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August 3, 2023

**VIA HAND DELIVERY AND EMAIL**

John Razzano, Chairperson  
Town of Wawayanda Planning Board  
80 Ridgebury Hill Road  
Slate Hill, NY 10973

Re: Dewpoint South – Application Revision

Dear Chair Razzano and Planning Board Members:

Our firm represents Dewpoint Development, LLC (the “Applicant”) in its application to develop a warehouse on Parcel Number 4-1-50.32. Initially, a warehouse distribution facility consisting of approximately 125,000 square feet was proposed on 11.66-acres. Based on current market needs, the Applicant is proposing to revise the application to provide for a single 169,000 square foot warehouse (the “Project”) on 16.21± acres by merging Parcel Numbers 4-1-50.32, 6-1-107 and 6-1-90.24 (the “Project Site”). This submission serves to supplement the submission of Colliers Engineering & Design (“Colliers”) made on July 26<sup>th</sup>, 2023. Please note that we received Creighton Manning’s comment letter on the Project today, which we will respond to separately in full.

To assist the Board in its review of the Project revisions, a Project Comparison Chart is included. Also included is a Special Use Permit Narrative, and redlined Environmental Assessment Form Narrative, revised to reflect an analysis of the Project revisions. A technical traffic memorandum from Colliers is also included.

We understand the Planning Board’s concerns related to traffic. As the Planning Board knows, the mitigation identified in the adopted SEQRA Findings Statement was arrived at based on the conservative ITE Land Use 130 – Industrial Park classification, not the ITE Land Use 150 - Warehouse classification that is the actual proposed use of the Project. Accordingly, the mitigation already identified in the SEQRA Findings Statement will exceed the actual anticipated impact of all of the projects reviewed in the GEIS process. Because of this “over-designed” mitigation, this Project, when analyzed under the ITE Land Use 150 Warehouse classification,

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even with a 169,000 SF warehouse, **results in fewer combined trips than the 125,000 SF warehouse, analyzed under the industrial park standard** (16 fewer combined trips in the Peak AM Hour and 11 fewer combined trips in the Peak PM Hour). Thus, the mitigation already identified in the adopted SEQRA Findings Statement remains more than adequate to address all of the traffic impacts associated with a 169,000 SF warehouse. It is important to note, however, that even when the revised project is analyzed under the more conservative ITE-130 standard, the projected increase in traffic generation is 18 vehicles in the AM Peak and 18 vehicles in the PM Peak, which itself also does not merit any mitigation beyond that provided for in the SEQRA Findings Statement.

The Colliers memo also includes a Capacity Analysis, based on the more conservative ITE-130 Industrial Park standard, which demonstrates a level of service of “A” on the left turn entry movement (Dolsontown to Caskey) during both the AM and PM Peak Hours and a level of service “C” in the AM Peak Hour and “D” in the PM Peak Hour for the exit movements on Dolsontown. These exit movement ratings are considered typical during peak hour conditions and do not warrant mitigation. Again, these ratings are based on the significantly more conservative analysis of ITE-130 – Industrial Park, not on the actual anticipated conditions associated with a warehouse.

The revised EAF Narrative further demonstrates that the proposed changes do not have the potential to result in any new, previously undisclosed, or unevaluated impacts that may or may not have a significant adverse impact.

Enclosed please find:

Exhibit A – Comparison Chart

Exhibit B – Redlined Environmental Assessment Form Narrative

Exhibit C – Special Use Permit Narrative

Exhibit D – Revised EAF (Previously Submitted by Colliers on July 26<sup>th</sup>, 2023)

Exhibit E – Revised Site Plans (Previously Submitted by Colliers on July 26<sup>th</sup>, 2023)

Exhibit F – Archeological Memo

Exhibit G - Traffic Memo

Very truly yours,

*/s/ Robert A. Stout*

Robert A. Stout, Jr., Esq.

Enclosures

# **EXHIBIT A**

## Project Component Comparison Chart

### RDM Dewpoint South (RDM #3)

Project Component Comparison Chart			
Component	Dolsontown GEIS Project	Revised Project	Change
Lot Size	11.66 acres	16.21 acres	Increase of 4.55 acres
Bldg. Setback	50.9 Feet	50.5 Feet	Decrease of 0.4 Feet
Land Disturbance	8.4 acres	12.6 acres	Increase of 4.2 acres
Lot Adjustment	For ROW Only (Single Tax Lot)	For ROW, addition of Tax Lot 6-1-90.24 (24 Caskey Lane) & portion of Tax Lot 6-1-107 (RDM #6, Simon Business Park parcel)	Lot consolidation of 24 Caskey Lane & subdivision of a portion of Simon parcel for an increased overall project site
ROW Dedication	3,185 sq. ft	3,185 sq. ft.	No change
Building Size	125,000 sq. ft.	169,000 sq. ft.	Increase of 44,000 sq. ft.
Impervious Surface	5.9 acres	7.8 acres	Increase of 1.9 acres
Revegetated Surface	2.5 acres	4.3 acres	Increase of 1.8 acres
Wetlands Disturbance	0.03 acres	0.09 acres	Increase of 0.06 acres
Driveway Access	1 Shared Vehicular & Truck to Dolsontown Road; 1 Emergency to Caskey Lane	1 Shared Vehicular & Truck access to Dolsontown Road; 1 Passenger vehicle only access to Caskey Lane	2 access driveways & improving Caskey Lane
Parking Spaces	65	122	Increase of 57 spaces
Truck Loading Docks	37	51	Increase of 14 docks
Trailer Storage	None	33 spaces	Increase of 33 spaces
Trip Generation	AM Peak Hour: 51 PM Peak Hour: 50	AM Peak Hour: 69 PM Peak Hour: 68	Increase of 18 vehicles in the AM Peak & 18 vehicles in the PM Peak  (No additional traffic mitigation required for revised project.)
Water/Sewer Demand	1,875 GPD	2,832 GPD	Increase of 957 GPD

# **EXHIBIT B**

**TOWN OF WAWAYANDA PLANNING BOARD**

**ENVIRONMENTAL ASSESSMENT FORM NARRATIVE  
DEWPOINT DEVELOPMENT LLC & GDBP 2171 LLC (“Applicant”)**

**TOWN OF WAWAYANDA, ORANGE COUNTY  
MC-1 (Mixed Commercial) zoning district**

**TAX LOT: 4-1-50.32, 6-1-107 and 6-1-90.24 (the “Site”)  
February 9, 2022**

**Rev. August 3rd, 2023**

**PROPOSED ACTION**

The proposed project will consist of the construction of one warehouse/distribution facility on three existing parcels approximately 16.21 acres in size, with frontage along Dolsontown Road to the north and nearly adjacent to NYS Route 17M to the west. The Site is proposed to host a 169,000 square foot warehouse/distribution facility with 14,000 square feet of office space interior to the warehouse (the “Project”). The Project is located on Dolsontown Road, tax lots 4-1-50.32, 6-1-107 and 6-1-90.24 (the “Project Site”). The Project is consistent with the Town of Wawayanda Comprehensive Plan and complies with Wawayanda’s Zoning Law.

The Project is within the Town of Wawayanda MC-1 (Mixed Commercial) zoning district. Within the MC-1 zoning district, a “Warehouse, storage and distribution facilities” use requires a special use permit subject to site plan approval by the Planning Board. Other associated site improvements proposed for the Site include 122 vehicle parking spaces, 51 truck loading docks and 33 trailer storage spaces. The Site has a proposed driveway to Dolsontown Road that will provide vehicular and truck access to the facility, as well as a driveway connecting to Caskey Lane intended to provide separate access for passenger vehicle access.

The warehouse facility proposes water (potable & fire protection) and sanitary sewer services to service the building. These services will be provided through service connections to the adjacent town mains within Dolsontown Road. The Project is anticipated to generate a water and sewer demand of approximately 2,832 GPD.

The Site is currently undeveloped with a mixture of woodlands and wetlands except for a .88-acre single-family residential parcel that will be reclaimed and revegetated. Approximately 4,050 square feet (.09 acres) of the 3.2 acres of federally regulated wetlands identified on Site will be disturbed to accommodate the Project. The Applicant will submit a Preconstruction Notification to the Army Corps of Engineers for confirmation on jurisdiction and permission of filling.

The Project is estimated to require approximately 12.6 acres of site disturbance and requires the preparation of a Stormwater Pollution Prevention Plan (SWPPP). A SWPPP will be prepared in accordance with the Town and NYSDEC requirements to provide stormwater

management/mitigation for water quantity and water quality and will be provided to the Planning Board.

### **SEQRA COMPLIANCE AND INVOLVED AND INTERESTED AGENCIES**

The Planning Board studied the potential impacts of the Project, along with those of other projects in the Dolsontown Corridor. This review, pursuant to the New York State Environmental Quality Review Act (“SEQRA”), resulted in the adoption of a Final Generic Environmental Impact Statement by the Planning Board at its March 8, 2023 meeting, and adoption of a Findings Statement by the Planning Board at its April 26, 2023 meeting. The Findings Statement certified that, among other things: “After reviewing the proposed Dewpoint South project both individually and as a component of the Proposed Action that was evaluated in the FGEIS, consistent with environmental, social, economic and other essential considerations from among the reasonable alternatives available, the project is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable by incorporating as conditions to the decision of the Town of Wawayanda Planning Board those mitigative measures that were identified as practicable in the FGEIS and which are enumerated herein”.

Given the nature of the changes, and the scope of the mitigation already provided for, the conclusions contained in the adopted Findings Statement remain accurate.

### **EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS**

The lead agency must consider the criteria for determining the significance of potential environmental impacts from the Project as set forth in the SEQRA regulations at 6 NYCRR § 617.7(c). To do this, the lead agency reviews all relevant information and completes Parts 2 and 3 of the FEAF to provide the basis for its SEQRA determination.

For the Project, the identification of potential impacts and assessment of potential environmental impacts based on FEAF Part 2 is discussed below. Based on the following discussion, the Project includes the potential for at least one significant adverse environmental impact. A draft Generic Environmental Impact Statement (GEIS) was prepared to assess such potential significant adverse environmental impacts and a Final Generic Environmental Impact Statement (FGEIS) was adopted by the Planning Board at its March 8, 2023 meeting, followed by the adoption of a Findings Statement by the Planning Board at its April 26, 2023 meeting.

#### **1. Impact on Land**

The Project will have minimal impacts on land. Blasting is not anticipated to be required in connection with Project construction.

Consistent with Section 5.2 "Planning for Green Infrastructure: Reduction of Impervious Cover" of the NYSDEC Stormwater Management Design Manual, the proposed site plan will be designed to include the following Green Infrastructure site planning techniques, among others: the extent of the clearing will be limited to meet the user's needs; compacted soils located in open areas without shallow utilities will be tilled in order to restore the original properties of the soil prior to seeding; roadway widths were reduced wherever possible while still maintaining the

necessary access; sidewalks added where needed to adequately and safely serve the pedestrian needs of the facility; the proposed driveways have been minimized wherever possible; building footprints have been designed to meet the end user's needs.

