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# DRAFT SCOPING DOCUMENT

FOR THE

**Village at Whispering Pines  
Senior Living District**  
2200 Helderberg Avenue  
Town of Rotterdam, Schenectady Co., New York

**Lead Agency:**

Town of Rotterdam Town Board  
John F. Kirvin Government Center  
1100 Sunrise Boulevard  
Rotterdam, New York 12306  
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**February 14, 2018**

## INTRODUCTION

Lecce Senior Living, LLC (herein, the Project Sponsor) is proposing to construct the Village at Whispering Pines Senior Living District (herein, the Project). The Project is designed to assist the Town of Rotterdam to expand opportunities for housing arrangements to meet the increasing needs of elderly and disabled in a maintenance free community and allows residents the possibility to age in place through a variety of housing choices.

Pursuant to New York State Environmental Conservation Law Article 8, the State Environmental Quality Review Act (SEQRA); and Part 617 of Chapter 6 of the New York Code of Rules and Regulations (NYCRR), the Town of Rotterdam as SEQRA lead agency will require a Draft Environmental Impact Statement (DEIS) for the Project. In accordance with SEQRA, the DEIS will address specific potential adverse environmental impacts as required by SEQRA. This scoping document identifies the significant environmental conditions and resources that may be affected by the Project and defines the extent and quality of information necessary to address those issues in the DEIS.

## PROJECT BACKGROUND AND PRIOR SEQRA PROCEEDINGS

The Town Board of the Town of Rotterdam is the SEQRA lead agency for this Project which is a Type 1 Project. The Town Board previously circulated the EAF Part 1 and its intent to be lead agency to the involved agencies for this Project. The Town is the appropriate entity to serve as lead agency because it will be considering whether to adopt the local law that rezones the Property owned or controlled by the Applicant for this Project. No other involved agency objected to the Town Board serving as lead agency.

As part of the rezoning, the Town will, as required by SEQRA, examine both the potential environmental impacts of the rezoning and the Project that is proposed to be undertaken. To assist in the review of the Project the Applicant has prepared this draft scope as well as a preliminary DEIS both of which can be found on the Town's website. These documents assisted the Applicant in reducing the size and scope of the Project in response to public comment thus far on the Project. The Project was withdrawn for a period of time while the Project was redesigned and more information was developed to submit in support of the Project.

## PURPOSE OF THE DRAFT SCOPING DOCUMENT IN SEQRA

The purpose of SEQRA is to incorporate the consideration of environmental factors into the existing planning, review and decision-making processes of state, regional, and local government agencies at the earliest possible time. To accomplish this goal, SEQRA requires a determination of whether a proposed action may have a significant impact on the environment, and if it is determined that the action may have a significant adverse impact, SEQRA requires the preparation of an EIS. It was the intention of the State Legislature that the protection and enhancement of the environment, human and community resources should be given appropriate weight with social and economic considerations, and that those factors be considered together in reaching decisions on proposed actions. It is not the intention of SEQRA that environmental factors be the sole consideration in decision-making.

The Town Board as lead agency has issued a positive declaration and directed the Applicant to prepare this draft scoping document. This draft scoping document represents an initial step in the review of potential environmental impacts under SEQRA for the proposed Project. The primary goals of scoping are to focus the EIS on potentially significant impacts and to eliminate consideration of those impacts that are irrelevant or non-significant. The purpose of this draft scoping document is to provide an opportunity for involved agencies, interested agencies, and the public to review and comment on the identification of significant environmental conditions and resources which may be affected by the proposed action, and to identify the extent and quality of information necessary to address those issues during the SEQRA process.

Written comments on the draft scoping document from the public are to be submitted to the Town of Rotterdam, Attention: Peter Comenzo, 1100 Sunrise Boulevard, Rotterdam, New York 12306 or via email to [publiccomment@rotterdamny.org](mailto:publiccomment@rotterdamny.org) on or before March 14, 2018. Notice of the public scoping comment period has been posted on the Town of Rotterdam website (<http://www.rotterdamny.org/>), and sent to all interested/involved agencies. The final scoping document will be revised as directed by the Town Board to address comments received during the public comment period.

