

Appendix A
SEQRA Documentation

3300



DEPARTMENT OF ENVIRONMENTAL CONTROL

10 MAPLE AVENUE, NEW CITY, NEW YORK

K. LUKE KALARICKAL, P.E., L.S.
DIRECTOR

DENNIS M. LETSON, P.E.
FIRST DEPUTY DIRECTOR

RALPH A. LAURIA
DEPUTY DIRECTOR

September 30, 2009

Atzl, Scatassa & Zigler, P.C.
234 North Main Street
New City, New York 10956

Project Name: Orchard Ridge Site Plan

T.M. 35.19-2-15+

Dear Applicant:

This is to inform you that we have received the full Environmental Assessment Form and under the provisions of Title 6 NYCRR Section 617.6, the Clarkstown Planning Board has agreed to coordinate the review of the involved agencies. As staff for the Planning Board, we have completed initial review of this EAF, and our review indicates the following:

Action Type: Type I

Potential Involved/Interested Agencies:

| | |
|---|--------------------|
| Clarkstown Planning Board | Site Plan Approval |
| Clarkstown Building Department | Zoning Compliance |
| Clarkstown Town Attorney | |
| Clarkstown Department of Environmental Control | |
| Clarkstown Architecture & Landscape Commission | |
| Rockland County Planning Board | GML 239 Referral |
| Rockland County Sewer District #1 | |
| New York State Department of Transportation | Route 303 |
| New York State Department of Environmental Conservation | Wetland |
| U.S. Army Corps of Engineers | Wetland |

If within 30 calendar days from the date of this letter, no involved agency submits a written objection to the Clarkstown Planning Board being lead agency, the Planning Board will be the lead agency and will carry out the provisions of the State Environmental Quality Review Act.

Comment on the proposed action is requested, and may be made through this office or directly to the Planning Board.

Very truly yours,

Dennis M. Letson, P. E.
Staff for the Clarkstown Planning Board
DML:ek
attach.

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STATE OF NEW YORK
TOWN OF CLARKSTOWN

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Minutes of
The Clarkstown Planning Board
June 30, 2010 - 8:30 p.m.
at
City Hall
10 Maple Avenue
New City, New York 10956-5099
-----X

B E F O R E :

- SHIRLEY J. THORMANN, Chairwoman (Not present.)
- RUDOLPH J. YACYSHYN, Vice Chairman
- GILBERT J. HEIM, Member
- PETER E. STREITMAN, Member
- JOHN J. SULLIVAN, Member
- THOMAS A. TREVOR, Member

P R E S E N T :

- JOSE C. SIMOES, Town Planner
- JOHN SARNA, P.E.
- CHARLES MANERI, Building Plans Examiner
- DENNIS M. LETSON, Deputy Director
Environmental Control
- DANIEL KRAUSHAAR, Board Attorney

HOWARD BRESHIN REPORTING
8 Edsam Road
Valley Cottage, New York 10989
(914) 426-2400



TOWN PLANNING DEPT.

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2 MR. YACYSHYN: I call the public
3 hearing for the purposes of a scoping
4 session for the application of the
5 Orchard Ridge, Congers.

6 Let the record show that Mr. Heim
7 joins us. Okay. All right, as I
8 indicated, this is the scoping session
9 for the Orchard Ridge Active Adult
10 Residential Development.

11 Mr. Simoes, would you be kind
12 enough to indicate the notice of public
13 scoping for the record.

14 MR. SIMOES: You want me to read
15 the notice into the record?

16 MR. YACYSHYN: Just indicate the
17 salient points of what the matter is
18 about.

19 MR. SIMOES: Might as well just
20 read it. The Town Board recently
21 established an Active Adult Residential
22 floating zone, identifying specific
23 criteria for the zone implementation,
24 and this action was the subject of a
25 Generic Environmental Impact Statement

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which evaluated the potential environmental impacts of establishing the AAR Zone.

