

Draft Scoping Document

*For Preparation of a Draft Environmental Impact Statement
For The Homarc Property
NYS Route 94 Town of Warwick, Orange
County, New York*

Classification of Action: Unlisted

Lead Agency: Town of Warwick Planning
Board Town Hall, 132 Kings
Highway PO Box 489
Warwick, NY 10990

DESCRIPTION OF PROPOSED ACTION

Homarc Land, LLC proposes to develop professional office, retail and food service uses on land totaling approximately 5.1 acres on NYS Route 94 (New Milford Road) east of Sanfordville Road in the Town of Warwick, Orange County, New York. The property is zoned for this purpose. The proposed development is comprised of an approximately 29,120 square foot two-story building with parking in the basement level. The project will utilize on-site water supply and municipal sewage system, will have a total of approximately 115 parking spaces, and have a total disturbance area of 2.8 acres or 55 percent of the site.

SITE DESCRIPTION

The site is currently vacant, undeveloped, non-agricultural meadow/brushland, freshwater wetlands and wooded uplands. The site topography is gently sloped, rising toward the front 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 0.4 acres. No New York State Department of Environmental Conservation wetlands are present on site or immediately adjacent. Well-drained to moderately drained soils cover the majority of the property.

The subject property is located in the Designed Shopping (DS) 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.

GENERAL DEIS FORMAT

The applicant should closely examine the SEQR regulations for direction on the required content of a Draft EIS. Unless otherwise directed by this Draft Scoping Document, the provisions of 6 NYCRR 617.9(b) apply to the content of the Draft EIS and are incorporated herein by reference.

The DEIS shall cover all items in this Scoping Document. Each impact issue (e.g., soils, surface water, traffic, etc.) should be presented in a separate subsection as it relates to existing conditions, future conditions without the project (as may be applicable) and future conditions with the project as presently planned, and any mitigation measures designed to minimize the identified impacts.

Narrative discussions should be accompanied by appropriate tables, charts, graphs, and figures whenever possible. If a particular subject can be most effectively described in graphic format, the narrative discussion should merely summarize and highlight the information presented graphically. All plans and maps showing the site should include adjacent properties (if appropriate), neighboring uses and structures, roads, and water bodies.

Information should be presented in a manner which can be readily understood by the public. Efforts should be made to avoid the use of technical jargon.

Discussions of mitigation measures below are examples. The document should clearly indicate which measures are included within the project plans.

The document and any appendices or technical reports should be written in the third person (i.e., the terms "we" and "our" should not be used). The applicant's conclusions and opinions, if given, should be identified as those of "the applicant."

Any assumptions incorporated into assessments of impact should be clearly identified. In such cases, the "worst case" scenario analysis should also be identified and discussed.

I. INTRODUCTORY MATERIAL

Cover Sheet: The DEIS must begin with a cover sheet that identifies the following:

1. That it is a Draft Environmental Impact Statement.
2. The name and description of the project.
3. The location of the project.
4. The Lead Agency for the project and the name and telephone number of the following person to be contacted for further information:

Town of Warwick Planning Board
Attn.: Ben Astorino, Chairman
Town Hall
132 Kings Highway
Warwick, NY 10990

5. The name and address of the project sponsor, and the name and telephone number of a contact person representing the applicant.
6. The name and address of the primary preparer(s) of the DEIS and the name and telephone number of a contact person representing the preparer.
7. Date of acceptance of the DEIS (to be inserted upon acceptance).
8. Deadline for comments on the DEIS (to be inserted upon acceptance).

List of Consultants Involved With the Project: The names, addresses and project responsibilities of all consultants involved with the project shall be listed.

Table of Contents: All headings which appear in the text should be presented in the Table of Contents along with the appropriate page numbers. In addition, the Table of Contents should include a list of figures, a list of tables, a list of appendix items, and a list of additional DEIS volumes, if any.