The proposed 4.55-acre expansion will result in a total revegetated surface area of 4.3-acres. On Parcel Number 6-1-90.24, 24 Caskey Lane, the Project includes removal of an existing single-family home, shed, pool and driveway areas that will be decompacted for revegetation and installation of surface stormwater facilities.

Existing federally regulated wetland areas exist on site and .09-acres will be moderately disturbed by the Project. Additionally, erosion control measures will be implemented during construction to minimize the erosion of land. Please refer to the FGEIS for a full discussion of the Project's potential significant adverse environmental impacts to wetlands and surface water.

Based on the foregoing, the Project is not anticipated to have any significant adverse impacts on land.

## **2. Impact of Geological Features**

There are no unique landforms on the Site that will be impacted by the Project. No geological feature registered as a National Natural Landmark is present on or next to the Site. Therefore, the Project is not anticipated to have any significant adverse impact on geological features.

## **3. Impact on Surface Water**

Please refer to the FGEIS for a full discussion of the Project's potential significant adverse environmental impacts to wetlands and surface water. Proposed expansion of the Project will be addressed in an updated SWPPP that will meet Town and NYSDEC design guidelines for erosion and sediment control during construction and post construction stormwater practices. Based on the findings set forth in the FGEIS, the Project is not anticipated to have any significant adverse impact on surface water.

## **4. Impact on Groundwater**

The SWPPP provides for "good housekeeping" and material management practices to minimize the risk of spills. These practices include: keeping products in original containers unless they are not re-sealable, (retaining original labels and material safety data sheets (MSDS), storing only enough products required to do the job, storing materials in a neat, orderly manner in their appropriate containers (and if possible, under a roof or other enclosure and/or on non-porous blacktop), not mixing substances unless recommended by the manufacturer, using all of a product before disposing of the container, following manufacturer's recommendations for proper use and disposal of materials and daily inspections by the contractor's site superintendent to ensure proper use and disposal of materials on site.

Additionally, the contractor's Site superintendent shall serve as a spill prevention and cleanup coordinator, and the following practices, outlined in the SWPPP, shall be followed: spills, of any size, of toxic or hazardous material and/or petroleum products shall be reported to the



NYSDEC and Central Hudson's Environmental Affairs division; manufacturer's recommended methods for spill cleanup shall be clearly posted and site personnel shall be made aware of the procedures and the locations of the information and cleanup supplies; materials and equipment necessary for spill cleanup shall be kept in the material storage area onsite (equipment and materials shall include but not be limited to brooms, dust pans, mops, rags, gloves, kitty litter, sand, sawdust, and plastic and metal trash containers specifically for this purpose); all spills shall be cleaned up immediately after discovery and the spill area shall be kept well-ventilated and personnel shall wear appropriate protective clothing to prevent injury from contact with a hazardous substance. The spill prevention plan shall be adjusted to include measures to prevent toxic or hazardous material of spills from recurring and how to clean up the spill. A description of the spill, what caused it, and the cleanup measures shall also be included.

The proposed facility is anticipated to generate approximately 2,832 gallons per day of water and sewer usage. The facility is proposed to have water (potable & fire protection) and sanitary sewer services through connections to the existing town mains within Dolsontown Road. Please refer to the FGEIS for a full discussion of the Project's potential significant adverse environmental impacts to groundwater.

Based on the foregoing, the Project will not create any significant adverse impacts to groundwater.

## **5. Impact on Flooding**

All storm water from the Site will be collected, managed and treated by a stormwater management system in accordance with the NYSDEC General SPDES permit for stormwater discharges and SWPPP. Furthermore, as noted on the Federal Emergency Management Administration Flood Insurance Rate Maps ("FIRM") covering the Town of Wawayanda, the Site is located outside any designated flood hazard area in an area where there is a minimal flood hazard during 100-year and 500-year storm events. There is no known flooding on the Site.

Please refer to the FGEIS for a full discussion of the Project's potential significant adverse environmental impacts to flooding.

Based on the foregoing, the Project will not create any adverse impacts to flooding.

## **6. Impacts on Air**

The Project will not result in any significant adverse impacts on air quality. The Project does not include a State regulated air emission source or involve any activity that will have more than a minimal impact on air quality.

Several energy conservation methods will be incorporated into building construction. Energy Star approved building materials will be used that help reduce the amount of heat lost during the wintertime and cool air during the summertime. Other items such as reduced flow water fixtures that limit the amount of water flowing through the tap, thereby diminishing the amount of water

used throughout the day will be used. Energy efficient light bulbs will reduce the amount of energy required for building and site light while extending the “life” of the lightbulb.

Please refer to the FGEIS for a full discussion of the Project’s potential significant adverse environmental impacts on air associated with traffic.

Based on the foregoing, the Project will not create any significant adverse impacts to air quality.

## **7. Impact on Plants and Animals**

Please refer to the FGEIS for a full discussion of the Project’s potential significant adverse environmental impacts on plants and animals. The addition of 44,000 square feet of warehouse in addition to expanded parking and loading areas will result in 7.8-acres of impervious surfaces. The expansion will also result in a total revegetated surface area totaling 4.3-acres.

Based on the foregoing combined with findings set forth in the FGEIS , the Project will not create any significant adverse impacts to plants and animals.

## **8. Impact on Agricultural Resources**

The Project is consistent with the Town’s Comprehensive Plan and the requirements of the MC-1 Zoning District. The Town’s Comprehensive Plan provides that “the MC mixed commercial zone is a district intended to provide a principal area for intensive nonresidential development such as office, retail, service businesses, manufacturing and industrial uses”. The Comprehensive Plan further indicates that the zone is intended to be developed with commercial enterprises and specifically excludes residential uses and observes that recently attracted uses include small contractor yards, offices, retail, large warehousing and industrial uses. The Comprehensive Plan recommends that the Town continue to allow commercial/industrial uses on a minimum 2-acre lot size. The Project is consistent with the letter and intent of the MC-1 Zone as set forth in the Town of Wawayanda Zoning Law and Comprehensive plan, as it is a permitted use on a 11.66-acre lot, far greater than the minimum lot size requirement.

Based on the foregoing, no significant adverse environmental impacts to agricultural resources are anticipated from the Project.

## **9. Impact on Aesthetic Resources**

The Project will not be visible from any officially designated federal, state, or local scenic or aesthetic resource, nor will it impact any officially designated scenic views. The Project is located in the MC-1 zone and is consistent with the Town’s Comprehensive Plan. It is consistent with existing land uses in the vicinity of the Site, with the exception of one pre-existing nonconforming residential use which will be screened from the Project. The Site is bounded on the south by vacant land that is adjacent to Interstate 84, Monhagen Brook, over 12 acres of privately owned land fronting Sunrise Park Road and unmapped wetlands which will retain

vegetation that act as a screen for the Project. Building height is proposed to be 55 feet, 10 feet less than what is allowed by the Town's Zoning Law.

The Landscaping Plan for the site adheres to Chapter 195-24 of the Town Zoning Law, and in accordance with Section 195-24 A. has a goal of enhancing the appearance and natural beauty of the Town and protecting property values through the preservation and planting of vegetation, screening, and landscaping material. The plan will include a variety of native deciduous and evergreen trees and shrubs, as well as non-invasive ornamental species. To further break-up the building mass along the roadway, trees are proposed near the right-of-way line....

Based on the foregoing, the Project will not result in any significant adverse impacts to aesthetic resources.

#### **10. Impact on Historic and Archeological Resources**

Please refer to the FGEIS for a full discussion of the Project's potential significant adverse environmental impacts on historic and archaeological resources. Hudson Cultural Resources (HCR) conducted a Phase IA and partial IB study which found the original Project Site lacked significance for archeological and cultural resources. NYSHPO issued a letter of no effect based on HCR's report. HCR submitted a subsequent letter attached herein regarding the lack of archeological or cultural resources at 24 Caskey Lane, due to prior disturbance resulting from construction of a single-family home, swimming pool, shed and driveway on the .88-acre parcel. See Exhibit E.

Based on the foregoing as well as the findings set forth in the FGEIS, the Project will not create any significant adverse impacts on historic and archaeological resources.

#### **11. Impact on Open Space and Recreation**

The Project will not result in any loss of recreational opportunities, or any reduction of an open space resource designated in a governmental open space plan. The Site is not designated open space. The Site is largely wooded and located in a zoning district intended for commercial development such as the Project. The Site is privately owned and is not used for public recreation.

Based on the foregoing, the Project will not have any significant adverse impact on open space and recreational resources.

#### **12. Impact on Critical Environmental Areas**

The Site is not located within a Critical Environmental Area. As summarized in the FGEIS, stormwater will be managed, treated and discharged in accordance with the requirements that will be set forth in the NYSDEC SPDES Permit and the Project's SWPPP, which will be designed to conform to applicable requirements in the NYSDEC general stormwater permit and the standards provided by the New York State Stormwater Management Design Manual (dated January 2015).

Based on the foregoing, the Project will not have any significant adverse impact on Critical Environmental Areas.

### **13. Impact on Transportation**

Please refer to the FGEIS for a full discussion of the Project's potential significant adverse environmental impacts on traffic/transportation. The mitigation identified in the adopted SEQRA Findings Statement was arrived at based on the conservative ITE Land Use 130 – Industrial Park classification, not the ITE Land Use 150 - Warehouse classification that is the actual proposed use of the Project. Accordingly, the mitigation already identified in the SEQRA Findings Statement will exceed the actual anticipated impact of all of the projects reviewed in the FGEIS. Because of this “over-designed” mitigation, this Project, when analyzed under the ITE Land Use 150 Warehouse classification, even with a 169,000 SF warehouse, results in fewer combined trips than the 125,000 SF warehouse, analyzed under the industrial park standard (16 fewer combined trips in the Peak AM Hour and 11 fewer combined trips in the Peak PM Hour). Thus, the mitigation already identified in the adopted SEQRA Findings Statement remains more than adequate to address all of the traffic impacts associated with a 169,000 SF warehouse. It is important to note, however, that even when the revised project is analyzed under the more conservative ITE-130 standard, the projected increase in traffic generation is 18 vehicles in the AM Peak and 18 vehicles in the PM Peak, which itself also does not merit any mitigation beyond that provided for the in the SEQRA Findings Statement.

