STATE ENVIRONMENTAL QUALITY REVIEW

FINDINGS STATEMENT

Pursuant to Article 8 (State Environmental Quality Review Act - SEQRA) of the Environmental Conservation Law and 6 NYCRR Part 617, the Town of Goshen Planning Board (the "Planning Board") as the Lead Agency makes the following findings.

Name of Action: Amy's Kitchen and Science of the Soul

Project Sponsor: Amy's Kitchen, Inc.
1650 Corporate Circle, Suite 200
Petaluma, CA 94955
Contact: Mark Rudolph, CFO
Phone: (707) 781-7618

Agency Jurisdiction: The Town of Goshen Planning Board is acting as Lead Agency under SEQRA for the Proposed Action. The Planning Board is an Involved Agency because the applicant must obtain site plan and special permit approval from the Planning Board.

SEQRA Classification: Type I Action

Date Final FEIS Filed: September 30, 2016

DESCRIPTION OF ACTION

Amy's Kitchen, Inc. ("Amy's Kitchen") proposes to construct an approximately 369,000 square-foot food manufacturing facility on an approximately 60.1-acre property located on Hartley Road in the Town of Goshen, New York.

Science of the Soul ("SoS") proposes to construct a conference center comprising an approximately 200,000 square-foot open-air pavilion with four (4) associated restroom buildings (approximately 5,000 square feet each); one (1) two-story approximately 80,000 square-foot Multi-Purpose/Family Area Building; one (1) two-story approximately 38,000 square-foot Central Building; one (1) one-story approximately 8,000 square-foot Maintenance Barn; two (2) Caretaker Residences, approximately 2,400 square feet each; one (1) approximately 4,500 square-foot Guest House (collectively herein referred to as the "Conference Center"); and associated pervious and impervious parking areas to accommodate approximately 2,043 cars and 130 buses on an approximately 195-acre property located on NYS Route 17M and Echo Lake Road in the Town of Goshen, New York.

A potential Warehouse Use on an approximately 11.6-acre subdivided parcel on Hartley Road is also contemplated.

The two entities, Amy's Kitchen and SoS have agreed to collaborate on the preparation of State Environmental Quality Review Act (SEQRA) compliance documents and to share certain access, water supply, and wastewater treatment infrastructure. The Amy's Kitchen manufacturing facility, the SoS Conference Center, and the Warehouse Use (which is being studied for SEQRA purposes, but not for approval purposes), together with private water supply line and wastewater force-main connected to the City of Middletown, comprise the "Project." Six tax parcels located in the Town of Goshen, New York, totaling approximately 374.14 acres, comprise the project site ("Project Site").

DESCRIPTION OF PROJECT LOCATION

PROJECT SITE

The Project Site is located in the Town of Goshen north of New York State Route 17M ("NYS Route 17M"), east of the Town of Wawayanda, west of the Village of Goshen, and south of the West Hills Country Club. The Project Site comprises four (4) properties (six tax parcels) totaling approximately 374 acres in the Town of Goshen, Orange County, New York (see **Table 1**). The Project Site is bisected in a north-south direction by the Wallkill River and generally lies south of Echo Lake Road and the future Orange County Heritage Trail ("Heritage Trail") extension west of Hartley Road, although portions of the Project Site lie north of Echo Lake Road and the Heritage Trail.

Table 1
Properties Comprising the Project Site

Property	Address	SBL	Zoning[1]	Acres	Proposed Use
Amy's Kitchen Properties					
Ver Hage property[2]	111 Hartley Road	12-1-1.222	I	54.6	Manufacturing Facility and Conservation Easement
	103 Hartley Road	12-1-19.2	I	17.1	Manufacturing Facility and Conservation Easement
Lipoff property (east)	12 Echo Lake Road	12-1-1.41	RU	11.8	Conservation Easement
Science of the Soul Properties					
Echo Lake property	41 Echo Lake Road	12-1-24.2	CO, I, and RU	172.9	SoS Conference Center and Conservation Easement
	2832 NYS Route 17M	12-1-23.2	I	21.7	Access Road and Conservation Easement
Strong Farm property	212 Cheechunk Road	10-1-11.2	RU	96	Maintain Existing Residential and Agricultural Uses, Temporary Parking
TOTAL				374.1	

Notes:

1. Town of Goshen Zoning Designations: Commercial/Office Mixed-Use (CO); Industrial (I); and Rural (RU).
2. It is anticipated that approximately 11.6 acres of this property will be subdivided off for use by Mr. Ver Hage. This will leave approximately 60.1acres for use by Amy's Kitchen. The subdivision is not a part of this application.

ADDITIONAL AREAS

Two (2) additional areas required for improvements are related to the Project, but will not be owned or controlled by either Amy's Kitchen or SoS.

Access Road Improvement Area

The Project involves a land transfer of an approximately 8.2 acre portion of SBL 12-1-101 from the State of New York to the Town of Goshen to construct an access road from NYS Route 17M into the main portion of the Echo Lake property. A small area of land on the south side of NYS Route 17M owned by New York State will also be affected to allow for re-alignment of Training Center Lane. This property will remain in its current ownership.

Heritage Trail Utility Corridor

A portion of the Heritage Trail from the Project Site west to the City of Middletown wastewater treatment plant will be occupied by a water supply line and wastewater force-main to serve the Project. This "utility corridor" was considered a secondary study area for purposes of analysis in the EIS. The Heritage Trail will remain in the ownership of Orange County (from Hartley Road west to the original Wallkill River channel) and the City of Middletown (from the original Wallkill River channel west to the City of Middletown) and utility easements will be required as part of the Project (see **Table 2**). The water supply line and wastewater force-main serving the Project will also traverse two (2) short sections not owned by either Orange County or the City of Middletown. An approximately 120 foot section of the utility corridor traverses the Interstate 84 (I-84) right-of-way and will require a Use and Occupancy Permit from New York State Department of Transportation (NYSDOT). An approximately 50 foot section of the utility corridor, between the Heritage Trail and the City of Middletown wastewater treatment plant (WWTP) traverses a portion of property owned by Orange & Rockland Utilities. A utility easement will also be required from Orange & Rockland Utilities as part of the Project. Finally, the Applicant will be required to obtain street opening permits from the Town of Wawayanda where the proposed water supply line and wastewater force-main cross underneath Town streets.

Table 2
Properties Comprising the Utility Corridor

Owner	Address	Tax ID	Land Use
City of Middletown	159 Dolson Ave, Middletown, NY 10940	49-1-8	WWTP
Orange and Rockland Utilities, Inc.	71 Dolson Ave, Middletown, NY 10940	49-1-3 and 1-1-3.1	Electrical Substation*
City of Middletown	Dolsontown Rd, Wawayanda, NY 10973	1-1-4.11 and 1-1-4.12	Heritage Trail Right of Way
City of Middletown	County Rt 50, Wawayanda, NY 10973	3-3-6 and 6-1-10	Heritage Trail Right of Way
City of Middletown	103 Fischer Ln, Goshen NY 10924	12-1-7.11	Heritage Trail Right of Way
County of Orange	45 6 1/2 Station Rd, Goshen NY 10924	12-1-7.12	Heritage Trail Right of Way

Notes: * -- No improvements are proposed within the electrical substation. Project utility lines will run in unimproved portions of these properties.
Sources: Orange County Tax Maps.

CONSERVATION PROPERTIES

In addition to the properties above, the Applicant has identified properties for inclusion in a Conservation Easement as part of an offset for indirect impacts to threatened and endangered bat species. **Table 3** lists the three (3) additional parcels. These parcels include an additional approximately 14.4-acre tax parcel (SBL 12-1-1.5 – the western portion of the "Lipoff" property) already owned by an entity affiliated with Amy's Kitchen, an additional approximately 5.3-acre parcel (SBL 12-1-1.3) north of the Ver Hage property and south of Echo Lake Road that is soon to be under contract to purchase from Al Turi Landfill, Inc., and an approximately 8.1 acre portion of the Echo Lake property located in the Town of Wawayanda.

Table 3
Conservation Properties

Property	Address	SBL	Zoning[1]	Acres	Proposed Use
Hartley Road property	121 Hartley Road	12-1-1.3	I	5.3	Conservation Easement
Lipoff property (west)	38 Echo Lake Road	12-1-1.5	RU	14.4	Conservation Easement
Wawayanda property	Echo Lake Road	1-1-40	SR	8.1[2]	Conservation Easement
TOTAL				**27.8**	

Notes:

1 Town of Goshen Zoning Designations: Commercial/Office Mixed-Use (CO); Industrial (I); and Rural (RU). Town of Wawayanda Zoning Designation: Suburban Residential (SR).

2 The total acreage of this tax parcel is 12.1 acres. However, an approximately four (4) acre portion of the property will be reserved for potential future residential use.

SEQRA PROCESS

A Draft Environmental Impact Statement (DEIS) was prepared by the Applicant pursuant to the State Environmental Quality Review Act (SEQRA) (Article 8 of Environmental Conservation Law) and its implementing regulations (6 NYCRR Part 617). The DEIS analyzed potential environmental impacts from the Project. The Town of Goshen Planning Board (acting as Lead Agency) issued a Notice of Completion for the DEIS on April 21, 2016.

A duly noticed public hearing on the DEIS was held by the Lead Agency on May 31, 2016, for purpose of hearing any public comment on the DEIS. Written comments were accepted for a period of no less than 10 days following the close of the public hearing and ending on June 10, 2016. The DEIS was made accessible on the Town of Goshen's website and in hard-copy format in Town Hall and the Town Library.

Pursuant to 6 NYCRR Part 617 (specifically § 617.9(b)(8)), an FEIS was prepared to provide Lead Agency responses to the substantive public comments (both written and verbal) made on the DEIS during the public hearings and formal comment period. SEQRA allows for, and in principle encourages, modifications to projects to be made by an applicant in response to public comment on the DEIS, so long as those modifications, and any potential environmental impacts of those modifications, are described and analyzed in the FEIS.

As part of the FEIS, the Applicant made several minor modifications to the Project that are responsive to the substantive comments made during the public review period and that further avoid or mitigate potential environmental impacts. These include:

- Realignment of the proposed site access road from NYS Route 17M;
- Adjustment of the proposed property line of property to be transferred from NYSOMH to the Town of Goshen to accommodate the realignment of the access road;
- Modifications to the emergency access entrances on Hartley Road;
- Development of additional detail for the on-site wastewater pre-treatment plant serving the Amy's Kitchen manufacturing facility;
- Advancement of design drawings for the proposed Wallkill River bridge;

- Relocation of the proposed Guest House and a reduction in the length of the driveway to reach the Guest House on the SoS property;
- Identification of certain properties to be included in either a Conservation Easement to offset indirect impacts to habitat of the Indiana bat and northern long-eared bat;
- Addition of 27.8 acres of new conservation land; and
- Refinement of the overall Project construction schedule.

The Planning Board deemed the FEIS complete on September 28, 2016 and the FEIS was filed on September 30, 2016. The Planning Board designated September 30, 2016 through close of business on October 11, 2016 as the time period for the agencies and public to consider and comment upon the FEIS.

STATEMENT OF FACTS AND FINDINGS

Identified impacts and corresponding mitigation measures follow in the order as presented in the EIS.

GEOLOGY AND SOILS

Potential Impacts

The Project will disturb site geology and soils, which could result in erosion. Using data obtained from the Orange County Soil Survey as well as geotechnical studies of the Project Site, the existing geology and soil resources within the Project Site were characterized. The geologic analysis considered both bedrock and unconsolidated surficial deposits. The soils analysis considered the uppermost layer of the ground, which has been exposed to climatic and erosive forces.

Mitigation Findings

The analysis determined that with the implementation of the measures described below, including the measures identified for removal of rock and the Stormwater Pollution and Prevention and Erosion and Sediment control measures, there will be no significant adverse impacts to existing geology and soils. The existing geology and soils are capable of supporting the Project.

On the Ver Hage property, groundwater was encountered ranging between 14.5 feet below existing ground level to 19.7 feet below existing ground level. Bedrock was not encountered at maximum depths explored on the Ver Hage property. Therefore, blasting is not anticipated to be required during construction.

On the Echo Lake property, groundwater was encountered ranging from one (1) foot below existing ground level to 43 feet below existing ground level. Some shallow groundwater was assumed to be perched on top of less pervious soil or rock layers. Bedrock was not encountered at maximum depths explored anywhere on the Echo Lake property, therefore blasting is not anticipated to be required during construction. Relatively large boulders were encountered that will likely require hydraulic jackhammers for excavation. The removal of these boulders will not result in significant adverse impacts to geologic sources.

Should bedrock removal be required, standard construction equipment is typically sufficient to excavate or "rip" the bedrock. If the rock is less weathered and stronger, additional mechanical devices, such as a hydraulic hammer mounted on an excavator, may be required to break the rock down into removable size pieces for excavation. As a last resort, to break apart massive, strong, and fresh (non-weathered) bedrock, drill and blast operations shall be used if required to fragment the

rock so that it can be excavated. By using a combination of these techniques, rock excavation can be performed in a responsible manner.

If it is determined that blasting is necessary for bedrock removal on-site, it shall be carried out in conformance with all applicable State and local laws and regulations. To ensure compliance with the applicable laws and regulations, a site-specific blasting plan shall be developed and provided to the Town. This plan shall include schedules for blasting (day, hour, and duration), safety protocols associated with both blasting activities and the handling and transport of blasting materials, and measures to reduce noise-related impacts. Compliance with the blasting plan will minimize potential impacts associated with blasting.

The Project will require disturbance (removal of trees and other vegetation, movement of soil, excavation for building foundations and utility lines) of approximately 151 acres of the Project Site during construction. Soil impacts related to these activities include those related to limitations posed by the soil conditions on-site (e.g. shallow groundwater effects to building foundations and dewatering), increased potential for erosion and sedimentation which may impact water quality, and permanent loss of potentially valuable agricultural soils.

Two elements of the Proposed Project would result in changes to disturbance to geology and soils. The realigned access road would result in a different pattern of grading to the Access Road Improvement Area, but would not significantly change the amount of geology or soils to be disturbed. The reduced length of the SoS Guest House driveway would result in approximately 3.1 acres less of disturbance from grading activity.

Through the implementation of a New York State approved Stormwater Pollution Prevention Plan (SWPPP) and Erosion and Sediment Control Plan (ESCP), the Project will avoid any adverse impacts to soils. Principally through use of sedimentation and erosion control measures, the movement of soil downslope or downstream will be avoided. This will prevent detrimental impacts to receiving waters and wetlands. These measures shall be installed prior to construction, and shall be monitored and maintained constantly during construction. With the implementation of these measures, the Project will not result in any significant adverse impacts to geology or soils on or in the vicinity of the Project Site.

In all areas of land disturbance that would be landscaped post-construction, topsoil that has been removed from areas of development and stockpiled would be replaced as an appropriate planting medium. Outside of the specific areas of disturbance, no changes to plant species composition or coverage would occur from erosion or soil movement due to strict adherence to the erosion control specifications and post-construction stormwater management requirements contained in the SWPPP.

Protection from erosion and sedimentation would be provided through the use of a variety of measures.

- Construction entrances/exits would have a stabilized aggregate pad underlain with filter fabric to prevent construction vehicles from tracking sediment off-site. Stabilized construction entrances would be located at specific transition areas between concrete/asphalt to exposed earth.
- Silt fence would be installed on the down gradient edge of disturbed areas parallel to existing or proposed contours or along the property line as perimeter control. Silt fence would be used where stakes can be properly driven into the ground as per the Silt Fence detail in the New York State Standards and Specifications for Erosion and Sediment control.
- Silt fence controls sediment runoff where the soil has been disturbed by slowing the flow of water and encouraging the deposition of sediment before the water passes through silt fence. Built-up

sediment would be removed from silt fences when it had reached one-third the height of the bale/fence and properly disposed.