II. SUMMARY

The DEIS must include a summary. The summary should only include information found elsewhere in the main body of the DEIS and should be organized as follows:

1. Brief description of the action.
2. List of Involved and Interested Agencies and required approvals/permits, incl. status of these approvals.
3. Brief listing of the anticipated impacts and proposed mitigation measures for each impact issue discussed in the DEIS. The presentation format should be simple and concise.
4. Brief description of the project alternatives considered in the DEIS. A table should be presented which assesses and compares each alternative relative to the various impact issues.
5. Brief description of issues and potential controversy, if any.
6. Listing of matters to be decided, including listing of permits and approvals.

III. DESCRIPTION OF THE PROPOSED ACTION

A. Introduction

1. The reasons for and purpose of the DEIS and the nature of the proposed action.

B. Project Purpose, Needs, and Benefits

1. A description of benefits to be fulfilled by the project. This includes the anticipated tax revenues (property tax, sales tax) to the Town of Warwick and other jurisdictions including the Warwick School District and Orange County.
2. Objectives of the project sponsor. Define the proposed retail center in terms of an industry standard in common use.

3. A description of public needs for and benefits of the project. Identification of public need for the project is required by the SEQR regulations and is an especially important consideration if there are adverse environmental impacts identified that cannot be mitigated or avoided.

C. Project Location, Description and Environmental Setting

1. Description of the geographic boundaries of the project in the region and Town, including proximity to other commercial development on Route 94. Provide a written and graphic description (preferably use tax maps and USGS 1 "2,000" scale maps) of the location of the site in the context of the Town of Warwick, Orange County. Include a map or maps identifying the relationship of the site to residential and commercial development within one-half (%) mile of the site. Include an aerial photo of the site and surrounding properties.
2. Description of access to the site, including any special features unique to the site. Identify existing curb cuts on State Route 94. Describe in text and graphics proposed new ingress and egress locations including design parameters. Discuss any future interconnections to adjoining parcels.
3. Description of the site including existing zoning, topography, site characteristics, and land use.

D. Project Description and Layout

1. Characteristics of the site and surrounding area.
2. Structures and Site. The proposed site plan drawings (including profiles where required) should be submitted with the Draft EIS, in conformance with the Town Zoning Law requirements. Small scale plans, profiles and drawings (i.e. 8/4" x 11", 11" x 17", or other suitable size) can be provided in the Draft EIS for illustration purposes. Include a description of proposed:
 - a. Building layout, use and architecture. Provide architectural elevations and architectural character of all proposed structures. Typical elevation views, that would be visible from drivers on Route 94, should also be provided.
 - b. Floor area.
 - c. Grading and drainage plans. Identify in graphics and text the total on-site land area to be:
 - i) cleared for building, landscaping, utility, stormwater, and parking development;
 - ii) on-site areas subject to grading; and iii) on-site areas that will not be physically altered.
 - d. Parking area layout and circulation. Provide justification for the proposed number of parking spaces in relation to the Town's parking requirements. Relate Urban Land Institute and/or Institute of Transportation Engineers standards to the proposed parking generation rate. Location and number of handicapped spaces identified. Discuss how parking may be banked until demand is evident. Discuss the feasibility of providing alternative parking surfacing (such as block pavers) for peak use times (a performance bond could ensure proper compliance if demand exceeds supply). Describe the pattern

of vehicle movement for entering and exiting traffic as well as site circulation including (without limitation) delivery, service, and emergency vehicles. Fire lanes should be identified on plans. See the Alternatives section below for a discussion of the need for alternative parking layouts.

