



Environmental, Planning, and Engineering Consultants

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Memorandum

To: Town of Southeast Planning Board
From: Ashley Ley, AICP
Date: February 10, 2020
Re: Commercial Campus at Fields Corner
cc: JMC, Zarin & Steinmetz

This memorandum summarizes AKRF's review of the revised draft Commercial Campus at Fields Corner FEIS received on January 21, 2020. The Applicant has revised the FEIS based on comments from the Planning Board and its consultants, and NYSDOT. Revisions to the stormwater pollution prevention plan and related FEIS sections are pending based on review by the NYCDEP.

AKRF's previous unaddressed comments are presented below in *italics*. New and follow-up comments are presented in **bold**. Comments that were identified as sufficiently addressed in previous memorandums are not recited herein.

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

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

CHAPTER 1: PROJECT DESCRIPTION

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

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

This comment has been addressed. Figures 1-3 and 1-4 were updated as requested.

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

This comment has been addressed. AKRF's edits have been integrated into the Project Description.

3. **Table 1-2 should include any Town Board review or recommendation of the Access Highway Extension.**

CHAPTER 2: POTENTIAL IMPACTS AND MITIGATION MEASURES

1. *AKRF did not previously provide in-line text edits to this chapter. Attached are recommended edits to this chapter.*

The Applicant should provide the revised chapter in Word. Additional text edits will be provided.

A. INTRODUCTION

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

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

This comment has not been addressed.

B. LAND USE AND ZONING

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

This comment has been addressed.

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

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

This comment has been partially addressed. Additional detail should be provided (e.g. a comparison of the acres of disturbance and number of trees to be disturbed within the ridgeline).

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

This comment has been addressed.

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

This comment has been addressed.

C. TRAFFIC

7. **A review of the updated TIS is pending. Additional written comments to follow by 2/14/20.**
8. *The proposed edits to the traffic discussion in the Project Description should be carried through (as applicable) to this section.*

This comment has not been addressed.

9. **The new text on page II-20 (redlined version) should be updated as follows:**

“The Preferred Alternative would result in unmitigated impacts based on Level-of Service (LOS)/Delay and/or Queue for individual vehicle movements/lane groups at the following intersections:

- **Route 6 and Route 312 (AM and PM peak hours)**
- **Route 312 and Prospect Hill Road (AM and PM peak hours)**
- **Route 312 and Independent Way/I-84 Eastbound Ramps (AM, PM, and Saturday peak hours)**

To address these impacts, the Applicant met with the Town representatives and NYSDOT on 1/7/2020 to review the Preferred Alternative and develop appropriate mitigation for these locations. The following mitigation measures were recommended and agreed to by the Applicant:

- **A traffic signal Warrant Analysis of the Route 312/Prospect Hill Road intersection shall be prepared within six months of full occupancy. The analysis shall consider the variety of warrants available and justify the signal using at least two warrants per NYSDOT direction. The Town shall hold \$15,000 in escrow to cover the cost of the warrant analysis.**
- **A corridor study shall be prepared within six months of full occupancy along Route 312 from Prospect Hill Road to International Boulevard to determine the need and recommendations for revised Time-of-Day traffic signal plans. The corridor study shall include the weekday AM, PM and Saturday peak hours using SimTraffic software per NYSDOT guidance. The Town shall hold \$30,000 in escrow to cover the cost of the corridor study.**
- **The Applicant shall make a fair-share contribution to the design and installation of the traffic signal at the intersection of Route 312/Prospect Hill Road if warranted and approved by NYSDOT. The signal would be coordinated with the four other existing and proposed signals along Route 312 to Independent Way. The Town shall hold \$____ in escrow or bond to cover the fair share portion of the traffic light or other signal technologies identified in the corridor study.”**

The Applicant has proposed \$150,000 as their fair share. The limited number of electrical contractors in the region has caused the cost of new signal installation to fluctuate greatly in recent years. The full cost of a traffic signal is estimated to be \$250,000 to \$400,000 dependent upon which entity issues the RFP. Traffic signal design is estimated to be \$25,000, including construction documents for bid to NYSDOT standards and specifications.

