

LEGOLAND New York  
Amended Site Plan SEQR Analysis

7/18/18

**Project Overview:** LEGOLAND New York consists of the construction of a theme park and resort which will include rides and attractions, an aquarium, theaters, restaurants, a hotel and various back-of-house facilities including offices and staff areas as well as associated parking and drainage facilities (the “Project” or “Approved Project”). SEQRA review for the Project was completed by the Town of Goshen Planning Board, as SEQRA Lead Agency, by its adoption of a SEQRA Findings Statement on August 17, 2017 (attached as Appendix A), following the review and consideration of both a Draft Environmental Impact Statement and Final Environmental Impact Statement. The Project received conditional Major Site Plan, Minor Subdivision and Special Permit Approval on October 19, 2017 (collectively the “Approved Plan”). The Project Sponsor now proposes to amend the site plan as discussed further below.

The Project Sponsor has obtained public water and sewer services from the Village of Goshen. Sewer and water mains are accessible in Harriman Drive, and new water and sewer mains will extend service to the site. Since Site Plan approval, the Village has approved the Project as an out-of-district user of Village utilities and the applicant has submitted an application to the Orange County Health Department for approval of the new watermain.

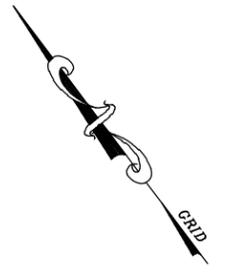
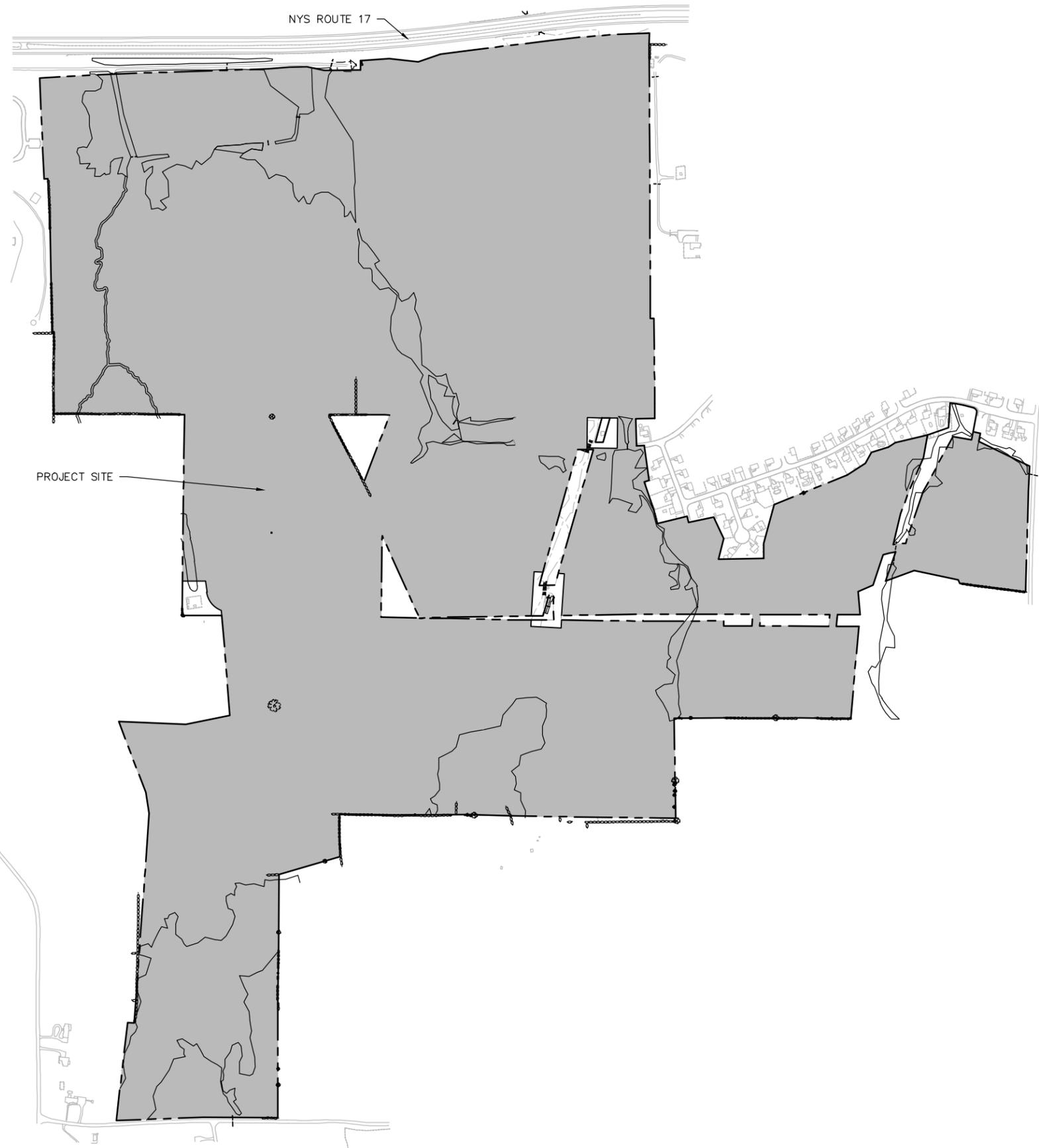
Access to the Project will be from both Harriman Drive, which will be widened as part of the Project, and from NYS Route 17 via a relocated Exit 125. The Project Sponsor has completed the design of offsite traffic improvements, which design plans are currently being reviewed by NYSDOT for permit approval.

