State Environmental Quality Review Act (SEQRA)

DRAFT

SCOPING DOCUMENT

Orchard Ridge

Town of Clarkstown, Rockland County, NY

INTRODUCTION

This draft Scoping Document is intended to serve as the foundation for the identification of all potentially significant adverse impacts associated with the proposed action and possible mitigation measures. It is also intended to eliminate consideration of any impacts that are irrelevant or non-significant.

DESCRIPTION OF THE PROPOSED ACTION

The applicant, Orchard Ridge, LLC, proposes the construction of an Active Adult Residential project consisting of 320 dwellings on 30.3 acres within the Town of Clarkstown, Rockland County NY, with primary access from NYS Route 303, in addition to development of 1.5 acres of commercial property located immediately south of Meola Road. The project site has recently received a zone change to Active Adult Residential to meet the continuing need for diversity in available housing in the area.

POTENTIAL SIGNIFICANT ENVIRONMENTAL IMPACTS

As set forth in the Positive Declaration adopted by the Lead Agency (*forthcoming*), the proposed action may have potential significant environmental impacts on:

Geology, Soils and Topography
Surface Water Resources
Terrestrial and Aquatic Resources
Land Use and Zoning
Traffic and Transportation Resources
Community Services, including emergency services, police, and fire
Fiscal Resources
Visual Resources
Noise
Construction Impacts

GENERAL SCOPING CONSIDERATIONS

Unless otherwise directed by this Scoping Document, the provisions of 6 NYCRR 617.9(b) apply to the content of the SDEIS and are incorporated herein by reference.

The SDEIS will assemble relevant and material facts, evaluate reasonable alternatives, and be analytical but not encyclopedic. It will also be clearly and concisely 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, it will be referenced in the DEIS and included in an appendix.

Narrative discussions will be accompanied by illustrative tables and graphics. All graphics will clearly identify the project area. Footnotes may be used as the form of citing references. Opinions of the applicant will be identified as such.

Full-scale site plans will accompany the DEIS as an appendix and reduced copies of pertinent plan sheets and details will be included in the text of the DEIS. The documents shall contain plans, reports, and studies meeting prevailing Federal, State and Town criteria with respect to all disciplines of study as well as Town of Clarkstown site plan standards.

DEIS CONTENTS

Cover Sheet listing preparers, title of project, DEIS identification, location, Lead Agency, and relevant dates (i.e. date of acceptance, date of public hearing, final date for acceptance of comments).

Table of Contents including listings of tables, figures, maps, charts, and any items that may be submitted under separate cover (and identified as such).

I. EXECUTIVE SUMMARY

The Executive Summary will include a brief description of the proposed action and a listing of all potential environmental impacts and proposed mitigation measures. A summary will be provided of the approvals and permits required, and of the alternatives to the proposed action that are evaluated in the DEIS.

II. DESCRIPTION OF THE PROPOSED ACTION

Chapter 2 of the DEIS will provide a description of the proposed project site and its location, a description of the proposed project, the public need and 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 Clarkstown.

2. Description of the environmental setting of the site and the natural resources identified thereon.

3. Identification of any easements, rights-of-way, restrictions, special district boundaries or other legal devices affecting the subject properties' development potential.

4. Description of the existing infrastructure serving the project sites and/or its immediate environs.

B. Description of the Proposed Action

1. Written and detailed description of the proposed action, including the proposed use, acreage of impervious area proposed, acres of land to be cleared, open space to be provided, proposed schedule and phasing of

construction, infrastructure ownership and maintenance. Small-scale plans will be provided in the DEIS for illustrative purposes.

2. Identify zoning and describe existing land uses applicable to the project site.

3. Discuss compliance with all Zoning and Site Plan Approval standards and other criteria set forth by the Town of Clarkstown Code. The DEIS shall identify the extent to which any modifications or waivers of such standards and other criteria or any variances from such regulations would be required to carry out the project as proposed.

