-3 of the DEC *Stormwater Management Design Manual*) and present for review : BOD, COD, TSS, TDS, total phosphorus, total nitrogen (including Nitrates/nitrites), lead, copper, zinc and cadmium. The Simple Method (Scheuler, T. 1987. *Controlling Urban Runoff: A Practical Manual for Planning and Designing Urban BMPs*. Metropolitan Washington Council of governments, Washington, D.C.) or a comparable professionally accepted method, may be used for this purpose, but the same method must be used for all calculations. Results should be presented in tabular form so that pre-development pollutant load can be compared to post-development load. Oil and grease and chlorides (i.e. road salt) are other common constituents of stormwater runoff that will also be considered during impact assessment.

- Potential impacts (if any) to floodplains due to re-grading.
- Potential sedimentation of water bodies.
- Potential impacts to stream and wetland areas including adjacent wetlands in the Long Meadow Wetland Complex.
- Potential short-term impacts to be assessed regarding construction of the project, as well as potential long-term impacts relative to the habitation of the site.
- Potential impacts to on-site and off-site groundwater resources including carrying out an Aquifer Impact Assessment per Town of Warwick Aquifer Protection Overlay District guidelines. Demonstrate a qualitative and quantitative understanding of the hydrologic relationships of groundwater in soils, overburden, and bedrock with the wetlands, on-site recharge areas and off-site recharge areas. Work closely with the Town Engineer to ensure adherence to the Assessment.
- Address alternative means of water supply including creation of a public water supply.

PROPOSED MITIGATION MEASURES

- Discussion of stormwater quality and management and implementation of Best Management Practices (BMPs). Inclusion of a Stormwater Pollution Prevention Plan (SWPPP) that addresses the requirements of the Town of Warwick, Orange County, NYSDEC and other appropriate regulatory authorities.
- Discussion of compliance with applicable wetlands and stormwater regulations.
- Discussion of Erosion and Sediment Control Plan as it pertains to water quality.

C. **Vegetation and Wildlife**

This Section will identify and evaluate the vegetative characteristics of the site and will provide an inventory of the representative flora and fauna for on-site ecological communities by a qualified biologist. The existence of Endangered, Threatened, Special Concern, and Rare (ETR) plants and wildlife on or in the vicinity of the project site will be

identified and evaluated using the DEC Natural Heritage Program files, direct contact with Natural Heritage Program staff, review of U.S. Fish and Wildlife Service database, and a field survey conducted during the appropriate times of year.

Potential project impacts will be discussed in connection with site-specific development plans. Mitigation measures will be developed to avoid or minimize project impacts as necessary.

EXISTING SETTING

- Identification and description of on-site vegetative communities as described in *Ecological Communities of New York State* (Reschke, 1990) will be provided.
- Review of DEC Natural Heritage Program files, discussion with Natural Heritage Program staff, and review of the U.S. Fish and Wildlife Services database for ETR species that may exist on the site will be undertaken, along with a field survey conducted during appropriate times of year. Particular attention should be placed on the wetland and the on-site headwater stream.
- Biodiversity assessment of the site and its interrelationship to the identified “Bloom Corners Swamp and Uplands.”¹ Use the methodology outlined in the *Southern Wallkill Biodiversity Plan* for conducting the assessment.

POTENTIAL IMPACTS

An evaluation of potential impacts to vegetation and wildlife resulting from the proposed development will be provided with regard to potential disturbance, loss or removal, and reduction of function of existing plants and vegetative communities as well as habitats for wildlife species. Particular attention will be given to the effects of the proposed plans on biodiversity, the direct loss of habitat areas, the amount of existing vegetative cover likely to be modified and the nature of that modification (e.g. pavement, landscaping, etc.), including wetland disturbance and/or reduction and fragmentation of habitat supporting on-site wildlife will be identified for each vegetative community. Potential impacts associated with a reduction of existing vegetative cover and existing habitats and impacts on trees will be discussed. Impacts on biodiversity resulting from development of a large land holding including the cumulative development of other nearby parcels that are under review by the Town of Warwick, and the resulting effects on wildlife populations and plant species, will be discussed. Impacts of the proposed project on deer population will be determined by a qualified biologist, including the consequences of this potential impact on vegetation (both existing and proposed landscaping) as well as other wildlife.

