

**FINAL GENERIC ENVIRONMENTAL IMPACT STATEMENT (FGEIS)  
DOLSONTOWN CORRIDOR  
Town of Wawayanda, Orange County, New York**

**Lead Agency:** Planning Board, Town of Wawayanda

**Lead Agency Contact:** John Razzano, Chairperson  
80 Ridgebury Hill Road  
Slate Hill, NY 10973  
(845) 355-5700

# **APPENDIX K: LETTERS OF “NO EFFECT” FROM NYSHPO**



**Parks, Recreation,  
and Historic Preservation**

**ANDREW M. CUOMO**  
Governor

**ERIK KULLESEID**  
Commissioner

June 15, 2021

David Lenox  
Project Manager  
EnSol, Inc.  
661 Main Street  
Niagara Falls, NY 14301

Re: USACE  
Dom-Mar Transfer and Recycling Facility: New Construction  
1128 Dolsontown Rd, Middletown, NY 10940  
20PR08024

Dear David Lenox:

Thank you for requesting the comments of the New York State Historic Preservation Office (SHPO). We have reviewed the submitted materials in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources.

SHPO has reviewed *Phase I Archaeological Investigation for the Dom-Mar Transfer & Recycling Center Town of Wawayanda, Orange County, New York* (Tracker Archaeology, April 2021). The investigation found no evidence of archaeological sites within the project's Area of Potential Effects (APE). However, as noted in the report, a New York State Museum-recorded archaeological site, NYSM 6169, is mapped within the project area. The site is described as "Cemetery." No other information is available. The mapped location must be considered approximate and, based on a review of historic USGS topographic maps, there may have been significant landscape modification in the recorded site's vicinity. Therefore, based on these factors, we recommend that the project will not adversely affect historic or archaeological properties listed or eligible for listing on the National Register of Historic Places conditioned on a commitment by the applicant to implement our Human Remains Discovery Protocol (attached) should any evidence of human remains or possible burial goods be encountered during construction.

If you have any questions, please don't hesitate to contact me.

Sincerely,

Philip A. Perazio, Historic Preservation Program Analyst - Archaeology Unit  
Phone: 518-268-2175  
e-mail: [philip.perazio@parks.ny.gov](mailto:philip.perazio@parks.ny.gov)

via e-mail only

Attachment

cc: Ryan Elliott, EnSol; Brian Orzel, USACE; Charles Vandrei and David Witt, DEC

**State Historic Preservation Office/  
New York State Office of Parks, Recreation and Historic Preservation  
Human Remains Discovery Protocol  
(January 2021)**

If human remains are encountered during construction or archaeological investigations, the New York State Historic Preservation Office (SHPO) recommends that the following protocol is implemented.

- Human remains shall be treated with dignity and respect. Should human remains or suspected human remains be encountered, work in the general area of the discovery shall stop immediately and the location shall be secured and protected from damage and disturbance.
- If skeletal remains are identified and the archaeologist is not able to conclusively determine if they are human, the remains and any associated materials shall be left in place. A qualified forensic anthropologist, bioarchaeologist or physical anthropologist shall assess the remains in situ to help determine if they are human.
- If the remains are determined to be human, law enforcement, the SHPO, the appropriate Indian Nations, and the involved state and federal agencies shall be notified immediately. If law enforcement determines that the burial site is not a criminal matter, no skeletal remains or associated materials shall be removed until appropriate consultation takes place.
- If human remains are determined to be Native American, they shall be left in place and protected from further disturbance until a plan for their avoidance or removal is developed. Please note that avoidance is the preferred option of the SHPO and the Indian Nations. The involved agency shall consult SHPO and the appropriate Indian Nations to develop a plan of action. Photographs of Native American human remains and associated materials should not be taken without consulting with the involved Indian Nations.
- If human remains are determined to be non-Native American, the remains shall be left in place and protected from further disturbance until a plan for their avoidance or removal is developed. Please note that avoidance is the preferred option of the SHPO. The involved agency shall consult SHPO and other appropriate parties to develop a plan of action.
- The SHPO recommends that burial information is not released to the public to protect burial sites from possible looting.



**Parks, Recreation,  
and Historic Preservation**

**KATHY HOCHUL**  
Governor

**ERIK KULLESEID**  
Commissioner

December 30, 2021

Sean Brady  
Landscape Architect  
Colliers Engineering & Design  
555 Hudson Valley Avenue Suite 101  
New Windsor, NY 12553

Re: USACE  
Dewpoint South: Warehouse Construction  
Town of Wawayanda, Orange County, NY  
21PR03137

Dear Sean Brady:

Thank you for requesting the comments of the New York State Historic Preservation Office (SHPO). We have reviewed the provided documentation in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include other environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the National Environmental Policy Act and/or the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8).