4. Discuss the compatibility of the proposed land use with the character and development trends in the nearby area.

C. Project Purpose and Need

1. Discuss the purpose or objective of the project sponsor.

2. Identify the public need for the proposed action, including its consistency with adopted policies and/or plans as set forth within adopted community land use and development plans.

D. Approvals, Reviews and Permits

1. List and describe all required approvals, reviews, and permits required, by agency, to implement the proposed action.
2. List all involved and interested Agencies.

III. ENVIRONMENTAL SETTING, IMPACTS, MITIGATION

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. Sufficient detail should be provided so that reviewers are able to gain an understanding of current conditions and impacts.

The format or organization of this section will include the following subsection headings for each topic or impact issue:

Environmental Setting
Potential Impacts
Mitigation Measures

This format provides for a more meaningful presentation of the environmental issues that allows the reader to focus on individual impact issues.

A. Soils and Topography

1. Soils will be mapped in accordance with the *Soil and Water Conservation District Soil Survey for Rockland County, New York.* Evaluation of site soils will include the following:

a. Identification and evaluation of hydric and non-hydric soils.

b. Erosion impacts and estimated quantities and locations of increased long-term erosion.

c. Construction methods and best management practices that will be employed to lessen erosion and to prevent sediment from migrating off-site or into nearby water bodies and wetlands including an evaluation of their effectiveness to mitigate impacts.

d. Identification of potential soil characteristics that may require special construction techniques including a discussion on blasting and measures to protect the adjoining properties

e. The DEIS will describe the detailed soil erosion and sediment control plan that will accompany the text description of specific designs to be implemented during construction.

2. A topographic survey based on a two-foot contour interval will be prepared for the entire site. Existing topography will be mapped for the entire site, and proposed topography will be mapped. A comparison of existing and proposed topography will be evaluated as follows:

a. Graphics illustrating steep slopes and any steep slope disturbances will be provided.

b. A description will be provided of prominent and/or unique features including stonewalls ledges and rock outcroppings.

c. A grading plan will be provided and described.

d. A cut and fill analysis will be provided, including an analysis of the disposal of excess cut or the import of fill materials.

e. Excavated materials retained and utilized on site will be evaluated for the adequacy of their intended use on-site.

f. Measures to minimize cut and fill activities will be described.

g. Phasing of proposed disturbances will be described.

B. Surface Water Resources

1. A drainage study defining existing and post-development peak rates of stormwater runoff and stormwater quality treatment during the statistical 2-, 10-, 25-, and 100-year, 24-hour Type III storm events, will be completed. The results of this study will be summarized in the DEIS text and all supporting calculations will be presented in the appendix to the DEIS. Specifically, the drainage study will include the following:

a. A definition of all existing drainage basins, watersheds, and drainage structures, including a graphic illustrating all divides of drainage basins which discharge from the project to adjacent properties shall be shown on pre- and post development watershed maps. A description of each such drainage basin will be provided in the appendix to the DEIS. The descriptions will include the specific characteristics (e.g., size, composition, etc.) of all drainage structures and a summary of the path of flow from the project to receiving water bodies.

b. Calculation of pre- and post-development runoff quality and outline of treatment methods per current NYSDEC Design Standards.

c. The DEIS will provide a stormwater management plan defining all measures and procedures to be implemented so as to ensure compliance with prevailing discharge standards. Such measures, if necessary, will include conveyance systems and retention/detention facilities and devices. All proposed measures and procedures will be selected in accordance with the current NYSDEC Design Standards. General design guidelines for stormwater infrastructure will be described for future phases.

C. Terrestrial and Aquatic Ecology

1. Vegetation
   a. Contact the NYS DEC and Federal Fish and Wildlife Service to identify and evaluate the possible presence of unique, rare and/or endangered, threatened and special concern species.
   b. Evaluate the potential impacts on the resources identified. Mitigate if necessary, and conduct on-site surveys as required.

