

Village of Chestnut Ridge
Final Scope
For Preparation of a
Draft Generic Environmental Impact Statement (DGEIS)
for the
Draft Comprehensive Plan

Village of Chestnut Ridge, Rockland County, NY

Date of Draft Scope:

October 14, 2020,

Date of Final Scope

Revised November 24, 2020,

Adopted December 17, 2020

Classification of Action:

Type 1

Lead Agency:

Chestnut Ridge Village Board

277 Old Nyack Turnpike

Chestnut Ridge, NY 10977

A. DESCRIPTION OF PROPOSED ACTION

The action is the adoption of the first Comprehensive Plan for the Village of Chestnut Ridge. The Plan proposes a comprehensive land use framework and lays out transportation recommendations for the orderly development for the Village. Long standing zoning problems are analyzed and adjustments to the current zoning map are proposed. Changes are recommended to promote the development of employment opportunities and additional housing types other than single-family homes. The Plan focuses development density on areas in the Red Schoolhouse Road corridor near the Garden State Parkway interchange, with transportation improvements funded by new development.

B. SITE DESCRIPTION

The Village of Chestnut Ridge is located in Rockland County within the Town of Ramapo. The Village is bordered to the west by the Village of Airmont, to the south by the Boroughs of Upper Saddle River and Montvale in New Jersey, to the east by the Hamlet of Pearl River in the Town of Orangetown and the Hamlet of Nanuet in the Town of Clarkstown, and to the north by the Village of Spring Valley. The Village is largely developed with single family homes, large institutional uses, and with commercial and industrial development along Old Nyack Turnpike, Chestnut Ridge Road, and Red Schoolhouse Road.

C. FRAMEWORK FOR ENVIRONMENTAL REVIEW

Article 8 of the New York State Environmental Conservation Law, the State Environmental Quality Review Act (SEQRA) requires a lead agency to analyze the environmental impacts of proposed actions and, to the maximum extent practicable, avoid or mitigate potentially significant adverse impacts on the environment, consistent with social, economic, and other essential considerations. An Environmental Impact Statement (EIS) is a comprehensive document used to systematically consider environmental effects, evaluate a reasonable range of alternatives, and identify and propose mitigation, to the maximum extent practicable, of any potentially significant adverse environmental impacts. The EIS provides a means for the lead and involved agencies to consider environmental factors and choose among alternatives in their decision-making processes related to a proposed action.

Generic Environmental Impact Statement

A Generic Environmental Impact Statement (GEIS) is a broader, more general EIS that analyzes the impacts of a concept or overall plan rather than those of a specific project plan. The GEIS is useful when the details of a specific impact cannot be accurately identified, as no site-specific project has been proposed, but a broad set of further, future projects is likely to result from the agency's action. 6 NYCRR 617.10 provides the following guidance for preparation of Generic Environmental Impact Statements:

*Generic EISs may be broader, and more general than site or project specific EISs and **should discuss the logic and rationale for the choices advanced.** They may also **include an assessment of specific impacts if such details are available.** They may be based on conceptual information in some cases. They may **identify the important elements of the natural resource base as well as the existing and projected cultural features, patterns, and character.** They may **discuss in general terms the constraints and consequences of any narrowing of future options.** They may **present and analyze in general terms a few hypothetical scenarios that could and are likely to occur.***

A GEIS will be prepared in accordance with SEQRA and its implementing regulations found at 6 N.Y.C.R.R. Part 617.

Environmental Review Process

The Chestnut Ridge Village Board is the lead agency and project sponsor for the preparation of the GEIS. The preparation of the Comprehensive Plan involved extensive public outreach process comprised of a public visioning workshop, an extensive public survey with over 700 responses, and a series of Comprehensive Plan committee meetings. The Village Board determined that the proposed project may potentially result in significant adverse environmental impacts and directed that a Generic Environmental Impact Statement be prepared.

Scoping initiates the GEIS preparation process and is intended to provide an early opportunity for the public and other agencies to participate. Generic EISs by their nature must be broader and more inclusive of wide considerations. The purpose of scoping is to "focus the EIS on potentially significant adverse impacts and to eliminate consideration of those impacts that are irrelevant or not significant."¹ This Final Scope outlines the analyses and methodologies that will be used to prepare the GEIS. During the scoping review period, interested parties were given an opportunity to review the Draft Scope and provide comments to the lead agency.

