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Memorandum

To: Town of Southeast Planning Board
From: Ashley Ley, AICP
Date: December 6, 2019
Re: Commercial Campus as Fields Corner
cc: JMC, Zarin & Steinmetz

This memorandum summarizes AKRF's review of the revised draft Commercial Campus at Fields Corner FEIS received on November 21, 2019. Since the last formal submission in March, 2019, the Applicant provided revised drafts of most of the chapters for AKRF's review and comment on a rolling basis. AKRF provided in-line text edits and comments to the Applicant, which have been addressed in this recent submission. AKRF's previous comments that were not sufficiently addressed are presented in *italics*. New and follow-up comments are presented in **bold**. Comments that have been sufficiently addressed are not recited herein.

It is important to note that the Final Environmental Impact Statement (FEIS) is the Lead Agency's document, which in this case is the Town of Southeast Planning Board. As such, the document should be written in the voice of the Planning Board, and should reflect the majority's opinion. The majority of AKRF's in-line text edits have been for voice and to improve the readability of the document for the public.

It is standard practice for the preliminary draft of an FEIS to be prepared by the Applicant, and then reviewed by the Lead Agency and its consultants. The purpose of this review is to determine whether the FEIS provides substantial responses to the public's comments, and whether all relevant information is presented and analyzed in a complete and understandable format. The comments that the Lead Agency concurs with should be integrated into the FEIS. Where issues have been left out or have not been addressed thoroughly, in the opinion of the Planning Board, the Applicant should be requested to revise the FEIS and resubmit the document to the Planning Board for further review.

CHAPTER 1: PROJECT DESCRIPTION

1. *A more detailed site plan with dimensional (i.e. lot and bulk table, parking and loading table, etc.) should be provided as a figure (or figures if needed for legibility at reduced scale) in this section. All structures (including the water tank(s)) should be labeled.*

This information has been partially provided on Figure 1-4. Figure 1-4 should be updated to include the height and diameter of the water tank. The water tank should also be labeled on Figure 1-3.

2. **AKRF did not previously provide in-line text edits on the Project Description. Attached are recommended edits to this chapter.**

CHAPTER 2: POTENTIAL IMPACTS AND MITIGATION MEASURES

1. **The redlined text provided for this section was not against the March 19, 2019 version submitted to the Planning Board, but rather a later version of the document.**
2. **AKRF did not previously provide in-line text edits to this chapter. Attached are recommended edits to this chapter.**

A. INTRODUCTION

3. *The introduction is fairly repetitive to the summary provided in the Project Description. Where the information can be distilled numerically (i.e. limits of disturbance, building SF, etc.) please provide a comparative table that presents the DEIS project versus the FEIS project. In addition, please move technical information to the relevant technical section.*

This comment has not been addressed. A brief summary and table would improve readability. Technical information should be relocated to the relevant technical section.

B. LAND USE AND ZONING

4. *The discussion regarding economic benefits on page II-8 should refer to the analysis contained elsewhere.*

This comment has not been addressed.

5. *A figure showing the extent of the ridgeline disturbance should be provided in this section. A cross section of the ridgeline that shows the extent of cut and fill for the FEIS project versus the DEIS project would aid the public's understanding of the changes.*

A new Figure II.B-2 has been added to this section, but no additional discussion is provided.

6. *This section should further explain how the proposed use fits within the Code definition of light manufacturing.*

This comment has not been addressed.

7. *This section should be revised to include an analysis of the proposed project with the specific special permit criteria for light manufacturing.*

This comment has not been addressed.

C. TRAFFIC

8. **The traffic discussion in this section is a brief summary of the analysis contained in the appendices and response to comments. Please refer to the attached traffic memorandum for AKRF's detailed comments.**
9. **The proposed edits to the traffic discussion in the Project Description should be carried through (as applicable) to this section.**

D. VISUAL RESOURCES

10. **The comments on this section have been substantially addressed.**

E. SURFACE WATER AND WETLANDS

The Town Wetland Inspector will be providing further comments on this chapter. However, AKRF notes the following:

11. *This section should include a figure that shows the DEIS versus FEIS limits of wetland disturbance.*

This comment has not been addressed.

F. GEOLOGY, SOILS AND TOPOGRAPHY

12. *This section should include a figure that shows the DEIS versus FEIS limits of ridgeline and steep slopes disturbance.*

This comment has not been addressed.

G. GROUNDWATER

13. **The comments on this section have been substantially addressed.**

H. VEGETATION AND WILDLIFE

14. **The Town Wetland Inspector will be providing further comments on this section. AKRF's prior comments have been substantially addressed.**

I. TAX ANALYSIS

15. **This section would benefit from reorganization and substantive editing. See recommended edits and comment bubbles in the attached redline.**

16. **The text should not refer to PILOT payments as taxes.**

J. COMMUNITY SERVICES

17. *This section refers to a meeting held with the Brewster Fire Department. Minutes from that meeting and should be included in the appendices.*

This comment has not been addressed.

K. UTILITIES

The Town Engineer will be providing further comments on this chapter. However, AKRF notes the following:

18. *Details on the water storage tank (size, color, location) should be provided.*

This comment has not been addressed.

N. CONSTRUCTION

19. *This section should be revised to address whether or not any blasting is anticipated. If blasting is anticipated, a description of the blasting protocol should be provided.*

This comment has not been addressed.

O. AIR QUALITY

20. *This section should be updated to refer to the additional analysis that was required for the FEIS and the conclusions of that analysis.*

This comment has not been addressed.

P. HAZARDOUS MATERIALS

21. *This section should be updated to refer to the additional analysis that was required for the FEIS and the conclusions of that analysis.*

This comment has not been addressed.

22. *AKRF generally agrees with the Applicant's response that there would likely be no hazardous material impacts associated with the documented area and provided data. However, due to the historical use of the properties, AKRF recommends that a Soil Management Plan be prepared to document contingency procedures to address any unknowns (i.e. underground tanks, dry wells, contamination or additional dump areas) that may be encountered during redevelopment.*

A Soil Management Plan has been provided in the appendices. However, no discussion has been provided in the text. This should be remedied.

CHAPTER 3: RESPONSE TO COMMENTS

2. DESCRIPTION OF THE PROPOSED ACTION

23. **This section has been revised to incorporate the text edits provided by AKRF.**

3. LAND USE AND ZONING

24. **This section has been revised to incorporate the text edits provided by AKRF.**

4. TRAFFIC

25. **See attached traffic memorandum.**

5. VISUAL RESOURCES

26. **This section has been revised to incorporate the text edits provided by AKRF.**

6. SURFACE WATER AND WETLANDS

27. **The Town Wetland Inspector and Town Engineer will be providing further comments on this section.**

28. **The current FEIS submission did not include a Stormwater Pollution Prevention Plan. Additional comments pending once this document is received.**

7. GEOLOGY, SOILS AND TOPOGRAPHY

29. **The Town Engineer will be providing further comments on this section. AKRF's prior comments have been addressed.**

8. GROUNDWATER

30. **This section has been revised to incorporate the text edits provided by AKRF.**

9. VEGETATION AND WILDLIFE

31. **The Town Wetland Inspector will be providing further comments on this section.**

32. *Response 9-6: In accordance with Section 10 of the federal Endangered Species Act, the applicant is encouraged to consult with the USFWS at the earliest time feasible in the environmental review, so that incidental take is avoided and/or that an appropriate habitat conservation plan can be implemented. Coordination with USFWS will be required for the federal wetland permit necessary to implement the project. By consultation with USFWS now, the lead agency and applicant may benefit from the input of this resource agency during project development.*

The applicant has not filed its Joint Application for Permit with the NYSDEC and ACOE. As such, coordination with USF&WS has not been initiated.

10. TAX ANALYSIS

33. **Response 10-16: Please provide the newspaper reference in the footnote in the Chicago Manual of Style format (or similar).**
34. **Response 10-42 (and elsewhere): PILOT payments should be referred to as “revenue” and not “real estate taxes.” Variations of this paragraph are found throughout the document. Please take AKRF’s edits from earlier sections and make the corrections here and elsewhere. The repeated use of the phrase “which are not property taxes” is unnecessary if the PILOT payments are correctly described as revenue to local taxing jurisdictions.**
35. **Response 10-49: Delete “(which are not property taxes).”**

11. COMMUNITY SERVICES

36. **This section has been revised to incorporate the text edits provided by AKRF.**

12. UTILITIES

37. **The Town Engineer will be providing further comments on this section. AKRF’s prior comments have been substantially addressed.**

TRAFFIC MEMORANDUM



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Memorandum

To: Town of Southeast Planning Board
From: Anthony Russo and Alex Auld
Date: December 5, 2019
Re: Commercial Campus at Fields Corner FEIS Traffic Study Review
Cc: JMC

AKRF, Inc. has reviewed the following:

- The November 1, 2019 letter to ARKF from JMC, which provides responses to AKRF's review memorandum dated August 30, 2019.
- Section III.4 ("Traffic") of the FEIS for the proposed Northeast Interstate Logistics Center project revised on November 1, 2019 prepared by JMC and the accompanying technical appendix revised October, 2019 as per references made in the November 1, 2019 letter from JMC.

AKRF's findings and recommendations, based on our review of the above materials, is presented below.

JMC'S NOVEMBER 1, 2019 RESPONSE TO COMMENTS LETTER

Listed below are AKRF's traffic comments from the August 30, 2019 memorandum to the Town of Southeast Planning Board, the responses from JMC provided in their November 1, 2019 letter, and AKRF's input on those responses.

GENERAL FEIS COMMENTS

1. *Comment: All impact criteria should be provided in a table, including LOS (e.g. LOS D or better to LOS E or F), delay (LOS F with increase in delay of 10% or more), and queue criteria to provide a single reference for what constitutes as an impact. Alternatively the impact criteria could be added as footnotes to the LOS and Queue tables.*

Response: The impact criteria have been added as footnotes to the LOS and Queue tables.

AKRF Conclusion: Comment partially addressed. Impact criteria has been added as footnotes to the LOS and Queue tables, however, the language in the footnotes should be expanded for greater clarity (e.g., "LOS D or better to LOS E or F, LOS E to LOS F, or an increase in delay greater than 10% where a LOS F was previously identified under No Build Conditions" and "queue length exceeding the storage length uniquely under Build Conditions".

2. *Comment: The discussion of impacts should be expanded to identify which locations would be impacted by the proposed project by scenario, peak hour, and condition. A summary table should be prepared which identifies the impacted locations by scenario, peak hour, and condition along with identifying the impact criteria met (LOS/Delay or Queue) (see Attachment A, Table A-1).*

Response: The FEIS text has been expanded as suggested and summary tables showing the LOS and Queue information have been prepared for inclusion in the FEIS.

AKRF Conclusion: Comment partially addressed. While the tables have been modified to more clearly identify impacts, the FEIS text only identifies locations that experience an increase in delay or queue, rather than clearly identifying impacts. For each intersection, movements that experience impacts should be provided in a bullet list along with the corresponding peak hour, analysis scenario, and basis of the identified impact (e.g., LOS/Delay, Queue).

Selected pages from Tables 4-11A, 4-12A, 4-13A, 4-14A, and 4-16A are included in Attachment A and have been denoted to identify impacted locations and whether those impacts have been mitigated or require mitigation. These notes are provided for the 2023 Build Alternative without Crossroads 312 scenario as this is the most probable Build scenario. As indicated in the notes, there are several locations with unmitigated impacts that must be mitigated. Similarly, identification of all impacts should be provided for all other analysis scenarios and mitigation provided accordingly. Based on a review of the LOS, Delay, and Queue data for all scenarios, impacts that were omitted from the LOS/Delay and Queue tables are highlighted in orange and should be identified as impacts and mitigation provided accordingly.

3. *Comment: The discussion of the queues should be expanded to identify which locations would be impacted locations based on the queue impact criteria.*

Response: The FEIS discussion has been expanded as requested.

AKRF Conclusion: Comment partially addressed. While the tables have been modified to more clearly identify impacts, the FEIS text only identifies locations that experience an increase in queue, rather than clearly identifying impacts. For each intersection, movements that experience impacts should be provided in a bullet list along with the corresponding peak hour, analysis scenario, and basis of the identified impact (e.g., LOS/Delay, Queue). See AKRF Conclusion for Comment 2 above.

4. *Comment: As a supplement to Table 4-14 (“Conceptual Highway Improvements”) an additional table and/or text should be provided which list the proposed signal retiming improvement details, including cycle length, timing, and phase change information.*

Response: An additional table has been prepared to present the proposed signal retiming improvement details.

AKRF Conclusion: Comment addressed.

5. *Comment: Truck Turning Path Drawing TA-02 appears to show the entering truck turning path colliding with the site entrance curb. Please verify and review.*

Response: The trucks will utilize areas with pavement markings along the driveway and are not expected to contact the proposed curbs.

AKRF Conclusion: Comment addressed.

6. *Comment: While a key map has been provided which shows an overview of the turning analysis locations (Figure TA-01) a single overall truck turning plan of the whole site should be provided which shows full continuous ingress/egress patterns for trucks between Route 312 and the project site.*

Response: Additional figures have been prepared to show full continuous ingress/egress patterns for trucks.

AKRF Conclusion: Comment addressed.

7. *Comment:* The truck turning paths shown in Figure TA-07 shows several potential conflict points between trucks and vehicles utilizing the other lanes. Please investigate the potential for placement of a roundabout at this location (similar to that shown in Figures TA-02 and TA-03) to reduce vehicular conflicts.

Response: Figure TA-07 shows a truck turning across the driveway to exit during the infrequent occasions when a truck will not be permitted at the security gate to continue into the project site proposed Building B. Since the entering and/or exiting site traffic will be traveling at very low speeds or stopped in the vicinity of the ingress/egress gates, the infrequent movement by the truck being redirected is not expected to result in significant vehicular conflicts. A roundabout in this area would require additional disturbances to the wetland and wetland buffer areas along Barrett Road, and the Applicant has made extensive efforts to minimize wetland and wetland buffer impacts.

AKRF Conclusion: Comment addressed.

8. *Comment:* For Sight Distance drawing SD-6, sight distance measurements for the southbound Pugsley Road approach are shown to have been taken from in front of the Pugsley Road stop bar and closer into the intersection. Please verify the proposed placement of the measurement points.

Response: The sight distance is measured on the drawing 14.5 feet off of the major roadway travel lane in accordance with AASHTO criteria.

AKRF Conclusion: The reference to 14.5 feet from AASHTO represents the typical position of the minor-road driver's eye. However, as the stop bar is set back this sight distance assumes vehicles do not adhere to the stop bar. Therefore, the sight distance should be set back 8 feet from the stop bar- given that the stop bar is the desired stopping point and the additional 8 feet represents the distance from the front of the vehicle to the driver's eye per AASHTO guidance. This applies to all sight distance measurements presented in the FEIS and all sight distance measurements on the appropriate drawings must be updated accordingly.

9. *Comment:* While sight distance diagrams have been provided for locations along Pugsley Road, NYSDOT has requested that sight distance diagrams be provided for any impacted intersection resulting from the proposed project. Additional sight distance diagrams for these locations should be provided.

Response: We discussed the sight distance diagrams with NYSDOT, who advised that the diagrams are only requested for intersections with geometric improvements are proposed. Therefore, no sight distance diagrams are required by NYSDOT for additional intersections.

AKRF Conclusion: As shown in Table 4-17 "Conceptual Highway Improvements" geometric improvements are proposed for the intersection of Route 312 and Independent Way/I-84 Eastbound Ramps intersection for the 2023 Build Alternative without Crossroads 312 scenario (the most probable Build scenario). As shown in the noted tables presented in Attachment A, this intersection experiences impacts for the 2023 Build Alternative without Crossroads 312 scenario. Therefore sight distance diagrams are required for this intersection. This can be addressed during site plan review.

10. *Comment:* A sight distance diagram should be provided for left-turning vehicles traveling from eastbound Route 312 onto Pugsley Road.

Response: The requested diagram has been prepared.

AKRF Conclusion: The diagram provided shows the driver's eye position of the left-turning vehicle from eastbound 312 beyond the left-turn lane and within the intersection. While left-turning vehicles may wait in an intersection, it is recommended that the appropriate sight

distance be provided from the stop bar of the left-turn lane for vehicles to make a decision prior to entering the intersection. All sight distance measurements must be updated accordingly.

11. *Comment: The FEIS states that “very few lane group levels of service change with the project and the overall intersection levels of service are not changed as a result of the project”. While the number of lane groups which experience LOS changes are generally low, this discussion should be expanded to indicate that several locations/conditions experience impacts based on other criteria (e.g. LOS F with delays increases of 10% or greater, queue impacts). The recommended impact summary table in item (2) above would aid in providing an overall assessment of traffic impacts. Mitigation for impacts should be clearly identified and presented.*

Response: The FEIS text has been revised to expand the discussion of specific lane group changes and the summary tables have been prepared as suggested. While a relatively small number of lane group levels of service change between the No Build and Build conditions with the project, the overall intersection levels of service, which reflect a weighted average balancing of the delays for the various lane groups, are not changed as a result of the project. The additional traffic projected to be generated by the originally Proposed Project (as presented in the DEIS), the Preferred Alternative studied in the FEIS, and the reductions compared to the DEIS analysis are shown on Table 4-1S. Table 4-2S shows the traffic volumes without the Project as well as the project generated traffic at the analyzed intersections and indicates the currently Proposed Project (the FEIS Preferred Alternative) volumes typically represent a low percentage of the overall volumes at the intersections. For example, at the Route 312 & I-84 Eastbound Ramps/Independent Way intersection, the conservatively analyzed volumes based on the 9th Edition ITE data show a 9.3% potential increase with the ‘worst case’ Sensitivity Analysis volumes which conservatively considers an overlap of peak project generated volumes and Route 312 peak hour volumes during the weekday peak hours along Route 312. The project could be expected to generate less than a 4% increase in volumes at the intersection during the peak weekday roadway hours along Route 312 and less than a 2% increase during the peak Saturday midday hour based on the average volumes generated under the four projection scenarios. The percentage of project generated traffic is less at the other signalized intersections along Route 312, such as the Route 6 intersection which is expected to have an increase of only 1.8% or less based on the average of the four project generated traffic scenarios.

Extensive traffic improvements are proposed by the Applicant. A relatively low proportion of lane groups will experience a change in LOS or queue impacts with the proposed improvements by the Applicant, which include the construction of a four lane section along Route 312 between Pugsley Road and the I-84 Eastbound ramp. In addition, the Applicant proposes to reconstruct and widen Pugsley Road, a Town Road, along the entire length from Route 312 to Barrett Road. It is believed that the overall mitigation proposed by the Applicant mitigates the project’s significant adverse traffic impacts and balances the adverse and beneficial impacts in the study area and, in the opinion of the Applicant, is a net beneficial impact to the Town.

AKRF Conclusion: Comment partially addressed. See AKRF Conclusion for Comment 2 above.

12. *Comment: The FEIS states that the majority of accident were rear end type and that proposed improvements along Route 312 are “anticipated to minimize rear end accidents by coordinating the signals and platooning the traffic flow along Route 312”. This discussion should be expanded to discuss accidents along the side street approaches and how safety conditions could be improved at those locations.*

Response: Information provided by NYSDOT relative to its proposed improvements currently under construction along Route 312 is included in the FEIS. There were a total of 5 accidents along the Caremount Driveway at Route 312 in three years. The proposed Caremount secondary access to Independent Way will provide an opportunity for Caremount related traffic to utilize the traffic signal to access Route 312, and the accident records history present these infrequent accidents. There were

only two accidents along Prospect Hill Road at Route 312 in three years, which is below the five accidents per year associated with the traffic signal control warrant.

AKRF Conclusion: Comment partially addressed. The discussion in the FEIS should be expanded to discuss the accidents and potential safety improvements for each of the identified High Accident Locations (HAL) individually: (1) the intersection of Route 6 and Route 312, (2) the Route 312 corridor between Route 6 and Prospect Hill Road, (3) Route 312 and the I-84 Eastbound Ramps/Independent Way, and (4) Route 312 and the I-84 Westbound Ramps.

13. *Comment:* Response 4-7 in the FEIS (page III.4-16) provides an explanation for the use of the ITE average rate, rather than the ITE fitted curve equation, for the development of the Prospect Hill Office Park volumes. This explanation should be further clarified to state that based on ITE data, the anticipated number of trips for the Prospect Hill Office Park based on the ITE average rate are more in line than those based on the equation for similarly sized developments.

Response: The FEIS text has been revised as suggested.

AKRF Conclusion: Comment addressed.

14. *Comment:* Table 4-10 (“Development Volumes”) only breaks down trip generation volumes by autos and trucks. The truck numbers should be further broken down into single unit box truck trips and tractor trailer trips.

Response: The table has been revised as suggested.

AKRF Conclusion: Comment addressed.

15. *Comment:* In Table 4-10 please verify the use of the ITE Fitted Curve Equation to calculate the number of trips generated for the AM Peak Hour Sensitivity Analysis. The ITE Trip Generation Manual 9th Edition provides an R2 value of 0.75 therefore the average trip generation rate (0.42) should be used in place of the fitted curve equation to determine the number of trips. Please verify and correct as necessary.

Response: The Applicant discussed the specific ITE guidelines considered with AKRF, and it is understood the Applicant’s use of the equation is acceptable.

AKRF Conclusion: Comment addressed.

16. *Comment:* Response 4-19b in the FEIS (page III.4-34) does not appear to match or address comment 4-19b (page III.4-33).

Response: The FEIS response has been revised.

AKRF Conclusion: Comment addressed.

17. *Comment:* Please review the coordination coding in the Synchro models for the following intersections: Route 312 & I-84 Westbound Ramps and Route 312 & International Boulevard.

Response: The coding has been revised as suggested.

AKRF Conclusion: Comment addressed.

18. *Comment:* The Percent Heavy Vehicles are coded as 0% in the Synchro models for the eastbound left-turn and southbound right-turn movements under No Build and Build conditions at the Route 312 & Pugsley Road intersection. Please verify the use of 0% for these movements as the trip distribution patterns assign 10 percent of the truck trips to these movements.

Response: While the truck distribution projected for the Project generated truck volumes west of Pugsley Road along Route 312 is 10%, the actual truck percentage is 0%, except for the percentage shown in the analysis for the Route 312 eastbound left turn during the Peak AM Hour, due to the low truck volumes relative to the overall turning movement volumes.

AKRF Conclusion: Comment addressed.