Additionally, a Capacity Analysis was performed, based on the more conservative ITE-130 Industrial Park standard, which demonstrates a level of service of “A” on the left turn entry movement (Dolsontown to Caskey) during both the AM and PM Peak Hours and a level of service “C” in the AM Peak Hour and “D” in the PM Peak Hour for the exit movements on Dolsontown. These exit movement ratings are considered typical during peak hour conditions and do not warrant mitigation. Again, these ratings are based on the significantly more conservative analysis of ITE-130 – Industrial Park, not on the actual anticipated conditions associated with a warehouse.

Based on the foregoing and findings set forth in the FGEIS, the Project will not create any significant adverse impacts on traffic/transportation.

### **14. Impact on Energy**

Several energy conservation methods will be incorporated into building construction. Energy Star approved building materials will be used that help reduce the amount of heat lost during the wintertime and cool air during the summertime. Other items such as reduced flow water fixtures that limit the amount of water flowing through the tap, thereby diminishing the amount of water used throughout the day will be used. Energy efficient light bulbs will reduce the amount of energy required for building and site light while extending the “life” of the lightbulb.

Based on the foregoing, the Project will not have any significant adverse impact on Energy.

## **15. Impact on Noise, Odor and Light**

### *Noise*

The Project Site is located in the MC-1 Zoning District. As stated above, the Project is consistent with the District Intent set forth in Attachment 8 to the Town's Zoning Law, which provides that the MC District "is intended to provide the Town with a principal area for intensive nonresidential development such as office, retail, service businesses and manufacturing". Indeed, the Project is anticipated to be less intensive than a variety of other uses that are permitted by Site Plan approval or Special Use Permit, including contractor yards, motor vehicle sales and services, high traffic retail and service businesses, industrial uses, manufacturing uses and mining operations, including major mining operations.

The Project will generate noise during its construction phase. Once constructed, the Project will produce small to moderate amounts of noise, mostly due to Site generated traffic and building HVAC mechanical units.

There is typically a minimal amount of time that trucks will be idling and waiting to drop off or pick up a trailer. In the event that they are waiting for a period of more than five (5) minutes, they are required to turn off their engine in accordance with the New York State Heavy Duty Vehicle Idling Law (6 NYCRR Subpart 217-3).

Also note that a sound level measurement and analysis was completed and a February 8, 2022 memorandum summarizing the same (the "Noise Evaluation") and was previously provided to the Planning Board. The Noise Evaluation evaluated existing and projected noise levels associated with the Project at certain receptors, and found that in all instances, noise increases associated with the Project are anticipated to be less than 5dbA at all receptors. Increases of sound pressure of less than 5dB are anticipated to result in unnoticed to tolerable human reactions, pursuant to NYSDEC's Assessing and Mitigating Noise Impacts, revised as of February 2, 2001.

Notwithstanding the foregoing, in an order to reduce future noise levels to the greatest extent reasonably possible, the Noise Evaluation recommended the following mitigation measures, which have been incorporated into Project Plans:

- The construction equipment used on-site will have to be inspected periodically to ensure that properly functioning muffler systems are used on all equipment.
- All equipment should not idle unnecessarily while on site.
- The HVAC equipment should also be positioned to face away from the adjacent residence as part of the final building design/HVAC equipment layout. Any onsite equipment should be equipped with alternate backup safety alarms such as "white noise" alarms, alternate radar, or infrared alarm systems.

Since completing the Noise Study, the Project Site expanded onto 24 Caskey Lane at the southeast corner of the original Project Site. The existing single-family home and accessory

structures will be removed, and the land revegetated for installation of stormwater facilities. The additional buffer provided by merging with 24 Caskey Lane and a portion of Parcel Number 6-1-107 will add over 400 feet distance between the Project and the nearest home at the end of Caskey Lane, negating the need for a solid fence on the southeastern portion of the Project Site.

Based on the foregoing, the Project will not have any significant adverse impacts with regard to noise.

### ***Light***

Project Site lighting will be provided for the parking lot areas surrounding the buildings and along the driveways into the Project Site. All lighting will be dark sky compliant. The exterior site lighting proposed for the Project utilizes night sky friendly fixtures which will be down directed and has been designed with fixture locations that do not present any light trespass onto neighboring properties.

The lighting will consist of energy efficient LED light fixtures. The lights will have edges that extend below the level of the fixture to reduce the potential for source glare and light spillage. The light fixtures will be mounted on poles and on the building.

Based on the foregoing, the Project will not have any significant adverse impacts with regard to light.

### ***Odor***

Regarding odor, the Project Site is not expected to produce appreciable odors. Refuse and recycling will be contained in an enclosed dumpster or compactor until pickup for disposal on a regular basis by a private carting company. In addition, the Project does not include any fixed-point source of air emissions that would cause any odor.

Based on the foregoing, the Project will not have any significant adverse impacts with regard to odor.

## **16. Impact on Human Health**

No significant impacts to human health are anticipated from the Project because all construction and operational activities will be undertaken in accordance with and in compliance with all pertinent environmental and land development regulations and related permit and approval procedures and requirements. As indicated above, water service to the facility will be provided from an existing water main line, owned and operated by the Town of Wawayanda Water Department and sanitary sewer service will be provided from an existing sewer main on, owned and operated by the Town of Wawayanda Sewer Department. As further indicated above, spill prevention and cleanup protocols are proposed to be in place.

Based on the foregoing, the Project will not have any significant adverse impacts on human health.

## **17. Consistency with Community Plans**

The Project is consistent with the Town of Wawayanda's Comprehensive Plan and complies with Wawayanda's Zoning Law that was enacted in furtherance of the Comprehensive Plan's goals.

Specifically, the Project is consistent with the requirements of the MC-1 Zoning District. The Town's Comprehensive Plan provides that "the MC mixed commercial zone is a district intended to provide a principal area for intensive nonresidential development such as office, retail, service businesses, manufacturing and industrial uses". The Comprehensive Plan further indicates that the zone is intended to be developed with commercial enterprises and specifically excludes residential uses and observes that recently attracted uses include small contractor yards, offices, retail, large warehousing and industrial uses. The Comprehensive Plan recommends that the Town continue to allow commercial/industrial uses on a minimum 2-acre lot size. The Project is consistent with the letter and intent of the MC-1 Zone as set forth in the Town of Wawayanda Zoning Law and Comprehensive plan, as it is a permitted use on a - 16.21-acre lot, far greater than the minimum lot size requirement.

The Project will increase tax revenues to the Town and other taxing jurisdictions including the local school district (without generating any school age children).

For the foregoing reasons, the Project will not have a significant adverse impact on the Town of Wawayanda's community plans.

## **18. Consistency with Community Character**

The Project is a permitted use in accordance with the Town of Wawayanda Zoning Law and located in the MC-1 zoning district. The Project is consistent with existing land uses in the vicinity of the Site, with the exception of certain pre-existing nonconforming residential uses which will be screened from the Project. The Site is bounded on the south by Interstate 84.

The Project is consistent with the District Intent set forth in Attachment 8 to the Town's Zoning Law, which provides that the MC District "is intended to provide the Town with a principal area for intensive nonresidential development such as office, retail, service businesses and manufacturing". Indeed, the Project is anticipated to be less intensive than a variety of other uses that are permitted by Site Plan approval or Special Use Permit, including contractor yards, motor vehicle sales and services, high traffic retail and service businesses, industrial uses, manufacturing uses and mining operations, including major mining operations.

In addition to the above, the Project is consistent with the surrounding community character based on the Project's design incorporating measures to limit noise and to protect adjoining properties, among other such mitigation measures discussed above and in the various reports.

Accordingly, the Project will not have a significant adverse impact on the community character of the Town of Wawayanda.

# **EXHIBIT C**



**Dewpoint South**  
**RDM #3**  
**Dolsontown Road**  
Special Use Permit Narrative

Dewpoint Development, LLC (the “Applicant”) is applying to develop 16.21+ acres with a 169,000-sf warehouse / distribution facility for the Project Site (the “Project”). Associated site improvements proposed for the Project Site will include 122 vehicle parking spaces, 51 truck loading docks and 33 trailer storage spaces. The proposed warehouse meets the special use review criteria (Wawayanda Zoning Law § 195-76) as more fully set forth below.

**§195-76 The Planning Board, in reviewing the site plan, shall consider its conformity to the Town of Wawayanda Comprehensive Plan and the various other plans, laws and ordinances of the Town. Conservation features, aesthetics, landscaping and impact on surrounding development as well as on the entire Town shall also be part of the Planning Board review. The Board, in acting upon the site plan, shall also be approving, approving with modifications, or disapproving the special use permit application connected therewith. Traffic flow, circulation and parking shall be reviewed to ensure the safety of the public and of the users of the facility and to ensure that there is no unreasonable interference with traffic on surrounding streets.**

The Project is consistent with the Town of Wawayanda Comprehensive Plan. As sought under the Comprehensive Plan and codified in the Zoning Law, the Project is geared to fostering economic growth within the community. Economic activity generated by the Project will create opportunities for additional commerce for the area. The Project will increase tax revenue to the Town and other taxing jurisdictions including the local school district (without generating any school age children) and will provide jobs to community members. The Project will increase jobs both at the proposed facility and through demand for associated services from truck drivers, manufacturing, retail, and vehicle servicing. Employment centers provide a secondary benefit to small businesses such as those found on Rte 17M and throughout the community. Employees and truck drivers will shop, eat and rely on personal services in the community.

The Project complies with Wawayanda’s Zoning Law. The Project is within the Town of Wawayanda MC-1 (Mixed Commercial) zoning district. Within the MC-1 zoning district, a “Warehouse, storage and distribution facilities” use requires a special use permit subject to site plan approval by the Planning Board. Where a zoning law lists a permitted use allowed by special use permit, it is “tantamount to a finding that the permitted use is in harmony with the general zoning plan and will not adversely affect the neighborhood”.<sup>1</sup>

The Town’s Comprehensive Plan provides that “the MC mixed commercial zone is a district intended to provide a principal area for intensive nonresidential development such as office, retail, service businesses, manufacturing and industrial uses.” The Comprehensive Plan further indicates that the zone is intended to be developed with commercial enterprises, specifically excludes residential uses, and observes that recently attracted uses include small contractor yards, offices,

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<sup>1</sup> Matter of Barnes Rd. Area Neighborhood Assn v Planning Bd of the Town of Sand Lake, 206 A.D.3d 1507 (3d Dept, 2022)

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retail, large warehousing and industrial uses. The Comprehensive Plan recommends that the Town continue to allow commercial/industrial uses on a minimum 2-acre lot size. The lot in question will be far in excess of the required minimum lot size. The Project is consistent with the letter and intent of the MC-1 Zone as set forth in the Town's Comprehensive Plan. Moreover, the Project is anticipated to be less intensive than a variety of other uses that are permitted by Site Plan approval or Special Use Permit, including contractor yards, motor vehicle sales and services, high traffic retail and service businesses, manufacturing uses, and mining operations.

