

III.14 Noise

Noise Preamble

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

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

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

- **Density:** The Preferred Alternative is 17% smaller than the DEIS Plan and will generate proportionately less sound in the aggregate.
- **Distance:** Sound dissipates over distance. The Preferred Alternative positions buildings and vehicles nearly one quarter of a mile from all nearby residences. The most dramatic difference was eliminating Building 4, which had been within 600' of Twin Brooks.
- **Line of Sight:** Sound generally travels in waves over a straight line. The Preferred Alternative Plan places loading docks on the building side facing away from the abutting condominium communities and uses the building structure to block sound transmission.

- **Traffic Circulation:** The Preferred Alternative Plan uses a traffic circulation pattern that prevents trucks from circumnavigating the buildings and confines trucks to areas where a building stands between the truck and the abutting condominium communities. Only automobiles will travel to the condo facing side of the buildings.
- **Topography:** The buildings are placed at a higher elevation than the abutting condominium communities and will act as a sound barrier for noise from I-84. Additionally, the Applicant will install a 12' high berm between Building B and the Twin Brook Manor community to provide a high quality, natural visual and sound barrier.
- **Sound Walls:** The Applicant will select quieter equipment and/or install sound walls on all roof top equipment to assure that no more than 46 dBA of sound reaches the closest residences from this equipment, which is 9 dBA lower than the nighttime noise limitation set by the Town Noise Ordinance.
- **Operations:** The Applicant will commit to assuring the Town and residents that New York's anti-idling regulations are followed at all times. Trucks will not be permitted to layover on-site overnight. Tenants and users will be required to install trucker's lounges where drivers can relax while their trucks are being loaded or unloaded, eliminating any need to remain in an idling truck. There will be no sleeping accommodations for drivers on the property.
- **Operating Hours:** The building will operate 24/7/360, but within the industry, the majority of commercial activity occurs during the traditional business day, and is reduced by approximately half during the second (evening) shift. During the third (night) shift the activity is limited to in-building cleaning, maintenance, repair and restocking activity much like a grocery store prepares for the next business day. Based on truck counts at the Gap Distribution Center in Fishkill and at the Matrix Distribution Center in Newburgh, truck traffic is concentrated to the first shift, tapering into the second shift. The vast majority of trucks will not be making deliveries between the hours of 11:00 PM to 7:00 AM in normal operations. The access to the buildings will be controlled by gates providing controlled access to further prevent unnecessary truck access to the property.

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

Comment No. 14-1

Noise monitoring locations 6 and 7 are first introduced on page III.L-9, separately from the other locations. Since they are subsequently treated the same as the other locations, it would be better to treat them the same as the other 5 locations by including them in all areas of the chapter (i.e., Pages III.L-8, Table III.L-9, Table III.L-11, etc.).

(B-1, AKRF)

Response No. 14-1

Noise monitoring locations 1 to 5 (Figure III.14-1) were selected as the closest residences to the proposed project. Three of them (#1, 2, and 5) are in the Hunters Glen development. At the time of the night-time noise monitoring, sites 1 and 5 were totally dominated by the sound of flowing water. Noise monitoring locations 6 and 7 were selected to study sites further from the stream, and further from the proposed development and I-84, as surrogates. Since they are sites that are interior to the development, and not in worst-case locations, there is no need to analyze them further.

Comment No. 14-2

Indicate the duration of the noise measurements. As stated in Section 96-5.D.1 of (the Code of the Town of Southeast," sound measurements shall be taken at the property line for twenty-minute durations.

(B-1, AKRF)

Response No. 14-2

The 20 minute duration noted is with respect to compliance with the noise code. Since measurements were taken to characterize the background values only, the time periods were shortened once it was clear that the Leq was completely stable, and unchanging. The new October 2018 daytime readings were generally taken for periods of 20-minute duration, as there was more variation in the noise sources. The previous and new data is presented in the revised table below (in the DEIS, Table III.L-5a and 5b).

Table III.C.14-1a (revised)

Ambient Noise Levels on February 20 and 21, 2018 & October 3, 2018

	Receptor #							
	1	1	2	2	3	3	5	5
Location	Hunters Glen				Twin Brooks		Hunters Glen	
Leq, dBA	51.9	46.3	45.3	42.3	44.5	36.8	65.7	47.3
Lmax, dBA	54.0	47.5	62.5	52.1	59.9	40.2	87.0	48.6
L1, dBA	52.8	47.3	54.0	50.3	51.5	39.6	80.6	48.3
L10, dBA	52.2	46.6	46.0	46.3	46.5	38.0	59.2	47.5
L90, dBA	51.7	46.1	42.9	38.5	40.7	35.8	44.6	47.2
Time Start	3:43pm	11:55pm	3:57pm	12:27am	4:55pm	12:41am	3:18pm	12:03am
Duration, min	5	5	20	5	20	5	20	5
Date	3 Oct	20 Feb	3 Oct	21 Feb	3 Oct	21 Feb	3 Oct	21 Feb
Major Noise Sources	Flowing water		Autos in neighborhood	Autos on Fair St.	I-84		Lawn mowers	Flowing water

Table III.C.14-1b (revised)
Ambient Noise Levels on February 20 and 21, 2018

	Receptor #					
	4	4	4	6	7	
Location	Field Lane, Patterson			Hunters Glen		
Leq, dBA	52.8	43.7	43.8	41.0	50.9	39.5
Lmax, dBA	76.7	47.8	47.1	46.4	64.6	43.6
L1, dBA	60.3	47.4	46.7	45.3	59.8	42.8
L10, dBA	51.0	46.2	45.3	42.5	53.6	40.7
L90, dBA	48.3	40.4	42.0	39.1	45.8	38.3
Time Start	5:29pm	11:38pm	12:48am	12:08am	4:24pm	12:18am
Duration, min	20	5	5	5	20	5
Date	3 Oct	20 Feb	21 Feb	21 Feb	3 Oct	21 Feb
Major Noise Sources	Local traffic & I-84	I-84 & flowing water		Distant traffic & hum of electrical equipment	Local traffic in development	Distant traffic & hum of electrical equipment

Not unexpectedly the daytime background noise levels were higher. The increase from nighttime to daytime, and the primary reason is summarized below.

