

PLANNING BOARD MEETING - JULY 2, 2018
CALLED TO ORDER BY: CHAIRWOMAN WAYNE JOHNSON AT 7:00 p.m.

PRESENT

Wayne Johnson acting Chairman

John LaVoie

Lawrence D'Angelo

Paul Puccio

Andrew Aubin

James Shaughnessy

Nadine Fuda, Director

Attorney Craig Crist, Esq.

Richard Laberge, Planning Board Engineer

Melissa Knights - Assistant to the Director

MEMBERS ABSENT

Denise Mayrer, Chairwoman

APPROVAL OF MINUTES — JUNE 18, 2018

Johnson moved, LaVoie seconded that the minutes be approved as amended.

6 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D'Angelo, Johnson, LaVoie, Shaughnessy

PUBLIC COMMENT

Resident spoke in favor of the proposed Scannell project.

Resident spoke against the proposed Scannell project.

Resident spoke against the proposed Scannell project.

Resident spoke in favor of the proposed Scannell project

Resident spoke in favor of the proposed Scannell project

Resident spoke in favor of the proposed Scannell project

Non-resident spoke against the proposed Scannell project.

Site Plan /Special Permit

Diana & Bill Houghton

1193 Simons Road

Proposed - Ground Mount Solar /3rd accessory structure

2018-23/R40/199.-6-39

Lindsey Halse, Kasselman Solar was present for this meeting.

Ms. Halse stated she is representing Diana & Bill Houghton for a 32 panel ground mount solar array, placed at the rear of their lot. This will also be the fourth accessory structure on the property.

Mrs. Fuda stated when she did a review of the applicant inventory on the property there is only one accessory structure that comes up on the county RPS system but when she did further research she located two possibly 3 more structures on the property

Ms. Halse stated they did confirm that there is an additionally built shed.

Mrs. Fuda asked in addition to the 2 that are showing on your plans?

Ms. Halse came to the dais to go over the applicant existing structures on the plan.

Mrs. Fuda stated the code reads any lot under 2 acres can have up to two accessory structures, In talking with the building department they feel they should go and do a site visit prior to approval. And make sure all structures are listed on the inventory

When Mrs. Fuda spoke to the building department to discuss the discrepancy between the county system and the applicants map, Mrs. Fuda decided a site visit was needed to determine exactly what was on the property and to get our inventory correct. We will also need an actual foundation location for the structure.

Mr. Johnson stated they will need to do a survey with the actual dimensions of the property line to all corners of the new array to make sure it will be place in the correct spot.

Ms. Halse stated, ok did it need to be a stamped survey?.

Mr. Johnson stated yes.

Mrs. Fuda stated Ms. Halse needs to call the building department to set up a site visit and get a true inventory, at that point we well put you back on or another meeting to either get you set up for the ZBA or what ever you decide.

Steve Hart, Hart Engineering and land owner.

Mr. Hart spoke about the Laberge letter dated June 26, 2018, they are in concurrence with the letter, there were 9 trees added to the south side of the project. Which they have done per the latest plan and wonder if the board had any comments on this,

Mr. Laberge stated this is an application under the town solar law which uses the plan development process so the applicant works through different issues with this board then with his letter dated June 26, 2018 (see below) if the board feels so inclined the board can now turn this back to the town board for them to create the solar overlay district and then the applicant will have to come back to the planning board for site plan approval.

Mr. Johnson wanted to make sure the surety for construction, maintenance also for the removal have been established.

Mr. Laberge stated they have not, the items at the bottom of page 1 and at the top of page 2 of his letter dated June 26, 2018 are items that need to be nailed down for this board contemplation of site plan approval after the town board does their process. Mr. Hart needs to give us some numbers to review in terms of what the cost will be order to set a bond.

LaVoie moved, Aubin seconded a **NEGATIVE DECLARATION**.

6 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D'Angelo, Johnson, LaVoie, Puccio, Shaughnessy

Oppose: None

Shaughnessy moved, Aubin seconded a favorable recommendation for the following **special permit** be sent to the **Town Board** review and approval a PD2 overlay:

6 Ayes, 0 Noes. Motion carried.

Ayes: Aubin, D'Angelo, Johnson, LaVoie, Puccio, Shaughnessy

Oppose: None

June 26, 2018
VIA EMAIL & MAIL

Denise Mayrer, Chair
Town of Schodack Planning Board
265 Schuurman Road
Castleton, New York 12033

Re: Recommendation to Town Board
Pheasant Hollow Solar Farm
SPB #2017-35
Town of Schodack Planning Board

Dear Ms. Mayrer:

We are in receipt of revised materials for the above referenced application:

- Draft Site Lease Agreement.
- Coordinated Electric System Impact Review Report Dated 4/18/2018.
- Plan set consisting of 5 sheets last revised 6/6/18.

The project is subject to §219-39.3 of the Town's zoning law. As such the application must all comply with the process for planned developments in Article XII of the zoning law including referral by the Planning Board of the application to the Town Board for approval of the proposed PD-2 designation for the proposed utility scale solar collector system.

After review of the material submitted, we find the following:

- a) The plan conforms with the Town's Comprehensive Plan.
- b) The plan meets the plans and objectives and general criteria of 219-32.2 and 219-39.3.
- c) The plan concept is sound and meets local and area wide needs.
- d) The plan, when approved by the Planning Board, will provide adequate physical and human protections.

As such, we recommend the Planning Board transmit a favorable recommendation to the Town Board regarding creation of a PD-2 solar overlay zone. In addition, we further recommend the Planning Board issue a Negative Declaration under SEQRA based upon the enclosed EAF and the materials submitted.

The following outstanding items remain prior to the Planning Board's approval of the project pending the Town Board's favorable action on the project:

1. A copy of the executed lease agreement must be submitted.
- la
2. The applicant and the property owner must submit proof of insurance in an amount acceptable to the Town. Town shall be named a Certificate Holder and be provided notice if the policy is to be cancelled.
3. The following will be required during the construction and life of the facility:
 - a. Surety for construction and maintenance along with acceptable construction cost estimate;
 - b. Surety for removal; and
 - c. Annual documentation from the utility company that the facility is active.
4. The applicant has indicated that they are agreeable to a conservation easement for preservation of the open space. A draft easement should be submitted for review.
5. Nine more 6' high spruce trees should be added to the south side of the facility.

Please contact our office with any questions or comments on the above.

Very truly yours,
LABERGE GROUP

By: _____
Richard F. Laberge, P.E.
President

RFL: jkb

Enc.

C: Craig Crist, Esq., Planning Board Attorney w/enc.
David Harris, Supervisor w/enc.

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Robert Scannell / Scannell Properties 2018-11/PD3/200.-6-1.3 & 200.-6-22.1
US Rt. 9
Proposed - Distribution Center

Steve Boisvert, McFarland and Johnson, was present for this meeting.

Mr. Boisvert spoke about the project and the minor changes, they met with DOT and they approved the proposed minor changes to the driveway configuration, a traffic impact study was done to reflect the changes approved by DOT. Another minor change was with ESFR sprinkler system which is Emergency suppression Fast Response sprinkler system designed

for this facility that is above and beyond a normal sprinkler system. This system will actually put the fire out and not just suppress it. They are installing a water storage tank which will be located behind the building along the west side of the property. It will be 14 feet below the height of the building. He spoke about the Laberge letter dated June 28, 2018. (See Attached) they will comply with each issue. The applicant also submitted a salt managed program (see file).

Mr. Laberge stated his letter of June 28, 2018 goes over 3 categories (see below)

Regarding Administrative issues, items such as, combining of deeds, DOT work permit, and performance bond of \$100,000 for landscaping for a term of 5 years are still needed.

Regarding the storm water pollution protection Plan, which is a very detail document, there are still some minor changes needed.

The Site Plan needs additional detail for the following, offsite water and sewer plans, construction phasing, and landscaping, in the front by the guard house at route 9.

All the comments are objective in nature and can be satisfied through the final submittals of the plans and other technical information.

Regarding the environmental assessment, this project has always been recognized as a type 1 action, when the board declared their intent to seek lead agency under SERQ The Planning Board declared it as a type 1 action and we notified all the other agencies that this was a type 1 action, again that is due to the magnitude of the project, and the disturbance of an excess of 10 acres, and a large amount of parking. It is up to this board to determine whether or not the information in hand is enough to assess the project. It is important to note that not all type 1 actions have to go to an environmental impact statement. If this planning board feels the project has items that haven't been addressed they can require the preparation of an environmental impact statement but what is important to note if the board requires an impact statement what we would eventually get are comments from all agencies that were already contacted by registered mail to chime in with comments on this project, which we have received regardless of the planning board requiring an impact statement per the Laberge letter dated June 28, 2018 we are recommending a Neg-Dec under SEQR, meaning we do not think that this needs to go towards an environmental impact statement. Because of the amount of detail that has been developed in the last 3 months we feel we can issue the special permit under the water quality act, the site plan approval and the recommendation of a site development permit from the building department for grading.

Mr. Puccio asked the full environmental assessment form that was prepared that answered all the detail questions that were raised, does this become a public document,

Mr. Laberge stated yes everything that has been submitted and prepared is public. He goes on to explain the type 1 action where all information is updated, corrected and submitted via his letters and the applicant responses, part 2 is the assessment of the impacts, these are all DEC forms which go through 20 different areas, in that form certain impacts are deemed to be either small or moderate impacts. There were some impacts that he deemed to be moderate and then he explained in a narrative form of 31 pages how the applicant work to mitigate those impacts and got them to be as small as they can and therefore it is an acceptable level. There is a lot of paperwork and a lot of detail as to the process and the impacts that have been identified.

Mr. Puccio stated he is very impressed with the quality of the 31 page environmental impact study. Everything was answered in detail. This document serves to demonstrate the fact all the kinds of questions that have been asked have been answered, including information from other agencies.

Mr. Shaughnessy stated he agrees with Mr. Puccio's comment and Mr. Laberge's assessment of the time line of the process we have been through. He asked Mr. Laberge to briefly speak on the items that were deemed moderate.

Mr. Laberge stated reading from part 2 of the environmental assessment form, note that these questions are laid out for everybody in the state to assess the impacts.

- "Q" Will there be an impact on surface water.
- "A" yes there is a pond in the middle of this property and will be effected 100% so he marked that as a moderate impact. This is not a federal water body,
- Agriculture area - this was farm land and since it will no longer be such it is considered a moderate impact.

Mr. Shaughnessy stated the types of moderate impacts were reviewed by other agencies such as DOT, DEC etc.

Mr. Laberge stated correct.

Chairman Johnson stated for the record everything that has been submitted to the town planning office has been posted to the town website, it is available in the Planning office Monday through Friday 8:30 to 4:00. He is not sure that all questions have been answered but all relevant questions have.

On April 2, 2018

The Board unanimously declared itself lead agency.

**STATE ENVIRONMENTAL QUALITY REVIEW ACT
NEGATIVE DECLARATION**

**NOTICE OF FULL ENVIRONMENTAL ASSESSMENT FORM PART 3
EVALUATION OF THE MAGNITUDE AND IMPORTANCE OF PROJECT IMPACTS
AND
DETERMINATION OF NON-SIGNIFICANCE**

This notice is issued pursuant to and in accordance with Article 8 of the New York State Environmental Conservation Law and the regulations promulgated there under and set forth at Title 6, Part 617 of the New York Code of Rules and Regulations (collectively, the State Environmental Quality Review Act, or “SEQR”). The Town of Schodack Planning Board (the “Planning Board”), acting as Lead Agency in a Coordinated Review, has determined that the proposed action described below will not have any significant adverse environmental impacts, that a Negative Declaration of Environmental Significance should be issued, and that a Draft Environmental Impact Statement need not be prepared.

Reasons supporting this determination are fully explained below.

Project Name: Sales Distribution Center

SEQRA Status: Type I: **XX** Unlisted: _____
Conditioned Negative Declaration: **NO**

Location: Rt. 9, Town of Schodack, New York (Tax ID 200.00-6-1.3 and 200.00-6-22.1)

Description of Action:

Scannell Properties #262, LLC (the “Applicant” or “Project Sponsor”) is proposing to construct a 1,015,740 ± square foot sales distribution center (the “Project”) on two adjoining parcels (tax ID 200.00-6-1.3, and 200.00-6.22.1) totaling 116.3 ± acres along NYS Route 9 in the Town of Schodack, Rensselaer County, New York (the “Project Site”). The sales distribution center is being constructed for the proposed tenant Amazon. The proposed facility will be constructed in its entirety in one phase.

