

**SCOPING OUTLINE
for the
DRAFT ENVIRONMENTAL IMPACT STATEMENT
(DEIS)**

Proposed Project:

**Fishers Ridge
Victor, NY**

Project Location:

**NYS Route 96
(at Lane Road and NYS Route 251)
Town of Victor, Ontario County, New York**

Project Sponsor / Applicant:

**Rowley 96 LLC
(The DiMarco Group)
1950 Brighton-Henrietta Town Line Road
Rochester, NY 14623**

Lead Agency:

**Town of Victor Planning Board
1290 Blossom Road
Victor, NY 14564**

December 10, 2007

SCOPING DOCUMENT
DRAFT ENVIRONMENTAL IMPACT STATEMENT
(DEIS)

PROPOSED FISHERS RIDGE
TOWN OF VICTOR, ONTARIO COUNTY, NEW YORK

Positive Declaration Issued: November 13, 2007

Public Scoping Session Held: December 18, 2007

Comments Accepted Through:

Final Scope Accepted:

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DRAFT

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DRAFT ENVIRONMENTAL IMPACT STATEMENT
PROPOSED FISHERS RIDGE
TOWN OF VICTOR

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1.0 INTRODUCTION

This Scoping Document has been prepared in accordance with the requirements of 6 NYCRR Part 617 pertaining to Article 8 of the Environmental Conservation Law (State Environmental Quality Review (SEQR)). This Scope defines the content of the Draft Environmental Impact Statement (DEIS) that is being prepared at the direction of the Town of Victor Planning Board, as the designated Lead Agency for the proposed action.

This Scoping Document provides a description of the proposed action, an overview of the SEQR process and discussion of the potential environmental impacts that have been identified through the scoping process.

2.0 DESCRIPTION OF THE PROPOSED ACTION

The DiMarco Group, on behalf of Rowley 96 LLC, intends to develop a mixed use project entitled "Fishers Ridge" on a 100± acre site in the Town of Victor on NYS Route 96, located west of Lane Road and north of NYS Route 251. The Project is planned to be developed in stages and to ultimately include approximately 750,000 SF of building floor area, including approximately 550,000 SF of commercial space, a 100,000 SF hotel and approximately 100,000 SF of office and residential space.

The Project is conceived to include a central portion portraying a "Lifestyle Center", with layout and features similar to a village. The 'main street' will be flanked by retail uses on both sides on the ground floor level. A second floor level on the northwesterly side of the lifestyle center area is envisioned to comprise of office and residential space. This upper level will be accessed from the rear of the center at grade, a feature consistent with the site grading.

The site is currently vacant, having been used as a gravel mining area for many years in the past. The site is largely devoid of topsoil or desirable trees or shrubs. It has been more recently used for unregulated dirt bike and other off-road vehicle activities.

3.0 STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) PROCESS

New York's State Environmental Quality Review Act (SEQRA) provides a process for the consideration of potential significant adverse environmental impacts in the early planning stages of the approval, funding, or permitting process for proposed actions. By incorporating a systematic interdisciplinary approach to environmental review, impacts can be identified and projects can be modified, as needed, to avoid or minimize potential adverse impacts to the environment to the maximum extent practicable. All discretionary decisions of a state, regional, or local agency to approve, fund, or directly undertake an action that may affect the environment are subject to review under SEQR. It is the intent of SEQR that protection and enhancement of the environment and community resources be balanced with social and economic factors in the decision-making process.

3.1 Project Classification and Lead Agency Designation

In accordance with 6 NYCRR Part 617 of the State Environmental Quality Review (SEQR) implementing regulations, the Town of Victor Planning Board has classified the Project as a Type 1 Action for the purposes of environmental review.

The Town of Victor Planning Board initiated a Coordinated Review of the proposed action on 10/16/07 to request Lead Agency designation and to solicit comments from all Involved and Interested Agencies.

The Town of Victor Planning Board declared itself Lead Agency and, in accordance with 6NYCRR Part 617.7, adopted a Positive Declaration for the application on 11/13/07 thereby directing that a Draft Environmental Impact Statement (DEIS) be prepared.