In addition, the Project is consistent with the Orange County Comprehensive Plan's Priority Growth Area concept. According to the plan, Priority Growth Areas "typically have the infrastructure to serve growth, including transportation (both motorized and non-motorized), central water and sewer services, dense housing, and other infrastructure that enables efficient and logical development." As a result, the County encourages additional urban development, including "appropriate industrial" development in these areas. The proposed Project is located in a "Priority Growth Area" and would increase local economic activity. New tax generating uses would be created on previously dormant land. There would be permit and fee revenue to initiate construction and short-term job creation for construction activity. The long-term benefits include permanent jobs on site and additional economic activity generated around the site. All of these factors will contribute to a balanced and vibrant increase in the local economy, in line with the goals and objectives of the Orange County Comprehensive Plan and the Town of Wawayanda Comprehensive Plan.

The Planning Board studied the potential impacts of the Project, along with those of other projects in the Dolsontown Corridor. This review, pursuant to the New York State Environmental Quality Review Act ("SEQRA"), resulted in the adoption of a Final Generic Environmental Impact Statement by the Planning Board at its March 8, 2023 meeting, and adoption of a Findings Statement by the Planning Board at its April 26, 2023 meeting. The Findings Statement certified that, among other things: *"After reviewing the proposed Dewpoint South project both individually and as a component of the Proposed Action that was evaluated in the FGEIS, consistent with environmental, social, economic and other essential considerations from among the reasonable alternatives available, the project is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable by incorporating as conditions to the decision of the Town of Wawayanda Planning Board those mitigative measures that were identified as practicable in the FGEIS and which are enumerated herein"*.

Regarding traffic flow, the Traffic Impact Study (the "TIS") assessed the cumulative impacts of development proposed on Dolsontown Road. The TIS based projected traffic impacts on the conservatively high numbers associated with an industrial park. Estimates for traffic generated by warehousing uses are approximately half the industrial park standard. Consequently, the actual traffic numbers associated with the warehouse, even with the amendments proposed, will fall far below the thresholds contemplated in the TIS that are relied upon in the FGEIS analysis and SEQRA findings statement adopted by the Town Planning Board.

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Moreover, the Project meets the Town's additional requirements, such as aesthetics and conservation standards. A comprehensive viewshed study (the "Viewshed Study") developed by Andersen Design, dated November 22, 2022, illustrated the cumulative elevations in context. The Viewshed Study accounted for topography, existing tree stands and a variety of vantage points, demonstrating that the buildings will complement the existing commercial corridor which includes self-storage facilities to the southeast and northwest. The Viewshed Study is still informative to assist the Planning Board's review, with the notable exception that the building is .4-foot closer to Dolsontown Road, and the building has correspondingly increased in size.

Development of the site complies with the town landscaping requirements provided in §195-24 of the Zoning Law. Specifically, the Project includes several vegetated stormwater areas; a mix of densely planted native tree species to include multi-stem, deciduous and evergreens; shrubs; and perennials. In addition to the stormwater facilities, placement of the building will encroach on .09-acres of the unmapped wetlands. The building will feature colors and materials that, combined with the landscaping, will blend into the viewshed. Lighting, discussed further below, will be dark sky compliant and strategically placed to prevent trespass onto neighboring properties.

The Board shall further consider the following:

- A. Building design and location. Building design and location should be suitable for the use intended and compatible with natural and man-made surroundings. New buildings, for example, should generally be placed along the edges and not in the middle of open fields. They should also be sited so as to not protrude above treetops or the ridgelines of hills seen from public places and busy highways. Building color, materials and design should be adapted to surroundings as opposed to adaptation of the site to the building or the building to an arbitrary national franchise concept.**

The proposed building design and location meet the special use permit criterion and will be appropriately adapted to the Project Site. The warehouse / distribution facility is fifty-and ½ feet (50.5') from the front of the parcel, which meets the fifty-foot (50') front setback requirement. The building location was selected to protect the unmapped wetlands at the back of the property. The parcel shape contributes to the choice of location, as the parcel is broadest at the roadway and "L"-shaped at the rear property line. Where practicable the color choices, materials and design will be adapted to surroundings. A mix of vegetated wetlands, stormwater facilities; multi-stem, evergreen and deciduous trees; shrubs; and perennials will landscape the Project Site.

An interior roadway, designed for safe vehicle travel as is necessary for warehouse / distribution facility uses, is also proposed. Two driveways, one accessing the Project Site from Dolsontown Rd and a separate driveway on Caskey Lane for employee passenger vehicles, are proposed for safe passage on the internal access roadway. Parking areas are

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proposed along the internal access roadway both behind the building and on the east and west sides of the building.

The Project fits into the streetscape and community. The Project will be constructed along a mostly commercial corridor. The Project design, setbacks and parking areas for the proposed warehouse building matches self-storage facilities northwest and southeast of the Project Site and complements additional commercial uses in the vicinity that include Balchem Corp manufacturing, and several automotive commercial uses including three dealerships, two gas stations, a repair shop, and a car wash. Retail, fast food, grocery stores, a hotel, restaurants, medical offices and construction contracting services can also be found within a third of a mile of the Project Site. The rear property line abuts vacant lands that are adjacent to I-84. A sewage disposal facility and Shoemaker Power Plant and Substation are approximately .3-mile from the Project Site.

- B. Large commercial buildings. Commercial facades of more than 100 feet in length should incorporate recesses and projections, such as windows, awnings and arcades, along 20% of the facade length. Variations in rooflines should be added to reduce the massive scale of these structures and add interest. All facades of such a building that are visible from adjoining streets or properties should exhibit features comparable in character to the front so as to better integrate with the community. Where such facades face adjacent residential uses, earthen berms planted with evergreen trees should be provided. Loading docks and accessory facilities should be incorporated in the building design and screened with materials comparable in quality to the principal structure. Sidewalks should be provided along the full length of any facade with a customer entrance and integrated into a system of internal landscape-defined pedestrian walkways breaking up all parking areas.**

The site design includes multiple affirmative methods of protecting aesthetics. The landscaping plan will propose a dense mix of native species and tree plantings within the ROW that will buffer the visual impact of the warehouse. No development is proposed on the south side of the Property where unmapped wetlands and the Monhagen Brook buffer homes on Sunrise Park Road from the Project. The lighting plan proposes dark sky compliant lighting and is the minimal lighting necessary to ensure public safety on the site. Color choices for the exterior will match the community aesthetics.

Loading docks and trailer storage are proposed on the south side (rear of building) of the Project Site within a gated area. A passenger vehicle employee parking area is proposed in the southeast and northwest corners of the building. Combined, the design elements will preserve community aesthetics.

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However, the Applicant respectfully requests a waiver from the large commercial building design standard for facades of 100' with varying building heights and residential features such as windows. The language in the special use permit standard does not make the design mandatory, instead suggesting that facades "should" incorporate elements to break up the façade. Therefore, the Board has the discretion to waive the recommended design elements.

Implementing residential design elements is impracticable for the proposed warehouse and distribution facility. The building height is necessary to accommodate standard warehouse equipment. Warehouse development is driven by the industry standards in equipment, processes and technology. The height and interior space of the warehouse is designed to meet industry standards regarding use of equipment, storage and workflow. Alterations would damage the marketability of the space, making it unsuitable for its permitted use as a warehouse and distribution facility. As warehousing is a permitted use in the zoning district with special use permit approval, the site design balances the interplay between necessity and community aesthetics. The proposed site design blends the Project into the streetscape.

**C. Lighting and signage. Improvements made to the property should not detract from the character of the neighborhood by producing excessive lighting or unnecessary sign proliferation. Recessed lighting and landscaped ground signs are preferred.**

Lighting and signage will comply with the special use standards. As previously discussed, the neighborhood character is comprised mostly of commercial uses. Signage for the proposed Project will be similar to that in the area.

All exterior lighting at the Project Site will be downcast, and dark sky compliant. The lighting will consist of energy efficient LED light fixtures. The lights will have edges that extend below the level of the fixture to reduce the potential for source glare and light spillage. The light fixtures will be mounted on poles and on the building. Fixture locations were selected for the purpose of protecting neighboring properties from light trespass.

The streetscape aesthetics of the Project will meet the special use permit criteria. A wall sign on the building and a freestanding sign at the entrance will be installed at the Project Site. Landscaping comprised of a mix of densely planted native species trees and shrubs will buffer neighboring properties from the Project. In total, the proposed development design will preserve aesthetics of the streetscape.

**D. Parking and accessory buildings. Parking areas should generally be placed in the rear or side whenever possible and provide for connections with adjoining lots. Accessory buildings should also be located in the rear with access from rear alleys. If placement**

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**in the rear is not possible, parking lots should be located to the side with screening from the street.**

Passenger vehicle parking is located on the east and west sides of the Project Site. Loading docks are on the rear of the building with trailer storage at the back of the Project Site. The east side of the corner lot faces proposed warehousing.. The landscaping plan provides for screening the parking from the street-view. The perimeter of the property, along the front and east side property lines, will include a densely planted mix of native tree and shrub species. Therefore, the Site Plan complies with the Special Use Permit criteria.

Site constraints pose a significant challenge for the parking locations. Approximately 3.2-acres, predominantly along the south and west property lines as well as a small area on the east property line, are unmapped wetlands. Another contributing factor to site design choices is that the parcel has an uneven shape that is narrower at the rear property line where the line forms an “L”-shape and fans out to the roadway. This parcel shape constrains the building and parking locations.

The need for truck and passenger vehicle access around the building contributed to the site design. The Project separates the truck and passenger vehicle access which is more operationally appropriate. Passenger vehicles can enter through Caskey Lane and park on the southwest side of the Project Site. As a result, an employee parking lot for passenger vehicles has been located at the west side of the property.

**E. Drainage systems. Storm drainage, flooding and erosion and sedimentation controls should be employed to prevent injury to persons, water damage to property and siltation to streams and other water bodies.**

The Applicant will prepare a SWPPP in compliance with the criteria set by NYSDEC for State Pollutant Discharge Elimination System (“SPDES”) General Permit for Stormwater Discharges from Construction Activity (the “Construction Permit,” or “CGP”). Erosion and sediment control measures during construction will meet New York Standards and Specifications for Erosion and Sediment Control (Blue Book), November 2016. Post-construction practices will meet New York State Stormwater Management Design Manual (the “Design Manual”), January 2015, to address post-construction stormwater discharges.