Receptor No.	Increase from Nighttime to Daytime		Primary Reasons for Difference
	Leq, dBA	Lmax, dBA	
1	6	7	Higher flow in stream + additional neighborhood noise
2	3	10	Traffic within Hunters Glen
3	8	20	Increased I-84 traffic & neighborhood activity
4	9	19	Local traffic and increased I-84
5	18	38	Lawn mowers within Hunters Glen
7	11	21	Traffic within Hunters Glen

These data demonstrate several points:

- Daytime noise levels can be very high and are influenced by what activities are going on nearby. Monitoring captured lawn mowers, cars, and delivery trucks.

Other noise sources that would be there at other times would include: trash pickup, weed whackers, snow removal, and air conditioners.

- Potential construction noise levels should be compared with the daytime noise levels.
- At night, I-84 noise is a constant, that on occasion can be overshadowed by such noise sources as flowing water in a stream that has been monitored. There are also times when cicadas will be very loud (certainly between 50 and 60 dBA at the residences closest to the trees), and times when wind blowing through the leaves will raise background noise levels, especially in the fall as the leaves are dying.
- As such, it is expected that the background noise levels at night will vary from the high 30s dBA to at least the high 50s dBA, over the course of a year.

Comment No. 14-3

In Table III.L-5, a unit should be specified for the reported L1, L10, and L90 noise levels. If it is dB(A), this should be made explicit, as with the Leq and Lmax values in the table.

(B-1, AKRF)

Response No. 14-3

See Response No. 14-2. The unit dBA has been added to the revised table.

Comment No. 14-4

Pages III.L-13/14 state that "the volume of construction traffic is less than the operational traffic." Explain/clarify why construction traffic would not produce a greater amount of noise due to construction trucks as compared to normal vehicular traffic.

(B-1, AKRF)

Response No. 14-4

See Response No. 15-1. [What FEIS section is this in?]

Comment No. 14-5

Page III.L-18 indicates that the traffic noise analysis was conservative by comparing build conditions to existing conditions. However, the discussion after Table III.L-10c seems to compare build conditions to no build conditions.

(B-1, AKRF)

Response No. 14-5

The tables (III.L-10a, b, and c in the DEIS) should have said existing traffic noise analysis was conservative by comparing build conditions to existing conditions. The tables have been redone with the revised traffic of the Preferred Alternative and are presented below, comparing build to no build conditions. In addition, based on other comments, additional links have been added.

**Table III.L.14-2a (FEIS revised)
Traffic Volume and Noise PCE**

Comparison of Build 2023 to No Build 2023 (AM Peak Hour)

Location	No Build AM 2023			Build AM 2023			%PCE Increase	dBA Increase
	Cars	Trucks	Noise PCEs	Cars	Trucks	Noise PCEs		
US 6 north of Route 312	1,755	105	6,669	1,783	106	6,758	1.3	<0.1
US 6 south of Route 312	745	90	4,982	746	90	4,989	0.1	<0.1
Route 312 between US 6 & Prospect Hill Road	1,787	75	5,294	1,817	76	5,382	1.7	<0.1
Route 312 between Prospect Hill Road & Pugsley Road	1,813	138	8,304	1,843	139	8,379	0.9	<0.1
Route 312 between Pugsley Road & Caremount Dr	1,814	140	8,398	1,935	147	8,847	5.3	0.2
Route 312 between Caremount Dr & I-84 EB Ramps	1,843	85	5,855	1,965	91	6,232	6.4	0.3
Route 312 between I-84 EB Ramps & I-84 WB Ramps	1,752	110	6,898	1,825	112	7,080	2.6	0.1
Route 312 between I-84 WB Ramps & International Blvd	1,111	39	2,926	1,145	40	2,960	1.2	<0.1
Route 312 north of International Blvd	846	59	3,618	881	59	3,654	1.0	<0.1
I-84 EB Ramps	1,269	67	4,411	1,431	69	4,674	6.0	0.1
I-84 WB Ramps	716	21	1,717	902	23	1,963	14.	0.3

**Table III.L.14-2b (FEIS revised)
Traffic Volume and Noise PCE**

Comparison of Build 2023 to No Build 2023 (PM Peak Hour)

Location	No Build AM 2023			Build AM 2023			%PCE Increase	dBA Increase
	Cars	Trucks	Noise PCEs	Cars	Trucks	Noise PCEs		
US 6 north of Route 312	2,358	27	3,621	2,392	27	3,667	1.3	<0.1
US 6 south of Route 312	831	25	2,016	833	25	2,020	0.2	<0.1
Route 312 between US 6 & Prospect Hill Road	2,280	22	3,334	2,315	23	3,387	1.6	<0.1
Route 312 between Prospect Hill Road & Pugsley Road	2,337	24	3,448	2,373	24	3,484	1.0	<0.1
Route 312 between Pugsley Road & Caremount Dr	2,350	24	3,461	2,490	25	3,650	5.5	0.2
Route 312 between Caremount Dr & I-84 EB Ramps	2,405	37	4,163	2,513	40	4,386	5.4	0.2
Route 312 between I-84 EB Ramps & I-84 WB Ramps	2,400	42	4,358	2,469	43	4,472	2.6	0.1
Route 312 between I-84 WB Ramps & International Blvd	1,332	17	2,141	1,344	17	2,154	0.6	<0.1
Route 312 east of International Blvd	1,241	29	2,603	1,339	31	2,795	7.4	0.3
I-84 EB Ramps	892	10	1,366	963	10	1,449	6.1	0.3
I-84 WB Ramps	1,285	14	1,947	1,343	14	2,005	3.0	0.1

**Table III.L.14-2c (FEIS revised)
Traffic Volume and Noise PCE**

Comparison of Build 2023 to No Build 2023 (SAT Peak Hour)