A subdivision map has been filed to create a one-acre parcel for the existing cell tower and to merge several lots which comprised the Project Site for the original approval. Lots for Arcadia Hills utility infrastructure which was located on the LLNY property have also been subdivided and maps have been filed with the County. Based on these subdivisions and based on the applicant rescinding its petition to purchase nine town-owned properties the Project Site now consists of 2 tax parcels<sup>1</sup>: 11-1-46.2, 11-1-49.22 totaling 500.22 acres (See Figure 1). After dedication of land to the State of New York and dedication of Wells 1 and 2 to the Town of Goshen the final total site acreage will be 490.13 acres.

**Proposed Site Plan Amendment:** The Project Sponsor withdrew its offer to purchase certain town-owned lots, and instead is requesting an amendment to the Site Plan Approval to modify the proposed guest parking lot and internal access drives to exclude any development on land that will remain town-owned and to shift the water storage tank 62 feet to the east (collectively, the

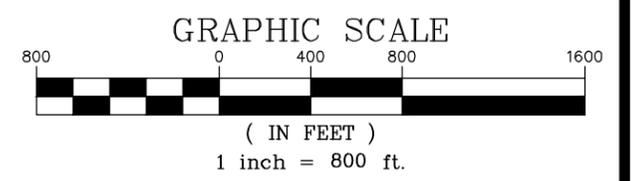
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<sup>1</sup> Total Merlin holdings currently include 5 tax parcels with 3 parcels, consisting of 1.931 acres around existing Arcadia Hills water infrastructure to be offered for dedication to the Town of Goshen. These parcels will not be disturbed as part of the overall site development.



**TOTAL AREA  
OF TAX LOTS:**

TAX LOT 11 - 1 - 46.2	398.150± AC.
TAX LOT 11 - 1 - 49.22	101.872± AC.
<b>TOTAL:</b>	<b>500.022± AC.</b>



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		<p><b>FIGURE 1</b> <b>LOT LAYOUT</b></p>
<p><b>LEGOLAND</b> NEW YORK</p> <p>TOWN OF GOSHEN ORANGE COUNTY, NEW YORK</p>		<p>Date: JULY 5, 2018</p> <p>Revisions:</p>
<p>Drawn By: MK</p>	<p>Checked By:</p>	<p>Scale: 1" = 800'</p>
<p>Tax Map No.: SEE SITE PLANS</p>		<p>Drawing No.: C3D D - 16 - 0042 - 01</p>

“Proposed Site Plan Amendment”). No expansion of the originally approved development footprint will occur, nor will there be any significant amendments to operations or structures internal to the theme park.

The amended main guest parking lot will be reconfigured to contain three total parking sections. The guest lots will provide 3,972 total parking spaces; 3,393 on grade and 579 will be located in a parking deck. This total represents an increase of four spaces over the Approved Site Plan but all bus parking has been removed from the main guest lot and relocated to the back-of-house parking area. The hotel parking lot is now proposed to contain 258 parking spaces which represents an increase of six parking spaces. The Back-of-House parking area will now contain 593 parking spaces, plus 50 bus parking spaces. This represents a reduction of 12 paved car parking spaces in this area and an overall reduction in bus parking on the site from 70 to 50 spaces. No land-banked spaces are proposed under this proposed plan.

Town owned land will be seeded and landscaped as soon as possible after grading activities have commenced. Landscaping will include a mix of evergreen and deciduous trees including large canopy trees such as Red Maples, Honey Locust and Pin Oak (See proposed landscaping on sheets LP.01, LP.02 and LD.01 of the plan set).

