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Memorandum

To: Town of Southeast Planning Board
From: AKRF, Inc.
Date: August 5, 2022
Re: Brewster Yards DEIS Substantive Review Comments
cc: KG+D Architects

AKRF, Inc. has reviewed the May 2022 Draft Environmental Impact Statement (DEIS) prepared for the Brewster Yards project. This document has previously been reviewed by AKRF for completeness. On June 13, 2022, the Town of Southeast Planning Board accepted the document as complete. The following comments comprise AKRF's substantive review of the DEIS.

EXECUTIVE SUMMARY

1. The list of required approvals on page Summary-2 should also include "blasting permit" as an approval required by the Town of Southeast Building Inspector.
2. Explain in the Potential Impacts section on page Summary-19 under Noise why mobile source analyses would not result in impacts.
3. The text references "Theodore Court near Fair Street" on page Summary-19. Is this referencing Theodore Trail? Additionally, the residences on Twin Brook Court to the west of the project site appear closer than Theodore Trail and should be included as near sensitive noise receptors (see page 14-4).
4. On page Summary-19, provide a source for the assumption of "a peak sound level of 75 dBA from the loudspeakers at intermittent times."
5. Page Summary-11 states that the soils that predominate the limit of disturbance (LOD) are CrC and PnC. As noted in the comments on Chapter 8 below, there are inconsistencies between Chapter 8 and Section 1.2 of the SWPPP regarding the soil types listed as within the limit of disturbance. Chapter 8 states that the soils that predominate the LOD are CrC and PnC; however, Section 1.2 of the SWPPP does not identify PnC as present within the LOD.
6. The Traffic and Transportation section of the Executive Summary should be updated as needed after completing the revised analyses discussed below under comments on Chapter 11.

CHAPTER 1: PROJECT DESCRIPTION

7. Page 1-5 states that development of the building plans will integrate green building practices. The FEIS should provide further detail on specific green building practices the Applicant will consider.
8. It is assumed the proposed perimeter fencing would exclude the two proposed stormwater basins located on the southern portion of the project site so as to avoid the need to construct the fence within the wetland buffer in this location. This should be clarified in the FEIS.
9. The list of required approvals should also include “blasting permit” as an approval required by the Town of Southeast Building Inspector.

CHAPTER 2: LAND USE, ZONING, AND PUBLIC POLICY

10. The description of the land uses in the larger site vicinity in Section 2.1 should mention the Hunter Glen condominium development to the west.

CHAPTER 3: COMMUNITY SERVICES

11. The DEIS states that the “proposed project would create potential demand for additional community services.” The FEIS should provide additional information as to the anticipated call volume (to police, fire, and EMS providers) that would be generated by the proposed project. A study of emergency service calls from similar baseball facilities, or research on how baseball facilities compare to other land uses in terms of calls for service, would be useful in estimating future conditions. Other information that could help bolster this discussion is whether baseball facilities result in more or less emergency service calls than other outdoor active recreational facilities.
12. The DEIS discussion of police services for Brewster Yards indicates the distances to the locations of two identified police service providers. The FEIS should estimate the response time to the Project Site from the two identified police stations.
13. The DEIS anticipates that nearby roads “are sufficient to accommodate the projected traffic without need for traffic control by police or traffic safety personnel.” If possible, the FEIS should refer to conditions at other, similar facilities, that would support this conclusion. DTS Provident used several other sites for calculation of trip generation. These other sites could be surveyed/interviewed to determine if police/traffic assistance is needed during peak visitation hours.
14. The FEIS should indicate whether or not the Applicant contemplates contracting with a private security provider to oversee activities at Brewster Yards during operating hours, especially during in-season, non-school days, when up to 1,023 persons are anticipated to visit Brewster Yards.
15. The DEIS discussion of fire protection services for Brewster Yards indicates the distances to the locations of two fire stations. The FEIS should estimate the response time to the Project Site from the two identified fire stations.
16. The discussion of fire protection services for Brewster Yards should indicate whether the Applicant received responses to the letters sent to the Brewster Fire Department.
17. The discussion of community services indicates that the “main building of the Brewster Yards would be equipped with a sprinkler system.” The FEIS should indicate whether sprinkler systems are contemplated for other buildings (e.g., concession buildings).
18. The Applicant should initiate consultation with the Brewster/Southeast Joint Fire District regarding EMS services. It is recommended that representatives from the Applicant, the Brewster/Southeast Joint Fire District, and the Town of Southeast Planning Board meet to discuss the proposed project and the potential demand by Brewster Yards on EMS services.