Location	No Build AM 2023			Build AM 2023			%PCE Increase	dBA Increase
	Cars	Trucks	Noise PCEs	Cars	Trucks	Noise PCEs		
US 6 north of Route 312	2,346	27	3,594	2,354	27	3,606	0.3	<0.1
US 6 south of Route 312	865	13	1,483	867	13	1,486	0.2	<0.1
Route 312 between US 6 & Prospect Hill Road	2,342	41	4,275	2,350	41	4,289	0.3	<0.1
Route 312 between Prospect Hill Road & Pugsley Road	2,369	36	4,075	2,377	36	4,090	0.4	<0.1
Route 312 between Pugsley Road & Caremount Dr	2,377	38	4,178	2,410	44	4,495	7.6	0.3
Route 312 between Caremount Dr & I-84 EB Ramps	2,400	36	4,104	2,436	37	4,165	1.5	<0.1
Route 312 between I-84 EB Ramps & I-84 WB Ramps	2,323	46	4,481	2,345	46	4,524	1.0	<0.1
Route 312 between I-84 WB Ramps & International Blvd	1,275	19	2,179	1,278	19	2,184	0.2	<0.1
Route 312 east of International Blvd	1,295	9	1,705	1,298	9	1,708	0.2	<0.1
I-84 EB Ramps	1,211	32	2,719	1,228	32	2,751	1.2	<0.1
I-84 WB Ramps	1,133	16	1,864	1,152	16	1,894	1.6	<0.1

The largest projected increase in noise is 0.3 dBA which is far below the 2 to 3 dBA that is considered barely discernable. In fact, for 75% of the links the increases are only 0.1 dBA or less. Thus, there is no projected noise impact from increased off-site traffic noise.

Comment No. 14-6

Indicate the enforcement mechanism to ensure that if Building #4 is developed as a cold storage facility, a more detailed noise analysis will be performed.

(B-1, AKRF)

Response No. 14-6

The analysis in the DEIS was performed on the basis of assumed mechanical units and assumed rooftop locations to demonstrate that rooftop HVAC noise was not an issue of concern because of the large distances involved.

The Noise Ordinance allows a night-time $L_{eq(1 \text{ hr})}$ of 55 dBA. The Applicant's analysis shows that its project can easily conform to that requirement, and, as an exercise of good faith and to be conservative, will show that its project can surpass the night-time requirements of the Town Code by meeting a limit of 46 dBA. At the time of Site Plan Approval, the Applicant is willing to perform a supplemental noise analysis based on actual equipment selection and location to confirm that with both buildings fully occupied the HVAC noise will be less than 46 dBA at all existing residential receptors. The Applicant is also willing to provide a further confirming monitoring report after installation of the equipment to document the results. Sound barriers would be added adjacent to units on the roof, if that would be necessary to meet the 46 dBA goal, although the analysis indicates that this is unlikely.

Comment No. 14-7

In the "Operation - On-site Trucks" section of the chapter, a reference Lmax noise level of 75 dBA is presented for truck operations. A reference for this emission level should be provided, or the emission level for Flatbed Trucks as provided by FHWA and presented in Table III.L-7 should be used instead.

(B-1, AKRF)

Response No. 14-7

The Lmax of 75 dBA was a measured value of low speed (5 to 7 mph) heavy trucks traveling on interior asphalt driveways at various sites in New Jersey, most recently at a site in Howell. Subsequent to the DEIS, noise levels were monitored on the traffic entering and leaving the Gap Distribution Center in Fishkill, NY. On October 18, 2018 from 10:22pm to 10:58pm the Lmax of 6 tractor-trailers approaching the entrance at a distance of 25' were measured. The values were: 71, 73, 73, 74, 74, and 76 dBA. Thus, the value of 75 dBA that was used in the analysis is appropriate.

Comment No. 14-8

Further detail/clarification should be presented on the measured HVAC noise levels from "other similar facilities" used in the "Operation - On-site HVAC" section of the chapter. This should include a description of the similar facility/facilities, methodology for noise level measurements, measured noise levels, and description of any adjustments made to apply the measured levels to this analysis.

(B-1, AKRF)

How much noise will be added by the HVAC units on top of the buildings perched fifty feet above the top of the ridge? How much louder are the refrigerated units?

(B-91, Alan Wendolski)

Response No. 14-8

The data used for the HVAC equipment was based on rooftop monitoring adjacent to similar equipment at:

- Commercial facilities
 - White Plains, NY
 - Bronxville, NY
- Cold Storage (1/2 refrigeration & 1/2 freezer)
 - Clifton, NJ

These data were used to help to evaluate the extent of the issue associated with rooftop HVAC equipment. See Response No. 14-6 for additional discussion.

Comment No. 14-9

And that's in the Hunters Glen town home community. So my first question is, obviously, the obvious, what's the impact to Hunters Glen? I think Hunters Glen is about 1200 feet away, so I'd like to hear more about the impact from sound and noise from Hunters Glen.

(B-2, PH #1, Mr. Esposito)

I live at 4501 Hickory Hollow Lane in Hunters Glen. My question really is about the noise. I was looking through the noise report there, and it seemed like they set up some receptors on my road too on – in February, and they – the decibel level was recorded. You know, said that the flow of stream and 84 came out to certain amount of decibels, and that was about equal to what construction vehicles would be in that area.

Well, one thing is: The stream doesn't flow all the time, so you don't always hear that, number one. And number two, I've been there for 20 years. So when New York State Electric and Gas comes in and they decide to trim along the power lines, they bring in one little vehicle. They go in there, and you can hear them trimming up. I can hear them very clearly, and this center is not much further beyond that. So I don't see how all these trucks going in and out

of there are going to actually be the equivalent sound of my stream and what I hear from 84. But if you're putting 500 trucks or even 4 -, whatever, on 312 between Hunters Glen and there, there's just no way I that that community's not going to hear it. So my one thing I'd want to know is: What kind of barrier would be between Hunters Glen and there? Would it be on the other side of the power lines? You know, and how far back from there would it be?

(B-2, PH #1, Mr. Bisio)

The noise (Hunter's Glen)

(B-3, PH #2, Mr. Catalino)

Will be replaced with constant truck noise, loading dock noise.

(B-65, Susan Pesick-Pierro)

I dread [in Hunters Glen] the sound of early morning birds or crickets in the evening replaced by truck traffic.

(B-66, Lori Pesick-Pierro)

With construction and a 24/7 operation you can also add ... noise.

(B-66, Lori Pesick-Pierro)

The traffic noise.

