

DRAFT SCOPING DOCUMENT
3/27/14

FOR

AMY'S KITCHEN, INC
Draft Environmental Impact Statement

NYS Route 17M/ Echo Lake Road
Town of Goshen
Orange County, New York

Lead Agency and Contact Person:

Lee Bergus, Chairman
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GENERAL GUIDELINES

- The Draft Environmental Impact Statement (“DEIS”) shall address all items in this Scoping Document and conform to the format outlined in this Scoping Document. If appropriate, impact issues listed separately in this outline may be combined in the DEIS, provided all such issues described in this Scoping Document are addressed as fully in a combined format as if they were separately addressed.
- The document should be written in the third person. The terms "we" and "our" should not be used. The Applicant's conclusions and opinions should be identified as those of the “Project Sponsor,” “Applicant” or “the Developer.”
- Narrative discussions should be accompanied by appropriate charts, graphs, maps and diagrams whenever possible. If a particular subject matter can most effectively described in graphic format, the narrative discussion should merely summarize and highlight the information presented graphically. All plans and maps showing the site shall include adjacent homes, other neighboring uses and structures, roads, water bodies and a legend.
- The entire document should be checked carefully to ensure consistency with respect to the information presented in the various sections.
- Environmental impacts should be described in terms that the layperson can readily understand (e.g., truck-loads of fill and cubic yards rather than just cubic yards).
- All discussions of mitigation measures should consider at least those measures mentioned in the Scoping Outline. Where reasonable and necessary, mitigation measures should be incorporated into the Proposed Action if they are not already included.

The DEIS is intended to convey general and technical information regarding the potential environmental impacts of the proposed project to the Town of Goshen Planning Board (as Lead Agency), as well as several other agencies involved in the review of the proposed project. The DEIS is also intended to convey the same information to the interested public. The Preparer of the DEIS is encouraged to keep this audience in mind as it prepares the document. Enough detail should be provided in each subject area to ensure that most readers of the document will understand, and be able to make decisions based upon, the information provided.

As the DEIS will become, upon acceptance by the Lead Agency, a document that may, if appropriate, support objective findings on approvals requested under the application, the Preparer is requested to avoid subjective statements regarding potential impacts. The EIS should contain objective statements and conclusions of facts based upon technical analyses. Subjective evaluations of impacts where evidence is inconclusive or subject to opinion should be prefaced by statements indicating that “It is the Applicant’s opinion that...”. The Town of Goshen Planning Board reserves the right, during review of the document, to require that subjective statements be removed from the document or otherwise modified to indicate that such subjective statements are not necessarily representative of the findings of the Lead Agency.

BRIEF DESCRIPTION OF THE PROPOSED ACTION

Amy's Kitchen, Inc proposes to construct a 579,680 square foot manufacturing plant where food is prepared, packaged and frozen. A 25,000 square foot office area will be contained in the plant. The project proposes 700 parking spaces for employees and visitors and 50 tractor trailer parking spaces. Ten loading bays will be provided on the east side of the building with three additional bays on the south side. The project will employ approximately 680 people on the project site.

The project will include a two-lot minor subdivision of the project site. Easements will be provided for access and stormwater maintenance.

The site will also include a private conference center, on a separate lot, to be used by Amy's Kitchen guests and invitees for an annual large gathering for up to 12,000 attendees and more frequent, smaller meetings in the range of a few hundred people. The conference center will consist of a covered 200,000 square foot structure with open sides and an earthen floor. The facility will include six permanent restroom buildings around its periphery. Two, year-round caretaker residences will be constructed on the site and an approximately 2600 square foot guest house for those guests that travel to the annual conference. No cooking will be done on the site. Separate parking areas for approximately 1,700 cars and up to 100 busses for this facility will be provided. Where possible, parking areas will be constructed using pervious materials to reduce stormwater impacts. Additional off-site parking facilities within walking distance or served by shuttle busses will be secured to accommodate the total parking demand. Cross easements will be created for access, utilities and maintenance.

