

# *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  
132 Kings Highway  
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 21,900 square foot one-story building. The project will utilize municipal water and sewage systems, will have a total of approximately 84 parking spaces, and have a total disturbance area of approximately 2.8 acres or 55 percent of the site. Access to and from the site will be from marginal access road parallel to NYS Route 94.

## **SITE DESCRIPTION**

The site is currently vacant, undeveloped, mostly agricultural with freshwater wetlands. 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 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.

## **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.

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. 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 to the Town of Warwick and other jurisdictions including the Warwick School District and Orange County.

2. 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 (1/2) mile of the site. Include an aerial photo of the site and surrounding properties.
2. Description of access to the site,
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 1/4" 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. 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.

- 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 photometrics 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 and bicycle access for patrons should be discussed.
- 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 estimated 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. 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.

### 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 disposal of stormwater.

#### 1. Existing Conditions.

- a. Existing topographic and slope conditions.
- b. Soils types and characteristics.

#### 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.
  - 2. Potential Impacts.  
Description of any permits required.
  - 3. Mitigation Measures.
    - a. 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
    - b. Special construction techniques.
- C. Terrestrial and Aquatic Ecology
  - 1. Existing Conditions.
    - a. Existing habitat types and typical associated wildlife.
    - b. Potential for use by rare, endangered or protected species, including bog turtle.
  - 2. Potential Impacts.
  - 3. Mitigation measures.
- D. Water Resources
  - 1. Existing Conditions.
    - a. 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.

- b. Existing stormwater quality in accordance with Town of Warwick Code 164-47.10.
- c. Water supply.
- d. Sanitary sewer.

## 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 in accordance with Town of Warwick Code 164-47.10.
- c. Description of any permits required from State agencies.

## 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, including runoff reduction volume by use of green infrastructure measures.
- 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.

## 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.
- 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.
- 2. Potential Impacts.

Construction and operational traffic estimates and site generated added peak hour traffic. Source and distribution of truck traffic.

3. Mitigation Measures.

G. Community Services/Socioeconomic

- 1. Taxes
  - a. Existing Conditions.
  - b. Potential Impacts.
  - c. Mitigation Measures.
- 2. Police/Fire Protection and Ambulance Services.
  - a. Existing Conditions.
  - b. Potential Impacts.
  - c. Mitigation Measures.
- 3. Solid Waste.
  - a. Existing Conditions.
  - b. Potential Impacts.

- c. Mitigation Measures.
- 4. Noise.
  - a. Existing Conditions.
  - b. Potential Impacts.
  - c. Mitigation Measures.
- 5. Cultural Resources.
  - Historic and Archaeological Resources.
    - a. Existing Conditions.
    - b. Potential Impacts.
    - c. Mitigation Measures.

## **V. ALTERNATIVES**

The following alternatives to the Proposed Action are to be evaluated in terms of the impact issues listed above.

- A. No Action.

## **VI. ADVERSE ENVIRONMENTAL EFFECTS THAT CANNOT BE AVOIDED**

## **VII. OTHER ISSUES**

- A. Irreversible and Irrecoverable 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.