Site Plan and Special Permit Application Package For

Amy's Kitchen, Inc.

Route 17M and Echo Lake Road
Town of Goshen, New York

March 27, 2014

Prepared by:
Turner Miller Group
2 Executive Blvd, Suite 108
Suffern, New York 10901
Contact: Stuart Turner, FAICP, PP

Lanc and Tully Engineering
3132 Route 207
Campbell Hall, New York 10916
Contact: John O'Rourke, P.E.

Drake, Loeb, Heller, Kennedy, Gogerty, Gaba & Rodd, PLLC
555 Hudon Valley Avenue, Suite 100
New Windsor, New York 12558
Contact: Dominic Cordisco, Esq.

THIS PACKAGE CONTAINS THE FOLLOWING DOCUMENTS:

- Application to appear before the Planning Board
- Owner Proxy
- Property Deeds
- Project Narrative
- Letter from NYS Offices of General Services and Mental Health authorizing the transfer of land to the Town for site access
- Long Environmental Assessment Form
- Wildlife and Vegetation Assessment
- Preliminary Traffic Report
- Concept Plans

TOWN OF GOSHEN

BUILDING AND ZONING DEPARTMENT
TOWN HALL, 41 WEBSTER AVENUE
GOSHEN, ORANGE COUNTY, NEW YORK 10924
TELEPHONE: (845) 294-6430

APPLICANT:

Name: Amy's Kitchen, Inc.
Address: 1650 Corporate Circle, Suite 200, Petaluma, CA 94955
Telephone: (707) 781-7618
Date of Application: 3/27/14

* For billing purposes, please indicate where all bills should be sent.

OWNER(S)*:

Name: Concrete Properties, LLC/ Tetz Family, LLC
Address: 130 Crotty Road, Middletown, NY 10941
Telephone:

* **All** owners of the property shall be listed. If there are more than two owners, attach an additional sheet setting forth their contact information to this application.

GENERAL INFORMATION:

Project Name: Amy's Kitchen
Location: NYS Route 17M/ Echo Lake Road

Tax Map Number:
Section: 12 Block: 1 Lot: 23.2 and 24.2
Section: 12 Block: 1 Lot: 101

Total Acreage: 212.27
Zoning District(s): CO, I & RU
Overlay District(s): AQ-3

CONSULTANTS

Engineer: Lanc and Tully Engineering and Surveying, PC
Contact Information: John O'Rourke, PE (845)294-3700 jor@lanctully.com
Surveyor: Plans based on a survey by Mercurio-Norton-Tarolli Land Surveying. See Plan Notes
Contact Information: n/a
Architect: n/a
Contact Information: n/a
Attorney: Drake, Loeb, Heller, Kennedy, Gogerty, Gaba, Rodd, PLLC
Contact Information: Dominic Cordisco, ESQ (845) 458-7316 Terrestrial Environmental Specialists, Inc
Wetlands Delineator: Terrestrial Environmental Specialists, Inc
Contact Information: n/a
Other: Planner and SEQR Preparation: Turner Miller Group
Contact Information: Stuart Turner, FAICP (845) 368-1472 / sturner@turnermillergroup.com

Has the Zoning Board of Appeals granted any variance or special permit concerning this property? no
Specify:
Has the Town Board granted any special permit concerning this property? no
Specify:

TYPE OF APPLICATION:

Subdivision: Sketch (Minor) Major Number of Lots Proposed: 2
Site Plan X
Special Permit X
Zoning Board of Appeals: Appeal Use variance Area variance Interpretation

* For ZBA Applications, attach an additional sheet setting forth the specific relief requested.

For Submission

Ag. Data Statement* 1 copy of the current deed(s) Copies of application, plans & EAF as per Building and Zoning Department

* If necessary. *See* § 97-47(C) - Agricultural Data Statements.

FOR OFFICE USE ONLY

Date Received: _____ Fees Paid: _____ Date Paid: _____ Copies: _____

TOWN OF GOSHEN
BUILDING AND ZONING DEPARTMENT
TOWN HALL, 41 WEBSTER AVENUE
GOSHEN, ORANGE COUNTY, NEW YORK 10924
TELEPHONE: (845) 294-6430

OWNER'S ENDORSEMENT

STATE OF NEW YORK:
SS:
COUNTY OF ORANGE:

Gary Tetz being duly sworn, deposes and says that he/she resides at 211 Mountain Rd, Bloomingburg in the County of Sullivan, State of New York and that he/she is (the owner in fee) or managing member (official title) of the Concrete Property LLC / Tetz Family LLC corporation which is the owner in fee of the premises described in the foregoing application and that he/she has authorized Amy's Kitchen to make the foregoing application for subdivision plat approval as described herein and that he/she agrees to be bound by all statements, conditions and representations contained therein as if he/she had so petitioned.

Owner's Signature

Dated: 1/14/14

Sworn to before me this 14th day of January, 2014

Maria E. Skwarlo
Notary Public

MARIA E. SKWARLO
Notary Public, State of New York
No. 4929695
Qualified in Ulster County
Commission Expires 5/2/14

SITE INSPECTION AUTHORIZATION

I hereby give permission for the Town of Goshen's municipal agencies and their agents to come upon and inspect these premises with respect to this application for Amy's Kitchen.

Section: 12
Block: 1
Lot: 24.2 + 27.2

Date: _____ Applicant's Signature: _____

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE

THIS PAGE IS PART OF THE INSTRUMENT – DO NOT REMOVE

TYPE IN BLACK INK:

NAME(S) OF PARTY(S) TO DOCUMENT

Al Turi Landfill, Inc.

TO

Tetz Family, ~~LLC~~ LLC

SECTION 12 BLOCK 1 LOT 23.2

RECORD AND RETURN TO:
(name and address)

Burt J. Blustein
Blustein, Shapiro & Rich, LLP
90 Crystal Run Road, Suite 409
Middletown, NY 10941

THIS IS PAGE ONE OF THE RECORDING

Cal 10361

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH RECORDED INSTRUMENT ONLY

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED ✓ MORTGAGE ___ SATISFACTION ___ ASSIGNMENT ___ OTHER ___

PROPERTY LOCATION

___2089 BLOOMING GROVE (TN)
___2001 WASHINGTONVILLE (VLG)
___2003 SO. BLOOMING GROVE (VLG)
___2289 CHESTER (TN)
___2201 CHESTER (VLG)
___2489 CORNWALL (TN)
___2401 CORNWALL (VLG)
___2600 CRAWFORD (TN)
___2800 DEERPARK (TN)
✓ 3089 GOSHEN (TN)
___3001 GOSHEN (VLG)
___3003 FLORIDA (VLG)
___3005 CHESTER (VLG)
___3200 GREENVILLE (TN)
___3489 HAMPTONBURGH (TN)
___3401 MAYBROOK (VLG)
___3689 HIGHLANDS (TN)
___3601 HIGHLAND FALLS (VLG)
___3889 MINISINK (TN)
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___4001 MONROE (VLG)
___4003 HARRIMAN (VLG)
___4005 KIRYAS JOEL (VLG)
___4289 MONTGOMERY (TN)
___4201 MAYBROOK (VLG)
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___5801 HARRIMAN (VLG)
___5809 WOODBURY (VLG)

CITIES

___0900 MIDDLETOWN
___1100 NEWBURGH
___1300 PORT JERVIS

___9999 HOLD

NO. PAGES 5 CROSS REF. ___
CERT. COPY ___ ADD'L X-REF. ___
MAP# ___ PGS. ___

PAYMENT TYPE: CHECK ✓
CASH ___
CHARGE ___
NO FEE ___

Taxable
CONSIDERATION $ 300,000.~
TAX EXEMPT ___
Taxable
MORTGAGE AMT. $ ___

MORTGAGE TAX TYPE:
___ (A) COMMERCIAL/FULL 1%
___ (B) 1 OR 2 FAMILY
___ (C) UNDER $10,000
___ (E) EXEMPT
___ (F) 3 TO 6 UNITS
___ (I) NAT.PERSON/CR. UNION
___ (J) NAT.PER-CR.UN/1 OR 2
___ (K) CONDO

Donna L. Benson

DONNA L. BENSON
ORANGE COUNTY CLERK

Received From Golden Area Abstract

RECORDED/FILED
12/20/2007/ 10:04:16
DONNA L. BENSON
County Clerk
ORANGE COUNTY, NY
FILE # 20070135254
DEED C / BK 12584 PG 1568
RECORDING FEES 210.00
TTX# 003746 T TAX 1,200.00
Receipt#825499 alicev

BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS
(INDIVIDUAL OR CORPORATION)

FORM 8007

CAUTION: THIS AGREEMENT SHOULD BE PREPARED BY AN ATTORNEY AND REVIEWED BY ATTORNEYS FOR SELLER AND PURCHASER BEFORE SIGNING.

THIS INDENTURE, made the 18th day of September, 2007,

between

AL TURI LANDFILL, INC., a New York Corporation, having offices at Route 17M, New Hampton, New York 10958

party of the first part, and

TETZ FAMILY, LLC., a New York Limited Liability Company having an address at 130 Crotty Road, Middletown, New York 10941

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and No Cents ($10.00), lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Goshen, County of Orange and State of New York, being more particularly described on the annexed Schedule "A" attached hereto and made a part hereof.

BEING the same premises conveyed to the grantor herein by deed dated January 9, 1981 and recorded January 19, 1981 in Liber 2185 at page 109 as corrected by deed dated September 20, 1991 and recorded March 17, 1992 in Liber 3575 page 343 in the Office of the Clerk of Orange County.

The above described property does not constitute all, or substantially all, of the assets of the party of the first part.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part, covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

AL TURI LANDFILL, INC.

By: Joseph Gambino, President

All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Goshen, County of Orange, and State of New York, described as follows:

BEGINNING at a monument in the Northeasterly sideline of New York State Highway Routes No. 6 and 17 M and the Southerly corner of lands now or formerly of the State of New York; and

1. RUNNING thence North 45° 46' 30" East 1860.99 feet along the Southerly line of the above mentioned lands now or formerly State of New York to a point in the Southwesterly line of lands now or fomerly Kimberly Land Company;

2. THENCE South 37° 17' 30" East 1251.12 feet along said Southwesterly line to a point in the Northerly line of the Wallkill Valley Drainage Improvement District;

3. THENCE, South 48° 14' 00" West 18.29 feet along said Northerly line to a point;

4. THENCE, South 78° 36' 00" West 343.00 feet still along said Northerly line to a point;

5. THENCE North 71° 02' 00" West 411.00 feet along the same to a point;

6. THENCE North 81° 07' 00" West 536.00 feet along the same to a point;

7. THENCE South 51° 21' 00" West 559.00 feet along the same to a point;

8. THENCE South 54° 44' 00" West 87.00 feet along the same to a point;

9. THENCE South 58° 07' 00" West 223.00 feet still along the same to a point in the aforementioned Northeasterly sideline of New York State Highway Routes No. 6 and 17M;

10. THENCE North 58° 18' 30" West 148.71 feet along said Northeasterly sideline of said Highway to the point or place of BEGINNING.

Said premises being additionally bounded and described in accordance with a survey made by William G. Norton attached hereto and made a part hereof as Schedule A Description - B.

All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Goshen, County of Orange, and State of New York, described as follows:

BEGINNING at a monument in the Northeasterly sideline of New York State Highway Routes No. 6 and 17 M and the Southerly corner of lands now or formerly of the State of New York; and

1. RUNNING thence North 34° 48' 14" East 1860.99 feet along the Southerly line of the above mentioned lands now or formerly State of New York to a point in the Southwesterly line of lands now or fomerly Kimberly Land Company;

2. THENCE South 48° 15' 47" East 1251.12 feet along said Southwesterly line to a point in the Northerly line of the Wallkill Valley Drainage Improvement District;

3. THENCE, South 37° 15' 43" West 18.29 feet along said Northerly line to a point;

4. THENCE, South 67° 37' 43" West 343.00 feet still along said Northerly line to a point;

5. THENCE North 82° 00' 17" West 411.00 feet along the same to a point;

6. THENCE North 87° 54' 43" West 536.00 feet along the same to a point;

7. THENCE South 40° 22' 43" West 559.00 feet along the same to a point;

8. THENCE South 46° 11' 45" West 309.89 feet along the same to a point; in the aforementioned Northeasterly sideline of New York State Highway Routes No. 6 and 17M;

9. THENCE North 69° 16' 51" West 148.71 feet along said Northeasterly sideline of said Highway to the point or place of BEGINNING.

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE

THIS PAGE IS PART OF THE INSTRUMENT – DO NOT REMOVE

TYPE IN BLACK INK:
NAME(S) OF PARTY(S) TO DOCUMENT

Town of Wallkill

TO

Concrete Properties, LLC

Goshen: 12 1 24.2
Wawayanda: 1 1 40
SECTION BLOCK LOT

RECORD AND RETURN TO:
(name and address)

Blustein, Shapiro, Rich & Barone, LLP
Attn: Burt Blustein, Esq.
90 Crystal Run Road, Suite 409
Middletown, New York 10941

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___9999 HOLD

NO. PAGES 6 CROSS REF. ___
CERT. COPY ___ ADD'L X-REF. ___
MAP# ___ PGS. ___

PAYMENT TYPE: CHECK ✓
CASH ___
CHARGE ___
NO FEE ___

Taxable
CONSIDERATION $ 3,500,000
TAX EXEMPT ___
Taxable
MORTGAGE AMT. $ ___

MORTGAGE TAX TYPE:
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___ (B) 1 OR 2 FAMILY
___ (C) UNDER $10,000
___ (E) EXEMPT
___ (F) 3 TO 6 UNITS
___ (I) NAT.PERSON/CR. UNION
___ (J) NAT.PER-CR.UN/1 OR 2
___ (K) CONDO

Donna L. Benson
DONNA L. BENSON
ORANGE COUNTY CLERK

Received From Gill Abst

RECORDED/FILED
04/10/2009/ 11:04:51
DONNA L. BENSON
County Clerk
ORANGE COUNTY, NY
FILE#20090033600
DEED C / BK 12807PG 0171
RECORDING FEES 240.00
TTX# 005052 T TAX 14,000.00
Receipt#1009069 juls

BARGAIN & SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS

This indenture, made the 8th day of April 2009, between TOWN OF WALLKILL, a municipal corporation of the State of New York, with offices at 99 Tower Drive, Building A, Middletown, New York 10941, party of the first part and CONCRETE PROPERTIES, LLC, with offices at 130 Crotty Road, Middletown, New York 10941, party of the second part,

Witness, that the parties of the first part, in consideration of ONE ($1.00) DOLLAR lawful money of the United States, paid by the party of the second part, grant and release unto the party of the second part, its heirs and assigns forever, a certain real property (the "Premises") located at Echo Lake Road in the Town of Wawayanda and the Town of Goshen, New York, and known as Town of Goshen tax map Section 12 Block 1 Lot 24.2 and Town of Wawayanda tax map Section 1 Block 1 Lot 40. The Premises is more particularly described in **Schedule "A"**, which is annexed hereto and made a part hereof,

Together with the appurtenances and all the estate and rights of the parties of the first part in and to the portion of the Premises described in **Schedule "A"**.

Reserving unto the party of the first part, the right to fully utilize the temporary and permanent easements for ingress and egress as granted to the party of the first part pursuant to an Easement Agreement between the party of the first part and the County of Orange, dated December 15, 2008 and recorded in the Orange County Clerk's Office on January 6, 2009 in Book 12768 at Page 0555. The reservation of this right to utilize the easement to the party of the first part is made for the purpose of granting access to the party of the first part to the wells and water supply located on the Premises. The party of the first part has retained certain rights to the use and benefit from the wells on a portion of the Premises conveyed herein, pursuant to a certain license agreement between the party of the first part and the party of the second part, executed simultaneously herewith and intended to be recorded contemporaneously with this deed in the Orange County Clerk's Office.

To have and to hold the Premises described in **Schedule "A"** granted unto the party of the second part, its heirs and assigns forever. And the parties of the first part covenant that they have not done or suffered anything whereby the Premises described in **Schedule "A"** has been encumbered in any way whatsoever.

AND the parties of the first part, in compliance with Section 13 of the Lien Law, hereby covenant that the parties of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

IN WITNESS WHEREOF, the parties of the first part have duly executed this deed the day and year first above written.

TOWN OF WALLKILL

BY: JOHN F. WARD, JR.,
Supervisor

STATE OF NEW YORK)
) ss:
COUNTY OF ORANGE)

On the 8th day of April the year 2009 before me, the undersigned, personally appeared **JOHN F. WARD, JR.**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he is the Supervisor of the Town of Wallkill, and that he executed the same in his capacity as Supervisor with the authority of the Town Board of the Town of Wallkill, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

NOTARY PUBLIC

Linda Rankin
Notary Public, State of NY
No. 01RA5060258
Qualified in Orange County
Commission Expires May 20, 2010

SCHEDULE A **Description**

Title Number **GAC05988**

ALL that certain plot, piece or parcel of land situate lying and being in the Towns of Waywayanda and Goshen, County of Orange, State of New York, and being more accurately bounded and described as follows:

PARCEL I

BEGINNING in the centerline of an existing bridge on Echo Lake Road at its intersection with the centerline of the Wallkill River; thence from said point of beginning following approximately along the Wallkill River on the following two courses and distances: South 21°-47'-31" West 32.20' to an angle point; thence South 07°-48'-14" West 10.16' to a point in the northerly right-of-way line of the former Erie Lackawanna Railroad, now abandoned; thence along the northerly side of said abandoned railroad, said line being marked in part by the remains of an old railroad fence on the following several courses and distances: North 69°-15'-18" West 300.70'; thence North 67°-52'-37" West 291.08' thence North 69°-15'-18" West 80.0'; thence on a curve to the left having a radius of 1,948.85', an arc distance of 628.42' to a point as described by the chord North 78°-29'-16" West 625.70'; thence South 86°-51'-04" West 102.15'; thence on a curve to the left having a radius of 1,942.85', an arc distance of 407.66' to a point as described by the chord South 83°-16'-04" West 406.92'; thence South 79°-41'-05" West 102.15'; thence South 69°-45'-06" West 306.29'; thence South 60°-18'-44" West 203.57'; thence South 59°-50'-42" West 380.0'; thence on a curve to the right having a radius of 1,876.86', an arc distance of 463.05' to a point as described by the cord South 66°-54'-46" West 461.88'; thence South 79°-01'-23" West 196.30'; thence on a curve to the right having a radius of 1,869.85', an arc distance of 577.82' to a point in the end of a stone wall in the line of lands now or formerly of Prickett as described in Liber 1989, page 39, of Orange County Deed Records as described by the cord South 88°-50'-11" West 575.53'; thence along the line of Prickett as marked by a stone wall North 26°-17'-05" East 86.14'; thence on a line which continues along a stone wall North 49°-31'-09" East 335.91' to a point in the end of a stone wall; thence continuing on the same line marked by no physical possession, passing from the Town of Goshen into the Town of Waywayanda, North 49°-31'-09" East 797.25' to a point in the centerline of Echo Lake Road; thence along the centerline of Echo Lake Road on the following several courses and distances: North 62°-50'-56" East 290.08'; thence North 63°-24'-59" East 634.03'; thence North 70°-55'-37" East 75.95'; thence North 76°-43'-34" East 60.44'; thence North 81°-25'-04" East 130.52'; thence leaving Echo Lake Road South 17°-56'-19" East 140.0' to a point inside Echo Lake and in the existing town line between the Town of Waywayanda and the Town of Goshen; thence passing through Echo Lake and along the town line between the two towns. on the following two

Continued On Next Page

courses and distances: North 72°-03'-41"East 330.0'; thence South 86°-41'-19" East 350.33' to a point in the centerline of Echo Lake Road; thence leaving said town line passing through the Town of Goshen and along the centerline of Echo Lake Road on the remaining courses and distances: South 37°-17'-14" East 225.0'; thence South 46°-08'-58"East 79.42'; thence South 49°-21'-50" East 690.65'; thence South 64°-11'-18" East 165.68'; thence South 69°-05'-19" East 306.19' to the point of beginning.

PARCEL II

Also with the above described parcel goes a second parcel of land situated on the southerly side of the former Erie Lackawanna Railroad in the Town of Goshen, said parcel being more accurately bounded and described as follows:

BEGINNING at the intersection of the southerly right-of-way line of the former Erie Lackawanna Railroad with the approximate centerline of the Wallkill River, said point of beginning being located South 07°-47'-31" West 67.61' from the end of the second course of the above described 39.839 +/- acre parcel; said point of beginning being in the line of lands of the Al Turi Landfill, Inc. as described in Liber 2299, Page 374 of Orange County Deed, Records; thence from said point of beginning and along a line which follows along the line of the Al Turi Landfill, Inc. on the following several courses and distances: South 07°-47'-31" West 1,054.02'; thence South34°-47'-31" West 1,306.80'; thence South 39°-42'-29" East 29.70'; thence South 17°-02'-31" West 128.70' to a point in the approximate centerline of the Wallkill River; thence on a line which follows the Wallkill River on the following two courses and distances: South 40°-47'-31" West 198.00'; thence South 44°-17'-31" West 446.16' to a point on the extension of an existing fence line; thence North 49°-01'-25" West 1,333.39' to a fence and wall corner marking a corner of lands now or formerly of the Mid-Hudson Psychiatric Center as described in Liber 1838, Page 261, of Orange County Deed Records; thence along the line of lands of Mid-Hudson Psychiatric Center on the following two courses and distances: on a line which follows along a wall North 48°-14'-42" West 1,470.17' to a fence and wall corner; thence continuing along the same lands following along a fence on the following courses and distances: North 41°-54'-12" East 331.01'; thence North 46°-38'-19" East 172.90'; thence North 50°-19'-54" East passing over the end of the fence at 551.84' a total distance of 672.33' to a point in the southerly right-of-way line of the former Erie Lackawanna Railroad, now abandoned; thence along the line of said railroad as marked in part by a fence post on the remaining courses and distances: North 59°-50'-42" East 370.15'; thence North 67°-13'-22" East 196.72'; thence North 69°-45'-06" East 292.15'; thence North 65°-54'-05" East 99.29;

Continued On Next Page

thence on a curve to the right having a radius of 1,876.85', an arc distance of 393.82' to a point as described by the chord North 83°-16'-04" East 393.09'; thence South 85°-08'-25" East 98.34'; thence on a curve to the right having a radius of 1,869.85, and arc distance of 602.63' to a point as described by the chord South 78°-29'-16" East 600.03'; thence South 69°-15'-18" East 80.0'; thence South 70°-37'-59" East 291.08'; thence South 69°-15'-18" East 315.88' to the point of beginning.

Being the same premises conveyed to the grantor herein by deed recorded in L. 2848 p. 109.

Turner Miller Group
planning consensus community

March 27, 2014

Narrative Project Summary for Amy's Kitchen, Inc
Addendum to the Long Environmental Assessment Form

Amy's Kitchen, Inc. is the contract vendee of a +/-200 acre project site on tax parcels 12-1-23.2 and 12-1-24.2 located on the north side of Route 17M and south of Echo Lake Road in the Town of Goshen. The project also involves a land transfer of a 7.6 acre portion of lot 12-1-101 from the State of New York to the Town of Goshen (see attached letter from James Sproat and Emil Slanc regarding land transfer). The purpose of the land transfer would be to improve access to Route 17M, not only for the project, but also for the surrounding uses. A portion of the project site, tax parcel 1-1-40, is located in the Town of Wawayanda but no disturbance will occur on this land.

The project site is located in the Commercial/ Office Mixed Use (CO), Industrial (I) and Rural (RU) zoning districts of the Town and in Orange County Agricultural District #2. The project site is currently vacant but was previously used for mining purposes. Both NYS DEC and Federal wetlands exist on the property as well as floodplains associated with the Cheechunk Creek, a tributary of the Wallkill River. A vegetation and wildlife assessment was prepared for the project site in 2012 and has been attached to this submission as an addendum to the Environmental Assessment Form. This document includes a jurisdictional determination from the USACOE. The Orange County Heritage Trail runs through the north end of the site. The RU Zoning district extends north from the Heritage Trail. This area contains wetlands and other sensitive environmental features, but no disturbance will take place in this area.

The proposed action includes a two lot subdivision of the property. On Lot 1 Amy's Kitchen, Inc. proposes to construct a 579,680 square foot manufacturing plant to manufacture and distribute its full line of natural and organic frozen food products. A 25,000 square foot office area will be contained in the plant. The project proposes 700 parking spaces for employees and visitors and 50 tractor trailer parking spaces. Ten loading bays will be provided on the east side of the building with three additional bays on the south side. The project will derive access from Route 17M. Emergency access only will be provided from Echo Lake Road with a permeable hard surface (see site plans at the end of this package).

On Lot 2 the applicant proposes to construct a 200,000 square foot open structure to be used for annual conferences and other private company gatherings. The structure will have a cantilevered roof over grass with six permanent restroom buildings around its periphery. Separate parking areas for approximately 1,733 cars and 104 busses for this facility will be provided, with the majority of parking spaces being located on permeable surfaces. Other

structures associated with this area will include a small food service building (no onsite cooking is proposed), administrative building, two caretaker residences and a guesthouse.

An initial traffic investigation is attached as an addendum to the provided Environmental Assessment Form.

Two wells exist on the property which will be utilized for water. Wastewater will be conveyed to an onsite sewage treatment facility where it will be treated and discharged to the Wallkill River.

Amy's Kitchen is a family-owned company started in 1988 in Sonoma, California. Amy's Kitchen is a world leader in production of natural and organic convenience food products and is one of the few remaining U.S. Companies to craft its own recipes, source its own ingredients, and make its products in-house. The company currently has two plants in California and Oregon. The company currently purchases approximately 90 million pounds of organic materials each year from local west coast farms for use in their products. Amy's products are non-GMO and do not contain hydrogenated fats or oils. All of Amy's packaging is sourced locally from recycled material.

The project will employ approximately 680 people on the project site. The local and regional agricultural community stands to greatly benefit from this project. For example, in the last year, Amy's Kitchen purchased more than 36 million pounds of organic tomatoes and more than 17 million pounds of organic onions. It is anticipated that with the construction of the new manufacturing plant in Goshen, Amy's Kitchen will look to find a significant volume of their products from local and regional farms.

ANDREW M. CUOMO
GOVERNOR

ROANN M. DESTITO
COMMISSIONER

STATE OF NEW YORK
EXECUTIVE DEPARTMENT
OFFICE OF GENERAL SERVICES
MAYOR ERASTUS CORNING 2ND TOWER
THE GOVERNOR NELSON A. ROCKEFELLER EMPIRE STATE PLAZA
ALBANY, NEW YORK 12242

January 15, 2014

Honorable Douglas Bloomfield
Supervisor
Town of Goshen
P.O. Box 217
Goshen, New York 10924

Re: Proposed Access Improvements
Mid-Hudson Psychiatric Center
Town of Goshen, Orange County, New York

Dear Mr. Bloomfield:

Developers for the proposed Goshen Business Park are in the process of seeking approvals for the development of a parcel of land adjacent to above mentioned State-owned lands located on Route 17M. The proposed project includes reconfiguring the access to the State facility and the conveyance of a 7.6 +/- acre parcel of land to the Town of Goshen for highway purposes pursuant to Section 34 of the Public Lands Law.

Upon receiving all necessary project approvals, the developer shall construct an access road leading to the Goshen Business Park and reconfigure the facility access to enter and exit at common controlled intersection point. When the access road is accepted by the Town and the facility access improvements are completed and accepted by the State, the State shall grant the 7.6 +/- acre parcel of land to the Town, pursuant to the statute for Highway Purposes.

The developer will provide the Office of General Services with a survey for review and approval and a metes and bounds description of the lands to be conveyed. The Town of Goshen, as SEQRA lead agency on the proposed development, will include the State agencies as involved agencies. The parties understand that the NYS Department of Transportation may seek a transfer of jurisdiction of the portion of the lands to be conveyed if needed for intersection improvements, resulting in a slightly reduced acreage.

The Office of General Services received letters from Steven M. Neuhaus, County Executive, Orange County, dated January 9, 2014 and from Douglas Bloomfield, Supervisor, Town of Goshen, in support of this plan and project.

Therefore, the State of New York, acting by and through the Office of Mental Health with offices located at 44 Holland Avenue, Albany, New York, and the Office of General Services with offices located at Mayor Erastus Corning II Tower Building, Empire State Plaza, Albany, New York, agree to grant the aforesaid 7.6 acre parcel of land to the Town of Goshen for highway purposes as above described.

Sincerely,

NEW YORK STATE
OFFICE OF GENERAL SERVICES

By: _____
James Sproat
Executive Director
Real Estate Planning and Development

Date: 2/3/14

NEW YORK STATE
OFFICE OF MENTAL HEALTH

By: _____
Emil Slane
Deputy Commissioner
Office of Financial Management

Date: 1/27/14

cc: Honorable Steven M. Neuhaus
Orange County Executive
Orange County Government Center
Goshen, New York 10924

Mr. Richard J. Smith
R.J. Smith Realty
55 Main Street
Pine Bush, New York 12566

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: Amy's Kitchen, Inc.		
Project Location (describe, and attach a general location map): NYS Route 17M and Echo Lake Road		
Brief Description of Proposed Action (include purpose or need): See attached narrative.		
Name of Applicant/Sponsor: Amy's Kitchen, Inc.	Telephone: (707) 781-7618 E-Mail:	
Address: 1650 Corporate Circle, Suite 200		
City/PO: Petaluma	State: CA	Zip Code: 94955
Project Contact (if not same as sponsor; give name and title/role): Mark Rudolph, CFO	Telephone: (707) 781-7618 E-Mail: markrudolph@amyskitchen.net	
Address: same as above		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): Concrete Properties, LLC / Tetz Family, LLC	Telephone: E-Mail:	
Address: 130 Crotty Rd		
City/PO: Middletown	State: NY	Zip Code: 10941

B. Government Approvals

B. Government Approvals Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, or Village Board of Trustees ☑Yes ☐No	Town Board - Access easement for site access road	TBD
b. City, Town or Village Planning Board or Commission ☑Yes ☐No	Town Planning Board: Site Plan, Special Permit and subdivision	3/27/14
c. City Council, Town or Village Zoning Board of Appeals ☐Yes ☑No		
d. Other local agencies ☐Yes ☑No		
e. County agencies ☑Yes ☐No	County Health Department: Water Supply County Planning:GML, County DPW: road work	TBD
f. Regional agencies ☐Yes ☑No		
g. State agencies ☑Yes ☐No	NYS DEC: SPDES NYS DOT: highway work permit	TBD
h. Federal agencies ☐Yes ☑No		

i. Coastal Resources.

i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐Yes ☑No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐Yes ☑No

iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes ☑No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐Yes ☑No

- **If Yes,** complete sections C, F and G.
- **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☑Yes ☐No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐Yes ☑No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐Yes ☑No

If Yes, identify the plan(s):

_____

_____

_____

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐Yes ☑No

If Yes, identify the plan(s):

_____

_____

_____

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
CO and I, Town AQ-3 Overlay District and County Ag District #2

b. Is the use permitted or allowed by a special or conditional use permit? ☑ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☑ No
If Yes,
i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Goshen Central School District

b. What police or other public protection forces serve the project site?
Town of Goshen Police Department

c. Which fire protection and emergency medical services serve the project site?
Goshen FD and GOVAC

d. What parks serve the project site?
Orange Co Heritage Trail adjacent to project site.