The Project Site is currently zoned Planned Development District (“PD-3”) and the proposed use, sales distribution center, is an allowed use within this district subject to site plan approval by the Town Planning Board. This has been confirmed in writing by the Town of Schodack Building Inspector in a letter dated June 18, 2018 filed with the Building Department, Planning Department and Town Clerk. Because the Project Site is located within the Town’s Water Quality Control District, the Project requires a special permit issued by the Town Planning Board. In addition, the Project Site is not located within a water or a sewer district, therefore district extensions will be required from the Town Board.

The Project includes associated on-site roadways, parking, utility infrastructure, landscaping, and stormwater management facilities. There will be two (2) driveway entrances

to the site off of NYS Route 9; one dedicated driveway for employees and one dedicated driveway for trucks. A security gate with a Guard House will be provided at the truck entrance. Approximately 1,075 parking spaces will be provided for employees and approximately 300 parking spaces will be provided for truck trailers. Off-site improvements will include extension of water, sewer, and natural gas mains to the project site. The off-site utilities will be extended from their current terminus along NYS Route 9/20 south of NYS Route 150.

The Project as proposed is consistent with the current PD3 zoning designation, and the Project is an allowable use under current zoning as determined by the Town Building Inspector as noted above. The Project will be serviced by public water and sewer, natural gas, telecommunications and electric utilities. Stormwater will be managed on-site.

The Project Sponsor is seeking Site Plan approval and a Special Use Permit under the Town's Water Quality Control Act ("WQCA") from the Planning Board and has submitted materials in support of the application which can be found in the Town Planning Department's files.

Reasons Supporting This Determination: See the attached Environmental Assessment Form (EAF) Part 3, Reasons Supporting SEQRA Negative Declaration, which details the Planning Board's analysis, reasoning, and conclusions in making its determination of environmental significance. The Planning Board has carefully considered the criteria for determining significance as set forth in SEQRA regulations at 6 NYCRR § 617.7, and has thoroughly evaluated the Project's potential environmental impacts as identified in Full EAF Parts 2 and 3.

Lead Agency:

Town of Schodack Planning Board
265 Schuurman Road
Castleton, NY 12033

For Further Information:

Contact Person: Nadine Fuda, Director of Planning for the Town of Schodack
Address: 265 Schuurman Road, Castleton, NY 12033
Telephone: (518) 477-7938

Copies of this Notice have been sent to:

Town of Schodack Town Board
Town of Schodack Planning Board
Town of Schodack Department of Public Works
Rensselaer County Industrial Development Agency
Rensselaer County Planning Board (Economic Development and Planning)
Rensselaer County Health Department
New York State Department of Health
New York State Department of Environmental Conservation
New York State Department of Transportation
New York State Office of Parks, Recreation and Historic Preservation
U. S. Army Corps of Engineers

FULL ENVIRONMENTAL ASSESSMENT FORM PART 3
EVALUATION OF THE MAGNITUDE AND IMPORTANCE OF PROJECT IMPACTS
AND DETERMINATION OF SIGNIFICANCE
REASONS SUPPORTING SEQRA NEGATIVE DECLARATION

Introduction

The Planning Board, acting as SEQRA Lead Agency, undertook a coordinated review of the Project, a Type 1 action, consisting of the construction of a 1,015,740 ± square foot sales distribution center on two parcels (tax ID 200.00-6-1.3, 73.6 acres; and 200.00-6.22.1, 42.7 acres) totaling 116.3 ± acres along NYS Route 9 in the Town of Schodack, Rensselaer County, New York. The project is located along NYS Route 9 in the Town of Schodack, Rensselaer County, New York (“Project Site” or “Site”). The proposed sales distribution center will be constructed in its entirety in one phase. The facility will operate 24/7. There will be two employee shifts per day (the “Project”). The tenant of the proposed sales distribution center is Amazon.com.dedc, LLC (the “Amazon”). The Project Sponsor has noted that they will enter into a long-term lease with Amazon.

The Planning Board notes that the Project Sponsor evaluated alternative site layouts of the Project design in its application submission. The sales distribution center design was placed on the Project Site to provide buffer distance to the residential areas, to avoid natural resources and to minimize tree clearing. The building and most of the parking is being located in the cleared, former agricultural field that is most amenable to the clearing and grading necessary to construct the building, parking and stormwater facilities. Additionally, the Project has been designed with berms and sound walls, as well as extensive landscaping, to keep noise near pre-existing levels, especially in the quietest part of the day and evening. The existing mature trees and vegetation coupled with the expansive landscaped berms, as well as the sound wall, also limit visual impacts as shown in the many photo simulations prepared for the Project, submitted to the Planning Board and made available to the public.

Application History

- On March 19, 2018, the Applicant submitted the Project concept plan, the EAF Part 1 and the applications for site plan/special permit to the Planning Board.

- On April 2, 2018, the Planning Board commenced review of the Project plans and declared their intent to be lead agency.
- On April 3, 2018 the Planning Board coordinated lead agency status declaring its intent to be Lead Agency and circulated the project plan and the EAF Part 1 to the involved agencies. No involved agencies objected to the Planning Board being lead agency.
- On April 27, 2018, the Applicant submitted an Environmental Assessment Report (“EAR”), including an updated full Environmental Assessment Form (“EAF”) along with an Expanded Environmental Assessment, with a narrative describing the Project and addressing any potential Project impacts and the project plans that are implemented to avoid impacts. The EAR contained the following additional studies and reports:
 - Project Location Map & Overall Site Plan
 - NRCS Soils Data
 - Geotechnical Engineering Report
 - Wetland Delineation Report
 - Stormwater Management Report
 - Groundwater Aquifer Map
 - Endangered Species Report
 - Visual Impact Information
 - Archaeological Sensitivity Assessment & Survey and OPRHP Letter
 - Traffic Impact Study
 - Correspondence
- At Planning Board meetings held on May 7 and May 21, 2018 the Planning Board reviewed the materials submitted and discussed them and the Project Sponsor and Project Engineer made presentations to the Planning Board on the project, which included project modifications that addressed the specific concerns raised by a two separate abutters as well as the results of the 20 + photo simulations prepared as part of the visual assessment. A Noise study, prepared by Ostergaard Acoustical Associated (“OAA”), dated May 21, was submitted to the Planning Board and the results of the study were presented to the Planning Board and the public.
- On June 1, 2018, the project sponsor, applicant’s professional engineering representative along with the Planning Board’s designated professional engineer, and the Town’s Director of Planning meet with representatives from the NYSDOT to review the project and address the project traffic impact study.
- On June 4, 2018 and June 18, 2018 a duly noticed site plan and special permit public hearing was conducted and public comments were received as part of the public comment period for the meeting. The record was held open an additional ten (10) days after the close of the public hearing on June 18, 2018. The Planning Board carefully considered the stenographic transcripts of the public hearings and also reviewed all of the written public and involved and interested comments submitted on the Project.

- On June 13, 2018 Project engineer, McFarland Johnson, submitted a response to comments made by the Planning Board's engineer and made by the Planning Board members and Town staff, as well as by the public, to the Planning Board for its review, including the following appendices:
 - Full-sized Site Plan Package of drawings (as revised);
 - Revised sections of the Environmental Assessment Report, including:
 - SEQRA Full Environmental Assessment Form (as revised);
 - SEQRA Expanded Environmental Assessment (as revised);
 - Stormwater Management Report;
 - Traffic Impact Study (revised);
 - Stormwater Pollution Prevention Plan ("SWPPP");
 - Revised Site Sections SV-01 through SV-05; and
 - South Alternative Sanitary Route with plans, estimate, and schedule.
- On June 13, 2018, at the project sponsor's own initiative, they held a meeting with abutting the neighborhood association to provide an informal (non-public) format for residences to speak directly with the sponsor and allow the sponsor to address their concerns directly.
- On June 18, 2018 the Project Sponsor submitted to the Planning Board additional photo simulations to address additional landscape screening that was added to address concerns raised by the public as well as a report from Camoin Associates, Economic & Fiscal Impact Analysis of Proposed Sales Distribution Center, Town of Schodack, NY, dated June 2018, the results of the study were presented to the Planning Board and the public by the Project Sponsor prior to the re-commencement of the continuation of the public hearing on June 18, 2018.
- In accordance with New York General Municipal Law § 239-m, the Schodack Planning Board referred the application materials to the Rensselaer County Bureau of Economic Development and Planning ("RCBEDP"). The RCBEDP has had the opportunity to participate in review of the Project, and "has determined that the proposal does not have a major impact on County plans and that local consideration shall prevail" per RCBEDP Director Robert L. Pasinella, Jr.'s notification of zoning review action letter dated April 24, 2018.
- On June 25, 2018, the Project Sponsor, applicant's professional engineering representative along with the Planning Board's designated professional engineer, and the Town's Director of Planning met with representatives from the NYSDOT to review the revised project modifications that addressed their comments. At this meeting the NYSDOT approved the access driveway configurations for this project.
- On June 28, 2018, the Project Engineer submitted to the Planning Board responses to comments as a result of the public hearing and Town comments. Also included was a report by Terracone/Dente evaluating and confirming that the groundwater flow direction

is north to south and east to west across the area and the site, in particular away from the residential areas. This submission also included a revised Traffic Impact Study dated June 26, 2018 and the relevant approval communication from the NYSDOT dated June 27, 2018 and will serve information from National Grid with respect to the electricity and natural gas for the Project.

Discussion of Potential Environmental Impacts

The Planning Board has carefully considered all potential environmental impacts associated with the Project. Below is a discussion of those potential impacts, set forth in the order in which they appear in the New York State Department of Environmental Conservation's ("NYSDEC") SEQRA Full EAF Part 2.

The Project is a SEQRA Type I action. NYSDEC's SEQR Handbook specifically addresses whether an environmental impact statement ("EIS") is always required for a Type I action. According to NYSDEC, "the lead agency must evaluate information contained in the EAF, and additional applications, filings or materials, against the criteria in [6 NYCRR] 617.7 to make a determination of significance for each Type I action. SEQR responsibilities for Type I actions may be met by a well-documented, well-reasoned negative declaration."

The materials submitted in support of the Project Sponsor's applications were generated by licensed engineers and qualified consultants. The conclusions and suggested impact avoidance measures proffered by these professionals were based on established engineering principles, industry standards, NYSDEC and technical data, which have been verified by the Planning Board's own professional engineer. The Planning staff and the Planning Board members, several of whom are professional engineers also carefully and thoroughly reviewed the application and the EAR, including the technical reports.

During the course of the Project's SEQRA review, the Planning Board, the public and the applicant's representatives engaged in an active and comprehensive evaluation of the Project Sponsor's submissions. As stated by the NYSDEC SEQR Handbook, "the lead agency may make a request for any additional information reasonable necessary to make its determination." Questions were asked, clarifications were requested and responses were provided.

The Planning Board and its consulting engineer have assessed each of the potential SEQRA-related impacts, identified its magnitude and determined the potential impact's importance.

Lastly, the Planning Board has reviewed the criteria for determining significance contained in 6 NYCRR Part 617. This evaluation, which is based in the same information supporting its conclusions regarding Part 2 of the Full EAF, confirms the Planning Board's conclusion that a Negative Declaration of Significance should be issued for the Project.

Discussion of 6 NYCRR Part 617 Criteria For Determining Significance

The Town of Schodack Planning Board has evaluated the Project using the criteria for determining significance identified in 6 NYCRR § 617.7(c)(l) and in accordance with 6 NYCRR § 617.7(c)(2) and (3). NYSDEC's SEQR Handbook provides “that not every conceivable impact needs to be considered; speculative impacts may be ignored.”

As indicated below in the discussion of each criterion specified in 6 NYCRR § 617.7(c)(l), the Project will not have a significant adverse impact on the environment.

6 NYCRR 617.7(c)(l) Criteria

(i) A substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems.

The Planning Board finds that the Project is not likely to cause significant adverse changes to existing air quality (*see* section 6 below), ground or surface water quality/quantity (*see* sections 3 and 4 below), noise levels (*see* section 15 below), level of solid waste production (*see* section 15 below), and potential for erosion, flooding, leaching or drainage problems (*see* sections 1, 3, 4, and 5 below).

As discussed below (*see* Section 13), the Applicant has prepared a traffic impact study, dated March 29, 2018 (revised June 8 and 26, 2018) and met with the New York State Department of Transportation (“NYSDOT”) with Town staff and the Town engineer present at the meetings on two occasions. All traffic impacts which can reasonably occur as a result of the Project have been thoroughly evaluated using actual traffic counts from a similar Amazon facility. Although there is a projected increase in the level of traffic in the area related to the Project, the Applicant has incorporated traffic mitigation measures into the project design that will appropriately accommodate the increase in car and truck traffic resulting from the Project. This is discussed in greater detail in section 13 below. As such, and through the proposed mitigation measures designed into the Project, the Project will not cause a substantial adverse change.