3.2 The Scoping Process

Scoping is an optional process under the SEQR regulations. The Town of Victor Planning Board, as SEQR Lead Agency, has decided to conduct scoping for this project. The purpose of the scoping process is to identify any potentially significant adverse environmental impacts to be addressed in the DEIS and eliminate consideration of those impacts that are irrelevant or nonsignificant.

The objectives of project scoping are to:

- Identify/confirm significant environmental issues;
- Identify limits or extent of DEIS;
- Identify information needed to adequately address impacts;
- Identify potential mitigation measures;
- Identify the range of reasonable alternatives to be addressed; and
- Eliminate irrelevant or insignificant issues.

The project sponsor submitted a Draft Scoping Document to the Town of Victor for purposes of a scoping meeting among Town Department staff, Town Consultants and State/Federal Agencies that was held on 12/6/07. The Planning Board conducted a public scoping hearing on December 18, 2007 to include an opportunity for public participation and input. The comments received through these efforts were considered in the development of this final Scoping Document.

The scoping session was conducted in order to gather public and agency input regarding the topics and methodology of study for the DEIS. The public scoping process ensures that the DEIS will be a concise, accurate, and complete document upon which all Involved and Interested Agencies can base their individual decisions regarding the proposed project. By including the public, as well as other agencies in the scoping process, the SEQR Lead Agency can obtain additional information and specialized knowledge that may reduce the likelihood of additional issues arising during the public review period for the DEIS. It is the responsibility of the Town of Victor Planning Board, as SEQR Lead Agency, to complete the scoping process, issue the final Scoping Document, and oversee the completion of the DEIS.

3.3 SEQR Review Agencies

In the SEQR process, there are three types of agencies: the Lead Agency, Involved Agencies, and Interested Agencies. The Lead Agency is the one Involved Agency that has the responsibility, under SEQR, to coordinate the environmental review process for the proposed action. The Town of Victor Planning Board was designated as the Lead Agency for this action because this Board has the primary jurisdiction over the site plan review and approval of the Project. Through the coordinated review process, other agencies and other Town departments were provided the opportunity to submit comments on the proposed action and concur with the designation of the Planning Board as the Lead Agency.

Involved Agencies are agencies that have jurisdiction to fund, approve, or directly undertake an action. Known Involved Agencies for the proposed action include:

- New York State Department of Environmental Conservation (NYSDEC)

- New York State Department of Transportation (NYSDOT)
- New York State Department of Health (NYSDOH)
- United States Army Corps of Engineers (COE)
- Victor Town Board

Interested Agencies are agencies that do not have (at the time of the environmental review) permitting, funding, or approval jurisdiction directly related to the proposed action, but may desire to participate in the review process because of their expertise or concern regarding the action. Interested Agencies also include agencies that may have jurisdiction over a permit or approval related to the action in the future. For this project, Interested Agencies include, but may not be limited to:

- Town of Victor Conservation Board
- Ontario County Planning Board
- Town of Victor Highway Department
- Town of Victor Water Department
- Town Engineer (Sniedze Associates)

4.0 CONTENT OF THE DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS)

The proposed content for the DEIS is as follows:

4.1 Introductory Requirements

The DEIS shall include the introductory requirements including the Cover Sheet and Table of Contents.

4.2 Executive Summary

The DEIS shall include an Executive Summary that adequately and accurately summarizes the document with a brief description of the action, the existing environmental setting, potential significant adverse impacts, proposed mitigation and proposed alternatives.

4.3 Introduction

This section of the DEIS shall include subsections that discuss:

4.3.1 Project location and setting

Describe the Project's location with respect to local geography, adjoining roadways, site access, and location of nearby development.

4.3.2 Description of the proposed Project

Analysis of developed acreage and undeveloped acreage; description of zoning, parking, access, lighting, landscaping, buffers, stormwater, water, utilities, building design, visual aesthetics.

4.3.3 Project purpose and need

State the Project Sponsor's purpose and objectives in developing the site. Discuss how it will provide services or enhance the community.

4.3.4 SEQR process and chronology

Discuss the history, purpose, process of the required SEQR process.

