

***Findings Statement***  
***Partial Dunnsville Road Relocation and***  
***Conceptual Distribution Center Expansion***

***SEQRA Type 1 Action***

**Project Applicant:**  
**The Golub Corporation**  
**501 Duanesburg Road, Schenectady, NY 12306**

**Prepared by:**

**Lead Agency**  
**Town of Rotterdam Planning Commission, Lawrence N. DiLallo, Chairman**  
**John F. Kirvin Government Center**

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## STATE ENVIRONMENTAL QUALITY REVIEW ACT

### FINDINGS STATEMENT

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Pursuant to the State Environmental Quality Review Act (“SEQRA”), Article 8 of the Environmental Conservation Law and 6 NYCRR Part 617, the Town of Rotterdam Planning Commission (the “Planning Commission”) as SEQRA Lead Agency makes the following findings.

**Name of Action:** Partial Dunnsville Road Relocation and Conceptual Distribution Center Expansion.

**Description of Action:** The proposed action involves the relocation of approximately 900 feet of Dunnsville Road west of its current location, to a point roughly parallel with the National Grid ROW along the western boundary of the project site. The intersection of Dunnsville Road and Duanesburg Road will be shifted approximately 800 feet west of its current location, and old Dunnsville Road will serve as a driveway for visitor ingress and egress to the project site. Duanesburg Road will also be widened by 5 to 6 feet on both the north and south sides to provide for a left turn lane and adequate alignment at the new intersection with Dunnsville Road.

The project also includes the conceptual evaluation of the expansion of warehousing space on the project site. The current conceptual plan for the expansion includes up to 408,000 square feet of warehouse space. The conceptual plan identifies the development of a new 360,000 square foot warehouse building in the northwest portion of the site, in the vicinity of the existing Dunnsville Road and undeveloped land to the north and south of the road. It also identifies an area of the existing building to be demolished and reconstructed, along with another expansion to that building in the northeast portion of the site. The net increase of the expansion in the northeast portion of the site is 48,000 square feet, bringing the total of new space to 408,000 square feet.

**Location:** The Applicant owns approximately 170 contiguous acres of land in the Town of Rotterdam, known as the Rotterdam Distribution Center, on which its Grocery and Perishable Warehouses are located. The land is roughly bounded by NYS Route 7 (Duanesburg Road) to the north, the National Grid utility right-of-way (ROW) to the west, the New York State Thruway (I-90) ROW to the south, and railroad tracks and the Rotterdam Industrial Park to the east. A 3.75-acre area of the site, recently developed as a Data Center and owned by The Golub Corporation, is located just west of the National Grid ROW.

The Rotterdam Distribution Center, including the area of the proposed project, is comprised of Tax Map Parcel Nos.: 58.-1-9.11, 58.-1-10.1, 58.-1-11, 58.-1-12.2, 58.-1-12.11, 58.-1-13, 58.05-3-1 through 58.05-3-4, 58.05-3-5.1, 58.05-3-5.21, and 58.05-3-9 through 17. It currently contains approximately 687,000 square feet of warehousing space and 77,000 square feet of corporate office space. The office use is currently being relocated into the City of Schenectady.

The majority of the developed square footage is organized into one large building, which is divided internally into separate functions as needed. There is another smaller building that serves as a resource recovery center, and several small out buildings used for maintenance and other accessory uses.

The site of proposed warehouse expansion comprises approximately 28 acres in the northern portion of the overall site, including approximately 12 acres that is not currently utilized by The Golub Corporation. The project area is bisected by Dunnsville Road, which crosses the site in a southwest-northeast direction and then turns northward to intersect with Duanesburg Road/NYS Route 7. NYS Route 7 forms the site's northern boundary, the National Grid parcel forms the site's western boundary, and existing property within the Rotterdam Distribution Center borders the site to the south and east. Two parcels on the south side of NYS Route 7 are owned by others and not part of the project. These consist of a residential property and a parcel containing a Cumberland Farms store and gas station on the southeast corner of the existing Dunnsville Road/NYS Route 7 intersection.

Approximately 7± acres of the Golub property is being considered for the demolition of existing office space and its reconstruction into warehouse space, as well as a further expansion of warehouse space into an area currently utilized by surface parking. This area is located in the northeast portion of the Rotterdam Distribution Center at the entrance to the current Corporate Offices of The Golub Corporation.

**Agency Jurisdiction:** The Planning Commission has exclusive jurisdiction over subdivision and site plan applications for the Project. The Rotterdam Town Board has jurisdiction over necessary Comprehensive Plan and Zoning Law amendments, and is an MS4 community. The NYS Department of Environmental Conservation has jurisdiction over a necessary stormwater permit for the Project and approval of a sewer line extension. The NYS Department of Transportation as well as Schenectady County Legislature and Department of Engineering and Public Works have jurisdiction over the proposed re-alignment of Dunnsville Road.

**Project Sponsor:** The Golub Corporation, 501 Duanesburg Road, Schenectady, NY 12306

**Date Final Environmental Impact Statement Filed:** November 4, 2009

**Town of Rotterdam Planning Commission**  
Name of Agency

_____	Lawrence N. DiLallo
<b>Signature of Responsible Official</b>	<b>Name of Responsible Official</b>
<u>Chairman</u>	November 17, 2009
<b>Title of Responsible Official</b>	<b>Date</b>

1100 Sunrise Boulevard  
Rotterdam, New York 12306

**Address of Agency**

Peter Comenzo, Senior Town Planner

**Contact**

cc: Other Involved and Interested Agencies  
Applicant

FACTS AND CONCLUSIONS IN THE DEIS AND FEIS RELIED UPON TO SUPPORT THE DECISION:

**1.0 INVOLVED AGENCY JURISDICTION AND DESCRIPTION OF SEQR PROCESS.**

In accordance with the SEQR Regulations, the following elements of the SEQR process were undertaken:

April 21, 2009 - The Town of Rotterdam Planning Commission was designated as Lead Agency for review of the proposed Type 1 Action after circulating the project application and Environmental Assessment Form (EAF) to all involved agencies. A SEQRA positive declaration was also issued and a draft SEQRA scope was circulated for review and comment by SEQRA involved and interested agencies, and by the public.