The Generic Environmental Impact Statement clearly stipulated that development of an active adult residential parcel would be subject to site specific environmental review.

The Town of Clarkstown Planning Board has declared itself as lead agency, in the review of the proposed Orchard Ridge Active Adult Residence Development, and the applicant has initiated preparation of a site specific Supplemental Environmental Impact Statement to evaluate if there are any significant adverse impacts on the environment as a result of the project. It was a copy of the draft scope which everyone one should have here, and if anybody from the audience wishes to have a copy, we'll have copies made. It was available for review in the Town clerk's office and

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was available on line.

We have written comments, if the board accepts them, up to 10 days after the close of the public scoping session which would be held tonight on June 30th, 2010 at 8:30 p.m.

The project consists of nine tax parcel totals 24.8 acres all owned by DePaulis Enterprises and located entirely in the Town of Clarkstown. It's on Route 303 located just south of the intersection of Route 303 and 9W.

The applicant is proposing to construct residential project consisting of 320 dwelling units on 24.8 acres, and the project also includes consideration of development of 1.5 acres of commercial property located immediately south of Meola Road, in support of the Active Adult Community proposed.

MR. YACYSHYN: Thank you. You are the contact person, right, Mr. Simoes?

MR. SIMOES: Yes.

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MR. YACYSHYN: Will you identify yourself for the record.

MR. EMANUEL: Ira Emanuel,

MR. ZIGLER: David Zigler from Atzl, Scatassa and Zigler.

MR. YACYSHYN: Do you have an opening statement and would you also offer some description of the project itself for the record.

MR. ZIGLER: I have been nominated. Basically on your right you have a model of the site, and on your left you have a plan, that would be probably page two in the set of drawings. I turned this around because the bottom here is the railroad, the top is 303, and that's the way the model is over here to your right, so they both match.

The site itself is 29 acres but, the buildable area is the 24 acres. North is to your left, 303 at the top. This is the shopping center with a corner cafe in it.

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2 This is a proposed site, this is
3 not existing. This is your Kohl's
4 building, that is the parking lot
5 behind it proposed. You have a
6 warehouse office complex here to the
7 south.

8 Across the street you have the
9 office complex. To the right, that's
10 Hemlock Drive. To the right you have
11 the little league field.

12 Now, to your left, this whole area
13 is Hidden Valley which is townhouses
14 right at the corner of 303 and 9W, and
15 down at the bottom is the railroad
16 tracks.

17 The tunnels over here to your left
18 is just off the map. This is now
19 mimicking the model you have over
20 there. The lowest part of the property
21 is down at the railroad tracks. The
22 highest part is up on 303, that is why
23 I turned it around so you'd be able to
24 see the model.

25 Like I said, it's 29 acres. There

1
2 is a large DEC wetlands to the left,
3 that's why it all green. It's
4 delineated by the DEC, the delineation.
5 The site itself is a split by a town
6 sewer made now.

7 There is a large water line up on
8 top, so the site plan we submitted
9 basically designed by Dave Menno, who
10 received quite a number of awards for
11 design and the building concepts,
12 senior complex.

13 You have eight buildings, that's
14 these pairs right here, one, two,
15 three, that's six, then you have the
16 two at the top of the hill. You enter
17 off 303, proposing to enter off 303
18 opposite Hemlock. You would have your
19 clubhouse which has a pool, and is
20 going to have an area out front for
21 bocci or whatever.

22 There will be a mailbox center in
23 it and of course community rooms. You
24 come through, that would be your water
25 quality basin, one of them right here.

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The other one is going to be down here to your right.

You will have a building up on top of the hill. That is basically the highest part of the hill. That would be a little bit higher than the Kohl's building. The Kohl's building sits low so this is a little bit higher, not much, and then the property drops off.

The way the property is set up, it's set up falling away from 303 so the buildings are designed that way. The front of the building is facing the east, that's the front entrance, the back of the building, which is going to be one story lower which is garages, so you have eight buildings, you have 40 units in each building. There is three floors.

