

2.0 PROJECT DESCRIPTION COMMENTS AND RESPONSES

Comment 2.0-1 (Mr. Phil Wissel, Public Hearing, July 14, 2008): I notice that nowhere in any of the renderings when I looked at the front facade or the front approach to the building; it was a nice, beautiful walkway and all. There was no clutter of outdoor displays or outdoor storage. A lot of times these shopping centers look nice in the beginning then all of a sudden a new delivery comes in, have the pallets stacked high, people have to walk around it. Can I assume that since there's nothing in those renderings of that nature, that you would have no objection to a restriction of no outdoor storage in the front of the buildings? I'm talking about if we go to Home Depot, we see 20 tractors sitting out front where people normally would walk because it's easier to leave them there and have people take them right off the front of the building where it is out there instead of going in, having them all stored in the back of the building or someplace else. What good is this beautiful, nice walkway, trellises and building, nice facade, if you're going to have all this stuff stored in direct byline to the building? **[A similar comment was voiced by Ms. Lynne Eckhart, Public Hearing, August 11, 2008.]**

Response 2.0-1: The modified site plan includes three areas in which retailer(s) may choose to display merchandise. The three merchandise display areas are sized as follows:

- *The western display area is approximately 15' x 35' (525 s.f. +/-)*
- *The middle display area is approximately 15' x 80' (1,200 s.f. +/-)*
- *The eastern display area is approximately 15' x 155' (2,325 s.f. +/-).*

The sidewalk just to the east of the smallest display area is 57 feet from the building to the access road and its width at the middle and eastern display areas is 27 feet from the building to the access road. The proposed sidewalks provide visual continuity across the entire front of the main retail building as well as safe passage for pedestrians across an area no less than 12 feet in width where the merchandise display areas are proposed. The merchandise display areas would not be used for the storage of deliveries or boxed/crated materials. Refer to Figure 2-1 and Drawing No. SP-2.1 attached to this FEIS for depictions of the proposed merchandise display areas and the surrounding sidewalks.

The Applicant will delineate these areas through the use of different paving materials and/or posts/balustrade. This will create a distinct delineation of areas where goods may be displayed by the retailer and assist the Town in determining if the tenant(s) meet the restrictions placed on the outdoor merchandise display areas presented in the site plans.

It is anticipated that the type and size of merchandise that may be displayed will not impact the proposed architectural features of the building based on their location and height on the building wall(s). All transactions for merchandise displayed in these areas will take place within the retail building and not along the front of the building.

Comment 2.0-2 (Mr. Dave Rush, Public Hearing, July 14, 2008): How high is the top of the tower?

***Response 2.0-2:** The height of the proposed architectural elements (towers) proposed for the front and rear of the buildings is a maximum of 50 feet. This complies with Town Code requirements.*

An architectural element, designed to reflect the building architecture and sited near the southern property line along Interstate 84, is proposed to mark the location of the retail center for passing motorists. This feature will also measure fifty feet in height and thereby comply with the Town code. Refer to Figure 2-2, Interstate 84 Sign Element View.

Comment 2.0-3 (Mr. Dave Rush, Public Hearing, July 14, 2008): Is there a possibility that there will be a food service facility, perhaps?

***Response 2.0-3:** No full service restaurant is planned. It is possible, depending on prospective tenants, that a coffee or sandwich shop or similar type shop could fill a portion of the main anchor or the 11,000 square foot Building C.*

Comment 2.0-4 (Mr. Dave Rush, Public Hearing, July 14, 2008): Will it [the potential food service facility] be the last building?

***Response 2.0-4:** The last building on Lot 2 (Building D) is currently planned as a pharmacy; any food service elements, including a coffee or sandwich shop (as noted above) would most likely be a tenant in the main building complex.*

Comment 2.0-5 (Mr. Dave Rush, Public Hearing, July 14, 2008): [I]s there any thought in connecting the office area to the mall for people who need to walk from point A to point B? Am I going to get into my car to drive around to the mall or have you thought about connecting the buildings at all?

***Response 2.0-5:** The modified plan includes an approximately 460 foot long five foot wide foot path of wood chips linking the office building with the retail development. Refer to Figure 2-1 and the plan set Drawing No. SP-2.1 for depictions of the proposed foot path.*

Comment 2.0-6 (Tom Laperch, Chairman, Public Hearing, July 14, 2008): I have a quick question, Paul. Isn't there a community room going in here? Can you tell the public what that's about? I don't think it was hit on, and I think it's an important part of [the project]. How big is it?

***Response 2.0-6:** The size of the proposed community space would be approximately 1,500 square feet. This space would be managed by the retail center and made available to the public for meetings, functions or similar uses. This space will be located on the second floor of Building C.*

Comment 2.0-7 (Mr. Dave Rush, Public Hearing, July 14, 2008): Will that [the community facility] be designed with the proper accessibility and restroom facilities and whatnot?

Response 2.0-7: The community space will include an elevator to allow individuals with handicaps or mobility limitations access. Restrooms will be installed on the second floor and access will be provided for all the proposed uses including the community space.

Comment 2.0-8 (Mr. Dan Armstrong, Public Hearing, July 14, 2008): Picking up on what the chairman and Phil said about outdoor storage, unfortunately, we've dealt on a couple of occasions since it was built. Home Depot, I'll just use that as one example. And I think in my mind, if you're selling a design for a sidewalk and then you're saying but I have no control over what my tenant does, then it's really not, you know, there's something not connecting. And as far as enforcement goes, when we're all finished with this the tenant will go in. And if they need to display something and that's been their practice, they will do it. They will not check and find out if the site plan says no display or whatever. So maybe to make it easier, if you're spending all this time on what I call street furniture and all the other elements, if you make it impossible for some of that space in front of the store to really be used for storage, you know, just make it inhospitable. You put up whatever it takes architecturally to make it unusable. And the other fact is, if you go to Home Depot and when they do use that space and spill it over, people are pushed out, there's no curb, and you've raised this question before, and people are pushed out into the traveled way where the cars are, so it's a safety issue. Not aside from aesthetics and the rest of it, it's a safety issue. The other thing is the enforcement. Once it's finished, nobody's going to go out there and say you shouldn't have that stuff displayed there until it comes to the board for an amendment or something....

Response 2.0-8: Refer to Response 2.0-1 for details regarding the delineation of the merchandise display areas and the Town's enforcement of the display area boundaries.

The size and configuration of the proposed merchandise display areas and the wide walkway in front of the building provide ample room (12 feet plus of unencumbered side walk) for pedestrians to pass safely without having to enter the flow of traffic passing the front of the building. Refer to Figure 2-1, Layout and Landscape Plan and Drawing No. SP-2.1 attached to this FEIS for a depiction of the proposed merchandise display areas and the surrounding sidewalks.

Comment 2.0-9 (Mr. Dan Armstrong, Public Hearing, July 14, 2008): How much latitude is in the overall design? How much [latitude] are they [the tenants] going to have? And that's assuming you don't have tenants when this gets approved. You know, Home Depot or Kohl's is another one where they have a design that they use all over the place, and they will modify slightly. But we're talking here about kind of putting a lot of time into it, into a whole series of elements that may not fit with their image of their store, the corporate image...I don't know how you're going to make all that work with a variety of tenants unless you're going to be able to negotiate with them and say this is it, take it or leave it, because from my understanding, whatever is approved as part of the DEIS or the final EIS, that's what's going to have to be built. This is what you're presenting now but your tenants or whatever, economics makes you, forces you to do something different. **[A similar comment was voiced by Ms. Lynne Eckhart, Public Hearing, August 11, 2008.]**

Response 2.0-9: The modified plan includes a variety of architectural elements that will be incorporated throughout the proposed development; refer to Figures 2-3, 2-4, 2-5,

2-6 and the drawings contained in Appendix D herein for a complete set of building elevations developed by the project architect. Similar to any other Town requirement, the architectural features will be an enforceable element of the project through the new zoning law and conditions set forth in the special permit (Section 138-63.4 of the Town Code).

Comment 2.0-10 (Mr. Dan Armstrong, Public Hearing, July 14, 2008): My understanding is that the ordinance says that you must treat all facades with the same architectural treatment. So there has to be some kind of treatment of the facade that faces 84...you did show the side facade.

Response 2.0-10: *All facades will be developed with a similar theme based on the kit of parts presented in the DEIS with the modifications noted herein and in compliance with zoning ordinance and special permit conditions. The project architect has refined the elements proposed for the retail center by choosing specific kit of parts features and applying them universally throughout the development. For example, the use of colored, standing seam metal roofs coupled with asphalt shingles and dormers breaks up the roof line and evenly spaced columns interspersed amongst a variety of window features, a mix of siding types and grand storefront entrances such as gazebos, towers and silos provide a unique and visually appealing facade. Refer to Figure 2-3, 2-4, 2-5, 2-6 and Appendix D herein for building elevations, architectural treatments and other development details.*

As noted in the DEIS:

“The design of the Proposed Action, when complete, would visually complement the western portion of the US Route 6 Corridor and the greater Southeast area, as well as conform to the existing character of the community and existing land use in this area. The future development would comply with the GC-2 zoning requirements of the project site (e.g., building height, setbacks, etc.).”...

The Applicant has considered several design approaches regarding architectural facades for the proposed buildings. The possible design approaches that would be considered as the building designs are advanced are listed below:

- Provide a varied roof line, distinct building corners and parapet projections*
- Building facades will make use of depth of materials for shadow lines and details*
- Unique building corners will be used to create varied focal points*
- Quality and contrast in building materials will provide a texture to the architecture that relates to human scale and proportion*
- Building and storefront expression will optimize retailer identity and emphasize the customer’s shopping experience*
- Building facades and storefronts will have rich colors in building materials with a range of architectural details unique to the individual tenants*
- The quality of the building facades and project lighting will be an important element that will add to the shopping experience and convey a feeling of safety.”*

From the elevations presented in this FEIS, final facade design will be fine tuned through the remainder of the environmental and site plan review processes in

conjunction with the Town of Southeast Planning, Town and Architectural Review Boards.

Refer to Figures 2-7, 2-8, 2-9, 2-10 and 2-11 (originally presented in the DEIS) and Figure 2-2 for a series of sight-line drawings into the project site from various vantage points along Interstate 84. The three dimensional animation contained in Appendix C and offered on the Town website provides views of the developed project from the perspective of vehicle occupants traveling both east and west on Interstate 84. Due to the limited visibility into the site from the highway, motorists will not see the rear of the proposed buildings. Nonetheless, while not as articulated as the front, the Applicant and the project architect have included architectural treatments including towers, columns, standing seam metal roofs and a variety of building materials and colors, for employees and delivery vehicle drivers who will travel to the rear of the buildings. Note, patron parking and traffic are not proposed for the rear of the building. Figures 2-3 and 2-6 depict views of the rear of these buildings.