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Industrial with conference center and office components

b. a. Total acreage of the site of the proposed action? +/- 195 acres
b. Total acreage to be physically disturbed? +/- 131 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? +/- 212 acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☑ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☑ Yes ☐ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
One industrial lot with separate lot for conference center
ii. Is a cluster/conservation layout proposed? ☐ Yes ☑ No
iii. Number of lots proposed? 2
iv. Minimum and maximum proposed lot sizes? Minimum TBD Maximum TBD

e. Will proposed action be constructed in multiple phases? ☑ Yes ☐ No
i. If No, anticipated period of construction: _____ months
ii. If Yes:
- Total number of phases anticipated TBD
- Anticipated commencement date of phase 1 (including demolition) 3 month 2015 year
- Anticipated completion date of final phase 11 month 2015 year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? ☐ Yes ☑ No

If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase				
At completion of all phases				

g. Does the proposed action include new non-residential construction (including expansions)? ☑ Yes ☐ No

If Yes,

i. Total number of structures 17

ii. Dimensions (in feet) of largest proposed structure: 45 height; 1060 width; and 683 length

iii. Approximate extent of building space to be heated or cooled: 579,680 square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☑ Yes ☐ No

If Yes,

i. Purpose of the impoundment: stormwater detension

ii. If a water impoundment, the principal source of the water: ☑ Ground water ☐ Surface water streams ☑ Other specify: Stormwater

iii. If other than water, identify the type of impounded/contained liquids and their source.

iv. Approximate size of the proposed impoundment. Volume: TBD . million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: TBD height; TBD length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):

earth fill

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐ Yes ☑ No
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)

If Yes:

i .What is the purpose of the excavation or dredging?

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards):
- Over what duration of time?

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No
If yes, describe.

v. What is the total area to be dredged or excavated? acres

vi. What is the maximum area to be worked at any one time? acres

vii. What would be the maximum depth of excavation or dredging? feet

viii. Will the excavation require blasting? ☐ Yes ☐ No

ix. Summarize site reclamation goals and plan:

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☑ No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description):

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

_____

_____

_____

_____

iii. Will proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No

If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____

_____

- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

_____

c. Will the proposed action use, or create a new demand for water? ☑ Yes ☐ No

If Yes:

i. Total anticipated water usage/demand per day: 200,000 gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐ Yes ☑ No

If Yes:

- Name of district or service area: On site, private system
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☑ No
- Is the project site in the existing district? ☐ Yes ☑ No
- Is expansion of the district needed? ☐ Yes ☑ No
- Do existing lines serve the project site? ☐ Yes ☑ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☑ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

_____

- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☑ Yes ☐ No

If, Yes:

- Applicant/sponsor for new district: Amy's Kitchen, Inc.
- Date application submitted or anticipated: 4/1/14
- Proposed source(s) of supply for new district: on site wells.

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

Plans and additional details will be provided in an Environmental Impact Statement

vi. If water supply will be from wells (public or private), maximum pumping capacity: 330 gallons/minute.

d. Will the proposed action generate liquid wastes? ☑ Yes ☐ No

If Yes:

i. Total anticipated liquid waste generation per day: 200,000 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

Sanitary and manufacturing wastewater

_____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☑ No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

- Do existing sewer lines serve the project site? ☐Yes ☐No
- Will line extension within an existing district be necessary to serve the project? ☐Yes ☐No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐Yes ☑No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):

On-site sewer treatment with potential discharge to the Wallkill River.

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☑Yes ☐No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or +/- 49 acres (impervious surface)

_____ Square feet or 212.3 acres (parcel size)

ii. Describe types of new point sources. buildings/ roads/ parking areas

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

Combination of stormwater management structures and green treatment methods.

- If to surface waters, identify receiving water bodies or wetlands: _____
- Will stormwater runoff flow to adjacent properties? ☐Yes ☑No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☑Yes ☐No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☑Yes ☐No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

Large trucks

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

Construction equipment

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

Cooking and packaging equipment

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐Yes ☑No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐Yes ☐No

ii. In addition to emissions as calculated in the application, the project will generate:

- _____Tons/year (short tons) of Carbon Dioxide (CO_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐Yes ☑No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐Yes ☑No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☑Yes ☐No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☑ Morning ☑ Evening ☐Weekend
☐ Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of semi-trailer truck trips/day: See attached traffic discussion

iii. Parking spaces: Existing 0 Proposed 3051 Net increase/decrease 3051

iv. Does the proposed action include any shared use parking? ☑Yes ☐No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:
New access road and realignment to serve adjoining properties. See attached preliminary traffic report.

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐Yes ☑No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes ☑No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☑Yes ☐No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☑Yes ☐No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action:
TBD

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):
Local utility

iii. Will the proposed action require a new, or an upgrade to, an existing substation? ☐Yes ☑No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: 8am-8pm or as otherwise req'd
- Saturday: 9am-8pm or as otherwise req'd
- Sunday: none
- Holidays: none

ii. During Operations:

- Monday - Friday: 6am-11pm
- Saturday: TBD
- Sunday: none
- Holidays: none

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☑ Yes ☐ No

If yes:

i. Provide details including sources, time of day and duration:

Plant machinery, HVAC units and trucks will create noise. Additional information will be provided in the DEIS.

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? ☑ Yes ☐ No

Describe: Existing site vegetation will be removed.

n.. Will the proposed action have outdoor lighting? ☑ Yes ☐ No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

Plan will be provided in the DEIS

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☑ Yes ☐ No

Describe: removal of existing vegetation

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☑ Yes ☐ No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:

Cooking and vehicle emissions could possibly produce odors. The nearest occupied structure is the adjacent psychiatric center which is scheduled to be closed by the State. Other nearby uses include landfills and agricultural uses which also produce odors. Additional information to be provided in the DEIS.

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☑ No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally describe proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☑ No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☑ Yes ☐ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: TBD tons per _____ (unit of time)
- Operation : TBD tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: TBD
- Operation: recycling as required by Orange County recycling program

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: private dumpster
- Operation: private hauler

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☑ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☑ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☑ Industrial ☑ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)
☑ Forest ☐ Agriculture ☐ Aquatic ☑ Other (specify): County Psychiatric Center & adjacent landfill

ii. If mix of uses, generally describe:

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0	49	+ 49
• Forested	+/- 145	37	- 108
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	+/- 53	112	+ 59
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	+/- 3.3	+/- 3.3	0
• Wetlands (freshwater or tidal)	+/- 10.7	+/- 10.7	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☑ No

i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☑ Yes ☐ No

If Yes,

i. Identify Facilities:

Project site is adjacent to Mid-Hudson Psychiatric Center for adults with mental disabilities.

e. Does the project site contain an existing dam? ☐ Yes ☑ No

If Yes:

i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____

iii. Provide date and summarize results of last inspection:

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☑ Yes ☐ No

If Yes:

i. Has the facility been formally closed? ☑ Yes ☐ No

- If yes, cite sources/documentation: Based on Phase 1, see report for additional details.

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

Al Turi Landfill - 73 Hartley Rd, 500 feet south of site at a lower elevation

Orange Co Landfill, NYS Rotue 17M, Goshen, 3,096 feet South, lower elevation

iii. Describe any development constraints due to the prior solid waste activities: _____

A Phase 1 Environmental Assessment will be submitted with the DEIS.

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☑ Yes ☐ No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

Between 1968 and 1981 the Al Turi landfill accepted hazardous materials. Additional details to be provided in the DEIS.

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☑ Yes ☐ No

If Yes:

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☑ Yes ☐ No

☐ Yes – Spills Incidents database — Provide DEC ID number(s): _____

☑ Yes – Environmental Site Remediation database — Provide DEC ID number(s): 336016

☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☑ Yes ☐ No

If yes, provide DEC ID number(s): 336016

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

The Al Turi landfill has been capped. Ground water, surface water and gas emissions are currently monitored by the NYS DEC and USEPA

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☑ No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? >70' feet

b. Are there bedrock outcroppings on the project site? ☐ Yes ☑ No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____%

c. Predominant soil type(s) present on project site:

Mardin Gravelly Silt Loam (Md)	38.7 %
Riverhead Sandy Loam (Rh)	21.2 %
	%

d. What is the average depth to the water table on the project site? Average: 20 feet

e. Drainage status of project site soils:

☑ Well Drained:	59.6 % of site
☑ Moderately Well Drained:	27.4 % of site
☑ Poorly Drained	13 % of site

f. Approximate proportion of proposed action site with slopes:

☑ 0-10%:	51.5 % of site
☑ 10-15%:	17.1 % of site
☑ 15% or greater:	31.4 % of site

g. Are there any unique geologic features on the project site? ☐ Yes ☑ No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☑ Yes ☐ No

ii. Do any wetlands or other waterbodies adjoin the project site? ☑ Yes ☐ No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☑ Yes ☐ No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name Wallkill River Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name Federal Wetland / NYSDEC Approximate Size Fed: 0.84 / DEC: 9.09
- Wetland No. (if regulated by DEC) MD-24

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☑ No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☑ Yes ☐ No

j. Is the project site in the 100 year Floodplain? ☑ Yes ☐ No

k. Is the project site in the 500 year Floodplain? ☑ Yes ☐ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☑ Yes ☐ No
If Yes:

i. Name of aquifer: Principal Aquifer

m. Identify the predominant wildlife species that occupy or use the project site:

Green Frog, Treefrog, American Toad | Chipmunk, gray squirrel, raccoon |
Wood Frog, bull frog, snapping turtle | coyote and white-tailed deer |

n. Does the project site contain a designated significant natural community? ☐ Yes ☑ No

If Yes:

i. Describe the habitat/community (composition, function, and basis for designation): _____

ii. Source(s) of description or evaluation: _____

iii. Extent of community/habitat:

- Currently: _____ acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☑ Yes ☐ No

Indiana Bat - potential habitat along Wallkill River

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☑ No

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☑ No

If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☑ Yes ☐ No

If Yes, provide county plus district name/number: ORAN002

b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☑ No

i. If Yes: acreage(s) on project site? _____

ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☑ No

If Yes:

i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature

ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☑ No

If Yes:

i. CEA name: _____

ii. Basis for designation: _____

iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places? ☐ Yes ☑ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based:

_____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☑ Yes ☐ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☑ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☑ Yes ☐ No

If Yes:

i. Identify resource: Orange Co Heritage Trail

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): County Park/ Trailway

iii. Distance between project and resource: 0 miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☑ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Amy's Kitchen Date 2/20/2014

Signature [signature] Title Planner, SEQR Consultant

PRINT FORM

VEGETATION AND WILDLIFE RESOURCES
AT THE
ECHO LAKE SITE

TOWN OF GOSHEN
ORANGE COUNTY, NEW YORK

Prepared for:

E. TETZ & SONS, INC.
130 Crotty Road
Middletown, New York 10941

Prepared by:

TERRESTRIAL ENVIRONMENTAL SPECIALISTS, INC.
23 County Route 6, Suite A
Phoenix, New York 13135

February 2012
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TABLE OF CONTENTS

Page

LIST OF TABLES

(Tables follow text)

LIST OF FIGURES

(Figures follow tables)

1.0 INTRODUCTION

Terrestrial Environmental Specialists, Inc. (TES) was contracted by E. Tetz & Sons, Inc. to perform environmental studies at the Echo Lake site in the Town of Goshen, Orange County, New York (Figure 1). The study area (or site) is approximately 177 acres in size and is located west of the Wallkill River, north of State Route 17M, and south of Echo Lake Road. Vegetation and wildlife resources, including endangered and threatened species, were addressed in the study area. TES previously addressed wetlands/waters at the site, met with state and federal agencies to review the limits of jurisdictional wetlands, and received confirmation of jurisdictional limits from the respective agencies. A summary of this effort is included in this report.

These studies included the collection and review of pertinent background natural resource information, agency contacts, and field surveys. This report documents the results of the wetlands/waters, vegetation, and wildlife surveys performed at the Echo Lake site.

2.0 METHODS

2.1 Background Information

Prior to the field investigation at the site, TES assembled and reviewed available background information. This information included:

- the New York State Department of Transportation (NYSDOT) topographic maps (Middletown quadrangle) (Figure 1);
- the New York State Department of Environmental Conservation (NYSDEC) New York State freshwater wetlands maps (Figure 2);
- the U.S. Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) maps (Figure 3);
- the Orange County Soil Survey map prepared by the U.S. Soil Conservation Service (Figure 4);
- the New York State Surface Water Classification map (Figure 5);
- the Federal Emergency Management Agency (FEMA) flood insurance rate map (Figure 6); and
- a 2010 aerial photograph obtained from the New York State Geographic Information Systems (GIS) Clearinghouse (Figure 7).

In addition to the background maps, information was obtained from the New York State Amphibian and Reptile (Herp) Atlas Project and the New York State Breeding Bird (BBA) Atlas Projects to determine what amphibian, reptile, and bird species have been documented in the vicinity of the site. The Herp Atlas Project, which was sponsored by the NYSDEC and several other organizations, was conducted from 1990-1998 to collect information on the distribution and status of amphibians and reptiles in New York State. These data were collected in survey blocks that corresponded to NYSDOT 7.5-minute topographic quadrangles (quads). The Echo Lake site is within the Middletown quadrangle. Distribution maps for these species can be found at the NYSDEC website (http://www.dec.ny.gov/animals/7140.html). A list of the amphibian and reptile species reported in the Middletown quadrangle is presented in Table 3.

The BBA Projects, also sponsored by the NYSDEC and several other organizations, were conducted during two five-year periods (1980-1985 and 2000-2005). Information on local breeding birds was collected in 5 kilometer (km) X 5 km "blocks" and provides a degree of certainty regarding the breeding status of each species by using the type of sighting as an indication that the species is either a possible, probable, or confirmed breeder. A list of the species documented in each block, and their respective breeding statuses, is available on the NYSDEC website (www.dec.ny.gov/animals/7312.html). The Echo Lake site is within BBA Block 5458D. Table 4 provides a summary of the species and breeding status of birds documented in this block during both BBA projects.

2.2 Agency Contacts

Contact was made with the New York Natural Heritage Program (NYNHP) requesting available information on rare or state-listed plants and animals known to occur on or in the vicinity of the study area. The USFWS website was reviewed to determine what federally-listed species and candidate species are known from or likely to occur in Orange County. The results of this correspondence are included in Appendix A.

2.3 Field Surveys

Vegetation and wildlife surveys were conducted at the Echo Lake site on June 27 and 28, 2011. Wetlands/waters were previously delineated on the site. The background information maps, aerial photographs, and soils information were used for the initial identification of land use and vegetation cover types.

2.3.1 Vegetation

Vegetation data were collected during the field reviews of the study area to produce a vegetation cover type map. Plant species noted during prior wetland surveys at the site were also included. Vegetation cover types were characterized by the dominant plant species, and all plant species observed on the site were recorded. Scientific nomenclature for plant species follows *A Checklist of New York State Plants* (Mitchell and Tucker 1997).

2.3.2 Wildlife

Visual encounter surveys for wildlife were conducted on June 27 and 28, 2011. Amphibians and reptiles were located both opportunistically and by searching under cover objects, such as rocks, fallen logs, and leaf litter. Birds were identified by sight and sound. Mammals were identified visually and by their sign (e.g., tracks, scat). All species recorded on the site are included in Table 5. Trees were evaluated for potential use by Indiana bats as maternal roost colonies.

A habitat-based assessment of wildlife species likely occurring on the site was also conducted. Species with potential to inhabit this site were inferred based on geographic range and habitat use. All vegetation cover types were investigated and evaluated for their potential to support various species of animals. Information from the Herp Atlas and BBA Projects was also used in this effort (Tables 3 and 4, respectively). These data provide an overview of amphibian,

reptile, and mammal species known to occur in the area; however, because the Middletown and Goshen quadrangles and BBA Block 5458D covers more habitat types than are found on the site, many of the species documented during the Atlas Projects would not be found on the site.

Scientific nomenclature for animal species identified on the site or those that were documented in the vicinity during the Herp Atlas and BBA Projects is included in the tables that follow the text. Scientific names for species not documented on the site or in the vicinity, but with potential to occur on the site, have been included within the text of this document. Scientific nomenclature for amphibians and reptiles follows the *Scientific and Standard English Names of Amphibians and Reptiles of North America North of Mexico* [Crother (ed.) 2000], with updates through 2003; scientific nomenclature for bird species follows the Forty-ninth Supplement to the American Ornithologists' Union (AOU) *Checklist of North American Birds* (Banks *et al.* 2010); and scientific nomenclature for mammals follows *Mammals of the Eastern United States* (Whitaker and Hamilton 1998).

3.0 RESULTS

3.1 General Site Description

The Echo Lake site is approximately 177 acres and is located in the Town of Goshen, Orange County, New York (Figure 1). The study area is located west of the Wallkill River, north of State Route 17M, and south of Echo Lake Road (Figure 1). The Wallkill River forms the eastern site boundary and an abandoned railroad grade borders the northwestern edge of the site. Due west of the site is the Mid-Hudson Psychiatric Center.

Topography on the site is moderate to steeply sloping. Elevations range from approximately 528 feet above mean sea level (amsl) in the west-central portion of the site to 360 feet amsl along the Wallkill River in the northeastern portion of the site.

The New York State (NYS) Freshwater Wetlands map (Figure 2) does not indicate any wetlands near the site, although wetland MD-24 occurs north of the site in the Echo Lake area.

According to the USFWS NWI map (Figure 3), two isolated wetlands have been mapped on the site. These wetlands are a palustrine, persistent emergent, semi-permanent type (PEM1F).

The Orange County Soil Survey (Figure 4) produced by the U.S. Soil Conservation Service shows numerous soils on the study area, including:

- Alden silt loam
- Allard silt loam
- Erie gravelly silt loam
- Hoosic gravelly sandy loam
- Mardin gravelly silt loam
- Middlebury silt loam
- Raynham silt loam
- Riverhead sandy loam
- Rock outcrop-Arnot complex

The upland Mardin gravelly silt loam and Riverhead sandy loam are the most common soils on the site (Figure 4). These are deep, well-drained to moderately well drained soils on slopes. Surface rock fragments are common in these areas. Alden silt loam and Raynham silt

loam are the two hydric (wetland) soils mapped in the study area. These soils occur in the southern portion of the site just north of State Route 17M (Figure 4).

The New York State Surface Water Classification map (Figure 5) shows the Wallkill River draining in a northerly direction roughly along the eastern site boundary. No other water features are mapped on the site. The Wallkill River has a water quality classification of Class C with C Standards. With this water quality classification, it is not a state-protected waterbody.

The Flood Insurance Rate Map (Figure 6) shows a narrow area of 100-year floodplain along the length of the Wallkill River along the eastern edge of the site. Floodplain elevations range from 371 feet at the northern limit of the site by Echo Lake Road to 376 feet at the southern limit of the site by State Route 17M.

The 2010 aerial photograph (Figure 8) shows that the study area is currently undeveloped land, with a reclaimed mined area in the central portion of the site. Forests cover much of the remainder of the site with some scrub-shrub and disturbed open field areas.

3.2 Jurisdictional Wetlands/Waters

All wetlands/waters were delineated by TES in 2008 in an area including the Echo Lake site and are described in a wetland delineation report (TES 2009). The report was submitted to the NYSDEC and Corps for a wetland jurisdictional determination.

Mr. Doug Gaugler of the NYSDEC visited the site on September 17, 2009 and signed a map validating wetlands in the area on November 27, 2009. No state-regulated wetlands or 100-foot wetland adjacent areas are found on the site. As validated by Mr. Gaugler, the only NYSDEC regulated wetlands in the area are north of the site around Echo Lake.

Mr. Brian Orzel of the Corps reviewed the site for federal jurisdictional wetlands on October 21, 2009. A formal jurisdictional determination letter dated April 5, 2010 was prepared by the Corps. The determination is valid for 5 years from that date. Several of the wetlands on the site were found to be isolated and non-jurisdictional. Federal jurisdictional wetlands/waters on the site are shown on Figure 9. There are two jurisdictional areas, both are in the southern portion of the site. One is a small (0.84 acre) deciduous forest wetland dominated by red maple (*Acer rubrum*). Seeps from this wetland connect to the Wallkill River. The second jurisdictional area, which is closer to State Route 17M, is actually two ephemeral drains totaling 987 linear feet that connect to the river (Figure 9).

3.3 Vegetation

Vegetation/land use cover types found on the site are shown on Figure 8, with the acreage of each cover type presented in Table 1. A list of the common plant species noted in each cover type is provided in Table 2.

- Open Field/Reclaimed Mine

Open field/reclaimed mine areas were a common cover type on the site, occupying 46 acres or 26% of the site (Table 1). This cover type extends south from Echo Lake Road into an area that was previously mined and was reclaimed (Figure 8).

Waste area herbaceous species and grasses dominated this cover type, with occasional patches of woody vegetation. The area was well vegetated with herbaceous species. Dominant plant species in this cover type included: spotted knapweed (*Centaurea maculosa*), red clover (*Trifolium pratense*), Canada goldenrod (*Solidago canadensis*), common mugwort (*Artemisia vulgaris*), sweet vernal grass (*Anthoxanthum odoratum*), perennial rye (*Lolium perenne*), tall fescue (*Lolium arundinaceum*), and orchard grass (*Dactylis glomerata*). Many other species occurred in this community.

- Scrub-Shrub Upland

Scrub-shrub upland covered 26 acres or 15% of the site (Table 1). It primarily occurred in the north-central portion of the site (Figure 8). Rock walls and hedgerows of trees were mixed within this cover type.

Scrub-shrub upland areas on the site mostly contained very dense shrub layers, some open areas, and scattered trees especially in hedgerows. Dominant plant species in the shrub layer of this cover type included: common buckthorn (*Rhamnus cathartica*), blackhaw (*Viburnum prunifolium*), gray-stem dogwood (*Cornus foemina*), blackberry (*Rubus allegheniensis*), multiflora rose (*Rosa multiflora*), and young red maple (*Acer rubrum*). Red maple and tree-of-heaven (*Ailanthus altissima*) are common tree species. In open portions, sweet vernal grass, rough-stem goldenrod (*Solidago rugosa*), poison ivy (*Toxicodendron radicans*), and Virginia creeper (*Parthenocissus quinquefolia*) were common. Many of the species found in the open field community also occur in the scrub-shrub upland areas.

- Deciduous Forest Upland

Deciduous forest upland was the most common cover type on the site occupying 99 acres or 56% of the site (Table 1). It is common along the slopes along the Wallkill River and in the western and southern portions of the site (Figure 8).

The deciduous forest upland varied somewhat in dominant tree species and tree sizes. Primarily there were three general mixes; oak-dominated areas in the eastern and south-central portions, somewhat disturbed forests of varying ages in the western portion, and younger disturbed forest in the very southern portion of the site.

In the oak-dominated portions of the forest, black oak (*Quercus velutina*), white oak (*Q. alba*), scarlet oak (*Q. coccinea*), black cherry (*Prunus serotina*), and red maple were common tree species. The shrub layer was not very dense and was dominated by blackhaw. Poison ivy, garlic mustard (*Alliaria petiolata*), Virginia creeper, Christmas fern (*Polystichum acrostichoides*), and white woods aster (*Aster divaricatus*) were common herbaceous layer species.

The forest in the western portion of the site is a very mixed area with evidence of past disturbance, some stone walls, and old hedgerows. Large trees occurred along the stone walls, but young forest with a dense shrub layer was present in places. Dominant trees species included: tree-of-heaven, eastern cottonwood (*Populus deltoides*), black cherry, and sugar maple (*Acer saccharum*). Honeysuckle (*Lonicera morrowii*), common buckthorn, blackhaw, and multiflora rose were common shrub species, with scattered grape vines (*Vitis* sp.). Poison ivy, Virginia creeper, clearweed (*Pilea pumila*), and hound's tongue (*Cynoglossum officinale*) often occurred in the herbaceous layer.

In the southern portion of the site and the areas near the Wallkill River there was evidence of past disturbance when the Wallkill River was realigned many years ago. Eastern cottonwood is the most abundant tree in this area, with sycamore (*Platanus occidentalis*) near the river and black cherry, sugar maple, and white ash (*Fraxinus americana*) on drier slopes. Blackhaw, honeysuckle, and common buckthorn were common shrub species.

- Isolated Wet Meadows

Isolated wet meadow areas occurred in these locations in the northern portion of the site and totaled 4 acres covering 2% of the site (Table 1 and Figure 8). These isolated wet areas developed from past mining and other activities on the site; they are not jurisdictional wetlands.

Herbaceous species dominate these areas and there is often seasonally pooled water in portions. Dominant species include: rice cut grass (*Leersia oryzoides*), spike rush (*Eleocharis* sp.), sedges (*Carex* spp.), fox sedge (*C. vulpinoides*), sedge (*C. lupulina*), purple loosestrife (*Lythrum salicaria*), late goldenrod (*Solidago gigantea*), and burreed (*Sparganium* sp.).

- Deciduous Forest Wetland

One deciduous forest wetland area occurs on the site. It is located in the southern portion and occupies 0.8 acre or 0.04% of the site (Table 1 and Figure 8). It is a federally-regulated wetland area. Pooled water was evident in portions of this area.

Red maple is the dominant tree in the deciduous forest wetland and green ash (*Fraxinus pennsylvanica*) is a common associate. Spicebush (*Lindera benzoin*) was abundant in areas and formed a dense, tall shrub layer. Common herbaceous species included: skunk cabbage (*Symplocarpus foetidus*), spotted touch-me-not (*Impatiens capensis*), poison ivy, cinnamon fern (*Osmunda cinnamomea*), and Virginia creeper.

3.4 Wildlife Observations

A variety of common amphibians, reptiles, birds, and mammals were identified on the site or are potential inhabitants. All wildlife species observed during the June 2011 surveys are included in Table 5. Other species that are likely to occur on the site, based on available habitat and range, are discussed below. Vegetation cover types identified on the site include open field and open reclaimed areas, scrub-shrub uplands, deciduous forest upland, wet meadow, deciduous forest wetland, and the Wallkill River. Animals with potential to occur on the site would be expected to be those that utilize these types of habitats.

3.4.1 Amphibians and Reptiles

During survey efforts at the site five species of amphibians and two species of reptiles were observed (Table 5). All amphibians and reptiles observed on the site are considered common and relatively widespread throughout New York State.

Green frog, gray treefrog, American toad, wood frog, and bull frog were recorded in the wet meadow or the deciduous forest upland on the site (Table 5). A snapping turtle was found in the scrub-shrub upland and a painted turtle was located in the wet meadow.

A number of other common amphibian and reptile species have been documented in the Middletown quad during the New York State Amphibian and Reptile Atlas Project. These include spotted salamander, red-spotted newt, and common garter snake. These three species could be present based on their use of deciduous forest and open field habitats.

3.4.2 Birds

Forty-six species of birds were observed on the site during the June 2011 surveys. These birds and the cover types they were recorded in are presented on Table 5.

The majority of the project site consisted of upland deciduous forest. Species using this habitat included ruffed grouse, wild turkey, hairy woodpecker, great-crested flycatcher, American crow, black-capped chickadee, wood thrush, American robin, ovenbird, scarlet tanager, and rose-breasted grosbeak. The species recorded in this habitat included year-round residents as well as seasonal inhabitants that use the habitat for breeding and rearing young.

Scrub-shrub habitat was extensive on the site. Representative species recorded in this habitat included house wren, gray catbird, brown thrasher, yellow warbler, chestnut-sided warbler, and field sparrow. All of these species are seasonal residents that use scrub-shrub areas for breeding and rearing young.

Open field areas consisted primarily of areas reclaimed from mining activity and include over 25% of the on-site cover. Representative species found in this habitat included killdeer, mourning dove, American robin, chipping sparrow, field sparrow, northern cardinal, and American goldfinch. This reclaimed habitat was well-represented with species adapted to feeding on seeds from the grasses and forbs present.

Wetland habitats occupied limited areas on the site. In the wet meadow only 1 species, an eastern kingbird, was recorded. Three species were recorded in the deciduous forest wetland. These were red-bellied woodpecker, wood thrush, and American robin. Two species were recorded on the edge of the Wallkill River. One of those species, the spotted sandpiper, would nest on the river's edge.

A more extensive list of birds found in the breeding bird atlas block that includes the site is shown on Table 4. The breeding bird atlas block includes many species of birds which nest in habitats not found on the project site.

3.4.3 Mammals

Five species of mammals were recorded on the site (Table 5). These species were eastern chipmunk, gray squirrel, raccoon, coyote, and white-tailed deer. White-tailed deer were the most wide-spread species recorded on the site. They were present in all the cover types. Eastern chipmunk, gray squirrel, and raccoon utilized the extensive deciduous forests on the site as these areas provided both food and cover. Coyote tracks and scat were recorded in the open field areas on the project site.

A variety of other mammal species are likely to inhabit the site. Many small mammal species such as shrews (*Sorex* spp.), voles (*Microtus* spp.), and mice (*Peromyseus* sp.)would be expected to occur in the variety of habitats on the project site. Several larger mammal species such as Virginia opossum (*Didelphis virginiana*), woodchuck (*Mamota monax*), and striped skunk (*Mephitis mephitis*) could also use habitats found on the site.

3.5 Endangered and Threatened Species

The NYNHP was contacted for records of listed species known from the vicinity of the site, and the USFWS website was reviewed for federally-listed species known from Orange County. Results of this effort are provided in Appendix A.

3.5.1 State-listed Species

No state-listed plant or animal species of concern was noted by the NYNHP in the vicinity of the site. No such state-listed species was observed by TES during the field surveys.

3.5.2 Federally-listed Species

The USFWS website indicated that one federally-listed plant and four federally-listed animals are known to occur or have historically occurred in Orange County (Appendix A). Bald eagle, one of the three animals noted, has been delisted from the Endangered Species Act (ESA). All species noted on the USFWS website are discussed in the following text. None of the species would be expected to occur on the site.