- Storm drain inlet protection would be installed at all inlets where the surrounding area has been disturbed. The inlet protection would be constructed in accordance with NYSDEC Standards and Specifications for Erosion and Sediment Control to pass stormwater through, but prevent silt and sediment from entering the drainage system.
- Stockpiled soil would be protected, stabilized, and sited in accordance with the NYSDEC Standards and Specifications for Erosion and Sediment Control, Soil Stockpile Detail. Soil stockpiles and exposed soil would be stabilized by seed, mulch, or other appropriate measures, when activities temporarily cease during construction for 7 days or more in accordance with NYSDEC requirements.
- During the clearing of vegetation and construction process, debris and any disturbed earth would be wetted down with water, if necessary to control dust. After construction activities, all disturbed areas would be covered and/or vegetated to provide for dust control on the site.
- In areas where demolition and construction activities, clearing, and grubbing have ceased, temporary seeding or permanent landscaping would be performed to control sediment-laden runoff and provide stabilization to control erosion during storm events. This temporary seeding/stabilization or permanent landscaping would be in place no later than 14 days after demolition and construction activity has ceased.
- A temporary pit would be constructed to trap and filter excessive water from excavations for pumping to a suitable discharge area. Sump pits would be constructed when water collects during the excavation phase of construction.
- Due to the depth of excavation for the building foundation and proximity to on-site watercourses and wetland areas, there may be areas of construction where the groundwater table would need to be intercepted and dewatering activities will take place. Site-specific practices and appropriate filtering devices would be employed by the contractors to avoid discharging turbid water to the surface waters of the State of New York.
- A sediment tank may be used in conjunction with other practices that would settle and filter the sediment from the stormwater runoff. The sediment tank is a compartmented tank to which sediment laden water is pumped to trap and retain the sediment. The purpose of the tank would be to trap and retain sediment and then discharge the water in accordance with NYSDEC requirements. In conjunction with the portable sediment tank, mechanical filtering devices may be necessary to filter out the finer particulates. A permit would likely be required for such activities. Therefore, the contractor would need to coordinate with the resident engineer.
- A perimeter dike/swale would be utilized to prevent off-site storm runoff from entering a disturbed area and to prevent sediment laden storm runoff from leaving the construction site or disturbed area. It would be used to convey stormwater runoff from the work area to a proposed sediment basin.
- Temporary sediment basins would be constructed to intercept sediment-laden runoff and filter the sediment laden stormwater runoff leaving disturbed areas to protect drainage ways, properties, and rights-of-way below the sediment basin. Sediment basins would be installed down gradient of construction operations which expose areas to soil erosion. The basin would be maintained until the disturbed area is protected against erosion by permanent stabilization.
- The Contractor would need to store construction and waste materials as far as practical from streams and wetlands. Where possible, materials shall be stored in a covered area to minimize any

potential runoff. The Contractor would need to incorporate storage practices to minimize exposure of the materials to stormwater. Spill prevention and response practices would be put in place where practicable. Prior to commencing any construction activities the contractor would need to obtain all necessary permits or verify that all permits had been obtained.

TOPOGRAPHY

Potential Impacts

Potential impacts to steep slopes are based on the potential for a project to cause soil erosion. Construction of the Project will require modifications to the natural topography of the Ver Hage property, the Echo Lake property, and the Access Road Improvement Area. Construction of the water supply and wastewater conveyance pipelines within the Heritage Trail Utility Corridor will not result in disturbance to any steep slopes. The Proposed Project will not result in any changes to the natural topography to the Strong Farm Parcel. The construction phasing plan for the Project will begin with clearing and grading of the access road from NYS Route 17M into the Echo Lake property, followed by the construction of the bridge over the Wallkill River. This will allow for excess material generated by clearing and grading on the Echo Lake property to be used on the Ver Hage property and for the entire Project Site to be roughly balanced between cut and fill as demonstrated in **Table 4** below.

Table 4
Cut and Fill Analysis

Science of the Soul		
Calculation to Final Grade Elevations		
Total Site Cut	(1,038,999)	CY
Total Site Fill	994,784	CY
Site Volume to Finished Grade	(44,215)	CY Cut to be removed from site
Imported materials needed for Construction	(84,337)	CY to be imported (Displaces site material)
SUBTOTAL SITE VOLUME	(128,552)	CY Cut to be removed from site
Excess material exported to Amy's Kitchen Site	128,552	CY
NET TOTAL SITE VOLUME	**0**	**CY Fill needed to balance site**
Amy's Kitchen **Calculation to Final Grade Elevations**		
Total Site Cut	(67,040)	CY
Total Site Fill	247,745	CY
Site Volume to Finished Grade	180,705	CY Fill needed on site
Imported materials needed for Construction	(51,553)	CY to be imported (Displaces site material)
SUBTOTAL SITE VOLUME	129,152	CY Fill needed on site
Excess material imported from Science of the Soul	(128,552)	CY
NET TOTAL SITE VOLUME	**600**	**CY Fill needed to balance site**
Source: Lanc & Tully		

Mitigation Findings

The Project shall utilize erosion and sedimentation protection measures to be designed to meet the requirements of Section 97-46, "Steep Slope Regulations" and Chapter 53, "Clearing and Grading

Control" of the Town Code. All erosion and sediment control plans will be reviewed by the Town of Goshen.

In addition, the Amy's Kitchen facility will disturb approximately three (3) acres of slopes between 10 to 25 percent, and less than 1 acre of slopes greater than 25 percent. The SoS Conference Center will disturb approximately 32 acres of slopes between 10 to 25 percent, and 8 acres of slopes greater than 25 percent.

The Town of Goshen Zoning Code § 97-46 requires specific conditions to be met for disturbance of slopes greater than 25 percent. These conditions include adequate erosion control and drainage measures; minimization of tree cutting and vegetation disturbance; minimization of road or driveway grades; and proper engineering review of plans and construction activities. In compliance with the Town's steep slopes ordinance, the Project will incorporate proper site grading techniques and erosion and sediment control measures. All plans for grading and retaining walls will be submitted for engineering review by the Town in conjunction with site plan approval.

Construction of the proposed Warehouse Use will require grading within the northeastern portion of the Ver Hage property. A site-specific grading plan has not been performed, so no cut and fill estimates are available for the warehouse use. That information shall be submitted along with the site plan application for the Warehouse Use. The topographic knob on the eastern side of the property near Hartley Road will be leveled, with material being used to build up a level base for the warehouse and its driveway and parking areas. Much of this material could be used to raise the base of the property's elevation above the 100-year floodplain; however, some export of fill material may result.

The Project will result in unavoidable adverse impacts to topography through clearing and grading activities. However, the following measures have been identified to minimize or mitigate those impacts such that they will not be significant adverse impacts. As discussed above, the Project shall utilize erosion and sedimentation protection measures to be designed to meet the requirements of Section 97-46, "Steep Slope Regulations" and Chapter 53, "Clearing and Grading Control" of the Town Code. All erosion control plans will be reviewed by the Town of Goshen. In addition, through the implementation of a New York State approved SWPPP, the Project will avoid any adverse impacts to topographic resources. Principally through use of sedimentation and erosion control measures, the movement of soil downslope or downstream will be avoided. This will prevent detrimental impacts to receiving waters and wetlands. These measures shall be installed prior to construction, and shall be monitored and maintained constantly during construction. With these measures in place, the Project will not result in any significant adverse impacts to topography.

WETLANDS AND SURFACE WATER RESOURCES

Potential Impacts

The Project Site is located adjacent to the Wallkill River, with the Echo Lake property on its western bank and the Ver Hage, Lipoff, and Strong Farm properties on the river's eastern bank. Cheechunk Creek is a second, smaller stream that crosses the Ver Hage and Lipoff properties, flowing from east-to-west and entering the Wallkill River at the Lipoff property. As such, the Project has the potential to impact wetlands and surface water resources.

The Proposed Project is located over a Principal Aquifer. A Principal Aquifer is defined in the NYSDEC Division of Water Technical & Operational Guidance Series (TOGS) 2.1.3 as "aquifers known to be highly productive or whose geology suggests abundant potential water supply, but which are not intensively used as sources of water supply by major municipal systems at the present time".

Historic use of neighboring properties has resulted in some groundwater contamination under the Ver Hage property.

Mitigation Findings

The Wallkill River adjacent to the Strong Farm property and the northernmost shoreline of the Lipoff property is classified as "B" and is regulated by the NYSDEC Protection of Waters Program, which requires permitting in accordance with this program for crossings (bridges) and disturbance to the stream's bed or banks out to a maximum distance of 50 feet. However, no development is proposed on either the Strong Farm or Lipoff properties. Therefore, the Project will not require a Protection of Waters permit.

A new stream crossing (bridge) is proposed between the Echo Lake and Ver Hage properties. The Wallkill River is classified as "C" between these two properties, therefore a Protection of Waters Permit is not required for this crossing. In addition, no disturbance/fill, such as bridge abutments, will be located in the FEMA-designated "floodway" mapped between these two properties. Therefore, the Project conforms to the requirements of the NFIP and Town Code Chapter 61A.

Potential federally-regulated and State-regulated wetlands along the Heritage Trail Utility Corridor have been identified. The proposed water supply line and wastewater force-main will run within the 100-foot adjacent area of two (2) NYSDEC mapped wetlands, and will require permits for adjacent area disturbance. However, there will be no direct impacts to NYSDEC-mapped wetlands. In the vicinity of the Middletown WWTP, a small wetland area (approximately 0.08 acres) will be avoided during the installation of the water supply line and wastewater force-main.

In total, the Project will result in unavoidable adverse impacts to approximately 4.1 acres of wetlands (0.081 acres of federally-regulated wetlands) through the construction of the Project (see **Table 5**). However, impacts to these wetlands are not considered significant and adverse as the majority of disturbance is to non-regulated isolated wetlands of limited ecological value. No impacts to surface waters have been identified.

Table 5
Federally Regulated Wetland Disturbance

Wetland	Temporary/ Permanent	Acres	Description of Disturbance
Wetland J Extension (Echo Lake Property)	Permanent	0.007	Access road
Wetland K (Echo Lake Property)	Permanent	0.054	Access road
Wetland J (Wallkill River)	Permanent	0.015	Slope armoring for bridge abutment on Echo Lake property
Wetland J (Wallkill River)	Temporary	0.005	Temporary construction period disturbance for bridge installation
Wetland J (Wallkill River)	Permanent	0.005	Slope armoring for bridge abutment on Ver Hage property
Wetland J (Wallkill River)	Temporary	0.004	Temporary construction period disturbance for bridge installation
Total Temporary Disturbance		0.009	
Total Permanent Disturbance		**0.081**	

Source: Lanc & Tully

The Proposed Project would fully conform to the impervious cover limitations of the Town's Zoning Code, including those portions of the site within the Aquifer Protection Overlay Zone. In this way, reductions in aquifer recharge from impervious surfaces associated with the Proposed Project will be kept to a minimum in order to avoid significant impacts to the Principal Aquifer.

The Project will conform to the floodplain development requirements of the Town of Goshen Chapter 61A, "Flood Damage Prevention," which implements the provisions of the National Flood Insurance Program (NFIP) at the Town level. No development is proposed in the designated "floodway" within the Wallkill River, and all development within the 100-year floodplain (Special Flood Hazard Area), including portions of the proposed Amy's Kitchen employee and visitor parking lots, will conform to the Town Code construction requirements in floodplains, including such measures as constructing the first-floor elevation of all buildings at or above the base flood elevation (BFE) or flood-proofing portions of structures that are below the BFE.

The proposed Warehouse Use will require approximately 4,634 cubic yards of fill to elevate the building above the base flood elevation of 373 feet above mean sea level. The volume of the area that was previously excavated to divert the Cheechunk Creek is approximately 5,936 cubic yards. Thus, there is more than sufficient volume to compensate for the proposed fill within the 100-year floodplain. Pursuant to Chapter 61A-14.B(3), "[w]henever any portion of a floodplain is authorized for development, the volume of space occupied by the authorized fill or structure below the base flood elevation shall be compensated for and balanced by a hydraulically equivalent volume of excavation taken from below the base flood elevation at or adjacent to the development site. All such excavations shall be constructed to drain freely to the watercourse. No area below the waterline of a pond or other body of water can be credited as a compensating excavation." Thus, compliance with Chapter 61A can be achieved with the suggested floodplain offset.

A SWPPP has been developed for the Amy's Kitchen manufacturing facility and SoS Conference Center. The implementation of the SWPPP will avoid any potential significant adverse stormwater impacts to surface water quality. These measures include the use of bio-retention areas, porous pavement, dry swales, and underground infiltration.

In addition, plan notes will be added addressing de-icing agents as well as development of an Operation and Maintenance Program (which is noted in the SWPPP and is completed once all long term treatment areas are installed). This will include use of less-damaging de-icing materials (calcium chloride, etc.) and proper storage and use of de-icing materials. The SWPPP will ensure that runoff from Project Site impervious surfaces will not adversely affect the quality or quantity of waters in the Wallkill River or Cheechunk Creek.

No stormwater treatment structures are proposed for bridge runoff. To prevent salt from entering the Wallkill River, only sand will be utilized on the bridge for snow and ice management.

Based upon the Project's minimal disturbance to and principal avoidance of wetlands and surface water resources and its compliance with State and Town regulation of these resources, the proposed Project will not result in any significant adverse impacts to wetlands and surface water resources.

VEGETATION AND WILDLIFE

Potential Impacts

The plant and animal communities that occupy the Project Site and the potential impacts to those resources from the development of the Project were analyzed. Impacts from construction and

operation of the Project to vegetation, aquatic resources, wildlife, and threatened and endangered species were assessed by considering land clearing, visual and noise disturbances, and habitat restoration. Potential impacts were considered at the individual and population levels, and in the context of habitat loss. Development of the Proposed Project would require clearing of approximately 49 acres of the approximately 195 acres of successional southern hardwoods on the Project Site. In addition, since the Proposed Project requires an extensive amount of cut and fill between the Echo Lake and Ver Hage properties to meet the necessary grades for each site, it is not feasible to preserve any trees within the area of disturbance. Wildlife within the Project Site will be displaced with the implementation of the Proposed Project because of the areas of habitat to be removed for development on the Ver Hage and Echo Lake properties. Site-specific surveys confirm the presence of Indiana bat and northern long-eared bat on the Project Site. Site-specific surveys have confirmed that there is not suitable habitat for the bog turtle on the Project Site.

Mitigation Findings

In response to comments on the DEIS, the Project was modified to minimize potential impacts to vegetation and wildlife, and in particular, habitat for the Indiana and northern long-eared bats (see **Table 6**).

Table 6
Acreages of Disturbance to Different Habitat Types on the Project Site and Ancillary Properties

Community Type	Total Acres	Acres Disturbed	Acres Retained
Project Site			
Beech-Maple Mesic Forest (W)	0.94	0.00	0.94
Cropland/Field Crops	33.94	0.00	33.94
Cropland/Row Crops	27.92	0.00	27.92
Ditch/Artificial Intermittent Stream	0.89	0.00	0.89
Floodplain Forest (W)	11.59	0.00	11.59
Red Maple - Hardwood Swamp	1.26	0.05	1.22
Sedge Meadow	5.53	0.00	5.53
Shallow Emergent Marsh	5.56	4.32	1.25
Successional Old Field	96.31	74.74	21.56
Successional Shrubland	27.18	16.67	10.51
Successional Southern Hardwoods (W)	175.23	48.88	126.35
SUBTOTAL	***386.35[1]***	***144.66***	***241.69***
Ancillary Properties			
NYS Land transfer parcel			
Successional Shrubland	3.32	3.32	0.00
Successional Southern Hardwoods (W)	4.90	2.78	2.12
SUBTOTAL	***8.22***	***6.10***	***2.12***
Off-site parcels			
Floodplain Forest (W)	7.15	0.00	7.15
Successional Old Field	6.22	0.00	6.22
Successional Southern Hardwoods (W)[2]	16.03	0.00	16.03
SUBTOTAL	***29.40***	***0.00***	***29.40***
TOTAL	**423.97**	**150.76**	**273.21**

Notes:

1. Total Acres were calculated using tax parcel boundaries obtained from Orange County GIS and do not match property tax records of parcel acreage presented in Table 1.
2. Excludes 4 acre portion of Wawayanda parcel for potential future residential development (W) Woodland.

As detailed in the updated "Impact Assessment for The Indiana And Northern Long-Eared Bat" contained in Appendix D of the FEIS, construction and operation of the Project on the Project Site (the Amy's Kitchen manufacturing facility, the SoS Conference Center, the Warehouse Use, and the access road) will disturb approximately 151 total acres of land that represents potential foraging and/or roosting habitat for the Indiana bat and/or northern long-eared bat (see **Table 6**). As detailed in **Tables 7** and **8**, this represents a direct impact to 128 acres of potential foraging, and 35 acres of potential roosting habitat for the Indiana bat, and 35 acres of potential foraging and 32 acres of potential roosting habitat for the Northern long-eared bat. **Tables 7** and **8** also presents the potential foraging and roosting habitat that will be affected by the indirect impacts of fragmentation, motor vehicle traffic and noise, and nighttime lighting to bat habitat quality.

