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ENB - Region 3 Notices 6/15/2011

Negative Declaration

Dutchess County - The Dover Planning Board, as lead agency, has determined that the proposed Camp Ramah Master Plan will not have a significant adverse environmental impact. The action involves a proposal by the Applicant, Camp Ramah in the Berkshires, has submitted an application for special permit approval and site plan approval of a master development plan for the proposed expansion of facilities at an existing 213 acre Camp Type I facility, including the construction of a new gymnasium, construction of a new welcome center and administration building, construction of a nature building, construction of new bunk facilities, and construction of a new high ropes course. The site is located in the RU and RC Zoning Districts, and is a permitted use subject to special permit approval in those districts. The project is located at 91 Ramah Road in Wingdale, New York.

Contact: Betty Ann Sherer, 126 East Duncan Hill Road, Dover Plains, NY 12522, Phone: (845) 632-6111 ext. 100, E-mail: planningarb@townofdoverny.us.

Westchester County - The Town of Greenburgh Planning Board, as lead agency, has determined that the proposed "Life...the Place to Be" Special Permit, Wetland/Watercourse Permit and Special Permit will not have a significant adverse environmental impact. The action involves a special permit (Zoning Board of Appeals Approval, pursuant to section 285-33(A)(2)(b) of the Town Code), wetland/watercourse permit, and shared parking waiver pursuant to section 285-38D(5), for a proposal consisting of the paving of eighty-two (82) off-street parking spaces and related stormwater facilities in connection with an existing 30,947 square foot building, of which, the applicant currently leases approximately 26,000 square foot. The applicant currently operates a special events and family entertainment center known as "Life...the Place to Be." Thirty-five (35) of the new parking spaces to be paved are located within a wetland buffer. The applicant proposes approximately 12,000 square feet of disturbance in the wetland buffer. The project will require the importation of approximately 353 cubic yards of fill, and will therefore require a Fill Permit to be issued by the Town of Greenburgh Bureau of Engineering. The applicant is requesting a special permit from the Zoning Board of Appeals to allow a cabaret use. If the cabaret use is permitted, the applicant requests that forty-five (45) parking spaces be waived by the Town of Greenburgh Planning Board as part of a shared parking waiver, pursuant to Section 285-38(D)(5) of the Town Code. The property consists of approximately 249,825 square feet in the GI General Industrial District.

The project is located at 2 Lawrence Street in Ardsley, Town of Greenburgh, New York.

Contact: Thomas Madden, Town of Greenburgh, 177 Hillside Avenue, Greenburgh, NY 10607, Phone: (914) 993-1505, E-mail: tmadden@greenburghny.com.

Westchester County - The Village of Scarsdale, as lead agency, has determined that the proposed Fox Meadow Detention Improvement Project will not have a significant adverse environmental impact. The action involves the construction of large dry detention basins in the Fox Meadow Brook corridor as well as a rain garden at one of the detention basin sites. The scope of work also includes the cleaning and

restoration of the open watercourse. This work will help attenuate peak flows, reduce run off and improve water quality in a known Flood Zone location. The dry detention basins will include bio retention areas, outfall structures and enhanced landscaping to create areas suitable for passive recreation. The project is located from the White Plains border south to the Bronx River in the Village of Scarsdale, New York.

Contact: John D. Goodwin, Village of Scarsdale, 1001 Post Road, Scarsdale, NY 10583, Phone: (914) 722-1110, E-mail: jgoodwin@scarsdale.com.

Notice of Acceptance of Draft EIS and Public Hearing

Orange County - The Town of Warwick Planning Board, as lead agency, has accepted a Draft Environmental Impact Statement on the proposed World Headquarters of Jehovah's Witnesses. **A public hearing on the Draft EIS will be held on July 20, 2011 at 7:30 p.m. at the Warwick Town Hall, 132 Kings Highway, Warwick, NY.** Written comments on the Draft EIS will be accepted until August 3, 2011. The Draft EIS is available from the Town of Warwick Planning Department, Town Hall, 132 Kings Highway, Warwick, NY 10990 and on line at: <http://www.townofwarwick.org>.

The action involves locating the world headquarters of Jehovah's Witnesses to a tract of land, formerly owned by the International Nickel Company (INCO) in the Sterling Forest State Park area of the Town of Warwick. The proposed World Headquarters will provide space for a religious administrative campus comprised of approximately 8 buildings along with several accessory site structures constructed on approximately 45 acres of the 253 acre site. The proposed project is intended to relocate the offices of the Governing Body of Jehovah's Witnesses and various supporting departments and committees from Brooklyn, NY to a rural setting in closer proximity to the Jehovah's Witnesses two other upstate facilities in Shawangunk, NY and Patterson, NY. The project is located at 1 Kings Drive in the Town of Warwick, New York.

Contact: Connie Sardo, Town of Warwick, 132 Kings Highway, Warwick, NY 10990, Phone: (845) 986-1124, E-mail: towplanning@yahoo.com.

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TOWN OF WARWICK PLANNING BOARD

July 20, 2011

Members present: Chairman, Benjamin Astorino
Russell Kowal, Dennis McConnell
Beau Kennedy
Laura Barca, HDR Engineering
John Bollenbach, Planning Board Attorney
Connie Sardo, Planning Board Secretary

The regular meeting of the Town of Warwick Planning Board was held Wednesday, July 20, 2011 at the Town Hall, 132 Kings Highway, Warwick, New York. Chairman, Benjamin Astorino called the meeting to order at 7:30 p.m. with the Pledge of Allegiance.

PUBLIC HEARING OF Bonanza Ranch, LLC.

Application for Site Plan Approval for the construction and use of removal of existing buildings, driveway improvements, and single-family new dwelling, situated on tax parcel S 19 B 1 L 13 ; project located on the eastern side of State Highway 94/17A 200 feet north of Minturn Road, in the RU zone, of the Town of Warwick, County of Orange, State of New York.

Representing the applicant: Dave Getz from Lehman & Getz Engineering.

The following review comments submitted by HDR:

1. Planning Board to discuss SEQRA.
2. Applicant to discuss project.
3. Conservation Board comments: 07/14/11 The CB supports the strict interpretation of the Ridgeline Overlay District in the Town Code.
4. Architectural Review Board comments: 07/11/11 No comments at this time.
5. OCPD GML Review: 06/24/11; advisory comment that stormwater practices should be in accordance with NYSDEC better site design techniques
6. The proxy section needs to be completed on the Application Form.
7. Plans should be revised to note that the septic system was reviewed and approved by the Town Engineer, Tectonic Engineering, and therefore, no soil testing was witnessed by the Planning Board Engineer, HDR Engineering.
8. Applicant will need to coordinate with NYSDOT; current permit expires 07/31/11.
9. Applicant states that the exposed face of the wall will be covered with stone or wood siding; these details (or a note) should be prominently added to the plan.
10. In accordance with the discussions at the site inspection and the July 11, 2011 workshop, the applicant should show the proposed house at a lower elevation on the site plan drawings (i.e., Visual Analysis, Figure V-1).
11. Declarations shall be recorded for the Ridgeline Overlay and Agricultural Notes.
12. Surveyor to certify that iron rods have been set at all property corners.
13. Payment of all fees.

The following comment submitted by the Conservation Board, dated 7/20/11:

Bonanza Ranch, LLC. – The CB recommends that strict compliance with the Ridgeline Overlay regulations be followed.

The following comment submitted by the ARB: None submitted.

Dave Getz: I believe that we all know that the applicant, Larry Mettler had passed away right around the time when we submitted the last information to you a couple of weeks ago. At this time, they would like to put the application on hold.

Mr. Astorino: Ok.

Dave Getz: The only work they would want to do at this time is the DOT driveway improvements at the entrance and go a bit further into the site where the silo is located. They want to clean up the driveway into there. The disturbance would be under $\frac{1}{4}$ of an acre.

Mr. McConnell: I thought that Ted had said there couldn't be any disturbance once the SEQR process has started. The driveway, because it is the NYSDOT, John do you recall what Ted had said?

Mr. Bollenbach: It is the existing driveway. They do have a DOT permit for the work.

Mr. McConnell: I think it was just for the 50 feet of it.

Mr. Bollenbach: Yes. It is confined to the 50-foot area.

Mr. McConnell: I thought that was what we had agreed to.

Dave Getz: With approval from the Building Department, if they stay under the $\frac{1}{4}$ acre disturbance, that would not kick them to the site plan application.

Mr. Astorino: They did get a Demo permit to take down the barns and the house.

Mr. Bollenbach: Yes. They did get that.

Mr. McConnell: Ok. I was just trying to remember what Ted had said.

Mr. Astorino: Ok. There will be no public hearing tonight on the Bonanza Ranch application. We have a letter from Lehman & Getz, dated 7/18/11 stating the application has been put on hold. We have that letter for the record. I understand that the Legal Notice did not go out to the adjoining property owners. It was advertised in the Dispatch. This is a public hearing. If there is anyone in the audience wishing to address the Bonanza Ranch application, please rise and state your name for the record. Let the record show no public comment. This public hearing will be adjourned without date. It will be republished. Letters will be resent to the adjoining property owners.

Mr. McConnell makes a motion to adjourn the Public Hearing without date.

Seconded by Mr. Kowal. Motion carried; 4-Ayes.

Dave Getz: Thank you.

PUBLIC HEARING OF Watchtower Bible & Tract Society of NY, Inc.

The applications of *Watchtower Bible and Tract Society of NY, Inc.*, for Site Plan Approval and Special Use Permit for the construction and use of a campus of eight buildings for religious use on approximately 45 acres of previously developed land on a 253 acre site, situated on tax parcels S 85 B 1 L 4.1, 4.2, 5.1 and 5.2; parcels located on the southwest side of Long Meadow Road 6,000 feet north of Sterling Mine Road (CR 72), in the LC zone, of the Town of Warwick, County of Orange, State of New York. The Planning Board, acting as Lead Agency under the State Environmental Quality Review Act (SEQR), adopted a Positive Declaration requiring a Draft Environmental Impact Statement (DEIS) on 10/7/09 and a Final Scoping Document was adopted on 12/16/09. The Planning Board deemed the DEIS complete for purposes of public and agency review on May 4, 2011 and circulated the DEIS to all Involved and Interested agencies on June 13, 2011. The DEIS is available for review and downloading on the Town of Warwick website at www.townofwarwick.org. A SEQR public hearing on the DEIS will be held, in conjunction with the public hearings on Site Plan and Special Use Permit approvals, on 7/20/11. The public comment period on the DEIS will remain open and comments will be accepted until August 3, 2011.

Representing the applicant: Bob Krahulik, Attorney. Bob Pollock, Project Manager. Enrque Ford, Architect.

Connie Sardo: Mr. Chairman, we have just received the certified mailings for the Watchtower public hearing.

Mr. Astorino: Thank you. We have numerous comments tonight from HDR. I am sure you are aware of these comments.

Bob Krahulik: Yes.

Mr. Astorino: I am not going through these comments this evening. I believe this is the first time you are seeing these comments. We will list the comments for the record.

The following review comments submitted by HDR:

Chapter 3 Geology, Soils, and Topography:

No.	Date	Comment	Status
1	07/20/11	Four piezometers were installed to monitor water levels and data from two of the locations near the southwestern end of the development exhibit water levels that fluctuated approx. 8 ft (in TB-20) and 4 ft (in TB-11) within a couple months – with seasonal high levels likely associated with a combination of spring runoff and precipitation. An 8 ft seasonal fluctuation is significant and does not appear to be accounted for in the groundwater elevation contour map accompanying Figure 4 in CHA's report. The Applicant should clarify how this fluctuation will be managed with regard to excavation and the implications after the building is in place given the proximity to Blue Lake and the topographic differences between the lake and the uplands to the south and east.	Incomplete.

No.	Date	Comment	Status
2	07/20/11	The recorded water level in test boring TB-21 also looks to be elevated significantly relative to what is shown on the groundwater elevation contour map – although the value determined from the test boring may represent a perched level and not true static conditions (based on measurements found on the test boring log ground surface is 711 ft and depth to water is 2 ft so water elevation is ~ 709 ft; however Figure 4 has it between 680 & 685 ft GW elev. contours). If this represents the true groundwater elevation, there would be a strong gradient over the relatively short distance between TB-21 area and Blue Lake (709 ft vs. 645 ft GW elevations, respectively). Applicant should clarify these elevations and groundwater contour map.	Incomplete.

Chapter 5 Air Resources:

No.	Date	Comment	Status
1	07/20/11	B. Existing Conditions: Page 5-1 – a. 1 st paragraph: <ul style="list-style-type: none">▪ particulate matter less than 10 microns is also regulated by federal law.▪ the 2009 PM₁₀ background value should be listed on page 5-5 and the region that background value is monitored at should be listed in this paragraph.▪ Ambient CO is also mentioned in Region 2, which may be closer than Region 4. The “Mobile Source Air Pollution Modeling” report provides a reasoning for using the Region 4 data. This reason should also be provided here, with more detail, for the benefit of the reader, who may not review the appendices. b. 2 nd paragraph: As stated in page 5-5, the background ozone concentrations for 2009 exceed the standard.	Incomplete.
2	07/20/11	B. Existing Conditions: Page 5-5 – a. The average maximum PM _{2.5} concentration during a 24-hour period for 2007 to 2009 appears to be 25.2 ug/m ³ . b. As is stated, the NYSDOT EPM requires a PM ₁₀ analysis. The NYSDEC has the following note for the Ambient Air Quality Standard for PM ₁₀ : “Federal standard for PM ₁₀ not yet officially adopted by NYS, but is currently being applied to determine compliance status.” Therefore, since a mobile analysis for the project has been performed, a PM ₁₀ analysis should be included.	Incomplete.
3	07/20/11	B. Existing Conditions: Page 5-7 – a. Table 5-2: the Maximum concentration determined at any receptor should be compared to the NYSDEC Limit, not the average of all the receptors.	Incomplete.

No.	Date	Comment	Status
4	07/20/11	<p>C. Potential Impacts: Page 5-8 –</p> <p>a. Table 5-2 & 5-3: Per the “Mobile Source Air Pollution Modeling” report (pg. 10), PM_{2.5} ambient values were obtained from the NYSDEC ambient air quality monitoring results. Since the ambient air quality value for PM_{2.5} 24-hour is 25.2 ug/m³, it is unclear how the predicted concentrations for PM_{2.5} 24-hour are all below 25.2 ug/m³.</p> <p>b. Please provide a discussion to explain what factors in the Future Build scenario cause a no increase or even a decrease when compared to the Future No Build Scenario. A discussion is provided in the “Mobile Source Air Pollution Modeling” report but should also be provided in the DEIS chapter for the benefit of the reader, who may not review the appendices.</p>	Incomplete.

Comments on Appendix D-1 “Mobile Source Air Pollution Modeling” Report

No.	Date	Comment	Status
1	07/20/11	<p>2.0 Introduction: Page 4 –</p> <p>a. Monitored values for PM_{2.5} 24-hour, NOx and PM₁₀ should be provided.</p> <p>b. Monitored values provided for Lead are in ug/m³, not parts per billion (ppb), should revised - quarterly value is 0.069 ug/m³ versus a standard of 0.15 ug/m³.</p> <p>c. Footnote 1: Should add the reason why using a NYC monitoring location is not appropriate for use in the Town of Warwick.</p>	Incomplete.
2	07/20/11	<p>2.2 Intersection Selection: Page 5 –</p> <p>a. As previously stated, the NYSDOT EPM requires a PM₁₀ analysis. The NYSDEC has the following note for the Ambient Air Quality Standard for PM₁₀ : “Federal standard for PM₁₀ not yet officially adopted by NYS, but is currently being applied to determine compliance status.” Therefore, since a mobile analysis for the project has been performed, a PM₁₀ analysis should be included.</p> <p>b. We believe footnote #3 to be incorrect. MOVES2010 was noticed in the Federal Register on March 2, 2010. Please revise.</p>	Incomplete.

No.	Date	Comment	Status
3	07/20/11	<p>3.1 Microscale Dispersion Modeling: Page 7 –</p> <p>a. Table 1: The surface roughness should be 175 cm. Background PM_{2.5} 24-hour value should be 25.2 ug/m³.</p> <p>b. Table 1: Wind speed appears twice on the table, line 3 and line 9, not necessary.</p> <p>c. Table 1: Ambient levels for CO are only in 1-hour and 8-hour. Remove “year” from “CO-(year – 1 hour – 8 hour) in the Input column</p>	Incomplete.
4	07/20/11	<p>3.2 Emission Rates: Page 8 –</p> <p>a. The first paragraph states that “”Cruise and idle emissions are calculated by use of the U.S.EPA MOBILE6.2 model as modified by NYDOT,” however, emission rates used in the input files do not match the MOBILE6.2 Emission Factor Tables provided by the NYDOT. Please provide table with emission factors used for CO and PM and language on how these values were achieved.</p>	Incomplete.
5	07/20/11	<p>4.1 CAL3QHC Results: Page 12 –</p> <p>a. In paragraph 3, sentence that reads “The peak PM_{2.5} results for one hour with the project constructed...”, should say 24-hour not one hour.</p>	Incomplete.
6	07/20/11	<p>5.1 Construction: Page 14 –</p> <p>a. Additional measures to reduce air emissions should be provided, such as:</p> <ul style="list-style-type: none"> ▪ the implementation of a diesel emissions program, including using grid power for construction equipment as early as practicable; ▪ The use of diesel particulate filters (dpf's); ▪ The use of ultra-low sulfur diesel (“ULSD”) fuel (i.e., fuel having less than 15 parts per million (15 ppm) sulfur content) for all equipment having diesel engines; and ▪ Limiting idling. 	Incomplete.

Noise Comments:

No.	Date	Comment	Status
1	07/20/11	The Applicant should clarify if blasting will be included since the construction includes buildings with basements and tunnels.	Incomplete.

No.	Date	Comment	Status
2	07/20/11	The Applicant should clarify if a noise assessment was performed to show compliance with the DEC noise policy and the Town of Warwick Noise Code by addressing noise emissions from 1) construction and 2) operations related to the HVAC system and power generators and vehicles traveling to and from the site.	Incomplete.

Chapter 6 Terrestrial and Aquatic Ecology:

No.	Date	Comment	Status
1	07/20/11	USACE must verify, through their Jurisdictional Determination process, that the two cited ephemeral streams are in fact ephemeral and not subject to their jurisdiction.	Incomplete.
2	07/20/11	The Applicant should clarify if there has been any feedback from USACE since their 9/21/10 response on the Jurisdictional Determination application. The Applicant should verify with USACE if any supplemental information is needed to conform to the current delineation protocol as described in the October 2009 document "Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region." It was also noted that the wetland delineation took place outside the regional growing season for vegetation and thus the herbaceous species may be under-represented.	Incomplete.
3	07/20/11	There is no definitive statement in the DEIS on whether or not the project as proposed is expected to require wetland/watercourse permits from USACE. USACE is not included in Table 1-2 (Required Approvals) in the Executive Summary. There is a statement (Page 7-2 of the October 2007 PS&S report) that the "project will impact less than one acre of USACE-regulated wetlands".	Incomplete.
4	07/20/11	The 11/30/09 NYSDEC letter in Appendix A-4 cites the need for an Article 15 (Protection of Waters) permit based on the project's proximity to Sterling Forest Lake. Article 15 does not appear in Table 1-2 in the Executive Summary. If the Applicant does not believe an Article 15 Permit is needed it should be stated in the Summary.	Incomplete.
5	07/20/11	There is no comprehensive plant list for the site. Blooming purple loosestrife is apparent in Photograph 6 (Appendix E-3) in the Indiana bat report yet the species does not appear on the plant list. Additionally, there are several plant species (red maple, jewel weed, broadleaf cattail, nut sedge, skunk cabbage, and purple loosestrife) that are cited in the text of Jurisdictional Determination Report that are not cited in DEIS Table 6-1.	Incomplete.

No.	Date	Comment	Status
6	07/20/11	There are several references in the text to improvements that will be made to the Blue Lake Dam, though the need for an NYSDEC Dam Safety Permit is not included in Table 1-2. Applicant should verify if the proposed actions will trigger the need for a Dam Safety Permit.	Incomplete.
7	07/20/11	The Wetlands Map (Sheet WT-1) in Appendix C-2 cites a wetland acreage of 1.051 acres; the DEIS text on Page 7-1 and the updated Ecological Resources Report cite an acreage of 2.9 acres.	Incomplete.
8	07/20/11	The Wetlands Report in Appendix C-2 cites that the wetlands field work was conducted between March 24 and July 30, 2010. The delineation data sheets all cite a date of 24 March and the Photograph Log cites a date of 25 March 2010 (Appendix A-5). The Applicant should clarify what wetlands work was conducted during the balance of the spring and early summer of 2010.	Incomplete.
9	07/20/11	We disagree with the statement on Page 4-7 that “the red-shouldered hawks are relatively tolerant of human disturbance.” According to the species dossier on NYSDEC’s website (dec.ny.gov/animals/7082) “Disturbances from humans in the form of off-road vehicles, hunters, horseback riders, and suburbanites in general have pushed red-shouldered hawks in the deepest, wildest areas left. Although some members of the species seem to be unaffected by humans most are secretive and avoid inhabited areas.”	Incomplete.
10	07/20/11	The text on the first page of the Wildlife section of Appendix E-3 states “Wildlife species expected to be found and observed on the Site are listed in Tables 2 through 4”. Tables 2 and 4 cite observed species; the Applicant should clarify is there were additional species expected (such as muskrat, gray fox, ad flying squirrel) but not observed. Clarification is needed on why these regionally common species were not expected to occur on the site.	Incomplete.
11	07/20/11	The scientific names need to be checked in the text and tables. As examples, the scientific name for the red-tailed hawk appears on Pages 1-14 and 6-16 where the scientific name for the red-shouldered hawk is intended. The scientific names for the rainbow trout and yellow perch are also incorrect.	Incomplete.
13	07/20/11	Eastern red bats are cited as being captured (Site WT-01) in the 2010 bat survey, but the species does not appear in Table 4 in Appendix E-3. Additionally, the text on Page 6-15 cites the bat survey was done in 2009 while the bat survey report cites 2010. No bat species are listed in Table 6-2 in the DEIS.	Incomplete.

No.	Date	Comment	Status
14	07/20/11	We assume that the NYSDEC Breeding Bird Atlas was the source for the bird list in Table 3; though there should be a footnote to the table and/or citation in the References (8.0) for the source and Breeding Bird Atlas database (1980 – 85 or 2000 – 05) used.	Incomplete.
15	07/20/11	A detailed tree survey and mapping effort has been conducted for the site and is presented in Appendix E-4. The 8 March 2011 response letter (from PS&S to Watchtower Bible and Tract Society of New York, Inc.) cites that 16 – 17 acres of forested habitat will be cleared for the proposed project. Have the number and species of significant trees proposed for removal and to be retained been quantified? USF&WS typically requires this information to assess potential impacts to Indiana bats, as summarized in their September 2010 “Indiana Bat Project Review Fact Sheet”.	Incomplete.

Chapter 7 Traffic and Transportation (these page numbers may be from the DEIS dated March 15, 2011):

No.	Date	Comment	Status
1	07/20/11	Section B, Page 7-1 – The Applicant should clarify which Institute of Transportation Engineering standards is being referenced.	Incomplete.
2	07/20/11	Section B, Page 7-5 – The applicant did not provide a clear quantitative basis for the sensitivity analysis assumptions (including the office trip generation reduction to 60% of the total and the residential generation reduction to 40% of the total). According to the documentation, these estimates are based on “engineering judgment and knowledge of the Project Sponsor’s Patterson facility.”	Incomplete.
3	07/20/11	Section B, Page 7-5 – The revised LOS table would be clearer if the main street left-turns were labeled (e.g. SB-left). That would differentiate them from the side-street stop controlled movement.	Incomplete.
4	07/20/11	Section B, Page 7-5 – The applicant did not provide the requested non-residential (e.g. office space) information for the Patterson, NY facility. Instead they state that, “Since residents work and live on the site, no additional traffic is generated by the office space. The number of residents and dwelling units provide a more accurate basis for comparing site-generated traffic.” Therefore, given how the facility functions, additional information may not be required.	Incomplete.
5	07/20/11	Section B, Page 7-7 – The revised text does not directly address what the proposed public transportation demand is expected to be.	Incomplete.

No.	Date	Comment	Status
6	07/20/11	<p>Section B, Page 7-7 (Accident Data)—</p> <ul style="list-style-type: none"> a. The Applicant should clarify how many of the accidents occurred along each roadway. b. The Applicant should clarify how many accidents occurred within a 12-month period. c. The Applicant should clarify if there are any roadways that should be considered a high accident location. d. The Applicant should clarify what the accident rate is when compared to other similar roadway facilities. e. If accident rates are above the NYS average, then what appropriate improvements in the roadway should be included, and how much of anticipated reduction will the proposed improvements make. f. Table A in Appendix F-1 does not provide a summary of the accident data. A summary should be included. g. Paragraph 2—Minimal change in LOS between No-Build and Build may or may not affect the number of accidents. Additional explanation should be provided to justify the following statement, “It is not believed that the Project Sponsor’s project will affect the number of accidents in the area since, as shown in Table 7-2 and Table 7-3, there is minimal impact to the LOS at nearby intersections.” 	Incomplete.
7	07/20/11	<p>Section C, Page 7-7 to 7-8 –</p> <p>While text has been moved and adjusted, there is still somewhat limited information provided with regard to the trip generation for the sensitivity analysis.</p>	Incomplete.
8	07/20/11	<p>Section D, Page 7-8 (Mitigation Measures)—</p> <ul style="list-style-type: none"> a. Provide information regarding the amount of construction truck traffic that would be routed along the specified roadways. b. Provide information regarding construction truck traffic distribution produced by the site during construction period. 	Incomplete.

Appendix F-1: Traffic Impact Study (TIS) by John Collins Engineers, P.C.

No.	Date	Comment	Status
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No.	Date	Comment	Status
1	07/20/11	<p>Section 1, Subsection A (Project Description and Location)—</p> <p>a. Paragraph 1—</p> <ul style="list-style-type: none"> ▪ Typo, 12 building to 12 buildings (plural form), revise text. ▪ In the DEIS, Executive Summary, Page 1-3, Proposed Action states that there were eight (8) buildings are proposed. This is inconsistent with the 12 buildings mentioned in the TIS. Clarify and revise text. ▪ The number of proposed buildings and square footage area in TIS do not match the proposed buildings and square footage area contained in the DEIS Exec. Summary, Page 1-3. Clarify and revise text. 	Incomplete.
2	07/20/11	<p>Section II, Subsection A (Description of Existing Roadway Network)—</p> <p>a. General Note: Include the field notes/pictures/back up information as to where the descriptions of the roadway were derived.</p>	Incomplete.
3	07/20/11	<p>Section II, Subsection B (Year 2010 Existing Traffic Volumes)—Clarify and revise text.</p> <p>a. Paragraph 1, Page 6</p> <ul style="list-style-type: none"> ▪ Sentence 1—DEIS section stated that data was collected and analyzed during the Saturday peak, but not listed in this section. ▪ Sentence 2—describe the location of ATR along Long Meadow Road and Sterling Mine Road. ▪ Sentence 3—If ATR counts were conducted during April and May 2010, include May 2010 in Section B, Page 7-5 of Chapter 7 of DEIS. ▪ Six of the seven intersections analyzed are listed in this section. Include the missing intersection of Sterling Mine Rd (CR-72) & Sister Servants Ln/Eagle Valley Road mentioned in DEIS. ▪ If the Saturday peak hour was determined to be between 12:30 pm and 1:30 pm and the counts were conducted between 9:00 am and 12:00, explain how the Saturday peak hour counts were determined. Clarify and revise text. <p>b. Page 7</p> <ul style="list-style-type: none"> ▪ Paragraph 2—Saturday Peak Hour should be included in this paragraph. 	Incomplete.

No.	Date	Comment	Status
4	07/20/11	<p>Section II, Subsection C (Accident Data)—</p> <ul style="list-style-type: none"> a. General Note—Additional information is described in the DEIS that's not presented in this section. Please clarify and revise text. b. Sentence 2—indicates the accident data collected along three (3) roadways. Provide information regarding the segment(s) of each roadway, where the accident data was obtained. c. Sentence 3—states “Table A which summarizes the accidents”. Table A indicates the details of each accident, include a summary of the accidents (i.e. total each year, total of type of accident, etc.) 	Incomplete.
5	07/20/11	<p>Section II, Subsection D (Public Transportation)—</p> <ul style="list-style-type: none"> a. General Note— <ul style="list-style-type: none"> ▪ Include the frequency of the trains and buses during peak periods. ▪ Include the anticipated number or passengers/person trips generated by the project site that would utilize these public transportation modes during which peak hours. 	Incomplete.
6	07/20/11	<p>Section III, Subsection A (Year 2010 No-Build Traffic Volumes)—</p> <ul style="list-style-type: none"> a. Paragraph 1, Page 9—the text indicate a 2% growth rate annually, based upon a review of the background volumes, the rate may be lower. Clarify and revise the text. Also, if the background volume is confirmed to be lower, explain any impacts on the analysis. b. Paragraph 1, Page 9—Describe in further detail the “other” developments in the area. 	Incomplete.
7	07/20/11	<p>Section III, Subsection B (Site Generated Traffic Volumes)—</p> <ul style="list-style-type: none"> a. Trip generation was based on an existing facility at Patterson, NY, but how were the rates developed (shown in Table 1, HTGR*). Include additional information regarding size of facility, number of buildings, area of office space, number of dwellings, etc. b. The proposed Warwick facility may have more visitor traffic and deliveries as the World Head quarters than the Patterson facility, which is an education facility. Applicant to clarify. c. If the ITE Trip Generation was not utilized, state the reason why they were analyzed. d. What is the percentage of trips internal to the site? e. How was the data collected at the existing Watchtower Farms facility referenced/used? 	Incomplete.

No.	Date	Comment	Status
8	07/20/11	Section III, Subsection C (Arrival and Departure Distributions)— a. Describe how the expected travel patterns for this facility were calculated/derived. b. Describe why the majority of the trips originate from the south.	Incomplete.
9	07/20/11	Section III, Subsection D (Year 2015 Build Traffic Volumes)—See comments from Subsection B & C.	Incomplete.
10	07/20/11	Section III, Subsection E (Description of Analysis Procedures)— a. General Note—State the name of software and version that was utilized to perform the capacity analysis.	Incomplete.
11	07/20/11	Section III, Subsection F (Traffic Impact Analysis Results)— a. Page 13, Paragraph 2—AM Peak hour operates at LOS C and the expected LOS for PM, Sat and Sun is LOS B and A, which is not “similar” to AM Peak. b. Page 17, Paragraph 1, Sentence 2—Only PM Peak has overall LOS B and AM, Sat, and Sun operates at LOS A. c. Page 17, Paragraph 2—misspelled acronym, ASSHTO should be changed to AASHTO. Furthermore, the acronym should be defined including the version and title of publication. Include the analysis/calculation to determine the sight distances. d. Page 18— <ul style="list-style-type: none">▪ Describe the planned development Radha Soami Society/Sister Servants development.▪ Confirm that this intersection was analyzed with a separate left turn lane on County Road 72 and include the direction of the approach.▪ Paragraph 2—there was an overall deterioration of LOS between No-Build and Build. State the deterioration and describe in the text.	Incomplete.
12	07/20/11	Section III, Subsection G (Results and Recommendations)— a. General Note—Describe the supporting statements why the recommendations are necessary. (i.e. were there any preliminary studies indicating this such as a Signal Warrant, providing a jitney due to a growth in ridership by XX% from existing).	Incomplete.

No.	Date	Comment	Status
13	07/20/11	<p>Section III, Subsection H (Sensitivity Analysis)—</p> <ul style="list-style-type: none"> a. General Note—Describe why a sensitivity analysis was conducted. b. If it was necessary, describe the results of the analysis. c. Table 1-A—Entry Volume Column (Residential Dwellings)—describe why the peak hour of Adj Street was used rather than the Peak Hour generator. d. Table 1-A—External Trips were calculated to have 60% office space and 40% residential drawings. This is inconsistent with Note 2 and what was mentioned in the TIS and DEIS. Clarify and revise text and analysis. 	Incomplete.
14	07/20/11	<p>Overall General Comments:</p> <ul style="list-style-type: none"> a. Construction Phasing or Activity was not described (i.e. the year or date when the construction would begin, the period of construction, how many truck trips would be generated due to construction, what routes they would take, etc.) b. Appendix C should include field notes and/or plans containing field geometry, signal timing, manual counts. c. Pedestrian and Bicycle activities should be included in the report. d. Describe any parking displacement or existing parking conditions. e. Describe any anticipated special events throughout the year and frequency of events of the site. If there are events, describe the change in overall traffic pattern and operations at the intersections. f. The additional special event text does not provide a quantitative analysis. The study could assess the impacts of special events to determine if traffic mitigation is needed (such as off-duty police officers to direct traffic); however given only three Saturday events per year, a one-hour critical arrival window with 311 inbound vehicles, and dispersed departures, it may not be necessary to do a more detailed analysis. 	Incomplete.
15	07/20/11	<p>Indicate the current land use of the facility. If the Watch Tower decides to sell the property, the trip generated may increase significantly under the tenant. As such a sensitivity analysis should be performed to better understand the full impacts of the proposed square footage of the building(s) and residential dwelling units. Furthermore, the sensitivity analysis should include a scenario without an internal trip generation credit or at a minimum utilize the trip generation credit based upon the ITE Trip Generation Manual.</p>	Incomplete.

No.	Date	Comment	Status
16	07/20/11	There was not a discussion about any possible access improvements to Sterling Mine Road; the Applicant should clarify if any site access improvements (such as turn lanes) are required by the County due to speed, functional class, and volume.	Incomplete.

Chapter 8 Community Services and Facilities:

No.	Date	Comment	Status
1	07/20/11	Table 8-1- Add distances to the parks in the table.	Incomplete.
2	07/20/11	Table 8-1 – Section D suggests that Blue Lake may be used for non-motorized boats. Add this resource to Table 8-1, including a distance to the public access. It does not appear that any access to Blue Lake will be provided from the Watchtower site.	Incomplete.
3	07/20/11	Section D- Recreation. Suggest listing the comparison of the suggested amount of recreation and the proposed amount provided. Suggest similar comparison for all of the alternatives, Chapter 16.	Incomplete.

Chapter 9 Infrastructure and Utilities – Wastewater Management:

No.	Date	Comment	Status
1	07/20/11	Chapter 9, Page 9-2, last paragraph. Provide minimum sewer slope to be used. Design must ensure that an appropriate slope is used so that required pipe flow capacity and minimum velocity of 2 feet per second recommended in Section 33.41 of the Ten State Standards for Wastewater Facilities are met.	Incomplete.

Chapter 13 Visual Character:

No.	Date	Comment	Status
1	07/20/11	Provide sample images of the rooftop platforms for cellular/two way radio and dish-type receiver.	Incomplete.
2	07/20/11	Figure 13-14 & 13-16 – landscaping shown does not match that illustrated on the landscape plan. There seems to be a significant amount of trees filling in the corner, when the plans show all landscaping behind the existing storm drain outlet. Are these trees in the right-of-way? Do these plants affect the storm drain outlet in this location?	Incomplete.
3	07/20/11	Figure 13-14 & 13-16 – Applicant to clarify if the center island is anticipated to be visible from this location.	Incomplete.
4	07/20/11	Figure 13-16 – it appears that there is a light pole, or something similar along the north side of the road, is this correct? Lighting Plan shows light pole in the center island. The same pole is not in Figure 13-14 or 13-18.	Incomplete.

No.	Date	Comment	Status
5	07/20/11	Figure 13-24 - Much of the landscaping illustrated in the simulations looks to be fairly mature. Applicant to clarify how many years to achieve this amount of screening. Consider showing conditions closer to construction growth.	Incomplete.
6	07/20/11	It is stated that the site plan preserves as much existing vegetation as possible. The methods proposed to be used (i.e. provide tree protection details, soil preparation, avoidance of soil compaction) should be clarified.	Incomplete.
7	07/20/11	The Landscape Design section should note anticipated, typical soil preparation for planted areas within disturbed areas (i.e. topsoil, organic matter supplements, soil preparation from construction compaction).	Incomplete.
8	07/20/11	Town Code §164-43.4 requires certain lighting levels: For parking lots with low activity, levels are as follows: 0.8 average illumination, 0.2 minimum, and 4:1 uniformity ratio. Local road illumination of 0.3 - 0.8 average and 6:1 uniformity ratio. a. Add uniformity ratio to Table 13-3. b. The minimum of 0.01 foot-candles for pedestrian walkways is not sufficient. Placement of bollard lighting should maintain adequate pedestrian walkway illumination while not creating glare for drivers on adjacent roadways. c. As the lighting plan may change during site plan approval process, provide design minimums, averages and uniformity ratios to be maintained.	Incomplete.
9	07/20/11	Building entrances are required to have 5 foot-candles at active entrances and 1 foot-candle at in-active entrances.	Incomplete.
10	07/20/11	Page 13-24, first paragraph references Figure 2-6 as SWBP and 700' Ridgeline Overlay District. That is not the case, please update.	Incomplete.
11	07/20/11	Architectural Renderings in Section 2 should be referenced in the Visual Section, as they represent the architectural style of the buildings. Applicant should provide references to the renderings for the parking garage and residence building.	Incomplete.
12	07/20/11	Page 13-45, statement that IBM site employees and visitors are present during daylight hours is incorrect. Winter conditions would include darkness during a typical work day.	Incomplete.