The first floor has again a community type room in it, and then you have three floors with the units on each floor, and then underneath is the garage.

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2 You have 40 units, like I said, in
3 each building you have 40 garages, so
4 each unit has a garage. There is 25
5 garages in the building itself. That
6 would be along the back and then on the
7 common side.

8 Now, this one building does not
9 have a set to it, so if you look at the
10 sets you will see that there is a
11 garage on the common side, so that's
12 your 25 parking spaces. The other 16
13 spaces, 15 spaces, if my math is wrong,
14 15 spaces are in the stand alone
15 garages, five spaces in each garage,
16 three garages, that's how the building
17 is set up.

18 The amenities to it would be the
19 clubhouse, of course, and we also had a
20 concept approval for a walking exercise
21 type path through the wetlands that
22 would almost equal a mile. There is
23 quite a bit of wetlands there, so it
24 was around the whole site, that was
25 approved. We stopped, of course,

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because of this process until we moved on, and that's basically it.

That's also mimicked over here on your right which shows the difference in elevation to the buildings and how it falls from 303, this being the 303 portion.

You can see how the buildings fall. This is built to scale. The trees are not located-- these are fake trees so don't get upset about that.

The units are step down. You can see that the back of the building is lower than the front. That's how you get the garages in it.

The buildings themselves look like this so far as proposed. This would be the front of the building, and then the other side is the side that does not have the garages on it so that's the front entrance to each building and that's the side without the garages, and basically that's it.

We had proposed, I would say,

1
2 preliminary type of plans, a concept
3 drainage plan. We had gone to United
4 Water and had some discussions with
5 them. We had concept meetings and with
6 the DOT and had submitted for a permit,
7 but all that stopped when we got into
8 this process, so I think that's about
9 it, unless you have any questions.

10 MR. YACYSHYN: Thank you, Mr.
11 Zigler.

12 MR. ZIGLER: You are welcome.

13 MR. YACYSHYN: There is no easy
14 way of handling a scoping session in an
15 environmental review such as this,
16 particularly a project of this
17 magnitude. However, we have attempted
18 to make a little, make it a little
19 easier to understand the process and
20 certainly to be able to understand it
21 after you leave tonight as to what it
22 is all about, so we prepared a copy of
23 the scoping document which we'll be
24 getting into as part of this thing, and
25 anybody from the public who wishes a

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2 copy, we'll be happy to offer it to
3 you. Anyone wish any? Our secretary
4 has a copy. Do you have a copy? All
5 right.

6 All right. At this time, I am
7 going to turn it over to our special
8 planning consultant, which is Tim
9 Miller Associates in the person of the
10 Senior Planner, Ann Cutignola. Will
11 you take on the description.

12 MS. CUTIGNOLA: As Mr. Yacyshyn
13 indicated, the property is zoned for
14 AAR use. Implementation of that zone
15 requires site specific environmental
16 analysis, and that is what we are here
17 to discuss tonight.

18 This type of housing meets a
19 specific need that was identified by
20 the Town, and this property was
21 identified as meeting the necessary
22 criteria during the generic AAR
23 Floating Zone Environmental Review.

24 However the site must be developed
25 in a manner that reduces the

1
2 environmental impacts to the greatest
3 extent possible. The draft scope is a
4 preliminary outline of the issues to be
5 studied. We are here tonight not to
6 actually address any of the issues, but
7 to make that the list of issues that
8 need to be studied is comprehensive as
9 possible. Sometimes a specific concern
10 goes hand in hand, but the objective
11 here tonight is to formulate a
12 comprehensive outline of everything
13 that needs to be studied, and the more
14 specifics that you can put forth, the
15 better the study will wind up being.
16 It's really a list of questions to be
17 asked and issues to be raised.