May 5, 2009 – Public scoping session held by Planning Commission.

May 10, 2009 – Public scoping written comment period closed.

June 2, 2009 – Final scope adopted by the Planning Commission.

July 23, 2009 - Draft Environmental Impact Statement (DEIS) accepted as complete and adequate for public review and comment by Planning Commission.

August 11, 2009 – Public Hearing held by Planning Commission on the DEIS and accepted comments through September 4, 2009.

September 4, 2009 – Public comment period on DEIS closed.

November 4, 2009 – Final Environmental Impact Statement (FEIS) adopted by the Town of Rotterdam Planning Commission as complete. The FEIS was duly filed with the SEQRA involved agencies.

**2.0 NEED AND BENEFIT**

The Golub Corporation has identified a need to restructure its distribution network to support its stores and merchandising groups. The new warehouse will allow for significant improvements in productivity and increase the efficiency of product distribution for The Golub Corporation. Simultaneously, a fiscal benefit to the community will result. For the reasons set forth below in the Alternatives discussion, this action can only be achieved on-site and in Schenectady County by relocating Dunnsville Road to accommodate the expansion area.

**3.0 SURFACE WATER RESOURCES AND STORMWATER MANAGEMENT**

Since the project will involve an increase in impervious area and will disturb more than one acre of land during construction, coverage under General SPDES Permit 08-001 will be required in accordance with the permitting requirements of the New York State Pollutant Discharge

Elimination System (SPDES). A Storm Water Pollution Prevention Plan (SWPPP) and Stormwater Management Plan (SMP) will be required as part of the General Permit.

Through initial evaluation of the SWPPP and SMP for the conceptual warehouse expansion and Dunnsville Road relocation, five separate drainage areas within the undeveloped portion of the project site were identified. These drainage areas generally flow into Duanesburg Road and the public drainage system, and infiltrate the ground on-site and within the National Grid ROW. Due to the high volume of infiltration available on-site, major detention and storage capacity will not be required to detain the additional runoff which will be generated from the project during storm events. In total, three detention basins will be installed/improved on-site to reduce overall runoff from the site below pre-existing conditions and, in sum, the post development condition will generally not alter the overall existing drainage patterns in the area.

Concerning the relocation of Dunnsville Road, the SMP will function adequately in terms of water quantity and quality management and will not adversely affect adjacent or downstream properties. SWPPP measures will also be deployed during road construction to provide soil stabilization for disturbed areas and structural controls to divert runoff and remove sediment. These include best management practices (BMPs) such as use of a stabilized construction entrance to prevent tracking of sediment offsite, installation of silt fences and temporary check dams, frequent watering of excavation and fill areas to prevent the generation of dust, and seeding and watering of disturbed areas where construction activity has ceased for a period of more than 14 days. BMPs will also be implemented to minimize the potential for stormwater contamination, including application of fertilizers in the minimum amounts recommended by the manufacturer, storage of fertilizers in a covered shed and placement of open bags in sealable bins to prevent spills, monitoring of vehicles onsite for leaks and scheduling of regular preventive maintenance to reduce the chance of leakage, storage of petroleum products in tightly sealed containers, collection of sanitary waste from portable units by a licensed portable facility provider to avoid overfilling, and use of a covered dumpster for all waste materials, with no burial of construction waste materials on-site.

A SWPPP will be prepared for the future warehouse expansion site plan application that will incorporate the same BMPs for sediment and pollution control identified above and others that may be determined appropriate at the time and at the discretion of the Planning Commission.

With implementation of the above erosion and sediment control practices, as well as BMPs to prevent stormwater contamination, stormwater impacts during construction of the proposed project will be minimized and not significant.

***Finding:*** *The Planning Commission finds that the proposed project will not significantly impact groundwater or surface water resources. Potential impacts to groundwater and surface water resources will be minimized through adherence to a Stormwater Pollution Prevention Plan (SWPPP) and Stormwater Management Plan (SMP) during construction and throughout project operation.*

#### 4.0 WETLANDS

Biologists from The Chazen Companies conducted site visits on June 13, 2007, January 21, 2009, and in May/June 2009 to assess on-site drainages and vegetative communities in the project area. The intent of this assessment was to identify the potential presence of federal or state jurisdictional wetlands which may be impacted by project construction or operation. No wetlands or watercourses were identified within the boundaries of the project site. The project site is dominated by upland species such as white pine [FACU], black birch [FACU], Virginia creeper [FACU], and garlic mustard [FACU-], and lacks wetland hydrology indicators (e.g., inundation, drift lines, etc.). The soil types mapped within the project site are not listed as hydric soils in New York State and hydric soil indicators (e.g., sulfidic odor, gleyed or low-chroma colors, etc.) were not observed during the site visits. The closest wetlands and/or watercourses were observed approximately 250 feet to the southeast of the project area and are not contiguous to the project area.

***Finding:*** *The Planning Commission finds that wetlands will not be impacted by project construction or operation and that no mitigation is required.*

#### 5.0 VEGETATIVE COMMUNITIES AND WILDLIFE

The Chazen Companies undertook a field assessment to characterize the vegetative communities within the project area. Of the 28 acres of the site that will be disturbed by the proposed action, approximately 12 acres is undeveloped land. The habitats to be impacted by the proposed project consist of successional communities (hardwood forest, old field, and shrubland). These successional communities are identified by the NY Natural Heritage Program as being secure throughout New York State and they are not listed as rare/significant natural communities. The project area is within the far western extent of the Albany Pine Bush but not located within Albany Pine Bush Preserve lands or within the Albany Pine Bush Preserve Study Area. Based on the presence of sandy soil and some remnant Pine Bush species, including pitch pine and scrub oak, it is likely that the project site and surrounding lands were once pine barrens communities. However, due to development and lack of periodic wildfires or other types of management, the project site has converted to a more common forest community type. Remnant pine barrens species occur along the National Grid ROW where mechanical and probably chemical maintenance has provided open conditions that are more conducive to these species. A wild blue lupine (*Lupinus perennis*) patch was identified on the site along the border with the National Grid ROW.

