

State Environmental Quality Review Act (SEQR)
DRAFT SCOPING DOCUMENT

Star Warehouse Expansion
Town of Cornwall, Orange County, NY
Draft Environmental Impact Statement

SEQR CLASSIFICATION: **TYPE 1**

LEAD AGENCY: **Town of Cornwall Planning Board**
183 Main Street
Cornwall, NY 12518
(845) 534-9429
Contact: dhines@cornwallny.gov

LIST OF INVOLVED/INTERESTED AGENCIES

Involved Agencies

- New York State Department of Transportation, Region 8
- New York State Department of Environmental Conservation, Region 3

Interested Agencies

- Orange County Department of Planning
- New York State Historic Preservation Office
- NYSDEC-Department of Fish & Wildlife
- Town of Cornwall Fire Inspector
- Palisades Interstate Park Commission

INTRODUCTION

This Scoping Document is intended to comply with New York State Environmental Quality Review (SEQR) as provided in 6 NYCRR Part 617. Updated SEQR regulations were adopted by New York State June 2018. According to the SEQR regulations, the primary goals of scoping are to focus the EIS on potentially significant adverse impacts and to eliminate consideration of those impacts that are irrelevant or not significant. This Scoping Document is intended to serve as the foundation for the identification of all potentially significant adverse impacts pertinent to the proposed action and appropriate mitigation measures. The potentially significant adverse impacts identified in Scoping are to be addressed in the draft Environmental Impact Statement (DEIS).

A DEIS provides a means for agencies, project sponsors and the public to systematically consider significant adverse environmental impacts, alternatives and mitigation. A DEIS facilitates the weighing of social, economic and environmental factors early in the decision-making process.

On January 3, 2017, the Town of Cornwall Planning Board, acting as SEQR Lead Agency for Coordinated review of the Type I Action, adopted a Positive Declaration for the Star Warehouse Expansion site plan application. The Notice of Positive Declaration was circulated to involved and interested agencies at that time. Limited review of the application has occurred since 2017.

DESCRIPTION OF THE PROPOSED ACTION

The action involves an application for site plan approval for the expansion of a special permit use, specifically a requested 50,000 square foot expansion to an existing 185,835 square foot warehouse, on a 36.9-acre lot located 20 Industry Drive, in the Town of Cornwall, New York. The subject property is comprised of tax lot Section 33, Block 1, Lot 49.12. Access to the site is from Industry Drive, a shared access drive to NYS Route 32. The proposed expansion will include the addition of four new truck bays and the construction of a new 50,000- gallon water storage tank. Parking, landscaping and stormwater management facilities will be provided in support of the building addition. The subject property is located in the Planned Industrial Office (PIO) zoning district.

POTENTIAL SIGNIFICANT ENVIRONMENTAL IMPACTS

The proposed action may have potentially significant environmental impacts on:

- ***Stormwater***
- ***Wetlands***
- ***Groundwater Resources***
- ***Ecological Resources***
- ***Archeological Resources***
- ***Visual Resources***

GENERAL SCOPING CONSIDERATIONS

The applicant will prepare a Draft Environmental Impact Statement (DEIS) addressing the items described in this Scoping Document.

The applicant will follow the SEQR regulations for direction on the required content of a DEIS. The DEIS will assemble relevant and material facts, and evaluate reasonable alternatives. It will 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.

The DEIS will be written in the third person without use of the terms I, we, and our. Narrative discussions will be accompanied to the greatest extent possible by illustrative tables and graphics. All graphics will clearly identify the project area. The DEIS will group each issue identified into one Existing Conditions, Impacts, and Mitigation section to permit more efficient review. Opinions of the applicant that are unsupported by evidence will be identified as such.

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

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.

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

This chapter of the DEIS will describe the project site and its location, the proposed project, the public need and objectives of the project sponsor, and list 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 Cornwall.
2. Brief description of the environmental setting of the site, its historic use, and the natural resources identified thereon and in the adjoining area.
3. Identification of any easements, rights-of-way, restrictions, special district boundaries or other legal devices affecting the subject properties' development potential.
4. Identify the existing zoning and describe existing land uses for the project site, adjoining properties, and nearby properties.
5. Description of the existing infrastructure serving the project site and/or its immediate environs, including existing site access and road network.

B. Description of the Proposed Action

1. Written and detailed description of the proposed action and potential implementation, including the proposed use, design, layout, phasing and construction schedule.
2. Discuss proposed modifications to parking, loading, utilities and changes to number of employees.