Table 7
Approximate Acreage of Indiana Bat Habitat Affected by the Project

Impact	DEIS		FEIS	
	Foraging	Roosting	Foraging	Roosting
Directly Affected Habitat	131	42	128	35
Indirectly Affected Habitat	41	0	41	0
Total	**172**	**42**	**169**	**35**

Table 8
Approximate Acreage of Northern Long Eared Bat Habitat Affected by the Project

Impact	DEIS		FEIS	
	Foraging	Roosting	Foraging	Roosting
Directly Affected Habitat	39	39	35	32
Indirectly Affected Habitat	42	41	28.8	27.8
Total	**81**	**80**	**63.8**	**59.8**

All tree clearing for the Project shall be conducted during the October 31 to March 31 hibernation periods of Indiana and northern long-eared bats to avoid removal of a potentially active roost tree, and avoid the potential for any direct impacts. To offset any incidental take of the Indiana and northern long-eared bat due to indirect effects, and comply with the Endangered Species Act and the net conservation benefit requirements of Article 11 of the New York State Environmental Conservation Law, the Project shall include the preservation of approximately 165 total acres of woodland that will provide Indiana and northern long-eared bats with potential foraging and roosting habitat. This will exceed the 3:1 ratio of developed woodland area to preserved woodland area that is a recommended Indiana bat conservation guideline of the USFWS. In addition to the woodland preservation areas, approximately 22 acres of old field, 11 acres of shrubland, 6 acres of sedge meadow, 1 acre of shallow emergent marsh, and 62 acres of cropland shall also be preserved on the Project Site and represent additional potential foraging habitat for Indiana bats. By preserving these undeveloped portions of the Project Site, both species of bats will be expected to continue to occupy the Project Site in the future. Preservation of the Strong Farm and Lipoff properties, along with the large portions of the Echo Lake and Ver Hage properties that will be outside of the Project's limits of disturbance, will contribute to the USFWS goal of maintaining a minimum of 35 percent forest cover in the landscapes surrounding Indiana bat maternity colonies. A Geographic Information Systems analysis using the U.S. Geological Survey's National Land Cover Database showed that forest (i.e., combined categories of "Deciduous Forest", "Evergreen Forest", and "Mixed Forest") currently covers approximately 42.5 percent of the land within 2.5 miles of the center point of the Project Site; following the removal of approximately 39 acres of forest to construct the Project, that percentage will only decrease to 42.0 percent. The approximately 165 total acres of woodland that shall be preserved on the Project Site and Ancillary Properties will represent a sizable amount of forest cover in Goshen that shall be protected from development and ensure the availability of potential foraging and roosting habitat for both Indiana and northern long-eared bats.

Amy's Kitchen and SoS will implement a Conservation Easement, to offset the indirect impact to bat habitat as a result of the Project.

As detailed in the "Impact Assessment for The Indiana And Northern Long-Eared Bat," other features of the Project and measures that shall be implemented to minimize potential impacts to Indiana and northern long-eared bats shall include best management practices for outdoor nighttime lighting, little to no nighttime operation of the SoS Conference Center, tree plantings throughout the SoS parking area, and project footprints centered on old field and shrubland to minimize tree removal and encroachment into wooded areas. With these measures in place, the Project will be expected to offset any incidental take and result in a Net Conservation Benefit, as required under Article 11 of the ECL as implemented in 6 NYCRR Part 182, while also exceeding the 3:1 ratio of developed to preserved woodland that is recommended by the USFWS for the conservation of the Indiana bat.

With implementation of the tree cutting restrictions, the best management practices and Conservation Easements, adverse impacts to the protected Indiana bat and Northern long-eared bat will be minimized to the maximum extent practicable. In addition, the preservation and non-disturbance of remaining habitat is adequate to accommodate displaced non-regulated species so that there will be no significant impact to those species as well.

GROUNDWATER/ WATER SUPPLY

Potential Impacts

In the course of design development and environmental impact assessment, Amy's Kitchen has determined that connection to the City of Middletown municipal water supply system is the best long-term option for potable water supply. None of the wells on the Project Site are being considered for potable water supply.

Based on the Applicant's experience at its plant in Medford, Oregon, Amy's Kitchen estimates a demand of approximately 375,000 gallons per day (gpd) for the food manufacturing facility at full buildout. The Warehouse Use will require approximately 7,000 gpd.

The annual three (3) day SoS National Conference of up to 12,000 participants will generate demand of approximately 36,000 gpd. The twice annual two (2) day Regional Conference of up to 2,000 participants will generate demand of approximately 6,000 gpd.

In addition to the two (2) caretaker residences, typical weekly activities include the following:

- Weekday – five (5) to ten (10) volunteers working in the office or property maintenance;
- Weekend – 200 to 400 individuals attending the Sunday meeting or doing volunteer work in the office or property maintenance on Saturday or Sunday.

On a normal daily basis, the two (2) caretaker residences and five (5) to ten (10) on-site volunteers will generate potable water demand and sanitary wastewater of approximately 500 gpd. The typical weekend day will generate approximately 1,000 gpd.

Mitigation Findings

A new private water utility connection to the City of Middletown water supply is proposed as part of the Project. That new private utility line will serve Amy's Kitchen, Science of the Soul, and the potential Warehouse Use, and will be managed through a Transportation Corporation established to serve the multiple water users. The Planning Board has received a "will serve" letter from the City of Middletown indicating its willingness and capability to serve the Project with municipal water. Using a municipal source for water supply will avoid potential impacts to groundwater supply wells in the vicinity of the Project Site. Therefore, no significant adverse impacts to ground water resources will occur.

No growth inducing impacts or other such SEQRA impacts have been studied for private water and wastewater utility lines from project to City of Middletown because no tie-ins/hook-ups/connections to said line (including, but not limited to the purpose of development, fire protection, or municipal use) are being proposed. No future tie-ins/hook-ups/connections/enlargements, if proposed, are allowed unless and until additional SEQRA review, including a Supplemental EIS, if necessary, is submitted to the Town of Goshen Planning Board for review, analysis and approval under SEQRA and otherwise.

The SoS water storage tank and pump house, if not contained within a Planning Board authorized building, must be of such a size and location as to pose no significant visual impact. Plans for any such storage tank and pump house not contained within a Planning Board authorized building, including an analysis of its visual impact, must be submitted to and approved by the Planning Board.

WASTEWATER MANAGEMENT

Potential Impacts

Wastewater generated by the Project will be conveyed to the City of Middletown Wastewater Treatment Plan (WWTP) approximately 2.5 miles northwest of the Project Site by a new private utility force-main connection to be constructed within the Heritage Trail Utility Corridor.

The Amy's Kitchen facility will generate both process and sanitary wastewater and the Science of the Soul Conference Center and Warehouse Use will generate sanitary wastewater. The Amy's Kitchen facility will generate approximately an average of 300,000 gpd of process and sanitary wastewater at full build out. The Warehouse Use will generate approximately 7,000 gpd of sanitary wastewater. During its largest event, the SoS Conference Center will generate approximately 36,000 gpd. The Project Site is without existing public sewer service.

Mitigation Findings

A wastewater pre-treatment plant will be constructed on the Ver Hage property to reduce the high biological oxygen demand (BOD) that is characteristic of Amy's Kitchen's process wastewater. The pre-treatment plant will be located at the north end of the employee parking lot and will have a footprint of approximately 15,000 square feet. All wastewater pre-treatment components, other than process tanks, will be located indoors and outfitted, as necessary, with odor and noise control equipment.

A new private connection to the City of Middletown WWTP is proposed as part of the Project. The new private utility line will serve Amy's Kitchen, Science of the Soul, and the potential Warehouse Use. A Transportation Corporation will be created to allow wastewater from the Proposed Project to be conveyed and treated by the City of Middletown WWTP. The Transportation Corporation will own, operate, and maintain the onsite wastewater infrastructure and conveyance line servicing the Proposed Project. The Planning Board has received a "will serve" letter from the City of Middletown indicating its willingness and capability to accept wastewater from Proposed Project. The Middletown WWTP has a SPDES-permitted capacity of 8.5 million gallons per day (MGD) and currently accepts an average of 5.1 MGD. Sufficient capacity exists within the City of Middletown WWTP to service the Project. Having the Project's wastewater treated at an existing regional WWTP is an environmental benefit as it avoids creating a new outfall in the Wallkill River. So long as the City of Middletown WWTP remains compliant with its State Pollutant Discharge Elimination System (SPDES) permit, the Project's wastewater will not result in any significant adverse impacts; therefore, mitigation measures are not required. All land disturbances associated with construction wastewater

infrastructure will be temporary and limited to the construction period. Where the wastewater conveyance line crosses Monhagen Brook and the original Wallkill River channels, the wastewater conveyance line will be constructed under the channels through boring pits and pipe jacking or installed under existing bridge structures, subject to the approval of the owners of such bridges. Soil erosion and sediment control measures will be in place throughout the construction period and the disturbed land shall be restored upon completion of construction. Therefore, the Project will not result in any significant adverse impacts related to wastewater.

No growth inducing impacts or other such SEQRA impacts have been studied for private water and wastewater utility lines from project to City of Middletown because no tie-ins/hook-ups/connections to said line (including, but not limited to the purpose of development, fire protection, or municipal use) are being proposed. No future tie-ins/hook-ups/connections/enlargements, if proposed, are allowed unless and until additional SEQRA review, including a Supplemental EIS, if necessary, is submitted to the Town of Goshen Planning Board for review, analysis and approval under SEQRA and otherwise.

STORMWATER MANAGEMENT

Potential Impacts

The Proposed Project would result in changes to the grading of both the Ver Hage and the Echo Lake properties to establish the proposed building footprints and parking areas for the Amy's Kitchen facility and the SoS conference center. The Project will disturb over one (1) acre of land on the Echo Lake and Ver Hage properties, which requires the preparation of a SWPPP and Erosion and Sediment Control Plan (ESCP). There are no proposed permanent improvements to either the Lipoff property or the Strong Farm property.

Discussion and Findings

The SWPPP and ESCP for the Project will conform to the requirements of NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, Permit No. GP-0-15-002, and the 2015 Stormwater Management Design Manual. The SWPPP contains both temporary erosion control measures during construction and post-construction stormwater management practices to avoid increased discharge and water quality impacts in the long term. Additionally, the SWPPP has been designed to meet the requirements and applicable regulations of the Code of the Town of Goshen, particularly Section 83-14, "Stormwater Management." With the ESCP and SWPPP in place, the Project will not result in any significant adverse stormwater management impacts. All proposed construction stormwater management measures are consistent with the requirements of the NYSDEC Stormwater Management Design Manual and the SPDES General Permit for Stormwater Discharges from Construction Activity. Given the size of the Proposed Project, a request for a waiver from the five (5)-acre disturbance maximum will be submitted.

Several green infrastructure and runoff reduction measures would be implemented throughout the Project Site to control any water quality and quantity effects of post-construction increases in stormwater runoff volume. NYSDEC requires that the water quality volume (WQv) be treated through use of specific green infrastructure practices. The design of these practices is based on promoting infiltration of the WQv. The treatment provided by the green infrastructure practices is called the runoff reduction volume (RRv). NYSDEC requires the RRv to be equal to the WQv unless site-specific conditions would not allow the full treatment using green infrastructure practices.

Additionally, the following mitigation measures are proposed:

- Stabilized construction entrances would be placed at the proposed construction entrances to the Project Site on NYS Route 17M, Echo Lake Road, and Hartley Road.
- Silt fences will be used in locations throughout the Project Site to reduce runoff velocity and cause deposition of transported sediment loads. However, limits imposed by ultraviolet stability of the fabric would dictate the maximum period the silt fence may be used (approximately one year).
- Stone outlet sediment traps will be used at the locations throughout the Project Site.
- Sediment basins are proposed in drainage pathways upstream of proposed bio-retention areas.
- Diversion swales would be used as necessary throughout the Project Site to divert clean runoff around a project area and to intercept sediment-laden runoff for diversion to sediment traps and basins.
- Water bars would be placed as necessary during construction to limit the accumulation of erosive velocity of water by diverting surface runoff at pre-designed intervals.
- Curb drop, filter fabric drop, and excavated drop inlet protection would be used throughout the Project Site. Inlet protection would only be used in roadway areas prior to paving.
- Level spreaders would be constructed at the ends of diversion swales for diverting clean runoff around the project area.
- Slope stabilization matting would be used as necessary throughout the Project Site.
- Rock outlet protection is proposed at all pipe discharge points on the Project Site.
- Pipe slope drains are proposed along the benched slopes along the western side of the project.
- The site design calls for trees to be planted throughout parking areas for SoS.
- A bio-retention area is proposed at SoS for treating runoff from the majority of the project area.
- Bio-retention areas at the Amy's Kitchen facility are proposed for treating runoff from the majority of the project area. One of the bio-retention areas would have a discharge swale with a filter bed that would act as an extension to the bio-retention area.
- Porous pavement is proposed for the majority of the parking stalls within the Amy's Kitchen employee parking area and a portion of the parking areas at the SoS Conference Center.
- Dry swales are proposed for treating runoff from road areas at both Amy's Kitchen and SoS.
- An underground infiltration system is proposed for treating runoff from the area along Hartley Road at the Amy's Kitchen site.

TRAFFIC

Potential Impacts

A detailed Traffic Impact Study (TIS) was prepared that analyzes potential traffic impacts associated with the Project on the surrounding roadway network. Traffic counts were utilized to establish the Existing Traffic Volumes for the study area intersections. The Existing Traffic Volumes were then projected to a 2033 Design Year to take into account expected increases in traffic due to normal background traffic growth and to account for other potential development traffic in the area. The 2033 design year represents an Estimated Time of Completion of 2023 plus 10 years (ETC+10) as per New York State Department of Transportation (NYSDOT) requirements for analysis of future traffic operating conditions.

Detailed turning movement traffic counts were collected at 13 intersections during the AM, PM, and Saturday peak hours during the months of November 2013; April, May and June 2014; and May and June 2015. In addition, NYSDOT machine traffic counts were obtained and used to compare the hourly volumes along NYS Route 17M and at the I-84 interchange to identify any daily and seasonal variations. Automatic Traffic Recorder (ATR) were also collected along NYS Route 17M in the vicinity of the site to collect volume data on a 15 minute basis, as well as speed and classification data.

The intersections analyzed in the TIS were:

1. NYS Route 17M and I-84
2. NYS Route 17M and Lower Road (C.R. 12)/Golf Links Road (C.R. 50);
3. NYS Route 17M and Mid-Hudson Psychiatric Center (MHPC) Access;
4. NYS Route 17M and Training Center Lane; and
5. NYS Route 17M and Hartley Road/Gate Schoolhouse Road
6. NYS Route 17M and 6 ½ Station Road
7. NYS Route 17M and Route 17
8. Hartley Road and Echo Lake Road
9. Golf Links Road and McVeigh Road
10. Echo Lake Road and McVeigh Road
11. Fletcher Street and NYS Route 17 (Exit 122A) Eastbound On/Off Ramps
12. Fletcher Street and NYS Route 17 (Exit 122A) Westbound On/Off Ramps
13. NYS Route 17M and Cannon Hill Drive

The manual field traffic counts were performed during the Weekday AM (6:00 AM to 9:00 AM) and PM (3:00 PM to 6:15 PM) hours as well as on Saturday from 11:00 AM to 2:00 PM at the above listed study area intersections. Based on this traffic volume data the existing peak hours for the study area were identified for each time period as follows:

- Weekday AM Peak Highway Hour—7:30 AM to 8:30 AM
- Weekday PM Peak Highway Hour—4:30 PM to 5:30 PM
- Saturday Peak Hour—12:30 PM to 1:30 PM

While the Weekday AM Peak Highway Hour was found to occur between 7:30 AM and 8:30 AM, the peak hour of Amy's Kitchen traffic generation is expected to occur prior to the AM Peak between approximately 6:00 AM to 7:00 AM when the employee shift changes are expected to occur at the plant. As indicated by the ATR machine count data collected along NYS Route 17M the traffic volumes during the 6:00 AM to 7:00 AM hour in the vicinity of the site are approximately 75 to 80 percent of the Weekday AM Peak Highway Hour traffic volumes. However, both the Amy's AM Peak Hour of Generation (6:00 AM to 7:00 AM) and the peak hour of the adjacent roadway system (AM Peak Highway Hour 7:30 AM to 8:30 AM) were analyzed.

In addition, the 3:00 PM to 4:00 PM time period when there could be a shift change at the plant, when traffic volumes are 97 percent of peak hour volumes, and schools may be letting out was also considered. However, based on the traffic count data collected at the study area intersections, it was

determined that the 4:30 PM to 5:30 PM time period was the peak time period along NYS Route 17M. This time period was determined to be the peak hour of traffic volumes along the roadway and the heavy vehicle percentages were found to be similar during this time period as was observed during the 3:00 to 4:00 PM time period. Therefore, the peak hour of traffic generation for Amy's Kitchen, which is expected to occur during the 3:00 PM to 4:00 PM time period, as well as the 4:30 PM to 5:30 PM peak hour traffic volumes, were analyzed for the study area intersections.