As a result of the presence of wild blue lupine, The Chazen Companies also undertook a Karner blue butterfly (*Lycaeides melissa samuelis*) and frosted elfin (*Callophrys irus*) survey, and an eastern hognose snake (*Heterodon platirhinos*) and eastern worm snake (*Carphophis amoenus*) survey. The survey methodology for the Karner blue butterfly and frosted elfin was discussed with Ms. Kathy O'Brien of the NYSDEC Endangered Species Unit prior to the start of the survey. The survey methodology for the eastern hognose and eastern worm snake was discussed with Mr. Karl Parker, Senior Wildlife Biologist with NYSDEC Region 4, prior to the start of the snake survey. The results of these surveys were documented in three letter reports prepared by The Chazen Companies, which were included in Appendix 9.6 of the DEIS, and in an addendum report found in the FEIS Appendix D.

Use of this patch by Karner blue butterflies and frosted elfins was determined to be unlikely. No Karner blue butterflies or frosted elfin butterfly species were identified in the study area during the 22 hours of observation over 13 days of site visits conducted by wildlife biologists during the active period for the species from May through August. To minimize any potential adverse impacts to suitable on-site habitat for Karner blue butterflies and frosted elfins, and to minimize direct impacts to remnant areas containing pitch pine-oak forest species located along the western boundary of the project site, the following avoidance/minimization measures and best management practices will be undertaken: (i) no infrastructure or buildings will be located within the wild blue lupine patch; (ii) wild blue lupine habitat will remain undisturbed from construction activities, storage of materials or equipment, and landscaping activities; (iii) silt fencing will be placed around the wild blue lupine patch during construction activities to minimize the potential for sediment or debris to enter the area; (iv) impacts to the on-site remnant pitch pine-oak forest community located along the western site boundary will be minimized by establishing a forested buffer area adjacent to the National Grid ROW. Native pine barrens plant species will also be planted as infill vegetation within the limits of the forested buffer, and disturbed areas throughout the remainder of the project site will be landscaped with native plantings.

***Finding:*** *The Planning Commission finds that although there will be an unavoidable loss of site vegetation and wildlife as a result of the project, it is unlikely that any State or federally listed endangered, threatened or special concern species will be adversely affected. Impacts will be minimized by preserving the wild blue lupine patch, and providing infill vegetation with pine bush species in the buffer between the relocated roadway and ROW.*

## **6.0 AIR RESOURCES**

The potential impacts on air resources are associated with both the construction stage and operational stage of development. Construction related impacts are temporary, and associated mainly with airborne suspension of dust. Air quality impacts during facility operation are associated with diesel emissions from trucks.

Concerning construction phase impacts, the SWPPP will include fugitive dust suppression measures. These measures will include the following and others at the discretion of the Planning Commission during site plan review:

- Minimizing soil erosion and sedimentation by stabilization of disturbed areas and by removing sediment from construction site discharges;
- Preservation of existing vegetation to the maximum extent practicable. Following the completion of construction activities in any portion of the site, permanent vegetation is established on all exposed soils; and
- Planning of site preparation activities to minimize the area and duration of soil disruption.
- Under conditions of prolonged drought and/or high winds it may be necessary to suspend clearing and grading operations.
- Wet the surface of unpaved portions of the site as often as needed.
- Sweep/clean dirt tracked onto adjacent streets by construction vehicles each day, as necessary.

Regular mandated inspections will ensure contractor compliance with all such dust suppression measures including frequent watering of excavation and fill areas and construction roadways, and the temporary seeding of stockpiles or excavated areas that will be left idle long enough to be stabilized.

Concerning operation phase impacts, trucks at the facility will comply with the 6 NYCRR 217-3.2, which limits the maximum idling time of a stationary vehicle to five (5) consecutive minutes. Over time, the majority of trucks accessing the facility will comply with EPA's new diesel emission rules and regulations. Initially, 70 of Golub Corporation's model year 2005 trucks will be replaced with model year 2009 trucks – resulting in a decrease in particulate matter (PM) emissions. The relocation of Dunnsville Road will also result in less idling in proximity to the nearest residences since there will be less idling at the entrance to the facility, and because the vendor loading areas will be located farther away from residences. Thus any potential impacts will be better screened by the new warehouse building, attenuated by distance and intervening vegetation. Finally, since the level of service of intersections near residences utilized by trucks travelling to the facility will not fall below a Level of Service "C" as a result of the project and the trucks will comply with EPA's new diesel emission rules and regulations, air quality impacts are not anticipated.

***Finding:** The Planning Commission finds that construction and operation of the facility will not result in any significant long term air quality impacts. Trucks at the facility will comply with New York State Regulations limiting the maximum idling time of a stationary vehicle to five (5) consecutive minutes. Compliance with EPA's diesel emission limits for PM will also minimize impacts and eventually improve upon existing conditions at the facility.*

## **7.0 CULTURAL RESOURCES**

Two archeological sites were identified during the on-site archaeological investigations. The first site, identified in the DEIS as the Golub 2 Precontact Site, consists of an isolated find and no further investigation was recommended for the site. The second site, identified in the DEIS as Golub 3 Historic Site, consists of a broad area with low to moderate densities of historic materials which are partially intact.

The Phase 1B addendum fieldwork narrowed the size of the Golub 3 Historic Site somewhat from the area thought to be of concern in the original 1B report, but avoidance or further investigation of the Golub 3 Historic Site was still recommended. The area of the site to which Dunnsville Road will be relocated is some distance from the Golub 3 Historic Site and this component of the proposed project will have no effect on the potential resource. The conceptual warehouse expansion, however, does encompass the area of the Golub 3 Historic Site. A Phase II site investigation was, accordingly, undertaken. In a letter dated October 13, 2009 (Attachment A), the NYS Office of Parks Recreation and Historic Preservation (SHPO) concurred with the Phase II report and determined that the project will have no impact to historic or cultural resources.

The project does not involve the demolition of any historic buildings.