(ii) The removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources.

Due to the existing nature of the Project Site, the Project will not have a significant impact on the environment: (a) by removing or causing the destruction of large quantities of vegetation or fauna; (b) by creating substantial interference with the movement of any resident or migratory fish or wildlife species; (c) by creating impacts on a significant habitat area; (d) by creating substantial adverse impacts on threatened or endangered species of animal or plant, or the habitat of such a species; or (e) by causing other significant adverse impacts to natural resources. *See* Section 7 below.

(iii) The impairment of the environmental characteristics of a Critical Environmental Area.

The Project will not cause impairment to the characteristics of a Critical Environmental Area as designated under 6 NYCRR § 617.14(g). *See* Section 12 below.

(iv) The creation of a material conflict with a community's current plans or goals as officially approved or adopted.

The Project does not present a conflict with the Town of Schodack's Comprehensive Plan or the Planned Development District 3 zoning district. *See* Section 17 below.

(v) The impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character.

The Project will not impair the character or quality of historical, archeological, architectural, or aesthetic resources. *See* Sections 9 and 10 below.

(vi) A major change in the use of either the quantity or type of energy.

The Project will not create a major change in the quantity of electricity or natural gas to be used in the region and will not affect the community's sources of fuel or energy supply. *See* Section 14 below.

(vii) The creation of a hazard to human health;

The Project will not create a hazard to human health. *See* section 16 below.

(viii) A substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses.

The Project will result in a change of use and/or intensity of use within and consistent with the PD-3 district. The property has been available and marketed for sale as a commercial property for some time based on the uses allowed in the PD-3 District. There has been past agricultural use of the property and the property contains class 3 and 4 soils. The property is not in an agricultural district. The property was previously rented to a farmer and that arrangement was temporary until the property could be developed; the area farmed was small in relation to the acreage in the Town that will continue to be available and used for agricultural purposes. (*see* Section 8 below). The Project will not have an effect on recreational resources as the land is privately owned and not available for public use(*see* Section 11 below). Further, significant land will remain undeveloped due to the positioning of the proposed sales distribution center (*see* Section 11 below). Therefore, the Project aligns with the community plans as expressed in the PD-3 zoning district.

(ix) The encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action.

It is expected that a sales distribution center such as the one proposed by the Project Sponsor, will attract employees. The area population is not expected to increase significantly, nor will the Project create a substantial adverse change in traffic volume in the surrounding area based on the traffic studies conducted and traffic mitigation package proposed by Project Sponsor (see Section 13 below). Therefore, no substantial adverse impact is expected related to attraction of people to the area.

(x) The creation of a material demand for other actions that would result in one of the above consequences.

The Project is not expected to create any significant increased demand for other actions (e.g., additional public services, as discussed in Sections 18 and 19 below) that would result in significant adverse consequences as described by the above criteria. In evaluating the proposed Project, the Planning Board determined that a development such as the Project is appropriate for the area in which it is being proposed, and that the uses will not result in a material demand for other actions that might result in adverse environmental impacts.

(xi) Changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment.

The Planning Board finds that the Project does not create impacts to two or more elements of the environment that, collectively, would result in substantial adverse impact to the environment. The Planning Board has conducted a full review of all Project elements and the potential impacts from the Project, and has been informed by its consulting professional engineers as to the coordination of those elements. The Planning Board has, for example, evaluated the combined effects of: (i) traffic in relation to noise, odors, air quality, and community character; (ii) parking lot area in relation to storm water management, lighting, safety, handling of employees; and (iii) community character in relation to noise, odors, air quality, traffic, architecture, and aesthetics.

This list is by no means an exhaustive list of potential impacts/changes considered in tandem with other impacts/changes during the Planning Board's consideration of the Project over the past months, but is only provided as examples of the hard look taken to ensure the potential effects of the Project would not result in a substantial adverse impact.

Over the past several years properties designated PD-3 in the Town of Schodack have attracted substantial interest by those interested in the construction and operation of sales distribution centers. This proposal made by the Project Sponsor, on behalf its tenant Amazon, is the last in a series of projects to seek approval in the Town. This Property's key position along NYS Route 9, an five-lane highway with available capacity, with immediate proximity to the I-90 corridor renders it highly suitable for the sales and distribution center proposed by Scannell

for Amazon. The position will allow the sales distribution center to serve Amazon's customers in the Northeast.

In addition, future projects within the Town resulting from the Project are required to undergo review pursuant to SEQRA and therefore will have their environmental impacts reviewed.

(xii) Two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria in this subdivision.

The review of the Project did not show the potential for cumulative effects. The extension of the water and sewer services is limited to the Project Site. As such, the Planning Board has conducted a comprehensive review of the entirety of the Project. References are included throughout the discussion below to such potential cumulative effects, and no significant impact on the environment will be caused from the potential cumulative effects considered.

Discussion of Part 2 of Full EAF, Potential Project Impacts

The Planning Board has evaluated the Project's potential impacts as identified in Part 1 and Part 2 of the Full EAF, and has determined that the Project will not result in any significant adverse environmental impacts, and that a Negative Declaration of Significance is warranted.

1. Impact on Land. A geotechnical study of the site was conducted by Dente Group, A Terracon Company of Watervliet, New York (Dente) for the Project. The study included test borings, soil sampling, laboratory testing, and a summary report. The results of the report are consistent with a site that can support the Project. The full report, Preliminary Geotechnical Evaluation, Sales Distribution Center, Schodack, New York dated April 17, 2018 was submitted to the Planning Board on April 27, 2018 as Appendix E of the Applicant's Environmental Assessment Report.

Construction of paved areas and buildings will result in alteration of the existing ground. Approximately 79 ± acres of the present ground cover will be disturbed during construction. The development of the Project Site will require that some fill material (e.g. driveway and parking stone sub-base) be imported to the project site to achieve the proposed grades.

As demonstrated by the application, the Rensselaer County Soil Survey, Natural Resources Conservation Service website ("NRCS"), there are seven (7) mapped soils identified within the project boundary. Hoosic gravelly sandy loam, 0 to 5 percent slopes (HoA), Hoosic gravelly sandy loam, 3 to 8 percent slopes (HoB), Hoosic gravelly sandy loam, rolling (HoC), Hoosic gravelly sandy loam, hilly (HoD), and Hoosic gravelly sandy loam, steep (HoE) have a hydrologic soil group A, meaning these soils have a high infiltration rate when thoroughly wet. These soils make up the majority of the site; approximately 89%. Castile gravelly silt loam, 0 to 5 percent slopes (CbA), and Natchaug muck, 0 to 2 percent slopes, have a hydrologic soil group A/D and B/D respectively, meaning these soils have a low infiltration rate when thoroughly wet. These soils make up a minority of the site; approximately 11%.

In general, the majority of the on-site soils are types of soils are adequate for supporting the proposed project. Where unsuitable soils are encountered, they will be removed and relocated in accordance with all local, state, and federal regulations.

About 609,000 cubic yards of soil will need to be cut for use as on-site fill for construction of the building, driveways, parking and stormwater management facilities. The Project Site will be designed to balance the on-site cuts and fills to the greatest extent possible and it is anticipated that no structural soil will need to be imported onto the Project Site. Topsoil will be stripped, stockpiled and re-used on site; because less topsoil will be needed in the final condition is anticipated that approximately 120,000 CY of topsoil may be exported from the site. In addition, there is an existing pond in the center of the site that is expected to contain approximately 10,000 CY of unsuitable material; this too may be exported from the site. If necessary a letter from NYSDEC confirming a mined permit exemption will be obtained.

The pond itself which is approximately 2.02 acres will be filled as a result of the project. This pond is not regulated by the US Army Corps of Engineers based on the Jurisdictional Determination issued by that agency. Some material, such as crushed stone sub-base material for building slabs, driveways and parking will be imported to the site. The following are estimated import quantities needed for the site work: 77,300 CY of subbase stone; 10,000 tons of asphalt, 3,000 CY of concrete. However, some on-site material may be able to be processed on-site and used for the sub-base material.

Bedrock was encountered in some of the test borings performed by Dente at depth varying from 11 to 23 feet below existing grade. There is no rock shown at the depths expected for building, pavement, or pond excavation, so no rock excavation is currently expected. However, the bedrock encountered appears weathered; therefore, if rock excavation is required it is anticipated that removal with a large track mounted backhoe with rock teeth will be possible and no blasting will be utilized.

Based on the Geotechnical Engineering Report (refer to Appendix E of the Applicant's initial Environmental Assessment Report), groundwater was encountered only in the extreme west and east portions of the site. Borings B-1 and B-10, on the west edge of the site show groundwater at a depth of approximately 26 feet. On the east edge borings B-9, B-13, and B-14 show groundwater at 20, 15, and 8 feet respectively. Based on this information, all grading will occur above the elevation of the groundwater encountered in the borings and as such there is no anticipated impact to the aquifer.

During construction, erosion control measures such as silt fence, diversion swales/berms and sediment traps/basins will be installed to mitigate the potential for erosion of soils and downstream siltation. The proposed stormwater sedimentation basins will function as temporary sediment traps/basins during construction. Upon the completion of construction those temporary facilities will be converted to permanent facilities. All erosion and sediment control measures will be constructed in accordance with the latest edition of the New York State Standards and Specifications for Erosion and Sediment Controls.

Common industry practices, such as the spraying of water to control dust and confining construction work periods to those permitted by the Town, will further mitigate the normal unavoidable short-term impacts associated with construction.

In accordance with the above, physical changes to the land will be limited to those required for the necessary grades for operations and proper stormwater management and to accommodate the proposed improvements, and the Erosion and Sediment Control Plan shows how land at and adjoining the Project Site will be protected from degradation during and after construction.

Based on the above, the planning Board finds that the Project will not have a significant impact on land.

2. **Impact on Geological Features.** The Project Site contains no unique or noteworthy geological features. As noted above (see Section 1), disturbance to land is will not result in a significant impact. Accordingly, there will be no significant adverse impact on geological features.

3. **Impact on Water.**

a. **Wetlands.**

A wetland delineation of the site was conducted by Quenzer Environmental LLC of Selkirk, New York (Queznar) for the Project and was submitted to the Planning Board. The results of the report are consistent with a site that can support the Project. The delineation found that there are no jurisdictional wetlands on the property regulated by the United States Army Corps of Engineers (ACOE) pursuant to Section 404 of the Clean Water Act or by the NYS Department of Environmental Conservation (NYSDEC) pursuant to NY Environmental Conservation Law Article 24. Two reports, Wetland Delineation Report, Waters of the United States, Palmer-Otterbeck Parcel - U.S. Route 9, Town of Schodack, Rensselaer County New York, dated January 2016, and Wetland Delineation and Endangered Species Screening, Sales Distribution Center Site, Beaudoin Parcel – Tax Map 200.00-6-22.1 (43± Acres), and Palmer-Otterbeck parcel – Tax Map 200.-6-13 (73± Acres), Town of Schodack – Rensselaer County, NY, dated April 2018 were submitted to the Town as Appendix F of the Applicant's initial Environmental Assessment Report.

Quenzer performed a wetland investigation on the larger of the two properties (73.6 ± acres, tax map parcel 200.00-6-1.3) as described in their 2016 report. Quenzer collected and reviewed available background information and maps including a topographic map, wetland maps, soils map and descriptions, surface water classification maps, flood rate insurance maps, and an aerial photograph to locate potential wetlands on the site, and determined there are no mapped stated-regulated (i.e. NYSDEC) wetlands on the site.

A total of three (3) wetlands were identified, delineated, and are referred to as Wetland A (0.066 acres), Wetland B (1.505 acre), Wetland C (0.449 acre). There were no streams or other waters of the US identified on this property. Quenzer concluded that all three wetlands within the Project Site are isolated wetlands as they have no outlets and therefore no connection to waters of the U.S.

On April 22, 2016 the USACOE concurred and issued a jurisdictional determination stating that the three wetlands on the property do not meet the criteria of water of the United States; and therefore, do not fall under the jurisdiction of the USACOE.

Quenzer performed a wetland investigation on the second parcel (43 ± acres, tax map parcel 200.00-6-22.1) as described in their 2018 report. Quenzer collected and reviewed available background information and maps including a topographic map, wetland maps, soils map and descriptions, surface water classification maps, flood rate insurance maps, and an aerial

photograph to locate potential wetlands on the site, and determined there are no mapped stated-regulated (i.e. NYSDEC) wetlands on the Project Site.