Chapter 16 Alternatives:

No.	Date	Comment	Status
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No.	Date	Comment	Status
1	07/20/11	Section 11, Page 11-1 states 2008 EPA average of solid waste is 4.5 pounds per capita per day. 2009 rates were 4.34 (of which 1.46 is recycled) pounds per capita per day. Updated figures and sources should be used. Table 16-1 should note average pounds per capita per day used in calculations.	Incomplete.
2	07/20/11	Table 16-1 should include solid waste calculations for the No Action alternative. Educational Facility Alternative, explain use of 5 lbs/day over EPA national average of 4.34 lbs/day. As of Right Alternative, verify that 88 tons of disposed solid waste is correct, appears to use total solid waste including recyclables. All calculations should be consistent (either to include recyclables or not).	Incomplete.
3	07/20/11	There are no estimates of recreation space provided in the Educational Facility (Kings College) Alternative. Provide area provided compared to estimated need based on population.	Incomplete.
4	07/20/11	Provide all references for EPA and County based informational statements (i.e. statement that the solid waste generated under Educational Facility Alternative is less than one-half of one percent of solid waste in Orange County).	Incomplete.
5	07/20/11	There are no estimates of recreation space provided in the As of Right Alternative. Provide area required and estimated need based on population.	Incomplete.

Appendix M: Technical Review of the Preliminary Stormwater Pollution Prevention Plan (issue date March 15, 2011)

No.	Date	Comment	Status
1	07/20/11	SWPPP document needs the stamp and signature of a New York State Licensed Professional Engineer.	Incomplete.
2	07/20/11	Each plan sheet requires the stamp and signature of a New York State Licensed Professional Engineer.	Incomplete.
3	07/20/11	Appendix A – Provide a copy of a filled out and signed Notice of Intent (NOI) Form. The NOI should also have the signature of the NOI preparer (NYS Licensed Professional Engineer).	Incomplete.
4	07/20/11	The Applicant should provide an MS4 Acceptance Form with the appropriate information filled-in.	Incomplete.
5	07/20/11	Page 2-8 of the SWPPP (Sequence of Construction) – The SWPPP states that “total disturbance will be kept at a 10-acre maximum at any given time, based on NYSDEC regulations”. Part II.C.3 of the SPDES General Permit for Stormwater Discharges (GP-0-10-001) states “The owner or operator of a construction activity shall not disturb greater than five (5) acres of soil at any one time without prior written authorization from the Department.” This will impact the Applicant’s current proposed phasing for the site.	Incomplete.

No.	Date	Comment	Status
6	07/20/11	<p>The Applicant should provide full-size plans for the pre and post development drainage areas. The full-size plans should contain the following information:</p> <ol style="list-style-type: none"> Drainage area name and size Time of concentration paths broken up by flow type. All reaches and ponds in the HydroCAD analysis should contain the same naming on the Drainage Area maps, for ease of reviewing the HydroCAD analysis. 	Incomplete.
7	07/20/11	<p>The Grading and Drainage Plans included with the SWPPP should include the following:</p> <ol style="list-style-type: none"> Legend Each of the drainage structures should be named, and contain information for the rim elevation, and inverts. This information could also be provided in table format. Pipe materials and sizes should be clearly indicated. Locations of all proposed stormwater management practices (including green infrastructure practices) 	Incomplete.
8	07/20/11	<p>The Applicant should include Detail Sheets in the SWPPP which include the following:</p> <ol style="list-style-type: none"> Catch Basin Detail Pipe trenching detail Representative cross-section and profile drawings of ALL proposed stormwater management practices and conveyances (e.g., Green Roof, Riparian Buffers, Porous Asphalt, Permeable Pavers, Stormwater Planters, Sand Filters, Bioretention Areas, Water Quality Units, Detention Basin, Infiltration Chambers, etc.). The details should be specific to the application, and include inverts, and water surface elevations for design storms (if applicable). Specific maintenance requirements for each of the proposed stormwater management practices should be provided. Details for all proposed erosion controls (e.g. silt fence, stabilized construction entrance, diversion swale, soil stockpile, sediment trap, etc.) 	Incomplete.
9	07/20/11	The Applicant should provide profile drawings for the drainage system.	Incomplete.
10	07/20/11	Provide a copy of the logs for the soil borings and infiltration tests conducted on site in the SWPPP.	Incomplete.

No.	Date	Comment	Status
11	07/20/11	SWPPP Table 3-1 (pg. 3-19) – The table indicates only one Drainage Area to DP-3, which is DA-3. However, Figure 3-9 as well as Sheet C-007 of the plans show three sub-areas (DA-3A, DA-3B and DA-3C). This table should be updated to show how the WQv for these sub-areas have been met or exceeded.	Incomplete.
12	07/20/11	SWPPP Table 3-1 (pg. 3-19) – The table is unclear in indicating the <u>required</u> Runoff Reduction Volume for each area. This should be clearly provided in the table, and followed by the <u>provided</u> Runoff Reduction Volume.	Incomplete.
13	07/20/11	The Applicant should provide supporting calculations for <u>each individual</u> stormwater management practice to show how they meet the Water Quality Volume or Runoff Reduction Volume requirements. Right now, the SWPPP only shows how the required amounts are exceeded with a brief explanation of how the requirements were met. For example, there are several green roofs proposed. Calculations should be provided for each one to show how much Water Quality Volume or Runoff Reduction Volume it provides for the drainage area it is located in.	Incomplete.
14	07/20/11	The Applicant should provide supporting calculations to show how the Channel Protection Volume requirements have been met for the site.	Incomplete.
15	07/20/11	Appendix D (Pre-Developed Conditions Analysis) – Reach 2R: Storm System is not modeled with any defining characteristics (pipe sizing, slope, inverts, etc.). However, page 3-24 of the SWPPP indicates a storm system containing pipe diameters of 15" and 24". If the existing pipe system runs full for any of the design storms, the peak runoff to the design point could conceivably change. The Applicant should accurately model this reach in HydroCAD.	Incomplete.
16	07/20/11	Appendix E (Post-Developed Conditions Analysis) – The Applicant is using the following Curve Numbers (CN value) and should explain how each of these have been selected: <ol style="list-style-type: none"> CN of 48 for the green roof CN of 74 for the pervious pavers CN of 61 for bioretention sand soil medium CN of 61 for storm planter CN of 74 for porous asphalt 	Incomplete.
17	07/20/11	The Applicant should specify in the landscaping plans the planting types that are to be used for each green roof.	Incomplete.

No.	Date	Comment	Status
18	07/20/11	The Applicant is using Stormwater Planters in several locations. The Applicant should indicate how much impervious area is being directed toward the planters. Page 5-100 of the NYS Stormwater Design Manual (August 2010) indicates that stormwater planters should not receive drainage from impervious areas greater than 15,000 square feet. Additionally, the Applicant should provide a means of directing excess stormwater flow to a secondary treatment system or storm drain system.	Incomplete.
19	07/20/11	Page 5-101 of the NYS Stormwater Design Manual indicates that all stormwater planters should be located a minimum distance of 10 feet from structures. Several of the stormwater planters shown on Sheet C-007 show the planters to be immediately adjacent to structures and should thus be relocated.	Incomplete.

The following comment submitted by the Conservation Board, dated 7/20/11:

Watchtower Bible & Tract Society of NY, Inc. - The CB will submit any comments it has separately on or before the August 3, 2011 deadline. The CB has been impressed with the quality of the site visits, the outreach to the PB, CB and ARB, and the comprehensiveness of the DEIS.

The following comment submitted by the ARB:

Watchtower Bible & Tract Society of NY, Inc. – None submitted.

Mr. McConnell: This SEQR comment has been prepared by Mr. Ted Fink, dated 7/18/11: Here are the procedures that should be followed for the public hearing on the Watchtower DEIS:

1. *The NY State SEQR environmental impact statement procedures are being followed for the proposed Watchtower project. This included issuance of a Positive Declaration by the Planning Board on October 7, 2009, meaning that the applicant was required to prepare a Draft Environmental Impact Statement (DEIS). Identifying the full scope (or contents) of the DEIS was conducted with a public scoping session on November 18, 2009. Interested and involved agencies were invited to provide input on the DEIS scope, and the Planning Board, after carefully reviewing the document with its consultants, then adopted a Final Scoping Document on December 16, 2009.*
2. *The applicant prepared the DEIS, based upon the Final Scoping document, submitted it for a completeness review, and after providing modifications requested by the Planning Board and its consultants, accepted the DEIS as complete on May 4, 2011. The DEIS was then distributed to all Involved and Interested agencies for comment.*
3. *The DEIS comment period will close on August 3, 2011. Any oral comments made tonight can be supplemented by written comments until the close of the comment period.*
4. *The Public hearings held tonight include a hearing on the DEIS (which will be closed tonight), as well as the proposed Site Plan and Special Use Permit applications. The*

Planning Board will determine whether the two public hearings on the Site Plan and Special Use permit applications will be adjourned or closed tonight.

5. *Following the close of the public comment period on the DEIS, a Final Environmental Impact Statement will be prepared that will include a response to all comments on the DEIS and any modifications or corrections that need to be made to the DEIS. There will be a period of public consideration of the Final EIS after this document has been prepared by the Planning Board and adopted.*
6. *After the period of public consideration of the Final EIS, the Planning Board will prepare a Findings Statement. This is a written finding that certifies that all appropriate environmental review procedures have been taken and that the environmental impacts of the project have been avoided or mitigated to the greatest extent practicable.*
7. *After the SEQRA review process concludes with the adoption of the Findings Statement, then the Planning Board will proceed with its review of the proposed Site Plan and Special Use Permit applications.*

Mr. Bob Pollock: (He gives a presentation of the Watchtower project by showing renderings of the buildings and site.) Pointing out on the site rendering, it shows where the project is located. It illustrates some of the areas around the site for instance; the Sterling Forest State Park, Tranquility Ridge, and the Ringwood State Park in New Jersey. Then, there is Tuxedo Park, Woodlands Development, IBM which is across the lake, and then there is a small residential development on top of Sterling Lake. Looking at the rendering, the property that is highlighted in red is the property in question that we are talking about. Looking at the project, there are about 75 acres on the northeast side of Long Meadow Road. A portion of the property is quite steep. A stream runs through a portion of the property next to the road. It is the same side of the road where the Woodlands Development is located. What we are going to be concentrating on is a portion of the approximately 175 acre parcel on the southwestern side of Long Meadow Road where International Nickel had their operation for a number of years. This property has had quite a history in the last 25 years with DEIS being prepared. Back in 1989, there was an approval for 150-lot subdivision. After the DEIS, a Findings Statement was prepared for that. Then it was purchased by Kings College to redevelop the property for a 1500 student college with about 220 teachers. Of this 168-acre lot, it would have covered about 102 acres. Then before that was brought to fruition, it was then sold to Touro College who then assembled this property with the property across the street. Although they came up with several plans to expand, none of them was actually formally submitted. Watchtower has now purchased the property. We purchased the property about 2 years ago. We have been working towards a development on the property of a World Headquarters of Jehovah's Witnesses. When we started analyzing the property, it became evident why that it had so much attention over the years. It has been identified in the County Plan as a place for future development. The chief reason for that is that it has great availability of water and municipal sewer. The water facility is capable of producing about half million gallons per day. The project that we are proposing, which would be a move in of about 850 people, would use a significant portion of the allotted water and sewer that was deeded to the property years ago. What is proposed is a development of buildings for a living and working arrangement. When we first talked to the Planning Board about it, we mentioned it would be about 850 people. Then the question came about what would happen if we grow? When we started analyzing the environmental sensitivity of the site, looking at the rendering, you would see an overlay of a number of those sensitivities. The largest overlay is the Wallkill Southern Bio-Diversity Overlay. It covers this portion of the main 168-acre property to the other side of the road and to the lake itself. The Town has a Ridgeline Overlay. Then, there are some steep slopes. Then, there is an easement setback at the end of the property line

away from the lake. When you take all of those things away, what you would have for reasonable development is the area that we are developing. What we had done in developing the DEIS is determine that because this is a compact site, design the expansion into the building. Although the move in is 850 people, we designed it so that it could expand in the future as needed to 1000 people without building more buildings. All of the facts and figures in the DEIS are based on the 1000 figure, not the 850 figure. There is quite a bit of capacity to the water plant. There is a certain amount of water allocated to this property, 140,000 gallons per day. Our estimated average is about 85,000 gallons per day. We do expect that there may be peaks at 140,000 gallons. We will be using most of the water that has been allocated to the property. Similarly for the wastewater plant, it is capable of handling about 150,000 gallons per day. Right now, they are only operating with about 20,000 gallons. This would add about 80,000 gallons to that. It would bring it up closer to where the operation would be more regular for that plant. As far as the development, in addition to having this developed with buildings for this World Headquarters, there is going to be a number of remediation points. The old INCO facility had a very responsible use of the land. It was a lab that dealt with metal and they had an onsite sewage treatment plan. There were some contamination found in this area regarding the metal. As part of this, all of that will be remediated. The soils would be dug up and removed. It would be carted off to a safe facility. It would be replaced with clean soil. In addition, there are a number of unsightly and dangerous areas around the site. Here is a picture of the old treatment plant. In the picture, there is an old water tank that INCO use to use for their firewater. Now, it is no longer needed. United Water has a half a million-gallon tank at the top of the hill. It would take care of both the fire and the needs for the site. Looking at the photo, along the electric ROW, there is a big old sub-station that INCO used. We talked to the power company. They agreed that they could remove that. They could give us a sub-station more to the size of what we would need. The buildings themselves have been an attractive nuisance for vandals for the last 2 years. We have secured them and made those buildings water tight for the present time. Those buildings would also be removed for this development. I would like to draw your attention to the buildings that are there now. They are very a light cream color. What is interesting in the wintertime, when you look at them from across the lake on how they appear. I just wanted to mention that to you so you could remember that in the future. As the site is developed, one of the other benefits that is going to be brought to it is that it is going to affect it in a positive way is drainage for the site. Right now with the existing facility, there is about 7 acres of impervious surface. With the addition that we are planning, that would go from 7 acres to 13 acres of impervious surface. There will be a number of buildings that will have flat roofs. Those flat roofs would have vegetative roofs. That would reduce the stormwater. It would also reduce the heat. This large building and the residents building would have the vegetative roofs. In addition, there would be a barrier that would be restored around the lake and around the ACOE wetland. In order to handle the stormwater, rather than using the standard approach that they used the last 20 years with just having a detention basin, the water would be slowed down and filtered into the ground through a series of stormwater planters, bio-retention basins, and underground chambers. Those are just some of the things that we would be doing to improve the drainage. The main approach to the building and over to the truck dock would be regular paving. But, then the extensions that are primarily for residential traffic or foot traffic would be of permeable paving. That would also reduce the runoff. There would be quite an improvement on getting the water back into the ground. Regarding the landscaping, this will not be a golf course style landscaping setup. This would be developed in the wooded atmosphere. To the extent possible, the existing trees would remain. Where the trees could be restored, they would be restored along the front. There won't be any large lawn area. The landscaping would be all using native plants. We are going to reuse many of the boulders that are existing around the site. Where there are retaining walls they

would be made out of the rocks that are on the site. We have one large retaining wall over where the tennis court is located. That retaining wall would be a vegetative wall. You won't see a concrete retaining wall. The landscaping and the lighting is very sensitive to where this is in a park like setting. The lighting would be a low level lighting with full cutoff lighting. You would not see a glow from the development. Since it is in the park area, the people in Sterling Forest Park asked about how it would look from off site. We had done an extensive viewshed analysis that has been incorporated into the DEIS. All of the trails between the facility, Greenwood Lake, and Sterling Lake were examined to see if they would be viewing the facility from those trails. It turned out that there is none. There are a number of offsite views from the hills beyond some of the trails. You would have to do quite a bit of bush whacking in order to get up to those points. There is a view spot along Long Meadow Road near the entrance. In the wintertime, there will be partial views of some of the buildings. The one public place that the development would be visible is from the NYS boat launch that is across the lake. As part of the DEIS, we had done a viewshed analysis of what the existing buildings look like. These buildings are a light yellow. Because of the reflection around it, it really appears gray. We have responded to the Planning Board's and ARB's concerns about the color. Again, since it is on the north facing side, the colors will reflect some of the colors around them. That would occur both in the winter time and summer time. Looking at the rendering, here is a view from the land that is across the way. To make it that you could see the buildings, we zoomed in where you could see the existing buildings somewhat and see the tops of them. This is a winter time shot. There are little glimpses over a wider period. But, in no way does it seem to spoil the effect.

Mr. McConnell: In the top photograph, I am seeing some light colors. Is that dirt?

Bob Pollock: This is that large area of grass.

Mr. McConnell: Ok. That is a grassy area. That is not the buildings. The buildings are beyond that.

Bob Pollock: These are the buildings that are beyond that.

Mr. McConnell: Ok.

Bob Pollock: Because there is this large open area of grass, what we tried to do and we had shared it with the Board at the site visit, we had taken the 2 main residences and separated them so that the views from the lake don't look right at the buildings. It is looking at an area that is between the buildings. We think we have done all that we could to try to improve and maintain minimum impact from this public space. That ends my presentation. I will now turn it over to Enrque Ford the Architect. He will give a presentation on the architectural aspects of it.

Enrque Ford: At a starting point, it is worth noting a few key design elements and thoughts that went into the actual design solution on this particular facility. The first, we felt it was important to respond to the context of the community. The scale, texture, the design elements that are commonly seen so that this complex doesn't become a pre-designed element that is just planted with no regard to this context. Secondly, on a much more intimate scale, this is rather a unique site. It has some very special natural features that we feel are worth acknowledging and responding to. On top of that, there are certain values that Watchtower as an organization brings to the site that we feel enhances some of the advantages that are already there. The primary one that you would see manifest throughout the design is

Watchtower's belief for responsible stewardship. That is driven primarily by the fact that unlikely a typical developer, we are going to design it, build it, maintain it, and we are going to live in it. We have more so than your average developer inherent interest for responsible stewardship when it comes to our property. The site plan that was developed demonstrates those core values as Mr. Pollock mentioned by the area that is developed with the buildings. We started off with the redevelopment of the existing developed space. We begin with the entry onto the site which reuses the existing entry quite concurrently. The site of the new buildings relative to the entry creates an esthetic buffer so that from the road you would see none of the proposed development. You start off with acknowledging the environment and you preserve that sense of open space that you currently have on this unique site. As you curve up the entry road, you approach the first of 4 zones that are organized onto this site so that it meets the pragmatic needs in a way that it acknowledges the scale that is in this particular area. The first of these zones is what we would call the public zone. Looking at the rendering that is illustrated here in the entry, as you drive around the entry and you make a turn into the courtyard, what your attention would be focused towards is a main lobby which is providing a sense of arrival and a sense of space. It has an emblematic Watchtower on the right where our office is. On the left where our support service is, it is designed around a courtyard theme. If you notice the scale of the buildings, they are designed to reflect that lower scale that is emblematic of the development here in this particular community. As to anchor the buildings to this site to reflect some of the core features that Mr. Pollock mentioned with the natural rocky site, you will notice that the rock base makes the buildings reflect more of an organic architectural theme. We also chose in response to comments from the Planning Board and the ARB earth tones that mute the buildings to help them blend into the natural landscape. Another aspect of this initial zone with this entry courtyard is the visitor's parking lot. This particular visitor's parking lot reflects our efforts to very responsibly address the needs with the least impact to the site. It is a multi-level 4 level parking structure. For the majority of the use of this facility, based on our current number of visitors to the site, we would only be using the top level of this parking structure. On the days that we would have more guests, instead of increasing the amount of impervious surface, we take advantage of a natural inclination of the site. We have several levels going down the low grade that you would then circulate down and fill up the parking structure as needed. That would create a level surface. This particular building that is on the site plan seems rather large, but you will notice that a great deal of effort has been put into the design to articulate the different elements and the facades. Looking at the rendering, it is broken up as you can see. It is broken to the scale that a person walking along really is not overwhelmed at all by the size of this building. These buildings will also be screened by a buffer of trees. That is also noted in the DEIS. That was the first zone in this design concept. The 2nd zone is really an all utilitarian one that is created by the overlap of this multi-purpose maintenance building, which would serve as the mechanical heart of the site. That is where you would have the boiler plant and a generator plant. Also with this building, we take advantage of in this building as it backs up against the hill to provide some enclosed residents parking. There are some indoor recreation. It also ties in with a service plaza that serves as a dock for this service building. As you progress into the various zones, you also progress through a series of privacy zones leading to the most private zone, which is the residential zone at the western portion of the site. The residential zone responds very nicely to some of those core themes that we had mentioned. First of all, breaking up the residential block into a series of smaller scale buildings. The residential buildings use the same earth tone theme. They assemble the pallet of materials that reflect the site in a rather interesting manor.

Mr. Ford goes on discussing the various renderings of the layout of all the buildings and how they would be situated, the fenestration and how they blend in with the natural environment. He goes on discussing the 4th zone which would be a very private recreational area and discusses the visual impacts of it. All of the zones are also connected by a consistent sustainable design approach that starts from the design of all the buildings, through material choice, mechanical systems, and through the components that are used in the buildings. A stated goal that Watchtower has established for this project is that they would like to achieve at least 3 globes out of the possible of 4 globes by using the green globe sustainable design rating system. He goes on discussing that the green globe system is like a lead system. The design team would be the only one that would be responsible to tell the owner whether or not they make that goal with the green globe system. The Watchtower's Wallkill facility has used the green globe system. It worked out very well with that project. They believe with this proposed Watchtower facility, it would be even more successful than the Wallkill project. That is the project that we are presenting.

Bob Pollock: I would like to mention that the property has been taxed exempt for the last 20-years through the Kings College, Touro College, and now with Watchtower. It will remain taxed exempt. The complex that has been proposed is a live and work in environment. Many services are being provided on site because of the attention that is being given to detail and our continued communication with the Fire Services, Police Services, and some of the others in the community. This should have very minimal effect on the community services. In addition, as Mr. Ford had mentioned about the 4-level parking garage that would be primarily for visitors. This is because it is a World Headquarters, it would be open to the public or tourists. It is going to have a very nice museum in the Visitors Center. As it has been realized in some of our other complexes, it will be a tourist center, as it is highlighted in the DEIS. We expect that the direct expenditures of the tourist would be an addition to the actual construction cost and the operational cost of the facility. The direct expenditures used by tourists in the area would be about 7-1/2 Million Dollars. There would be a definite financial benefit to the project even though the property itself is taxed exempt.

Mr. Astorino: Do any Board members or Professionals have any comments? Do you have the renderings of the buildings and the maintenance facility?

Bob Pollock: No. We didn't bring those tonight.

Mr. Astorino: Ok. That is fine.

Mr. McConnell: I am impressed.

Mr. Astorino: Yes. I would like to say that every aspect we brought up at the site visit from this Board, the Conservation Board, and the ARB was fully intertwined. I appreciate that. That was very nice. Is there anyone in the audience wishing to address the DEIS, Preliminary Site Plan Approval, and Preliminary Special Use Permit on the Watchtower Facility? Let the record show no public comment. John, could we close the public hearing on the DEIS?

Mr. Bollenbach: Yes.

Mr. McConnell makes a motion to close the Public Hearing on the DEIS.

Seconded by Mr. Kennedy. Motion carried; 4-Ayes.

Mr. Kowal makes a motion to adjourn the Preliminary Site Plan Approval & Special Use Permit Public Hearing without date.

Seconded by Mr. Kennedy. Motion carried; 4-Ayes.

Mr. Astorino: There will be a written comment period for the DEIS until August 3, 2011. If anyone has any written comments on the DEIS, please get those comments in by August 3, 2011. Thank you.

Bob Pollock: Thank you.

Other Considerations:

1. Planning Board to discuss cancelling the 7/25/11 Work Session & 8/3/11 Planning Board Meeting due to no submittals.

Mr. McConnell makes a motion to cancel the 7/25/11 Work Session and the 8/3/11 Planning Board Meeting.

Seconded by Mr. Kowal. Motion carried; 4-Ayes.

2. **United Methodist Church / McFarland Lot Line Change** – Letter from Bob Krahulik, Esq., dated 6/21/11 addressed to the Planning Board in regards to the United Methodist Church/McFarland Lot Line Change – requesting a 6-Month Extension on Conditional Final Approval of a proposed Lot Line Change, situated on tax parcels SBL #54-1-2 & SBL #54-1-25.1; parcels located on the northern side of Forester Ave., 200 feet north of State Highway 17A & Campsite Way, in the SL zone. Conditional Final Approval was granted on, 12/1/10. *The applicant has stated that the extension is requested because they need time to finalize conditions associated with the approval for the purpose of completing the subdivision map and attending to other technical revisions involving the application.* The 6-Month Extension becomes effective on, 6/1/11.

Mr. McConnell makes a motion on the United Methodist Church/McFarland Lot Line Change application, granting a 6-Month Extension on Conditional Final Approval of a proposed Lot Line Change. SBL # 54-1-2 & 54-1-25.1. Conditional Final Approval was granted on, 12/1/10. The 6 Month Extension becomes effective on, 6/1/11.

Seconded by Mr. Kennedy. Motion carried; 4-Ayes.

3. **Lands of Kirk Rother** – Letter from Kirk Rother, dated 7/6/11 addressed to the Planning Board in regards to the Lands of Kirk Rother Subdivision – requesting *3rd Re-Approval* of Final Approval of a proposed 2-Lot cluster subdivision, situated on tax parcel SBL # 42-1-110.4; parcel located on the western side of C.R. 1, 1885 feet north of Waterbury Road, in the RU zone. Conditional Final Approval was granted on, 7/16/08. The 2nd Re-Approval of Final Approval was granted on 7/22/10 became effective on 7/16/10. *The applicant has stated that given the current economic climate the significant effect it has had on their income, they are unable to afford the monies necessary to satisfy the conditions of final approval at this time. This includes payment of parkland fees, other fees and legal services for preparation of the necessary legal documents.* The 3rd Re-Approval of Final Approval becomes effective on, 7/16/11 subject to the conditions of final approval granted on, 7/16/08.

Mr. McConnell makes a motion on the Lands of Kirk Rother application, granting *3rd Re-Approval* of Final Approval for a proposed 2-Lot cluster subdivision, situated on tax parcel SBL # 42-1-110.4; parcel located on the western side of C.R. 1, 1885 feet north of Waterbury Road, in the RU zone, of the Town of Warwick, County of Orange, State of New York, subject to the conditions of Final Approval granted on, 7/16/08. (See attached). The 3rd Re-Approval of Final Approval becomes effective on, 7/16/11.

Seconded by Mr. Kennedy. Motion carried; 4-Ayes.

4. **Planning Board Minutes of 6/15/11** – Planning Board to Approve the 6/15/11 Planning Board Minutes.

Mr. McConnell makes a motion to Approve the Planning Board Minutes of 6/15/11.

Seconded by Mr. Kowal. Motion carried; 4-Ayes.

Correspondences:

1. Letter to the Planning Board from the Town Board regarding Re-Zoning of the Mid-Orange property to the OI zone.

Mr. Astorino: That correspondence is in our packets. I believe it is a wise move by the Town Board.

Mr. Bollenbach: There is a request for input from the Planning Board to get their response if they have a favorable recommendation. This is for the Mid-Orange Correctional Facility located on State School Road. It is currently zoned RU. The Town Board is planning on holding a public hearing on this proposed change to OI (Office/Industrial) zone.

Mr. Astorino: I think that is a good idea.

Mr. McConnell: How much of that parcel fronts Kings Highway?

Mr. Bollenbach: I don't believe any of it does.

Mr. McConnell: If that were rezoned for OI, there would have to be some improvement to access in there.

Mr. Bollenbach: No. It would still be State School Road which really bisects the property. Material Processing/Sapanaro is located on the left hand side and Mid-State Lumber, is located on the right hand side entering from Kings Highway. These other properties are already in the OI zone.

Mr. McConnell: Out of 1,000 acres, do we know how much of that would be developable? Mr. Sweeton, do you know?

Supervisor Sweeton: There are estimates of less than 100 acres.

Mr. McConnell: Ok.

Mr. Bollenbach: That is pretty much where the complex is right now. It would be isolated with wetlands from adjoining areas. I think it would be very well suited. Is the Board in favor of giving a favorable recommendation?

Mr. McConnell: Yes.

Mr. McConnell makes a motion to give a Favorable Recommendation to the Town Board from the Planning Board on the Re-Zoning of the Mid-Orange property to the OI zone and authorize the Chairman to forward a formal recommendation.

Seconded by Mr. Kowal. Motion carried; 4-Ayes.

Privilege Of The Floor For Agenda Items!!

Mr. Astorino: If there is anyone in the audience wishing to address any of the agenda items, please rise and state your name for the record. Let the record show no public comment.

Mr. Kowal makes a motion to Adjourn the July 20, 2011 Planning Board meeting.

Seconded by Mr. Kennedy. Motion carried; 4-Ayes.

A-27

Prepared for July 20, 2010 Planning Board Meeting

Mr. Ben Astorino, Chairman
Town of Warwick Planning Board
123 Kings Highway
Warwick, New York 10990

Re: Watchtower Site Plan DEIS Review

Task: PB001

1 Kings Drive

Tax Map Reference: 85-1-2.22, 2.3, 4.1, 4.2, 5.1, 5.2 & 6

Area = 253± acres

Dear Mr. Astorino:

Introduction: This project proposes a campus of buildings on approximately 41 acres of a 253-acre site. The proposal includes an office building; services building with kitchen, laundry, storage and infirmary; four residential buildings housing 588 1- and 2-bedroom units for approximately 1,000 residents; a vehicle repair building; a waste sorting building; a powerhouse/maintenance building; and a recreational facility. The majority of parking is proposed to be within attached underground parking structures.

Correspondence: We have received the following information:

1. Cover Letter, prepared by Watchtower, dated June 10, 2011
2. DEIS dated June 10, 2011

After reviewing the materials submitted, we have the following comments that identify the comment number, original date of comment, the comment itself, and the current status of the comments (i.e., whether they have been answered or if it is still outstanding).

Chapter 3 Geology, Soils, and Topography:

No.	Date	Comment	Status
1	07/20/11	Four piezometers were installed to monitor water levels and data from two of the locations near the southwestern end of the development exhibit water levels that fluctuated approx. 8 ft (in TB-20) and 4 ft (in TB-11) within a couple months – with seasonal high levels likely associated with a combination of spring runoff and precipitation. An 8 ft seasonal fluctuation is significant and does not appear to be accounted for in the groundwater elevation contour map accompanying Figure	Incomplete.

No.	Date	Comment	Status
		4 in CHA's report. The Applicant should clarify how this fluctuation will be managed with regard to excavation and the implications after the building is in place given the proximity to Blue Lake and the topographic differences between the lake and the uplands to the south and east.	
2	07/20/11	The recorded water level in test boring TB-21 also looks to be elevated significantly relative to what is shown on the groundwater elevation contour map – although the value determined from the test boring may represent a perched level and not true static conditions (based on measurements found on the test boring log ground surface is 711 ft and depth to water is 2 ft so water elevation is ~ 709 ft; however Figure 4 has it between 680 & 685 ft GW elev. contours). If this represents the true groundwater elevation, there would be a strong gradient over the relatively short distance between TB-21 area and Blue Lake (709 ft vs. 645 ft GW elevations, respectively). Applicant should clarify these elevations and groundwater contour map.	Incomplete.

Chapter 5 Air Resources:

No.	Date	Comment	Status
1	07/20/11	<p>B. Existing Conditions: Page 5-1 –</p> <p>a. 1st paragraph:</p> <ul style="list-style-type: none"> ▪ particulate matter less than 10 microns is also regulated by federal law. ▪ the 2009 PM₁₀ background value should be listed on page 5-5 and the region that background value is monitored at should be listed in this paragraph. ▪ Ambient CO is also monitored in Region 2, which may be closer than Region 4. The “Mobile Source Air Pollution Modeling” report provides a reasoning for using the Region 4 data. This reason should also be provided here, with more detail, for the benefit of the reader, who may not review the appendices. <p>b. 2nd paragraph: As stated in page 5-5, the background ozone concentrations for 2009 exceed the standard.</p>	Incomplete.
2	07/20/11	<p>B. Existing Conditions: Page 5-5 –</p> <p>a. The average maximum PM_{2.5} concentration during a 24-hour period for 2007 to 2009 appears to be 25.2 ug/m³.</p> <p>b. As is stated, the NYSDOT EPM requires a PM₁₀ analysis. The NYSDEC has the following note for the Ambient Air Quality Standard for PM₁₀ : “Federal</p>	Incomplete.

No.	Date	Comment	Status
		standard for PM ₁₀ not yet officially adopted by NYS, but is currently being applied to determine compliance status." Therefore, since a mobile analysis for the project has been performed, a PM ₁₀ analysis should be included.	
3	07/20/11	B. Existing Conditions: Page 5-7 – a. Table 5-2: the Maximum concentration determined at any receptor should be compared to the NYSDEC Limit, not the average of all the receptors.	Incomplete.
4	07/20/11	C. Potential Impacts: Page 5-8 – a. Table 5-2 & 5-3: Per the "Mobile Source Air Pollution Modeling" report (pg. 10), PM _{2.5} ambient values were obtained from the NYSDEC ambient air quality monitoring results. Since the ambient air quality value for PM _{2.5} 24-hour is 25.2 ug/m ³ , it is unclear how the predicted concentrations for PM _{2.5} 24-hour are all below 25.2 ug/m ³ . b. Please provide a discussion to explain what factors in the Future Build scenario cause a no increase or even a decrease when compared to the Future No Build Scenario. A discussion is provided in the "Mobile Source Air Pollution Modeling" report but should also be provided in the DEIS chapter for the benefit of the reader, who may not review the appendices.	Incomplete.

Comments on Appendix D-1 "Mobile Source Air Pollution Modeling" Report

No.	Date	Comment	Status
1	07/20/11	2.0 Introduction: Page 4 – a. Monitored values for PM _{2.5} 24-hour, NOx and PM ₁₀ should be provided. b. Monitored values provided for Lead are in $\mu\text{g}/\text{m}^3$, not parts per billion (ppb), should revised - quarterly value is 0.069 $\mu\text{g}/\text{m}^3$ versus a standard of 0.15 $\mu\text{g}/\text{m}^3$. c. Footnote 1: Should add the reason why using a NYC monitoring location is not appropriate for use in the Town of Warwick.	Incomplete.
2	07/20/11	2.2 Intersection Selection: Page 5 – a. As previously stated, the NYSDOT EPM requires a PM ₁₀ analysis. The NYSDEC has the following note for the Ambient Air Quality Standard for PM ₁₀ : "Federal standard for PM ₁₀ not yet officially adopted by NYS, but is currently being applied to determine compliance status." Therefore, since a mobile analysis for the project has been performed, a PM ₁₀ analysis	Incomplete.

No.	Date	Comment	Status
		<p>should be included.</p> <p>b. We believe footnote #3 to be incorrect. MOVES2010 was noticed in the Federal Register on March 2, 2010. Please revise.</p>	
3	07/20/11	<p>3.1 Microscale Dispersion Modeling: Page 7 –</p> <p>a. Table 1: The surface roughness should be 175 cm. Background PM_{2.5} 24-hour value should be 25.2 ug/m³.</p> <p>b. Table 1: Wind speed appears twice on the table, line 3 and line 9, not necessary.</p> <p>c. Table 1: Ambient levels for CO are only in 1-hour and 8-hour. Remove “year” from “CO-(year – 1 hour – 8 hour) in the Input column</p>	Incomplete.
4	07/20/11	<p>3.2 Emission Rates: Page 8 –</p> <p>a. The first paragraph states that “Cruise and idle emissions are calculated by use of the U.S.EPA MOBILE6.2 model as modified by NYDOT,” however, emission rates used in the input files do not match the MOBILE6.2 Emission Factor Tables provided by the NYDOT. Please provide table with emission factors used for CO and PM and language on how these values were achieved.</p>	Incomplete.
5	07/20/11	<p>4.1 CAL3QHC Results: Page 12 –</p> <p>a. In paragraph 3, sentence that reads “The peak PM_{2.5} results for one hour with the project constructed...”, should say 24-hour not one hour.</p>	Incomplete.
6	07/20/11	<p>5.1 Construction: Page 14 –</p> <p>a. Additional measures to reduce air emissions should be provided, such as:</p> <ul style="list-style-type: none"> ■ the implementation of a diesel emissions program, including using grid power for construction equipment as early as practicable; ■ The use of diesel particulate filters (dpf's); ■ The use of ultra-low sulfur diesel (“ULSD”) fuel (i.e., fuel having less than 15 parts per million (15 ppm) sulfur content) for all equipment having diesel engines; and ■ Limiting idling. 	Incomplete.