19. *Comment: All letters from the Town of Patterson should be included in the Appendix of the FEIS. For conversations with agencies "To Files" memos should be prepared outlining the conversations. In addition, memos should be prepared which document all conversations/meetings/correspondence with emergency services regarding input on the permanent closure of Fields Corner Road. These memos should be added to Part L ("Townline Turnaround – Emergency Services Correspondence") of Appendix 4.A of the FEIS to supplement the letter already included from the Patterson EMS Administrator dated September 18, 2018.*

Response: All letters from Patterson are included in The FEIS Appendix 4, including the review by FPCA and the AKRF review of the FPCA review. All letters etc. with emergency services regarding the closure of Fields Corner Road are included in Appendix 4. The Applicants representatives met with Brewster Fire Chief Moe DeSantis on 9/19/2018 to discuss the DEIS plan. At the meeting, the Fire Chief was receptive to the closure of Fields Corners Road north of the project with the installation of a Knox box for emergency vehicle access. No minutes of the meeting were prepared since the Fire Chief had not yet had an opportunity to review the project information. Subsequently, plans for the revised project were sent to Chief DeSantis on 2/8/2019 requesting comment. Chief DeSantis was advised by the Fire District on 3/13/2019 to make no comment on the project, as discussed in the email from Chief DeSantis added to Appendix 4 of the FEIS.

The letter received from the Patterson EMS Administrator dated September 18, 2018, included in Appendix 4, states that they are not opposed to the permanent closure of Fields Corner Road.

AKRF Conclusion: Comment Addressed.

20. *Comment: Locations have been identified where the 50th% or 95th% queue lengths exceed storage capacity under Build conditions only:*
- *Route 6 & Route 312 – Eastbound Left Turn (Build AM, Build PM, Build Sensitivity PM, Anticipated Build PM)*
 - *Route 312 & I-84 EB Ramps – Eastbound Right Turn (Build Alternative Sat., Anticipated Build Alternative Sat.)*
 - *Route 312 & I-84 WB Ramps – Eastbound Right Turn (Build AM, Build Sensitivity AM)*

Please verify that mitigation has been provided to address these impacts.

Response: See Response No. 11.

AKRF Conclusion: Comment partially addressed. See AKRF conclusion for Comment 2 above.

21. *Comment: In Table 4-24 ("RC Zoning District Sensitivity Analysis – Development Volumes") please verify the use of the ITE Average Rate for the AM Peak Hour. ITE provides an R2 value of 0.85 therefore the fitted curve equation should be utilized. Please verify and correct the AM trip generation calculations accordingly.*

Response: The proposed Project is located on approximately 225 acres of land within the Town's OP-3 Zone. The Applicant also owns an abutting parcel of approximately 103 acres in the Town's Rural Commercial (RC) Zone (together with the Applicant's property in the OP-3 Zone, the "Applicant's Property"). Even though the Applicant has no plans to develop its property in the RC Zone, it recognizes that the potential use of this property is a continuing source of concern for your Board, community members and agencies, such as the New York City Department of Environmental Protection ("DEP"), and the New York State Department of Transportation ("DOT"). Accordingly, the Applicant hereby advises the Planning Board that it is willing to impose upon its entire RC property non-development restrictions, which would prohibit any future building development on the RC portion of the Applicant's Property. In conjunction with the areas within the OP-3 Zone that the Applicant had previously signaled its willingness to subject to non-development restrictions,

approximately 172 acres, or more than half of the Applicant's property, would be subject to non-development restrictions.

AKRF Conclusion: Response acceptable.

22. *Comment:* Table 4-17 ("Conceptual Highway Improvements") should include footnotes that state that the need for signal hardware and/or software improvements required in conjunction with NYSDOT planned improvements should be determined. This should be part of the discussion with NYSDOT during the Highway Work Permit process.

Response: The suggested footnotes have been added.

AKRF Conclusion: Comment addressed.

23. *Comment:* Table 4-17 should identify and present the main differences between the results of signalized alternatives A and B for each applicable location, peak hour, and scenario.

Response: Alternatives A and B relate primarily to the Route 312/Pugsley Road intersection. The differences at other intersections are shown on the LOS and queue tables.

AKRF Conclusion: Comment addressed.

24. *Comment:* In Table 4-17 please verify that the Improvements by NYSDOT are correctly described for Intersection 4 (Route 312 & CareMount Driveway). Should the improvement read "Provide two thru eastbound lanes at Intersection (extended from intersection No. 3)"?

Response: The table has been revised.

AKRF Conclusion: Comment not addressed. The improvements by NYSDOT listed in Table 4-17 for Intersection 4 (Route 312 & Caremount Driveway) for No Build Conditions are not consistent between the with and without Crossroads scenarios. See Attachment B. Please verify and correct.

25. *Comment:* If NYSDOT and/or Crossroads 312 does not make the assumed improvement as part of the No Build conditions, will the Applicant be liable for making those improvements? This should be discussed in the FEIS.

Response: The NYSDOT improvements are under construction. The improvements proposed by the Crossroads 312 project are not included in the analysis of Build conditions without Crossroads. As mentioned in the revised response to FEIS Comment No. 4-57, the Applicant will not be providing the improvements proposed for the Crossroads project, other than those specifically discussed in the DEIS and FEIS, such as the Independent Way lane use and signal timing modifications at the Route 312/I-84 Eastbound Ramps/ Independent Way intersection.

AKRF Conclusion: Response acceptable. The NYSDOT improvements are under PIN# 805812 and have a listed End Date of 12/1/19 (see Attachment C for scope of work/project information from NYSDOT).

26. *Comment:* The FEIS should identify the trigger threshold for which implementation of the jitney service will be considered.

Response: The use of a jitney service will be considered by the future tenants based on potential utilization by the workforce and will be a function of how many employees would utilize the trains.

AKRF Conclusion: Response acceptable (see AKRF Conclusion for Comment 30).

27. *Comment:* As part of the overall improvements to the Route 312 corridor and the Highway Work Permit (HWP) application review process, NYSDOT may require detection, software or controller upgrades to the intersection of Route 6/Route 312.

Response: The Applicant is aware that NYSDOT may request the referenced improvements to the Route 312/Route 6 intersection as part of the HWP review process for the Proposed Project.

AKRF Conclusion: Response acceptable.

28. Comment: *The Town must be copied on correspondence with NYSDOT (this includes the HWP).*

Response: The Applicant will continue to copy the Town on correspondence with NYSDOT.

AKRF Conclusion: Response acceptable.

29. Comment: *The Town has expressed a preference for the use of a height barrier device to restrict truck access to the local road to/from Patterson. The FEIS should be updated to note this preference by the Town.*

Response: The FEIS and associated drawings have been revised to reflect the Town's preference for the use of a height barrier device.

AKRF Conclusion: Comment addressed. Drawings C-102, C-104, and C-908 show the locations and details of the height barrier device.

30. Comment: *The FEIS should state that a Traffic Monitoring Plan (TMP) should be implemented that monitors the trigger threshold for the need for improvements to Pugsley Road (see Attachment B for a list of key components of the proposed Traffic Monitoring Plan).*

Response: The Applicant will implement a TMP, the details of which would be determined based on discussions with the Town representatives during the preparation of the Statement of Findings. The text currently in the revised FEIS Traffic Chapter 4 introduction is below.

The Town will require a Traffic Monitoring Plan (TMP) to be completed by the Applicant and submitted to the Town Planning Board within 6 months of the occupancy of the first of the two buildings completed, and within 6 months of the full development and occupancy of the Proposed Project. The final details of the TMP will be included in the Statement of Findings. The Applicant will work with the Town to correct operations if necessary in the unanticipated event that actual operations discussed below differ from the Proposed Project Conditions of Approval specified in the Site Plan Approval Resolution. The currently anticipated TMP will consist of the items listed below. Items 1-5 would be included in the Applicant's tenant leases.

1. Confirm there are no truck deliveries between 11:00 PM and 6:00 AM.
2. Confirm that trucks parking on the site are only within the designated truck loading and trailer parking spaces shown on the project site plan approval drawings.
3. Confirm there are no manned overnight layover of trucks.
4. Confirm trucks are not idling on-site in excess of State guidelines and/or local regulations.
5. Fields Corner Road would remain a seasonal road that is closed north of the current Barrett Road intersection during the winter. The Applicant would install height clearance bars as currently desired by the Town of Southeast. If desired by the Town, the Applicant would install video cameras to monitor truck traffic along Fields Corner Road, as well as signs indicating the prohibition of commercial trucks and the progressive fines currently established by the Town for restricted road use violations. The Applicant would record the video information on a 24 hour loop and the video monitoring would be provided to the Town and/or the Putnam County Sheriff's Department if requested to determine whether tickets should be issued.
6. Confirm project generated traffic volumes do not exceed the volumes analyzed in the FEIS as the Sensitivity Analysis scenario during the Peak Weekday AM (7:30-8:30 AM) and PM (5:00-6:00 PM) Hours along the area roadways (Route 312) and the Peak Saturday Midday Hour (12:15-1:15 PM). If the project generated volumes exceed the Sensitivity Analysis volumes during the peak

roadway hours, the Applicant will coordinate with its tenants to adjust work shift hours. The volume thresholds are 364 trips on a weekday from 7:30-8:30 AM, 426 trips on a weekday from 5:00-6:00 PM and 121 trips on Saturday from 12:15-1:15 PM.

7. Record travel speeds along Pugsley Road for 24 hours with automatic traffic recorders (ATR) to determine the average and 85th percentile travel speed. Based on the results of the study, the roadway posted speed limit could potentially be reduced to 25 MPH if determined to be appropriate by the Town and/or the Applicant could be required to install radar speed signs on Pugsley Road.

AKRF Conclusion: Comment partially addressed. Providing the number of visitors and employees that utilize Metro-North to the project site should be added as Item 8 to the list of TMP items above so that the need for a jitney can be assessed.

31. *Comment: The FEIS should include the status of converting Pugsley Road into an access highway as part of the Access Highway discussion.*

Response: The status has not changed since the DEIS was prepared. Upon acknowledgement by the Town as part of the Statement of Findings as well as the Applicant's completion of the proposed roadway improvements along Pugsley Road, NYSDOT will observe the completed construction and designate the roadway as an Access Highway.

AKRF Conclusion: Response acceptable.

32. *Comment: If traffic signal preemption is desired as part of the project, it should be incorporated as part of the Highway Improvement Plan. Discussions with all interested parties/agencies should be initiated as soon as possible.*

Response: Traffic signal preemption has not been requested by emergency services and the Applicant was advised that there will be no correspondence from emergency services, as mentioned in Response No. 19.

AKRF Conclusion: Response acceptable.

33. *Comment: For intersection 5 (Route 312 & I-84 EB Ramps) the recommended Crossroads Signal Timings are different from the recommended NYSDOT timings. The FEIS should outline the reasoning behind the development of each set of recommended timings and why they may differ.*

Response: The Crossroads signal timings utilized are consistent with the proposed timings included in the Crossroads traffic analyses.

AKRF Conclusion: Response acceptable.

34. *Comment: NYSDOT has requested written verification from the Town that the proposed land use under the Town's zoning ordinance is consistent with the most applicable ITE land use code. Further, NYSDOT would like written verification from the Town that if the land use is changed, the owner shall be required to come back to NYSDOT for re-analysis and mitigation (if warranted). AKRF recommends that this be accomplished through the SEQRA Statement of Findings, as a condition in the resolution of Site Plan approval, and as a note on the site plan.*

Response: The Applicant concurs with the AKRF recommendation.

AKRF Conclusion: Response acceptable.

35. *Comment: Please verify that the signal warrant analysis is based on the lower ITE Trip Generation 10th Edition numbers.*

Response: The signal warrant analysis is based on the lower ITE Trip Generation 10th Edition numbers.

AKRF Conclusion: Comment partially addressed. The signal warrant analysis based on the lower ITE Trip Generation 10th Edition numbers should also be conducted for the 2023 Build

Alternative without Crossroads 312 scenario as this is the most probable Build scenario. A worksheet that shows how the traffic data volumes presented in Table III.B-9 was extrapolated to the off peak hours should also be provided.

36. *Comment:* The signal head for the NY312 eastbound approach closest the signal pole is beyond the maximum 180 feet. The signal pole location should be adjusted accordingly. It is preferable that the signal pole be relocated as near as practical to the westbound approach stop bar to provide better alignment as well as a preferred location for the westbound supplemental signal face.

Response: The comment will be addressed during the site plan approval process.

AKRF Conclusion: Response acceptable.

37. *Comment:* Please include the proposed signal indications for each signal face (i.e. turning arrows, circular indications, etc.).

Response: The comment will be addressed during the site plan approval process.

AKRF Conclusion: Response acceptable.

38. *Comment:* What signal faces would be installed for the supplemental near side signal face for the NY312 eastbound approach? In addition, the geometry and wide roadway width/larger corner radius at the southeast corner may impact the effectiveness of the proposed signal face.

Response: The comment will be addressed during the site plan approval process.

AKRF Conclusion: Response acceptable.

39. *Comment:* The NY312 westbound supplemental signal face should be located as near as practical to the stop bar.

Response: The comment will be addressed during the site plan approval process.

AKRF Conclusion: Response acceptable.

40. *Comment:* It is preferable that both of the primary signal faces for the Pugsley Road southbound approach be located a minimum of 40 feet from the stop bar.

Response: The comment will be addressed during the site plan approval process.

AKRF Conclusion: Response acceptable.

41. *Comment:* Assure that all signal faces for through traffic on an approach are located between 8 and 27 feet apart measured horizontally perpendicular to the approach between the centers of the signal faces.

Response: The comment will be addressed during the site plan approval process.

AKRF Conclusion: Response acceptable.

SITE PLAN COMMENTS

1. *Comment:* It should be noted whether the central islands for the truck turnaround roundabouts will be striped, raised, or mountable curb.

Response: The truck turnaround roundabouts will typically be a combination of a raised island with mountable curb surrounded by pavement markings.

AKRF Conclusion: Response acceptable.

2. *Comment:* The updated truck turnaround roundabout shown in Figures TA-02 and TA-03 should be included.

Response: Revised and additional truck turning figures have been prepared.

AKRF Conclusion: Comment addressed (note: Figures TA-02 and TA-03 have been renumbered as TA-07 and TA-08, respectively).

3. *Comment: The locations of the proposed vehicle height clearance bars should be shown on the site plan. Additionally, drawings which provide a depiction of how the clearance bars would look along with dimensions should be provided.*

Response: The requested plan revisions have been prepared.

AKRF Conclusion: Comment addressed as shown in Drawings C-102, C-104, C-908.

ATTACHMENT A

- Impact and Mitigation Notes for LOS/Delay and Queue Summary Tables

TABLE 4-11A

SUMMARY OF IMPACT CRITERIA FOR INTERSECTION OPERATIONS-PEAK WEEKDAY AM HOUR

INTERSECTION	APPROACH	LANE GROUP	2023 BUILD	SENSITIVITY ANALYSIS 2023 BUILD	ANTICIPATED ANALYSIS 2023 BUILD	2023 BUILD ALTERNATIVE WITHOUT CROSSROADS 312	SENSITIVITY ANALYSIS 2023 BUILD ALT. WITHOUT CROSSROADS 312	ANTICIPATED ANALYSIS 2023 BUILD ALT. WITHOUT CROSSROADS 312	
1. US 6 & NY 312 /NY 312 Extension (Signalized)	EASTBOUND (US 6)	LEFT				LOS D TO E	LOS D TO E		
		THRU/RIGHT							
		COMPOSITE							
	WESTBOUND (US 6)	LEFT							
		THRU		N/A	N/A	N/A			
		RIGHT							
	NORTHBOUND (NY 312 Extension)	COMPOSITE							
		LEFT/THRU/RIGHT							
	SOUTHBOUND (NY 312)	LEFT/THRU							
		RIGHT							
		COMPOSITE							
	INTERSECTION	COMPOSITE							
	1a. US 6 & NY 312 /NY 312 Extension (Signalized w/ Imps by Crossroads 312)	EASTBOUND (US 6)	LEFT						
LEFT/THRU/RIGHT									
COMPOSITE									
WESTBOUND (US 6)		LEFT							
		THRU							
		RIGHT		N/A	N/A	N/A			
NORTHBOUND (NY 312 Extension)		COMPOSITE							
		LEFT/THRU/RIGHT							
SOUTHBOUND (NY 312)		LEFT/THRU							
		RIGHT							
		COMPOSITE							
INTERSECTION		COMPOSITE							
1b. US 6 & NY 312 /NY 312 Extension (Signalized w/ Imps by Crossroads 312 & CCFC)		EASTBOUND (US 6)	LEFT						
	LEFT/THRU/RIGHT								
	COMPOSITE								
	WESTBOUND (US 6)	LEFT							
		THRU							
		RIGHT					N/A	N/A	N/A
	NORTHBOUND (NY 312 Extension)	COMPOSITE							
		LEFT/THRU/RIGHT							
	SOUTHBOUND (NY 312)	LEFT/THRU							
		RIGHT							
		COMPOSITE		LOS D TO C					
	INTERSECTION	COMPOSITE		LOS D TO C					
	2. NY 312 & Prospect Hill Road (Unsignalized)	WESTBOUND (Prospect Hill Road)	LEFT/RIGHT	LOS E TO F >10% DELAY INCREASE	LOS F TO F >10% DELAY INCREASE	LOS F TO F >10% DELAY INCREASE	LOS F TO F >10% DELAY INCREASE	LOS F TO F >10% DELAY INCREASE	LOS F TO F >10% DELAY INCREASE
NORTHBOUND (NY 312)		THRU/RIGHT							
		LEFT							
SOUTHBOUND (NY 312)		THRU							

Unmitigated Impact.

Impact should be identified. Unmitigated Impact.

(Note: All "LOS F to F with >10% Delay Increase" impacts should be identified. These are unmitigated impacts)

TABLE 4-11A

SUMMARY OF IMPACT CRITERIA FOR INTERSECTION OPERATIONS-PEAK WEEKDAY AM HOUR

INTERSECTION	APPROACH	LANE GROUP	2023 BUILD	SENSITIVITY ANALYSIS 2023 BUILD	ANTICIPATED ANALYSIS 2023 BUILD	2023 BUILD ALTERNATIVE WITHOUT CROSSROADS 312	SENSITIVITY ANALYSIS 2023 BUILD ALT. WITHOUT CROSSROADS 312	ANTICIPATED ANALYSIS 2023 BUILD ALT. WITHOUT CROSSROADS 312	
5d. NY 312 & Independent Way /I-84 Eastbound Ramp (Signalized w/ Imps by NYSDOT)	EASTBOUND (NY 312)	LEFT					LOS D TO E		
		THRU					LOS D TO E		
		RIGHT							
		COMPOSITE							
	WESTBOUND (NY 312)	LEFT							
		THRU/RIGHT							
		COMPOSITE			N/A				
	NORTHBOUND (Independent Way)	LEFT							
		LEFT/THRU							
		RIGHT							
	SOUTHBOUND (I-84 EB Ramp)	COMPOSITE							
		LEFT							
		THRU							
INTERSECTION	COMPOSITE								
5e. NY 312 & Independent Way /I-84 Eastbound Ramp (Signalized w/ Imps by NYSDOT & CCFC Alternative A)	EASTBOUND (NY 312)	LEFT							
		THRU							
		RIGHT							
		COMPOSITE							
	WESTBOUND (NY 312)	LEFT							
		THRU/RIGHT							
		COMPOSITE			N/A				
	NORTHBOUND (Independent Way)	LEFT							
		THRU					LOS D TO E	LOS D TO E	LOS D TO E
		RIGHT							
	SOUTHBOUND (I-84 EB Ramp)	COMPOSITE							
		LEFT							
		THRU							
INTERSECTION	COMPOSITE								
5f. NY 312 & Independent Way /I-84 Eastbound Ramp (Signalized w/ Imps by NYSDOT & CCFC Alternative B)	EASTBOUND (NY 312)	LEFT							
		THRU							
		RIGHT							
		COMPOSITE							
	WESTBOUND (NY 312)	LEFT							
		THRU/RIGHT							
		COMPOSITE			N/A				
	NORTHBOUND (Independent Way)	LEFT							
		THRU					LOS D TO E	LOS D TO E	LOS D TO E
		RIGHT							
	SOUTHBOUND (I-84 EB Ramp)	COMPOSITE							
		LEFT							
		THRU							
INTERSECTION	COMPOSITE								

Unmitigated Impact under both CCFC improvement Alternatives A and B.

TABLE 4-12A

SUMMARY OF IMPACT CRITERIA FOR INTERSECTION OPERATIONS-PEAK WEEKDAY PM HOUR

INTERSECTION	APPROACH	LANE GROUP	2023 BUILD	SENSITIVITY ANALYSIS 2023 BUILD	ANTICIPATED ANALYSIS 2023 BUILD	2023 BUILD ALTERNATIVE WITHOUT CROSSROADS 312	SENSITIVITY ANALYSIS 2023 BUILD ALT. WITHOUT CROSSROADS 312	ANTICIPATED ANALYSIS 2023 BUILD ALT. WITHOUT CROSSROADS 312
1. US 6 & NY 312 /NY 312 Extension (Signalized)	EASTBOUND (US 6)	LEFT						
		THRU/RIGHT						
		COMPOSITE						
	WESTBOUND (US 6)	LEFT						
		THRU						
		RIGHT						
	NORTHBOUND (NY 312 Extension)	LEFT/THRU/RIGHT						
		LEFT/THRU						
		COMPOSITE						
	SOUTHBOUND (NY 312)	RIGHT						
COMPOSITE								
INTERSECTION	COMPOSITE				LOS D TO F >10% DELAY INCREASE LOS D TO E	LOS D TO F >10% DELAY INCREASE LOS D TO E	LOS D TO F >10% DELAY INCREASE	
1a. US 6 & NY 312 /NY 312 Extension (Signalized w/ Imps by Crossroads 312)	EASTBOUND (US 6)	LEFT						
		LEFT/THRU/RIGHT						
		COMPOSITE						
	WESTBOUND (US 6)	LEFT						
		THRU						
		RIGHT						
	NORTHBOUND (NY 312 Extension)	LEFT/THRU/RIGHT						
		LEFT/THRU						
		COMPOSITE						
	SOUTHBOUND (NY 312)	RIGHT		>10% DELAY INCREASE	>10% DELAY INCREASE	>10% DELAY INCREASE		
COMPOSITE			>10% DELAY INCREASE	>10% DELAY INCREASE				
INTERSECTION	COMPOSITE		>10% DELAY INCREASE	>10% DELAY INCREASE				
1b. US 6 & NY 312 /NY 312 Extension (Signalized w/ Imps by Crossroads 312 & CCFC)	EASTBOUND (US 6)	LEFT						
		LEFT/THRU/RIGHT	LOS F TO E	LOS F TO E	LOS F TO E			
		COMPOSITE	LOS F TO E	LOS F TO E	LOS F TO E			
	WESTBOUND (US 6)	LEFT						
		THRU	LOS D TO F	LOS D TO F	LOS D TO F			
		RIGHT						
	NORTHBOUND (NY 312 Extension)	LEFT/THRU/RIGHT						
		LEFT/THRU						
		COMPOSITE						
	SOUTHBOUND (NY 312)	RIGHT	LOS F TO D	LOS F TO D	LOS F TO D			
COMPOSITE								
INTERSECTION	COMPOSITE	LOS F TO E	LOS F TO E	LOS F TO E				
2. NY 312 & Prospect Hill Road (Unsignalized)	WESTBOUND (Prospect Hill Road)	LEFT/RIGHT	>10% DELAY INCREASE	>10% DELAY INCREASE		>10% DELAY INCREASE	>10% DELAY INCREASE	
	NORTHBOUND (NY 312)	THRU/RIGHT						
	SOUTHBOUND (NY 312)	LEFT THRU						

Unmitigated Impacts.