4.4 Description of the Existing Environmental Setting, Potential Impacts, and Mitigation Measures

This section of the DEIS should provide a discussion of each subject area to provide for a sufficient understanding of the existing setting, the potential impacts of the proposed action and how they may affect the environment, and opportunities for mitigation. This section should provide a detailed discussion of the known and anticipated adverse environmental impacts of this project, the severity of the impact, and practical mitigation measures that would lessen the impact. The DEIS should address all concerns raised during scoping and provide mitigation measures to reduce any potential impacts, to the extent practicable. Topic areas should include:

4.4.1 Impact on Land

A. Existing Environmental Setting

This section should provide a detailed discussion of all the physical impacts this project will have on the site and adjacent land including, but not limited to:

- Location, dimensions, and ownership of all land associated with the project;
- Location, dimensions, and ownership of any existing or proposed easements and rights-of-way;
- Location and dimensions of all existing buildings, structures, and other;
- A geotechnical analysis of soils, depth to bedrock, etc.;
- Existing topography and soils survey; and,
- Discuss the Town's Comprehensive Plan as it relates to landform issues.

B. Potentially Significant Adverse Impacts

- Proposed grading and cut/fill requirements of the site;
- Removal of existing vegetation and topsoil;
- Construction impacts and procedures, including temporary impacts; and,
- Erosion issues along NYS Route 96.

C. Potential Mitigation Measures

This section should identify potential ways to lessen the negative impacts of the project. Mitigation measures that should be considered include:

- Avoid, as much as possible, disturbance of the existing wooded area to the east to act as a buffer to the adjacent residents;
- Provide a construction phasing plan; and,
- Discuss construction and post-construction slope management techniques.

4.4.2 Impact on Surface Water and Ground Water Resources

A. Existing Environmental Setting

This section should provide a detailed discussion of the water resources and drainage/ stormwater management of the site including, but not limited to:

- Provide a Stormwater Management Plan/Engineering Report that meets the State's stormwater requirements (SPDES), the Town of Victor requirements, and the Irondequoit Creek Stormwater Management Guidelines. The report shall

demonstrate the proposed action does not exacerbate existing drainage conditions;

- Location, type, and discussion of existing stormwater management facilities and/or drainage patterns;
- Descriptions of existing wetlands (federal and state); and,
- Depth to the water table.

B. Potentially Significant Adverse Impacts

- Potential impacts to State-regulated wetlands to the south and other water resources;
- Impact to on-site Federal wetlands;
- Stormwater pollution and sediment control;
- Maintenance of stormwater basin; and,
- Any temporary impacts to surface waters due to construction.

C. Potential Mitigation Measures

This section should identify potential ways to lessen the negative impacts of the project. Mitigation measures that should be considered include:

- Evaluation of stormwater management facilities for development of all phases;
- Provide alternatives for stormwater management of the site that reduce the amount of runoff and reduce the size of the stormwater basin;
- Avoid disturbance of wetland areas as much as possible and provide on-site mitigation of wetlands if disturbed;
- Process for snow and ice removal and location of snow storage; and,
- Investigate the opportunity for infiltration.

4.4.3 Impact on Terrestrial and Aquatic Ecology

A. Existing Environmental Setting

This section should provide a detailed discussion of the existing site vegetation, habitat, wildlife species, and site topography that may or may not support such.

B. Potentially Significant Adverse Impacts

This section should discuss how and where the Project impacts vegetation. Provide discussion on habitat that may be displaced.

C. Potential Mitigation Measures

This section should identify potential ways to lessen the negative impacts of the project.

4.4.4 Historical and Cultural Resources

A. Existing Environmental Setting

This section should provide a detailed discussion of the inventory of existing historical, archaeological, and cultural significance on-site and adjacent to the Project site.

- Identify the location and discuss the history of 'Ambush Hill'.

B. Potentially Significant Adverse Impacts

This section should address specific concerns and potential impacts brought up during the scoping process. Assess impacts to any identified resources.

C. Potential Mitigation Measures

This section should identify potential ways to lessen the negative impacts of the project.

- Provide comments from the New York State Office of Parks, Recreation and Historic Preservation; and,
- Investigate opportunities to incorporate awareness plaques or markers.

4.4.5 Impact on Air Quality

A. Existing Environmental Setting

This section should discuss the existing site conditions that attribute to air quality, and adjacent uses that contribute to air quality in the Project area.

B. Potentially Significant Adverse Impacts

This section should provide a detailed discussion of all new potential discharges to the air (traffic, truck loading/ unloading, equipment, other), and assess their potential impact to the air quality of the area.