- Small Whorled Pogonia

Small whorled pogonia (*Isotria medeoloides*) is federally listed as threatened. Until recently it was thought to have been extirpated from New York, but it was rediscovered in the eastern portion of Orange County.

Small whorled pogonia inhabits wooded hillsides, usually with acidic soils (USFWS 2008). It would not be expected to occur on the Echo Lake site and was not found during field surveys.

- Bald Eagle

Bald eagle (*Haliaeetus leucocephalus*) was delisted from the federal Endangered Species Act (ESA) in 2007; however, this species still receives protection under the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act and is currently listed as threatened by New York State. Bald eagles require large, undisturbed open-water bodies such as lakes, rivers, or reservoirs for foraging and nesting (USFWS 2007). Habitat for this species does not occur on the site, and it would not be expected to occur there.

- Bog Turtle

Bog turtle (*Glyptemys muhlenbergii*) is listed as threatened by the ESA and is state-listed as endangered. There are no wetland habitats on the site which meet the specific conditions for bog turtles. Bog turtles are restricted to fen habitats and no such habitat is present on the site.

- Indiana Bat

The Indiana bat (*Myotis sodalis)* is both state-listed and federally-listed as endangered. This species hibernates in caves and mines during the winter months and spends summers foraging and roosting in wooded areas that are usually associated with rivers and lakes. Common roost trees include shagbark hickory, silver maple, and other species with cracks or loose bark.

Indiana bat is indicated by the USFWS as potentially occurring in the summer months in Orange County. There is some potential foraging habitat near the Wallkill River. While there appears to be an adequate number of trees that could support female maternity colonies, TES would recommend any tree clearing activity take place during the period from October 15 to March 31, when the bats would not be present.

- Dwarf Wedge Mussel

The dwarf wedge mussel (*Alasmidonta heterodon*) is restricted to a limited area on the Neversink River in Orange County. There are no records of this species on the Wallkill River. Due to the high turbidity in this river, the dwarf wedge mussel would not be present.

4.0 SUMMARY

Terrestrial Environmental Specialists, Inc. (TES) was contracted by E. Tetz & Sons, Inc. to perform environmental studies at the Echo Lake site in the Town of Goshen, Orange County, New York (Figure 1). The study area (or site) is approximately 177 acres in size and is located west of the Wallkill River, north of State Route 17M, and south of Echo Lake Road. Vegetation and wildlife resources, including endangered and threatened species, were addressed in the study area. TES previously addressed wetlands/waters at the site, met with state and federal agencies to review the limits of jurisdictional wetlands, and received confirmation of jurisdictional limits from the respective agencies. A summary of this effort is included in the report.

These studies included the collection and review of pertinent background natural resource information, agency contacts, and field surveys. This report documents the results of the wetlands/waters, vegetation, and wildlife surveys performed at the Echo Lake site.

The NYSDEC verified that there are no state-regulated wetlands on the site. Federal wetlands/waters were verified by the U.S. Army Corps of Engineers (Corps). One small (0.8 acre) wetland and two ephemeral drains were the only jurisdictional wetlands/waters on the site.

A vegetation cover map and a description of each cover type is presented in the report. The study area is currently undeveloped land. A reclaimed mined area occurs on the site and is dominated by open field and waste area species. Other vegetation/land use cover types found on the site include scrub-shrub upland, deciduous forest upland, isolated wet meadows, and deciduous forest wetland. Deciduous forest upland covers approximately 56% of the site. Common plants characteristic of the region were observed on the site and are listed in the report.

A variety of common amphibians, reptiles, birds, and mammals were identified on the site or are potential inhabitants. All wildlife observed are presented in a table.

The NYNHP was contacted for records of state-listed species known from the vicinity of the site, and the USFWS website was reviewed for federally-listed species known from Orange County. No state-listed plant or animal species of concern was noted by the NYNHP in the vicinity of the site. No such state-listed species was observed by TES during the field surveys.

The USFWS website indicated that one federally-listed plant and four federally-listed animals are known to occur or have historically occurred in Orange County. Bald eagle, one of the three animals noted, has been delisted from the Endangered Species Act (ESA). The other species of concern include small whorled pogonia, bog turtle, Indiana bat, and dwarf wedge mussel. All species noted on the USFWS website are discussed. With the exception of potential summer roosting habitat for Indiana bat, none of the species would be expected to occur on the site. Conflict with Indiana bat can be avoided by cutting trees during the winter months.

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TABLES

Table 1.

Acreage of Vegetation/Land Use Cover Types, Echo Lake Site
Town of Goshen, Orange County, New York

Cover Type	Acreage	% of Total Site
Open Field/Reclaimed Mine	46.3	26.26
Scrub-Shrub Upland	26.5	15.07
Deciduous Forest Upland	99.5	56.42
Wet Meadow	3.9	2.21
Deciduous Forest Wetland	0.8	0.04
Total	**177.0 acres**	**100.0%**

Table 2.

Plant Species Observed, Echo Lake Site, Town of Goshen, Orange County, New York

TREES

Scientific Name[a]	Common Name	VEGETATION COVER TYPES[b]				
		OF/RM	SSU	DFU	WM	DFW
Acer saccharum	Sugar maple		X	X		
Acer rubrum	Red maple	X	X	X		X
Acer saccharinum	Silver maple			X		X
Ailanthus altissima	Tree-of-heaven	X	X	X		
Amelanchier arborea	Serviceberry			X		
Betula lenta	Sweet birch			X		
Betula papyrifera	Paper birch			X		
Betula populifolia	Gray birch		X	X		
Ostrya virginiana	Ironwood			X		
Carya cordiformis	Bitternut hickory			X		
Carya glabra	Pignut hickory			X		
Carya ovata	Shagbark hickory		X	X		
Catalpa speciosa	Indian cigar tree		X	X		
Fagus grandifolia	American beech			X		
Fraxinus americana	White ash		X	X		
Fraxinus pennsylvanica	Green ash	X	X	X		X
Juniperus virginiana	Eastern red cedar		X			
Liriodendron tulipifera	Tulip poplar			X		
Malus pumila	Apple		X	X		
Pinus strobus	White pine		X	X		
Platanus occidentalis	Sycamore			X		
Populus deltoides	Eastern cottonwood	X	X	X		
Populus tremuloides	Trembling aspen	X	X	X		
Prunus serotina	Black cherry		X	X		
Quercus alba	White oak			X		
Quercus coccinea	Scarlet oak			X		
Quercus palustris	Pin oak		X	X		X
Quercus rubra	Red oak			X		
Quercus velutina	Black oak			X		
Tsuga canadensis	Eastern hemlock			X		
Ulmus americana	American elm			X		X
Ulmus rubra	Slippery elm			X		

a. Scientific nomenclature follows Mitchell and Tucker (1997).
b. Vegetation cover types are as follows: OF/RM = Open Field/Reclaimed Mine, SSU = Scrub-Shrub Upland, DFU = Deciduous Forest Upland, WM = Wet Meadow, DFW = Deciduous Forest Wetland.

Table 2. (cont.)

SHRUBS

Scientific Name[a]	Common Name	VEGETATION COVER TYPES[b]				
		OF/RM	SSU	DFU	WM	DFW
Aralia spinosa	Prickly-ash		X	X		
Berberis thunbergii	Japanese barberry	X	X	X		
Carpinus caroliniana	Musclewood			X		
Cephalanthus occidentalis	Buttonbush				X	
Cornus foemina ssp. *racemosa*	Gray-stem dogwood	X	X	X		
Crataegus spp.	Hawthorns	X	X			
Ligustrum vulgare	Privet		X	X		
Lindera benzoin	Spicebush					X
Lonicera morrowii	Morrow's honeysuckle	X	X	X		
Prunus virginiana	Choke cherry		X	X		
Rhamnus cathartica	Common buckthorn	X	X	X		
Rhus hirta	Staghorn sumac		X			
Rosa multiflora	Multiflora rose	X	X	X		
Rubus allegheniensis	Blackberry	X	X			
Rubus occidentalis	Black raspberry	X	X	X		
Sambucus canadensis	Elderberry		X			
Viburnum dentatum	Arrowwood	X	X			
Viburnum lentago	Nannyberry		X		X	
Viburnum prunifolium	Blackhaw	X	X	X		X
Vitis sp.	Grape		X	X		

HERBACEOUS

Scientific Name[a]	Common Name	VEGETATION COVER TYPES[b]				
		OF/RM	SSU	DFU	WM	DFW
Agrimonia sp.	Agrimony	X	X			
Agrostis gigantea	Redtop	X				
Alliaria petiolata	Garlic mustard	X	X	X		X
Allium tricoccum	Wild leek			X		
Ambrosia artemisiifolia	Common ragweed	X	X			
Anthoxanthum odoratum	Sweet vernal grass	X	X			
Apocynum sp.	Dogbane	X	X			
Arisaema triphyllum	Jack-in-the-pulpit			X		
Artemisia vulgaris	Common mugwort	X	X			
Asclepias incarnata	Swamp milkweed				X	
Asclepias syriaca	Common milkweed	X				
Aster divaricatus	White wood aster			X		
Aster spp.	Asters	X	X	X	X	X
Athyrium felix-femina	Lady fern			X		
Botrychium virginianum	Rattlesnake fern			X		

Table 2. (cont.)

HERBACEOUS

Scientific Name[a]	Common Name	VEGETATION COVER TYPES[b]				
		OF/RM	SSU	DFU	WM	DFW
Bromus inermis	Brome grass	X	X			
Carex cristosella	Sedge				X	
Carex lupulina	Sedge				X	
Carex pensylvanica	Pennsylvania sedge		X	X		
Carex scirpoides	Sedge				X	
Carex spp.	Sedges		X	X	X	
Carex squarrosa	Sedge				X	
Carex stricta	Tussock sedge				X	X
Carex vulpinoidea	Fox sedge	X	X		X	
Centaurea maculosa	Spotted knapweed	X	X			
Cichorium intybus	Chickory	X				
Circaea lutetiana	Enchanter's nightshade		X	X		
Cirsium canadensis	Canada thistle	X	X			
Coronilla varia	Crown-vetch	X				
Cynoglossum officinale	Hound's tongue		X	X		
Dactylis glomerata	Orchard grass	X	X			
Datura stramonium	Jimson weed	X				
Dennstaedtia punctilobula	Hay-scented fern		X	X		
Dianthus armeria	Deptford pink	X				
Dryopteris cristata	Crested wood fern				X	X
Dryopteris intermedia	Wood fern			X		
Eleocharis sp.	Spikerush				X	
Elytrigia repens	Quackgrass	X	X			
Epigaea repens	Partridgeberry		X	X		
Equisetum arvense	Common horsetail	X	X	X		
Erigeron annuus	Daisy fleabane	X				
Euphorbia sp.	Spurge	X				
Euthamia graminifolia	Narrow-leaved goldenrod	X				
Fragaria virginiana	Strawberry	X	X	X		
Galium mollugo	White bedstraw	X				
Galium palustre	Marsh bedstraw				X	
Geum canadense	White avens		X	X		
Glyceria melicaria	Manna grass				X	X
Glyceria sp.	Mannagrass			X		
Hieracium sp.	Hawkweed	X	X			
Hypericum punctatum	Spotted St. John's wort	X				
Impatiens capensis	Spotted touch-me-not				X	X
Juncus effusus	Soft rush				X	X
Lepidium sp.	Peppergrass	X				
Lolium arundinaceum	Tall fescue	X				
Lolium perenne	Perennial rye	X				
Lonicera japonica	Japanese honeysuckle	X	X			

Table 2. (cont.)

HERBACEOUS

Scientific Name[a]	Common Name	VEGETATION COVER TYPES[b]				
		OF/RM	SSU	DFU	WM	DFW
Lotus corniculata	Bird's-foot trefoil	X				
Lychnis flos-cuculi	Ragged-robin	X	X			
Lysimachia nummularia	Moneywort		X		X	X
Lythrum salicaria	Purple loosestrife				X	
Melilotus alba	White sweet clover	X				
Melilotus officinalis	Yellow sweet-clover	X				
Onoclea sensibilis	Sensitive fern		X	X	X	X
Osmunda cinnamomea	Cinnamon fern				X	X
Osmunda claytoniana	Interrupted fern			X		
Oxalis sp.	Sorrel	X	X			
Panicum sp.	Panic grass	X				
Parthenocissus quinquefolia	Virginia creeper	X	X	X		X
Phalaris arundinacea	Reed canary grass	X			X	
Phleum pratense	Timothy	X	X			
Phragmites australis	Common reed grass	X	X		X	
Phytolacca americana	Pokeweed		X			
Pilea pumila	Clearweed		X	X		
Plantago lanceolata	Narrow-leaf plantain	X	X			
Plantago major	Broad-leaf plantain	X	X			
Poa compressa	Canada bluegrass	X				
Poa palustris	Fowl mannagrass				X	
Poa pratensis	Kentucky bluegrass	X	X			
Podophyllum peltatum	May-apple			X		
Polygonum persicaria	Tearthumb				X	
Polygonum spp.	Smartweeds				X	
Polypodium virginianium	Rock polypody			X		
Polystichum acrostichoides	Christmas fern			X		
Potentilla recta	Sulfur cinquefoil	X	X			
Potentilla simplex	Common cinquefoil	X	X			
Prunella vulgaris	Heal-all	X				
Ranunculus acris	Tall buttercup	X	X			
Rubus odoratus	Large-flowered raspberry	X	X			
Rumex sp.	Sorrel	X				
Silene vulgaris	Bladder campion	X				
Smilacina racemosa	False Solomon's seal			X		
Solidago canadensis	Canada goldenrod	X	X			
Solidago canadensis var. *scabra*	Tall goldenrod	X	X			
Solidago gigantea	Late goldenrod	X			X	
Solidago rugosa	Rough-stem goldenrod	X	X	X		
Sparganium sp.	Burreed				X	
Stylophorum diphyllum	Celandine poppy		X			
Symplocarpus foetidus	Skunk cabbage				X	X

Table 2. (cont.)

HERBACEOUS

Scientific Name[a]	Common Name	VEGETATION COVER TYPES[b]				
		OF/RM	SSU	DFU	WM	DFW
Thelypteris noveboracensis	New York fern			X		
Thelypteris palustris	Marsh fern				X	
Toxicodendron radicans	Poison ivy	X	X	X	X	X
Trifolium aureum	Hop-clover	X				
Trifolium hybridum	Alsike clover	X	X			
Trifolium pratense	Red clover	X	X			
Typha latifolia	Broad-leaf cattail				X	
Urtica procera	Tall nettles		X			
Vernonia noveboracensis	Ironweed		X			
Veronica officinalis	Common speedwell	X				
Vicia sp.	Vetch	X				

Table 3.

Amphibian and Reptile Species Documented in the Middletown Quadrangle During the New York State Amphibian and Reptile Atlas Project

SALAMANDERS[a]		
Common Name	**Scientific Name**	**STATUS[b]**
Jefferson Salamander Complex	*Ambystoma jeffersonianum x laterale*	
Spotted Salamander	*Ambystoma maculatum*	
Red-spotted Newt	*Notophthalmus v. viridescens*	

TOADS AND FROGS[a]		
Common Name	**Scientific Name**	**STATUS[b]**
Eastern American Toad	*Anaxyrus americanus*	
Spring Peeper	*Pseudacris crucifer*	
Northern Green Frog	*Lithobates clamitans melanota*	
Wood Frog	*Lithobates sylvaticus*	
Northern Leopard Frog	*Lithobates pipiens*	

TURTLES[a]		
Common Name	**Scientific Name**	**STATUS[b]**
Painted Turtle	*Chrysemys picta*	

SNAKES[a]		
Common Name	**Scientific Name**	**STATUS[b]**
Northern Brownsnake	*Storeria d. dekayi*	
Northern Red-bellied Snake	*Storeria o. occipitomaculata*	
Common Gartersnake	*Thamnophis sirtalis*	

[a] Common and scientific names according to Crother *et al.* (2008).
[b] New York State status: E = Endangered, T = Threatened, SC = Special Concern.

Table 4.

Bird Species Documented in the Vicinity of the Echo Lake Site During the New York State Breeding Bird Atlas Projects

BIRDS[a]		ATLAS BLOCK 5458D[b]		STATUS[c]
Common Name	**Scientific Name**	**1980-1985 ATLAS**	**2000-2005 ATLAS**	
Canada Goose	*Branta canadensis*	POS	CON	
Mute Swan	*Cygnus olor*		CON	
Wood Duck	*Aix sponsa*	CON	CON	
American Black Duck	*Anas rubripes*	CON		
Mallard x American Black Duck Hybrid	*Anas platyrhynchos x A. rubripes*		POS	
Mallard	*Anas platyrhynchos*	CON	CON	
Blue-winged Teal	*Anas discors*	CON		
Ruddy Duck	*Oxyura jamaicensis*		POS	
Ring-necked Pheasant	*Phasianus colchicus*	PRO		
Ruffed Grouse	*Bonasa umbellus*	CON		
Least Bittern	*Ixobrychus exilis*	PRO		T
Great Blue Heron	*Ardea herodias*	POS	POS	
Green Heron	*Butorides virescens*	CON	POS	
Black Vulture	*Coragyps atratus*		POS	
Turkey Vulture	*Cathartes aura*		POS	
Osprey	*Pandion haliaetus*		POS	SP
Cooper's Hawk	*Accipiter cooperii*		POS	SP
Broad-winged Hawk	*Buteo platypterus*	CON		
Red-tailed Hawk	*Buteo jamaicensis*	CON	POS	
American Kestrel	*Falco sparverius*	CON	POS	
Virginia Rail	*Rallus limicola*	PRO	POS	
Sora	*Porzana carolina*	PRO	POS	
Common Moorhen	*Gallinula chloropus*	CON	CON	
Killdeer	*Charadrius vociferus*	CON	POS	

[a] Common and scientific names according to AOU (1998) and supplements through 2010.

[b] Recorded in Atlas Block 5458D during either the 1980-1985 or 2000-2005 New York State Breeding Bird Atlas Projects as either CON = Confirmed Breeder, PRO = Probable Breeder, POS = Possible Breeder, - = Not Recorded.

[c] New York State Status: E = Endangered, T = Threatened, SC = Special Concern.

Table 4. (cont.)

BIRDS[a]		ATLAS BLOCK 5458D[b]		STATUS[c]
Common Name	**Scientific Name**	**1980-1985 ATLAS**	**2000-2005 ATLAS**	
Spotted Sandpiper	*Actitis macularius*	POS	POS	
Wilson's Snipe	*Gallinago delicata*	PRO		
American Woodcock	*Scolopax minor*	CON		
Rock Pigeon	*Columba livia*	CON	CON	
Mourning Dove	*Zenaida macroura*	CON	CON	
Yellow-billed Cuckoo	*Coccyzus americanus*	PRO		
Black-billed Cuckoo	*Coccyzus erythropthalmus*	PRO		
Barn Owl	*Tyto alba*	PRO		
Eastern Screech Owl	*Megascops asio*	PRO		
Great Horned Owl	*Bubo virginianus*	CON		
Common Nighthawk	*Chordeiles minor*		POS	SP
Chimney Swift	*Chaetura pelagica*	CON	POS	
Ruby-throated Hummingbird	*Archilochus colubris*		POS	
Belted Kingfisher	*Megaceryle alcyon*	CON	POS	
Red-bellied Woodpecker	*Melanerpes carolinus*	CON	POS	
Downy Woodpecker	*Picoides pubescens*	CON	CON	
Hairy Woodpecker	*Picoides villosus*	CON	POS	
Northern Flicker	*Colaptes auratus*	CON	CON	
Pileated Woodpecker	*Dryocopus pileatus*	PRO	POS	
Eastern Wood-Pewee	*Contopus virens*	CON	POS	
Willow Flycatcher	*Empidonax traillii*	CON	CON	
Least Flycatcher	*Empidonax minimus*	POS	CON	
Eastern Phoebe	*Sayornis phoebe*	CON	PRO	
Great Crested Flycatcher	*Myiarchus crinitus*	CON	PRO	
Eastern Kingbird	*Tyrannus tyrannus*	CON	CON	
White-eyed Vireo	*Vireo griseus*		POS	
Yellow-throated Vireo	*Vireo flavifrons*		POS	
Warbling Vireo	*Vireo gilvus*	CON	CON	
Red-eyed Vireo	*Vireo olivaceus*	POS	POS	
Blue Jay	*Cyanocitta cristata*	CON	PRO	

Table 4. (cont.)

BIRDS[a]		ATLAS BLOCK 5458D[b]		STATUS[c]
Common Name	**Scientific Name**	**1980-1985 ATLAS**	**2000-2005 ATLAS**	
American Crow	*Corvus brachyrhynchos*	CON	CON	
Tree Swallow	*Tachycineta bicolor*	CON	CON	
Northern Rough-winged Swallow	*Stelgidopteryx serripennis*	CON	CON	
Bank Swallow	*Riparia riparia*	CON	CON	
Cliff Swallow	*Petrochelidon pyrrhonota*	POS		
Barn Swallow	*Hirundo rustica*	CON	CON	
Black-capped Chickadee	*Poecile atricapillus*	CON	CON	
Tufted Titmouse	*Baeolophus bicolor*	CON	CON	
White-breasted Nuthatch	*Sitta Carolinensis*	CON	CON	
Carolina Wren	*Thryothorus ludovicianus*		POS	
House Wren	*Troglodytes aedon*	CON	CON	
Marsh Wren	*Cistothorus palustris*	CON	PRO	
Blue-gray Gnatcatcher	*Polioptila caerulea*	CON	CON	
Eastern Bluebird	*Sialia sialis*		POS	
Veery	*Catharus fuscescens*	CON	CON	
Wood Thrush	*Hylocichla mustelina*	CON	POS	
American Robin	*Turdus migratorius*	CON	CON	
Gray Catbird	*Dumetella carolinensis*	CON	CON	
Northern Mockingbird	*Mimus polyglottos*	CON	PRO	
Brown Thrasher	*Toxostoma rufum*	CON	POS	
European Starling	*Sturnus vulgaris*	CON	CON	
Cedar Waxwing	*Bombycilla cedrorum*	CON	CON	
Blue-winged Warbler	*Vermivora pinus*	CON	POS	
Golden-winged Warbler	*Vermivora chrysoptera*		CON	SP
Yellow Warbler	*Dendroica petechia*	CON	CON	
Chestnut-sided Warbler	*Dendroica pensylvanica*	POS		
Black-and-white Warbler	*Mniotilta varia*		POS	
American Redstart	*Setophaga ruticilla*	POS	PRO	
Ovenbird	*Seiurus aurocapilla*	CON	POS	
Louisiana Waterthrush	*Seiurus motacilla*	POS		

Table 4. (cont.)

BIRDS[a]		ATLAS BLOCK 5458D[b]		STATUS[c]
Common Name	**Scientific Name**	**1980-1985 ATLAS**	**2000-2005 ATLAS**	
Common Yellowthroat	*Geothlypis trichas*	CON	PRO	
Eastern Towhee	*Pipilo erythrophthalmus*	CON	PRO	
Chipping Sparrow	*Spizella passerina*	CON	POS	
Field Sparrow	*Spizella pusilla*	CON	POS	
Song Sparrow	*Melospiza melodia*	CON	PRO	
Swamp Sparrow	*Melospiza georgiana*	CON	CON	
Scarlet Tanager	*Piranga olivacea*	CON	POS	
Northern Cardinal	*Cardinalis cardinalis*	CON	PRO	
Rose-breasted Grosbeak	*Pheucticus ludovicianus*	CON	PRO	
Indigo Bunting	*Passerina cyanea*	CON	POS	
Bobolink	*Dolichonyx oryzivorus*	CON		
Red-winged Blackbird	*Agelaius phoeniceus*	CON	CON	
Eastern Meadowlark	*Sturnella magna*	CON	POS	
Common Grackle	*Quiscalus quiscula*	CON	CON	
Brown-headed Cowbird	*Molothrus ater*	POS	CON	
Orchard Oriole	*Icterus spurius*	POS	POS	
Baltimore Oriole	*Icterus galbula*	CON	CON	
House Finch	*Carpodacus mexicanus*	CON	CON	
American Goldfinch	*Spinus tristis*	CON	PRO	
House Sparrow	*Passer domesticus*	CON	CON	

Table 5.

**Wildlife Species Observed by TES on the Echo Lake Site,
Town of Goshen, Orange County, New York**

AMPHIBIANS AND REPTILES[a]		VEGETATION COVER TYPES[b]					
Common Name	**Scientific Name**	**OF**	**SSU**	**DFU**	**WM**	**DFW**	**WK**
Eastern American Toad	*Anaxyrus americanus*		X	X			
Gray Treefrog	*Hyla versicolor*			X			
Northern Green Frog	*Lithobates clamitans melanota*			X			
Wood Frog	*Lithobates sylvaticus*				X		
Eastern Snapping Turtle	*Chelydra s. serpentina*		X				
Painted Turtle	*Chrysemys picta*				X		

BIRDS[c]		VEGETATION COVER TYPES[b]						
Common Name	**Scientific Name**	**OF**	**SSU**	**DFU**	**WM**	**DFW**	**WK**	**F/O**
Ruffed Grouse	*Bonasa umbellus*			X				
Wild Turkey	*Meleagris gallopavo*			X				
Great Blue Heron	*Ardea herodias*							X
Green Heron	*Butorides virescens*							X
Turkey Vulture	*Cathartes aura*							X
Red-tailed Hawk	*Buteo jamaicensis*			X				
Killdeer	*Charadrius vociferus*	X						
Spotted Sandpiper	*Actitis macularius*						X	
Mourning Dove	*Zenaida macroura*	X						
Chimney Swift	*Chaetura pelagica*	X						
Ruby-throated Hummingbird	*Archilochus colubris*			X				
Red-bellied Woodpecker	*Melanerpes carolinus*						X	
Downy Woodpecker	*Picoides pubescens*			X				
Hairy Woodpecker	*Picoides villosus*			X				
Northern Flicker	*Colaptes auratus*			X				
Eastern Wood-pewee	*Contopus virens*			X				
Eastern Phoebe	*Sayornis phoebe*		X					
Great Crested Flycatcher	*Myiarchus crinitus*	X	X	X				
Eastern Kingbird	*Tyrannus tyrannus*				X			
Warbling Vireo	*Vireo gilvus*			X				
Blue Jay	*Cyanocitta cristata*	X		X				
American Crow	*Corvus brachyrhynchos*	X		X				
Tree Swallow	*Tachycineta bicolor*			X				
Barn Swallow	*Hirundo rustica*	X						
Black-capped Chickadee	*Poecile atricapillus*			X				
Tufted Titmouse	*Baeolophus bicolor*			X				

[a] Common and scientific names according to Crother (2000) and updates through 2008.
[b] Vegetation cover types are as follows: OF = Open Field/Reclaimed Mine, SSU = Scrub-Shrub Upland, DFU = Deciduous Forest Upland, WM = Wet Meadow, DFW = Deciduous Forest Wetland, WK = Wallkill River, F/O = Flyover-not responding to on-site habitat.
[c] Common and scientific names according to AOU (1998) and supplements through 2010.

Table 5. (cont.)

BIRDS[c]		VEGETATION COVER TYPES[b]						
Common Name	**Scientific Name**	**OF**	**SSU**	**DFU**	**WM**	**DFW**	**WK**	**F/O**
White-breasted Nuthatch	*Sitta carolinensis*			X				
House Wren	*Troglodytes aedon*		X					
Veery	*Catharus fuscescens*			X				
Wood Thrush	*Hylocichla mustelina*			X				
American Robin	*Turdus migratorius*	X		X				
Gray Catbird	*Dumetella carolinensis*		X	X		X	X	
Northern Mockingbird	*Mimus polyglottos*		X	X				
Brown Thrasher	*Toxostoma rufum*		X					
Yellow Warbler	*Setophaga petechia*		X					
Chestnut-sided Warbler	*Setophaga pensylvanica*		X					
Ovenbird	*Seiurus aurocapilla*			X				
Eastern Towhee	*Pipilo erythrophthalmus*	X	X					
Chipping Sparrow	*Spizella passerina*	X						
Field Sparrow	*Spizella pusilla*	X	X					
Song Sparrow	*Melospiza melodia*	X	X					
Scarlet Tanager	*Piranga olivacea*			X				
Northern Cardinal	*Cardinalis cardinalis*	X		X				
Rose-breasted Grosbeak	*Pheucticus ludovicianus*			X				
Indigo Bunting	*Passerina cyanea*	X		X				
American Goldfinch	*Spinus tristis*	X						

MAMMALS[d]		VEGETATION COVER TYPES[b]					
Common Name	**Scientific Name**	**OF**	**SSU**	**DFU**	**WM**	**DFW**	**WK**
Eastern chipmunk	*Tamias striatus*			X			
Eastern gray squirrel	*Sciurus carolinensis*			X			
Coyote	*Canis latrans*	X					
Raccoon	*Procyon lotor*	X		X			
White-tailed deer	*Odocoileus virginianus*	X	X	X	X	X	X

[d] Common and scientific names according to Whitaker and Hamilton (1998).