Two wells exist on the property which will be utilized for water. Wastewater will be conveyed to an onsite sewage treatment facility where it will be treated and discharged to the Wallkill River.

The local and regional agricultural community stands to greatly benefit from this project. For example, in the last year, Amy's Kitchen purchased more than 36 million pounds of organic tomatoes and more than 17 million pounds of organic onions. It is anticipated that with the construction of the new manufacturing plant in Goshen, Amy's Kitchen will work with the local agricultural community to develop local and regional farms that can provide a significant volume of their products.

The project will derive access from Route 17M via private entrance drive. This road will traverse a +/- 7.6 acre parcel of land currently owned by the State of New York. The state has agreed to transfer this land to the Town of Goshen for highway purposes and an access easement will be sought from the Town to construct a driveway over this land. Emergency access only will be provided from Echo Lake Road with a permeable hard surface.

Application will be TYPE 1 Action under SEQRA if it is over 100,000 square feet, involves parking of more than 1000 cars and/or involves the physical alteration of more than 10 acres.

INVOLVED AGENCIES

NYS Department of Environmental Conservation: SPDES

NYS Department of Health – Division of Environmental Permits: Approval of water source

NYS Department of Transportation: Road work/ opening permit

NYS Office of General Services – land transfer to the town for access

NYS Office of Mental Health – Land transfer to the town for access

Orange County DPW- Realignment of county road

Town of Goshen Town Board – granting of access easement to cross land transferred to the Town from the State.

INTERESTED AGENCIES

Orange County Department of Planning

Orange County Department of Parks, Recreation and Conservation (Heritage Trail)

Town of Goshen Fire Department

GoVAC

Town of Wallkill

Town of Wawayanda

FORMAT AND SCOPE OF DEIS

COVER SHEET

The DEIS must begin with a cover sheet that identifies the following:

- Identification as the Draft Environmental Impact Statement;
- The date the document was submitted to the Planning Board;
- The name and location of the Project;
- The Town of Goshen Planning Board as the Lead Agency for the Project, and the name, address and telephone number of the contact person for the Lead Agency;
- The name and address of the Project Sponsor, and the name, address and telephone number of the contact person representing the applicant;
- The name and address of the primary preparers of the DEIS, and the name, address and telephone number of the contact person representing the preparer;
- The date the DEIS was accepted by the Lead Agency as complete (to be inserted at a later date);
- The date which public written comments on the DEIS are due (to be inserted at a later date).

TABLE OF CONTENTS

The DEIS will include a Table of Contents identifying major sections and subsections of the document. The Table of Contents must also include a list of figures, tables, appendices and any additional volumes if necessary.

I. EXECUTIVE SUMMARY

An Executive Summary shall be required and will provide a précis of the more comprehensive information included within the document. No information will be included in the Executive Summary that is not found within the body of the document. The executive summary will include the following elements:

- An Introduction, including the purpose of the DEIS, a relevant history of the SEQRA process that has occurred (i.e., the date of adoption of the Positive Declaration, date of the acceptance of the Scoping Document).
- Project Site Existing Conditions - provide a short description of the subject property and characterize its topographical, water and natural features as well as provide a brief history of the use of the property and where existing changes to its natural state have occurred.
- Project Description - overview of the project layout, size and use of proposed structures, discussion of parking, loading, circulation, landscaping, lighting and proposed utilities.
- List of Involved and Interested Agencies
- Project purpose, need and benefits.
- Summary of Existing Conditions, Potential Impacts and Proposed Mitigation Measures in the order they appear later in the document.
- Alternatives to the Proposed Action

II. PROJECT DESCRIPTION

A. Site Location- This section will include a narrative description and graphical representation of the location of the proposed project. In addition, parcel acreage, tax map designation, abutting streets, zoning designation, existing utilities (and access thereto) will be included as well as any and all easements, rights-of-way, private agreements, special district boundaries and any other legal agreements that may affect the proposed use of the site.