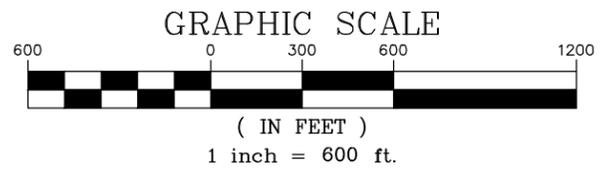
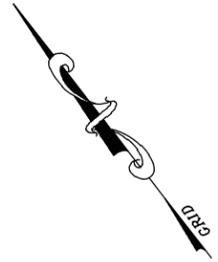
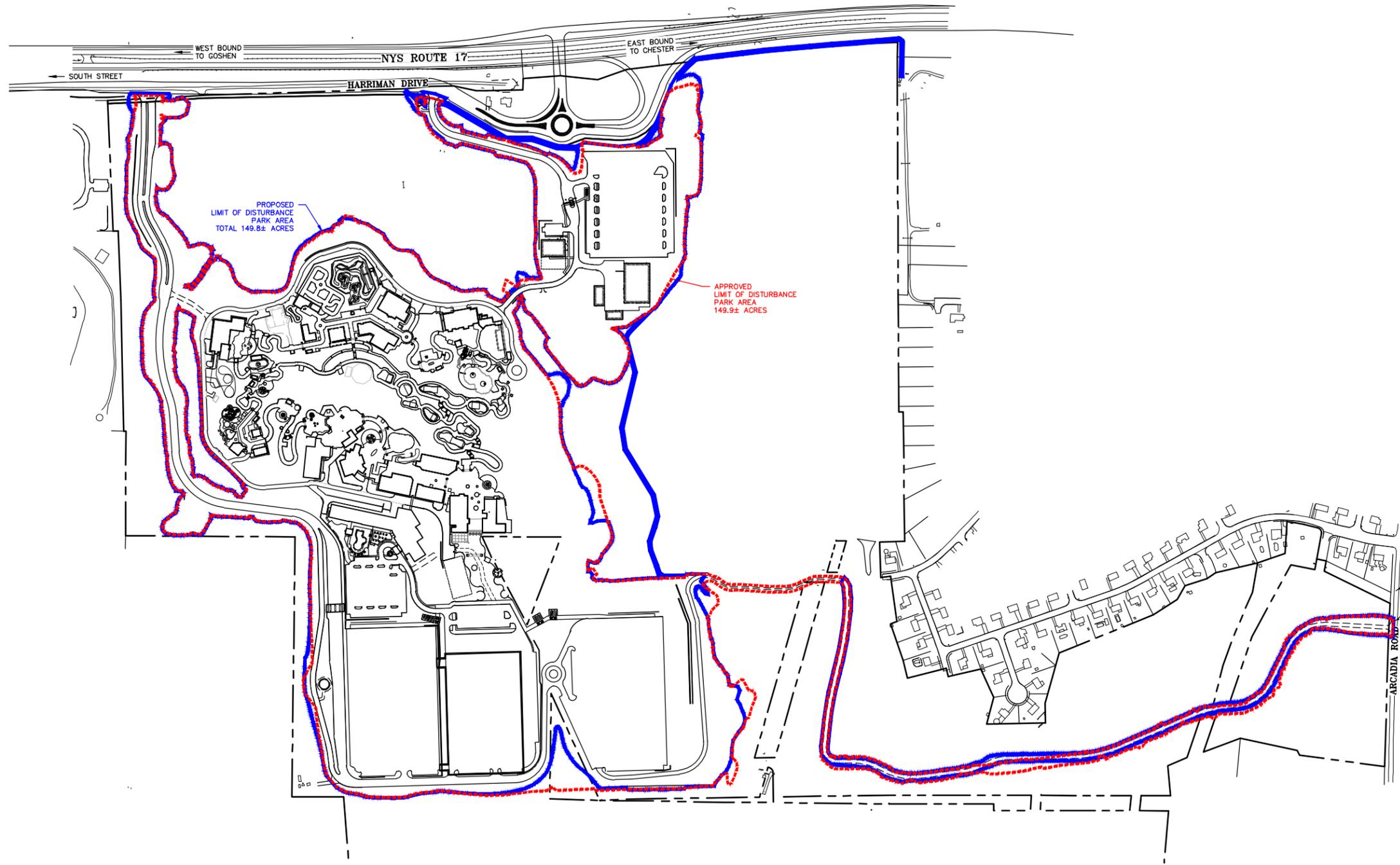
**SEQR Comparison Analysis:** The following environmental topics were evaluated in the original Environmental Impact Statement for LEGOLAND New York, and the proposed Amended Site Plan has been assessed below to determine its consistency with the adopted SEQR Findings Statement.

#### A. Geology and Soils

The Proposed Site Plan Amendment will involve 149.78 total acres of disturbance and 76.63 acres will remain impervious as compared to total disturbance for the Approved Plan which was approximately 149.9 acres with approximately 73.58 acres of impervious surfaces (see comparison of approved and proposed limit of disturbance on Figure 2).

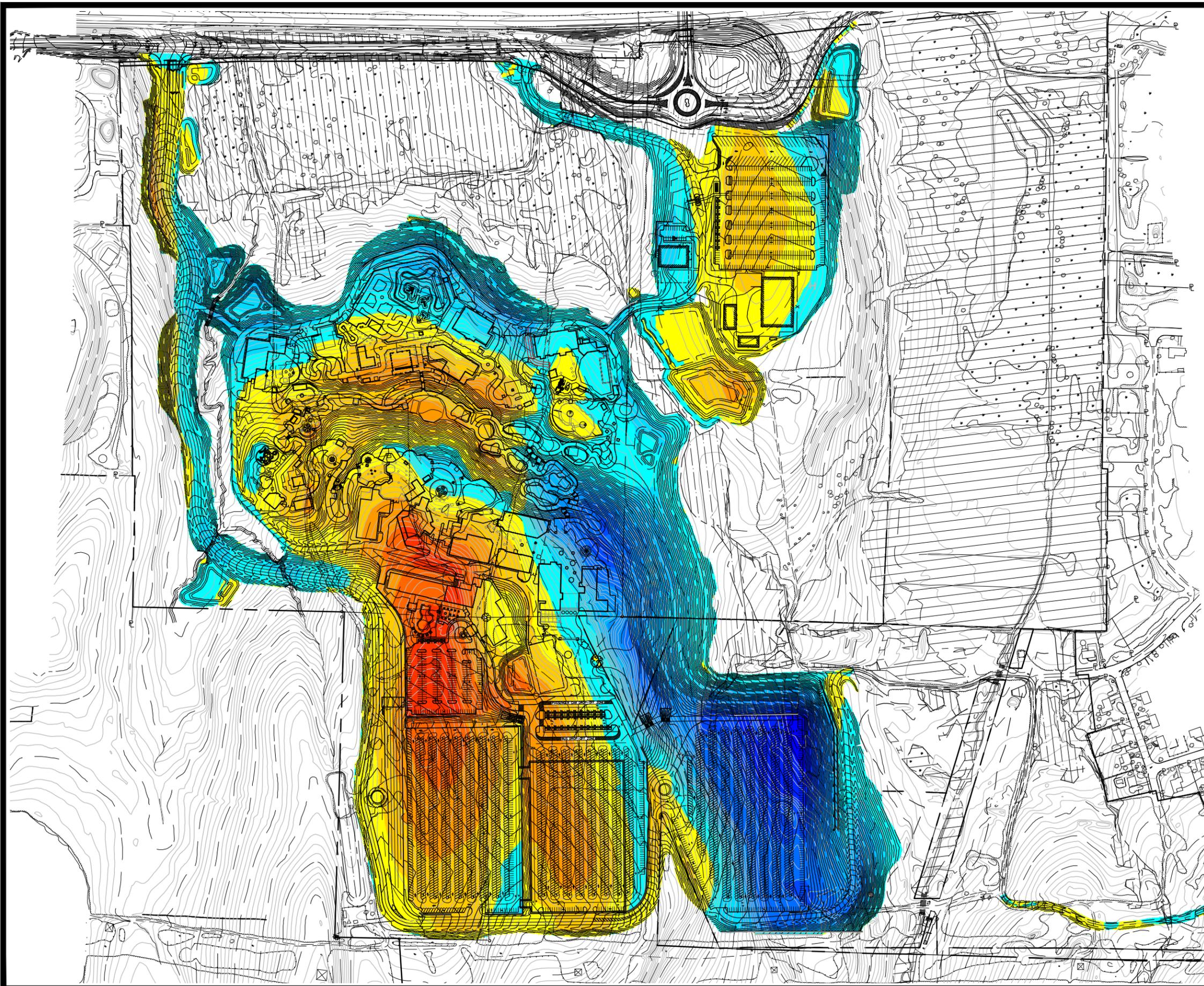
Based on revised final grade elevations, the net site volume is 222,144 cubic yards (CY) of fill (Figure 3: Cut and Fill Analysis). Based on revised earthworks analysis, the projected amount of construction excavation volume at the site (additional earth material removed for foundations and infrastructure) is projected to be 221,865 CY leaving a fill volume needed for construction of 279 CY (See Appendix C for calculations). This is consistent with that which was projected in the original SEQR analysis (Adopted FEIS Appendix U) of 279 CY. Necessary fill can come from within the site and no soil would need to be imported from outside the site.

