

**State Environmental Quality Review Act (SEQRA)  
DRAFT SCOPING DOCUMENT**

**Town of LaGrange Comprehensive Plan  
& Zoning Map Amendments Supplemental GEIS**

**Town of LaGrange, Dutchess County, New York**

**Lead Agency/Project Sponsor:  
LaGrange Town Board**

**INTRODUCTION**

The purpose of the Scoping Document is to define the environmental issues that will be assessed in the Supplemental Generic Environmental Impact Statement (SGEIS). The Scoping Document is intended to serve as the foundation for the identification of all potentially significant adverse impacts pertinent to the Proposed Action, and where necessary, the appropriate mitigation measures. New information relevant to the Proposed Action that was not previously considered or adequately considered by the previous GEIS and Findings Statement, will be thoroughly evaluated to determine if any new potential impacts not previously identified would be significant, and if so, would require mitigation. It is also intended to eliminate consideration of any impacts that are irrelevant or non-significant.

**DESCRIPTION OF THE PROPOSED ACTION**

Pursuant to the SEQRA and its implementing regulations the proposed action entails the adoption of amendments to the 2005 Comprehensive Plan and amendments to the Town Zoning Map to change 2 parcels west of the Taconic State Parkway on State Route 55 from the Town Center-Business (TC-B) District to the Commercial (C) District and 16 parcels east of the Taconic State Parkway on State Route 82 and 55 from the General Business (GB) District to the Commercial (C) District. In addition, a portion of a 68.5-acre parcel in the Residential Low Density (RLD) zoning district, approximately 0.50 acres, would be rezoned to the Commercial (C) District. A total of 19 parcels are proposed to be rezoned to the Commercial (C) District. These actions constitute a Type 1 action under Part 617.4(b)(1) and/or 617.4(b)(3).

The intent of these amendments is to provide opportunities for future development in these areas where development has been stagnant or otherwise limited since the completion of the 2005 Comprehensive Plan and subsequent zoning code updates. Many of the uses that currently exist in these areas have existed for some time. Most are pre-existing, non-conforming with limitations on changes, expansion, or growth. Most of the parcels are more consistent with the uses and site development allowed in the Commercial district as compared to the General Business or the Town Center-Business district. The current use and development of the

properties define community character and establish a de facto aspect of the Town's Comprehensive Plan. The zoning map changes are designed to promote land use development patterns that still fit with the overall goals and policies of the Town and promote reasonable growth in the Town, taking into context shifts in economic and market changes since 2005.

The Town Board prepared a Final GEIS in 2019, which evaluated potentially rezoning 16 of the aforementioned 19 lots to the C District. (the "Original GEIS") The Original GEIS was accepted by the LaGrange Town Board on April 10, 2019 following the process outlined for Type I action requirements pursuant to the SEQRA, including:

- 11/28/2018 Declaration of Lead Agency
- 11/28/2018 Determination of Significance/Positive Declaration
- 11/08/2018 DGEIS submitted to the Town of LaGrange Town Board
- 11/28/2018 Acceptance of DGEIS, Notice of Completion of the DGEIS and setting of the public hearing date
- 03/13/2019 Public Hearing on DGEIS at Town of LaGrange Town Hall
- 03/25/2019 Deadline for written comments
- 04/08/2019 FGEIS submitted to the Town of LaGrange Town Board
- 04/10/2019 Acceptance of the FGEIS by the Town Board and Notice of Completion

During the preparation of the Original GEIS, a proposal was submitted to the Town seeking to rezone 3 additional parcels into the C District in furtherance of developing a gas station and convenience store thereon (commonly referred to as the "Stewarts Project"). Since the completion of the Original GEIS, additional details about the Stewarts Project have become known as the application has progressed before the Town Planning Board. The Town Board has determined that it would be appropriate to include the potential rezoning of the 3 additional lots associated with the Stewart's Project within the context of the Town Board's evaluation of the whether the future land use and development around the intersections of State Route 55 and the Taconic State Parkway and State Routes 82 and 55 as permitted in the C District may result in any significant adverse environmental impacts.

This SGEIS will expand upon the studies in the Original GEIS by analyzing and addressing any additional potential environmental impacts of the Proposed Action (now including the 3 lots associated with the Stewarts Project). This will include incorporating the new facts presented about the proposal to develop a gas station and convenience store at the 3 parcels being incorporated into the Proposed Action as part of the SGEIS process.