The Town of Goshen "Environmental Performance Standards" in Section 97-50.N(1)(d) of the Town Code establishes the following impact criteria:

> *Significant adverse traffic impacts requiring project mitigation shall be defined as any of the following occurring within the first year of operation of full build-out of the Project or, in the case of phased construction, during the first year of operation of each phase for which approval is sought:*
>
> *[1] Any reduction in level of service (LOS) to less than LOS D at a street intersection that operates at LOS D or better without the Project.*
>
> *[2] Any increase in delay times for intersections operating at LOS E or below.*
>
> *[3] Introduction of new traffic volumes that will cause the overall volume of the roadway to exceed the design capacity of the mainline (non-intersection) highway sections within the TIS study area.*

All available accident data for the latest three (3)-year period from December 1, 2010 through November 30, 2013 was obtained from the New York State Department of Transportation (NYSDOT). In addition, as required by the Scoping Document, accident data were also obtained from the Town of Goshen police department for the period from January 1, 2012 through July 6, 2015. The NYSDOT and Town accident data were summarized according to the type, weather conditions, other contributing factors and related statistics. The accident data was also compared to statewide average accident rates indicating that several intersections currently experience accident rates over the statewide. Recommendations for potential improvements have been made in order to alleviate some of these high accident conditions.

Travel time runs were recorded in both the eastbound and westbound directions along NYS Route 17M. In the eastbound direction the trips began at the I-84 westbound on/off ramps and ended immediately east of the 6 ½ Station Road. Similarly in the westbound direction, the trips began immediately east of 6 ½ Station Road and ended at the I-84 westbound on/off ramps. The average travel time in both the eastbound and westbound directions was found to be approximately seven (7) minutes.

Mitigation Findings

Operating conditions were assessed with traffic generated by the Amy's Kitchen full build-out, the Warehouse Use, and typical SoS traffic volumes. A separate assessment was prepared for the SoS National Conference assuming both weekend and weekday time periods.

As part of the Project, improvements at the intersection of NYS Route 17M & Training Center Lane/Project Site Access have been recommended by NYSDOT and Orange County Department of Public Works and are included as part of the development plan. These improvements, which will be funded and implemented by the Applicant under a NYSDOT Highway Work Permit, will also address existing capacity and safety conditions in the vicinity of the intersection and provide improved access to Training Center Lane. The improvements include the relocation of Training Center Lane

approximately 200 feet to the west of its current location in order to align opposite the Project Site. Separate left- and right-turn lanes along NYS Route 17M are proposed to be constructed as part of these improvements as well as a separate right-turn lane on Training Center Lane and Project Site access will also have two exiting lanes. These improvements shall include the installation of a traffic signal at this intersection. As part of the construction of the Project Site access roadway the existing access to the Mid-Hudson Psychiatric Center will be modified to a right-turn only entrance and right-turn only exit, and that facility will also be accessed via a connection to the site access roadway and be better served by this improved, signal controlled access. This also provides better access management for the corridor by aligning the main intersection on NYS Route 17M opposite the relocated Training Center Lane.

In addition, based on the results of the analyses, in comparison to the Town of Goshen "Environmental Performance Standards," the following is a summary of the potential adverse impacts that could result at or near the Project Site, as well as the potential measures identified to mitigate these impacts. Note that each of these intersections listed below is projected to experience LOS E or F on one (1) or more approaches of the intersections regardless of the Project and therefore certain improvements will be required to improve existing and/or future traffic conditions in the area without the Project.

1. The Interstate 84 Westbound Off-Ramp at NYS Route 17M was identified to experience increased delays during the PM Peak Hour of Amy's Kitchen Generation and the PM Peak Highway Hour. The Project will not add any additional traffic to the off-ramp approach, however the additional traffic along NYS Route 17M passing this intersection will result in a drop from LOS E with a delay of 49.8 seconds under 2033 No-Build conditions to a LOS F with a delay of 51.3 seconds under 2033 Build conditions with the Project. The existing "Stop" sign could be replaced with a "Yield" sign in order to improve traffic flow from the Off-Ramp approach. This will require the approval of the NYSDOT, and shall be funded and implemented by the Applicant as part of the NYSDOT Highway Work Permit if acceptable to the department.
2. The intersection of NYS Route 17M & CR 12/CR 50 currently experiences long delays in the eastbound direction during the AM Peak Hours. Under No-Build and Build conditions the volumes are anticipated to exceed the eastbound through/right movement capacity based on the currently allocated green time. Signal timing improvements have been recommended for this intersection to mitigate delays in the eastbound direction. These improvements are recommended regardless of the Project, and will be coordinated by the Applicant with NYSDOT as part of the Highway Work Permit process
3. The intersection of NYS Route 17M & Hartley Road has a history of numerous rear-end type accidents. Traffic signal back plates (shields that increase visibility of the traffic signal) could be installed at this intersection on eastbound and westbound NYS Route 17M approaches in order to increase the visibility of the traffic signals, especially during periods of significant sun glare, which could help to reduce these accident types. This modification should be considered regardless of the Project. In addition, minor traffic signal timing improvements have been identified for this intersection to maximize the intersection's efficiency under future conditions. The traffic signal timing modifications will be coordinated by the Applicant with NYSDOT as part of the Highway Work Permit process. The installation of traffic signal back plates on the signal heads will be funded and completed by the Applicant as part of the Highway Work Permit for the project.
4. The intersection of Golf Links Road and McVeigh Road is projected to experience increased vehicle delays during the PM Peak Hour of Amy's Kitchen Generation and the PM Peak

Highway Hour. It should be noted that during the PM Peak Hour of Amy's Kitchen Generation the Project is estimated to add approximately 18 vehicles through this intersection, which equates to a less than 2% increase in total traffic volumes when compared to the 2033 No-Build traffic volumes for the same time period. The installation of All-Way Stop control has been proposed to mitigate these delay increases. This mitigation should be considered regardless of the Project, but shall be funded and completed by the Applicant if approved.

5. The NYS Route 17 Interchange 122A On/Off Ramps at Fletcher Street are projected to experience increased vehicle delays during the AM Peak Highway Hour for the Eastbound On/Off Ramp and during the PM Peak Hour of Amy's Kitchen Generation for the Westbound On/Off Ramp. It should be noted that the Project is estimated to add approximately 5 vehicles through each of these intersections, which equates to a less than 1% increase in total traffic volumes when compared to the 2033 No-Build traffic volumes. These delay increases are projected to occur both with and without the Project. These intersections should be monitored for signalization and a traffic signal installed if warranted in the future.
6. The intersection of NYS Route 17M and Cannon Hill Drive is currently operating at LOS F during all weekday time periods and some delay increases are projected to be experienced both with and without the Project. The reconstruction of the Training Center Lane and NYS Route 17M intersection and installation of a traffic signal, which are part of the Project will provide increased gaps in the traffic stream along NYS Route 17M including at the intersection with Cannon Hill Drive. The increased gaps created by the signal will improve the ability for traffic to exit from Cannon Hill Drive, which will improve the operation and reduce delays at this intersection.
7. All truck traffic generated by both the Amy's Kitchen and the Warehouse Use will be directed to utilize NYS Route 17M only to access NYS Route 17 and Interstate 84 avoiding the use of local roadways, many of which have weight restrictions.
8. Temporary impacts during construction of roadway improvements at NYS Route 17M and Training Center Lane/Site Access may occur. The project will be subject to the New York State "Drivers First" Initiative which prioritizes the convenience of motorists and ensures that disruptions are as minimal as possible to drivers at all highway projects throughout the state. As a result detailed Maintenance and Protection of Traffic Plans will be prepared as part of the NYSDOT Highway Work Permit and will be funded and implemented by the Applicant to control traffic during the construction of the intersection improvements at NYS Route 17M and Training Center Lane/Site Access Roadway.

Based on the results of the capacity analysis, with the completion of the recommended improvements summarized above, the traffic generated by Amy's Kitchen, Warehouse Use, and SoS typical daily operations can be accommodated on the roadway system. A NYSDOT Highway Work Permit will be required for the proposed access improvements as well as coordination with the Orange County Department of Public Works for the realignment of Training Center Lane.

Science of the Soul Special Event Conditions

As presented in the EIS, to accommodate the Science of the Soul annual three (3)-day National Conference and two (2)-day Regional Conference conditions, traffic management strategies will have to be implemented to ensure that traffic to and from the site and on the surrounding roadways will operate efficiently. The following is a description of these recommended measures and will require coordination with the Town of Goshen.

Staggering of Start Times

The scheduling of Science of the Soul special events shall be coordinated with existing traffic volumes along NYS Route 17M in order to reduce overall traffic impacts to the corridor. The proposed start time for Weekday Morning Event of 10:00 AM ensures that Peak Entry Period occurs after the AM Peak Highway Hour along NYS Route 17M and the Peak Exit Period occurs during the 12:00 PM to 1:00 PM hour when volumes along Route 17M are as much 80 percent of the PM Peak Hour volumes along the roadway. Weekday Afternoon Events, beginning between 3:00PM and 6:00 PM should be avoided since this results in the Peak Entry Period occurring during the 2:30 to 3:30 PM hour when volumes are nearing the peak volumes along Route 17M. However, these Weekday afternoon events can be accommodated with the use of manned police traffic control and other mitigation measures discussed further below.

Weekend Morning events shall be scheduled such that the Peak Exit Hour occurs prior to or after the 12:30 PM to 1:30 PM Peak Hour of traffic along NYS Route 17M when traffic volumes are as much as 10 percent lower than the highest Saturday peak period. Similarly, Weekend Afternoon Events could also be scheduled such that the Peak Entry Hour also does not occur during the Peak Hour of Traffic along NYS Route 17M.

Furthermore, if Amy's Kitchen is to be in operation during the SoS National Conferences, SoS shall set the start times of the events such that the peak entry and/or exit periods do not coincide with the peak hours of Amy's Generation (i.e. 6:00 AM to 7:00 AM and 3:00 PM to 4:00 PM), other than as can be accommodated by and through the traffic management plan.

Traffic Management

SoS expects 40% of National Conference attendees to arrive by charter or shuttle buses, and that automobile occupancy will average 3.5 persons per car. SoS has developed a contingency plan for overflow parking. In the contingency that bus utilization or automobile occupancy targets are not met and additional parking is needed, overflow parking will be provided on Strong Farm. Approximately 350 volunteer cars will be parked on approximately 2.75 acres of hayfield meadow. An additional approximately 2,400 cars can be accommodated on approximately 20 acres of mowed hayfields, or in between trees of a future orchard. These temporary parking areas are located in dry uplands only, completely avoiding lower fields of row crops and wetlands. These areas were selected based on the ability of the existing topography to accommodate limited temporary parking as no grading or earthwork is proposed. Of the total 90 acres on Strong Farm, approximately seventy-five percent (75%) will never be used at any time for temporary parking. These cars can be accommodated for a few hours on three mornings per year without impacting either agricultural productivity or bat foraging, which occurs at night.

Since busses are coordinated by volunteers, low bus utilization will be known well in advance of the event. As such, some portion of attendees could be directed to the overflow parking via Fletcher Road exit off route 17, thereby avoiding the entrance at 17M. Cars will access the Strong Farm volunteer parking area at the existing driveway to the north on Owens Road, and then either walk to Echo Lake site along the edge of Cheechunk/Echo Lake Road, or along Heritage Trail, or take shuttle vans. This pedestrian traffic could be separated from vehicular traffic by temporary cones or other delineators, with details to be worked out with local law enforcement as part of a final Traffic Management Plan to be developed prior to the National Conference.

While events are typically staffed by volunteer security personnel, SoS will also seek to have four (4) to five (5) local law enforcement officers on site, typically off-duty officers. SoS also coordinates on traffic issues prior to events including meeting with town, county and state law enforcement agencies and go over plans and concerns.

Based on the results of the capacity analysis it is likely that coordination with local law enforcement for the management of traffic will be required for several area intersections including NYS Route 17M & C.R. 12/C.R. 50, NYS Route 17M & Training Center Lane/Site Access, NYS Route 17M & Hartley Road and NYS Route 17M & Maple Avenue/6½ Station Road.

Variable Message Signs (VMS) shall also be utilized prior to events if deemed necessary by Town, County or State law enforcement agencies to inform local drivers of the upcoming events and potential delays along the NYS Route 17M corridor and the surrounding area. This will allow local drivers to avoid this area during the event weekends, utilizing other roadways in the area. The VMS signs could also be utilized during the event to direct attendees to appropriate locations as well as inform other drivers of delays on NYS Route 17M and the surrounding area. The placement of these VMS signs shall be coordinated with the Town, County and State.

Another option to help distribute traffic volumes during the exit period after the event will be to request permission to use the emergency access connection to Echo Lake Road. This will lessen the potential impact on NYS Route 17M. Manned police traffic control shall be required at the emergency access location as well in the event of its use.

Parking Flow and Management (Internal Circulation):

As mentioned previously, SoS will rely on volunteers to manage parking and pedestrian flow both in and around the site. The SoS internal traffic plans for the Annual Events use the following elements:

- Pedestrian/Vehicle Separation – The parking plan for the SoS National Conference is such that the spaces closest to the venue are filled first and then farther spaces are filled, row by row. This is done to separate pedestrians from newly parking cars. Bus parking is provided in a separate area so that those unloading from buses do not have to cross incoming traffic. As shown on the site plan the bus parking is on the opposite side of the event area from the passenger car parking.
- Special Needs Separation - Upon entry vehicles with elderly and handicapped stickers will separate from general traffic. Special needs vehicles will be directed to a dedicated parking area closer to the event area, again trying to avoid pedestrian-vehicle conflict.
- Shuttle – Shuttles are typically provided for those parking in faraway locations. Shuttle vans are utilized within the property for this purpose. Similar shuttle vans will also be used for shuttling of people to the Strong Farm Overflow Parking location as previously indicated.

The proposed site plans for the SoS site take into account SoS staff's long experience with traffic and pedestrian flow during these special events.

Since this National Conference is an event limited to a once per year occurrence, it will not result in any significant adverse impacts that require additional mitigation. However, as part of the Project, various Traffic Management Strategies (TMS) and related measures are being incorporated to accommodate this event condition. These measures, including the use of shuttle busses, manned police traffic control, on-site circulation, etc. will be coordinated with the Town of Goshen. Implementation of all of these measures in close coordination with the Town and public safety agencies will ensure that any adverse traffic impacts from this yearly event will be minimized to the maximum extent practicable.

To the extent they are not specifically herein, all of the potential adverse traffic impacts for both Amy's Kitchen facility and Science of the Soul (including special events) and their associated mitigation measures (including, but not limited to the proposed Traffic Management Plan) identified in the FEIS must be implemented. (*See, e.g.*, FEIS pp. II-9 to II-11, II-16, III-48 to III-49, III-51 to III-55). This includes, but is not limited to, the representation by the Applicant of the adjustment of

shift times up to one-half hour earlier such that the peak Amy's Kitchen traffic activity would occur from 5:30 AM to 6:00 AM in the morning and from 2:30 PM to 3:00 PM in the afternoon.

In partial mitigation of the impact of commuter automobile traffic, the existing bus stop along NYS Route 17M at the Mid-Hudson Psychiatric Center Driveway will remain to be utilized by employees of the Amy's Kitchen facility. Alternatively, the Applicant must provide an alternate (or substitute) location of a bus stop for Amy's Kitchen and SoS to be approved by the Planning Board.

NOISE

Potential Impacts

Potential noise impacts from the Project were analyzed. The noise analysis considered noise levels that will be produced by both mobile sources (vehicles) and stationary sources (equipment) in operation of the Project, and whether that noise could result in significant adverse noise impacts on the surrounding area. The noise impact assessment examines noise generated by traffic traveling to and from the Project Site, vehicles moving within and parking at the Project Site, the operation of the Project's loading dock, and the operation of mechanical equipment associated with the Project.

Noise from operation of the Project was analyzed at eight (8) locations near the Project Site:

- Site 1 is located at the property line between Mid-Hudson Forensic Psychiatric Center and the Echo Lake Property. Vehicular traffic on Route 17M is the dominant noise source at this location. This location is representative of noise levels at the Mid-Hudson Forensic Psychiatric Center.
- Site 2 is located at the corner of Musket Court and Route 17M. Vehicular traffic on nearby roadways is the dominant noise source at this location. This location is representative of noise levels at residential uses in this area along Route 17M.
- Site 3 is located on County Road 50 between Route 17M and Echo Lake Road. Vehicular traffic on County Road 50 is the dominant noise source at this location. This location is representative of noise levels at residential uses on County Road 50 between Route 17M and Echo Lake Road.
- Site 4 is located on Echo Lake Road between McVeigh Road and the Wallkill River adjacent to the Echo Lake Property. Vehicular traffic on Echo Lake Road is the dominant noise source at this location. This location is representative of noise levels at residential uses on Echo Lake Road.
- Site 5 is located at Cheechunk Road between Hartley Road and Owens Road adjacent to the Ver Hage Property. Vehicular traffic on Cheechunk Road is the dominant noise source at this location. This location is representative of noise levels at residential uses on Cheechunk Road.
- Site 6 is located at the Heritage Trial adjacent to Hartley Road. Vehicular traffic on Hartley Road is the dominant noise source at this location. This location is representative of noise levels on the Heritage Trial near Hartley Road.
- Site 7 is located at 112 Hartley Road. Vehicular traffic on Hartley Road is the dominant noise source at this location. This location is representative of noise levels at this residential property.
- Site 8 is located at the Heritage Trial south of Echo Lake Road. Vehicular traffic on Echo Lake Road is the dominant noise source at this location. This location is representative of noise levels on the Heritage Trial west of Hartley Road.