Erosion and sediment control was designed for this area in a Stormwater Pollution Prevention Plan (“SWPPP”) which was submitted as part of the SEQR review for the Project. This SWPPP was reviewed and accepted by the Town of Goshen as the MS4 entity responsible for its review, and also submitted to the NYSDEC. Coverage was obtained under SPDES General Permit 0-15-001.

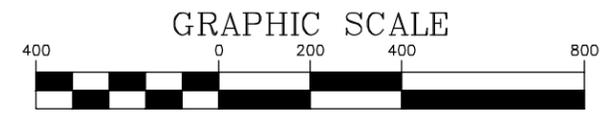


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		<p>FIGURE 2 APPROVED VS. PROPOSED LIMIT OF DISTURBANCE</p>		
<p>TOWN OF GOSHEN ORANGE COUNTY, NEW YORK</p>	<p>Date: JULY 19, 2018</p>			
	<p>Revisions:</p>			
	<p>CAD File: 160042-EROSION Layout: 2-DISTURB COMPARE Sheet No.: 1 OF 1</p>			
<p>Drawn By: ESR</p>	<p>Checked By:</p>	<p>Scale: 1" = 600'</p>	<p>Tax Map No.: SEE SITE PLANS</p>	<p>Drawing No.: C3D D - 16 - 0042 - 01</p>



CUT / FILL ANALYSIS TABLE				
RANGE	COLOR	RANGE DEPTH NEGATIVE=CUT POSITIVE=FILL	RANGE 2D AREA	RANGE VOLUME
1	Red	-60.0' TO -50.0'	303.75 SF	6.3 CY
2	Red-Orange	-50.0' TO -40.0'	100,755.63 SF	12,024.8 CY
3	Orange	-40.0' TO -30.0'	205,195.50 SF	72,902.5 CY
4	Orange-Yellow	-30.0' TO -20.0'	538,979.57 SF	197,246.5 CY
5	Yellow	-20.0' TO -10.0'	1,041,648.68 SF	491,107.6 CY
6	Yellow-Green	-10.0' TO 0.0'	1,423,926.63 SF	943,257.3 CY
7	Cyan	0.0' TO 10.0'	1,443,881.61 SF	799,692.6 CY
8	Light Blue	10.0' TO 20.0'	553,264.40 SF	447,995.0 CY
9	Blue	20.0' TO 30.0'	296,874.21 SF	304,595.6 CY
10	Dark Blue	30.0' TO 40.0'	233,452.58 SF	207,502.7 CY
11	Very Dark Blue	40.0' TO 50.0'	261,412.57 SF	117,175.5 CY
12	Black	50.0' TO 60.0'	104,810.30 SF	44,855.2 CY
13	Black	60.0' TO 70.0'	67,150.18 SF	15,675.2 CY
14	Black	70.0' TO 80.0'	13,458.82 SF	850.7 CY



( IN FEET )  
1 inch = 400 ft.

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**FIGURE 3**  
**CUT AND FILL ANALYSIS**

 TOWN OF GOSHEN ORANGE COUNTY, NEW YORK	Date: JULY 19, 2018
	Revisions:
	CAD File: 160042-CUTFILL ANALYSIS
	Layout: Fig3 CutFill
Sheet No.: 1 OF 1	Drawing No.: C3D
Drawn By: MK	Checked By:
Scale: 1" = 400'	Tax Map No.: SEE SITE PLANS
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A revised erosion and sediment control plan has been prepared to take the amended parking lot and road layout into consideration (see sheets C-21 through C-23 of the site plan set).

The Proposed Amended Plan does not have any impact on the likelihood of blasting and the use of rock crushing during construction.

Based on the above, and the implementation of revised erosion control measures, the Proposed Site Plan Amendment is consistent with the evaluation and mitigation measures identified in the SEQRA Findings Statement, and no further mitigation measures are warranted.

#### B. Topography

The area proposed for this Site Plan Amendment contains steep slopes (see Figure 4) which will continue to cause the need for grading and the use of retaining walls. The walls along the Orange & Rockland easement for the high-tension power lines, were previously the highest on the site. The inner wall along the parking lot access road will remain at 23 feet high but will be reduced in length from 803 linear feet to 577 linear feet. The outer wall will be reduced in height from 20.5 feet to 10 feet and reduced in length from 455 linear feet to 271 linear feet. The tiered walls on the eastern-most side of the guest parking area, closest to Arcadia Hills, will remain in their approved location at their previously approved height, 12 and 15 feet respectively and length. Other changes in walls have been made which are interior to the parking area which include the removal of 800 linear feet of wall between the main access road and the first parking section and an increase in height of the wall between the second parking section and the new proposed access road and round-about. These changes will have a negligible impact on overall topography impacts.