- Potential pollution caused from the daily operations at the site;
- Potential pollution caused from additional vehicular traffic to the site; and,
- Potential release of hazardous materials from demolition of existing building, clean up of site, and construction of site.

C. Potential Mitigation Measures

This section should identify potential ways to lessen the negative impacts of the project. Mitigation measures that should be considered include:

- Truck anti-idling loading/ unloading areas;
- Pollutant abatement, improvements to traffic movements; and,
- Erosion control measures during construction.

4.4.6 Impact on Aesthetic Resources

A. Existing Environmental Setting

This section should provide a detailed discussion of the aesthetic and visual quality of the project site and the surrounding neighborhood including, but not limited to:

- Analysis of the Town Comprehensive Plan/Route 96 Overlay District and how the Project conforms to those guidelines;

- A discussion of the design of the buildings including elevation sketches, architectural elements, construction materials, colors, etc.;
- A discussion of the features the project will incorporate to reduce the impact and compliment and enhance the surrounding built and natural environment;
- Photographic simulations of the project demonstrating the future views of the site from the following locations:
 - NYS Route 96 at the western access drive;
 - NYS Route 96 at the eastern access drive (at NYS Route 251);
 - Southern-end of Lane Road, looking west into the site;
 - NYS Route 251 looking north;
 - High Street west of Lane Road, looking south;
 - Rowley Road;
 - Ganondagan site;
 - Travelers on the NYS Thruway; and,
 - Residential subdivision to the north, across from the Thruway.
- Plans and descriptions of proposed landscaping and screening, including location, types of plantings, size, and how the amount of greenspace corresponds to zoning requirements;
- Location, type, and height of site lighting;
- Location and screening of dumpster and garbage compactors; and,

B. Potentially Significant Adverse Impacts

This section should address specific concerns and potential impacts brought up during the scoping process, including:

- Impact of site lighting on nearby residences;
- Provide details of the buffers such as materials used, potential disturbance to adjacent properties, drainage impacts, etc.

C. Potential Mitigation Measures

This section should identify potential ways to lessen the negative impacts of the project. Mitigation measures that should be considered include:

- Incorporate building design features to minimize the traditional appearance of large blank walls;
- Historical or cultural resources of the community should be incorporated into the design of the buildings and/or site;
- Incorporate additional landscaping within the parking area to reduce the asphalt footprint;
- Incorporate types of lighting, such as LED lighting, and the use of shielded lighting that reduce the impact of lighting on neighboring properties and roadways;
- Avoid, as much as possible, clearing of mature trees on the site and disturbing environmentally sensitive areas; and,
- Provide additional landscaping and screening as necessary.

4.4.7 Impact on Transportation

A. Existing Environmental Setting

This section should provide a detailed discussion and complete analysis of the Traffic Impact Study (TIS) for the proposed project identifying all potential impacts that the project will have on the transportation system along with mitigation measures to reduce impacts including, but not limited to:

- Traffic projections from the ITE manual;
- Information on proposed trip generation and distribution, intersection operations, available right-of-way (ROW) for roadway improvements, site access routings, cross access, transit operations, bicycle and pedestrian operations, and safety;
- The impact of the construction of turn lanes on NYS Route 96 and the resulting traffic queuing that may block driveways;
- Impacts of truck traffic and the circulation of truck traffic within the site;
- Analyze a complete build-out of the project;
- Illustrate how cars, trucks, and people will move within the site;
- Discuss alternative methods of providing and maintaining access to the site via State and Town roads; and,
- Describe and locate the existing hiking trail.

B. Potentially Significant Adverse Impacts

This section should address specific concerns and potential impacts brought up during the scoping process, including:

- Conduct the analysis for both a weekday AM and the PM peak periods and Saturday Midday under current traffic conditions and in build years 2008, 2013, 2018;
- Per the letter from the Town's traffic consultant, provide intersection studies for the following:
 - NY Route 96 at Main Street Fishers
 - NY Route 96 at Omnitech Drive
 - NY Route 96 at Rowley Road
 - NY Route 96 at Route 251
 - NY Route 96 at Lane Road
 - NY Route 96 at High Street, south end
 - NY Route 96 at School Street
 - NY Route 96 at Maple Street
 - NY Route 96 at Lynaugh Road
 - High Street at Willowbrook Road
 - High Street at Aldrich Road
 - High Street at Lane Road
 - High Street at Gillis Road
 - County Road 9 at Lynaugh Road/Lane Road
- Public Transportation
The Traffic Impact Study must also consider coordination with the public transportation system. The discussion should include reviewing the potential of bringing public transportation on site.
- Pedestrians

Discuss and illustrate proposed pedestrian access to/from the site and internal walkability.