A total of two (2) wetlands were identified, delineated, and are referred to as Wetland A (0.5 acres) and Wetland B (0.3 acre). There were no streams or other waters of the US identified on the Project Site.

Quenzer concluded that the two wetlands within the Project Site are isolated wetlands as they have no outlets and therefore no connection to waters of the U.S. Brad Sherwood of the USACOE conducted a site visit and during the site visit and in a followup email concurred with Quenzer's conclusions. A formal jurisdictional determination is pending from the USACOE.

The Town received a letter from NYSDEC Region 4 in response to the lead agency notification which stated that the NYSDEC had no objection to the Town Planning Board being lead agency and that the only regulatory program that NYSDEC was aware applied to the project was the stormwater program. In this case the Town is the stormwater MS4 so in reviewing the SWPPP it will coordinate as necessary with NYSDEC.

Based on the above, the Planning Board finds that the Project will not impact any wetlands under the jurisdiction of the USACOE or the NYSDEC.

b. Stormwater.

A drainage study of the site was conducted by McFarland Johnson, Inc. of Saratoga Springs, New York (MJ) for the Project and included in the Environmental Assessment Report. The study included an analysis of the existing and proposed hydrology and hydraulics to ensure that the proposed development will not adversely affect the environment. The results of the report are consistent with a site that can support the proposed development. The full report, Drainage Design Report, April 2018, Sales Distribution Center, Schodack, New York Rensselaer County dated April 2018 is included as Appendix G of the Applicant's initial Environmental Assessment Report.

Although the project will alter the existing Project Site topography, the existing drainage pattern will be maintained on the north and south sides of the Project Site.

The construction of buildings and paved areas is expected to increase the rate and volume of stormwater run-off. The increase in run-off will be mitigated by the inclusion of stormwater management facilities designed to temporarily detain and infiltrate stormwater run-off during storm events and slowly release and/or infiltrate stormwater after the storm event. These facilities are designed in accordance with the NYSDEC Stormwater Design Manual and consist of Sedimentation Basins for pre-treatment prior to discharging into Infiltration Basins that will provide stormwater detention and water quality treatment.

Stormwater run-off from the building, driveways and parking areas will be collected in a series of catch basins and directed through a piping network to the stormwater management facilities. The stormwater infiltration basins is sized to mitigate the Water Quality Volume (WQv), the Runoff Reduction Volume (RRv), the Channel Protection Volume (CPv), the Overbank Flood (Qp), and the Extreme Storm (Qf). Each of these is addressed below:

- Water Quality Volume: The required WQv is provided in three Infiltration Basins.

- Runoff Reduction Volume: The RRv is achieved by infiltrating a substantial portion of the run-off to meet the minimum RRv requirement.
- Channel Protection Volume: The CPv requires that a minimum of 24-hour detention be provided for the 1-year, 24-hour storm event. This requirement is met since the infiltration basins will infiltrate 100% of the 1-year storm event.
- Overbank Flood: The Qp requires that there be no net increase in peak runoff for the 10-year, 24 hour storm event. This requirement is met since the infiltration basins will infiltrate 100% of the 10-year storm event.
- Extreme Storm: The Qf requires that there be no net increase in peak runoff for the 100-year, 24 hour storm event. This requirement is met since the infiltration basins will infiltrate 100% of the 100-year storm event.

The existing topography of the site is varying with high and low spots, and there are no noticeable discharge points from the Project. In the existing condition runoff collects in the low spots and infiltrates into the ground. As noted above all of the proposed design storm events will be fully infiltrated which will mimic the existing condition and foster recharge of the groundwater aquifer.

Further, this project will be required to comply with the State Pollutant Discharge Elimination System (SPDES) Phase II General Permit for Stormwater Discharges from Construction Activities (GP-0-15-002). As part of these requirements a Stormwater Pollution Prevention Plan (SWPPP) will be prepared describing erosion and sedimentation control measures.

The Town of Schodack is an MS4 community and therefore this project will comply with the NYSDEC Phase II stormwater regulations and will incorporate Best Management Practices (BMP's) to ensure that water quality on site will be protected. BMP's to be employed will, at a minimum, include:

- Temporary Erosion and Sediment Control Measures shall include:
 - Silt fencing placed around construction areas prior to grading activities;
 - Diversion Channels to prevent runoff from leaving the site
 - Land clearing activities shall be done only in areas where earthwork will be performed and shall progress as earthwork is needed;
 - Permanent seeding and planting of all unpaved areas using the hydro-mulching grass seeding technique;
 - Mulching exposed areas, where specified;
 - Temporary seeding and planting of all unpaved areas using the hydro-mulching grass seeding technique within 14 days of disturbance;
 - Frequent watering to minimize wind erosion during construction; and
 - Rock check dams
- Permanent structural practices for this site shall include:
 - Outlet protection using stone riprap as specified;
 - Utilize storm sewer collection system that will be tested for water tightness;
 - Sedimentation basins will also serve as a temporary sediment basin; and
 - Vegetated and/or riprap lined swales.

The site contractor will be required to adhere to all erosion and sediment control measures as defined in the MS4 approved SWPPP.

The building will be constructed in a single phase with a total building area of approximately 1,015,740 ± SF. MS4 Town of Schodack approval to disturb more than five (5) acres at a time will be required. To obtain this approval, at least two site inspections be required to be performed during construction by a qualified professional, every seven days, for as long as the disturbed area exceeds five acres. This increased frequency of inspection will ensure that the erosion and sediment control facilities are functioning as designed and that there are no impacts to the waters of the U.S.

In addition to the sedimentation basins required by the NYSDEC, the project will incorporate two additional means of stormwater treatment to protect against any potential impact to potable water wells and the aquifer. The first additional measure is an oil/water separator immediately upstream of the sedimentation basin and the second feature is located at each catch basin and manhole. Each stormwater structure within the parking lots will contain a sump with a hood over the outlet pipe which will capture the first flush stormwater runoff prior to being discharged to the above mention oil/water separator. In conclusion, stormwater will be routed through 3 cleansing mechanism prior to being infiltrated back into the groundwater.

Based on the above, the Planning Board finds that there will not be a significant impact on stormwater runoff from the Project Site.

c. Water Usage.

Water will be supplied through the Town of Schodack municipal water system. The Project Site is located near Water District #CWD101, but is currently not within the District. The water district will be extended to encompass the Project Site, which will require approval by the Schodack Town Board, the NYS Department of Health and the NYS Department of Environmental Conservation.

As noted in the Environmental Assessment Report, based upon actual water usage from a similarly sized facility, the projected water usage for the sales distribution center facility is estimated to be 6,000 GPD. It is planned to extend the municipal water main to the project site from the existing 12-inch main located in the vicinity of the intersection of Routes 9 & 20.

The water system serving Water District #CWD101 has a capacity of 0.5 MGD and current usage is approximately 130,000 GPD. Therefore, the system has sufficient capacity to meet the water demand of 6,000 GPD for this Project.

Based on the above, the Planning Board finds that the Project will not have a significant impact on the municipal water system.

d. Sanitary Sewer.

As demonstrated by the application, the projected sanitary sewer discharge from the sales distribution center facility is estimated to be 6,000 GPD, based upon actual usage from a similarly sized facility. It is planned to extend the municipal sanitary sewer to the project site from the existing 12-inch main located in the vicinity of the intersection of Routes 9 & 20.

Sanitary sewer will be collected and directed to the Town of Schodack municipal sanitary sewer system. The project site is located near a Sanitary Sewer District, but is currently not

within the District. The sewer district will be extended to encompass the project site, which will require approval by the Schodack Town Board, the NYS Department of Health and the NYS Department of Environmental Conservation.

Sanitary wastewater collected within the Sewer District is directed to the Town of East Greenbush municipal sewer system. The Town of Schodack has an agreement with the Town of East Greenbush for the discharge of up to 45,000 GPD into the East Greenbush sewer system. The Town of Schodack is currently sending 25,000 GPD to East Greenbush. Therefore, there is sufficient reserve capacity to accept the additional wastewater from the Project, leaving additional capacity available if needed by others in the future.

Based on the above, the Planning Board finds that this project will not have a significant impact on the municipal sanitary sewer system.

4. Impact on Groundwater. According to the Schodack Terrace and Valatie Kill Aquifer map provided in Appendix H of the Applicant's initial Environmental Assessment Report, the Project Site is located over a groundwater aquifer and lies within the Direct Recharge Area Boundary. As such, the Project Site is subject to the requirements of Town Code Chapter 223 Water Quality Control. Provided below is a summary of the requirements that are or may be perceived to be applicable to the development of the proposed project, followed by either how the Project complies with the requirement or justification as to why the requirement is not applicable.

- a. Uses permitted under the Town of Schodack Zoning Law (Chapter 219) are permitted in the Water Quality Control District subject to the provisions of Chapter 223 Water Quality Control (223-6.C.1).***

Sales Distribution Center is an allowed use within the PD-3 district.

- b. Permits for wastewater disposal shall be obtained from the Rensselaer County Department of Health (RCDOH) or the New York State Department of Environmental Conservation (NYSDEC) as required and provided to the Town (223-6.C.1.c).***

Appropriate approvals will be obtained from the RCDOH and/or the NYSDEC, as applicable. All wastewater will be collected and be treated at an approved existing off-site wastewater treatment facility.

- c. There shall be no open storage of hazardous materials or petroleum (223-6.C.1.f).***

There will be no open storage of petroleum or hazardous materials.

- d. Hazardous material storage for commercial/industrial uses that is not regulated by NYSDEC shall only occur on an enclosed, impervious surface that is bermed or otherwise constructed to contain spills or leaks (223-6.C.1.h).***

The operator intends to use hydrogen fuel cells to power their forklifts used inside the sales distribution center. As such there will be no hazardous material stored onsite.

- e. ***Petroleum shall be stored in individual containers with a capacity less than 60 gallons or in aboveground tanks. The tanks shall be installed on an impervious surface and be fully enclosed by a structure that prevents exposure to outside weather or have a secondary containment with a minimum capacity equal to that of the tanks (223-6.C.1.i).***

Petroleum will not be stored on-site, therefore this section is not applicable to the project.

- f. ***For parking lots and vehicle storage or sales areas regularly holding 100 vehicles or more for at least five days per week, or at vehicle washing facilities, gasoline sales and motor vehicle service stations, an impervious surface (e.g., asphalt or concrete) with water flow directed towards an appropriately sized and maintained oil/water separator or water quality inlet structure shall be required. Collected petroleum product and other waste materials shall be removed as needed by a hauler licensed by the NYSDEC. The Planning Board may require oil/water separators or water quality inlet structures for other uses where petroleum is stored or transferred or where less than 100 commercial trucks or construction vehicles are stored. This provision may be waived if the site requires and has obtained a NYSDEC SPDES permit (223-6.C.1.j).***

The Project will provide off-line oil water separators at the end of each closed drainage system before discharge into the sediment basins forebays. In addition, each drainage structure will have a 2 foot sump and a hooded outlet to further trap sediment and oil providing additional water quality volume and resulting in cleaner runoff.

- g. ***Excavations or cut-ins that expose groundwater within the Wellhead Protection Area are prohibited. This provision does not apply to temporary (less than 60 days) construction-related excavations or cut-ins (223-6.C.1.m).***

The Project is not within a Wellhead Protection Area.

Accordingly, the project will comply with all applicable requirements of the Water Quality Control regulations.

In addition, based on the Geotechnical Engineering Report (refer to Appendix E of the Environmental Assessment Report), groundwater was encountered only in the extreme west and east portions of the site. Borings B-1 and B-10, on the west edge of the site show groundwater at a depth of approximately 26 feet. On the east edge borings B-9, B-13, and B-14 show groundwater at 20, 15, and 8 feet respectively. Based on this information, all grading will occur

above the elevation of the groundwater encountered in the borings and as such there is no anticipated impact to aquifer.

The Project complies fully with the NYSDEC Stormwater Design Manual which has been developed by NYSDEC to ensure that development projects use infiltration practices to continue to introduce, post-construction, stormwater into the groundwater system. Additionally, the NYSDEC Stormwater Design Manual also ensures that projects, such as the Project, incorporate extensive treatment measures into the design of the project so that stormwater is appropriately treated before discharge back into the groundwater, which measures will be replicated by the Project.