Pursuant to SEQRA, the Project Sponsor – i.e., the Town Board -- will oversee the preparation of the SGEIS to measure the magnitude of any potential environmental impacts associated with the Proposed Action, considering the potential future development that could be permitted under the proposed amendments to the Town's Zoning Map. Where the data demonstrates that a potential impact of the Proposed Action could be significant, the SGEIS will identify necessary

mitigation measures to avoid or reduce the impact to the maximum extent practical. The impact magnitude and mitigation assessment in the SGEIS will build upon the assessments in the Original GEIS.

Ultimately the Supplemental GEIS is the product of the Town Board as Lead Agency. The SGEIS will set forth specific conditions or criteria under which future actions will be undertaken or approved, including requirements for any subsequent SEQR compliance by other Town Agencies with jurisdiction over said future actions. Where a future subsequent action would result in impacts at below thresholds identified in the SGEIS as significant, or incorporate mitigation measures identified in the SGEIS to address significant impacts, limited further SEQRA review would be required. In addition, the Town Board will include an analysis of the impacts for other approvals that may be required that pertain to the project, such as an infrastructure or roadway design component within the project.

There are also a number of agencies that may be interested in future decisions supported by or based upon the Comprehensive Plan. Those agencies have been requested to participate in the public review of the SGEIS, so that all potential concerns and issues can be properly addressed. For the purposes of this SGEIS, those agencies are considered Interested Agencies.

Interested Agencies

*Town Agencies*

Town of LaGrange Planning Board

*County Agencies*

Dutchess County Planning and  
Development

*State Agencies*

Regional State Park Commission – Taconic  
Regional Office  
NYS Department of Environmental  
Conservation – Region 3

NYS Office of Parks, Recreation and  
Historic Preservation  
NYS Department of Transportation –  
Region 8

*Federal Agencies*

US Army Corps of Engineers  
New York District

*Adjacent Municipalities*

Town of Poughkeepsie

Town of Pleasant Valley

Town of Washington

Town of Union Vale

Town of Beekman

Town of East Fishkill

## Town of Wappinger

### **PROJECT LOCATION**

The SGEIS will address the proposed actions in the geographical regions where they would apply. The proposed rezoning would apply to portions of the Town-Center Business (TC-B) Zoning District west of the Taconic State Parkway, portions of the General Business (GB) Zoning District east of the Taconic State Parkway and around the intersection of State Routes 55 and 82, and a portion of the Residential Low Density (RLD) Zoning District around the intersection of State Routes 55 and 82. See attached map for subject parcels.

### **GENERAL GUIDELINES FOR THE SUPPLEMENTAL GEIS**

The Town Board will expand upon the Original GEIS to assemble additional relevant and material facts about the Proposed Action, re-assess and re-evaluate reasonable alternatives, and be analytical but not encyclopedic. The SGEIS will be clearly and concisely written in plain language that can be easily read and understood by the public. Highly technical material will be summarized and, if it must be included in its entirety, referenced in the SGEIS and included in an appendix. Narrative discussions will be accompanied, where appropriate by illustrative tables, charts, graphs, and figures.

The SGEIS may incorporate by reference, in accordance with 6 NYCRR 617.9(b)(7), all or portions of other documents that contain information relevant to the Original GEIS. Such documents will only be referenced if they are readily available at the Town of LaGrange Town Hall and online.

### **SUPPLEMENTAL GEIS SCOPE AND CONTENT**

The SGEIS will utilize the format of the Original GEIS as follows:

#### ***Executive Summary***

A brief description of the Proposed Action and Project Location; a description of the full development potential that could occur if the Zoning Map Amendments were adopted, and an analysis of potential significant environmental issues associated therewith; and explanation of the public need and benefits of the Proposed Action; and a summary of potential significant impacts and proposed mitigation necessary for future subsequent actions permitted by the Proposed Action.

#### ***Section 1.0 - Overview***

The purpose of the DGEIS and extent/limit of information contained within and analysis of the potential environmental impacts.

**Section 2.0 – Description of Action**

A detailed description of the parcels subject to the Proposed Action and potential uses that could be developed thereon under the C District, as well as further detail on public need and benefits associated with allowing such uses in the Project Location.