Mitigation Findings

The above locations represent the noise-sensitive land uses that will be most likely to experience noise level increases due to the Project because of their proximity to the Project Site. Other sensitive land uses in the area will be expected to experience less noise resulting from the Project than these sites.

At all eight (8) sites, 20-minute measurements were made during the weekday AM peak time period (7:30 AM to 9:30 AM), weekday PM peak time period (4:00 PM to 6:30 PM), and the Saturday mid-day (SMD) time period (12:00 PM to 1:30 PM). The selected time periods are when the Project will have maximum traffic generation and/or the maximum potential for significant adverse noise impacts based on the traffic studies presented in the "Traffic Impact Study." Pursuant to NYSDEC noise assessment methodology, the one (1)-hour time-weighted average noise level (Leq(1)) was selected as the most appropriate measurement for assessing potential impact of the Project.

At all receptor sites, vehicular traffic noise on adjacent roadways was the dominant noise source. Measured noise levels were relatively low to moderately high and reflect the level of vehicular activity on the adjacent roadways.

The predicted noise levels associated with the Project will not exceed NYSDEC's threshold for a significant noise level increase of 6.0 dBA at most receptor sites, and the maximum future noise level associated with the Project will not exceed the threshold established by the Town of Goshen Noise Ordinance. At site 6, the maximum predicted increase in Leq(1) noise levels will be up to 7.6 dBA during the SoS National Conference with the Project only, and up to 10.1 dBA during the SoS National Conference with the Project and the potential Warehouse Use. These predicted noise level increases will exceed the 6 dBA NYSDEC threshold. However, the absolute noise levels will be well below the 65 dBA level recommended by NYSDEC for non-industrial uses. At site 7, the maximum predicted increase in Leq(1) noise levels will be 10.3 dBA with the potential warehouse and 10.7 dBA during the SoS National Conference with the potential Warehouse Use. These predicted noise level increase will exceed the 6 dBA NYSDEC threshold. However, the absolute noise levels will be well below the 65 dBA level recommended by NYSDEC for non-industrial uses. In addition, total noise levels in the future with the Project at sites 2, 3, and 5 will exceed NYSDEC's recommended level for residential uses of 65 dBA. While the future noise levels exceed the recommended level of 65 dBA, the increases in noise levels will be small and existing noise levels at these locations already exceed the recommended level of 65 dBA. Consequently, the noise due to the Project does not constitute a significant noise impact.

Since the Project will not result in any significant adverse noise impacts, no mitigation is required. In reaching this finding, it is important to note that the analysis contained in the EIS was conservative. It did not take credit for much of the loading dock operation being conducted inside the building, or that much of the HVAC equipment will be located inside the building. However, once the building is operational, if the noise levels regularly exceed background conditions to the extent that they cause noticeable noise levels at nearby sensitive receptors, the Town shall require that the roof top mechanicals be retrofitted with noise screening devices. To facilitate this analysis, the Applicant shall conduct a noise study to determine the background noise levels prior to operation of the facility, in such manner as is acceptable to the Town Engineer.

UTILITIES AND SOLID WASTE DISPOSAL

Utilities

Potential Impacts

Orange and Rockland Utilities, Inc. (O&R) and NYSEG provide gas and electric service in the area of the Project Site. An existing NYSEG gas main runs along NYS Route 17M south of the Project Site. There are existing O&R electrical distribution lines along Echo Lake Road, Hartley Road, and NYS Route 17M. O&R recently completed construction of a new electrical substation between Hartley Road and Cheechunk Road just north of the Project Site. The new substation will alleviate over-loading of existing substations in the vicinity and will provide electrical power to the Project Site. The new substation includes two (2) 50 Megavolt-ampere (MVA) 138/79 to 13.2 kilovolt (kV) dual transformer banks, as well as the associated switchgear and distribution circuits. In tandem with the new substation, O&R has been making improvements to the electrical distribution network throughout the local area, including along Echo Lake Road, Hartley Road, and Cheechunk Road.

Mitigation Findings

Electric service will be provided to Amy's Kitchen from the existing distribution lines along Hartley Road. As these are 13.2 kV distribution lines, no substation is required. Amy's Kitchen will have step down transformers to regulate to the required equipment voltage. Several 2,500 kvA transformers will be used instead of one (1) larger transformer to reduce risk of entire loss of power to the plant should the single transformer fail. Electric service lines will also be run to any lighting and heating, ventilation, and air conditioning (HVAC) energy requirements for the warehouse use on the Ver Hage parcel. All telephone and electric distribution lines will be placed underground. Gas service will be provided to Amy's Kitchen by a service line (approximately 12-inch diameter) run from the existing gas line beneath NYS Route 17M along the new access road and under the proposed bridge over the Wallkill River. Based on initial discussions with O&R and NYSEG, it is anticipated that these energy demands will be fully met by existing off-site infrastructure and will not require any off-site upgrades to gas or electric service or existing infrastructure beyond standard connections. "Will serve" letters have been received from O&R and NYSEG.

Initial calculations of energy demand indicate that the Conference Center building (which will not be air-conditioned) will draw approximately 300 kilowatts of electrical demand. The multi-purpose building/administration building will draw approximately 750 kilowatts of electrical demand. The Central Building will draw approximately 300 kilowatts of electrical demand. The toilet buildings surrounding the main Conference Center shed will not be air-conditioned and will draw minimal electrical demand for lighting. The two (2) caretaker residences and Guest House will each draw minimal electrical demands. It is anticipated that the energy requirements for the SoS Conference Center will be fully met by O&R and NYSEG and will not require any off-site upgrades to gas or electric service or existing infrastructure.

As there is adequate infrastructure and capacity to service the electricity and gas needs of the Project, there will be no significant adverse impacts relating to the provision of these services.

Solid Waste

Potential Impacts

Solid waste management in the area is provided by private haulers. Solid waste is carted to the Orange County Transfer Station south of NYS Route 17M.

Mitigation Findings

Amy's Kitchen will utilize private haulers to cart waste to this facility. Where feasible, Amy's Kitchen will work with local agricultural and other operations to compost food waste from the production process. Other than temporary storage of compostable materials, inside Amy's Kitchen facility, no composting will occur onsite.

Based on its Medford, Oregon plant operations, Amy's Kitchen estimates that at full-build out a five (5)-day per week operation will generate approximately 444 tons of waste per month. Solid waste reduction practices will be implemented similar to those employed by Amy's Kitchen at its existing plants. These include establishing relations and partnerships with local businesses around its plant. Amy's Kitchen has programs at each food processing facility and office to separate solid waste into distinct groups to provide clean recyclable waste to those companies that process and recycle specific materials. Packaging materials from raw materials and operating supplies may be returned to the supplier for re-use or enter the recycling stream. Food wastes are also segregated for use in off-site composting and animal feed. Amy's Kitchen also supplies pallets to local recyclers for re-use. When pallets cannot be re-used, Amy's has established relations with biomass companies to convert pallets to electricity. Amy's Kitchen will pursue relations and partnerships with local businesses in the Orange County area to continue to reduce waste and encouraging recycling.

In order to reduce the total amount of landfilled solid waste, Amy's Kitchen will compost approximately 74 tons of organic matter per month and recycle approximately 100 tons of cardboard and plastics per month. Recyclable and compostable materials will be kept separate from other wastes inside the Amy's Kitchen facility and will be collected and disposed of by a private waste management company.

The proposed Warehouse Use will generate minimal amounts of solid waste from the few employees that will staff the building.

Operation of the Science of the Soul facilities will result in minimal solid waste generation. Normal SoS weekday and weekend activities at the two (2) caretaker residences and volunteer activities and weekly meetings will generate small quantities of solid waste, which could total approximately 100 pounds per month. SoS National Conference and Regional Conference events will generate solid waste from food wrappers and other personal waste items generated during events. Recyclable and compostable materials will be collected and stored separately from the waste stream and will be collected for beneficial reuse by a private waste hauling company.

As all solid waste services will be provided by a private company, no impacts to municipal services or budgets are anticipated.

With the implementation of the solid waste reduction practices described above, the will be no significant adverse impact resulting from the Project's generation of solid waste.

LAND USE AND ZONING

Potential Impacts

The Project has been evaluated for compatibility with existing and future land uses within a one-mile Study Area, and consistency with applicable zoning ordinances and other public policy documents such as the Town of Goshen Comprehensive Plan and Open Space and Farmland Protection Plan; the Southern Wallkill Biodiversity Plan; and the Orange County Comprehensive Plan and Open Space Plan.

The Project Site is located in the Commercial/Office Mixed-Use (CO), Industrial (I), and Rural (RU) Zoning Districts. The portion of the Echo Lake property south of the Heritage Trail is split zoned, with the western half zoned CO and the eastern half zoned I. The portion of the Echo Lake property north of the Heritage Trail is zoned RU. The Ver Hage property is zoned I, and the Lipoff and Strong Farm properties are both zoned RU. The entire Echo Lake property and the western portion of the Ver Hage, Strong Farm, and Lipoff properties are in the AQ-3 Aquifer Overlay District (AQ-3 District). The eastern portions of the Ver Hage, Strong Farm, and Lipoff properties are located in the AQ-6 Aquifer Overlay District (AQ-6 District). In addition, portions of the Project Site are located within the Stream Corridor and Reservoir Watershed Overlay District (SC District), Floodplain and Ponding Area Overlay District (FP District), and Scenic Road Corridor Overlay District (SR District).

Mitigation Findings

The proposed Amy's Kitchen manufacturing facility will be located on the Ver Hage property, located in the I Zoning District. The proposed manufacturing facility use will be considered "light industry" under the Town of Goshen Zoning Code. Light industry is defined by the Code as the "manufacture, assembly, treatment, processing, or packaging of products that does not emit objectionable levels of smoke, noise, dust, odor, glare, or vibration beyond the property boundaries" (see §97-84), and it is a use permitted by right subject to Planning Board site plan approval in the I District.

The SoS Conference Center will be partially located in the CO and I Zoning Districts, no facilities are proposed within the RU district. The SoS Conference Center is considered a "religious institution" under the Town of Goshen Zoning Code. A religious institution is defined under § 97-84 of the Code as, "a church, synagogue, or other place of religious worship, as well as a monastery or other place of religious retreat." SoS has a 501(c)(3) designation from the Internal Revenue Service as a religious not-for-profit entity. A determination by the Town's Building Inspector, dated October 20, 2015, confirms that "this religious use is permissible on the proposed site with all of its affiliated and accessory uses."

An approximately 11.6-acre portion of the Ver Hage property will be subdivided for a future 70,000 square foot Warehouse Use. The Warehouse Use will be located in the I Zoning District. A "warehouse" is permitted in the I District by special permit issued by the Planning Board.

Land uses in the immediate vicinity of the Project Site are characterized by rural residential, farmland, institutional, and rural industrial uses. The Town of Wawayanda is located to the west of the Project Site, and includes rural residential and commercial uses. North, south, and east of the Project Site are primarily vacant forested land, rural residential, and farmland.

The Project is consistent with all surrounding land uses. The Project Site is located in a rural industrial and agricultural area. There is currently substantial truck traffic through the Project Area associated with the existing industrial, infrastructure, agricultural, and commercial uses. The Amy's Kitchen manufacturing facility will constitute an industrial use in a corridor of other industrial uses located along NYS Route 17M. The intervening topography and distance between the SoS Conference Center and any residential uses will avoid any potential significant adverse impacts to those land uses.

The Project will result in unavoidable adverse impacts to zoning through the construction of the Project, which cannot be designed to meet all of the Town's design standards thereby requiring variances. However, these impacts to zoning are not considered significant, and will not adversely affect the character of land uses within the proximity of the Project Site.

With the exception of area variances from design standards, the Project is consistent with the industrial Zoning for the Project Site, policies for economic development in the Town's Comprehensive Plan, and is consistent with other land uses in adjacent areas. Granting of area variances with respect to design standards will not significantly alter the land use pattern or character of the study area. Thus, no significant adverse impacts will result, and no mitigation is required or proposed.

COMMUNITY SERVICES

Potential impacts of the Project to the following community services were analyzed: police protection services; fire protection services; emergency medical services (EMS); and Town Hall services in terms of manpower, equipment, and facilities.

Emergency Services

Potential Impacts

The Project will be located entirely within the Town of Goshen. Therefore, calls for assistance from emergency service providers will generally be routed to providers within the Town of Goshen.

Mitigation Findings

The proposed Amy's Kitchen facility will be equipped with video surveillance and an alarm system, and all visitors will be required to enter through the controlled entrance. Approximately 30 video cameras will be installed in and around the building, and the alarm system will include exit door alarms. The system will be monitored by a 24-hour manned guard house. Weekday security will be provided by an in-house security team, and weekend security will be contracted out to a local security firm. Based on its experience with a similarly sized facility in Medford, OR, Amy's Kitchen will generate only one (1) or two (2) calls for emergency service per year. None of those calls in the last five (5) years were for police service.

SoS will provide on-site security to manage traffic and other safety concerns during events. SoS will coordinate with local law enforcement and EMS in planning each event. While the events are staffed by volunteers, if allowed under local regulations, SoS will seek to have four (4) to five (5) local law enforcement officers on-site, and shall pay for off-duty officers or reimburse the Town for the overtime compensation.

Two (2) emergency access driveways will be provided off Hartley Road. These emergency access driveways will be gated and equipped with a Knox Box for expedited entry by emergency responders. Emergency access to the SoS site will be provided by an existing access drive to Echo Lake Road.

Recreational Resources

Potential Impacts

The Echo Lake, Ver Hage, and Lipoff properties are currently vacant land. The Strong Farm property is currently used for residential and agricultural purposes. Although the right-of-way of the unimproved section of the Heritage Trail abuts the Project Site, there are no public recreational resources on the Project Site itself.

Mitigation Findings

Any disturbance to the Heritage Trail will require approval from the County Legislature, and will be coordinated with the Orange County Department of Parks, Recreation and Conservation and the County Department of Public Works. Temporary disturbance of this unimproved section of the Heritage Trail can be expected during the construction period for installation of water and wastewater

conveyance lines. However, since this section is not actively used by the public at this point in time, no significant adverse impacts to recreational resources during the construction are anticipated.

The Town Comprehensive Plan does not make specific recommendations for the Project Site with respect to its potential for recreational use. 'Wallkill River Trailway: Conceptual Plans', prepared by the Town in 2002, identified lands in and around the Project Site for possible acquisition by the Town for use as active and passive recreation. The conceptual plan specifically referenced the portion of the Project Site running along the western bank of the Wallkill River for use as part of a trailway system. However, this plan was never implemented, and a Wallkill River trail system in this location is less viable and unlikely than it was at that time.

The Project is consistent with the Town's 2009 Comprehensive Plan as it advances the goal of economic development in the industrial zone and preserves sensitive features such as wetlands on the Project Site. The project is not anticipated to result in any significant adverse impacts to recreational resources.

In addition, the Project will generate substantial property tax revenues for the Town, Goshen Fire District, and Goshen Central School District that will offset any increased costs to these community service providers. Overall, emergency and town services will benefit from the additional tax revenue generated by the Project. At full build-out the Project will generate approximately $2,259,470 in annual property tax revenue. This includes $105,881 to the Goshen Fire District, and $1,542,397 to the Goshen Central School District. Therefore, the Project is not anticipated to result in any significant adverse impacts to police, fire, ambulance, or town hall services, or recreational resources.

FISCAL IMPACTS

Potential Impacts

The four (4) properties that comprise the Project Site currently generate approximately $88,000 per year in property taxes.

By comparing real property tax revenues with real property tax costs, the net impact on taxing jurisdictions can be identified. In Year 3 the Project will generate approximately $1.36 million more in net new property tax revenue than in costs to all taxing jurisdictions. The greatest percent of positive impact will be to the Town Outside Village and Highway Outside Village funds, while the Goshen Central School District will see the greatest total amount of net revenue at an estimated $953,032.