To demonstrate that the Project meets the requirements for a special permit due to its proximity to the aquifer, Terracon engineering (Dente) was contracted to evaluate the potential impact of the project on potable water wells on adjoining properties and the underlying aquifer. Their study concluded that the ground water flows from north to south and east to west, as a result, the infiltrated stormwater will flow away from the potable water wells to the north and south of the project. See letter report dated June 27, 2018.

Amazon has committed to not store such salt materials on the site for outdoor use. Generally, Amazon contracts with a local provider of snow plowing services, just as most commercial facilities do in the winter. Amazon has adopted the recommended application rates for reduced environmental impacts as published by the Minnesota Pollution Control Agency and expects that its contractor will adhere to best available practices for snow and ice management to avoid the potential for any impacts to the aquifer and any potable water wells on properties adjacent to the site. In addition, the Project Sponsor will manage snow in a manner that will not result in the centralized location of snow storage.

Based on the above, the Planning Board finds that the Project will not have a significant impact on the groundwater aquifer.

5. Impact on Flooding. The Project Site is not located in a designated floodway, a 100 year floodplain or a 500 year floodplain. In addition, the stormwater management facilities will attenuate runoff from the Site and comply with the NYSDEC requirements for such facilities.

Accordingly, the Project not have a significant impact on flooding.

6. Impact on Air Quality. No fixed source point emissions are anticipated as part of the Project. The proposed building within the Project will be cooled by electrically powered systems. Heating will be supplied by natural gas, which is a clean burning fuel. Therefore, potential impacts on air would be due to the emissions from car and truck traffic associated with the proposed facility. It is anticipated that there would be a maximum of 1017 passenger vehicle trips during the weekday PM peak hours; and a maximum of 26 truck trips.

Standard operating procedures for the inbound and outbound truck traffic is as outlined below:

- Inbound trucks coming into the site first check in at the security gate and then either: 1) drop off their loaded or empty trailer in one of the parking spaces in the yard; or 2) go to one of the loading docks to unload their freight; or 3) pick up either an empty or a loaded trailer from the yard.

- Trucks that drop off their trailer will usually pick up a loaded or empty trailer when they leave.
- Trucks that go to the loading dock leave once their delivery is made.
- All outbound trucks check in at the security gate before they leave the site.

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

The facility does not produce significant air emissions from the building itself. Such emissions are generally limited to exhaust from air conditioning units, commercial refrigeration equipment, and other appliances. However, as noted above, vehicle traffic is a potential source of air quality impacts at such locations. The Project Sponsor has provided documentation on the Project's possible traffic impacts. Peak-hour counts and level of service projections show that the potential traffic volume increases related to the Project will not be great enough to significantly impact air quality on or around the Project Site, which is in an area traversed by a New York State Route 9, two US Routes (150 & 20), and Interstate 90.

To further reduce any risk of air quality impacts, all vehicles at the Project Site will be expected to comply with New York State's idling limit of five minutes for heavy-duty vehicles, including diesel trucks.

Based on the above, the Planning Board finds that the Project will not have a significant impact on air.

7. Impact on Plants and Animals. An endangered species screening was conducted on the site by Quenzer Environmental LLC ("Quenzer") for the Project. The purpose of the screening was to identify any rare (i.e. endangered or threatened) species on the project site. The results of the screening are that no rare species are present on the Project Site. The full report, Wetland Delineation and Endangered Species Screening, Sales Distribution Center Site, Beaudoin Parcel – Tax Map 200.00-6-22.1 (43± Acres), and Palmer-Otterbeck parcel – Tax Map 200.-6-13 (73± Acres), Town of Schodack – Rensselaer County, NY dated April 2018 was included in the Applicant's initial Environmental Assessment Report as Appendix F.

The Project Site consists of actively farmed upland, upland forest, successional forest, northern hardwood forest, emergent wetland, forested/scrub-shrub wetland, a small pond and a vernal pool wetland.

A large portion of the property is actively farmed upland, which comprise the eastern two thirds of the site. The dominant species found in this area was corn (*Zea mays*). In the upland forest species included: black cherry (*Prunus serotina*), smooth sumac (*Rhus glabra*), blackberry (*Rubus occidentalis*), honeysuckle (*Lonicera morrowii*), multiflora rose (*Rosa multiflora*), Canada goldenrod (*Solidago canadensis*), False baby's breath (*Galium mollugo*), and horse nettle (*Solanum carolinense*). In the wetland areas the following species were found: red maple (*Acer rubrum*), green ash (*Fraxinus pennsylvanica*), buttonbush (*Cephalanthus occidentalis*), sycamore (*Platanus occidentalis*), winterberry (*Ilex verticillata*), loosestrife (*Lythrum salicaria*), northern willowherb (*Epilobium glandulosum*), arrowleaf tearthumb (*Polygonum sagittatum*), and tussock

sedge (*Carex stricta*). The hardwood forests consist of: quaking aspen (*Populus tremuloides*), big-tooth aspen (*P. grandidentata*), balsam poplar (*P.balsamifera*), paper birch (*Betula papyrifera*), or graybirch (*B. populifolia*), pin cherry (*Prunus pensylvanica*), black cherry (*P. serotina*), red maple (*Acer rubrum*), white pine (*Pinus strobus*), with lesser amounts of white ash (*Fraxinus americana*), green ash (*F. pensylvanica*), and American elm (*Ulmus americana*).

Based on field investigations plant communities found on the Project Site are common habitats in New York State and the Project Site did not contain any rare plant species. No endangered, threatened, or rare federally-listed or state-listed species were recorded on the Project Site and none are expected to occur.

Quenzer contacted the NYSDEC Natural Heritage Program. They reported no known species or unique communities in the project vicinity. In addition, the NYSDEC is an Involved Agency and as such commented on the Project by letter dated June 1, 2018 addressed to the Planning Board. In the NYSDEC's SEQRA letter they listed their comments on the Project and did not identify any issues related to rare or endangered species or plants.

Based on the above, the Planning Board finds that the Project will not have a significant impact on plants and animals.

8. Impact on Agricultural Resources. The property has been available and marketed for sale as a commercial property for some time based on the uses allowed in the PD-3 District. There has been past agricultural use of the property and the property contains class 3 and 4 soils. The property is not in an agricultural district. The property was previously rented to a farmer and that arrangement was temporary until the property could be developed; the area farmed was small in relation to the acreage in the Town that will continue to be available and used for agricultural purposes. Furthermore, the Project Site is located within the commercially zoned Planned Development 3 zoning district where sales distribution centers are allowed to be located. The Project Site is privately owned land and the land owner does not seek to continue with past agricultural uses. Thus, there is no risk of significant adverse impact to such agricultural resources.

9. Impact on Aesthetic Resources. Impacts on aesthetic resources are essentially related to visual impacts of this project. According to the NYSDEC Policy on Assessing and Mitigating Visual Impacts (DEP-00-2), an aesthetic impact occurs when there is a detrimental effect on the perceived beauty of a place or structure. In order for an impact to occur, a project, by virtue of its visibility, must clearly interfere with or reduce the public's enjoyment and/or appreciation of the appearance of an inventoried resource (e.g. a cooling tower plume blocks the view from a State Park overview).

A visual assessment has been completed and is included in the Applicant's initial Environmental Assessment Report as Appendix J, which identifies the inventoried resources within a five-mile radius of the project site. The closest of the listed resources within a five-mile radius is approximately 1 mile away. With the areas hilly topography and vegetation, the Project is not expected to be visible. Therefore, based on the State's criteria the Project will not have a significant visual impact on inventoried State resources.

a. Visual Impacts on Neighbors.

Although the Project does not have a visual impact based on the NYSDEC guidelines, there are potential visual impacts to the surrounding neighbors; and while the adjacent residential neighborhood is not considered an inventoried resource, it is considered in this Negative Declaration.

The Project is located in between two residential neighborhoods, one to the north and one to the south of the Project Site. The visual impact on these neighborhoods has been assessed by reviewing a cross-section through the neighborhood into the Project Site. This was demonstrated in the Applicant's initial Environmental Assessment Report and also in its supplemental submission dated June 13, 2018.

Section View 1 is taken from one of the northern residence that is closest to the proposed facility. The grade elevation is approximately 347 at the viewpoint from the property. The building finished floor will be at elevation 336± and the maximum height of the building is approximately 45 feet. As shown in the cross-section and landscape plans in the record, views from the neighboring property will be screened by the existing vegetation (tree line) which is estimated to be 30 to 40 feet tall.

Section View 2 is taken from another northern residence that is closest to the proposed facility. The grade elevation is approximately 328 at the viewpoint from the property. As shown in the cross-section and landscape plans in the record, views from the neighboring property will be screened by the existing vegetation (tree line) which is estimated to be 30 to 40 feet tall, and the proposed landscaped berm.

Section View 3 is taken from the southern residence that is closest to the proposed facility. The grade elevation is approximately 347 at the viewpoint from the property. The building finished floor will be at elevation 336± and the maximum height of the building is approximately 45 feet. As shown in the cross-section and landscape plan in the record, views from the neighboring property will be screened by the existing vegetation (tree line) which is estimated to be 30 to 40 feet tall.

Over 20 computer generated photo simulations were prepared at 16 different locations around the project site. The photo simulations represented the view point of a person standing along the common property line of the neighboring residences. At each location the proposed project was accurately inserted into the photo using precise surveyed camera location and design cadd drawings provided by the architect and engineering design team.

The photo simulations demonstrate that the project landscaped berms and noise wall significantly screen the project from the neighboring residences. In addition, a significant stand of mature trees and vegetation will remain along the northeast and southeast portion of the project property to provide a natural visual buffer.

Additional landscaping along the south, west and east sides of the project site to provide partial screening of the building and noise wall.

A water tank has been included on the Project site plans to supply water to the fire suppression system. The water tank will be located on south west portion of the Project Site near Interstate I-90 furthest away from the residential areas. The water tank will be approximately 35 feet in height (lower than the building height) and approximately 30-40 feet in diameter to hold approximately 200,000 gallons of water. Due to its location and scale as compared to the proposed building, the water tank will not have an adverse impact on any of the residential neighbors, or any significant visual impact.

Based on the above, the proposed landscaped berm along the northern edge of the Project Site, along with maintaining the existing tree lines along the north and south property line, will provide adequate mitigation to screen views from the adjacent residential neighborhoods.

Therefore, the Planning Board finds that the Project will not have a significant visual impact on neighboring properties.

b. Site Lighting.

As demonstrated in the record, lighting will be provided for the parking lot areas surrounding the building, the fire access road and along the driveway into the site. The lighting will consist of energy efficient LED light fixtures with a color temperature range of 2,700k. The lights will have edges that extend below the level of the fixture to reduce the potential for source glare and light spillage. The light fixtures will be mounted on poles and on the building ranging in height from 20 to 40 feet. The foot-candle level will be zero at the property line, except for the driveway where lighting will extend to Route 9 and light the driveway intersection for safety.

Based on the above, the Planning Board finds that the Project will not have a significant impact on aesthetic resources.

10. Impact on Historic and Archaeological Resources. A full Phase 1 Archeological Sensitivity Assessment & Survey of the project site was conducted on the site by Historical Archeological Zoological Explorations – H.A.Z.Ex of Ithaca, New York (H.A.Z.Ex) for the Project. The purpose of the study was to analyze the effects of the Project on any cultural resources. The conclusion of the report is that the proposed development is not anticipated to affect any known cultural resources. The full report, Phase 1 Archeological Sensitivity Assessment & Survey for the Sales Distribution Center Development Town of Schodack, County of Rensselaer, New York dated April 2018 was submitted by the Applicant as Appendix M to their initial Environmental Assessment Report.

Historical Archeological Zoological Explorations – H.A.Z.Ex, completed a Phase 1 Archeological Sensitivity Assessment & Survey of the Project Site. The assessment was conducted in compliance with 33 CFR 61, Section 14.09 of the NYS Parks Law, New York State Historic Preservation Office (“SHPO”) guidelines, and the New York Archaeological Council’s Standards for Cultural Resource Investigations and the Curation of Archaeological Collections in New York State (NYAC 1994). The full Project Site was walked and over 1,200 shovel tests were conducted in search of artifacts.

The recommendations of the assessment found that no potential cultural resources were identified on the site, and no further investigation was recommended.

The New York State Office of Parks, Recreation and Historic Preservation (“OPRHP”) was contacted to review the Project, and on April 30, 2018 issued their concurrence that the Project will have no impact on archaeological and/or historic resources listed in or eligible for the New York State and National Registers of Historic Places.

Based on the above, the Planning Board finds that the Project will not have a significant impact on historical or archaeological resources.