18 The environmental-- the draft
19 scope, which you heard referred to, it
20 already includes considerations of
21 soils and topography, surface water
22 resources, terrestrial and aquatic
23 ecology, land use and zoning,
24 transportation, community facilities
25 and services, and a physical impact

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2 analysis and aesthetic resources, but
3 there again, any specific concerns you
4 have that we can fit into those broad--
5 those pretty much are the broad
6 categories, but your specific concerns,
7 we will incorporate them as best as we
8 can.

9 MR. YACYSHYN: Okay. First I will
10 start with the -- any of our
11 consultants have any comments at this
12 time?

13 MR. MANERI: No.

14 MR. LETSON: Not at this time.

15 MR. YACYSHYN: Mr. Sarno.

16 MR. SARNO: I was just given this
17 scope this evening, and I asked Joe for
18 the opportunity to make one suggestion
19 under the traffic and transportation.

20 Page seven, under the heading of
21 Analysis of Impacts. The last sentence
22 in there reads, "The potential traffic
23 generation resulting from the proposed
24 use will be estimated based on the most
25 current institute of Transportation

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Engineer's Trip Generation Manual."

Well, in fact there is no good set of traffic generation rates in the manual that meet this particular condition.

I have been involved in at least half a dozen of these studies over the past two years, including both as a preparer and as a reviewer, including one which Tim Miller Associates has prepared and which I am reviewing right now.

What I would-- in all of these studies, and by the way, this also includes that one that we did in Clarkstown on Convent Road about a year ago.

A specific trip generation rate for this type of development was studied and agreed to by both the applicant and the reviewer, and I would suggest that that be done here, and so that this last sentence be changed to read, "The potential traffic generation

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2 resulting from the proposed use will be
3 determined by the applicant in
4 consultation with the Planning Board
5 and its technical personnel," or some
6 wording like that because the only --
7 the closest applicable rate in the ITE
8 Trip Generation Manual is frankly much
9 too low.

10 MR. YACYSHYN: Much too what?

11 MR. SARNO: Low. It's more
12 applicable to a development such as the
13 Ezra Dashow (ph) in Spring Valley
14 rather than an active adult. There is
15 no active adult category in the ITE
16 manual, so I would just suggest that
17 the wording be changed so that it's an
18 agreed trip generation rate between the
19 applicant and the planning.

20 MS. CUTIGNOLA: Mr. Sarno is
21 correct on that. As we were working
22 through the Generic Environmental
23 Impact Statement, if you remember, we
24 actually did both at the time.

25 He is absolutely correct. The

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2 trip generation rates that are specific
3 to seniors are really for inactive
4 seniors, so to speak, and what we did
5 do at that time was to simply use the
6 general townhouse rates which take into
7 account just as though they were
8 regular townhouses with the
9 understanding that if the traffic
10 analysis, if all of the intersections
11 work in an acceptable level under
12 traditional townhouses, then the active
13 adult would be, if anything, reduced
14 from that slightly, so he is absolutely
15 correct, and we would be happy to work
16 out a reasonable rate and come to a
17 conclusion as to specifically what rate
18 is used.

19 MR. YACYSHYN: Thank you. The
20 public should be aware that there were
21 terms thrown out, one was Generic
22 Environmental Impact Statement. That
23 referred to when the Town Board in its
24 wisdom sought to adopt this active
25 adult residential floating zone which

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2 could be, under certain conditions,
3 placed anywhere in the Town itself.

4 As I say, under certain
5 conditions, it wouldn't be applicable
6 everywhere.

7 A generic or broad type of
8 environmental impact study had to be
9 conducted in order to see its viability
10 and it was determined, but what was
11 required and is required is that every
12 specific site where this zone would be
13 applied, as in this case here in
14 Congers, a site specific environmental
15 impact which relates to the issues that
16 are raised and the impacts that would
17 be generated in that location have to
18 be studied individually in addition to
19 what was developed under the overall
20 generic environmental, so it's two
21 cracks at the apple, so to speak, to
22 make sure that all the issues are taken
23 into account, okay? Is that
24 understood? All right.

