

State Environmental Quality Review Act (SEQRA)

DRAFT

SCOPING DOCUMENT

Brick Church Road Community

Village of New Hempstead, 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 proposed action is a Zoning Code Amendment to create a new 1R-10 Residential Zone which would permit Single Family Residences to be built on lots that are a minimum of 10,000 square feet. A preliminary zoning buildout analysis indicates the site could include up to 325 single family, 4- and 5-Bedroom homes. The proposed 1R-10 zoning could be assigned to the to a project site which is approximately 149.7 acres, identified as tax lot 50.05-1-11.1 in the Village of New Hempstead, Rockland County, New York. The site is currently being used as the NY Golf Club. Once enacted, the proposed residences would replace the golf club operation.

The NY Golf Club site is connected to existing municipal water and sewer service. Development of the project would require Subdivision approval from the Village of New Hempstead, consistent with Village requirements as enumerated in Village Code Chapter 255, Subdivision of Land.

POTENTIAL SIGNIFICANT ENVIRONMENTAL IMPACTS

As set forth in the Positive Declaration put forth by the Lead Agency, the proposed action may have potential significant environmental impacts on the following:

- Soils and Topography & Geology
- Surface and Ground Water Resources
- Ecology and Wetlands
- Land Use and Zoning
- Demographics and Fiscal Resources
- Community Facilities and Services including utilities
- Traffic and Transportation - Vehicle Access
- Aesthetic Resources
- Energy Resources

Certain of these potential impacts will require additional site-specific study prior to Subdivision Approval, by the Planning Board.

GENERAL SCOPING CONSIDERATIONS

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

The DEIS 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 DEIS, and included in their entirety in an appendix, with an appropriate reference included in the DEIS.

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.

A Full Scale Zoning Buildout Concept Plan will accompany the DEIS as an appendix with reduced copies of pertinent plan sheets and details included in the text of the DEIS. The DEIS document shall contain plans, reports, and studies meeting prevailing Federal, State and Village criteria with respect to disciplines of study. This Concept Plan is intended to provide a framework and reference point for environmental analysis. It is not intended as an application for subdivision approval. Any future application for subdivision approval will need to account for the final adopted version (if any) of the 1R-10 zoning district and the mitigation factors identified in the SEQRA process.

Subsequent to review and approval of the proposed zoning amendment, full-scale plans will be prepared and submitted for Planning Board review and Subdivision approval, consistent with all requirements of the Village Code, including Chapter 255 Subdivision of Land; Chapter 245 Stormwater Management and Erosion and Sediment Control; Chapter 154 Flood Damage Prevention; Chapter 159 Wetlands Protection, and Chapter A300 Street Specifications, together with environmental review of the site specific project pursuant to SEQRA.

DEIS CONTENTS

The Draft Environmental Impact Statement (DEIS) shall be prepared in accordance with Section 8-0101, ET. seq. of the Environmental Conservation Law and the regulations promulgated by the New York State Department of Environmental Conservation hereunder, which appear at 6 NYCRR Part 617, known as the New York State Environmental Quality Review Act. The DEIS shall include the following:

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

Table of Contents including listings of tables, figures, maps, plans, 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 buildout site and its location, 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 Village of New Hempstead.
2. Description of the environmental setting of the potential build out site and the natural resources identified thereon.
3. Identification of any agreements, easements, rights-of-way, restrictions, or special district boundaries or other legal devices affecting the potential build out sites development potential.
4. Description of the existing infrastructure serving the potential build out site and/or its immediate environs.
5. Description of existing forbearance agreement, as amended, limiting development to a 25-acre parcel adjacent to Brick Church Road.

B. Description of the Proposed Action

1. Written and detailed description of the proposed zoning action. A general description of the potential build out site will be included.
2. Identify existing zoning and describe existing land uses within a ½ mile vicinity of the potential build out site.
3. The DEIS will describe the proposed 1R-10 Zoning amendment. The DEIS shall describe the proposed zoning standards and shall identify how the potential build out fits into the goals of the Village's Comprehensive Plan.