Noise Comments:

No.	Date	Comment	Status
1	07/20/11	The Applicant should clarify if blasting will be included since the construction includes buildings with basements and tunnels.	Incomplete.

No.	Date	Comment	Status
2	07/20/11	The Applicant should clarify if a noise assessment was performed to show compliance with the DEC noise policy and the Town of Warwick Noise Code by addressing noise emissions from 1) construction and 2) operations related to the HVAC system and power generators and vehicles traveling to and from the site.	Incomplete.

Chapter 6 Terrestrial and Aquatic Ecology:

No.	Date	Comment	Status
1	07/20/11	USACE must verify, through their Jurisdictional Determination process, that the two cited ephemeral streams are in fact ephemeral and not subject to their jurisdiction.	Incomplete.
2	07/20/11	The Applicant should clarify is there has been any feedback from USACE since their 9/21/10 response on the Jurisdictional Determination application. The Applicant should verify with USACE if any supplemental information is needed to conform to the current delineation protocol as described in the October 2009 document "Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region." It was also noted that the wetland delineation took place outside the regional growing season for vegetation and thus the herbaceous species may be under-represented.	Incomplete.
3	07/20/11	There is no definitive statement in the DEIS on whether or not the project as proposed is expected to require wetland/watercourse permits from USACE. USACE is not included in Table 1-2 (Required Approvals) in the Executive Summary. There is a statement (Page 7-2 of the October 2007 PS&S report) that the "project will impact less than one acre of USACE-regulated wetlands".	Incomplete.
4	07/20/11	The 11/30/09 NYSDEC letter in Appendix A-4 cites the need for an Article 15 (Protection of Waters) permit based on the project's proximity to Sterling Forest Lake. Article 15 does not appear in Table 1-2 in the Executive Summary. If the Applicant does not believe an Article 15 Permit is needed it should be stated in the Summary.	Incomplete.

No.	Date	Comment	Status
5	07/20/11	There is no comprehensive plant list for the site. Blooming purple loosestrife is apparent in Photograph 6 (Appendix E-3) in the Indiana bat report yet the species does not appear on the plant list. Additionally, there are several plant species (red maple, jewel weed, broadleaf cattail, nut sedge, skunk cabbage, and purple loosestrife) that are cited in the text of Jurisdictional Determination Report that are not cited in DEIS Table 6-1.	Incomplete.
6	07/20/11	There are several references in the text to improvements that will be made to the Blue Lake Dam, though the need for an NYSDEC Dam Safety Permit is not included in Table 1-2. Applicant should verify if the proposed actions will trigger the need for a Dam Safety Permit.	Incomplete.
7	07/20/11	The Wetlands Map (Sheet WT-1) in Appendix C-2 cites a wetland acreage of 1.051 acres; the DEIS text on Page 7-1 and the updated Ecological Resources Report cite an acreage of 2.9 acres.	Incomplete.
8	07/20/11	The Wetlands Report in Appendix C-2 cites that the wetlands field work was conducted between March 24 and July 30, 2010. The delineation data sheets all cite a date of 24 March and the Photograph Log cites a date of 25 March 2010 (Appendix A-5). The Applicant should clarify what wetlands work was conducted during the balance of the spring and early summer of 2010.	Incomplete.
9	07/20/11	We disagree with the statement on Page 4-7 that "the red-shouldered hawks are relatively tolerant of human disturbance." According to the species dossier on NYSDEC's website (dec.ny.gov/animals/7082) "Disturbances from humans in the form of off-road vehicles, hunters, horseback riders, and suburbanites in general have pushed red-shouldered hawks in the deepest, wildest areas left. Although some members of the species seem to be unaffected by humans most are secretive and avoid inhabited areas."	Incomplete.
10	07/20/11	The text on the first page of the Wildlife section of Appendix E-3 states "Wildlife species expected to be found and observed on the Site are listed in Tables 2 through 4". Tables 2 and 4 cite observed species; the Applicant should clarify is there were additional species expected (such as muskrat, gray fox, ad flying squirrel) but not observed. Clarification is needed on why these regionally common species were not expected to occur on the site.	Incomplete.

No.	Date	Comment	Status
11	07/20/11	The scientific names need to be checked in the text and tables. As examples, the scientific name for the red-tailed hawk appears on Pages 1-14 and 6-16 where the scientific name for the red-shouldered hawk is intended. The scientific names for the rainbow trout and yellow perch are also incorrect.	Incomplete.
13	07/20/11	Eastern red bats are cited as being captured (Site WT-01) in the 2010 bat survey, but the species does not appear in Table 4 in Appendix E-3. Additionally, the text on Page 6-15 cites the bat survey was done in 2009 while the bat survey report cites 2010. No bat species are listed in Table 6-2 in the DEIS.	Incomplete.
14	07/20/11	We assume that the NYSDEC Breeding Bird Atlas was the source for the bird list in Table 3; though there should be a footnote to the table and/or citation in the References (8.0) for the source and Breeding Bird Atlas database (1980 – 85 or 2000 – 05) used.	Incomplete.
15	07/20/11	A detailed tree survey and mapping effort has been conducted for the site and is presented in Appendix E-4. The 8 March 2011 response letter (from PS&S to Watchtower Bible and Tract Society of New York, Inc.) cites that 16 – 17 acres of forested habitat will be cleared for the proposed project. Have the number and species of significant trees proposed for removal and to be retained been quantified? USF&WS typically requires this information to assess potential impacts to Indiana bats, as summarized in their September 2010 “Indiana Bat Project Review Fact Sheet”.	Incomplete.

Chapter 7 Traffic and Transportation (these page numbers may be from the DEIS dated March 15, 2011):

No.	Date	Comment	Status
1	07/20/11	Section B, Page 7-1 – The Applicant should clarify which Institute of Transportation Engineering standards is being referenced.	Incomplete.
2	07/20/11	Section B, Page 7-5 – The applicant did not provide a clear quantitative basis for the sensitivity analysis assumptions (including the office trip generation reduction to 60% of the total and the residential generation reduction to 40% of the total). According to the documentation, these estimates are based on “engineering judgment and knowledge of the Project Sponsor’s Patterson facility.”	Incomplete.

No.	Date	Comment	Status
3	07/20/11	Section B, Page 7-5 – The revised LOS table would be clearer if the main street left-turns were labeled (e.g. SB-left). That would differentiate them from the side-street stop controlled movement.	Incomplete.
4	07/20/11	Section B, Page 7-5 – The applicant did not provide the requested non-residential (e.g. office space) information for the Patterson, NY facility. Instead they state that, “Since residents work and live on the site, no additional traffic is generated by the office space. The number of residents and dwelling units provide a more accurate basis for comparing site-generated traffic.” Therefore, given how the facility functions, additional information may not be required.	Incomplete.
5	07/20/11	Section B, Page 7-7 – The revised text does not directly address what the proposed public transportation demand is expected to be.	Incomplete.
6	07/20/11	Section B, Page 7-7 (Accident Data)— a. The Applicant should clarify how many of the accidents occurred along each roadway. b. The Applicant should clarify how many accidents occurred within a 12-month period. c. The Applicant should clarify if there are any roadways that should be considered a high accident location. d. The Applicant should clarify what the accident rate is when compared to other similar roadway facilities. e. If accident rates are above the NYS average, then what appropriate improvements in the roadway should be included, and how much of anticipated reduction will the proposed improvements make. f. Table A in Appendix F-1 does not provide a summary of the accident data. A summary should be included. g. Paragraph 2—Minimal change in LOS between No-Build and Build may or may not affect the number of accidents. Additional explanation should be provided to justify the following statement, “It is not believed that the Project Sponsor’s project will affect the number of accidents in the area since, as shown in Table 7-2 and Table 7-3, there is minimal impact to the LOS at nearby intersections.”	Incomplete.

No.	Date	Comment	Status
7	07/20/11	Section C, Page 7-7 to 7-8 – While text has been moved and adjusted, there is still somewhat limited information provided with regard to the trip generation for the sensitivity analysis.	Incomplete.
8	07/20/11	Section D, Page 7-8 (Mitigation Measures)— a. Provide information regarding the amount of construction truck traffic that would be routed along the specified roadways. b. Provide information regarding construction truck traffic distribution produced by the site during construction period.	Incomplete.

Appendix F-1: Traffic Impact Study (TIS) by John Collins Engineers, P.C.

No.	Date	Comment	Status
1	07/20/11	Section 1, Subsection A (Project Description and Location)— a. Paragraph 1— <ul style="list-style-type: none">▪ Typo, 12 building to 12 buildings (plural form), revise text.▪ In the DEIS, Executive Summary, Page 1-3, Proposed Action states that there were eight (8) buildings are proposed. This is inconsistent with the 12 buildings mentioned in the TIS. Clarify and revise text.▪ The number of proposed buildings and square footage area in TIS do not match the proposed buildings and square footage area contained in the DEIS Exec. Summary, Page 1-3. Clarify and revise text.	Incomplete.
2	07/20/11	Section II, Subsection A (Description of Existing Roadway Network)— a. General Note: Include the field notes/pictures/back up information as to where the descriptions of the roadway were derived.	Incomplete.

No.	Date	Comment	Status
3	07/20/11	<p>Section II, Subsection B (Year 2010 Existing Traffic Volumes)—Clarify and revise text.</p> <p>a. Paragraph 1, Page 6</p> <ul style="list-style-type: none"> ▪ Sentence 1—DEIS section stated that data was collected and analyzed during the Saturday peak, but not listed in this section. ▪ Sentence 2—describe the location of ATR along Long Meadow Road and Sterling Mine Road. <p>▪ Sentence 3—If ATR counts were conducted during April and May 2010, include May 2010 in Section B, Page 7-5 of Chapter 7 of DEIS.</p> <p>▪ Six of the seven intersections analyzed are listed in this section. Include the missing intersection of Sterling Mine Rd (CR-72) & Sister Servants Ln/Eagle Valley Road mentioned in DEIS.</p> <p>▪ If the Saturday peak hour was determined to be between 12:30 pm and 1:30 pm and the counts were conducted between 9:00 am and 12:00, explain how the Saturday peak hour counts were determined.</p> <p>Clarify and revise text.</p> <p>b. Page 7</p> <ul style="list-style-type: none"> ▪ Paragraph 2—Saturday Peak Hour should be included in this paragraph. 	Incomplete.
4	07/20/11	<p>Section II, Subsection C (Accident Data)—</p> <p>a. General Note—Additional information is described in the DEIS that's not presented in this section. Please clarify and revise text.</p> <p>b. Sentence 2—indicates the accident data collected along three (3) roadways. Provide information regarding the segment(s) of each roadway, where the accident data was obtained.</p> <p>c. Sentence 3—states “Table A which summarizes the accidents”. Table A indicates the details of each accident, include a summary of the accidents (i.e. total each year, total of type of accident, etc.)</p>	Incomplete.
5	07/20/11	<p>Section II, Subsection D (Public Transportation)—</p> <p>a. General Note—</p> <ul style="list-style-type: none"> ▪ Include the frequency of the trains and buses during peak periods. ▪ Include the anticipated number of passengers/person trips generated by the project site that would utilize these public transportation modes during which peak hours. 	Incomplete.

No.	Date	Comment	Status
6	07/20/11	<p>Section III, Subsection A (Year 2010 No-Build Traffic Volumes)—</p> <p>a. Paragraph 1, Page 9—the text indicate a 2% growth rate annually, based upon a review of the background volumes, the rate may be lower. Clarify and revise the text. Also, if the background volume is confirmed to be lower, explain any impacts on the analysis.</p>	Incomplete.
		<p>b. Paragraph 1, Page 9—Describe in further detail the “other” developments in the area.</p>	
7	07/20/11	<p>Section III, Subsection B (Site Generated Traffic Volumes)—</p> <p>a. Trip generation was based on an existing facility at Patterson, NY, but how were the rates developed (shown in Table 1, HTGR*). Include additional information regarding size of facility, number of buildings, area of office space, number of dwellings, etc.</p> <p>b. The proposed Warwick facility may have more visitor traffic and deliveries as the World Head quarters than the Patterson facility, which is an education facility. Applicant to clarify.</p> <p>c. If the ITE Trip Generation was not utilized, state the reason why they were analyzed.</p> <p>d. What is the percentage of trips internal to the site?</p> <p>e. How was the data collected at the existing Watchtower Farms facility referenced/used?</p>	Incomplete.
8	07/20/11	<p>Section III, Subsection C (Arrival and Departure Distributions)—</p> <p>a. Describe how the expected travel patterns for this facility were calculated/derived.</p> <p>b. Describe why the majority of the trips originate from the south.</p>	Incomplete.
9	07/20/11	Section III, Subsection D (Year 2015 Build Traffic Volumes)—See comments from Subsection B & C.	Incomplete.
10	07/20/11	<p>Section III, Subsection E (Description of Analysis Procedures)—</p> <p>a. General Note—State the name of software and version that was utilized to perform the capacity analysis.</p>	Incomplete.

No.	Date	Comment	Status
11	07/20/11	<p>Section III, Subsection F (Traffic Impact Analysis Results)—</p> <p>a. Page 13, Paragraph 2—AM Peak hour operates at LOS C and the expected LOS for PM, Sat and Sun is LOS B and A, which is not “similar” to AM Peak.</p> <p>b. Page 17, Paragraph 1, Sentence 2—Only PM Peak has overall LOS B and AM, Sat, and Sun operates at LOS A.</p> <p>c. Page 17, Paragraph 2—misspelled acronym, ASSHTO should be changed to AASHTO. Furthermore, the acronym should be defined including the version and title of publication. Include the analysis/calculation to determine the sight distances.</p> <p>d. Page 18—</p> <ul style="list-style-type: none"> ▪ Describe the planned development Radha Soami Society/Sister Servants development. ▪ Confirm that this intersection was analyzed with a separate left turn lane on County Road 72 and include the direction of the approach. ▪ Paragraph 2—there was an overall deterioration of LOS between No-Build and Build. State the deterioration and describe in the text. 	Incomplete.
12	07/20/11	<p>Section III, Subsection G (Results and Recommendations)—</p> <p>a. General Note—Describe the supporting statements why the recommendations are necessary. (i.e. were there any preliminary studies indicating this such as a Signal Warrant, providing a jitney due to a growth in ridership by XX% from existing).</p>	Incomplete.
13	07/20/11	<p>Section III, Subsection H (Sensitivity Analysis)—</p> <p>a. General Note—Describe why a sensitivity analysis was conducted.</p> <p>b. If it was necessary, describe the results of the analysis.</p> <p>c. Table 1-A—Entry Volume Column (Residential Dwellings)—describe why the peak hour of Adj Street was used rather than the Peak Hour generator.</p> <p>d. Table 1-A—External Trips were calculated to have 60% office space and 40% residential drawings. This is inconsistent with Note 2 and what was mentioned in the TIS and DEIS. Clarify and revise text and analysis.</p>	Incomplete.

No.	Date	Comment	Status
14	07/20/11	<p>Overall General Comments:</p> <ul style="list-style-type: none"> a. Construction Phasing or Activity was not described (i.e. the year or date when the construction would begin, the period of construction, how many truck trips would be generated due to construction, what routes they would take, etc.) b. Appendix C should include field notes and/or plans containing field geometry, signal timing, manual counts. c. Pedestrian and Bicycle activities should be included in the report. d. Describe any parking displacement or existing parking conditions. e. Describe any anticipated special events throughout the year and frequency of events of the site. If there are events, describe the change in overall traffic pattern and operations at the intersections. f. The additional special event text does not provide a quantitative analysis. The study could assess the impacts of special events to determine if traffic mitigation is needed (such as off-duty police officers to direct traffic); however given only three Saturday events per year, a one-hour critical arrival window with 311 inbound vehicles, and dispersed departures, it may not be necessary to do a more detailed analysis. 	Incomplete.
15	07/20/11	Indicate the current land use of the facility. If the Watch Tower decides to sell the property, the trip generated may increase significantly under the tenant. As such a sensitivity analysis should be performed to better understand the full impacts of the proposed square footage of the building(s) and residential dwelling units. Furthermore, the sensitivity analysis should include a scenario without an internal trip generation credit or at a minimum utilize the trip generation credit based upon the ITE Trip Generation Manual.	Incomplete.
16	07/20/11	There was not a discussion about any possible access improvements to Sterling Mine Road; the Applicant should clarify if any site access improvements (such as turn lanes) are required by the County due to speed, functional class, and volume.	Incomplete.

Chapter 8 Community Services and Facilities:

No.	Date	Comment	Status
1	07/20/11	Table 8-1- Add distances to the parks in the table.	Incomplete.

No.	Date	Comment	Status
2	07/20/11	Table 8-1 – Section D suggests that Blue Lake may be used for non-motorized boats. Add this resource to Table 8-1, including a distance to the public access. It does not appear that any access to Blue Lake will be provided from the Watchtower site.	Incomplete.
3	07/20/11	Section D- Recreation. Suggest listing the comparison of the suggested amount of recreation and the proposed amount provided. Suggest similar comparison for all of the alternatives, Chapter 16.	Incomplete.

Chapter 9 Infrastructure and Utilities – Wastewater Management:

No.	Date	Comment	Status
1	07/20/11	Chapter 9, Page 9-2, last paragraph. Provide minimum sewer slope to be used. Design must ensure that an appropriate slope is used so that required pipe flow capacity and minimum velocity of 2 feet per second recommended in Section 33.41 of the Ten State Standards for Wastewater Facilities are met.	Incomplete.

Chapter 13 Visual Character:

No.	Date	Comment	Status
1	07/20/11	Provide sample images of the rooftop platforms for cellular/two way radio and dish-type receiver.	Incomplete.
2	07/20/11	Figure 13-14 & 13-16 – landscaping shown does not match that illustrated on the landscape plan. There seems to be a significant amount of trees filling in the corner, when the plans show all landscaping behind the existing storm drain outlet. Are these trees in the right-of-way? Do these plants affect the storm drain outlet in this location?	Incomplete.
3	07/20/11	Figure 13-14 & 13-16 – Applicant to clarify if the center island is anticipated to be visible from this location.	Incomplete.
4	07/20/11	Figure 13-16 – it appears that there is a light pole, or something similar along the north side of the road, is this correct? Lighting Plan shows light pole in the center island. The same pole is not in Figure 13-14 or 13-18.	Incomplete.
5	07/20/11	Figure 13-24 - Much of the landscaping illustrated in the simulations looks to be fairly mature. Applicant to clarify how many years to achieve this amount of screening. Consider showing conditions closer to construction growth.	Incomplete.
6	07/20/11	It is stated that the site plan preserves as much existing vegetation as possible. The methods proposed to be used (i.e. provide tree protection details, soil preparation, avoidance of soil compaction) should be clarified.	Incomplete.

No.	Date	Comment	Status
7	07/20/11	The Landscape Design section should note anticipated, typical soil preparation for planted areas within disturbed areas (i.e. topsoil, organic matter supplements, soil preparation from construction compaction).	Incomplete.
8	07/20/11	Town Code §164-43.4 requires certain lighting levels: For parking lots with low activity, levels are as follows: 0.8 average illumination, 0.2 minimum, and 4:1 uniformity ratio. Local road illumination of 0.3 - 0.8 average and 6:1 uniformity ratio.	Incomplete.
		<ul style="list-style-type: none"> a. Add uniformity ratio to Table 13-3. b. The minimum of 0.01 foot-candles for pedestrian walkways is not sufficient. Placement of bollard lighting should maintain adequate pedestrian walkway illumination while not creating glare for drivers on adjacent roadways. c. As the lighting plan may change during site plan approval process, provide design minimums, averages and uniformity ratios to be maintained. 	
9	07/20/11	Building entrances are required to have 5 foot-candles at active entrances and 1 foot-candle at in-active entrances.	Incomplete.
10	07/20/11	Page 13-24, first paragraph references Figure 2-6 as SWBP and 700' Ridgeline Overlay District. That is not the case, please update.	Incomplete.
11	07/20/11	Architectural Renderings in Section 2 should be referenced in the Visual Section, as they represent the architectural style of the buildings. Applicant should provide references to the renderings for the parking garage and residence building.	Incomplete.
12	07/20/11	Page 13-45, statement that IBM site employees and visitors are present during daylight hours is incorrect. Winter conditions would include darkness during a typical work day.	Incomplete.

Chapter 16 Alternatives:

No.	Date	Comment	Status
1	07/20/11	Section 11, Page 11-1 states 2008 EPA average of solid waste is 4.5 pounds per capita per day. 2009 rates were 4.34 (of which 1.46 is recycled) pounds per capita per day. Updated figures and sources should be used. Table 16-1 should note average pounds per capita per day used in calculations.	Incomplete.

No.	Date	Comment	Status
2	07/20/11	Table 16-1 should include solid waste calculations for the No Action alternative. Educational Facility Alternative, explain use of 5 lbs/day over EPA national average of 4.34 lbs/day. As of Right Alternative, verify that 88 tons of disposed solid waste is correct, appears to use total solid waste including recyclables. All calculations should be consistent (either to include recyclables or not).	Incomplete.
3	07/20/11	There are no estimates of recreation space provided in the Educational Facility (Kings College) Alternative. Provide area provided compared to estimated need based on population.	Incomplete.
4	07/20/11	Provide all references for EPA and County based informational statements (i.e. statement that the solid waste generated under Educational Facility Alternative is less than one-half of one percent of solid waste in Orange County).	Incomplete.
5	07/20/11	There are no estimates of recreation space provided in the As of Right Alternative. Provide area required and estimated need based on population.	Incomplete.

Appendix M: Technical Review of the Preliminary Stormwater Pollution Prevention Plan (issue date March 15, 2011)

No.	Date	Comment	Status
1	07/20/11	SWPPP document needs the stamp and signature of a New York State Licensed Professional Engineer.	Incomplete.
2	07/20/11	Each plan sheet requires the stamp and signature of a New York State Licensed Professional Engineer.	Incomplete.
3	07/20/11	Appendix A – Provide a copy of a filled out and signed Notice of Intent (NOI) Form. The NOI should also have the signature of the NOI preparer (NYS Licensed Professional Engineer).	Incomplete.
4	07/20/11	The Applicant should provide an MS4 Acceptance Form with the appropriate information filled-in.	Incomplete.
5	07/20/11	Page 2-8 of the SWPPP (Sequence of Construction) – The SWPPP states that “total disturbance will be kept at a 10-acre maximum at any given time, based on NYSDEC regulations”. Part II.C.3 of the SPDES General Permit for Stormwater Discharges (GP-0-10-001) states “The <i>owner or operator of a construction activity</i> shall not disturb greater than five (5) acres of soil at any one time without prior written authorization from the Department.” This will impact the Applicant’s current proposed phasing for the site.	Incomplete.

No.	Date	Comment	Status
6	07/20/11	<p>The Applicant should provide full-size plans for the pre and post development drainage areas. The full-size plans should contain the following information:</p> <ul style="list-style-type: none"> a. Drainage area name and size b. Time of concentration paths broken up by flow type. c. All reaches and ponds in the HydroCAD analysis should contain the same naming on the Drainage Area maps, for ease of reviewing the HydroCAD analysis. 	Incomplete.
7	07/20/11	<p>The Grading and Drainage Plans included with the SWPPP should include the following:</p> <ul style="list-style-type: none"> a. Legend b. Each of the drainage structures should be named, and contain information for the rim elevation, and inverts. This information could also be provided in table format. c. Pipe materials and sizes should be clearly indicated. d. Locations of all proposed stormwater management practices (including green infrastructure practices) 	Incomplete.
8	07/20/11	<p>The Applicant should include Detail Sheets in the SWPPP which include the following:</p> <ul style="list-style-type: none"> a. Catch Basin Detail b. Pipe trenching detail c. Representative cross-section and profile drawings of ALL proposed stormwater management practices and conveyances (e.g., Green Roof, Riparian Buffers, Porous Asphalt, Permeable Pavers, Stormwater Planters, Sand Filters, Bioretention Areas, Water Quality Units, Detention Basin, Infiltration Chambers, etc.). The details should be specific to the application, and include inverts, and water surface elevations for design storms (if applicable). d. Specific maintenance requirements for each of the proposed stormwater management practices should be provided. e. Details for all proposed erosion controls (e.g. silt fence, stabilized construction entrance, diversion swale, soil stockpile, sediment trap, etc.) 	Incomplete.
9	07/20/11	The Applicant should provide profile drawings for the drainage system.	Incomplete.
10	07/20/11	Provide a copy of the logs for the soil borings and infiltration tests conducted on site in the SWPPP.	Incomplete.

No.	Date	Comment	Status
11	07/20/11	SWPPP Table 3-1 (pg. 3-19) – The table indicates only one Drainage Area to DP-3, which is DA-3. However, Figure 3-9 as well as Sheet C-007 of the plans show three sub-areas (DA-3A, DA-3B and DA-3C). This table should be updated to show how the WQV for these sub-areas have been met or exceeded.	Incomplete.
12	07/20/11	SWPPP Table 3-1 (pg. 3-19) – The table is unclear in indicating the <u>required</u> Runoff Reduction Volume for each area. This should be clearly provided in the table, and followed by the <u>provided</u> Runoff Reduction Volume.	Incomplete.
13	07/20/11	The Applicant should provide supporting calculations for <u>each individual</u> stormwater management practice to show how they meet the Water Quality Volume or Runoff Reduction Volume requirements. Right now, the SWPPP only shows how the required amounts are exceeded with a brief explanation of how the requirements were met. For example, there are several green roofs proposed. Calculations should be provided for each one to show how much Water Quality Volume or Runoff Reduction Volume it provides for the drainage area it is located in.	Incomplete.
14	07/20/11	The Applicant should provide supporting calculations to show how the Channel Protection Volume requirements have been met for the site.	Incomplete.
15	07/20/11	Appendix D (Pre-Developed Conditions Analysis) – Reach 2R: Storm System is not modeled with any defining characteristics (pipe sizing, slope, inverts, etc.). However, page 3-24 of the SWPPP indicates a storm system containing pipe diameters of 15" and 24". If the existing pipe system runs full for any of the design storms, the peak runoff to the design point could conceivably change. The Applicant should accurately model this reach in HydroCAD.	Incomplete.
16	07/20/11	Appendix E (Post-Developed Conditions Analysis) – The Applicant is using the following Curve Numbers (CN value) and should explain how each of these have been selected: <ol style="list-style-type: none"> CN of 48 for the green roof CN of 74 for the pervious pavers CN of 61 for bioretention sand soil medium CN of 61 for storm planter CN of 74 for porous asphalt 	Incomplete.
17	07/20/11	The Applicant should specify in the landscaping plans the planting types that are to be used for each green roof.	Incomplete.

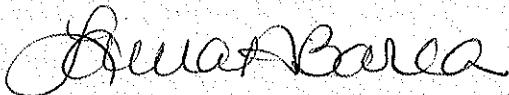
No.	Date	Comment	Status
18	07/20/11	The Applicant is using Stormwater Planters in several locations. The Applicant should indicate how much impervious area is being directed toward the planters. Page 5-100 of the NYS Stormwater Design Manual (August 2010) indicates that stormwater planters should not receive drainage from impervious areas greater than 15,000 square feet. Additionally, the Applicant should provide a means of directing excess stormwater flow to a secondary treatment system or storm drain system.	Incomplete.
19	07/20/11	Page 5-101 of the NYS Stormwater Design Manual indicates that all stormwater planters should be located a minimum distance of 10 feet from structures. Several of the stormwater planters shown on Sheet C-007 show the planters to be immediately adjacent to structures and should thus be relocated.	Incomplete.

Miscellaneous: The Applicant's response letter should contain an itemized explanation of how the plans have been revised or modified in order to address these items with specific references to the changes in the plans. In the event that the Applicant should disagree with a comment and choose not to modify the plan, an explanation should be provided.

The above comments represent our professional opinion and judgment and do not in all cases reflect the opinion of the Planning Board. Please revise your plans to reflect these comments with the understanding that further changes may be required. If you have any questions, please contact me at (845) 294-2789.

Sincerely,

Henningson, Durham & Richardson
Architecture and Engineering, P.C.
in association with HDR Engineering, Inc



Laura A. Barca, P.E.
Project Manager

CC: John Bollenbach, Deputy Town Attorney
Connie Sardo, Planning Board Secretary
HDR Project No. 133761, Task No. PB001

DATE: Jul-11

**TOWN OF WARWICK PLANNING BOARD
PROJECT TRACKING SHEET**

TOWN OF WARWICK PROJECT No: **PB001**

PROJECT NAME: **Watchtower Bible & Tract Society World Headquarters**

LOCATION: **Long Meadow Road**

TYPE: **Site Plan & Special Use Permit**

APPLICANT: **Watchtower Bible & Tract Society of**

ATTORNEY: **PHONE:**

ENGINEER: **PHONE:**

SURVEYOR: **PHONE:**

PLANNER: **Turner Miller Group- Max Stach**

PHONE: **845-368-1472**

SECTION: **85**

BLOCK: **1**

LOT: **2.22, 2.3, 4.1, 4.2, 5.1, 5.2, 6.8**

TYPE OF USE: **Campus**

TRACT AREA: **257** acres

EXISTING LOTS: **7** lots

PROPOSED LOTS: **7** lots

MILESTONES		Granted	Expired	OTHER DEPARTMENT APPROVALS:		
P-0	INFORMAL APPEARANCE			INDICATE WHETHER OR NOT APPROVAL IS NECESSARY.		
P-1	INITIAL APPEARANCE			GRANTED		
P-2	SITE INSPECTION	03/17/10		YES	NO	OCHD - Realty Subdivision
P-3	SKETCH PLAN APPROVAL			YES	NO	OCHD - Water Supply Wells
P-4	CONDITIONAL PRELIM APPROV			YES	NO	OCHD - Sewage Disposal
P-5	PRELIMINARY APPROVAL			YES	NO	NYSDOT/OCDPW
P-6	CONDITIONAL FINAL APPROV			YES	NO	TOWN DPW
P-7	FINAL APPROVAL			YES	NO	NYSDEC - Sewer Main Extension
P-8	CHAIRMAN'S SIGNATURE			YES	NO	WETLANDS PERMIT-NYSDEC
P-9	MAP FILED			YES	NO	WETLANDS PERMIT-USACE
				YES		OCPD - GML Review
S-1	EAF SUBMITTED			YES	NO	TOWN BOARD
S-2	LEAD AGENCY - declare intent			YES	NO	TOWN ZBA
S-3	DETERMINE SIGNIFICANCE	pos dec		YES		SWPPP (MS4?)
S-4	EIS SCOPING FINALIZED	12/16/09		YES	NO	CB Advisory Opinion Received
S-5	SUBMIT DRAFT EIS			YES	NO	ARB Advisory Opinion Received
S-6	DRAFT EIS COMPLETE			YES	NO	OTHER:
S-7	PUBLIC HEARING (SEQRA)			YES	NO	OTHER:
S-8	PUBLIC HEARING (subdivision)					
S-9	PUBLIC HEARING (site plan)					
S-10	PUBLIC HEARING (special use)					
S-11	FINAL EIS SUBMITTED					
S-12	FINAL EIS APPROVED					
S-13	AGENCY FINDINGS					
E-1	EXTENSION OF PRELIMINARY					
E-2	EXTENSION OF PRELIMINARY					
E-3	EXTENSION OF FINAL					
E-4	EXTENSION OF FINAL					

NOTES:

Relocation of the Jehovah Witness World Head Quarters from Brooklyn

1 10/06/10 schedule a site inspection for Saturday, November 06, 2010 at 10am at the project site

2 05/04/11 Difference between completeness & technical; DEIS complete with conditions; PH 07/20/11; comment period until 08/03/11

A-28

Date: August 3, 2011

Memo to: Town of Warwick Planning Board

From: Architectural Review Board

Subject: Comments on Watchtower DEIS

Cc: M. Quackenbush, Town Clerk

Member of the Planning Board:

We called a meeting of the ARB for Tuesday August 2, 2011, to collect comments from the ARB on the Watchtower DEIS. We were not able to have a quorum present, given vacation schedules, competing activities and business travel

The comments below are from Percy Caraballo and Penny Steyer. No comments were received by email from other members of the Board.

Our principal concern is that traffic impacts along Long Meadow Road may be underestimated. The addition of 800 people, even in a live-work development, may have a greater impact on routes accessing the development than anticipated. The impact would still be less than that of having the standard 3 cars/household making 3 trips/day of a normal housing subdivision.

Respectfully,

Penny Steyer
Percy Caraballo

A-29

From: Connie Sardo [<mailto:towplanning@yahoo.com>]

Sent: Thursday, August 04, 2011 2:48 PM

To: Bob Krahulik; Pollock, Robert Jr.; Povah, Gregory

Subject: Fw: Watchtower DEIS

--- On Thu, 8/4/11, Daniel P. Duthie <duthie@attglobal.net> wrote:

From: Daniel P. Duthie <duthie@attglobal.net>

Subject: Watchtower DEIS

To: "Connie Sardo" <towplanning@yahoo.com>

Cc: "Benjamin D Astorino" <bdastorino@gmail.com>, "Laura Barca" <laura.barca@hdrinc.com>, "Percy Carabello" <percy@cuttingedgelawnserv.com>, "Steven J. Carras" <carras2@optonline.net>, "Chris Collins" <chris@cjparchitect.com>, "Chris DeHaan" <ddarch@warwick.net>, "Dan Duthie" <duthie@attglobal.net>, "Karen Emmerich" <karen@lehmaget.com>, "Ted Fink" <JTFink@greenplan.org>, "Gail" <gail@lehmaget.com>, "Dave Getz" <getz@lehmaget.com>, "Adrian Goddard" <adriang@gdpartners.com>, "MaryLou Goddard" <marylou@gdpartners.com>, "Joseph Grizzanti" <drgrizz@hotmail.com>, "Robert Kennedy" <rkennedy@warwick.net>, "Russell Kowal" <russdeb@warwick.net>, "Alan Lipman" <asl@lipmanlaw.net>, "Christine Littles" <4littles@optonline.net>, "Tiffany Marsh" <tiffany@gdpartners.com>, "Dennis McConnell" <dennis.mcconnell@gmail.com>, "James McConnell" <james.mcconnell@hdrinc.com>, "Scott Olson" <solson@coopererving.com>, "Marco Pedone" <mpedone@emsofnny.com>, "Rob Schreibeis" <robschreibeis@hotmail.com>, "Roger Showalter" <showauto@warwick.net>, "John Starks" <jstarks@alcatel-lucent.com>, "Penny Steyer" <pgsteyer@aol.com>, "Mike Sweeton" <supervi@warwick.net>, "Todd Vogel" <slipacre@warwick.net>, "Mark Wheeler" <kjeannet@warwick.net>

Date: Thursday, August 4, 2011, 1:31 PM

Dear Connie,

I think all would agree that the Watchtower project from inception, to site visits, to responding to comments and to the DEIS has been the most professional and comprehensive presentation we have ever seen. The applicant should be commended and held up as a model for other developers to emulate.

While it appears that the Society is not contemplating further development beyond the plan presented, the CB respectfully requests that the Society provide written assurances that the site will not be developed further than the proposed plan.

Best regards,

Dan Duthie

Daniel P. Duthie, Esq.

PO Box 8

Bellvale, NY 10912

845-988-0453

cell: 845-987-6453

fax: 845-988-0455

e-mail: duthie@attglobal.net

A-30

GREENPLAN

MEMORANDUM

To: Benjamin Astorino, Chairman
Town of Warwick Planning Board

From: J. Theodore Fink, AICP

Date: August 5, 2011

Subject: Watchtower Draft EIS Technical Review

Applicant: Watchtower Bible and Tract Society, Inc.

GREENPLAN INC.
Environmental Planners
302 Pells Road
Rhinebeck, NY 12572-3354
845.876.5775
Fax 876.3188
www.greenplan.org

The Draft Environmental Impact Statement (DEIS) for the above captioned project, prepared by the Watchtower Bible and Tract Society, Inc. and Turner Miller Group was reviewed by GREENPLAN for completeness and accepted as complete by the Planning Board on May 4, 2011. This document has now been reviewed for its technical sufficiency. The Public Hearing on the DEIS occurred on July 20, 2011 and the public comment period was extended until August 3, 2011. The technical review comments developed by GREENPLAN, together with any comments by the Planning Board, Planning Board Engineer, other Involved and/or Interested Agencies and members of the public, become the basis for the Final Environmental Impact Statement (FEIS). The FEIS will also consist of the DEIS by reference, substantive comments on the DEIS together with appropriate responses to all of the substantive comments and corrections and/or revisions to the DEIS, that are called for based upon the comments thereon.