- e. Landscaping plan, including screening and buffering. A planting schedule should be provided describing location, type, number, and size of all proposed landscape materials. Describe whether any existing vegetation will be incorporated into the landscape plan, either in situ or transplanted.
- f. Lighting and signage plan. Provide illustrations of all proposed identification signage and identify location, size (including height), color, materials, and type of all signs. Identify lighting by location, type and photometries of all proposed light fixtures, including building mounted luminaries. Provide catalogue descriptions of lights and shielding details.
- g. Erosion and sedimentation control plan. Emphasis should be on the Plan's relationship with the required Stormwater Pollution Prevention Plan.
- h. Setbacks and buffer treatments.
- i. Pedestrian safety within parking area. Pedestrian, mass transit, and bicycle access for patrons should be discussed. This would include provision of connections to residential and commercial land uses by walkways and transit stops, and design of amenities for such users including but not limited to benches, bus shelters, shade trees, and bicycle racks. Address pedestrian safety on-site including, without limitation, speed bumps, pavement striping and lettering, and sidewalks or other exclusive pedestrian zones.
- j. Impervious Surfaces - Provide calculations of impervious surface coverage, broken down by type and acreage.
- k. Off-site Construction - Describe proposed off-site improvements (if any) including transportation, stormwater, and utility construction activities. Vegetation removal and re-grading in connection with such improvements should be described.

E. Construction and Operation

1. Construction.

- a. Total construction period anticipated.
- b. Schedule of construction (sequencing). Provide a flowchart for the maximum anticipated duration, including start and completion for key milestone tasks such as site clearing, grading and fill placement, settlement monitoring duration, infrastructure, foundations, superstructure, off-site improvements, and site amenities. Describe whether any construction activities will be ongoing after any store is occupied. If so, provide sequencing and safety plans to accommodate this situation.
- c. Erosion and sedimentation control to be utilized during construction.
- d. Construction equipment and staging area. Provide hours of the day construction activity will occur. Identify staging areas for material handling and storage, including access and egress during construction.

- e. Truck traffic.
 - f. Dust suppression.
2. Operation.
- a. Hours of operation. Provide hours of the day when the retail center will operate.
 - b. Deliveries. Discuss anticipated retailer delivery schedule.
 - c. Lighting and Security.

F. Approvals and Involved Agencies

A complete listing of all Involved Agencies along with their addresses and required approvals/permits they may grant.

G. Interested Parties

A listing of agencies, persons, and groups who have expressed interest in reviewing the DEIS.

IV. IMPACT ISSUES

The sub-headings presented under each impact issue below represent items of specific interest which shall be addressed. The discussion under each impact area should -highlight potential impacts caused by the proposed project and any mitigation measures that minimize or eliminate adverse impacts.

This section should describe the existing environmental conditions on the site and any off-site areas that may be affected by the proposed project (including but not limited to areawide aquifers, downstream surface waters, potential bog turtle habitat, or area intersections). Each issue identified should be addressed in the context of the baseline existing conditions, the project's potential environmental impacts on such conditions, and the applicant's proposed mitigation measures to reduce or avoid adverse impacts, including alternatives.

The extent of off-site areas studied (i.e. radius from site) for the existing conditions subsection should be defined for each issue so that a determination can be made as to whether: 1) potential impacts can be mitigated to the greatest extent practicable; 2) there are unavoidable adverse impacts that cannot be mitigated; or 3) the extent of the impact can be identified as inconsequential. Sufficient detail should be provided so that reviewers are able to gain an understanding of current conditions. Highly technical material should be summarized in the body of the Draft EIS and included in its entirety in an appendix.

Primary (or direct) impacts should be identified separately from secondary (or indirect) impacts. Short term and long term impacts should also be identified separately. The discussion of impacts need not be confined to adverse impacts. Identification of any beneficial impacts of the action can assist in the balancing process, conducted by each Involved Agency, during the preparation of their written findings statements.

A. Soils and Topography

In order to fully assess potential impacts of the proposed project on the land and water setting, it is necessary to understand and document the existing pre-construction soil, overburden, bedrock, wetland, and groundwater components of the hydrogeological setting. Then it is necessary to understand and document the potential impacts on the hydrogeological system that will be created by the interaction of the site operations, such as production groundwater for on-site water supply, the accumulation and disposal of stormwater and wastewater discharge.

1. Existing Conditions.
 - a. Existing topographic and slope conditions.
 - b. Soils types and characteristics, including subsurface engineering conditions based on test pit records.
2. Potential Impacts.
 - a. Area of disturbance, steep slopes disturbance, erosion potential.
 - b. Grading plan, retaining walls, amount of cut and fill.
3. Mitigation Measures, incl. alternatives to impervious paving.