B. Description of Proposed Action – This will include written and graphical representation of the proposed action including general layout of the site, access, circulation, parking and loading. Hours of operation and description of general operations at the site. Any improvements to public rights of ways or other public improvements will be discussed. Transfer of land for access purposes will be discussed (correspondence with the State will be provided). Any areas to remain open will be discussed.

Proposed drainage, utilities and construction phasing will be summarized. The section will discuss the project’s compliance with the Zoning Code, and any required variances or waivers needed to construct the project, and an evaluation of why such variance is needed.

C. Project Need and Benefit. This section will include a narrative description of the need for the project, it shall identify the objectives of the project sponsor and the public benefits achieved by the development of the proposed action.

D. Permits and Approvals required - This section will list the Involved Agencies for the Proposed Action and the necessary approvals and a list of Interested Agencies.

III. EXISTING CONDITIONS, POTENTIAL IMPACTS AND PROPOSED MITIGATION

A. Geology and Soils

1. Existing Conditions

- Underlying geological conditions including depth to bedrock will be described;
- Soil types and characteristics shall be identified as presented in the Orange County Soil Survey and supported with actual borings when necessary.

2. Potential Impacts

- Limitations that geology or soils may place on the development of the site;
- Potential for erosion or drainage complications; and
- Potential for blasting or major rock removal.

3. Proposed Mitigation

- Mitigation will be proposed for identified adverse environmental impacts as necessary. Unavoidable adverse impacts will be identified.

B. Topography

1. Existing Conditions

- Site topography and slopes shall be described.

2. Potential Impacts

- Grading plan will be presented with a cuts and fills analysis;
- The need for any retaining walls will be discussed; and
- Any limitations or relevant regulations of the Town Code shall be discussed and the project's consistency therewith.

3. Proposed Mitigation

- Mitigation will be proposed for identified adverse environmental impacts as necessary.

C. Surface Water Resources

1. Existing Conditions

- Existing surface waters and flood plains will be discussed and presented graphically;
- All resources will be described in terms of jurisdiction, classification, size and any applicable regulated areas. A Jurisdictional Determination will be provided as an attachment to the DEIS.

2. Potential Impacts

- Any encroachment into surface water resources or regulated areas will be discussed. Discuss whether those encroachment will be permanent or temporary and impacts associated therewith will be provided; and
- The potential for contamination of surface waters on both a long and short term (construction) basis will be addressed.

3. Proposed Mitigation

- Mitigation will be proposed for identified adverse environmental impacts as necessary.

D. Vegetation and Wildlife

1. Existing Conditions

- Site Biological Assessment will be prepared for the site by a qualified consultant;
- Onsite vegetative communities will be described; and
- Threatened and endangered species found on the site or known to be located in the area and the potential for such species to locate on the site given the existing site ecology will be discussed.
- Correspondence with NYS DEC Natural Heritage Program will be provided.

2. Potential Impacts

- Discuss amount of site vegetation removal including any portion of habitats identified above and the amount of open space which will remain after construction.

3. Proposed Mitigations

- Mitigation will be proposed for identified adverse environmental impacts as necessary.

E. Groundwater/ Water Supply

1. Existing Conditions

- Identify existing wells on the property and their pumping capacity. Include dates of pump testing and protocol employed. Protocol shall be consistent with requirements of the Town of Goshen Zoning Code.
- Identify source of ground water.

2. Potential Impacts

- Calculate the anticipated amount of water usage for the proposed Action and discuss the ability of the existing wells to serve the project in terms of both quantity and quality;
- If the existing sources are inadequate discuss alternatives for providing adequate water for potable or non potable uses;
- Describe the infrastructure required for the proposed water distribution system and provide a map of the system. Both on and off-site improvements will be described if appropriate.
- Discuss any possible connectivity and/or draw-down of onsite or adjoining surface waters;

3. Proposed Mitigation

- Mitigation will be proposed for identified adverse environmental impacts as necessary.