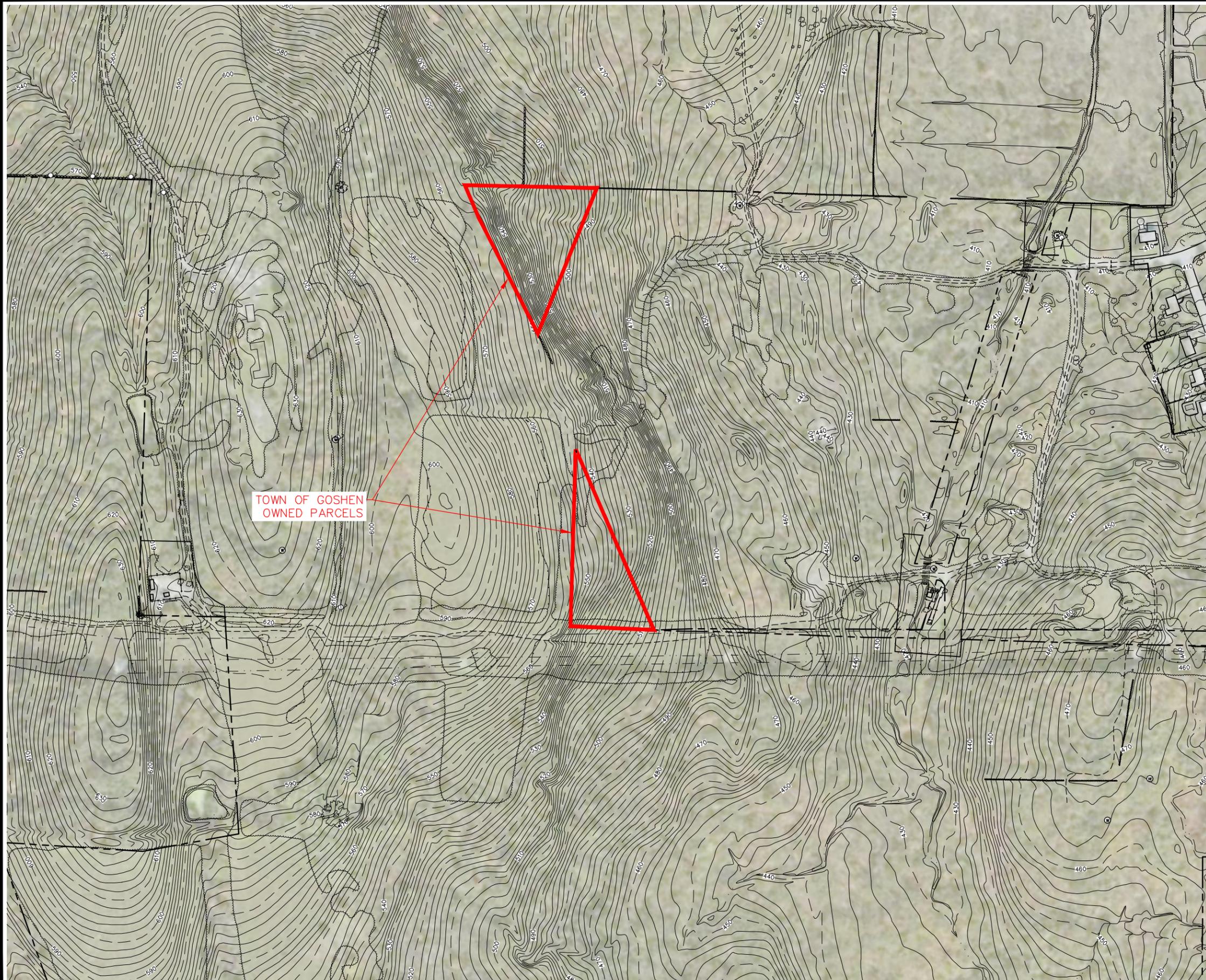
Based on the above, the Proposed Site Plan Amendment is consistent with the evaluation and mitigation measures identified in the SEQRA Findings Statement, and no further mitigation measures are warranted.

#### C. Surface Water Resources

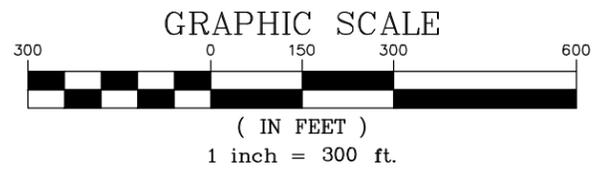
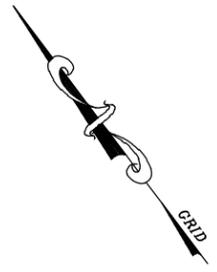
No wetlands or streams occur on town-owned land or the land immediately adjacent. Disturbance to surface water resulting from the overall site development will remain the same as the Approved Plan.

Since Project Approval the applicant has obtained a clearing and grading permit from the Town of Goshen and obtained coverage under Nationwide Permit #39 from the U.S. Army Corps of Engineers for onsite wetland disturbances resulting from the development of the Project. The Proposed Site Plan Amendment does not impact any additional regulated water resources.