¹ The *Southern Wallkill Biodiversity Plan* identifies this area as an “important wetland-upland complex...home to some very important declining, range-edge and state-listed amphibian and reptile species. Maintaining connectivity is important for these species, so special attention should be paid to the tenuous connections.”

PROPOSED MITIGATION MEASURES

A discussion of applicable mitigation measures identified as necessary, recommended in the *Southern Wallkill Biodiversity Plan*, or required by DEC and/or U.S. Fish and Wildlife Services will be provided. Such mitigation may include but is not limited to permanent open space designation of all identified biodiversity areas, increasing the amount of protected open space beyond the proposed 62.5 percent, establishment of generous vegetative buffers around streams and wetlands, the adoption of landscaping schemes which focus both on the use of native vegetation and the enhancement of species diversity on the site, habitat improvements, and the avoidance and/or salvaging of any trees of significance.

D. Cultural Resources

EXISTING SETTING

A Phase I Historic and Archaeological Resource Survey will be completed to evaluate the potential for historic or archaeological resources located on the site. This survey will be conducted in conformance with the procedures specified by the New York State Office of Parks, Recreation, and Historic Preservation (OPRHP). The results of the survey will be summarized in the DEIS and copies of correspondence from the OPRHP will be included in an appendix. A description will be provided of prominent and/or unique cultural features including stonewalls and other indications of historic agricultural activity on the site.

POTENTIAL IMPACTS

An evaluation of potential impacts to historic and archaeological resources from the proposed development will be provided. The presence of culturally sensitive areas on the site (if any) as identified in the Phase I Historic and Archaeological Resource Survey will be identified and discussed.

PROPOSED MITIGATION MEASURES

A discussion of possible mitigation measures will be provided as necessary or as required by the OPRHP. Provide Phase II Survey results if applicable.

E. Visual

This Section will provide a visual impact assessment through the use of narrative text, photographs, and landscape architectural drawings such as plans, sections, elevations, or other graphic representations of existing and proposed conditions. This Section will also describe the visual character of the neighborhood and the visual relationship between the project site and the hamlet of Edenville and the surrounding residential area, particularly

with respect to adjacent properties and remote locations where the proposed development might be visible, such as scenic areas and scenic roads identified in the Warwick *Comprehensive Plan*. The analysis will address existing site conditions and natural features contributing to the visual quality of the site, its surrounding environment, and the visual relationship between the project site and the surrounding area. The change and impact of the proposed project on the existing visual character and quality will be discussed.

EXISTING SETTING

The areas from which the site will be visible will be defined. The analysis will use the methodology described in the DEC publication entitled *Assessing and Mitigating Visual Impacts* (see Program Policy DEP-00-2, July 31, 2000). Visual conditions are to include:

- A discussion of the elements that contribute to the visual image and character of the project site will be provided. Photographs of the site from at least six (6) critical receptor points, as approved by the Town of Warwick Planning Board, will be provided.
- A description of the project's visibility from Bloom Corners and Newport Bridge roads and Pine Island Turnpike.
- A description of the project's visibility from other locations as identified by the Planning Board.

POTENTIAL IMPACTS

A description of the changes in visual character of the site and surrounding areas will be provided. This section will also discuss the impact on the view from the critical receptor points, the potential for road lighting, and the project's potential effects on the rural character of the area.

PROPOSED MITIGATION MEASURES

Proposed mitigation measures will be discussed as necessary or recommended based on the results of the visual impact analysis.