Comment 2.0-11 (Mr. Dennis Sullivan, Public Hearing, July 14, 2008): Nobody spoke about the elevation as your driving along Route 6 to where the front door of the various stores would be. As I recollect, this is large drop, maybe 15 or 20 feet of a changed hill elevation.

Response 2.0-11: The elevation change between US Route 6 and the entrances to the retail shops are as follows:

- a. Middle access road to Retail Building D = +24.5 feet
- b. Middle access road to Retail Buildings A, B and C = +21.0 feet
- c. Eastern access road to Retail Building D = +36.0 feet
- d. Eastern access road to Retail Buildings A, B and C = +32.5 feet

Refer to Figures 2-12 and 2-13 as well as the 3-D renderings and the animation attached as Appendix C for depictions of the views into the project site from US Route 6.

Comment 2.0-12 (Mr. Dennis Sullivan, Public Hearing, July 14, 2008): I'm driving on Route 6, do I see a 30-foot wall? What is that I see as I'm driving up upon the site? How high do you think the retaining walls are?

Response 2.0-12: The two retaining walls along the U.S. Route 6 frontage will range from two feet to ten feet in height and 1,150 to 1,240 feet in length. The northernmost wall is located a minimum of 55± feet from the closest property line and 85± feet from the edge of pavement on the south side of US Route 6. The walls are separated from each other by a horizontal distance of 10 feet to 20 feet or more as measured from centerline to centerline of each retaining wall in accordance with §138-15.1.B. of the Southeast Code. A variety of horizontal alignments, heights and plantings are incorporated into the design of the walls to break up the lineal façades shown on the previously submitted plans. Refer to Figure 2-12 and the animation in Appendix C for views of the retaining walls along US Route 6. The Applicant anticipates that shot rock from the on-site rock removal activities will be used to build and/or face these retaining walls.

Comment 2.0-13 (Ms. Lynn Eckhart, Public Hearing, July 14, 2008 and Public Hearing, August 11, 2008): We had mentioned in the beginning green initiative, and I didn't hear anything at all about that. I assume the applicant will be addressing that.

Response 2.0-13: *The Applicant intends that this project will have LEED compliant components but will not seek LEED certification. LEED is the U.S. Green Building Council's Leadership in Energy and Environmental Design program that addresses sustainable development practices. A number of these practices were identified in the DEIS (see Chapter 7.0 Irreversible and Irrecoverable Commitment of Resources) as possible components of the retail center.*

The following are proposed to be incorporated into the modified plan.

- *Incorporate roof surfaces with high-albedo materials such as polymeric coatings that would contribute to reducing the heat island effect by reflecting the sun's energy.*
- *Coordinate with the PART (Putnam County Area Rapid Transit) system to add a bus stop within a distance of not more than ¼ mile from the project site thereby providing the site with public transportation.*
- *Use native plant species adapted to the local conditions that do not need watering from potable water after establishment thereby minimizing irrigation.*
- *Include high efficiency water-conserving plumbing fixtures and control technologies in the building design as recommended in the Energy Policy Act 1992 to reduce the use of potable water.*
- *Eliminate HCFC and Halon use by specifying only the use of HVAC and Refrigeration systems that do not use HCFC's and Halons. Specify high efficiency HVAC units*
- *Provide an easily-accessible and well-marked recycling area within each building dedicated to the separation, collection, and storage of materials for recycling to limit the amount of construction waste carted to landfills.*
- *Designate an area on the site for construction waste management to minimize construction waste by redirecting recyclable and recovered resources back to the manufacturing process.*
- *Provide environmental tobacco smoke control by prohibiting smoking in the building and locating exterior designated smoking areas away from entries and operable windows to keep indoor air quality unaffected.*
- *Utilize energy efficient, shielded Site lighting to minimize energy use, night-time light pollution and light overspill to neighbors.*
- *Specify high efficiency interior fluorescent (T5 or T8) with electronic ballasts for greater energy efficiency.*
- *Incorporate energy efficient double-glazed windows at the store front and second floor offices: LowE glazing on east west and south elevations if applicable.*
- *Use durable exterior materials (e.g., split face masonry, cultured stone, hardiplank siding, etc.) which require minimal maintenance and are long-lasting, thereby minimizing the need for future replacement.*
- *Install site equipment (e.g., benches, bicycle racks, refuse containers, etc.) Constructed of recycled materials wherever possible.*
- *Specify the use of locally derived and manufactured materials to the extent possible.*

Final decisions on the components to be included will be addressed during final site plan approval.

Comment 2.0-14 (Ms. Lynn Eckhart, Public Hearing, July 14, 2008): [I]t was asked, but I didn't get anything more specific other than Bethesda, Maryland and out in California, if there were any places like this in the northeast or close by that the public could visit.

Response 2.0-14: *As noted at the second public hearing held on the DEIS, there are very few known projects that are similar in use and scale to Stateline that utilize a common architectural theme throughout. Examples of developments from South Carolina, North Carolina, California, Colorado, Florida and Pennsylvania were shown at the second public hearing. The fact that there are so few retail centers based on a single architectural theme indicates the Planning Boards forward thinking in developing and adopting the zoning elements that support this type of retail facility.*

Comment 2.0-15 (Ms. Lynn Eckhart, Public Hearing, July 14, 2008): Also, it is said that there could be a fountain; there could be different paving. It would be nice to pin some of that down; a fountain sounds a lot more appealing, I'm sure to some of us, than different paving.

Response 2.0-15: *Landscaping and decorative paving will be incorporated into the proposed development along with other architectural and visual features. Refer to Figures 2-1 and 2-14 for examples of landscaping and paving, Figures 2-3, 2-4, 2-5 and 2-6 for architectural features as well as FEIS plan Drawing Nos. SP-2.1 and SP-2.2 and Appendix D herein.*

Comment 2.0-16 (Mr. Rorhman, Public Hearing, July 14, 2008): When I heard about the retaining walls, what do you think about the idea of making the facade of the retaining walls a dry stone wall like you find in the area along Dingle Ridge Road, Starr Ridge Road, 121? It might be a nice, attractive look instead of just bare cement or concrete.

Response 2.0-16: *The Applicant has proposed a "rock face" for the retaining walls. The Applicant anticipates that the shot rock from on-site blasting will be used to build and/or face the retaining walls. As with the architectural elements presented in this FEIS, the design of the retaining wall face will be fine tuned through the remainder of the environmental and site plan review processes in conjunction with the Town of Southeast Planning, Town and Architectural Review Boards.*

Comment 2.0-17 (Mr. Dennis Sullivan, Public Hearing, August 11, 2008): [H]ow much of the 44 acres will be impervious surface when this is all over and done with?

Response 2.0-17: *The proposed area of impervious surface under the modified plan is approximately 0.9 acres on Lot 1 and 13.0 acres on Lot 2 for a total of just under 14.0 acres for the entire 44.7 acre site. Refer to Table I-1, Land Cover Comparison, in the Introduction Chapter of this FEIS.*

The pervious pavement was modeled in the stormwater quantity analysis utilizing a curve number generated from the potential maximum retention after runoff begins as presented in TR-55. For details on the development of the curve number see response #8 in section 3.8. No credit was applied to the pervious pavement in the stormwater quality analysis. The provision of the pervious pavement is considered an adjunct to the proposed stormwater management system to further aid in water quality treatment, and

Project Description

August 10, 2009

assist in maximizing the life span of the stormwater management system through Better Site Design techniques.

It is noteworthy to mention the pollutant loading calculations presented in the Stormwater Pollution Prevention Plan (SWPPP) demonstrate the proposed stormwater management system satisfies the regulatory water quality requirements of the New York City Department of Environmental Protection (NYCDEP) and the New York State Department of Environmental Conservation (NYSDEC) without the provision of pervious pavement.