FIGURES

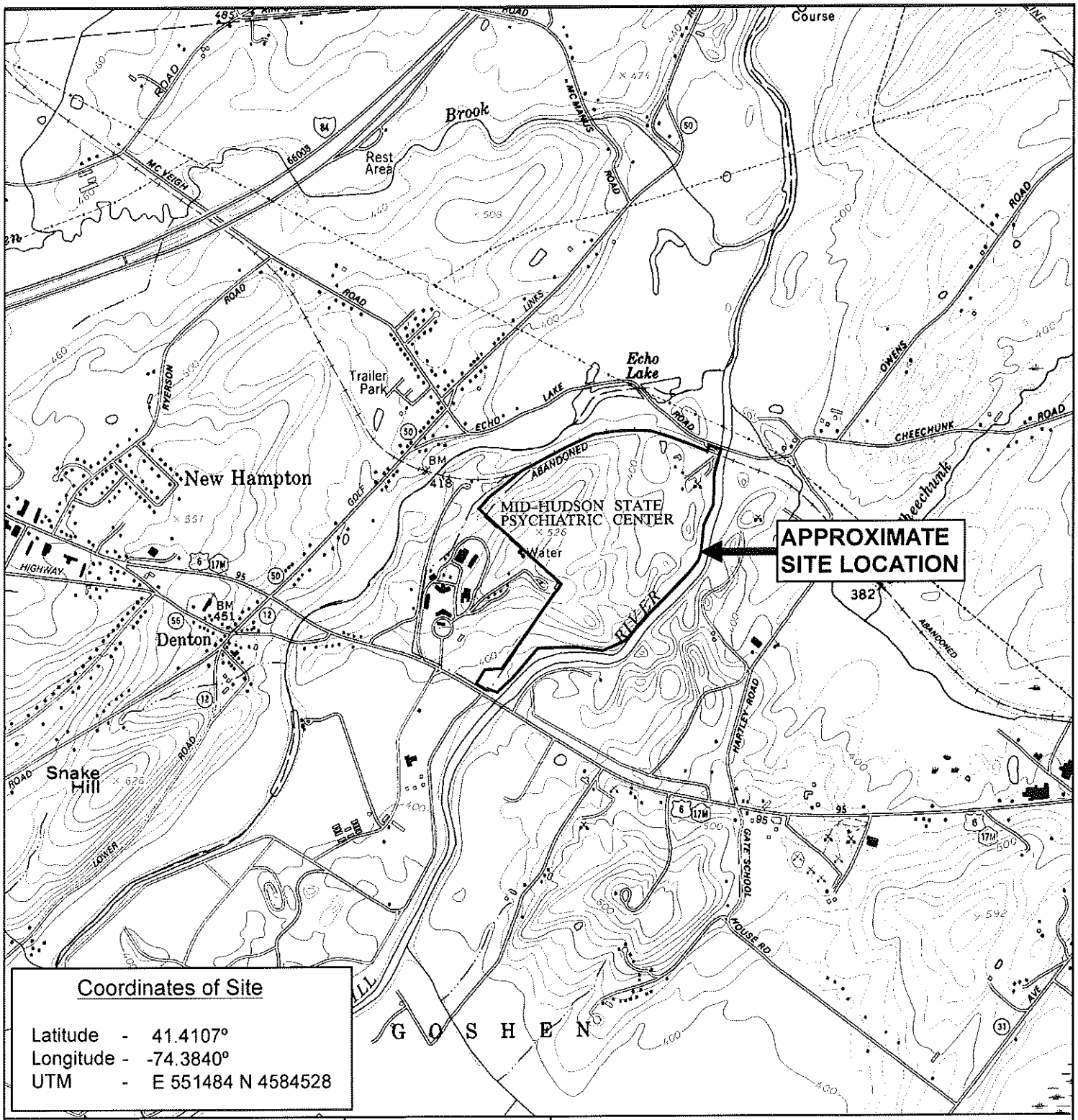


Figure 1. Site location

NYS DOT Topographic Map

Middletown & Goshen Quadrangles
1986 & 1986

Prepared by TERRESTRIAL ENVIRONMENTAL SPECIALISTS, Inc.

TES file: ROS-3294\3294fig1-revisedsite2.dsf\5-13-11

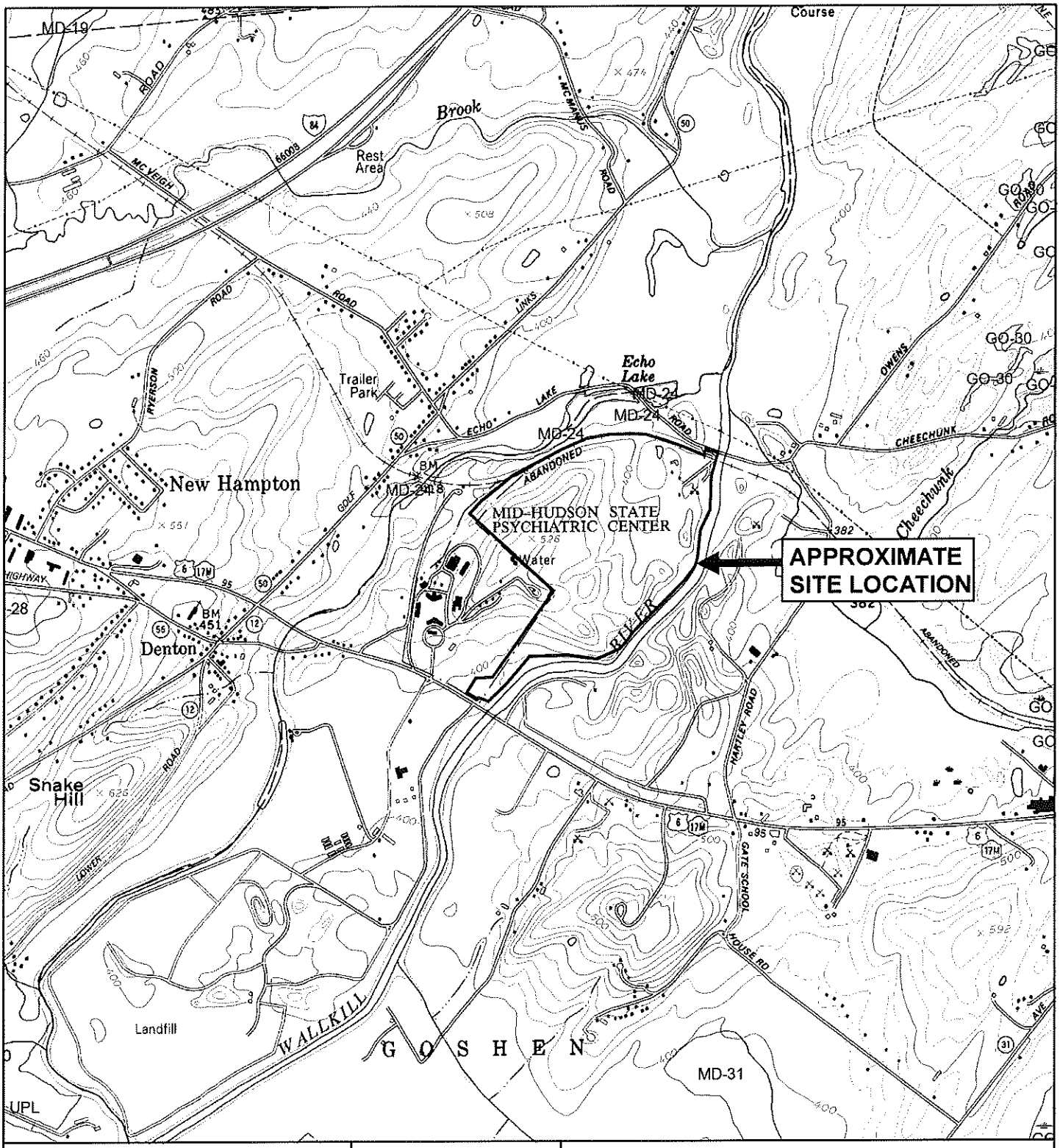


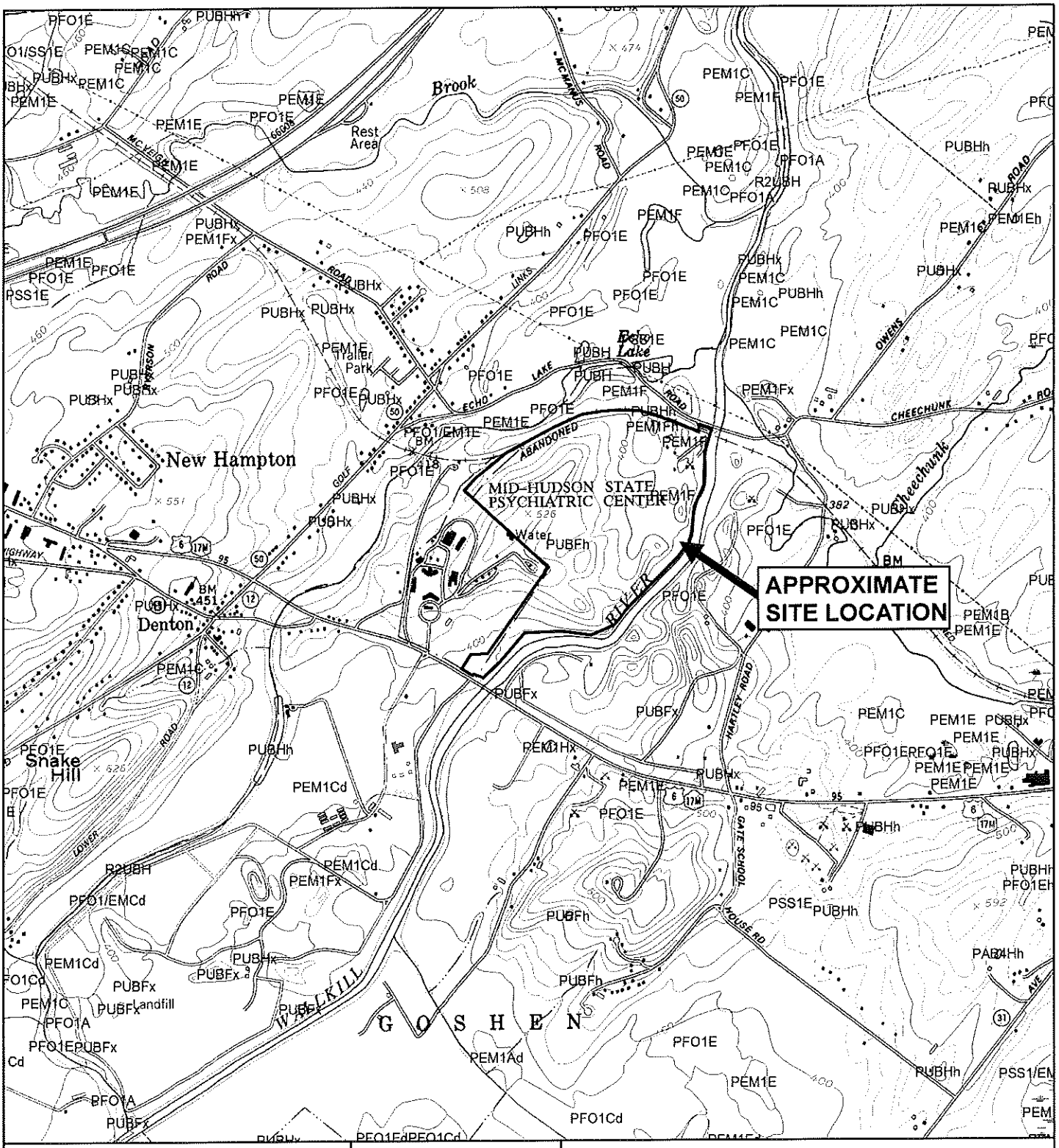
Figure 2. NYS Freshwater Wetlands Map

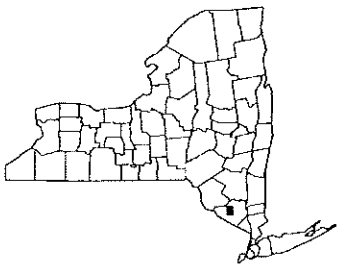
NYS Department of Environmental Conservation

Middletown & Goshen Quadrangles 1985 & 1991

Prepared by TERRESTRIAL ENVIRONMENTAL SPECIALISTS, Inc

TES file: ROS-3294/3294fig2-revisedsite2.dsf\6-22-11





QUADRANGLE LOCATION

0 1000' 2000'

SCALE 1" = 2000'

NORTH

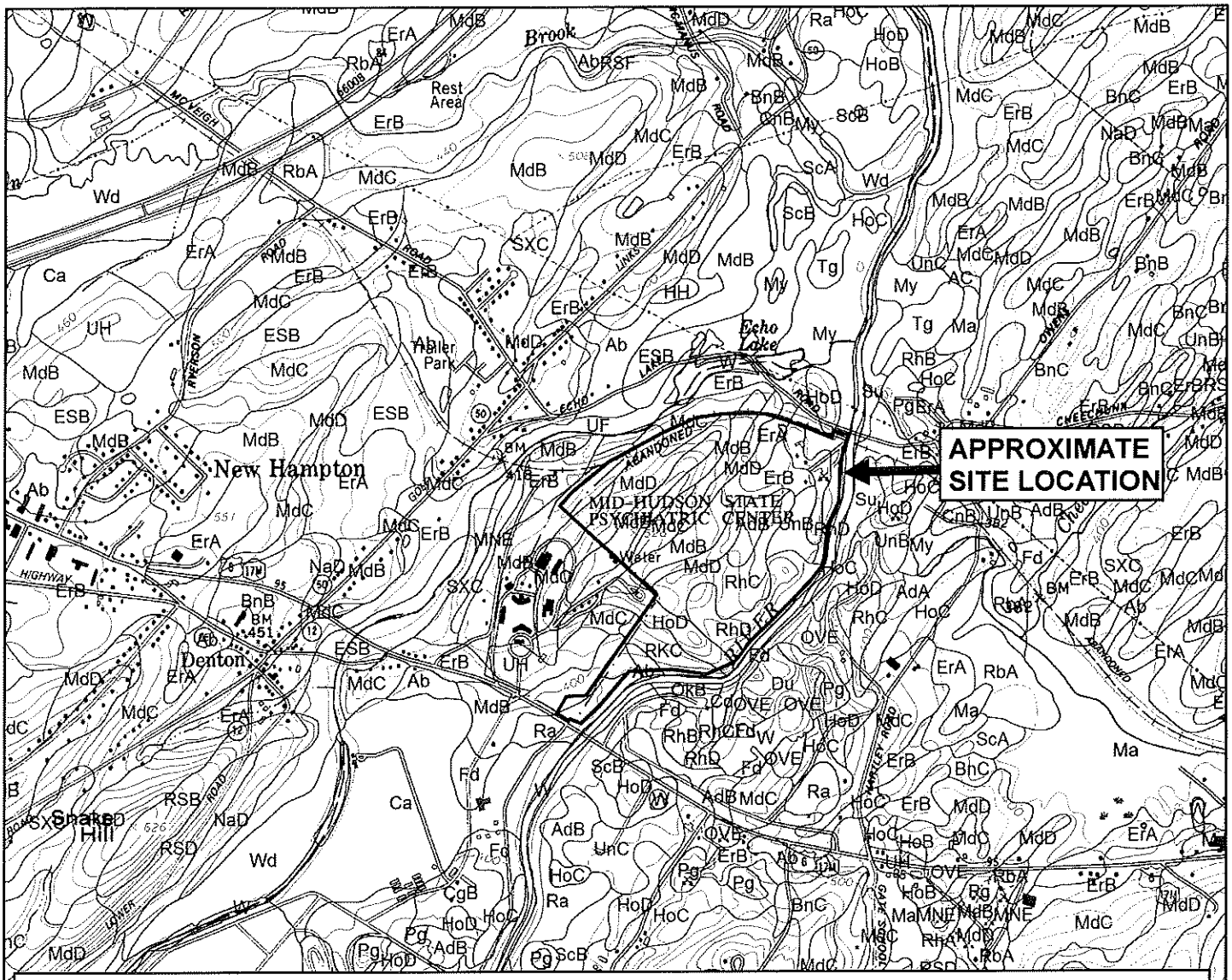
Figure 3. National Wetlands Inventory Map

U.S. Fish & Wildlife Service

Middletown & Goshen Quadrangles
1984 & 1984

Prepared by TERRESTRIAL ENVIRONMENTAL SPECIALISTS, Inc.

TES file: ROS-3294\3294fig3-revisedsite.dsf\6-22-11



Soil Legend

- **Ab - Alden silt loam
- AdB - Allard silt loam, 3 to 8 percent slopes
- ErA - Erie gravelly silt loam, 0 to 3 percent slopes
- ErB - Erie gravelly silt loam, 3 to 8 percent slopes
- ESB - Erie extremely stony soils, gently sloping 1/
- HoD - Hoosic gravelly sandy loam, 15 to 25 percent slopes
- MdB - Mardin gravelly silt loam, 3 to 8 percent slopes
- MdC - Mardin gravelly silt loam, 8 to 15 percent slopes
- MdD - Mardin gravelly silt loam, 15 to 25 percent slopes
- My - Middlebury silt loam
- **Ra - Raynham silt loam
- RhC - Riverhead sandy loam, 8 to 15 percent slopes
- RhD - Riverhead sandy loam, 15 to 25 percent slopes
- RKC - Rock outcrop-Arnot complex, sloping 1/
- UF - Udifluvents-Fluvaquents complex, frequently flooded 1/
- UnB - Unadilla silt loam, 0 to 8 percent slopes

hydric soils**

0 1000' 2000'

SCALE 1" = 2000'

NORTH

Figure 4. Soil Survey Map

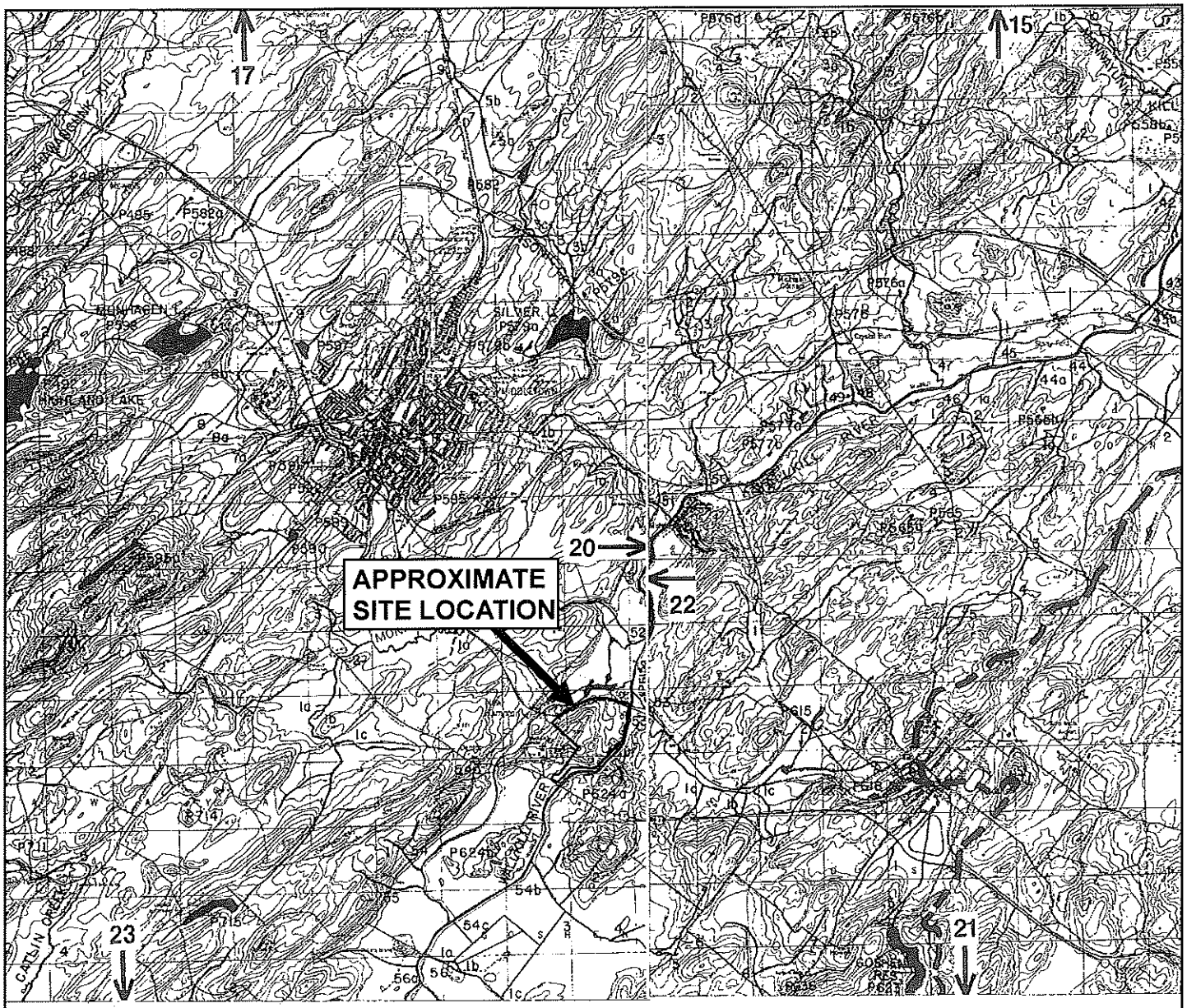
Natural Resources Conservation Service

Orange County Soil Survey

2010

Prepared by TERRESTRIAL ENVIRONMENTAL SPECIALISTS, Inc

TES file: ROS-3294/3294fig4-revisedsite2.dsf/6-22-11



Item No.	*Waters Index Number*	*Name*	*Description*	*Map Ref. No.*	*Class*	*Standards*
1	H-139-13 portion	Wallkill River	From Rondout River to Rio Grande. (Rio Grande is designated as item no. 193.)	3, 11, 12, 13, 15, 20, 22	B	B
2	H-139-13 portion	Wallkill River	From Rio Grande to New York-New Jersey state line.	22, 23, 25	C	C

NOTE: Item No. 1 includes Echo Lake.

Title 6 NYCRR, Chapter X
Article 10, Part 855.3 (2001)

Map 20 & 22

0 3571' 7143'

SCALE 1" = 7143'

NORTH

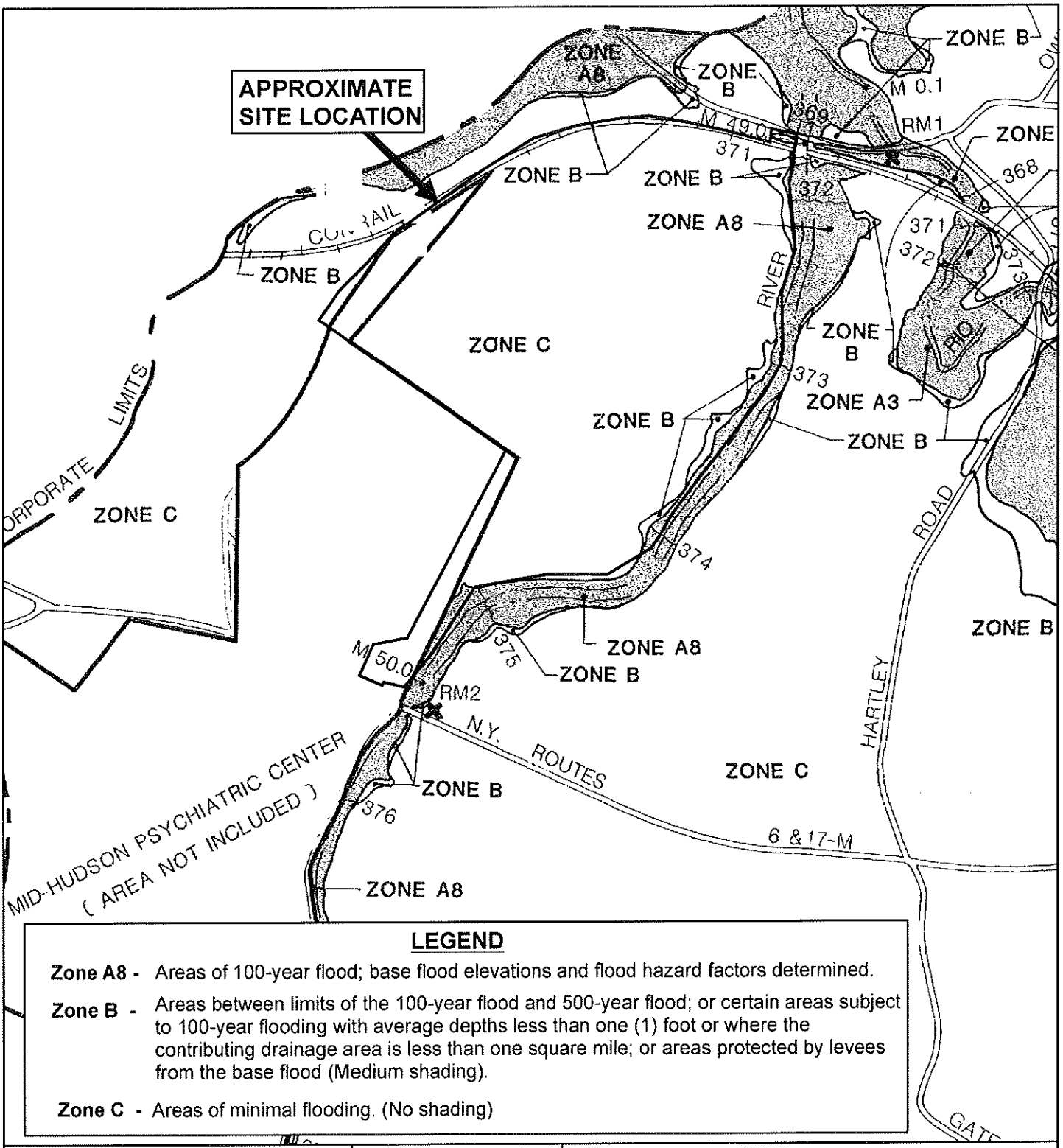
Figure 5. Stream Classification Map

NYSDEC

Middletown & Goshen Quadrangles

Prepared by TERRESTRIAL ENVIRONMENTAL SPECIALISTS, Inc.

TES file: ROS-3294\3294fig5-revisedsite.ds\6-22-11



LEGEND

Zone A8 - Areas of 100-year flood; base flood elevations and flood hazard factors determined.

Zone B - Areas between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood (Medium shading).

Zone C - Areas of minimal flooding. (No shading)

Panel Numbers:

360614 0005 B
(Effective Date 4/30/86)

0 500' 1000'

SCALE 1" = 1000'

NORTH

Figure 6. Flood Insurance Rate Map

Federal Emergency Management Agency

Town of Goshen, NY

Prepared by TERRESTRIAL ENVIRONMENTAL SPECIALISTS, Inc.

TES File: ROS-3294/3294fig6-revisedsite.dsf/6-22-11

NORTH

0 300' 600'

APPROXIMATE SCALE IN FEET

Aerial Photograph obtained from NYS GIS Clearinghouse 2010

Figure Prepared by Terrestrial Environmental Specialists, Inc.

Figure 7.

2010 Aerial Photograph of Site

TES File: ROS-3294\3294aerial-2010-Fig7.cdr\2-8-2012

VEGETATION/LAND USE COVER TYPE AREAS (Acres)

OF/RM	-	46.32
SSU	-	26.50
DFU	-	99.41
WM	-	3.93
DFW	-	0.84
Total	-	177.00

NORTH

0 300' 600'

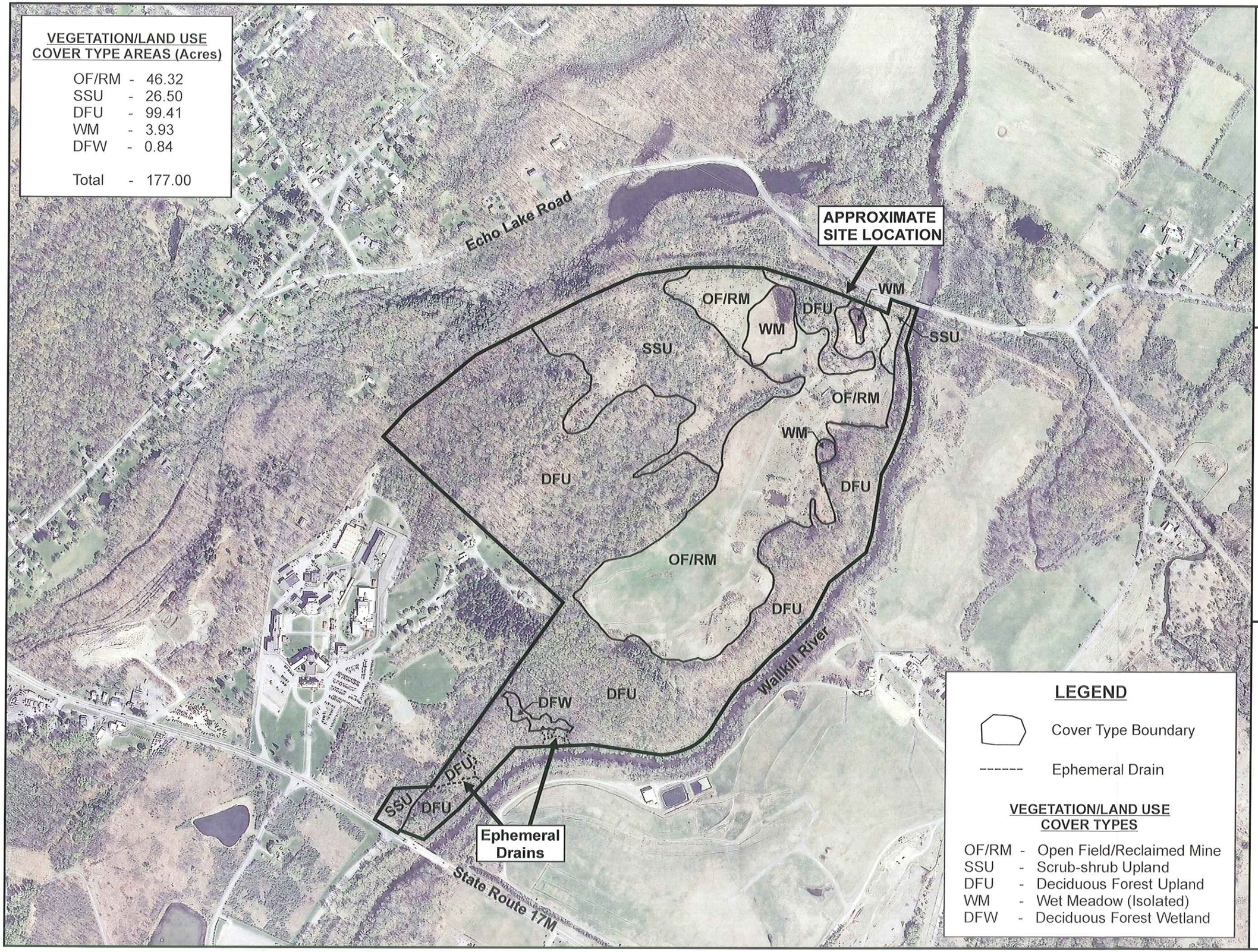
APPROXIMATE SCALE IN FEET

Aerial Photograph obtained from NYS GIS Clearinghouse 2010

Figure Prepared by Terrestrial Environmental Specialists, Inc.

Figure 8.