F. Transportation

This Section will include a Traffic Impact Study that evaluates existing traffic conditions compared to conditions anticipated upon completion. The Traffic Impact Study will address the potential transportation impacts and will identify mitigation measures to avoid or minimize the potential impacts.

EXISTING SETTING

- A Traffic Impact Study (TIS) will be completed for the project using standards and guidelines in common use and as developed by the New York State Department of

Transportation (DOT), the Institute of Transportation Engineers (ITE) and the Highway Capacity Manual (HCM). In particular, the study will evaluate the following intersections during the AM and PM peak traffic periods and the weekend peak period(s):

- Site Access along Bloom Corners Road.
 - Bloom Corners Road and Pine Island Turnpike.
 - Bloom Corners Road and Waterbury Road.
 - Bloom Corners Road and Newport Bridge Road.
 - Waterbury Road and County Route 1A.
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- All available traffic data, including accident data for the preceding five year period, will be collected from NYSDOT, Orange County Department of Public Works, and the Town of Warwick for the studied intersections and analyzed and discussed in this Section.
 - A description will be provided of roadways and roadway conditions directly serving the site, including number of lanes, posted speed limits, existing public transportation facilities serving the area and region, and existing traffic routes for trucks and traffic controls.
 - Pedestrian and bicycle movements and facilities in the area, especially any existing or potential linkages with adjoining lands and the Hamlet of Edenville, will also be identified and discussed.
 - Future road connections with adjoining properties in the Town will be discussed.
 - The traffic study will consider approved and pending projects in the area (list to be provided by Planning Board).

POTENTIAL IMPACTS

A discussion will be provided of potential impacts identified in the TIS, including:

- Potential impacts to the road network.
- Access to the site from Bloom Corners Road and potential future connections to adjoining lands as well as the results of the cumulative analysis with other proposed and pending projects.
- Sight distances.
- Pedestrian circulation and bicycle movements.

The condition, safety and adequacy of Blooms Corners Road and other roads affected by the additional generation from the project will be discussed in light of its capacity to handle the additional traffic and the effect the proposed project and any related improvements to the roads will have on community character and quality of life for neighborhood residents.

PROPOSED MITIGATION MEASURES

Applicable mitigation measures will be proposed, including those identified in the TIS. Discussions of access points relative to traffic safety, emergency access, construction vehicle access, and provisions for bicycle and pedestrian facilities within the project will be included.

G. Land Use and Zoning

A discussion will be presented of the proposed project's compatibility with the existing land use and zoning on the site and in the surrounding area.

EXISTING SETTING

- Discussion of the existing land uses and zoning designations on-site and on adjacent properties and in the surrounding area (i.e. within ½ mile).
- Discussion of recommendations for the site and surrounding area from the Town's *Comprehensive Plan*, *Community Preservation Project Plan*, and the *Orange County Plan*. A brief summary of the goals and objectives found in each of the referenced plans will be provided.
- Discuss the Design Guidelines recommendations for residential development.
- Discuss the historic agricultural use of the site including farm structures, soil fertility and previous crop and/or animal production. Discuss permits or approvals associated with prior uses, if any.

POTENTIAL IMPACTS

Land Use

- A discussion of the proposed project's compatibility with surrounding land uses will be provided.
- Potential impacts of the proposed project to surrounding land uses will be discussed.

- Consistency with the Town's *Comprehensive Plan*, *Community Preservation Project Plan*, and the *Orange County Plan*. Aspects of the proposed action that would deviate from conformance with any of the above plans will be identified and an evaluation of why such deviation is proposed will be provided.
- Discuss the agricultural viability of lot 49, which is proposed as a ± 125 acres lot for the existing farmstead, but which is predominantly State Protected freshwater wetlands.