(B-74, Ping Ye)

The noise this will add to our local area will be an attack on our quality of life. Our residence borders [Hunters Glen] on this proposed facility.

(B-79, Susan Tullipano & Ken Tullipano)

The noise [at Hunters Glen].

(B-84, Rita LaBella)

If you ever worked on a loading dock. you know how loud it can get and this center is slated to have 212 loading docks.

(B-90, Challen Armstrong)

If you consider all the trucks coming in and out.

(B-90, Challen Armstrong)

This place is going to be noisy.

(B-90, Challen Armstrong)

With a total of 212 loading docks and 192 trailer parking spaces placed atop a ridge, how can Seabury expect anyone to believe this project will be no louder than a flowing stream when my house is only 1,400 feet away.

(B-91, Alan Wendolski)

Seabury claims it conducted tests, but there is no other center this huge in a rural setting on top of a hill that I know of.

(B-91, Alan Wendolski)

If you ever worked on a loading dock. you know how loud it can get and this center is slated to have 212 loading docks.

(B-94, Israel Diaz)

This place is going to be noisy.

(B-94, Israel Diaz)

On top of everything this center will be running 24 /7 so when the hell are we supposed to get some sleep?

(B-94, Israel Diaz)

Noise: The project must be designed so that there is zero increase in ambient noise at the Hunters Glen property line, particularly in the vicinity of the residences. As the proposed zoning text amendment includes refrigeration and retail usage, any noise studies must account for worst case conditions. Moreover, baseline studies must be documented and evaluated so that in the event the project is approved future parties will be able to confirm whether the facility creates noise in excess of the predevelopment levels.

(B-98, Snyder & Snyder)

Based on the maps provided, one of the buildings would be located just a few hundred yards from my back yard [in Hunters Glen]. I am very concerned about both noise pollution from the trucks and warehouses unless deflecting sound barriers are also planned around the property. As it is, we can hear the traffic on I-84 and there is every reason to believe the noise pollution would be just as bad, if not worse, from this proposed distribution center.

(B-127, Laurel Kaddatz, DVM)

Proximity to Hunters Glen condo complex.

(B-128, Patricia G.)

Since the proposed warehouses will be open 24 hours a day, 7 days a week, the truck noise will be heard all night by those who live in the vicinity.

(B-129, Frank Billack)

Noise.

(B-138, Michael Catalano)

With the noise.

(B-139, Tonia Olsoe-Rubeo)

My second concern is that the Northeast Interstate Logistic center would be behind our unit in Hunters Glen I will hear trucks 24 hours a day. I enjoy sitting on my back deck listening to

the birds, I don't want to have to listen to trucks.

(B-169, Stacy Bisio)

Response No. 14-9

The noise section of the DEIS documented how the project would comply with the Town's noise ordinance, *Chapter 96, Noise*. The Applicant is proposing numerous additional noise mitigation measures to ensure that the project will dramatically surpass the requirements of the Town's Noise Ordinance and otherwise produce no significant adverse noise impacts in the neighborhood.

Given the reduction from four buildings to two buildings, the large distances involved, the reorientation of all the loading docks away from Hunters Glen and Twin Brooks Manor, eliminating the need for trucks to circulate around the buildings at night, and implementing other mitigation measures as proposed, truck access to and around the buildings will not adversely impact the residents of Hunters Glen and Twin Brooks. Because of these changes, the calculated values in the DEIS are no longer valid – i.e., the potential noise impacts of the project have been reduced even further.

As demonstrated in the tables in Response No. 14-2, the “ambient noise at Hunters Glen” is highly variable and depends on the location on site, time of day, the duration of time after rainfall, insect activity, and a variety of activities undertaken by the residents or those working on behalf of the residents. Receptor locations #1, 2, and 5 are in Hunters Glen. Additional daytime noise monitoring was conducted since the DEIS and is included in Response No. 14-2. A further discussion of existing background levels in Hunters Glen may also be found in Response No. 14-2.

In summary, the Applicant believes that it has documented the pertinent range of background values in the residential communities. The daytime sound levels ranged from a low of 45 dBA, when the only activity was I-84 in the distance, to 66 dBA when the lawnmowers were in the area. This represents a full range of what can be

expected during the day. The nighttime sound levels ranged from a low of 37 dBA (just distant I-84 noise) to a high of 47 dBA (with flowing water). The only background scenarios that the Applicant did not monitor were noisier ones when air conditioners were on and/or cicadas active. Since the Applicant is not trying to compare its project's projected noise levels to those periods of time when nighttime background values are unusually high, there was no need to monitor those conditions.

Experience in many locations has demonstrated that the most effective way to fix a project's noise impacts is to have a goal, such as is expressed in the Noise Ordinance. Here, the Applicant is willing agree to commit to a noise limit that is lower than what is allowed by Ordinance. For example, with respect to HVAC noise, the Applicant is willing to commit to surpassing the night-time requirements of the Town Code by meeting a limit of 46 dBA (as compared to the Noise Ordinance's night-time $L_{eq}(1 \text{ hr})$ limitation of 55 dBA). The Applicant is proposing additional noise studies and noise monitoring compliance reports at the time of Site Plan approval to ensure that its project meets this goal. See additional discussion on this point in Response No. 14-6.

With respect to truck noise, including on-site circulation, loading dock activity, and on I-84, the buildings themselves will provide noise attenuation. The revised site plan showing the location of the loading docks is shown in Figure I-2 and in the full sized plans. The two buildings represent a half-mile long, 44' tall noise barrier (protecting residents from both on-site truck noise and I-84 noise).

Given the large distances involved, orienting all the loading docks away from Hunters Glen and Twin Brooks, eliminating the need for trucks to circulate around the buildings at night, and implementing the mitigation measures as proposed, truck access to the buildings will not adversely impact the residents of Hunters Glen and Twin Brooks Manor. Because of these changes, the calculated values in the DEIS in Table III.L-11 are no longer valid – i.e., the projected values have been reduced even further. The L_{max} values at Sites 1, 2, 3 and 5 are expected to be less than 35 dBA, while at

Site 4 they are expected to be less than 40 dBA. The changes in the Preferred Alternative have resulted in substantial decreases in projected night-time truck noise as compared to the DEIS plan.