Unmitigated Impact.

TABLE 4-12A

SUMMARY OF IMPACT CRITERIA FOR INTERSECTION OPERATIONS-PEAK WEEKDAY PM HOUR

INTERSECTION	APPROACH	LANE GROUP	2023 BUILD	SENSITIVITY ANALYSIS 2023 BUILD	ANTICIPATED ANALYSIS 2023 BUILD	2023 BUILD ALTERNATIVE WITHOUT CROSSROADS 312	SENSITIVITY ANALYSIS 2023 BUILD ALT. WITHOUT CROSSROADS 312	ANTICIPATED ANALYSIS 2023 BUILD ALT. WITHOUT CROSSROADS 312	
3a. NY 312 & Pugsley Road (Signalized Alternative A w/ Imps by CCFC)	EASTBOUND (NY 312)	LEFT							
		THRU							
		COMPOSITE							
	WESTBOUND (NY 312)	THRU							
		RIGHT							
		COMPOSITE							
	SOUTHBOUND (Pugsley Road)	LEFT							
		RIGHT							
		COMPOSITE							
	INTERSECTION	COMPOSITE							
3b. NY 312 & Pugsley Road (Signalized Alternative B w/ Imps by CCFC)	EASTBOUND (NY 312)	LEFT							
		THRU							
		COMPOSITE							
	WESTBOUND (NY 312)	THRU/RIGHT							
SOUTHBOUND (Pugsley Road)	LEFT/RIGHT	LOS F TO D	LOS F TO D	LOS F TO D	LOS F TO C	LOS F TO D	LOS F TO C		
	COMPOSITE								
4a. NY 312 & Caremount Driveway (Unsignalized w/ Imps by NYSDOT)	EASTBOUND (NY 312)	THRU/RIGHT							
		LEFT							
	WESTBOUND (NY 312)	THRU							
		LEFT/RIGHT	LOS E TO F >10% DELAY INCREASE	LOFS E TO F >10% DELAY INCREASE	LOS E TO F >10% DELAY INCREASE	LOS D TO E	LOS D TO F >10% DELAY INCREASE	LOS D TO E	
4b. NY 312 & Caremount Driveway (Unsignalized w/ Imps by NYSDOT & CCFC)	EASTBOUND (NY 312)	THRU/RIGHT							
		LEFT							
	WESTBOUND (NY 312)	THRU							
NORTHBOUND (Caremount Driveway)	LEFT/RIGHT	LOS E TO D		LOS E TO D			LOS D TO C		
	COMPOSITE								

Impact mitigated with NYSDOT and CCFC Improvements.

TABLE 4-12A

SUMMARY OF IMPACT CRITERIA FOR INTERSECTION OPERATIONS-PEAK WEEKDAY PM HOUR

Impacts mitigated under both CCFC improvement Alternatives A and B

INTERSECTION	APPROACH	LANE GROUP	2023 BUILD	SENSITIVITY ANALYSIS 2023 BUILD	ANTICIPATED ANALYSIS 2023 BUILD	2023 BUILD ALTERNATIVE WITHOUT CROSSROADS 312	SENSITIVITY ANALYSIS 2023 BUILD ALT. WITHOUT CROSSROADS 312	ANTICIPATED ANALYSIS 2023 BUILD ALT. WITHOUT CROSSROADS 312
5d. NY 312 & Independent Way /I-84 Eastbound Ramp (Signalized w/ Imps by NYSDOT)	EASTBOUND (NY 312)	LEFT				LOS D TO E LOS D TO F >10% DELAY INCREASE	LOS D TO E	
		THRU					LOS D TO F	>10% DELAY INCREASE
		RIGHT						
		COMPOSITE						LOS C TO E
	WESTBOUND (NY 312)	LEFT						
		THRU/RIGHT						
		COMPOSITE						
	NORTHBOUND (Independent Way)	LEFT			N/A			
		LEFT/THRU						
		RIGHT						
	SOUTHBOUND (I-84 EB Ramp)	COMPOSITE						
		LEFT						
		THRU						
INTERSECTION	COMPOSITE							
5e. NY 312 & Independent Way /I-84 Eastbound Ramp (Signalized w/ Imps by NYSDOT & CCFC Alternative A)	EASTBOUND (NY 312)	LEFT						
		THRU					LOS D TO F	>10% DELAY INCREASE
		RIGHT						
		COMPOSITE						
	WESTBOUND (NY 312)	LEFT				LOS D TO E	LOS D TO E	LOS D TO E
		THRU/RIGHT						
		COMPOSITE						
	NORTHBOUND (Independent Way)	LEFT			N/A	LOS E TO D	LOS E TO D	LOS E TO D
		THRU						
		RIGHT						
	SOUTHBOUND (I-84 EB Ramp)	COMPOSITE						
		LEFT				LOS E TO F	LOS E TO F	LOS E TO F
		THRU						
INTERSECTION	COMPOSITE							
5f. NY 312 & Independent Way /I-84 Eastbound Ramp (Signalized w/ Imps by NYSDOT & CCFC Alternative B)	EASTBOUND (NY 312)	LEFT						
		THRU					LOS D TO F	
		RIGHT						
		COMPOSITE						
	WESTBOUND (NY 312)	LEFT				LOS D TO E	LOS D TO E	LOS D TO E
		THRU/RIGHT						
		COMPOSITE						
	NORTHBOUND (Independent Way)	LEFT			N/A			
		THRU						
		RIGHT						
	SOUTHBOUND (I-84 EB Ramp)	COMPOSITE						
		LEFT				LOS E TO F	LOS E TO F	LOS E TO F
		THRU						
INTERSECTION	COMPOSITE							

Impact should be identified. Unmitigated Impact.

Unmitigated Impacts under both CCFC improvement Alternatives A and B.

TABLE 4-13A

SUMMARY OF IMPACT CRITERIA FOR INTERSECTION OPERATIONS-PEAK SATURDAY MIDDAY HOUR

INTERSECTION	APPROACH	LANE GROUP	2023 BUILD	ANTICIPATED ANALYSIS 2023 BUILD	2023 BUILD ALTERNATIVE WITHOUT CROSSROADS 312	ANTICIPATED ANALYSIS 2023 BUILD ALT. WITHOUT CROSSROADS 312	
5c. NY 312 & Independent Way /I-84 Eastbound Ramp (Signalized w/ Imps by NYSDOT & CCFC Alternative A)	EASTBOUND (NY 312)	LEFT					
		THRU					
		RIGHT					
		COMPOSITE					
	WESTBOUND (NY 312)	LEFT				LOS F TO E	LOS F TO E
		THRU/RIGHT					
		COMPOSITE					
		INTERSECTION COMPOSITE					
	NORTHBOUND (Independent Way)	LEFT				LOS D TO C	LOS D TO C
		THRU		N/A	N/A		
		RIGHT					
		COMPOSITE					
	SOUTHBOUND (I-84 EB Ramp)	LEFT					
		THRU					
		RIGHT					
		COMPOSITE					
INTERSECTION COMPOSITE							
5f. NY 312 & Independent Way /I-84 Eastbound Ramp (Signalized w/ Imps by NYSDOT & CCFC Alternative B)	EASTBOUND (NY 312)	LEFT			LOS D TO E		
		THRU					
		RIGHT					
		COMPOSITE					
	WESTBOUND (NY 312)	LEFT				LOS F TO E	LOS F TO E
		THRU/RIGHT					
		COMPOSITE					
		INTERSECTION COMPOSITE					
	NORTHBOUND (Independent Way)	LEFT				LOS D TO C	LOS D TO C
		THRU		N/A	N/A		
		RIGHT					
		COMPOSITE					
	SOUTHBOUND (I-84 EB Ramp)	LEFT					
		THRU					
		RIGHT					
		COMPOSITE					
INTERSECTION COMPOSITE							

Unmitigated Impact under CCFC improvement Alternative B.

TABLE 4-14A

SUMMARY OF IMPACT CRITERIA FOR QUEUEING ANALYSIS-PEAK WEEKDAY AM HOUR

INTERSECTION	APPROACH	LANE GROUP	STORAGE LENGTH	2023 BUILD		SENSITIVITY ANALYSIS 2023 BUILD		ANTICIPATED ANALYSIS 2023 BUILD		2023 BUILD ALTERNATIVE WITHOUT CROSSROADS 312		SENSITIVITY ANALYSIS 2023 BUILD ALT. WITHOUT CROSSROADS 312		ANTICIPATED ANALYSIS 2023 BUILD ALT. WITHOUT CROSSROADS 312		
				50%	95%	50%	95%	50%	95%	50%	95%	50%	95%	50%	95%	50%
5a. NY 312 & Independent Way /I-84 Eastbound Ramp (Signalized w/ Imps by Crossroads 312)	EASTBOUND (NY 312)	LEFT	665													
		THRU	490													
		RIGHT	240													
	WESTBOUND (NY 312)	LEFT	190													
		THRU/RIGHT	1,290													
		RIGHT	315													
	NORTHBOUND (Independent Way)	THRU	350								N/A		N/A		N/A	
		RIGHT	315													
		LEFT	320													
	SOUTHBOUND (I-84 EB Ramp)	THRU	200													
		RIGHT	1,250													
		LEFT	665													
5b. NY 312 & Independent Way /I-84 Eastbound Ramp (Signalized w/ Imps by Crossroads 312 & CCFC Alternative A)	EASTBOUND (NY 312)	LEFT	665													
		THRU	490													
		RIGHT	240													
	WESTBOUND (NY 312)	LEFT	190													
		THRU/RIGHT	1,290													
		RIGHT	315													
	NORTHBOUND (Independent Way)	THRU	350								N/A		N/A		N/A	
		RIGHT	315													
		LEFT	320													
	SOUTHBOUND (I-84 EB Ramp)	THRU	200													
		RIGHT	1,250													
		LEFT	665													
5c. NY 312 & Independent Way /I-84 Eastbound Ramp (Signalized w/ Imps by Crossroads 312 & CCFC Alternative B)	EASTBOUND (NY 312)	LEFT	665													
		THRU	490													
		RIGHT	240													
	WESTBOUND (NY 312)	LEFT	190													
		THRU/RIGHT	1,290													
		RIGHT	315													
	NORTHBOUND (Independent Way)	THRU	350								N/A		N/A		N/A	
		RIGHT	315													
		LEFT	320													
	SOUTHBOUND (I-84 EB Ramp)	THRU	200													
		RIGHT	1,250													
		LEFT	360													
5d. NY 312 & Independent Way /I-84 Eastbound Ramp (Signalized w/ Imps by NYSDOT)	EASTBOUND (NY 312)	LEFT	360													
		THRU	490													
		RIGHT	240													
	WESTBOUND (NY 312)	LEFT	190													
		THRU/RIGHT	1,290													
		RIGHT	315													
	NORTHBOUND (Independent Way)	THRU	350			N/A		N/A			N/A		N/A		N/A	
		RIGHT	315													
		LEFT	320													
	SOUTHBOUND (I-84 EB Ramp)	THRU	200													
		RIGHT	1,250													
		LEFT	665													
5e. NY 312 & Independent Way /I-84 Eastbound Ramp (Signalized w/ Imps by NYSDOT & CCFC Alternative A)	EASTBOUND (NY 312)	LEFT	665													
		THRU	490													
		RIGHT	240													
	WESTBOUND (NY 312)	LEFT	190													
		THRU/RIGHT	1,290													
		RIGHT	315													
	NORTHBOUND (Independent Way)	THRU	350													
		RIGHT	315													
		LEFT	320													
	SOUTHBOUND (I-84 EB Ramp)	THRU	200													
		RIGHT	1,250													
		LEFT	665													

Unmitigated Impact under both CCFC improvement Alternatives A and B.

190' TO 202'

190' TO 202'

190' TO 202'

TABLE 4-14A

SUMMARY OF IMPACT CRITERIA FOR QUEUEING ANALYSIS-PEAK WEEKDAY AM HOUR

INTERSECTION	APPROACH	LANE GROUP	STORAGE LENGTH	2023 BUILD		SENSITIVITY ANALYSIS 2023 BUILD		ANTICIPATED ANALYSIS 2023 BUILD		2023 BUILD ALTERNATIVE WITHOUT CROSSROADS 312		SENSITIVITY ANALYSIS 2023 BUILD ALT. WITHOUT CROSSROADS 312		ANTICIPATED ANALYSIS 2023 BUILD ALT. WITHOUT CROSSROADS 312			
				50%	95%	50%	95%	50%	95%	50%	95%	50%	95%	50%	95%	50%	95%
5f. NY 312 & Independent Way /I-84 Eastbound Ramp (Signalized w/ Imps by NYSDOT & CCFC Alternative B)	EASTBOUND (NY 312)	LEFT	665														
		THRU	490														
		RIGHT	240														
	WESTBOUND (NY 312)	LEFT	190														
		THRU/RIGHT	1,290														
	NORTHBOUND (Independent Way)	LEFT	315														
		THRU	350														
		RIGHT	315														
	SOUTHBOUND (I-84 EB Ramp)	LEFT	320														
		THRU	200														
		RIGHT	1,250														
6a. NY 312 & I-84 Westbound Ramp /Crossroads 312 Driveway (Signalized w/ Imps by Crossroads 312)	EASTBOUND (I-84 WB Ramp)	LEFT	100														
		THRU	1,300														
		RIGHT	300														
	WESTBOUND (Crossroads 312 Driveway)	LEFT	-														
		THRU	-														
		RIGHT	-														
	NORTHBOUND (NY 312)	LEFT	325														
		THRU	1,250														
		RIGHT	350														
	SOUTHBOUND (NY 312)	LEFT	150														
THRU/RIGHT		400															
6b. NY 312 & I-84 Westbound Ramp /Crossroads 312 Driveway (Signalized w/ Imps by Crossroads 312 & CCFC Alternative A)	EASTBOUND (I-84 WB Ramp)	LEFT	100														
		THRU	1,300														
		RIGHT	300														
	WESTBOUND (Crossroads 312 Driveway)	LEFT	-														
		THRU	-														
		RIGHT	-														
	NORTHBOUND (NY 312)	LEFT	325														
		THRU	1,250														
		RIGHT	350														
	SOUTHBOUND (NY 312)	LEFT	150														
THRU/RIGHT		400															
6c. NY 312 & I-84 Westbound Ramp /Crossroads 312 Driveway (Signalized w/ Imps by Crossroads 312 & CCFC Alternative B)	EASTBOUND (I-84 WB Ramp)	LEFT	100														
		THRU	1,300														
		RIGHT	300														
	WESTBOUND (Crossroads 312 Driveway)	LEFT	-														
		THRU	-														
		RIGHT	-														
	NORTHBOUND (NY 312)	LEFT	325														
		THRU	1,250														
		RIGHT	350														
	SOUTHBOUND (NY 312)	LEFT	150														
THRU/RIGHT		400															
6d. NY 312 & I-84 Westbound Ramp (Signalized w/ Imps by NYSDOT)	EASTBOUND (I-84 WB Ramp)	LEFT	100														
		RIGHT	1,300														
	NORTHBOUND (NY 312)	LEFT	325														
		THRU	1,250														
	SOUTHBOUND (NY 312)	THRU	400														
RIGHT		235															
6e. NY 312 & I-84 Westbound Ramp (Signalized w/ Imps by NYSDOT & CCFC Alternative A)	EASTBOUND (I-84 WB Ramp)	LEFT	100														
		RIGHT	1,300														
	NORTHBOUND (NY 312)	LEFT	325														
		THRU	1,250														
	SOUTHBOUND (NY 312)	THRU	400														
RIGHT		235															

Unmitigated Impact under both CCFC improvement Alternatives A and B.

190' TO 202'

TABLE 4-16A

SUMMARY OF IMPACT CRITERIA FOR QUEUEING ANALYSIS-PEAK SATURDAY MIDDAY HOUR

INTERSECTION	APPROACH	LANE GROUP	STORAGE LENGTH	2023 BUILD		ANTICIPATED ANALYSIS 2023 BUILD		2023 BUILD ALTERNATIVE WITHOUT CROSSROADS 312		ANTICIPATED ANALYSIS 2023 BUILD ALT. WITHOUT CROSSROADS 312	
				50%	95%	50%	95%	50%	95%	50%	95%
& Independent Way /I-84 Eastbound Ramp (Signalized w/ Imps by Crossroads 312 & CCFC Alternative B)	EASTBOUND (NY 312)	THRU	490								
		RIGHT	240								
	WESTBOUND (NY 312)	LEFT	190								
		THRU/RIGHT	1,290								
	NORTHBOUND (Independent Way)	LEFT	315					N/A		N/A	
		THRU	350								
		RIGHT	315								
	SOUTHBOUND (I-84 EB Ramp)	LEFT	320								
		THRU	200								
			RIGHT	1,250							
5d. NY 312 & Independent Way /I-84 Eastbound Ramp (Signalized w/ Imps by NYSDOT)	EASTBOUND (NY 312)	LEFT	360								
		THRU	490								
		RIGHT	240								
	WESTBOUND (NY 312)	LEFT	190								
		THRU/RIGHT	1,290								
	NORTHBOUND (Independent Way)	LEFT	315			N/A		N/A			
		LEFT/THRU	350								
			RIGHT	315							
	SOUTHBOUND (I-84 EB Ramp)	LEFT	320								
		THRU	200								
		RIGHT	1,250								
5e. NY 312 & Independent Way /I-84 Eastbound Ramp (Signalized w/ Imps by NYSDOT & CCFC Alternative A)	EASTBOUND (NY 312)	LEFT	665								
		THRU	490								
		RIGHT	240								
	WESTBOUND (NY 312)	LEFT	190								
		THRU/RIGHT	1,290								
	NORTHBOUND (Independent Way)	LEFT	315			N/A		N/A			
		THRU	350								
			RIGHT	315							
	SOUTHBOUND (I-84 EB Ramp)	LEFT	320								
		THRU	200								
		RIGHT	1,250								

180' TO 276'

180' TO 275'

Unmitigated Impact under CCFC improvement Alternative A.

ATTACHMENT B

- Notes for Table 4-17 “Conceptual Highway Improvements”

Should both read "eastbound" or "westbound"?

TABLE 4-17

CONCEPTUAL HIGHWAY IMPROVEMENTS

INTERSECTION	2023 NO BUILD		2023 BUILD	Sensitivity Analysis 2023 BUILD	Anticipated Analysis 2023 BUILD	2023 NO BUILD Alternative Without Crossroads 312	2023 BUILD Alternative Without Crossroads 312	Sensitivity Analysis 2023 BUILD Alternative Without Crossroads 312	Anticipated Analysis 2023 BUILD Alternative Without Crossroads 312
	Improvements by Crossroads 312	Improvements by NYSDOT	Improvements by Northeast Interstate Logistics Center	Improvements by Northeast Interstate Logistics Center	Improvements by Northeast Interstate Logistics Center	Improvements by NYSDOT	Improvements by Northeast Interstate Logistics Center	Improvements by Northeast Interstate Logistics Center	Improvements by Northeast Interstate Logistics Center
4. NY 312 & Caremount Driveway (Unsignalized)	-	• Provide two thru eastbound lanes at intersection (left turn lane extended from Intersection No. 5)	• Provide two thru westbound lanes at Intersection (extended from intersection No. 3)	• Provide two thru westbound lanes at Intersection (extended from intersection No. 3)	• Provide two thru westbound lanes at Intersection (extended from intersection No. 3)	• Provide two thru westbound lanes at Intersection (extended from intersection No. 5)	• Provide two thru westbound lanes at Intersection (extended from intersection No. 3)	• Provide two thru westbound lanes at Intersection (extended from intersection No. 3)	• Provide two thru westbound lanes at Intersection (extended from intersection No. 3)
5. NY 312 & Independent Way /I-84 Eastbound Ramp (Signalized)	<ul style="list-style-type: none"> • Upgrade signal hardware to provide coordination • Signal Timing Modification • Modify I-84 Eastbound Ramp to separate left, thru, and right turn lanes • Modify Independent Way to two left turn lanes, one thru lane, and one right turn lane • Prohibit right turns on red on the northbound, southbound, and eastbound approaches 	• Modify NY 312 Eastbound double left turn lanes to provide 250 feet of storage for the (left) left turn lane and extend (right) left turn lane to 75 feet west of Caremount Driveway	• Signal Timing Modification (During the Peak Weekday AM Hour)	• Signal Timing Modification (During the Peak Weekday AM Hour)	• Signal Timing Modification (During the Peak Weekday AM Hour)	<ul style="list-style-type: none"> • Upgrade signal hardware to provide coordination • Signal Timing Modification • Modify I-84 Eastbound Ramp to separate left, thru, and right turn lanes • Modify NY 312 Eastbound double left turn lanes to provide 250 feet of storage for the (left) left turn lane and extend (right) left turn lane to 75 feet west of Caremount Driveway 	• Modify Independent Way to two left turn lanes, one thru lane, and one right turn lane	• Modify Independent Way to two left turn lanes, one thru lane, and one right turn lane	• Modify Independent Way to two left turn lanes, one thru lane, and one right turn lane
6. NY 312 & I-84 Westbound Ramp /Crossroads 312 Site Driveway (Signalized)	<ul style="list-style-type: none"> • Upgrade signal hardware to provide coordination • Signal Timing Modification • Modify I-84 Westbound Ramp to provide a 300 foot right turn lane, thru lane, and left turn lane • Provide 350 foot channelized right turn lane on NY 312 Eastbound • Provide 150 foot left turn lane on NY 312 Westbound • Modify NY 312 Westbound to provide two thru lanes as a thru and thru/right lane extended to International Boulevard • Prohibit right turns on red on the eastbound, southbound, and westbound approaches • Provide South Site Access Driveway to Crossroads 312 	-	• Signal Timing Modification	• Signal Timing Modification	• Signal Timing Modification	<ul style="list-style-type: none"> • Upgrade signal hardware to provide coordination • Signal Timing Modification 	-	-	-
7. NY 312 & International Boulevard /Crossroads 312 Site Driveway (Signalized)	<ul style="list-style-type: none"> • Upgrade signal hardware to provide coordination • Signal Timing Modification • Provide 150 foot left turn lane on NY 312 Westbound • Provide North Site Access Driveway to Crossroads 312 • Modify International Boulevard Eastbound to provide a left turn lane and shared thru/right lane 	-	-	-	-	<ul style="list-style-type: none"> • Upgrade signal hardware to provide coordination • Signal Timing Modification 	-	-	-

Notes:

(1) The need for signal hardware and/or software improvements required in conjunction with NYSDOT planned improvements should be determined during the Highway Work Permit process.