Based on the removal of the Town-owned land from the Project Site, land originally proposed to be within the conservation easement within tax parcel 11-1-60 will no longer be placed under conservation easement. This is an area of approximately 0.6 acres which will remain under town ownership. The Proposed Site Plan Amendment does not impact the Applicant's obligation to



TOWN OF GOSHEN  
OWNED PARCELS



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FIGURE 4  
EXISTING TOPOGRAPHY IN AREA OF  
PROPOSED PLAN AMENDMENT



TOWN OF GOSHEN  
ORANGE COUNTY, NEW YORK

Date:	JULY 5, 2018
Revisions:	
CAD File:	160042-DEIS
Layout:	4 EX TOPO
Sheet No.:	1 OF 1
Drawing No.:	C3D
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place the remaining land, controlled by the Project Sponsor, into a permanent conservation easement as was originally approved. This amended area contains 149.5 acres. That obligation to protect this area and the regulations which are to be implemented remain unchanged and not affected by the Proposed Site Plan Amendment.

Based on the above, the Proposed Site Plan Amendment is consistent with the evaluation and mitigation measures identified in the SEQRA Findings Statement, and no further mitigation measures are warranted.

#### D. Vegetation and Wildlife

The overall development footprint for the Amended Plan has not expanded from the Approved Plan. The Proposed Site Plan Amendment will involve 149.78 total acres of disturbance compared to 149.9 in the Approved Plan. Town owned land remains vegetated at this time. Clearing of this area was proposed and evaluated in the original SEQR for the Project.

Any tree clearing on this land will only will be conducted between November 1 and March 30 in order to avoid disturbance of any potential Indiana and Northern long-eared bat habitat as was done for trees on the Project Site. Supplemental landscaping will be provided on the town-owned land which will be disturbed which will include a mix of evergreens and deciduous trees and shrubs (See proposed landscaping on sheets LP.01, LP.02 and LD.01 of the plan set). Landscaping includes large canopy trees such as Red Maple, Honey Locust and Pin Oak to be planted at a minimum of 12' tall and 2½ caliper.

The Proposed Site Plan Amendment does not impact the Applicant's obligation to place just over 150 acres of the site into a permanent conservation easement nor does the Amended Plan impact the boundaries of this area.

Based on the above the Proposed Site Plan Amendment is consistent with the evaluation and mitigation measures identified in the SEQRA Findings Statement, and no further mitigation measures are warranted.

#### E. Groundwater and Water Supply

The Proposed Amendment will not have any impact on projected water demand. Water supply to the site will remain as conditionally approved from the Village of Goshen.

In order to avoid being located within the side setback, the water storage tank has been shifted away from the western property line in this Proposed Amended Plan. Based on the revised tank location the tank has been resized to 48' diameter and 42' high, compared to 50' wide and 38' tall in the Approved Plan (see revised water system design report in Appendix B).

The Project Sponsor will not utilize any water from onsite wells, including during construction or during normal operation of the facility.

Based on the above the Proposed Site Plan Amendment is consistent with the evaluation and mitigation measures identified in the SEQRA Findings Statement, and no further mitigation measures are warranted.

F. Wastewater Management

The Proposed Amendment will not have any impact on projected wastewater generation. The proposed system of wastewater collection and conveyance will remain as conditionally approved and no system changes are required as a result of Proposed Site Plan Amendments.

The Village of Goshen has approved the Project as an outside user and plans for an extension of the sewer main in Harriman Drive have been submitted to the Orange County Health Department for their review and approval consistent with the Condition of Approval.

Based on the above the Proposed Site Plan Amendment is consistent with the evaluation and mitigation measures identified in the SEQRA Findings Statement, and no further mitigation measures are warranted.

G. Stormwater Management

The overall development footprint for the Amended Plan has not been expanded from the Approved Plan. The Proposed Site Plan Amendment will involve 149.78 total acres of disturbance and 76.63 acres will remain impervious compared to 149.9 in the Approved Plan. Given that the overall amount of disturbance has not increased, a revised SWPPP is not required. A revised erosion control plan has been provided on sheets 21-23 of the plan set to mitigate stormwater runoff from amended areas of disturbance and an amendment to the approved SWPPP has been provided to the Town Engineer which describes the proposed stormwater management practices in the areas of the Amended Site plan and provides a revised post-development stormwater model and stormwater practice calculations.

Stormwater from the site will continue to discharge to two culverts which run under NYS Route 17 as is the current pattern of runoff. No runoff will flow to adjacent properties.

Based on the above the Proposed Site Plan Amendment is consistent with the evaluation and mitigation measures identified in the SEQRA Findings Statement, and no further mitigation measures are warranted.

H. Traffic

The Proposed Site Plan Amendment will not result in additional traffic trips to the Project Site over that which was projected in the Traffic Study that was provided in the approved EIS. The Proposed Site Plan Amendment will result in modifications to parking areas and access drives within the main guest parking lot. Proposed Site Plan Amendments will not impact the main access

road which will remain at approximately 4,100 linear feet with 4 access lanes, to accommodate vehicle stacking.

The amended main guest parking lot will provide 3,972 total parking spaces; 3,393 on grade and 579 will be located in a parking deck. This total represents an increase of four spaces over the Approved Site Plan but all bus parking has been removed from the main guest lot and relocated to the back-of-house parking area. The hotel parking lot is now proposed to contain 258 parking spaces which represents an increase of six parking spaces. The back-of-house parking area will now contain 593 parking spaces, plus 50 bus parking spaces. This represents a reduction of 12 paved car parking spaces in this area and an overall reduction in bus parking on the site from 70 to 50 spaces. No land-banked spaces are proposed under this proposed plan.

As discussed in the approved SEQR analysis, charter busses will be required to call ahead to reserve a parking space on the Project Site. Busses who do not call ahead will be asked to park at an alternative location after customer drop-off.

The parking deck will be located in the second parking bay which is to be located an additional 400 feet west from the approved location.