***Finding:** The Planning Commission finds that impacts to cultural and historic resources have been adequately addressed and that the project will have no impact to any historic or cultural resources in accordance with the SHPO determination (Attachment A).*

## **8.0 LAND USE AND ZONING**

The project site is located in the southern portion of the Town of Rotterdam, approximately one mile southeast of the I-90/I-88 interchange, and includes approximately 28 acres of land owned by The Golub Corporation. In total, The Golub Corporation currently owns approximately 170 acres of contiguous land in southern Rotterdam, on which the Rotterdam Distribution Center is sited. The Rotterdam Industrial Park is located east of the project site. Additional industrial uses are located to the north and west of the site. The remaining areas located north and west of the project site are a mix of residential and community service land uses. Lands owned by The Golub Corporation directly south of the project site are undeveloped as they contain significant wetland habitat and other environmental resources.

As a result of the mix of uses surrounding the site, the site is currently within three separate zoning districts. The Light Industrial District (I-1) generally encompasses the overall site, surrounding the project area to the north, east and south. The General Business (B-1) District continues south of the site along Dunnsville Road. Areas to the west and northwest of the site are primarily Agricultural District (A-1) with several pockets of One-Family Residential (R-1) District. The General Business District (B-2) and the Two-Family Residential (R-2) District are located directly north of the site. Under the proposal, the site will be re-zoned to I-1.

Despite the rezoning, the proposed road realignment and conceptual warehouse expansion will not change the overall character of the site, as the proposed uses are already occurring on and in the vicinity of the project site, including the existing warehouse to the east and National Grid utility line which largely separates the facility from the nearest residences. The project will relocate Dunnsville Road closer to the Dolan Drive residential neighborhood and will create a new intersection on Route 7 that is directly across from a residential area on Route 7. Development of the warehouse expansion will also place industrial uses closer to the Dolan Drive and will surround an existing residence on the south side of Route 7. Although proven not to be significant by the analysis provided in the DEIS and FEIS for this project, there will likely be some incremental impacts to these residential areas from the industrial activities. Such impacts include minor increases in noise, possibly some temporary, localized air quality issues caused by unusual events (prolonged idling, atmospheric conditions conducive to air quality impacts, etc.), and visual and lighting impacts due to the removal of existing forested areas. These unavoidable impacts will be mitigated (minimized) as follows:

- A 35 foot wooded buffer will be maintained between the National Grid ROW and the relocated road.
- An acoustical wooden wall 14 foot high relative to the relocated Dunnsville Road will be extended down the length of the relocated road, between the road and the wooded buffer to reduce noise impacts and to provide further visual buffering.
- The Dunnsville Road/site entrance intersection will be maintained as a through road with the control on the Dunnsville Road northbound approach. This will eliminate the need

for the majority of trucks using Dunnsville Road to stop and start at this intersection, thus reducing the potential for both noise and air quality impacts.

- Purchase of six homes on Route 7, across from the new intersection will eliminate potential impacts to quality of life from truck headlights during nighttime operations. Alternatively, should the sale of the homes fall through, the homes will be appropriately landscaped and driveway turn-arounds provided by the applicant, with permission of the landowner, to appropriately and thoroughly mitigate the impacts of the new intersection. These improvements will only be installed if permission from the landowner can be obtained to do so.
- The Schmidt home will be landscaped along the boundary with the Golub property to mitigate visual impacts of the project and a second paved driveway will be installed from the relocated Dunnsville Road to the home to eliminate the need for direct access to Route 7. These improvements will only be installed if permission from the landowner can be obtained to do so. If amenable to the landowner, this home may be purchased by the applicant in the future.
- The applicant will provide a concrete sidewalk along the relocated portion of Dunnsville Road during construction of this road and will also provide concrete sidewalks along Route 7 on the south side to connect the sidewalk on Dunnsville Road to Cumberland Farms. This sidewalk will be constructed prior to completion of the relocated road or after site plan review for the warehouse expansion.

***Finding:*** *The Planning Commission finds that use of the project site as Light Industrial is acceptable given the proposed mitigation and that the impacts on nearby residences will be sufficiently buffered to allow these Zoning Districts to abut one another.*

## **9.0 COMPREHENSIVE PLAN**

The Town of Rotterdam adopted its most recent Comprehensive Plan on December 5, 2001. The Town's main objective through implementation of the Plan is stated as "preservation of the Town's character and identity, while allowing for environmentally sound growth and development." The Plan also outlines recommendations for guiding future development within different Study Areas, including the area of the facility (Study Area 1). The recommendations pertaining to the project site are discussed therein, and include amending the Zoning District designation for the area of proposed expansion which is currently A-1 to R-1.

To plan for evolving land use patterns as well as changes in community goals and objectives, the Town maintains a policy of allowing periodic updates to the Comprehensive Plan. The process allows for public participation and community involvement. It is the responsibility of the Town Board to evaluate any amendments to the Comprehensive Plan and request for zone changes. The Town last updated its Comprehensive Plan in early 2009 to incorporate the findings of more detailed land use studies of the lands and road corridors associated with Exit 25A and Exit 26. The Town is presently in the process of updating its zoning to be consistent with the Comprehensive Plan. Planning experts and State agencies recommended that the Comprehensive Plan be updated regularly and that it be viewed as a living document rather than merely a representation of the status quo. As a separate endeavor from the recent Comprehensive Plan updates, the Town is considering the Golub zoning change and will also amend its

Comprehensive Plan to reflect this change in use should Golub be successful in obtaining approval from the Town Board.

Due to the proximity of the facility to the I-90/I-88 interchange and rail access, the project site is the only location for the expansion of the Rotterdam Distribution Center on property owned by The Golub Corporation and adjacent to its existing facility. Additionally, for the reasons set for in the Alternatives discussion below, use of other lands owned by The Golub Corporation to accommodate the facility would result in significant wetland and other environmental impacts.