A public scoping session for the Draft Generic Environmental Impact Statement (DGEIS) for the proposed DRAFT Comprehensive Plan was held at 7 pm on Wednesday, October 14, 2020. During the session, no comments on the draft scope were received. However, Mr. Robert Asselbergs asked the following procedural questions which were not actual comments on the DGEIS scope:

1. Is the purpose of this meeting for DGEIS scope comments only?
Answer: Yes. Written comments may also be submitted until November 14th, 2020 (30 days).
2. When will hearings be held on the PUD law for Equestrian Estates and the Comp Plan?
Answer: Probably in January 2021, but they will be held when revised drafts are ready and the DGEIS is done.
3. Is there a deadline to finish the Comp Plan process by January?
Answer: No, but it has been a goal of the Village Board.
4. Does the Equestrian Estates DEIS include the PUD law or is it just for the project?

¹ 6 NYCRR 619.8 (a)

Answer: It includes both. However, Equestrian Estates (EE) is not the subject of this scoping session. The EE scoping session was held on September 9, 2020 and the deadline for comments on that scope was 30 days and ended on October 9, 2020.

The Village Board invited written comments on the scope after the public scoping meeting. The Village Board received the following written materials before the end of the 30-day comment period after the public scoping session:

1. Letter from Joseph LaFiandra, Engineer II, Rockland County Sewer District No. 1, to Ms. Florence Mandel, Village Clerk, dated October 1, 2020.

Summary:

- Proposed changes to zoning such as PILO with would result in additional sewer units by right would result in higher impact fees.
- Any new development enabled by the Plan will require impact fees. As an EPA grantee, the Sewer District will not extend service into Environmental Sensitive Areas (ESAs) unless a waiver is obtained from NYSDEC and USEPA.
- For commercial projects, a wastewater questionnaire will need to be submitted prior to connection.

2. Letter from Charles Heydt, PP AICP and Carolyn Worstell, PP AICP, Dresdner Robin, on behalf of Citizens United to Protect Our Neighborhoods of Chestnut Ridge (CUPON CNR), to Florence Mandel, Village Clerk, dated November 12, 2020.

Summary:

- The SEQR process should not start until the draft of the Comprehensive Plan is complete. Particularly with results of the Red Schoolhouse Road Traffic Study.
- Overall, the scope is vague, and the initial project impacts should include more detail on
 - zoning changes to eliminate nonconformities and promote new housing types;
 - land development for new multifamily and planning industry uses impacting drainage and wildlife;
 - traffic, transportation, and parking; and
 - community character.
- “LWRP” is mentioned as a typographical error.
- Public Need, Benefits and Objectives should discuss response to the SWOT analysis and survey.

3. Memorandum from Ann Cutignola, AICP, Tim Miller Associates, Inc., to Mayor Rosario Presti Jr. and members of the Village Board, RE: Proposed Comprehensive Plan – Anticipated Zoning Recommendations, dated October 14, 2020.

Summary:

- Comments were on substance of Comprehensive Plan draft recommendations, rather than on DGEIS scope;

- Advocates that property currently zoned RS represented by Joel Weber is not recommended for PILO rezoning as other properties around it, and should be zoned PILO;
- Zone should include Warehouse Showrooms, Data Centers, Corporate Campuses;
- Hotel uses are not viable;
- Self-storage should be included; and
- Bulk standards for PILO should be FAR of 0.4 and development coverage of 70%.

The draft scope dated which was the subject of the public scoping session on October 14, 2020, has been amended to create a Final Scope in response to these comments, as follows (See Section F below.):

1. In response to the comments of CUPON:
 - a. The section “Initial Potential Impacts Identified” on page 4 has been expanded to include
 - i. potential subdivision activity;
 - ii. impacts on surface waters, wetlands and groundwater;
 - iii. reference to recommendations of the Red Schoolhouse Road Traffic Study; and
 - iv. fiscal impacts.
 - b. Section 2.0 text has been amended stating: “The DGEIS preparation will not be completed until the Red Schoolhouse Road Traffic Study is reviewed and accepted, and its generalized recommendations included in the Comprehensive Plan.”
 - c. Section 3.0 text has been amended to include: “Summarize SWOT Analysis and Survey results and how such results were incorporated into Goals and Objectives.”
 - d. Reference to an “LWRP” has been deleted.
 - e. The words “or buildout” have been added after “theoretical development scenario” in Section 6.4.