Aerial Photograph of Site with Vegetation/Land Use Cover Types



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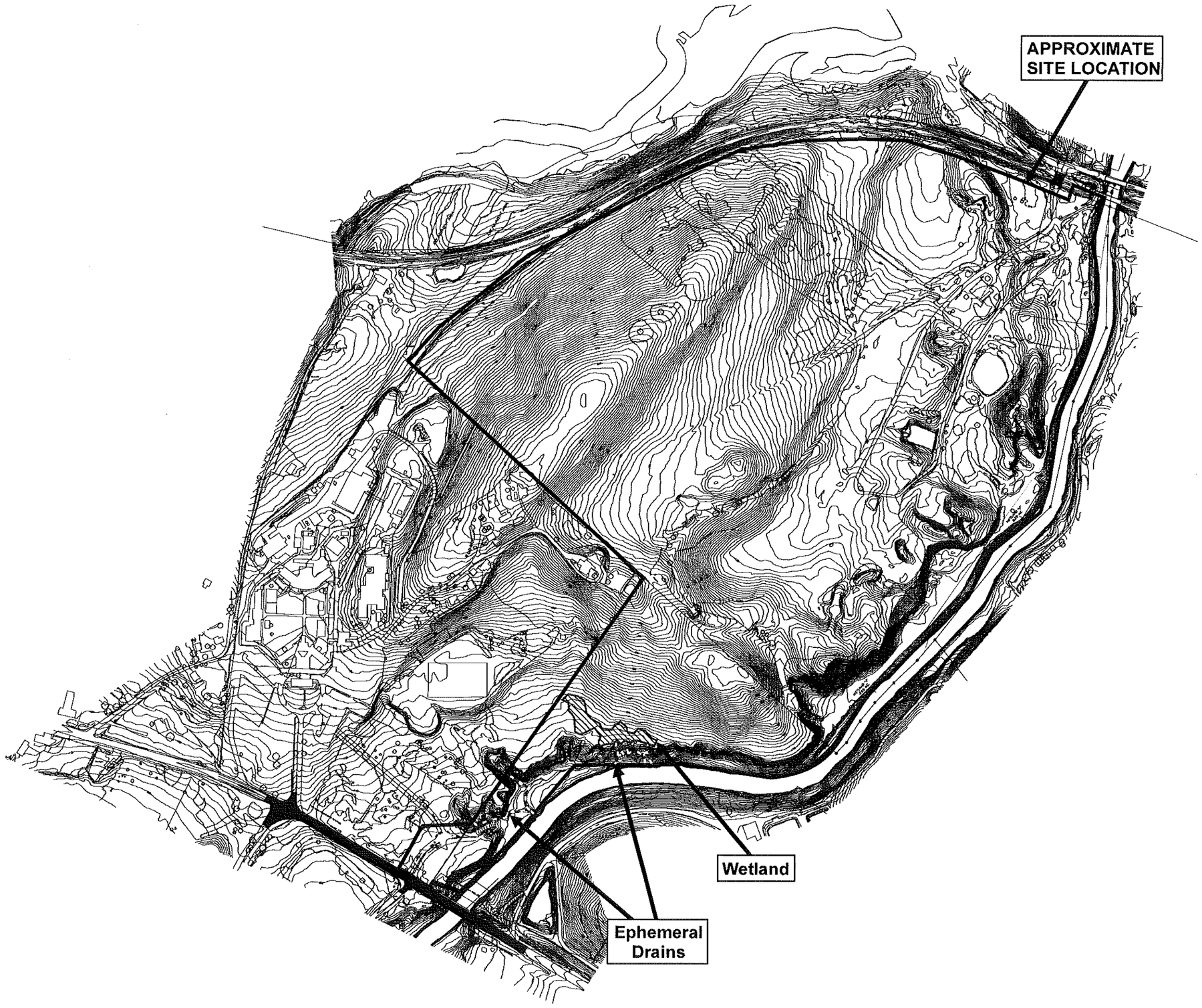

NORTH

0 250' 500'

APPROXIMATE SCALE IN FEET

Base Map Provided by Mercurio-Norton-Tarolli Land Surveying-Engineering, P.C.

Figure Prepared by Terrestrial Environmental Specialists, Inc.

Figure 9.

Jurisdictional Wetlands/Waters on Topographic Map

TES File: POS-3294\3294Wet-Topo-Fig9.cdr\2-13-2012

APPENDIX A - Correspondence

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Division of Fish, Wildlife & Marine Resources
625 Broadway, 5th Floor, Albany, New York 12233-4757
Phone: (518) 402-8935 • **Fax:** (518) 402-8925
Website: www.dec.ny.gov

Joe Martens
Commissioner

May 27, 2011

Adam Robedee
Terrestrial Environmental Specialists
23 County Rte 6, Suite A
Phoenix, NY 13135

RECEIVED 5/31/11

Dear Mr. Robedee:

In response to your recent request, we have reviewed the New York Natural Heritage Program database, with respect to an Environmental Assessment for the proposed Commercial Redevelopment, Project #3294, 170-Acres, area as indicated on the map you provided, located in Goshen, Orange County.

We have no records of rare or state-listed animals or plants, significant natural communities or other significant habitats, on or in the immediate vicinity of your site.

The absence of data does not necessarily mean that rare or state-listed species, natural communities or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information which indicates their presence. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. This information should not be substituted for on-site surveys that may be required for environmental assessment.

Our databases are continually growing as records are added and updated. If this proposed project is still under development one year from now, we recommend that you contact us again so that we may update this response with the most current information.

This response applies only to known occurrences of rare or state-listed animals and plants, significant natural communities and other significant habitats maintained in the Natural Heritage Data bases. Your project may require additional review or permits; for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, as listed at www.dec.ny.gov/about/39381.html.

Sincerely,

Jean Pietrusiak

Jean Pietrusiak, Information Services
NYS Department Environmental Conservation

cc: Region 3

465

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

APR 5 - 2010

RECEIVED 4/7/10

REPLY TO
ATTENTION OF:
Regulatory Branch

SUBJECT: Permit Application Number NAN-2009-01100-WOR
by BPG Development Company, LLC

Stephen Sheridan
Terrestrial Environmental Specialists, Inc.
23 County Route 6, Suite A
Phoenix, New York 13135

Dear Mr. Sheridan:

On September 3, 2009, the New York District of the U.S. Army Corps of Engineers received a request for a Department of the Army jurisdictional determination for the above referenced project. The site consists of approximately 212.267 acres, in the Rondout Creek watershed, located on Echo Lake Road in the Towns of Goshen and Wawayanda, Orange County, New York.

In the letter received on September 3, 2009, your office submitted a proposed delineation of the extent of waters of the United States within the subject property. A site inspection was conducted by a representative of this office on October 21, 2009, in which it was agreed that changes would be made to the delineation and that the modified delineation would be submitted to this office. On March 5, 2010, this office received the complete modified delineation.

Based on the material submitted and the observations of the representative of this office during the site visit, this site has been determined to contain jurisdictional waters of the United States based on: the presence of wetlands determined by the occurrence of hydrophytic vegetation, hydric soils and wetland hydrology according to criteria established in the 1987 "Corps of Engineers Wetlands Delineation Manual," Technical Report Y-87-1 that are either adjacent to or part of a tributary system; the presence of a defined water body (e.g. stream channel, lake, pond, river, etc.) which is part of a tributary system; and the fact that the location includes property below the ordinary high water mark, high tide line or mean high water mark of a water body as determined by known gage data or by the presence of physical markings including, but not limited to, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter or debris or other characteristics of the surrounding area.

These jurisdictional waters of the United States are shown on the drawing entitled "Wetland Survey Map of Lands of Concrete Properties, LLC and the Tetz Family, LLC - Situate in the Towns of Goshen & Waywayanda Orange County, New York State", prepared by Mercurio Norton Tarolli Land Surveying-Engineering, P.C., dated May, 2009, and last revised November 19, 2009. This drawing

indicates that there are five (5) principal jurisdictional waters on the project site which are part of a tributary system, and are considered to be waters of the United States.

The first water (Wetland "A") is located on the northern portion of the property and is approximately 9.09 acres within the subject property. The second water (Wetland "B") is located just south of Wetland A and is approximately 0.75 acres within the subject property. The third water (flag numbers J109 through J119 and J300 through J307) is a seasonal stream, located on the southern portion of the property and is a total of approximately 0.07 acres within the subject property. The fourth water (Wetland "K") is located approximately 400 feet north of the third water and is approximately 0.84 acres within the subject property. The fifth water (flag numbers J1 through J43) is a portion of the Wallkill River and is approximately 3.29 acres within the subject property.

It should be noted that, in light of the U.S. Supreme Court decision (Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers, No. 99-1178, January 9, 2001), the remainder of the waters shown on the above referenced drawing (Wetlands "C", "D", "E", "F", "G" and "I") do not meet the current criteria of waters of the United States under Section 404 of the Clean Water Act. The Court ruled that isolated, intrastate waters can no longer be considered waters of the United States, based solely upon their use by migratory birds.

This determination regarding the delineation shall be considered valid for a period of five years from the date of this letter unless new information warrants revision of the determination before the expiration date.

This determination was documented using the Approved Jurisdictional Determination Form. A copy of that document is enclosed with this letter, and will be posted on the New York District website at: http://www.nan.usace.army.mil/business/buslinks/regulat/jurisdet/index.htm.

This delineation/determination has been conducted to identify the limits of the Corps Clean Water Act jurisdiction for the particular site identified in this request. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed is a combined Notification of Appeal Process (NAP) and Request For Appeal (RFA) form. If you request to appeal this determination you must submit a completed RFA form to the North Atlantic Division Office at the following address:

Michael G. Vissichelli, Administrative Appeals Review Officer
North Atlantic Division, U.S. Army Engineer Division
Fort Hamilton Military Community
General Lee Avenue, Building 301
Brooklyn, New York 11252-6700

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Park 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by JUN 4 - 2010. It is not necessary to submit an RFA form to the Division Office if you do not object to the determination in this letter.

This delineation/determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service prior to starting work.

It is strongly recommended that the development of the site be carried out in such a manner as to avoid as much as possible the discharge of dredged or fill material into the delineated waters of the United States. If the activities proposed for the site involve such discharges, authorization from this office may be necessary prior to the initiation of the proposed work. The extent of such discharge of fill will determine the level of authorization that would be required.

If any questions should arise concerning this matter, please contact Brian A. Orzel, of my staff, at (917) 790-8413.

Sincerely,

Christopher S. Mallery, Ph.D.
Chief, Western Section

Enclosures

MASER CONSULTING P.A.

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Surveyors
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Environmental Scientists

11 Bradhurst Avenue
Hawthorne, NY 10532
T: 914.347.7500
F: 914.347.7266
www.maserconsulting.com

January 21, 2014

VIA UPS & E-Mail

Mark N. Rudolph
Chief Financial Officer
Amy's Kitchen
1650 Corporate Circle, Suite 200
PO Box 4759
Petaluma, CA 94955

Re: Preliminary Traffic Analysis
Amy's Kitchen
NYS Route 17M
Town of Goshen, New York
MC Project No. 13001659

Dear Mr. Rudolph:

As requested, we have completed our preliminary traffic analysis for the above referenced Amy's Kitchen, which is proposed on property located on the north side of U.S. route 6/NYS Route 17M in the Town of Goshen, New York. The site location is shown on Figure No. 1. As part of our evaluation, the following tasks were completed.

1. Existing Traffic Volumes (Figures No. 2 and 3)
Representatives of Maser Consulting, P.A. have compiled existing traffic volume information for the intersections in the vicinity of the U.S. Route 6/NYS Route 17M site. The compiled data included actual turning movement traffic counts (collected in December 2013) at Route 6/17M and Training Center Lane intersection and for the Mid-Hudson Psychiatric Center access for both the morning and afternoon peak hours. Also, historical traffic counts from the New York State Department of Transportation (NYSDOT) were compiled for daily and hourly data for the Route 6/Route 17M corridor. Lastly, other available data from previous studies were also obtained and summarized for other intersections along the corridor including Hartley Road/Gate Schoolhouse Road and Echo Lake Road (CR 50)/Lower Road (CR 17). Based on the above information, the existing peak hour traffic volumes were developed and are summarized on Figures No. 2

and 3 in Appendix A for the key intersections for the AM and PM peak hours, respectively.

Note that based on a review of the hourly machine traffic data from the NYSDOT, there is a noticeable increase in the existing volumes in the corridor beginning in the morning at approximately 6:15 AM and peaking between 7:00 AM and 9:00 AM. The volumes reduce again slightly but are fairly constant throughout the day. The volumes then peak again between 4:00 and 6:00 PM with the westbound flow predominant hour during this time period. The volumes reduce again after 6:00 PM in the evening. The directional split of volumes is primarily eastbound in the morning and westbound during the afternoon peak with a fairly consistent directional split during the middle portion of the day. (Copies of the NYSDOT machine counts are contained in Appendix B.)

2. No-Build Traffic Volumes (Figures No. 4 and 5)
The Existing Traffic Volumes shown on Figures No. 2 and 3 were projected to a 2018 Design Year using a background growth rate of 0.5% per year (a total of 2.5%) to account for increases in volumes due to normal growth and traffic from other potential developments in the area. The resulting traffic volumes are shown on Figures No. 4 and 5 for the AM and PM peak hours, respectively.

3. Anticipated Site Generated Traffic Volumes (Table No. 1)
Estimates of the Site Generated Traffic Volumes for the proposed development have been made based on actual trip generation information provided by Amy's Kitchen from another existing facility. Based on this information, we have compiled the site generated traffic volumes as shown in Table 1. The information was also compared to data provided by the Institute of Transportation Engineers (ITE), however, the information provided by Amy's was used herein since it provides a more accurate depiction of the expected operations at the facility.

4. 2018 Build Traffic Volumes (Figures No. 6 through 11)
An arrival and departure distribution was developed to assign the site generated traffic volumes to the roadway network based on a review of the existing traffic patterns and supplemented with data from Amy's Kitchen. These distributions are shown on Figures No. 6 and 7. The Site Generated Traffic Volumes from Table No. 1 were assigned to the intersections based on these distributions. The resulting Site Generated Traffic Volumes are shown on Figures No. 8 and 9.

The site generated volumes were then combined with the 2018 No-Build Traffic Volumes to obtain the 2018 Build Traffic Volumes which are shown on Figures No. 10 and 11 for the AM and PM peak hours, respectively. Note that these volumes also account for the reassignment of the existing traffic destined to and from the Mid-Hudson Psychiatric Center to reflect the proposed access modifications, which are discussed further below.

5. Capacity Analysis Procedures

Utilizing the procedures contained in the 2010 Highway Capacity Manual, capacity analyses were conducted at the existing intersections. A description of the analysis procedures is as follows:

- Signalized Intersection Capacity Analysis

  The capacity analysis for a signalized intersection was performed in accordance with the procedures described in the *2010 Highway Capacity Manual*, published by the Transportation Research Board. The terminology used in identifying traffic flow conditions is Levels of Service. A Level of Service "A" represents the best condition and a Level of Service "F" represents the worst condition. A Level of Service "C" is generally used as a design standard while a Level of Service "D" is acceptable during peak periods. A Level of Service "E" represents an operation near capacity. In order to identify an intersection's Level of Service, the average amount of vehicle delay is computed for each approach to the intersection as well as for the overall intersection.

- Unsignalized Intersection Capacity Analysis

  The unsignalized intersection capacity analysis method utilized in this report was also performed in accordance with the procedures described in the *2010 Highway Capacity* Manual. The procedure is based on total elapsed time from when a vehicle stops at the end of the queue until the vehicle departs from the stop line. The average total delay for any particular critical movement is a function of the service rate or capacity of the approach and the degree of saturation. In order to identify the Level of Service, the average amount of vehicle delay is computed for each critical movement to the intersection.

Additional information concerning signalized and unsignalized Levels of Service can be found in the attached Appendix C.

6. Results of Preliminary Analyses and Recommendations (Table No. 2)
Based on a review of the existing traffic volumes along the corridor and the results of the existing conditions analysis, the intersection of NYS Route 17M and Training Center Drive currently experiences long delays during peak hours. This is primarily due to the lack of separate turning lanes which inhibits through traffic movements along the corridor especially in a westbound direction. Similar conditions occur at other intervening unsignalized intersections along this section of NYS Route 17M. In order to improve these conditions, the provision of a separate left turn lane would be required and the intersection would also have to be signalized. (See Table No. 2 for results and Appendix D contains the outputs.)

Drawing CP-1 shows a possible conceptual intersection configuration that would relocate Training Center Drive to the west away from the existing bridge crossing the Wallkill River tributary. The site access would be combined with the site access to the Psychiatric Center and both would be able to benefit from the newly signalized intersection. A separate right turn lane should also be provided on the westbound approach for vehicles entering the site. The analysis indicates that an overall intersection Level of Service "D" or better will be obtained at this intersection with these potential improvements. Note that this conceptual plan was prepared based on available NYSDOT record plans and aerial photography and we would recommend that detailed survey information be obtained identifying right-of-way, actual grades, utility locations and other features so that a more detailed plan can be developed.

Also, it is important to note that the actual shift start times for the Amy's Kitchen development will be important to ensure that workers arrive at the site prior to the peak commuter traffic in the morning.

7. Consideration of Special Events
In addition to the normal day-to-day operations at the site, it is anticipated that this site will be used for the annual Science of the Soul special gathering, which could accommodate as many as 12,000 people. This is a special event condition and in order to accommodate such loadings, the following additional traffic management and control measures would be required.

- Identification of off-site remote parking locations to allow shuttling of patrons to this site via buses. Several potential locations in the area exist, such as the Galleria at Crystal Run, Orange Plaza and the Orange County Fairgrounds.

During the periods when this gathering would occur, arrangements would have to be made to have parking provided at external locations and a series of bus transports provided to move the attendees to and from these remote locations. This would reduce the amount of passenger car traffic and would provide the ability to accommodate the anticipated larger numbers of attendees.

- Schedules would have to be prepared to stagger and spread out the arrival and departure times of attendees. Overall some 200 to 250 bus movements entering and exiting the site could be expected to complete the transport of attendees.

- During this event conditions, other arrangements with the Orange County Sheriff's office and/or State Police will also be necessary. This would be similar to what occurs at other regional venues that have special events such as the Bethel Woods Performing Arts Center in Sullivan County. During these time periods, police control is provided at numerous off-site intersections to accommodate the peak flows along the corridor.

8. Summary

Based on the results of the preliminary analyses, with the completion of the above referenced improvements, the proposed development should be adequately accommodated on the adjacent roadway system.

Very truly yours,

MASER CONSULTING P.A.

Philip J. Grealy, Ph.D., P.E.
Principal Associate/Department Manager

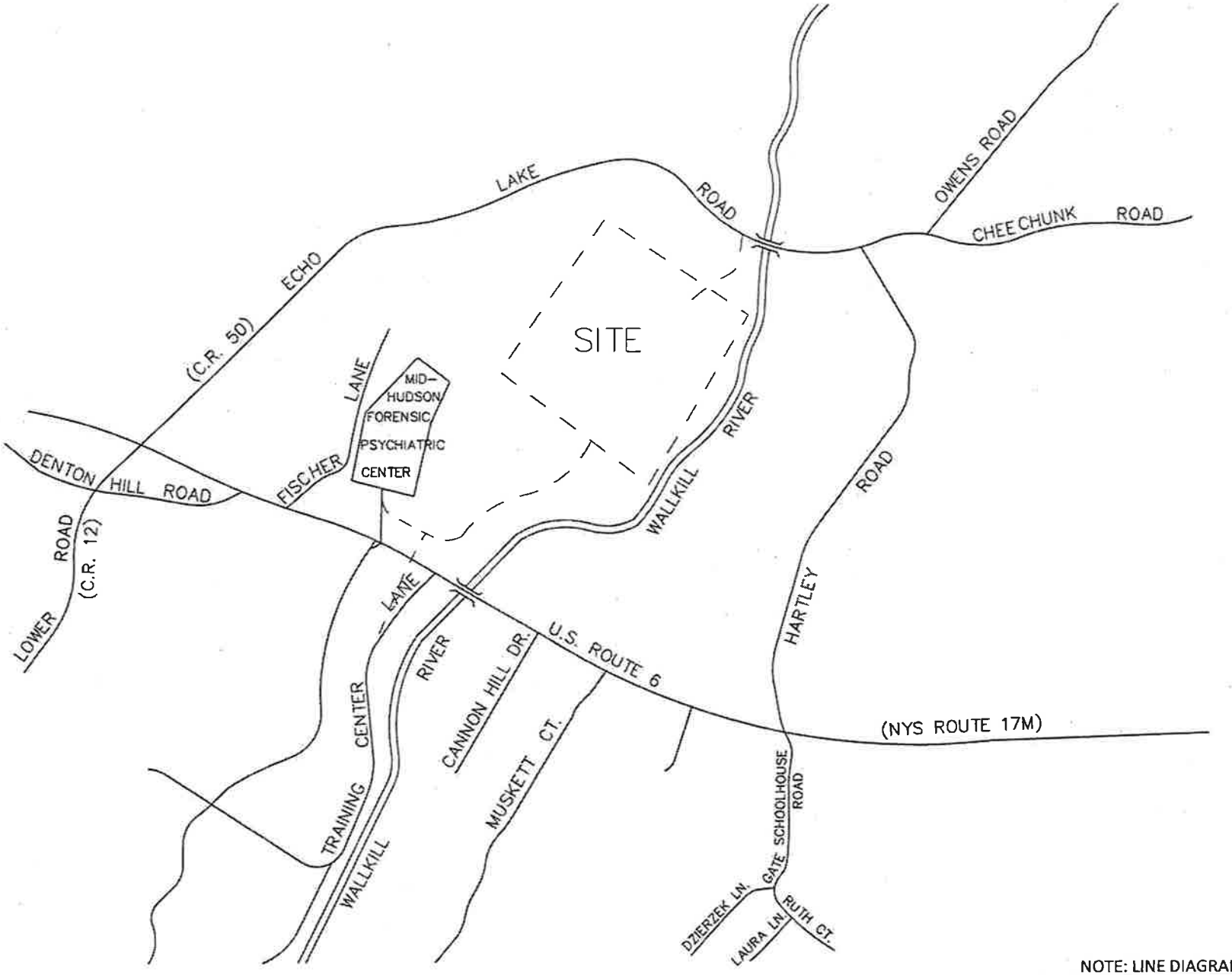
PJG/jr
Enclosures

\\WSCAD01\Projects\2013\13001659A\Reports\Word\140121PJG_Prel Traffic Analysis.docx

AMY'S KITCHEN

APPENDIX A

FIGURES



NOTE: LINE DIAGRAM NOT TO SCALE

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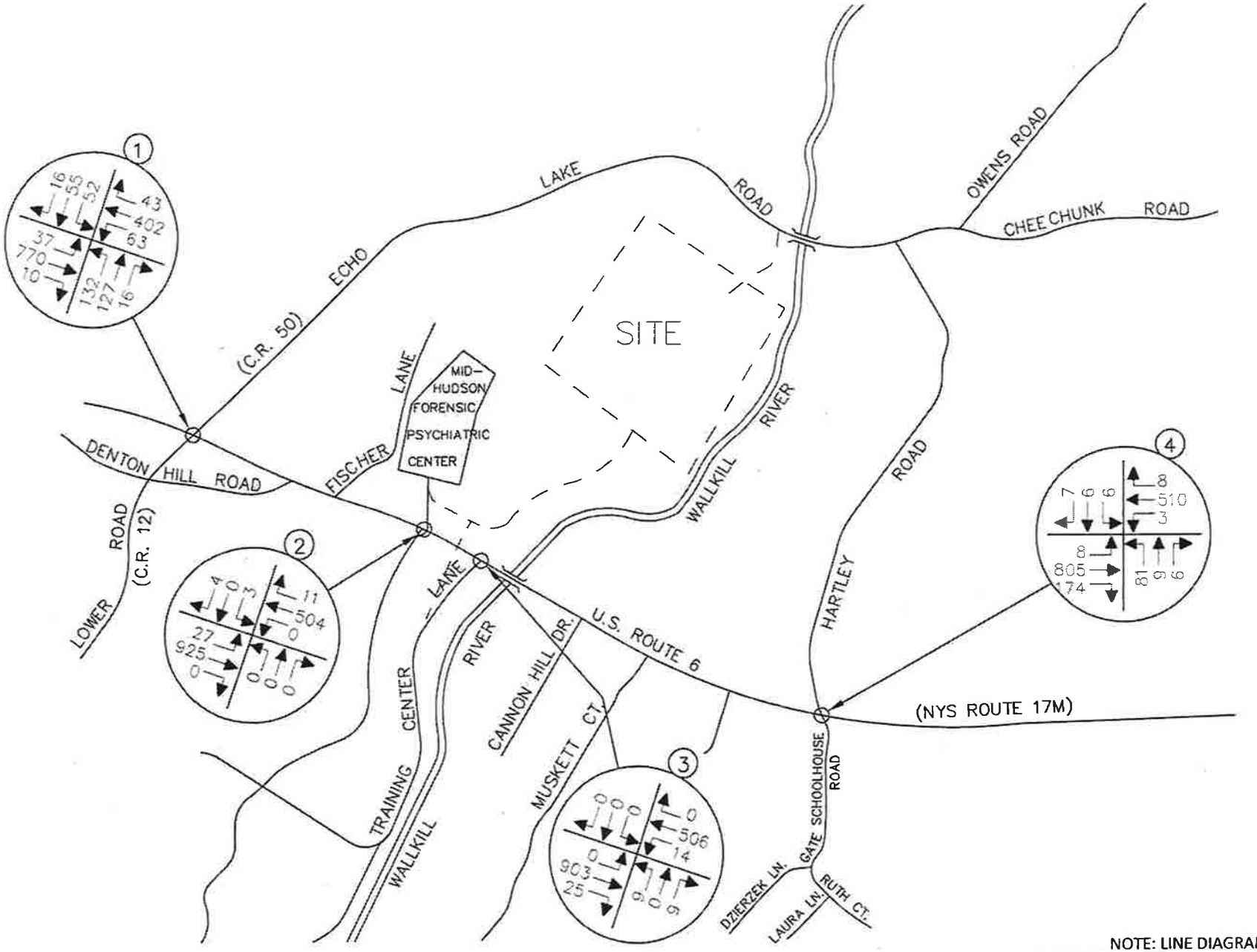
AMY'S KITCHEN
GOSHEN, NEW YORK

SITE LOCATION MAP

JOB NUMBER:	DATE:
13001659A	DEC. 2013
FIGURE NUMBER:	
1	



NOTE: LINE DIAGRAM NOT TO SCALE

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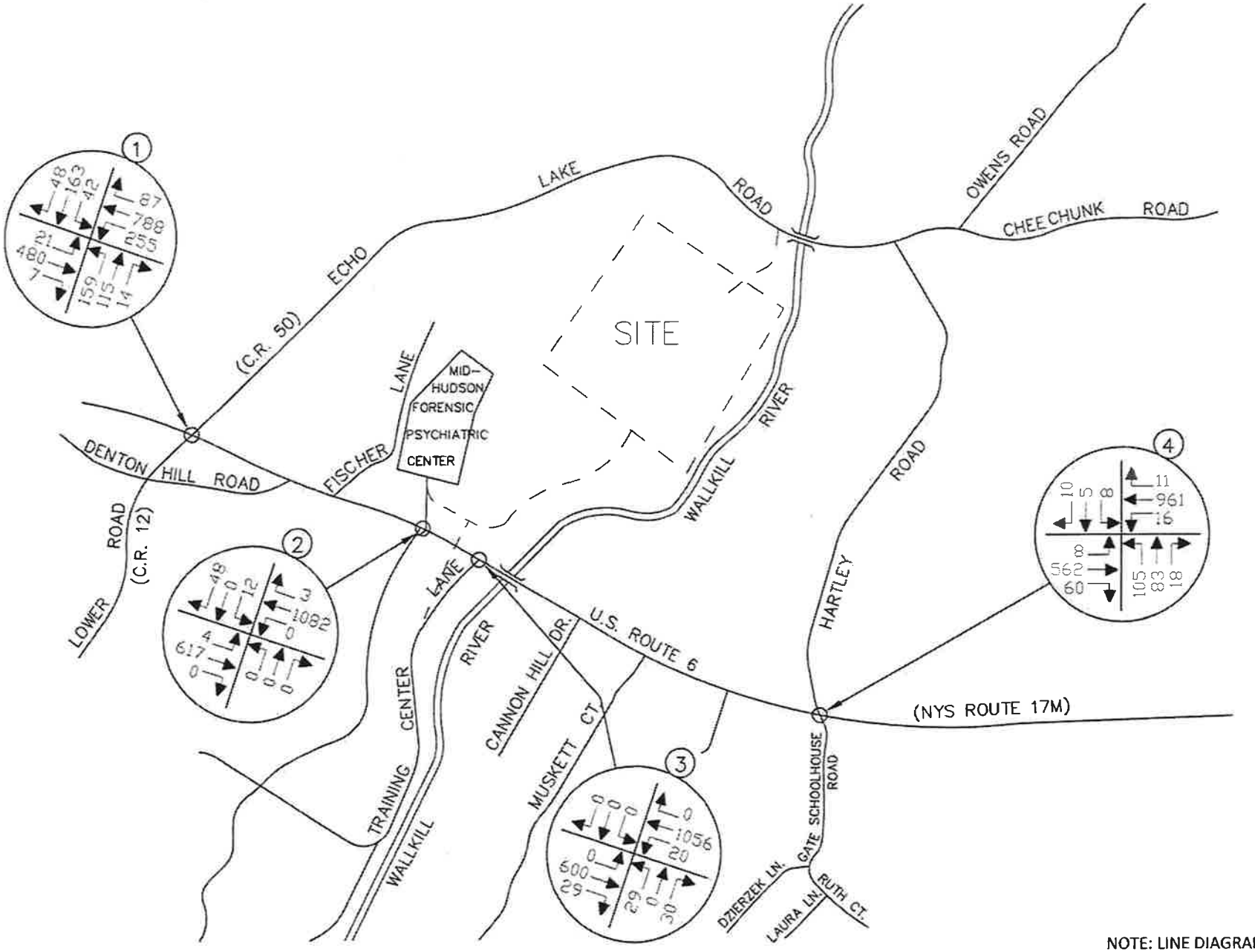
AMY'S KITCHEN
GOSHEN, NEW YORK