As a point of comparison, noise levels noise levels at the Gap Distribution Center (which is a single building that is approximately 2,219,397 square feet, or approximately twice the size of NILC's four buildings combined) in Fishkill were monitored. It should be noted that in that location there are single family homes (Van Wyck Glen), townhomes (Van Wyck Meadows) and apartments (Village at Merritt Park), which all have a direct line of sight to the Gap loading docks and over 13 acres of trailer parking. In this location all 360 apartments, 16 single family homes, and 5 townhomes are within 1,900' of the trailer parking. Monitored noise levels with multiple trucks on-site at 65' from the truck parking were as high as 76 dBA. That becomes 47 dBA at 1,900'.

Thus, by having the proposed buildings located far from Hunters Glen and Twin Brooks and situated so as to shield the residents, the buildings themselves will serve to avoid significant noise impacts to Hunters Glen and Twin Brooks Manor.

Comment No. 14-10

*How close to Hunters Glen will this be? While you're doing construction, are you going to any sound baffles between Hunters Glen and the construction, and also for the trucks?
(B-2, PH #1, Mr. Windolsky)*

Response No. 14-10

Construction noise was analyzed in the DEIS. "Sound baffles" are not necessary between the construction sites and Hunters Glen because the impacts will be temporary, and the hours of construction will be limited to those permitted by the Town Code.

Comment No. 14-11

My concern is that I live on Tonetta Lake, and due to the I guess, the roll of the land, the way the wind blows when I the weather's just right – I call it the roar of 84. And you can have your windows open, and at night, I can actually hear trucks shifting gears as they're coming up the hill. So if we're going to have an additional, I think, if I read correctly – trying to bog through – 570 trucks a day, have you guys actually measured the noise level on the 84 portion? Not just, like, a mile away or at your facility. Like, really at that hub. Because we're also – you're mentioning here 665 jobs, direct jobs. Well, that's another 660 cars on the road. I mean, all of this is just saying to me lots of noise. I'd love to have that more clear for me, if you could make that.

(B-2, PH #1, Ms. Woodgate)

Response No. 14-11

The number of trucks added to I-84 as a result of this project will be such a small percentage increase (less than 1%) that there will be no measurable increase in noise levels adjacent to I-84. It would take a 26% increase in traffic volumes to increase the noise levels by one dBA, and a 58% increase to cause a 2 dBA increase. Both increases are considered to be an imperceptible increase to most observers.

Comment No. 14-12

Now, when I was looking at your presentation and I shouldn't really be directing it to you, but to the second gentleman. Okay. There, you had little boxes, and those little boxes were Hunters Glen. You said not one single word about any impact on those residences in Phase 5, Phase 6, and Phase 7.

(B-2, PH #1, Ms. Fanizzi)

Response No. 14-12

There are no planned Phases 5, 6, and 7. Moreover, the Applicant has indicated that it is willing, as a condition of its approval, to commit to keeping areas in the OP-3 portion of its property that will not be developed as part of this project, in a no-build, natural condition.

Comment No. 14-13

So what I'm not seeing is anything about John Simpson Road. There has not been - - there was no noise impact. There was not really anything with the topographic study.

(B-2, PH #1, Ms. McCarthy)

Response No. 14-13

There will be no noise impacts to receptors on John Simpson Road. The Applicant has added additional roadway links in Response 14-5. Noise increases are essentially less than 0.3 dBA at all locations.

Comment No. 14-14

Also, it [a green roof] would make it a little quieter, kind of, depress it a little bit. So those types of things.

(B-3, PH #2, Mr. Cyprus)

Response No. 14-14

A green roof would not affect noise levels in the community. No other mitigation than what has been proposed is necessary.

Comment No. 14-15

And the noise which carries at night and will be heard while we try to sleep. The beep, beep, beep of semis backing up. (Twin Brook Manor)

(B-3, PH #2, Ms. Croft)

And the noise which carries at night will be heard while we try to sleep.. beep beep beep of semis backing up.

(B-35, Christine Capuano)

The impact to our standard of living – from noise.

(B-135, Alison Yara)

Unit 406 is on the Eastern side of Twin Brook Manor will undoubtedly be most affected by noise pollution.

(B-175, Jeffrey Castellano)

Response No. 14-15

The loading docks for Buildings A & B have been reoriented to be facing away from Twin Brook Manor and Hunters Glen. Then noise of any backup beepers will be shielded by the buildings themselves. See Response No. 14-9 for more detailed discussions.

Comment No. 14-16

Further, the noise ordinance sets a daytime limit of 65 dBA and 55 dBA at night for residences. I do not find that your estimation of a dBA of a 53-foot tractor trailer truck either rolling or idling is included.

(B-3, PH #2, Ms. Armstrong)

I live directly at “the bench” in the developer's presentation at the corner of Ivy Hill and Maple Road. I purchased my home for the beauty of the location. Directly across from the Middle Branch reservoir. On Sunday mornings, I can go outside on my property and bask in the silence, beauty and quiet of my country road. This will change drastically, if the logistics center is developed. It is a 24/7 day operation. I will hear (as I do with the Sunday quiet, the hum of I84) magnified by numerous trucks passing across rte 6 right across the water from my house.

(B-29, Gina Occhigrossi)

Response No. 14-16

The noise from individual tractor trailers operating on-site was discussed in Response 14-7. The cumulative effect of trucks was discussed in the DEIS, but based upon revised traffic volumes has been revised and is presented in Response 14-5.

It should be noted that, the vast majority of the trucks (92%) are projected to access I-84, and only a few (8%) are projected to use US 6.

In summary, there will be no noticeable increase in truck noise on the area roads.

Comment No. 14-17

I was able to get some research from the Department of Motor Vehicles. According to Motor Vehicle Law Chapter 4, Subchapter E, itemizes the sound impacts of different kinds of vehicles. That document states that most humans find the sound level of 50 to 60 to 70 decibels create a significant impact. Further, most trucks operate at 91 decibels at 50 feet, which is very loud.