2. Fish and Wildlife
   a. Contact the NYS DEC and Federal Fish and Wildlife Service to identify and evaluate the possible presence of unique, rare and/or endangered, threatened and special concern species.
   b. Evaluate the potential impacts on the resources identified, including a quantitative assessment of potential removal or disturbance of existing wildlife and habitat areas, and necessary mitigation measures designed to offset, reduce, or eliminate such losses.
   c. Evaluate the potential impacts on the resources identified. Mitigate if necessary, and conduct on-site surveys as required.

3. Wetlands
   a. Location and description of all wetlands and watercourses with corresponding jurisdiction will be discussed.
   b. Delineate and flag the boundary of all State and Federal Jurisdictional Wetlands in accordance with the methodology provided in the 1987 Army Corps of Engineers Wetlands Delineation Manual; boundaries to be confirmed by the permit agencies.
   c. Discuss wetland vegetative cover, soil classification, and wetland benefits including flood and erosion control, recreation, and wildlife habitat.
   d. Calculate the area of proposed wetland disturbance based on grading plans to quantify any impact and to provide a basis for degree of mitigation.
   e. Discuss mitigation measures that may be required to prevent soil erosion and sedimentation of wetlands during construction at the subdivision, project any other appropriate scales.

D. Land Use and Zoning

1. Describe existing land uses of the subject property and the surrounding area.

2. Discuss the compatibility of the proposed project with the character and development trends of the surrounding area.

3. Discuss potential impacts on adjacent land uses and appropriate mitigation for the action.

4. Describe zoning for the project site and immediate vicinity.

5. Discuss conformance of the project with the Town's adopted comprehensive plan and other local and county planning documents.

6. Discuss the project's compliance with all subdivision and site plan standards and other criteria set forth by the Town of Clarkstown Code. This discussion shall clearly indicate the extent to which any modifications or waivers of such standards and other criteria or any variances from such regulations would be required to carry out the project as proposed.

E. Transportation

1. Methodology - Existing traffic conditions will be compared to conditions that would be anticipated from implementation of the proposed action, including the potential impacts of the proposed commercial property immediately south of Meola Road. The traffic analysis will evaluate roadway and intersection characteristics, volumes and traffic controls. The study will address potential impacts associated with implementation of the proposed action, and will identify proposed traffic and safety improvements or other mitigation measures designed to lessen the impact of the project on the adjacent road network if required. Intersection analyses and methodologies shall conform to current ITE practices. All of the data collected and analyzed will be summarized in maps or tables.

2. Study Area Intersections – Data collection will include counts and turning movements at the following intersection locations:

   - **NY Route 303 and Hemlock Drive**
   - **NY Route 303 and US Route 9W**
   - **NY Route 303 and County Road 80**
   - **NY Route 303 and Meola Road**
   - **NY Route 303 and Brenner Drive**
   - **NY Route 303 and Heather Road**

3. Peak Hours -- The AM and PM peak hour traffic volume counts will be conducted on a Tuesday, Wednesday or Thursday while school is in session.

4. Roadway Analysis -- Existing streets will be inventoried to determine street widths, speed limits, number of travel lanes, existing land uses, sight

distance measurements at intersections with restrictive conditions, traffic controls, signs, signals and markings, and traffic signal type and timing.

5. Analysis of Impacts – The analysis will include evaluation of other known area projects at the time that the TIS is undertaken that may impact the proposal; these projects will be identified in cooperation with Town of Clarkstown Planning staff. A build year will be identified. The capacity of each intersection for the existing, no-build, and build conditions will be calculated. Traffic analyses will also analyze proposed project access intersections for the Build Condition. The potential traffic generation resulting from the proposed use will be estimated based on the most current Institute of Transportation Engineer's *Trip Generation Manual*.