In Year 5 and thereafter the Project will generate approximately $2.13 million more in net new property tax revenue than in costs to all taxing jurisdictions. As in Year 3, in Year 5 the greatest percent of positive impact will be to the Town Outside Village and Highway Outside Village funds, while the Goshen Central School District will see the greatest total amount of net revenue at approximately $1.48 million annually.

Amy's Kitchen is seeking a "super-enhanced" payment in lieu of taxes (PILOT) from the Orange County Industrial Development Agency (Orange County IDA). This incentive will provide a tax exemption on the value of improvements that decreases from 100 percent exemption in the first year to full taxation after 15 years. The amount of the exemption decreases by 5 percent per year over the first 10 years and by 10 percent over the last five. This exemption only applies to the value of improvements, and does not apply to the Fire District because it is a special assessment district.

Assuming that tax rates and costs will be static over time, Orange County is projected to receive an initial shortfall during the first three years under the proposed PILOT, and the Town of Goshen will receive an initial shortfall only during the first year of the PILOT. These shortfalls will be short-term, and will quickly become positive impacts as the PILOT progresses. Furthermore, Orange County will receive substantial non-property tax revenues from the Project's construction and operations that exceed the shortfall identified during the first years of the PILOT.

The Project will result in direct and indirect economic activity and tax revenues.

Economic benefits were estimated using IMPLAN (IMpact Analysis for PLANning), an economic input-output modeling system. That analysis focuses on changes in the local economy that will likely occur as a result of the completion of the Project, including jobs not only for Amy's Kitchen and SoS employees, but also for construction, maintenance, service, vendors and other trades. The study areas for analysis were the Town of Goshen, the various taxing jurisdictions affected by the Project, Orange County, and New York State.

Construction of the Project will result in 532 direct person-years of employment. Including indirect and induced employment, the Project will result in 829 person-years of employment in New York State, of which 766 person-years of employment are estimated in Orange County. Total direct, indirect and induced employee compensation is estimated at $49.98 million in New York State, including $44.48 million in Orange County. Total direct, indirect, and induced output from construction of the Project is estimated at $151.92 million in New York State, including $135.39 million in Orange County.

Annual operations of the Project will result in 709 direct full-time equivalent (FTE) employees associated with Amy's Kitchen (681), SoS (1), and employees that will be supported by increased expenditures from SoS visitors (27). Including indirect and induced employment, the Project will result in 870 direct, indirect, and induced FTEs in New York State, of which 844 FTEs are estimated in Orange County. Total direct, indirect, and induced employee compensation from annual operations of the Project is estimated at $30.28 million in New York State, including $28.54 million in Orange County. Total direct, indirect, and induced output from annual operations of the Project is estimated at $200.29 million in New York State, including $195.20 million in Orange County.

Visitors to the SoS Conference Center will have an economic effect on local businesses. Visitors will stay overnight in area hotels, eat meals in neighborhood restaurants, and shop in neighborhood stores, thereby supporting the local and regional economies and generating sales tax revenues. For the three (3)-day National Conference, it is expected that there will be 12,000 attendees. It is assumed that 70 percent of attendees will stay in hotels (or 8,400 attendees). On average, it is assumed that hotel rooms will be occupied by two people (or 4,200 rooms) and that guests will stay for 3.5 nights for a total of 14,700 hotel nights. In addition, it is assumed that 600 volunteers will be needed to work at the National Conference. Each hotel room will be occupied by two people for four nights for a total of 1,200 hotel nights. Assuming a $125 room rate, guests and volunteers will spend $1,987,500 at area hotels. It is also assumed that each of the 12,000 attendees will spend $75 (or a total of $900,000) on items such as meals, fuel, and taxis.

For the Regional Conference, it is expected that there will be up to 2,000 attendees. It is assumed that 50 percent of guests will stay in hotels (or 1,000 attendees). On average, it is assumed that hotel rooms will be occupied by two people (or 500 rooms) and that guests will stay for one night. In addition, it is assumed that 100 volunteers will be needed to work at the Regional Conference. Each hotel room will be occupied by two volunteers for two nights for a total of 100 hotel nights. Assuming a $125 room rate, guests and volunteers will spend $75,000 at area hotels. It was also

assumed that each of the 2,000 attendees will spend $75 (or a total of $150,000) on items such as meals, fuel, and taxis.

Based on the estimated visitor spending, assuming that the specified expenditures take place at stores in Orange County, the direct employment supported by expenditures of SoS visitors is estimated at 27 permanent FTEs in Orange County.

Employee compensation for employees working in local businesses frequented by SoS visitors is estimated to be $724,400 annually. Total direct, indirect, and induced employee compensation in Orange County is estimated at $1.05 million annually. Total direct, indirect, and induced employee compensation in New York State is estimated at $1.21 million annually.

The direct effect on the local economy from the local expenditures of visitors, measured as economic output or demand, is estimated at approximately $2.84 million annually. Based on the IMPLAN model, the total economic activity, supported by expenditures from SoS visitor spending is estimated at $4.21 million annually in Orange County and $4.67 million in New York State.

Mitigation Findings

The proposed Project will result in a positive fiscal and economic impact upon the Town, County and greater community.

VISUAL RESOURCES

Potential Impacts

The potential visual impacts of the Project were assessed based on NYSDEC Program Policy DEP-00-2, "Assessing and Mitigating Visual Impacts." While the Project is not subject to DEC review for visual impact, and DEP-00-2 does not replace local discretion for determination of significance under SEQRA, the policy does provide guidelines for assessing potential visual impact of the Project.

Mitigation Findings

While some visibility of the Project is anticipated from the selected vantage points, this visibility will not result in a significant adverse visual impact.

To analyze the potential visual impacts of the Project, a computer-rendered three-dimensional model was prepared. Potential views of the Project were simulated for key Vantage Points where the potential for visual impacts was identified. To provide a conservative analysis, the model includes existing topography within the study area, but does not include vegetation.

The proposed Amy's Kitchen manufacturing facility and Warehouse Use will be visible from Hartley Road and the Orange County Heritage Trail as it traverses the northern portion of the Ver Hage property. The SoS Conference Center buildings will be visible from the Orange County Heritage Trail as it traverses the Echo Lake property, from portions of Echo Lake Road, and from the existing driveway to the Echo Lake property from Echo Lake Road. Limited views of the SoS Conference Center roof-tops during winter months might be possible from higher elevations within the Owens Road Scenic Road Corridor Overlay District. It is unlikely that any views of the Project will be possible from the main farmhouse at Strong Farm. With the exception of the new access road, elements of the Project will not be visible from NYS Route 17M and the majority of Echo Lake Road. While clearly visible from some locations, this limited visibility is not considered an adverse visual impact according to the definitions contained in NYSDEC Program Policy DEP-00-2.

Additionally, the following mitigation measures will be implemented:

- The proposed manufacturing facility will be oriented with the parking area near the interior of the site, and the narrowest portion of the building facing Hartley Road. As such, motorists along Hartley Road would not have expansive views of the proposed facility as they travel south to north.
- Landscaping and grading will be provided along Hartley Road to minimize the visibility of the proposed facility and water tanks for Amy's Kitchen, to the satisfaction of the Planning Board.
- The Proposed Project will retain existing vegetation between the Heritage Trail and the proposed manufacturing facility and parking area.
- Landscaping will be provided to minimize the visibility of the proposed parking lots for Amy's Kitchen, to the satisfaction of the Planning Board.
- No permanent improvements are proposed for the Strong Farm property, including landscaping or driveway modifications.
- The site of the potential Warehouse Use will be set back a minimum of 100 feet from Hartley Road.
- Landscaping is included as part of the Proposed Project. The conceptual landscaping plans include a variety of native deciduous and evergreen trees and shrubs, as well as non-invasive ornamental species. Landscaping is proposed at the entrance to the Proposed Project, along the roadway, and within the parking areas.
- Site lighting associated with the Proposed Project would be limited to the Ver Hage and Echo Lake properties. Existing residential lighting would be maintained on the Strong Farm property.
- Lighting fixtures for the Ver Hage and Echo Lake properties will have full cutoff shields to limit lateral spread of light and would be dark-sky friendly, meaning that light would not be project up from the fixture. The lighting would be zoned, so that only those fixtures needed to support site activities would be turned on. In particular, the lighting for the orchard parking area at the SoS Conference Center would only be used during the National and Regional Conferences. Lighting would be limited to a maximum 0.5-foot candles at property lines. Lighting on the main access road and emergency driveways would be at a slightly higher level than other areas, but would be consistent with other lighting on NYS Route 17M and Hartley Road.
- Building lighting is also proposed as downcast building mounted fixtures that would be installed around the façade and at entrances. No flood lighting is proposed.
- All site signage will be designed to be fully compliant with Section 97-49 of the Town Zoning Code. Any signs will be set back from the road so as to not obstruct sight distances. Directional signage within the Project Site will be minimal, and integrated with the landscaping.

ENVIRONMENTAL CONTAMINATION

Potential Impacts

The Project was analyzed for the potential to increase exposure to environmental contamination during construction and operation, and specific measures that will be employed to protect public health, worker safety, and the environment have been identified. In particular, potential concerns

related to contamination associated with the former Al Turi Landfill, which is located south of the Ver Hage property on the east side of the Wallkill River have been addressed.

Mitigation Findings

Although the potential for subsurface contamination has been identified, with the implementation of a variety of measures discussed in the analysis, construction of the Project will not result in any significant adverse impacts related to hazardous materials. Although some hazardous materials will likely still remain in the subsurface following construction, buildings will incorporate elements (such as sub-slab venting systems and/or waterproofing/vapor barriers) to prevent contaminated groundwater or vapors from entering the new facilities, resulting in no further potential for significant adverse impacts.

In addition, although operation of the Project will use a variety of materials and petroleum products (e.g., for maintenance) and will generate a variety of wastes as part of the manufacturing process, the storage, transportation, use, and disposal of these are subject to strict regulation and, as such, are not expected to present the potential for significant adverse impacts during operation of the Project.

Construction of the proposed Amy's Kitchen facility will require abandonment of the three (3) monitoring wells (W-20S, W-25, and W-26) associated with the Old Al Turi Landfill that are located on the Ver Hage property. These wells are not critical to the Class II Landfill monitoring program and their abandonment is not expected to pose a significant adverse impact with respect to groundwater contamination. NYSDEC Division of Environmental Remediation has approved a request to close and de-commission these monitoring wells. All other on-site monitoring wells associated with the Old Al Turi landfill will be maintained at the Ver Hage property as appropriate to ensure the efficacy of the remedy that was implemented for the landfill.

Development on the Project Site in general will involve excavation of on-site soil and potential dewatering for construction purposes. Absent appropriate controls, as described below, the Project could potentially result in an increase in exposure for the community and construction workers to contaminants in soil and groundwater. As part of the Project, soil disturbance will occur on the Ver Hage property for construction of the Amy's Kitchen food processing facility, on the Echo Lake property for construction of the Science of the Soul Conference Center, along the Heritage Trail Utility Corridor for installation of water and wastewater utility connections; and for construction of an access road connecting Route 17M to the southern portion of the Echo Lake property. The Strong Farm and Lipoff properties will remain undeveloped. In general, contaminants were not identified in soil or groundwater at levels exceeding regulatory criteria for the intended site use during the Phase II Subsurface Investigations of the Ver Hage and Echo Lake properties; however, several areas of waste disposal were noted at the Echo Lake property. The Applicant anticipates that potential impacts from potential unforeseen conditions will be avoided by performing construction activities in accordance with the following protocols:

- The waste disposal areas at the Echo Lake property will be addressed by excavating, segregating and disposing of the waste materials off-site in accordance with applicable regulations. Endpoint samples will be collected from the excavations to confirm that associated contaminants do not remain in the underlying soil. Soil removal will be conducted if contaminant concentrations exceeding the applicable regulatory criteria are identified.
- Results from the soil vapor sampling at the Ver Hage Property did not identify VOCs above the NYSDOH Air Guideline Values, and data from on-going groundwater monitoring associated with the Old Al Turi Landfill shows minimal groundwater impacts on the Property. Therefore, there is low potential for future contaminant migration onto the Property and a low potential for vapor

encroachment. Nevertheless, as a precautionary measure, a vapor barrier will be incorporated in the design of the Amy's Kitchen food processing facility building on the Ver Hage property to prevent potential radon and/or vapor intrusion.

- After design of the utility line connection is completed, targeted soil and groundwater sampling will be conducted along the Heritage Trail Utility Corridor to characterize subsurface materials that will be encountered during construction. The sampling parameters will be selected based on the anticipated contaminants of concern associated with the conditions identified based on the regulatory database review (e.g., metals, pesticides, PCBs, petroleum compounds associated with former railroad use; chlorinated solvents associated with the nearby dry cleaner; VOCs and SVOCs associated with nearby petroleum spills).
- A Construction-Phase Environmental Health and Safety Plan (CHASP) will be prepared and implemented to manage disturbance of soil and handling of dewatering fluids, and will include a contingency plan to address sources or areas of contamination, if any, identified during targeted sampling along the utility corridor and/or encountered during future construction activities. Elements of the CHASP will include the following:
  - All soil and fill excavated as part of Project Site construction activities will be managed in accordance with all applicable regulations. All soil intended for off-site disposal will be tested in accordance with the requirements of the intended receiving facility. Transportation of all material leaving the Project Site for off-site disposal will be in accordance with Federal, State and local requirements covering licensing of haulers and trucks, placarding, truck routes, manifesting, etc. Among the pertinent regulatory requirements are those found in 6 NYCRR Parts 360 through 376, which set forth waste management requirements. Any waste disposal that will occur outside of New York State will be conducted in accordance with similar federal and individual state requirements.
  - If tanks, drums, or other sources of subsurface contamination are discovered at the Project Site during excavation activities, they will be removed in accordance with all applicable regulations. Any associated soil and groundwater contamination will be mitigated in accordance with the state, county, and local requirements. The removal of petroleum tanks is regulated by NYSDEC (6 NYCRR Section 613.9), which requires that tanks no longer in use be closed in place or removed according to specific requirements. Contaminated soils surrounding the tanks, separate phase product on the water table, or contaminants dissolved in the groundwater, if encountered, will be addressed in accordance with applicable NYSDEC regulations (6 NYCRR Section 611.6) and Article 12 of the New York Navigation Law (notification and management requirements for spills to the waters of the state).
  - Access to the Project Site for groundwater monitoring associated with the NYSDEC closure of the Al Turi Landfill will be permitted, as necessary.
- If dewatering is required (e.g., for installation of utilities), treatment and discharge of dewatering fluids will be conducted in accordance with all applicable regulations and guidance, including obtaining appropriate permits. The discharge of wastewater to surface or groundwater in New York State will be conducted in accordance with 6 NYCRR Part 750.
- Appropriate erosion and sediment controls will be implemented in accordance with a SWPPP. This will minimize the potential of dust generation and sediment in stormwater during the soil disturbance activities.

With the implementation of these measures, no significant adverse impacts related to hazardous materials will be expected to occur as a result of the construction activities for the Project. Following construction of the Project, there will be no further potential for adverse impacts.

CULTURAL RESOURCES

Potential Impacts

The potential of the Project to affect cultural resources has been analyzed. Cultural resources include both architectural and archaeological resources. Archaeological resources can include archaeological remains from Native American people who used or occupied a site, and also remains from activities that occurred during the historic period (beginning with European settlement of the area) that include European contact with Native Americans, as well as battle sites and foundations. Historic architectural resources include significant built resources, such as structures, buildings, and objects including National Historic Landmarks (NHLs), and properties listed on or determined eligible for listing on the State and National Registers of Historic Places (S/NR).

The historic and archaeological resources analysis was prepared in accordance with the State Environmental Quality Review Act (SEQRA), Section 14.09 of the New York State Historic Preservation Act of 1980 (SHPA), and Section 106 of the National Historic Preservation Act (NHPA). Section 14.09 of SHPA and Section 106 of the NHPA require that state and federal agencies respectively consider the effect of their actions on properties listed on or determined eligible for listing on the S/NR. Compliance with Section 106 satisfies the requirements of SHPA, set forth in Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law.

Mitigation Findings

Archaeological Resources

Phase IA-level documentary research to identify areas of potential archaeological sensitivity were conducted for each of the four (4) properties comprising the Project Site as well as the Additional Areas (Heritage Trail Utility Corridor and Access Road Improvement Area). Where archaeological sensitivity was identified, Phase IB and Phase II archaeological testing was conducted to identify those areas where archaeological resources were present and to determine if those resources were significant and therefore eligible for S/NR listing.