(B-3, PH #2, Ms. Armstrong)

In terms of noise pollution, according to the NYS Motor Vehicle Law, tractor trailer trucks and heating and cooling units are the two biggest contributors to noise pollution. Further they

calibrate the noise from a single tractor truck to be 91 decibels. According to the DEIS, the noise levels will be 7 decibels less than the limit provided for in the ordinance.

(B-87, Challen Armstrong)

Response No. 14-17

The commenter is improperly conflating the noise that an individual truck would make when operating at high speed as measured in immediate proximity to that truck with the noise that trucks operating at slow speeds will make when appropriately measured from the distances and in conjunction with the other inhibitors to sound travel, such as the proposed mitigation measures, associated with this project. Thus, for example, while a truck operating at high speed may produce a noise of 91 dBA at 50 feet, this is irrelevant to the analysis of trucks operating at low speeds as they may be perceived hundreds or thousands of feet away.

Truck noise has been addressed in the DEIS and these FEIS responses in two ways:

1. Trucks will be operating at low speeds on-site. Values used in this analysis used noise monitoring data from similar trucks traveling at similar speeds. See Response No. 14-7. The DEIS demonstrated that trucks operating on-site will meet the Town Noise Ordinance limit of 55 dBA at night and 65 dBA during the day. Response No. 14-9 explains how, with the mitigation measures proposed, on-site truck noise is projected to be far below the Town Noise Ordinance limit. Maximum noise levels at very high speeds are not relevant to this analysis.
2. Even with trucks operating at somewhat higher speeds on local roads than they will on-site, the analysis demonstrates that the percent increases are so low that no significant adverse noise impacts can reasonably be anticipated. This comparison was based on the increase in the number of trucks on the local roads. It should be noted that the trucks traveling on two-lane roads with numerous curb cuts, traffic lights, and curves do not travel at 65 or 70

mph as they do on Interstate highways. So once again, maximum noise levels at very high speeds are not relevant to this analysis

Comment No. 14-18

The fallacy in offering the cumulative effect, which I thought was interesting, per building (indiscernible) -- the fact that all the trucks, both coming and going, will be using of the same road for access and exit, Pugsley Road. So what is it -- what are you talking about, per building? It just doesn't make any sense.

I see no offering of what standard of dBA you use to calculate the noise of each truck or the cumulative effect of 21 trucks per hour on Pugsley Road or the four roadways that the trucks will be using to get to I-84. Please cite the standard of dBA calculations that you use for a 53-foot tractor trailer truck or any of the other kinds of trucks that you introduced this evening, and let me know what that is. Please cite the standard and the cumulative effect that it has on 21 trucks per hour.

(B-3, PH #2, Ms. Armstrong)

Response No. 14-18

Truck noise on local roads was analyzed in the DEIS, and has been revised based upon revised traffic volumes. See Response No. 14-5.

Trucks traveling on Pugsley Road will be screened for Hunters Glen and Twin Brooks by and Buildings A and B in the Preferred Alternative plan for the vast majority of the time and will be separated by distance and topography from those developments. The intersection of Pugsley Road and Rt 312 is 0.9 miles from Hunters Glen and 1.25 miles from Twin Brooks. Thus, no further analysis regarding trucks on Pugsley Road is necessary.

Comment No. 14-19

But 91 decibels times 510 trucks doesn't sound to me like we're going to have lower.

(B-3, PH #2, Ms. Armstrong)

Add to that the noise impact surrounding communities will suffer during both construction and operation.

(B-102, Nina Agnano and Steven Hamel)

Not to mention the noise [from Hunters Glen].

(B-168, Christine Caso)

Should this project be approved, the noise is only going to get worse - much worse - once the area is cleared of trees and the Northeast Interstate Logistics Center is up and running. My neighbors and I will be subjected to the loud, unpleasant noise of 500 trucks coming and going daily, 24 hours a day, and seven days a week.

(B-168, Christine Caso)

Response No. 14-19

Regarding construction noise, see Response No. 14-10.

Regarding off-site truck noise, see Response No. 14-5.

Regarding on-site truck movement and operations see Response No. 14-9.

Regarding the comment that trucks cause noise impacts of 91 decibels see Response 14-17. This commenter's suggestion that this inaptly high noise level should be multiplied by the number of trucks coming to the site throughout the day is misleading for a variety of reasons, including that this is not how noise impacts are assessed. See Response No. 14-22/23/24.

Comment No. 14-20

Many commenters expressed concern over the additional noise they felt the proposed facility would generate.

(B-3, PH #2, Ms. Yekutiel); (B-9, James Scomillio); (B-12, Rosemarie Crumley);
 (B-14, Shi Chen); (B-19, Gail Rampolla); (B-21, Nina Walters); (B-24, Paul Hondorf);
 (B-27, Linda Cuzzi); (B-28, Anthony Capizzi); (B-55, John Berasley); (B-58, Angela Cuomo);
 (B-60, Vincent Stallone); (B-64, Samantha Jacobs); (B-64, Samantha Jacobs);
 (B-68, KK Dorkin); (B-68, KK Dorkin); (B-70, Helen Dorkin); (B-76, Jackie Kaddatz);
 (B-84, Rita LaBella); (B-85, Christine Capuano); (B-93, Unknown); (B-99, Pablo Diaz);
 (B-100, Marie Vigada); (B-101, Jack Pizzicara);
 (B-104, Nathalie Del Vecchio and Roberto Molina); (B-105, Barbara Mahon);
 (B-107, Twin Brooks Homeowners Association, Inc.); (B-109, Elena Tezzi);
 (B-116, Barbara Ciero); (B-118, Cherie Ingraham); (B-121, Joseph Dobies);
 (B-128, Patricia G.); (B-129, Frank Billack); (B-132, Robert Mundy and Barbara Mundy);
 (B-134, Jon Scalzitti); (B-150, George and Diana Thomas); (B-152, Bradley Schwartz, Ph.D.);
 (B-160, Donald and Donna McAlphin); (B-167, Irene DeFelice); (B-172, David Buckner);
 (B-174, Christine Capuano); (B-179, Alice Brandon)

Response No. 14-20

Regarding construction noise, see Response No. 14-10.

Regarding off-site truck noise, see Response No. 14-5.

Regarding on-site truck movement and operations see Response No. 14-9.