19. Section 3.4.3 indicates that “Brewster Yards proposes to contract with an ambulance service to be manned at the site.” The FEIS should further describe the scope of services that the Applicant anticipates it would contract for (e.g., number of ambulances, number of personnel, schedule).

CHAPTER 4: ECONOMIC CONDITIONS

20. In Section 4.2 Existing Conditions, please indicate in text and/or in Table 4-1 the source for the Market Value/Assessment.
21. In Section 4.4 Potential Impact, 4.4.1 Construction Phase, please define/describe the “local economy” that is the geographic area for the IMPLAN analysis. It is indicated in a footnote but should be more easily identifiable in table(s) or text. The FEIS should explain why that geography was chosen. The level of reliability of IMPLAN modeling at the zip code level should be noted. The data IMPLAN uses at the zip code level is an estimation based on County Business Patterns (CBP) data. CBP zip code data only provides the number of firms, thus IMPLAN estimates the number of employees associated with each firm. Additionally, CBP data does not cover the Construction Industry at the zip code level and instead uses NAICS 22- Utilities as a proxy.
22. In describing indirect and induced job benefits, it is more appropriate to refer to jobs “supported” by the direct activity/investment, rather than jobs “created.”
23. The operational benefits analysis refers to estimates for full operation for year one (1). The assessment should disclose whether this is reflective of stabilized long-term operating conditions, i.e., whether these annual benefits could be expected over the lifetime of the project.
24. The operational (year 1) sales tax revenues are based on “the Applicant’s preliminary market study in August of 2021.” The FEIS should indicate where the public can find this document and provide a brief description of revenue sources and assumptions.
25. The FEIS should define the terms “person-years” and full-time equivalent (FTE). Please indicate in text and tables if jobs are person-years, FTE, or full- and part-time.
26. The FEIS should disclose the IMPLAN sectors used for modeling.
27. The FEIS should indicate if the construction cost estimate of approximately \$28.3 million includes hard costs only or hard and soft costs. Please note that only hard costs should be used for the cost-based property valuation.
28. The FEIS should indicate the dollar year of any inputs or results and indicate if any results were adjusted for inflation.
29. It is unclear what footnote 6 is referring to. How is the NYS Department of Labor median annual salary (all occupations) for the Hudson Valley region factored into the analysis?
30. Consider supplementing the construction-cost-based approach with a comparables or income-based approach for valuation. Due to high costs of materials, construction-cost-based valuation often results in an overestimate of property value. The FEIS should include an explanation of why a cost-based approach is most accurate.

CHAPTER 5: VISUAL RESOURCES

31. The FEIS should indicate if the proposed lighting for the ballfields will be dark sky compliant.
32. The FEIS should include visual simulations of the proposed project at night, both from within the project site and from external viewpoints, to illustrate the extent of potential nighttime visual impact of “indirect sky glow.”
33. The DEIS indicates that “lighting designs are preliminary.” The FEIS should indicate if the height of the light poles shown on Figures 5-2 to 5-6 are actual or representative/estimated. If estimated, a note should be added to the Figures.

CHAPTER 6: CULTURAL RESOURCES

No comments on this chapter.

CHAPTER 7: NATURAL RESOURCES

34. The FEIS should discuss potential environmental impacts of the anticipated “indirect sky glow” (e.g., on local fauna).
35. Documentation indicated that the NYSDEC Environmental Resource Mapper (ERM) website did not identify any listed plant species or NYS “Species of Special Concern” on or near the property.
36. Documentation indicated that the NYSDEC EAF Mapper website similarly identified no other plant or animal species listed by the federal government or NYS as an endangered or threatened species, nor was the property noted to include any “Significant Natural Community.”
37. Of the 94 species of birds recorded from 1980-2005, none are NYS or federal protection as endangered or threatened species.
38. The project site presents potential summer roosting, brooding, and foraging habitat for all regional species of northern long eared bat which are federally protected by the United States Fish and Wildlife Service (USFWS). Recommendation that trees be removed should be conducted between November 1 and March 31 for the protection of northern long-eared bats.