While the DEIS preparation is the applicant's responsibility, the FEIS preparation is the Planning Board's responsibility. The Board, with the applicant's consent, may assign that responsibility to the applicant and applicant's consultants, since the FEIS is a direct outgrowth of the DEIS. The Planning Board, therefore, should request that the FEIS be prepared in a preliminary form for the Board's consideration. Regardless of who prepares the FEIS, it is the Planning Board that is responsible for determining the accuracy of the FEIS document. This is also the most appropriate time to determine whether the Planning Board wishes to proceed with the action as proposed or to select one or a combination of the alternatives. Alternatives include a No-Action Alternative, an Educational Facilities Alternative, a Low-Height Alternative, and an As-of-Right Alternative. The applicant's stated preference is for the Planning Board to proceed with continuing review of the Proposed Action. I concur with the applicant based upon my review.

This technical review will outline areas of the DEIS where, in our opinion, clarification, revisions, and/or supplementation should be provided by the applicant. All revisions and supplements to the DEIS must be specifically indicated and identified in the FEIS. Once all comments have been assembled, the Planning Board should provide concrete direction to the applicant on how to proceed with the FEIS preparation. This comment-response part of the FEIS document can be

formatted in one of two ways. Either each substantive comment can be identified, perhaps by number and source, and then an appropriate response provided or the comments can be summarized and grouped by topic so that the responses are not repetitive.

In determining whether comments received are “substantive,” the Planning Board should assess the relevance of the comments to identified impacts, mitigation, and alternatives, or whether the comments raise important, new environmental issues, not previously addressed. The Planning Board may use its responses to comments as an opportunity to explain why an impact is not significant, why a particular topic is not included in the FEIS, or how an alternative or proposed mitigation measure would work.

The Planning Board should note that the applicant has established a new standard in the quality and manner that the information has been presented in the DEIS. As the Board is aware, access to reliable and factual information is necessary to conduct a SEQR review and it is rare that such attention to detail is provided. In short, the applicant has conducted the most thorough and factual environmental analysis as I have seen in many years and should be commended. As a result, my list of comments is far shorter than the Board normally sees on a DEIS review.

Nevertheless, one important issue will need to be addressed by the applicant and Planning Board before the FEIS review process can be concluded as follows:

- ▶ The applicant has completed a Phase 1A Archaeological Investigation of the Area of Potential Effect (APE) on the site. The Phase 1A recommends that a Phase 1B be completed to determine impacts and that the Phase 1B report should then be reviewed by the New York State Office of Parks Recreation and Historic Preservation prior to finalization of the proposed Site Plans in order to determine significance. The applicant has committed to completion of the Phase 1B but wishes to await the outcome of the Final Site Plans. This strategy would contravene the intent of SEQR. According to Matthew Bender Publishing Company’s Environmental Impact Review in New York “EISs for projects that affected archaeological resources have been annulled. An EIS that deferred identifying and evaluating archaeological impacts until the final design phase failed to show a “hard look” at the impacts.^{373.1}” [For footnote 373.1 see County of Orange v. Village of Kiryas Joel, 2005 NY Slip Op 52270U, N.Y.L.J., October 27, 2005, at 20, col. 1 (Sup. Ct. Orange Co.)].

EXECUTIVE SUMMARY

1. Any clarifications, revisions or supplementation made to the body of the DEIS as a result of comment thereon, should be consistent with appropriate changes to the Executive Summary of the FEIS.

I. TERRESTRIAL AND AQUATIC ECOLOGY

2. The text should be clarified to state that a biologist will inspect the fencing that is proposed to be installed around the area of disturbance to ensure that timber rattlesnakes, wood

turtles, and eastern box turtle have not been trapped inside the construction area, consistent with the recommendations of the two studies conducted by PS&S in 2007 and 2010 in Appendices E-1 and E-3.

3. On page 6-22, under the heading “Wood Turtles and Eastern Box Turtles,” the text should be amended to add references to eastern box turtles.
4. Dr. Klemens’ recommendations regarding the abandoned sewer treatment plant, the ornamental Weeping beech at the site entrance, and a tree preservation plan to preserve specimen trees around the site (listed on page 6-7) have not been adequately addressed in the DEIS. The FEIS should clarify the results of the tree location survey, such as the total number of trees that are proposed to be removed, the number and condition of trees that are over 24” in diameter at breast height that are proposed to be removed and whether any of the significant trees can be incorporated into the site design. The list of trees found in Appendix E-4 shows 2,106 trees over 12” in diameter at breast height (some of which are four feet (4') or more in diameter) but it is unknown how many and exactly which ones will be removed as a result of proposed site construction activities. The applicant should prepare a tree preservation plan to identify which trees can be retained, how they will be protected during construction and, if they cannot be preserved, whether any can be moved. There should also be a discussion of whether the landscaping plan is adequate to mitigate the loss of trees.
5. Correspondence from Brian Kirkpatrick to Robert S. May dated March 8, 2011 in Appendix E-3 states that the “sewer treatment plant is located outside the limits of disturbance for the project;” however Figure 6-1 shows it in within the area of disturbance.

K. COMMUNITY SERVICES AND FACILITIES

6. Please discuss whether the access gates to the secondary access driveway will be locked and if so, how they would be opened in an emergency.

O. FISCAL RESOURCES

7. Chapter 12 states that all seven parcels have received full exemption under Section 420-a of the Real Property Tax Law, and that Tables 12-1 and 12-2 describe the current valuation and taxes paid to each jurisdiction (a total of \$9,863.86 in 2010). The fiscal analysis should clarify whether these “current” taxes will continue to be paid if all seven parcels are “wholly exempt from taxes beginning in 2010,” as noted in the Town assessor’s letter dated August 23, 2010 (Appendix A-11).

P. VISUAL CHARACTER

8. In the first paragraph of the Property Description on page 13-1, the acreage figures do not total 253, and do not correspond to the description of the subject property in other sections of the DEIS, such as on page 6-2.
9. Proposed method of lighting the entrance site identification sign should be discussed.
10. Methods to protect existing vegetation in areas to be preserved, as identified on Sheet L-001 (Landscaping Plan), should be discussed.
11. The assertion that the proposed 25' high lighting poles for roadways and parking lots will be lower than the general height of the on-site tree canopy should be substantiated. The Town's outdoor lighting regulations permit a maximum allowable height of a freestanding luminaire of 16 feet above the average finished grade. Exceptions to the maximum height limitations up to 25 feet above the average finished grade may be made when it can be demonstrated that glare to off-site locations will not occur with such higher fixture.

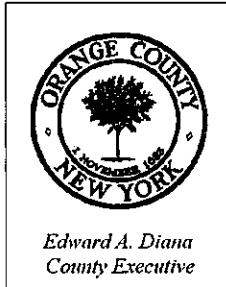
Q. CULTURAL HISTORIC AND ARCHAEOLOGICAL RESOURCES

12. See bullet above for comment on the sufficiency of the Phase 1A Archaeological investigation to assess impacts on historic and cultural resources.

APPENDICES

13. No comments on this section of the DEIS except to the extent that the above comments call for corrections or modifications to the Appendices, should be reflected in corrections or modifications to the applicable Appendix.

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ORANGE COUNTY DEPARTMENT OF PLANNING

DAVID CHURCH, AICP
COMMISSIONER

www.orangecountygov.com/planning
planning@orangecountygov.com

124 MAIN STREET
GOSHEN, NEW YORK 10924-2124
TEL: (845) 615-3840
FAX: (845) 291-2533

August 15, 2011

Benjamin Astorino, Chair
Town of Warwick Planning Board
132 Kings Highway
Warwick NY 10990

Dear Chairman Astorino and members of the Board:

Thank you very much for the opportunity to review the Draft Environmental Impact Statement (DEIS) for the Watchtower Bible and Tract Society application in Sterling Forest. The DEIS itself is not a referable action according to New York State General Municipal Law Section 239, paragraphs l, m, and n (GML 239). We look forward to reviewing the Site Plan and Special Use Permit applications to which the applicant refers throughout this document.

At this time, the DEIS appears to be complete and sufficient, with one exception; we were unable to determine how the applicant proposes to dispose of the debris resulting from the demolition of the existing structures. Please specify the disposal measures as part of the GML 239 referral process.

We advise that the County Department of Public Works will be needed to give their input regarding the Traffic Impact Study, as the project takes access from a County road. We will be conducting further review of the traffic study when we receive the project through the GML 239 referral process. When we receive the project, we will also be able to determine the likelihood and degree of potential impact to the rare, threatened, endangered, and species of special concern listed in the report.

Thank you again for the opportunity to review this application, as we are always interested in development going on in our general neighborhood. We look forward to reviewing the project through the GML 239 referral process, as well as the Final Environmental Impact Statement.

Sincerely,

A handwritten signature in black ink, appearing to read "David Church".

David Church, Commissioner
Orange County Department of Planning

A-32



**ORANGE COUNTY
DEPARTMENT OF PUBLIC WORKS**

Charles W. Lee, P.E.
Commissioner

Edward A. Diana
County Executive

**P.O. Box 509, 2455-2459 Route 17M
Goshen, New York 10924-0509
www.orangecountygov.com
TEL (845) 291-2750 FAX (845) 291-2778**

September 15, 2011

Ben Astorino, Chairman
Town of Warwick Planning Board
132 Kings Highway
Warwick, New York 10990

Re: World Headquarters of the Jehovah's Witnesses – DEIS
County Road No. 84 – Long Meadow Road
DEIS prepared by: Turner Miller Group
Submitted June 15, 2011

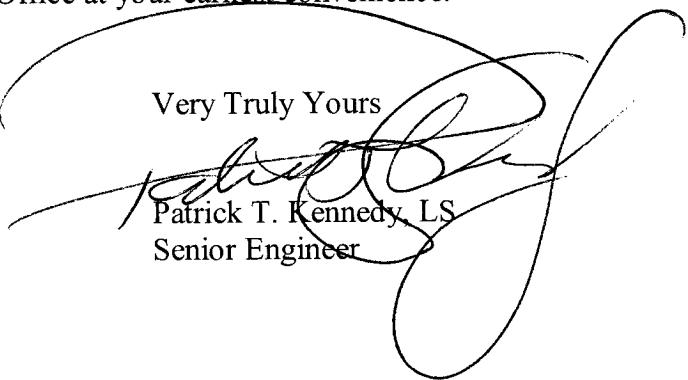
Dear Mr. Astorino:

This Department has reviewed the DEIS for the above referenced project as it pertains to traffic and drainage impacts to County Road No. 84 and accepts the information and proposal provided.

A full set of project plans prepared in conformance with the Policy & Standards of the Orange County Department of Public Works must now be provided to this Department for review and approval.

If you have any questions please contact this Office at your earliest convenience.

Very Truly Yours


Patrick T. Kennedy, LS
Senior Engineer

Cc: Charles W. Lee, PE, Commissioner
Robert A. Pollack, Jr. – Design/ Building Department
Watchtower Bible Tract Society of New York, Inc.

A-33



Design/Build Department
25 Columbia Heights, Brooklyn, NY 11201-2483, U.S.A.
Phone: (718) 560-5000 Fax: (718) 560-8827

January 17, 2012

NYS Department of Environmental Conservation
21 South Putt Corners Road
New Paltz, NY 12561

Attn: Lisa Masi

Re: DEIS for World Headquarters of Jehovah's Witnesses

Dear Ms. Masi:

We understand that Steve Seymour from HDR spoke with you recently regarding our project in Warwick, the proposed World Headquarters of Jehovah's Witnesses. He informed us that you and Mr. Whitehead would like to have an additional copy of the Watchtower DEIS which was originally sent on June 10, 2011. It is our understanding that this may not have been routed to you due to the activity associated with the retirement of Alec Cieslak. We are herewith pleased to provide the requested DEIS. Mr. Whitehead will receive his under separate cover.

The Town of Warwick Planning Board is currently reviewing the FEIS and you will be receiving that document as soon as they approve it for distribution.

Best Regards,

A handwritten signature in black ink that reads "Robert A. Pollock".

Robert A. Pollock
Design/Build Department

Enclosures

A-34



Design/Build Department
25 Columbia Heights, Brooklyn, NY 11201-2483, U.S.A.
Phone: (718) 560-5000 Fax: (718) 560-8827

January 17, 2012

NYS Department of Environmental Conservation
21 South Putt Corners Road
New Paltz, NY 12561

Attn: Daniel Whitehead

Re: DEIS for World Headquarters of Jehovah's Witnesses

Dear Mr. Whitehead:

We understand that Steve Seymour from HDR spoke with you recently regarding our project in Warwick, the proposed World Headquarters of Jehovah's Witnesses. He informed us that you and Ms. Masi would like to have an additional copy of the Watchtower DEIS which was originally sent on June 10, 2011. It is our understanding that this may not have been routed to you due to the activity associated with the retirement of Alec Cieslak. We are herewith pleased to provide the requested DEIS. Ms. Masi will receive hers under separate cover.

The Town of Warwick Planning Board is currently reviewing the FEIS and you will be receiving that document as soon as they approve it for distribution.

Best Regards,

A handwritten signature in black ink that reads "Robert A. Pollock". The signature is fluid and cursive, with "Robert A." on the top line and "Pollock" on the bottom line.

Robert A. Pollock
Design/Build Department

Enclosures

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GREENPLAN

MEMORANDUM

To: Benjamin Astorino, Chairman
Town of Warwick Planning Board

From: J. Theodore Fink, AICP

Date: January 18, 2012

Subject: Watchtower Final EIS Review

Applicant: Watchtower Bible and Tract Society of New York, Inc.

GREENPLAN INC.
Environmental Planners
302 Pells Road
Rhinebeck, NY 12572-3354
845.876.5775
Fax 876.3188
www.greenplan.org

The proposed Final Environmental Impact Statement (DEIS) for the above captioned project, prepared by the Watchtower Bible and Tract Society of New York, Inc. has been reviewed for its adequacy and accuracy for the Planning Board to adopt it as the next step in the SEQR review process. As the Planning Board is aware, the FEIS document is the full responsibility of the Lead Agency under SEQR and the Planning Board must be satisfied that the comments provided and questions raised have been adequately responded to and answered. The Public Hearing on the DEIS occurred on July 20, 2011 and the public comment period was extended until August 3, 2011. In my opinion, the applicant has sufficiently answered all questions and comments raised during the public review process in the proposed draft of the FEIS. Therefore, it is my recommendation that the Planning Board consider adoption of the FEIS document with a few modifications as detailed herein.

The FEIS consists of the DEIS by reference, substantive comments on the DEIS together with appropriate responses to all of the substantive comments and corrections and/or revisions to the DEIS, that are called for based upon the comments thereon. As a result of a very professional document preparation, my list of comments is short and consists of just a few corrections that should be made before the document is circulated to Involved and Interested Agencies. They are as follows:

- ▶ The applicant has prepared plans for entranceway lighting that involve light fixtures up to 25 feet high. The Zoning Law limits light fixtures to 16 feet high and so the applicant has requested a waiver of this requirement. The purpose of the waiver is to permit fewer light fixtures to be installed since height affects light distribution and the lower the light fixtures, the more poles are required to obtain adequate light levels. The most visible light fixtures will be those at the entrance to the facility on Sterling Lake Road (County Route 84). If the Board is considering the grant of a waiver from the light fixture height requirement, (since as we discussed, more light fixtures affects energy use), my suggestion is to require that the three light poles proposed at the site entrance not be waived since these will be the light fixtures that will be most visible from a public road. They are clearly visible on Figure

13-31 in the FEIS. The remainder of the light fixtures appear as if they will be substantially hidden by the mature trees that exist on the site. I have marked up a copy of the Site Lighting Plan to illustrate the fixtures that have been proposed by the applicant for a waiver. The Board should discuss if there is consensus on this issue.

- ▶ On page 2-2 under the response to Comment 2, the reference to “an approved waste transfer station” should be clarified to include an approved facility for acceptance of construction and demolition waste.
- ▶ On page 2-13 under the Response to Comment 31, the applicant should make reference to correspondence with the US Army Corps of Engineers and such correspondence should be inserted into the appendices.
- ▶ On page 2-38 under the Response to Comment 96, the text should be changed to “The Planning Board will undertake a GML 239 referral to the Orange County Department of Planning once the SEQR review process has been concluded. The Planning Board will also coordinate with and will require that the Orange County Department of Public Works issue an approval for the site accesses on County Route 84 prior to the granting of Site Plan and Special Use Permit approval following completion of the SEQR review process.”
- ▶ The footnote 6 in the Revised DEIS Table 16-1 on page 2-77 of the FEIS needs to be corrected.

I have prepared a draft Notice of Completion of Final EIS for the Planning Board’s consideration and attach it to this Memo. If the Board adopts the Final EIS document, once we receive the revised pages from the applicant, they can be incorporated into the document already produced, and any additional documents to be circulated should contain the corrections. At that time, the document should be dated, forwarded by the applicant to Involved and Interested agencies, posted to the Town’s website, and a Notice published in the State’s Environmental Notice Bulletin.

Attachment: Notice of Completion of Final EIS

A-36

Prepared for **January 18, 2012** Planning Board Meeting

Mr. Ben Astorino, Chairman
Town of Warwick Planning Board
123 Kings Highway
Warwick, New York 10990

Re: Watchtower Site Plan FEIS Review
1 Kings Drive

Task: PB001

Tax Map Reference: 85-1-2.22, 2.3, 4.1, 4.2, 5.1, 5.2 & 6

Area = 253± acres

Dear Mr. Astorino:

Introduction: This project proposes a campus of buildings on approximately 41 acres of a 253-acre site. The proposal includes an office building; services building with kitchen, laundry, storage and infirmary; four residential buildings housing 588 1- and 2-bedroom units for approximately 1,000 residents; a vehicle repair building; a waste sorting building; a powerhouse/maintenance building; and a recreational facility. The majority of parking is proposed to be within attached underground parking structures.

Correspondence: We have received the following information:

1. FEIS dated November 16, 2011

After reviewing the materials submitted, we have the following comments that identify the comment number, original date of comment, the comment itself, and the current status of the comments (i.e., whether they have been answered or if it is still outstanding).

Chapter 3 Geology, Soils, and Topography:

No.	Date	Comment	Status
1	07/20/11	Four piezometers were installed to monitor water levels and data from two of the locations near the southwestern end of the development exhibit water levels that fluctuated approx. 8 ft (in TB-20) and 4 ft (in TB-11) within a couple months – with seasonal high levels likely associated with a combination of spring runoff and precipitation. An 8 ft seasonal fluctuation is significant and does not appear to be accounted for in the groundwater elevation contour map accompanying Figure 4 in CHA's report. The Applicant should clarify how this	Incomplete. To be completed during site plan.

No.	Date	Comment	Status
	01/18/12	fluctuation will be managed with regard to excavation and the implications after the building is in place given the proximity to Blue Lake and the topographic differences between the lake and the uplands to the south and east. Plans should show/describe what measures will be taken if groundwater is encountered during construction.	
2	07/20/11	The recorded water level in test boring TB-21 also looks to be elevated significantly relative to what is shown on the groundwater elevation contour map – although the value determined from the test boring may represent a perched level and not true static conditions (based on measurements found on the test boring log ground surface is 711 ft and depth to water is 2 ft so water elevation is ~ 709 ft; however Figure 4 has it between 680 & 685 ft GW elev. contours). If this represents the true groundwater elevation, there would be a strong gradient over the relatively short distance between TB-21 area and Blue Lake (709 ft vs. 645 ft GW elevations, respectively). Applicant should clarify these elevations and groundwater contour map.	Complete. 01/18/12 FEIS, 11/16/11

Chapter 5 Air Resources:

No.	Date	Comment	Status
1	07/20/11	<p>B. Existing Conditions: Page 5-1 –</p> <p>a. 1st paragraph:</p> <ul style="list-style-type: none"> ▪ particulate matter less than 10 microns is also regulated by federal law. ▪ the 2009 PM₁₀ background value should be listed on page 5-5 and the region that background value is monitored at should be listed in this paragraph. ▪ Ambient CO is also monitored in Region 2, which may be closer than Region 4. The “Mobile Source Air Pollution Modeling” report provides a reasoning for using the Region 4 data. This reason should also be provided here, with more detail, for the benefit of the reader, who may not review the appendices. <p>b. 2nd paragraph: As stated in page 5-5, the background ozone concentrations for 2009 exceed the standard.</p>	<p>Complete. 01/18/12</p> <p>Complete. 01/18/12</p> <p>Complete. 01/18/12</p> <p>Complete. 01/18/12</p>
2	07/20/11	<p>B. Existing Conditions: Page 5-5 –</p> <p>a. The average maximum PM_{2.5} concentration during a 24-hour period for 2007 to 2009 appears to be 25.2 ug/m³.</p> <p>b. As is stated, the NYSDOT EPM requires a PM₁₀ analysis. The NYSDEC has the following note for the Ambient Air Quality Standard for PM₁₀: “Federal standard for PM₁₀ not yet officially adopted by NYS, but is currently being applied to determine compliance status.” Therefore, since a mobile analysis for the project has been performed, a PM₁₀ analysis should be included.</p>	<p>Complete. 01/18/12 FEIS, 11/16/11</p>
3	07/20/11	<p>B. Existing Conditions: Page 5-7 –</p> <p>a. Table 5-2: the Maximum concentration determined at any receptor should be compared to the NYSDEC Limit, not the average of all the receptors.</p>	<p>Complete. 01/18/12 FEIS, 11/16/11</p>

No.	Date	Comment	Status
4	07/20/11	<p>C. Potential Impacts: Page 5-8 –</p> <p>a. Table 5-2 & 5-3: Per the “Mobile Source Air Pollution Modeling” report (pg. 10), PM_{2.5} ambient values were obtained from the NYSDEC ambient air quality monitoring results. Since the ambient air quality value for PM_{2.5} 24-hour is 25.2 ug/m³, it is unclear how the predicted concentrations for PM_{2.5} 24-hour are all below 25.2 ug/m³.</p> <p>b. Please provide a discussion to explain what factors in the Future Build scenario cause a no increase or even a decrease when compared to the Future No Build Scenario. A discussion is provided in the “Mobile Source Air Pollution Modeling” report but should also be provided in the DEIS chapter for the benefit of the reader, who may not review the appendices.</p>	<p>Complete. 01/18/12 FEIS, 11/16/11</p>

Comments on Appendix D-1 “Mobile Source Air Pollution Modeling” Report

No.	Date	Comment	Status
1	07/20/11 01/18/12	<p>2.0 Introduction: Page 4 –</p> <p>a. Monitored values for PM_{2.5} 24-hour, NOx and PM₁₀ should be provided.</p> <p>PM_{2.5} 24-hr values are not provided in the 2.0 Introduction</p> <p>b. Monitored values provided for Lead are in ug/m³, not parts per billion (ppb), should revised - quarterly value is 0.069 ug/m³ versus a standard of 0.15 ug/m³.</p> <p>c. Footnote 1: Should add the reason why using a NYC monitoring location is not appropriate for use in the Town of Warwick.</p>	<p>Incomplete.</p> <p>Complete. 01/18/12 FEIS, 11/16/11</p> <p>Complete. 01/18/12 FEIS, 11/16/11</p>
2	07/20/11	<p>2.2 Intersection Selection: Page 5 –</p> <p>a. As previously stated, the NYSDOT EPM requires a PM₁₀ analysis. The NYSDEC has the following note for the Ambient Air Quality Standard for PM₁₀: “Federal standard for PM₁₀ not yet officially adopted by NYS, but is currently being applied to determine compliance status.” Therefore, since a mobile analysis for the project has been performed, a PM₁₀ analysis should be included.</p> <p>b. We believe footnote #3 to be incorrect. MOVES2010 was noticed in the Federal Register on March 2, 2010. Please revise.</p>	<p>Complete. 01/18/12 FEIS, 11/16/11</p>

No.	Date	Comment	Status
3	07/20/11 01/18/12	<p>3.1 Microscale Dispersion Modeling: Page 7 –</p> <p>a. Table 1: The surface roughness should be 175 cm. Background PM_{2.5} 24-hour value should be 25.2 ug/m³.</p> <p>HDR suggests that a footnote be add to the table clarifying what each of the two PM_{2.5} 24-hour background values represent. The current 20.60/25.7 should clarify that the 20.60 is the 2009 98th percentile value and the 25.7 is the 3-year average 98th percentile value.</p> <p>b. Table 1: Wind speed appears twice on the table, line 3 and line 9, not necessary.</p> <p>c. Table 1: Ambient levels for CO are only in 1-hour and 8-hour. Remove “year” from “CO-(year – 1 hour – 8 hour) in the Input column</p>	Incomplete. Complete. 01/18/12 FEIS, 11/16/11 Complete. 01/18/12 FEIS, 11/16/11
4	07/20/11 01/18/12	<p>3.2 Emission Rates: Page 8 –</p> <p>a. The first paragraph states that “Cruise and idle emissions are calculated by use of the U.S.EPA MOBILE6.2 model as modified by NYDOT,” however, emission rates used in the input files do not match the MOBILE6.2 Emission Factor Tables provided by the NYDOT. Please provide table with emission factors used for CO and PM and language on how these values were achieved.</p> <p>Please note that although MOBILE6.2 only models PM idle emission rates for heavy duty diesel trucks, PM idle emission rates for the remaining vehicle classifications are not equal to 0. General EPA guideline suggest multiplying the emission rate at 2.5mph by the average speed (2.5 mph) to obtain the idle emission rate, see EPA’s <i>Technical Guidance on the Use of MOBILE6.2 for Emission Inventory Preparation</i> for more information.</p>	Incomplete.
5	07/20/11	<p>4.1 CAL3QHC Results: Page 12 –</p> <p>a. In paragraph 3, sentence that reads “The peak PM_{2.5} results for one hour with the project constructed...”, should say 24-hour not one hour.</p>	Complete. 01/18/12 FEIS, 11/16/11

No.	Date	Comment	Status
6	07/20/11 01/18/12	<p>5.1 Construction: Page 14 –</p> <p>a. Additional measures to reduce air emissions should be provided, such as:</p> <ul style="list-style-type: none"> ▪ the implementation of a diesel emissions program, including using grid power for construction equipment as early as practicable; ▪ The use of diesel particulate filters (dpf's); ▪ The use of ultra-low sulfur diesel ("ULSD") fuel (i.e., fuel having less than 15 parts per million (15 ppm) sulfur content) for all equipment having diesel engines; and ▪ Limiting idling. <p>HDR suggests that the use of diesel particulate filters (dpf's) on all construction equipment be required. The other emission reduction measures suggested by HDR have been addressed in the Response to Comments.</p>	Incomplete.

Noise Comments:

No.	Date	Comment	Status
1	07/20/11	The Applicant should clarify if blasting will be included since the construction includes buildings with basements and tunnels.	Complete. 01/18/12 FEIS, 11/16/11
2	07/20/11 01/18/12	<p>The Applicant should clarify if a noise assessment was performed to show compliance with the DEC noise policy and the Town of Warwick Noise Code by addressing noise emissions from 1) construction and 2) operations related to the HVAC system and power generators and vehicles traveling to and from the site.</p> <p>Noise assessment not conducted; was not required in Scoping Document for this project; Applicant agrees to comply with NYSDEC noise policy and Town of Warwick Code. If blasting required, Applicant will prepare plan that complies with State and local law.</p>	Complete. 01/18/12 Applicant to comply with applicable codes, including Town Code.

Chapter 6 Terrestrial and Aquatic Ecology:

No.	Date	Comment	Status
1	07/20/11 01/18/12	<p>USACE must verify, through their Jurisdictional Determination process, that the two cited ephemeral streams are in fact ephemeral and not subject to their jurisdiction.</p> <p>Applicant received verbal agreement on delineation; written JD letter still pending from USACE.</p>	Incomplete.

No.	Date	Comment	Status
2	07/20/11	The Applicant should clarify if there has been any feedback from USACE since their 9/21/10 response on the Jurisdictional Determination application. The Applicant should verify with USACE if any supplemental information is needed to conform to the current delineation protocol as described in the October 2009 document "Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region." It was also noted that the wetland delineation took place outside the regional growing season for vegetation and thus the herbaceous species may be under-represented.	Complete. 01/18/12 FEIS, 11/16/11
3	07/20/11	There is no definitive statement in the DEIS on whether or not the project as proposed is expected to require wetland/watercourse permits from USACE. USACE is not included in Table 1-2 (Required Approvals) in the Executive Summary. There is a statement (Page 7-2 of the October 2007 PS&S report) that the "project will impact less than one acre of USACE-regulated wetlands".	Complete. 01/18/12 FEIS, 11/16/11
4	07/20/11	The 11/30/09 NYSDEC letter in Appendix A-4 cites the need for an Article 15 (Protection of Waters) permit based on the project's proximity to Sterling Forest Lake. Article 15 does not appear in Table 1-2 in the Executive Summary. If the Applicant does not believe an Article 15 Permit is needed it should be stated in the Summary.	Incomplete.
	01/18/12	The Applicant cites the proposed use of USACE Nationwide Permit #39 (Commercial and Institutional Developments) for wetland takings which are stated to be less than one-tenth of an acre. Nationwide Permit #39 requires a project-specific 401 Water Quality Certification from NYSDEC (regardless of acreage impacted) and thus Tables 1-2 and 2-5 should be revised to include the 401 WQC from NYSDEC.	
5	07/20/11	There is no comprehensive plant list for the site. Blooming purple loosestrife is apparent in Photograph 6 (Appendix E-3) in the Indiana bat report yet the species does not appear on the plant list. Additionally, there are several plant species (red maple, jewel weed, broadleaf cattail, nut sedge, skunk cabbage, and purple loosestrife) that are cited in the text of Jurisdictional Determination Report that are not cited in DEIS Table 6-1.	Complete. 01/18/12 FEIS, 11/16/11
6	07/20/11	There are several references in the text to improvements that will be made to the Blue Lake Dam, though the need for an NYSDEC Dam Safety Permit is not included in Table 1-2. Applicant should verify if the proposed actions will trigger the need for a Dam Safety Permit.	Complete. 01/18/12 Shouldn't; applicant to coordinate with NYSDEC
7	07/20/11	The Wetlands Map (Sheet WT-1) in Appendix C-2 cites a wetland acreage of 1.051 acres; the DEIS text on Page 7-1 and the updated Ecological Resources Report cite an acreage of 2.9 acres.	Complete. 01/18/12 FEIS, 11/16/11

No.	Date	Comment	Status
8	07/20/11	The Wetlands Report in Appendix C-2 cites that the wetlands field work was conducted between March 24 and July 30, 2010. The delineation data sheets all cite a date of 24 March and the Photograph Log cites a date of 25 March 2010 (Appendix A-5). The Applicant should clarify what wetlands work was conducted during the balance of the spring and early summer of 2010.	Complete. 01/18/12 FEIS, 11/16/11
9	07/20/11	We disagree with the statement on Page 4-7 that "the red-shouldered hawks are relatively tolerant of human disturbance." According to the species dossier on NYSDEC's website (dec.ny.gov/animals/7082) "Disturbances from humans in the form of off-road vehicles, hunters, horseback riders, and suburbanites in general have pushed red-shouldered hawks in the deepest, wildest areas left. Although some members of the species seem to be unaffected by humans most are secretive and avoid inhabited areas."	Complete. 01/18/12 FEIS, 11/16/11
10	07/20/11	The text on the first page of the Wildlife section of Appendix E-3 states "Wildlife species expected to be found and observed on the Site are listed in Tables 2 through 4". Tables 2 and 4 cite observed species; the Applicant should clarify is there were additional species expected (such as muskrat, gray fox, ad flying squirrel) but not observed. Clarification is needed on why these regionally common species were not expected to occur on the site.	Complete. 01/18/12 FEIS, 11/16/11
11	07/20/11	The scientific names need to be checked in the text and tables. As examples, the scientific name for the red-tailed hawk appears on Pages 1-14 and 6-16 where the scientific name for the red-shouldered hawk is intended. The scientific names for the rainbow trout and yellow perch are also incorrect.	Complete. 01/18/12 FEIS, 11/16/11
13	07/20/11	Eastern red bats are cited as being captured (Site WT-01) in the 2010 bat survey, but the species does not appear in Table 4 in Appendix E-3. Additionally, the text on Page 6-15 cites the bat survey was done in 2009 while the bat survey report cites 2010. No bat species are listed in Table 6-2 in the DEIS.	Complete. 01/18/12 FEIS, 11/16/11
14	07/20/11	We assume that the NYSDEC Breeding Bird Atlas was the source for the bird list in Table 3; though there should be a footnote to the table and/or citation in the References (8.0) for the source and Breeding Bird Atlas database (1980 – 85 or 2000 – 05) used.	Complete. 01/18/12 FEIS, 11/16/11
15	07/20/11	A detailed tree survey and mapping effort has been conducted for the site and is presented in Appendix E-4. The 8 March 2011 response letter (from PS&S to Watchtower Bible and Tract Society of New York, Inc.) cites that 16 – 17 acres of forested habitat will be cleared for the proposed project. Have the number and species of significant trees proposed for removal and to be retained been quantified? USF&WS typically requires this information to assess potential impacts to Indiana bats, as summarized in their September 2010 "Indiana Bat Project Review Fact Sheet".	Complete. 01/18/12 FEIS, 11/16/11

No.	Date	Comment	Status
16	01/18/12	Prior comments had requested evidence (such as a letter from NYSDEC Region 3) indicating that NYSDEC staff had reviewed the timber rattlesnake studies conducted to date and site plans and concurred with both the adequacy of the studies and conclusions. Earlier correspondence (06/02/11) indicated that NYSDEC had been reviewing the reports but had not provided any comments or confirmation. Applicant should clarify if there has been further contact with NYSDEC Region 3.	Incomplete.

Chapter 7 Traffic and Transportation (these page numbers may be from the DEIS dated March 15, 2011):

No.	Date	Comment	Status
1	07/20/11	Section B, Page 7-1 – The Applicant should clarify which Institute of Transportation Engineering standards is being referenced.	Complete. 01/18/12 FEIS, 11/16/11
2	07/20/11	Section B, Page 7-5 – The applicant did not provide a clear quantitative basis for the sensitivity analysis assumptions (including the office trip generation reduction to 60% of the total and the residential generation reduction to 40% of the total). According to the documentation, these estimates are based on “engineering judgment and knowledge of the Project Sponsor’s Patterson facility.”	Complete. 01/18/12 FEIS, 11/16/11
3	07/20/11	Section B, Page 7-5 – The revised LOS table would be clearer if the main street left-turns were labeled (e.g. SB-left). That would differentiate them from the side-street stop controlled movement.	Complete. 01/18/12 FEIS, 11/16/11
4	07/20/11	Section B, Page 7-5 – The applicant did not provide the requested non-residential (e.g. office space) information for the Patterson, NY facility. Instead they state that, “Since residents work and live on the site, no additional traffic is generated by the office space. The number of residents & dwelling units provide more accurate basis for comparing site-generated traffic.” Therefore, given how the facility functions, additional information may not be required.	Complete. 01/18/12 Subsequent user would be a change-of-use per §164-46(5) and would likely require PB approval
5	07/20/11	Section B, Page 7-7 – The revised text does not directly address what the proposed public transportation demand is expected to be.	Complete. 01/18/12 FEIS, 11/16/11

No.	Date	Comment	Status
6	07/20/11	<p>Section B, Page 7-7 (Accident Data)—</p> <ul style="list-style-type: none"> a. The Applicant should clarify how many of the accidents occurred along each roadway. b. The Applicant should clarify how many accidents occurred within a 12-month period. c. The Applicant should clarify if there are any roadways that should be considered a high accident location. d. The Applicant should clarify what the accident rate is when compared to other similar roadway facilities. e. If accident rates are above the NYS average, then what appropriate improvements in the roadway should be included, and how much of anticipated reduction will the proposed improvements would make. f. Table A in Appendix F-1 does not provide a summary of the accident data. A summary should be included. g. Paragraph 2—Minimal change in LOS between No-Build and Build may or may not affect the number of accidents. Additional explanation should be provided to justify the following statement, “It is not believed that the Project Sponsor’s project will affect the number of accidents in the area since, as shown in Table 7-2 and Table 7-3, there is minimal impact to the LOS at nearby intersections.” 	<p>No further action 01/18/12 Additional information is requested; please see 01/18/12 review letter, 01/18/12 response to Comment #11.</p>
7	07/20/11	<p>Section C, Page 7-7 to 7-8—</p> <p>While text has been moved and adjusted, there is still somewhat limited information provided with regard to the trip generation for the sensitivity analysis.</p>	<p>Complete. 01/18/12 FEIS, 11/16/11</p>
8	07/20/11 01/18/12	<p>Section D, Page 7-8 (Mitigation Measures)—</p> <ul style="list-style-type: none"> a. Provide information regarding the amount of construction truck traffic that would be routed along the specified roadways. b. Provide information regarding construction truck traffic distribution produced by the site during construction period. <p>HDR requested the inclusion of construction truck traffic activity related to the site during construction. Thirty to fifty trucks throughout the day may have an impact on the study intersections depending on the arrival and departure patterns of the trucks. Additionally, the number of construction workers were not included as part of the response. Please provide the temporal distribution of the construction trips (trucks and employees) throughout the day and the routes that these employees would be taking to and from the site.</p>	<p>Incomplete.</p>

Appendix F-1: Traffic Impact Study (TIS) by John Collins Engineers, P.C.