- **Parking**

The analysis should include a full assessment of parking for the project, which includes:

- Number of parking spaces proposed;
- Compliance of parking areas with zoning requirements in terms of the number and size of parking spaces and size of aisles; and,
- Number and dimensions of handicapped accessible parking spaces.

- **Emergency Services**

An emergency services access plan needs to be provided. The plan should address both on and offsite circulation for all potential emergency services.

- C. Potential Mitigation Measures**

This section should identify potential ways to lessen the negative impacts of the project. Mitigation measures that should be considered include:

- Alternative layouts and access plans for the project should be provided;
- Provide for the continued use of the hiking trail through the site;
- Site circulation enhancement providing safe access for all user groups on site; and,
- Other traffic control devices and improvements.

4.4.8 Impact on Energy/ Utility Facilities

- A. Existing Environmental Setting**

This section should provide a detailed discussion of the existing utility system and whether capacity exists for this project including, but not limited to:

- Proposed energy usage, water demand figures, and wastewater generation numbers, and describe the potential impacts to the existing water and sewer systems in the area;
- Location and description of all on-site and off-site utility improvements; and,
- Investigate and describe the two water pressure zones, and capacity.

- B. Potentially Significant Adverse Impacts**

This section should address specific concerns and potential impacts brought up during the scoping process, including:

- Potential impacts to the stormwater and sanitary sewers;
- Impact to electric grid;
- Location of hydrants; and,
- Confirm water usage (per day) for the Project.

- C. Potential Mitigation Measures**

This section should identify potential ways to lessen the negative impacts of the project. Mitigation measures that should be considered include:

- Provide utility improvements as needed.

4.4.9 Noise and Odor Impacts

A. Existing Environmental Setting

This section should provide a detailed discussion on the existing conditions for noise and odor including, but not limited to:

- Measure and evaluate existing noise generators and receptors at the adjacent property line with Lane Road residents.

B. Potentially Significant Adverse Impacts

This section should address specific concerns and potential impacts brought up during the scoping process.

- All potential noise and odor sources such as vehicular and truck traffic, mechanical equipment, construction, HVAC units, dumpster and garbage compactors, parking lot sweepers, snow removal, garbage collection, restaurants, etc.

C. Potential Mitigation Measures

This section should identify potential ways to lessen the negative impacts of the project. Mitigation measures that should be considered include:

- Placement of odor causing products for sale and other odor causing facilities in a way that reduce impacts on neighboring properties; and,
- Provide a discussion of alternative noise reduction barriers such as walls, vegetation, etc.

4.4.10 Impact on Public Health

A. Existing Environmental Setting

This section should provide a detailed discussion of how the public health, safety, and welfare of local residents in the surrounding areas will be affected by this project including, but not limited to:

- Impact on vehicular and pedestrian safety;
- Impact on police, fire, and emergency service response time;
- Procedure for security and monitoring of the site for safety;
- How impacts on neighboring properties will be mitigated; and,
- Provisions for stormwater basin safety.

B. Potentially Significant Adverse Impacts

This section should address specific concerns and potential impacts brought up during the scoping process, including:

- Describe the potential for gasoline pumps to be placed on this site.

C. Potential Mitigation Measures

This section should identify potential ways to lessen the negative impacts of the project. Mitigation measures that should be considered include:

- Address pedestrian safety concerns; and,

- Maintenance of the stormwater facility areas, parking areas, dumpster areas, and other outdoor areas.