Zoning

- The proposed project's compliance with the Zoning Law, including the intent and purposes of the Zoning Law, the provisions of § 164-41.1 (the cluster regulations) including the siting guidelines for lands within the AP-O District, and other relevant sections of the Zoning Law will be analyzed and discussed.
- Discuss consistency with the Town Design Guidelines. Discuss the need for and justification of waivers, based upon the procedures found in § 164-74.1 (waivers) for all areas where the proposed plans do not meet the design guidelines, design standards, or subdivision standards.
- Discuss compliance of the yield plan with the Town Zoning Law and Subdivision Regulations.

PROPOSED MITIGATION MEASURES

A discussion of any applicable and appropriate mitigation measures will be provided.

H. Police, Fire and Emergency Medical Services

This section will evaluate the potential impacts of the proposed project on existing police, fire, and emergency services in the Town of Warwick. Information will be based on conversations with and correspondence received from service providers and available online resources.

EXISTING SETTING

Police Services

Identification of State, County, and local Police Departments that provide police coverage to the project site, with a description of the following information for each:

- Station locations.
- Staffing levels.
- Average response time expected to the project site.
- Any existing deficiencies in staffing or facilities, if available.

- Any planned or proposed expansions or improvements to address the deficiencies.

Fire and Emergency Medical Services

Identification of Fire Departments and/or Emergency Medical Service (EMS) providers that service the project site will be provided based upon discussions and correspondence with the respective departments. This will include a description of the following information for each:

- Station locations.
- Staffing levels (with subtotals of paid staff and volunteers).
- Average response time expected to the project site.
- Inventory of equipment including the number and type of apparatus and the ability of the equipment to serve the proposed buildings.
- Discussion of existing water supply for fire protection.

POTENTIAL IMPACTS

- A discussion of how the proposed action may affect these municipal services will be provided.
- The adequacy of the existing services, facilities, staff and equipment to handle the increased demand generated by the proposed development will be evaluated.
- The ability of the proposed road system and access points to accommodate emergency vehicles and equipment will be discussed.
- The capacity of the water supply system to meet future fire demands of the proposed project will be discussed.

PROPOSED MITIGATION MEASURES

Proposed mitigation measures to minimize or avoid identified impacts will be provided.

I. School District Services

This section will evaluate the potential impacts of the proposed project on the Warwick Central School District. Information will be based on conversations with and correspondence received from the District and available online resources.

EXISTING SETTING

A description of existing school facilities serving the project site (elementary, middle-school, and high school) will be provided, including:

- Total student capacity.
- Current enrollment.

- Existing school transportation routes (based on data to be supplied by the School District to the extent available).
- Discussion of relevant studies regarding School District capacity and enrollment trends.
- Discussion of any expansion or improvements planned by the School District.

POTENTIAL IMPACTS

- An estimation of the number of public school children to be generated by the proposed project will be provided based on multipliers in the 1994 Urban Land Institute's *Development Impact Assessment Handbook* or use Warwick School District data, if available.
- The potential impacts of the estimated additional school children on school capacity will be evaluated.
- Projected School District costs and tax revenues generated by the proposed project will be evaluated. A discussion of the anticipated additional tax revenue generated in comparison to the expected cost of educating the additional children associated with the proposed project will be presented. Cross-reference the results of the fiscal impact section here (see below).

PROPOSED MITIGATION MEASURES

Proposed mitigation measures to minimize or avoid identified impacts will be provided.

J. Fiscal Impact Analysis

EXISTING SETTING

This section will include a discussion of the existing revenues and anticipated taxes generated from the site development and any existing municipal costs related to the site for all applicable jurisdictions - Town (including highway), County, School District, and any special districts.

POTENTIAL IMPACTS

A discussion of the projected costs and revenues associated with the project will be performed using the methodology identified in the *Fiscal Impact Handbook* and updates, prepared for each taxing jurisdiction. The assumptions on which costs and revenues are based will be clearly presented. Use Warwick School District data for the school analysis, if available.

MITIGATION MEASURES

As required.

K. Recreation and Open Space Resources

This section will evaluate the potential impacts of the proposed project on existing recreation and open space facilities in the Town of Warwick.