11. Impact on Open Space and Recreation. The project will disturb approximately 79 ± acres, out of a total 116± acres. Of the 79 ± acres disturbed areas, 23± acres (29%) will be buildings, 28± acres (35%) will be asphalt or concrete, and the remaining 28 acres (35%) will be

restored to lawn area or utilized for stormwater management facilities. Overall 65 of the total 116 acres remaining as open green space (56%), and 37 of the total 116 acres will be remain undisturbed.

Although the construction of the sales distribution center facility will result in the reduction of current open space, the Project Site is currently woodland and agricultural farmland. The property is privately owned and maintained and does not currently provide a recreational benefit to the community. In addition, the development of this land is compatible with the Town zoning and Comprehensive Plan.

Based on the above, the Planning Board finds that the Project will not have a significant impact on open space and recreation.

12. Impact on Critical Environmental Areas. The Project Site is not located in or adjacent to a Critical Environmental Area as designated by the NYSDEC or any local agency.

13. Impact on Transportation. A Traffic Impact Study (TIS) was performed by McFarland-Johnson, Inc, of Saratoga Springs, New York (“MJ”) for the proposed sales distribution center project dated March 29, 2018 and submitted with the Applicant’s Environmental Assessment Report. The Traffic Impact Study was revised on June 8 and 26, 2018 and submitted to the Planning Board. The purpose of this study is to evaluate traffic operations for the weekday morning and evening peak hours for 2018 Base Conditions as well as the 2019 Build and No-Build Conditions within the study area which included the following intersections (the “Study Area”):

- US Route 9/20 @ NYS Route 150 (Schodack Valley Rd.) - *Signalized*
- US Route 9 @ US Route 20 (Main Intersection)- *Signalized*
- US Route 9 @ US Route 20 (Channelized Movements West) - *Un-Signalized*
- US Route 9 @ US Route 20 (Channelized Movements East) - *Un-Signalized*
- US Route 9 @ Maple Hill Road (CR 6) - *Un-Signalized*
- US Route 9 @ Richwood Drive - *Un-Signalized*
- US Route 9/20 @ I-90 Westbound exit 11 Off-Ramp off – *Un-Signalized*
- US Route 9/20 @ I-90 Eastbound Exit 11 On-Ramp of– *Un-Signalized*

Data such as roadway geometrics, traffic signal timings and peak hour traffic volumes provide the basis for a thorough understanding of existing conditions and the requisite data necessary to provide projections of future traffic conditions typical, under the Build scenario.

a. Trip Generation.

The Project is scheduled to be completed by August 2019. For analysis purposes, site generated traffic was estimated using traffic data available from a similar distribution center currently operated by the same end user. The sale distribution center will operate on separate day and nighttime shifts associated with two separate operations, receiving employees and shipping employees. Because of this, the majority of the employee traffic to/from the site occurs during the following shifts:

- Day Shift Receiving 7:00AM to 5:30PM
- Day Shift Shipping 7:30AM to 6:00PM

- Night Shift Receiving 6:00PM to 4:30AM
- Night Shift Shipping 6:30PM to 5:00AM

The truck traffic is consistently projected to be between 15-30 trips per hour during the daytime hours of 8AM to 8PM and lighter volumes (0 to 15 trips per hour) during the nighttime hours from 8PM to 8AM. The below table demonstrates the resulting trip generation volumes for the proposed project during the peak timeframe, which were used to assume the worstcase scenario as it relates to traffic impacts.

Type of Land Use	Source	Vehicle Type	Weekday Early Morning Peak (4:30-5:30AM)			Weekday Morning Peak (6:30-7:30AM)			Weekday Evening Peak (5:30-6:30PM)		
			Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total
1,000,000 SF Distribution Center	Similar Facility	Employees	34	414	448	570	3	573	414	603	1017
		Trucks	3	3	6	1	3	4	15	11	26
Total			37	417	454	571	6	577	429	614	1043

* Trip Generation Data provided by end user's similar distribution center traffic volume data.

b. Trip Distribution.

Trip distribution for the proposed Project included consideration of the existing traffic patterns in the area, previous distribution center traffic studies completed as well as the general residential base for potential employee locations in the region. The TIS resulted in an estimation that 70% of the employee traffic will head north on US Route, 9 while 30% will head south. It is also assumed that nearly all of the truck traffic (90%) will enter from the north to utilize the I-90 partial cloverleaf Interchange 11; however all truck will exit to the south due to the exiting left turn restriction at the truck entrance.

An alternative truck distribution scenario was analyzed to assess the possibility that the distribution center will primarily provide shipping services to the south. The alternative analysis assumed that 70% of the trucks would enter from the south on US Route 9 towards I-90 interchange 12 with the remaining 30% entering from the north. The alternative distribution also had all exiting truck proceeding south to Exit 12 based on the proposed truck driveway configuration.

c. 2019 Build Traffic Volumes.

The revised TIS demonstrates the weekday morning and evening proposed peak hour traffic volumes associated with the 2019 build conditions. These volumes represent the 2018 base volumes combined with the addition of the estimated trips generated by the proposed Project as well as the background annual traffic growth. As a conservative measure, the Project's peak hour of traffic generation was combined with the existing background traffic's peak hours. These peak hours may be offset by 15 to 45 minutes; however, the background traffic in the area is fairly consistent during the overall commuter peak periods (7-9AM and 4-6PM) such that combining the peak volumes was determined to be the most appropriate and accurate means of determining the overall 2019 Build volumes.

d. Traffic Operations Analysis – Intersection Capacity Analysis.

The Project, with the proposed traffic signal, has a negligible effect on the traffic operations in the Study Area. Described below is a detailed breakdown of the impacts, if any, on the Study Area intersections' operations as a result of traffic from the proposed Project.

No. 1 – US Route 9/20 at NYS Route 150 (Schodack Valley Rd.)

This signalized intersection is operating efficiently today during the morning peak hour and evening peak hour considering the high volume of traffic entering this intersection. The intersection will have minor increases in delay as a result of the proposed development's traffic; however, these impacts can be mitigated with slight modifications to the intersections signal timings as shown in Table 4. With the proposed timing changes the intersection will operate at similar levels of service with the additional traffic, as the overall intersection levels of operation are maintained. The only impacts are negligible increases in delay for turning movements during the evening peak hour; however, all individual movements will operate at acceptable levels with LOS 'C' or better projected. No physical mitigation is recommended at this intersection as a result of the proposed development.

No. 2 – US Route 9 at US Route 20

This 2-Phase signalized intersection only services the conflicting through movements at the 'Y' interchange, resulting in acceptable levels of operations for all scenarios (LOS 'C' or better). No noticeable impacts from the proposed development are projected at this intersection; therefore, no mitigation is recommended as a result of the proposed outpatient development.

No. 3 – US Route 9 at US Route 20 (East Connections)

This un-signalized intersection has low stop sign controlled volumes as it provides specific movements for US Route 9 NB traffic turning onto US Route 20 SB and vice versa. This intersection has good operations for all scenarios (LOS 'B' or better). The proposed development has no impacts as all LOS are maintained, and the vehicle delays are not projected to change. No mitigation is recommended at this intersection

No. 4 – US Route 9 at US Route 20 (West Connections)

This un-signalized intersection has low stop sign controlled volumes as it provides specific movements for US Route 20 NB traffic turning onto US Route 9 SB and vice versa. This intersection has acceptable operations for all scenarios (LOS 'C' or better). The proposed development is projected to increase the delay for the left turn movements at the stop sign by approximately 7 seconds; however, acceptable levels of service are maintained. No mitigation is recommended at this intersection as a result of the proposed development's traffic

No. 5 – US Route 9 at Maple Hill Rd. (CR 6)

This un-signalized intersection has acceptable operations for all scenarios (LOS 'C' or better). The proposed development is projected to increase the delay for the left turn movements at the stop sign approach on Maple Hill Road by an average of 3 seconds and 4 seconds during the morning and evening peak hours, respectively. This minor increase in delay results in the LOS

change from a 'B' to a 'C' for this individual movement; however, the overall intersection LOS remains at a LOS 'A'. No mitigation is recommended at this intersection as good operating conditions remain after incorporating the proposed development's traffic.

No. 6 – US Route 9 at Richwood Drive

This un-signalized intersection has acceptable operations for all scenarios (LOS 'C' or better). The proposed development is projected to increase the delay for the side street approach by an average of 4 seconds and 6 seconds during the morning and evening peak hours, respectively. This minor increase in delay results in the LOS change from a 'B' to a 'C' for this individual movement; however, the overall intersection LOS remains at an 'A' LOS. No mitigation is recommended at this intersection as good operating conditions remain after incorporating the proposed development's traffic.

No. 7 – US Route 9/20 & I-90 Westbound Exit 11 Off-Ramp

This un-signalized intersection has acceptable operations for the morning peak hour (LOS 'C'); however, existing left-turn movements from the off-ramp experience some delay in the evening peak hour for all scenarios. The proposed development is projected to increase the delay for off-ramp approach by an average of 5 seconds and 13 seconds during the morning and evening peak hours, respectively. These minor increases in delay results in no LOS change from the background to the build scenarios and the overall intersection LOS remains at a LOS 'A' as the US Route 9/20 traffic remains a free flow condition. No mitigation is recommended at this intersection as no degradation of operating conditions result after incorporating the proposed development's traffic.

No. 8 – US Route 9/20 & I-90 Eastbound Exit 11 On-Ramp

This un-signalized intersection has free flow conditions for all movements except the northbound left turns to enter the on-ramp; therefore, it operates at a LOS 'A' for all scenarios. The proposed development is projected to increase the delay for the northbound left-turn movement by an average of less than 1 second during both the morning and evening peak hours, respectively. The overall intersection LOS remains at unchanged at an 'A' LOS as the US Route 9/20 traffic remains a free flow condition. No mitigation is recommended at this intersection as good operating conditions remain after incorporating the proposed development's traffic.

No. 9 – US Route 9 at Proposed Employee Driveway

The proposed distribution center development project will add considerable volume of passenger car traffic to the roadway network at this intersection during the four primary shift changes at the distributions center. Due to the proposed volume of traffic at this intersection the assessment showed that left turning vehicles exiting the proposed development would experience unacceptably long vehicle delays between 4.5 to 5 minutes during the evening peak hour under stop sign controlled conditions. Although not calculated, similar exiting delays would also occur during the early morning (4:30-5:30AM) release of employees. As a result of the signal warrant analysis that was performed (see later section of this report) a signal was analyzed at this proposed intersection.

After the implementation of a new semi-actuated, 2-phase traffic signal at this intersection, acceptable levels of operation were provided with overall LOS 'A' and 'B' during the morning and evening peak hours respectively and LOS 'C' or better for all individual movements. The developer also requested adding an additional left turn exit lane to create a dual left turn configuration. This configuration was conceptually agreed upon by the NYSDOT and was included as additional mitigation at the intersection. The semi-actuated traffic signal and the dual

exiting left turn lane will allow the signal to rest in green for US Route 9 until traffic is detected on the driveway and the dual left turn lanes allows the driveway green times to be reduced, providing acceptable levels of operations for all movements and 'A' LOS for the traveling public through traffic on US Route 9.

No. 10 – US Route 9 at Proposed Truck Driveway

The proposed distribution center development project will add consistent low volume truck traffic at this intersection through the day. Due to the proposed volume of truck traffic at this intersection the proposed stop-sign control provides acceptable LOS for the morning and evening peak hours, with proposed LOS 'C' or better. Due to the high speeds on US Route 9, the NYSDOT required that exiting truck traffic be restricted to right turn only onto US Route 9. The proposed driveway will have a negligible impact on the traveling public on US Route 9 as this will be a free movement.

e. Sight Distance Analysis.

The sight distance at the proposed site entrances was measured to determine if the available intersection sight distances meet the AASHTO recommended values. The employee driveway utilized the standard intersection sight distance recommendations for the right turning movement with additional gap timing added to the left turn movement to account for the 5-lane section of US Route 9. The truck driveway was analyzed in the same fashion; however, the "Combination Truck" time gap was utilized as well as the truck drivers eye height. Detailed drawings of the horizontal and vertical alignments for the sight distance are provided in the revised TIS (Appendix B), which were used to calculate the available sight distances.

Pursuant to the above, and as demonstrated by the revised TIS, adequate site distance is available at the proposed entrances onto US Route 9

f. Signal Warrant Analysis.

Signal warrants were reviewed for the study area's un-signalized intersections in accordance with the Federal Highway Administrations; Manual of Uniform Traffic Control Devices, 2009 edition. The site entrances were reviewed to see if the volume of employee or truck traffic warranted the consideration of a signal.