2013 EXISTING TRAFFIC VOLUMES
WEEKDAY PEAK AM HOUR

JOB NUMBER:	DATE:
13001659A	DEC. 2013
FIGURE NUMBER:	
2	



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AMY'S KITCHEN
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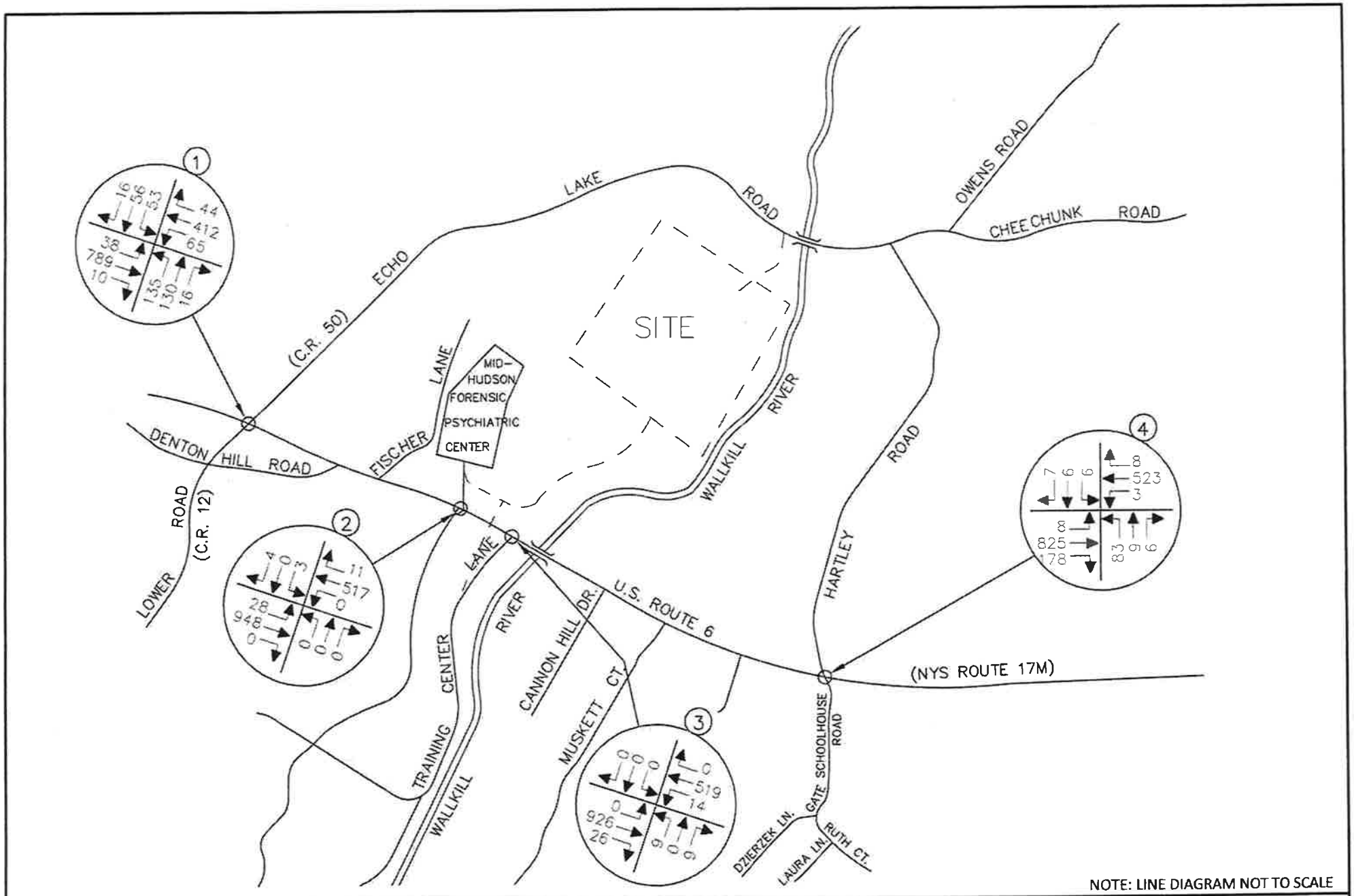
2013 EXISTING TRAFFIC VOLUMES
WEEKDAY PEAK PM HOUR

JOB NUMBER:	DATE:
13001659A	DEC. 2013
FIGURE NUMBER:	
3	



NOTE: LINE DIAGRAM NOT TO SCALE

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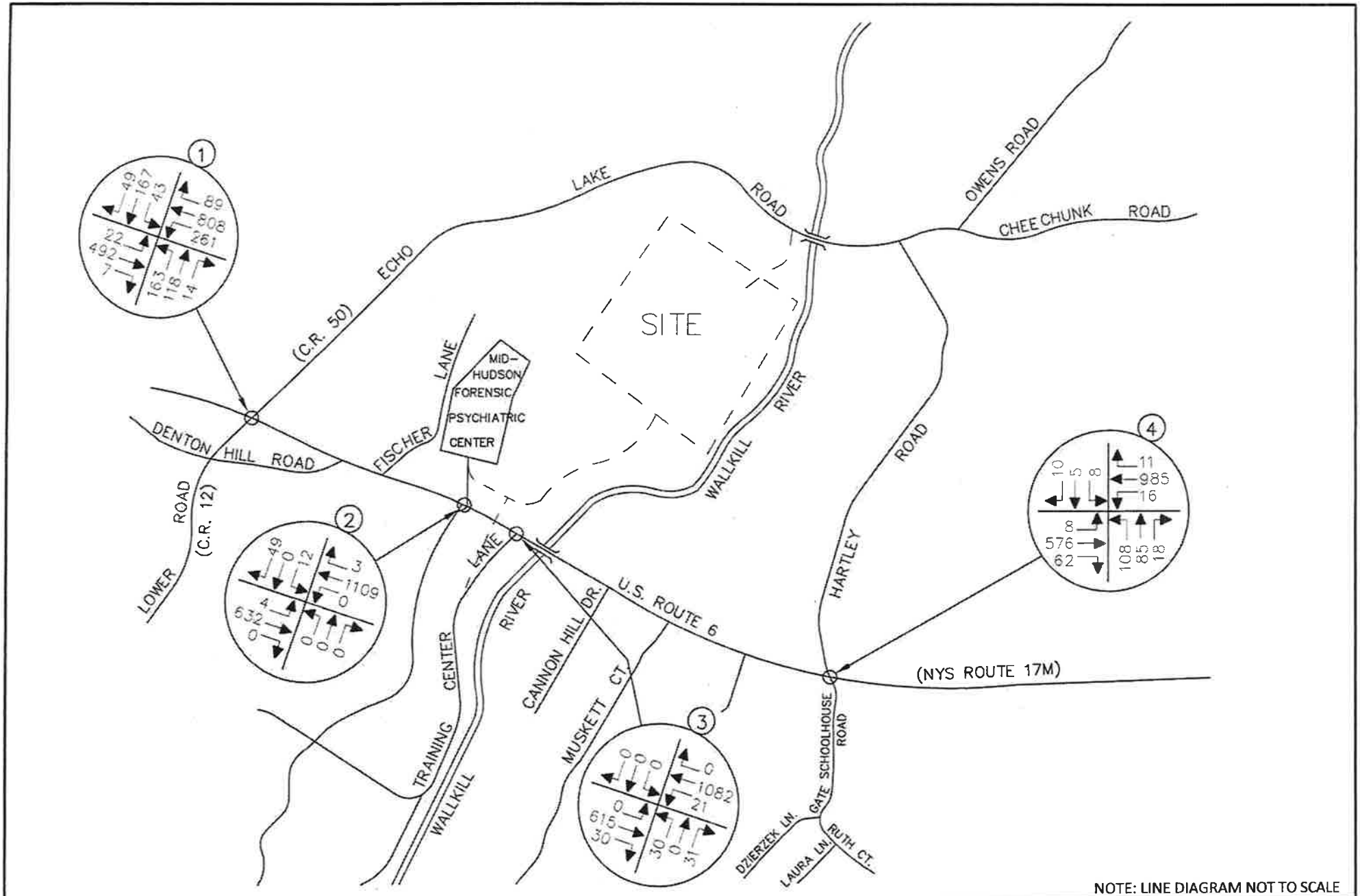
AMY'S KITCHEN
GOSHEN, NEW YORK

2018 NO-BUILD TRAFFIC VOLUME
WEEKDAY PEAK AM HOUR

JOB NUMBER:	DATE:
13001659A	DEC. 2013
FIGURE NUMBER	
4	



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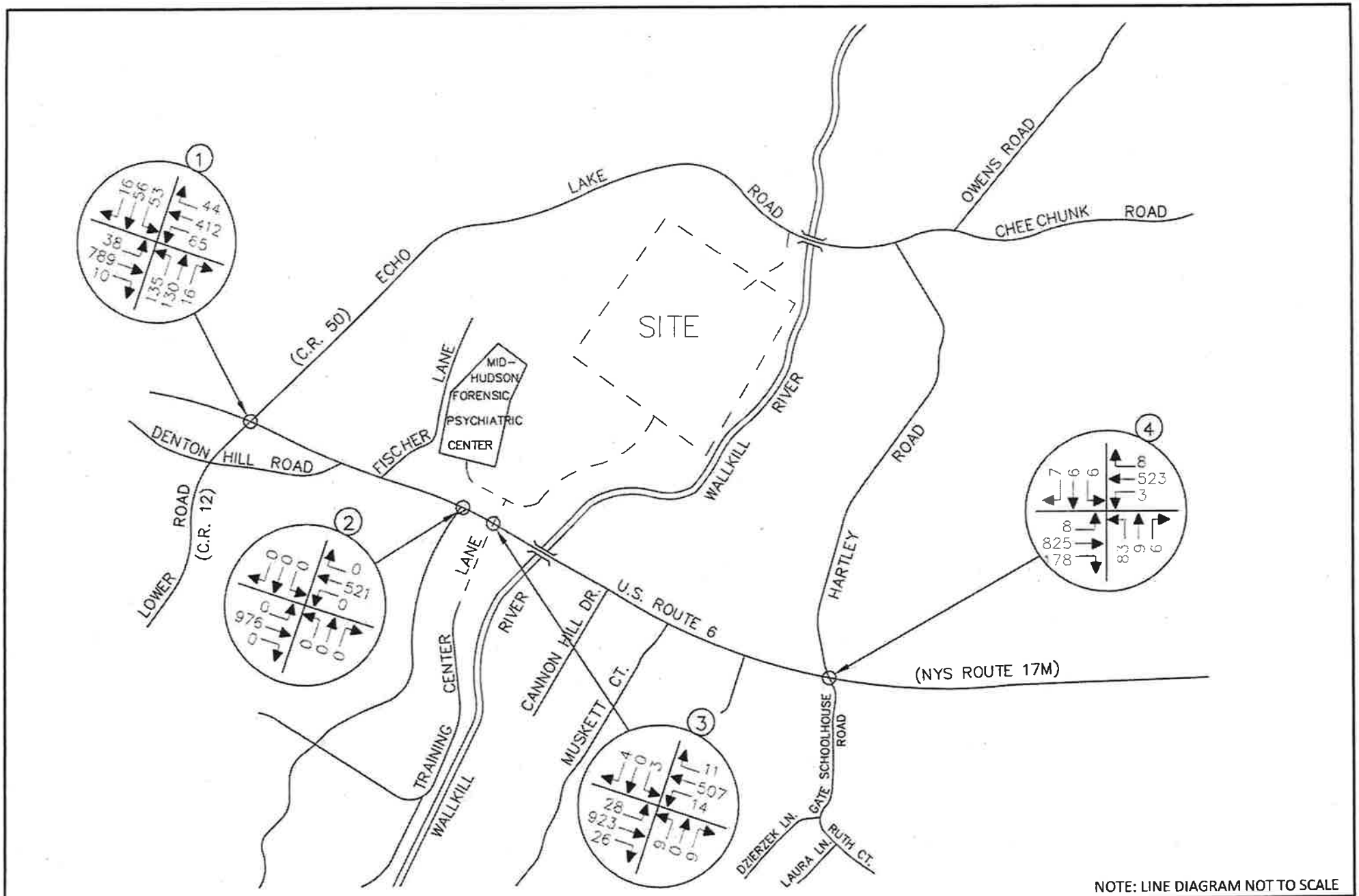
AMY'S KITCHEN
GOSHEN, NEW YORK

2018 NO-BUILD TRAFFIC VOLUMES
WEEKDAY PEAK PM HOUR

JOB NUMBER:	DATE:
13001659A	DEC. 2013
FIGURE NUMBER:	
5	



NOTE: LINE DIAGRAM NOT TO SCALE

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AMY'S KITCHEN
GOSHEN, NEW YORK

2018 NO-BUILD TRAFFIC VOLUMES
WEEKDAY PEAK AM HOUR
(REDISTRIBUTED)

JOB NUMBER:	DATE:
13001659A	DEC. 2013
FIGURE NUMBER:	
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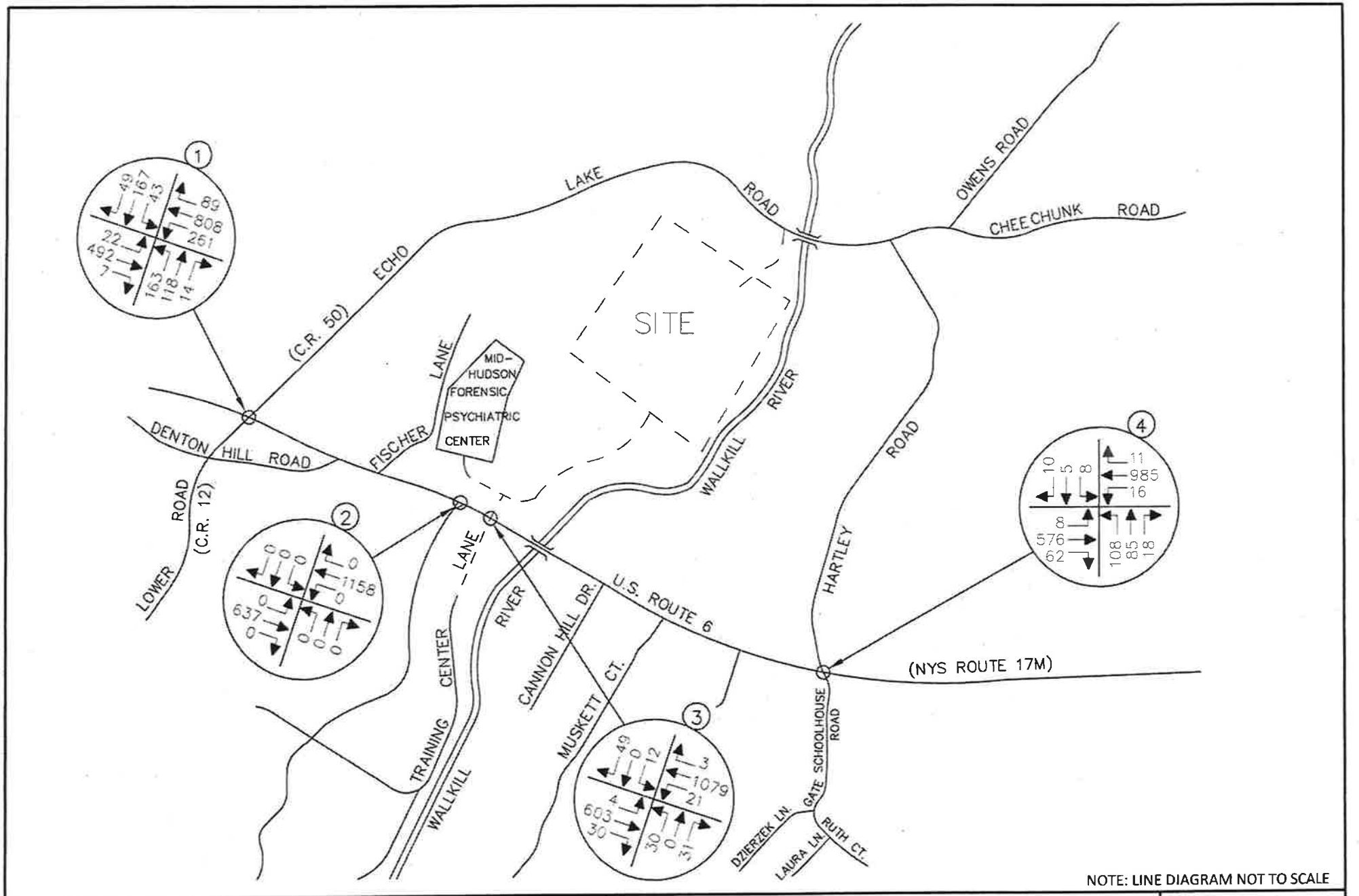

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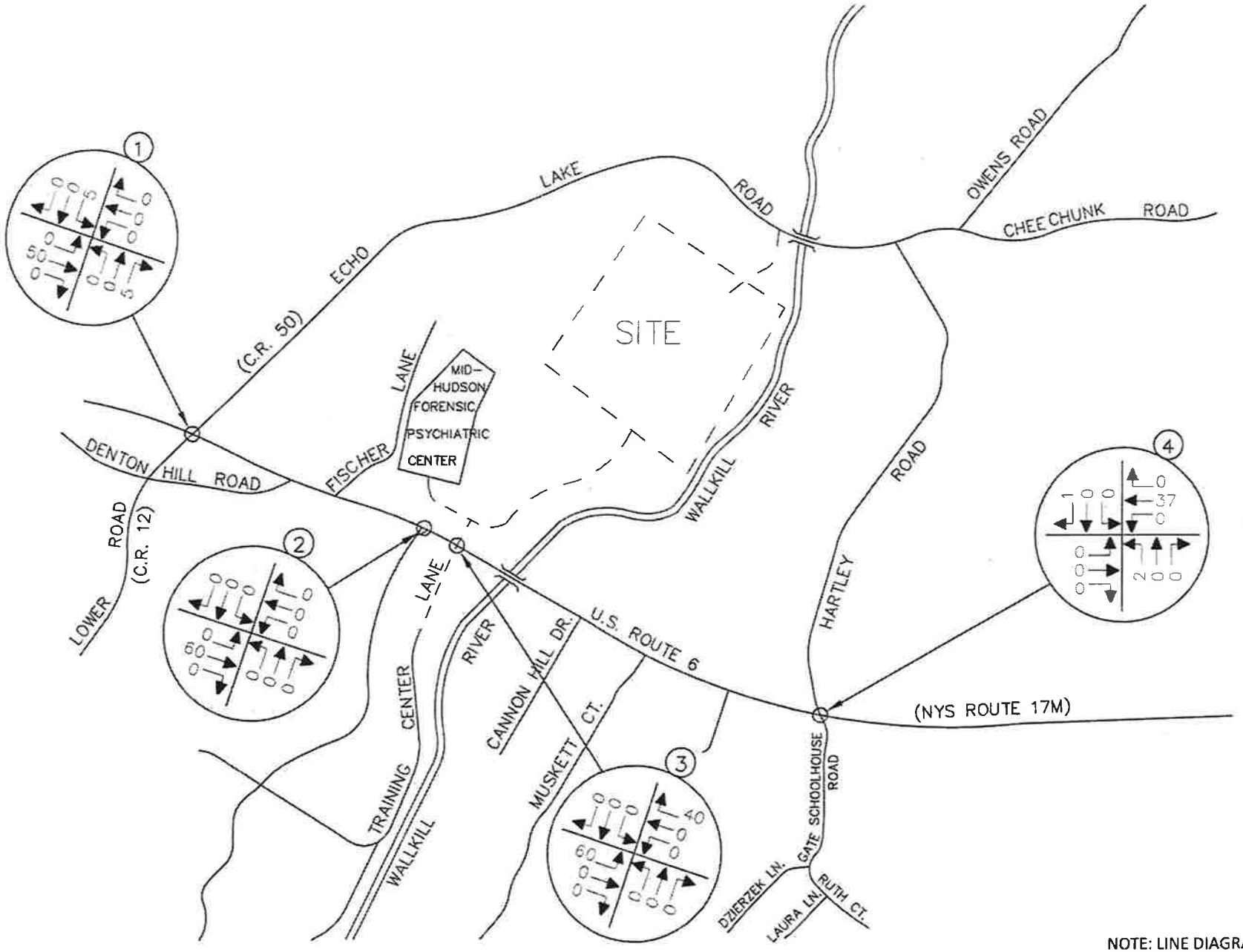
AMY'S KITCHEN
GOSHEN, NEW YORK

2018 NO-BUILD TRAFFIC VOLUMES
WEEKDAY PEAK PM HOUR
(REDISTRIBUTED)

JOB NUMBER:	DATE:
13001659A	DEC 2013
FIGURE NUMBER:	
7	



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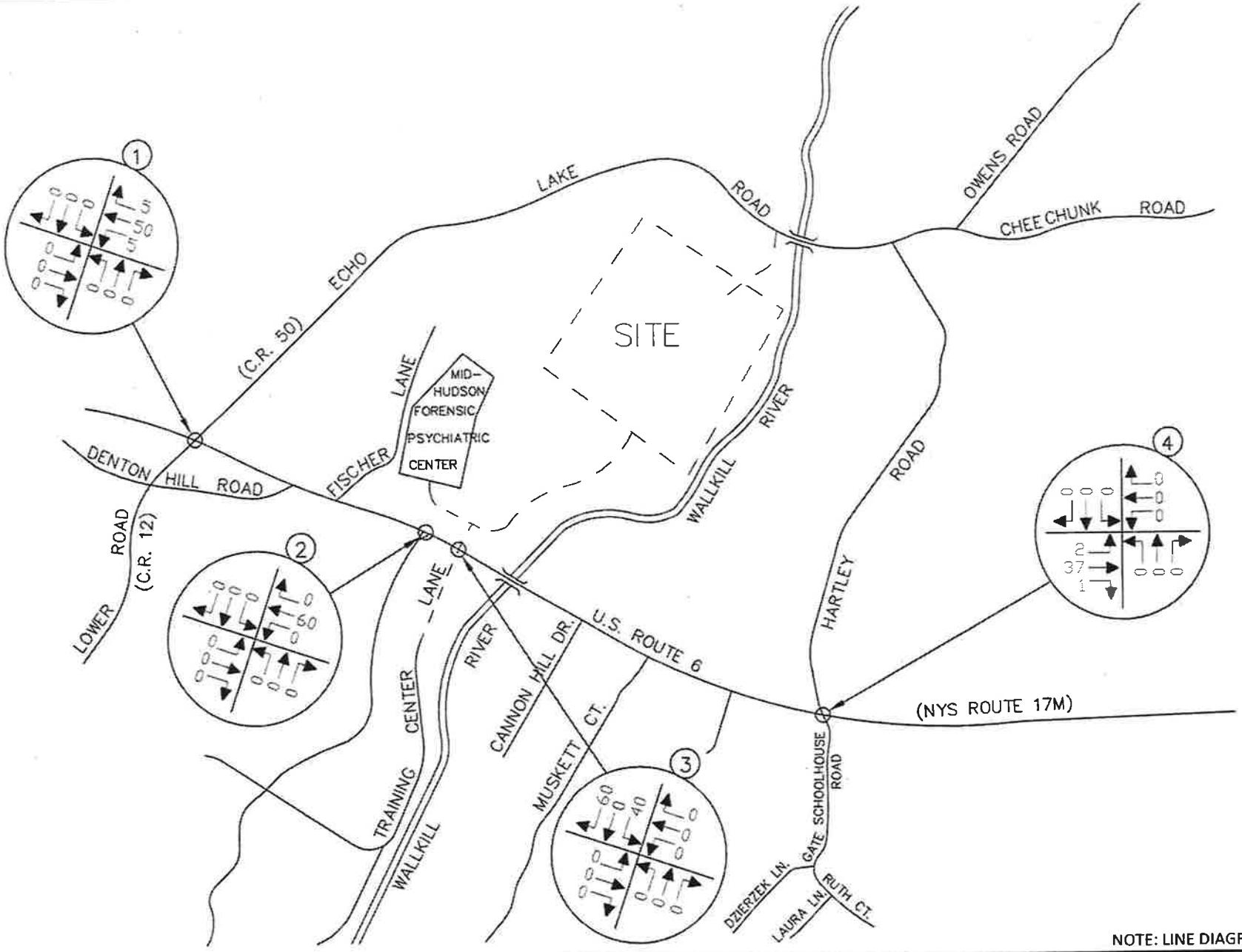
AMY'S KITCHEN
GOSHEN, NEW YORK

ARRIVAL DISRTRIBUTION
(ALL VALUES EXPRESSED AS A %)

JOB NUMBER:	DATE:
13001659A	DEC. 2013
FIGURE NUMBER:	
8	



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AMY'S KITCHEN
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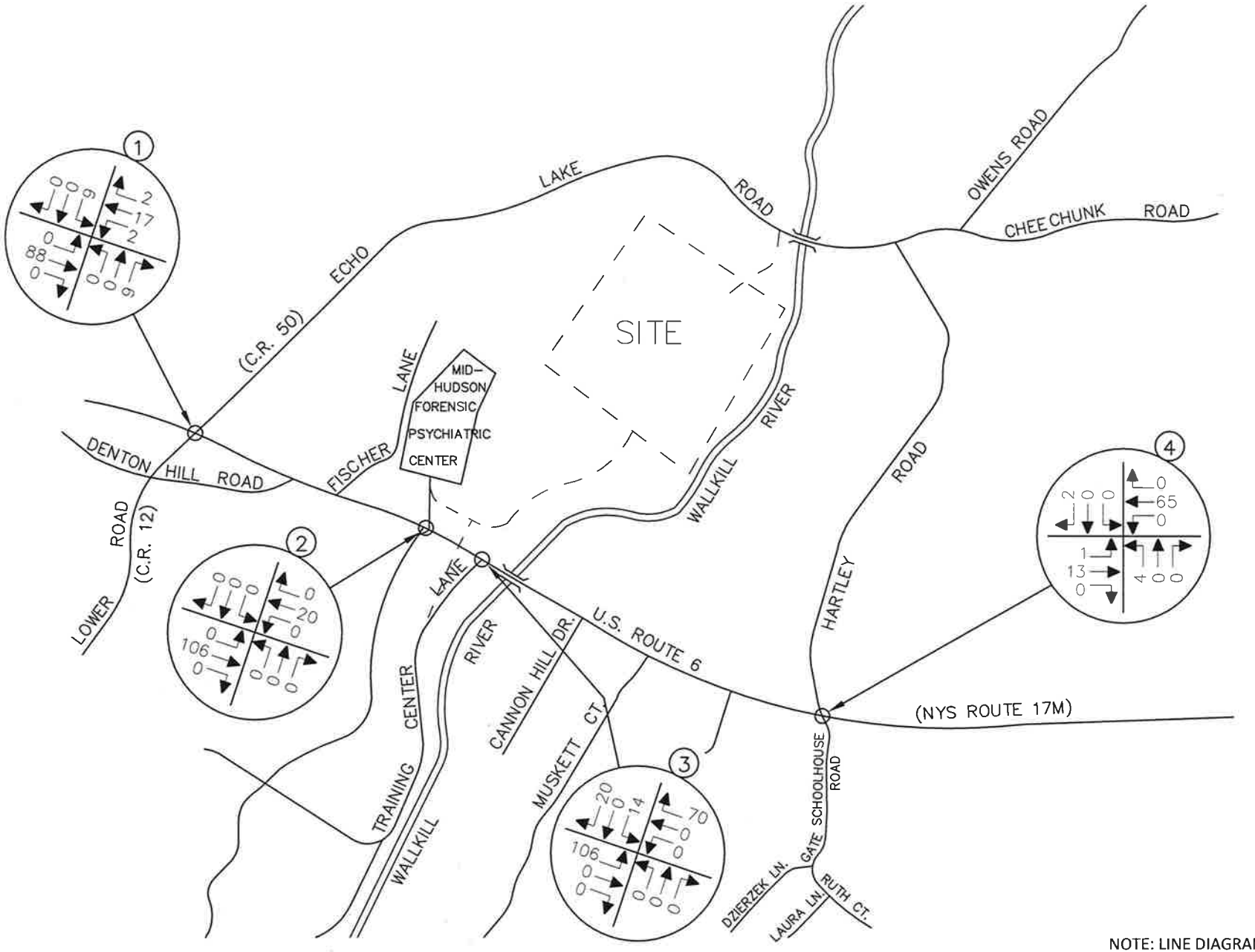
DEPARTURE DISTRIBUTION
(ALL VALUES EXPRESSED AS A %)

JOB NUMBER:	DATE:
13001659A	DEC. 2013
FIGURE NUMBER:	
9	



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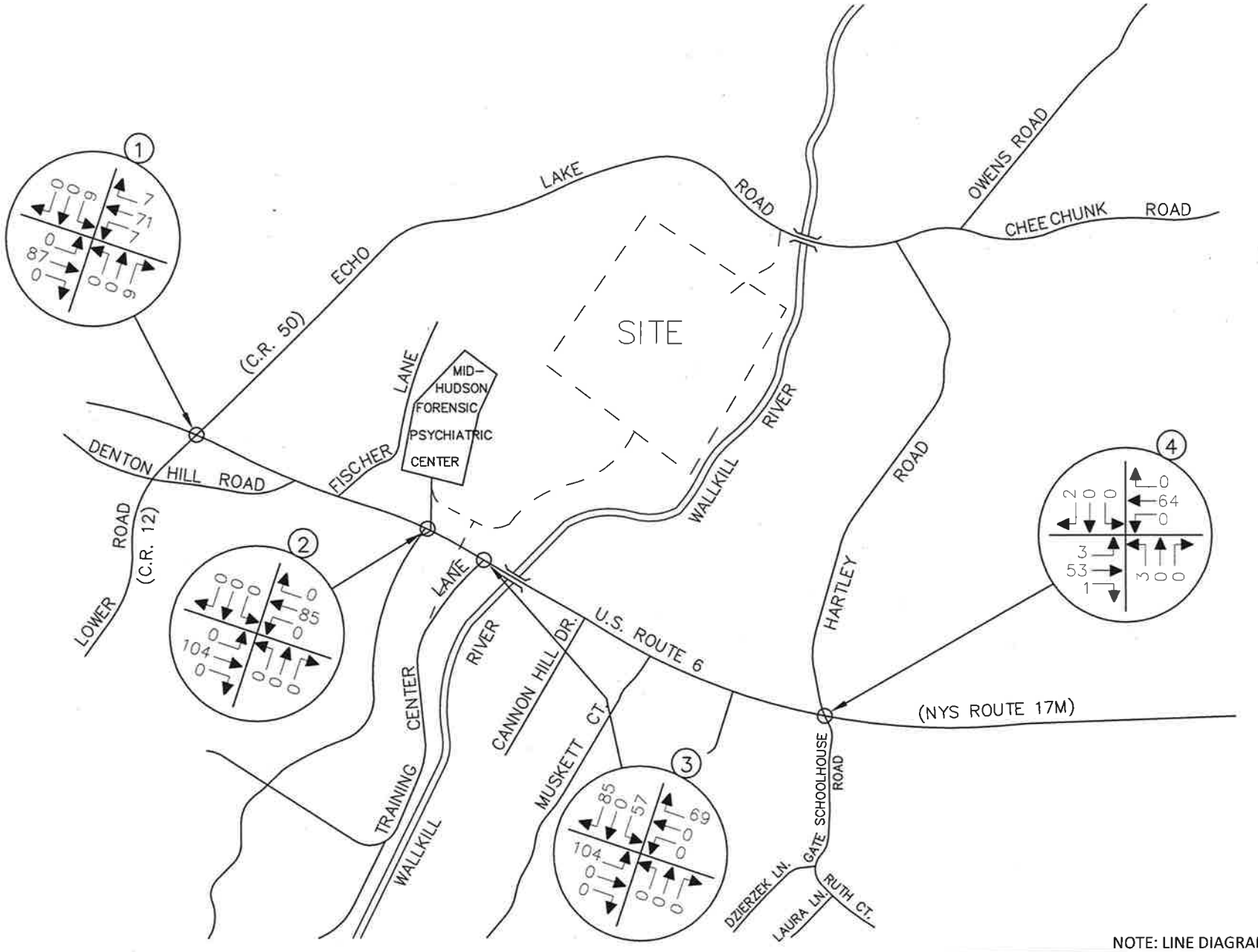
AMY'S KITCHEN
GOSHEN, NEW YORK