EXISTING SETTING

A description of existing recreation and open space resources will be provided, including:

- Existing recreational facilities and public open space areas in the Town of Warwick that can potentially be used by the future project residents.
- On-site recreational amenities, if any are proposed.
- On-site open space to be preserved including the method used for permanent protection.
- Any existing deficiencies in recreational facilities and/or plans for improvements/expansions to any facilities.
- Reference any results from the discussion of the Town's adopted *Community Preservation Project Plan* recommendations for open space or recreation for the site here (see Section G herein).

POTENTIAL IMPACTS

A discussion of potential impacts associated with the proposed project on the Town's recreational facilities will be provided. The evaluation will be based on standards such as the National Recreation and Park Association (NRPA) for community needs regarding parks, public open space, and recreational facilities.² An evaluation of the potential for a park, playground, or other recreational amenities to be located on the property, as required by § 137-23 of the Town of Warwick Code, will be analyzed and discussed.

PROPOSED MITIGATION MEASURES

Proposed mitigation measures to minimize or avoid identified impacts will be provided.

L. Utilities—Water

This section will evaluate potential impacts regarding water supply.

EXISTING SETTING

This section will analyze availability of existing groundwater for individual wells or a water district in the project area. Water quality as it relates to Department of Health drinking water standards will be discussed.

² *Recreation, Park and Open Space Standards and Guidelines*, National Recreation and Park Association, 1990.

POTENTIAL IMPACTS

This section will provide an evaluation of projected water use and water supply capacity to meet the estimated project-generated water demand, and a discussion of potential impacts to subsurface aquifers and the long-term capacity of the area's water supply. This section will also analyze potential impacts to existing wells in the vicinity of the project site. Perform an Aquifer Impact Assessment per the Town of Warwick Aquifer Protection Overlay District guidelines. Discuss and consider alternate means of water supply including creation of a Public Water Supply. Discuss the feasibility of creating a water supply for the site and potentially other nearby sites including the Luft Farm.

PROPOSED MITIGATION MEASURES

Applicable water supply mitigation measures will be identified and discussed.

M. Utilities—Wastewater

Potential impacts regarding wastewater treatment and disposal will be addressed in this section.

EXISTING SETTING

- A discussion of the area's existing wastewater generation and disposal processes will be provided.
- The suitability of on-site soils to properly treat septic effluent will be provided. This section should also investigate the soil types mapped at septic disposal system sites and revise or verify the SCS Soils Map.
- Discuss potential impacts on karst conditions (if any) on the site.

POTENTIAL IMPACTS

- Estimates of wastewater generation will be provided.
- A discussion will be provided describing the proposed septic disposal systems. Equal weight should be given to consideration of community septic/treatment plant and individual septic systems. Discuss a potential regional sewage treatment facility.
- An evaluation of the potential for contamination of on-site and nearby water resources, including wetlands, streams, or aquifers, will be provided based on the expected wastewater generation and drainage patterns.

PROPOSED MITIGATION MEASURES

Applicable wastewater treatment mitigation measures will be identified and discussed.

N. Other Utilities

Potential impacts regarding electrical capacity and distribution will be addressed in this section.

EXISTING SETTING

- A discussion of the area's existing electrical generation, local capacity and use will be provided.

POTENTIAL IMPACTS

- Estimates of electrical generation will be provided.
- A discussion will be provided describing the need for improvements to the electrical grid.

PROPOSED MITIGATION MEASURES

Applicable electrical capacity mitigation measures will be identified and discussed including methods to reduce electrical use. See also the alternatives section for an examination of Energy Star and/or LEED certification programs for reducing energy use.

IV. ADVERSE UNAVOIDABLE SIGNIFICANT ENVIRONMENTAL IMPACTS IF PROJECT IS IMPLEMENTED

This section will include a discussion of the unavoidable adverse environmental impacts identified in Section III that can be expected to occur regardless of the mitigation measures proposed.