No.	Date	Comment	Status
1	07/20/11	Section 1, Subsection A (Project Description and Location)— a. Paragraph 1— <ul style="list-style-type: none">▪ Typo, 12 building to 12 buildings (plural form), revise text.▪ In the DEIS, Executive Summary, Page 1-3, Proposed Action states that there were eight (8) buildings are proposed. This is inconsistent with the 12 buildings mentioned in the TIS. Clarify and revise text.▪ The number of proposed buildings and square footage area in TIS do not match the proposed buildings and square footage area contained in the DEIS Exec. Summary, Page 1-3. Clarify and revise text.	Complete. 01/18/12 FEIS, 11/16/11
2	07/20/11	Section II, Subsection A (Description of Existing Roadway Network)— a. General Note: Include the field notes/pictures/back up information as to where the descriptions of the roadway were derived.	Complete. 01/18/12 FEIS, 11/16/11
3	07/20/11	Section II, Subsection B (Year 2010 Existing Traffic Volumes)—Clarify and revise text. a. Paragraph 1, Page 6 <ul style="list-style-type: none">▪ Sentence 1—DEIS section stated that data was collected and analyzed during the Saturday peak, but not listed here.▪ Sentence 2—describe the location of ATR along Long Meadow Road and Sterling Mine Road.▪ Sentence 3—If ATR counts were conducted during April and May 2010, include May 2010 in Section B, Page 7-5 of Chapter 7 of DEIS.▪ Six of the seven intersections analyzed are listed in this section. Include the missing intersection of Sterling Mine Rd (CR-72) & Sister Servants Ln/Eagle Valley Road mentioned in DEIS.▪ If the Saturday peak hour was determined to be between 12:30 pm and 1:30 pm and the counts were conducted between 9:00 am and 12:00, explain how the Saturday peak hour counts were determined. Clarify and revise text. b. Page 7 <ul style="list-style-type: none">▪ Paragraph 2—Saturday Peak Hour should be included here.	Complete. 01/18/12 FEIS, 11/16/11

No.	Date	Comment	Status
4	07/20/11 01/18/12	<p>Section II, Subsection C (Accident Data)—</p> <ul style="list-style-type: none"> a. General Note—Additional information is described in the DEIS that's not presented in this section. Please clarify and revise text. b. Sentence 2—indicates the accident data collected along three (3) roadways. Provide information regarding the segment(s) of each roadway, where the accident data was obtained. c. Sentence 3—states “Table A which summarizes the accidents”. Table A indicates the details of each accident, include a summary of the accidents (i.e. total each year, total of type of accident, etc.) <p>Table A-3 includes a fatality in Year 2008. Please include details on this crash, including the location of the fatality as well as potential improvements to the roadway to mitigate this fatality.</p>	Incomplete.
5	07/20/11	<p>Section II, Subsection D (Public Transportation)—</p> <ul style="list-style-type: none"> a. General Note— <ul style="list-style-type: none"> ▪ Include the frequency of the trains and buses during peak periods. ▪ Include the anticipated number or passengers/person trips generated by the project site that would utilize these public transportation modes during which peak hours. 	Complete. 01/18/12 FEIS, 11/16/11
6	07/20/11	<p>Section III, Subsection A (Year 2010 No-Build Traffic Volumes)—</p> <ul style="list-style-type: none"> a. Paragraph 1, Page 9—the text indicate a 2% growth rate annually, based upon a review of the background volumes, the rate may be lower. Clarify and revise the text. Also, if the background volume is confirmed to be lower, explain any impacts on the analysis. b. Paragraph 1, Page 9—Describe in further detail the “other” developments in the area. 	Complete. 01/18/12 FEIS, 11/16/11

No.	Date	Comment	Status
7	07/20/11	Section III, Subsection B (Site Generated Traffic Volumes)— a. Trip generation was based on an existing facility at Patterson, NY, but how were the rates developed (shown in Table 1, HTGR*). Include additional information regarding size of facility, number of buildings, area of office space, number of dwellings, etc. b. The proposed Warwick facility may have more visitor traffic and deliveries as the World Head quarters than the Patterson facility, which is an education facility, Applicant to clarify. c. If the ITE Trip Generation was not utilized, state the reason why they were analyzed. d. What is the percentage of trips internal to the site? e. How was the data collected at the existing Watchtower Farms facility referenced/used?	Incomplete.
	01/18/12	There are some trips that are being generated internally; the Applicant should present these internal trips (perhaps with some of the Patterson facility information) to show that the proposed internal transportation at the site is adequate (e.g., tunnels, sidewalks, roadways).	
8	07/20/11	Section III, Subsection C (Arrival and Departure Distributions)— a. Describe how the expected travel patterns for this facility were calculated/derived. b. Describe why the majority of the trips originate from the south.	Complete. 01/18/12 FEIS, 11/16/11
9	07/20/11	Section III, Subsection D (Year 2015 Build Traffic Volumes)—See comments from Subsection B & C.	Complete. 01/18/12 FEIS, 11/16/11
10	07/20/11	Section III, Subsection E (Description of Analysis Procedures)— a. General Note—State the name of software and version that was utilized to perform the capacity analysis.	Complete. 01/18/12 FEIS, 11/16/11

No.	Date	Comment	Status
11	07/20/11	<p>Section III, Subsection F (Traffic Impact Analysis Results)—</p> <ul style="list-style-type: none"> a. Page 13, Paragraph 2—AM Peak hour operates at LOS C and the expected LOS for PM, Sat and Sun is LOS B and A, which is not “similar” to AM Peak. b. Page 17, Paragraph 1, Sentence 2—Only PM Peak has overall LOS B and AM, Sat & Sun operates at LOS A. c. Page 17, Paragraph 2—misspelled acronym, ASSHTO should be changed to AASHTO. Furthermore, the acronym should be defined including the version and title of publication. Include the analysis/calculation to determine the sight distances. d. Page 18— <ul style="list-style-type: none"> ▪ Describe the planned development Radha Soami Society/Sister Servants development. ▪ Confirm that this intersection was analyzed with a separate left turn lane on County Road 72 and include the direction of the approach. ▪ Paragraph 2—there was an overall deterioration of LOS between No-Build and Build. State the deterioration and describe in the text. 	Incomplete.
	01/18/12	<p>The TIS indicated that the No Build and Build Conditions are at LOS F for the SB-L movement. The TIS further notes “It should be noted that the presence of the traffic signal at the intersection of Sterling Mine Road (CR-72) and Long Meadow Road (CR-84) does provide some gaps in traffic stream which benefits this condition.” This note requires additional validation. These intersections are approximately 0.7 miles apart and have driveways and unsignalized intersections in between. Further analysis should be provided (i.e. Gap Analysis) at the intersection of Sterling Mine Road and Sister Servants Lane/Eagle Valley Road. HDR understands that there is a potential 10 seconds per vehicle delay experienced between No Build and Build on the SB-L movement, however, the residents utilizing this intersection due to its close proximity to the interstate would continue to utilize this intersection and could require mitigation/improvements in the near future. In addition, the Build levels of service reported for this intersection in the sensitivity analysis table do not match the HCS sheets for that scenario. (For example, the southbound movement is LOS F during both the AM and PM peak hours on the HCS sheets in the Build sensitivity analysis scenario.)</p>	

No.	Date	Comment	Status
12	07/20/11	<p>Section III, Subsection G (Results and Recommendations)—</p> <p>a. General Note—Describe the supporting statements why the recommendations are necessary. (i.e. were there any preliminary studies indicating this such as a Signal Warrant, providing a jitney due to a growth in ridership by XX% from existing).</p>	<p>Complete. 01/18/12 FEIS, 11/16/11</p>
13	07/20/11	<p>Section III, Subsection H (Sensitivity Analysis)—</p> <p>a. General Note—Describe why a sensitivity analysis was conducted.</p> <p>b. If it was necessary, describe the results of the analysis.</p> <p>c. Table 1-A—Entry Volume Column (Residential Dwellings)— describe why the peak hour of Adj Street was used rather than the Peak Hour generator.</p> <p>d. Table 1-A—External Trips were calculated to have 60% office space and 40% residential drawings. This is inconsistent with Note 2 and what was mentioned in the TIS and DEIS. Clarify and revise text and analysis.</p>	<p>Complete. 01/18/12 FEIS, 11/16/11</p>
14	07/20/11	<p>Overall General Comments:</p> <p>a. Construction Phasing or Activity was not described (i.e. the year or date when the construction would begin, the period of construction, how many truck trips would be generated due to construction, what routes they would take, etc.)</p> <p>b. Appendix C should include field notes and/or plans containing field geometry, signal timing, manual counts.</p> <p>c. Pedestrian and Bicycle activities should be included in the report.</p> <p>d. Describe any parking displacement or existing parking conditions.</p> <p>e. Describe any anticipated special events throughout the year and frequency of events of the site. If there are events, describe the change in overall traffic pattern and operations at the intersections.</p> <p>f. The additional special event text does not provide a quantitative analysis. The study could assess the impacts of special events to determine if traffic mitigation is needed (such as off-duty police officers to direct traffic); however given only three Saturday events per year, a one-hour critical arrival window with 311 inbound vehicles, and dispersed departures, it may not be necessary to do a more detailed analysis.</p>	Incomplete.
	01/18/12	<p>Please confirm that the analysis was performed during the Saturday peak hour. Also, please explain how the Saturday Midday Peak period volumes were utilized in the future analysis during the event (especially if the peak hour of the event is outside the peak period when the data was collected. The explanation is unclear.</p>	

No.	Date	Comment	Status
15	07/20/11	Indicate the current land use of the facility. If the Watch Tower decides to sell the property, the trip generated may increase significantly under the tenant. As such a sensitivity analysis should be performed to better understand the full impacts of the proposed square footage of the building(s) and residential dwelling units. Furthermore, the sensitivity analysis should include a scenario without an internal trip generation credit or at a minimum utilize the trip generation credit based upon the ITE Trip Generation Manual.	Complete. 01/18/12 Subsequent user would be a change-of-use per § 164-46(5) and would likely require PB approval
16	07/20/11	There was not a discussion about any possible access improvements to Sterling Mine Road; the Applicant should clarify if any site access improvements (such as turn lanes) are required by the County due to speed, functional class, and volume.	Complete. 01/18/12 FEIS, 11/16/11

Chapter 8 Community Services and Facilities:

No.	Date	Comment	Status
1	07/20/11	Table 8-1- Add distances to the parks in the table.	Complete. 01/18/12 FEIS, 11/16/11
2	07/20/11	Table 8-1 – Section D suggests that Blue Lake may be used for non-motorized boats. Add this resource to Table 8-1, including a distance to the public access. It does not appear that any access to Blue Lake will be provided from the Watchtower site.	Complete. 01/18/12 FEIS, 11/16/11
3	07/20/11	Section D- Recreation. Suggest listing the comparison of the suggested amount of recreation and the proposed amount provided. Suggest similar comparison for all of the alternatives, Chapter 16.	Complete. 01/18/12 FEIS, 11/16/11

Chapter 9 Infrastructure and Utilities – Wastewater Management:

No.	Date	Comment	Status
1	07/20/11	Chapter 9, Page 9-2, last paragraph. Provide minimum sewer slope to be used. Design must ensure that an appropriate slope is used so that required pipe flow capacity and minimum velocity of 2 feet per second recommended in Section 33.41 of the Ten State Standards for Wastewater Facilities are met.	Incomplete. To be completed during site plan.

Chapter 13 Visual Character:

No.	Date	Comment	Status
1	07/20/11	Provide sample images of the rooftop platforms for cellular/two way radio and dish-type receiver.	Complete. 01/18/12 FEIS, 11/16/11
2	07/20/11	Figure 13-14 & 13-16 – landscaping shown does not match that illustrated on the landscape plan. There seems to be a significant amount of trees filling in the corner, when the plans show all landscaping behind the existing storm drain outlet. Are these trees in the right-of-way? Do these plants affect the storm drain outlet in this location?	Complete. 01/18/12 FEIS, 11/16/11

No.	Date	Comment	Status
3	07/20/11	Figure 13-14 & 13-16 – Applicant to clarify if the center island is anticipated to be visible from this location.	Complete. 01/18/12 FEIS, 11/16/11
4	07/20/11	Figure 13-16 – it appears that there is a light pole, or something similar along the north side of the road, is this correct? Lighting Plan shows light pole in the center island. The same pole is not in Figure 13-14 or 13-18.	Complete. 01/18/12 FEIS, 11/16/11
5	07/20/11	Figure 13-24 - Much of the landscaping illustrated in the simulations looks to be fairly mature. Applicant to clarify how many years to achieve this amount of screening. Consider showing conditions closer to construction growth.	Complete. 01/18/12 FEIS, 11/16/11
6	07/20/11 01/18/12	<p>It is stated that the site plan preserves as much existing vegetation as possible. The methods proposed to be used (i.e. provide tree protection details, soil preparation, avoidance of soil compaction) should be clarified.</p> <p>While the methods proposed were discussed in the FEIS, these items (notes, details, etc) should be included on the plans.</p>	Incomplete. To be completed during site plan.
7	07/20/11	The Landscape Design section should note anticipated, typical soil preparation for planted areas within disturbed areas (i.e. topsoil, organic matter supplements, soil preparation from construction compaction).	Complete. 01/18/12 FEIS, 11/16/11
8	07/20/11 01/18/12	<p>Town Code §164-43.4 requires certain lighting levels: For parking lots with low activity, levels are as follows: 0.8 average illumination, 0.2 minimum, and 4:1 uniformity ratio. Local road illumination of 0.3 - 0.8 average and 6:1 uniformity ratio.</p> <ol style="list-style-type: none"> Add uniformity ratio to Table 13-3. The minimum of 0.01 foot-candles for pedestrian walkways is not sufficient. Placement of bollard lighting should maintain adequate pedestrian walkway illumination while not creating glare for drivers on adjacent roadways. As the lighting plan may change during site plan approval process, provide design minimums, averages and uniformity ratios to be maintained. Table 13-3 provided and the tables on Sheet ES101 are not the same. Please update. Lighting levels from the Town Code §164-43.4 should be adhered to for local roads and building entrances. 	Complete. 01/18/12 Complete. 01/18/12 Incomplete. Incomplete.

No.	Date	Comment	Status
9	07/20/11 01/18/12	Building entrances are required to have 5 foot-candles at active entrances and 1 foot-candle at in-active entrances. These levels should be noted in Table 13-3, along with all design standards for minimums, averages and uniformity ratios. These levels should also be noted on the Site Plans. It is stated that wallpack fixtures will be included on the building for the entrances. These fixtures should be included on the photometrics plan.	Incomplete.
10	07/20/11	Page 13-24, first paragraph references Figure 2-6 as SWBP and 700' Ridgeline Overlay District. That is not the case, please update.	Complete. 01/18/12 FEIS, 11/16/11
11	07/20/11	Architectural Renderings in Section 2 should be referenced in the Visual Section, as they represent the architectural style of the buildings. Applicant should provide references to the renderings for the parking garage and residence building.	Complete. 01/18/12 FEIS, 11/16/11
12	07/20/11	Page 13-45, statement that IBM site employees and visitors are present during daylight hours is incorrect. Winter conditions would include darkness during a typical work day.	Complete. 01/18/12 FEIS, 11/16/11
13	01/18/12	Free-standing lighting fixtures over 16-ft will require a variance from the ZBA. The Planning Board should refer this to the ZBA with a recommendation requesting where on the site the lighting fixtures are allowed to exceed 16-ft (i.e., at the entranceway, shorter lighting fixtures may want to be used to reduce/avoid glare).	Incomplete.

Chapter 16 Alternatives:

No.	Date	Comment	Status
1	07/20/11 01/18/12	Section 11, Page 11-1 states 2008 EPA average of solid waste is 4.5 pounds per capita per day. 2009 rates were 4.34 (of which 1.46 is recycled) pounds per capita per day. Updated figures and sources should be used. Table 16-1 should note average pounds per capita per day used in calculations. While solid waste numbers for the alternatives have been provided/updated, there is currently not the same calculation provided for the Preferred Alternative. The Table indicates that the proposed site will have less than the national average for solid waste. For comparison purposes, all alternatives should include the calculation of the EPA national average.	Incomplete.
2	07/20/11	Table 16-1 should include solid waste calculations for the No Action alternative. Educational Facility Alternative, explain use of 5 lbs/day over EPA national average of 4.34 lbs/day. As of Right Alternative, verify that 88 tons of disposed solid waste is correct, appears to use total solid waste including recyclables. All calculations should be consistent (either to include recyclables or not).	Complete. 01/18/12 FEIS, 11/16/11

No.	Date	Comment	Status
3	07/20/11 01/18/12	There are no estimates of recreation space provided in the Educational Facility (Kings College) Alternative. Provide area provided compared to estimated need based on population. It is noted that there will be 208 acres of undisturbed area; the Applicant should clarify that this area is to be open space and discuss the legal mechanism to ensure preservation of open space (e.g., deed declaration).	Incomplete. To be completed during site plan.
4	07/20/11	Provide all references for EPA and County based informational statements (i.e. statement that the solid waste generated under Educational Facility Alternative is less than one-half of one percent of solid waste in Orange County).	Complete. 01/18/12 FEIS, 11/16/11 (source was not provided correctly, but information was verified).
5	07/20/11	There are no estimates of recreation space provided in the As of Right Alternative. Provide area required and estimated need based on population.	Complete. 01/18/12 FEIS, 11/16/11
6	01/18/12	In general, there is not enough detail on the Table comparing the alternatives. There are no definitions of minimal, moderate, and significant impacts. It is assumed that each category would have different criteria for that determination. Actual totals from individual DEIS sections should be reflected here. Consider the additional of other categories, i.e. acres of mature vegetation lost; acres of wetland disturbance.	Complete. 01/18/12. PB determined table is reasonable as it is

Appendix M: Technical Review of the Preliminary Stormwater Pollution Prevention Plan (issue date March 15, 2011)

No.	Date	Comment	Status
1	07/20/11	SWPPP document needs the stamp and signature of a New York State Licensed Professional Engineer.	Complete. 01/18/12 FEIS, 11/16/11
2	07/20/11	Each plan sheet requires the stamp and signature of a New York State Licensed Professional Engineer.	Complete. 01/18/12 FEIS, 11/16/11
3	07/20/11	Appendix A – Provide a copy of a filled out and signed Notice of Intent (NOI) Form. The NOI should also have the signature of the NOI preparer (NYS Licensed Professional Engineer).	Complete. 01/18/12 FEIS, 11/16/11
4	07/20/11	The Applicant should provide an MS4 Acceptance Form with the appropriate information filled-in.	Complete. 01/18/12 FEIS, 11/16/11
5	07/20/11	Page 2-8 of the SWPPP (Sequence of Construction) – The SWPPP states that “total disturbance will be kept at a 10-acre maximum at any given time, based on NYSDEC regulations”. Part II.C.3 of the SPDES General Permit for Stormwater Discharges (GP-0-10-001) states “The <i>owner or operator</i> of a <i>construction activity</i> shall not disturb greater than five (5) acres of soil at any one time without prior written authorization from the Department.” This will impact the Applicant’s current proposed phasing for the site.	Complete. 01/18/12 FEIS, 11/16/11 The Applicant intends to disturb greater than 5 acres, and will apply for approval to do so.

No.	Date	Comment	Status
6	07/20/11	<p>The Applicant should provide full-size plans for the pre and post development drainage areas. The full-size plans should contain the following information:</p> <ol style="list-style-type: none">Drainage area name and sizeTime of concentration paths broken up by flow type.All reaches and ponds in the HydroCAD analysis should contain the same naming on the Drainage Area maps, for ease of reviewing the HydroCAD analysis.	<p>Complete. 01/18/12 FEIS, 11/16/11 Sheets C-009 and C-010 have been added showing the requested data.</p>
7	07/20/11 01/18/12	<p>The Grading and Drainage Plans included with the SWPPP should include the following:</p> <ol style="list-style-type: none">LegendEach of the drainage structures should be named, and contain information for the rim elevation, and inverts. This information could also be provided in table format.Pipe materials and sizes should be clearly indicated.Locations of all proposed stormwater management practices (including green infrastructure practices) <p>The Applicant has indicated in their response that the "storm inverts, profiles, and sizes will be subsequently provided during final SWPPP submission". It is important to provide the profiles during the review process so it can be determined if the site can be constructed as shown on the plans, or if further changes are needed.</p>	<p>Incomplete. To be completed during site plan.</p>

No.	Date	Comment	Status
8	07/20/11	<p>The Applicant should include Detail Sheets in the SWPPP which include the following:</p> <ol style="list-style-type: none"> Catch Basin Detail Pipe trenching detail Representative cross-section and profile drawings of ALL proposed stormwater management practices and conveyances (e.g., Green Roof, Riparian Buffers, Porous Asphalt, Permeable Pavers, Stormwater Planters, Sand Filters, Bioretention Areas, Water Quality Units, Detention Basin, Infiltration Chambers, etc.). The details should be specific to the application, and include inverts, and water surface elevations for design storms (if applicable). Specific maintenance requirements for each of the proposed stormwater management practices should be provided. Details for all proposed erosion controls (e.g. silt fence, stabilized construction entrance, diversion swale, soil stockpile, sediment trap, etc.) 	Incomplete. To be completed during site plan.
	01/18/12	<p>The Applicant has indicated in their response that “Further details, including inverts, water surface elevations, and detailed dimensions will be provided as part of the final SWPPP submission.” It is important to provide this information during the review process so it can be determined if the site can be constructed as shown on the plans, or if further changes are needed.</p>	
9	07/20/11	<p>The Applicant should provide profile drawings for the drainage system.</p>	Incomplete.
	01/18/12	<p>The Applicant has indicated in their response that “Stormwater system profile drawings will be included as part of the final SWPPP submission concurrent with site plan approval application”. It is important to provide the profiles during the review process so it can be determined if the site can be constructed as currently shown on the plans, or if further changes need to be made prior to approval.</p>	To be completed during site plan.
10	07/20/11	<p>Provide a copy of the logs for the soil borings and infiltration tests conducted on site in the SWPPP.</p>	Complete. 01/18/12 FEIS, 11/16/11
11	07/20/11	<p>SWPPP Table 3-1 (pg. 3-19) – The table indicates only one Drainage Area to DP-3, which is DA-3. However, Figure 3-9 as well as Sheet C-007 of the plans show three sub-areas (DA-3A, DA-3B and DA-3C). This table should be updated to show how the WQv for these sub-areas have been met or exceeded.</p>	Complete. 01/18/12 FEIS, 11/16/11 Table 3-1 has been revised accordingly.

No.	Date	Comment	Status
12	07/20/11	SWPPP Table 3-1 (pg. 3-19) – The table is unclear in indicating the <u>required</u> Runoff Reduction Volume for each area. This should be clearly provided in the table, and followed by the <u>provided</u> Runoff Reduction Volume.	Complete. 01/18/12 FEIS, 11/16/11 Table 3-1 has been revised accordingly.
13	07/20/11	The Applicant should provide supporting calculations for <u>each</u> individual stormwater management practice to show how they meet the Water Quality Volume or Runoff Reduction Volume requirements. Right now, the SWPPP only shows how the required amounts are exceeded with a brief explanation of how the requirements were met. For example, there are several green roofs proposed. Calculations should be provided for each one to show how much Water Quality Volume or Runoff Reduction Volume it provides for the drainage area it is located in.	Complete. 01/18/12 FEIS, 11/16/11 Calculations provided in Section 3 of SWPPP and in Appendix G.
14	07/20/11	The Applicant should provide supporting calculations to show how the Channel Protection Volume requirements have been met for the site.	Complete. 01/18/12 FEIS, 11/16/11 See Table 3-16 in SWPPP.
15	07/20/11	Appendix D (Pre-Developed Conditions Analysis) – Reach 2R: Storm System is not modeled with any defining characteristics (pipe sizing, slope, inverts, etc.). However, page 3-24 of the SWPPP indicates a storm system containing pipe diameters of 15" and 24". If the existing pipe system runs full for any of the design storms, the peak runoff to the design point could conceivably change. The Applicant should accurately model this reach in HydroCAD.	Complete. 01/18/12 FEIS, 11/16/11 Appendix D – Pre-Developed Conditions have been revised accordingly to reflect pipe sizes.
16	07/20/11	Appendix E (Post-Developed Conditions Analysis) – The Applicant is using the following Curve Numbers (CN value) and should explain how each of these have been selected: <ol style="list-style-type: none"> CN of 48 for the green roof CN of 74 for the pervious pavers CN of 61 for bioretention sand soil medium CN of 61 for storm planter CN of 74 for porous asphalt 	Complete. 01/18/12 FEIS, 11/16/11 Curve number selection explained on page 3-40 of SWPPP.
17	07/20/11	The Applicant should specify in the landscaping plans the planting types that are to be used for each green roof.	Complete. 01/18/12 FEIS, 11/16/11 To be designed in accordance w/NYS Stormwater Design Manual.
18	07/20/11	The Applicant is using Stormwater Planters in several locations. The Applicant should indicate how much impervious area is being directed toward the planters. Page 5-100 of the NYS Stormwater Design Manual (August 2010) indicates that stormwater planters should not receive drainage from impervious areas greater than 15,000 square feet. Additionally, the Applicant should provide a means of directing excess stormwater flow to a secondary treatment system or storm drain system.	Complete. 01/18/12 FEIS, 11/16/11 The Applicant has listed the impervious area to each planter and a method of overflow treatment.

No.	Date	Comment	Status
19	07/20/11	Page 5-101 of the NYS Stormwater Design Manual indicates that all stormwater planters should be located a minimum distance of 10 feet from structures. Several of the stormwater planters shown on Sheet C-007 show the planters to be immediately adjacent to structures and should thus be relocated.	Complete. 01/18/12 FEIS, 11/16/11 The Applicant has explained that the planters are flow through and comply with the NYS Design Manual.

Miscellaneous: The Applicant's response letter should contain an itemized explanation of how the plans have been revised or modified in order to address these items with specific references to the changes in the plans. In the event that the Applicant should disagree with a comment and choose not to modify the plan, an explanation should be provided.

The above comments represent our professional opinion and judgment and do not in all cases reflect the opinion of the Planning Board. Please revise your plans to reflect these comments with the understanding that further changes may be required. If you have any questions, please contact me at (845) 294-2789.

Sincerely,

Henningson, Durham & Richardson
Architecture and Engineering, P.C.
in association with HDR Engineering, Inc



Laura A. Barca, P.E.
Project Manager

CC: John Bollenbach, Deputy Town Attorney
Connie Sardo, Planning Board Secretary
HDR Project No. 133761, Task No. PB001

DATE: Jan-12

TOWN OF WARWICK PLANNING BOARD
PROJECT TRACKING SHEET

TOWN OF WARWICK PROJECT No: **PB001**

PROJECT NAME: **Watchtower Bible & Tract Society World Headquarters**

LOCATION: Long Meadow Road

TYPE: Site Plan & Special Use Permit

APPLICANT: Watchtower Bible & Tract Society

ATTORNEY:

ENGINEER:

SURVEYOR:

PLANNER: Turner Miller Group- Max Stach

PHONE: 845-368-1472

SECTION: 85

BLOCK: 1

LOT: 2.22, 2.3, 4.1, 4.2, 5.1, 5.2, 6.8

TYPE OF USE: Campus

TRACT AREA: 257 acres

EXISTING LOTS: 7 lots

PROPOSED LOTS: 7 lots

MILESTONES		Granted	Expired	OTHER DEPARTMENT APPROVALS:		
P-0	INFORMAL APPEARANCE			INDICATE WHETHER OR NOT APPROVAL IS NECESSARY.		
P-1	INITIAL APPEARANCE			YES	NO	OCHD - Realty Subdivision
P-2	SITE INSPECTION	03/17/10		YES	NO	OCHD - Water Supply Wells
P-3	SKETCH PLAN APPROVAL			YES	NO	OCHD - Sewage Disposal
P-4	CONDITIONAL PRELIM APPROV			YES	NO	NYS DOT/OCDPW
P-5	PRELIMINARY APPROVAL				NO	TOWN DPW
P-6	CONDITIONAL FINAL APPROV			YES	NO	NYSDEC - Sewer Main Extension
P-7	FINAL APPROVAL			YES	NO	WETLANDS PERMIT-NYSDEC
P-8	CHAIRMAN'S SIGNATURE			YES	NO	WETLANDS PERMIT-USACE
P-9	MAP FILED			YES	NO	OCPD - GML Review
S-1	EAF SUBMITTED			YES	NO	TOWN BOARD
S-2	LEAD AGENCY - declare intent			YES	NO	TOWN ZBA
S-3	DETERMINE SIGNIFICANCE		pos dec	YES	NO	SWPPP (MS4?)
S-4	EIS SCOPING FINALIZED	12/16/09		YES	NO	CB Advisory Opinion Received
S-5	SUBMIT DRAFT EIS			YES	NO	ARB Advisory Opinion Received
S-6	DRAFT EIS COMPLETE			YES	NO	OTHER:
S-7	PUBLIC HEARING (SEQRA)	07/20/11	07/20/11	YES	NO	OTHER:
S-8	PUBLIC HEARING (subdivision)			DATES OF PLANNING BOARD APPEARANCES		
S-9	PUBLIC HEARING (site plan)			10/06/10	05/04/11	07/20/11
S-10	PUBLIC HEARING (special use)					
S-11	FINAL EIS SUBMITTED					
S-12	FINAL EIS APPROVED					
S-13	AGENCY FINDINGS					
E-1	EXTENSION OF PRELIMINARY					
E-2	EXTENSION OF PRELIMINARY					
E-3	EXTENSION OF FINAL					
E-4	EXTENSION OF FINAL					

NOTES:

Relocation of the Jehovah Witness World Head Quarters from Brooklyn

1 10/06/10 schedule a site inspection for Saturday, November 06, 2010 at 10am at the project site

2 05/04/11 Difference between completeness & technical; DEIS complete with conditions; PH 07/20/11; comment period until 08/03/11

3 07/20/11 Presentation by Applicant overall and architecture; no comments from the public; written comment period ends 08/03/11

A-37

WATCHTOWER
Bible and Tract Society of New York, Inc.
25 Columbia Heights, Brooklyn, NY 11201-2483, U.S.A.
Phone: (718) 560-5000 Fax: (718) 560-7446

January 19, 2012

Department of the Army
New York District, Corps of Engineers
Jacob K. Javits Federal Building
New York, NY 10278-0090

Attn: Ahmed Soliman, Project Manager (Eastern Permits Regulatory Branch)

Re: Permit Application File No. NAN-2010-01081-ESO
by Watchtower Bible and Tract Society of New York, Inc.

Dear Sir:

This is in regard to our application for a Department of the Army permit, Permit Application File No. NAN-2010-01081-ESO. A wetlands delineation was performed on a 70.3-acre portion of the site at 1 Kings Drive, Tuxedo, New York 10987-5500 for the purpose of obtaining a Jursidictional Determination from the United States Army Corps of Engineers (USACE). Attached is USACE confirmation of receiving our application dated September 21, 2010.

Thank you for your site visit and field inspection on July 13, 2011, at which time we received your verbal agreement with the wetland delineation. You spoke of written confirmation to follow; however, to date there has been no further communication from the USACE. We are dependent upon your input to move forward on the SEQR process for this project. Please inform us via fax (718-560-8827) as to when we may expect written confirmation in order for our permit application to be found "complete for Federal processing."

Sincerely,



Robert A. Pollock
Design/Build Department

Enclosure

c: Theodore Fink, AICP (Town of Warwick, Town Planner)



DEPARTMENT OF THE ARMY
NEW YORK DISTRICT, CORPS OF ENGINEERS
JACOB K. JAVITS FEDERAL BUILDING
NEW YORK, N.Y. 10278-0090

REPLY TO
ATTENTION OF:
CENAN-OP-RE

DATE: SEP 21 2010

SUBJECT: Permit Application File Number **NAN-2010-01081-ESO**
by Watchtower Bible and Tract Society of New York, Inc.

MEMORANDUM FOR: Watchtower Bible and Tract Society of New York,
Inc., Attn: Robert May, 900 Red Mills Rd, Wallkill, NY 12589

This office has received your application for a Department of the Army permit; and in accordance with Title 33 of the Code of Federal Regulations Part 325.2(a) (1) it has been assigned the 18-character application file number shown above. To avoid misfiled and lost correspondence, please put this unique 18-character application number on all correspondence, (mail, fax, and e-mail) regarding this application.

2. Your application file is assigned to application reviewer / project manager: Ahmed Soliman 917-790- 8518
Our facsimile machine number is 212-264-4260.

3. In accordance with Title 33 of the Code of Federal Regulations Part 325.2, within fifteen business days of the date of this acknowledgement memorandum, you, or your permit application agent, should be receiving via facsimile machine correspondence specifying what additional items or information, if any, must be submitted to the application reviewer in order for this office to find your permit application "complete for Federal processing".

4. The Corps of Engineers strives to make a final permit application decision as soon as reasonably possible. For example, for non-controversial individual Standard Permit applications, the USACE National Performance goal is to make that decision within 120 calendar days of our receipt of the final item or information which makes the specific permit application file "complete for Federal processing".

5. You are advised not to undertake any activity in regulated waters and/or wetlands of the United States until after you have received the required Department of the Army permit.

EASTERN PERMITS
REGULATORY BRANCH

Copy furnished to:

Watchtower Bible &
Tract Society of New York, Inc.
Attn: Robert May
Fax: 845-744-9892

A-38



Design/Build Department
25 Columbia Heights, Brooklyn, NY 11201-2483, U.S.A.
Phone: (718) 560-5000 Fax: (718) 560-8827

February 10, 2012

NYS Department of Environmental Conservation
Bureau of Wildlife
21 South Putt Corners Road
New Paltz, NY 12561

Attn: Lisa Masi

Re: 2010 Timber Rattlesnake Study—Warwick, New York

Dear Ms. Masi:

This is in regard to the confidential report, “2010 Addendum to Timber Rattlesnake Study—Former King’s College Property” that was produced by Kathy Michell, Wildlife Consultant, in connection with our property on Long Meadow Road, Town of Warwick, New York. Our project address is: 1 Kings Drive, Tuxedo, New York 10987-5500. Ms. Michell submitted the report to the New York State Department of Environmental Conservation (NYSDEC) Region #3 in 2010.

Thank you for meeting with Ms. Michell on June 2, 2010, which aided in the production of this report as well as your verbal agreement to Ms. Michell on May 31, 2011, that you would provide written confirmation of receipt of the study and your review. To date, however, there has been no further communication from NYSDEC Region #3 on this matter. We are seeking your input to move forward on the SEQR process for this project. A number of phone calls have been made to your office without success in contacting you, thus the reason for our letter.

We would greatly appreciate it if you would inform us via fax (718-560-8827) at your earliest possible convenience as to when we may expect written confirmation indicating that the NYSDEC staff has reviewed Ms. Michell’s timber rattlesnake study as well as whether you concur with both the adequacy of the studies and conclusions. We are hoping to submit the Final Environmental Impact Study to the Town of Warwick on February 17, 2012.

Thank you for considering our request.

Sincerely,

A handwritten signature in black ink that reads "Robert A. Pollock". The signature is fluid and cursive, with "Robert" and "A." being more stylized and "Pollock" being more clearly legible.

Robert A. Pollock
Design/Build Department

A-39

From: Barca, Laura A. [\[mailto:Laura.Barca@hdrinc.com\]](mailto:Laura.Barca@hdrinc.com)
Sent: Friday, January 27, 2012 7:50 PM
To: Andreu, Jamily; Coles, Mark
Subject: FW: TW Watchtower question

Jamily and Mark -

Below is the response to your last question about the emissions. Please add the footnote to Table 2 in Appendix D-1.

Please let me know if you have any more questions.

Thanks -

- Laura

Laura

Here is our response:

EPA guidelines outlined in section 4.4.4 Idling Emission Rates of EPA's *Technical Guidance on the Use of MOBILE6.2 for Emission Inventory Preparation* recommend multiplying the emission rate at 2.5mph by the average speed (2.5 mph) to obtain the idling emission rates for particulates. These guidelines were established in August of 2004, after the June 2004 EPA guidance to DOT, and are generally applicable for analyses ranging from estimating the national impacts of motor vehicle emissions control strategies to estimating human exposure to pollutants at a specific intersection. However, since idling PM contribution is probably slight and EPA recommended NYSDOT to assume zero PM idling emissions for all light-duty and heavy-duty gasoline vehicles, it appears that the

analysis would be in compliance with NYSDOT guidance. HDR suggests that a footnote be added to Table 2 of Appendix D-1 stating that the EPA and the State recommend ignoring the slight idling component.

Please let me know if you have any questions.