CHAPTER 8: GEOLOGY

39. Table 8-1 is titled "List of Soils within the LOD." However, based on the soils map included as Figure 8-1, the soils listed in Table 8-1 represent the entire project site, rather than the 49-acre limit of disturbance as depicted on Drawing OPG-1 in Appendix M.
40. There are inconsistencies between the list of soil types within the LOD in Table 8-1 and in Section 1.2 of the SWPPP. For example, Chapter 8 states that the soils that predominate the LOD are CrC and PnC; however, Section 1.2 of the SWPPP does not identify PnC as present within the LOD.
41. Documentation from the May 2020 deep soil test borings performed by Insite Engineering should be included in an appendix.
42. Section 8.4.2 provides a generic list of measures to prevent slope failure. The measures anticipated to be used for the proposed project, such as retaining walls, should be identified, and generally described.

CHAPTER 9: WATER RESOURCES AND WETLANDS

43. The Town wetland and watercourse boundary confirmation should be provided in the FEIS.
44. As noted in the comments on Chapter 1, it is assumed the proposed perimeter fencing would exclude the two proposed stormwater basins located on the southern portion of the project site to avoid the need to construct the fence within the wetland buffer in this location. This should be clarified in the FEIS.
45. The project site contains seven wetland areas that are protected by the Town of Southeast. Several of these wetlands also fall within the jurisdiction of the US Army Corps of Engineers (USACE) and the NYSDEC as follows:
 - a. Six of the wetlands are protected by USACE regulations.
 - b. Surface water that flows to the south enters a NYSDEC Freshwater Wetland LC-28 (a NYSDEC Class II wetland) and exits as a NYSDEC regulated stream (NYSDEC Regulation No. 864-194, a Class C stream).

- c. Surface water that flows to the north includes an intermittent stream which departs, off-site, into a stream NYSDEC Regulation No. 864-196, a Class C stream which runs through portions of the off-site NYSDEC Freshwater Wetland LC-18 (a NYSDEC Class I wetland).
 - d. The streams that exit NYSDEC Wetland LC-28 and LC-18 are minor tributaries to the Middle Branch of the Croton River.
46. For the Project development proposed within Lot 10 (north lot), the disturbances are:
 - a. A corner of the synthetic turf multi-sport field and the associated retaining wall would encroach into the 166-foot Town of Southeast Wetland Controlled Area;
 - b. Approximately half of the parking lot associated with the main building, along with the western-most entrance from Zimmer Road and associated welcome sign, would encroach into either the 166-foot or 200-foot Town of Southeast Wetland Controlled Area;
 - c. A portion of the stormwater detention basin adjacent to the western-most entrance from Zimmer Road would encroach into the 166-foot Town of Southeast Wetland Controlled Area; and an associated drainage line would cross through this Controlled Area;
 - d. A portion of the sewer main would cross through the 200-foot Town of Southeast Wetland Controlled Area; and
 - e. A directional-drilled sewer force main would cross through the 100-foot Town of Southeast Watercourse Controlled Area and NYCDEP 100-foot Watercourse Limiting Distance.
47. For the Project development proposed within Lot 11 (south lot), the disturbances are:
 - a. The majority of the access road along with a portion of the concession/restroom building, a portion of the bleacher seats and associated retaining wall, a corner of the batting cages, and a small corner of the synthetic turf showcase baseball field would encroach into the 200-foot Town of Southeast Wetland Controlled Area;
 - b. Portions of the two stormwater basins would encroach into the 200-foot Town of Southeast Wetland Controlled Area and/or the 133-foot Town of Southeast Wetland Controlled Area, as well as the NYCDEP 100-foot Limiting Distance; and
 - c. A drainage line running from Zimmer Road to the northern-most stormwater basin would cross through the 200-foot Town of Southeast Wetland Controlled Area, with a portion of it crossing the NYSDEC 100-foot Wetland Adjacent Area and the NYCDEP 100-foot Limiting Distance.
48. The Project improvements would disturb approximately 49 acres of land, primarily within upland portions of the site, while avoiding direct impacts to the site wetlands and watercourses. DEIS Table 9- 2 lists the sizes of upland areas within regulated wetland buffers that would be disturbed by the proposal, by jurisdiction.
49. Without appropriate mitigation incorporated into the proposed action, disturbance of the project site would have the potential to increase the volume and velocity of stormwater following the clearing and conversion of the present land cover into impervious surfaces and landscaped areas. If not controlled, these activities might lead to accelerated erosion and sedimentation both during and after construction of the Project. Sedimentation within the receiving streams, ponds, and wetlands, if not mitigated, could result in nutrient enrichment, increased turbidity, increased transport of pollutants, shielding of pathogens from disinfection processes, and clogging of the gills of aquatic organisms.
50. In reviewing the site plan submitted there are opportunities to avoid the wetland buffer and still accomplish the same program and design intent of the project. Site plan mark-ups will be submitted under separate cover for consideration.