3. Discuss agreements or legal instruments to assure the long-term maintenance of all shared facilities, such as access drive, fire protection water system, and signage, between Cornwall Properties LLC (Star Warehouse) and the adjoining 19 Industry Way property. The shared use of such improvements is likely to involve the shared maintenance of the improvements.
- C. Discuss compliance with all zoning and Site Plan approval standards and other criteria set forth in the Town of Cornwall Code, including 2020 revisions to the Zoning Code (Chapter 158). The DEIS will 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.

D. Project Purpose and Need

1. Discuss the purpose or objective of the project sponsor.
2. Identify the public need for the proposed action, including consideration of consistency with adopted policies and/or plans as set forth within adopted community land use and development plans, including the Town of Cornwall Comprehensive Plan 2019 Update and the Orange County Comprehensive Plan 2018 Update.

E. Approvals, Reviews and Permits

1. List and describe all required approvals, reviews, and permits, by agency, to implement the proposed action.
2. List all Involved and Interested Agencies for DEIS distribution.

III. ENVIRONMENTAL SETTING, IMPACTS, MITIGATION

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

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. Surface Water and Wetlands

1. Surface Water Resources

- a. Surface water features will be mapped and described, including stream classification, drainage areas, existing mapped floodplains, and downstream tributaries.
- b. Describe the proposed development's potential impact to surface water features, including Woodbury Creek, existing floodplains and any permits or approvals to implement the project.

- c. A drainage study or Stormwater Pollution Prevention Plan (SWPPP) will be prepared for the development in compliance with current NYSDEC Design Standards. The study will include pre-development and post-development peak rates of stormwater runoff. 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. The study will consider potential drainage effects to adjoining properties.
- d. Pre- and post-development stormwater runoff quality and outline of treatment methods per current NYS DEC Design Standards shall be presented.
- e. Mitigation measures for impacts to surface water resources, including Woodbury Creek and floodplains will be described, including a description of both short-term (construction related) and permanent erosion and sediment control plans. The proposed on-site stormwater management system and features will be described.

2. Wetlands

- a. Delineate in the field and survey the boundary of on-site Town of Cornwall and Federal Jurisdictional Wetlands, based on Town of Cornwall Code (Chapter 90) and ACOE methodologies. Describe the function, value and characteristics of on-site wetlands and waters.
- b. Calculate and show in graphic form the area of wetland disturbance, if applicable.
- c. Assess potential impacts on identified functions and values.
- d. Discuss any mitigation measures that will be implemented to prevent soil erosion and sedimentation to wetlands during construction.
- e. Identify and describe the permits required from the Army Corps of Engineers, and/or the Town of Cornwall to implement the proposed project.
- f. Describe wetland mitigation proposals including plantings and plans.

B. Groundwater Resources

- 1. Existing groundwater conditions will be described including sand-and-gravel aquifer conditions, nearby water supply wells and local water demand from groundwater sources.
- 2. The location of the existing wells on the site will be described. The existing water demand and well capacity (if available) will be described. Future water demand, related to the warehouse expansion, including fire protection capacity will be described. The basis for the calculation for water demand will be provided.
- 3. The potential on-site storage of petroleum or chemical products will be described. The potential impacts of petroleum/ chemical storage to the local aquifer will be described. Discuss the potential for vehicle-based leaks or spills to impact the local groundwater.
- 4. Discuss the existing wastewater management system and the potential effects of the facility expansion on that system, including the potential for groundwater contamination from the existing onsite sanitary disposal system.

5. Mitigation measures for the above listed potential impacts, if required, will be described.

C. Ecology (Flora and Fauna)

1. The possible presence of unique, rare, threatened and/or endangered species (vegetation and wildlife), for both on-site and nearby properties will be described. The following species, as identified by the NYSDEC, will be discussed; timber rattlesnake, northern long-eared bat, Indiana bat.
2. Conduct an ecological field survey to determine existing vegetation and wildlife and provide a description of the findings. The DEIS text will provide a summary of the ecological survey, while the technical report will be provided as an Appendix.
3. Evaluate the potential impacts on the resources identified and describe mitigation measures if necessary.

D. Transportation

1. Discuss existing truck traffic volumes and routing. Describe existing deliveries and timing during the day to and from the site.
2. Describe additional truck trips anticipated as a result of the warehouse expansion and potential changes in delivery routes and timing.
3. Discuss internal site circulation, the proposed loading bays and access, and new parking stalls.
4. Discuss the improvements to curb cuts, the commercial access driveway, NYS Route 32, traffic signage and modifications to site access. These improvements will consider the total development site, including the adjoining 19 Industrial Way property.
5. Describe mitigation, if necessary, including the potential for adjustment of truck delivery timing or routing to avoid peak traffic periods on NYS Route 32.