A revised auto-turn analysis has been provided to confirm emergency service vehicles and busses can circulate through the revised road layout. Sheet 2 and 7 also show that buses will be able to navigate into the new bus parking area in the back-of-house area (See Appendix D).

A Transportation System Management Program (TSMP) will be prepared consistent with the Adopted SEQR Findings. In addition to enumerating ways to encourage use of mass transit and the use of message boards and interactive traffic information updates, the plan will also include a Parking Operations Plan which will detail both vehicular (both car, bus and staff) and pedestrian flows from parking areas to Project Entranceways, discuss parking operations such as the use of flag men to direct parking to ensure efficiency and safety, discuss timing for the reversible third lane of the main access road, discuss access control to each of the parking areas and discuss loading and temporary drop-off/pick-up areas.

Consistent with the Approved SEQR Findings and recommendations from the NYSDOT and the Town of Goshen's traffic consultant, a Post Implementation Monitoring Study will be completed within the first year of operation. This study will provide traffic volume data and information to confirm the Projections of the Traffic Study and parking allocations and assumptions.

The Proposed Site Plan Amendment will not impact any of the offsite traffic improvements including the relocation of Exit 125 and new overpass construction, widening of Harriman Drive, improvements to the intersection of Route 17M and South Street and improvements to three Orange County Heritage Trail Crossings.

Based on the above the Proposed Site Plan Amendment is consistent with the evaluation and mitigation measures identified in the SEQRA Findings Statement, and no further mitigation measures are warranted.

## I. Noise

Based on the noise study prepared for the EIS for the Project. Current ambient noise levels in the vicinity of the Project Site were recorded from 43 dBA to 63 dBA. Higher background noises result from the proximity of New York State Route 17. The Proposed Amended Site Plan layout does not modify the general site layout or propose any structures, roadways or parking spaces closer to any surrounding structures that was provided in the Approved Plan and therefore no increase in noise is anticipated to result from the Proposed Site Plan Amendment. The Proposed Site Plan Amendment will be consistent with all SEQR Mitigations and Findings, including the creation of a conservation easement along the Project's Site eastern property line to preserve this area from future development in perpetuity will still be implemented.

Based on the above the Proposed Site Plan Amendment is consistent with the evaluation and mitigation measures identified in the SEQRA Findings Statement, and no further mitigation measures are warranted.

## J. Utilities and Solid Waste Disposal

The Proposed Site Plan Amendment will not have any impact on projected utility demand or projected solid waste generation. The proposed service providers remain as provided in the Approved Plan. Mitigations for reducing electricity usage at the site, including the use of solar panels on various rides, LED light bulbs and a zoned lighting system will continue to be implemented as provided in the Approved SEQR Findings.

As per recent discussions with NYSEG, natural gas service can be provided to the site via a main which is scheduled to be replaced, by NYSEG, in Harriman Drive. Gas was not previously proposed on the site because the existing gas line was not adequately sized to serve the site. The use of natural gas at the site will alleviate the need for propane delivery and propane storage for generators at the Project Site. Exact locations of service lines on the Project Site will be coordinated with NYSEG prior to construction. The Project Sponsor is coordinating construction within Harriman Drive with NYSEG. The use of natural gas at the site does not create any environmental impacts.

Based on the above the Proposed Site Plan Amendment is consistent with the evaluation and mitigation measures identified in the SEQRA Findings Statement, and no further mitigation measures are warranted.

## K. Land Use and Zoning

The Proposed Site Plan Amendment does not proposes any changes to the zoning of the Project Site or any further subdivision of the Project Site. As per Local Laws #6 of 2016 the Project Site is now located in the Commercial Recreation Overlay Zone which allows the Approved Project by

Special Permit and Site Plan Approval subject to the requirements of Section 97-29.1 and Article IX of the Town Zoning Law.

The Proposed Site Plan Amendment is a modification to the main guest parking lot and access roads and includes a 62-foot shift of the water storage tank creating an increased setback in this location. The Proposed Site Plan Amendment does not impact the character of the overall project. Land use impacts will be the same as under the Approved Project.

The Project Site is also located in the Town's Aquifer (AQ-3) Overlay District, and portions of the site fall within the Stream Corridor and Reservoir Watershed Overlay District and Scenic Road Corridor Overlay. None of the Proposed Site Plan Amendments are located within any of the other Overlay Districts which are located on the Project Site.

The Proposed Site Plan Amendment does not impact the consistency of the overall Project with the 2009 Town Comprehensive Plan, specifically goal #4 to develop a strong and balanced economic base and to attract tax positive commercial developments, including, "providing tourism/ recreation business opportunities along State Route 17" to offset existing tax exempt lands and to pay for services required by the growing population and Section 5.0(2) of the Comprehensive Plan which recommends the area directly adjacent to the Village is appropriate for commercial tourism/ recreation uses because of its close access to Route 17.

The Proposed Site Plan Amendment does not impact the consistency of the overall Project with other regional plans, particularly the Orange County Comprehensive Plan, Orange County Economic Development Strategy and the Hudson Valley Regional Economic Development Council initiative.

Based on the above the Proposed Site Plan Amendment is consistent with the evaluation and mitigation measures identified in the SEQRA Findings Statement, and no further mitigation measures are warranted.

L. Community Services

The Proposed Site Plan Amendment will not impact the projected number of calls for service to its various emergency service providers. Project changes include amendments to the guest parking area and internal circulation roads. . A revised auto-turn analysis has been provided to demonstrate that road widths and turning radii have been designed to meet all applicable fire codes and accommodate the largest Goshen Fire District vehicle (See Appendix D).

The Proposed Site Plan Amendments will not impact the emergency access road which will continue to provide access to Arcadia Road as provided on the Approved Project. All internal emergency services such as 24-hour onsite security, onsite first aid station and the hosting of regular emergency evacuation drills will not be impacted by the Proposed Site Plan Amendments.