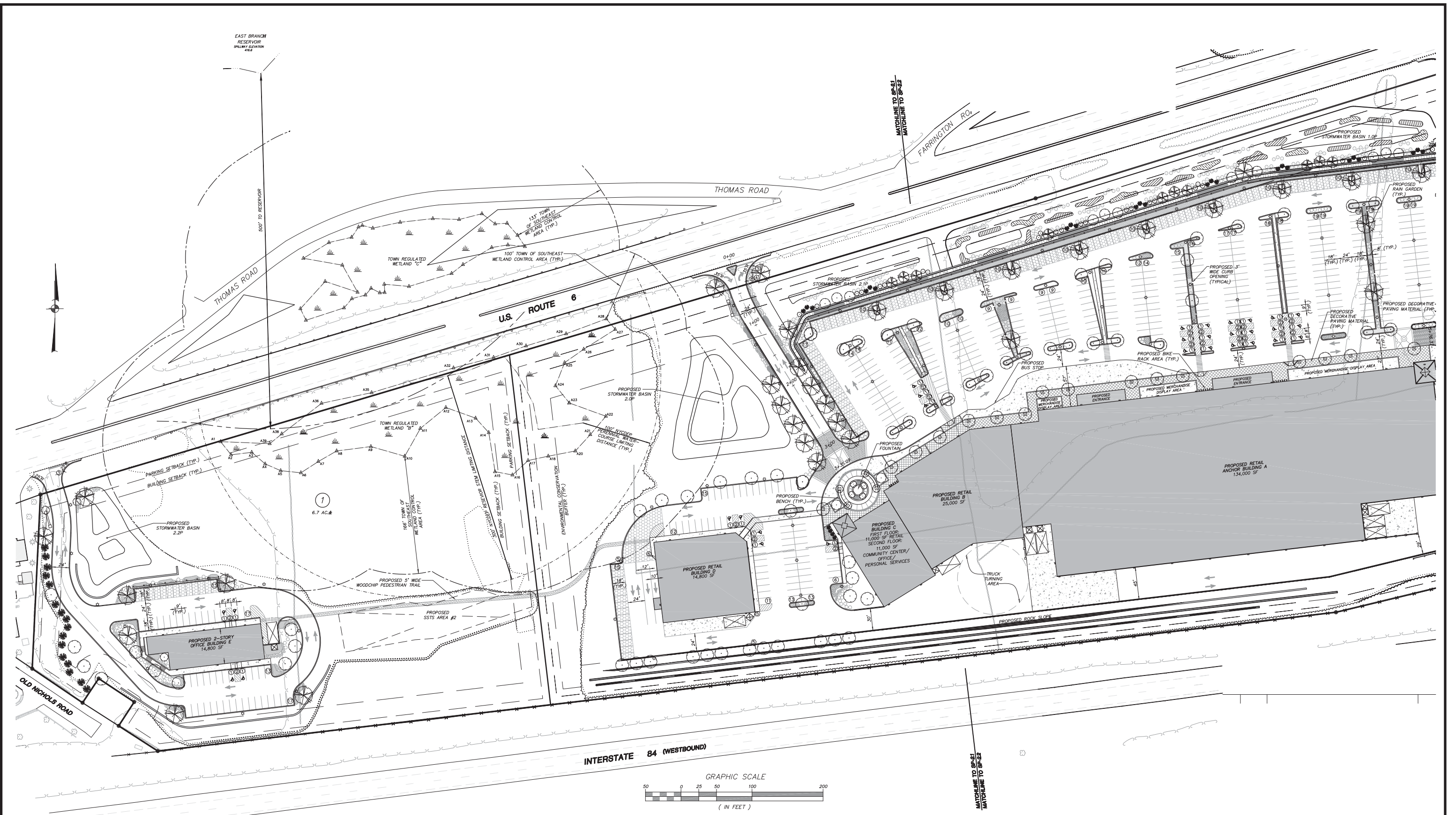


Figure 2-1: Layout and Landscape Plan
 Town of Southeast, Putnam County, New York
 Source: Insite Engineering, Surveying & Landscape Architecture, P.C.
 Revision Date: 11/24/08
 Scale: Graphic

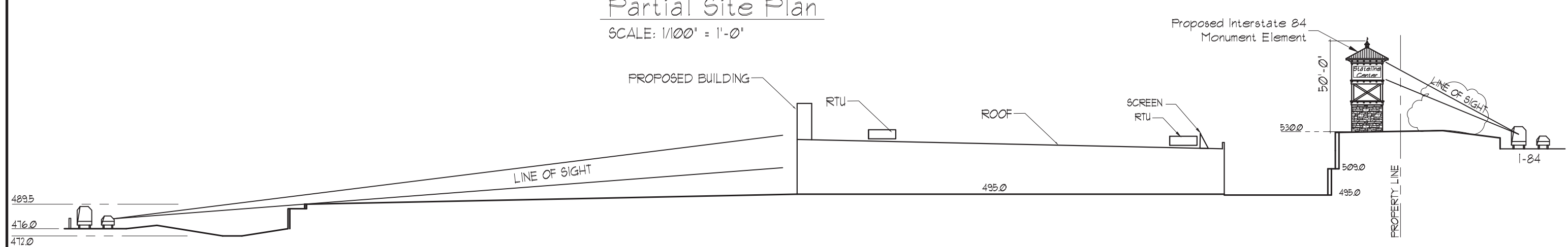
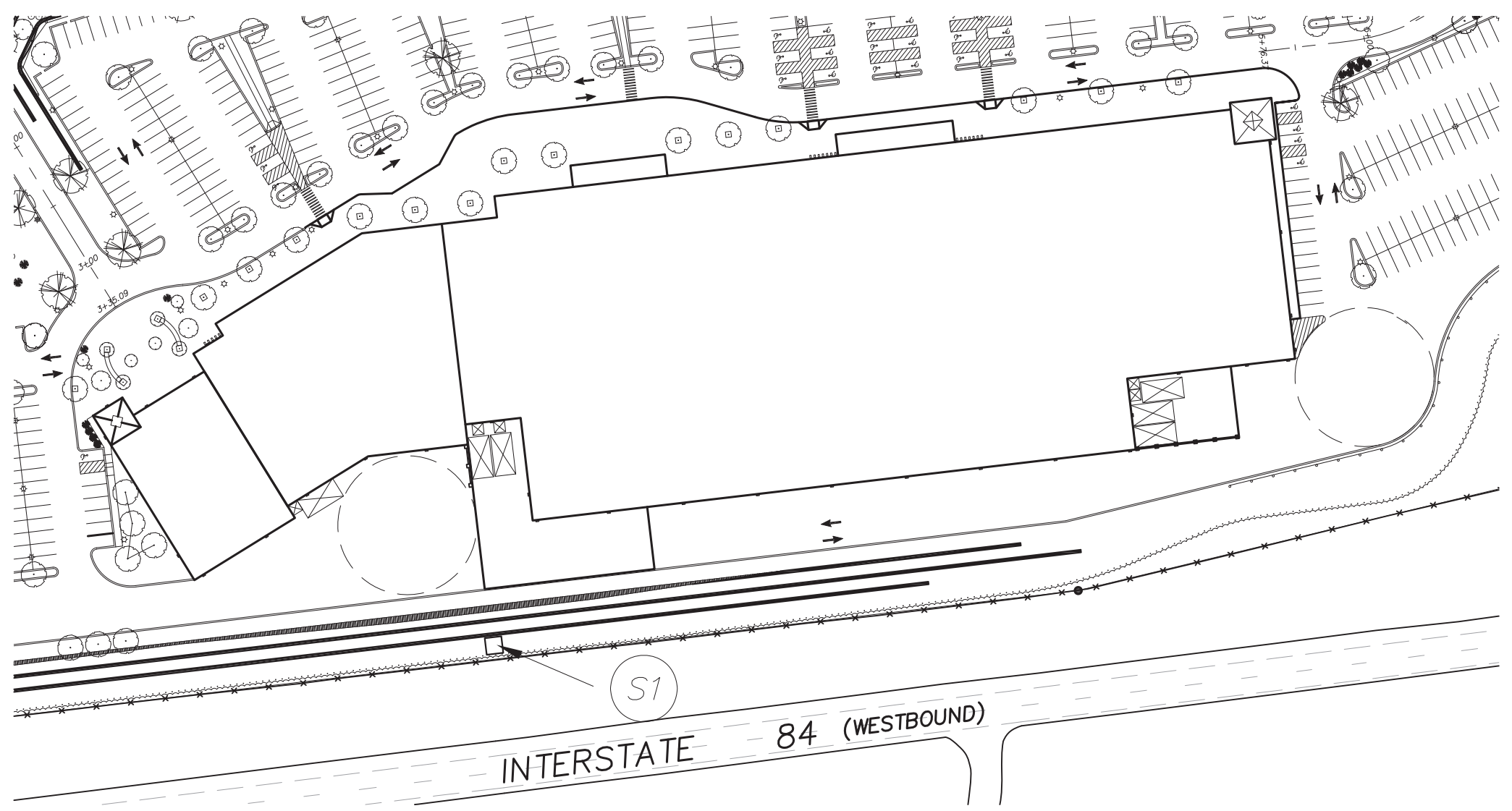


Figure 2-2: I-84 Sign Element View
U.S. Route 6, Town of Southeast
Putnam County, New York
Source: DCAK-MSA Architecture, 06/24/09
Scale: As shown

STATELINE RETAIL CENTER

Town of Southeast, Putnam County, New York



BUILDING A - B - C - D
PROPOSED NORTH ELEVATION



BUILDING A
PROPOSED EAST ELEVATION



BUILDING C
PROPOSED WEST ELEVATION



BUILDING D
PROPOSED EAST ELEVATION



BUILDING D
PROPOSED WEST ELEVATION



BUILDING A - B - C - D
PROPOSED SOUTH ELEVATION



Figure 2-3: Building Elevations
Stateline Retail Center
Town of Southeast, Putnam County, New York
Source: DCAK-MSA, 03/09/09
Scale: NTS