**F. Driveway and road construction. Whenever feasible, existing roads onto or across properties should be retained and reused instead of building new, so as to maximize the use of present features such as stone walls and tree borders and avoid unnecessary destruction of landscape and tree canopy. Developers building new driveways or roads through wooded areas should reduce removal of tree canopy by restricting**

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**clearing and pavement width to the minimum required for safely accommodating anticipated traffic flows.**

Under current site conditions, there is a residential access driveway on 24 Caskey Lane (6-1-90.24). The remaining Project Site is vacant. The proposed main truck access driveway will be a 30-foot-wide single entry/exit driveway connection to Dolsontown Road. Access from Dolsontown Road crosses already disturbed lands from an existing dirt road. However, the dirt road lacks adequate turn radii and following the existing dirt road path would make the internal access roadway impassible for truck traffic. Tree removal will be necessary for the driveway. Where practicable the proposed internal access roadway is minimized by a direct connection between the driveways and by encompassing parking locations along the internal roadway.

Design of traffic flow considered safety features for access to the site, safe flow of traffic on the site and impact on traffic. The TIS based projected traffic impacts on the conservatively high numbers associated with an industrial park. Warehousing estimates are approximately half the industrial park standard. Therefore, the proposed warehouse falls well below the TIS numbers assessed for an Industrial Park. Moreover, the FGEIS conclusions and SEQRA findings statements remain accurate in the level of service that can be expected in the corridor after installation of proposed mitigation measures. The on-site roadway circles the building so that trucks and vehicles can safely travel the site. Caskey Lane improvements will enable passenger vehicles to use a dedicated vehicle access to the site. As part of a larger commercial corridor redevelopment, the Project will dedicate approximately 3,185 sq. ft. of the current parcel to the Dolsontown Road ROW to widen the ROW across the frontage.

Construction of vehicle access and an interior roadway will require removal of trees. The Project includes a planting mix of deciduous, multi-stemmed and evergreen trees on the 4.26-acres of landscape surfaces. Vegetated wetlands, stormwater facilities, shrubs and perennials will fill in the viewshed between the tree trunks.

**G. Construction on slopes. The crossing of steep slopes with roads and driveways should be minimized and building which does take place on slopes should be multistoried with entrances at different levels as opposed to regrading the site flat.**

The Project Site does not contain steep slopes in the areas proposed for development. Therefore, the Project will not negatively impact topography in the community.

**H. Tree borders. New driveways onto principal thoroughfares should be minimized for both traffic safety and aesthetic purposes, and interior access drives which preserve tree borders along highways should be used as an alternative. Developers who**

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**preserve tree borders should be permitted to recover density on the interior of their property through use of clustering.**

The landscaping plan includes planting trees in dense patches comprised of a variety of native deciduous, multi-stem and evergreen trees and shrubs, as well as non-invasive ornamental perennial plants.

- I. Development at intersections. Building sites at prominent intersections of new developments should be reserved for equally prominent buildings or features which will appropriately terminate the street vistas. All street corners should be defined with buildings, trees or sidewalks.**

The Project is at the minor intersection of Dolsontown Road and Caskey Lane. The development plan includes a stately landscaped entrance to the Project from Dolsontown Road. Similar landscaping and design are proposed at the intersection of Caskey Lane and Dolsontown Road.

- J. Streets and sidewalks. Cul-de-sac and dead-end streets should be discouraged in favor of roads and drives which connect to existing streets on both ends. Streets within residentially developed areas should be accompanied by on-street parking and a sidewalk on at least one side of the street. Sidewalks should also be provided in connection with new commercial development adjacent to residential areas, and pedestrian access should be encouraged.**

The street and sidewalk special use criteria are not applicable as it appears to be written for residential uses. Notwithstanding the residential recommendations, the Project meets the intent of the special use standard regarding streets. Site design includes one continuous on-site roadway which connects access driveways serving the Project Site on both Dolsontown Road and Caskey Lane. An on-site sidewalk will be constructed for employee safety.

- K. Setbacks. New buildings on a street should conform to the dominant setback line and be aligned parallel to the street so as to create a defined edge to the public space.**

The Project meets all setbacks. Building placement is “aligned parallel to the street” as preferred by the special use permit standard.

- L. Adjacent properties. The proposed use should not have a detrimental impact on adjacent properties or the health, safety and welfare of the residents of the Town of Wawayanda.**



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The Project has been designed to protect the health, safety and welfare of residents. As previously discussed, the Project is within the MC1 commercial zoning district, and in the vicinity of an existing commercial corridor. Throughout the zoning district are a number of existing commercial uses that range from offices to manufacturing.

The Project will buffer adjacent parcels through design elements such as dark sky compliant lighting that are proposed to be strategically placed to protect neighbors from glare or light trespass. Also as previously discussed, traffic and parking patterns are carefully designed to accommodate truck and vehicle passage.

The Property boundaries will be landscaped to preserve aesthetics. Caskey Lane will be buffered by a landscaping plan of densely planted complementary native species. The proposed mix ensures adequate coverage through varying heights and shapes. The native species will be hardier in the climate and watering conditions, resulting in stronger and more consistent plantings that require less maintenance and replacement.

A memorandum summarizing a noise study (the “Noise Evaluation”) was submitted to the Planning Board with the FEIS submission. There is typically a minimal amount of time that trucks will be idling and waiting to drop off or pick up a trailer. In the event that they are waiting for a period of more than five (5) minutes, they are required to turn off their engine in accordance with the New York State Heavy Duty Vehicle Idling Law (6 NYCRR Subpart 217-3). The Noise Evaluation evaluated existing and projected noise levels associated with the Project at certain receptors, and found that in all instances, noise increases associated with the Project are anticipated to be less than 5dbA at all receptors. Increases of sound pressure of less than 5dB are anticipated to result in unnoticed to tolerable human reactions, pursuant to NYSDEC’s Assessing and Mitigating Noise Impacts, revised as of February 2, 2001. The Planning Board found in its Findings Statement that the Project would not have any significant adverse impacts on noise, and no additional mitigation was required. The proposed 4.55-acre expansion of the Project Site will provide additional noise buffer between the Project and adjacent parcels.

**M. Conditioned approval. If the proposed use is one judged to present detrimental impacts with respect to noise, lighting, surface runoff, emissions or other similar factors, the Planning Board shall determine whether an approval could be conditioned in such a manner as to eliminate or substantially reduce those impacts.**

The Project design incorporates mitigation methods to reduce impacts and comply with the Town Zoning Law and Special Use criteria. Mitigation such as downcast, dark sky compliant lighting installed at select locations protect neighboring properties from the potential impact of light trespass without impairing public safety. Similarly, the landscaping plan includes retention of existing tree stands in the wetlands as well as a

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rigorous planting schedule of native tree and shrub species. Noise was deemed appropriate to the ambient noise in the area and is further buffered by the addition of two parcels at the southwest corner of the parcel. Traffic mitigation includes conveyance of land to construct the Dolsontown Road widening and widening of Caskey Lane pavement along with other mitigation discussed more fully in the Findings Statement.

- N. Community impacts. The Planning Board shall consider whether the use will have a positive or negative effect on the environment, job creation, the economy, housing availability or open space preservation. The granting of an approval should not cause an undue economic burden on community facilities or services, including but not limited to highways, sewage treatment facilities, water supplies and fire-fighting capabilities. The applicant shall be responsible for providing such improvements or additional services as may be required to adequately serve the proposed use, and any approval shall be so conditioned. The Town shall be authorized to demand fees in support of such services where they cannot be directly provided by the applicant. This shall specifically apply, but not be limited to, additional fees to support fire district expenses.**

As noted above, the potential impacts of the Project, and other development along the Dolsontown Corridor, were comprehensively evaluated during the SEQRA process, including by the issuance of a SEQRA Findings Statement, and appropriate mitigation identified. We refer you to that document. Moreover, we note that the Project offers considerable economic benefit that includes job creation and broadening of the community tax base. In addition to warehouse/distribution employment at the facility, the Project fosters employment in associated businesses providing raw goods, manufacturing, wholesale supply, transportation, and retail sales.

At the same time the Project will have minimal draw on community resources. The Project will not result in any additional burdens on the local school system and will have minimal impact on emergency services.

- O. Hamlet areas. The hamlet areas of Wawayanda, specifically Ridgebury, Slate Hill and old New Hampton, are important and integral parts of the Town's culture and heritage. The hamlets represent historic, compact, developed areas within the largely rural regions of the Town. The character and quality of Wawayanda would be permanently diminished if these small settlements were to disappear from the landscape. New development should be integrated into the hamlet centers in such a way that it improves upon the positive aesthetic aspects of the hamlet centers and ensures that these centers will be preserved. New buildings and additions to existing buildings should blend into the existing hamlet landscape to the maximum extent**

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**practical. In considering an application for a special use within the Town's commercial and hamlet districts, the Planning Board shall consider the following: (Intentionally Omitted)**

We note that the Project is not in one of the Hamlet Zoning Districts, does not appear to be within a Hamlet, nor does the area reflect the compact development area typical of a Hamlet.

# **EXHIBIT D**

**Full Environmental Assessment Form**  
**Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project: Dewpoint - South		
Project Location (describe, and attach a general location map): Dolsontown Road, approx. 500 feet east of NYS Route 17M/Dolson Avenue, Town of Wawayanda, Orange County, NY		
Brief Description of Proposed Action (include purpose or need): The project site is in the Town of Wawayanda, Orange County, New York, on the south side of Dolsontown Road. The property is comprised of tax lots 4-1-50.32, 6-1-107 & part of 6-1-90.24, located within the Town's Mixed Commercial zoning district (MC-1). The Project site totals ±16.2 Acres in size, has frontage on Dolsontown Road to the north and Caskey Lane on the east. With the exception of lot 6-1-90.24 (a residentially developed parcel) the parcels are currently undeveloped with a mixture of agricultural fields, some woodlands, and wetlands in portions of the site. The project site contains approximately 3.2 acres of wetlands.  The applicant proposes to construct a 169,000 S.F. warehouse building with 14,700 S.F. of office space, 122 employees parking spaces, 33 trailer storage spaces and 51 loading docks. Other site improvements associated with the project include a new access driveways (one to Dolsontown Road and the other to Caskey Lane), water and sewer service connections to existing Town Main's within Dolsontown Road, stormwater management areas, landscaping and lighting.		
Name of Applicant/Sponsor: RDM Group, Attn: Isaac Neuman	Telephone: 845-202-4900	E-Mail: isaac@realdealmgt.com
Address: 21 Phillips Parkway		
City/PO: Montvale	State: NJ	Zip Code: 07645
Project Contact (if not same as sponsor; give name and title/role):	Telephone:	E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): Dewpoint Development LLC (4-1-50.32) & Mid Dolsontown LLC (6-1-107)	Telephone: 845-202-4900	E-Mail: isaac@realdealmgt.com
Address: 21 Phillips Parkway		
City/PO: Montvale	State: NJ	Zip Code: 07645

Tax lot: 6-1-90.24 Property Owner: Sal & Sherry DeVito Address: 24 Caskey Lane, Middletown, NY 10940
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**B. Government Approvals**