***Findings:** The expansion plan will be achieved without resulting in a significant impact to nearby residential neighborhoods or commercial businesses that cannot be appropriately mitigated. The expansion plan is also consistent with many of the surrounding land uses. Agricultural uses have not occurred in this area for decades and The Golub Corporation has purchased all the residential properties between its facility and NYS Route 7, with the exception of the Schmidt house. For these reasons, an amendment of the Comprehensive Plan and rezoning of the project site is warranted.*

## **10.0 VISUAL CHARACTER**

The proposed project includes the relocation of a portion of Dunnsville Road as well as the conceptual expansion of warehouse space on the site. A visibility analysis of the proposed warehouse was undertaken to qualitatively assess the visual impacts of the project. Given that the warehouse expansion is only conceptual at this point, the overall size, massing, and placement of the building has been analyzed under the worst case scenario: a maximum building height of 75 feet and the minimum building setback of 25 feet as permitted under the Town Zoning Law for I-1 uses. Under the worst-case scenario, the proposed warehouse expansion would theoretically be visible from one scenic byway, five municipal parks, and three historic sites. However, given the distance from the project site, intervening vegetation and the existence of numerous other surrounding buildings and structures, the actual visibility of the project site will be nominal from these locations.

A line of sight analysis was also undertaken to determine the height at which a building would be visible from various locations within the Dolan Drive neighborhood. Two residential properties were selected, each of which contains very little vegetation in the rear yards and represents a worst-case scenario for the analysis. It was determined from this analysis that dense vegetation which exists along the eastern boundary of the National Grid ROW and which will be retained in a 35-foot “no cut” buffer, will screen the proposed development, resulting in filtered views of the warehouse, with views being more prevalent during the winter months. The project will provide additional plantings to help further screen views. In addition an acoustical wooden wall, 14 foot high relative to the relocated Dunnsville Road, is to be located along the relocated Dunnsville Road, will block views of the road and portions of the building when viewed from ground level from homes on Dolan Drive. The wall itself is not expected to be detrimental to the aesthetics of the area nor create a feeling of isolation for the residents of Dolan Drive since views of the wall will be filtered through the 35 foot vegetated buffer.

Finally, greater detail of the proposed building design, including materials, colors, landscaping, etc. will be developed and reviewed during the site plan review process, but any such sizing, massing or treatment proposed will only serve to further mitigate any potential visual impact from the project as compared with the worst case scenario evaluated in the DEIS and FEIS.

Concerning lighting impacts, the proposed road realignment does not include the installation of any new street lighting. While specific lighting details have not yet been developed for the proposed new warehouse or warehouse expansion, only the minimal lighting necessary for safety and security purposes is anticipated. Any new lighting that is proposed will utilize full cut-off shields and will not shed light onto off-site properties. When plans are submitted for the warehouse expansion during site plan review, a photometric plan will be included and will be reviewed for compliance with the above parameters.

The Golub Corporation has offered to purchase the residential properties north of NYS Route 7 within the operational area of the proposed intersection to avoid lighting impacts from turning trucks. The Golub Corporation currently has options to purchase these residences. Should these options fall through, The Golub Corporation will landscape the front yards of these homes and provide driveway improvements (including the Schmidt family), provided landowners provide permission to do so.

***Finding:** The Planning Commission finds that with implementation of the aforementioned mitigation measures, the project is not expected to have a significant adverse impact on surrounding visual character or the aesthetics of the surrounding area.*

## **11.0 NOISE**

Existing sound levels measured along the boundary of the project site are in the range of 63.9 to 66.3 decibels (dB(A)), consistent with warehouse and traffic related noise sources nearby the site. The relocation of Dunnsville Road will bring traffic, including truck traffic servicing the expanded facility, closer to the residential properties located west of the National Grid ROW. Based on the existing background noise levels within the area, it is expected that the noise impacts from relocation of the road will not be intrusive. The most significant change, at receptor location “M,” will be an increase of 4.8 dB(A) without mitigation. Under NYSDEC Program Policy for noise, a 4.8 dB(A) increase has a potential for adverse impact in cases where the most sensitive receptors are present. Similar minor impacts will occur from increased traffic along NYS Route 7 under the build versus no-build condition. Concerning impacts from the facility itself, noise from air handling units located on the roof will attenuate to approximately 31 dB(A) at 300 feet from the source, thus not impacting even the closest receptors.

Mitigation for the increase in noise along Dolan Drive will consist of the construction of an acoustical wooden wall. The wall will be made of 1.5 inch thick lumber, connected in tongue and groove manner, 14 feet above the elevation of the centerline of pavement along the relocated portion of Dunnsville Road (which is approximately 1.5’ higher than exhaust pipes from The Golub Corporation’s fleet of trucks), and will attenuate noise traveling through the wall by approximately 22.5 dB(A) and over the wall by approximately 5 dB(A). The net effect will be that at the most impacted receptor location (location “M”), noise will increase by only 2.1 dB(A).

Under NYSDEC Program Policy for noise, a 0 to 3 dB(A) change is not expected to have any appreciable effect on receptors, including sensitive receptors. Other operational phase mitigation measures include: (i) no idling at loading docks or elsewhere in excess of 5 minutes; (ii) vendor truck parking at a farther location from Dolan Drive than the exiting vendor parking area; (iii) adherence to a posted speed limit; and (iv) placement of air handling units out of line of sight with residents along Dolan Drive, use of air handling units where equipment sound levels do not exceed 75 dB(A) at a distance of ten (10) feet, and/or air handling units equipped with sound barriers.

Removal of the stop control at the truck access driveway was proposed to eliminate truck stopping and allowing free flow truck travel from and to the site to improve operation of the intersection. Since the stopping of trucks tends to cause more noise than their free flow movement, the removal of stop control would also reduce noise levels that travel across the necessary gap in the acoustical wooden walls. Preliminary traffic analysis shows that removal of stop control compared to the all-way stop option would reduce the overall intersection delay by 60% in the PM peak hour and almost 40% in the AM peak hour, with virtually no delay for southbound Dunnsville Road traffic and for exiting site trucks. When the proposed northbound stop control operation is compared to the existing all way stop control intersection at the Golub entrance, the proposed stop controlled approach delay will yield one second less delay per vehicle. The conclusion that removal of the all way stop condition will improve operations will be confirmed by a post construction traffic analysis. The analysis will be completed one year after road relocation is complete and again one year after construction of the full build-out of the warehouse. The post warehouse traffic construction analysis will consider development projects which may have been approved prior to full build which exceed typical background growth projections included in the TIS, as presumably these projects will be required to mitigate their fair share of traffic impacts.