C. Project Purpose and Need

1. 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 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 shall be provided so that reviewers are able to gain an understanding of current conditions and potential for 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 meaningful presentation of the environmental issues that allows the reader to focus on individual impact issues.

As discussed earlier, certain potential impacts of future development under the 1R-10 zoning implementation will require additional project-specific study prior to Subdivision Approval by the Planning Board. Potential impacts from the proposed action, consisting of the zone change, can be studied based on a Concept Plan, submitted herewith, showing maximum potential development of the build out site. As a result, certain potential impacts need not be studied at this stage, but must be studied once a project-specific proposal can be made. To be clear, nothing in the proposed action (the adoption and drafting of a 1R-10 zoning district) requires or necessarily leads to subdivision approval or to the physical development of the build out site. The parameters of any adopted zoning for the build out site may be substantively different from those proposed by the applicant, rendering the Concept Plan, or any other build-out plan, speculative. Any such subsequent actions must be subjected to environmental reviews that are site- and project-specific and no less protective of the environment. The Concept Plan studied in this EIS is a maximum yield plan. Any future approved plan will not be any more intense than the Concept Plan.

A. Soils, Topography and Geology

The proposed action is limited to a change of zone to 1R-10. An analysis of soils, topography and geology is not needed at this stage as these factors have no impact on the zoning analysis. Future project-specific analysis of Soils Topography and Geology Impacts shall be conducted in connection with a project-specific subdivision application.

B. Surface and Ground Water Resources

Impacts on Surface and Ground Water Resources can be studied generically based on the Concept Plan. Generalized quantification of drainage impacts that assume an appropriate proportion of the site will be devoted to new impervious surfaces will be provided. Future project-specific analysis of Surface and Ground Water Resources Impacts shall be conducted in connection with a project-specific subdivision application.

C. Ecology & Wetlands

Impacts on Ecology and Wetlands have some relevance to the proposed zoning action, in that the presence of wetlands, unique, rare and/or endangered, threatened and special concern species may limit the available area for development, thus impacting the number of units that could be built. The Concept Plan does not account for these issues, and as such represents a conservative maximum build out potential. Analysis of Ecology and Wetlands Impacts will be conducted in connection with any future project-specific subdivision application.

D. Land Use and Zoning

1. The DEIS will discuss the proposed 1R-10 Zoning. The DEIS shall describe the proposed Zoning standards and Bulk Regulations.
2. Existing land uses of the subject property and the surrounding area will be described.
3. The compatibility of the proposed project with the character and development trends of the surrounding area will be discussed.
4. An assessment of the proposed 1R-10 zoning in light of the Village's Comprehensive Plan, and any other relevant local planning documents will be provided.

E. Demographics & Fiscal Resources

1. A description of the existing demographic makeup of the Village of New Hempstead shall be provided.
2. A calculation of the anticipated population increase which could occur as a result of implementation of the proposed 1R-10 zoning amendment.
3. A Fiscal Impact analysis, according to accepted Planning practices, shall be prepared. The fiscal impact analysis will comprehensively inventory the costs and revenues associated with the proposed action and realistically assign dollar values to them.
4. Special care will be taken to explain the assumptions, calculations and results of the fiscal impact analysis in clear and understandable language.

F. Community Facilities and Services

1. The proposed zoning amendment could create the need for additional community services including police and fire protection, emergency services, school facilities, utilities (water, sewer, gas and electricity) and solid waste disposal.
2. The DEIS will describe the number of sewer units which would be applicable to the potential build out site under the existing zoning.
3. A projection of the number of sewer units which would be necessary to service the potential build out site as proposed will be provided; and a calculation of the potential increase in sewer units, compared to existing zoning, shall be indicated.
4. The impact of the proposed project on each service area will be estimated, according to generally accepted practices.
5. Analyze the proximity and availability of emergency services relative to the potential build out site.
6. Prior to Subdivision Approval, proposed mitigation measures for the proposed action will be discussed.