**B. Government Approvals, Funding, or Sponsorship.** (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, or Village Board of Trustees <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town Board - Dolsontown Road ROW dedication	TBD
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town Planning Board - Site Plan/Special Use Permit	April 2021
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	TOW Highway Dept. - Driveway permit/road opening for utilities	TBD
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Orange County Planning Dept. - GML 239 referral OCDOH - Public Water Supply	TBD
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSDEC - Stormwater SPDES	TBD
h. Federal agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	ACOE - Pre-construction notification	TBD
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**C. Planning and Zoning**

**C.1. Planning and zoning actions.**

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?  Yes  No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

**C.2. Adopted land use plans.**

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?  Yes  No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?  Yes  No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)  Yes  No

If Yes, identify the plan(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?  Yes  No

If Yes, identify the plan(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
If Yes, what is the zoning classification(s) including any applicable overlay district?  
Zoning district MC-1 - Mixed Commercial

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action?  Yes  No  
If Yes,  
i. What is the proposed new zoning for the site? \_\_\_\_\_

**C.4. Existing community services.**

a. In what school district is the project site located? Middletown

b. What police or other public protection forces serve the project site?  
New York State Police, Middletown Troop F, Orange County Sheriff's Office

c. Which fire protection and emergency medical services serve the project site?  
New Hampton Fire Co., Mobile Life Support Services Inc.

d. What parks serve the project site?  
Shannen Park, Ben and Paula Amchir Park

**D. Project Details**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? New construction of warehouse/distribution facility.

b. a. Total acreage of the site of the proposed action? \_\_\_\_\_ 16.2 acres  
b. Total acreage to be physically disturbed? \_\_\_\_\_ 12.6 acres  
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? \_\_\_\_\_ 16.2 acres

c. Is the proposed action an expansion of an existing project or use?  Yes  No  
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No  
If Yes,  
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)  
Commercial subdivision

ii. Is a cluster/conservation layout proposed?  Yes  No  
iii. Number of lots proposed? 2  
iv. Minimum and maximum proposed lot sizes? Minimum 16.2 Maximum 67.5 RDM, Simon Parcel

e. Will the proposed action be constructed in multiple phases?  Yes  No  
i. If No, anticipated period of construction: \_\_\_\_\_ 12 months  
ii. If Yes:  
• Total number of phases anticipated \_\_\_\_\_  
• Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year  
• Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year  
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

f. Does the project include new residential uses?  Yes  No  
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No  
 If Yes,

i. Total number of structures 1

ii. Dimensions (in feet) of largest proposed structure: 55' height; 245' width; and 690' length

iii. Approximate extent of building space to be heated or cooled: 169,000 square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No  
 If Yes,

i. Purpose of the impoundment: Stormwater control/treatment facilities.

ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: Stormwater runoff

iii. If other than water, identify the type of impounded/contained liquids and their source.  
N/A

iv. Approximate size of the proposed impoundment. Volume: TBD million gallons; surface area: TBD acres

v. Dimensions of the proposed dam or impounding structure: N/A height; N/A length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):  
Earthen ponds will have concrete outlet control structures

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both?  Yes  No  
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)  
 If Yes:

i. What is the purpose of the excavation or dredging? \_\_\_\_\_

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): \_\_\_\_\_
- Over what duration of time? \_\_\_\_\_

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.  
 \_\_\_\_\_  
 \_\_\_\_\_

iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No  
 If yes, describe. \_\_\_\_\_  
 \_\_\_\_\_

v. What is the total area to be dredged or excavated? \_\_\_\_\_ acres

vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ acres

vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet

viii. Will the excavation require blasting?  Yes  No

ix. Summarize site reclamation goals and plan: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No  
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): Overall ACOE wetlands area for the project site is ±3.2 acres.  
 \_\_\_\_\_  
 \_\_\_\_\_



ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:  
Fill of wetland for site grading & establishment of site improvements. These activities will remove 0.09 acres of ACOE wetlands.

iii. Will the proposed action cause or result in disturbance to bottom sediments?  Yes  No

If Yes, describe: Excavation for site improvements

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No

If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

N/A

c. Will the proposed action use, or create a new demand for water?  Yes  No

If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ 2,832 gallons/day

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No

If Yes:

- Name of district or service area: Town of Wawayanda - Water District #1
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?  Yes  No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No

If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

N/A

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ N/A gallons/minute.

d. Will the proposed action generate liquid wastes?  Yes  No

If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ 2,832 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

Sanitary wastewater.

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No

If Yes:

- Name of wastewater treatment plant to be used: Middletown wastewater treatment plant.
- Name of district: Town of Wawayanda - Sewer District #1
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No

• Do existing sewer lines serve the project site?  Yes  No  
 • Will a line extension within an existing district be necessary to serve the project?  Yes  No  
 If Yes:  
 • Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No  
 If Yes:  
 • Applicant/sponsor for new district: \_\_\_\_\_  
 • Date application submitted or anticipated: \_\_\_\_\_  
 • What is the receiving water for the wastewater discharge? \_\_\_\_\_  
 v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):  
 N/A  
 \_\_\_\_\_  
 \_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
 None proposed.  
 \_\_\_\_\_  
 \_\_\_\_\_

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No  
 If Yes:  
 i. How much impervious surface will the project create in relation to total size of project parcel?  
 \_\_\_\_\_ Square feet or 7.8 acres (impervious surface)  
 \_\_\_\_\_ Square feet or 16.2 acres (parcel size)  
 ii. Describe types of new point sources. Discharges from on-site stormwater management facilities.  
 \_\_\_\_\_  
 \_\_\_\_\_

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
On-site stormwater management facilities and off-site surface water.  
 \_\_\_\_\_  
 \_\_\_\_\_

• If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_  
All site runoff will be tributary to the Monhagen Brook, located off site.  
 \_\_\_\_\_  
 \_\_\_\_\_

• Will stormwater runoff flow to adjacent properties?  Yes  No  
 iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No  
 If Yes, identify:  
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
Delivery vehicles/trucks.  
 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
Power generators.  
 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  
Building HVAC units.  
 \_\_\_\_\_  
 \_\_\_\_\_

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No  
 If Yes:  
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No  
 ii. In addition to emissions as calculated in the application, the project will generate:  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)  
 • \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflouorocarbons (HFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No

If Yes:

i. Estimate methane generation in tons/year (metric): \_\_\_\_\_

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

---

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

---

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No

If Yes:

i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): \_\_\_\_\_  
96 total trucks (48 in / 48 out, mix of tractor trailers & single unit type)

iii. Parking spaces: Existing 2 Proposed 122 Net increase/decrease +120

iv. Does the proposed action include any shared use parking?  Yes  No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: Improvements to Dolsontown Road, including a left turn lane & dedication of R.O.W. to the Town and Caskey Lane improvements.

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site?  Yes  No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

---

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_  
TBD - will vary depending on end user.

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): Local utility provider.

iii. Will the proposed action require a new, or an upgrade, to an existing substation?  Yes  No

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l. Hours of operation. Answer all items which apply.

<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: <u>7am - 7pm</u></li> <li>• Saturday: <u>7am - 7pm</u></li> <li>• Sunday: <u>n/a</u></li> <li>• Holidays: <u>n/a</u></li> </ul>	<p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: <u>24 hours/day</u></li> <li>• Saturday: <u>24 hours/day</u></li> <li>• Sunday: <u>24 hours/day</u></li> <li>• Holidays: <u>24 hours/day</u></li> </ul>
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m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No  
 If yes:  
 i. Provide details including sources, time of day and duration:  
Equipment during construction is expected to exceed existing ambient noise levels throughout construction, existing ambient noise levels include adjacent Dolsontown Road and Interstate 84

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No  
 Describe: Some Wooded areas will be cleared for the proposed development.

---

n. Will the proposed action have outdoor lighting?  Yes  No  
 If yes:  
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  
A detailed lighting plan will be provided within the full site plan set under a future submission. The lighting design for the project will seek to utilize LED wall pack & pole mounted fixtures to illuminate the site. The fixtures will seek to restrict light trespass and dark sky compliance.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No  
 Describe: Some Wooded areas will be cleared for the proposed development.

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o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No  
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: \_\_\_\_\_

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p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No  
 If Yes:  
 i. Product(s) to be stored \_\_\_\_\_  
 ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)  
 iii. Generally, describe the proposed storage facilities: \_\_\_\_\_

---

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No  
 If Yes:  
 i. Describe proposed treatment(s):  
An integrated Pest Management (IPM) plan will be implemented as necessary to manage potential pests.

ii. Will the proposed action use Integrated Pest Management Practices?  Yes  No

---

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No  
 If Yes:  
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:  
 • Construction: \_\_\_\_\_ ±24 \_\_\_\_\_ tons per \_\_\_\_\_ Month (unit of time)  
 • Operation : \_\_\_\_\_ ±15 \_\_\_\_\_ tons per \_\_\_\_\_ Month (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:  
 • Construction: Recycle excess or scrap construction materials.  
 • Operation: Recycle glass, plastics and cardboard that is generated.

iii. Proposed disposal methods/facilities for solid waste generated on-site:  
 • Construction: Local hauling company and solid waste landfill.  
 • Operation: Local hauling company and solid waste landfill.

s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No  
 If Yes:  
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_  
 ii. Anticipated rate of disposal/processing:  
 • \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or  
 • \_\_\_\_\_ Tons/hour, if combustion or thermal treatment  
 iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No  
 If Yes:  
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_  
 \_\_\_\_\_  
 ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month  
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No  
 If Yes: provide name and location of facility: \_\_\_\_\_  
 \_\_\_\_\_  
 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:  
 \_\_\_\_\_  
 \_\_\_\_\_

**E. Site and Setting of Proposed Action**

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.  
 i. Check all uses that occur on, adjoining and near the project site.  
 Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)  
 Forest  Agriculture  Aquatic  Other (specify): \_\_\_\_\_

ii. If mix of uses, generally describe:  
 Agriculture land to the east, north of the site is a sewage treatment plant, residences to the east & northeast in the MC-1 zone, utility transmission lines and the Monhagen Brook to the south

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.3	7.8	+7.5
• Forested	10.85	0	-10.85
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	1.42	1.0	-0.42
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.03	0.03	0
• Wetlands (freshwater or tidal)	3.2	3.11	-0.09
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: Landscape/stormwater areas _____	0.4	4.26	+3.86

c. Is the project site presently used by members of the community for public recreation?  Yes  No  
i. If Yes: explain: \_\_\_\_\_