Thank you

Noemi

A-40



GREENWOOD LAKE JOINT FIRE DISTRICT #1

WATERSTONE ROAD
P.O. BOX 1388
GREENWOOD LAKE, NY 10925-1388

Attn: P.B. Ben
Ted
Lama
JDB
Bob Krahulin
Bob Pollack
Greg Povich
Watchtower

RECEIVED
JAN 26 2012

Town of Warwick

January 24, 2012

Town of Warwick Planning Board
132 Kings Highway
Warwick NY 10990

Re: Watchtower

To whom it may concern,

The Board of Fire Commissioners of the Greenwood Lake Joint Fire District would like to express our concerns regarding the Watchtower application before your board for the proposed project on Long Meadow Road.

The area in question is within the Greenwood Lake Joint Fire District and while we contract with Tuxedo to cover the area it is still ultimately our responsibility. After speaking with Tuxedo they led us to believe they are not aware of what is going on with this project.

We are also concerned that neither district has apparatus capable of handling an emergency situation at buildings the height that are being proposed.

Please advise us as to what steps we need to take in order to address our concerns.

Sincerely,

Dody Nicholas, Secretary/Treasurer
Greenwood Lake Joint Fire District

A-41



Design/Build Department
25 Columbia Heights, Brooklyn, NY 11201-2483, U.S.A.
Phone: (718) 560-5000 Fax: (718) 560-8827

February 17, 2012

Mr. Ben Astorino, Chairman
Town of Warwick Planning Board
123 Kings Highway
Warwick, New York 10990

Re: Watchtower Site Plan FEIS Review
1 Kings Drive
Tax Map Reference: 85-1-2.22, 2.3, 4.1, 4.2, 5.1, 5.2 & 6

Dear Mr. Astorino:

We are pleased to enclose modified pages for the November 11, 2011 Final Environmental Impact Statement (FEIS) for your review. Matching pages are being simultaneously forwarded to Ted Fink (Greenplan) and Laura Barca (HDR). These modifications to the FEIS are in response to comments made in HDR's letter of January 18, 2012 as well as Greenplan's letter of the same date. Upon Planning Board approval, final replacement pages will be provided for insertion into your existing hard copies along with new CDs for the public review period and additional hard copies if required.

Additionally, the responses to a few comments were adjusted to modify the tone of the response. For the convenience of the reviewer, a list of the responses that were affected is included below:

FEIS Bullet # (2/17/2012)	FEIS Bullet # (11/16/2011)	Comment #
7	7	Chapter 5, HDR Comment 1a
62	61	TIS, HDR Comment 1
63	62	TIS, HDR Comment 2
74	73	TIS, HDR Comment 7c
85	84	TIS, HDR Comment 13a
90	89	TIS, HDR Comment 14b
95	94	TIS, HDR Comment 15
132	130	SWPPP, HDR Comment 5

FEIS Chapter 1, "Executive Summary," was updated to reflect the changes made in Chapter 2. Following is a summary of the modifications which have been identified by the comment bullet numbers in FEIS Chapter 2, "Comments and Responses."

DEIS General Comments

FEIS Orange County Department of Planning—Comment #1:

Bullet #2 At this time, the DEIS appears to be complete and sufficient, with one exception; we were unable to determine how the applicant proposes to dispose of the debris resulting from the demolition of the existing structures. Please specify the disposal measures as part of the GML 239 referral process.

1/18/2012 Greenplan Comment:

On page 2-2 under the response to Comment 2, the reference to “an approved waste transfer station” should be clarified to include an approved facility for acceptance of construction and demolition waste.

Watchtower Response:

Demolition debris will be separated into like commodities of recyclable materials. Metals will be prepared accordingly and removed off site for recycling. Concrete will be crushed and prepared for reuse. Using a portable concrete recycling machine with spay bars and self-cleaning magnets, the concrete will be recycled to a three-inch minus size with rebar removed. The crushed concrete will be stockpiled on site for later use as structural sub-base material. It is estimated that 98 percent by weight of the material in the existing buildings will be recycled. The remaining non-recyclable materials will be disposed of at an approved waste transfer station that accepts construction and demolition debris.

DEIS Appendix D-1: “Mobile Source Air Pollution Modeling,” May 2011

FEIS HDR Comment 1a—Air Study: 2.0 Introduction—Page 4:

Bullet #16 Monitored values for PM_{2.5} 24-hour, NO_x and PM₁₀ should be provided.

1/18/2012 HDR Comment:

PM_{2.5} 24-hr values are not provided in the 2.0 Introduction.

Watchtower Response:

These values have been included on page 4 of the revised “Mobile Source Air Pollution Modeling” study—see FEIS Appendix D-1.

FEIS HDR Comment 3a—Air Study: 3.1 Microscale Dispersion Modeling—Page 7:

Bullet #21 Table 1: The surface roughness should be 175 cm. Background PM_{2.5} 24-hour value should be 25.2 ug/m³.

1/18/2012 HDR Comment:

HDR suggests that a footnote be added to the table clarifying what each of the two PM_{2.5} 24-hour background values represent. The current 20.60/25.7 should clarify that the 20.60 is the 2009 98th percentile value and the 25.7 is the 3-year average 98th percentile value.

Watchtower Response:

The surface roughness was corrected in Table 1 of the revised “Mobile Source Air Pollution Modeling” study—see FEIS Appendix D-1.

The PM_{2.5} analysis was conducted using two background values for PM_{2.5}—the 2009 98th-percentile value of 20.6 $\mu\text{g}/\text{m}^3$ and the 3-year average 98th-percentile value of 25.7 $\mu\text{g}/\text{m}^3$. A footnote is included in Table 1 of the “Mobile Source Air Pollution Modeling” study.—See FEIS Appendix D-1.

FEIS ***HDR Comment 4—Air Study: 3.2. Emission Rates—Page 8:***
Bullet #24 The first paragraph states that “Cruise and idle emissions are calculated by use of the U.S.EPA MOBILE6.2 model as modified by NYDOT,” however, emission rates used in the input files do not match the MOBILE6.2 Emission Factor Tables provided by the NYDOT. Please provide table with emission factors used for CO and PM and language on how these values were achieved.

1/18/2012 HDR Comment:

Please note that although MOBILE6.2 only models PM idle emission rates for heavy duty diesel trucks, PM idle emission rates for the remaining vehicle classifications are not equal to 0. General EPA guideline suggest multiplying the emission rate at 2.5 mph by the average speed (2.5 mph) to obtain the idle emission rate, see EPA’s *Technical Guidance on the Use of Mobile 6.2 for Emission Inventory Preparation* for more information.

1/27/2012 HDR Comment:

EPA guidelines outlined in section 4.4.4 Idling Emission Rates of EPA’s *Technical Guidance on the Use of MOBILE6.2 for Emission Inventory Preparation* recommend multiplying the emission rate at 2.5mph by the average speed (2.5 mph) to obtain the idling emission rates for particulates. These guidelines were established in August of 2004, after the June 2004 EPA guidance to DOT, and are generally applicable for analyses ranging from estimating the national impacts of motor vehicle emissions control strategies to estimating human exposure to pollutants at a specific intersection. However, since idling PM contribution is probably slight and EPA recommended NYSDOT to assume zero PM idling emissions for all light-duty and heavy-duty gasoline vehicles, it appears that the analysis would be in compliance with NYSDOT guidance. HDR suggests that a footnote be added to Table 2 of Appendix D-1 stating that the EPA and the State recommend ignoring the slight idling component.

Watchtower Response:

Table 2 with emission factor rates was included in the revised “Mobile Source Air Pollution Modeling” study. (See FEIS Appendix D-1.) Additionally, the following text was added to Section 3.2 of the revised “Mobile Source Air Pollution Modeling” study:

“The composite emission factor is determined by using the percent composition of the vehicle mix and the NYSDOT emission factors for each modeled year. The weighted emission factors are used in CAL3QHC modeling for the CO, PM_{2.5} and PM₁₀ (see Table 2—Emission Factor Table).”

The following footnote was also added to the PM_{2.5} and PM₁₀ Emission Factor Tables in FEIS Appendix D-1:

“Note that MOBILE6.2 only provides idle emission factors for heavy-duty diesel vehicles and heavy-duty diesel buses. The program does not provide idle emission factors for light-duty or heavy-duty gasoline vehicles; EPA recommends that for these vehicles, users should assume that PM idling emissions are zero (email from EPA to NYSDOT dated June 2004). See page 1 of the NYSDOT Mobile6.2 PM_{2.5}/PM₁₀ Emission Factors Table Guidance document located at the following URL:

[https://www.dot.ny.gov/divisions/engineering/environmental-analysis/repository/pmemiss.pdf.”](https://www.dot.ny.gov/divisions/engineering/environmental-analysis/repository/pmemiss.pdf)

DEIS Chapter 6: Terrestrial & Aquatic Ecology

FEIS

Bullet #31

HDR Comment 1—Chapter 6:

USACE must verify, through their Jurisdictional Determination process, that the two cited ephemeral streams are in fact ephemeral and not subject to their jurisdiction.

1/18/2012 HDR Comment:

Applicant received verbal agreement on delineation; written JD letter still pending from USACE.

1/18/2012 Greenplan Comment:

On page 2-13 under the Response to Comment 31, the applicant should make reference to correspondence with the US Army Corps of Engineers and such correspondence should be inserted into the appendices.

Watchtower Response:

U.S. Army Corps of Engineers (USACE) completed its field inspection of the site on July 13, 2011. Following the field inspection, the USACE Project Manager Ahmed Soliman verbally acknowledged agreement with the wetland delineation and that written confirmation would follow. Although repeated verbal requests have been made for the Jurisdictional Determination and a follow-up letter was submitted to USACE on January 19, 2012 inquiring as to when the Applicant may receive written notification of the Jurisdictional Determination, the document has, as of this writing, not been received.—See FEIS Appendix A-37.

Note: The same changes were made to FEIS Bullet #32.

FEIS

Bullet #34

HDR Comment 4—Chapter 6:

The 11/30/09 NYSDEC letter in Appendix A-4 cites the need for an Article 15 (Protection of Waters) permit based on the project's proximity to Sterling Forest Lake. Article 15 does not appear in Table 1-2 in the Executive Summary. If the Applicant does not believe an Article 15 Permit is needed it should be stated in the Summary.

1/18/2012 HDR Comment:

The Applicant cites the proposed use of USACE Nationwide Permit #39 (Commercial and institutional Developments) for wetland takings which are stated to be less than one-tenth of an acre. Nationwide Permit #39 requires a project-specific 401 Water Quality Certification from NYSDEC (regardless of acreage impacted) and thus Tables 1-2 and 2-5 should be revised to include the 401 WQC from NYSDEC.

Watchtower Response:

Article 15—Protection of Waters Permit was added to Table 1-2 prior to the June 15, 2011, DEIS submittal. The 401 Water Quality Certification from NYSDEC has been added to revised DEIS Tables 1-2 and 2-5.—Please see response to FEIS Bullet #33.

FEIS

Bullet #45

HDR Comment 16—Chapter 6:

Prior comments had requested evidence (such as a letter from NYSDEC Region 3) indicating that NYSDEC staff had reviewed the timber rattlesnake studies conducted to date and site plans and concurred with both the adequacy of the studies and conclusions. Earlier correspondence (6/20/11) indicated that NYSDEC had been reviewing the reports but had not provided any comments or confirmation. Applicant should clarify if there has been further contact with NYSDEC Region 3.

Watchtower Response:

Further contact has been made with NYSDEC in the form of phone calls, e-mails, and a letter requesting comments on both the rattlesnake studies and DEIS. No response has been received as of the writing of this FEIS.—Please see Appendices A-33, A-34, and A-38.

DEIS Chapter 7: Traffic & Transportation

**FEIS
Bullet #60**

HDR Comment 8a—Chapter 7, Section D, Page 7-8 (Mitigation Measures):

Provide information regarding the amount of construction truck traffic that would be routed along the specified roadways.

1/18/2012 HDR Comment:

HDR requested the inclusion of construction truck traffic activity related to the site during construction. Thirty to fifty trucks throughout the day may have an impact on the study intersections depending on the arrival and departure patterns of the trucks. Additionally, the number of construction workers were not included as part of the response. Please provide the temporal distribution of the construction trips (trucks and employees) throughout the day and the routes that these employees would be taking to and from the site.

Watchtower Response:

Pages 7-10 and 7-11 of the DEIS under the heading, "Construction Traffic," state:

"Construction is proposed to begin upon completion of the permit process in 2012 and is anticipated to continue for approximately four years. Once underway, construction truck traffic will include between 30 and 50 trips per day for approximately 3.5 years. Truck traffic will be present for approximately 3 to 4 years and will include dump trucks removing excess site material, along with semi-flatbed and box trucks transporting construction materials. The majority of the trucks will travel on Long Meadow Road south from 17A. The others will travel Highway 17 to Sterling Mine Road (CR-72) to Long Meadow Road (CR-84)."

Page 7-12 of the DEIS under the heading, "Mitigation Measures," states:

"During construction, truck traffic to and from the site will be routed along Long Meadow Road (CR-84), Sterling Mine Road (CR-72), NYS Routes 17 and 17A. No construction traffic will be routed along Eagle Valley Road due to the 4-ton weight limit."

The majority of the 30 to 50 trips associated with the construction truck traffic will be distributed between 7 AM and 3 PM with some trips occurring between 3 PM and 7 PM.

Approximately 50 vehicles carrying construction workers are expected to arrive at the site at approximately 6 AM and are expected to depart at approximately 5 PM. Some construction workers will arrive at the site by shuttle from the Applicant's staging area located at 1422 Long Meadow Rd, while others will arrive in private vehicles and will approach and leave the site using Long Meadow Road (CR-84), Sterling Mine Road (CR-72), and NYS Routes 17 and 17A.

The total amount of construction traffic is expected to be less than operating traffic. A comparison of the temporal distribution is provided below:

Time	Operating Traffic ⁽¹⁾	Construction Traffic ⁽²⁾
Before Peak Hour (By 6 AM)	Not Available	50 trips (arriving construction workers)
Weekday AM Peak (7:30 AM to 8:30 AM)	53 trips	50 trips (all construction trucks)
Weekday PM Peak (4:45 PM to 5:45 PM)	159 trips	100 trips (departing construction workers and all construction trucks)
Saturday Peak (12:30 PM to 1:30 PM)	197 trips	50 trips (all construction trucks)
Sunday Peak (11:00 AM to 12:00 PM)	99 trips	50 trips (all construction trucks)
<p>Notes:</p> <p>(1) See revised DEIS Table 16-1 in response to FEIS Bullet #122.</p> <p>(2) Conservative assumption that construction truck traffic coincides with the peak hour operating traffic rather than being spread out over several hours.</p>		

**FEIS
Bullet #61**

HDR Comment 8b—Chapter 7, Section D, Page 7-8 (Mitigation Measures):

Provide information regarding construction truck traffic distribution produced by the site during construction period.

Watchtower Response:

Please see response to HDR Comment 8a in Bullet #60 above.

DEIS Appendix F-1: “Traffic Impact Study” (TIS), June 2011

**FEIS
Bullet #68**

HDR Comment 4c—TIS, Section II, Subsection C (Accident Data):

Sentence 3 states “Table A which summarizes the accidents”. Table A indicates the details of each accident, include a summary of the accidents (i.e. total each year, total of type of accident, etc.)

1/18/2012 HDR Comment:

Table A-3 includes a fatality in Year 2008. Please include details on this crash, including the location of the fatality as well as potential improvements to the roadway to mitigate this fatality.

Watchtower Response:

A summary table of the 45 accidents was compiled and is included in Appendix A, Table A-3 of the revised “Traffic Impact Study.” (See FEIS Appendix F-1.) See HDR Comment 6f, Bullet #57 where the table is repeated. The accident resulting in 2 fatalities occurred on 10/12/2008 near the intersection of Long Meadow Rd (CR-84) and Woodlands Dr. (See <http://www.city-data.com/accidents/acc-Warwick-New-York.html>). The accident occurred during daylight hours when the road conditions were dry and weather conditions clear. The apparent contributing factors are cited as “Turning Improper, Unsafe Speed.” (See FEIS Appendix F-1, Appendix E “Accident Data”). Since the contributing factors are attributable to driver error, it is unlikely that roadway improvements would mitigate this.

FEIS ***HDR Comment 7d—TIS, Section III, Subsection B (Site Generated Traffic Volumes):***
Bullet #75 What is the percentage of trips internal to the site?

1/18/2012 HDR Comment:

There are some trips that are being generated internally; the Applicant should present these internal trips (perhaps with some of the Patterson facility information) to show that the proposed internal transportation to the site is adequate (e.g. tunnels, sidewalks, roadways).

Watchtower Response:

The scope of the “Traffic Impact Study” was to evaluate the Proposed Project’s impact on the external roadway system. The percentage of trips internal to site does not impact the external roadway system analyzed in the “Traffic Impact Study.” Furthermore, the live-work arrangement employed by the Project Sponsor allows residents to walk to their work locations using either the tunnels connecting the buildings or outside sidewalks. Depending on assignment, some residents may even live and work in the same building, thus internal traffic is primarily pedestrian and internal vehicular trips are negligible. The walking distance from home and work locations ranges from an elevator ride (for those who work in the same building) to 2,800 feet for those who work and live at opposite ends of the site.

FEIS ***HDR Comment 11d—TIS, Section III, Subsection F (Traffic Impact Analysis Results),***
Bullet #83 ***Page 18:***

- *Describe the planned development Radha Society Soami Society/Sister Servants development.*
- *Confirm that this intersection was analyzed with a separate left turn lane on County Road 72 and include the direction of the approach.*
- *Paragraph 2—there was an overall deterioration of LOS between No-Build and Build. State the deterioration and describe in the text.*

1/18/2012 HDR Comment:

The TIS indicated that the No Build and Build Conditions are at LOS F for the SB-L movement. The TIS further notes “It should be noted that the presence of the traffic ‘signal at the intersection of Sterling Mine Road (CR-72) and Long Meadow Road (CR-84) does provide some gaps in traffic stream which benefits this condition.’” This note requires additional validation. These intersections are approximately 0.7 miles apart and have driveways and unsignalized intersections in between. Further analysis should be provided (i.e. Gap Analysis) at the intersection of Sterling Mine Road and Sister Servants Lane/Eagle Valley Road. HDR understands that there is a potential 10 seconds per vehicle delay experienced between No Build and Build on the SB-L movement, however, the residents utilizing this intersection due to its close proximity to the interstate would continue to utilize this intersection and could require mitigation/improvements in the near future. In addition, the Build levels of service reported for this intersection in the sensitivity analysis table do not match the HCS sheets for that scenario. (For example, the southbound movement is LOS F during both the AM and PM peak hours on the HCS sheets in the Build sensitivity analysis scenario.)

Watchtower Response:

- *The Radha Soami Society/Sister Servants development is no longer proceeding and was removed from the analysis. The original plan called for a proposed religious facility which would have been constructed on property owned by the Sisters Servants of Mary Immaculate. The development included the construction of a new church and ancillary buildings with a total of 750 parking spaces and accommodations for 3,000 attendees.*

- *The proposed left-turn lane on Sterling Mine Road (CR-72) was not included in the analysis since this was part of the Radha Soami development.*

- *Pages 21 through 23 of the revised “Traffic Impact Study” (FEIS Appendix F-1) describes the deterioration in LOS between the No-build and Build scenarios and states the following:*

“Capacity analysis conducted utilizing the Year 2010 Existing Traffic Volumes indicates that the Eagle Valley Road (West) Southbound approach (minor movements) is currently operating at a Level of Service “E” during the Weekday Peak AM Hour and is currently operating at a Level of Service “D” during the Weekday Peak PM Hour. All other movements to the intersection are currently operating at a Level of Service “C” or better during these peak periods. A Level of Service “C” or better is also currently experienced on all approaches during the Saturday and Sunday Peak Hours.”

“Capacity analysis conducted utilizing both the Year 2015 No-Build and 2015 Build Traffic Volumes indicates that a Level of Service “F” for the southbound left turn movement on Eagle Valley Road approach will occur during the AM and PM Peak Hours. All other approaches during these peak hours will operate at a Level of Service “C” or better. During the Saturday and Sunday Peak Hours it is expected that the Levels of Service experienced at this intersection will be similar to existing conditions.”

“It should be noted that the presence of the traffic signal at the intersection of Sterling Mine Road (CR 72) and Long Meadow Road (CR 84) does provide some gaps in the traffic stream which benefits this condition. As discussed previously traffic data was collected along Sterling Mine Road by ATR machines over several days during April and May of 2010. This data included gap data. The machine was placed approximately 715 ft. east of the Sterling Mine Road/Long Meadow Road intersection. Based on this data, contained in Appendix “B” approximately 30% of the gaps passing this intersection are greater than 7 seconds. Note that based on the Exhibit 17-5 contained in Chapter 17 of the 2000 Highway Capacity Manual published by the Transportation Research Board the base critical gap for left turns from the minor street at an unsignalized intersection is 7.1 seconds. As an example, the gap data contained in Appendix “B” indicates that on May 13, 2010 during the AM Peak Hour (see 8:00 AM Hour in Table) there were 157 gaps of 7 seconds or more in traffic in both directions. As a result it is not expected that any mitigation will be required due to the additional traffic from the proposed Watchtower Development. It should also be noted that the increase in average vehicle delay of 8.5 to 9 seconds that will be experienced during the AM and PM Peak Hours under Build Conditions will only be experienced by the vehicles exiting (75 AM Peak Hour, 45 PM Peak Hour) from Eagle Valley Road southbound making both right and left turns onto Sterling Mine Road.”

FEIS

Bullet #93

HDR Comment 14e—TIS, Overall General Comments:

Describe any anticipated special events throughout the year and frequency of events of the site, if there are events, describe the change in overall traffic pattern and operations at the intersections.

1/18/2012 HDR Comment:

Please confirm that the analysis was performed during the Saturday peak hour. Also, please explain how the Saturday Midday Peak period volumes were utilized in the future analysis during the event (especially if the peak hour of the event is outside the peak period when the data was collected. The explanation is unclear.

Watchtower Response:

An analysis was conducted for special events and pages 27 and 28 of the revised “Traffic Impact Study” (FEIS Appendix F-1) state the following:

“A separate analysis was conducted to analyze the impact of these special events on the study area intersections. This analysis is contained in Appendix “H”. Based on the arrival and departure data for these special events as provided by the Project Sponsor it is expected that the 9:00 AM to 10:00 AM period will be the peak period of trip generation for these special events. It should be noted that during this time the background traffic volumes on a Saturday are approximately 20% lower than during the Saturday Peak Hour which occurs between 12:30 PM and 1:30 PM. However, to provide a conservative analysis the Saturday Peak Hour background traffic volumes were assumed to coincide with the site’s highest hour of trip generation during these special events. Thus, the operating conditions during the special events peak hour are expected to be better than what is depicted in the Special Events results analysis. Table 1-B contained in Appendix “G” summarizes the expected trip generation estimates of the site during the 9:00 AM to 10:00 AM Peak Hour for these special events. It should be noted that it was assumed there would be little or no exiting site traffic during this period however, for the analysis purposes it was assumed that approximately 10% of the entering traffic will also exit the site during the 9:00 AM to 10:00 AM hour. This accounts for any potential drop-offs to the site. For the Special Events condition analysis a total site trip generation of 342 vehicles (311 entering, 31 exiting) was used. Site Generated and Build Traffic Volumes for the Special Events scenario can be found on Figures No. 22B and 26B, respectively.”

“The results of the analysis are summarized on Table No. 2-B contained in Appendix “H”. In general, these results indicate that similar Levels of Service to the Saturday Peak Hour Build Scenario will be experienced.”

FEIS

Bullet #94

HDR Comment 14f—TIS, Overall General Comments:

The additional special event text does not provide a quantitative analysis. The study could assess the impacts of special events to determine if traffic mitigation is needed (such as off-duty police officers to direct traffic); however given only three Saturday events per year, a one-hour critical arrival window with 311 inbound vehicles, and dispersed departures, it may not be necessary to do a more detailed analysis.

1/18/2012 HDR Comment:

Please confirm that the analysis was performed during the Saturday peak hour. Also, please explain how the Saturday Midday Peak period volumes were utilized in the future analysis during the event (especially if the peak hour of the event is outside the peak period when the data was collected. The explanation is unclear.

Watchtower Response:

Please see response to HDR Comment 14e in Bullet #93.

Based on these results, there is no need for additional traffic mitigation such as off-duty police officers to direct traffic during special events.

FEIS

Bullet #97

Orange County Department of Planning Comment 2—TIS:

We advise that the County Department of Public Works will be needed to give their input regarding the Traffic Impact Study, as the project takes access from a County road. We will be conducting further review of the traffic study when we receive the project through the GML 239 referral process.

1/18/2012 Greenplan Comment:

On page 2-38 under the Response to Comment 96, the text should be changed to “The Planning Board will undertake a GML 239 referral to the Orange County Department of Planning once the SEQR review process has been concluded. The Planning Board will also coordinate with and will require that the Orange County Department of Public Works issue an approval for the site accesses on County Route 84 prior to the granting of Site Plan and Special Use Permit approval following completion of the SEQR review process.”

Watchtower Response:

The Planning Board will undertake a GML 239 referral to the Orange County Department of Planning once the SEQR review process has been concluded. The Planning Board will also coordinate with and will require that the Orange County Department of Public Works issue an approval for the site accesses on County Route 84 prior to the granting of Site Plan and Special Use Permit approval following completion of the SEQR review process.

DEIS Chapter 13: Visual Character

FEIS

Bullet #107

Greenplan Comment 11—Chapter 13:

The assertion that the proposed 25' high lighting poles for roadways and parking lots will be lower than the general height of the on-site tree canopy should be substantiated. The Town's outdoor lighting regulations permit a maximum allowable height of a freestanding luminaire of 16 feet above the average finished grade. Exceptions to the maximum height limitations up to 25 feet above the average finished grade may be made when it can be demonstrated that glare to off-site locations will not occur with such higher fixture.

1/18/2012 Greenplan Comment:

The applicant has prepared plans for entranceway lighting that involve light fixtures up to 25 feet high. The Zoning Law limits light fixtures to 16 feet high and so the applicant has requested a waiver of this requirement. The purpose of the waiver is to permit fewer light fixtures to be installed since height affects light distribution and the lower the light fixtures, the more poles are required to obtain adequate light levels. The most visible light fixtures will be those at the entrance to the facility on Sterling Lake Road [Long Meadow Road] (County Route 84). If the Board is considering the grant of a waiver from the light fixture height requirement, (since as we discussed, more light fixtures affects energy use), my suggestion is to require that the three light poles proposed at the site entrance not be waived since these will be the light fixtures that will be most visible from a public road. They are clearly visible on Figure 13-31 in the FEIS. The remainder of the light fixtures appear as if they will be substantially hidden by the mature trees that exist on the site. I have marked up a copy of the Site Lighting Plan to illustrate the fixtures that have been proposed by the applicant for a waiver. The Board should discuss if there is consensus on this issue.

Watchtower Response:

The Applicant will no longer be pursuing a variance for lighting heights. On-site lighting poles will not exceed 16 feet in height. Decreasing the lighting pole height from 25 feet to 16 feet resulted in 7 additional lighting fixtures across the entire site. A photosimulation of the entrance showing the 16-ft high lighting poles is provided in Figure 13-31 below. Based on a survey performed by the Applicant, the on-site tree canopy ranges between 55 and 70 feet in height. As can be seen, the 16-foot lighting poles are significantly lower than the existing tree canopy. Full cut-off fixtures will be provided to prevent glare to off-site locations.

FEIS HDR Comment 8—Chapter 13:

Bullet #115 Town Code §164-43.4 requires certain lighting levels: For parking lots with low activity, levels are as follows: 0.8 average illumination, 0.2 minimum, and 4:1 uniformity ratio. Local road illumination of 0.3–0.8 average and 6:1 uniformity ratio.

- a. Add uniformity ratio to Table 13-3.
- b. The minimum of 0.01 foot-candles for pedestrian walkways is not sufficient. Placement of bollard lighting should maintain adequate pedestrian walkway illumination while not creating glare for drivers on adjacent roadways.
- c. As the lighting plan may change during site plan approval process, provide design minimums, averages and uniformity ratios to be maintained.

1/18/2012 HDR Comment:

- d. Table 13-3 provided and the tables on Sheet ES101 are not the same. Please update. Lighting levels from the Town Code §164-43.4 should be adhered to for local roads and building entrances.

Watchtower Response:

- a. *The uniformity ratio was added to Table 13-3, which is included below.*
- b. *The minimum foot-candles were increased by adding bollards to the pedestrian walkways. Shielded round bollards will be used to prevent roadway glare.*
- c. *The revised “Site Lighting Plan” on Sheet ES101 includes a table with the design minimums, averages, and uniformity ratios—see Appendix I-3.*
- d. *Table 13-3 has been updated to match the table on Sheet ES101. Lighting levels shown in Town Code §164-43.4 are adhered to for local roads and building entrances.*

FEIS HDR Comment 9—Chapter 13:

Bullet #116 Building entrances are required to have 5 foot-candles at active entrances and 1 foot-candle at inactive entrances.

1/18/2012 HDR Comment:

These levels should be noted in Table 13-3, along with all design standards for minimums, averages and uniformity ratios. These levels should also be noted on the Site Plans. It is stated that wallpack fixtures will be included on the building for the entrances. These fixtures should be included on the photometrics plan.

Watchtower Response:

Active and inactive building entrances will be equipped with U2 wall-mounted fixtures over the door. See revised “Site Lighting Plan” in FEIS Appendix I-3. Please note that the “Site Lighting Plan” in FEIS Appendix I-3 replaces DEIS Figures 13-29 and 13-30. Fixtures will be of adequate wattage to provide a minimum of 5 foot-candles at active entrances and 1 foot-candle at inactive entrances. These levels are noted in Table 13-3 (see Bullet #115) and the fixtures are included on the photometrics plan (i.e., “Site Lighting Plan” in FEIS Appendix I-3).

FEIS HDR Comment 13—Chapter 13:

Bullet #120

Free-standing fighting [lighting] fixtures over 16-ft will require a variance from the ZBA. The Planning Board should refer this to the ZBA with a recommendation requesting where on the site the lighting fixtures are allowed to exceed 16-ft (i.e., at the entranceway, shorter lighting fixtures may want to be used to reduce/avoid glare).

Watchtower Response:

Please see response to FEIS Bullet #107.

DEIS Chapter 16: Alternatives

FEIS HDR Comment 1—Chapter 16, Section 11, Page 11-1:

Bullet #122

Section 11, page 11-1 states 2008 EPA average of solid waste is 4.5 pounds per capita per day. 2009 rates were 4.34 (of which 1.46 is recycled) pounds per capita per day. Updated figures and sources should be used. Table 16-1 should note average pounds per capita per day used in calculations.

1/18/2012 Greenplan Comment:

The footnote 6 in the Revised DEIS Table 16-1 on page 2-77 of the FEIS needs to be corrected.

Watchtower Response:

The 2009 EPA rate was used and DEIS Table 16-1 was revised and is provided below. Please note that footnote 6 is correct, but the recreation amounts for the Proposed and Low-Height Alternative were corrected to match the values promulgated by the Urban Land Institute.)

Comments Accepted As “Complete”

The following points were discussed and accepted as complete at the Town of Warwick Planning Meeting, Town Workshop, or via e-mail, or telephone conversations as specified below:

FEIS HDR Comment 6—Air Study: 5.1 Construction—Page 14:

Bullet #26

Additional measures to reduce air emissions should be provided, such as:

- The implementation of a diesel emissions program, including using grid power for construction equipment as early as practicable.
- The use of diesel particulate filters (dpf's).
- The use of ultra-low sulfur diesel (“ULSD”) fuel (i.e., fuel having less than 15 parts per million (15 ppm) sulfur content) for all equipment having diesel engines; and
- Limiting idling.

WT Response, 11/16/11

Grid power is currently provided at the site by Orange and Rockland Utilities (O&R) and will be utilized during construction. The Applicant currently uses ultra-low sulfur fuel for construction equipment and limits idling to conserve fuel and minimize pollutants. As demonstrated by the “Mobile Source Air Pollution Modeling” study, very limited impact is expected to result from the project. Additionally, the project is not located near receptors that would be impacted during construction; thus, additional measures to further reduce air emissions are not warranted.

HDR Comment, 01/18/12:

HDR suggests that the use of diesel particulate filters (dpf's) on all construction equipment be required. The other emission reduction measures suggested by HDR have been addressed in the Response to Comments).

Accepted as Complete. *This was considered complete by the Planning Board on 1/18/12. As per 1/23/2012 call with HDR: L. Barca agrees that the Planning Board marked this as complete.*

**FEIS
Bullet #66**

HDR Comment 4a—TIS, Section II, Subsection C (Accident Data):

General Note—Additional information is described in the DEIS that's not presented in this section. Please clarify and revise text.

WT Response, 11/16/11

The same accident data is included in both the DEIS and the TIS. Note that the number of accidents was changed to 45 from 44. Please see HDR Comment 6a in Bullet #51 above.

Accepted as Complete. *This was considered complete as per 1/23/2012 call with L. Barca of HDR. The follow-up comment in HDR's 1/18/2012 letter pertains to Comment #4c, which is addressed in FEIS Bullet #68.*

**FEIS
Bullet #67**

HDR Comment 4b—TIS, Section II, Subsection C (Accident Data):

Sentence 2—indicates the accident data collected along three (3) roadways. Provide information regarding the segment(s) of each roadway, where the accident data was obtained.

WT Response, 11/16/11

Page 7 of John Collins' "Traffic Impact Study," dated June 6, 2011, states:

"This accident data includes accidents along Sterling Mine Road from the Rockland County Border to the NJ Border, Long Meadow Road from Sterling Mine Road to NYS Route 17A and NYS Route 17A from Benjamin Meadow Road to Sylvan Way for the period from March 2007 through February 2010."

Accepted as Complete. *This was considered complete as per 1/23/2012 call with L. Barca of HDR. The follow-up comment in HDR's 1/18/2012 letter pertains to Comment #4c, which is addressed in FEIS Bullet #68.*

**FEIS
Bullet #72** ***HDR Comment 7a—TIS, Section III, Subsection B (Site Generated Traffic Volumes):***
Trip generation was based on an existing facility at Patterson, NY, but how were the rates developed (shown in Table 1, HTGR*). Include additional information regarding size of facility, number of buildings, area of office space, number of dwellings, etc.

WT Response, 11/16/11

The hourly trip generation rates (HTGR) were developed by dividing the vehicular volume by the population. For example, for Peak AM Hour the volume was 23 vehicles. The maximum number of residents at the Patterson, NY, facility is 1,550; thus, the HGTR is 23/1,550 = 0.015.

Since residents work and live on the Patterson site, no additional traffic is generated by the office space. This will also be the case with the Proposed Project. The number of residents and dwelling units provide a more accurate basis for comparing site-generated traffic. This information was provided on page 13 of FEIS Appendix F-1, "Traffic Impact Study," which states:

"The Patterson facility includes 783 dwelling units and can house a maximum population of 1,550 persons, while the proposed facility will include 588 dwelling units and a maximum population of 1,000 persons. The data obtained from the traffic counts of the existing Patterson facility, which are shown in Table No. 1, were used to estimate traffic volumes that could potentially be generated by the Project Sponsor's proposed facility at maximum population."

Accepted as Complete. This was considered complete as per 1/23/2012 call with L. Barca of HDR. The follow-up comment in HDR's 1/18/2012 letter pertains to Comment #7d, which is addressed in FEIS Bullet #75.

**FEIS
Bullet #73** ***HDR Comment 7b—TIS, Section III, Subsection B (Site Generated Traffic Volumes):***
The proposed Warwick facility may have more visitor traffic and deliveries as the World Head quarters than the Patterson facility, which is an education facility. Applicant to clarify.

WT Response, 11/16/11

The Applicant's records show that the number of visitors between the three existing facilities in New York State has a fairly even distribution. This is not anticipated to change. Further, since the proposed facility at Warwick will be smaller than the facility at Patterson, and the number of deliveries is related to the number of residents and total building area, the number of deliveries will be fewer, not greater.

Accepted as Complete. This was considered complete as per 1/23/2012 call with L. Barca of HDR. The follow-up comment in HDR's 1/18/2012 letter pertains to Comment #7d, which is addressed in FEIS Bullet #75.

FEIS ***HDR Comment 7c—TIS, Section III, Subsection B (Site Generated Traffic Volumes):***
Bullet #74 If the ITE Trip Generation was not utilized, state the reason why they were analyzed.

WT Response, 11/16/11

The separate analysis conducted using the ITE Trip Generation Estimates was performed as a Sensitivity Analysis in anticipation of the type of question raised by HDR Comment 15—TIS (see Bullet #94). This was presented for comparison only since it is expected that the trip generation rates will be consistent with those presented in the “Traffic Impact Study” (Appendix F-1) given that these are based on actual experiences at other existing facilities operated by the Applicant.

Accepted as Complete. *This was considered complete as per 1/23/2012 call with L. Barca of HDR. The follow-up comment in HDR’s 1/18/2012 letter pertains to Comment #7d, which is addressed in FEIS Bullet #75.*

FEIS ***HDR Comment 7e—TIS, Section III, Subsection B (Site Generated Traffic Volumes):***
Bullet #76 How was the data collected at the existing Watchtower Farms facility referenced/used?

