



Thruway Authority

KATHY HOCHUL
Governor

JOANNE M. MAHONEY
Chair

FRANK HOARE
Interim Executive Director

January 12, 2023

Harris Beach Attorneys at Law
445 Hamilton Avenue, Suite 1206
White Plains, NY 10601

RE: Interchange 14B - IV2 Rockland Logistics Center LLC

Dear Darius Chafizadeh:

We have reviewed the enclosed letter to Frank Hoare, General Counsel, regarding the IV2 Rockland Logistics Center LLC Project (Project) in the Village of Suffern, NY. Specifically, the Village of Montebello's request for the Project to determine whether the New York State Thruway Authority (the Authority) would modify Interchange 14B (eastbound) to have the interchange begin west of the project, with a new interchange.

Regarding the establishment of new, or modifications to existing interchanges, the Thruway is part of the National Highway System (NHS) and required to follow the guidelines and policy requirements of the Federal Highway Administration (FHWA) for any changes in access to the Thruway as set forth under Title 23 U.S.C. Section 111. The Policy on Access to the Interstate System is found at: <https://www.fhwa.dot.gov/design/interstate/170522.cfm>

The Authority does not propose or fund new interchanges or modifications to existing interchanges, absent a traffic or operating issue on the Thruway itself. The process for requesting an interchange on the Thruway is a multifaceted process that typically originates from regional and/or municipal interests. Early coordination with NYSDOT and FHWA is necessary. NYSDOT will have a large role in the process and NYSDOT must submit the proposed change in access to FHWA. It must be demonstrated that FHWA policy requirements are met before the request will be considered acceptable.

In accordance with FHWA's policy requirements, traffic studies need to be undertaken and must demonstrate that the existing system is incapable of accommodating the traffic; and, all reasonable alternatives to a new interchange have been considered; an operational and safety analysis demonstrates the proposed change in access will not have a significant adverse impact on the Interstate facility or local roadway network; the proposal considers and is consistent with local and regional land use and transportation plans. The FHWA will also require a National Environmental Policy Act review prior to its evaluation of any proposed interchange.

To meet the requirements of the Authority's bond resolution, a financial analysis would be required to demonstrate that the revenues generated would offset the costs of constructing, operating, and maintaining any proposed Interchange. Furthermore, should a proposed Interchange modify the current tolling structure for the Thruway, a formal toll adjustment process will be required requiring compliance with the State Administrative

Procedures Act, the State Environmental Quality Review Act, in addition to other requirements. Moreover, the Metropolitan Planning Organization would need to identify any potential federal funding sources for such a project.

In addition to FHWA guidelines for interstate access modifications, all applicable federal and state environmental laws and regulations must be followed including, but not limited to: the National Environmental Policy Act/State Environmental Quality Review Act; Endangered Species Act; Clean Water Act; National/State Historic Preservation Act; Clean Air Act; and more. Compliance with these regulations will require varying levels of analysis including, but not limited to: wetland delineations; cultural resource surveys; endangered species habitat surveys; traffic noise studies; air quality analyses; and more. The applicability of these regulations is dependent on the scope of work associated with the potential access modification.

The Authority appreciates being identified as an Involved Agency by the Village of Suffern in accordance with the State Environmental Review process for the Project. We look forward to reviewing Project materials as they become available.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Lee', written over a faint, larger signature.

Richard W. Lee, P.E.
Chief Engineer

Enclosure

Cc: Frank Hoare
Joe Igoe
Brent Howard

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ATTORNEYS AT LAW

June 15, 2022

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Via E-mail: frank.hoare@thruway.ny.gov

Frank Hoare, Esq.
General Counsel
New York State Thruway Authority
200 Southern Boulevard
Albany, New York 12201

Re: Interchange 14B – Milepost 27.62/Airmont Road

Dear Frank:

This firm represents the contract vendee, IV2 Rockland Logistics Center LLC (the “IV2 Rockland”), of the property located at Old Mill Road in Suffern New York a/k/a Section 55.22, Block , Lot 1 on the Village of Suffern Tax Map (the “Property”). We are currently engaged in the SEQRA process before the Suffern Planning Board for the development of a logistics center on the Property.

As we discussed, the Village of Montebello has asked the Applicant to determine whether the NYSTA would modify Interchange 14B (eastbound) to have the interchange begin west of the above property, continue along Old Mill Road and the existing thruway and end up at Airmont Road. This is referred to by the Village of Montebello as a collector distributor (service) road paralleling I-287 on the south side with a new interchange.

Please let me know if the NYSTA would modify Interchange 14B as described above.

VERY TRULY YOURS,



DARIUS P. CHAFIZADEH

cc: Dynamic Engineering (Joshua Sewald P.E. and Corey Chase, P.E.)
Justin Drysdale (IV2 Rockland Logistics Center LLC)

NEW YORK STATE THRUWAY AUTHORITY

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