Concerning vibration impacts, trucks accessing the facility should not result in vibration impacts travelling along the relocated Dunnsville Road since the roadway will be newly constructed to a specification designed to handle the intended use. Impacts along NYS Route 7 will not increase in any appreciable manner since there may be a greater frequency of vibrations on NYS Route 7, but they will not be longer in duration or intensity.

Construction phase noise impacts will be temporary but will potentially extend over periods of a year or more. It is expected that construction of the relocated road will take approximately 6 months to complete. Once completed, the acoustical wooden wall will be in place thus helping to attenuate construction noise from portions of the warehouse expansion. Construction of the expansion to the existing building is expected to take 1 year and the construction of the new building could take 1.5 years. Construction contractors will be required to use effective noise mitigation techniques including, but not limited to, the following:

- The construction contractor will be required to use equipment with mufflers, on-board shields and any other sound reduction equipment maintained to their original specification.
- Equipment with the lowest noise rating will be selected to accomplish each task, especially at the north end of the relocated Dunnsville Road.

- Equipment will not be allowed to idle when not in use.
- Any equipment for which there is a choice of locations, such as electrical generators and air compressors, will be situated as far as possible from the closest receptors. In particular, equipment will be situated as far as possible from the residences along NYS Route 7 and the residences along Dolan Drive and Dunnsville Road.
- Loose engine parts or other parts with loose or missing screws, bolts or metal plates will be repaired so that vibration and noise generation are reduced.
- Enclosures, such as plywood barriers, will be constructed around significant stationary sources of sound if the noise from such equipment cannot be effectively mitigated by distance or other means.
- The slamming of tailgates by dump trucks or trailers will be discouraged, and rubber gate gaskets will be required.
- Construction hours will be limited to 6 am to 9 pm weekdays, 7 am to 5 pm Saturdays, and no construction on Sundays unless otherwise directed by the NYSDOT as it pertains to construction along NYS Route 7.

***Finding:*** *The Planning Commission finds that the noise associated with this facility has been adequately mitigated through the iterative review of designs and controls to attenuate noise levels at receptor locations, as described in these Findings and the DEIS and FEIS. The post-construction traffic analysis on removal of the stop control is intended to evaluate the operation of the intersection. The benefits this provides as noise mitigation is important but not primary to the purpose of the intersection design. Therefore, if traffic control devices are determined necessary for this intersection to function properly the applicant will not be responsible for additional acoustic mitigation. No significant noise impacts from construction and operation of the proposed facility or relocated road are anticipated.*

## **12.0 TRAFFIC**

The Laberge Group prepared a Traffic Impact Study dated April 2009 and a Supplemental Traffic Study dated June 2009 to assess the impacts the proposed warehouse expansion and the relocation of the Dunnsville Road would have to the surrounding roadway network. The study included an assessment of the existing AM and PM peak hours of adjacent street traffic of the Route 7 intersections with existing Dunnsville Road, Kellar Avenue, and Dolan Drive, and the proposed relocation of Dunnsville Road. In addition, the study included an assessment of the employee/visitor access with relocated Dunnsville Road and the truck access with relocated Dunnsville Road. As initially proposed, old Dunnsville Road was to serve as an unsignalized visitor driveway to the facility, and the existing curb cut from an adjoining property owned and operated by Cumberland Farms to Dunnsville Road was to be closed. The traffic impact analysis was prepared for this scenario. The Traffic Impact Study was prepared in accordance with industry standards and principals for preparing Traffic Impact Studies.

The studies assessed the impacts to the adjacent roadway system with and without the following: the corporate offices remaining on site, the truck trips between the site and the Voorheesville warehouse facility that will no longer be necessary after the expansion, and the trips associated with the 95,000 s.f. Perishable Goods Expansion. The study also included a background growth rate, to account for future traffic in the area not associated with the warehouse expansion, and the increase in traffic from the warehouse expansion site generated traffic. Site generated traffic for

the expansion was estimated to generate an additional 179 AM and 147 PM peak hour trips, based upon the industry standard's *Trip Generation Manual*, 8<sup>th</sup> edition, published by the Institute of Transportation Engineers (ITE).

A signal warrant analysis was conducted for the relocated portion of Dunnsville Road with Route 7 intersection to determine if a signal would be warranted based upon the warranting criteria found in the *National Manual on Uniform Traffic Control Devices (MUTCD)*, 2003 edition, published by the Federal Highway Administration (FHWA) and the *NYS Supplement*. The signal warrant analysis showed that the existing Dunnsville Road traffic volumes alone were sufficient to meet warrants 1, 2 and 3. Therefore, the analysis assumed that the intersection of the relocated Dunnsville Road with Route 7 would be signalized.

Warrants for retention of the signal at old Dunnsville Road with Route 7 were also reviewed and it was determined that the side street volumes were not sufficient to warrant a signal at that location based on MUTCD guidelines. In addition, the Transportation Research Board's (TRB) *Access Management Manual* identifies the typical signal spacing to provide efficient signal progression along an arterial as at least one-half mile. Since the distance between the proposed signal and the existing Dunnsville Road intersection with Route 7 is only approximately 800 feet, operations and safety along the corridor would be adversely affected by signalizing both intersections. Therefore, the analysis assumed that the existing Dunnsville Road with Route 7 would be unsignalized.

A capacity analysis was performed in accordance with current standards for evaluating capacity and operating conditions as contained in the 2000 Highway Capacity Manual (HCM), published by the TRB, for each of the intersections to determine its Level of Service (LOS) under Existing, No Build, and Build conditions. In addition, an ETC+20 year analysis of the proposed signalized Dunnsville Road and Route 7 intersection was conducted. The analyses show that each of the evaluated intersections would provide acceptable overall and individual movement/approach LOS (LOS C or better).

Under the Build conditions, each of the evaluated intersections would provide an overall LOS of C or better with all individual movements/approaches also operating at LOS C or better. Analysis of the old Dunnsville Road intersection and the Cumberland Farms access revealed adequate LOS and available sight distances at these locations to permit vehicles to enter and exit the Cumberland Farms site from NYS Route 7 with the removal of the signal at the existing Dunnsville Road intersection and the elimination of access onto Dunnsville Road from the Cumberland Farms property. The available sight distance of over 1,000 feet in each direction at old Dunnsville Road, and 900 feet to the east and 1,200 feet to the west at the Cumberland Farms driveway, far exceed the required stopping sight distance of 305 feet for this portion of NYS Route 7, as well as the preferred intersection sight distance of 445 feet for a left turning vehicle entering the highway (based on AASHTO's "*A Policy on Geometric Design of Highways and Streets*"). However, to accommodate Cumberland Farms' concerns over the removal of the existing curb cut to Dunnsville Road with the initial proposal, the Applicant has revised the layout such that the Cumberland Farms driveway access to old Dunnsville Road will be retained.