ATTACHMENT C

- NYSDOT Improvements Route 312 & I-84 Ramps Project Information
(Source: NYSDOT)



- Home
- Location
- Legislative Districts
- Contact Us

ROUTE 312 @ I84 RAMPS

Project ID No. 805812 , Contract Number D263786

Description

New York State Route 312 at the interchange with Interstate 84 experiences a high number of accidents, particularly rear end type collisions. The project will coordinate the three traffic signals at this interchange and smooth the transitions to the turning lanes in order to reduce the rear-end accidents. This project is located in the Town of Southeast, Putnam County.



Project Overview

Project Status

- The current status of the project is Under Construction.
- The Bid Opening was on 11/29/2018.

Project Schedule

Award of Contract	Original Contract Completion Date*	Estimated Substantial Completion Date*	Construction Schedule Variance from Contract Award**
02/15/2019	10/31/2019	12/01/2019	 Red

** Schedule Variance Key:

-  Red - Current Schedule Variance is > 10% of Original Completion
-  Yellow - Current Schedule Variance is > 5% and <=10% of Original Completion
-  Green - Current Schedule Variance is within 5% of Original Completion

Construction Costs

Contract Award Cost	Approved Cost Changes	Current Construction Contract Cost	Cost Variance of Construction Contract**
\$2,154,350	\$0	\$2,154,350	

****Cost Variance Key:**

Red - Current Construction Costs are > 10% of Contract Award Cost

Yellow - Current Construction Costs > 5% and <=10% of Contract Award Cost

Green - Current Construction Costs are within 5% of Contract Award Cost

***Project Schedule Definitions:**

Original Contract Completion Date - This is a contractual date, at the time the Contractor is Awarded the contract, representing when the Contractor is obligated to complete all of the work required in the contract and will no longer have a presence within the highway Right-of-Way.

Estimated Substantial Completion Date - This is the day the public (including vehicles and pedestrians) has full and unrestricted use and benefit of the facilities both from the operational and safety standpoint.

This project receives funding from the following sources:

Federal: Yes

State : Yes

Local : No

The scheduled dates shown are approximations only. For more detailed information, please utilize the "Contact Us" information provided.

Location

This project is located in the HUDSON VALLEY region and includes the following:

Counties

PUTNAM

Towns

SOUTHEAST TOWN

**Legislative Districts**

This project falls within the geographical boundaries of the following legislative districts:

U.S. Senators

Schumer, Charles E.

Gillibrand, Kirsten

U.S. Congressional District(s)

18th Congressional District (Maloney, Sean)

State Senatorial District(s)

40th Senatorial District (Harckham, Pete)

State Assembly District(s)

94th Assembly District (Byrne, Kevin M.)

Metropolitan Planning Organization (MPO)

The MPO associated with this project is the [New York Metropolitan Transportation Council \(NYMTC\)](#).

MPOs are established for urban areas with populations of 50,000 or more, and are responsible for ensuring that federal-aid transportation projects in the metropolitan area result from a continuing, comprehensive and cooperative transportation planning process. For more information on New York's MPOs, visit <http://www.nysmpos.org/>.

Statewide Transportation Improvement Program (STIP)

The Statewide Transportation Improvement Program (STIP) is a list of every project in New York State for which Federal funding is proposed to be used and that is scheduled to begin during the designated three Federal fiscal year time frame. To review the STIP Project List by Region please see the [STIP Project Report](#).

Contact Us

If you have questions please contact:

Heather Pillsworth, PIN-805812
NYSDOT Region 8 Public Information Officer
4 Burnett Boulevard

Phone: 845-431-7911



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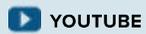
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AKRF REDLINE EDITS TO CHAPTER 1

I **PROJECT DESCRIPTION**

A. **Introduction**

This document is the Final Environmental Impact Statement (FEIS) for the proposed “Commercial Campus at Fields Corner” project to be located on the west side of Pugsley Road in the OP-3 Zoning District in the Town of Southeast, NY (the “Proposed Action”). The Town of Southeast Planning Board (“Planning Board”) is the State Environmental Quality Review Act (SEQRA) Lead Agency for the Proposed Action. The FEIS has been prepared pursuant to SEQRA (Article 8 of Environmental Conservation Law) and its implementing regulations (6 NYCRR Part 617). Pursuant to 6 NYCRR Part 617 (specifically §617.9(b)(8)), the purpose of this FEIS is to provide Lead Agency responses to the substantive public comments (both written and verbal) made on the Draft Environmental Impact Statement (DEIS) during the public hearings and formal comment period. As such, this FEIS addresses all substantive comments made on the DEIS during the public comment period and will serve as basis for making environmental findings for the project described below.

SEQRA intends for actions to be modified and improved in response to public comment on the ~~Draft Environmental Impact Statement (DEIS)~~. Indeed, SEQRA jurisprudence makes clear that the improvement of an action through the ~~State Environmental Quality Review Act (SEQRA)~~ process, including project changes from a DEIS to the ~~Final Environmental Impact Statement (FEIS)~~, shows that the reviewing agency is taking the requisite “hard look.” See, e.g., Coalition for Responsible Planning, Inc. v. Koch, 148 A.D.2d 230, 236, 543 N.Y.S.2d 653, 657 (1st Dept. 1989), (“Indeed, what better example of the requisite ‘hard look’ is there than the incorporation in the FEIS and adoption by the Board of Estimate of alternatives developed as a direct result of the review process?”), leave to appeal denied, 75 N.Y.2d 704, 552 N.Y.S.2d 927 (Table) (1990). Any project modifications made in response to comments on the DEIS are described and analyzed in the FEIS.

~~Accordingly, as SEQRA intends, in response to comments on the DEIS Plan from the public, the Town, and Involved and Interested Agencies, and as intended by SEQRA, the Applicant has revised the project as presented in the DEIS (the "DEIS Plan") into a new "Preferred Alternative." approval boards, and other interested and involved agencies during the public hearing process as described below, the Applicant has proposed changes to the Proposed Action (DEIS Plan), which are presented and analyzed in this FEIS as the Preferred Alternative Plan. The Applicant believes the modifications that constitute the FEIS Preferred Alternative Plan are responsive to the substantive comments made by the public and the Involved and Interested Agencies during the public review period. In addition, these modifications represent changes to the DEIS Plan to would further avoid and/or mitigate potential significant adverse project impacts of the Proposed Action.~~

~~This document is the FEIS analyzes for the Preferred Alternative Plan. The DEIS Plan is no longer the Applicant's preferred alternative. This FEIS is organized into three chapters:~~

- ~~• Chapter 1, "Project Description," describes the FEIS Preferred Alternative Plan changes from the DEIS Plan.~~
- ~~• Chapter 2, "Potential Impacts," provides an assessment of potential environmental impacts related to changes made to the proposed project and includes information such as additional analysis and detail in the FEIS Preferred Alternative Plan made in response to comments on the DEIS Plan.~~
- ~~• Chapter 3, "Response to Comments," provides responses to substantive comments received on the DEIS and is organized by sub-chapter according to the structure of the chapters and analysis within the DEIS. Copies of all comments, including the public hearing transcripts, are provided in the appendices to the FEIS (see Appendices B-1 through B-180 in Volume 2). The Comment Key, contained in Appendix A in Volume 2, identifies each correspondence received that contains substantive comments as an individual appendix, and where the comment and its response may be found in the FEIS.~~

~~The Town of Southeast Planning Board (Planning Board) remains the SEQRA Lead Agency for the Proposed Action. The FEIS has been prepared pursuant to SEQRA (Article 8 of~~

~~Environmental Conservation Law) and its implementing regulations (6 NYCRR Part 617). Pursuant to 6 NYCRR Part 617 (specifically §617.9(b)(9)), the purpose of this FEIS is to provide Lead Agency responses to the substantive public comments (both written and verbal) made on the DEIS during the public hearings and formal comment period. As such, this FEIS addresses all substantive comments made on the DEIS during the public comment period and would serve as a basis for making environmental findings for the project described below. Those comments are summarized and responded to in Chapter 3, "Response to Comments."~~

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B. Site Location/Environmental Setting

The Applicant owns ±328.1 acres that are located on either side of Pugsley Road and Fields Corner Road, to the northwest of the Exit 19 I-84/NY Route 312 interchange and extends to the Town line of the Town of Patterson to the north. It is entirely located within the Town of Southeast, in the northwest corner of the Town (Figure I-1). The Preferred Alternative (Figure I-3) proposes development on the 229.0 acres of the Applicant's property located within the OP-3 zone. No buildings are proposed for the 99.1 acres of the Applicant's property located in the RC zone (see Figures I-3 and I-6). All of the Applicant's property is within the New York City Department of Environmental Conservation (NYCDEP) watershed.

The property was previously used for agricultural pastures, including as a livestock farm, which were subsequently abandoned. Much of the site is currently characterized by overgrown former farm fields, with tangles of dense underbrush, small trees, and wild rose. The open fields were once separated by stone wall fences and hedgerows. No buildings remain on the property. There are some areas of secondary growth woodlands. The site contains six wetlands including four regulated by the NYSDEC, and two regulated by the Town of Southeast (all are regulated by the USACOE).

C. DEIS Plan

The DEIS analyzed the impacts of the following principal components of the proposed project, which are no longer being considered by the Applicant. Figure I-2 depicts the FEIS layout versus the DEIS layout. Table I-1 “Comparison of 328 Acre Development Plans” provides a numerical comparison of the DEIS, FEIS and the approved/planned Mixed Use from the 1992 3-phased full development plan.

- The project site, which is currently comprised of 156 tax parcels, was proposed to be re-subdivided into 6 tax parcels;
- Construction of four logistics center buildings ranging in size from 173,775 to 366,404 square feet. The proposed buildings would be located on Lots 1, 2, and 3;
- Lot 5 was proposed to be donated to Putnam County for new access to Tilly Foster Farm to Pugsley Road, and potential related uses;
- Lot 6 would be provided to the New York State Department of Transportation (NYSDOT) for right-of-way improvements;
- Make a “logistics center” a defined term under Section 138-4(b) of the Town Code.
- Allow logistics centers as a conditional use in the Town, allowable only on lots of at least twenty-five (25) acres and subject to prescribed Design Guidelines;
- Make a logistics center a permitted conditional use in the OP-3 District;
- Rezone approximately 39 of the 42 acres of the parcel referred to on the Putnam County Tax Map as Section 45, Block 1, Lot 4 from the RC District into the OP-3 District;
- Constructing a roundabout at the intersection of NY 312/Pugsley Road.

The DEIS provided a description of the proposed project and analysis of existing conditions, potential impacts associated with the proposed project, measures designed to avoid or minimize identified impacts and project alternatives, as appropriate.

D. Description of the Preferred Alternative Plan

The changes made in the Preferred Alternative Plan versus the DEIS Plan are as follows:

I. Overview

The Preferred Alternative Plan proposes two (2) buildings (Figure I-3) instead of the four (4) proposed in the DEIS Plan in response to public comments to reduce the number of buildings and reduce the scale of development. Building A contains 303,100 square feet, and Building B contains 630,000 square feet. The total proposed building square footage is therefore 933,100 square feet (s.f.) versus the 1,124,575 s.f. of the DEIS Plan, an approximately 17% reduction of 191,475 s.f. This is in direct response to public comments to reduce the total square footage of the buildings proposed on the site. -Figure I-4 sets forth the Preferred Alternative Plan's conformance with applicable bulk zoning requirements.

~~To enable~~ ~~In response to public comments,~~ the Preferred Alternative Plan would pull the nearest building back to be pulled back approximately 600 feet further from Twin Brook Manor than the DEIS Plan (for a total distance of approximately 1,210 feet from Twin Brook Manor). To accommodate this shift, the Applicant proposes to consolidate Buildings 3 and 4 into the Preferred Alternative's reduced Building B. This change would require the de-mapping of Barrett Road by the Town Board. Barrett Road is presently an unimproved road that only provides access to the interior portions of the Applicant's property. ~~in response to public comments calling for an increase of the separation distance, the Town Board would need to abandon Barrett Road to allow for the consolidation of the DEIS Plan's Buildings 3 and 4 into the Preferred Alternative's reduced Building B.~~

~~The demapped Barrett Road would also provide access to Building B and the Preferred Alternative Plan's other access driveway would serve Building A. Each building would have its own access driveway from Pugsley Road. The Building B access driveway would generally follow the de-mapped Barrett Road. The Building A access driveway would be located approximately [] feet south of the Building B access driveway. For each proposed access driveway, a lane would be dedicated for employees to enter and exit the site. The employees would be able to use a keycard for access without~~

Commented [AKRF2]: JMC – please add distance

having to stop at the security gate. A separate lane would be provided for trucks and visitors, who would be channeled to stop at the security gate of each building before entering and exiting. A truck turnaround is provided at each driveway such that those vehicles that do not intend to access the site would be able to turn around and exit back onto Pugsley Road and south to the way they came into the Campus property ~~from~~ Route 312.

Like most warehouse/distribution facilities, the Commercial Campus at Fields Corner would have strict anti-idling policies, which each individual tenant's warehouse manager would be charged with enforcing. If a truck driver were idling at a facility, the shipping and receiving supervisor would tell them to shut off. A driver's lounge would be provided with chairs, table, TV, and a bathroom with a toilet and a sink, for drivers who need a quick break or are waiting to be reloaded. The driver's lounge would have a separate entrance from the warehouse, and the drivers would not be permitted into the warehouse. Outlets would be provided at each building so that truck's engine warmers could be plugged in during the coldest winter weather, rather than having their engines running for any extended period of time.

As a matter of practice, warehouse/distribution facilities do not provide an overnight facility and truck drivers are not permitted to sleep overnight in their trucks at warehouse/distribution facilities. In response to public comments, the Town intends to require as conditions of Special Permit and Site Plan Approval that no overnight facilities or overnight sleeping be permitted at the Preferred Alternative facility.

Also, in response to comments on the DEIS Plan, total impervious area is 48.4 acres, a reduction of 8.8 acres from the DEIS Plan, which had an impervious area of 57.2 acres versus the existing site conditions.

2. Land Use and Zoning

In response to public concern regarding the potential rezoning, unlike the DEIS Plan, the Preferred Alternative Plan proposes no zoning text or zoning map amendments,

including no rezoning proposed of any portion of the Applicant’s property that is in the Town’s RC “Rural Commercial District”. All of the Applicant’s property located in the RC District would remain zoned RC District (Figure I-5). The stormwater retention and septic facilities sized specifically for Building A are located in the RC District portion of the property and are permitted under the Town’s zoning ordinance. No buildings for the project would be situated in the RC District; rather, all buildings would be situated on Lots 2 and 3, which are wholly within the OP-3 District (see Figures I-2 and I-3).

As verified by the Building Inspector (Appendix I-1), the Preferred Alternative qualifies as a “Light Manufacturing” use under the Town Code, and, accordingly, is a use specifically allowable by Special Permit in the OP-3 District (see Response 3-2 for a detailed discussion of the permitted proposed use).

The project site, which is currently comprised of 156 tax parcels, is proposed to be re-subdivided into 10 tax parcels (Figure I-6) instead of the 6 tax parcels proposed in the DEIS. The proposed tax lots and their use are as follows:

<u>Proposed Preferred Alternative Plan Lots</u>	
<u>Lot No.</u>	<u>Description</u>
Lot 1	Existing Tax Map No. 45.-1-4 Parcel (No building development)
Lot 2	Development Lot Containing Building A
Lot 3	Development Lot Containing Building B
Lot 4	
Lot 4A	Existing Tax Map No. 45.-1-12 Parcel (Non-Inclusive of the Well Parcels)
Lot 4B	Well Parcel Within Existing Tax Map No. 45.-1-12 Contiguous to Pugsley Road
Lot 4C	Well Parcel Within Existing Tax Map No. 45.-1-12 Contiguous to NY 312
Lot 5	Potential Land Donation Parcel to Putnam County
Lot 6	Potential Land Donation Parcel to NYSDOT (West of Pugsley Road)
Lot 7	Potential Land Donation Parcel to NYSDOT (East of Pugsley Road)

Lot 8	Potential Land Donation Parcel to Town of Southeast
-------	---

Also in response to public comments, the Applicant has proposed in connection with the final approval of its project to place permanent "no-development" restrictions on approximately 172 acres of the overall 328 acre property, including all of the property within the RC District. The no-development restrictions would prohibit any future building development in these locations (see Figure I-7). The Town intends to require as conditions of Special Permit and Site Plan Approval that no-development restrictions be placed on these portions of the site. Therefore, under the Preferred Alternative approximately 65% of the 328 acre property would remain undisturbed, compared with 59% for the DEIS Plan.

~~Approximately 65% of the 328-acre property would remain undisturbed, compared with 59% for the DEIS Plan.~~

Town-defined open space (which is defined in §138-4.B of the Zoning Code as “that percentage of the land area not covered by the combined area of all buildings, structures and paved areas on all or that portion of the lot within the same zoning district as the main building”) would comprise approximately 85% of the Applicant’s property.

3. Traffic

The 17% or 191,475 s.f reduction of Preferred Alternative versus the DEIS Plan would ~~result in a significant reduction in the~~ substantially reduce the traffic projected to be generated by the project. ~~Moreover, While the traffic analysis is based on data from the Institute of Transportation Engineers (ITE), a study of local trip generation from the GAP facility in Fishkill and the Matrix Facility in Newburgh indicates that the project could generate even fewer trips than analyzed in the DEIS, substantially less traffic, than was set forth in the DEIS, which was based on generic data from the Institute of Transportation Engineers (ITE).~~

~~First, while based on ITE data, the DEIS estimated assumed that the proposed development would generate 510 truck trips per weekday business day. It is important to note that a "truck trip" includes both in and out trips. As such, 510 truck trips is equivalent to 255 trucks. Applying this same ITE trip generation rate to the Preferred Alternative, the reduced development program would generate even the generic ITE data indicates that the Preferred Alternative would result in a 17% reduction of traffic to 424 truck trips (or 212 trucks) per weekday business day.~~

~~Moreover, while the conservative analyses in the DEIS assumed that there would be 510 truck trips per day (which equates to about 255 trucks entering/exiting the site each day, and which would, under a conservative analysis, be proportionately reduced to 212 trucks or 424 truck trips with the reduction in size of the project), counts from similar uses in the I-84 area indicate that the project would generate a much lower number of truck trips.~~

~~The Town asked the applicant to research An analysis of trip generation rates at similar local facilities along I-84, including the truck trip generation at the GAP facility in Fishkill and the Applicant also researched the Matrix Facility in Newburgh, suggests that the project would generate fewer trips than projected by ITE, to assess the local truck trip generation projections. Based on Using an average of the truck trips generated at these facilities and adjusted for project size, ing them to the comparable project size of the subject application, the experience at these facilities indicates that the Preferred Alternative would actually be projected to only generate approximately 130 truck trips per day (or about 65 trucks entering/exiting each day). This represents approximately one, or less than a third of the ITE projected trips, projected based on the DEIS rates. Additionally, based on local counts, approximately 60% of the trucks would be tractor trailers and 40% would be trailer cab or straight box trucks.~~

Traffic data (which includes cars and trucks) from the GAP facility in Fishkill and the Matrix Facility in Newburgh also indicate that the reduced project could generate substantially (up to 85%) less traffic than was set forth in the DEIS. During the peak

weekday PM Rush Hour along Route 312, trips could be reduced ~~by 336 trips~~, from 360 to 24 (or a reduction of 336 trips). During the weekday peak AM hour of the project generation (i.e., Shift Change), which would occur prior to the peak AM Rush Hour along Route 312, the project generated volumes could be ~~projected to be reduced by 355 trips~~, from 472 to 117 (or a reduction of 355 trips).

In response to public comments, the Applicant proposes widening Route 312 into four lanes from two lanes for the entire distance between Pugsley Road and the I-84 Eastbound ramps/Independent Way. This would ~~significantly~~ substantially mitigate the traffic generated as a result of the project, and generally improve operations along Route 312.

To prevent truck traffic from traveling to or leaving the site through Patterson, truck access to Fields Corner Road would be restricted. The Applicant would abide by the Town's preferred means for implementing this restriction. As currently preferred by the Town, the site plans propose two height restriction bars and two turnaround areas along Fields Corner Road within the Town of Southeast. Signs will be installed to prohibit commercial vehicles and enforced with a camera to record violations and violators.