## CONTENTS OF THE DEIS

The DEIS will include the elements required by 6 NYCRR 617.9, including:

- i. DEIS Cover Sheet. All draft and final EISs must be preceded by a cover sheet stating whether it is a draft or final EIS; the name or descriptive title of the action; the location (county and town, village or city) and street address, if applicable, of the action; the name and address of the Lead Agency and the name and telephone number of a person at the agency who can provide further information; the names of individuals or organizations that prepared the EIS; the date of its acceptance by the Lead Agency; and in the case of a draft EIS, the date by which comments must be submitted.
- ii. DEIS Table of Contents. The table of contents will include listings of DEIS sections, tables, figures, maps, appendices, attachments and items that may be submitted under separate cover (and identified as such).
- iii. DEIS Acronyms and Abbreviations: Commonly used acronyms and abbreviations utilized within the DEIS will be identified.
- iv. Firms / Organization Involved in the Preparation of the DEIS: Consultants that contributed in the preparation of the DEIS will be listed with each firm's point of contact information provided.

In addition, the DEIS shall include the following sections:

## **1.0 EXECUTIVE SUMMARY**

The executive summary will include a brief description of the proposed action and a listing of potential environmental impacts and proposed mitigation measures. A summary will also be provided of the approvals and permits required, and the alternatives to the proposed action that are evaluated within the DEIS.

As discussed above, the proposed Project will include the construction of 125 single-family homes (58 town homes and 67 detached), 119 independent living units, 108 memory care units, 144 assisted living units, reconfiguring the existing 18-hole executive golf course into a 9-hole executive golf course that includes a new 2,500 s.f. clubhouse and 1,300 s.f. maintenance building. A total of 496 residential units are proposed and will be developed in up to four (4) phases over an estimated four (4) year period, depending upon market demands.

Alternatives to the proposed Project, including a no action alternative, alternate site arrangement and alternate site uses will be presented.

Potential environmental impacts identified based on the selected alternative of constructing the Project will be noted in the DEIS.

## **2.0 DESCRIPTION OF THE PROPOSED ACTION**

As described in more detail in the following sections, this chapter of the DEIS will include a comprehensive description of the site and will provide a detailed discussion of the proposed development utilizing currently available information.

### **2.1 Project Overview**

This section of the DEIS will provide a brief discussion of the Project area and location. Additionally, a general description of the anticipated site improvements that are proposed (e.g. parking lots, sidewalks, utilities) will be provided.

### **2.2 Site Description**

This section of the DEIS will characterize the size, geographic boundaries, and physiographic characteristics of the Project site. Additionally, the location in relation to nearby residential areas in the Town of Rotterdam and the Town of Guilderland, as well as recognized or protected natural or man-made features will be described. The dominant land use within and adjacent to the Project site will also be discussed. More detailed descriptions of these resources and potential impacts and their relationship to those discussed in the previous SEQRA documents will be analyzed in dedicated sections of Chapter 3, as discussed below.

### **2.3 Detailed Description of the Proposed Action**

The purpose, size, and layout of the proposed Project will be described in this section of the DEIS. A description of the Town's 2001 comprehensive plan will be provided, demonstrating how the proposed Project meets several of the recommendations and implementing tasks to address the aging town population and general lack of accessible and affordable housing to that population segment.

Available maps, graphics, renderings, and/or plans will be provided showing the proposed location of the Project, including the building, site access, parking areas, lawns/landscaping, and associated utilities.

### **2.4 Purpose, Need and Benefit**

A statement describing the purpose and need for the Project will be provided, along with background and history of the project. This section will also include a brief overview of the environmental, social and/or economic benefits that are anticipated to result

from the Project. This will include an estimate of employment opportunities (both temporary construction jobs and permanent staff jobs) that are anticipated to result from the Project.

## **2.5 Project Construction**

This section of the SEIS will describe construction of the proposed Project, including construction schedule/duration, construction staging and parking, anticipated construction employment, construction sequencing, and routing of construction traffic along local roads. The construction schedule will be compliant with the State Pollutant Discharge Elimination System (SPDES) General Permit.