CHAPTER 10: STORMWATER MANAGEMENT

51. Stormwater basins are proposed in the wetlands buffer. Best practice measures are to avoid wetland impacts. Recommendations are to try to locate the stormwater basins outside the limits of the wetland buffer.
52. Comments received by NYCDEP on 9-13-2021 stated that they will have jurisdictional review of the SWPPP and the SSTS and soil testing with DEP present. Soil tests will include percolation testing, filtration testing and deep test pits, to assure the viability of the site plan and the development, prior to SEQRA approvals. Verification of testing should be submitted with final comments from NYCDEP.
53. Comments received by NYSDEC on 9-1-2021 outlined the requirements for SPDES wastewater and SPDES stormwater permits. The project falls within the Municipal Separate Storm Water System (MS4) community and will require an SWPPP approval from the municipality.
54. Wetland permit will be required if there are any impacts to NYSDEC jurisdictional wetland. Wetland avoidance is recommended.
55. NYSDEC will anticipate a water quality certification for the project, which was not mentioned in the latest EIS submission.
56. The area of disturbance of 49 acres and 27 acres of impervious surface, verification of volumes and stormwater are critical to assure the final sizes of the proposed stormwater basins and to assure the size and locations are feasible to accommodate the development of the site plan.

CHAPTER 11: TRAFFIC

57. Provide all relevant backup information for trip generation, including StreetLight data. To verify the StreetLight data at the Connecticut Sportsplex facility used for trip generation, the Applicant should conduct spot counts for this location.
58. Provide a list of adverse impacts to traffic as part of the FEIS and the revised TIS. It is recommended to define an impact to traffic as degradation from LOS A, B, C, or D to LOS E or F, from LOS E to LOS F, and an increase in delay of greater than 10 percent in LOS E or LOS F.
59. Revise mitigations to not create new impacts at the study intersections. For example, the proposed mitigations create new impacts in Build with Improvement condition analyses at the following intersections: NYS Route 312 & US Route 6, NYS Route 312 & I-84 Eastbound Ramps, NYS Route 312 & I-84 Westbound Ramps.
60. Include all mitigation measures noted in the Lincoln Logistics (formerly known as Commercial Campus at Fields Corner) resolution documents in the future analyses. The following should be incorporated in the No Build and Build analyses to match the Lincoln Logistics analyses: NYS Route 312 & I-84 Eastbound Ramps – signal timing modifications and lane geometry.
61. Revise the Synchro analysis per the following comments:
 - a. All intersections: Revise the future No Build and Build analyses to reflect the heavy vehicle percentages and peak hour factors used for Lincoln Logistics.
 - b. NYS Route 312 & I-84 EB Ramps intersection Existing conditions: Revise the southbound approach to reflect a shared through and right turn lane and keep the dedicated right turn lane for future analyses, as it is a background improvement as part of Lincoln Logistics.
 - c. NYS Route 312 & I-84 EB Ramps intersection Existing conditions: Analyze the southbound left turn with a 320-foot long storage length.

- d. NYS Route 312 & I-84 EB Ramps intersection Existing conditions: Revise the Saturday analysis to reflect an actuated-coordinated signal control type using the correct time of day plan (matching the AM and PM signal timings).
 - e. NYS Route 312 & I-84 EB Ramps intersection No Build and Build conditions: Revise the signal timings for all peak hours to reflect the Lincoln Logistics improvements.
 - f. NYS Route 312 & I-84 WB Ramps intersection Existing conditions: Revise the Saturday analysis to reflect an actuated-coordinated signal control type using the correct time of day plan (matching the AM and PM signal timings).
 - g. NYS Route 312 & I-84 WB Ramps intersection No Build and Build conditions: Revise the signal timings for all peak hours to reflect the Lincoln Logistics improvements.
62. The following movements have projected 50th percentile queues that extend beyond the storage length. Additional improvements should be provided to mitigate queue impacts.
- a. US Route 6 & NYS Route 312: PM peak hour, southbound left turn
 - b. NYS Route 312 & I-84 EB Ramps: AM peak hour, southbound right turn; Saturday peak hour, eastbound left turn
 - c. NYS Route 312 & I-84 WB Ramps: PM peak hour, eastbound left turn
63. Revise the LOS table headers to reflect the correct Saturday and Weekday PM peak hours.