WT Response, 11/16/11

The traffic volumes associated with the Applicant’s facility located in the Town of Patterson, New York, were used for the trip generation estimates. However, as noted in Section III.B: “Site Generated Traffic,” of the “Traffic Impact Study,” the data collected at the existing Watchtower Farms facility located in the Town of Shawangunk, New York, was also referenced for determining peak hours or arrival and departure.

Accepted as Complete. *This was considered complete as per 1/23/2012 call with L. Barca of HDR. The follow-up comment in HDR’s 1/18/2012 letter pertains to Comment #7d, which is addressed in FEIS Bullet #75.*

FEIS ***HDR Comment 11a—TIS, Section III, Subsection F (Traffic Impact Analysis Results),***
Bullet #80 ***Page 13, Paragraph 2:***
AM Peak hour operates at LOS C and the expected LOS for PM, Sat and Sun is LOS B and A, which is not “similar” to AM Peak.

WT Response, 11/16/11

On page 16 of the revised “Traffic Impact Study,” (see FEIS Appendix F-1) the fourth paragraph reads:

“Capacity analysis conducted utilizing the Year 2015 No-Build and Build Traffic Volumes indicates the intersection (referring to Sterling Mine Rd and Long Meadow Rd) is anticipated to operate at a Level of Service “C” during the AM Peak Hour while similar Levels of Service to existing conditions can be expected for PM, Saturday and Sunday Peak Hours.”

Future LOS for PM, Saturday and Sunday Peak Hours will be similar to existing conditions, not to the Future AM Peak Hour.

Accepted as Complete. *This was considered complete as per 1/23/2012 call with L. Barca of HDR. The follow-up comment in HDR’s 1/18/2012 letter pertains to Comment #11d, which is addressed in FEIS Bullet #83.*

**FEIS
Bullet #81** ***HDR Comment 11b—TIS, Section III, Subsection F (Traffic Impact Analysis Results):***
Page 17, paragraph 1, Sentence 2—only PM Peak has overall LOS B and AM, Sat, and Sun operates at LOS A.

WT Response, 11/16/11

The comment is correct. The intersection of Long Meadow Road (CR-84) and the Site Access Driveway is expected to operate at a Level of Service A during the AM, Saturday and Sunday peak hours, while a Level of Service B will be experienced during the PM peak hour.

Accepted as Complete. This was considered complete as per 1/23/2012 call with L. Barca of HDR. The follow-up comment in HDR's 1/18/2012 letter pertains to Comment #11d, which is addressed in FEIS Bullet #83.

**FEIS
Bullet #82** ***HDR Comment 11c—TIS, Section III, Subsection E (Description of Analysis Procedures):***

Page 17, paragraph 2—misspelled acronym, ASSHTO should be changed to AASHTO. Furthermore, the acronym should be defined including the version and title of publication. Include the analysis/calculation to determine the sight distances.

WT Response, 11/16/11

Page 21 of the "Traffic Impact Study" (FEIS Appendix F-1) states:

"A sight distance analysis was completed for this intersection based on standards provided in the American Association of State Highway and Transportation Officials (AASHTO) publication entitled 'A Policy on Geometric Design of Highways and Streets,' dated 2004. The sight distance looking to the left (north) from the site access is approximately 1100 ft. while the sight distance looking to the right (south) is approximately 885 ft. Based on a 85th Percentile Speed of 60 mph, as measure [measured] by ATR machine data collected along Long Meadow Road, Exhibit 9-55 on page 661 of the AASHTO indicates that a minimum stopping sight distance (SSD) of 570 ft. and an intersection sight distance (ISD) of 665 ft is required. Therefore, the required sight distances are currently met."

Accepted as Complete. This was considered complete as per 1/23/2012 call with L. Barca of HDR. The follow-up comment in HDR's 1/18/2012 letter pertains to Comment #11d, which is addressed in FEIS Bullet #83.

**FEIS
Bullet #89**

HDR Comment 14a—TIS, Overall General Comments:

Construction Phasing or Activity was not described (i.e. the year or date when the construction would begin, the period of construction, how many truck trips would be generated due to construction, what routes they would take, etc.)

WT Response, 11/16/11

This information was included in DEIS Chapter 7, pages 7-10 and 7-11:

“Construction Traffic

“Construction is proposed to begin upon completion of the permit process in 2012 and is anticipated to continue for approximately four years. Once underway, construction truck traffic will include between 30 and 50 trips per day for approximately 3.5 years. Truck traffic will be present for approximately 3 to 4 years and will include dump trucks removing excess site material, along with semi-flatbed and box trucks transporting construction materials. The majority of the trucks will travel on Long Meadow Road south from 17A. The others will travel Highway 17 to Sterling Mine Road (CR-72) to Long Meadow Road (CR-84).”

Accepted as Complete. This was considered complete as per 1/23/2012 call with L. Barca of HDR. The follow-up comment in HDR’s 1/18/2012 letter pertains to Comments #14e and #14f, which are addressed in FEIS Bullets #93 and #94.

**FEIS
Bullet #90**

HDR Comment 14b—TIS, Overall General Comments:

Appendix C should include field notes and/or plans containing field geometry, signal timing, manual counts.

WT Response, 11/16/11

Adjustments made for June 15, 2011 DEIS submittal—see Appendix C of DEIS Appendix F-1.

Accepted as Complete. This was considered complete as per 1/23/2012 call with L. Barca of HDR. The follow-up comment in HDR’s 1/18/2012 letter pertains to Comments #14e and #14f, which are addressed in FEIS Bullets #93 and #94.

**FEIS
Bullet #91**

HDR Comment 14c—TIS, Overall General Comments:

Pedestrian and Bicycle activities should be included in the report.

WT Response, 11/16/11

This information was included in DEIS Chapter 7, page 7-11:

“Pedestrian and Bicycle Traffic

“Provision will be made for bicycle parking at various locations throughout the site, although on-site bicycle traffic is expected to be minimal. Signage, speed tables, and striping will be provided to maintain low speeds (traffic calming) and to ensure pedestrian and vehicle traffic do not conflict. Pedestrian crosswalks will be provided to ensure safe and effective pedestrian travel.”

Accepted as Complete. This was considered complete as per 1/23/2012 call with L. Barca of HDR. The follow-up comment in HDR’s 1/18/2012 letter pertains to Comments #14e and #14f, which are addressed in FEIS Bullets #93 and #94.

FEIS Bullet #92	<i>HDR Comment 14d—TIS, Overall General Comments:</i> Describe any parking displacement or existing parking conditions.
	<i>WT Response, 11/16/11</i> <i>As shown in DEIS Table 16-1, the existing site includes approximately 246 parking spaces. The Proposed Project will increase the number of parking spaces to 1,020, which will not result in any parking displacement.</i>

FEIS Bullet #122	<i>HDR Comment 1—Chapter 16, Section 11, Page 11-1:</i> Section 11, page 11-1 states 2008 EPA average of solid waste is 4.5 pounds per capita per day. 2009 rates were 4.34 (of which 1.46 is recycled) pounds per capita per day. Updated figures and sources should be used. Table 16-1 should note average pounds per capita per day used in calculations.
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	<i>HDR Comment, 01/18/12:</i> While solid waste numbers for the alternatives have been provided/updated, there is currently not the same calculation provided for the Preferred Alternative. The Table indicates that the proposed site will have less than the national average for solid waste. For comparison purposes, all alternatives should include the calculation of the EPA national average.
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	<i>Watchtower Response:</i> <i>The 2009 EPA rate was used and DEIS Table 16-1 was revised and is provided below.</i>
	<i>Accepted as Complete. This was considered complete by the Planning Board on 1/18/12. As per 1/23/2012 call with HDR: L. Barca agrees that the Planning Board marked this as complete.</i>

FEIS Comments to Be Addressed in Site Plan Review

FEIS Bullet #5	<i>HDR Comment 1—Chapter 3 (Appendix B-1):</i> Four piezometers were installed to monitor water levels and data from two of the locations near the southwestern end of the development exhibit water levels that fluctuated approx. 8 ft (in TB-20) and 4 ft (in TB-II) within a couple months—with seasonal high levels likely associated with a combination of spring runoff and precipitation. An 8 ft seasonal fluctuation is significant and does not appear to be accounted for in the groundwater elevation contour map accompanying Figure 4 in CHA's report. The Applicant should clarify how this fluctuation will be managed with regard to excavation and the implications after the building is in place given the proximity to Blue Lake and the topographic differences between the lake and the uplands to the south and east.
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	<i>HDR Comment, 01/18/12</i> Plans should show/describe what measures will be taken if groundwater is encountered during construction.
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FEIS Bullet #102	<i>HDR Comment 1—Chapter 9, Page 9-2, last paragraph:</i> Provide minimum sewer slope to be used. Design must ensure that an appropriate slope is used so that required pipe flow capacity and minimum velocity 2 feet per second recommended in Section 33.41 of the Ten State Standards for Wastewater Facilities are met.
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FEIS

Bullet #113

HDR Comment 6—Chapter 13:

It is stated that the site plan preserves as much existing vegetation as possible. The methods proposed to be used (i.e. provide tree protection details, soil preparation, avoidance of soil compaction) should be clarified.

HDR Comment, 01/18/12

While the methods proposed were discussed in the FEIS, these items (notes, details, etc) should be included on the plans.

FEIS

Bullet #124

HDR Comment 3—Chapter 16:

There are no estimates of recreation space provided in the Educational Facility (Kings College) Alternative. Provide area provided compared to estimated need based on population.

HDR Comment, 01/18/12

It is noted that there will be 208 acres of undisturbed area; the Applicant should clarify that this area is to be open space and discuss the legal mechanism to ensure preservation of open space (e.g., deed declaration).

FEIS

Bullet #134

HDR Comment 7—Appendix M, SWPPP:

The Grading and Drainage Plans included with the SWPPP should include the following:

- a. Legend
- b. Each of the drainage structures should be named, and contain information for the rim elevation, and inverts. This information could also be provided in table format.
- c. Pipe materials and sizes should be clearly indicated.
- d. Locations of all proposed stormwater management practices (including green infrastructure practices).

HDR Comment, 01/18/12

The Applicant has indicated in the response that the “storm inverts, profiles, and sizes will be subsequently provided during final SWPPP submission”. It is important to provide the profiles during the review process so it can be determined if the site can be constructed as shown on the plans, or if further changes are needed.

FEIS

Bullet #135

HDR Comment 8—Appendix M, SWPPP:

The Applicant should include Detail Sheets in the SWPPP which include the following:

- a. Catch Basin Detail.
- b. Pipe trenching detail.
- c. Representative cross-section and profile drawings of ALL proposed stormwater management practices and conveyances (e.g., Green Roof, Riparian Buffers, Porous Asphalt, Permeable Pavers, Stormwater Planters, Sand Filters, Bioretention Areas, Water Quality Units, Detention Basin, Infiltration Chambers, etc.). The details should be specific to the application, and include inverts, and water surface elevations for design storms (if applicable).
- d. Specific maintenance requirements for each of the proposed stormwater management practices should be provided.
- e. Details for all proposed erosion controls (e.g. silt fence, stabilized construction entrance; diversion swale, soil stockpile, sediment trap, etc.)

HDR Comment, 01/18/12

The Applicant has indicated in their response that “Further details, including inverts, water surface elevations, and detailed dimensions will be provided as part of the final SWPPP submission.” It is important to provide this information during the review process so it can be determined if the site can be constructed as shown on the plans, or if further changes are needed.

FEIS Bullet HDR Comment 9—Appendix M, SWPPP:

#136

The Applicant should provide profile drawings for the drainage system.

HDR Comment, 01/18/12

The Applicant has indicated in their response that “Stormwater system profile drawings will be included as part of the final SWPPP submission concurrent with site plan approval application.” It is important to provide the profiles during the review process so it can be determined if the site can be constructed as currently shown on the plans, or if further changes need to be made prior to approval.

Comments Not Included in FEIS—To Be Addressed in Site Plan Review

*Orange
County
Dept. of
Public
Works
Letter
9/15/2011*

Orange County Department of Public Works Comment:

This Department has reviewed the DEIS for the above referenced project as it pertains to traffic and drainage impacts to County Road No. 84 and accepts the information and proposal provided. A full set of project plans prepared in conformance with the Policy & Standards of the Orange County Department of Public Works must now be provided to this Department for review and approval.

**HDR Letter
9/19/2011**

HDR Comment 1:

Coordination with O&R for easement for activities within the easement: (1) boulder retaining wall, (2) roadway to vehicle maintenance building, (3) secondary access road, and (4) various plantings and shrubs.

**HDR Letter
9/19/2011**

HDR Comment 2:

The proposed landscaping plan must include a schedule with botanical name, common name, number to be planted, and size to be planted.

**HDR Letter
9/19/2011**

HDR Comment 3:

The site plan submitted with the DEIS is incomplete. A complete set of plans (at a minimum) includes: (1) title sheet, (2) demolition plan, (3) overall site plan, (4) layout plan, (5) grading and drainage plan, (6) utility plan, (7) erosion control plan, (8) roadway profiles for entire length, (9) landscape and lighting plan, (10) detail sheets, and (11) SWPPP.

**HDR Letter
9/19/2011**

HDR Comment 4:

The Applicant should clarify if there will be consolidation of lots (a reverse subdivision).

**HDR Letter
9/19/2011**

HDR Comment 5:

The Applicant should clarify on the plans what areas will be in conservation and what mechanism will be used to conserve these areas.

**HDR Letter
9/19/2011**

HDR Comment 6:

Details will be required for each type of planting and seed mixture that will be installed.

**HDR Letter
9/19/2011**

HDR Comment 7:

On the grading and drainage plan, the top of wall and bottom of wall elevations, as well as elevations along various points along the wall must be called out.

HDR Letter

9/19/2011 HDR Comment 8:

Existing and proposed features must be called out as either being existing or proposed (e.g., water and sewer lines).

HDR Letter

9/19/2011 HDR Comment 9:

All utility lines must be called out with material, size, length, slope, etc. as appropriate

HDR Letter

9/19/2011 HDR Comment 10:

More information/details must be provided for the tunnels and bridges.

HDR Letter

9/19/2011 HDR Comment 11:

OCDPW review and approval for the new roadway cut and drainage will be required.

HDR Letter

9/19/2011 HDR Comment 12:

The overview plans can be at 100-ft scale, but the site plan drawing must be at a smaller scale (e.g., 40-ft scale); Attachment 1 includes the Site Plan Checklist.

HDR Letter

9/19/2011 HDR Comment 13:

A note shall be added to the site plans stating that this review and approval assumes that there are no school age children that would need to attend local schools. If school age children were proposed to reside at this facility, then a review of potential.

Please feel free to contact Enrique Ford or Greg Povah at (718) 560-5000 if you have any questions concerning this submittal.

Very truly yours,



Robert A. Pollock
Design/Build Department

Enclosures

c: J. Theodore Fink, AICP
Laura Barca, P.E.

A-42

New York State Department of Environmental Conservation

Division of Environmental Permits, Region 3

21 South Putt Corners Road, New Paltz, New York 12561-1620

Phone: (845) 256-3054 FAX: (845) 255-4659

Website: www.dec.ny.gov



March 7, 2012

RECEIVED

MAR 09 2012

Town of Warwick

Benjamin Astorino, Chair
Town of Warwick Planning Board
132 Kings Highway
Warwick, NY 10990

Re: World Headquarters of Jehovah's Witnesses
DEC Tracking #: 3-3354-00167/00015
Town of Warwick, Orange County
Response to Draft Environmental Impact Statement

Dear Chairman Astorino:

I apologize for the delay in response. The Department of Environmental Conservation (DEC) has no record of receiving the Draft Environmental Impact Statement (DEIS) which was accepted by the Planning Board in June 2011. A copy was forwarded by the applicant, Watchtower Bible & Tract Society, and received January 18, 2012. Department staff have completed their review of the DEIS and offer the following comments to the Town and, by copy, to the applicant, regarding DEC jurisdiction.

This proposal involves construction, on 45 acres of the total 253-acre site, of an administrative and residential center including 588 units for approximately 1,000 residents and associated utility, service, and recreational structures. Sanitary treatment and water supply are proposed to be provided by connection to the adjoining public systems operated by United Water. Department jurisdiction under the Environmental Conservation Law (ECL) is as follows:

Endangered and Threatened Species

This site is in close proximity (<1 mile) to a known den site for timber rattlesnake, *Crotalus horridus*. This species is protected under Article 11, Title 5 of the ECL and listed by New York State as 'Threatened'¹. In addition to the actual mortality of individuals, the disturbance or loss of habitat is considered a 'taking' of a species. As detailed in 6 NYCRR Part 182, a permit is required for a taking. In order for a permit to be issued, a net conservation benefit for the species must be demonstrated.

The Department reviewed the DEIS and the Confidential "2010 Addendum to Timber Rattlesnake Study" prepared by wildlife consultant Kathy Michell. Although it does not appear that a taking of important habitat is proposed, at this time the Department cannot rule out the need for a Part 182 taking permit.

1. Disturbances during the snake's hibernation period are unlikely to have a direct impact (except for blasting); this period is approximately November 1st through March 31st of any given year. All new disturbances should be done during the hibernation period; if there is a reasonable justification as to why this cannot be done, fencing and a monitor would be

¹ Note - page 14 of the Executive Summary incorrectly identifies the species as 'Vulnerable' in NYS.

Re: World Headquarters of Jehovah's Witnesses
DEC Tracking #: 3-3354-00167/00015
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Response to Draft Environmental Impact Statement

required in those areas to avoid a take.

2. There is mention of installing 'fencing' around the site, but there are no details regarding the size or location of the fencing or when it would be installed. The Department offers the following guidance on temporary barriers:

"When disturbance is likely to occur from actions occurring outside of the acceptable work periods, a temporary restrictive barrier (Stechert, 2001) may help to avoid impacts if installed around the perimeter of the disturbance footprint of small projects (< 1 acre). The barrier should be: 1) installed before the end of the acceptable work period and maintained until the end of the construction phase of the project or until the beginning of the next acceptable work period, whichever occurs first, 2) inspected daily and, if necessary, repaired immediately to a fully functional condition*, and 3) constructed in accordance with the following design specifications:

- a. made of $\frac{1}{4}$ inch square hardware cloth or wire mesh
- b. a minimum of 48 high
- c. anchored into the ground with reinforcement bars placed on the disturbance side of the barrier and spaced between 6-8 feet apart.
- d. secured at the base (barrier/ground interface) with at least 6 of fence material covered with soil backfill

* The effectiveness of the barrier will be diminished and snakes may be able to gain access to the disturbance area if debris (e.g. tree limbs, soil) is allowed to overtop or pile up along side of the barrier."

3. If any easements are proposed on the property, information will be needed on the type of easement and to which parts of the property these easements will be applied. The easement language will need to be reviewed to demonstrate that it allows for potential habitat management for the benefit of timber rattlesnake and that it does not allow management practices that would be detrimental.
4. An education plan for rattlesnakes is proposed, review by the Department is recommended.
5. New trails are proposed for the parcel on the northeast side of Long Meadow Road. Details on the size and location of the proposed trails is needed, including the "ancillary rest areas" mentioned in the DEIS. Use of existing trails does not require review, but any new paths, structures, or widening/modification of existing paths will require additional review and conservation measures may be needed. The Department recommends posting warning signs at trail heads, similar to those now used in the area state parks, about the presence and status of rattlesnakes.

If it is determined that a taking will occur, in order for a permit to be issued the applicant must propose sufficient mitigation to offer a net conservation benefit to the species.

State Pollutant Discharge Elimination System - Sanitary

The Blue Lake Sewage Treatment Plant is the proposed receiver of wastewater. This system is currently permitted under SPDES permit NY 002 8827 as a private/commercial/institutional

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Response to Draft Environmental Impact Statement

discharge. While the system is capable of handling the volume of waste proposed, the following must be addressed:

- The proposal includes a Vehicle Maintenance Building. Industrial Wastewater from vehicle maintenance activities, like car washing operations, is prohibited from connection to the sanitary sewer for the Blue Lake Sewage Treatment Plant without modification of United Water's Blue Lake Sewage Treatment Plant SPDES permit. Either United Water must modify their permit to accept industrial discharges or Watchtower must obtain an individual SPDES industrial discharge permit. Vehicle maintenance wastewater is not eligible for coverage under the Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity, GP-0-06-002.
- Please note that stormwater discharges associated with the concrete plant may require coverage under an industrial permit. The applicant must either obtain coverage under a single SPDES permit along with the Maintenance Building discharge or submit proof to the Department that industrial stormwater is not discharged from the plant. Although the concrete plant discharge may be eligible for coverage under the Multi-Sector GP, as the vehicle maintenance is not, a single, individual permit is required for both discharges.
- United Water must own or be responsible for the maintenance of the collection system (gravity sewer, pump station and force main). The Department needs the proof that this agreement is in place. Otherwise, a sewage works corporation must be formed for the ownership of the system.
- The engineering report, plans and specifications for the sewer extension must be submitted to the Department for review and approval.

Water Supply

The Blue Lake Water Public Supply, operated by United Water of New York, is the proposed source for this project's water supply needs. Some, but not all, of the subject parcels are within the Blue Lake Water Supply District, therefore United Water of New York must obtain a Water Supply permit pursuant to Article 15, Title 15 of the ECL and 6 NYCRR Part 601 for the service of this development.

State Pollutant Discharge Elimination System - Stormwater

This project requires coverage under the General Permit for Stormwater Discharges from Construction Activity (GP-0-10-001), therefore a Stormwater Pollution Prevention Plan (SWPPP) must be prepared. The DEIS incorrectly states that this site is not in the Town of Warwick MS-4 (Municipal Separate Storm Sewer System) area. Although the site is not within the 'Designated MS-4' area, the entire Town, exclusive of the Villages of Florida and Warwick, is subject to the Town's MS-4 permit. The SWPPP must be reviewed and accepted by the Town. Authorization for coverage under the SPDES General Permit is not granted until the Department issues any other necessary DEC permits.

The DEIS mentions trails on the parcels on the north east side of Long Meadow Road but these are not included on the Erosion and Sediment Control Plans or discussed in the Stormwater

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Pollution Prevention Plan (SWPPP). All disturbances must be included.

Solid Waste Management

The proposed on-site recycling facility is not subject to regulation under Article 27, Title 7 of the ECL and 6 NYCRR Part 360, Solid Waste. The proposal appears to be consistent with Orange County source separation laws. Given the fairly large proposed residential population, the Department recommends consideration of a food composting facility.

Section 3, "Geology Soils & Topography", identifies some areas of soil contamination associated with the former industrial use of the site. Soils in these areas are proposed to be removed from the site. Contaminated soils must be disposed of as waste pursuant to 6 NYCRR Part 360 or tested and a "Beneficial Use Determination" obtained prior to their re-use. Please see the DEC website for more information at <http://www.dec.ny.gov/chemical/8821.html>.

Protection of Waters and Water Quality Certification

Table 1-2 "Required Approvals" in the Executive Summary lists required permits from DEC as including Article 15, Title 5 of the ECL, Use & Protection of Waters. However there is no further discussion of this in the document and the plans do not appear to show any activities regulated which are regulated. Page 4-13, Water Resources, states that "no water body or wetland fill, excavation, or clearing is proposed ... (and) no stream disturbance, either temporary or permanent".

In addition to Protection of Waters regulation (stream disturbance, excavation and fill, dams, and docks & mooring), if a permit is required from the Army Corp of Engineers for excavation or fill in wetlands under federal jurisdiction, then a Water Quality Certification will be required pursuant to Section 401 of U.S. Public Law 95-217, and 33 USC 1341 of 1977, 1984. In New York State these certifications have been delegated to DEC and issuance is regulated pursuant to 6 NYCRR Part 608.

Please see the table below and the attached map regarding potential regulation pursuant to Part 608. All waterbodies and wetlands are potentially subject to Part 608.9, Water Quality Certification.

Name	Waters Index Number (WIN)	Class/Standard	Regulation
Tributary of Ringwood River	NJ-13-2a	Class C	608.9 Water Quality Certification only
Tributary of Ringwood River	NJ-13-2	Class C	608.9 Water Quality Certification only
Ringwood River	NJ-13	Class C(t)	608.2 Stream disturbance
Sterling Forest Lake AKA Blue Lake	NJ-13-2-P 1021c	Class A Navigable Waters	608.5 Excavation & Fill in Navigable Waters 608.4 Docks and Moorings
Blue Lake Dam ID 180-1740			608.5 Dams and impoundments

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The DEIS briefly mentions trails on the parcels on the north east side of Long Meadow Road along with "ancillary rest areas". No plans were provided on these trails. Any crossing of Ringwood River for trails will require a Stream disturbance permit.

Other Potential DEC Jurisdictions

The DEIS failed to include a cut and fill analysis, although it was stated that no material is proposed to leave the site. However even though material is not leaving the site, a Mined Land Reclamation permit could be required. Please include a cut and fill analysis as an addendum to DEIS section 3.1, "Geology, Soils, and Topography".

Heating plants will likely require either an Air Facility registration or an Air State Facility permit. Any geo-thermal wells of greater than 500 feet depth will require a Mined Land Reclamation permit. Drillers and pump installers for open-loop or standing column systems wells of less than 500 feet must be registered and certified. Registration and certification is not required for closed-loop system wells of less than 500 feet.

Petroleum bulk storage registration will be required for any tank greater than 1,100 gallons in size.

Sewer extension approval and all registrations are not permits subject to 6 NYCRR Part 621, Uniform Procedures. Part 182, Endangered and Threatened Species, is not subject to Part 621, but per Part 182.10, the procedures found in Part 621 will be utilized for species taking permits.

Cultural/Historic Resources

This property lies within an area identified by the New York State Historic Preservation Office (SHPO) as having the potential for containing archaeological resources. While it appears that a cultural resource survey has been completed, a final determination of impact by SHPO will be a requirement of DEC approvals pursuant to Uniform Procedures.

If you have any questions, please feel free to contact me at (845) 256-3014 or the above address.

Sincerely yours,



Rebecca Crist
Environmental Analyst

Enc: Map of protected waterbodies on site

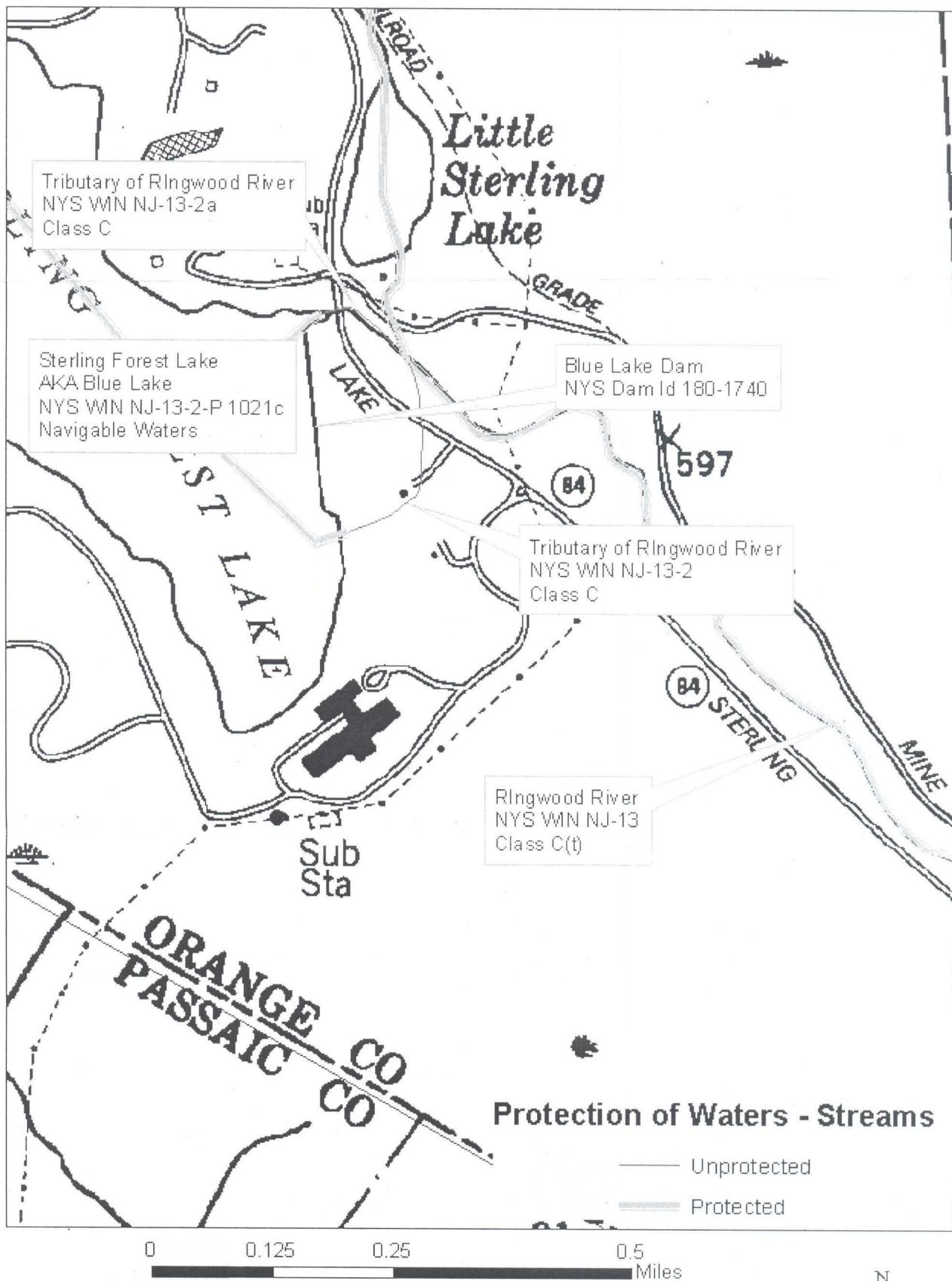
Cc: Watchtower Bible & Tract Society (w.enc)

Ecc: Orange County Department of Health Heather Gierloff, DEC Bureau of Habitat

Adedayo Adewole, DEC Division of Water Lisa Masi, DEC Bureau of Wildlife

Aparna Roy, DEC Division of Water Terry Laibach, DEC Division of Materials Management

Watchtower World HQ Town of Warwick, Orange County



A-43

MEETING MINUTES: **GREENWOOD LAKE JOINT FIRE DISTRICT #1, TUXEDO FIRE DEPARTMENT,
AND WATCHTOWER PERSONNEL**

Date: Tuesday, May 15, 2012

Location: Watchtower's Warwick Site

Attendees:

Watchtower: Harvey Castro, Matt Johnson, Bob Pollock, Greg Povah

Greenwood Lake Joint Fire District #1: Martin Hickey, 1st Assistant Chief; Mike Dunlop, 2nd Assistant; Wayne Russo, Commissioner; Steve Defeo, Commissioner; John Rader, Chief

Tuxedo Fire District: Ed Brennan, Commissioner; Rip Brooks, Commissioner; Stefan Christian, 1st Assistant Chief; Ralph Brooks, Chief; Charles Jones, Commissioner

The following points were discussed between the joint fire departments (JFD) and Watchtower:

1. JFD: The DEIS statement that "the sum of \$2,000.00 per year to the Warwick Fire District" should be reworded to Greenwood Lake. Warwick Fire District is not the responder to our site.

Watchtower: We will re-word the FEIS accordingly.

2. JFD: Will the State inspect our structures?

Watchtower: This is not necessary since not all buildings will require such an inspection.

3. JFD: Will all fire alarm activations be sent to the fire department?

Watchtower: No, only after alarm is confirmed as valid. Watchtower has a site-wide BCS that is manned 24/7. All alarms are investigated immediately. This has worked well with the volunteer Shawangunk Valley Fire District who reported that their "response history is minimal and may incur an average of only once per year." It should be noted that the fire department representatives expressed concern over this approach. It could be that a compromise could be worked out where a maximum time for internal verification could be established after which a report to a central alarm agency would be automatic.

4. JFD: Is the Tuxedo site fully equipped with a fire alarm system?

Watchtower: Not sure of present status since site is still being secured.

5. JFD: Will there be an on-site fire brigade at Warwick?

Watchtower: Not in the sense of having responsibility to extinguish a fire, however, there will be trained emergency and medical responders.

6. Watchtower: The site has two entry points designed to accommodate 75-ft and 100-ft ladder trucks. The access side of all buildings will allow access to the building's face as close as 15-ft away. The grading of the access roads does not exceed 10 percent. All bridges crossing the access roads will provide 13-ft, 6-inch clearance. The dedicated fire underground pipe will be a looped 12-inch line with 8-inch branches to the hydrants.

7. JFD: Will the fire hydrants have a 4-inch connection?

Watchtower: Yes.

8. JFD: Who will maintain the fire hydrants?
Watchtower: Watchtower maintenance personnel.
9. JFD: Is the heating system for the site by steam or natural gas?
Watchtower: No steam or gas—will be geothermal/boiler generated hot water.
10. JFD: How many stories high are these buildings?
Watchtower: The building heights vary. The building exposures will be from 3–5 levels on the access side.
11. JFD: Will there be a standpipe system in the visitors' garage?
Watchtower: Yes, that can be provided.
12. JFD: What is the clearance in the residence parking garage?
Watchtower: Floor to floor height is 9 ft; however, since the design is still in development, the clearances are unknown at this time.
13. JFD: Regarding the available 75-ft ladder truck, it was confirmed that it can reach the highest floors planned, though this would put it “at its limit.” A 100-ft ladder truck would be better suited for taller buildings. The closest 100-ft ladder truck is about 20 to 30 minutes away. Neither of the two involved fire departments is able to obtain a 100-ft ladder, nor do either have a garage large enough to house it.
14. JFD: Expressed concern about no access on the rear side of most of the buildings and no exterior fire escapes.
Watchtower: Multiple interior fire escapes are planned in compliance with applicable codes.
15. JFD: Hose stations are not desirable.
Watchtower: We agree. It was confirmed that none were planned. However, there are some areas that will require additional hose stations which will have hose connected to them.
16. JFD: What is the planned construction schedule?
Watchtower: We hope to complete the Warwick project within four years from start of construction.

End of meeting

A-44



Design/Build Department
25 Columbia Heights, Brooklyn, NY 11201-2483, U.S.A.
Phone: (718) 560-5000 Fax: (718) 560-8827

May 22, 2012

Greenwood Lake Joint Fire District #1
Waterstone Road
P. O. Box 1388
Greenwood Lake, NY 10925-1388

Attn: Dody Nicholas, Secretary Treasurer

Re: Watchtower Warwick Proposed Project

Dear Ms. Nicholas:

We are in receipt of your letter of January 24, 2012, to the Town of Warwick Planning Board in which several concerns were raised regarding our application for a proposed project on Long Meadow Road in Warwick.

In response to your letter, a meeting was held at our Warwick site on the evening of May 15, 2012, a summary of which is herewith enclosed. In attendance were officials of both the Greenwood Lake Joint Fire District #1 and Tuxedo Fire Department along with Robert Pollock, Gregory Povah, Harvey Castro, and Matt Johnson of Watchtower.

One concern raised in the Greenwood Lake letter was that, "after speaking with Tuxedo they led [you] to believe they are not aware of what is going on with this project." As confirmed at the above meeting, this was a misunderstanding, since it was acknowledged that Watchtower personnel had met with both the Greenwood Lake Joint Fire District #1 (in November 2010) and Tuxedo Fire Department (in February 2010) to review the site plan and fire prevention/fighting measures that were being applied in compliance with the *New York State Code*.

The second concern raised in the letter was "that neither district has apparatus capable of handling an emergency situation at buildings the height that are being proposed." As noted in the enclosed meeting minutes, the Tuxedo Fire Department confirmed that their 75-ft truck at its maximum reach is able to access the highest floors planned.

It was also confirmed that Watchtower will contribute the sum of \$2,000 per year to the Greenwood Lake Joint Fire District #1 (rather than the Warwick Fire District as stated in the DEIS) in order to offset possible additional costs to the fire district. The FEIS will be reworded accordingly.

Greenwood Lake Joint Fire District #1

May 22, 2012

Page 2 of 2

We trust the above satisfactorily addresses the concerns raised in your letter and thank both fire departments for taking the time to meet with us in order to clarify these points.

Very truly yours,



Robert A. Pollock
Design/Build Department

Enclosure

c: Tuxedo Fire Department
Ben Astorino, Chairman—Town of Warwick Planning Board
Laura Barca, P.E. (Town Engineer)
Ted Fink, AICP (Town Planner)

MEETING MINUTES: **GREENWOOD LAKE JOINT FIRE DISTRICT #1, TUXEDO FIRE DEPARTMENT,
AND WATCHTOWER PERSONNEL**

Date: Tuesday, May 15, 2012

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Watchtower: This is not necessary since not all buildings will require such an inspection.