F. Wastewater Management

1. Existing Conditions

- Identify existing wastewater infrastructure on site or in the immediate vicinity of the project site.

2. Potential Impacts

- Calculate amount of anticipated wastewater production for the proposed Action;
- Describe proposed system to capture and treat wastewater and provide a map of the proposed system;
- Describe impacts associated with on site wastewater treatment system including impacts to surface water resources and ground water as well as possible odor or noise associated with the system.

3. Proposed Mitigation

- Mitigation will be proposed for identified adverse environmental impacts as necessary.

G. Stormwater Management

1. Existing Conditions

- Existing drainage patterns will be described and presented graphically;
- Discuss of the overall watershed in which the project site is located.

2. Potential Impacts

- Project will require a SPDES permit. Temporary construction impacts will be discussed;
- Describe post-construction drainage flows and proposed infrastructure to capture and treat stormwater consistent with the NYS DEC design manual.
- Potential water quality impacts will be addressed.
- Preliminary SWPPP will be provided as an appendix.

3. Proposed Mitigation

- Mitigation will be proposed for identified adverse environmental impacts as necessary.

H. Traffic

1. Existing Conditions

- Provide a detailed description of existing area roadways including the pavement width and condition, width of travel lanes, shoulder and parking lanes, speed limits, roadway characteristics including vertical and horizontal features, location of bus stops and types of traffic control and signage with focus on the following intersections:
 - U.S. Route 6/ NYS Route 17M and Lower Road/ Golf Links Road;
 - U.S. Route 6/NYS Route 17M and Mid-Hudson Psychiatric Center Access;
 - U.S. Route 6/NYS Route 17M and Training Center Lane; and
 - U.S. Route 6/NYS Route 17M and Hartley Road/Gate Schoolhouse Road
- Perform manual field traffic counts during the weekday AM (7:00-9:00 AM) and PM (4:00-6:00 PM) hours at the above listed intersections (Study Intersections). Also obtain available traffic volume data for the NYS Route 17M corridor from NYSDOT.
- Compute the existing intersection capacity and operational level of service for the Study Intersections during the peak hours for each intersection following the procedures set forth in the 2010 Highway Capacity Manual (HCM). Analysis will be performed using an appropriate analysis tool such as Synchro.

2. Future Traffic Conditions without the Project

- Apply an annual growth factor of to the existing traffic volumes to project them to the expected 2018 design year for completion of the proposed project.
- Calculate intersection capacity and operational level of service at the Study Intersections for future conditions without the project.

3. Potential Impacts

- Estimated traffic generation for typical operation of Amy's Kitchen facility. Apply estimated traffic volumes to the Study Intersections utilizing appropriate arrival & departure distributions.
- Calculate intersection capacity and operation level of service at the Study Intersections for future conditions with the Project.
- Potential for use of public transportation or existing Heritage Trail will be discussed;
- Total number of parking spaces and any off-site parking will be discussed;
- Describe on site circulation by both trucks and car traffic.

4. Proposed Mitigation

- Recommend traffic improvements, including roadway widening, addition of lanes, signalization additions and modifications, signage, striping, etc. as needed for the Study Intersections
- Identify measure for accommodating special event conditions.
- Additional Mitigations as necessary. All unavoidable impacts will be identified.

I. Noise

1. Existing Conditions

- Existing noise measurements will be taken at the property boundaries. Dates and times of measurements will be provided.

2. Potential Impacts

- Major sources of noise will be identified and their potential noise levels based on manufacture specifications or noise measurements at other similar facilities;
- Overall anticipated noise generation from the proposed action will be discussed and a comparison to existing conditions will be provided; and
- a discussion of how the anticipated noise levels relate to town or other noise regulations will be provided.

3. Proposed Mitigation

- Mitigation will be proposed for identified adverse environmental impacts as necessary.

J. Utilities and Solid Waste Disposal

1. Existing Conditions

- Utilities not discussed above including gas and electric service will be discussed in terms of their availability at the project site and service providers; and
- Existing solid waste management will be discussed.