On the Echo Lake property, these investigations resulted in the identification of three (3) precontact archaeological sites that were identified as eligible for S/NR listing and one (1) historic period archaeological site that was determined to be ineligible for S/NR-listing. One (1) of the precontact archaeological sites on the Echo Lake property extends into the Access Road Improvement Area. On the Ver Hage property one (1) archaeological site was identified as eligible for S/NR listing.

Phase IB testing did not identify any archaeological resources within the Lipoff or Strong Farm properties and it was determined that neither parcel is sensitive for archaeological resources dating to either the precontact or historic periods.

Phase IA research concludes that the Heritage Trail Utility Corridor is not sensitive for archaeological resources.

The Project will result in unavoidable impacts to four (4) S/NR eligible archaeological sites. Although the Project will relocate a portion of the access road, it is not feasible to avoid impacts to the three archaeological sites affected by the access road. Since avoidance of these sites is not possible through design changes, Phase III Data Recovery Plans (DRPs) have been developed to outline the testing strategies and protocols that will be implemented as part of the Data Recovery. The DRPs have been

reviewed by the Town and have been submitted to SHPO for review and concurrence. A Memorandum of Agreement (MOA) among the USACE, New York State Office of Parks, Recreation and Historic Preservation (OPRHP), Historic Preservation Office, and the Applicant has been prepared. As a result thereof, no significant adverse impacts to archaeological resources will result.

Historic Resources

The Strong Farm is an S/NR eligible resource. SoS intends to continue the agricultural use of the Strong Farm property, and will restore the main residence and some of the agricultural structures on the property. The two (2) other residential structures will be rented to tenants or used for volunteer housing during the National and Regional SoS Conferences. The Strong Farm property will also be used for volunteer parking for the SoS Conference Center during the National Conference. Volunteer parking will be provided in hayfields or orchards, north of the Strong Farm complex. The continued agricultural use of the property and temporary parking will not result in any adverse physical effects to the farm complex. In addition, due to existing topography and vegetation, neither Amy's Kitchen nor SoS is expected to be visible from the farm complex, and the farm complex's setting will not be affected. Therefore, the Project will not result in any significant adverse indirect effects on the Strong Farm historic complex.

Within the Study Area, 34 Owens Road has been identified as a potential historic resource. However, the Project will have no significant adverse impacts on this potential historic resource. The house is located across Owens Road from the Strong Farm property fields that will be utilized for agricultural use and temporary volunteer parking for SoS three days per year. It is not expected that the continued agricultural use of the fields and temporary parking will have any adverse physical effects or adversely affect the setting of the house at 34 Owens Road. Therefore, the Project will have no adverse effects on historic resources in the study area. In a letter dated September 30, 2015, SHPO concluded that it has no concerns regarding the Project's potential impacts on historic architectural resources.

AGRICULTURE

Potential Impacts

The Amy's Kitchen and SoS Project Site will be located in an area that is largely characterized by low-density rural residential and agricultural land uses, as well as several commercial and light industrial sites, public infrastructure and utilities, and institutional uses. The Project Site is located within the Town of Goshen in the Orange County Agricultural District No. 2, as approved through Resolution No. 7 of 2013 of the Orange County Legislature, Adopted 7 February 2013.

Overall, the Project will result in long term benefits to the local and regional agricultural economy. Amy's Kitchen currently purchases approximately 90 million pounds of organic materials each year for use in their products. 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. Amy's Kitchen is actively working with and pursuing increasing east coast suppliers, which could include organic produce and dairy from the Hudson Valley region.

Mitigation Findings

The immediate study area, including the Strong Farm property on the Project Site, includes currently operating farms which contribute to the Town and the County's economy, provide livelihoods for local residents, and add to the area's rural character and attractiveness. The Planning Board recognizes the value of these factors to the local and regional economies, as well as the added value

that the Project will bring to fostering and promoting the local and regional agricultural economy and jobs relating to it.

The Strong Farm conservation easement would preserve the agricultural use of that property in perpetuity.

The Amy's Kitchen project is not anticipated to result in significant in-migration of workers, or to compete with existing agricultural operations for workers. There are approximately 11,336 unemployed persons available for work (unemployed, exceeding stable unemployment rate of 4.5 percent) living within a one (1)-hour drive of the Project Site. Of these, roughly 4,060 persons live within 30 minutes of the site, and over a quarter of those (1,090 persons) are in the "blue collar" occupational category from which Amy's Kitchen will draw a majority of its employees.

The total number of full-time equivalent (FTE) workers needed to staff the Amy's Kitchen facility upon completion of Phase 2 is 681. Of these, 630 employees will work in food production, 30 employees will provide facility maintenance, and 21 employees will work in a supervisory or plant safety and engineering capacity. Wages are anticipated to be comparable to prevailing wages for similarly skilled jobs in the Project Area, including agricultural workers. As such, there is a sufficient workforce within the area from which to draw employees, and the Project is not anticipated to compete for labor with the agricultural industry.

Although the Proposed Project would construct permanent facilities on lands identified as having "Prime Farmland Soils" or "Farmland Soils of Statewide Significance," these soils were heavily disturbed by past mining and industrial-related uses on the properties. With the preservation of Strong Farm, a local agricultural resource, and the benefit to the regional agricultural economy, no mitigation is required.

AIR QUALITY

Potential Impacts

Potential air quality impacts of the Project have been analyzed. Air quality impacts can be either direct or indirect. Direct impacts result from emissions generated by stationary sources at a project site, such as emissions from on-site fuel combustion for heat and hot water systems, or industrial process boilers. Indirect impacts are impacts that are caused by off-site emissions associated with a project, such as impacts that are caused by emissions from on-road vehicle trips generated by a project or other changes to future traffic conditions due to a project.

Mitigation Findings

The Project will generate both truck and car trips; therefore the potential for indirect mobile source impacts from the Project was evaluated. The Project will include natural gas-burning heat and hot water systems and process boilers. Therefore, stationary sources were evaluated as well.

The additional vehicle trips generated by the Project and the Project's stationary sources are not expected to cause any exceedance of ambient air quality standards. None of the locations affected by the Project will exceed any of the screening criteria. Therefore, additional screening or microscale modeling is not required, and the Project will not cause any significant adverse air quality impacts from mobile sources.

The Project will introduce relatively small stationary sources at a large distance from the nearest sensitive locations, and the traffic increments associated with the Projects will not exceed screening

levels. Overall the review of these sources has concluded that the Project will not cause any significant adverse air quality impacts.

Emissions from vehicles generated by the Project will be unavoidable, but are not considered impacts as none of the screening locations for mobile source emissions exceed the volume threshold criteria for either carbon monoxide or particulate matter established by NYSDOT. Emissions from stationary sources (process boilers, heat and hot water systems, and ovens) are also considered unavoidable, but are not considered impacts as none of the stationary sources individually or collectively are large enough to require any air quality permits, they will be located a large distance from any sensitive receptor, and because ambient pollutant concentrations are substantially lower than NAAQS. Since the Project will not result in any significant adverse air quality impacts, no mitigation is required.

CONSTRUCTION IMPACTS

Potential Impacts

Full build-out of Amy's Kitchen will occur in two (2) phases. Phase 1 will total 226,000 square feet: 215,000 square feet of production space and 11,000 square feet of office space. An accessory 3,000 square-foot medical clinic will be constructed in a free-standing building on the Project Site. Phase 1 will also include construction of the new access road from NYS Route 17M, relocation of Training Center Lane, the bridge across the Wallkill River, internal driveways and employee parking, water supply lines, wastewater force-main, and the on-site wastewater pre-treatment system. Site landscaping, stormwater management, and lighting will also be completed. It is anticipated that Phase 1 will take approximately 36 months to complete. Amy's Kitchen has scheduled the Goshen facility to be completed in 2019. Grading will not commence until Site Plan approval has been finalized by the Town of Goshen Planning Board. Clearing of trees will not commence until November 1 to comply with NYSDEC restrictions relating to protected species of bats.

Construction activity will begin with site work (clearing and grading) of the Access Road Improvement Area, access road alignment on the Echo Lake property, and the bridge landing area on the Ver Hage property. Delivery of earth-moving equipment and limited construction worker access to the Project Site will be provided directly from NYS Route 17M and by the existing driveway to the Echo Lake property on Echo Lake Road and by the existing driveway to the Ver Hage property on Hartley Road. Neither the Echo Lake Road driveway nor the Hartley Road driveway will be used as long-term construction site access points. Since the initial focus of construction is the clearing and grading of the access road from NYS Route 17M to the upper portion of the Echo Lake property and the Wallkill River bridge location, that road will become the primary construction access to the Project Site.

While rough grading occurs on the Echo Lake property and the Wallkill River bridge is constructed, installation of utilities serving the Project will be underway. A significant amount of investment is required to bring utilities to the Project Site and this must occur before construction can commence on building foundations and super-structure. The water supply and wastewater force-main will be constructed within the Heritage Trail Utility Corridor while the gas line will be constructed along the access road from NYS Route 17M. Installation of the Wallkill River bridge will follow to allow for construction access to the Ver Hage property from NYS Route 17M.

Once the access road and bridge have been substantially completed and will allow for construction truck traffic, transfer of excess fill material from the Echo Lake property to the Ver Hage property will commence. Since the grading plan for the Project contemplates a roughly balanced cut-and-fill

across the Project Site, excavated material from the Echo Lake property will be used to fill the Ver Hage property. With the access road and bridge completed in the earliest construction phase, very limited construction traffic will use either Hartley Road or Echo Lake Road.

Following rough grading on the Ver Hage property, construction of building foundations and site utilities will commence, followed by construction of site buildings for the Amy's Kitchen manufacturing facility. Electrical connections for both Amy's Kitchen and SoS Conference Center will be pulled from existing distribution lines along Hartley Road and/or Echo Lake Road.

Phase 2 of Amy's Kitchen will total 140,000 square feet: a 134,000 square feet expansion of production space and an additional 6,000 square feet of office space. Phase 2 construction is anticipated to be completed by approximately 2023.

The SoS Conference Center is contemplated to be constructed in a single 18- to 24-month phase, which is currently anticipated to commence after construction of the access road, Wallkill River bridge, and Phase 1 construction of Amy's Kitchen is initiated. Construction activities on the SoS Conference Center buildings will begin after the initial clearing and grading of the Echo Lake property is substantially completed.

Soil excavation on the Project Site can be performed with conventional earth moving equipment such as backhoes, excavators, and bulldozers. All excavation will be performed in accordance with OSHA requirements including, but not limited to, temporary shoring, using trench boxes, and proper benching, wherever necessary.

Mitigation Findings

Construction activities on the Project Site could result in temporary impacts associated with noise, air quality (dust), and construction truck traffic.

Construction operations, for some limited time periods, will result in increased noise levels that may be intrusive and annoying and may significantly increase ambient noise levels. Construction activities will comply with the hour limitations in the Town Code to minimize noise intrusion from construction activities. Because of the limited duration of the construction activity and the generally industrial nature of the study area, these impacts will not constitute significant adverse noise impacts.

Mobile source emissions may result from the operation of construction equipment, earth-moving equipment, and trucks delivering materials to the Project Site. Localized increases in mobile source emissions will be minimized by using ultra-low sulfur diesel fuel for all construction equipment operating on the Project Site. Delivery trucks and/or other construction equipment engines will not be permitted to remain idling during unloading or other inactive times.

The Project will generate vehicle trips associated with workers traveling to and from the construction site, as well as the hauling and delivery of soils, materials, and equipment. An estimated average of approximately 50 to 60 workers and 25 construction-related truck trips per day will occur when construction is active at the Project Site. During the initial site clearing and grading activity, trucks will be used to haul excess fill material from the Echo Lake property to the Ver Hage property using the new Wallkill River bridge that will be constructed in the first phase. Because of the large amount of fill required at the Ver Hage property, approximately 90 truck trips per day over a six (6) month period may be required between the Echo Lake property and the Ver Hage property. However, once delivered to the Project Site, none of these truck trips will occur on State or local roads as they will use the internal road and bridge across the Wallkill River.

Each construction worker was assumed to commute to the construction site by private auto and make two vehicle trips per workday – one arrival trip and one departure trip. Given typical construction hours, the majority of worker trips will occur during off-peak travel times and therefore will not typically affect traffic during the standard peak vehicular travel hours (e.g., 8:00 AM to 9:00 AM and 5:00 PM to 6:00 PM). Truck movements, including delivery of construction materials and equipment, are typically distributed throughout the work day. It is expected that only a limited number of trucks will travel to or from the site during the standard vehicular peak traffic hours Furthermore, traffic generated during construction will also be temporary. For these reasons, it is concluded that the Project will not result in significant adverse impacts due to vehicles generated by construction activity.

Additionally, the following mitigation measures will be implemented:

- Clearing of trees will not commence until November 1 to comply with NYSDEC restrictions relating to protected species of bats.
- All excavation will be performed in accordance with OSHA requirements including, but not limited to, temporary shoring, using trench boxes, and proper benching, wherever necessary.
- Stormwater run-off will be directed away from excavations and promptly removed from areas of foundation subgrade. Groundwater and stormwater run-off will be discharged in accordance with NYSDEC regulations.
- Should bedrock removal be required, standard construction equipment is typically sufficient to excavate or "rip" the bedrock. If the rock is less weathered and stronger, additional mechanical devices, such as a hydraulic hammer mounted on an excavator, may be required to break the rock down into removable size pieces for excavation. As a last resort, to break apart massive, strong, and fresh (non-weathered) bedrock, drill and blast operations would be used if required to fragment the rock so that it can be excavated. By using a combination of these techniques, rock excavation can be performed in a responsible manner. If it is determined that blasting is necessary for bedrock removal on-site, it shall be carried out in conformance with all applicable laws and regulations.
- Construction of the Proposed Project will be carried out in accordance with the Town of Goshen Noise Code, which allows construction activities between the hours of 8:00 AM and 8:00 PM on weekdays and between the hours of 9:00 AM and 8:00 PM on weekends and holidays. Construction activities occurring after-hours are not permitted except for emergency conditions in the interest of public safety.
- Active construction on the Project Site will be focused on the Ver Hage property and the Echo Lake property. No construction activity will occur on either the Lipoff property or Strong Farm property. Both the Ver Hage property and the Echo Lake property are large enough to accommodate on-site construction equipment and materials staging areas, construction offices, and construction worker parking.
- Stabilized construction entrances will be installed at each access point to the Project Site. Street sweeping would be implemented as needed.
- Construction of the Proposed Project will conform to the requirements of the New York State Department of Environmental Conservation (NYSDEC) State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity, Permit No. GP-0-15-002.
- Construction of the project will comply with all applicable noise and construction regulations of the Town of Goshen Code. Warming up of machinery that exceeds the noise threshold will be postponed to 8:00 am on weekdays and 9:00 am on the weekends, and shutdown will occur by 8:00 pm, consistent with Town of Goshen Code.

- All excavated rock, soil, and fill materials requiring off-site disposal will be handled and disposed of in accordance with applicable regulatory requirements.
- Material selection throughout construction will prioritize materials from local suppliers and from the Hudson Valley region. Forest Stewardship Council (FSC) certified wood and other renewable resources will be targeted for use.
- Asphalt and concrete generated from roadway improvements (both on-site and off-site) will be recycled or crushed at an off-site location for reuse.
- With the exception of the limited disturbance to wetlands on the Project Site to create the access road, all other regulated wetlands will be protected during the construction period by creating a defined limit of disturbance with appropriate fencing and signage to indicate "Protected Areas." No construction staging, equipment or material storage, or worker parking will be permitted within these protected areas. Wetlands will be further protected by appropriate erosion and sediment controls as required by the SWPPP developed for the Proposed Project.
- Water trucks will be used to spray exposed surfaces during dry weather periods.
- To minimize these problems, erosion and dust control procedures will be followed during construction and will include:
    - Minimizing the area of disturbed soil by careful planning of grading operations so that only the areas needed for any particular construction activity are disturbed;
    - Minimizing the time span that soil is exposed;
    - Spraying water on dusty surfaces;
    - Utilizing ultra-low sulfur diesel equipment; and
    - Using drainage diversion methods (silt fences) to minimize soil erosion during site grading.
- The waste disposal areas at the Echo Lake property will be addressed by excavating, segregating and disposing of the waste materials off-site in accordance with applicable regulations. Endpoint samples will be collected from the excavations to confirm that associated contaminants do not remain in the underlying soil. Soil removal will be conducted if contaminant concentrations exceeding the applicable regulatory criteria are identified.
- A vapor barrier will be incorporated in the design of the Amy's Kitchen food processing facility building on the Ver Hage property to prevent potential radon and/or vapor intrusion.
- After design of the utility line connection is completed, targeted soil and groundwater sampling will be conducted along the Heritage Trail Utility Corridor to characterize subsurface materials that would be encountered during construction. The sampling parameters will be selected based on the anticipated contaminants of concern associated with the conditions identified based on the regulatory database review (e.g., metals, pesticides, PCBs, petroleum compounds associated with former railroad use; chlorinated solvents associated with the nearby dry cleaner; VOCs and SVOCs associated with nearby petroleum spills.
- A Construction-Phase Environmental Health and Safety Plan (CHASP) will be prepared and implemented to manage disturbance of soil and handling of dewatering fluids, and would include a contingency plan to address sources or areas of contamination, if any, identified during targeted sampling along the Heritage Trail Utility Corridor and/or encountered during future construction activities. Elements of the CHASP will include the following:
    - All soil and fill excavated as part of Project Site construction activities will be managed in accordance with all applicable regulations. All soil intended for off-site

disposal would be tested in accordance with the requirements of the intended receiving facility. Transportation of all material leaving the Project Site for off-site disposal will be in accordance with Federal, State and local requirements covering licensing of haulers and trucks, placarding, truck routes, manifesting, etc. Among the pertinent regulatory requirements are those found in 6 NYCRR Parts 360 through 376, which set forth waste management requirements. Any waste disposal that will occur outside of New York State would be conducted in accordance with similar federal and individual state requirements.