2. In response to the comments of Rockland County Sewer District No. 1, reference to service limitations of sewage treat provision has been added to Section C, “Initial Potential Impacts Identified.”

When the Village Board determines that the draft GEIS is adequate for public review and government agency review in accordance with the adopted Final Scope, the document will be made available for review and comment. Publication of the draft GEIS and issuance of the Notice of Completion for the draft GEIS mark the beginning of the public review period, during which time the public and other interested parties may review and comment on the draft GEIS. A public hearing will be held on the draft GEIS to receive oral comments on the document. The written comment period will remain open for a minimum of ten (10) days following the public hearing. At the close of the public review period, a final GEIS will be prepared that incorporates, as appropriate, changes made in response to comments on the draft GEIS. The final GEIS will include a new chapter that summarizes and responds to comments made on the draft GEIS.

When the lead agency determines that the final GEIS is complete, it will publish the final GEIS and issue a Notice of Completion for the document. The lead agency will use the final GEIS to evaluate project impacts and proposed mitigations in its decision-making process and will issue a Statement of Findings no sooner than ten (10) days following the Notice of Completion.

The GEIS is intended to analyze generically, the order of magnitude of impacts that are likely to occur if the recommendations made in the Comprehensive Plan were to be carried out, and if the proposed zoning were to be utilized by a development proposal.

Initial Potential Impacts Identified

Based on the review of the FEAF Parts 1 and 2, the following potential areas of environmental impact have been initially identified:

- Zoning changes to eliminate nonconformities, and promote new housing types
- Potential for additional subdivision activity
- Land development for new multifamily and planned industry uses, impacting drainage, surface waters, wetlands and groundwater, vegetation, and wildlife
- Impacts on the provision of utilities, such as water supply, sewage treatment, and any limitations on such service provision by USEPA or others
- Traffic, and transportation and parking, including recommendations of the Red Schoolhouse Road Traffic Study
- Community character
- Fiscal impacts of new development
- Use of energy

This initial identification of impacts will be followed by detailed analysis of impacts in proposed Section 6.0.

E. GENERAL DGEIS FORMAT

Unless otherwise directed by this Scope, the provisions of 6 N.Y.C.R.R. §§ 617.9 and 617.10 apply to the content of the Draft Generic Environmental Impact Statement (“DGEIS”) and are incorporated herein by reference.

The DGEIS shall cover all items in this scope. Information should be presented in a manner that can be readily understood by the public. Efforts should be made to avoid the use of technical jargon.

F. FORMAT AND SCOPE OF THE DGEIS

Cover Sheet: The DGEIS must begin with a cover sheet that identifies the following:

1. Identification as the Draft Generic Environmental Impact Statement;
2. The date the document was submitted to the Village Board;
3. The name and location of the Proposed Action;
4. The Village Board as the Lead Agency for the Project, and the name, address, telephone number of the contact person for the Lead Agency, and the SEQRA status (Type I action);

5. The name and address of the Project Sponsor, and the name and telephone number of the contact person representing the applicant
6. The name, address, and email address of the primary preparers of the DGEIS, and a contact person representing the preparer;
7. The date the DGEIS was accepted by the Lead Agency as complete (to be inserted at a later date);
8. The date of the public hearing and subsequent adjournments (to be inserted at a later date);
9. The date which public written comments on the DGEIS are due (to be inserted at a later date); and
10. All revision dates of the DGEIS.

List of Consultants Involved with the Project: The names, addresses and project responsibilities of all consultants involved with the project shall be listed.

Table of Contents: All headings that appear in the text should be presented in the Table of Contents along with the appropriate page numbers. In addition, the Table of Contents should include a list of figures, a list of tables, a list of appendix items, and a list of additional DGEIS volumes, if any.