G. Traffic & Transportation

1. Road Access - Characteristics of the access roads to the potential build out site will be described including road width, road grades and proposed driveway access connections to Brick Church Road and Hempstead Road. The available sight distance at the intersections of the site entrances will be shown on the grading plan.
2. Methodology - Existing traffic access and capacity conditions will be compared to conditions that would be anticipated from development of the proposed buildout site. The traffic analysis will evaluate roadway and intersection characteristics, volumes and traffic controls. The study will address potential impacts associated with development under the 1R-10 Zoning, and will identify proposed traffic and safety improvements or other mitigation measures to be included as part of this project, designed to lessen the impact on the adjacent road network as 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.
3. Study Area Intersections – Data collection will include counts and turning movements at the following intersection locations for the AM and PM peak hour periods:
 - New Hempstead Road (CR 80) and Hempstead Road / Summit Park Road (CR 51)
 - Viola Road (CR 74) and Union Road
 - West Eckerson Road (CR 74) and Hempstead Road
 - Brick Church Road and Union Road
 - Brick Church Road and Hempstead Road
 - Brick Church Road and Site Driveway
 - Hempstead Road and North Site Driveway
 - Hempstead Road and South Site Driveway
4. 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.
5. Roadway Analysis -- Existing streets will be inventoried to determine street widths, speed limits, number of travel lanes, sight distance measurements at the site access points, and prevailing speeds of traffic on Brick Church Road and Hempstead Road. Road profiles of the proposed site access roads shall be provided.
6. Pedestrian Access - The availability of pedestrian access from the proposed development to Brick Church Road and Hempstead Road, and the surrounding community shall be identified.
7. Mass Transportation – A discussion of mass transit alternatives shall be provided including Transport of Rockland and T.R.I.P.S options.
8. Analysis of Impacts -- The capacity of each intersection for the existing, no-build, and build conditions will be calculated. 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*.

9. Mitigation -- Mitigation in the form of recommendations for roadway and intersection improvements, traffic controls, and future monitoring, shall be identified.

H. Aesthetic Resources

Impacts on Aesthetic Resources can be studied generically based on the Concept Plan. A description of the existing conditions shall be provided. Note shall be made of existing visual buffers to the build out site and the condition of such buffers. Nearby sensitive receptors shall be identified and located. Future project-specific analysis of Aesthetic Resources Impacts shall be conducted in connection with a project-specific subdivision application.

I. Energy Resources

Based on the Concept Plan, the DEIS will include a discussion of energy sources to be used, anticipated levels of energy consumption, and any applicable energy conservation measures. Future project-specific analysis of Energy Resources Impacts shall be conducted in connection with a project-specific subdivision application.

IV. UNAVOIDABLE ADVERSE IMPACTS

This section of the DEIS 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 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 based on development permitted by the current forbearance agreement and current 1R-40 zoning.
- B. Development of the entire project site under the existing 1R-40 zoning.
- C. Development of the entire project site under the adjacent 2R-15 zoning.

VI. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

The proposed action is limited to a change of zone to 1R-10. An analysis of Commitment of Resources is not needed at this stage as these factors have no impact on the zoning analysis. Future project-specific analysis of the Commitment of Resources shall be conducted in connection with a project-specific subdivision application.

VII. GROWTH INDUCING ASPECTS

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

VIII. 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, Traffic Impact Study,,), background information relevant to the proposed action such as this Scoping Document and other relevant SEQR documents, and relevant correspondence with involved agencies and persons.

X. Distribution

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

Lead Agency

Village of New Hempstead
Board of Trustees
108 Old Schoolhouse Road
New City, NY 10956

Interested Agencies

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

US Army Corps of Engineers, NY District
Attn: Regulatory Branch, Room 16-406
26 Federal Plaza
New York, NY 10278-0090

Rockland County

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239 GML Referral
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Village of New Hempstead

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