## **2.6 Reviews, Approvals and Other Compliance Determinations**

Governmental agencies having approval over the Project will be listed in this section, with explanation of the nature of their jurisdiction and the specific approvals required from each listed entity. In addition, the details associated with the SEQRA process for the proposed action will be included, along with a discussion of agency and public review and participation.

## **2.7 SEQRA Process**

The Project Sponsor initially applied to the Town of Rotterdam Town Board for a change of zone on March 2, 2017. On March 9, 2017, the Town of Rotterdam Town Board circulated to potentially interested/involved SEQRA agencies a Notice of Intent indicating that the Town of Rotterdam Town Board intended to serve as Lead Agency for the proposed Project. Following the 30-day lead agency determination period, no agency objected to the Town of Rotterdam Town Board assuming the role of Lead Agency. The application was withdrawn in June of 2017 to redesign the Project and to prepare this DEIS.

This Section will describe the prior SEQRA activities as well as the subsequent activities anticipated to occur.

## **3.0 EXISTING CONDITIONS, POTENTIAL IMPACTS AND MITIGATION MEASURES**

With respect to each issue (or set of issues) described below in the various resource sections, the corresponding section of the DEIS will identify in sequence: the existing environmental conditions; the potential impacts of the proposed Project; and anticipated measures to avoid, minimize, and/or mitigate those impacts, as appropriate. The impacts and mitigation measures presented in these sections will include those related to the proposed operation as well as its construction. Each section will identify whether anticipated impacts will need to be described and evaluated in detail in this document. If it is determined that no new impacts in that section need to be evaluated in the document, the analysis from previous documents will be summarized and incorporated by reference into the DEIS.

Where one of these sections identifies multiple related issues (e.g., Section 3.1; Geology, Soils, and Topography), the section will first describe the existing conditions regarding all of these multiple related issues before then describing the related potential impacts. The discussion of impacts related to the multiple issues included within the section will then be followed by a review and discussion of related mitigation measures. The text of these sections will be supplemented with maps, graphics, agency correspondence and agency data/analyses, Geographic Information System (GIS) data and newly prepared support studies, as necessary, to convey the required information.

### **3.1 Topographic, Geology and Soils**

This section will evaluate and describe topography, surface and subsurface soils, and bedrock conditions within the Project site based on publicly available data as well as a site-specific soil investigation completed. Potential impacts to soils could result from excavation and grading for construction of the new building, site restoration, and landscaping. Potential topographical issues include changes in slope during or after construction that could alter drainage patterns and potentially increase runoff. This

section will also describe mitigation measures that will be used to avoid, minimize, or mitigate potential impacts to geology, soils, and topography, including an approved erosion and sediment control plan.

### **3.2 Water Resources**

This section of the document will describe existing conditions of water resources in the vicinity of the Project site, including, surface waters, groundwater, floodplains and floodways and stormwater. Existing conditions, potential impacts and mitigation measures will be presented for each topic area.

#### Surface Waters

This section of the document will describe surface waters (i.e. wetlands, streams, rivers, lakes and ponds) with and adjacent to the Project site (if any), based on publicly available data as well as a site-specific wetland assessment. Project-related impacts to surface water resources will be described, along with proposed measures to avoid, minimize and/or mitigate such impacts.

The U.S. Army Corps of Engineer's have issued a jurisdictional determination on the wetland delineation completed for the Project site. This information will all be included in the DEIS.

#### Groundwater

This section of the document will describe existing conditions of groundwater in the vicinity of the Project area based on publicly available data as well as a site-specific soil investigation completed. Potential impacts associated with the proposed Project will be identified and evaluated relative to the characterization of existing conditions provided in the sources reviewed and groundwater data collected from field studies.

#### Floodplains and Floodways

This section of the document will describe existing conditions of floodplains and floodways in the vicinity of the Project area based on publicly available data and provide an assessment of potential Project-related impacts to floodplains or floodways (if any). Potential impacts associated with the proposed Project will be identified and evaluated relative to the characterization of existing conditions provided in the sources reviewed.