The detailed signal warrant analysis worksheets for the existing and proposed conditions at the Proposed Employee site entrance onto US Route 9 were provided in the revised and updated TIS (Appendix D). This analysis showed that this intersection meets two of the MUTCD signal warrants for the proposed build conditions. Warrants 3A and 3B, the peak hour warrants are met for the evening peak hour. Based on these warrants being met, a signal was assessed to determine what impacts it would have, both positive and negative, on the overall traffic operations.

From a capacity standpoint, the signal will elevate the failing operation of a stop sign controlled intersection (4.5-minute delay for exiting employees) and provide adequate levels of operations for the proposed site driveway with minor increases in delay to the operations of the US Route 9 northbound/southbound traffic. A semi-actuated signal is proposed, which can rest on green for the northbound/southbound approaches to minimize the impacts on US Route 9. Between the high volumes and speed of vehicles along this straight stretch of US Route 9, the ability to make a left turn safely onto US Route 9 is difficult during the peak hours. Particularly, the high volumes of exiting traffic during shift changes.

As a result of this assessment, a signal is recommended at this intersection as a mitigation measure for the redevelopment project.

g. Pedestrian Safety.

The site plan shows a sidewalk in front of the Project Site. As noted on the Project site plans, this sidewalk will be constructed at the Project Sponsor's expense and at the direction of the Town. It has been noted that, it is Amazon's experience that some of its employees may seek to use public transportation to go to work. In the event this proves to be the case, Amazon will work with CDTA to determine if a bus stop is feasible on or near the site of the Sales Distribution Center.

h. Conclusions and Recommendations.

MJ has evaluated the traffic operations within the study area surrounding the proposed Sales Distribution Center in Schodack, NY. Results from the 2019 Build conditions indicate that the proposed project will produce no noticeable increase in delay to the traveling public within the existing study area intersections and that access into and out of the proposed development can be provided in a safe manner with the proposed roadway configurations shown on the concept site plan and the proposed signal mitigation.

Based on the completed capacity analysis, the following conclusion are determined:

- The proposed distribution center is projected to create 577 trips during the morning peak hour and 1043 trips during the evening peak hour based on projected staffing/shifts provided by a similar sales distribution center.
- The employee driveway for the proposed development shall have a dedicated right turn and a dedicated left turn lane and the existing center two-way left turn lane will be re-stripped to provide a dedicated northbound left turn lane into the site with permissive/protected signal phasing. A second exiting left turn lane was requested by the developer and reviewed by the NYSDOT. This additional lane will improve operations at the intersection and was included under the mitigation scenario. Although it is not needed from a traffic capacity standpoint, due to the high volume of southbound right turn movements it is recommended that a dedicated southbound right turn lane be constructed at the proposed driveway as well.
- The secondary truck driveway will see significantly less volume as it is restricted to truck traffic only and a proposed stop-sign control for this approach is acceptable to provide adequate traffic operations. At the NYSDOT's request, the driveway will restrict the exiting vehicles to right turn movements only.
- A signal warrant analysis revealed that two warrants were met for the proposed employee entrance. Based on additional assessment of the impacts of a signal, it is recommended that a traffic signal be installed as mitigation for the sales distribution center and be constructed prior to the opening of the facility.
- The proposed driveways locations have site distance that meets the AASHTO design guidelines; however, it is recommended that when the driveways are constructed, existing

vegetation and any proposed features should be removed from the driver's sight line. This is particularly true for the view to the south from the truck entrance.

- The existing surrounding roadway network has adequate capacity to accommodate the additional traffic generated by the proposed development with negligible impacts to the traveling public.

The NYSDOT has agreed with the mitigation proposed for the Project, the installation of a traffic light and the installation of turning lanes into the site. This approval can be found in NYSDOT's communication dated June 27, 2018. The TIS, dated March 29, 2018 and the supplement to the TIS, dated June 8 and 26, 2018, submitted by the Project engineers was also reviewed by the Town Designated Engineer. From a transportation perspective, this is an appropriate location for a sales distribution center serving the northeast.

The mitigation measures set forth in the TIS demonstrate that there will not be an adverse environmental effect due to the traffic. Data specific to the tenant of the sales distribution center, Amazon, was used and is a greater amount of traffic than would have been predicted using the standard ITE data.

The use of this Amazon specific data ensures that the model predicting the generation of traffic and all potential transportation impacts that could potentially arise due to that traffic are being addressed.

Based on the above and with the proposed traffic mitigation measures, the Planning Board finds that the Project will not have a significant impact on transportation.

14. Impact on Energy. National Grid ("NG") currently provides natural gas and electric in the Town of Schodack and the proposed distribution center facility will utilize National Grid for these services. National Grid has provided a communication dated June 28, 2018 confirming that based on their review to date, they are able to serve the site with electricity and natural gas and do not anticipate a need to upgrade an existing substation or to undertake a major extension of its transmission supply system.

The electric distribution system on site will consist of a below ground duct bank system with ground mounted transformers. Natural gas will be piped underground into the building mechanical room to run the buildings heating system.

The Project will therefore avoid any significant adverse effects with regard to energy.

15. Impact on Noise, Light, and Odor.

a. Noise.

The Applicant submitted a report from Ostergaard Acoustical Associated ("OAA"), Evaluation of Site Sound Emissions, Proposed Sales Distribution Center, Schodack New York, dated May 21, 2018 (the "OAA Report"). The OAA Report was submitted to the Planning Board at its May 21, 2018 meeting. The OAA Report followed the NYSDEC noise impact assessment guidance and also the regulations of the Town of Schodack relating to noise. The OAA Report also evaluated the noise that would be emitted from the Sales Distribution Center

and specified immediately the mitigation measures that would be integrated into the Project to address noise.

The Project site currently consists of vacant wooded land situated adjacent heavily trafficked roadways (Interstate 90 and Rt. 9). The OAA Report highlights that the Project has centrally placed the proposed building, proposed substantial earthen berms to the north, and proposed a sound wall to the south to shield site activity from the surrounding residences. To minimize potential noise complaints, Amazon has agreed to equip switcher engines and as many other on-site trucks as feasible with smart, ambient sensing, multifrequency back up alarms. These devices reduce annoyance generated from constant level, pure tone back up alarms.

This sound wall is 18 feet high and has been designed to attenuate any noise such that noise from the operation of the Project will be maintained at a pre-construction level at least. Moreover, to assist in keeping noise down during construction as well, Amazon and the Project Sponsor have committed to construct the wall, as well as the berms as early as possible in the construction of the sales distribution center.

Therefore, the OAA Reports concludes that “these features will sufficiently mitigate on-site HVAC and vehicle noise to have no discernible effect on the surroundings since increases will not be higher than 6 Db(A) over the existing sound levels.”

The OAA report also notes that Project sound emissions will be sufficiently below the Town of Schodack Chapter 151 Noise Code sound limit of 90 dB(A). The OAA Report also concludes that “[g]iven the results of this analysis and the prevailing activity on Interstate 90 and Route 9, on-site noise is expected to have little-to-no acoustical impact per DEC guidelines and will fully comply with Schodack Code Chapter 151 and Chapter 219-23A.”

Based on the above, and given the locations and setbacks to residences, the Project will not have any significant adverse effects with regard to noise.

b. Light.

As noted above (see Section 9(b)), lighting will be provided for the parking lot areas surrounding the building, the fire access road and along the driveway into the site. The lighting will consist of energy efficient LED light fixtures with a color temperature range of 2,700k. The lights will have edges that extend below the level of the fixture to reduce the potential for source glare and light spillage. The light fixtures will be mounted on poles and on the building ranging in height from 20 to 40 feet. The foot-candle level will be zero at the property line, except for the driveway where lighting will extend to Route 9 and light the driveway intersection for safety. Landscape buffering, and Site grading, will likewise protect against light pollution.

Based on the above, the Planning Board finds that the Project will not have a significant impact on light.

c. Odor.

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

As noted above (see Section 6), potential impacts on air would be due to the emissions from car and truck traffic associated with the proposed facility. However, also as noted above, the Project Sponsor has provided documentation on the Project's possible traffic impacts. Peak-hour counts and level of service projections show that the potential traffic volume increases related to the Project will not be great enough to significantly impact air quality on or around the Project Site, which is in an area traversed by a New York State Route 9, two US Routes (150 & 20), and Interstate 90. To further reduce any risk of air quality impacts, all vehicles at the Project Site will be expected to comply with New York State's idling limit of five minutes for heavy-duty vehicles, including diesel trucks.

Based on the above, the Planning Board finds that the Project will not have a significant impact on odor.

16. Impact on Human Health. The Project will not have any adverse effect on human health. All necessary approvals from state and local Departments of Health for water and sewer connections, and other aspects as applicable will be obtained at the appropriate time by any and all users.

In addition, the Project Site is not located within 1,500 feet of a school, hospital, licensed daycare center, group home, nursing home or retirement community. The Project Site is not currently undergoing remediation nor was in need of remediation in the past. In addition, the Project will not result in the unearthing of solid or hazardous waste, result in an increase in the rate of disposal, or processing of solid waste, result in excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste, result in the migration of explosive gases from a landfill site to adjacent off-site structures, or result in the release of contaminated leachate from the Project Site.

Therefore, the Planning Board finds that the Project will not have a significant impact on human health.

17. Consistency with Community Plans. The site is zoned Planned Development District ("PD-3"). The proposed sales distribution center facility is a permitted use within the PD-3 zoning district. Because the project site is located within the Town's Water Quality Control District, the Project also requires a special permit pursuant to Town Code Section 233-5. There are no specific area and bulk zoning regulations applicable to the Project. However, however, the Schodack Planning Board will establish appropriate area and bulk regulations as part of the Site Plan Review process for this Project (this process was confirmed by the Town Building Inspector by determination dated June 18, 2018).

The Project is consistent with the Town of Schodack Comprehensive Plan (January 2011), particularly Guiding Principle #5: Encourage business growth around the I-90 exits and the Route 9 Corridor to build a strong tax base for public services and to provide retail and service business support for Town Residents.

The Project is also consistent with the Route 9 Corridor Development Plan (July 2006) as follows:

- Traffic is concentrated where flow will be minimal and highway access greatest.
- The facility will provide employment opportunities.
- The facility is a clean operation that does not threaten the aquifer more than the existing activity.
- The facility is not water intensive and does not use or generate hazardous materials.

As noted above, “sales distribution centers” are a permitted use in the PD-3 zoning district. Based on a request from the Project Sponsor, on June 18, 2018 the Town of Schodack Building Inspector issued a determination confirming that the Project constitutes a Sales Distribution Center and that only approval from the Planning Board is required for such a use in the PD-3 zoning district.

Based on the above, the Planning Board finds that the Project is consistent with community plans.

18. Consistency with Community Character. The sales distribution center will not significantly alter the character of community, as the Route 9/20 corridor is principally commercial use. There is an existing distribution center within 3 miles of the proposed project. Since this property is zoned PD-3, the community planned on the development of this property to generate new jobs and support the growth of the Town of Schodack. The sales distribution center project will be a benefit to economic development in the Town and County.

The Project Site is located in an area that already contains commercial development (e.g retail, banking, convenience retail, specialty retail, food service, and service station uses). The residential properties in the immediate area already coexist with nearby commercial uses.

Based on the above, the Planning Board finds that the Project is consistent with the surrounding community character based on the Project’s design incorporating measures to limit noise and to protect adjoining residential property views, among other such mitigation measures discussed above and in the various reports.

19. Impact on Growth.

a. Fire and Police.

The Project Sponsor has met with the Schodack Valley Fire Company (“SVFC”) to discuss the proposed fire suppression devices proposed within the sales distribution center. The sales distribution center will have a state of the art fire early suppression fast response system (“ESFR”). ESFR technology is a unique sprinkler protection concept that varies significantly from conventional, control-mode protection schemes. There are two key factors specific to ESFR sprinkler technology that make it effective in high-challenge fire suppression. First, the sprinklers are designed to discharge water with sufficient volume and momentum to attack the fire directly at the burning surfaces, thereby achieving fire suppression. Second, the sprinklers are designed to respond very quickly to growing fires through the use of a fast-response fusible element.

The proposed building will have a sprinkler demand of approximately 2,340 gpm. This is based on the sprinkler design criteria of twelve K-22.4 ESFR sprinkler heads operating at an end head pressure of 50 psi with a 10% margin to cover additional flow due to system inefficiencies. Also included in this demand is a 250 gpm hose stream requirement. For this system, the typical water tank is approximately 200,000 gallons.