Executive Summary: The major facts, analyses and conclusions contained in the main text will be summarized in the Executive Summary

Main Text:

- 1.0 Introduction (Provide brief explanations of the purpose of the DGEIS, of the overall SEQRA process, and of SEQR steps already taken.)
- 2.0 Description of the Proposed Action (Provide a summary description of the Proposed Actions – namely adoption of the Comprehensive Plan and Implementing Code amendments. More detailed descriptions and discussions may be reserved for Section 6.0. Provide discussion of the process undertaken to prepare the Comprehensive Plan. The DGEIS preparation will not be completed until the Red Schoolhouse Road Traffic Study is reviewed and accepted, and its generalized recommendations included in the Comprehensive Plan.)
- 3.0 Public Need, Benefits and Objectives (Summarize SWOT Analysis and Survey results and how such results were incorporated into Goals and Objectives. Relate the Proposed Action to Village goals; discuss the community’s need for the Proposed Action and the benefits to the community from the Proposed Action. The discussion shall relate to need and benefits to Village, Town, and region more generally).
- 4.0 Required Reviews, Permits and Approvals (All required reviews and approvals will be described. Describe future SEQRA-related actions/reviews necessary after adoption of Proposed Action.)
- 5.0 Existing Conditions - Important elements of the natural resource base, existing and projected cultural features, patterns, and character will be discussed. This section shall incorporate the existing conditions reports prepared for the Comprehensive Plan directly or by reference. If by reference a summary of the major features of each of the following subject areas will be provided:

- 5.1 Regional and Local Setting of the Village
- 5.2 Demographics
- 5.3 Land Use
- 5.4 Zoning
- 5.5 Natural Resources, Parks, Recreation and Open Space
- 5.6 Historic and Scenic Resources
- 5.7 Transportation Resources
- 6.0 Discussion of the Implication of Proposed Policies
 - 6.1 This section will list each proposed significant policy recommendation contained within the Comprehensive Plan. The major features of any anticipated future code amendments will be described at a level of detail consistent with the time horizon for anticipated implementation.
 - 6.2 For each proposed policy recommendation, the logic and rationale behind the policy shall be described. A description of any consequences from narrowing future options will be described
 - 6.3 For each proposed policy recommendation, any impacts anticipated as a result of the action shall be described. Where useful in anticipating impacts, one or two possible scenarios that are likely to occur will be described. Generally, the consideration of impacts will include those areas of impact identified on the Full EAF Part 2 as well as those identified 6 NYCRR 617.7(c)(1) as well as any others anticipated by the lead agency.
 - 6.4 A theoretical development scenario or “buildout” will be developed anticipating the maximum development that could occur considering proposed changes. It is likely that some of the policies will not be fully detailed in terms of future implementation, so that one or two possible scenarios that are likely to occur will be described based on a series of reasonable assumptions to be developed in the EIS.
- 7.0 Summary Cumulative Impacts. (Based on the discussion in Section 6.0, any of the following areas of impact will be summarized and considered cumulatively).
 - 7.1 Unavoidable Adverse Environmental Impacts
 - 7.2 Irreversible and Irrecoverable Commitment of Resources
 - 7.3 Growth-Inducing, Secondary and Cumulative Impacts (Growth-inducing aspects of the proposed action include its direct and indirect effects that promote additional development in the area. The nature of such anticipated growth as related to the Proposed Action will be described, and the impacts of that growth will be assessed. The cumulative impacts of the Proposed Action will be analyzed in consideration of the policies and development activities in adjoining communities.)
 - 7.4 Energy Use and Conservation, Greenhouse Gas Emissions, and Air Quality
 - 7.5 Construction-Related Impacts (Describe anticipated construction-related vehicle routes into, within and out of the Study Area; any demolition- and/or remediation-related activities; construction scheduling; and general construction-related impacts.)
- 9.0 Alternatives
 - 9.1 Alternative 1: No Action. Development Under Existing Zoning (Provide a comparative analysis of a reasonable build out under existing code conditions without adoption of the Comprehensive Plan.)
- 10.0 FUTURE ACTIONS

Pursuant to SEQRA, Generic EISs and their findings should set forth specific conditions or criteria under which future actions will be undertaken or approved, including requirements for any subsequent SEQRA compliance. Outline necessary thresholds and requirements for supplementary impact analyses and mitigation measures for future development of the representative site under the proposed action and include applicable thresholds and standards identified by the previous GEIS. Future site-specific actions (e.g., petitions for CCR and site plans) will undergo a preliminary SEQRA consistency review and the preparation of an EAF to determine the appropriate level of review in conformance with 6 NYCRR Part 617.10(d). Such thresholds will include time limits or a process for establishing whether studies involving traffic, endangered species and new regulations of the State and/or Federal government have made the GEIS dated and insufficient in addressing the impacts for site-specific development of the representative site.

11.0 REFERENCES (Provide listing of the various documents and information sources utilized in the preparation of the Draft GEIS.)