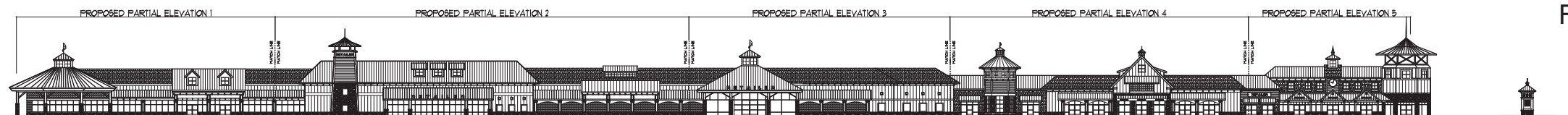
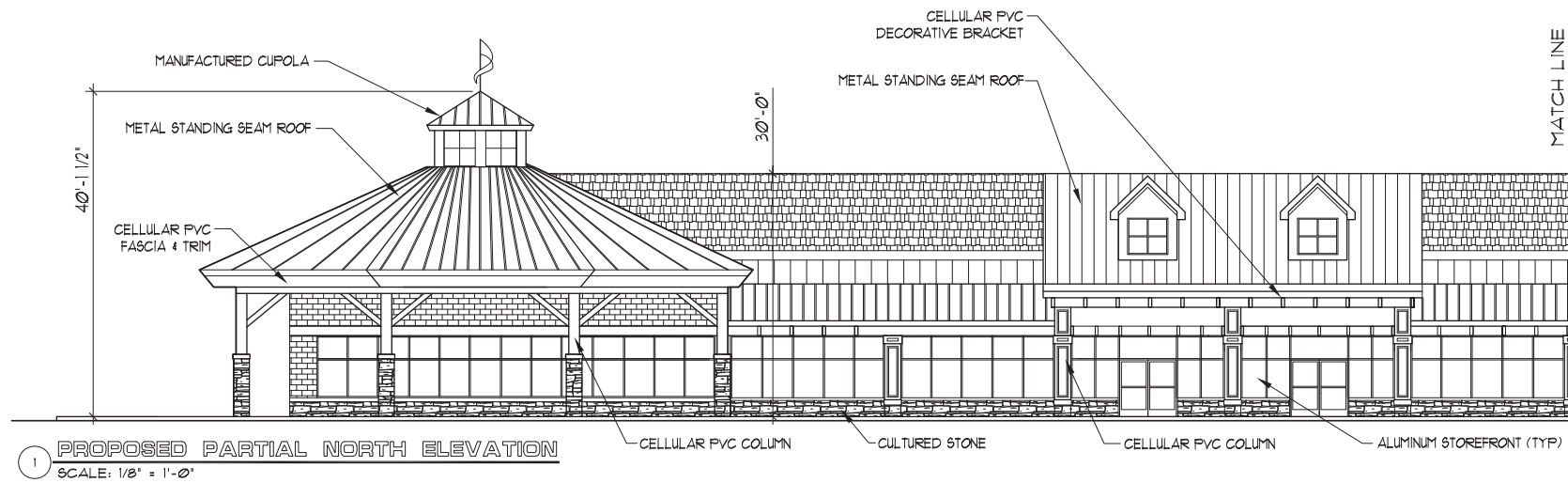
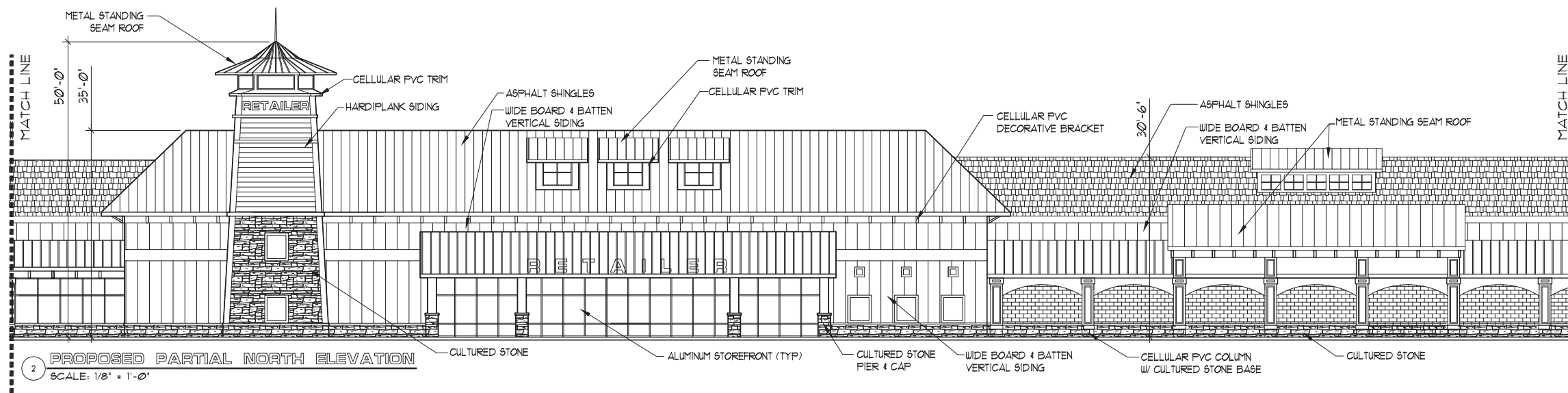
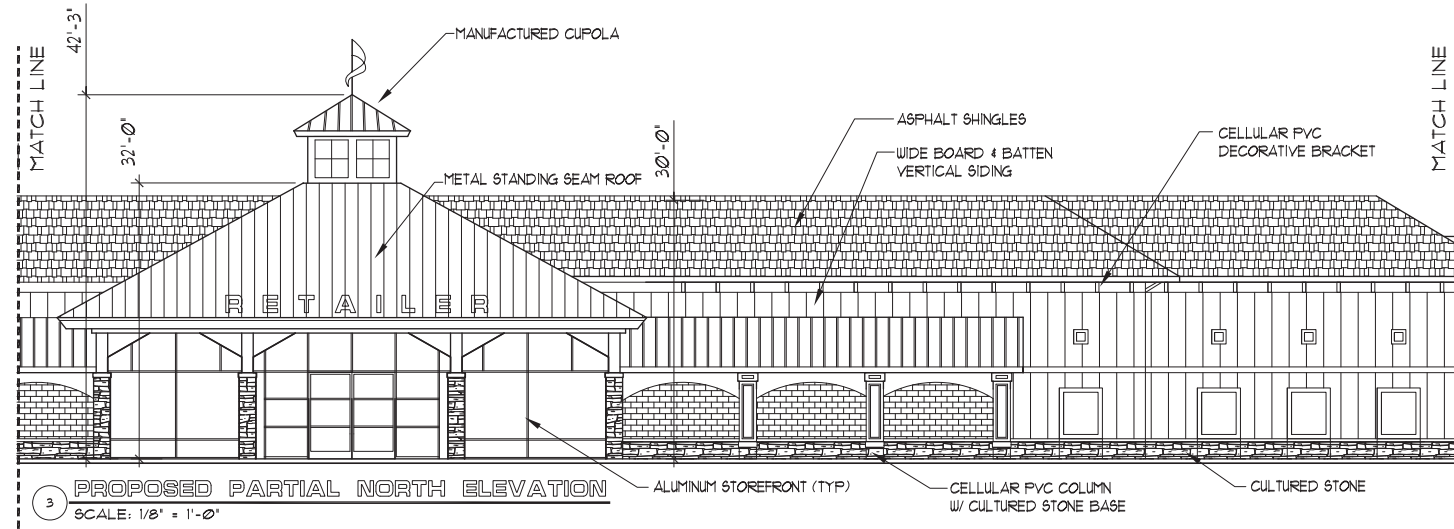
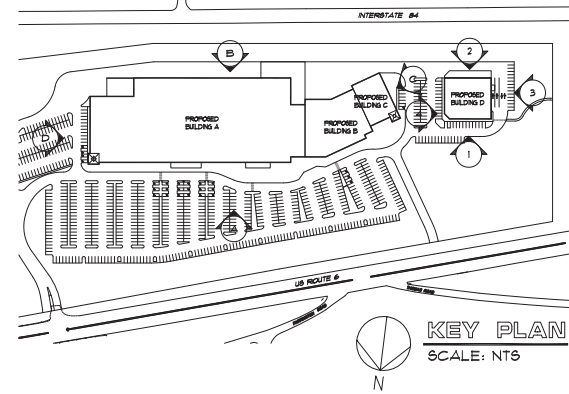


Figure 2-4: Proposed Overall North Elevation A
Stateline Retail Center
Town of Southeast, Putnam County, New York
Source: DCAK-MSA Architecture
Revision Date: 11/25/08
Scale: As shown