#### Stormwater

The DEIS will describe anticipated construction related impacts to drainage, stormwater runoff, and consequent effects upon water quality in the vicinity of the construction site. This section will summarize a site specific Stormwater Management Feasibility Study that will assess existing and proposed hydrologic and hydraulic conditions of the Project site and define appropriate stormwater quality and quantity controls that may be utilized during the Project's built condition to manage stormwater runoff.

### **3.3 Climate and Air**

This section of the document will describe existing conditions of climate and air quality in the vicinity of the Project site based on publicly available data. Further, it will discuss the potential impacts that could occur during Project construction and operation. Mitigation measures designed to minimize these impacts will be described in this section of the DEIS.

### **3.4 Biological, Terrestrial and Aquatic Ecology**

The section will describe the dominant plant species, ecological communities, wildlife species, and available habitat within the Project site. A habitat suitability assessment of the Project site will be completed focusing on potential threatened and endangered species habitat. The habitat assessment will include site photographs, agency correspondence, record research. Collected background information on local conditions and rare wildlife records from the United States Fish and Wildlife Services (USFWS) and New York Natural Heritage Program (NYNHP) database will be provided in the assessment. Together, these will provide information regarding, habitat requirements and survey methodology for each species.

Potential impacts associated with the proposed Project will be identified and evaluated relative to the characterization of existing conditions provided in the assessment noted above. Proposed measures to avoid, minimize or mitigate impacts to ecological resources will also be included.

### **3.5 Aesthetic / Visual Resources**

This section will describe the existing visual character in the vicinity of the Project site, evaluate visual impacts associated with construction and operation of the proposed Project, and recommend measures to avoid, minimize, or mitigate adverse impacts to aesthetic resources. Analysis will include identification of visually sensitive sites and critical viewsheds in proximity to the Project. The initial critical viewsheds have been identified as those from Helderberg Avenue and Cypriana Terrace. Computer generated visual profiles will be prepared to illustrate the sight line at eye level from these locations adjacent to the Project site.

### **3.6 Historic, Cultural and Archeological Resources**

The section will identify sites, structures, and districts with significant historic and/or archaeological value within or adjacent to the Project site, evaluate potential adverse impacts on historic and archaeological resources, and recommend measures to avoid, minimize, or mitigate adverse impacts to cultural resources.

There are no significant changes to the existing conditions of cultural resources in the area. The site is understood to have been partially disturbed in the past for prior construction. A site-specific field investigation (i.e., Phase I Archaeological Survey) in accordance with SHPO requirements was previously conducted for the proposed Project site; with a summary of the findings and conclusion provided within the DEIS. The SHPO has signed off on the study conducted and the conclusion that there are not cultural resources to be impacted by the Project. This information will all be included in the DEIS.

### **3.7 Open Space and Recreation**

The section of the DEIS will document the current use of the Project site in terms of open space and recreation and describe the anticipated effects upon such use in the area. The existing golf course as a privately-owned recreation use will be discussed and how the project will ensure that this recreational resource will remain operational with the completion of the Project.

### **3.8 Traffic and Transportation**

This section of the DEIS will document existing vehicular use of the Project site and vicinity, describe the anticipated effects of the proposed Project on transportation-related use and infrastructure, and recommend measures to avoid, minimize, or mitigate adverse impacts.

A traffic study will be presented that has evaluated the potential traffic impacts associated with the Project on the surrounding roadway network based on the requirements established by the Town of Rotterdam and their engineering consultants. Peak hour intersection turning movements traffic counts collected together with machine Automatic Traffic Records (ATR) counts collected along with various key roadway segments serving the project and surrounding area, will utilized to establish the existing peak hour traffic volumes for the study area intersections and roadway segments as identified by the Town.

The existing traffic volumes will be projected to the future 2022 design year accounting for expected increases in traffic due to the normal background traffic growth and other potential development traffic in the local area in the study area.