A series of land exchanges are proposed to enable the modification of the right-of-way necessary for improvements to Pugsley Road and Route 312 (Drawing PE-1 in Appendix Volume 4.A, Part M). ~~As discussed above, the shifting of the project 600 feet further from Twin Brook Manor requires the abandonment of Barrett Road by the Town (see also Response 4-140). Town would abandon the Barrett Road right-of-way to the Applicant, as discussed in Response 4-140, to enable the project to be moved 600 feet further away from Twin Brook Manor than the DEIS Plan in response to public comments (for a total distance from Twin Brook Manor of approximately 1,210 feet). Including the land donation to Putnam County, the Applicant proposes to provide a would provide a net total of 138,657 s.f. of land for public purposes (roadway improvements and open space). To accommodate the Pugsley Road~~

~~improvements and Barret Road abandonment, the Town of Southeast would (including a land donation to Putnam County), and the Town of Southeast would provide a net total of 36,505 s.f. of land. (including through the abandonment of Barrett Road) Thus, the Applicant is providing a net 102,152 s.f. more than the Town for these purposes.~~

~~While b~~Both a traffic signal with roadway improvements and a roundabout were considered at the intersection of Route 312 and Pugsley Road. However, NYSDOT has determined that ~~the desired improvements are~~ a demand responsive traffic signal with vehicle detection and extensive roadway improvements is the preferred mitigation. A demand responsive traffic signal provides, ~~with vehicle detection to provide~~ additional green time for certain movements when the approaching volume necessitates the signal green time extension, ~~together with extensive roadway improvements.~~ The proposed traffic signal would be coordinated with the three signalized intersections to the east along Route 312. The demand responsive traffic signal will operate with the traffic signal being green for the Route 312 through traffic, except when green time is actuated for the turning movements.

Two alternatives are considered for the signalized T intersection with Route 312 and Pugsley Road, subject to NYSDOT and Town approval (see Figures CHP-1 and CHP-2). Under Alternative A, a dedicated thru lane and dedicated right-turn lane would be provided for westbound traffic on Route 312. On the approach from Pugsley Road, dual dedicated left turn lanes and a dedicated right turn lane to Route 312 is proposed. Whereas under Alternative B, a dedicated thru lane and shared thru/right-turn lane would be provided for westbound traffic on Route 312; and on the approach from Pugsley Road, a dedicated left turn and shared left/right turn lane is proposed. ~~In addition to the previously proposed left turn lane along Route 312, a second through lane is proposed along Route 312 eastbound. Either a right turn lane (Alternative A) or second through lane (Alternative B) would be provided along Route 312 westbound, subject to NYSDOT selecting the preferred alternative. The Pugsley Road improvements with the signalized T intersection are proposed to either be~~

~~expanded from the previously proposed two lanes to provide three approach lanes, with dual left turns and a single right turn lane with the Route 312 westbound right turn lane as Alternative A, or improved to a two lane approach with dual left turns and shared right turns as Alternative B, subject to NYSDOT selecting the preferred alternative as noted above.~~ The project traffic impacts at this intersection would be mitigated under both improvement alternatives. ~~However, Queuing along the Route 312 westbound thru movement at Pugsley Road is reduced under the Alternative B improvement due to the additional thru lane, which provides two thru lanes with shared right turns, as compared to Alternative A which provides separate thru and right turn lanes along the westbound approach.~~

NYSDOT is currently proposing improvements to the three signalized intersections of Route 312 at the I-84 eastbound ramps/Independent Way, the I-84 westbound ramps, and International Boulevard. ~~These improvements which~~ would coordinate the traffic signals ~~and~~ improve operating conditions in the area. NYSDOT also intends to provide a Route 312 westbound left turn lane into the park & ride lot, and partially extend the Route 312 eastbound two lane section to the vicinity of the Caremount driveway. These measures would also improve operating conditions in the area.

At the Route 312/Route 6 intersection, delays are projected without the project for left turns onto Route 312 from Route 6 and right turns onto Route 6 from Route 312. ~~As mitigation for the Crossroads 312 project, Route 6 and Route 312 is scheduled were proposed to be improved with the Crossroads 312 project to provide with~~ dual left turns with a shared thru movement along Route 6 eastbound. ~~However, this project has been dormant since 2015.~~

4. Visual Resources

~~In response to public comments, Building A has been shifted farther from Route 312 from what was presented in the DEIS. The distance from the proposed Building A, which is the closest building to Route 312, would be increased substantially from the~~

~~DEIS Plan in response to public comments to would be located~~ approximately 2,150 feet from Route 312, versus 965 feet for Building I in the DEIS Plan. Intervening topography further contributes to making Building A not visible from Route 312. Route 312 is at an elevation of 550 feet at its nearest point, while Building A (with a finished floor elevation of 649 feet) would be below and behind the ridgeline (with a top elevation of 672 feet) which is located between Building A and Route 312. In summary, distance, topography and dense existing vegetation would obscure the visibility of Building A from Route 312 and preserve the rural character of this area.

Unlike the DEIS Plan, in which both proposed buildings were situated across two ridgelines, the Applicant proposes to construct Building A partially below a portion of the ridgeline which is proposed to remain. Building B is to be constructed below the existing grades and many existing mature trees within the ridgeline will be preserved. These conditions would reduce the building's visibility along the ridgeline, and the project would generally be minimally, if at all, visible from off-site.

~~In addition, in response to public comments -~~The distance from the nearest building of the Twin Brook Manor development ~~to Building B would be is~~ approximately 1,210 feet, ~~distant~~ as opposed to approximately 600 feet for the DEIS Plan. Also, an approximately 12 foot high berm is proposed on the site north of Building B to minimize views of the Building from Twin Brook Manor. The distance from Building B to the nearest Hunter's Glen residence ~~is would be~~ approximately 1,415 feet, or just a little over a quarter mile.

In response to public comments, ~~project lighting has been reduced to the minimum levels necessary. No~~ general illumination wall-pack lighting is proposed for the western and northern portions of Building B facing the residential developments, ~~and the p~~ Parking lot light poles have been reduced from 30 to 20 feet high, and would be fully shielded such that there would be no light spillage off ~~of~~ the property towards Hunter's Glen or Twin Brook Manor. The proposed lighting would be dark sky compliant.

The project would not be visible from most locations within Hunters Glen and Twin Brook Manor, and any visual impacts would be minimized by the preservation of substantial areas of existing mature trees and habitat. ~~In addition, as well as additional proposed~~ evergreen landscaping would be planted in ~~the~~ "gaps" where the Buildings might be visible from the developments. In response to public comments, the Applicant has agreed to plant additional ~~additional~~ evergreens ~~proposed as part of this FEIS would be planted~~ on the properties of Hunters Glen and Twin Brook Manor, subject to the approval of the boards of Hunters Glen and Twin Brook Manor, respectively, to further buffer the Buildings from residents. The locations would be coordinated with the Town Planning Consultant. A total of up to 50 trees (25 per residential development) would be planted by the Applicant to mitigate the potential visual impact.

5. Surface Water and Wetlands

The project's Stormwater Management Plan (SWPPP) design has been modified in response to comments from the NYCDEP, NYSDEC, and the New York State Watershed Inspector General (WIG) to ensure that the proposed project would add no additional phosphorous to the Middle Branch Reservoir or otherwise adversely impact the watershed.

~~The Preferred Alternative would result in a 0.05 acre permanent encroachment into the wetland associated with the on-site road crossing where the Barrett Road alignment crosses between Wetlands 4 and 5. This is the same encroachment that was analyzed in the DEIS. Impacts to wetlands remain as per the DEIS at a permanent 0.05-acre encroachment into the wetland and would occur only at the existing on-site road crossing (improvements at the Barrett Road wetland crossing between Wetlands 4 and 5); otherwise, only minor encroachments into the adjacent areas are proposed. These encroachments include, with 2.08 acres of disturbance to NYSDEC wetland buffers (which are also regulated by the Town), and 5.23 acres of disturbance to Town-only regulated wetland buffers. As such, the Preferred Alternative Plan reduces wetland buffer impacts from the DEIS Plan's 2.44 acres of disturbance to NYSDEC wetland buffers, and 5.37 acres of disturbance to Town-only regulated wetland buffers.~~

To compensate for unavoidable loss of wildlife habitat and wetland area on the site, a comprehensive upland habitat restoration (13 acres) and wetland mitigation program (1.5 acres) is proposed for the site. This would be accomplished through replacing degraded upland habitat lost to development (buildings, parking and roads) with restored habitat areas using a variety of native species, and restoration of both wetland and upland habitat types to support wildlife species of concern which potentially occur on the site (see Appendix 9-1). In addition, approximately 172 acres of the site will remain undisturbed and protected by a "No Development" restriction which prohibits future building development.

6. Groundwater

No road salt would be stored on site. An outside contractor would clear snow on the project site after a storm and would comply with all pertinent NYCDEP regulations regarding any materials used for snowmelt and use the minimum amount necessary. In response to public comments, the Town intends to require as conditions of Special Permit and Site Plan Approval that no road salt be stored on site.

7. Tax Analysis

The subject property currently pays approximated \$143,000 for property taxes on undeveloped land. Without development, this annual tax would stay the same in perpetuity subject only to annual tax escalation.

~~The Applicant intends to seek a Payment in Lieu of Taxes (PILOT) agreement with the Putnam County Industrial Development Agency (IDA). Based on similar PILOT agreements, it is estimated that the proposed development would generate \$31,894,781 for the local taxing jurisdictions over the first fifteen (15) years. This is a \$29,233,271 increase over what would cumulatively have been paid in property taxes if the property were to remain undeveloped. Of this \$29,233,271, the Brewster Central School District would receive more than \$23,785,000 in new revenue under a PILOT than what would be paid in property taxes if the property were to remain undeveloped. Property taxes for the subject property based on the proposed development would over the first fifteen (15) years generate more than \$31,894,781 in property taxes while under a Putnam County IDA PILOT program (which are not property taxes). This is an increase of \$29,233,271 in property taxes paid compared with cumulative property taxes paid if the property were to remain undeveloped. The Brewster Central School District would receive more than \$23,785,000 in new property taxes over the first fifteen years while under a PILOT (which are not property taxes) than would be paid if the property were to remain undeveloped.~~

~~As discussed above, it is anticipated that the PILOT agreement would be in place for 15 years, and over that time the payment in lieu of taxes to the local taxing jurisdictions would total \$31,894,781. With no PILOT in place, it is estimated that the proposed project would generate \$40,889,223 in real estate taxes to the local jurisdictions over the same 15 year period. Therefore, the projected PILOT is approximately 75% of the total projected tax revenue, and would generate substantial revenue during the first fifteen years.~~

~~Over the 15 years that the PILOT (which are not property taxes) is in place, total real estate taxes paid by the project would total \$31,894,781. With no PILOT in place and the property paying fully assessed real estate taxes, \$40,889,223 would be paid in real estate taxes. Therefore, the project would pay approximately 75% of what the project would have paid in fully assessed property taxes without a PILOT program. Therefore, even with the PILOT (which are not property taxes), the project would pay substantial real estate taxes during the first fifteen years.~~

~~In addition, the proposed project would generate an estimated \$73,500,000 of annual economic output, including 551 new on-site jobs during the anticipated day shift, and 115 new indirect jobs.¹ (Although a total of 1,040 jobs are projected over the 24-hour period, the 551 jobs anticipated on the day shift were used in the economic analysis [Appendix 10-1] as a conservative number, even though water/septic and traffic analysis take into account all three shifts.) This economic output is anticipated to have a favorable and lasting impact on the local economy.~~

8. Noise

~~In response to public comments, Building B has been redesigned to move the trucks farther from Hunter's Glen and Twin Brook Manor. Under the Preferred Alternative Plan in response to public comments, trucks would no longer be able to circulate~~

¹ ~~A total of 1,040 jobs are projected over the 24-hour period. However, to be conservative in terms of economic benefits, the economic analysis was based on the 551 daytime jobs (see Appendix 10-1). Whereas, to present a conservative water, septic, and traffic analysis, the total 1,040 jobs over three shifts was utilized for those analyses.~~

around the Buildings, with only employee parking situated on the side facing Hunter's Glen. These conditions would help to further reduce potential noise impacts for Hunter's Glen. In addition, trucking activity would be concentrated on the side of the Buildings facing away from the condominium communities, with the Buildings acting as a sound barrier to these communities. The Buildings would also help buffer the noise to Hunter's Glen and Twin Brook Manor from the existing approximately 9,000 daily truck trips on nearby I-84.

The Buildings would operate 24/7/360, but within the industry, the majority of commercial activity occurs during the traditional business day and is reduced by approximately half during the second (evening) shift. During the third (night) shift the activity is limited to in-building cleaning, maintenance, repair and restocking activity much like a grocery store prepares for the next business day. Based on truck counts at the Gap Distribution Center in Fishkill and at the Matrix Distribution Center in Newburgh, truck traffic is concentrated to the first shift, tapering into the second shift. In response to public comments, the Town intends to require as conditions of Special Permit and Site Plan Approval that no trucks access the site between the hours of 11:00 PM to 6:00 AM Monday through Saturday, and on Sunday trucks would only be permitted to access the site between the hours of 10:00 AM to 5:00 PM. The access to the Buildings would be controlled by gates providing controlled access to further prevent unnecessary truck access to the property.

Given the large distances separating the project from Hunter's Glen and Twin Brook Manor, the reorientation of all the loading docks away from Hunters Glen and Twin Brook, the elimination of the ability of trucks to circulate around the Buildings, truck access to the Buildings would not adversely impact the residents of Hunters Glen and Twin Brook. Any faint truck sounds that could be audible outside the residences in those developments would be similar in nature, but not as loud, as the peak truck noise from I-84, and would not wake up a person sleeping, even with an open window.

In response to public comments, the Applicant is willing to commit to a maximum of

46 dBA from the rooftop HVAC units reaching the receiving land of the closest residences from this equipment, which is 9 dBA lower than the nighttime noise limitation of 55 dBA set by the Town Noise Ordinance. "Receiving land" is defined in Chapter 96 "Noise" of the Town Code as "the property line of the real property where the sound is being heard, and where appropriate level of restrictions apply. In the case of an apartment, townhouse, or condominium, the point-of-measurement is within the affected unit."

It is anticipated that the design would be no more than 43 dBA to ensure that a monitoring report, submitted after the first Building is complete, confirms that the noise levels are 46 dBA or less. The Town intends to require as conditions of Special Permit and Site Plan Approval that noise from the rooftop HVAC equipment not exceed the requirements of the Town Noise Ordinance by 9 dBA (i.e., that noise levels be limited to 46 dBA).

9. Air Quality

In response to public comments, idling would be prohibited at the proposed warehouse/distribution center and would be actively enforced by the warehouse manager. The reality is that the goal at every warehouse/distribution center is to get truckers in and out of the site as quickly as possible. Each individual tenant at a warehouse/distribution center usually has a full-time shipping and receiving supervisor during trucking operations. This supervisor is charged with making sure that trucks enter and exit the site as quickly as possible, at the scheduled times.

Consequently, drivers may not stay on the site more than 15-20 minutes if they are to drop off a load and pick-up a preloaded load. A couple of outlets would be provided at each building to enable trucks to plug in during the coldest winter weather, rather than keeping their engines running for any extended period of time. In general, the New York State Environmental Conservation Law prohibits trucks from idling on the site for more than five minutes at a time. The exception is for diesel fueled trucks

operating in an ambient air temperature below 25°F for more than 2 hours, and the plug is intended to obviate the need for trucks to keep running when the temperature falls below that level.

Air quality, with the exception of ozone, which is just below the standard, is excellent. Air quality is not anticipated to be impacted by the proposed project. The analysis in the DEIS and the clarifications, updates, and further explanations in the FEIS make it clear that there would not be any significant air quality impacts from the project.

~~The Applicant believes that these modifications that constitute the FEIS Preferred Alternative Plan are responsive to the substantive comments made by the public and the Involved and Interested Agencies during the public review period, and that they further avoid or mitigate the project's potential significant environmental impacts.~~

~~This FEIS is organized into three chapters:~~

- ~~• Chapter 1, "Project Description," describes the FEIS Preferred Alternative Plan changes from the DEIS Plan.~~
- ~~• Chapter 2, "Potential Impacts," provides an assessment of potential environmental impacts related to changes made to the proposed project and includes information such as additional analysis and detail in the FEIS Preferred Alternative Plan made in response to comments on the DEIS Plan.~~
- ~~• Chapter 3, "Response to Comments," provides responses to substantive comments received on the DEIS and is organized by sub-chapter according to the structure of the chapters and analysis within the DEIS. Copies of all comments, including the public hearing transcripts, are provided in the appendices to the FEIS (see Appendices B-1 through B-180 in Volume 2). The Comment Key, contained in Appendix A in Volume 2, identifies each correspondence received which contains substantive comments as an individual appendix, and where the comment and its response may be found in the FEIS.~~

Commented [AKRF3]: Moved to Introduction

3. Review Procedures and Process Background

On November 6, 2017, the Applicant submitted to the Planning Board an application seeking Site Plan Approval, a Wetlands Permit, a Conditional Use Permit, and Subdivision Approval. Also on November 6, 2017, the Applicant submitted a Zoning Petition with the Town Board to amend the Zoning Law to make "logistics centers" a defined term in the zoning code, allow logistics centers as a conditional use in the Town, make a logistics center a permitted conditional use in the OP-3 district, and rezone parcel referred to on the Putnam County Tax Map as Section 45, Block 1, Lot 4 from the RC District into the OP-3 District.

On November 27, 2017, the Planning Board declared its intent to be Lead Agency for the environmental review. The Planning Board received no objections to the Notice of Intent and declared itself Lead Agency on May 14, 2018.

The Applicant prepared a DEIS which was submitted in sections to the Planning Board starting on or about April 4, 2018, and a full document was submitted to the Planning Board on May 11, 2018.

The Planning Board directed its consultants to review the draft DEIS prepared by the Applicant and to advise the Planning Board on the sufficiency of the document for purposes of commencing public review.

The Applicant submitted a revised DEIS to the Planning Board on June 8, 2018 which responded to the comments from the Planning Board and its consultants. On June 14, 2018, the Planning Board issued a Positive Declaration under SEQRA for the proposed project, determined the DEIS was complete for purposes of commencing public review, and issued a Notice of Completeness for the DEIS. The DEIS duly distributed and made accessible on the Town of Southeast website and in hard-copy format in Town Hall and the Brewster Public Library. Public Hearings on the DEIS were duly noticed and held on

July 9, 2018 and July 23, 2018, with written comments were accepted by the Planning Board until the close of business on August 31, 2018, or almost 40 days following the close of the public hearing.

The DEIS is hereby incorporated by reference into this FEIS. Any terms relating to the description of the proposed project described in the DEIS are also used within this FEIS.

Pursuant to SEQR regulations, the Planning Board is required to adopt an Environmental Findings Statement based on the environmental review record before it or any other Involved Agency in this SEQRA review may take action on the project.

This FEIS fully anticipates all permitting and/or entitlements required for the project, including, but not limited to, the Applicant's application for a site plan conditional use permit, subdivision approval, and local wetland permit for the proposed warehouse/distribution facility. Accordingly, this FEIS and related environmental findings would be applicable to the below noted approvals.

At its XXX meeting, the Planning Board accepted the FEIS, dated XXX, 2019, for consideration of environmental findings and established a XX-day period in which to consider the FEIS before adopting a written findings statement. The FEIS includes responses to comments received regarding the DEIS as well as changes to the proposed project that reflect comments made during the public review period.

4. Required Approvals

The list of involved and interested agencies, required permits and approvals, and interested parties is provided below.

**Table I-2
Project Reviews and Approvals Required**

Involved Agency	Type of Approval/Review
Southeast Town Board	<ul style="list-style-type: none"> • Special Permit • Demapping/Abandonment of Barrett Road
Southeast Planning Board	<ul style="list-style-type: none"> • Site Plan Approval • Subdivision Approval • Local Wetland Permit
Putnam County Planning Department	<ul style="list-style-type: none"> • GML 239 Review
Putnam County	<ul style="list-style-type: none"> • Land Acquisition
Putnam County Department of Health (PCDOH)	<ul style="list-style-type: none"> • Commercial Subsurface Treatment System Approval • Realty Subdivision • Non-Transient, Non-Community Public Water Supply
New York City Department of Environmental Protection (NYCDEP)	<ul style="list-style-type: none"> • Stormwater Pollution Prevention Plan Review • Commercial Subsurface Treatment System Review
New York State Department of Environmental Conservation (NYSDEC)	<ul style="list-style-type: none"> • Article 24 Freshwater Wetlands Permit • SPDES Stormwater Permit • 401 Water Quality Certification • Article 17 SPDES Permit for Septic
New York State Department of Transportation (NYSDOT)	<ul style="list-style-type: none"> • Highway Work Permit • Access Highway Extension Approval
U.S. Army Corps of Engineers	<ul style="list-style-type: none"> • Individual Permit (Wetlands) • Section 404 Permit (dredged or fill materials)
Involved Agency	• Type of Approval/Review
Town of Southeast Highway Department	<ul style="list-style-type: none"> • Permit for modifications to Pugsley Road
Town of Southeast Architectural Review Board	<ul style="list-style-type: none"> • Architectural Review

Interested Agencies

- Town of Patterson
- Putnam County Sheriff's Department
- NY State Police, Troop K, Zone 2, Brewster Barracks
- Brewster Fire Department
- Office of the NYS Attorney General, Watershed Inspector General, Environmental Protection Bureau
- Hunters Glen Master Association

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AKRF REDLINE EDITS TO CHAPTER 2

2. **POTENTIAL IMPACTS AND MITIGATION MEASURES**

A. **Introduction**

This chapter provides an overview of the potential significant adverse environmental impacts of, as well as mitigation measures for, the Preferred Alternative Plan, as described in Chapter I, "Project Description." Since the issuance of the Draft Environmental Impact Statement (DEIS), the Applicant has proposed changes to the Proposed Action as presented in the DEIS (DEIS Plan) in response to comments on the DEIS Plan from the public, the Town Board and the Planning Board, and other Interested and Involved Agencies during the public hearing process, which are presented and analyzed in this FEIS as the Preferred Alternative Plan. These modifications represent changes to the DEIS Plan to further avoid and/or mitigate potential significant adverse project impacts.

As discussed in Chapter I, "Project Description", the changes made in the Preferred Alternative Plan versus the DEIS Plan are as follows:

- The Preferred Alternative Plan proposes two (2) buildings (Figure I-2) instead of the four (4) proposed in the DEIS Plan.
- The Preferred Alternative Plan provides an approximately 17% reduction in the square footage of the buildings, proposing a total of 933,100 square feet (s.f.) versus the 1,124,575 s.f. of the DEIS Plan, a 191,475 s.f. reduction.
- Sixty-five percent (65%) of the Applicant's 328-acre property would remain undisturbed under the Preferred Alternative Plan, compared with 59% for the DEIS Plan.
- The Applicant has proposed to place "no-development" restrictions on more than fifty percent (50%) of its property, restricting approximately 172 acres of the overall 328 acre property, including all of its property within the RC District. The no-development restrictions would prohibit any future building development in these locations (see Figure I-7).