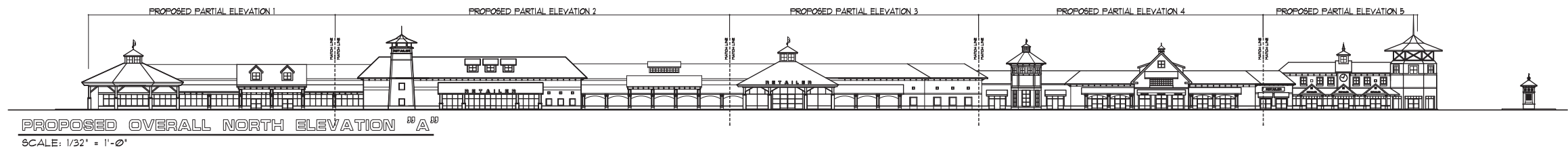
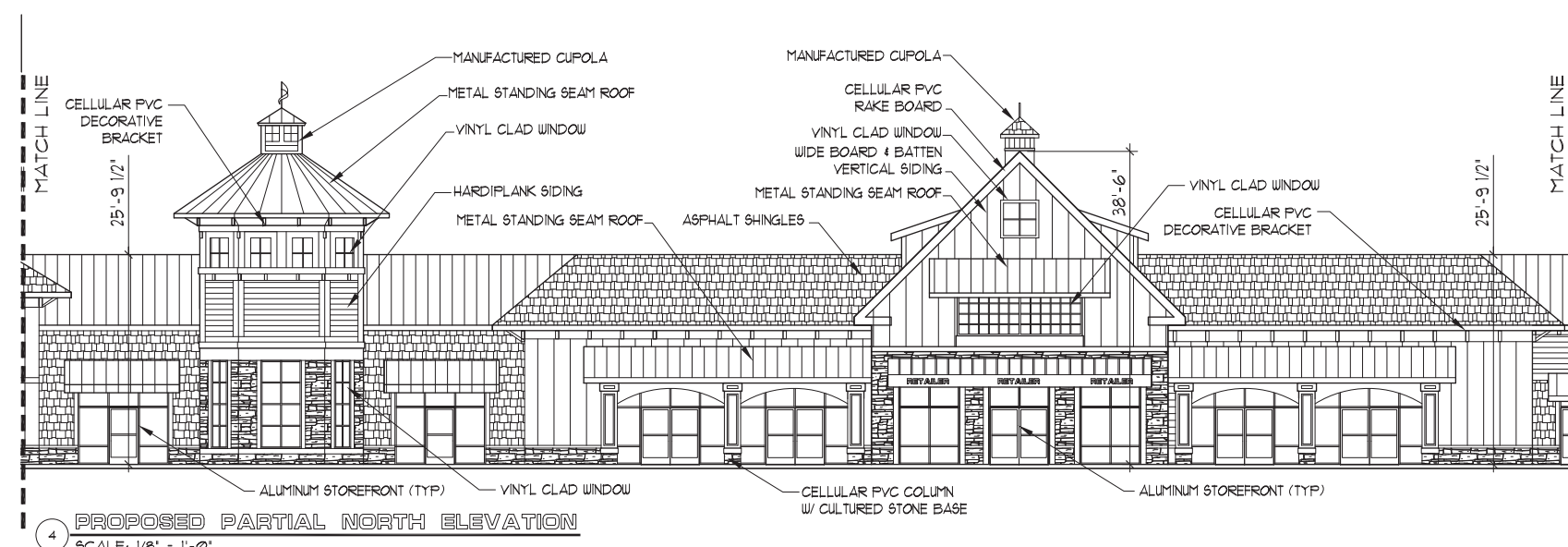
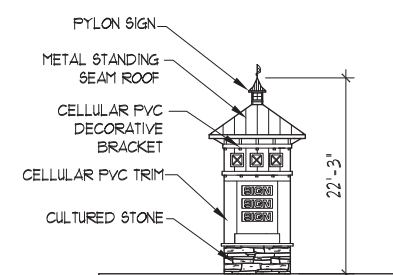
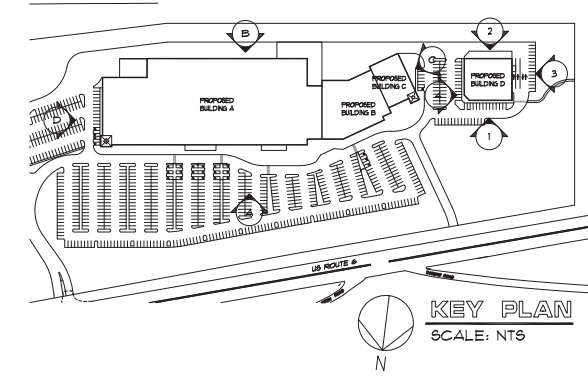
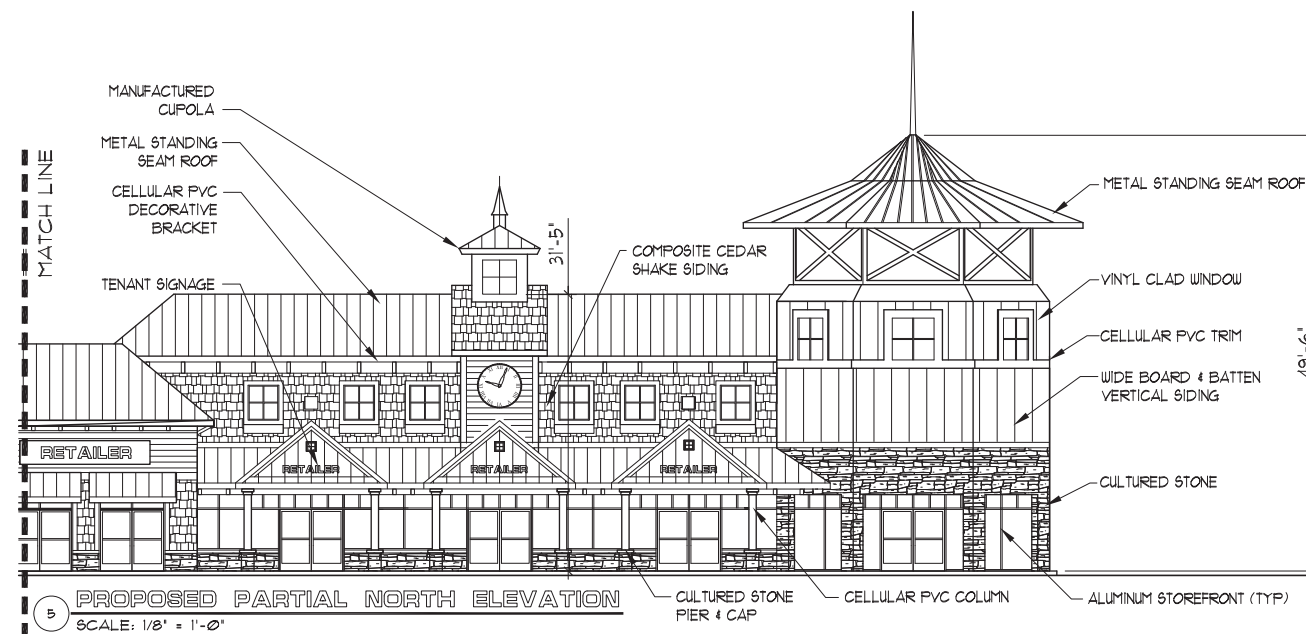
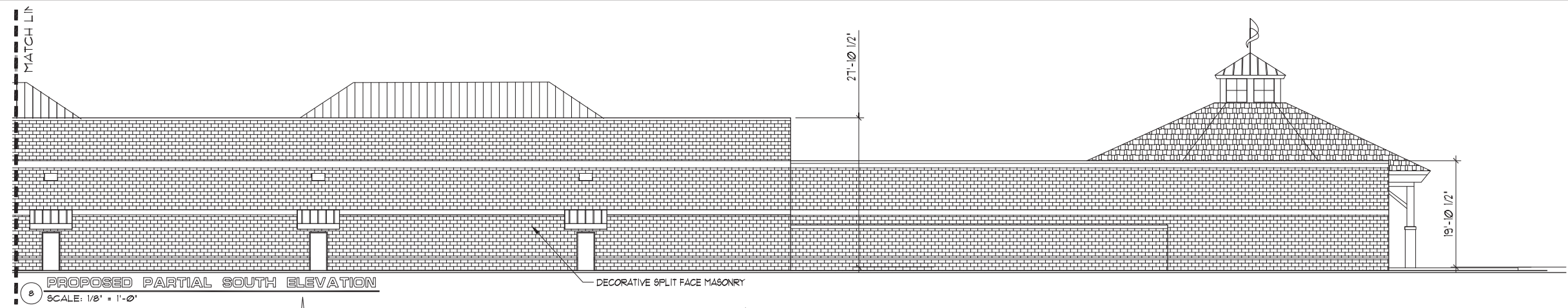
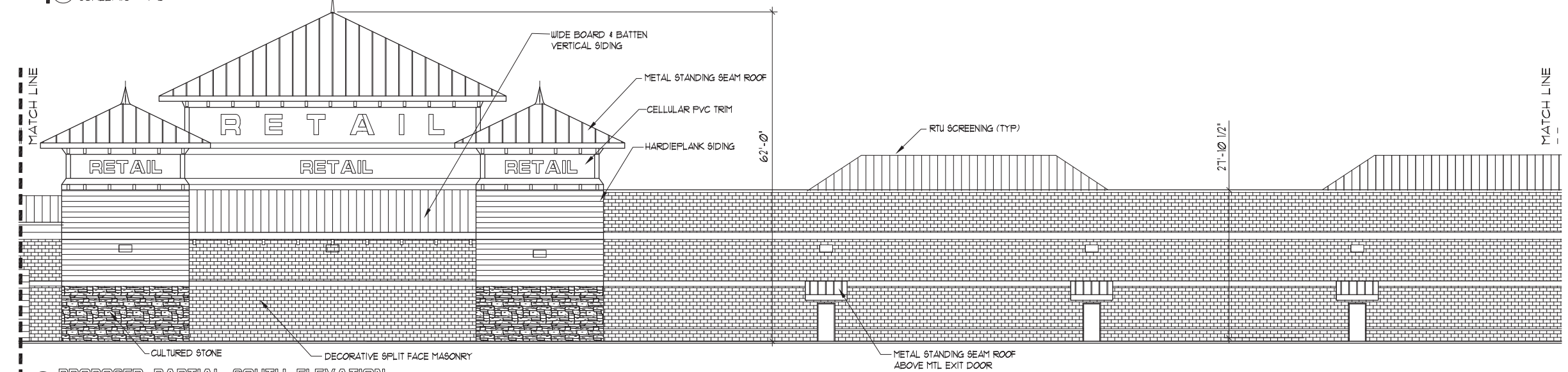


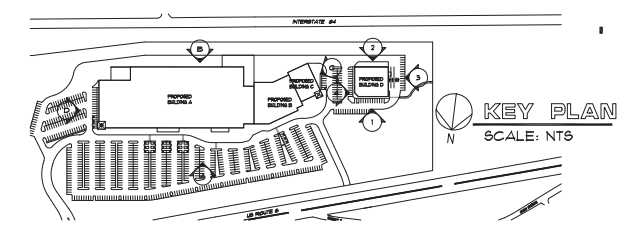
Figure 2-5: Proposed Overall North Elevation B
 Stateline Retail Center
 Town of Southeast, Putnam County, New York
 Source: DCAK-MSA Architecture
 Drawing Date: 11/25/08
 Scale: As shown



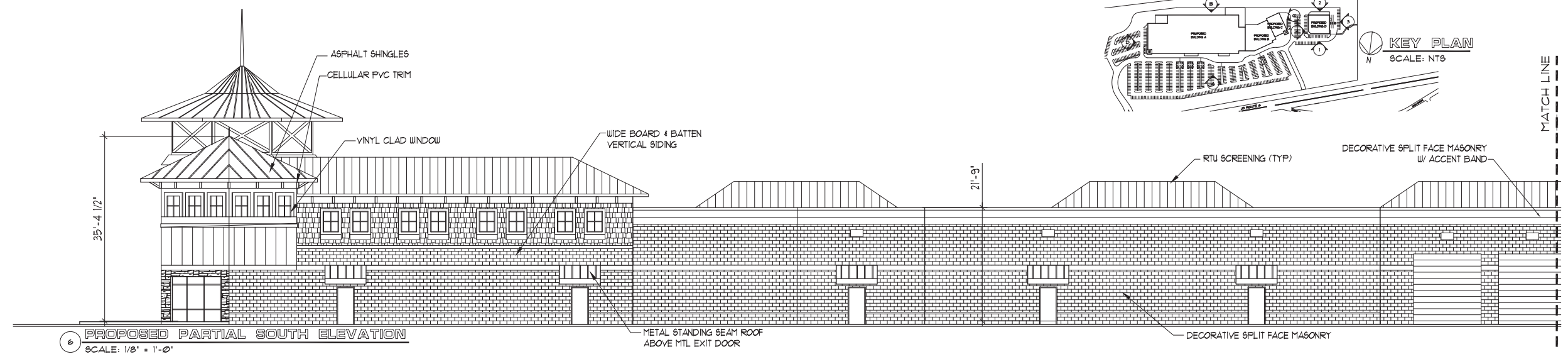
8 PROPOSED PARTIAL SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



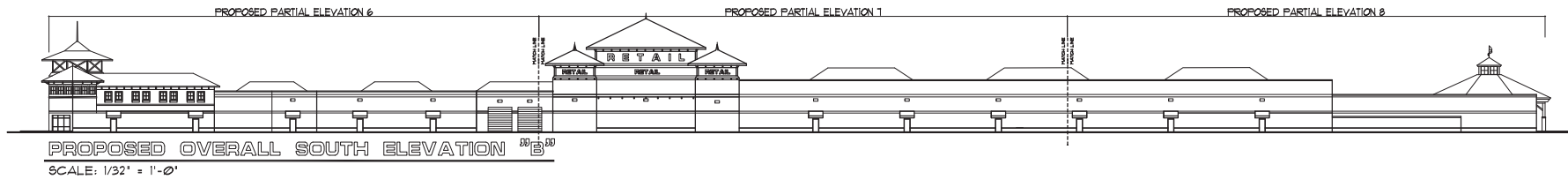
1 PROPOSED PARTIAL SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