4.4.11 Impact on Growth and Community Character

A. Existing Environmental Setting

This section should provide a detailed discussion on how the project fits into the context of the surrounding area and how it will impact the character of the community including, but not limited to:

- A description of how land use on the project site will change and how that may affect the surrounding neighborhood;
- A summary of how activities on the project site, such as the location of the buildings and parking areas, construction of access roads and driveways, truck loading/ unloading areas, lighting, odors, noise, etc., will impact surrounding residences;
- How this project is in compliance with the Comprehensive Plan and meets the goals of the community;
- The consistency of the proposed project with the existing zoning and site plan requirements, including a description of known zoning variance requests along with the reasoning for such requests;
- Impacts on community services such as fire and police protection, schools, parks & recreation, etc.;
- How this project could potentially impact future development trends;
- Impact on local government finances and tax revenues;
- Number of jobs the project will create; and,
- Any tax incentives or public money to be used for this project or any improvements related to this project.

B. Potentially Significant Adverse Impacts

This section should address specific concerns and potential impacts brought up during the scoping process, including:

- Describe in further detail the potential uses of the property, both proposed and as permitted by the Zoning Code; and,

C. Potential Mitigation Measures

This section should identify potential ways to lessen the negative impacts of the project. Mitigation measures that should be considered include:

- Maintain and replace any landscaping and screening as necessary;
- Provide alternative designs of the buildings and layouts of the site as previously described; and,
- Provide additional aesthetic improvements as needed.

4.5 PROJECT ALTERNATIVES

This section of the DEIS shall identify, describe and evaluate the range of reasonable alternatives to the action that are feasible, considering the objectives and capabilities of the project sponsor. The description and evaluation of each alternative shall be at a level of

detail sufficient to permit a comparative assessment of the alternatives discussed. Specifically, the DEIS shall include a discussion of the alternatives listed below:

- No-Action Alternative – an evaluation of the potential adverse and beneficial impacts that would result in the reasonable, foreseeable future if the proposed action was not undertaken.
- Alternate Uses on the Subject Site – An evaluation and assessment of other possible uses or developments of the subject site.
- Alternative Site Designs – A discussion of other potential site layouts and/or designs of the proposed program.

4.6 CUMULATIVE IMPACTS

The impacts of the proposed action must be considered in relation to other projects proposed in the vicinity of the subject property.

4.7 GROWTH INDUCING IMPACTS

This project could potentially result in significant impacts on the growth and character of the surrounding neighborhood and community as a whole. A careful and well reasoned analysis of the possible growth inducing aspects of this project must be presented, including:

- A discussion on the growth inducing impacts the project may have on nearby commercial areas; and,
- The growth inducing impacts the project may have on nearby residences.

4.8 IRRETRIEVABLE COMMITMENT OF ENVIRONMENTAL RESOURCES

Describe the irretrievable commitment of resources that may result from this action. Consider natural and man-made resources that are consumed, converted, and made unavailable for future uses such as the filling of a wetland, the use of construction materials and/or non-recyclable materials, the land on the parcel committed to development, and the use of labor, capital, utilities, and fossil fuels both during and after construction.

4.9 CONCERNS/ IMPACTS DETERMINED TO BE IRRELEVANT OR INSIGNIFICANT

Under 6 NYCRR Part 617, State Environmental Quality Review (SEQR), the Lead Agency is responsible for eliminating consideration of those impacts and concerns that have been identified during the scoping process that are determined to be irrelevant or insignificant either because they are not legally relevant to the environmental review of the proposed action, they are not environmentally significant, or they have been adequately addressed prior to the scoping process. These issues and concerns should not be included in the DEIS.

The following issues and concerns identified during the scoping process have been determined to be irrelevant or insignificant:

- x
- x

4.10 INFORMATION TO BE INCLUDED IN THE APPENDIX OF THE DEIS

The main body of the DEIS shall provide sufficient detail to enable the reader to understand, interpret, and evaluate the existing conditions, potential impacts, mitigation measures, and alternative project scenarios. The Appendix shall contain back-up studies and technical reports that supplement and support the narrative in the DEIS. The following are examples of documents to be included in the Appendix:

- Environmental Assessment Form (EAF), and Positive Declaration;
- Final Scoping Document;
- Site plans for proposed action;
- Traffic Impact Study and correspondence;
- Stormwater Management Plan and Engineering Report and drainage calculations;
- Irondequoit Creek Watershed Report;
- Wetland Delineation Report;
- Geotechnical Report; and,
- Cultural Resources Investigation Report.

DRAFT