V. ALTERNATIVES

The following alternatives to the proposed project will be considered. In addition to graphic and text to be provided, a comparative assessment of the impacts of all alternatives is also to be provided:

A. No-Build Alternative

The “No Build” alternative will be addressed as required under 6 NYCRR 617.9(b)(5). The “No Action” alternative is the scenario that would occur if no residential development were to take place on the project site.

B. Traditional Neighborhood Alternative

An alternative that would create a compact pedestrian friendly residential neighborhood. Use the Town’s Traditional Neighborhood Development (TND-O) Overlay intent and design standards as a guideline. Address central water and sewer services to enable this type of development to occur.

C. Conventional Subdivision

The proposed yield plan is in effect a conventional subdivision development of the site. The impacts of this plan will be addressed.

D. Reduced Scale Alternative

A reduced scale alternative may be necessary to avoid or minimize identified adverse impacts or to comply with Orange County and New York State Realty Subdivision requirements for limitations on individual wells and septic disposal systems over 49 lots, if waivers are not granted for the proposed 53 lots.

E. Alternative Cluster Designs

An alternative cluster arrangement or arrangements, that may be necessary as a result of the impact analyses and 4-step design process conducted for the DEIS, will be presented.

E. Alternative Energy Option

The Applicant will analyze the potential and feasibility for the use of alternative energy resources for heating, cooling and power, including the use of solar energy or groundwater source heat pumps. Discuss whether such an approach would qualify for Energy Star or LEED certification. This alternative need not include a graphic plan.

VI. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

This section will include identification of the natural and human resources listed in Section III that will be consumed, converted, or made unavailable for future use.

VII. GROWTH INDUCING ASPECTS

Section VII will discuss the potential growth-inducing aspects that the proposed project may have, including increases in local business demands and resident population; new service industries which may be needed in response to demands of the project's residents; and further growth potential through improved infrastructure.

VIII. EFFECTS ON THE USE AND CONSERVATION OF ENERGY RESOURCES

Section VIII will discuss the energy sources to be used for the proposed project, the anticipated levels of energy consumption, and proposed energy conservation measures. See also Sections III-N and V-E for energy conservation methods to be used.

IX. APPENDICES

Correspondence (including all SEQR documentation and correspondence related to issues addressed in the DEIS)

Cultural Resources Survey

Visual Analysis

Traffic Impact Study

Aquifer Impact Assessment

Preliminary Stormwater Pollution Prevention Plan

Engineering Drawings

- Subdivision Plans including the 4-step design process, site context map and the Existing Resources and Site Analysis Plan

- Erosion and Sediment Control Plan

- Stormwater Quality and Management Plan

- Conceptual Utility Plan

- Landscape Plan

- Lighting Plan (if any)

INVOLVED AND INTERESTED AGENCIES

Town of Warwick Town Board (Involved, Water and Drainage Districts)
132 Kings Highway
Warwick, NY 10990

Town of Warwick Conservation Advisory Board
132 Kings Highway
Warwick, NY 10990

Town of Warwick Department of Public Works
132 Kings Highway
Warwick, NY 10990

NYS Department of Environmental Conservation, (Involved, Water, Wetlands, Natural Heritage)
Region 3
21 South Putt Corners Road
New Paltz, NY 12561

NYS Office of Parks, Recreation and Historic Preservation (Involved, Cultural Resources)
Field Services Bureau - Peebles Island
PO Box 189
Waterford, NY 12188-0189

Orange County Department of Planning (Involved)
124 Main Street
Goshen, NY 10924

Orange County Department of Health (Involved, Realty Subdivision, Water Supply)
124 Main Street
Goshen, NY 10924

US Army Corps of Engineers (Federal Agency, Wetlands)
Regulatory Branch - New York District
Room 1937
26 Federal Plaza
New York, New York 10278

Orange County Department of Public Works (Interested)
124 Main Street
Goshen, NY 10924