B. Wetlands

1. Existing Conditions.
 - a. Delineation, survey and mapping of existing Federally regulated wetlands, and mapping of all regulatory setback areas.
 - b. For each wetland identified, indicate:
 - (1) Location
 - (2) Wetlands type
 - (3) Wetland and wetland buffer acreage
 - (4) Description of wetland and wetland buffer function including wetland benefits
2. Potential Impacts.
 - a. Acreage of direct and indirect wetlands and wetlands adjacent area disturbances, as regulated by the Army Corps of Engineers.
 - b. Short-term and long-term modifications of wetlands functions.
 - c. Description of any permits required.
 - d. Proposed wetland restoration/mitigation.
 - (1) Size and location of proposed treatment.

- (2) Effectiveness.
 - (3) Capacity and capabilities.
 - (4) Proposed maintenance.
 - e. Qualitative analysis of construction-related impacts.
 - f. Other impacts.
3. Mitigation Measures.
- a. Replacement and enhancement of wetlands for loss of wetlands areas and/or functions, or intrusion into the wetland buffer areas.
 - b. An Erosion and Sedimentation Control Plan which incorporates best management practices (BMPs) for control of erosion and sedimentation during construction.
 - (1) Principal elements
 - (2) Implementation technique
 - (3) Monitoring
 - c. Special construction techniques.
 - d. Other.
- C. Terrestrial and Aquatic Ecology
- 1. Existing Conditions.
 - a. Existing habitat types and typical associated wildlife based on a late summer survey. Discuss downstream fishery resources of the Wawayanda Creek.
 - b. Potential for use by rare, endangered or protected species, including bog turtle.
 - 2. Potential Impacts.
 - a. Site disturbance by habitat type.
 - b. Potential impact to fisheries, wildlife and wildlife habitats. Discuss potential downstream impacts (including cumulative effects such as nutrient loading and siltation) to the fishery resources of the Wawayanda Creek. Discuss potential degradation of the Creek's fisheries and biota from any alterations to the on-site wetlands.
 - c. Potential impact to rare or endangered species.
 - 3. Mitigation measures.

D. Water Resources

1. Existing Conditions.

- a. Existing drainage patterns on the site and within a 1/4 mile radius of the site, including areas on the site subject to flooding.
- b. Discharge points of existing drainage.
- c. Stormwater runoff quantity. The volume of site stormwater runoff and stormwater routed through the site, and peak discharge rates for the two (2), ten (10), and one hundred (100) year design storms. The proposed project will create impervious surfaces on the site which may increase both the volume and rate of stormwater runoff from the site. Stormwater runoff from the development site is proposed to discharge to federal jurisdictional wetlands, and to tributaries to New York State protected streams. Provide a detailed description of the proposed Stormwater Management System including the mandatory Stormwater Pollution Prevention Plan. Estimate the area of recharge for the wetlands system. Estimate how much of that area will be impervious to recharge by infiltration by project structures and parking areas. Estimate the quantitative effect of retaining stormwater runoff and releasing it to proposed surface water points and to downstream surface waters.
- d. Existing stormwater quality (Simple Method).
- e. Existing sewage disposal and water supply.
- f. Existing groundwater. Proposed project may be located over a principal aquifer as mapped by the US Geological Survey. Baseline groundwater quality data should be obtained by sampling the proposed production wells and analyzing for Part 5 Drinking Water Parameters.

2. Potential Impacts.

- a. Stormwater runoff quantity. The volume of stormwater runoff and peak discharge rates for the two (2), ten (10), and one hundred (100) year design storms resulting from the project.
- b. Stormwater runoff water quality impacts.
- c. Description of any permits required from State agencies.
- d. Sewage disposal discharge potential impacts.
- e. Proposed wells and pump test results.
- f. Other potential impacts including an analysis and discussion of potential impacts to the subject aquifer and to downstream surface waters.