E. SURFACE WATER AND WETLANDS

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

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

This comment has been addressed.

11. **The NYCDEP's review of the SWPPP is pending onsite testing. Additional edits to this section may be required.**

F. GEOLOGY, SOILS AND TOPOGRAPHY

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

A new figure II.F-1 is referenced in the text but not provided.

I. TAX ANALYSIS

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

This comment has been addressed. Additional text edits pending receipt of Word document.

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

This comment has been addressed.

J. COMMUNITY SERVICES

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

This comment has not been addressed.

K. UTILITIES

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

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

This comment has been addressed.

N. CONSTRUCTION

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

This comment has been addressed.

O. AIR QUALITY

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

This comment has been partially addressed. The text should be revised to include more context, and to improve readability by a layperson.

P. HAZARDOUS MATERIALS

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

This comment has been addressed.

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

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

This comment has been addressed.

CHAPTER 3: RESPONSE TO COMMENTS

2. DESCRIPTION OF THE PROPOSED ACTION

21. **This section has been revised to incorporate the text edits previously provided by AKRF. No further comments on this chapter.**

3. LAND USE AND ZONING

22. **This section has been revised to incorporate the text edits previously provided by AKRF. No further comments on this chapter.**

4. TRAFFIC

23. **A separate memorandum re: traffic will follow.**
24. **Page III.4-9 (redlined version). Please revise the new text as follows:**

“The Preferred Alternative would result in unmitigated impacts based on Level-of-Service (LOS)/Delay and/or Queue for individual vehicle movements/lane groups at the following intersections:

- **Route 6 and Route 312 (AM and PM peak hours)**
- **Route 312 and Prospect Hill Road (AM and PM peak hours)**
- **Route 312 and Independent Way/I-84 Eastbound Ramps (AM, PM, and Saturday peak hours)**

To address these impacts, the Applicant met with the Town representatives and NYSDOT on 1/7/2020 to review the Preferred Alternative and develop appropriate mitigation for these locations. The following mitigation measures were recommended and agreed to by the Applicant:

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- **The Applicant shall make a fair-share contribution to the design and installation of the traffic signal at the intersection of Route 312/Prospect Hill Road if warranted and approved by NYSDOT. The signal would be coordinated with the four other existing and proposed signals along Route 312 to Independent Way. The Town shall hold \$_____ in escrow or bond to cover the fair share portion of the traffic light or other signal technologies identified in the corridor study.”**

5. VISUAL RESOURCES

25. **This section has been revised to incorporate the text edits provided by AKRF. No further comments on this chapter.**

6. SURFACE WATER AND WETLANDS

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

7. GEOLOGY, SOILS AND TOPOGRAPHY

27. **This section has been revised to incorporate the text edits provided by AKRF. No further comments on this chapter.**

8. GROUNDWATER

28. **This section has been revised to incorporate the text edits provided by AKRF. No further comments on this chapter.**

9. VEGETATION AND WILDLIFE

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

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

This comment has not been addressed.

10. TAX ANALYSIS

31. *Response 10-16: Please provide the newspaper reference in the footnote in the Chicago Manual of Style format (or similar).*

This comment has been sufficiently addressed.

32. *Response 10-42 (and elsewhere): PILOT payments should be referred to as “revenue” and not “real estate taxes.” Variations of this paragraph are found throughout the document. Please take AKRF’s edits from earlier sections and make the corrections here and elsewhere. The repeated*

use of the phrase “which are not property taxes” is unnecessary if the PILOT payments are correctly described as revenue to local taxing jurisdictions.

This comment has been sufficiently addressed.

33. *Response 10-49: Delete “(which are not property taxes).”*

This comment has been sufficiently addressed.

11. COMMUNITY SERVICES

34. **This section has been revised to incorporate the text edits provided by AKRF. No further comments on this chapter.**

12. UTILITIES

35. **The Town Engineer will be providing further comments on this section.**

36. **This section has been revised to incorporate the text edits provided by AKRF. No further comments on this chapter.**