Estimates of the traffic to be generated by the Project will be computed based on information published by the Institute of Transportation Engineers (ITE). Anticipated distribution patterns will be established to assign the site generated traffic to the roadway network. These volumes will be added to the future No-Build Traffic Volumes to obtain the Design Year Build Traffic Volumes for the various peak hours.

Based on the procedures contained in the Highway Capacity Manual, the study area intersections will be evaluated resulting in a measure of intersection capacity, which are classified as levels of service. Levels of service will be compared for the existing and future conditions to identify project related impacts. Recommendations for improvements will then made for the Project based on the results of the analysis.

The evaluation of existing traffic conditions in the vicinity of the Project Site, with intersections selected in consultation with the Town of Rotterdam and their consulting engineer. The study area intersections to be assessed include the following:

- Curry Road (NY Route 7) / Helderberg Avenue
- Curry Road (NY Route 7) / Altamont Avenue
- Carman Road (NY Route 146) / East-West Lydius Street

To identify potential vehicle accident trends in the study area, vehicle accident data for Helderberg Avenue along the Project Site frontage and at Curry Road / Helderberg Avenue intersection will be obtained from the NYSDOT for the most recent available three-year period (2014-2016). These areas were selected based upon discussions with the Town of Rotterdam.

The availability of public transit and pedestrian facilities within proximity of the Project site will be discussed.

The Schenectady County Dept of Public Works and Region 1 Office of the New York State Dept of Transportation have signed off on the study conducted and the conclusion that the mitigations measures proposed are satisfactory to minimize and mitigate any adverse impacted. This information will all be included in the DEIS.

### **3.9 Noise and Odor**

This section will generally describe existing conditions at the Project site (based on publicly available data) relative to noise and odor, evaluate associated Project impacts, and discuss measures to avoid, minimize, or mitigate such impacts. Studies to identify the existing ambient noise environment and model the noise associated with the Project construction or operation are not proposed at this time.

### **3.10 Public Health and Safety**

This section will generally describe existing conditions at the Project site relative to public health and safety, evaluate associated impacts, and discuss mitigation measures to minimize such impacts.

### **3.11 Land Use and Zoning**

This section will describe the existing character of the Project site and adjacent community and review relevant land use regulations planning documents that have been previously prepared and adopted for the Town of Rotterdam. In addition, this section will evaluate potential impacts regarding the proposed Project's compatibility with surrounding land and discuss measures to avoid, minimize or mitigate Project related impacts.

### **3.12 Growth and Character of the Community**

This section will describe the existing character of the Project site and adjacent community and review relevant planning documents that have been previously prepared and adopted for the Project vicinity. The DEIS will identify how the proposed Project may impact the character of the community, and mitigation measures will be identified, as needed.

### **3.13 Community Facilities and Services**

The DEIS will describe existing community services, including local police, fire and emergency service, solid waste management, and infrastructure services including wastewater treatment and potable water. Information will be based on publicly available data, personal communications with service providers, and/or review of pertinent literature. With respect to wastewater treatment and potable water, engineering assessments will be provided to determine sewage generation and water demands (potable and fire protection), respectively. These assessments will examine the ability of existing infrastructure to service the Project. The DEIS, with the inclusion of the assessments mentioned above, will identify how the proposed Project may impact these services, and mitigation measures will be identified, as needed. Requests for sewer and water service and correspondence from sewer and water utility providers will also be included in the DEIS.

## **4.0 UNAVOIDABLE ADVERSE IMPACTS**

This section of the DEIS will identify impacts that are likely to occur despite mitigation measures and will compare these unavoidable impacts to project-related benefits. This section will also identify general avoidance and mitigation measures (e.g., adherence to applicable regulatory requirements), and specific mitigation measures (e.g., development of a SWPPP). A summary of the corresponding sections of the DEIS report and reference to that material will be discussed.

## **5.0 ALTERNATIVES ANALYSIS**

The DEIS will include a description and evaluation of the range of reasonable alternatives to the proposed action. Alternatives to be considered will include the "no action" alternative, alternative site layout and alternate site uses. The alternative site layout will consider rearrangement of the proposed uses within the Project Site that meet the Project Sponsor's objectives. Alternative site uses will include a single family residential subdivision uses in the existing zoning district designation of the Project Site as well as comparative lot sizes of adjacent neighborhoods. The impacts anticipated for each alternative assessed will be summarized within the DEIS.