KEY PLAN
SCALE: NTS

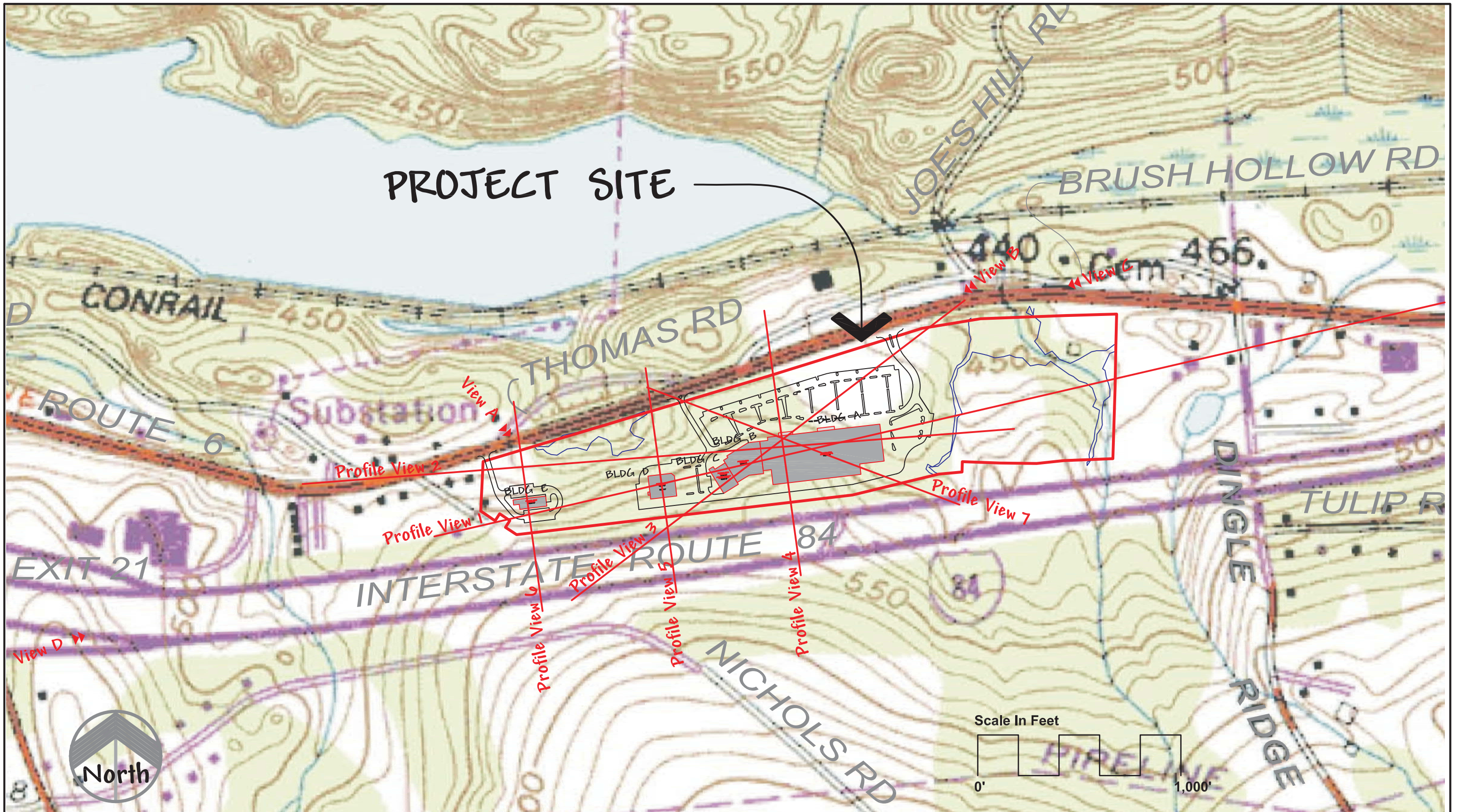


6 PROPOSED PARTIAL SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



PROPOSED OVERALL SOUTH ELEVATION
SCALE: 1/32" = 1'-0"

Figure 2-6: Proposed Overall South Elevation
Stateline Retail Center
Town of Southeast, Putnam County, New York
Source: DCAK-MSA Architecture
Drawing Date: 11/25/08
Scale: As shown



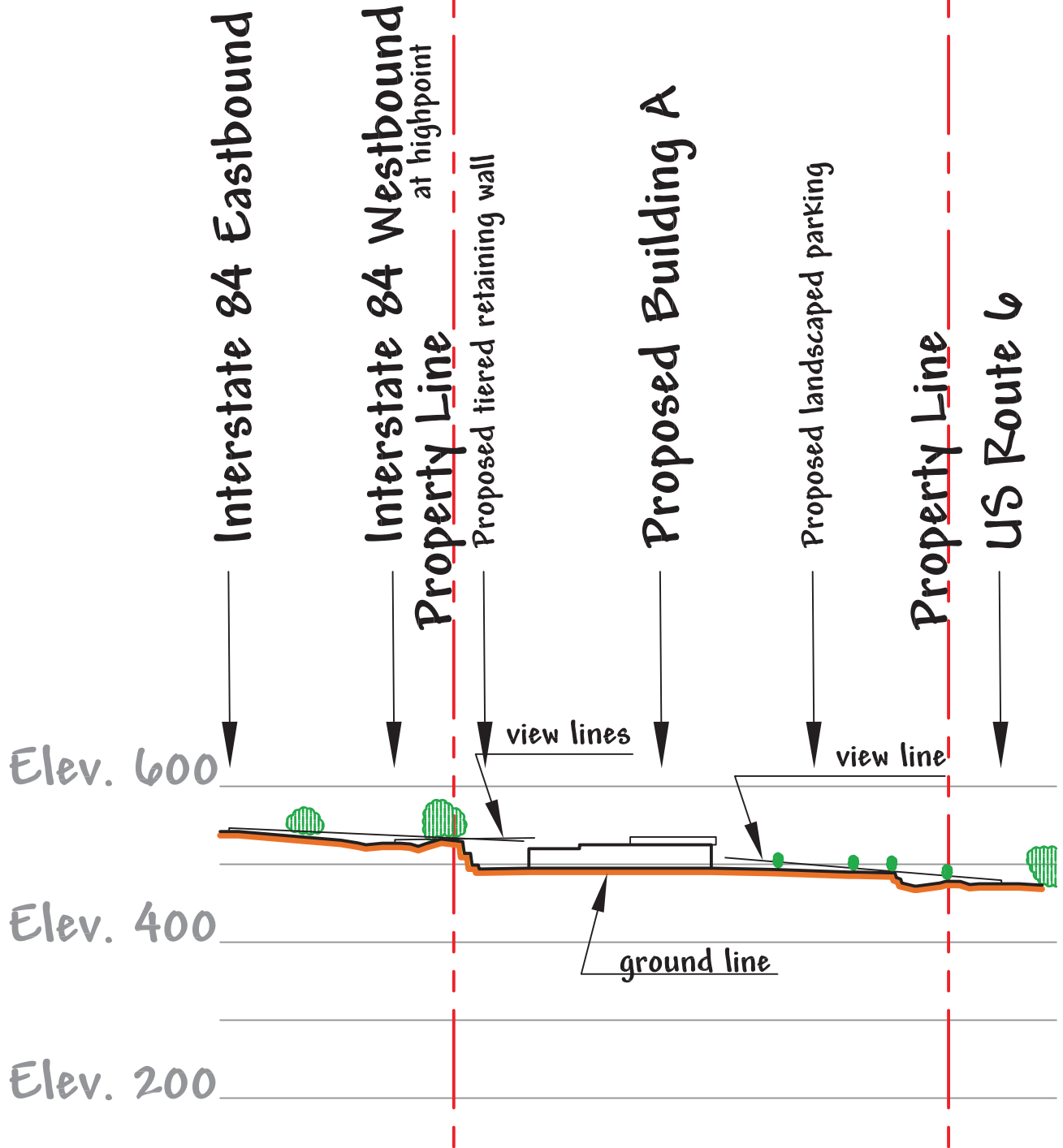
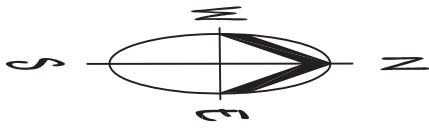
This Figure depicts the locations of views shown in accompanying Figures 3.1-21 through 3.1-35.

Scale: 1" = 444'

File 05065 4/29/09
JS/05065/3-17-09/

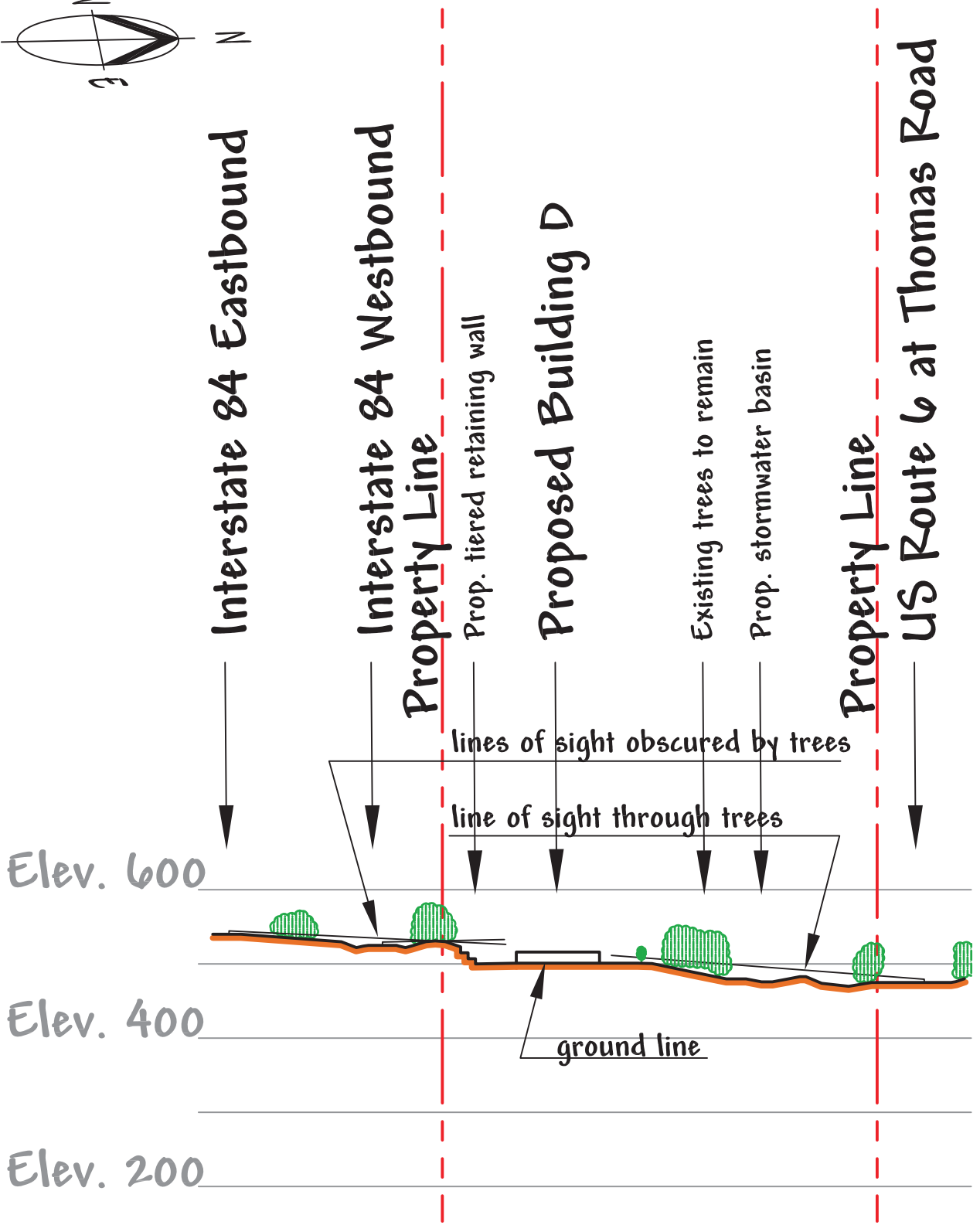
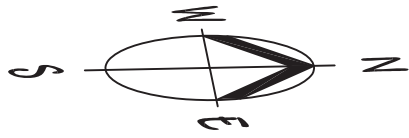
Tim Miller Associates, Inc., 10 North Street, Cold Spring, New York 10516