**Section 3.0 – Environmental Setting – Existing Conditions**

A breakdown of the community and regional setting; existing land uses, ownership and zoning; buildings/structures contained within the parcels; infrastructure/transportation network; natural resources; and cultural resources of the Project Location.

**Section 4.0 – Evaluation of Potential Significant Adverse Environmental Impacts**

A review and assessment of the following topics as identified by Town Board for the Proposed Action as potentially significant:

- Land Use and Zoning
- Transportation
- Water Resources – Floodplains, Wetlands, Waterbodies
- Reexamine transportation with additional properties added at the northeast corner of State Routes 55 & 82
- Groundwater resources
- Vegetation and fauna
- Reexamine cultural resources (including historic)

Local, State, and Federal regulations pertaining to land development and protection associated with each of these environmental resources will be included in the review and assessment.

The discussion of each topic will include discussion of the following sections:

- a) Existing conditions under current zoning;
- b) Potential impacts under Proposed Action (i.e., changes from existing conditions associated with rezoning to the C District); and
- c) Mitigation measures for impacts deemed significant

**Section 5.0 - Alternatives**

A no action (null) alternative and a rezoning to other districts or modifications to Commercial (C) District regulations to achieve the objectives of the Town.

**Section 6.0 – Description of Mitigation Measures**

A description of any potential mitigation measures for future development of parcels subject to the Proposed Action within each resource evaluation topic noted in Section 4.0

**Section 7.0 – Other Issues**

More general issues including those noted in Part 617.9(b)(5)(iii):

- Unavoidable Adverse Impacts

- Irreversible and Irrecoverable Commitment of Resources
- Growth Inducing Impacts, Cumulative and Secondary Impacts
- Effects on the Use and Conservation of Energy
- Effects on Solid Waste Management
- Impacts of Public Acquisition of Land
- Effects on Cultural Resources

### ***Section 8. - Mitigation Measures***

This section will re-evaluate and set forth conditions, criteria or thresholds to guide future site-specific actions that may be undertaken. This includes requirements for any subsequent SEQRA compliance as well as thresholds and criteria for supplemental environmental review to reflect specific significant impacts that were not adequately addressed or analyzed in the GEIS. For example, should a subsequent proposed action be carried out in conformance with the conditions and thresholds established in the GEIS, no further SEQRA compliance would be required. Conversely, if a subsequent proposed action was not addressed or its components would exceed defined thresholds or criteria set forth in the GEIS, then the appropriate environmental review documentation would be required to comply with SEQRA.

### ***Appendix***

Supporting information including maps, charts, pertinent regulations, documents/plans, concepts and drawings.

## **SUPPLEMENTAL DGEIS PUBLIC VIEWING & COMMENT**

The public will have opportunity to view and comment on the Draft SGEIS (“DSGEIS”) at specific times as promulgated under SEQRA. Following the development of this draft scoping document, an option is available for the public to view and comment to the Lead Agency for proposed changes or modifications for a minimum period of 30 days. A subsequent meeting will be held in the future to review comments and for the Town Board as Lead Agency to accept the Final Scoping Document. Draft and Final Scoping Documents can be provided to Interested Agencies for review. All public comments received during the comment period will be provided as an Appendix to the Final Scoping Document.

An additional time for public review and comment occurs after the Lead Agency determines that the DSGEIS is complete for public review. A Notice of Completion for the DSGEIS will be distributed by the Lead Agency in accordance with SEQRA requirements and published in the Environmental notice Bulletin (ENB). Copies of the Supplemental DSGEIS will be made available pursuant to 6 NYCRR 617.12(b) and placed on the Project Sponsor’s website. A Public Hearing will be held to solicit comments on the Supplemental DSGEIS and the proposed project and a minimum 30-day long public comment period will be initiated to receive written comments in

addition to or in-lieu of the comments received at the Public Hearing.

Following the close of the comment period, all substantive comments and Lead Agency responses received will be reviewed and incorporated into the Final SGEIS for the proposed project, including all necessary revisions, additions and clarifications to the document as well as categorized responses to the received comments. Non-substantive comments will be listed and with a statement will be provided as to why they have not been included in the Final SGEIS.