- Town-defined open space would comprise approximately 85% of the approximately 229-acre OP-3 portion of the Applicant's property under the Preferred Alternative Plan.
- Unlike the DEIS Plan, the Preferred Alternative Plan does not require any zoning text or zoning map amendments, with no rezoning proposed of any portion of the Applicant's property that is in the Town's RC "Rural Commercial District" (Figure I-5). The Preferred Alternative qualifies as a "Light Manufacturing" use under the Town Code, and, accordingly, is a use specifically allowable by Special Permit in the OP-3 District.
- No buildings would be situated in the RC District; rather, all buildings would be situated on the proposed Lots 2 and 3, which are wholly within the OP-3 District (Figure I-3).
- Under the Preferred Alternative, Building A, which is closest to Route 312, would be almost two-and-a-half (2½) times as far from Route 312 as the DEIS Plan, located approximately 2,150 feet from Route 312, versus 965 feet for Building I in the DEIS Plan. Distance, topography and dense existing vegetation would obscure Building A's visibility from Route 312 and preserves the rural character of this area.
- Unlike the DEIS Plan, in which the proposed buildings were situated on top of two ridgelines, the Applicant proposes to construct Building A below the top of the ridgeline, which is proposed to remain, and to construct Building B on a ridgeline but below the existing grades. These conditions further reduce the buildings' visibility along the ridgeline, and, as a result, the project is minimally visible off-site.
- The ridgeline associated with the southernmost buildings (Buildings I and 2 in the DEIS and Building A in the FEIS) has 40% less disturbance and 75% fewer trees removed under the Preferred Alternative Plan. The impacts to the northernly ridgeline have also been reduced, with 9% less disturbance and 3% fewer trees removed under the Preferred Alternative Plan.
- The nearest building to the Twin Brook Manor residences would be twice as far under the Preferred Alternative Plan as compared to the DEIS Plan, relocated to

approximately 1,210 feet distant from Twin Brook Manor as opposed to approximately 600 feet for the DEIS Plan.

- To even further obstruct potential views of Building B from Twin Brook Manor, an approximately twelve foot (12') high berm is proposed on its north side.
- To further reduce potential noise, light and visual impacts on Hunters Glen, under the Preferred Alternative Plan, trucks would no longer be able to circulate around the buildings, with only employee parking situated on the side facing Hunters Glen.
- In addition, trucking activity is concentrated on the sides of the buildings facing away from the condo communities with the buildings acting as a sound barrier to these communities. The buildings would also help buffer the noise from the existing approximately 9,000 daily truck trips on nearby I-84. These conditions help to further reduce potential noise impacts for Hunters Glen.
- Given the large distances involved, the reorientation of all the loading docks away from Hunters Glen and Twin Brook, eliminating the need for trucks to circulate around the buildings, truck access to the buildings would not adversely impact the residents of Hunters Glen and Twin Brook. Any faint truck sounds that could be audible outside the residences in those developments would be similar in nature, but not as loud, as the peak truck noise from I-84, and would not wake up a person sleeping even with an open window.
- The Applicant is willing to commit to a maximum of 46 dBA from the rooftop HVAC units, which is below the Town Noise Ordinance night-time $L_{eq(1 hr)}$ of 55 dBA. The Applicant is willing to provide a monitoring report, submitted after the building is complete, to confirm that the noise levels for the HVAC units are 46 dBA or less.
- No general illumination wall-pack lighting is proposed for any portion of Building B facing nearby residences, and the parking lot light poles would be reduced from 30 to 20 feet high, and fully shielded such that there would be no light spillage off of the property towards Hunters Glen or Twin Brook Manor. The proposed lighting would be dark sky compliant.
- The project would be imperceptible from the vast majority of units within Hunters Glen and imperceptible from Twin Brook Manor during the leaves on condition,

and would be minimally, if at all, perceptible from most of the units in those communities during the winter. Any visual impacts would be minimized by the preservation of substantial areas of existing mature trees and habitat as well as additional proposed evergreen landscaping planted in the "gaps" where the buildings might be visible. The evergreens are proposed to be planted on the properties of Hunters Glen and Twin Brook Manor, subject to the approval of the boards of Hunters Glen and Twin Brook Manor, respectively, to further buffer the buildings from residents.

- The Preferred Alternative would result in a significant reduction in the traffic generated by the project, reflecting the proposed reduction in development.
- Traffic data from the GAP facility in Fishkill and the Matrix Facility in Newburgh indicate that the reduced project could generate substantially (up to 85%) less traffic than was set forth in the DEIS. During the peak weekday PM Rush Hour along Route 312, trips could be reduced by 336 trips, from 360 to 24. During the weekday peak AM hour of the project generation (i.e., Shift Change), which would occur prior to the peak AM Rush Hour along Route 312, the project generated volumes could be projected to be reduced by 355 trips, from 472 to 117. Additionally, based on the local counts, approximately 60% of the trucks would be tractor trailers and 40% would be trailer cab or straight box trucks.
- Traffic mitigation for the project, in conjunction with NYSDOT improvements currently under construction, would generally improve operations along Route 312.
- Traffic mitigation measures for the project include the widening of Route 312 to four lanes between Pugsley Road and the I-84 Eastbound intersection; improved traffic signalization that responds better to existing conditions and facilitates better traffic movements, together with NYSDOT improvements currently under construction; the intersection of Pugsley Road and Route 312 would be substantially improved with additional turn lanes on Route 312 and Pugsley Road, as well as an additional thru lane along Route 312 eastbound, and possibly Route 312 westbound (subject to the NYSDOT preference of improvement alternatives); and limiting further traffic generation from the Property as the result

of the Applicant's willingness to subject approximately 172 acres to no-development restrictions, or more than half of the Applicant's property and all its property within the RC Zone.

- The entire project site under the control of the Applicant, which is currently comprised of 156 tax parcels, is proposed to be re-subdivided into 10 tax parcels (Figure I-3) instead of the 6 tax parcels proposed in the DEIS.
- Barrett Road would need to be abandoned to allow for the consolidation of the DEIS Plan's Buildings 3 and 4 into the Preferred Alternative's reduced Building B, and to provide access to Building B.
- Because of the reduction from the four proposed buildings under the DEIS Plan to two proposed buildings under the FEIS Plan, the site's two access driveways have been modified such that one driveway serves Building A and the other driveway serves Building B.
- For each proposed access driveway, a lane is dedicated for employees to enter and exit the site. The employees may use a keycard for access without having to stop at the security gate, allowing for a faster employee access to the site.
- The access driveways contain a separate lane for trucks and visitors, who would be channeled to stop at the security gate of each building before entering and exiting. A truck turnaround is provided at each driveway such that those vehicles that do not intend to access the site are able to turn around and exit the way they came into the Campus property from Route 312 for greater convenience.
- The Preferred Alternative Plan incorporates modifications to the Stormwater Management Plan (SWPPP) design in response to comments from the NYCDEP, NYSDEC, and the New York State Watershed Inspector General (WIG), and to ensure that the proposed project would add no additional phosphorus to the Middle Branch Reservoir or otherwise adversely impact the Watershed.
- The modified SWPPP provides redundancies to enhance water quality and mitigate stormwater runoff rates from the development areas, including a combination of stormwater infiltration basins in a series with wet detention basins (micropool extended detention basins or pocket ponds) and micropool detention basins in series with pond/wetland systems, the utilization of hydrodynamic separators for

pretreatment prior to being discharged into stormwater management areas, cisterns, open channels, bioretention areas and level-spreader discharges. The vegetated swales and other overland conveyances of stormwater runoff would result in additional infiltration for runoff reduction and water quality that is not considered in the SWPPP's hydrologic model, resulting in a conservative analysis.

- A series of land exchanges are proposed to enable the modification of the right-of-way necessary for improvements to Pugsley Road and Route 312 (Drawing PE-1 in Appendix Volume 4.A, Part M). The Town would abandon the Barrett Road right-of-way to the Applicant, as discussed in Response 4-140, to enable the project to be moved 600 feet farther away from Twin Brook Manor than the DEIS Plan.
- To prevent truck traffic from traveling to or leaving the site through Patterson, truck access to Fields Corner Road would be restricted. The Applicant would abide by the Town's preferred means for implementing this restriction. As currently preferred by the Town, the site plans propose two height restriction bars and two turnaround areas along Fields Corner Road within the Town of Southeast. Signs would be installed to prohibit commercial vehicles and enforced with a camera to record violations and violators.
- The Town would require a Traffic Monitoring Plan (TMP) to be completed by the Applicant and submitted to the Town Planning Board within 6 months of the occupancy of the first of the two buildings completed, and within 6 months of the full development and occupancy of the Proposed Project. The final details of the TMP would be included in the Statement of Findings. The Applicant would work with the Town to correct operations if necessary in the unanticipated event that actual operations substantially differ from those detailed in this FEIS.
- Like most warehouse/distribution facilities, the Commercial Campus at Fields Corner would have strict anti-idling policies, which each individual tenant's warehouse manager is charged with enforcing. If a truck driver is idling at a facility, the shipping and receiving supervisor would tell them to shut off. A driver's lounge would be provided with chairs, table, TV, and a bathroom with a toilet and a sink, for drivers who need a quick break or are waiting to be reloaded. The driver's

lounge would have a separate entrance from the warehouse, and the drivers would not be permitted into the warehouse. Outlets are to be provided at each building so that truck's engine warmers can be plugged in during the coldest winter weather, rather than having their engines running for any extended period of time.

- As a matter of practice, warehouse/distribution facilities do not provide an overnight facility and truck drivers are not permitted to sleep overnight in their trucks at warehouse/distribution facilities. The Town intends to require as conditions of Special Permit and Site Plan Approval that no overnight facilities or overnight sleeping be permitted at the Preferred Alternative facility.
- Total impervious area is 48.4 acres, a reduction of 8.8 acres from the DEIS Plan, which had an impervious area of 57.2 acres versus the existing site conditions.
- Impacts to wetlands remain at a permanent 0.05 acre encroachment into the wetland and would occur only at the existing on-site road crossing (improvements at the Barrett Road wetland crossing between Wetlands 4 and 5, and impacting the northern portion of Wetland 4); otherwise only minor encroachments into the adjacent areas are proposed, with 2.08 acres of disturbance to NYSDEC wetland buffers (which are also regulated by the Town), and 5.23 acres of disturbance to Town-only regulated wetland buffers. This is a reduction versus the DEIS Plan of 2.44 acres and 5.37 acres, respectively.
- A comprehensive upland habitat restoration (13 acres) and wetland mitigation program (1.5 acres) is proposed for the site. This would be accomplished through replacing degraded upland habitat lost to development (buildings, parking, and roads) with restored habitat areas using a variety of native species, and restoration of both wetland and upland habitat types to support wildlife species of concern which potentially occur on the site (see Appendices 9-1 and 9-3). In addition, approximately 172 acres of the site will remain undisturbed and protected by a no-development restriction which prohibits future building development. Once the restoration is completed, the central wetland corridor of the site would be a more diverse and robust habitat for wetland dependent wildlife species.
- A herpetofauna survey undertaken by the Mid-Atlantic Center for Herpetology and Conservation (MACHAC) confirmed that the central wetland corridor, which

includes the northern portion of Wetland 4 to be impacted, does not contain Bog Turtles, which are a threatened/endangered species.

- The subject property currently pays approximated \$143,000 for property taxes on undeveloped land. Without development, this annual tax would stay the same in perpetuity subject only to annual tax escalation.
- Property taxes for the subject property based on the proposed development would over the first fifteen years generate \$31,894,781 in property taxes under a Putnam County Industrial Development Agency (IDA) Payment in Lieu of Taxes (PILOT) program (which are not property taxes).
- If the PILOT payments ~~(which are not property taxes)~~ were distributed as property taxes are currently allocated, the regional school system would receive more than \$23,785,000 in additional ~~tax~~ revenue over the first fifteen years than would be paid in property taxes if the property were to remain undeveloped.
- Over the 15 years that the PILOT ~~(which are not property taxes)~~ is in place, total real estate taxes paid by the project would total \$31,894,781. With no PILOT in place and the property paying fully assessed real estate taxes, \$40,889,223 would be paid in real estate taxes. Therefore, the project would pay approximately 75% of what the project would have paid in fully assessed property taxes without a PILOT program. Consequently, even with the PILOT, the project would pay substantial real estate taxes during the first fifteen years.
- The proposed project would generate an estimated \$73,500,000 of annual economic output including 551 new on-site jobs during the anticipated day shift and 115 new indirect jobs. (Although a total of 1,040 jobs are projected over the 24-hour period, the 551 jobs on the anticipated day shift were used in the economic analysis (See Appendix 10-1) as a conservative number, but with water/septic demand and the traffic analysis taking into account all three shifts.) This economic output is anticipated to have a favorable and lasting impact on the local economy.
- No road salt would be stored on site. An outside contractor would clear snow after a storm and would comply with all pertinent NYCDEP regulations regarding any materials used for snowmelt and use the minimum amount necessary.

Commented [AKRF1]: This is confusing. Please refer to PILOT payments as "revenue." Or, as "revenue to local taxing jurisdictions."

Re-write example:
The first fifteen years of PILOT payments are anticipated to generate \$23,785,000 more in revenue for the Brewster School District than would be paid in property taxes if the site were to remain undeveloped.

Commented [AKRF2]: Delete "tax"

Commented [AKRF3]: Again – confusing to say "not a tax" and then refer to it as a tax.

- The building would operate 24/7/360, but the fact is that within the industry, the majority of commercial activity occurs during the traditional business day, and is reduced by approximately half during the second (evening) shift. During the third (night) shift, the activity is limited to in-building cleaning, maintenance, repair and restocking activity much like a grocery store prepares for the next business day. Based on truck counts at the Gap Distribution Center in Fishkill and at the Matrix Distribution Center in Newburgh, truck traffic is concentrated to the first shift, tapering into the second shift.
- The Town intends to require as conditions of Special Permit and Site Plan Approval that no trucks access the site between the hours of 11:00 PM to 6:00 AM Monday through Saturday, and on Sunday trucks would only be permitted to access the site between the hours of 10:00 AM to 5:00 PM.

The Applicant believes that these modifications that constitute the FEIS Preferred Alternative Plan are responsive to the substantive comments made during the public review period, and that, as a result, the project's potential significant adverse environmental impacts have been avoided or mitigated to the maximum extent practicable.

B. Land Use and Zoning

The Preferred Alternative would maintain the existing RC Zoning District boundary, and does not otherwise propose any zoning text or map changes (see Figure I-5). The Preferred Alternative would be located entirely within the Town's OP-3 District, where the proposed project is allowed by Special Permit. Figure I-2 compares the proposed buildings associated with the DEIS and the FEIS Preferred Alternative in plan view to illustrate the substantial plan modifications proposed by the Applicant in response to public, agency, and Planning Board comments.

The Preferred Alternative is consistent with the vision and goals of the Town's 2014 Comprehensive Plan Update (CPU) of balancing a healthy economic environment with

Commented [AKRF4]: Summarize in a table the building program changes (sf, disturbance, wetland disturbance, etc.) and relocate the more detailed technical discussions to the relevant technical section. Delete any redundant discussions.

The technical sections should focus on an analysis of the impact changes between the DEIS Plan and Preferred Alternative. It should also summarize new studies completed (i.e. natural resources, mounding, etc.)

quality commercial character while protecting the integrity of the Town's natural resources and infrastructure. (See CPU, at I-4.) The Preferred Alternative provides significant economic development for the Town in terms of direct, indirect, and induced jobs, as well as millions of dollars of direct, indirect and induced economic output during the construction phase and continuing annually during the operations phase.

The CPU also identifies this site as being within a potential commercial activity area. (See CPU, at Figure 7-1.) The CPU also recommends that this area is a "node of commercial activity" such that future potential development should be compatible with that vision. The Applicant submits that the proposed warehouse/distribution facility use, which preserves Route 312's rural character, meets this vision.

The proposed project protects the Town's natural resources, with approximately 85% of the Applicant's property remaining as open space pursuant to the Town Code, adherence to the Town's ridgeline protection measures, provision of a substantial natural buffer from roadways and residential properties, and other measures to protect the area's rural community character. The Applicant has proposed to place no-development area restrictions on approximately 172 acres of the overall 328 acre property (i.e., 65% of the property would remain undisturbed), including all of the property within the RC District (see Figure I-7). The no-development areas would prohibit any future building development in these locations.

The Town intends to require as conditions of Special Permit and Site Plan Approval that the Preferred Alternative facility shall not handle or store hazardous substances that are subject to regulation by the New York State Department of Environmental Conservation (NYSDEC) pursuant to 6 N.Y.C.R.R. Part 596. The NYSDEC is the State agency primarily responsible for the handling and storage of hazardous substances. The Preferred Alternative is not intended to handle or store hazardous materials in the magnitude or means subject to regulation by the NYSDEC. Rather, it would be handling and storing ordinary consumer goods that may contain trace elements of substances that are considered hazardous, such as nail polish, televisions, and computers.

No significant adverse land use or zoning impacts are anticipated to result from the Preferred Alternative Plan.

C. Traffic

Introduction

The Preferred Alternative would result in a significant reduction in the traffic projected to be generated by the project. The primary reason for the reduction in trips is less development. Mitigation measures for the project, including the widening of Route 312 to four lanes between Pugsley Road and the I-84 Eastbound intersection, as well as NYSDOT improvements currently under construction, would generally improve operations along Route 312 as compared to future No-Build conditions without the improvements.

Substantial Reduction in Project Traffic

As discussed in Section III.C.4 "Traffic", the Preferred Alternative's traffic reduction is apparent under any of the analytic paradigms used.

Background traffic is greatest at Rush Hour along Route 312 (7:30-8:30 AM and 5:00-6:00 PM) and project trip generation is greatest at Shift Change (typically at 7:00 AM and 3:00 PM), which is not during Rush Hour. For each timeframe, the traffic generated by the Preferred Alternative is less than the traffic generated by the larger project considered in the DEIS.

By way of example, during the peak weekday PM hour (Rush Hour) along Route 312, the trips generated by the Preferred Alternative project based on more recent ITE data would be reduced by approximately 183 trips, from 360 to 177, as compared to the project evaluated in the DEIS. During the weekday peak AM hour of the project generation (i.e., Shift Change), which would occur prior to the peak AM Rush Hour

along Route 312, the Preferred Alternative generated volumes are projected using 10th Edition ITE data to reduce by 313 trips, from 472 to 159, as compared to the DEIS project.

Moreover, when analyzed as requested by the Town, local trip generation from the GAP facility in Fishkill and the Matrix Facility in Newburgh as shown on Table 4-1S within Section III.C.4, indicate that the Preferred Alternative would generate substantially (up to 85%) less traffic than was set forth in the DEIS for the original project. During the peak weekday PM Rush Hour along Route 312, trips could be reduced by 336 trips, from 360 to 24. During the weekday peak AM hour of the project generation (i.e., Shift Change), which would occur prior to the peak AM Rush Hour along Route 312, the project generated volumes could be projected to be reduced by 355 trips, from 472 to 117.

The results of the analysis illustrated on Table 4-2S within Section III.C.4 show that the proposed project generates under five percent (5%) of the traffic at all intersections during the Rush Hour based on the averaging of all counts analyzed impacts, with the exception of Pugsley Road and Route 312. The percentage of project generated traffic is less at the other signalized intersections along Route 312, such as the Route 6 intersection, which is expected to have an increase of only 1.8% or less based on the average of the four project generated traffic scenarios. Again, the Shift Change would occur at times when the overall traffic volume is lower.

Truck traffic is a part of the total traffic counts provided for the proposed project. Using recent ITE data, the DEIS project could have generated approximately 510 trucks trips (255 trucks entering and exiting) per weekday business day. ITE data indicates that the Preferred Alternative analyzed in this FEIS would result in a 17% reduction of traffic to 424 truck trips (212 trucks entering and exiting) per weekday business day. Most truck trips would be arriving from and departing to I-84. Inbound trucks would access the project from I-84 at Route 312 and would make the right turn onto Pugsley Road along a new Route 312 lane proposed by the Applicant. Trucks leaving the facility would access

Route 312 via a traffic signal and proceed west on Route 312 to I-84 along the new 4 lane section of Route 312 with the proposed improvements. According to industry standards, the majority of truck trips are scheduled throughout the day and are not made during the peak Rush Hours along Route 312 or the facility's Shift Change.

The Town asked the applicant to research truck trip generation at the GAP facility in Fishkill and the Applicant also researched the Matrix Facility in Newburgh to assess the local truck trip generation projections. Using an average of the trips generated at these facilities and adjusting them to the comparable project size of the subject application, the experience at these facilities indicates that the Preferred Alternative would actually be projected to only generate 130 truck trips per day (or about 65 trucks entering/exiting each day), or less than a third of the trips projected based on the DEIS rates. Additionally, based on the local counts, approximately 60% of the trucks would be tractor trailers and 40% would be trailer cab or straight box trucks.

Mitigations Measures Would Improve Operations Along Route 312

Mitigation measures for the project, including the widening of Route 312 to four lanes between Pugsley Road and the I-84 Eastbound intersection, as well as NYSDOT improvements currently under construction, would generally improve operations along Route 312 as compared to future No-Build conditions without the improvements.

NYSDOT is currently constructing improvements to the three signalized intersections of Route 312 at the I-84 eastbound ramps/Independent Way, the I-84 westbound ramps and International Boulevard, which would coordinate the traffic signals to improve operating conditions in the area. NYSDOT also intends to provide a Route 312 westbound left turn lane into the park & ride lot, and partially extend the Route 312 eastbound two lane section to the vicinity of the Caremount driveway. These measures would also improve operating conditions in the area.