SHPO has reviewed the Phase IA/IB Archaeological Survey report entitled "Phase IA Literature Search and Sensitivity Assessment, Phase IB Archaeological Field Reconnaissance Survey, Dewpoint South: Warehouse Construction Project, 1030 Dolsontown Road, Wawayanda, Orange County, New York" prepared by Hudson Valley Cultural Resource Consultants, Ltd. (November 2021; 21SR67692). No archaeological sites were identified by the survey. Therefore, it is the opinion of the New York SHPO that no historic properties, including archaeological and/or historic resources, will be affected by this undertaking.

If you have any questions, I can be reached at [Jessica.Schreyer@parks.ny.gov](mailto:Jessica.Schreyer@parks.ny.gov).

Sincerely,

Jessica Schreyer  
Scientist Archaeology



**Parks, Recreation,  
and Historic Preservation**

**KATHY HOCHUL**  
Governor

**ERIK KULLESEID**  
Commissioner

January 03, 2022

Sean Brady  
Landscape Architect  
Colliers Engineering & Design  
555 Hudson Valley Avenue Suite 101  
New Windsor, NY 12553

Re: USACE  
Dewpoint North: Warehouse Construction  
Town of Wawayanda, Orange County, NY  
21PR03138

Dear Sean Brady:

Thank you for requesting the comments of the New York State Historic Preservation Office (SHPO). We have reviewed the provided documentation in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include other environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the National Environmental Policy Act and/or the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8).

SHPO has reviewed the Phase IA/IB Archaeological Survey Report entitled "Phase IA Literature Search and Sensitivity Assessment, Phase IB Archaeological Field Reconnaissance Survey, Dewpoint North: Warehouse Construction Project, 1040 Dolsontown Road, Wawayanda, Orange County, New York" prepared by Hudson Valley Cultural Resource Consultants, Ltd. (November 2021; 22SR00001). No archaeological sites were identified by the survey. Therefore, it is the opinion of the New York SHPO that no historic properties, including archaeological and/or historic resources, will be affected by this undertaking.

If you have any questions, I can be reached at [Jessica.Schreyer@parks.ny.gov](mailto:Jessica.Schreyer@parks.ny.gov).

Sincerely,

Jessica Schreyer  
Scientist Archaeology



**Parks, Recreation,  
and Historic Preservation**

**ANDREW M. CUOMO**  
Governor

**ERIK KULLESEID**  
Commissioner

January 04, 2021

Patrick Hines  
Engineering Consultant  
McGoey, Hauser & Edsall D.P.C.  
33 Airport Center Drive  
New Windsor, NY 12553

Re: DEC  
Simon Business Park Site Plan  
Town of Wawayanda, Orange County  
20PR08106

Dear Patrick Hines:

Thank you for requesting the comments of the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the submitted materials in accordance with the New York State Historic Preservation Act of 1980 (section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the Division for Historic Preservation and relate only to Historic/Cultural resources.

Cumulatively, the proposed project area has been examined by two previous archaeological surveys - 01SR51892 and 07SR57257 – neither of which identified any archaeological sites.

Therefore, based on the available information, it is the opinion of OPRHP that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by this project.

If you have any questions, please don't hesitate to contact me.

Sincerely,

Philip A. Perazio, Historic Preservation Program Analyst - Archaeology Unit  
Phone: 518-268-2175  
e-mail: [philip.perazio@parks.ny.gov](mailto:philip.perazio@parks.ny.gov)

via email only

cc: Richard Onorati, Town of Wawayanda Planning Board



**Parks, Recreation,  
and Historic Preservation**

**ANDREW M. CUOMO**  
Governor

**ERIK KULLESEID**  
Commissioner

May 21, 2021

Sean Brady  
Landscape Architect  
Colliers Engineering & Design  
555 Hudson Valley Avenue Suite 101  
New Windsor, NY 12553

Re: USACE  
Dolsontown East: Parcel Consolidation & Warehouse Construction  
Town of Wawayanda, Orange County, NY  
21PR03257

Dear Sean Brady:

Thank you for requesting the comments of the State Historic Preservation Office (SHPO). We have reviewed the project in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the National Environmental Policy Act and/or the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8).

Based upon this review, it is the opinion of the New York SHPO that no historic properties, including archaeological and/or historic resources, will be affected by this undertaking.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

R. Daniel Mackay  
Deputy State Historic Preservation Officer  
Division for Historic Preservation



**New York State Office of Parks,  
Recreation and Historic Preservation**

Historic Preservation Field Services Bureau • Peebles Island, PO Box 189, Waterford, New York 12188-0189  
518-237-8643  
www.nysparks.com

**Eliot Spitzer**  
Governor

**Carol Ash**  
Commissioner

July 25, 2007

Pat Battiato  
Town of Wawayanda  
P.O. Box 296  
Slate Hill, New York 10973

Re: SEQRA  
Simon Business Park  
Dolsontown Road/WAWAYANDA, Orange  
County  
07PR03315

Dear Ms. Battiato:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Parks, Recreation and Historic Preservation Law, Section 14.09.

Based upon this review, it is the OPRHP's opinion that your project will have No Impact upon cultural resources in or eligible for inclusion in the State and National Register of Historic Places.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

Ruth L. Pierpont  
Director

RECEIVED  
AUG 09 2007  
BY: [Signature]