The traffic analysis conducted for the proposed signalized relocated Dunnsville Road with Route 7 intersection includes the average and 95<sup>th</sup> percentile queues associated with the AM and PM peak periods. The results of the Build and ETC+20 Build analyses indicate that the maximum queue from the signal should not extend past Dolan Drive during the peak hours, and though the

queue may reduce available sight distance at times, the obstruction would be transient and would dissipate quickly.

The eastbound right turning volumes at the relocated Dunnsville Road and Route 7 intersection do not currently warrant a separate right turn lane. Adding an eastbound right turn lane at this intersection indicated no significant improvement to the operations of the intersection or in reducing the queues. The conclusion that a right turn lane is not required will be confirmed by a post construction traffic analysis.

To accommodate the increases in traffic from the proposed warehouse expansion and accommodate other modes of transportation, the following improvements will be implemented:

- Signalizing the relocated Dunnsville Road with Route 7 intersection. The eastbound approach will consist of a single through/right turn lane the westbound approach will consist of 1 through lane and 1 left turn lane with a minimum of 100 feet of storage and the northbound approach will consist of 1 left turn lane and 1 right turn lane with a minimum of 125 feet of storage;
- Removing the signal at the existing Dunnsville Road with Route 7 intersection and providing stop control on the northbound approach;
- Constructing a two-way left turn lane between Dunnsville Road and N. Thompson Street;
- Constructing a three-legged intersection on the relocated Dunnsville Road with the Golub Truck entrance approximately 900 feet south of the signalized relocated Dunnsville Road with Route 7 intersection. The Dunnsville Road northeastbound approach will be stop controlled and the Dunnsville Road southbound and Golub Truck Entrance will be free flowing movements. The Dunnsville Road northbound and Golub Truck entrance will be single lane approaches. The Dunnsville Road southbound approach will consist of a right turn lane and a through lane with a minimum of 100 feet of storage;
- Constructing a three-legged intersection on the relocated Dunnsville Road with the Golub future employee/visitor entrance approximately 400 feet from the signalized relocated Dunnsville Road with Route 7 intersection. The Golub westbound employee/visitor approach will be stop-controlled and all approaches will be single lane approaches.
- Constructing sidewalks on the relocated Dunnsville Road and along the south side of Route 7 between the relocated Dunnsville Road location and the existing Dunnsville Road. The Town will hold an easement for and will maintain the sidewalks, once constructed.
- Constructing a bus turnout lane and a bus stop on Route 7 if so requested or required by the CDTA. The location and details of the bus stop and bus turnout will be coordinated with CDTA, the Town and NYSDOT.

***Finding:*** *The Planning Commission finds that the relocation of Dunnsville Road can be achieved without resulting in a significant adverse traffic impact to the surrounding roadway network, as long as the mitigation measures proposed above are implemented. To confirm predicted future operations, a post-construction traffic analysis of the roadways and each of the intersections included in the Traffic Impact Study will be conducted one year after road relocation is complete and again, one year after construction and operation of the warehouse*

*expansion, if approved. The post warehouse traffic construction analysis will consider development projects which may have been approved prior to full build which exceed typical background growth projections included in the TIS, as presumably these projects will be required to mitigate their fair share of traffic impacts. The methodology for conducting the two post-construction traffic analyses, along with the criteria for defining impact and significance of impact will be identified in a post-construction monitoring plan that will be provided to the Town for review and approval prior to site plan approval for the road relocation. The cost of the monitoring plan and the post-development traffic evaluations shall be the responsibility of the applicant and any additional required mitigation, including, but not limited to, construction of an eastbound right turn lane at the relocated Dunnsville Road with Route 7, geometric, and/or signing/pavement markings at any of the other intersections, including the 3-legged intersection of the relocated Dunnsville Road and the Golub truck entrance shall be determined by the Town of Rotterdam, the NYSDOT and the Schenectady County DPW as appropriate. Post-construction analysis will validate TIS and FEIS conclusions concerning volumes, queues, sight distance, LOS, and delay by comparing actual operations versus TIS predictions. The post traffic analysis study of the roadways and each of the intersections is to be reviewed and approved by the Town, State and County, as necessary, prior to performing such studies.*

### **13.0 UTILITIES**

Water, sewer, gas, electric and telephone utility infrastructure capable of servicing the proposed development exist along NYS Route 7 and within the overall project area. The expanded warehouse will actually utilize less water and demand less sewer capacity than the current facility as a result of the relocation of office space to The Golub Corporation's City of Schenectady facility. The total average water demand / wastewater generation from the distribution center will be reduced by approximately 3,140 gallons per day.

***Finding:*** *The Planning Commission finds that the Town of Rotterdam has adequate capacity to provide the proposed project with water and sewer, and that local service providers can provide the project with gas, electric and telephone services.*

### **14.0 COMMUNITY SERVICES**

The proposed project will change the alignment of Dunnsville Road and change access points to the expanded facility. The Fire Chief of the South Schenectady Fire Department (SSFD) indicated in correspondence that the proposed realignment of Dunnsville Road and the conceptual expansion of the Rotterdam Distribution Center will not affect the ability of the SSFD to provide adequate services to the site. The Golub Corporation will continue to implement its emergency response procedures under the proposed project, including scheduled drills with the SSFD and other emergency service providers as appropriate. Moreover, the expanded warehouse is not cold storage and, as a result, will not result in the large quantity storage of hazardous materials. The facility will, however, be equipped with a fire suppression system.

The Paramedic Program Director of the Rotterdam Police Department (RPD) indicated that a large development which increases annual call volume will adversely affect the RPD's ability to respond, but the degree to which that would happen with the proposed project is unknown. While

it is possible that demand for services could increase, the increase is not expected to be to such a degree that significant adverse impacts to the RDP would occur.