CHAPTER 12: INFRASTRUCTURE AND ENERGY

64. This chapter (Section 12.1) indicates that the Applicant based projections of site usage “on similar facilities in the Northeast region.” Reference to the specific facilities (or studies) used for comparative purposes should be provided in the FEIS.
65. This chapter (Section 12.4.1) indicates that “[n]o irrigation is proposed.” While the project proposes the use of synthetic turf for the ballfield, the project also includes landscaped areas. An explanation of how these landscaped areas would be watered/maintained should be provided in the FEIS.
66. This chapter (Section 12.4.3) indicates that two inquiries were made to NYSEG regarding distribution line confirmation, information about hook up access to the project site, and information and cost of new electric service. Those inquiries (an email and “a request placed into a NYSEG representative”) should be included in an appendix to the FEIS.

CHAPTER 13: AIR QUALITY

67. Page 13-1 states “The New York SIP adopted AAQS from a list of seven criteria pollutants established by the EPA. These pollutants were selected by the EPA based on a list of pollutants of primary concern nationwide. Attainment of the AAQS is required under the Act, and each State has a designated time period in which to bring nonconforming areas into compliance. The AAQS establish levels to protect the health (primary standard) and welfare (secondary standard) of the general public with an adequate margin of safety.”

Since EPA lists six criteria pollutants while New York State includes TSP, it might be clearer to state the six criteria pollutants and averaging periods included in the NAAQS and add:

“The NAAQS for 3-hour SO₂ has also been adopted as the ambient air quality standard for New York State, but is defined on a running 12-month basis rather than for calendar years only. New York State also has standards for total suspended particles, settleable particles and 24-hour and annual SO₂, which correspond to federal standards that have since been revoked or replaced, and for the noncriteria pollutants fluoride and hydrogen sulfide.”

68. Please specify the respective standard (federal vs New York State) in Table 13-1.

69. Please supplement the discussion of the NAAQS with the attainment status for each criteria pollutant.
70. Please include all monitored pollutants and averaging periods that have a corresponding air quality standard in Table 13-4 and consider multiple years of monitored values following the form of the respective standards.
71. While the duration of construction work, its schedule and the type of work anticipated are discussed under “Mitigation Measures,” please also include or consider moving this information to the section “Short-Term Construction Air Impacts” on Page 13-6.
72. Page 13-6 states “The potential impact from the project generated traffic was evaluated using the New York State Department of Transportation (NYSDOT) Environmental Procedures Manual (EPM) Chapter 1, Section 9, Projects Needing Air Quality Analysis (January, 2001).”
Please note that the air quality section of the NYSDOT Environmental Procedures Manual (now The Environmental Manual) was last updated in March 2020. Please update references to the EPM to TEM.
73. Page 13-6 states “According to the NYSDOT EPM, signalized intersections with level of service C or better, do not require air quality analysis.” Please confirm/clarify that the level of service screening considered only the Build level of service.
74. The air quality chapter should include a discussion of PM and whether quantitative hot-spot analysis is warranted as particulate matter is a primary and principal pollutant of concern with vehicular exhaust emissions. According to NYSDOT’s guidance for PM, microscale screening and analysis should be based on the EPA’s Transportation Conformity Guidance to Quantitative Hot-spot Analyses in PM_{2.5} and PM₁₀ Nonattainment and Maintenance Areas.
75. Please expand on the rationale for not needing a stationary source analysis for the heating and cooling system for the main recreational building and offices in addition to stating that the equipment that would be installed would utilize efficient fuel (e.g., the heating and cooling system for the proposed buildings would not require a permit and would not jeopardize the SIP’s goal to attain and maintain the NAAQS).
76. The chapter should describe the parking proposed as part of the project and indicate whether there is a potential for impact on air quality from parking uses.

CHAPTER 14: NOISE

77. On page 14-5, identify whether the Saturday time period is the anticipated peak usage period for the proposed project.
78. If existing noise levels were not measured at Location 1 during a Saturday due to equipment malfunction, please explain why the measured levels on the following Sunday/Monday provide a sufficient representation.
79. Clarify why the three selected analysis hours on page 14-5 were identified as potentially sensitive and why analysis during these time periods would capture any potential noise impacts.
80. Explain why a construction mobile source analysis was not included.
81. Please provide the logistics, plans, distance markups, and any other documentation that was used in the construction noise analysis.
82. Clarify and provide supporting information for Table 14-5. How can the validity of these reference noise levels be confirmed? Various federal and state agencies provide generally accepted reference noise levels for construction equipment; use of these levels would avoid the need to verify/confirm the levels in this table.