SITE GENERATED TRAFFIC VOLUMES
WEEKDAY PEAK AM HOUR
(BASED ON AMY'S KITCHEN TRIP GENERATION)

JOB NUMBER:	DATE:
13001659A	JAN. 2014
FIGURE NUMBER:	
10	



NOTE: LINE DIAGRAM NOT TO SCALE

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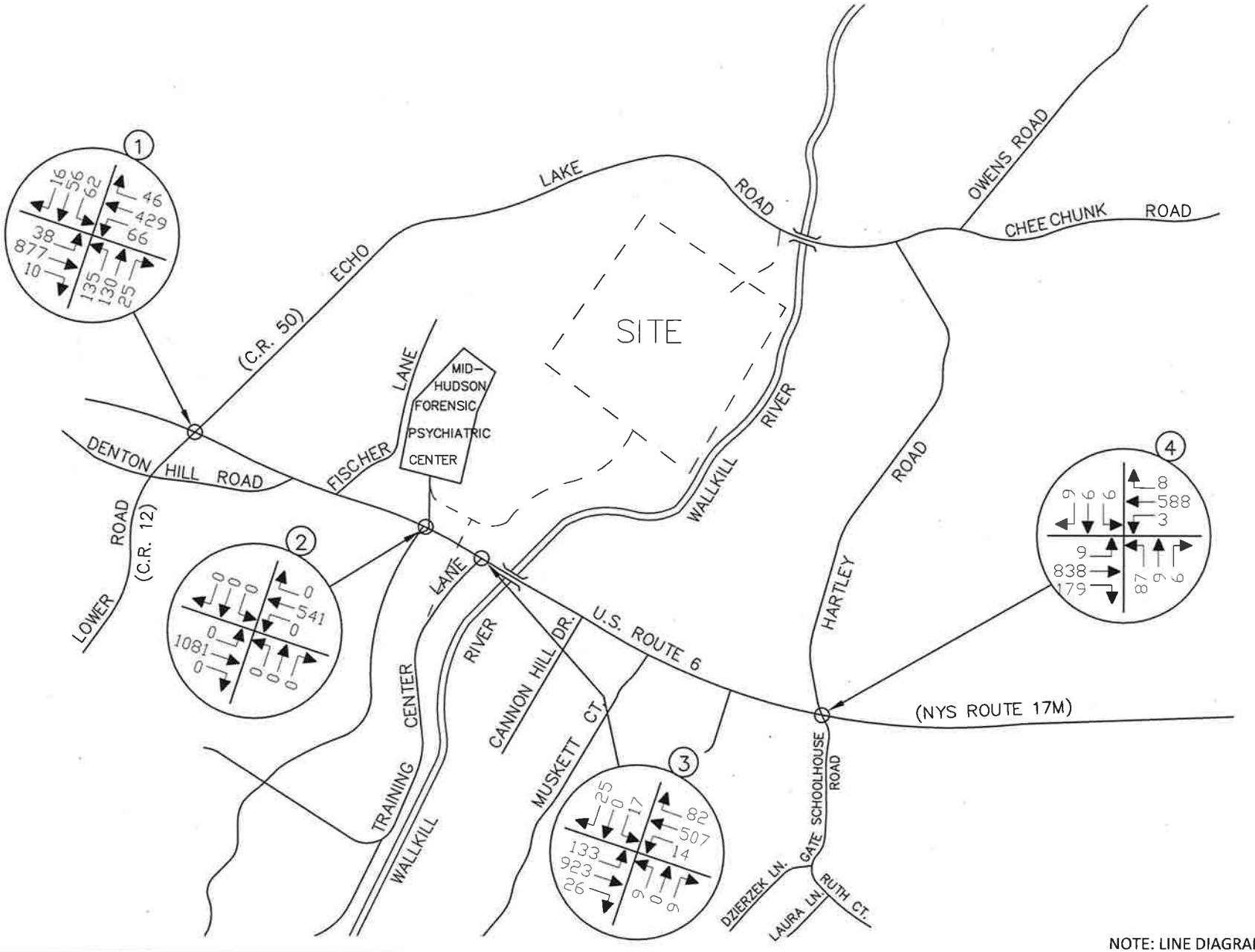
AMY'S KITCHEN
GOSHEN, NEW YORK

SITE GENERATED TRAFFIC VOLUMES
WEEKDAY PEAK PM HOUR
(BASED ON AMY'S KITCHEN TRIP GENERATION)

JOB NUMBER:	DATE:
13001659A	JAN. 2014
FIGURE NUMBER:	
11	



NOTE: LINE DIAGRAM NOT TO SCALE

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AMY'S KITCHEN
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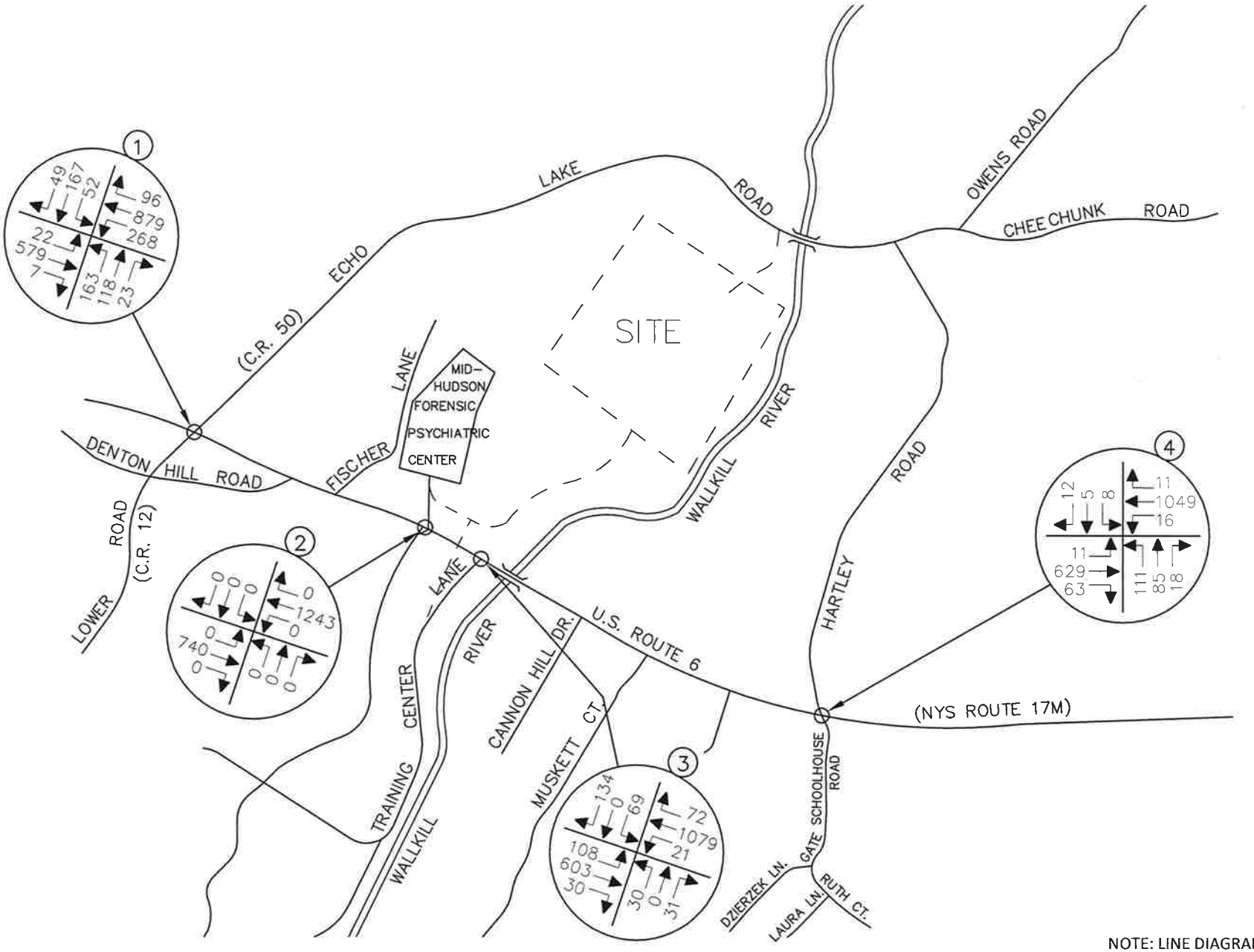
2018 BUILD TRAFFIC VOLUMES
WEEKDAY PEAK AM HOUR
(BASED ON AMY'S KITCHEN TRIP GENERATION)

JOB NUMBER:	DATE:
13001659A	JAN. 2014
FIGURE NUMBER:	
12	



NOTE: LINE DIAGRAM NOT TO SCALE

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AMY'S KITCHEN
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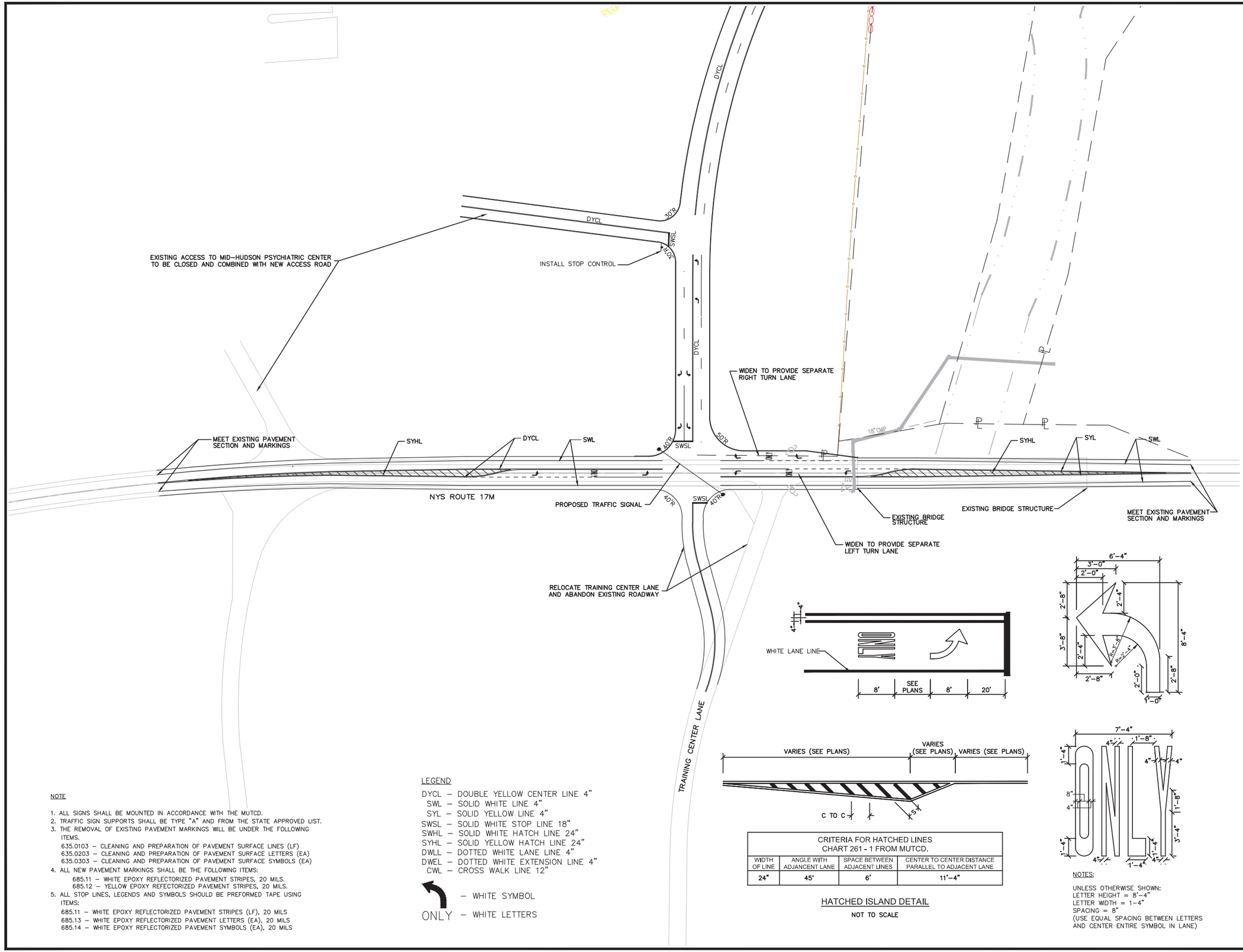
2018 BUILD TRAFFIC VOLUMES
WEEKDAY PEAK PM HOUR
(BASED ON AMY'S KITCHEN TRIP GENERATION)

JOB NUMBER:	DATE:
13001659A	JAN. 2014
FIGURE NUMBER:	
13	



LOCATION MAP (SCALE 1"=2000')

PLAN NORTH

60 0 60 120

SCALE IN FEET
(1"=60')

REV	DATE	DRAWN BY	DESCRIPTION
1	1/9/14	R.G.D.	ADDED WB RIGHT TURN LANE

NOTE:

THIS PLAN HAS BEEN PREPARED FROM A COMBINATION OF AERIAL PHOTOGRAPHY AND OTHER RECORD PLANS. AN EXISTING CONDITIONS SURVEY WILL BE REQUIRED TO VERIFY MORE SPECIFIC DETAILS.

NOTE

1. ALL SIGNS SHALL BE MOUNTED IN ACCORDANCE WITH THE MUTCD.
2. TRAFFIC SIGN SUPPORTS SHALL BE TYPE "A" AND FROM THE STATE APPROVED LIST.
3. THE REMOVAL OF EXISTING PAVEMENT MARKINGS WILL BE UNDER THE FOLLOWING ITEMS.
   - 635.0103 – CLEANING AND PREPARATION OF PAVEMENT SURFACE LINES (LF)
   - 635.0203 – CLEANING AND PREPARATION OF PAVEMENT SURFACE LETTERS (EA)
   - 635.0303 – CLEANING AND PREPARATION OF PAVEMENT SURFACE SYMBOLS (EA)
4. ALL NEW PAVEMENT MARKINGS SHALL BE THE FOLLOWING ITEMS:
   - 685.11 – WHITE EPOXY REFLECTORIZED PAVEMENT STRIPES, 20 MILS.
   - 685.12 – YELLOW EPOXY REFECTORIZED PAVEMENT STRIPES, 20 MILS.
5. ALL STOP LINES, LEGENDS AND SYMBOLS SHOULD BE PREFORMED TAPE USING ITEMS:
   - 685.11 – WHITE EPOXY REFLECTORIZED PAVEMENT STRIPES (LF), 20 MILS
   - 685.13 – WHITE EPOXY REFLECTORIZED PAVEMENT LETTERS (EA), 20 MILS
   - 685.14 – WHITE EPOXY REFLECTORIZED PAVEMENT SYMBOLS (EA), 20 MILS

LEGEND

- DYCL – DOUBLE YELLOW CENTER LINE 4"
- SWL – SOLID WHITE LINE 4"
- SYL – SOLID YELLOW LINE 4"
- SWSL – SOLID WHITE STOP LINE 18"
- SWHL – SOLID WHITE HATCH LINE 24"
- SYHL – SOLID YELLOW HATCH LINE 24"
- DWLL – DOTTED WHITE LANE LINE 4"
- DWEL – DOTTED WHITE EXTENSION LINE 4"
- CWL – CROSS WALK LINE 12"

– WHITE SYMBOL

ONLY – WHITE LETTERS

CRITERIA FOR HATCHED LINES
CHART 261 - 1 FROM MUTCD.

WIDTH OF LINE	ANGLE WITH ADJACENT LANE	SPACE BETWEEN ADJACENT LINES	CENTER TO CENTER DISTANCE PARALLEL TO ADJACENT LANE
24"	45°	6'	11'–4"

HATCHED ISLAND DETAIL

NOT TO SCALE

NOTES:

UNLESS OTHERWISE SHOWN:
LETTER HEIGHT = 8'–4"
LETTER WIDTH = 1–4"
SPACING = 8"
(USE EQUAL SPACING BETWEEN LETTERS AND CENTER ENTIRE SYMBOL IN LANE)

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PRELIMINARY CONCEPTUAL IMPROVEMENT PLAN
FOR
GOSHEN AMY'S
NYS ROUTE 17M
(S.H. 95)
TOWN OF GOSHEN, ORANGE COUNTY, NEW YORK

SCALE:	DATE:	DRAWN BY:	CHECKED BY:
1"=60'	1/9/2014	R.G.D.	P.J.G.

PROJECT NUMBER: 13001659A CP-1

SHEET NUMBER: 1 of 1

AMY'S KITCHEN

APPENDIX B

TABLES

TABLE A
SUMMARY OF AMY'S KITCHEN TRIP GENERATION

	ENTRY	EXIT	TOTAL	HOURLY ENTRY	HOURLY EXIT	TOTAL
MIDNIGHT	0	42	42	0	98	98
12:30 AM	0	56	56			
1:00 AM	12	47	59	12	55	67
1:30 AM	0	8	8			
2:00 AM	7	0	7	7	1	8
2:30 AM	0	1	1			
3:00 AM	7	0	7	16	0	16
3:30 AM	9	0	9			
4:00 AM	38	0	38	43	1	44
4:30 AM	5	1	6			
5:00 AM	19	2	21	47	10	57
5:30 AM	28	8	36			
6:00 AM	108	1	109	176	34	210
6:30 AM	68	33	101			
7:00 AM	47	1	48	80	37	117
7:30 AM	33	36	69			
8:00 AM	6	5	11	6	5	11
8:30 AM	0	0	0			
9:00 AM	1	0	1	2	7	9
9:30 AM	1	7	8			
10:00 AM	0	0	0	0	0	0
10:30 AM	0	0	0			
11:00 AM	0	0	0	0	2	2
11:30 AM	0	2	2			
NOON	17	6	23	23	43	66
12:30 PM	6	37	43			
1:00 PM	3	5	8	3	14	17
1:30 PM	0	9	9			
2:00 PM	42	31	73	56	116	172
2:30 PM	14	85	99			
3:00 PM	102	92	194	173	142	315
3:30 PM	71	50	121			
4:00 PM	21	33	54	68	38	106
4:30 PM	47	5	52			
5:00 PM	2	6	8	2	7	9
5:30 PM	0	1	1			
6:00 PM	1	10	11	1	10	11
6:30 PM	0	0	0			
7:00 PM	0	0	0	0	0	0
7:30 PM	0	0	0			
8:00 PM	1	0	1	3	0	3
8:30 PM	2	0	2			
9:00 PM	0	23	23	0	26	26
9:30 PM	0	3	3			
10:00 PM	33	12	45	41	40	81
10:30 PM	8	28	36			
11:00 PM	37	10	47	37	92	129
11:30 PM	0	82	82			
TOTAL	796	778	1574	796	778	1574

1) BASED ON EMPLOYEE START AND END TIMES.
2) DOES NOT INCLUDE ANY CREDIT FOR CAR POOL OR OTHER RIDE SHARING.
3) DATA FOR EXISTING AMY'S KITCHEN LOCATED IN MEDFORD.

TABLE NO. 2

LEVEL OF SERVICE SUMMARY TABLE

			2013 EXISTING		2018 NO-BUILD		2018 BUILD	
			AM	PM	AM	PM	AM	PM
1	U.S. ROUTE 6/NYS ROUTE 17M &	**SIGNALIZED**						
	C.R. 12/C.R. 50	EB	C[24.5]	C[29.0]	C[26.1]	C[30.5]	D[36.1]	D[39.7]
		WB	A[6.7]	B[15.1]	A[6.9]	B[16.7]	A[7.5]	C[21.6]
		NB	D[50.0]	D[52.4]	D[51.3]	D[53.8]	D[48.1]	D[51.7]
		SB	C[28.6]	C[25.9]	C[28.6]	C[25.9]	C[29.2]	C[26.5]
		OVERALL	C[23.6]	C[24.5]	C[24.6]	C[25.9]	C[29.2]	C[30.4]
2	U.S. ROUTE 6/NYS ROUTE 17M &	**UNSIGNALIZED**						
	MID-HUDSON PSYCHIATRIC CENTER	EB	A[8.7]	B[11.2]	A[8.8]	B[11.4]	-	-
		WB	A[0.0]	A[0.0]	A[0.0]	A[0.0]	-	-
		NB	A[0.0]	A[0.0]	A[0.0]	A[0.0]	-	-
		SB	E[40.1]	F[81.0]	E[42.7]	F[91.8]	-	-
3	U.S. ROUTE 6/NYS ROUTE 17M &	**UNSIGNALIZED**						
	TRAINING CENTER LANE	EB	A[0.0]	A[0.0]	A[0.0]	A[0.0]	-	-
		WB	B[11.3]	A[9.7]	B[11.4]	A[9.8]	-	-
		NB	D[33.7]	F[74.6]	E[35.6]	F[88.4]	-	-
	U.S. ROUTE 6/NYS ROUTE 17M &	EB	-	-	-	-	C[31.2]	B[11.9]
	RELOCATED TRAINING CENTER LANE/	WB	-	-	-	-	B[19.1]	D[44.1]
	SITE ACCESS DRIVEWAY	NB	-	-	-	-	A[0.2]	A[7.8]
		SB	-	-	-	-	A[9.4]	B[18.8]
	WITH SIGNALIZATION	OVERALL	-	-	-	-	C[26.2]	C[29.8]
4	U.S. ROUTE 6/NYS ROUTE 17M &	**SIGNALIZED**						
	GATE SCHOOLHOUSE ROAD/	EB	B[13.2]	A[7.3]	B[14.1]	A[7.4]	B[14.8]	A[8.1]
	HARTLEY ROAD	WB	A[4.9]	B[17.9]	A[4.9]	B[18.9]	A[5.4]	C[22.7]
		NB	C[24.8]	D[39.9]	C[25.4]	D[42.5]	C[26.1]	D[48.0]
		SB	B[17.1]	B[16.1]	B[17.1]	B[16.2]	B[16.4]	B[15.5]
		OVERALL	B[11.3]	B[16.7]	B[11.8]	B[17.6]	B[12.3]	C[20.2]

NOTES:

1) THE ABOVE REPRESENTS THE LEVEL OF SERVICE AND VEHICLE DELAY IN SECONDS, C [16.2], FOR EACH KEY APPROACH OF THE UNSIGNALIZED INTERSECTIONS AS WELL AS FOR EACH APPROACH AND THE OVERALL INTERSECTION FOR THE SIGNALIZED INTERSECTIONS.

2) SEE APPENDIX "C" FOR A DESCRIPTION OF THE LEVELS OF SERVICE.

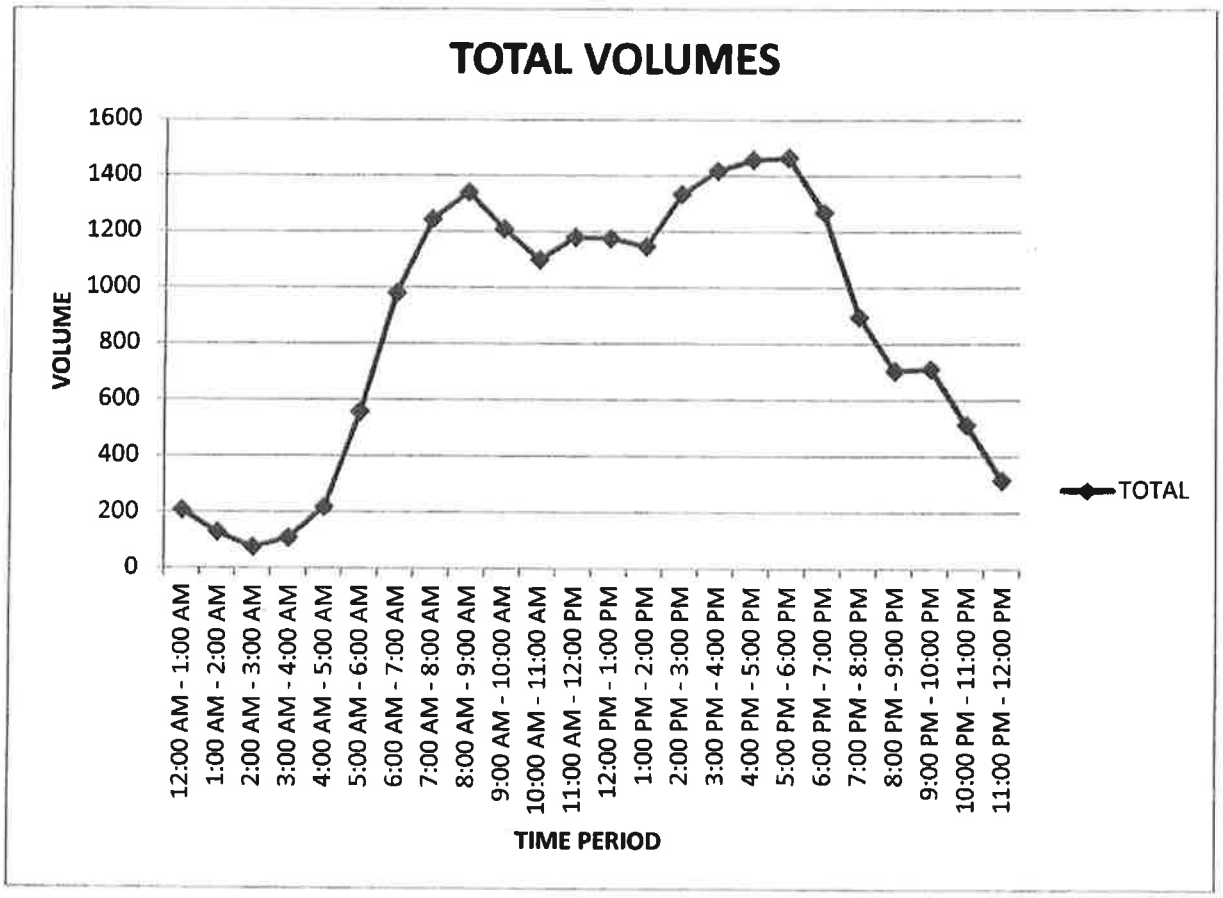
3) INTERSECTION #2 PSYCHIATRIC CENTER DRIVEWAY GETS RELOCATED WITH THE CONSTRUCTION OF THE PROPOSED SITE ACCESS DRIVEWAY AND WILL ALIGN WITH THE RELOCATED TRAINING CENTER LANE.