The applicant has proposed four primary improvements and mitigating measures to offset the impact of the proposed facility:

- 1) Widening Route 312: The first mitigation measure is to widen Route 312 from Pugsley Road to I-84 to provide four travel lanes. This improvement will add needed capacity to relieve current congestion and to facilitate movements for the facility to I-84.
- 2) Improved Traffic Signalization: The second improvement, together with the NYSDOT improvements currently under construction, is improved traffic signalization that responds better to existing conditions and facilitates better traffic movements.
- 3) Additional Turn Lanes: Third, the intersection of Pugsley Road and Route 312 would be substantially improved with additional turn lanes on Route 312 and Pugsley Road, as well as an additional thru lane along Route 312 eastbound, and possibly Route 312 westbound (subject to the NYSDOT preference of improvement alternatives). The proposed traffic signal at the intersection will typically 'rest' with the green ball indications permitting the Route 312 traffic to travel through the intersection without stopping, and will change to a red indication along Route 312 when there is traffic waiting to access from Pugsley Road.
- 4) In conjunction with the areas within the OP-3 Zone that the Applicant had previously signaled its willingness to subject to no-development restrictions, approximately 172 acres, or more than half of the Applicant's property, would be subject to non-development restrictions.

These mitigation measures will add needed capacity and traffic management to better serve traffic conditions and integrate new traffic generated by the proposed facility into the traffic flow as seamlessly as possible while limiting further traffic generation by the property.

To prevent truck traffic from traveling to or leaving the site through Patterson, truck access to Fields Corner Road would be restricted. The Applicant would abide by the Town's preferred means for implementing this restriction. As currently preferred by the Town, the site plans propose two height restriction bars and two turnaround areas along Fields Corner Road within the Town of Southeast. Signs would be installed to prohibit commercial vehicles and enforced with a camera to record violations and violators. As currently is the case, Fields Corner Road would remain closed and not maintained to the north of the project during winter months.

The current intersection of Route 6 and Route 312 is scheduled to be improved with the Crossroads 312 project to provide dual left turns with a shared thru movement along Route 6 eastbound. Peak hour delays currently experienced at this intersection are existing movements to and from the Carmel area. The Proposed Project would have a limited impact on traffic operations at this location.

The DEIS included an ancillary retail component, comprising up to two percent of the building s.f. In response to traffic concerns expressed by the Town, the Applicant is no longer proposing the ancillary retail component as part of the Proposed Project, which also contributes to a 17% or more reduction in the projected project generated traffic.

At the I-84 bridge, it is projected that there would be more than sufficient capacity to accommodate the projected volumes, including traffic volumes from the Proposed Project and the Crossroads 312 project.

The Applicant is willing to donate nearly 4 acres to the County for use by Tilly Foster. If desired, the County could provide a second access to the Tilly Foster property and utilize the proposed traffic signal at the Route 312/Pugsley Road intersection.

A series of land exchanges are proposed to enable the modification of the right-of-way necessary for improvements to Pugsley Road and Route 312 (Drawing PE-1 in Appendix

Volume 4.A, Part M). The Town would abandon the Barrett Road right-of-way to the Applicant, as discussed in Response 4-140, to enable the project to be moved 600 feet farther away from Twin Brook Manor than the DEIS Plan in response to public comments (for a total distance from Twin Brook Manor of approximately 1,210 feet).

The Town would require a Traffic Monitoring Plan (TMP) to be completed by the Applicant and submitted to the Town Planning Board within 6 months of the occupancy of the first of the two buildings completed, and within 6 months of the full development and occupancy of the Proposed Project. The final details of the TMP would be included in the Statement of Findings. The Applicant would work with the Town to correct operations if necessary in the unanticipated event that actual operations discussed below differ from the Proposed Project Conditions of Approval specified in the Site Plan Approval Resolution. The currently anticipated TMP will consist of the items listed below. Items 1-5 would be included in the Applicant's tenant leases.

1. Confirm there are no truck deliveries between 11:00 PM and 6:00 AM.
2. Confirm that trucks parking on the site is only within the designated truck loading and trailer parking spaces shown on the project site plan approval drawings.
3. Confirm there is no manned overnight layover of trucks.
4. Confirm trucks are not idling on-site in excess of State guidelines and/or local regulations.
5. Fields Corner Road would remain a seasonal road that is closed north of the current Barrett Road intersection during the winter. The Applicant would install height clearance bars as currently desired by the Town of Southeast. If desired by the Town, the Applicant would install video cameras to monitor truck traffic along Fields Corner Road, as well as signs indicating the

prohibition of commercial trucks and the progressive fines currently established by the Town for restricted road use violations. The Applicant would record the video information on a 24 hour loop and the video monitoring would be provided to the Town and/or the Putnam County Sheriff's Department if requested to determine whether tickets should be issued.

6. Confirm project generated traffic volumes do not exceed the volumes analyzed in the FEIS as the Sensitivity Analysis scenario during the Peak Weekday AM (7:30-8:30 AM) and PM (5:00-6:00 PM) Hours along the area roadways (Route 312) and the Peak Saturday Midday Hour (12:15-1:15 PM). If the project generated volumes exceed the Sensitivity Analysis volumes during the peak roadway hours, the Applicant will coordinate with its tenants to adjust work shift hours. The volume thresholds are 364 trips on a weekday from 7:30-8:30 AM, 426 trips on a weekday from 5:00-6:00 PM and 121 trips on Saturday from 12:15-1:15 PM.
7. Record travel speeds along Pugsley Road for 24 hours with automatic traffic recorders (ATR) to determine the average and 85th percentile travel speed. Based on the results of the study, the roadway posted speed limit could potentially be reduced to 25 MPH if determined to be appropriate by the Town and/or the Applicant could be required to install radar speed signs on Pugsley Road.

Commented [AKRF5]: See Project description edits and carry clarifications forward as applicable. See also AKRF 12/5/19 traffic memorandum and update as necessary.

D. Visual Resources

In response to public comments and feedback from Town officials, the Preferred Alternative Plan has been significantly reduced in size as compared to the DEIS Plan. This substantially reduces the projects already limited visual impacts when compared to the DEIS Plan. The four proposed buildings in the DEIS Plan have been consolidated into two buildings and reduced in size by approximately 17% under the Preferred Alternative Plan. The Preferred Alternative Plan now proposes a total of 933,100 sf, while the DEIS Plan

proposed a total of 1,124,575 sf of building area. As shown on Figures I-3, the Preferred Alternative Plan provides substantial additional buffering distances as compared to the DEIS Plan from both Route 312 and the Twin Brook Manor development.

The project would be farther set back from Route 312 under the Preferred Alternative Plan than the DEIS Plan because, unlike the DEIS Plan, the Preferred Alternative Plan would not locate any buildings in the RC District. As a result, the distance to the proposed Building A, which is the closest of the two buildings in the Preferred Alternative Plan to Route 312, would be increased substantially to approximately 2,150 feet, versus a distance of 965 feet to Building I in the DEIS Plan. Intervening topography and vegetation would contribute to Building A not being visible from Route 312. Moreover, Route 312 is at an elevation of 550 feet at its nearest point, while Building A would have a finished floor elevation of 649 feet. As a result, Building A would be substantially below and behind the upper portion of the ridgeline that is located between Building A and Route 312 and has a top elevation of 672 feet. As such, distance, topography, and dense existing vegetation would completely obscure the visibility of Building A from Route 312 and preserve the rural character of this area.

The Preferred Alternative Plan also doubles the distance between the project and Twin Brook Manor, meaning that the Hunters Glen and Twin Brook Manor communities would both be approximately a quarter-mile from the project. As requested by the Planning Board, with the consolidation of Buildings 3 and 4 into Building B, the nearest building to the Twin Brook Manor residences, would be approximately 1,210 feet distant, as opposed to approximately 600 feet for Building 4 in the DEIS Plan. Moreover, as the result of the consolidation of Buildings 3 and 4 into Building B, many existing mature trees within the ridgeline would be preserved. In addition, an approximately 12-foot high berm is proposed on the site to further visually block Building B and act as a noise barrier for Twin Brook Manor. The distance from the nearest project building (Building B) to the Hunter's Glen residences is approximately 1,415 feet, or just over a quarter mile.

Furthermore, in response to comments from the residents of Hunters Glen and Twin

Brook Manor, the site lighting has been redesigned so that no general illumination wall pack lighting would be attached to the western and northern portions of Building B facing the developments. In addition, the parking lot light poles would be reduced from 30 feet to 20 feet high. The lighting would be fully shielded, such that there would be no light spillage off the property towards Hunters Glen or Twin Brook Manor. The proposed lighting would also be dark sky compliant.

As described in the DEIS, the colors of the buildings would also minimize the visibility of the buildings by blending them into the surroundings. The buildings would be predominately medium to dark green as well as grey colors. The green colors would be similar to natural green colors of vegetation. No bright colors are proposed. Preliminary building elevations showing the building colors and design are provided in Figure II.B-3. All colors would be subject to review and recommendation by the Town's Architectural Review Board.

The proposed project would not be visible from the vast majority of units within Hunters Glen during the leaf-on (summer) and leaf-off (winter) conditions. The proposed project would also not be visible from the units within Twin Brook Manor during the leaf-on condition, however, there may be some minimal visibility from the units nearest to the project site during the leaf-off condition. Any visual impacts would be minimized by the preservation of substantial areas of existing mature trees and habitat, construction of a proposed 12-foot high berm, as well as additional proposed evergreen landscaping planted in the "gaps" where the buildings may be visible from the developments. In response to comments, additional evergreens are proposed to be planted on the properties of Hunters Glen and Twin Brook Manor, subject to the approval of the boards of Hunters Glen and Twin Brook Manor respectively, and in coordination with the Planning Board or its designee to further buffer the buildings from residents. A total of up to 50 trees (cumulative total of both developments) would be planted by the Applicant to mitigate the potential visual impact.

The project would also be generally imperceptible from most other locations in the Town. Additional visual analyses have been prepared as requested. The analyses are based on a synthesis of photos taken at various locations with the same computer modeling utilized in the DEIS, as updated to reflect the reduced Preferred Alternative Plan. The computer simulations utilize existing and proposed topographic information as well as Light Detection and Ranging (lidar) data to accurately reflect the relationships between the various viewpoints and the proposed Buildings, including where existing grades that will remain will result in the Buildings not being visible and/or if vegetation will minimize the visibility. These additional analyses confirm that the project will not be visible from most off-site locations.

Nelson Boulevard & Drewville Road

In the first instance, the Nelson Boulevard/Drewville Road intersection is more than two miles from the closest proposed Building, which in itself would minimize the project's visual impacts from this location. Moreover, potential views from along Nelson Boulevard were analyzed, and this analysis shows that the Preferred Alternative Project would not be visible along this Road, including because a variety of evergreen trees and other vegetation lines the majority of the roadway. Much of Drewville Road also has trees and other vegetation adjacent to the roadway which obscure views of the project. The analysis shows that the project would be visible from the intersection of the two roadways. As shown in Figure II.D-1 and II.D-2, portions of the southern sides of Building B would be visible when the project is completed. A combination of evergreen and deciduous trees would be planted along the southern side of Building B to minimize its off-site visibility.

NYS Route 6 as it crosses over the Middle Branch Reservoir

As shown in Figure II.D-3, the proposed buildings would not be visible from Route 6 based on the leaves on condition. The outlines of the proposed buildings have been superimposed on the photograph to depict the locations of the buildings. During the winter leaves off condition, existing tree branches are expected to screen the potential visibility of the buildings, as shown in Figure II.D-4.

Hunters Glen and Twin Brook Manor

The Applicant has made a substantial effort to evaluate potential views from the Hunters Glen and Twin Brook Manor developments. Figures II.D-5 and II.D-6 are photos taken by a drone flown on July 2018 at the center (west side) and southwest corner, respectively, at the height of the top of the proposed Building B and facing towards the Hunters Glen development. The drone photos reflect the variations in topography as well as the mature trees and other vegetation which would minimize the visibility of the proposed buildings. The photos demonstrate that the large majority of Hunters Glen units could not be seen and relatively few windows would be visible from the uppermost points of the proposed buildings. The drone photos also confirm that Twin Brook Manor would not be visible (see Figure II.D-6B).

Ground photos were also taken within the Hunters Glen and Twin Brook Manor developments. The proposed buildings would not be visible with the leaves on condition from the vast majority of units within Hunters Glen. Figures II.D-7 through II.D-10 show the view from the entrance to the Hunters Glen development, as well as from the closest units, which are more than 1,400 feet from the proposed buildings, with the proposed building perimeters superimposed for illustrative purposes on the photos. During the winter leaves off condition, there may be limited views, yet existing tree branches would minimize the potential visibility of the buildings. As shown on Figures II.D-11 and II.D-12, the proposed buildings are not expected to be visible from Twin Brook Manor at any time of year.

In an effort to provide assurance to the residents of both the Hunters Glen and Twin Brook Manor, as well as to the Town, of the Applicant's commitment to minimize any visibility of the proposed buildings, the Applicant is willing to place funds in escrow for the planting of up to 50 evergreen trees (total) to be planted if desired within Hunters Glen and Twin Brook Manor. The locations of trees to be planted could be determined by a consensus of the Town planning consultant and the presidents of the Homeowners Associations of those communities. The Town planning consultant could evaluate

whether the installation of up to 50 total trees should be divided proportionately based on the number of units at each development, or based on other criteria as may be desired. It is recommended that the escrow be funded for up to one year subsequent to the completion of Building B.

Tilly Foster Farm

Figures II.D-13 through II.D-16 show that the proposed buildings are not expected to be visible from Route 312 at Tilly Foster Farm or from within Tilly Foster Farm during either the leaves on and leaves off conditions due to topographical differences and the preservation of mature trees within the site adjacent to the Tilly Foster Farm property, and the relocation of the closest building to Tilly Foster Farm (Building A), approximately 1,200 feet farther away from Tilly Foster Farm.

Maple Road

Figures II.D-17 and Figures II.D-18 figures show that the project would be minimally if at all visible. Existing vegetation along much of Maple Road further minimizes the views of the proposed development.

E. Surface Water and Wetlands

Surface Waters

A Final Stormwater Pollution Prevention Plan (SWPPP) is being finalized for the proposed project as a result of comments from the NYCDEP, the Watershed Inspector General, the NYSDEC, and updated soil testing results. The proposed project would add no additional phosphorus to the Middle Branch Reservoir, and otherwise responds to all the comments received.

In addition, the total impervious area of the FEIS Plan is 48.4 acres, a reduction of 8.8 acres from the DEIS Plan, which had an impervious area of 57.2 acres.

The proposed stormwater facilities have been designed such that the quantity and quality of stormwater runoff during and after construction are not adversely altered or are enhanced when compared to pre-development conditions. The proposed stormwater improvements would result in reductions in peak rates of runoff from existing conditions for all storms and design points analyzed, resulting in no impacts to off-site properties. All water quality practices, including the enhanced phosphorus removal required because the project is within the NYCDEP watershed, exceed the requirements of the stormwater management practices criteria as outlined in Chapter 6 of the NYS Stormwater Management Design Manual.

The combination of stormwater infiltration basins in series with wet detention basins (micropool extended detention basins or pocket ponds) and micropool detention basins in series with pond/wetland systems, the utilization of hydrodynamic separators for pretreatment prior to being discharged into stormwater management areas, cisterns, open channels, bioretention areas and level-spreader discharges provide redundancies to enhance water quality and mitigate stormwater runoff rates from the development areas. The vegetated swales and other overland conveyances of stormwater runoff would result in additional infiltration for runoff reduction and water quality that is not considered in the SWPPP's hydrologic model, resulting in a conservative analysis. The stormwater management design is proven to accommodate the revised FEIS Plan design.

An Erosion and Sediment Control Management Program would be implemented for the proposed development, beginning at the start of construction and continuing throughout its course, as outlined in the "New York State Standards and Specifications for Erosion and Sediment Control," dated November 2016. A continuing maintenance program would be implemented for the control of sediment transport and erosion control after construction and throughout the useful life of the project.

The Applicant is to have a qualified professional conduct an assessment of the site prior to the commencement of construction and certify that the appropriate erosion

and sediment controls, as shown on the Erosion & Sediment Control Plans, have been adequately installed to ensure overall preparedness of the site for the commencement of construction. In addition, the Applicant would have a qualified professional conduct one site inspection at least every seven calendar days and at least two site inspections every seven calendar days when greater than five acres of soil is disturbed at any one time.

Wetlands

Wetland and adjacent area impacts would be avoided to the maximum extent practicable in the design of the proposed project, and the project's minimal impacts would be mitigated.

As described in the DEIS, a total of six wetland systems are found on the subject property. Two of these wetlands, described as Wetland 1 and Wetland 3, are locally regulated by the Town of Southeast, while the remaining wetlands are regulated by both the Town of Southeast and the NYSDEC, both of which have regulated adjacent areas. The remaining wetland systems on the property consist of portions of NYSDEC Freshwater Wetlands LC-18 (Class I wetland) and LC-28 (Class II wetland). All the wetlands on the property are also regulated by the US Army Corps of Engineers (ACOE), which does not regulate an adjacent area.

Minor permanent encroachments (0.05 acres) into the wetland would occur only at the existing on-site road crossing (improvements at the Barrett Road wetland crossing between Wetlands 4 and 5); otherwise only minor encroachments into the adjacent areas are proposed, with 2.08 acres of disturbance to NYSDEC wetland buffers (which are also regulated by the Town), and 5.23 acres of disturbance to Town-only regulated wetland buffers. In addition, as part of the road improvements, the existing 18" culvert under Barrett Road will be replaced with a 48" open-bottom arch culvert to facilitate wildlife passage within the central wetland corridor.

The DEC Adjacent Area (AA) and Town wetland buffer impacts have decreased from those impacts depicted in the DEIS. No new structures are proposed within the DEC AA; impacts are due to grading from proposed structures and from improvements to road crossings only. DEC AA impacts decreased from 2.44 to 2.08 acres and Town AA impacts decreased from 5.37 to 5.23 acres.

These decreases in impacts from the DEIS calculations are a result of proposed improvements to the overall site layout. The area proposed for wetland mitigation (restoration and habitat enhancement), and buffer restoration within the immediate area of the wetland, totals 1.54 acres. This is compensation for the proposed 0.05 acres of wetland impact. Also, upland habitat planting/restoration is proposed outside of the actual wetland buffers, but in close proximity to the wetland corridors, totaling approximately 13 acres. Once the restoration is completed, the wetland would be a more diverse and robust habitat for wetland dependent wildlife species that use the central wetland corridor of the site. Over-seeding /reseeding and use of live plugs will be done as needed to ensure establishment of the meadow grasses. A comprehensive plan would also be employed to ensure that seed mixes will take where they are used, including plowing for over a year to eliminate any existing invasive seed banks in the soil, followed by bioamendment (i.e., using a soil amendment that has organics and tackifiers to ensure that the seeds stick to the surface). The wetland and upland restoration areas are to be monitored for a period of five (5) years from the date of completion of the initial planting, which is to be noted in the initial compliance report. During the 5-year monitoring period, the Environmental Monitor is to inspect the restoration planting areas quarterly during the first two years, and yearly in the subsequent 3 years. The yearly inspections are to be conducted during the growing season, between the dates of June 15 and October 1.

F. Geology, Soils and Topography

The Preferred Alternative Plan's reduction of the project from four (4) buildings to (2) buildings, and from 1,124,575 square feet (s.f.) in the DEIS Plan to 933,100 s.f., constitutes

an approximately 17% reduction (of 191,475 s.f.) in the project size, which would further minimize the project's ridgeline impacts. The ridgeline associated with the southernmost buildings (Buildings 1 and 2 in the DEIS and Building A in the FEIS) has 40% less disturbance and 75% fewer trees removed under the Preferred Alternative Plan (Figure II.B-1). The impacts to the northerly ridgeline have also been reduced (9% less disturbance and 3% fewer trees removed) under the Preferred Alternative Plan (Figure II.B-2).

The FEIS Preferred Alternative Plan reduces disturbance to steep slopes to 18.8 acres from 22.5 acres for the DEIS plan.

The limitations of the predominant soils onsite, the Paxton and Woodbridge soils, due to slope and/or wetness due to slow permeability of subsoil, would be mitigated by utilizing a skimmer dewatering device in the proposed temporary sediment basins. The skimmer conveys the least sediment laden water from the surface of the basin to the basin's outlet. This allows for the sediment in the water to stay settled at the bottom of the temporary sediment basin, which would handle sediment in runoff from the site's Paxton/Woodbridge soils.

In addition, an Erosion and Sediment Control Management Program would be implemented for the proposed development, beginning at the start of construction and continuing throughout its course, avoiding any potential adverse impacts to soils. The intent of the grading design of the site is to balance the earthwork, such that no excess material would need to be exported off of the site, and no material would need to be brought into the site as fill. The current grading design results in an approximate balance with 622,000 cubic yards of cut and the same quantity of fill, for a net site balance. The site is large, and should it be necessary any excess amount of excavated material would be utilized as berm material within the limit of disturbance.

As a result, no significant impacts to soils are anticipated for the Preferred Alternative Plan. In addition, the topography of the site would be developed in accordance with the Town Code, resulting in no significant adverse impacts. Also, the Preferred Alternative

would have little to no impact to geological resources due to the relatively deep depth to bedrock as determined by the geotechnical investigations, and any impacts would be fully mitigated.

G. Groundwater

The Preferred Alternative Plan does not affect the conclusions presented in the DEIS that no significant adverse impacts to the bedrock aquifer or watershed are anticipated from the planned groundwater withdrawal for the project.

The data indicate that the available groundwater recharge from precipitation under both normal and drought conditions is expected to recharge at a rate greater than the project's water demand. Infiltration and recharge of a portion of the water withdrawn back into the groundwater system through the use of an onsite septic system would also reduce the consumptive water withdrawal of the project, further reducing the potential for cumulative aquifer impacts. Therefore, the project is not anticipated to place any demands on adjacent or nearby groundwater resources. Two of the site's on-site wells would be utilized for the non-transient, non-community water supply for the site.

Testing in connection with the Campus residential project indicated that there is no direct hydraulic interconnection between the Commercial Campus at Fields Corner wells and the Hunters Glen, Twin Brooks and Tilly Foster Farm wells. During the 1992 pumping test program, water levels were measured in eight offsite wells and five onsite monitoring wells to assess the potential for water-level drawdown in other wells near the project site. Included in the offsite wells that were measured were wells at Hunters Glen, Twin Brook, and Tilly Foster Farm (called Benedict Farm in the 1992 report). During the 1992 pumping test with the onsite wells pumping at a combined 288 gpm, no drawdown was measured in these three offsite well locations, which indicates there is no direct hydraulic interconnection between the Commercial Campus at Fields Corner wells and the Hunters Glen, Twin Brooks and Tilly Foster Farm wells measured. Even beyond the lack of hydraulic connection to wells for Hunters Glen, Twin Brook, and Tilly Foster Farm, the

substantially reduced daily water usage of the project indicates that no drawdown effects or changes in water quality in these wells are anticipated from pumping onsite wells OW-3 or NW-4 at 8.7 gpm to meet the current project's potable water requirements. This water demand is less than 4% of what was pumped during the 1992 well tests.