3. Mitigation Measures.

- a. Erosion and sedimentation control measures.
- b. Stormwater Management Plan (quantity/controls).
- c. Stormwater runoff quality control measures in conformance with DEC requirements.
- d. Maintenance of Stormwater control systems.
 - (1) Type of maintenance.
 - (2) Frequency of maintenance.
 - (3) Responsible parties providing short and long term maintenance.
- e. Compliance with NYSDEC SPDES.
- f. Type of sewage treatment and approvals required. Provide a detailed description of the proposed wastewater treatment process, including discharge limitations and discharge points. Outline and describe the information that will be required for a SPDES Permit for sewage effluent. Evaluate phosphorus loadings and removal processes to preserve water quality in receiving waters.
- g. Other.

E. Zoning and Surrounding Land Uses

1. Existing Conditions.

- a. Description of the existing land use and zoning on and in the vicinity of the project site and the surrounding area, and a discussion of the land use patterns in the area.
- b. Description of Town Comprehensive Plan as it relates to the project, project site and the surrounding area, and any other relevant County or regional plans.

2. Potential Impacts.

- a. Compatibility of proposed project with surrounding land use patterns.
- b. Compliance or non-compliance with zoning and other land development regulations.
- c. Compatibility with Agricultural District and agricultural history of the project area. Discuss importance of on-site prime agricultural soils and potential impacts of loss of such soils.
- d. Compatibility with Town Comprehensive Plan, including relationship to current zoning requirements. Analyze and discuss all applicable Comprehensive Plan policies that relate to the proposed action.
- e. Compatibility with County and/or other regional plans.

3. Mitigation Measures.

F. Vehicular Traffic and Roadways

1. Existing Conditions.

- a. A description of the following area roadways including pavement width conditions, number of lanes, posted speed limits, types of roadways, parking and traffic controls.

- (1) NYS Route 94
- (2) Sanfordville Road
- (3) Warwick Turnpike (CR 21)
- (4) Pelton Road (CR 1A)

- b. Manual traffic movement surveys at the following intersections for existing PM peak hour and Saturday midday peak periods: Traffic volumes should reflect conditions on typical days.

- (1) NYS Route 94 and Sanfordville Road/Pennings Lane
- (2) NYS Route 94 and Warwick Turnpike (CR 21)
- (3) NYS Route 94 and Pelton Road (CR 1A)
- (4) NYS Route 94 and Site Access Points

- c. Capacity analyses should be completed for existing conditions at each intersection noted above, following procedures from the 1997 Highway Capacity Manual (latest edition).

- d. Analysis of site access point(s), including existing road conditions and sight distances, queue lengths, storage capacity and character.

- e. Existing pedestrian and bicycle traffic on State Route 94 in the vicinity of the site.

- f. Existing or planned mass transit facilities that serve or could serve the site.

2. Potential Impacts.

- a. Site generated added peak hour traffic. Source and distribution of truck traffic.

- b. Evaluate distribution of project generated traffic including traffic that may use the above intersections.

- c. Background traffic volume for the design year, including a general growth factor and any pending or approved land development applications in the immediate vicinity of the site.

- d. Capacity analysis based on future background traffic conditions for each intersection for the proposed design year conditions, incl. evaluation of driveway geometry at Route 94.

- e. Capacity analysis of combined conditions for each intersection (including proposed development of site plus future background traffic).

f. Safety concerns regarding existing roadways.

Sight distance evaluation at the proposed access points.

g. Emergency access to the site.

h. Construction traffic on local roads and traffic.

i. Potential impact to existing pedestrian and bicycle traffic in the vicinity of the site.

3. Mitigation Measures.

a. Roadway improvements (as needed).

G. Community Services/Socioeconomic

1. Taxes.

a. Existing Conditions. Current level of taxes generated from project site.

(1) Property taxes.

- (a) Orange County
- (b) Town of Warwick
- (c) School District

(2) Other taxes (special districts).

b. Potential Impacts.