Figure 2-7: Key Map to Visual Assessment
 Stateline Retail Center
 Town of Southeast, Putnam County, New York
 Base Map: USGS Topographic Quad



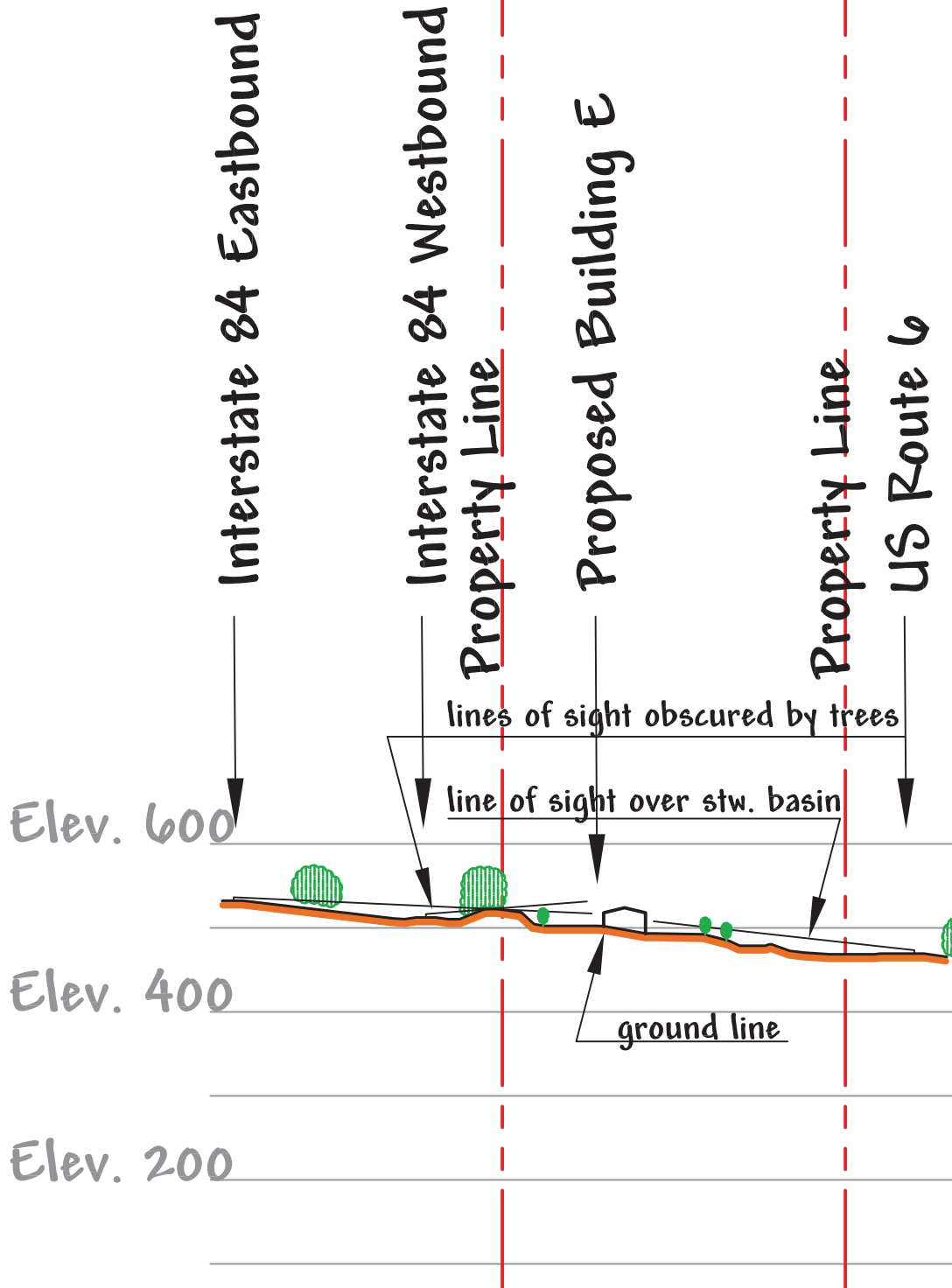
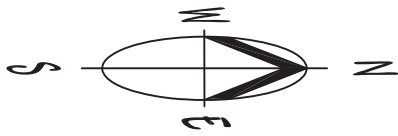
This Figure depicts profile view 4 looking west as shown in the *Key Map to Visual Assessment*

Figure 2-8: Profile View Through Building A
Stateline Retail Center
Town of Southeast, Putnam County, New York
Source: Tim Miller Associates, Inc.
Scale: 1" = 200'



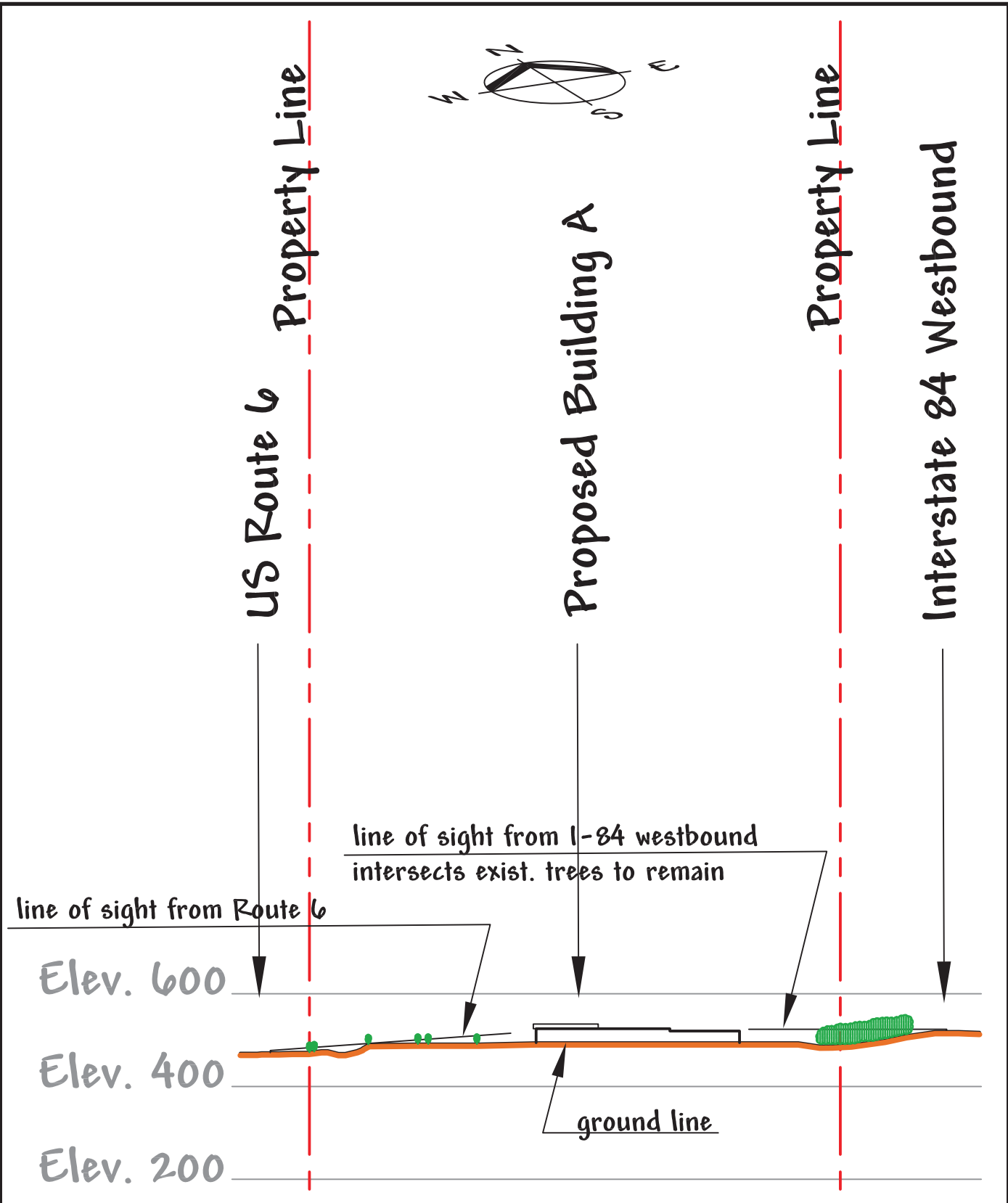
This Figure depicts profile view 5 looking west as shown in the *Key Map to Visual Assessment*

Figure 2-9: Profile View Through Building D
 Stateline Retail Center
 Town of Southeast, Putnam County, New York
 Source: Tim Miller Associates, Inc.
 Scale: 1" = 200'



This Figure depicts profile view 6 looking west as shown in the *Key Map to Visual Assessment*

Figure 2-10: Profile View Through Building E
Stateline Retail Center
Town of Southeast, Putnam County, New York
Source: Tim Miller Associates, Inc.
Scale: 1" = 200'



This Figure depicts profile view 7 taken through the Project Site as shown in the *Key Map to Visual Assessment*

Figure 2-11: Visual Profile with Line of Sight from Route I-84
 Stateline Retail Center
 Town of Southeast, Putnam County, New York
 Source: Tim Miller Associates, Inc.
 Scale: 1" = 300'