Comment No. 14-21

So don't tell me they're going to have a muffler, because no truck driver want to spend the money to put the muffler on the truck.

(B-3, PH #2, Ms. Yekutiel)

Response No. 14-21

Truckers have to comply with State and Federal laws.

Comment No. 14-22/23/24

In table III.L.25 you calculate the cumulative effect from each building. The fallacy in offering the cumulative effects per building belies the fact that all of the trucks both coming and going will be using the same road for access and exit, Pugsley. There will be 11.3-50 trucks per hour over a 24 hour span. Think of 91 dBA X 250 trucks as they traverse and idle on Pugsley Road, Imagine the noise impact as they get to I-84. Please cite the standard of dBA calculation that you used for a 53' tractor trailer truck and what the cumulative effect it has on the proposed # of trucks per hour.

(B-6, Challen Armstrong)

Response No. 14-22/23/24

Trucks traveling on Pugsley Road will be traveling at relatively low speeds (with 30 mph is the posted speed limit) and the noise levels they generate will be substantially quieter than the maximum allowed by the Town Noise Ordinance. In addition, the decibel is a logarithmic scale. Thus, 75 dBA plus 75 dBA is not 150 dBA, but rather 78 dBA. Plus, the projected truck volumes are so low under the Applicant's Preferred Alternative Plan that probability that multiple trucks will be operating simultaneously in the same location at the same time is low.

For additional discussions regarding Pugsley Road see Response No. 14-18.

Comment No. 14-25

What is going to be the noise level of these trucks 24 hours a day to my community at Twin

*Brook Court, Hunters Glen, and any other community they border?
(B-8, Amanda Dettaan)*

*The Employee parking lots for buildings 3 and 4 are located between the buildings and my back door, how far away are they? How noisy will be the sound of 200 car doors closing at the change of shifts?
(B-91, Alan Wendolski)*

Response No. 14-25

Employee parking at Buildings A and B, in the Preferred Alternative, range from 1,300' to 2,500' from Hunters Glen, and from 1,400' to 3,200' from Twin Brooks. Cars and car doors at these distances will not be audible.

Comment No. 14-26

*When the noise at night exceeds the values listed on page III.L-9 in table III.L-5 will Seabury close down the center for Evening operations? What is the maximum noise level allowed before operations must shut down?
(B-91, Alan Wendolski)*

Response No. 14-26

The night time standard in the noise ordinance is a Leq(1 hr) of 55 dBA. The ordinance imposes monetary fines for violations.

Comment No. 14-27

*Trucks going up and down Route 312 at all hours of the day and night will ruin whatever peace and quiet that we have left in our neighborhood.
(B-38, Peter & Cathy)*

Response No. 14-27

It should be noted that, the vast majority of the trucks (92%) are projected to access I-84, and only a few (8%) are projected to use US 6. Thus, 92% of the truck traffic will use only a short segment of NY 312 between Pugsley Road and I-84., and only 8% will use the longer segment from Pugsley Road to US 6. Moreover, the vast majority of trucks will not be making deliveries between the hours of 11:00 PM to 7:00 AM in normal operations.

Also see Response No. 14-5.

Comment No. 14-28

Noise - over 500 trucks per day and over 100 that would arrive after hours. Many in Southeast can already hear 84 and 684. We live in the "country" and we are ruining that. Back up alarms, exhaust brakes, loud diesel engines. I hear the trucks on 684 and I am a mile away "as the crow flies".

(B-111, Jeff Rusinko)

Response No. 14-28

See Response No. 14-11.

Comment No. 14-29

What is the noise level of a Semi both running and also starting up?

(B-91, Alan Wendolski)

What is the level of the backup beepers of these Semi's?

(B-91, Alan Wendolski)

What is the noise level of a loading dock during normal operations?

(B-91, Alan Wendolski)

What will be the noise generated by these combined 600 cars around midnight in addition to the truck, loading dock, back up beepers, and HVAC noises?

(B-91, Alan Wendolski)

What a shame it would be to have the PEACE of the area disrupted by the noise of LARGE trucks so near Tilly Foster Farm.

(B-105, Barbara Mahon)

Response No. 14-29

Regarding on-site truck movement and operations see Response No. 14-9.

Regarding Tilly Foster Farm see Response No. 14-31.

Regarding off-site truck noise, see Response No. 14-5.

Comment No. 14-30

Logistics offered to have loading docks facing the opposite side of the present facing my complex, Hunters Glen, and planting trees to buffer noise. I take issue with that solution. I lived 5 miles from Laguardia Airport and even with the noise of the Whitestone Bridge which was 3 blocks from my home I could hear the planes running their engines overnight. I am a quarter of a mile away and doubt this will solve the problem. At night noise travels very far. As for the trees, by the time they grow large enough to buffer the noise or hide these warehouses from view, It will be many years.

(B-140, Christine Capuano)

Trees & foliage is a nice idea but what happens in winter when there are no leaves – sound travels a great distance especially at night. 600 feet, even 1,500 feet from the residential areas is not adequate.

(B-143, Susan Rebentisch)

Response No. 14-30

While trees can be a very effective visual screen and could serve to attenuate noise impacts, neither the DEIS nor these responses have claimed any credit for the intervening vegetation with respect to noise reduction in coming to the conclusion of no adverse noise impacts.

The nighttime noise levels from the on-site truck operations have been addressed in Response No. 14-9. The noise levels from rooftop HVAC units have been addressed in Response No. 14-6.

Comment No. 14-31

One of the many beautiful and desirable features of our Town is the historic Tilly Foster Farm.

(B-142, Steve & Susan Elias)

It {Tilly Foster Farm} will likely receive the most impact from the constant noise.

(B-142, Steve & Susan Elias)

The beautiful Tilly Foster Farm will hear the noise pollution at night as I will as my condo complex faces this land high above.

(B-174, Christine Capuano)

Response No. 14-31

Monitoring conducted at Tilly Foster Farm demonstrated that daytime noise levels at the farm were totally controlled by traffic on NY 312 between US 6 and Pugsley Road. This segment was analyzed in the DEIS, and in Response No. 14-5, and found to have noise increases less than 1 dBA.