## **6.0 IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES**

This section of the DEIS will identify those natural and man-made resources consumed, converted, or otherwise made unavailable for future use as a consequence of the proposed Project. The construction of the proposed Project will require the commitment of land, materials, and infrastructure and services. The DEIS will discuss the commitment of these resources.

## **7.0 GROWTH INDUCED ASPECTS**

This section of the DEIS will describe potential growth-induced aspects the proposed Project may have with respect to additional development in the vicinity of the Project site.

## **8.0 EFFECTS ON THE USE AND CONSERVATION OF ENERGY RESOURCES**

This section of the DEIS will describe the effects of the proposed Project on the use and conservation of energy. Anticipated electric and natural gas demands associated with the Project will be presented. Correspondence from the utility service provider(s) will be included in the DEIS.



## 9.0 REFERENCES

This section of the DEIS will list sources of information cited directly within the narrative text.

### APPENDICES TO ACCOMPANY DEIS

At a minimum, and as described in more detail in the previous sections, the following materials will be included to supplement the information presented within the narrative:

- Appendix A: Full Environmental Assessment Form (as submitted to Town last revised April 2017)
- Appendix B: Architectural Renderings prepared by Mackenzie Architects
- Appendix C: Visual Assessment prepared by CT Male Associates
- Appendix D: Engineer's Report for Water prepared by MJ Engineering and Land Surveying revised December 2017
- Appendix E: Engineer's Report for Sanitary Sewer prepared by MJ Engineering and Land Surveying revised December 2017
- Appendix F: Stormwater Management Report prepared by MJ Engineering and Land Surveying revised December 2017
- Appendix G: Traffic Impact Evaluation
  - G1: Traffic Evaluation Update Letter, prepared by VHB dated January 3, 2018
  - G2: NYSDOT Correspondence dated June 14, 2017
  - G3: Schenectady County Correspondence dated June 14, 2017
  - G4: Updated Traffic Evaluation Letter to NYSDOT, as prepared by VHB, dated May 30, 2017
  - G5: Updated Traffic Evaluation Letter to Schenectady County, as prepared by VHB dated May 30, 2017
  - G6: Trip Generation and Analysis Update, as prepared by VHB dated May 24, 2017
  - G7: Response to TDE Comments, prepared by VHB, dated April 24, 2017
  - G8: County Line Road Evaluation, prepared by VHB, dated April 14, 2017
  - G9: Traffic Impact Evaluation, prepared by VHB, dated April 7, 2017
- Appendix H: Cultural, Archeological Resources
  - H1: Phase 1 and 2 Cultural Resource Survey, prepared by Hartgen Archeological Associates, Inc, dated June, 2017
  - H2: NYS Office of Parks, Recreation and Historic Preservation correspondence dated August 10, 2017
- Appendix I: Wetlands Evaluation
  - I1: Wetland Delineation Report, prepared by Gilbert VanGuilder, Land Surveyors, PLLC, dated May 13, 2017
  - I2: U.S.A.C.O.E Jurisdictional Determination Letter dated December 12, 2017
- Appendix J: Threatened and Endangered Species Habitat Suitability Assessment Report prepared by Gilbert VanGuilder, Land Surveyors, PLLC, dated May 8, 2017
- Appendix K: Soil Investigation prepared by Dente Engineering dated December 7, 2017
- Appendix L: Real Property Tax Revenue for the Project at Full Build-out
- Appendix M: Letter on Property Value Report prepared by Whitman Ostermann and Hanna dated December 4, 2017
- Appendix N: Natural Gas and Electric
  - N1: Natural Gas and Electrical Loads prepared by Allied Consulting Engineering Services dated April 11, 2017
  - N2: National Grid Will Serve Letter
- Appendix O: Alternative Layout and Use Plans
- Appendix P: Project Plans