25 Members of the Board, anybody have

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2 any comments or questions at this time?
3 I must say that the scoping document in
4 its draft form -- in its draft form is
5 quite comprehensive, and of course it
6 had the benefit of the issues that were
7 involved in the generic as well.

8 Mr. Streitman.

9 MR. STREITMAN: Just a couple of
10 quick comments. I guess one would be I
11 guess for the ingress and egress of the
12 facility, one is being proposed
13 currently, there is a second?

14 MR. EMANUEL: Yes.

15 MR. ZIGLER: Meola Road. That
16 model was done, and then we made a
17 revision on the plans.

18 MR. EMANUEL: You want to show
19 them on the plans?

20 MR. ZIGLER: There was discussions
21 of an emergency access only so it
22 wouldn't become some kind of a short
23 cut, but this is what we were talking
24 about, and then sidewalks, that is
25 really not shown on that.

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MR. STREITMAN: That was the other one, sidewalks.

MR. SULLIVAN: Is there any provision for public transportation access, access to public transportation on-site?

MR. EMANUEL: Yes, at the intersection of 304.

MR. ZIGLER: 303.

MR. EMANUEL: I am sorry, 303.

MR. SULLIVAN: At the entrance?

MR. YACYSHYN: Are you suggesting public transportation go into the site?

MR. SULLIVAN: No, I am not suggesting anything. I am asking what, if any --

MR. EMANUEL: It would be at the entrance. It can't go into the site because all those roads are private roads.

MR. SULLIVAN: With regard to recreation, this is really for Mr. Letson, you are proposing a walking trail in the wetlands. Does that have

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any potential negative impact on the wetlands?

MR. LETSON: Generally not, depending upon the type of surfacing material and whether you are disturbing the preliminary discussions with DEC. Generally they limit that to like a woodchip walking surface rather than doing some kind of a hard paving or anything that would generally interfere with the wetlands functions for continuity.

MR. SULLIVAN: I presume you will have those discussions?

MR. ZIGLER: Basically, although I said it was through the wetland, 80 percent of it is through the adjacent area, and very little of it is through the wetlands.

MR. SULLIVAN: You will be cognizant of that?

MR. ZIGLER: Oh, yes.

MR. YACYSHYN: Anyone else? Anything from the public? This matter

1
2 has been duly noticed and advertised
3 for a public hearing. Anyone wish to
4 offer any comments or questions, please
5 rise and give us your name and address.
6 We have a microphone here. Since you
7 are being recorded and taped, I think
8 it is better to identify yourself.

9 MR. MARKOWITZ: My name is Elliot
10 Markowitz, 156 West Clarkstown road,
11 New City, New York.

12 I was just going to say the
13 general issue about trip generation, my
14 mother-in-law lives in the Lake Road
15 Condominiums, so I probably base that
16 on that. Lake Road Condominiums is a
17 de facto I think senior active
18 community, so you ought go down there.
19 That is what I would use for your trip
20 generation since you don't want to get
21 too low since most of those people
22 don't drive, but Lake Road Condominiums
23 is a mature community, I would like to
24 say, so they drive and they have
25 garages and that sort of stuff too, so

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that may help you in your trip generation.

MR. YACYSHYN: Thank you. Anyone else? If there is nothing else--

MR. STREITMAN: He need a motion to close the public hearing.

MS. CUTIGNOLA: May I ask an informational question since --

MR. YACYSHYN: Can you speak into the mic?

MS. CUTIGNOLA: I definitely can. I know at previous meetings that the applicant has been before the Planning Board. There were issues raised about the noise from the railroad tracks, and I would like the benefit of what the Planning Board's concerns are about that so that they are properly addressed in the EIF.

MR. YACYSHYN: Right. Under J on page 8 you had the noise impacts indicate, I think it's CSX is the actual name of the railroad, okay.

MS. CUTIGNOLA: Okay.

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MR. YACYSHYN: All right.

MR. SULLIVAN: Did you get an answer?