Therefore, no mitigation measures in regard to the planned groundwater withdrawal are warranted.

Hydrodynamic water quality separators would be used to separate any oil accumulated from the parking lots and driveways that may source from small leaks in engines and potential larger spills, prior to flowing to any other stormwater management practice. The separators can store various volumes of oil depending upon the amount of runoff they are designed to treat, and the separators used on the project site would be appropriately sized for the areas that they would be associated with. For example, the hydrodynamic separators in the project's stormwater design range from an oil storage capacity of 210 gallons (which would only be proposed in landbanked parking lot areas where the large trucks would never travel). The next largest sizes used would store 263, 520, 568, 965, 1,172 and 1,309 gallons of oil. The separators would be regularly maintained, and the accumulated oil would be disposed of at a licensed processing facility.

For the foregoing reasons, the project would not adversely impact offsite wells or the watershed.

H. Vegetation and Wildlife

To better define and describe the on-site habitats for amphibians and reptiles, the Mid-Atlantic Center for Herpetology and Conservation (MACHAC) was retained to provide an opinion regarding the suitability of the proposed site for rare amphibian and reptile inhabitation (*i.e.*, a habitat assessment) (Appendix 9-2). To be conservative, the Habitat Assessment assessed the entire approximately 328 acre property owned by the Applicant, even though the project only involves erecting buildings on the 229 acres that

the Applicant owns in the OP-3 District, with some accessory utility work on the proposed Lot 1 in the RC District, and that, in addition, approximately 172 acres of the site would remain protected by a no-development restriction, which would prohibit future building development.

It is important to note that habitat assessments determine the *potential* suitability of habitats within a study area, *not the actual presence or inferred absence* of species within those potential habitats.

A follow-up herpetofauna survey was undertaken by MACHAC personnel during the spring and summer of 2019 (Appendix 9-4). The purpose of this survey was to determine the actual presence or inferred absence of species within the potential habitats identified on the site in the habitat assessment.

In addition, mitigation measures would be implemented to restore and enhance both wetlands and uplands on the site. A Wetland Mitigation/Habitat Restoration Report has been prepared to detail the mitigation for the proposed project (Appendix 9-1), as well as a Proposed Monitoring and Maintenance of Wetland and Wetland Buffer Mitigation/Restoration Plantings Report (Appendix 6-2).

The area proposed for wetland mitigation (restoration and habitat enhancement), and buffer restoration within the immediate area of the northern portion of the wetland to be impacted (Wetland 4), totals 1.54 acres. This is compensation for the proposed 0.05 acres of wetland impact associated with the Barrett Road improvement within the northern portion of the wetland. The herpetofauna survey undertaken by MACHAC confirmed that the central wetland corridor, which includes the northern portion of Wetland 4 to be impacted, does not contain Bog Turtles, which are a threatened/endangered species. Once the restoration is completed, the wetland would be a more diverse and robust habitat for wetland dependent wildlife species that use the central wetland corridor of the site.

Also, upland habitat planting/restoration is proposed outside of the actual wetland buffers, but in close proximity to the wetland corridors, totaling approximately 13 acres. This is in addition to the replanting and restoration of 1.54 acres of wetland and wetland buffer, to mitigate for the 8.45 acres of wetland buffer that is proposed to be impacted by the proposed project. The planting/restoration mitigation plan would include re-establishing upland meadows by controlling invasive species and planting native herbaceous species, grasses, and forbs to provide improved habitat for a variety of animals that may currently be found on the site. Flowering species would be provided in the proposed seed mixes to benefit pollinators. In all cases, the mitigation, habitat restoration, and protective measures have been designed to protect all of the listed species, whether or not they actually are found on the site.

In addition, the Applicant would abide by the extended tree-cutting prohibition period to ensure that there is no incidental harm to any bats using the site during the active period (April 1 to October 31). This restriction also protects breeding birds which may be using the site.

I. Tax Analysis

~~The tax analysis section encompasses questions on~~ This section estimates the potential tax revenues, economic impact, job creation, and general economic health of the community with the completion of the Preferred Alternative Plan.

~~The FEIS shows that the project would have significant beneficial tax benefits~~ It is estimated that the Preferred Alternative Plan would generate the following economic benefits:-

- The Applicant currently pays approximately \$143,000 per year in property taxes on the subject property as undeveloped land. Without development, this annual tax would stay the same, subject only to annual tax escalation.
- A local real estate appraiser specializing in tax issues (Kevin M. Schick of McGrath & Company Inc.) has independently estimated that property taxes for the subject property developed with the Preferred Alternative Plan and with a Putnam County

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Re-frame this section with fewer bullets and more organized paragraphs.

IDA PILOT (which are not property taxes), would generate \$29,233,271 more in property taxes over the first fifteen (15) years than would be paid if the property were to remain undeveloped.

- The Brewster Central School District would receive ~~more than~~approximately \$23,785,000 ~~more in additional cumulative revenue taxes~~ over the first fifteen years under a PILOT ~~(which are not property taxes)~~ than would be paid ~~in property taxes~~ if the property were to remain undeveloped.
- Over the 15 years that the PILOT is in place (which are not property taxes), total real estate taxes paid by the project would total \$31,894,781.
- With no PILOT in place and the property paying fully assessed real estate taxes, \$40,889,223 would be paid in real estate taxes. Therefore, the project would pay approximately 75% of what the project would have paid in fully assessed property taxes without a PILOT program (which are not property taxes).
- Thus, even with the PILOT (which are not property taxes), the project would pay substantial real estate taxes during the first fifteen years.
- The Applicant is not applying for a PILOT at this time as the Putnam County IDA requires an occupant generating jobs to be identified before considering a PILOT for a Property. The PILOT calculation is included to (1) demonstrate total revenue from a PILOT program (which are not property taxes) in anticipation that one will be sought and (2) make a realistic and conservative estimate of property taxes generated from the proposed project.
- The Town of Southeast has a relatively high “effective tax rate” (i.e., the percentage of a property’s market value that is paid in real estate taxes annually) at 3.65%. By comparison, communities within Orange County, which are 40 miles west on I-84, have an effective tax rate in the mid to low 2% range. This suggests that a home valued at \$350,000 in Southeast would pay \$12,775 in annual property taxes, while a comparably priced home in Orange County would pay \$8,750 in annual property taxes. Much of this difference can be attributed to the presence of commercial development in Orange County along I-84 versus the absence of commercial development in Southeast. The proposed project could help to lower the effective tax rate for all property owners in Southeast. The FEIS also shows that the project would

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create quality jobs, which would be consistent with the local workforce skills and salary requirements:

- As noted in the introduction to this section, similar businesses to the proposed project showed median annual earnings in the low \$50,000 range. Additionally, the anticipated new jobs would include a wide range of employee benefits.
- Forty percent (40%) of the Southeast workforce earn salaries in the \$20,000-\$50,000 range.
- Only 10% of residents live and work in Town. The 551 plus new jobs created for the largest shift by the proposed development would offer many residents comparable work in Town, lowering the 36 minute average commute time.
- Many warehouse/distribution facility jobs are semi-skilled and do not require higher education. Fifty-two percent (52%) of Southeast residents are high school graduates without a college degree.
- According to US News & World Report, careers in warehouse/distribution facilities are a top twenty business opportunity. As technology enters the warehouse/distribution facility industry, the skill level and associated salary levels will increase and may necessitate jobs that require a college degree.
- ~~The FEIS also shows that the project would have a significantly beneficial economic impact, both to local businesses and the community at large.~~
- The IMPLAN study for the Preferred Alternative Plan (Appendix 10-1) projects that the proposed project would result in an annual economic output of \$73,500,000. Of this \$73,500,000, approximately \$19,000,000 are direct salaries to on-site employees.
- The study further indicates that the proposed project would create nearly \$4,000,000 in additional indirect salaries annually and over \$3,000,000 in local business salaries for businesses servicing the proposed project.
- The study also indicates that the induced economic output (i.e., services provided by local businesses) from the proposed project totals \$13,545,000 annually.
- New jobs and new opportunities for local businesses are the primary economic benefits for the Southeast business community.

Direct, indirect, induced, and total economic impacts are defined below:

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Direct Impacts: Direct impacts represent the initial change in the industry in question (in the industry itself). For example, the direct impacts include the number of people employed by various tenants within the proposed warehouse/distribution facility.

Indirect Impacts: Indirect impacts are changes in inter-industry transactions when supplying industries respond to increased demands from the directly affected industries. Essentially, indirect impacts measure the impacts of enterprises that conduct business with the industry in question. For example, the indirect impacts for the proposed warehouse/distribution facility would include additional jobs created at other warehouse/distribution establishments that move goods to and from the proposed facility.

Induced Impacts: Induced impacts reflect changes in local spending that result from income changes in the directly and indirectly affected industry sectors. These are impacts resulting from expenditures from wages earned by workers associated with the industry directly or indirectly. In this example, induced impacts would include additional spending at local businesses from households directly employed by the warehouse/distribution facility (i.e., wage expenditures).

Total Impacts: Total impacts represent a combined total of the direct, indirect and induced impacts.

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~~The FEIS also shows that the project would not adversely impact property values, including to the most proximate condominium communities.~~

- ~~• The median home value in Southeast is \$341,500 and the median rental rate is \$1,264/mo. This is comparable to Putnam County medians (median home value of \$354,800 and median rental rate of \$1,307/mo.).~~
- ~~• In nearby Fishkill, Toll Brothers built condominiums near the existing Gap warehouse/distribution facility, a facility that is 1.5 times larger than the proposed project. The presence of this highly visible distribution facility did not deter Toll Brothers or individual home buyers from investing in the condos.~~

- ~~Both Twin Brook and Hunters Glen are more isolated from the proposed project, due to independent access, elevation, vegetation and visibility from the proposed project, than the Fishkill condominiums. Visitors and residents of Twin Brook and Hunters Glen would not pass directly in front of the proposed project, whereas residents and visitors of the Fishkill condominiums must pass directly by a highly visible distribution complex to return home.~~
- ~~While the Fishkill Condominium units are larger than units in Twin Brook or Hunters Glen and thus sold at higher numbers, the local real estate appraiser specializing in tax certiorari appraisal (Kevin M. Schick) has checked sales records over the past several years and learned that the Fishkill condominiums, Twin Brook, and Hunters Glen are all increasing in value.~~

An overall discussion of a Payment in Lieu of Taxes (PILOT) program is discussed in Section III.C.10 "Taxes".

J. Community Services

No significant changes have been made to community services from the DEIS, other than the increased property taxes described immediately above. Discussions with Chief DeSantis of the Brewster Fire Department confirm that the Department would not need special equipment to handle an emergency at the project and that access to the site and fire truck circulation and turning movements around the buildings are acceptable. Chief DeSantis indicated at a September 2019 meeting with the Applicant that the proposed two lanes in each direction on NY 312 between Pugsley Road and Independent Way would improve emergency vehicle access. The Chief also noted that he appreciated that the developer would permit the Fire Department to utilize the project's proposed water system hydrants to fill their pumper trucks if there is a fire in the vicinity of the project.

The project is not anticipated to place significant additional demands on emergency services. According to the U.S. Bureau of Labor Statistics for the year 2016, the rate of workplace injuries and illnesses was 5.0% of all workers in the Warehousing and Storage

subsector. An injury or illness is considered to be work-related if an event or exposure in the work environment either caused or contributed to the resulting condition or significantly aggravated a pre-existing condition.

For the proposed facility with a total of 1,040 employees over three shifts, and 5.0% annual workplace injury or illness, yields a total of 52 workplace injuries annually. Not all of these occurrences would likely require a 911 call, but even if, to be conservative, it is assumed that they all did, 52 EMS calls would be made annually, or approximately 4-5 per month. According to the Brewster Fire Department website¹, 2,585 incidents were responded to through the 12-month period from October 2018 to September 2019. That is an average of 215 calls per month. The addition of 4-5 potential calls a month from the proposed project would only represent an approximately 2% increase in 911 calls. Again, however, the number of EMT calls actually generated by the project is likely to be lower.

The nature of the anticipated use (storage of goods) makes it incumbent upon any tenant to ensure that the facility is protected by security personnel and state of the art security systems. This may include Loss Prevention Associates, who can enforce a tenant's policies and procedures, as well as automated Trailer Control Centers (TCS), which have a camera that is monitored from inside the facility. Tenets/users may elect to provide additional security based on their unique operations which may include alarms, exterior staffed security, etc.

As discussed in detail in the Tax Analysis chapter, even with a Payment in Lieu of Taxes (PILOT) agreement (which are not property taxes), the Applicant would still be paying substantial taxes, which would offset its limited impacts to the community.

No significant adverse community services impacts are anticipated to result from the Proposed Alternative Plan.

¹ At <http://www.brewsterfiredepartment.org/>

K. Utilities

Each building under the Preferred Alternative Plan would include a specialized sprinkler system, which is specifically designed for high piled storage occupancies, and which would substantially reduce the amount of water needed in the event of a fire in any building. This sprinkler system, Early Suppression Fast Response (ESFR) sprinklers, is state-of-the-art and is widely used for warehouse/distribution facilities because they are quick responding, high volume systems that provide exceptional protection for high piled storage occupancies.

Instead of merely controlling a fire until the original fuel source is depleted, ESFR systems are designed to suppress the fire by discharging a large volume of water directly to the fire to reduce the heat release rate. These systems, installed at the ceiling, use large volumes of water delivering large water droplets at a high velocity to knock down the fire plume and provide enhanced protection.

The design intent of having the on-site water storage tank and the automatic sprinkler system is to suppress any fire in the time it takes the fire department to arrive and provide supplemental water for the fire department to use to control and put out the fire. The storage tank must be sized to provide enough water for the duration (hours) as specified in NFPA, which establishes a proper design basis for water storage and distribution. The site's proposed water tank is sized to NFPA standards to protect "Extra Hazard" materials storage such as for the protection of rubber tires up to 30 feet as well as Group A plastics as defined by NFPA 13.

As in the DEIS, gas and electric service would be provided to the site. According to New York State Electric and Gas (NYSEG), new overhead electrical utility distribution lines may be required to bring power from Route 312 to Pugsley Road and the site. The Hunters Glen and Twin Brook Manor grids would therefore not be connected to the proposed warehouse/distribution facility.

In addition, according to NYSEG, currently there is not a gas main in Pugsley Road. A gas main extension is therefore required to serve the site.

In summary, no significant adverse utility impacts are anticipated to result from the Proposed Alternative Plan.

L. Cultural Resources

As discussed in the DEIS, the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) provided a letter of No Effect, confirming that the proposed project would have no effect on historic/cultural resources.

M. Noise

The Preferred Alternative would meet and surpass all required noise restrictions enacted at the local, state and federal levels.

The DEIS Plan met or surpassed all relevant noise restrictions, as verified by an expert acoustic consultant. In preparing this FEIS, the Applicant engaged the same acoustic consultant to verify that the Preferred Alternative Plan also meets or exceeds all applicable noise restrictions. The intent of the Applicant is to assure the Town and local residents that the Preferred Alternative Plan recognizes the sensitive nature of the adjacent residential communities. Therefore, the Plan would exceed the requirements of the Town Noise Ordinance by a minimum of 9 dBA for noise from the rooftop HVAC equipment, and further reduce any potential noise impacts from truck operations on-site.

The Applicant has taken the following steps to assure performance in meeting the acoustical goals of the community and regulations.

- Density: The Preferred Alternative is 17% smaller than the DEIS Plan and would generate proportionately less sound in the aggregate.
 - Distance: Sound dissipates over distance. The Preferred Alternative positions buildings and vehicles nearly one-quarter of a mile from all nearby residences. The most dramatic difference was eliminating Building 4, which had been within 600 feet of Twin Brooks.
- Line of Sight: Sound generally travels in waves over a straight line. The Preferred Alternative Plan places loading docks on the building side facing away from the abutting condominium communities and uses the building structure to block sound transmission.
- Traffic Circulation: The Preferred Alternative Plan would have a traffic circulation pattern that would prevent trucks from circumnavigating the buildings and confines trucks to areas where a building stands between the truck and the abutting condominium communities. Only automobiles would travel to the condo facing side of the buildings.
- Topography: The buildings would be placed at a higher elevation than the abutting condominium communities and would act as a sound barrier for noise from I-84. Additionally, the Applicant would install a 12' high berm between Building B and the Twin Brook Manor community to provide a high quality, natural visual and sound barrier.
- Sound Walls: The Applicant would select quieter equipment and/or install sound walls on all rooftop equipment to assure that no more than 46 dBA of sound reaches the closest residences from this equipment, which is 9 dBA lower than the nighttime noise limitation set by the Town Noise Ordinance. The Town intends to require as conditions of Special Permit and Site Plan Approval that noise from the rooftop HVAC equipment exceeds the requirements of the Town Noise Ordinance by 9 dBA.
- Operations: The Applicant would commit to assuring the Town and residents that New York's anti-idling regulations are followed. Trucks would not be permitted to layover on-site overnight. Tenants and users would be required to install trucker's lounges where drivers can relax while their trucks are being loaded or unloaded, eliminating any need to remain in an idling truck. There would be no sleeping

accommodations for drivers on the property. The Town intends to require these items be included as conditions of Special Permit and Site Plan Approval.

- **Operating Hours:** The building would operate 24/7/360, but within the industry, the majority of commercial activity occurs during the traditional business day and is reduced by approximately half during the second (evening) shift. During the third (night) shift, the activity is limited to in-building cleaning, maintenance, repair and restocking activity much like a grocery store prepares for the next business day. Based on truck counts at the Gap Distribution Center in Fishkill and at the Matrix Distribution Center in Newburgh, truck traffic is concentrated to the first shift, tapering into the second shift. The Town intends to require as conditions of Special Permit and Site Plan Approval that no trucks access the site between the hours of 11:00 PM to 6:00 AM Monday through Saturday, and on Sunday trucks would only be permitted to access the site between the hours of 10:00 AM to 5:00 PM. The access to the buildings would be controlled by gates providing controlled access to further prevent unnecessary truck access to the property.

As a result of these measures, the Applicant's acoustic consultant concludes that the warehouse/distribution activity on the subject property developed in accordance with the Preferred Alternative would generate background noise that is consistent with current existing background noise levels and would not generate disruptive noise levels at normal operation. In short, the Preferred Alternative would not pose any significant adverse noise impacts on the nearby residential communities and no foreseeable noise levels from the developed property would have a detrimental effect on the residents, including those who choose to sleep with open windows.

N. Construction

All construction activities would be conducted in accordance with all municipal and state regulations and would not result in significant adverse impacts.

All construction activities would be conducted in accordance with Section 96-6.D of the

Town Code, with construction only taking place between the hours of 7:00 am and 8:00 pm Monday through Friday, and between 9:00 am and 5:00 pm on Saturdays.

The intent of the grading design of the site is to balance the earthwork, such that no excess material would need to be exported off of the site, and no material would need to be brought into the site as fill, avoiding the need for dump trucks for this purpose, which lessens potential off-site truck traffic trips.

Most construction-related trucking would utilize I-84 and exit at Exit 19 (NY 312), and proceed along NY 312 to Pugsley Road and the construction site.

Construction workers would generally arrive before the 7:30-8:30 AM peak weekday morning traffic hour and depart before the 5:00-6:00 PM peak weekday afternoon hour, and generally utilize the same route as the construction truck traffic.

An Erosion and Sediment Control Management Program would be implemented for the proposed development, beginning at the start of construction and continuing throughout its course, in accordance with the requirements of the "New York State Standards and Specifications for Erosion and Sediment Control," dated November 2016.

The project would be phased. Work would commence for Phase 1 with the site work associated with Building A, followed by the construction of this building. Subsequently, Phase 2 site work would be completed followed by the construction of Building B. However, should a client prefer Building B, work would commence on Phase 2 first.

The total development cycle (site work plus building construction) would take approximately 18 months for each of the two proposed buildings, with no overlap. Thus, construction would take approximately 3 years in total. Site work for each building is anticipated to take approximately 40 weeks, with the construction of each building taking approximately one year. All off-site improvements would be completed concurrently with the completion of the site work for Phase I.

O. Air Quality

The analysis in the DEIS and the updates and further explanations for the FEIS Proposed Alternative Plan indicate that there would not be any significant air quality impacts.

Like most warehouse/distribution facilities, the Commercial Campus at Fields Corner would have strict anti-idling policies, which each individual tenant's warehouse manager is charged with enforcing. If a truck driver is idling at a facility, the shipping and receiving supervisor would tell them to shut off. A driver's lounge would be provided, which would have a separate entrance from the warehouse, and the drivers would not be permitted into the warehouse. Outlets are to be provided at each building so that truck's engine warmers can be plugged in during the coldest winter weather, rather than having their engines running for any extended period of time.

As a matter of practice, warehouse/distribution facilities do not provide an overnight facility and truck drivers are not permitted to sleep overnight in their trucks at warehouse/distribution facilities. The Town intends to require as conditions of Special Permit and Site Plan Approval that no overnight facilities or overnight sleeping be permitted at the Preferred Alternative facility.

The bottom line is that air quality, with the exception of ozone, which is just below the standard, is excellent, and is improving. The project's contribution to regional air emissions would be quite small, and would not result in any significant adverse impacts.

P. Hazardous Materials

The Preferred Alternative Plan has no potential for adverse impacts related to hazardous materials. There are no Recognized Environmental Conditions (RECs) at the property, and the proposed logistics center definition specifically limits the use of non-hazardous goods.

Hydrodynamic water quality separators would be used to separate any oil accumulated from the parking lots and driveways that may source from small leaks in engines and potential larger spills, prior to flowing to any other stormwater management practice. The separators can store various volumes of oil depending upon the amount of runoff they are designed to treat, and the separators used on the project site would be appropriately sized for the areas that they would be associated with. For example, the hydrodynamic separators in the project's stormwater design range from an oil storage capacity of 210 gallons (which would only be proposed in landbanked parking lot areas where the large trucks would never travel). The next largest sizes used would store 263, 520, 568, 965, 1,172 and 1,309 gallons of oil. The separators would be regularly maintained, and the accumulated oil would be disposed of at a licensed processing facility.

Therefore, the project would not pose any significant impacts relating to hazardous materials.