(1) Property taxes after development. Analyze and discuss the potential costs (impacts) on community services providers (such as police, fire and emergency services) as a result of the project. Determine what additional costs will be required to the Town and/or special districts as a result of any increased need for services and whether revenues generated will offset those costs. Identify any additional capital expenditures required by community services providers (such as roads) as a result of the project.

- (a) Orange County
- (b) Town of Warwick
- (c) School District

(2) Other taxes after development.

c. Mitigation Measures.

2. Market Conditions.
 - a. Existing Conditions.

Market Analysis.
 - b. Potential Impacts.

Identify direct and indirect impacts, if any, to current office/retail uses in the Village of Warwick and Town of Warwick.
 - c. Mitigation Measures.
3. Employment.
 - a. Existing Conditions.
 - b. Employment Opportunities.
 - (1) Short term construction jobs.
 - (2) Long term employment.
 - c. Mitigation Measures.
4. Police/Fire Protection and Ambulance Services.
 - a. Existing Conditions.
 - b. Potential Impacts.
 - c. Mitigation Measures.
5. Solid Waste.
 - a. Existing Conditions.
 - b. Potential Impacts, location of compactors and storage relative to surrounding land uses.
 - c. Mitigation Measures, inch screening, buffering, pest management.

H. Air Quality

1. Existing Conditions.
 - a. Primary and secondary pollutants.
 - b. Status of Warwick as a non-attainment area under State and Federal standards.
2. Potential Impacts.
3. Mitigation Measures.

I. Noise

1. Existing Conditions.
 - a. Current ambient noise levels in vicinity of project site.
 - b. Local noise ordinance.
2. Potential Impacts.
 - a. Construction Noise.
 - b. Operational Noise.
 - (1) Truck and automobile traffic.
 - (2) Schedule of truck traffic and loading.
3. Mitigation Measures.

J. Cultural Resources

1. Historic and Archaeological Resources.
 - a. Existing Conditions.
 - b. Potential Impacts.
 - c. Mitigation Measures.
2. Visual Quality.
 - a. Existing Conditions.

Views of the site from area roads.
 - b. Potential impacts.

- (1) Analysis of altered views using photographs, sight line diagrams and/or cross-sections, as appropriate.
- (2) Architectural elevation view of each building as seen from Route 94.
- (3) Lighting and signage. Include a discussion of the potential for any lighting affects to the Warwick Drive-In.

c. Mitigation Measures.

- (1) Landscaping.
- (2) Lighting plan that describes type, location, and timing of exterior lighting fixtures.
- (3) Other.

V. ALTERNATIVES

The following alternatives to the Proposed Action are to be evaluated in terms of the impact issues listed above. The description and evaluation of each alternative should permit a comparative assessment of the alternatives discussed and should be analyzed in summary format.

- A. No Action.
- B. Site and building design alternative (building and parking orientation, including alternative number of parking spaces). Address use of vernacular architecture for proposed on-site buildings to offset loss of existing farm structures and rural/agricultural character of site as well as the potential use of clusters of buildings close to the road, parking behind buildings, discrete signage made of natural materials, and landscaping with mature trees. Discuss use of the on-site farm buildings as an alternative to demolition as well.
- C. Alternatives to wetland loss or mitigation.

VI. ADVERSE ENVIRONMENTAL EFFECTS THAT CANNOT BE AVOIDED

VII. OTHER ISSUES

- A. Irreversible and Irretrievable Commitment of Resources.
- B. Growth Inducing Impacts.
- C. Effects on the Use and Conservation of Energy Resources:
 1. The energy sources to be used if the Proposed Action is implemented.
 2. Increased energy consumption.
 3. Energy conservation measures.

VIII. SOURCES AND BIBLIOGRAPHY

IX. APPENDICES

- A. All SEQR documentation, including a copy of the Environmental Assessment Form (EAF), the Positive Declaration, and the DEIS Scoping Outline.
- B. Copies of all official correspondence related to issues discussed in the DEIS.
- C. Copies of all technical studies, in their entirety.