2. Potential Impacts

- Impacts to electric and gas service will be discussed including any required upgrades to service or existing infrastructure;
- Impacts of the use and conservation of energy; and
- Impacts of the proposed action on solid waste management

3. Proposed Mitigation

- Mitigation will be proposed for identified adverse environmental impacts as necessary.

K. Land Use and Zoning

1. Existing Conditions

- Existing land use and zoning of the project site and within a half mile will be described and presented graphically;
- Overlay districts will be identified.

2. Potential Impacts

- A Bulk table comparing the existing zoning dimensional requirements with proposed conditions of each proposed lot will be prepared;
- Special Permit criteria, overlay district requirements, and requirements of §97-14 (HC, CO and I Districts) of the zoning code will be discussed and how the project does or does not meet these criteria;
- Any required variances will be identified;
- Consistency with the Town and County Comprehensive Plans will be addressed.

3. Proposed Mitigation

- Mitigation will be proposed for identified adverse environmental impacts as necessary.

L. Community Services

1. Existing Conditions

- Police, Fire and Ambulance services will be discussed in terms of manpower and facility locations relative to the project site.

2. Potential Impacts

- Services will be contacted to discuss their possible concerns related to the project. A discussion of fire fighting needs including water storage and access will be provided.

3. Proposed Mitigation

- Any on site security will be discussed;
- Mitigation will be proposed for identified adverse environmental impacts as necessary.

M. Fiscal Impacts

1. Existing Conditions

- Existing tax revenue for each taxing jurisdiction will be presented based on the most recent tax records.

2. Potential Impacts

- Anticipated costs and revenues will be calculated for the proposed project using the proportional valuation method or other acceptable method agreed to by the Town Planner.

3. Proposed Mitigation

- Mitigation will be proposed for identified adverse environmental impacts as necessary.

N. Visual Resources

1. Existing Conditions

- Narrative and graphic description of the existing site and surrounding properties will be presented; and
- Visual resources in the area of the site will be identified.

2. Potential Impacts

- Narrative and graphic description of proposed project will be provided including physical dimensions and architectural characteristics of buildings and structures;
- Portions of proposed Action which will be visible from public roads will be discussed.
- Discussion of proposed site lighting; and
- Discussion of visual impacts to the Orange County Heritage Trail.

3. Proposed Mitigation

- Landscaping plans will be described and presented graphically.
- Mitigation will be proposed for identified adverse environmental impacts as necessary.

O. Environmental Contamination

1. Existing Conditions

- A Phase 1A Environmental Assessment will be prepared and appended to the DEIS. This will include a discussion of the history of the use of the project site;
- A Phase 1B will be prepared if recommended.
- Surrounding contaminated sites will be discussed in terms of history and current status.

2. Potential Impacts

- Potential for any contamination on the project site or for the proposed action to otherwise impact or disturb contaminated areas.

3. Proposed Mitigation

- Mitigation will be proposed for identified adverse environmental impacts as necessary.

P. Agriculture

1. Existing Conditions

- The project site is located in an Agricultural District. Discuss the implications associated with this designation.
- Discuss any agricultural history of the project site or adjacent sites.

2. Potential Impacts

- Discuss reduction in agricultural land or impacts to surrounding agricultural land;
- Discuss benefits to agricultural community and use of local products in Amy's facilities.

3. Proposed Mitigation

- Mitigation will be proposed for identified adverse environmental impacts as necessary.

IV. Unavoidable Adverse Environmental Impacts

This section will identify and summarize those adverse environmental impacts that can be expected to occur with or without mitigation measures.

V. Alternatives

A. No Action Alternative

VI. Irreversible and Irretrievable Commitment Of Resources

This chapter will summarize the proposed project and its impacts in terms of the loss of environmental resources, both in the immediate future and in the long term.

VII. Growth Inducing Impacts

This chapter will discuss whether there is a growth inducing impact as a consequence of the approval and construction of the proposed action.