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  Yes  No  
If Yes,  
i. Identify Facilities:  
\_\_\_\_\_

e. Does the project site contain an existing dam?  Yes  No  
If Yes:  
i. Dimensions of the dam and impoundment:  
• Dam height: \_\_\_\_\_ feet  
• Dam length: \_\_\_\_\_ feet  
• Surface area: \_\_\_\_\_ acres  
• Volume impounded: \_\_\_\_\_ gallons OR acre-feet  
ii. Dam's existing hazard classification: \_\_\_\_\_  
iii. Provide date and summarize results of last inspection:  
\_\_\_\_\_

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No  
If Yes:  
i. Has the facility been formally closed?  Yes  No  
• If yes, cite sources/documentation: \_\_\_\_\_  
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:  
\_\_\_\_\_  
iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  Yes  No  
If Yes:  
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:  
\_\_\_\_\_

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
If Yes:  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No  
 Yes – Spills Incidents database Provide DEC ID number(s): \_\_\_\_\_  
 Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
 Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
If yes, provide DEC ID number(s): V00289, 336029  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): Off-Site Locations  
V00289 - Middletown Landfill, class "N" (no further action at this time)  
336029 - Middletown Dump, class "03" (no foreseeable public health or environmental threat)

v. Is the project site subject to an institutional control limiting property uses?  Yes  No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place?  Yes  No
- Explain: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ ±20 feet

b. Are there bedrock outcroppings on the project site?  Yes  No  
 If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ %

c. Predominant soil type(s) present on project site:	ErB - Erie gravelly silt loam	53.3 %
	MdB/C - Mardin gravelly silt loam	46.7 %
		%

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ ±2 feet

e. Drainage status of project site soils:  Well Drained: \_\_\_\_\_ % of site  
 Moderately Well Drained: 46.7 % of site  
 Poorly Drained 53.3 % of site

f. Approximate proportion of proposed action site with slopes:  0-10%: 70.2 % of site  
 10-15%: 16.3 % of site  
 15% or greater: 13.5 % of site

g. Are there any unique geologic features on the project site?  Yes  No  
 If Yes, describe: \_\_\_\_\_  
 \_\_\_\_\_

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?  Yes  No

ii. Do any wetlands or other waterbodies adjoin the project site?  Yes  No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  Yes  No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name Federal Waters, Federal Waters Approximate Size 3.2 Acres
- Wetland No. (if regulated by DEC) \_\_\_\_\_

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?  Yes  No  
 If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_  
 \_\_\_\_\_

i. Is the project site in a designated Floodway?  Yes  No

j. Is the project site in the 100-year Floodplain?  Yes  No

k. Is the project site in the 500-year Floodplain?  Yes  No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  Yes  No  
 If Yes:  
 i. Name of aquifer: \_\_\_\_\_

m. Identify the predominant wildlife species that occupy or use the project site: <u>Typical suburban wildlife</u> _____ _____ _____	_____ _____ _____
n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes: <i>i.</i> Describe the habitat/community (composition, function, and basis for designation): _____ _____ <i>ii.</i> Source(s) of description or evaluation: _____ <i>iii.</i> Extent of community/habitat: <ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul>	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: <i>i.</i> Species and listing (endangered or threatened): _____ Indiana Bat _____ _____	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes: <i>i.</i> Species and listing: _____ _____ _____	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If yes, give a brief description of how the proposed action may affect that use: _____ _____ _____	
<b>E.3. Designated Public Resources On or Near Project Site</b>	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes, provide county plus district name/number: <u>ORAN002</u>	
b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span> <i>i.</i> If Yes: acreage(s) on project site? <u>±12.9 Acres</u> <i>ii.</i> Source(s) of soil rating(s): <u>USDA - NRCS Custom Soil Report</u>	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes: <i>i.</i> Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature <i>ii.</i> Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____ _____	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes: <i>i.</i> CEA name: _____ <i>ii.</i> Basis for designation: _____ <i>iii.</i> Designating agency and date: _____	



e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? If Yes: <i>i.</i> Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input checked="" type="checkbox"/> Historic Building or District <i>ii.</i> Name: <u>1197 DOLSONTOWN RD, WAWAYANDA NY - USN #: 07119.000179: Building - Eligible</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<i>iii.</i> Brief description of attributes on which listing is based: <u>Building listed as 'eligible' is located at 1197 Dolstontown Rd. This is off-site &amp; the project has received prior letters of No Effect from SHPO.</u>	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site? If Yes: <i>i.</i> Describe possible resource(s): _____ <i>ii.</i> Basis for identification: _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? If Yes: <i>i.</i> Identify resource: <u>Orange Heritage Trail</u> <i>ii.</i> Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): <u>Orange Heritage Trail (State trail)</u> <i>iii.</i> Distance between project and resource: <u>0.5</u> miles.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? If Yes: <i>i.</i> Identify the name of the river and its designation: _____ <i>ii.</i> Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  <input type="checkbox"/> Yes <input type="checkbox"/> No

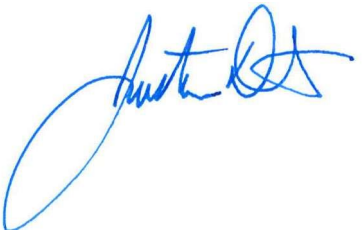
**F. Additional Information**

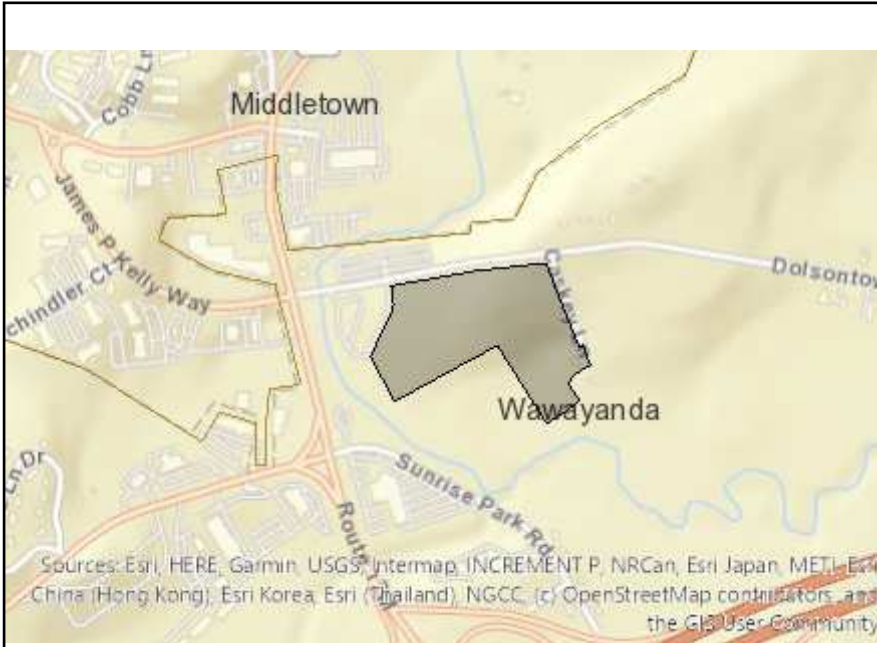
Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

I certify that the information provided is true to the best of my knowledge.

Consultant \_\_\_\_\_ Date July 26, 2023  
~~Applicant/Sponsor Name~~ Justin E. Dates, RLA \_\_\_\_\_ Date \_\_\_\_\_  
 (Colliers Engineering & Design)  
 Signature  \_\_\_\_\_ Title Dept. Manager / Landscape Architect



**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	V00289, 336029
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No

E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Indiana Bat
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	Yes
E.3.a. [Agricultural District]	ORAN002
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

# **EXHIBIT E**





# **EXHIBIT F**



Hudson Cultural Services  
PO Box 124,  
Lagrangeville, NY 12540  
914-456-3698

July 17, 2023

Avi Pomerantz  
The RDM Group  
21 Philips Pkwy,  
Montvale, NJ 07645

Re: Dewpoint South Additional Parcel  
Potential for Cultural Resources

Dear Mr. Pomerantz,

Thank you for contacting Hudson Cultural Services (HCS) with respect to the Dewpoint South Additional Parcel (Additional Parcel), located at 24 Caskey Lane in the City of Middletown, NY. This additional parcel total 0.61 acres of land which contains a residential structure and subsurface infrastructure. This parcel is located in an area that has been identified as being sensitive for cultural resources.

In November of 2021, HCS completed Phase 1A Literature Search and Sensitivity Assessment & Phase 1B Archaeological Field Reconnaissance Surveys for the Dewpoint South: Warehouse Construction Project and the Dewpoint North: Warehouse Construction Projects, which included 17.7 acres on both sides of Dolsontown Road. These surveys did not identify any cultural resources.

In August of 2021, HCS completed a Phase 1A Literature Search and Sensitivity Assessment & Phase 1B Archaeological Field Reconnaissance Survey for the 1081 Dolsontown Road Warehouse project, a 20 acre site located to the northeast of the Additional Parcel. No cultural resources were identified as a result of this survey.

In April 2021, Tracker Archaeology completed a Phase I Archaeological Investigation for the om-Mar Transfer & Recycling Center at 1118 Dolsontown Road. The investigation of 18 acres did not identify any cultural resources.

In March of 2007, Tracker Archeology completed Phase I Archaeological Investigation for the Simon Business Park Project, consisting of 24 acres, on the southern side of Dolsontown Road, surrounding the Additional Parcel. This survey did not identify any cultural resources.

In September of 2021, RDM Group acquired the Simon Business Park property, and HCS completed a Supplemental Phase 1 Archaeological Survey of areas that were not previously expanded. The survey of the additional 5 acres did not identify any cultural resources.

In June of 2001, TRC completed a Phase 1 Archaeological Survey of 35 acres for the Proposed Wawayanda Energy Center Project northeast of 1080 Dolsontown Road. No cultural resources were identified as a result of this survey.

The Additional Parcel contains a residential building, associated subsurface infrastructure and asphalt driveway. 24 Caskey Lane also features a swimming pool within the yard. The residential buildings were constructed in the mid to late 20<sup>th</sup> century.



Due to the small size of the Additional Parcel (< 1 acres), and the current disturbance within the parcel the potential for cultural resources is considered low. In addition, seven archaeological surveys have been completed for the various parcels surrounding the Additional Parcel, none of which identified any significant cultural resources.

Therefore, it is the opinion of HCS that additional archaeological investigations for these parcels is not warranted.

Sincerely,

A handwritten signature in blue ink that reads "Beth Selig". The signature is written in a cursive, flowing style.

Beth Selig

President, Hudson Cultural Services



# **EXHIBIT G**

## Memorandum

To: Mr. John Razzano and Members of the Planning Board  
From: A. Peter Russillo, P.E., PTOE  
Date: August 3, 2023  
Subject: RDM # 3 - Dewpoint South  
Project No.: 20006912E

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The prior SEQRA analysis considered a proposed 125,000 SF warehouse with a single access drive to service truck and passenger vehicles (the “Initial Project”). The proposal has since been modified to increase building size to 169,000 SF with the intention of providing separate access for passenger vehicle and truck traffic (the “Modified Project”). This memo concludes that no additional mitigative measures, beyond those contained in the previously adopted SEQRA Findings Statement (the “Findings Statement”) are necessary.