MS. CUTIGNOLA: I did not. Did you say anything? Are there --

MR. SULLIVAN: Sure, there are concerns. What would be the impact of the noise from the railroad? We need some assessment.

MS. CUTIGNOLA: Some assessment, okay. Normally the impacts are evaluated that the project would bring with it. In this case the impact is somewhat reversed, and we are going to look at the impact of what the existing noise from the existing operation of the rail will mean to the people that live there, and if that's the sum and substance of it then that's what we'll do.

MR. YACYSHYN: Okay. I take it since there is no other comment at this time, that the-- that it's appropriate for a motion to close the public

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hearing.

I just want to indicate that it's required that the closing date of this would be--

MS. CUTIGNOLA: As advertised in the notice. There is ten days from today.

MR. YACYSHYN: Ten days from the close of the public hearing to today for this scoping session, so there is still an opportunity to submit any comments in writing to Mr. Simoes, our Principal Town Planner as indicated, okay?

All right. I will entertain a motion to close the public hearing.

MR. SULLIVAN: Motion.

MR. TREVOR: Seconded.

MR. YACYSHYN: By Mr. Sullivan. Who seconds?

MR. TREVOR: Second.

MR. YACYSHYN: Any discussion? All those in favor?

(A chorus of ayes.)

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MR. YACYSHYN: Closed. Motion is granted.

MR. EMANUEL: As a housekeeping matter, I understand the public comment period is being kept open. Will-- at the close of the public comment, will the scope document be deemed adopted, or will we come back for another meeting for that to occur?

MR. YACYSHYN: To be determined.

MR. EMANUEL: Based upon whatever comments you may get?

MR. YACYSHYN: Right.

MR. EMANUEL: Fair enough.

MR. YACYSHYN: I think a consultation will be necessary by the staff, okay? So you will be advised.

MR. EMANUEL: Obviously we would like to move on this as quickly as we can.

MR. YACYSHYN: Of course.

MR. EMANUEL: Thank you.

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C E R T I F I C A T I O N

STATE OF NEW YORK)
) ss.
COUNTY OF ROCKLAND)

I, HOWARD BRESHIN, a Court Reporter
and Notary Public within and for the State of New
York, do hereby certify:

That I reported the proceedings that
are hereinbefore set forth, and that such
transcript is a true and accurate record of said
proceedings.

I further certify that I am not
related to any of the parties to this action by
blood or marriage, and that I am in no way
interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand.



HOWARD BRESHIN,
COURT REPORTER

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State Environmental Quality Review Act (SEQRA)

FINAL

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 29.65 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
- Aesthetic Resources – Visual and Lighting
- Noise
- Construction Impacts – Air Quality

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 in the body of the SDEIS, and included in their entirety in an appendix, with an appropriate reference included in the SDEIS.

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 SDEIS as an appendix and reduced copies of pertinent plan sheets and details will be included in the text of the SDEIS. 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, SDEIS 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 SDEIS.

II. DESCRIPTION OF THE PROPOSED ACTION

Chapter 2 of the SDEIS 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 SDEIS 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 SDEIS 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, EXISTING CONDITIONS, IMPACTS, MITIGATION

This section of the SDEIS 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 / Existing Conditions
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 SDEIS will describe the detailed soil erosion and sediment control plan that will accompany the text description of specific designs to be implemented during construction.
 - f. Test pits and borings will be performed to verify the information included in the *Soil and Water Conservation District Soil Survey for Rockland County, New York*.
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 stone walls 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 and Ground Water Resources

Drainage

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 SDEIS text and all supporting calculations will be presented in the appendix to the SDEIS. 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 SDEIS. 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. The drainage analysis shall include identification of off-site drainage ways which flow to of from the site.
 - c. An analysis of the extent and depth to groundwater.
 - d. Calculation of pre- and post-development runoff quality and outline of treatment methods per current NYSDEC Design Standards.
 - e. The SDEIS 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.

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.
- f. 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.