- If tanks, drums, or other sources of subsurface contamination are discovered at the Project Site during excavation activities, they will be removed in accordance with all applicable regulations. Any associated soil and groundwater contamination would be mitigated in accordance with the state, county, and local requirements. The removal of petroleum tanks is regulated by NYSDEC (6 NYCRR Section 613.9), which requires that tanks no longer in use be closed in place or removed according to specific requirements. Contaminated soils surrounding the tanks, separate phase product on the water table, or contaminants dissolved in the groundwater, if encountered, will be addressed in accordance with applicable NYSDEC regulations (6 NYCRR Section 611.6) and Article 12 of the New York Navigation Law (notification and management requirements for spills to the waters of the state).

- If dewatering is required (e.g., for installation of utilities), treatment and discharge of dewatering fluids will be conducted in accordance with all applicable regulations and guidance, including obtaining appropriate permits. The discharge of wastewater to surface or groundwater in New York State will be conducted in accordance with 6 NYCRR Part 750.
- Appropriate erosion and sediment controls will be implemented in accordance with a Stormwater Pollution Prevention Plan (SWPPP). This will minimize the potential of dust generation and sediment in stormwater during the soil disturbance activities.

UNAVOIDABLE ADVERSE ENVIRONMENTAL IMPACTS

Findings

The Project will create a number of physical changes to the Project Site and Additional Areas. Several environmental impacts will result that cannot be avoided.

The Project will result in the unavoidable clearing and grading of approximately 151 acres of the Project Site, much of which comprises successional old field and shrubland that has grown on previously disturbed mined land.

Construction of the Project will result in changes to the natural topography of the Ver Hage and Echo Lake properties. Grading activities are anticipated to involve both cut and fill operations as detailed in Table 4 above.

The Project will result in unavoidable adverse impacts to approximately 4.2 acres of wetlands (0.081 acres of federally-regulated wetlands) through the construction of the Project.

Within the 151 acre limits of disturbance, approximately 52 acres of successional southern hardwoods on the Project Site will be cleared. Within this area to be cleared are a number of trees greater than 12 inches in diameter. Due to the size of this area, it was not possible to conduct an exact count of the number of trees greater than 12 inches in diameter. In addition, since the Project requires an extensive

amount of cut and fill between the Echo Lake and Ver Hage properties to meet the necessary grades for each site, it is not feasible to preserve any trees within the area of disturbance. The loss of vegetation and trees within the area of disturbance is considered an unavoidable adverse impact. Some loss of individual specimen of various species should be anticipated to occur during construction activities and because of the reduction of habitats.

Development and use of the Project Site will generate solid waste due to office refuse, food wastes, and packaging materials. To minimize solid waste generation, Amy's Kitchen will recycle and compost as much as possible; however, the production of some solid waste is unavoidable.

Change of existing land use form vacant land to occupied land creates several unavoidable adverse environmental impacts. Construction of new buildings, roadways and parking areas will require excavation and grading, as well as creating additional impervious surfaces on-site. This increase in impervious surfaces will require detention, treatment, and eventual release of stormwater runoff that will formerly have been absorbed on the Project Site. A SWPPP will be implemented to ensure proper management of stormwater runoff including both water quality and quantity.

The Project will result in unavoidable impacts to four (4) S/NR eligible archaeological sites. Since avoidance of these sites is not possible through design changes to the Project, Phase III DRPs have been developed to outline the testing strategies and protocols that will be implemented as part of the Data Recovery. The Town has reviewed the DRPs and they have been submitted to SHPO for review and concurrence. As a result thereof, no significant adverse impacts to archaeological resources will result.

The Project will generate additional vehicle trips to and from the Project Site. While these trips are considered unavoidable, mitigation measures have been proposed to avoid significant adverse impacts.

Emissions from vehicles generated by the Project will be unavoidable, but are not considered impacts as none of the screening locations for mobile source emissions exceed the volume threshold criteria for either carbon monoxide or particulate matter established by NYSDOT. Emissions from stationary sources (process boilers, heat and hot water systems, and ovens) are also considered unavoidable, but are not considered impacts as none of the stationary sources individually or collectively are large enough to require any air quality permits, they will be located a large distance from any sensitive receptor, and because ambient pollutant concentrations are substantially lower than NAAQS.

Construction activities will generate traffic to and from the site, noise from construction equipment and potential erosion concerns. To minimize these impacts, a phasing plan, SWPPP, ESCP, and traffic safety measures will be implemented. These impacts will be temporary and are not considered significant.

ALTERNATIVES TO THE PROJECT

The State Environmental Quality Review Act (SEQRA) and its implementing regulations require the consideration of project alternatives that are reasonable and feasible that meets the goals and objectives of the Project. The following Alternatives were evaluated for potential impacts in comparison to the Project:

Alternative 1: No Action Alternative;

Alternative 2: Potential use of Echo Lake Road (over Heritage Trail) as an emergency access, "employee only" entrance/exit or access for Science of the Soul events;

Alternative 3: Permanent access to Amy's Kitchen manufacturing facility from Hartley Road;

Alternative 4: Connection to the Village of Goshen wastewater treatment plant; and

Alternative 5: Smaller Warehouse Use that avoids floodplain disturbance.

Alternative 1, the No Action Alternative, will not achieve the objectives of the Applicant to construct a food manufacturing facility and conference center on the Project Site and is, thus, not considered realistic or feasible.

Alternative 2 will have impacts very similar to the Project. During a SoS special event, an additional police officer will have to be posted at the secondary egress during the hour or two following a National Conference or Regional Conference to control exiting traffic and ensure safe operating conditions along Echo Lake Road. An additional 501 vehicles could exit the Project Site using the secondary egress before a potential noise impact exists under Alternative 2. Rerouting some exiting vehicles toward Echo Lake Road will create a second queue of idling vehicles exiting the Project Site and may cause localized increases in carbon monoxide emissions. However, creating a second egress point managed by a police officer at the un-signalized intersection of the driveway with Echo Lake Road will create added efficiencies in clearing the Project Site of vehicles. Thus, while there may be localized increases in emissions, overall Alternative 2 may have benefits to air quality in comparison to the Project given the decreased time for the same number of vehicles to exit the Project Site.

Alternative 3 will have similar Levels of Service to the Project at each of the intersections, and that the traffic volumes associated with the Amy's Kitchen Phase 2 development could be accommodated on the roadway network with access to Hartley Road only, but will require installation of turning lanes at the intersection of NYS Route 17M and Hartley Road.

Alternative 4 will have similar impacts to the Project associated with construction of the wastewater conveyance line, except that Alternative 4 will be a shorter distance and will be constructed under an active multi-use bicycle/pedestrian path. In addition, since potable water will still be obtained from the City of Middletown, this alternative will not avoid the trenching required to reach the City of Middletown. As such, the Project, which will obtain both potable water and wastewater treatment from the City of Middletown, will have greater operational and regulatory efficiency, and fewer potential environmental impacts related to trenching.

Alternative 5 considers a smaller Warehouse Use. A smaller Warehouse Use will have significantly reduced modifications to the floodplain, which could theoretically be offset through other on-site options and not the excavated channel next to the Cheechunk Creek. A smaller Warehouse Use will generate fewer trips than the larger Warehouse Use. However, this reduction in size will not change the mitigation measures required to mitigate traffic from the Amy's Kitchen manufacturing facility.

ENERGY USE AND SOLID WASTE MANAGEMENT

Potential Impacts

Electric service will be provided to Amy's Kitchen by running an underground service line from the existing electric transmission line on either Hartley Road or Echo Lake Road to a bank of on-site transformers. Subject to final coordination with NYSEG, gas service will be provided to Amy's Kitchen and the SoS Conference Center by a service line (approximately 12-inch diameter) run from the existing gas line beneath NYS Route 17M along the new access road and under the proposed bridge over the Wallkill River to the Amy's Kitchen manufacturing facility.

Underground electric service lines from Echo Lake Road will be run up the emergency driveway to the SoS Conference Center. Gas service would be provided to SoS Conference Center by a service line (approximately 12-inch diameter) run from the existing gas line beneath NYS Route 17M along the new access road.

The Warehouse Use will have limited demands for electricity and natural gas. Because the Warehouse Use would be used for storage of dry goods and there will be no need for refrigeration, only limited air conditioning within a small office space and lighting will be required. Underground electric service lines will also be run from Hartley Road to any lighting and heating, ventilation, and air conditioning (HVAC) energy requirements for the Warehouse Use.

Amy's Kitchen estimates that at full-build out, a 5-day per week operation would generate approximately 444 tons of waste per month. Operation of the Science of the Soul facilities will result in minimal solid waste generation. Normal SoS weekday and weekend activities at the two (2) caretaker residences and volunteer activities and weekly meetings will generate small quantities of solid waste, which could total approximately 100 pounds per month. The Warehouse Use would generate minimal amounts of solid waste from the few employees that would staff the building.

Mitigation Findings

Amy's Kitchen is not considering pursuing United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) certification. However, Amy's Kitchen is considering the following energy conserving measures within its manufacturing facility, some of which have been used at Amy's Kitchen's other facilities:

- Install variable frequency drives (VFDs) on all motors.
- Occupancy sensors on lights.
- T5 fluorescent lamps instead of T8 fluorescent lamps or high pressure sodium.
- Install ammonia based refrigeration system instead of Freon based systems.
- Utilize trim motors on the ammonia refrigeration system (staged motors).
- Utilize trim motors on the air compressor system (staged motors).
- Utilize centralized glycol chilling when available.
- Install automatic doors on refrigerators and freezers to keep conditioned space at temperature.
- Install a solar panel system on the plant.
- Reuse boiler exhaust heat to preheat boiler infeed water and to preheat sanitation water.
- Insulate all water, steam, and refrigeration piping to reduce loss.
- Shut off production lines when not in use.
- Utilize impingement style tunnels, which consume less gas.
- Utilize natural gas power when applicable—more efficient that electricity.

Standby power generators are proposed for the Amy's Kitchen facility for basic lighting and communications systems within the plant. Back-up generator capability would also be provided for the proposed on-site wastewater pre-treatment facility.

SoS proposes to employ several energy conservation measures. Lighting for the facility would use high efficiency, light emitting diode (LED) fixtures. Office area lighting would have occupancy sensors and would turn off when not in use. All lighting plans and fixtures would adhere to the New

York State Energy Conservation Construction Code (19 NYCRR Part 1240). Increased insulation in enclosed buildings would similarly reduce heating and cooling requirements throughout the site. Solar panel arrays may be installed on the roofs of Science of the Soul buildings as a means of providing renewable energy and reducing the grid electricity consumption of the site.

In order to reduce the total amount of landfilled solid waste, Amy's Kitchen will compost approximately 74 tons of organic matter per month and recycle approximately 100 tons of cardboard and plastics per month. Recyclable and compostable materials will be kept separate from other wastes inside the Amy's Kitchen facility and will be collected and disposed of by a private waste management company. Other than the temporary storage of the compostable materials inside the Amy's Kitchen facility, no composting will occur on-site.

Recyclable and compostable materials will be collected and stored separately from the waste stream and will be collected for beneficial reuse by a private waste hauling company.

IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

Potential Impacts

Natural and manmade resources will be expended in the construction and operation of both Amy's Kitchen and SoS. These natural resources include the use of land and energy. Manmade resources include the effort required to develop, construct, and operate the Project; building materials; financial funding; and motor vehicle use. Resources are considered irretrievably committed because it is highly unlikely that they will be used for some other purpose.

Mitigation Findings

None of the resources expended will constitute a significant adverse impact. Therefore, no mitigation is required.

GROWTH INDUCING IMPACTS

Mitigation Findings

The Project will create a substantial number of new jobs in Goshen. However, it is anticipated that these jobs can be filled by existing workers within the greater Project Area. The fiscal impact analysis identified a gap of approximately ten (10) workers within the ten-minute commute area for blue collar workers. This gap could be filled either by workers in the 10 to 20 minute commute area, of which there is a surplus, or by approximately 10 workers relocating closer to the Project Site. This fiscal analysis also found that the existing housing market can easily accommodate the small number of worker households that could potentially relocate to the 10-minute commute radius based on the results of the labor gap analysis. Therefore, the Project is not expected to result in any new housing development or a substantial number of new worker/residents.

A number of local businesses near the Project Site will likely experience increased patronage from employees during construction, as well as from Amy's Kitchen employees after construction, and SoS volunteers and visitors during the National and Regional conferences. It is expected that this patronage will be welcomed in the business community, and will not result in significant new development in areas not already developed with commercial uses.

The Project will connect to the existing potable water system and wastewater treatment plant of the City of Middletown. To avoid potential growth inducing impacts the water and sewer lines will be sized to accommodate the Project only and will be considered private utility connections. Since the water and sewer lines will not have the capacity to accommodate any additional connections, no growth inducing impacts will result from a connection to either the potable water system or wastewater treatment plant.

No growth inducing impacts or other such SEQRA impacts have been studied for private water and wastewater utility lines from project to City of Middletown because no tie-ins/hook-ups/connections to said line (including, but not limited to the purpose of development, fire protection, or municipal use) are being proposed. No future tie-ins/hook-ups/connections/enlargements, if proposed, are allowed unless and until additional SEQRA review, including a Supplemental EIS, if necessary, is submitted to the Town of Goshen Planning Board for review, analysis and approval under SEQRA and otherwise.

CERTIFICATION TO APPROVE, FUND, OR UNDERTAKE

Having considered the Draft and Final Environmental Impact Statements, public comments made during the public hearing and the public comment period on the EIS, and having considered the preceding written facts and conclusions and specific findings relied on to meet the requirements of 6 N.Y.C.R.R. Part 617.11, this Statement of Findings certifies that:

1. The Planning Board has considered the relevant environmental impacts, facts and conclusions disclosed in the Draft and Final Environmental Impact Statements; and

2. The Planning Board has weighed and balanced the relevant environmental impacts with social, economic and other considerations; and

3. The requirements of 6 NYCRR Part 617 have been met; and

4. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is the one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.

5. (As applicable) consistent with the applicable policies of Article 42 of the Executive Law, as implemented by 19 NYCRR Part 600.5, this action will achieve a balance between the protection of the environment and the need to accommodate social and economic considerations.

These Findings, and all actions set forth herein, shall be incorporated in any further approvals related to the Project and shall be deemed a part of any approvals given to the project. These findings shall be filed with the Town of Goshen Planning Board; all Involved and Interested Agencies as identified in the EIS, any person who has requested a copy, and the Applicant. A Copy of the Findings shall be forwarded to and maintained by the Town Clerk of the Town of Goshen such that they are readily accessible to the public and made available on request.

Dated: 10/27/16

Signed by: _____

Lee Bergus, Chairman
Town of Goshen Planning Board

A COPY OF THIS NOTICE HAS BEEN SENT TO:

TOWN OF GOSHEN

Town of Goshen
Goshen Town Hall
41 Webster Ave
Goshen, NY 10924
Phone: (845) 294-6430
(Copies to: Planning Board, Town Board, Environmental Review Board, Town Clerk, Zoning Board of Appeals, and Building Inspector)

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INVOLVED AGENCIES

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New Paltz, NY 12561-1696
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Orange County Industrial Development Agency
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New Windsor, NY 12553
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City of Middletown City Hall
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80 Ridgebury Hill Road
State Hill, NY 10973
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Environmental Notice Bulletin
http://www.dec.ny.gov/enb/enb.html

INTERESTED AGENCIES

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Tim Lloyd, Ph.D., RPA
Division for Historic Preservation
NYS Department of Parks, Recreation and Historic Preservation
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44 Police Hwy
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