6. Mitigation -- Mitigation in the form of recommendations for roadway and intersection improvements, traffic controls, signal modification, timing revision, future monitoring, and provisions for alternative forms of transportation, such as pedestrian and bicycle facilities, shall be discussed.

F. Community Facilities and Services (Utilities)

1. The Proposed project may create the need for additional community services including police and fire protection, emergency services, utilities (water and sewer) and solid waste disposal. Each service area will be quantitatively described as to its existing capacity.

2. The impact of the proposed project on each service area will be estimated, according to generally accepted practices. Potential impacts will consider the capacity of existing infrastructure to handle the additional demand, and the potential need for improvements, if necessary.

3. Mitigation measures will be discussed including increasing the capacity of each of the community service areas as a result of the proposed action.

G. Fiscal Impact Analysis

1. The proposed action will add up to 320 Active Adult households to the Town of Clarkstown. This increase in population may translate into the need for enhanced community services, including police, ambulance and fire protection. Additional demand for services may translate into additional costs to the community to meet the service demand. Accordingly, a fiscal impact analysis will be prepared to compare the revenues that would be generated by the proposed project compared with costs to service it.
2. The fiscal impact analysis will comprehensively inventory the costs and revenues associated with the proposed action and realistically assign dollar values to them.
3. Special care will be taken to explain the assumptions, calculations and results of the fiscal impact analysis in clear and understandable language.

I. Aesthetic Resources

1. Describe through the use of narrative text, models, photographs and photographic simulations, plans, sections, visual sight lines, or other graphic representations, the visual character of the proposed action and its environs.

2. The analysis will describe:
   a. The existing visual character, including a discussion on any existing structures or other improvements that need to be removed or remediated
   b. The change in visual character resulting from implementation of the proposed action both internal to the project and from the surrounding area.
   c. Mitigation measures proposed to lessen the visual impact of the proposed action including but not limited to such matters as landscaping, preservation of existing vegetation, and preservation of existing topography.

J. Noise Impacts

1. Noise
   a. Description of existing ambient noise levels, including discussion of the CMX rail road operations.
   b. Discuss potential construction-related noise impacts.
   c. Discuss mitigation measures to be incorporated in the design of the proposed action, to reduce construction noise and to attenuate the noise associated with the CMX railroad operations from the future residents of Orchard Ridge as necessary.

K. Air Quality

1. Air Resources
   a. Identify the type of the construction activities proposed and the identify impacts that may result.
   b. Discuss mitigation measures to avoid potential construction-related air quality impacts.

IV. UNAVOIDABLE ADVERSE IMPACTS

This section of the DEIS will identify impacts that are likely to occur despite mitigation measures, and will compare the beneficial and adverse implications of these unavoidable impacts.

V. ALTERNATIVES

This section of the DEIS will evaluate and compare alternatives to the proposed action, which are listed below. The following alternatives will be studied:

- **A.** The "No Action" Alternative as required under 6 NYCRR 617.9.b.5.
- **B.** Alternative Site Plan Layout – Previous Zoning LIO Development

VI. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

Identification of those natural and man-made resources consumed, converted or otherwise made unavailable for future use as a consequence of the proposed action.

VII. GROWTH INDUCING ASPECTS

A description and analysis of potential growth-inducing aspects of the project will be provided. Special attention will be paid to how the development of the proposed action might affect local business, population characteristics, community character and community services.

VIII. EFFECTS ON THE USE AND CONSERVATION OF ENERGY RESOURCES

A description of the effect of the proposed action on the short and long term use and conservation of energy resources will be provided including ways to reduce inefficient or unnecessary consumption during construction and long term operation.

IX. APPENDICES

The appendices will include a list of all underlying studies and reports relied upon in preparing the DEIS, technical exhibits and studies (including the Storm Water Pollution Prevention Plan, Traffic Impact Study, Wetland Delineations, background information relevant to the proposed action such as this Scoping Document and other relevant SEQR documents, a list of involved and interested agencies, and relevant correspondence with involved agencies and persons.