E. Historic and Archaeological Resources

1. The New York State Office of Parks, Recreation and Historic Preservation (OPRHP) will be contacted to determine the potential impact on historic and archaeological resources that may be located on, or near the project site.
2. Any structures listed on the National Register of Historic Places located adjacent to or near the project site will be described, and potential impacts to the historic resources described.
3. If requested by OPRHP, a Phase 1A/1B archeological investigation will be performed in compliance with OPRHP requirements. A summary of the Phase 1A/1B investigation will be provided in the DEIS text and the full report attached.
4. Describe mitigation measures if necessary

F. Community Facilities and Services

1. The proposed project will create the need for additional community services including police and fire protection, and emergency services. Existing public service entities will be described as to their general existing capacity.
2. The impact of the proposed project on each service entity will be estimated, according to generally accepted practices.
3. Discuss existing solid waste management for the facility and the potential impact on waste management by the expansion.
4. Mitigation measures, if necessary, will be discussed.

G. Visual Resources

1. A visual impact analysis will be conducted consistent with SEQRA regulations and in accordance with NYSDEC guidance. The visual survey and impact analysis will include photos of the project site in its existing condition taken from surrounding vantage points. The development's potential visibility from public vantage points, including trails, scenic overlooks and specifically, the Storm King Art Center, will be described.
2. The warehouse building additions' architecture and massing will be described in the context of the existing warehouse building and setting. Describe and provide graphics to show how the warehouse addition will alter public views of the subject site.
3. A conceptual landscaping plan will be provided and described. The landscape plan's conformance to the Town of Cornwall Code for Landscaping and Environmental Control (Section 158-20) will be described.
4. Proposed changes to facility signage and related visual impacts will be described.
5. The potential need to screen the project from nearby residential uses or public vantage points will be assessed.

H. Human Health

1. The existing on-site storage of petroleum and/or hazardous materials will be described. Any storage areas will be discussed in relation to proximity to Woodbury Creek and its floodplain.
2. Describe any addition or expansion of storage for petroleum and/or hazardous materials, specifically related to proximity to Woodbury Creek and its floodplain.
3. The status of the NYSDEC supervised clean-up on the subject site will be discussed, including a summary of: regulatory status, background, the nature of the clean-up, areas involved and schedule.
4. Mitigation measures for hazardous materials, if necessary, will be described.

I. Emergency Services

1. Describe the proposed improvements to the fire protection system (water storage tank and distribution system), necessary to address the total site development (including the adjacent 19 Industry Drive property), to include all existing and proposed buildings and uses. The evaluation will include preliminary calculations for fire load (building fire protection demand for sprinklers and standpipes), site hydrants, flow and pressures, water distribution, and feed supply system sizing, etc. The calculations and layout will be prepared by a licensed professional and will provide adequate information to demonstrate that the improved system will comply with all State Fire Code requirements. The information should be used as the basis for the improvements depicted on the site plan drawings.
2. Provide an emergency services access evaluation to determine access routes and locations of access. Demonstrate that emergency access is adequate for fire apparatus to gain access to all necessary portions of the site and each building, in conformance applicable State Codes. The analysis should demonstrate compliance with needed dead-end turnarounds, as required by Code. The Cornwall Fire Inspector will be consulted regarding the emergency access evaluation.
3. The Cornwall Fire Inspector will be consulted regarding emergency response as it relates to the Site Plan.
4. Water demand and current on-site capacity, specifically for fire protection will be estimated and potential impacts will be discussed. The proposed new water storage tank as it relates to fire protection will be discussed.
5. Mitigation measures for emergency services, if necessary, will be described

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 evaluation and comparison will include a conceptual site plan and a tabular comparison of quantified impacts, including trip generation comparisons with the proposed action. The following alternatives will be studied:

- A. The “No Action” Alternative as required under 6 NYCRR 617.9.b.5.
- B. (To be Determined)

The proposed levels of disturbance for each alternative will be quantified.

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

Potential growth-inducing aspects, including short and long term, generated by the project will be described.

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

IX. CLIMATE CHANGE

Provide a discussion of measures to avoid or reduce both the action's potential impacts on climate change and associated impacts due to the effects of climate change on the project, such as flooding.

XI. APPENDICES

The appendices will include a list of all underlying studies and reports relied upon in preparing the DEIS, technical exhibits and studies 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. These include but are not limited to:

1. SEQRA Documentation
2. Correspondence
3. Stormwater Management Report
4. Utility Report (water and sewer calculations)
5. Ecological Report (including wetlands assessment)
6. Archeological Phase 1A/1B