Figure 2-12: View from U.S. Route 6 at Eastern Entrance
StateLine Retail Center
Town of Southeast, Putnam County, New York
Source: Arch3D, 3/09/09



Figure 2-13: View from U.S. Route 6 at Western Entrance
StateLine Retail Center
Town of Southeast, Putnam County, New York
Source: Arch3D, 3/09/09

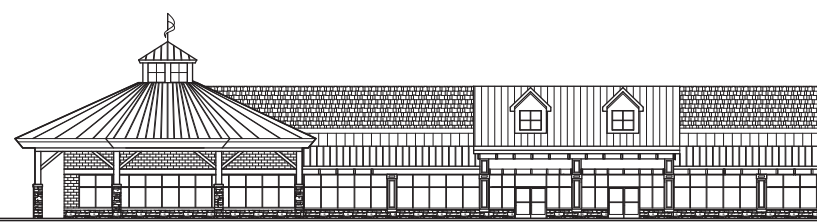
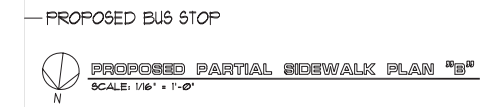
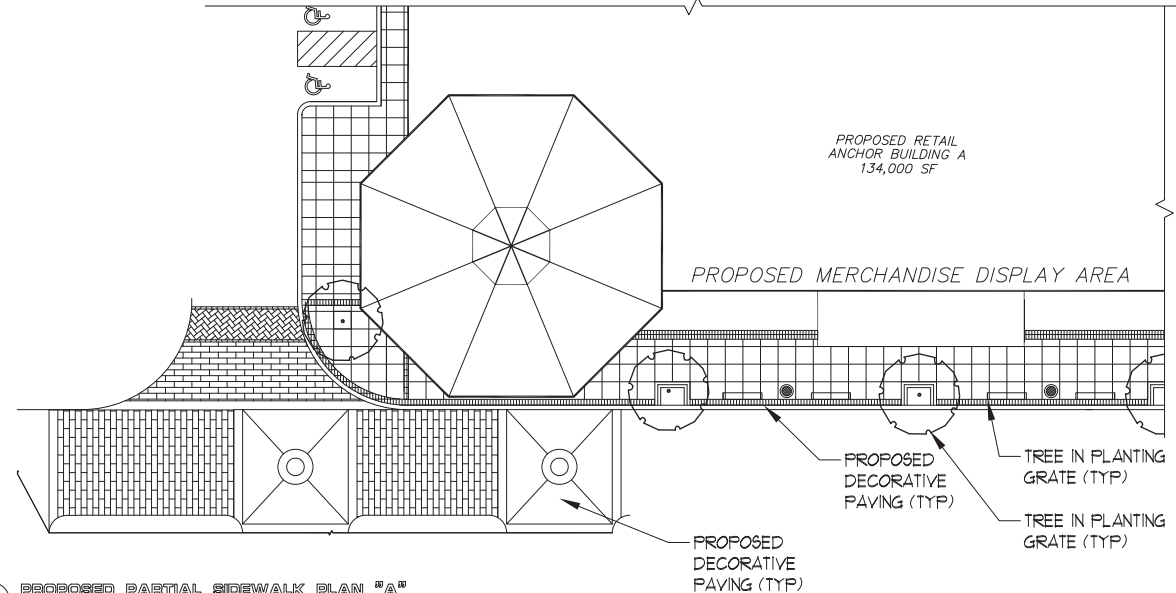
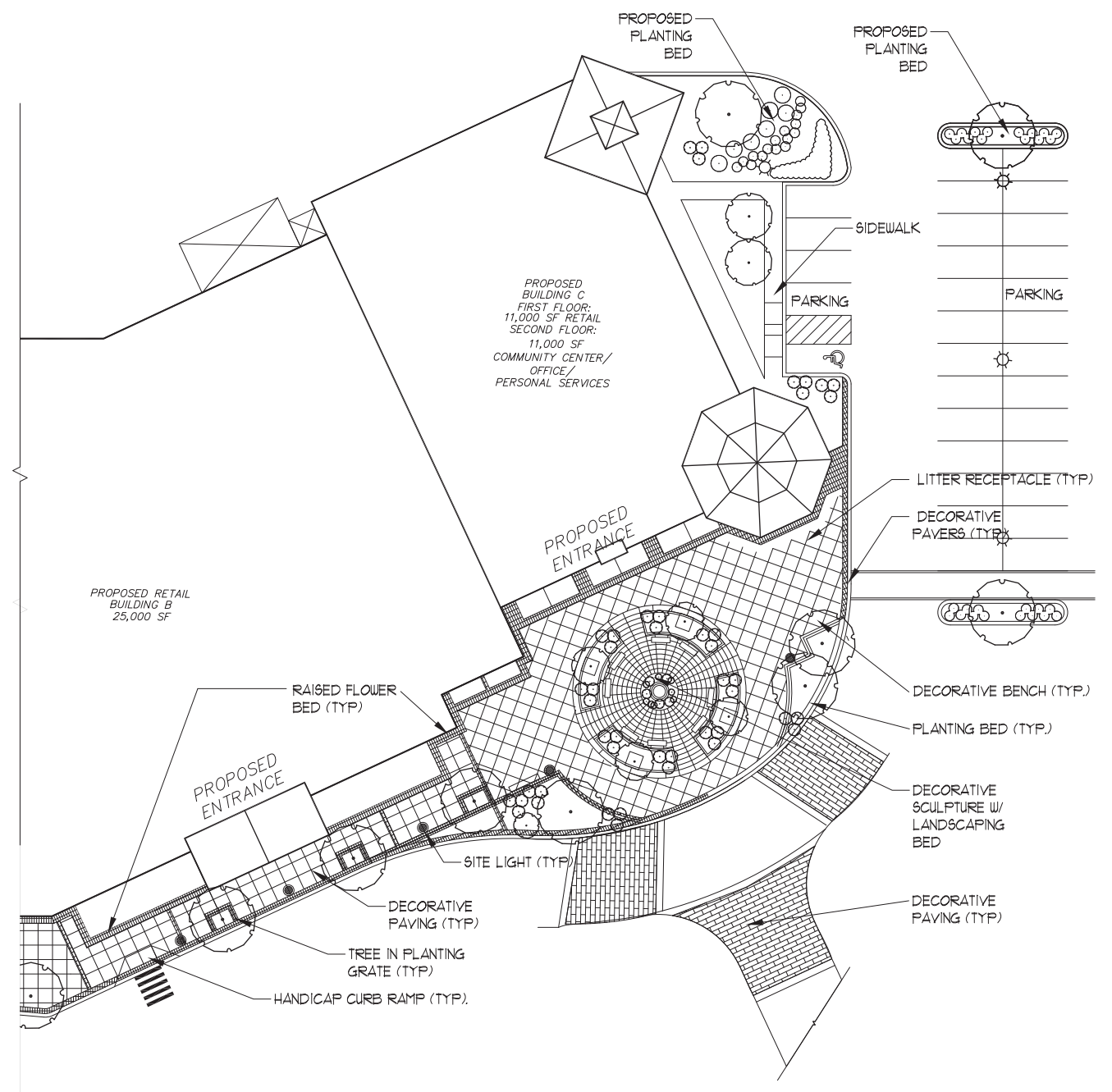
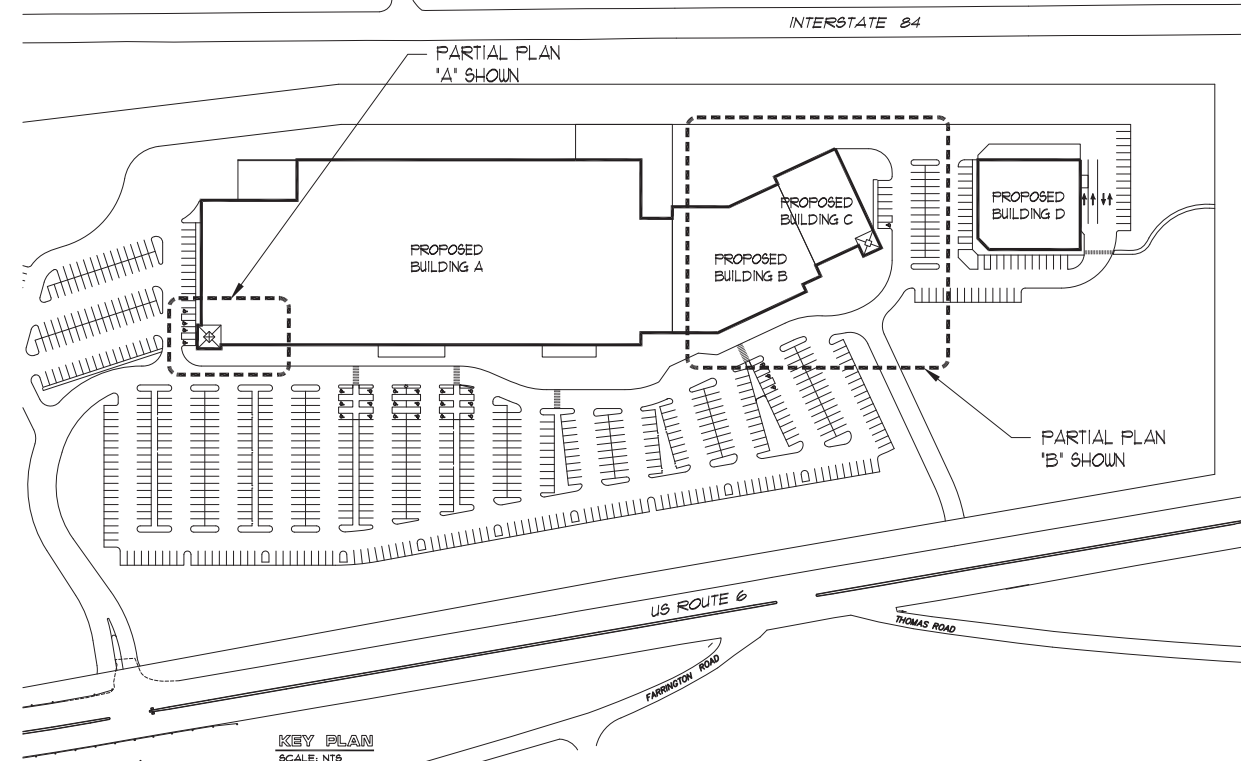


Figure 2-14: Sidewalk Plan
Stateline Retail Center
Town of Southeast, Putnam County, New York
Source: DCAK-MSA Architecture
Drawing Date: 11/25/08
Scale: As shown