This fire suppression system delivers a calculated amount of fire flow in accordance to the scope of the building size, through individual sprinkler heads to ensure that a fire, if one breaks out, is immediately suppressed. The water for sufficient fire flows may be maintained on site in a 200,000 gallon water tank which is adjacent to the building. Although the height of the building is +/- 40 feet, any delivery of water from hoses originating outside the building would be delivered through stand pipes that are affixed to the building. The economic study prepared by Camoin Associates and submitted to the Town Planning Board on June 18, 2018 demonstrates that substantial funds will be provided by the Project to the SVFC.

The Project Engineer has reached out to the Schodack Police to provide them with information about the Project. Based on that discussion, the Schodack Police have indicated that they have no concerns regarding servicing the facility. On June 28, 2017, the Schodack Police confirmed their satisfaction with the Project.

b. Fiscal.

The Project Sponsor has provided a study by Camoin Associates, Economic & Fiscal Impact Analysis of Proposed Sales Distribution Center, Town of Schodack, NY, dated June 2018, to the Planning Board on June 18, 2018.

The Camoin Associates Report demonstrates that the potential growth from the proposed sales distribution center has the potential to result in approximately 49 additional jobs (beyond those offered by the potential tenant, Amazon) in the community. In addition, the Project will result in 83 construction phase jobs, 78 construction phase on-site jobs, and 849 annual jobs (800 direct and 49 indirect).

Per the Camoin Associate Report, across all jurisdictions, the Project is expected to generate positive net impacts totaling over \$31 million. The local jurisdictions are expected to receive \$31 million more in revenues than expenses over this time period.

Based on the above, the Planning Board finds that the Project will not result in substantial impacts to growth in the Town of Schodack.

Conclusion

The Planning Board, acting as Lead Agency in a Coordinated Review under SEQRA, has thoroughly evaluated all aspects of the Project and carefully reviewed all relevant materials. For the reasons set forth above, the Planning Board has determined that the Project will not have any significant adverse impacts on the environment. As a result, a Negative Declaration will be filed and distributed pursuant to SEQRA regulations, and a Draft Environmental Impact Statement need not be prepared.

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CERTIFICATION

This SEQRA Negative Declaration and Reasons Supporting SEQRA Negative Declaration were approved at a duly called meeting of the Town of Schodack Planning Board on July 2, 2018. The requirements of Article 8 of the New York State Environmental Conservation Law and 6 NYCRR Part 617 have been met.

Wayne Johnson, Acting Chair
Town of Schodack Planning Board

Date: _____

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SITE PLAN- APPROVAL

D'Angelo moved, LaVoie seconded that the following approved site plan be adopted: with all the conditions in the Laberge letter dated June 28, 2018 (see below)

6 Ayes. 0 Noes. Motion carried.

Ayes: Aubin , D'Angelo , Johnson , LaVoie , Puccio, Shaughnessy

Oppose: None

WATER QUALITY CONTROL-

D' Angelo moved LaVoie seconded that the **SPECIAL PERMIT** under the Water Quality Control Act - Chapter 223 be granted; for an initial period of eighteen (18) months.

Ayes. Noes. Motion carried.

6 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D'Angelo, Johnson, LaVoie , Puccio, Shaughnessy

Oppose: None

SITE DEVELOPEMNT PERMIT

Aubin moved Shaughnessy seconded to approve the applicant to be able to get a site permit from the building department.

6 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D'Angelo, Johnson, LaVoie, Puccio, Shaughnessy

Oppose: None

June 28, 2018
VIA EMAIL & MAIL

Denise Mayrer, Chairwoman
Town of Schodack Planning Board
Schodack Town Hall
265 Schuurman Road
Castleton, New York 12033

Re: Final Site Plan and SEQR Review
Scannell Site Plan
SPB No. 2018-11
Town of Schodack Planning Board

Dear Chairwoman Mayrer:

We are in receipt of a letter from McFarland Johnson, dated June 13, 2018, a set of plans revised June 8, 2018, revised sections of the Environmental Assessment Report (Appendices A, B, G, and L) dated April 27, 2018, a Stormwater Pollution Prevention Plan, Revised Site Sections, an Alternative Sewer Routing Plan, and a supplemental package of information dated June 28, 2018 from McFarland Johnson for the above referenced project and offer the following comments:

1. The project is located in a PD3 zone and is a permitted use as a Sales Distribution Center in that zone. The project is located on two parcels comprising 116± acres, which is greater than the minimum lot area of ten acres. Site plan approval is required.
2. The project is a permitted use under the Town of Schodack's Water Quality Control Act. A special permit is required. Use is subject to the conditions of §223-6C (1) and §223-8.
3. A copy of a recorded deed combining the two parcels is required.
4. Extension of Consolidated Water District No. 101 and a sewer district to be determined to include the parcels is required.
5. The applicant has indicated that they have contacted all emergency services with primary responsibility for the site to solicit their comments on the proposed plan. In addition, they have met with the Fire Department. The Town Police Department has indicated they are satisfied with the plan.
6. A five year performance bond is required by the applicant to ensure that plantings survive and natural areas are properly maintained.
7. A park land fee of \$1,000 will be due at the time of the site plan approval.
8. A NYSDOT Work Permit will be required.
9. Regarding the Traffic Impact Study; Site Distance is adequate for both entrances; however, the AASHTO recommended distance used for the sight distance analysis in the TIS are not correct measurements for this analysis. The applicant seems to have used equations based on a "5-lane section" for the recommended AASHTO measurements at both entrances. The location of the proposed driveways is classified as a 4-lane roadway with a center left-turn lane. Vehicles taking a left turn out will be crossing two lanes before entering the center left turn lane. Vehicles taking

a right turn out will be looking at two lanes of oncoming traffic. There is no reason for the use of additional gap timing equations. Therefore, the AASHTO recommended measurements for a 4-lane roadway section (or a "2-lan"" vehicular crossing) should be used instead.

Regarding the Stormwater Pollution Prevention Plan (SWPPP), we offer the following:

10. General As the SWPPP is currently a draft document until approved by the MS4 and NYSDEC, the following items shall be included in the final SWPPP:
 - i) Signed Contractor/Subcontractor certification statements;
 - ii) Trained Contractor certification; and
 - iii) Identify Contractor/Subcontractor responsible for O&M of E&SC devices.
11. SWPPP Section I References to the Preconstruction meeting should be revised to state that a meeting is required and shall include the MS4 Stormwater Management Officer and MS4 Town Engineer.
12. SWPPP Section II The Site Location Map should be revised to include a North Arrow and Scale.
13. SWPPP Section VIII
 - i) Maintenance requirements for Erosion & Sediment Control Measures should be provided.
 - ii) The construction sequence should be revised to clarify the following:
 - a. The Town should be notified prior to construction activities starting and ceasing disturbance of over 5 acres at one time.
 - b. Connection to the infiltration basins shall not concur until all upstream contributing areas have been stabilized.
14. SWPPP Section XI Materials Management Item c.1.b should be revised to state that chemicals and other site materials shall be covered to prevent stormwater exposure.
15. SWPPP Appendix U
 - i) The Stormwater Maintenance Agreement should be revised to reflect the Town's Maintenance Agreement Standard Form.
 - ii) An Operation & Maintenance (O&M) manual is required for the infiltration basins and oil/water separators.
16. The Applicants should revise the NOI included in the SWPPP as follows.
 - i) Question #15 should be "No"
 - ii) Question #16, N/A
 - iii) Since NOI Question #27 has indicated "presentation of buffers," this should be identified on the plans and noted as areas to be preserved and maintained.
 - iv) Provide answers for Question #37 and deselect #37a's answer.
17. The SWPPP should include the Town's Stormwater Management Facility Maintenance Agreement.

This document must be fully executed and filed with the County Deeds prior to filing a N.O.T. for the project.

18. The Applicant has indicated in the SWPPP (Section XI, c) the location for and method of storage of petroleum products and other chemicals on the site during construction to prevent stormwater becoming contaminated. The SWPPP section XI, c, 1, b shall be revised to require the storage of petroleum or other hazardous materials during construction under cover within a containment area.

Regarding the plans, we offer the following comments:

19. Layout Plan Call out locations of various types of curb per details.

20. Grading Plan

- i) Stormwater forebays have been lined to be impervious. The detail should be modified to show a minimum of 12" compacted clay or a 20 mil HDPE liner with a minimum of 6" soil cover.
- ii) Access to stormwater facilities should be extended to paved surfaces and include access to all forebays, infiltration basins, and oil/water separators.

21. Utility

- i) The 12" water main should be extended to the southern extents of the project parcel and a hydrant installed with a terminal valve and cap. It should be located so that 10' separation can be provided for a future sewer line.
- ii) Additional detail should be provided that depicts how the oil/water separator will connect to the storm manholes and forebays to serve as the required method of redundant pretreatment for the infiltration basins.
- iii) A detail of the water meter vault is needed showing a meter bypass with removable spool pieces. In addition, the meter should be called out as a Neptune Protectus III.

22. Erosion and Sediment Control Plan

- i) An overall Erosion & Sediment Control Plan should be provided.
- ii) Sheets EC-01 and EC-02 depict diversion swales that do not divert into the temporary sediment basin. These swales should be revised to either discharge into the basin or contain outlet protection to prevent erosion downstream of the swale.
- iii) Additional Silt Fence should be provided for Sheet EC-03 above the isolated wetland.
- iv) The outlet for SB3 drains to high point. The outlet point should be revised to drain downhill.
- v) The erosion and sediment control plans provided should be advanced to include temporary measures required during formation of the site grades. This is particularly important since the project is proposed to disturb more than 5 acres at a time. Therefore, the applicant should provide plans that demonstrate the proposed sequences of construction, that show the

intermediate construction (grading, utilities, site features), and necessary erosion and sediment controls required in relation to the phases of construction.

23. Landscaping Plan Additional evergreen screening is needed south of the truck driveway to screen the site lighting in the truck area near the guardhouse.

24. Site Details

- i) Details of the proposed noise wall are needed.
- ii) The detail for the underdrain shall be revised to replace the 3” top soil with a clean washed stone layer.
- iii) The Applicant has indicated the post stormwater management facilities are to be provided with the required signage per the NYSDEC stormwater design manual, and that they are to be equipped with a sediment depth gage. The Applicant shall also provide a detail of construction for the sediment depth gage and highlight the depth/mark on the gage that indicates when maintenance is required.
- iv) The Applicant shall revise the sediment basin detail to include a skimmer per the NYS Standards and Specifications for the Erosion and Sediment Controls July 2016, per Figure 5.8 and provide supporting calculations per “Standards and Specifications For Dewatering Device.”

25. Offsite Water Plans

- i) Details of the crossing under NYSDOT right of ways are needed.
- ii) The pipe type should be identified on the plan.
- iii) Valves will be necessary every 600’ or as required by RCDOH.

26. Offsite Sewer Plans Design calculations for the 12” gravity sewer should be provided to show there is adequate volume of flow.

SEQRA

Attached please find a completed Environmental Assessment Form recommending a Negative Declaration for this project. Also enclosed, please find our analysis supporting this recommendation and a draft notice for your use.

APPROVALS

We also recommend the Board approve the project conditioned upon the issues above being resolved prior to signing of the final site plans. If the Board is so inclined, we recommend the following course of action:

- A) Issue a Negative Declaration under SEQRA and direct the attached Notice of Determination of Non Significance be filed and distributed.

- B) Approve the Special Permit under the WQCA subject to the condition of an initial term of 18 months from issuance of a Certificate of Occupancy.
- C) Approve Site Plan conditioned upon satisfying the outstanding issues identified above, all other administrative items, and the establishment of a site and MS4 review escrow on the amount of \$25,000.00 to be deposited prior to start of construction.
- D) Recommend approval to the Building Department for a site development permit conditioned upon all necessary approvals being in place including Stormwater SPDES permit coverage, a sequence construction plan, and a cash reclamation escrow of \$500.00 per acre to be disturbed until reclaimed.

Please contact us with any questions on the above.

Very truly yours,
LABERGE GROUP

By: _____
Richard F. Laberge, P.E.
President

RFL: jkb
Encs.

C: Craig Crist, Esq., Planning Board Attorney (w/ enclosures via email only)
Daniel Madrigal, Scannell Properties (w/ enclosures via email only)
Steve Boisvert, P.E., McFarland Johnson (w/ enclosures via email only)

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ADJOURN

LaVoie moved, Aubin seconded that the Planning Board meeting be adjourned. There being no objections, Wayne Johnson acting Chairman adjourned the meeting at 7:45 p.m.

Respectfully submitted,
Nadine Fuda
Director of Planning & Zoning