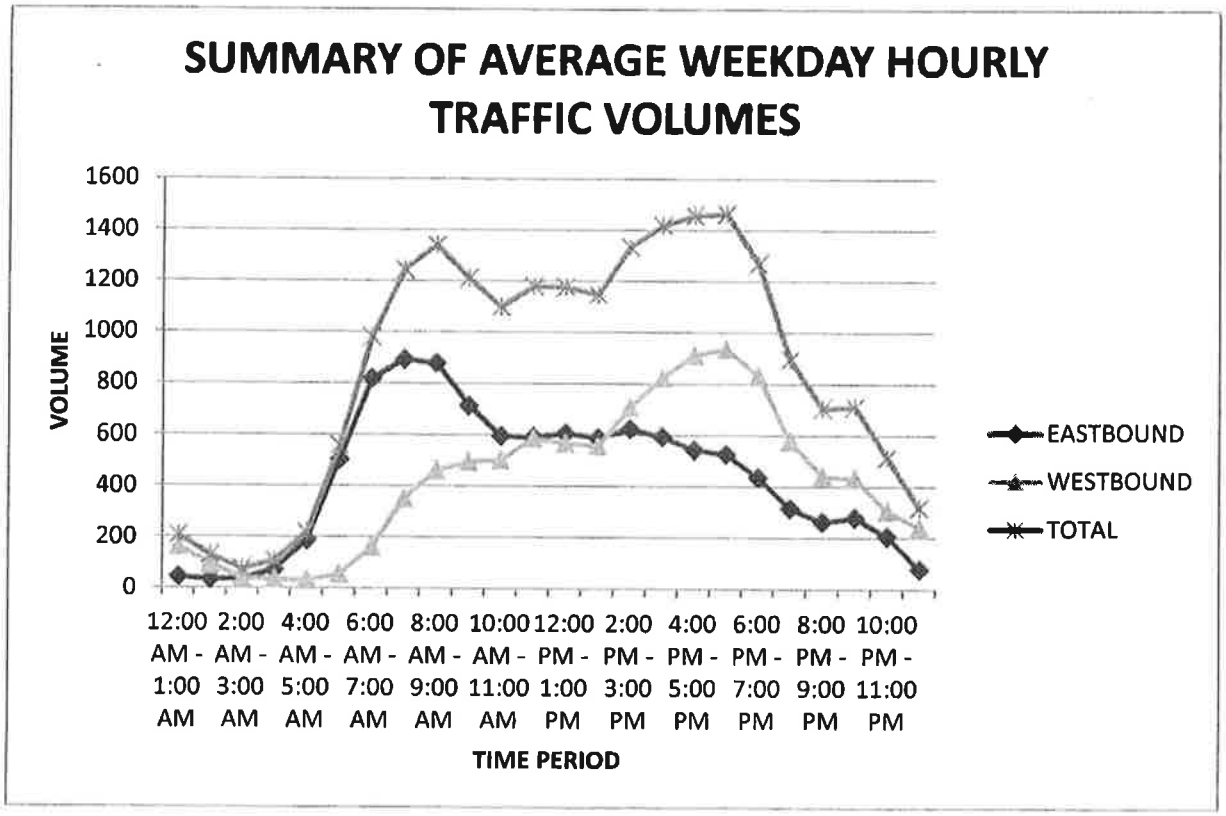
TABLE N-1

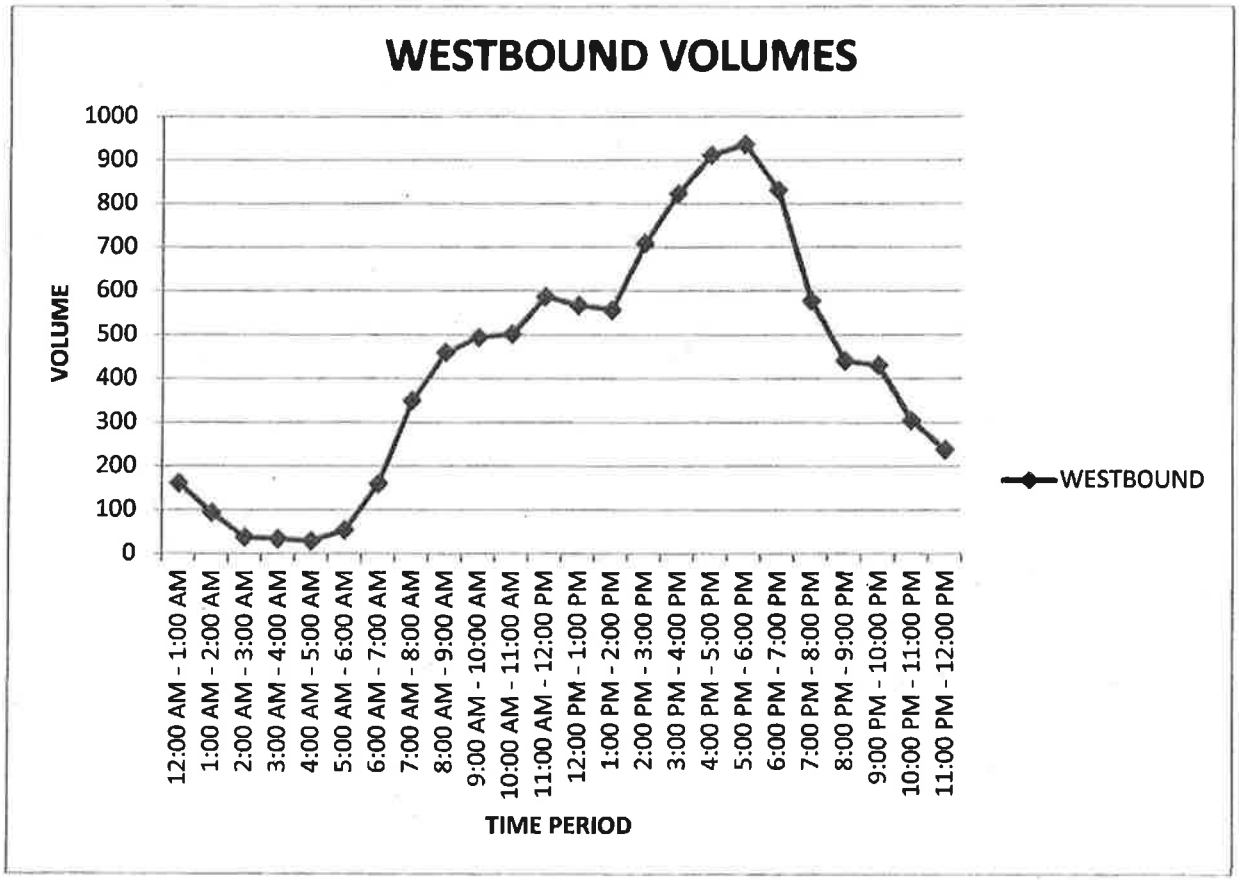
SUMMARY OF NYSDOT AVERAGE WEEKDAY HOURLY TRAFFIC VOLUMES

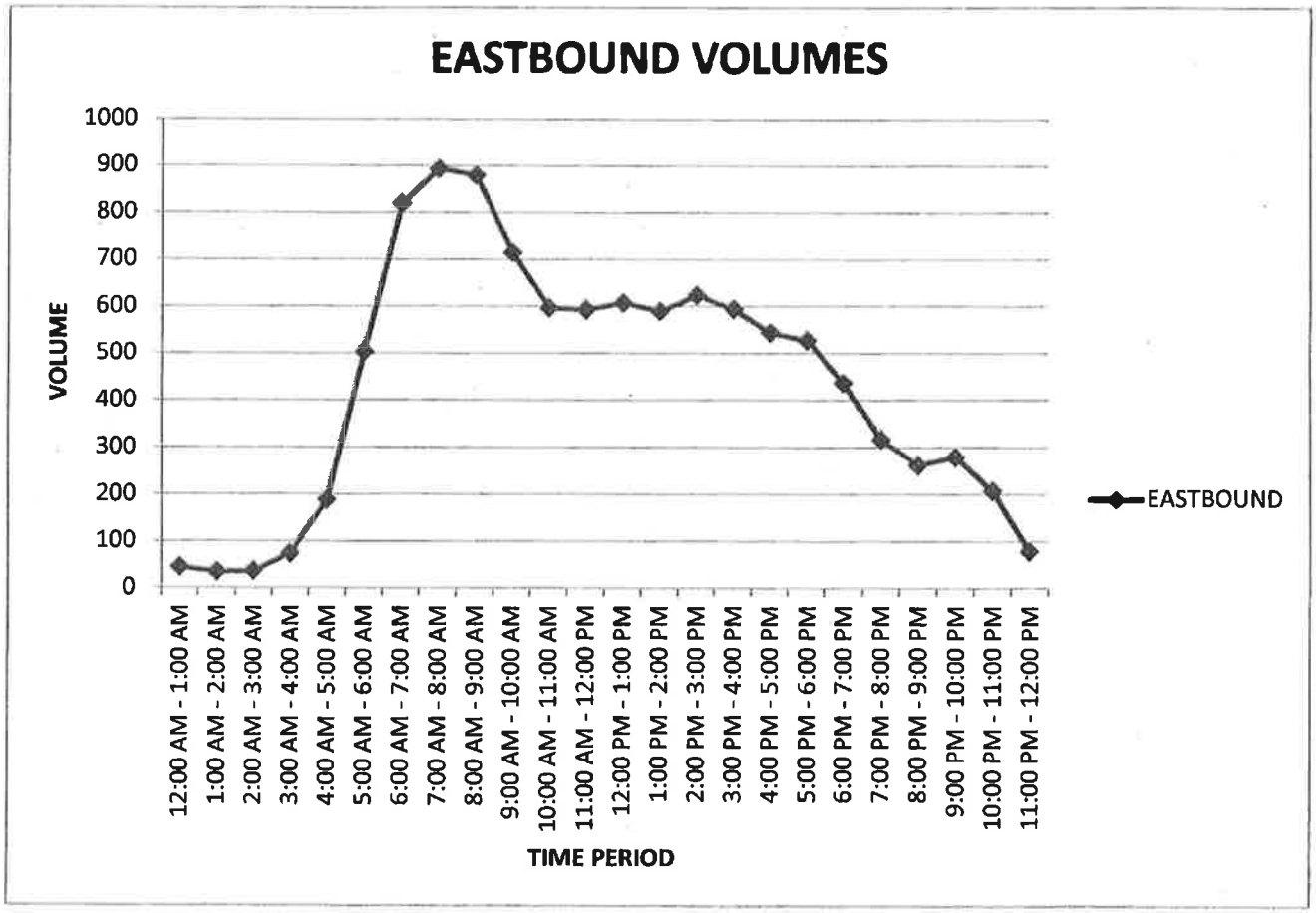
	EASTBOUND	WESTBOUND	TOTAL
12:00 AM - 1:00 AM	45	162	207
1:00 AM - 2:00 AM	35	94	129
2:00 AM - 3:00 AM	37	39	76
3:00 AM - 4:00 AM	74	35	109
4:00 AM - 5:00 AM	189	30	219
5:00 AM - 6:00 AM	504	55	559
6:00 AM - 7:00 AM	820	161	981
7:00 AM - 8:00 AM	895	351	1246
8:00 AM - 9:00 AM	881	461	1342
9:00 AM - 10:00 AM	716	496	1212
10:00 AM - 11:00 AM	598	503	1101
11:00 AM - 12:00 PM	594	588	1182
12:00 PM - 1:00 PM	609	569	1178
1:00 PM - 2:00 PM	591	558	1149
2:00 PM - 3:00 PM	625	710	1335
3:00 PM - 4:00 PM	595	824	1419
4:00 PM - 5:00 PM	545	913	1458
5:00 PM - 6:00 PM	528	937	1465
6:00 PM - 7:00 PM	437	832	1269
7:00 PM - 8:00 PM	317	579	896
8:00 PM - 9:00 PM	263	442	705
9:00 PM - 10:00 PM	280	432	712
10:00 PM - 11:00 PM	208	306	514
11:00 PM - 12:00 PM	79	239	318

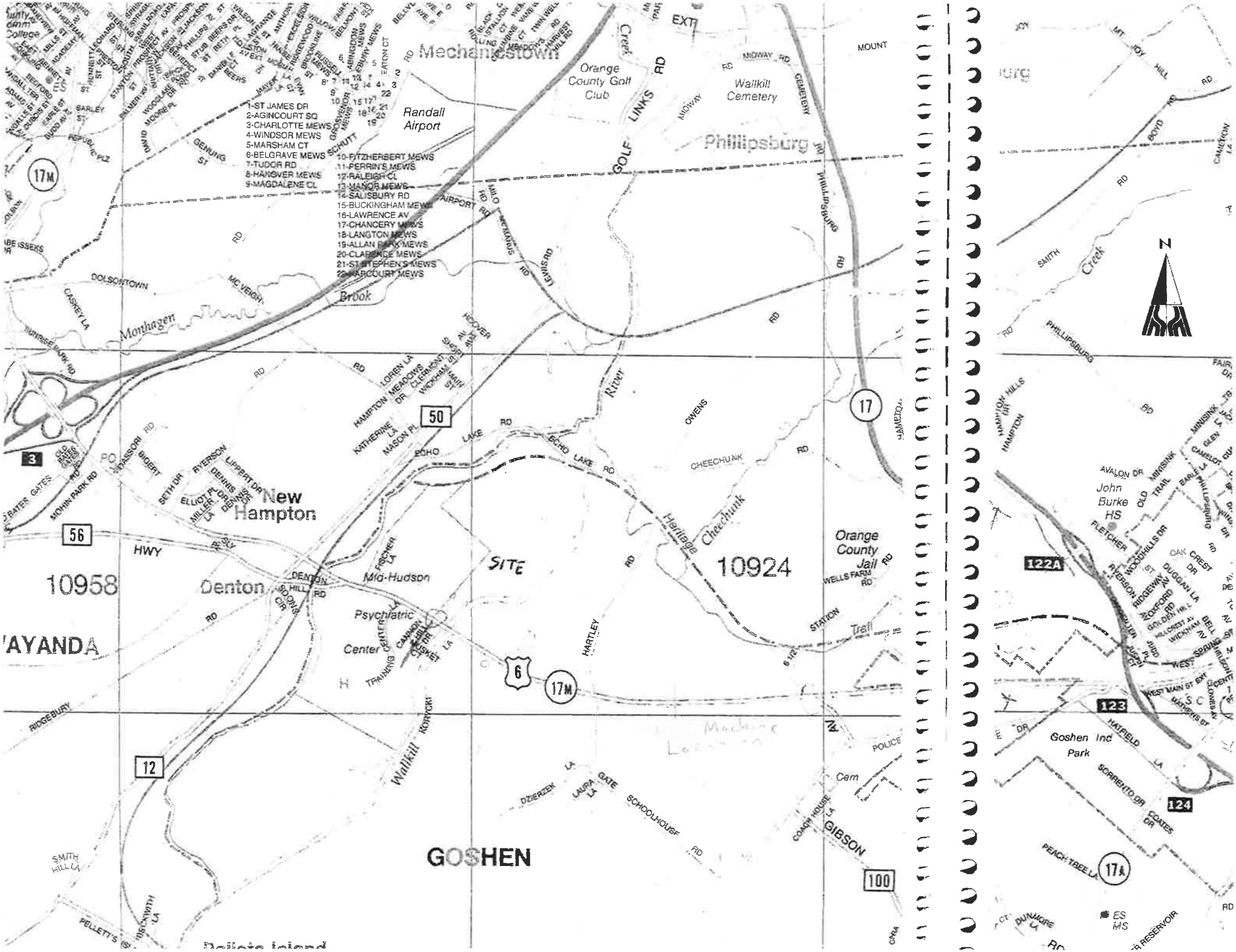
SOURCE: NEW YORK STATE DEPARTMENT OF TRANSPORTATION TRAFFIC COUNT HOURLY REPORT DATED JULY 14 THROUGH 19, 2010.


TOTAL VOLUMES
VOLUME
1600
1400
1200
1000
800
600
400
200
0
12:00 AM - 1:00 AM
1:00 AM - 2:00 AM
2:00 AM - 3:00 AM
3:00 AM - 4:00 AM
4:00 AM - 5:00 AM
5:00 AM - 6:00 AM
6:00 AM - 7:00 AM
7:00 AM - 8:00 AM
8:00 AM - 9:00 AM
9:00 AM - 10:00 AM
10:00 AM - 11:00 AM
11:00 AM - 12:00 PM
12:00 PM - 1:00 PM
1:00 PM - 2:00 PM
2:00 PM - 3:00 PM
3:00 PM - 4:00 PM
4:00 PM - 5:00 PM
5:00 PM - 6:00 PM
6:00 PM - 7:00 PM
7:00 PM - 8:00 PM
8:00 PM - 9:00 PM
9:00 PM - 10:00 PM
10:00 PM - 11:00 PM
11:00 PM - 12:00 PM
TIME PERIOD
TOTAL


SUMMARY OF AVERAGE WEEKDAY HOURLY TRAFFIC VOLUMES
VOLUME
1600
1400
1200
1000
800
600
400
200
0
12:00 AM - 1:00 AM
2:00 AM - 3:00 AM
4:00 AM - 5:00 AM
6:00 AM - 7:00 AM
8:00 AM - 9:00 AM
10:00 AM - 11:00 AM
12:00 PM - 1:00 PM
2:00 PM - 3:00 PM
4:00 PM - 5:00 PM
6:00 PM - 7:00 PM
8:00 PM - 9:00 PM
10:00 PM - 11:00 PM
TIME PERIOD
EASTBOUND
WESTBOUND
TOTAL


WESTBOUND VOLUMES
VOLUME
1000
900
800
700
600
500
400
300
200
100
0
12:00 AM - 1:00 AM
1:00 AM - 2:00 AM
2:00 AM - 3:00 AM
3:00 AM - 4:00 AM
4:00 AM - 5:00 AM
5:00 AM - 6:00 AM
6:00 AM - 7:00 AM
7:00 AM - 8:00 AM
8:00 AM - 9:00 AM
9:00 AM - 10:00 AM
10:00 AM - 11:00 AM
11:00 AM - 12:00 PM
12:00 PM - 1:00 PM
1:00 PM - 2:00 PM
2:00 PM - 3:00 PM
3:00 PM - 4:00 PM
4:00 PM - 5:00 PM
5:00 PM - 6:00 PM
6:00 PM - 7:00 PM
7:00 PM - 8:00 PM
8:00 PM - 9:00 PM
9:00 PM - 10:00 PM
10:00 PM - 11:00 PM
11:00 PM - 12:00 PM
TIME PERIOD
WESTBOUND


EASTBOUND VOLUMES
VOLUME
1000
900
800
700
600
500
400
300
200
100
0
12:00 AM - 1:00 AM
1:00 AM - 2:00 AM
2:00 AM - 3:00 AM
3:00 AM - 4:00 AM
4:00 AM - 5:00 AM
5:00 AM - 6:00 AM
6:00 AM - 7:00 AM
7:00 AM - 8:00 AM
8:00 AM - 9:00 AM
9:00 AM - 10:00 AM
10:00 AM - 11:00 AM
11:00 AM - 12:00 PM
12:00 PM - 1:00 PM
1:00 PM - 2:00 PM
2:00 PM - 3:00 PM
3:00 PM - 4:00 PM
4:00 PM - 5:00 PM
5:00 PM - 6:00 PM
6:00 PM - 7:00 PM
7:00 PM - 8:00 PM
8:00 PM - 9:00 PM
9:00 PM - 10:00 PM
10:00 PM - 11:00 PM
11:00 PM - 12:00 PM
TIME PERIOD
EASTBOUND


Mechanicstown
Orange County Golf Club
Randall Airport
Phillipsburg
Wallkill Cemetery
1-ST JAMES DR
2-AGINCOURT SQ
3-CHARLOTTE MEWS
4-WINDSOR MEWS
5-MARSHAM CT
6-BELGRAVE MEWS
7-TUDOR RD
8-HANOVER MEWS
9-MAGDALENE CL
10-FITZHERBERT MEWS
11-PERRIN'S MEWS
12-RALEIGH CL
13-MANOR MEWS
14-SALISBURY RD
15-BUCKINGHAM MEWS
16-LAWRENCE AV
17-CHANCERY MEWS
18-LANGTON MEWS
19-ALLAN PARK MEWS
20-CLARENCE MEWS
21-ST STEPHEN'S MEWS
22-HARCOURT MEWS
Monhagen Brook
New Hampton
10958
Denton
10924
SITE
Mid-Hudson Psychiatric Center
Orange County Jail
Heritage Cheechunk Trail
Wallkill
GOSHEN
Pellets Island
John Burke HS
Goshen Inc Park
N

STATION: **830019**

New York State Department of Transportation

Traffic Count Hourly Report

ROUTE #: US 6 ROAD NAME:
DIRECTION: Eastbound FACTOR GROUP: 30
STATE DIR CODE: 1 WK OF YR: 29
DATE OF COUNT: 07/14/2010
NOTES LANE 1: WK 29 EB

COUNT TAKEN BY: ORG CODE: TST INITIALS: —

FROM: CR 12 LOWER RD
REC. SERIAL #: 0059
PLACEMENT: 1.5 MI W OF RT 17 OLAP
@ REF MARKER: 6 83012173
ADDL DATA:
COUNT TYPE: AXLE PAIRS
PROCESSED BY: ORG CODE: DOT INITIALS: jh

TO: START RT 17 OLAP GOSHEN
FUNC. CLASS: 16
NHS: no
JURIS: NYS Parks, Rec, & Hist. Pres
CC Stn:
BATCH ID: R08-R08CWW29bVol

COUNTY: Orange
TOWN: GOSHEN
LION#:
SIN: 1003130
RR CROSSING:
HPMS SAMPLE:

DATE	DAY	12 TO 1 AM	1 TO 2 AM	2 TO 3 AM	3 TO 4 AM	4 TO 5 AM	5 TO 6 AM	6 TO 7 AM	7 TO 8 AM	8 TO 9 AM	9 TO 10 AM	10 TO 11 AM	11 TO 12 AM	12 TO 1 PM	1 TO 2 PM	2 TO 3 PM	3 TO 4 PM	4 TO 5 PM	5 TO 6 PM	6 TO 7 PM	7 TO 8 PM	8 TO 9 PM	9 TO 10 PM	10 TO 11 PM	11 TO 12 PM	DAILY TOTAL	DAILY HIGH COUNT	DAILY HIGH HOUR
1	T																											
2	F																											
3	S																											
4	S																											
5	M																											
6	T																											
7	W																											
8	T																											
9	F																											
10	S																											
11	S																											
12	M																											
13	T																											
14	W													632	626	659	559	512	552	430	317	256	273	199	82			
15	T	44	36	32	71	192	547	828	909	919	734	621	601	605	589	625	610	578	549	492	350	301	295	223	77	10828	919	8
16	F	46	36	43	79	191	476	785	859	834	722	620	607	589	616	647	636	536	519	433	345	291	268	203	122	10503	859	7
17	S	65	43	34	39	76	162	291	324	425	486	505	624	596	573	560	515	464	482	412	325	345	321	268	171	8106	624	11
18	S	87	86	36	36	62	123	179	180	283	391	421	518	601	649	609	607	652	625	614	577	495	432	302	151	8716	652	16
19	M	62	30	42	78	210	574	883	960	928	726	581	600	616	586	621	642	569	506	410	298	245						
20	T																											
21	W																											
22	T																											
23	F																											
24	S																											
25	S																											
26	M																											
27	T																											
28	W																											
29	T																											
30	F																											
31	S																											

AVERAGE WEEKDAY HOURS (Axle Factored, Mon 6AM to Fri Noon)

12 TO 1 AM	1 TO 2 AM	2 TO 3 AM	3 TO 4 AM	4 TO 5 AM	5 TO 6 AM	6 TO 7 AM	7 TO 8 AM	8 TO 9 AM	9 TO 10 AM	10 TO 11 AM	11 TO 12 AM	12 TO 1 PM	1 TO 2 PM	2 TO 3 PM	3 TO 4 PM	4 TO 5 PM	5 TO 6 PM	6 TO 7 PM	7 TO 8 PM	8 TO 9 PM	9 TO 10 PM	10 TO 11 PM	11 TO 12 PM	ADT
44	35	37	74	189	504	820	895	881	716	598	594	609	591	625	595	545	528	437	317	263	280	208	79	10464

DAYS Counted	HOURS Counted	WEEKDAYS Counted	WEEKDAY Hours	AVERAGE WEEKDAY High Hour	AVERAGE WEEKDAY % of day	Axle Adj. Factor	Seasonal/Weekday Adjustment Factor	ESTIMATED (one way)
6	129	3	63	895	9%	0.985	1.093	AADT 9574

ROUTE #US 6 ROAD NAME:
STATION: 830019 STATE DIR CODE: 1

FROM: CR 12 LOWER RD
PLACEMENT: 1.5 MI W OF RT 17 OLAP

TO: START RT 17 OLAP GOSHEN

COUNTY: Orange
DATE OF COUNT: 07/14/2010

STATION: **830019**

New York State Department of Transportation

Traffic Count Hourly Report

ROUTE #: US 6 ROAD NAME:
DIRECTION: Westbound FACTOR GROUP: 30
STATE DIR CODE: 2 WK OF YR: 29
DATE OF COUNT: 07/14/2010
NOTES LANE 1: WK 29 WB

COUNT TAKEN BY: ORG CODE: TST INITIALS: —

FROM: CR 12 LOWER RD
REC. SERIAL #: 0059
PLACEMENT: 1.5 MI W OF RT 17 OLAP
@ REF MARKER: 6 83012173
ADDL DATA:
COUNT TYPE: AXLE PAIRS
PROCESSED BY: ORG CODE: DOT INITIALS: jh

TO: START RT 17 OLAP GOSHEN
FUNC. CLASS: 16
NHS: no
JURIS: NYS Parks, Rec, & Hist. Pres
CC Stn:
BATCH ID: R08-R08CWW29bVol

COUNTY: Orange
TOWN: GOSHEN
LION#:
SIN: 1003130
RR CROSSING:
HPMS SAMPLE:

DATE	DAY	12 TO 1 AM	1 TO 2 AM	2 TO 3 AM	3 TO 4 AM	4 TO 5 AM	5 TO 6 AM	6 TO 7 AM	7 TO 8 AM	8 TO 9 AM	9 TO 10 AM	10 TO 11 AM	11 TO 12 AM	12 TO 1 PM	1 TO 2 PM	2 TO 3 PM	3 TO 4 PM	4 TO 5 PM	5 TO 6 PM	6 TO 7 PM	7 TO 8 PM	8 TO 9 PM	9 TO 10 PM	10 TO 11 PM	11 TO 12 PM	DAILY TOTAL	DAILY HIGH COUNT	DAILY HIGH HOUR
1	T																											
2	F																											
3	S																											
4	S																											
5	M																											
6	T																											
7	W																											
8	T																											
9	F																											
10	S																											
11	S																											
12	M																											
13	T																											
14	W													596	594	683	832	912	967	844	586	440	395	270	208			
15	T	131	98	43	35	33	50	162	375	494	540	506	536	584	572	750	872	927	944	850	640	522	483	352	278	10777	944	17
16	F	198	92	36	37	27	63	168	342	441	496	584	660	641	711	782	939	996	978	706	645	494	449	358	324	11167	996	16
17	S	249	126	75	59	28	51	84	250	363	458	611	620	579	608	669	627	564	514	428	363	371	337	334	290	8658	669	14
18	S	139	135	65	41	29	33	72	152	164	324	351	444	460	472	468	429	410	377	346	366	337	292	235	194	6335	472	13
19	M	95	66	40	30	32	48	160	350	468	475	444	594	553	535	730	807	942	943	840	538	384						
20	T																											
21	W																											
22	T																											
23	F																											
24	S																											
25	S																											
26	M																											
27	T																											
28	W																											
29	T																											
30	F																											
31	S																											

AVERAGE WEEKDAY HOURS (Axle Factored, Mon 6AM to Fri Noon)

162	94	39	35	30	55	161	351	461	496	503	588	569	558	710	824	913	937	832	579	442	432	306	239

ADT 10316

DAYS Counted	HOURS Counted	WEEKDAYS Counted	WEEKDAY Hours	AVERAGE WEEKDAY High Hour	AVERAGE WEEKDAY % of day	Axle Adj. Factor	Seasonal/Weekday Adjustment Factor	ESTIMATED (one way)
6	129	3	63	937	9%	0.985	1.093	**AADT 9438**

ROUTE #US 6 ROAD NAME:
STATION: 830019 STATE DIR CODE: 2

FROM: CR 12 LOWER RD
PLACEMENT: 1.5 MI W OF RT 17 OLAP

TO: START RT 17 OLAP GOSHEN

COUNTY: Orange
DATE OF COUNT: 07/14/2010

AMY'S KITCHEN

APPENDIX C

LEVEL OF SERVICE STANDARDS

LEVEL OF SERVICE STANDARDS

LEVEL OF SERVICE FOR SIGNALIZED INTERSECTIONS

Level of Service (LOS) can be characterized for the entire intersection, each intersection approach, and each lane group. Control delay alone is used to characterize LOS for the entire intersection or an approach. Control delay and volume-to-capacity (v/c) ratio are used to characterize LOS for a lane group. Delay quantifies the increase in travel time due to traffic signal control. It is also a measure of driver discomfort and fuel consumption. The volume-to-capacity ratio quantifies the degree to which a phase's capacity is utilized by a lane group.

LOS A describes operations with a control delay of 10 s/veh or less and a volume-to-capacity ratio no greater than 1.0. This level is typically assigned when the volume-to-capacity ratio is low and either progression is exceptionally favorable or the cycle length is very short. If it is due to favorable progression, most vehicles arrive during the green indication and travel through the intersection without stopping.

LOS B describes operations with control delay between 10 and 20 s/veh and a volume-to-capacity ratio no greater than 1.0. This level is typically assigned when the volume-to-capacity ratio is low and either progression is highly favorable or the cycle length is short. More vehicles stop than with LOS A.

LOS C describes operations with control delay between 20 and 35 s/veh and a volume-to-capacity ratio no greater than 1.0. This level is typically assigned when progression is favorable or the cycle length is moderate.

LOS D describes operations with control delay between 35 and 55 s/veh and a volume-to-capacity ratio no greater than 1.0. This level is typically assigned when the volume-to-capacity ratio is high and either progression is ineffective or the cycle length is long.

LOS E describes operations with control delay between 55 and 80 s/veh and a volume-to-capacity ratio no greater than 1.0. This level is typically assigned when the volume-to-capacity ratio is high, progression is unfavorable, and the cycle length is long.

LOS F describes operations with control delay exceeding 80 s/veh or a volume-to-capacity ratio greater than 1.0. This level is typically assigned when the volume-to-capacity ratio is very high, progression is very poor, and the cycle length is long.

A lane group can incur a delay less than 80 s/veh when the volume-to-capacity ratio exceeds 1.0. This condition typically occurs when the cycle length is short, the signal progression is favorable, or both. As a result, both the delay and volume-to-capacity ratio are considered when lane group LOS is established. A ratio of 1.0 or more indicates that cycle capacity is fully utilized and represents failure from a capacity perspective (just as delay in excess of 80 s/veh represents failure from a delay perspective).

The Level of Service Criteria for signalized intersections are given in Exhibit 18-4 from the *2010 Highway Capacity Manual* published by the Transportation Research Board.

Exhibit 18-4

	LOS by Volume-to-Capacity Ratio	
Control Delay (s/veh)	**v/c ≤1.0**	**v/c >1.0**
≤10	A	F
>10-20	B	F
>20-35	C	F
>35-55	D	F
>55-80	E	F
>80	F	F

For approach-based and intersection wide assessments, LOS is defined solely by control delay.

LEVEL OF SERVICE CRITERIA
FOR TWO-WAY STOP-CONTROLLED (TWSC) UNSIGNALIZED INTERSECTIONS

Level of Service (LOS) for a two-way stop-controlled (TWSC) intersection is determined by the computed or measured control delay. For motor vehicles, LOS is determined for each minor-street movement (or shared movement) as well as major-street left turns. LOS is not defined for the intersection as a whole or for major-street approaches.

The Level of Service Criteria for TWSC unsignalized intersections are given in Exhibit 19-1 from the *2010 Highway Capacity Manual* published by the Transportation Research Board.

Exhibit 19-1

	LOS by Volume-to-Capacity Ratio	
Control Delay (s/veh)	**v/c ≤1.0**	**v/c >1.0**
0-10	A	F
>10-15	B	F
>15-25	C	F
>25-35	D	F
>35-50	E	F
>50	F	F

The LOS criteria apply to each lane on a given approach and to each approach on the minor street. LOS is not calculated for major-street approaches or for the intersection as a whole.

As Exhibit 19-1 notes, LOS F is assigned to the movement if the volume-to-capacity ratio for the movement exceeds 1.0, regardless of the control delay.

The Level of Service Criteria for unsignalized intersections are somewhat different from the criteria for signalized intersections.

LEVEL OF SERVICE CRITERIA
FOR ALL-WAY STOP-CONTROLLED (AWSC) UNSIGNALIZED INTERSECTIONS

The Levels of Service (LOS) for all-way stop-controlled (AWSC) intersections are given in Exhibit 20-2. As the exhibit notes, LOS F is assigned if the volume-to-capacity (v/c) ratio of a lane exceeds 1.0, regardless of the control delay. For assessment of LOS at the approach and intersection levels, LOS is based solely on control delay.

The Level of Service Criteria for AWSC unsignalized intersections are given in Exhibit 20-2 from the *2010 Highway Capacity Manual* published by the Transportation Research Board.

Exhibit 20-2

	LOS by Volume-to-Capacity Ratio	
Control Delay (s/veh)	**v/c ≤1.0**	**v/c >1.0**
0-10	A	F
>10-15	B	F
>15-25	C	F
>25-35	D	F
>35-50	E	F
>50	F	F

For approaches and intersection wide assessment, LOS is defined solely by control delay.

AMY'S KITCHEN

APPENDIX D

CAPACITY ANALYSIS

(SYNCHRO Analysis Printouts Available upon Request)