C. Flora and Fauna

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. A field assessment shall be conducted by a qualified professional to evaluate the presence of unique, rare and/or endangered, threatened and special concern species.
- c. 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. A field assessment shall be conducted by a qualified professional to evaluate the presence of unique, rare and/or endangered, threatened and special concern species.
- c. 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.
- d. Evaluate the potential impacts on the resources identified. Mitigate if necessary, and conduct on-site surveys as required.

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*. Trip Generation rates will be reviewed by the Planning Board's Traffic consultant and adjusted as necessary to more accurately reflect the specific AAR land use.
6. Public Transportation and Pedestrian movement - The SDEIS shall evaluate the need for alternative forms of transportation, including, but not limited to Public Transportation including T.R.I.P.S., pedestrian and bicycle facilities,.
7. Mitigation -- Mitigation in the form of recommendations for roadway and intersection improvements, traffic controls, signal modification, timing revision, and future monitoring, shall be identified, including co-ordination of roadway improvements with other projects along NYS Route 303 in the vicinity of the project.

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, sewer, gas and electricity) 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 CSX 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 CSX railroad operations on 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 SDEIS will identify impacts that are likely to occur despite mitigation measures, and will assess the adverse implications of these unavoidable impacts.

V. ALTERNATIVES

This section of the SDEIS 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 SDEIS, 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 SEQRA documents, a list of involved and interested agencies, and relevant correspondence with involved agencies and persons.

X. Distribution

A copy of this document will be sent to the following:

Lead Agency

Shirley Thormann, Chairperson
Town of Clarkstown Planning Board
Clarkstown Town Hall,
10 Maple Avenue
New City, NY 10956

Involved Agencies

Federal

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United States Army Corps of Engineers
Jacob Javits Federal Building
26 Federal Plaza
New York, NY 10278-0090

New York State

Commissioner
NYS Department of Environmental Conservation
625 Broadway
Albany, NY 12233

Regional Permit Administrator
NYS Department of Environmental Conservation
Region 3
21 South Putt Corners Road
New Paltz, NY 12561

Commissioner
NYS Department of Transportation
Region 8, SEQR Unit
4 Burnett Boulevard
Poughkeepsie, NY 12603

Mary Jo Russo P.E., Rockland County Permit Engineer
NYS DOT Regional Office
275 Ridge Road
New City, NY 10956

Rockland County

Salvatore Corallo, Commissioner
Rockland County Planning Department
239 GML Referral
Robert L. Yeager Health Center
Building T, 50 Sanatorium Road,
Pomona, NY 10970

Joan Facelle, M. D., Commissioner of Health
Rockland County Department of Health
Robert L. Yeager Health Center
Building D, 50 Sanatorium Road
Pomona, NY 10970

Diane Phillips P.E., Executive Director
Rockland County Sewer District No. 1
4 Route 340
Orangeburg, NY 10962

Town of Clarkstown

Shirley Thormann, Chairperson
Clarkstown Planning Board - Site Plan Approval
10 Maple Avenue
New City, New York 10956

Dennis Letson P.E.
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Edward Lettre
Clarkstown Architectural and Landscape Commission
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Chief
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62 Old Middletown Road
New City, NY 10956

Charles Vezzetti
Rockland County Department of Highways
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New City, New York 10956

Ruth Pierpont
NYS Office of Parks, Recreation and Historic Preservation
Historic Preservation Field Services Bureau,
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Waterford, NY 12188-0189

Commissioner
NYS Department of Health
Corning Tower, Empire State Plaza
Albany, NY 12237

Project Applicant

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Project Attorney

Ira Emmanuel, Esq.
C/o Freeman Loftus and Manley, 4 Laurel Road, New City NY 10956

EIS Preparer

TIM MILLER ASSOCIATES, INC.
10 North Street, Cold Spring, NY 10516

Land Surveyor

ATZL, SCATASSA & ZIGLER, PC
234 North Main Street, New City, NY 10956

Stormwater Management Engineer

ATZL, SCATASSA & ZIGLER, PC
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