***Finding:*** *The Planning Commission finds that the proposed project will not have a significant impact on emergency response services in the area. The site has adequate emergency access, on-site fire hydrants, and the facility will be equipped with a fire suppression system.*

## **15.0 ECONOMIC CONDITIONS**

The project will result in the expenditure of \$47.36 million on construction of the warehouse expansion and relocation of Dunnsville Road, carrying the potential to result in \$12.9 million in payrolls paid within Schenectady County and supporting 305.4 one-year, full-time equivalent jobs. Once the project is operational, 50 new, permanent full-time jobs will be created for the warehouse facility. In addition to this, the planned consolidation of existing off-site warehouse facilities will relocate an additional 40 permanent, full-time jobs at the new facility. Thus, the new facility will bring a net increase of 90 permanent, full-time jobs to the Town of Rotterdam and Schenectady County. The previously approved relocation of the office component of the Rotterdam facility to the City of Schenectady is expected to transfer approximately 335 office employees to Schenectady. Therefore, there will be a net reduction of employees at the Rotterdam facility.

While an exemption from state and local sales taxes on the purchase of building supplies and equipment related to the project will be applied for, the current estimate of exemption to be applied for is only \$1.94 million. Based on estimates of the final-demand output within Schenectady County from the capital and payroll expenditures, after construction and one year of ongoing operation, there should be a positive ratio of \$52.32 of final demand output per \$1 of public investment. After construction and five years of ongoing operation, this ratio rises to \$98.94 of final demand output per \$1 of public investment. After construction and 10 years of ongoing operation, this ratio rises to \$174.78 of final demand output per \$1 of public investment.

***Finding:*** *Although a fiscal impact assessment was not conducted for the project based on the conceptual nature of the plan, the Planning Commission anticipates that there will be a net increase in municipal revenues generated by the Project due to the lack of significant impacts on community infrastructure and services and the improvements to be provided by the applicant as mitigation for land use and related quality of life impacts. The Planning Commission also believes that the 305.4 equivalent payroll positions created during construction and the 90 job opportunities created in the Town of Rotterdam during operation will help to off-set some of the loss of office employees that will relocate to Schenectady.*

## **16.0 SUMMARY OF ALTERNATIVES CONSIDERED**

Numerous alternatives with and without relocation of Dunnsville Road were considered in the DEIS and FEIS. The alternatives considered without relocation of Dunnsville Road included the no build alternative, expansion on two alternative sites southeast of the existing warehouse (one direct expansion of the warehouse and the other involving a stand-alone expansion of the facility), and off-site location of the necessary additional warehouse space. The alternatives

considered with relocation of Dunnsville Road included an alternative layout and smaller size alternative.

From an operational perspective The Golub Corporation must consolidate the warehouse at the existing facility.

On-site expansion without relocation of Dunnsville Road would result in significant federal jurisdictional wetland impacts. Based on the potential for an upland alternative, it is unknown if the Corps of Engineers would approve any wetland impact alternative. The time involved for such an application (upwards of 2 years) would not meet The Golub Corporation's timeline, and would potentially cause The Golub Corporation to look outside of the Town of Rotterdam and County of Schenectady for adequate warehouse space, which could eliminate the economic benefits to the Town and County associated with the proposed project.

Concerning the alternatives involving relocation of Dunnsville Road, the reduced scale alternative project designs would result in slightly more green space than the preferred layout, but would also prevent The Golub Corporation from meeting its demand for the proposed use. Truck movements within the site would also be confined. For the reasons set forth above, the proposed location of the warehouse expansion is preferred.

Alternative access layouts were also considered in addition to the relocation of Dunnsville Road to the west. These included accessing the site across from Kellar Avenue, eliminating the signal at Dunnsville Road and reconstructing the intersection as a right-in and right-out only roadway during evening hours, and total elimination of the southern access road into the site. Under each of these scenarios, the internal layout of the proposed facility as expanded would remain roughly the same. The consequence is essentially confined to intersection Levels of Service and safety considerations along NYS Route 7, as well as safety and internal circulation concerns within the facility. Under the night-time truck entrance alternative, the addition of a secondary truck access point would be contrary to the Customs Trade Partnership Against Terrorism (C-TPAT) security requirements and bioterrorism laws associated with food safety. This alternative would also require additional on-site facilities and resources including, but not limited to, a duplicate full-time manned guard shacks and truck staging areas to monitor and track cargo. On-site circulation patterns would also be confusing since they would differ from day to night.

The relocation of Dunnsville Road, as the preferred alternative, was chosen in consultation with the NYS Department of Transportation to avoid and mitigate impacts to Levels of Service along NYS Route 7 and vibration and noise impacts to the maximum extent practicable. The chosen design will mitigate existing traffic movement concerns and the additional impacts along NYS Route 7 which would otherwise be attributable to additional trucks accessing the site at the existing location of Dunnsville Road. In addition, this alternative will improve the functionality of the corridor by decreasing side-street green time and improve the functionality of movements onto NYS Route 7 and old Dunnsville Road from the Cumberland Farms site.

***Finding:*** *The Planning Commission finds that after reviewing the alternatives to the proposed project, the action as currently proposed and as qualified by the mitigation measures specified in the DEIS, FEIS and this Findings Statement adequately avoids or minimizes significant environmental impacts to the greatest extent possible.*

**Certification to Approve/Fund/Undertake:**

Having considered the draft and final Environmental Impact Statement and having considered and relied upon the written facts and conclusions set forth below, and carefully weighed and balanced relevant environmental factors with social, economic and other essential considerations to meet the requirements of 6 NYCRR Part 617.11, this Statement of Findings certifies that:

1. The requirements of 6 NYCRR Part 617 have been met; and
2. 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.
3. A copy of this Findings Statement shall be filed with all involved agencies, the applicant, and all parties requesting same, as required by law.

**Town of Rotterdam Planning Commission**

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**Signature of Responsible Official**

Lawrence N. DiLallo  
**Name of Responsible Official**

Planning Commission Chairman  
**Title of Responsible Official**

December 1, 2009  
**Date**