### **Prior SEQRA Review of Traffic Generation**

As the Planning Board knows, the SEQRA review of the Initial Project used ITE Land Use 130 – (Industrial Park) to analyze traffic generation, notwithstanding that ITE Land Use 150 – (Warehouse) more accurately considers traffic generation related to the proposed use. Because the mitigation provided for in the Findings Statement was based on this conservative analysis, the Dolsontown Corridor projects will provide more mitigation than their actual anticipated impact.

The effect of this conservative analysis is demonstrated on Table 1 below. The top of the chart contains the conservative analysis of the Initial Project, pursuant to ITE-130, while the middle of the chart contains an analysis of the actual anticipated impact of the Modified Project, pursuant to ITE-150. The bottom of the chart contains the conservative analysis of the Modified Project.

Notwithstanding the increase in project size, the ITE - 150 (Warehouse) analysis of the Peak AM hour reflects sixteen fewer combined trips than were anticipated for the smaller project analyzed as an Industrial Park. The analysis of the Peak PM hour reflects eleven fewer combined trips.

Because of the significantly fewer combined trips under this analysis, it is not anticipated that any impacts associated with the Modified Project would be such as to require mitigation beyond that contained in the Findings Statement.

**Table 1 - Anticipated Site Generated Traffic Volumes Utilizing Both ITE - 130 Industrial Park and ITE-150 Warehouse Standards**

	Entry				Exit				Total			
	HTGR	Passenger Vehicles	Trucks	Total	HTGR	Passenger Vehicles	Trucks	Total	HTGR	Passenger Vehicles	Trucks	Total
<b>SEQRA Analysis Using ITE-130 Industrial Park (125,000 s.f.)</b>												
Peak AM Hour	0.36	42	3	45	0.05	5	1	6	0.41	47	4	51
Peak PM Hour	0.08	8	2	10	0.32	36	4	40	0.40	44	6	50
<b>Modified Project Using ITE 150- Warehouse (169,000 s.f.)</b>												
Peak AM Hour	0.14	19	4	23	0.07	6	6	12	0.21	25	10	35
Peak PM Hour	0.055	4	5	9	0.175	25	5	30	0.23	29	10	39
<b>Modified Project Using ITE-130-Industrial Park (169,000 s.f.)</b>												
Peak AM Hour	0.36	57	3	60	0.05	7	2	9	0.41	64	5	69
Peak PM Hour	0.08	11	3	14	0.32	49	5	54	0.40	60	8	68

**Site Access**

As referenced above, the Modified Project intends to separate access for passenger vehicles and trucks, with passenger vehicles now proposed to utilize Caskey Lane and trucks limited to the westerly access only.

Applying the more conservative ITE-130 standard to the Modified Project, as shown on the lower portion of Table 1 above, it is anticipated that 57 passenger vehicles will enter the site and 7 will exit during the AM Peak Hour and 11 passenger vehicles will enter and 49 will exit during the PM Peak Hour. For the purpose of the capacity analysis, all passenger vehicle trips were assigned to Caskey Lane and it was assumed that Caskey Lane will be improved to current town roadway standards and that the improvements to Dolsontown Road provided for in the Findings Statement are implemented.

As shown on the attached Capacity Analysis, the Dolsontown Road/Caskey Lane intersection is expected to operate at a Level of Service "A" on the left turn entry movement and a Level of Service "C" on the exit movement during the AM Peak Hour and at a Level of Service "A" on the

left turn entry movement and a Level of Service “D” on the exit movement during the PM Peak Hour. A “D” Level of Service on the minor approach at unsignalized intersections is not considered as unusual during peak hour conditions, and does not warrant mitigation.

It should be noted, the proposed access arrangement utilizes an existing point of access to Dolsontown Road (Caskey Lane) for the purpose of separating truck traffic from passenger vehicle traffic; a sound operational goal.

We expect the increase in development size and splitting of access point will have little to no impact on area traffic operations, consistent with the Planning Board’s previous conclusion that upon implementation of already identified mitigation measures, all potential traffic impacts will have been mitigated to the maximum extent practicable. The conservative methodology used to determine projected traffic counts further affirms the Board’s conclusion.

2032 Build Traffic Volumes  
 14: Caskey Lane & Dolsontown Road

Weekday Peak AM Hour  
 07/21/2023



Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑		↙	↑	↘	
Traffic Volume (vph)	707	134	24	277	16	3
Future Volume (vph)	707	134	24	277	16	3
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Grade (%)	0%			-9%	0%	
Storage Length (ft)		0	50		0	0
Storage Lanes		0	1		1	0
Taper Length (ft)			25		25	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Frt	0.978				0.980	
Flt Protected			0.950		0.959	
Satd. Flow (prot)	1755	0	1886	1789	1786	0
Flt Permitted			0.950		0.959	
Satd. Flow (perm)	1755	0	1886	1789	1786	0
Link Speed (mph)	30			30	30	
Link Distance (ft)	796			371	296	
Travel Time (s)	18.1			8.4	6.7	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Heavy Vehicles (%)	7%	0%	0%	11%	0%	0%
Adj. Flow (vph)	768	146	26	301	17	3
Shared Lane Traffic (%)						
Lane Group Flow (vph)	914	0	26	301	20	0
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Left	Left	Right
Median Width(ft)	12			12	12	
Link Offset(ft)	0			0	0	
Crosswalk Width(ft)	16			16	16	
Two way Left Turn Lane	Yes			Yes		
Headway Factor	1.00	1.00	0.94	0.94	1.00	1.00
Turning Speed (mph)		60	60		60	60
Sign Control	Free			Free	Stop	

Intersection Summary

Area Type: Other  
 Control Type: Unsignalized

2032 Build Traffic Volumes  
 14: Caskey Lane & Dolsontown Road

Weekday Peak AM Hour  
 07/21/2023

Intersection						
Int Delay, s/veh	0.5					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	707	134	24	277	16	3
Future Vol, veh/h	707	134	24	277	16	3
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	50	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	-9	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	7	0	0	11	0	0
Mvmt Flow	768	146	26	301	17	3

Major/Minor	Major1	Major2	Minor1	Minor2	Minor3
Conflicting Flow All	0	0	914	0	1194
Stage 1	-	-	-	-	841
Stage 2	-	-	-	-	353
Critical Hdwy	-	-	4.1	-	6.4
Critical Hdwy Stg 1	-	-	-	-	5.4
Critical Hdwy Stg 2	-	-	-	-	5.4
Follow-up Hdwy	-	-	2.2	-	3.5
Pot Cap-1 Maneuver	-	-	754	-	208
Stage 1	-	-	-	-	426
Stage 2	-	-	-	-	716
Platoon blocked, %	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	754	-	201
Mov Cap-2 Maneuver	-	-	-	-	324
Stage 1	-	-	-	-	426
Stage 2	-	-	-	-	692

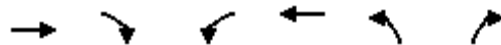
Approach	EB	WB	NB
HCM Control Delay, s	0	0.8	16.6
HCM LOS			C

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	330	-	-	754	-
HCM Lane V/C Ratio	0.063	-	-	0.035	-
HCM Control Delay (s)	16.6	-	-	9.9	-
HCM Lane LOS	C	-	-	A	-
HCM 95th %tile Q(veh)	0.2	-	-	0.1	-



2032 Build Traffic Volumes  
 14: Caskey Lane & Dolsontown Road

Weekday Peak PM Hour  
 07/21/2023



Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Volume (vph)	592	24	5	815	116	20
Future Volume (vph)	592	24	5	815	116	20
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Grade (%)	0%			-9%	0%	
Storage Length (ft)		0	50		0	0
Storage Lanes		0	1		1	0
Taper Length (ft)			25		25	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Frt	0.995				0.980	
Flt Protected			0.950		0.959	
Satd. Flow (prot)	1821	0	1886	1909	1786	0
Flt Permitted			0.950		0.959	
Satd. Flow (perm)	1821	0	1886	1909	1786	0
Link Speed (mph)	45			45	30	
Link Distance (ft)	796			371	296	
Travel Time (s)	12.1			5.6	6.7	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Heavy Vehicles (%)	4%	0%	0%	4%	0%	0%
Adj. Flow (vph)	643	26	5	886	126	22
Shared Lane Traffic (%)						
Lane Group Flow (vph)	669	0	5	886	148	0
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Left	Left	Right
Median Width(ft)	12			12	12	
Link Offset(ft)	0			0	0	
Crosswalk Width(ft)	16			16	16	
Two way Left Turn Lane	Yes			Yes		
Headway Factor	1.00	1.00	0.94	0.94	1.00	1.00
Turning Speed (mph)		9	15		15	9
Sign Control	Free			Free	Stop	

Intersection Summary

Area Type: Other  
 Control Type: Unsignalized

2032 Build Traffic Volumes  
 14: Caskey Lane & Dolsontown Road

Weekday Peak PM Hour  
 07/21/2023

Intersection						
Int Delay, s/veh	2.8					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	592	24	5	815	116	20
Future Vol, veh/h	592	24	5	815	116	20
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	50	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	-9	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	4	0	0	4	0	0
Mvmt Flow	643	26	5	886	126	22

Major/Minor	Major1	Major2	Minor1		
Conflicting Flow All	0	0	669	0	1552 656
Stage 1	-	-	-	-	656 -
Stage 2	-	-	-	-	896 -
Critical Hdwy	-	-	4.1	-	6.4 6.2
Critical Hdwy Stg 1	-	-	-	-	5.4 -
Critical Hdwy Stg 2	-	-	-	-	5.4 -
Follow-up Hdwy	-	-	2.2	-	3.5 3.3
Pot Cap-1 Maneuver	-	-	931	- ~	126 469
Stage 1	-	-	-	-	520 -
Stage 2	-	-	-	-	402 -
Platoon blocked, %	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	931	- ~	125 469
Mov Cap-2 Maneuver	-	-	-	-	262 -
Stage 1	-	-	-	-	520 -
Stage 2	-	-	-	-	400 -

Approach	EB	WB	NB
HCM Control Delay, s	0	0.1	31.4
HCM LOS			D

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	280	-	-	931	-
HCM Lane V/C Ratio	0.528	-	-	0.006	-
HCM Control Delay (s)	31.4	-	-	8.9	-
HCM Lane LOS	D	-	-	A	-
HCM 95th %tile Q(veh)	2.9	-	-	0	-

Notes  
 ~: Volume exceeds capacity    \$: Delay exceeds 300s    +: Computation Not Defined    \*: All major volume in platoon