3. JFD: Will all fire alarm activations be sent to the fire department?

Watchtower: No, only after alarm is confirmed as valid. Watchtower has a site-wide BCS that is manned 24/7. All alarms are investigated immediately. This has worked well with the volunteer Shawangunk Valley Fire District who reported that their "response history is minimal and may incur an average of only once per year." It should be noted that the fire department representatives expressed concern over this approach. It could be that a compromise could be worked out where a maximum time for internal verification could be established after which a report to a central alarm agency would be automatic.

4. JFD: Is the Tuxedo site fully equipped with a fire alarm system?

Watchtower: Not sure of present status since site is still being secured.

5. JFD: Will there be an on-site fire brigade at Warwick?

Watchtower: Not in the sense of having responsibility to extinguish a fire, however, there will be trained emergency and medical responders.

6. Watchtower: The site has two entry points designed to accommodate 75-ft and 100-ft ladder trucks. The access side of all buildings will allow access to the building's face as close as 15-ft away. The grading of the access roads does not exceed 10 percent. All bridges crossing the access roads will provide 13-ft, 6-inch clearance. The dedicated fire underground pipe will be a looped 12-inch line with 8-inch branches to the hydrants.

7. JFD: Will the fire hydrants have a 4-inch connection?

Watchtower: Yes.

8. JFD: Who will maintain the fire hydrants?
Watchtower: Watchtower maintenance personnel.
9. JFD: Is the heating system for the site by steam or natural gas?
Watchtower: No steam or gas—will be geothermal/boiler generated hot water.
10. JFD: How many stories high are these buildings?
Watchtower: The building heights vary. The building exposures will be from 3–5 levels on the access side.
11. JFD: Will there be a standpipe system in the visitors' garage?
Watchtower: Yes, that can be provided.
12. JFD: What is the clearance in the residence parking garage?
Watchtower: Floor to floor height is 9 ft; however, since the design is still in development, the clearances are unknown at this time.
13. JFD: Regarding the available 75-ft ladder truck, it was confirmed that it can reach the highest floors planned, though this would put it “at its limit.” A 100-ft ladder truck would be better suited for taller buildings. The closest 100-ft ladder truck is about 20 to 30 minutes away. Neither of the two involved fire departments is able to obtain a 100-ft ladder, nor do either have a garage large enough to house it.
14. JFD: Expressed concern about no access on the rear side of most of the buildings and no exterior fire escapes.
Watchtower: Multiple interior fire escapes are planned in compliance with applicable codes.
15. JFD: Hose stations are not desirable.
Watchtower: We agree. It was confirmed that none were planned. However, there are some areas that will require additional hose stations which will have hose connected to them.
16. JFD: What is the planned construction schedule?
Watchtower: We hope to complete the Warwick project within four years from start of construction.

End of meeting

A-45



Design/Build Department
25 Columbia Heights, Brooklyn, NY 11201-2483, U.S.A.
Phone: (718) 560-5000 Fax: (718) 560-8827

May 25, 2012

Mr. Ben Astorino, Chairman
Town of Warwick Planning Board
123 Kings Highway
Warwick, New York 10990

Re: Watchtower FEIS Review by NYSDEC
1 Kings Drive
Tax Map Reference: 85-1-2.22, 2.3, 4.1, 4.2, 5.1, 5.2 & 6

Dear Mr. Astorino:

Subsequent to our FEIS submittal of February 17, 2012, we received comments from the New York State Department of Conservation (NYSDEC) regarding the June 15, 2011, Draft Environmental Impact Statement (DEIS) prepared by Watchtower. Comments were provided by NYSDEC in their letter dated March 7, 2012 as well as by the Greenwood Lake Joint Fire District #1 in their letter dated January 24, 2012. (See Appendices A-42 and A-40 of the FEIS on the attached compact disc [CD].) Lastly, in the follow-up workshop meeting held on May 7, 2012, additional information regarding the cut-and-fill analysis for our project was requested by the Warwick Planning Board.

We are submitting for your review the responses to said comments, which are listed in the same order as they appear in the letter from the NYSDEC, including the comments from the Greenwood Lake Joint Fire District #1 and the Town Engineer. The corresponding FEIS bullet number is also included for referencing their location in the FEIS, which is being provided on CD in lieu of hard copies. Additionally, 12 CDs are herewith enclosed which contain the revised FEIS. This letter and the CD are also being provided to Ted Fink (Town Planner) and Laura Barca (Town Engineer with HDR). Once review and approval of these comments is confirmed, we will submit the necessary hard copies with revised date and additional CDs to the Town of Warwick Planning Board.

FEIS
Bullet #55

DEC Comment #1:

This site is in close proximity (<1 mile) to a known den site for timber rattlesnake, *Crotalus horridus*. This species is protected under Article 11, Title 5 of the ECL and listed by New York State as 'Threatened' (Note—page 14 of the Executive Summary incorrectly identifies the species as 'Vulnerable' in NYS). In addition to the actual mortality of individuals, the disturbance or loss of habitat is considered a 'taking' of a species. As detailed in 6 NYCRR Part 182, a permit is required for a taking. In order for a permit to be issued, a net conservation benefit for the species must be demonstrated.

The Department reviewed the DEIS and the Confidential "2010 Addendum to Timber Rattlesnake Study" prepared by wildlife consultant Kathy Michell. Although it does not appear that a taking of important habitat is proposed, at this time the Department cannot rule out the need for a Part 182 taking permit.

Disturbances during the snake's hibernation period are unlikely to have a direct impact (except for blasting); this period is approximately November 1st through March 31st of any given year. All new disturbances should be done during the hibernation period; if there is a reasonable justification as to why this cannot be done, fencing and a monitor would be required in those areas to avoid a take.

Watchtower Response:

The first heading on DEIS page 1-14 and the first bullet on DEIS page 6-16 is hereby corrected to read:

"Timber Rattlesnake—*Crotalus horridus*—NY Threatened and NJ Endangered Species"

The Applicant met with DEC staff on April 2, 2012. Based on this discussion, DEC is concerned with disturbing previously undisturbed areas near the vehicle maintenance building and outdoor recreation areas. The Applicant will implement one or a combination of the following options in the newly disturbed areas. Previously disturbed areas are exempt from these requirements:

- *Perform vegetation removal, clearing, grubbing, and grading between November 1 and March 31;*
- *If, in the unlikely event that clearing, grubbing, or grading is needed between the dates noted above, the Applicant will provide a completely enclosed fence around the disturbed area. The fence will comply with the requirements noted in DEC's letter of March 7, 2012 (see Appendix A-42), except that hardware cloth should not be used. The DEC has advised that one fence could be used to serve the purpose of erosion control and as a wildlife barrier. Where the erosion control fence doubles as a wildlife barrier, it will be 4 feet tall. Where two separate fences are used, they will not be placed so close to each other that animals could get trapped or entangled between the two fences. The Applicant will show fencing and requirements on the plans. If the fence is installed between April 1 and October 31, a monitor (individual licensed by New York State to handle snakes) will be required to be on hand to determine if snakes are in the disturbed area. No monitor is required if the fence is installed between November 1 and March 31.*

FEIS

Bullet #56

DEC Comment #2:

There is mention of installing ‘fencing’ around the site, but there are no details regarding the size or location of the fencing or when it would be installed. The Department offers the following guidance on temporary barriers:

“When disturbance is likely to occur from actions occurring outside of the acceptable work periods, a temporary restrictive barrier (Stechert, 2001) may help to avoid impacts if installed around the perimeter of the disturbance footprint of small projects (< 1 acre). The barrier should be: 1) installed before the end of the acceptable work period and maintained until the end of the construction phase of the project or until the beginning of the next acceptable work period. whichever occurs first, 2) inspected daily and, if necessary, repaired immediately to a fully functional condition*, and 3) constructed in accordance with the following design specifications:

- a. made of 1/4 inch square hardware cloth or wire mesh
- b. a minimum of 48 high
- c. anchored into the ground with reinforcement bars placed on the disturbance side of the barrier and spaced between 6 8 feet apart.
- d. secured at the base (barrier/ground interface) with at least 6 of fence material covered with soil backfill

* The effectiveness of the barrier will be diminished and snakes may be able to gain access to the disturbance area if debris (e.g. tree limbs, soil) is allowed to overtop or pile up along side of the barrier.”

Watchtower Response:

Please see response to DEC Comment 1 in Bullet #55 above.

FEIS

Bullet #57

DEC Comment #3:

If any easements are proposed on the property, information will be needed on the type of easement and to which parts of the property these easements will be applied. The easement language will need to be reviewed to demonstrate that it allows for potential habitat management for the benefit of timber rattlesnake and that it does not allow management practices that would be detrimental.

Watchtower Response:

No new easements are proposed on the property. However, if a maintenance-access easement were required for the sanitary sewer pump station, the easement wording would address the need for habitat management.

FEIS

Bullet #58

DEC Comment #4:

An education plan for rattlesnakes is proposed, review by the Department is recommended.

Watchtower Response:

Our meeting with DEC revealed that the DEC mistakenly thought that an education plan is being proposed by the Applicant. Although a plan will not be developed, residents will be educated on the presence of rattlesnakes. Additionally, the Applicant will post signs at the trails indicating that snakes may be encountered, that they are protected, and that individuals should remain on the trail.

FEIS

Bullet #59

DEC Comment #5:

New trails are proposed for the parcel on the northeast side of Long Meadow Road. Details on the size and location of the proposed trails is needed, including the “ancillary rest areas” mentioned in the DEIS. Use of existing trails does not require review, but any new paths, structures, or widening/modification of existing paths will require additional review and conservation measures may be needed. The Department recommends posting warning signs at trail heads, similar to those now used in the area state parks, about the presence and status of rattlesnakes.

Watchtower Response:

New trails are not being proposed; rather, existing trails will be maintained and cleared of overgrowth and brush to make them accessible. Benches will also be added along the existing trails. The Applicant will post warning signs at trails heads to notify trail users of the potential presence and status of rattlesnakes. Please see response to DEC Comment 4 in Bullet #58 above.

FEIS

Bullet #60

DEC Comment #6:

If it is determined that a taking will occur, in order for a permit to be issued the applicant must propose sufficient mitigation to offer a net conservation benefit to the species.

Watchtower Response:

The Applicant will implement the fencing and clearing recommendations proposed by DEC during their meeting with the Applicant on April 2, 2012. (See response to DEC Comment 1 in Bullet #55.) These mitigation measures will preclude the need for a taking permit.

FEIS

Bullet #118

DEC Comment #7:

The Blue Lake Sewage Treatment Plant is the proposed receiver of wastewater. This system is currently permitted under SPDES permit NY 002 8827 as a private/commercial/institutional discharge. While the system is capable of handling the volume of waste proposed, the following must be addressed:

The proposal includes a Vehicle Maintenance Building. Industrial Wastewater from vehicle maintenance activities, like car washing operations, is prohibited from connection to the sanitary sewer for the Blue Lake Sewage Treatment Plant without modification of United Water's Blue Lake Sewage Treatment Plant SPDES permit. Either United Water must modify their permit to accept industrial discharges or Watchtower must obtain an individual SPDES industrial discharge permit. Vehicle maintenance wastewater is not eligible for coverage under the Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity, GP-0-06-002.

Watchtower Response:

The Applicant will not discharge industrial wastewater from the car washing activities to the Blue Lake Wastewater Treatment Plant (STP). The Applicant will recycle the car wash wastewater to the extent possible and collect the balance for removal by an approved hauler to an approved disposal location.

FEIS

Bullet #168

DEC Comment #8:

Please note that stormwater discharges associated with the concrete plant may require coverage under an industrial permit. The applicant must either obtain coverage under a single SPDES permit along with the [Vehicle] Maintenance Building discharge or submit proof to the Department that industrial stormwater is not discharged from the plant. Although the concrete plant discharge may be eligible for coverage under the Multi-Sector GP, as the vehicle maintenance is not, a single, individual permit is required for both discharges.

Watchtower Response:

The Applicant will implement several provisions to prevent industrial stormwater from being discharged from the concrete plant. These include covering the aggregate storage areas and grading away from these locations. Use of a dust-collector and regular housekeeping around the bins and concrete plant will also prevent sediments from entering the stormwater system. Additionally, the concrete truck wash water will be recycled in a closed-loop system and the excess water will be removed by an approved hauler to an approved disposal location. These provisions will be included in the construction documents for the project. All floor drains from the vehicle maintenance shop floor will be tied into a separate collection tank for removal by an approved hauler to an approved disposal location.

FEIS DEC Comment #9:

Bullet #119

United Water must own or be responsible for the maintenance of the collection system (gravity sewer, pump station and force main). The Department needs the proof that this agreement is in place. Otherwise, a sewage works corporation must be formed for the ownership of the system.

Watchtower Response:

The Applicant will own, operate, and maintain the portions of the collection system located on its private property, with the exception of the pump station and force main. The Applicant will construct the pump station and force main and transfer ownership to United Water. If, as currently proposed, the pump station and force main are to be constructed on the Applicant's property as shown on the Site Plan (see Drawing C-006 in Appendix M of the DEIS), then United Water will be granted access to the pump station and force main through a written agreement. A copy of any agreement made with United Water regarding the sewer collection system will be provided to DEC by the Applicant along with the wastewater engineering report and sewer extension plans and specifications.—See response to DEC Comment 10 in Bullet #120.

FEIS DEC Comment #10:

Bullet #120

The engineering report, plans and specifications for the sewer extension must be submitted to the Department for review and approval.

Watchtower Response:

The Applicant will submit to the DEC the engineering report, plans and specifications for the sewer extension per Part 750-2.10 of the DEC regulations.

FEIS DEC Comment #11:

Bullet #121

The Blue Lake Water Public Supply, operated by United Water of New York, is the proposed source for this project's water supply needs. Some, but not all, of the subject parcels are within the Blue Lake Water Supply District, therefore United Water of New York must obtain a Water Supply permit pursuant to Article 15, Title 15 of the ECL and 6 NYCRR Part 60 I for the service of this development.

Watchtower Response:

The Applicant is working with United Water to provide the requested documents and will provide the Town of Warwick and the DEC a copy of their response upon receipt.

FEIS **DEC Comment #12:**
Bullet #169

This project requires coverage under the General Permit for Stormwater Discharges from Construction Activity (GP-0-10-00 1), therefore a Stormwater Pollution Prevention Plan (SWPPP) must be prepared. The DEIS incorrectly states that this site is not in the Town of Warwick MS-4 (Municipal Separate Storm Sewer System) area. Although the site is not within the 'Designated MS-4' area, the entire Town, exclusive of the Villages of Florida and Warwick, is subject to the Town's MS-4 permit. The SWPPP must be reviewed and accepted by the Town. Authorization for coverage under the SPDES General Permit is not granted until the Department issues any other necessary DEC permits.

Watchtower Response:

A Stormwater Pollution Prevention Plan (SWPPP) has been prepared and is included as Appendix M of this FEIS. The project is subject to the Town of Warwick MS4 permit. This permit is listed in Revised DEIS Tables 1-2 and 2-5 "Required Approvals." (See response to Bullet #42). An MS4 "Acceptance Form" is also included in Appendix A of the SWPPP.

FEIS **DEC Comment #13:**
Bullet #170

The DEIS mentions trails on the parcels on the north east side of Long Meadow Road but these are not included on the Erosion and Sediment Control Plans or discussed in the Stormwater Pollution Prevention Plan (SWPPP). All disturbances must be included.

Watchtower Response:

Please see response to DEC Comment 5 in Bullet #59 above.

FEIS **DEC Comment #14:**
Bullet #122

The proposed on-site recycling facility is not subject to regulation under Article 27, Title 7 of the ECL and 6 NYCRR Part 360, Solid Waste. The proposal appears to be consistent with Orange County source separation laws. Given the fairly large proposed residential population, the Department recommends consideration of a food composting facility.

Watchtower Response:

The Applicant is proposing a simplified approach to the previously proposed Waste Separation Facility. Recyclables will be separated from solid waste in accordance with Orange County Local Law No. 2 of 1989. Cardboard, paper, bottles and cans will be consolidated into one recycling stream with a pick-up frequency of 2 to 3 times per month. The Applicant will enter into an agreement with an organization that will separate recyclables into their components off-site thereby reducing the Proposed Project's impervious area by approximately 12,300 square feet (0.28 acres).

The Applicant considered the possibility of conventional composting on-site; however, due to the presence of bears and other scavenger wildlife it was seen as impractical. As an alternative, the Applicant is investigating other processes for the disposal of food scraps. Options include grinding the food waste and discharging it into the wastewater system for treatment and digestion at the Blue Lake Wastewater Treatment Plant (STP). Another option evaluates chopping up the waste, dewatering it, and disposing of it in the municipal solid waste compactor where it will be transported to a landfill. The extracted liquid would be discharged into the wastewater system. This option greatly reduces the volume of the disposed food waste. Discussions with the Blue Lake Wastewater Treatment Plant (STP) are ongoing to determine the viability of these options.

FEIS **DEC Comment #15:**
Bullet #12

Section 3, “Geology Soils & Topography”, identifies some areas of soil contamination associated with the former industrial use of the site. Soils in these areas are proposed to be removed from the site. Contaminated soils must be disposed of as waste pursuant to 6 NYCRR Part 360 or tested and a “Beneficial Use Determination” obtained prior to their re-use. Please see the DEC website for more information at <http://www.dec.ny.gov/chemical/8821.html>.

Watchtower Response:

Contaminated soils will be disposed of as waste in accordance with 6 NYCRR Part 360.

FEIS**Bullet #14****DEC Comment #16:**

Table 1-2 “Required Approvals” in the Executive Summary lists required permits from DEC as including Article 15, Title 5 of the ECL, Use & Protection of Waters. However there is no further discussion of this in the document and the plans do not appear to show any activities regulated which are regulated. Page 4-13, Water Resources, states that “no water body or wetland fill, excavation or clearing is proposed ... (and) no stream disturbance, either temporary or permanent”.

In addition to Protection of Waters regulation (stream disturbance, excavation and fill, dams, and docks & mooring), if a permit is required from the Army Corp of Engineers for excavation or fill in wetlands under federal jurisdiction, then a Water Quality Certification will be required pursuant to Section 401 of U.S. Public Law 95-217, and 33 USC 1341 of 1977, 1984. In New York State these certifications have been delegated to DEC and issuance is regulated pursuant to 6 NYCRR Part 608. Please see the table below and the attached map regarding potential regulation pursuant to Part 608. All waterbodies and wetlands are potentially subject to Part 608.9, Water Quality Certification.

Name	Waters Index Number (WIN)	Class/Standard	Regulation
Tributary of Ringwood River	NJ-13-2a	Class C	608.9 Water Quality Certification Only
Tributary of Ringwood River	NJ-13-2	Class C	608.9 Water Quality Certification Only
Ringwood River	NJ-13	Class C(t)	608.2 Stream disturbance
Sterling Forest Lake AKA Blue Lake	NJ-13-2-P 1021c	Class A Navigable Waters	608.5 Excavation & Fill in Navigable Waters
			608.4 Docks and Moorings
Blue Lake Dam ID 180-1740			608.5 Dams and impoundments

Watchtower Response:

The inclusion of the Article 15 permit is for possible repair work to Blue Lake Dam.—See response to Bullet #45.

The Applicant will disturb less than 0.5 acre of delineated wetlands under the jurisdiction of the U.S. Army Corps of Engineers. There will be no disturbance to Blue Lake and no stream disturbance. A Joint Application will be submitted to USACE and NYSDEC requesting coverage under several USACE Nationwide Permits (see revised DEIS Tables 1-2 and 2-5 in Bullet #42) as well as 401 Water Quality Certification from NYSDEC. Should repairs on Blue Lake Dam be needed, this too will be noted on the Joint Application and appropriate documentation submitted.

FEIS **DEC Comment #17:**
Bullet #7

The DEIS briefly mentions trails on the parcels on the north east side of Long Meadow Road along with “ancillary rest areas”. No plans were provided on these trails. Any crossing of Ringwood River for trails will require a Stream disturbance permit.

Watchtower Response:

New trails are not proposed; rather, existing trails will be maintained and cleared of overgrowth and brush to make them accessible. Benches will also be added. No bridges are planned.

FEIS **DEC Comment #18:**
Bullet #13

The DEIS failed to include a cut and fill analysis, although it was stated that no material is proposed to leave the site. However even though material is not leaving the site, a Mined Land Reclamation permit could be required. Please include a cut and fill analysis as an addendum to DEIS section 3.1, “Geology, Soils. and Topography”.

A color-coded cut-and-fill analysis has been prepared and is provided herein. (See Appendix B-5, Sheets GC001 and GC002.) The analysis is broken down per construction phase.

May 7, 2012 Workshop Meeting—Planning Board Comment 1:

The Planning Board requested a written statement confirming the anticipated extent of off-site spoils removal.

Watchtower Response:

The DEIS states the following on page 7–10 under “Construction Traffic”:

“Construction truck traffic will include between 30 and 50 trips per day for approximately 3.5 years. Truck traffic will be present for approximately 3 to 4 years and will include dump trucks removing excess site material, along with semi-flatbed and boxtrucks transporting construction materials.”

The Applicant has reviewed the most recent cut-and-fill estimates and has confirmed that the projections used in the Traffic Study are accurate including the portion related to trucks removing excess site material. Additionally, the Applicant has recently contracted with the Clough Harbor Associates (CHA) engineering firm to identify further opportunities to re-use excavated fill. It is believed that these will result in a further reduction in the amount of spoils taken off site as well as the amount of structural fill that will be brought to the site.

FEIS Bullet #24	DEC Comment #19: Heating plants will likely require either an Air facility registration or an Air State Facility permit. Any geo-thermal wells of greater than 500 feet depth will require a Mined Land Reclamation permit. Drillers and pump installers for open-loop or standing column systems wells of less than 500 feet must be registered and certified. Registration and certification is not required for closed-loop system wells of less than 500 feet.
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Watchtower Response:

As described on DEIS page 5-9, both geothermal and combustion-based heating options are being considered for the site. If a combustion-based heating plant is used exclusively, the proposed heating plant will be approximately 1,450 boiler hp or 48.5-million Btu/hr. Emissions from the heating plant will not exceed 50 percent of the major stationary source thresholds for regulated air pollutants. Thus, as described in 6 NYCRR Part 201, the proposed heating facility does not require a State Facility Permit. However, the same regulations require Air Facility Registration. This registration is listed in revised DEIS Tables 1-2 and 2-5, "Required Approvals."—See Bullet #42.

If geothermal wells are used, they will be less than 500 feet in depth and will be part of the closed-loop system. Thus, a Mined Land Reclamation Permit will not be required; neither will registration or certification of the geothermal system.

FEIS Bullet #8	DEC Comment #20: Petroleum bulk storage registration will be required for any tank greater than 1,100 gallons in size.
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Watchtower Response:

The proposed petroleum storage tanks will be registered in accordance with 6 NYCRR Part 612.

FEIS Bullet #9	DEC Comment #21: Sewer extension approval and all registrations are not permits subject to 6 NYCRR Part 621, Uniform Procedures. Part 182, Endangered and Threatened Species, is not subject to Part 621, but per Part 182.10, the procedures found in Part 621 will be utilized for species taking permits.
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Watchtower Response:

Comment noted. It is understood that approvals and registrations sought from DEC are not required to be issued pursuant to the procedures outlined in Part 621. A species taking permit is not anticipated to be required. Please see responses to DEC Comments 1 and 6 in Bullets #55 and #60.

FEIS **DEC Comment #22:**
Bullet #142

This property lies within an area identified by the New York State Historic Preservation Office (SHPO) as having the potential for containing archaeological resources. While it appears that a cultural resource survey has been completed, a final determination of impact by SHPO will be a requirement of DEC approvals pursuant to Uniform Procedures.

Watchtower Response:

The Applicant received written confirmation from the New York State Historic Preservation Office that their project “will have No Impact upon cultural resources in or eligible for inclusion in the State and National Register of historic Places.”—See Appendix J-5, NYS OPRHP letter dated April 16, 2012.

FEIS **Greenwood Lake Joint Fire District #1 Comment #1:**
Bullet #5

The area in question is within the Greenwood Lake Fire District and while we contract with Tuxedo to cover the area it is still ultimately our responsibility. After speaking with Tuxedo they led us to believe they are not aware of what is going on with this project.

Watchtower Response:

On May 15, 2012, a meeting was held at the Applicant’s Warwick site with officials from both the Greenwood Lake Joint Fire District #1 and Tuxedo Fire Department. (See Appendix A-43, “Meeting Minutes: Greenwood Lake Joint Fire District #1, Tuxedo Fire Department, and Watchtower Personnel.”) It was agreed that this statement was a misunderstanding since Watchtower personnel had met with both the Greenwood Lake Joint Fire District #1 (in November 2010) and Tuxedo Fire Department (in February 2010) to review the site plan and fire prevention/fighting measures.—See Appendix A-40, letter from Greenwood Lake Joint Fire District #1, dated January 24, 2012, as well as Appendix A-44, letter to Greenwood Lake Joint Fire District #1, dated May 18, 2012.

FEIS **Greenwood Lake Joint Fire District #1 Comment #2:**
Bullet #6

We are also concerned that neither district has apparatus capable of handling an emergency situation at buildings the height that are being proposed.

5/15/2012 Greenwood Lake Joint Fire District #1, Comment #3:

The DEIS states that the Project Sponsor will contribute the sum of \$2,000 per year to the Warwick Fire District. This does not benefit the Greenwood Lake Joint Fire District #1.

Watchtower Response:

At the above-mentioned meeting with officials from both the Greenwood Lake Joint Fire District #1 and the Tuxedo Fire Department on May 15, 2012, the Tuxedo Fire Department confirmed that their 75-ft truck at its maximum reach is able to access the highest floors planned.”—See Appendix A-43, “Meeting Minutes: Greenwood Lake Joint Fire District #1, Tuxedo Fire Department, and Watchtower Personnel.”

It was confirmed that Watchtower will contribute the sum of \$2,000 per year to the Greenwood Lake Joint Fire District #1 (rather than the Warwick Fire District as stated in the DEIS) in order to offset possible additional costs to the fire district.

Town of Warwick Planning Board

May 25, 2012

Page 13 of 13

Please feel free to contact Enrique Ford or Greg Povah at (718) 560-5000 if you have any questions concerning this submittal.

Very truly yours,

A handwritten signature in black ink, appearing to read "Enrique Ford".

Robert A. Pollock
Design/Build Department

Enclosure (CD)

c: J. Theodore Fink, AICP
Laura Barca, P.E.

A-46

State Environmental Quality Review (SEQR)

Notice of Completion of Final EIS

Lead Agency: Town of Warwick Planning Board

Address: Town Hall
132 Kings Highway
Warwick, NY 10990

Date: June 6, 2012

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

A Final Environmental Impact Statement has been completed, for the proposed action described below, by the Town of Warwick Planning Board acting in its capacity as the SEQR Lead Agency for the action.

Name of Action: World Headquarters of Jehovah's Witnesses

Description of Action: The applicant has requested Site Plan and Special Use Permit approvals from the Town of Warwick Planning Board for development of a campus of buildings on approximately 45 acres of a total 253-acre site in the Sterling Forest area of the Town. The purpose of the development is to relocate the World Headquarters of the Watchtower Bible and Tract Society of New York, Inc. from Brooklyn, NY to the site of the former International Nickel Company, which closed and has been vacant for more than two decades. The proposal includes an administration offices building, services building with kitchen, laundry, storage and

infirmary; four residential buildings housing 588 one- and two-bedroom units for approximately 1,000 residents; a vehicle maintenance building; a waste separation facility; a powerhouse/maintenance building, and a recreational facility. The majority of parking is proposed to be within attached underground parking structures.

Location: 1 Kings Drive, Tuxedo, New York 10987-5500, Town of Warwick, Orange County, New York.

Tax Map Section No. 85, Tax ID Numbers 85-1-2.22, 85-1-2.3, 85-1-4.1, 85-1-4.2, 85-1-5.1, 85-1-5.2, 85-1-6

Potential Environmental Impacts:

1. Increased susceptibility to erosion from the loss of natural vegetation on the site during construction.
2. Blasting and permanent alteration to geology.
3. Increase to the volume of stormwater runoff from new impervious areas.
4. An increase in emissions and fugitive dust generation during construction and emissions from the heating plant.
5. Disturbance to two previously undisturbed eastern deciduous hardwood forest areas.
6. Disturbance to an area potentially supporting hyssop skullcap, a New York State-protected vegetative species.
7. Disturbance to habitat supportive of eastern bluebirds, a New York State-protected wildlife species.
8. Potential chance encounters with red-shouldered hawks, a New York State-protected wildlife species.
9. Potential chance encounters with timber rattlesnakes, eastern box turtles, and wood turtles, all New York State-protected wildlife species.
10. A minimal increase in the volume of traffic and delays through local intersections.
11. A minimal increase in the demand for police, fire and ambulance services.
12. A minimal increase in the demand for recreation services.
13. An increase in the volume of wastewater received by the local wastewater treatment facility (STP).

14. An increase in the demand for potable water.
15. An increase in the volume of solid waste generated locally.
16. A minimal increase in costs to the local fire district.
17. A minimal impact to views from the public boat launch at the north side of Blue Lake and from the adjacent private lands of IBM.
18. A minimal increase in the amount of light visible at the sight during nighttime hours.
19. The project will disturb areas of the site that may contain historic and archaeological resources.

The Final EIS is circulated herewith to all agencies. A Copy of the Final EIS is available through the contact person named below, is available for downloading from the Town of Warwick's Website at <http://www.townofwarwick.org/> and additional paper copies of the Final EIS are available for examination at the Warwick Town Hall.

Contact Person: Connie Sardo, Secretary

Address: Town of Warwick Planning Board
Town Hall
132 Kings Highway
Warwick, NY 10990

Telephone: 845.986.1127

A Copy of this Notice and Final EIS Filed With:

Town of Warwick Planning Board
Town Hall
132 Kings Highway
Warwick, NY 10990

Watchtower Bible and Tract Society of New York, Inc. (applicant)

Environmental Notice Bulletin (Notice Only)
Email: enb@gw.dec.state.ny.us

Michael Sweeton, Town Supervisor

Town Board of the Town of Warwick

Town of Warwick Zoning Board of Appeals
Town of Warwick Conservation Advisory Board
Town of Warwick Architectural Review Board
Orange County Department of Health
Orange County Department of Planning
Orange County Department of Public Works
New York State Department of Environmental Conservation, Region 3
Palisades Interstate Park Commission
United States Army Corps of Engineers
Town Board of the Town of Tuxedo
Village of Greenwood Lake Board of Trustees
Greenwood Lake Fire District
Borough of Ringwood Council
Tuxedo Union Free School District
NYS Office of Parks Recreation & Historic Preservation
Sterling Forest State Park
Wisner Library

2012-06-06_TOWN-DBD Notice of Completion of FEIS.doc

A-47

Prepared for June 06, 2012 Planning Board Meeting

Mr. Ben Astorino, Chairman
Town of Warwick Planning Board
123 Kings Highway
Warwick, New York 10990

Re: Watchtower Site Plan FEIS Review

Task: PB001

1 Kings Drive

Tax Map Reference: 85-1-2.22, 2.3, 4.1, 4.2, 5.1, 5.2 & 6

Area = 253± acres

Dear Mr. Astorino:

This is a summary letter to ease with Planning Board meetings; a history list of comments is in a comprehensive HDR review letter with the same date.

Correspondence: We have received the following information:

1. Cover Letter with responses dated May 25, 2012
2. FEIS dated May 25, 2012

Comments:

1. Applicant to discuss project.
2. Planning Board to discuss SEQRA.
3. TW PB: Site Plan, Special Use, SWPPP Review, SWPPP MS4 Acceptance Form
4. TW Town Clerk: Blasting Permit
5. Conservation Board comments: 10/04/10; 05/03/11
6. Architectural Review Board comments: 10/06/10; 04/27/11
7. OC Planning Department: 08/15/11 (traffic and disposal of demolition debris); pending GML Review of Site Plan
8. NYS Historic Preservation Office (SHPO); Complete with letter from SHPO dated 04/16/12.
9. OC Department of Public Works: 09/15/11; pending Site Plan Review
10. NYSDEC: Water Supply (United Water), Sewer Extension (United Water), Article 15 (Protection of Waters for Dam Repair), 401 Water Quality Certification, Air Facility Registration, Petroleum Bulk Storage Registration, removal of contaminated soil
11. USACE: NWP 3 (Maintenance), NWP 12 (Utility Line Activities, NWP 13 (Bank Stabilization), NWP 39 (Commercial and Institutional Developments)
12. HDR site plan comments from HDR letter dated 09/19/11.
13. HDR comments from May 22, 2012 site plan technical review meeting.

Henningson, Durham & Richardson Architecture and Engineering P.C.
In association with HDR Engineering, Inc.

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Eastgate Corporate Park
7 Coates Drive, Suite 2
Goshen, NY 10924

Phone: (845) 294-2789
Fax: (845) 294-5893
www.hdrinc.com

14. If any structures are located within the Ridgeline Overlay District, the site plan shall clearly show any restrictions on that structure.
15. Portions of property are within the Ridgeline Overlay and Biodiversity Overlay. The declaration information for the Ridgeline Overlay District will need to be shown.
16. The 9-1-1 address must be added to the plan set.
17. Surveyor to certify that iron rods have been set at all property corners.
18. Payment of all fees.

**TOWN OF WARWICK PLANNING BOARD
PROJECT TRACKING SHEET**

DATE: **Jun-12**

TOWN OF WARWICK PROJECT No: **PB001**
PROJECT NAME: **Watchtower Bible & Tract Society World Headquarters**
LOCATION: **Long Meadow Road**
TYPE: **Site Plan & Special Use Permit**
APPLICANT: **Watchtower Bible & Tract Society of** **PHONE:** **845-368-1472**
ATTORNEY: **PHONE:**
ENGINEER: **PHONE:**
SURVEYOR: **PHONE:**
PLANNER: **Turner Miller Group- Max Stach** **PHONE:** **845-368-1472**
SECTION: **85**
BLOCK: **1**
LOT: **2.22, 2.3, 4.1, 4.2, 5.1, 5.2, 6.8**
TYPE OF USE: **Campus**
TRACT AREA: **257** **acres**
EXISTING LOTS: **7** **lots**
PROPOSED LOTS: **7** **lots**

MILESTONES		Granted	Expired	OTHER DEPARTMENT APPROVALS:	
P-0 INFORMAL APPEARANCE				INDICATE WHETHER OR NOT APPROVAL IS NECESSARY.	
P-1 INITIAL APPEARANCE					GRANTED
P-2 SITE INSPECTION	03/17/10			NO	OCHD - Realty Subdivision
P-3 SKETCH PLAN APPROVAL				YES	OCHD - Water Supply Wells - NYSDEC
P-4 CONDITIONAL PRELIM APPROV				NO	OCHD - Sewage Disposal
P-5 PRELIMINARY APPROVAL				YES	NYSDOT/OCDPW
P-6 CONDITIONAL FINAL APPROV				NO	TOWN DPW
P-7 FINAL APPROVAL				YES	NYSDEC - Sewer Main Extension
P-8 CHAIRMAN'S SIGNATURE				NO	WETLANDS PERMIT-NYSDEC
P-9 MAP FILED				YES	WETLANDS PERMIT-USACE
				YES	OCPD - GML Review
S-1 EAF SUBMITTED				NO	TOWN BOARD
S-2 LEAD AGENCY - declare intent			Type I	NO	TOWN ZBA
S-3 DETERMINE SIGNIFICANCE	10/05/09	pos dec		YES	SWPPP (MS4?)
S-4 EIS SCOPING FINALIZED	12/16/09			YES	CB Advisory Opinion Received
S-5 SUBMIT DRAFT EIS	03/15/11			YES	ARB Advisory Opinion Received
S-6 DRAFT EIS COMPLETE	06/10/11			YES	NO OTHER: NYS Historic Preservation
S-7 PUBLIC HEARING (SEQRA)	07/20/11	07/20/11		YES	NO OTHER: USACE NWP 3, 12, 13, & 39
S-8 PUBLIC HEARING (subdivision)	NA	NA			
S-9 PUBLIC HEARING (site plan)					
S-10 PUBLIC HEARING (special use)					
S-11 FINAL EIS SUBMITTED	11/16/11				
S-12 FINAL EIS APPROVED					
S-13 AGENCY FINDINGS					
E-1 EXTENSION OF PRELIMINARY					
E-2 EXTENSION OF PRELIMINARY					
E-3 EXTENSION OF FINAL					
E-4 EXTENSION OF FINAL					

NOTES:

Relocation of the Jehovah Witness World Head Quarters from Brooklyn

- 1 10/06/10 schedule a site inspection for Saturday, November 06, 2010 at 10am at the project site
- 2 05/04/11 Difference between completeness & technical; DEIS complete with conditions; PH 07/20/11; comment period until 08/03/11
- 3 07/20/11 Presentation by Applicant overall and architecture; no comments from the public; written comment period ends 08/03/11
- 4 01/18/12 Ted & HDR submitted final comments on FEIS; FEIS accepted with these changes; distribute FEIS; FS will be prepared by Ted