83. State the expected duration of the construction tasks (e.g., grading for stormwater basin and multi-sports field) assumed in the construction noise analysis and described as “temporary.”
84. Page 14-7 states that the “noisiest period of construction will occur during site clearing and grading activities.” Please explain how this conclusion was made, as the text does not make it obvious.
85. It may be helpful in the discussion of blasting to point out the expected number of blasts per day as further support of the temporary and short-term nature of this noise.
86. For the noise assessments mentioned on page 14-8 as “public record information,” providing supporting information as well as the noise survey data for all the referenced measurements, or the approved Site Plan review(s). Define which noise descriptor (including time-weighting if applicable) is being used throughout this page.
87. Provide a source for assumption that the sound of batting would be comparable to that from a loudspeaker on page 14-9.
88. The operational noise analysis is confusing because it doesn’t specify descriptors or discuss cumulative effects. Provide a table showing all predicted noise sources, their cumulative levels, and the associated increase in noise levels. It would be reasonable to prepare this for both the L_{eq} and L_{max} metrics and compare each to the relevant limits described earlier in the chapter.

CHAPTER 15: CONSTRUCTION IMPACTS

89. The DEIS indicates that “[t]ree clearing at the beginning of the construction process will only occur during the months of November through March.” The FEIS should identify when tree clearing would occur (and how this would impact the project schedule and phasing) should the project not commence in January 2023, as indicted in Figure 15-1.
90. The DEIS states that earthwork will be scheduled outside of seasonal periods of rainfall and snowmelt. The FEIS should clarify what times of year are considered seasonal periods of rainfall and snowmelt. Figure 15-1 includes earthwork in most months of the year, with only January and February clearly excluded.
91. The DEIS indicates that “lighting for project security is anticipated to be localized at equipment and materials storage areas and at the project trailers.” Since equipment and materials storage areas “have not been determined,” the FEIS should include a discussion of how neighboring residential areas will be protected from light pollution, should equipment and materials storage areas be located close by (e.g., neighbors on Fields Corner Road, residents near Theodore Court and Twin Brook Court, and the Hunters Glen development).
92. The FEIS should include a discussion of potential air quality impacts associated with off-site vehicle operations. Discussion should include available relevant information (i.e., number of work vehicles, number of heavy-duty trucks, anticipated vehicle miles traveled, if possible).
93. The DEIS indicates that “[m]itigation measures are proposed as part of the project during construction to limit the generation of dust and potential emissions from construction equipment.” Detailed discussion of mitigation of fugitive dust is provided in Section 13.4 of the DEIS. A discussion of mitigation of potential emissions from construction equipment should be included as well in the FEIS.

CHAPTER 16: ALTERNATIVES

94. For the “Natural Turf Alternative,” the FEIS should qualitatively discuss the difference in infiltration rates between natural turfgrass and synthetic turf.
95. The FEIS should consider an alternative where some ballfields are natural turfgrass (e.g., the “Showcase Baseball Field”) and the remainder of the ballfields are synthetic turf. This could

provide additional benefits to the project, including allowing greater rates of infiltration in critical areas.

CHAPTER 17: MITIGATION SUMMARY

No comments on this chapter.

CHAPTER 18: OTHER EFFECTS

UNAVOIDABLE ADVERSE IMPACTS

96. Section 18.1 states “[i]ndirect impacts to wildlife will occur as construction displaces resident wildlife until construction is completed and the wildlife can move back into the area.” However, as stated in Section 1.3, “[t]o secure the project at night, there will be chain link fencing surrounding the entire development area with swing gates at each driveway entrance.” Impacts to wildlife displacement due to operation of the Proposed Project should be acknowledged.

IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

97. Section 18.2 identifies that the project requires a “future commitment of groundwater resources at the site.” The FEIS should disclose what caps on nearby development – if any – need to be placed as a result of capacity that would be committed to the proposed project.

GROWTH INDUCING AND CUMULATIVE IMPACTS

No comments on this section.

EFFECTS ON THE USE AND CONSERVATION OF ENERGY RESOURCES

98. Section 18.4 indicates that the “Applicant will incorporate applicable components of [Energy Star and New York Energy Smart programs] and Green Building standards.” The FEIS should identify specific energy conservation elements the Applicant hopes to incorporate into the proposed project (e.g., solar power, EV charging stations, low-flow fixtures, etc.), even if aspirational at this point in the development process.

RECOMMENDED ACTIONS

At the August 8, 2022, meeting AKRF recommends that the Planning Board open and close the public hearing on the DEIS with written comment period until 8/26/22.