Comment No. 14-32

The applicant also states that there are no significant noise impacts and that the only mitigation required are mufflers during construction. This assertion was made by looking at the impact of construction, off-site traffic, on-site traffic and operations in isolation using independent assumptions.

- *The construction analysis was based only on construction noise, excluding operational and construction traffic. While this could arguably be true during the construction of Bldg 1 and 2, it is not a valid assumption for the construction of Bldg 3 and 4 (closest to the receptors).*
- *The off-site traffic analysis uses passenger car equivalents (PCE) calculated using the TNM model at four segments. Using table III.L-10b as representative, the first three segments relate to flow from US-6 to Pugsley are not relevant since the applicant stated that there would no truck traffic in those segments.*
 - *Relevant segments that should be used are: Pugsley from 312 to NILC, both I-84 exit ramps and their approaches.*
 - *For the 312 segment between Pugsley and I-84, the table shows 40 trucks in the no build case, which sounds very high (the number of large trucks should be zero given the 1 mile travel limit). Also the increment in number of trucks in the build stage of 7 seems understated, a later table states 28.*
 - *If we do a quick analysis (which needs to be refined) of Pugsley between 312 and NILC when the road is closed (worst case) and assume a car volume of one (zero would result in infinity) for the build case and 600 cars (300 employees during shift change) and 28*

trucks would result in a dBA Increase of 33 versus 0.6 used to make the no noise impact assertion.

- *The impact of all the segments is additive and should be modeled using a model like the afore mentioned TNM.*
- *The noise impact of construction, off-site traffic, on-site traffic and operations are cumulative and should be modeled taking into account the receptor positions and meteorological conditions.*

(B-154, Carlos Passi)

Response No. 14-32

Construction noise is a daytime short-term issue with limits on hours and days imposed by the Noise Ordinance. Operational truck noise is of a primary concern during nighttime hours when construction will not be occurring. With respect to construction traffic volumes vs operational traffic volumes, [We don't explain this in 14-4; rather we refer them to Response 15-1. I am assuming this is in the Construction section. Can we at least distil this Response for this FEIS Section? as explained in Response No.14-4], the volumes and number of trucks during construction is less than during operation. Thus, the worst case is with all buildings occupied, which has been analyzed (see Response No. 14-5), not with one building under construction and one occupied.

Construction noise, off-site traffic, and on-site traffic and operations all have the potential to impact different receptors at different times. The approach used in the DEIS was valid. It has been updated based upon revised traffic volumes and site plan changes.

The Pugsley Road intersection with Rt. 312 is 0.9 miles from Hunters Glen and 1.25 miles from Twin Brooks. The interchange at I-84 is 1.1 mile away from Hunters Glen and 1.4 mile from Twin Brooks. These segments were not analyzed because there were no nearby sensitive receptors.

Since the screening procedures used demonstrated that there would be no adverse impacts using computer models such as TNM is not required.

Comment No. 14-33

Is the applicant prepared/willing to commit to maintaining the assertions made in the DEIS, for example:

- *The noise level at the test point will stay within the current levels.*

(B-154, Carlos Passi)

Response No. 14-33

As explained in Response No. 14-6, the Applicant has committed to keeping the HVAC noise more than 9 dBA below the Noise Ordinance limit of 55 dBA. [Can we commit to otherwise meeting the applicable Town Code noise limitations?]

Truck noise on-site and the associated proposed mitigation measures as described in Response No. 14-9. As explained there, maximum on-site truck noise is projected to be below 35 dBA.

Comment No. 14-34

Is there any plan to remediate the extra noise that will come from I84 due to this increased traffic, especially trucks down-shifting or accelerating due to the hills around exit 19? The neighborhoods surrounding this corridor are already suffering as traffic grows, this will only magnify the problem.

(B-157, Robert Zubrycki)

Response No. 14-34

As explained in Responses No. 14-5, 14-18, and 14-32, there will be no noticeable difference in truck noise from I-84 or Exit 19.

Comment No. 14-35

The trucks will also cause substantial noise. The builders state they will have trucks travel mostly off-peak. As someone living nearby, that is not reassuring! I don't want to be hearing diesel trucks gearing up and down at all hours.

(B-176, Dr. Bernadette Brandon)

The trucks will also lead to increase noise, especially on off peak hours when residents are hoping to rest.

(B-180, Dr. Chelsea Laber)

Response No. 14-35

Truck noise on-site has been addressed in Response No. 14-9.

Truck noise on the local roads has been addressed in Response No. 14-5.

Comment No. 14-36

So, Dan, I'm curious to know if a Jake brake or engine braking can be prohibited in this area. I understand it can. I'm not sure if you've looked into that.

(B-145, Hearing No. 3 (Mr. Larca))

These trucks and others traveling throughout our town frequently use Jake brakes to slow their vehicles. A Jake brake (Jacobs Vehicle Systems) operates by using the engine as a compressor, which emits a loud noise from the exhaust. As these are legal devices, the town

*would be hard-pressed to restrict their use or to enforce any regulation.
(B-152, Bradley Schwartz, Ph.D.)*

*Jake Brake/Engine brake – Can this be limited in the area surrounding this project?
(B-158, Eric Larca)*

*and the use of the "Jake Brake" which is super loud.
(B-171, Stefani Gosselink (Larry Martinez))*

Response No. 14-36

Compression brakes, commonly known as “Jake” brakes, are only used when trucks are travelling at high speeds and need to slow down quickly. At the slower speeds the trucks will be operating on Pugsley Road and on the site, there will be no need to use a Jake brake system. In addition, the Applicant is willing to erect a sign on Pugsley Road near Route 312, stating: Truckers Quiet Zone: NO JAKE BRAKES



COMMERCIAL CAMPUS AT FIELDS CORNER

NY 312 & PUGSLEY ROAD

TOWN OF SOUTHEAST, NEW YORK

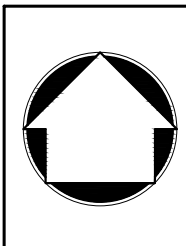
NOISE MONITORING LOCATIONS

DATE: 03/2019

JMC PROJECT: 14012

FIGURE: III.14-1

SCALE: N.T.S.



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