Based on the above the Proposed Site Plan Amendment is consistent with the evaluation and mitigation measures identified in the SEQRA Findings Statement, and no further mitigation measures are warranted.

M. Fiscal and Economic Impacts

Since the Approval of the Project, lots on the Project Site have been combined and a 1-acre lot for the existing cell tower has been subdivided as shown in the Approved Subdivision Plans. Also, since this time the Project Sponsor rescinded the offer to purchase 9 town-owned properties from the Town of Goshen. The Town will retain ownership of these parcels. The Project Site currently consists of two tax parcels.

No amendments are proposed to the approved Host Community Benefit Agreement or approved PILOT agreement.

The Proposed Site Plan Amendment will not impact the projected fiscal benefit to the local, regional and state economy generated by sales tax revenue from retail sales both by guests making purchases within the park and by the park itself which will purchase goods and services.

The Proposed Site Plan Amendment will not impact the projected number of full and part-time employees at the site.

Under the Proposed Amended Plan, the Town will not sell land to the applicant and therefore will not receive payments of \$60,000 for the land nor \$60,000 towards the cost of the development of the wells.

Based on the above the Proposed Site Plan Amendment is consistent with the evaluation and mitigation measures identified in the SEQRA Findings Statement, and no further mitigation measures are warranted.

N. Visual Resources

The proposed revisions to parking areas do not create disturbance or proposes development closer to any adjacent residential development. As part of Proposed Site Plan Amendments the water storage tower will be shifted 62 feet further from the western property line. Based on this shift, the proposed tank has been resized to 48' diameter and 42' high, compared to 50' wide and 38' tall in the Approved Plan (see revised water system design report in Appendix B). The nominal change in size is required to meet Health Department standards for fire flow pressure and will not have any increased visual impact.

No other structures on the site will be modified as part of the Proposed Site Plan Amendment. Lighting in the guest parking area will be slightly modified commensurate with modifications to the parking lot layout. Lighting levels will remain at zero at property lines except along Harriman Drive where required for safety and lighting levels after park closing will continue to be reduced

to minimum security levels as per the Approved Plan. The Proposed Site Plan Amendment is consistent with all SEQR Findings related to Visual Impacts. A revised cross-section analysis has been prepared to take into account the adjusted water tower location and visions to the grading plans.

Based on the above the Proposed Site Plan Amendment is consistent with the evaluation and mitigation measures identified in the SEQRA Findings Statement, and no further mitigation measures are warranted.

O. Environmental Contamination

The original SEQR analysis found that no impacts were anticipated related to environmental contamination. The Proposed Site Plan Amendment is consistent with SEQR Findings related to Environmental Contamination.

Based on the above the Proposed Site Plan Amendment is consistent with the evaluation and mitigation measures identified in the SEQRA Findings Statement, and no further mitigation measures are warranted.

P. Cultural Resources

The Proposed Site Plan Amendment does not propose any plan modifications near the identified Archeological Sites on the Project Site and therefore will not impact cultural resources on the Project Site. The Proposed Site Plan Amendment is consistent with all original SEQR Findings for Cultural Resources.

Since Project Approval, the Project Archeologist prepared a Phase III Data Recovery Program for Site 07106.000123 and LEGOLAND Site 4 which were identified in the EIS for the Approved Project. A Memorandum of Understanding was approved and signed by NYS Office of Parks, Recreation and Historic Preservation (SHPO) and the USACOE.

Based on the above the Proposed Site Plan Amendment is consistent with the evaluation and mitigation measures identified in the SEQRA Findings Statement, and no further mitigation measures are warranted.

Q. Agricultural

The Project Site is no longer used for agricultural purposes. The Proposed Site Plan Amendment will not affect the Project Sponsor's obligation to pay rollback taxes for the prior agricultural tax exemption for the Project Site. The Project Sponsor shall pay the rollback taxes upon the levy of same.

Based on the above the Proposed Site Plan Amendment is consistent with the evaluation and mitigation measures identified in the SEQRA Findings Statement, and no further mitigation measures are warranted.

R. Air Quality

The Proposed Site Plan Amendment will not increase the number of vehicle trips or other mobile source emissions at the site. The Proposed Site Plan Amendment will not change the number of construction vehicles or the general amount of disturbance. Revised erosion control measures will be implemented based on revisions to disturbed areas. All Best Management Practices will be employed during construction activities to reduce the potential for fugitive dust generation at the site, as described in the EIS, and the Proposed Site Plan Amendment will be consistent with all SEQR Findings for Air Quality.

Based on the above the Proposed Site Plan Amendment is consistent with the evaluation and mitigation measures identified in the SEQRA Findings Statement, and no further mitigation measures are warranted.

S. Construction

The Proposed Site Plan Amendment will not cause a change to the overall construction schedule, hours of construction or implementation of Best Management Practices for construction. The Proposed Site Plan Amendment does not obviate the applicant's limitations on tree clearing between November 1 and March 30 in order to avoid disturbance of any potential Indiana and Northern long-eared bat habitat.

Based on the above the Proposed Site Plan Amendment is consistent with the evaluation and mitigation measures identified in the SEQRA Findings Statement, and no further mitigation measures are warranted.

T. Growth Inducing Impacts

Growth Inducing Impacts would be the same as under the Approved Project and would not be impacted by the Proposed Site Plan Amendment. The Proposed Site Plan Amendment is consistent with all SEQR Findings related to Growth Inducing Impacts.

Based on the above the Proposed Site Plan Amendment is consistent with the evaluation and mitigation measures identified in the SEQRA Findings Statement, and no further mitigation measures are warranted.