

Justin Wagner

From: Gordon, Andrew B <andrew_gordon@fws.gov>
Sent: Wednesday, May 13, 2026 12:53 PM
To: Justin Ferrazzano; Orzel, Brian A CIV USARMY CENAN (USA); Crist, Rebecca S (DEC); Motty Grunfeld; isaac@rdmgrp.com; Pesach Landau; Sullivan, Tim R; Yoel Jacob; Booth-Binczik, Susan D (DEC); Fraatz, Michael R (DEC); Cardon, Megan E (DEC)
Cc: Stefanie Faivre; Justin Wagner; Claudette Conigliaro; Allison Robinson; Bao Duong; Stephanie Parsons; Jay and Patti Beaumont; Sue Hadden; Bonnie Franson; Jesse Cokeley; Richard Hoyt
Subject: Re: [EXTERNAL] RE: Neelytown Business Park - Bat Corridor Exhibit

This Message originated outside your organization.

Hello Justin,

USFWS has reviewed the proposed corridor design, and we have no additional suggestions for modification. We appreciate the opportunity to review and will be keeping an eye out for incoming coordination from Brian regarding the complete list of listed species that have the potential to occur in the project area.

Regards,
Andrew

From: Justin Ferrazzano <justin.ferrazzano@collierseng.com>
Sent: Wednesday, April 8, 2026 8:24 AM
To: Orzel, Brian A CIV USARMY CENAN (USA) <Brian.A.Orzel@usace.army.mil>; Crist, Rebecca S (DEC) <rebecca.crist@dec.ny.gov>; Motty Grunfeld <motty@rdmgrp.com>; isaac@rdmgrp.com <isaac@rdmgrp.com>; Pesach Landau <plandau@rdmgrp.com>; Sullivan, Tim R <tim_r_sullivan@fws.gov>; Yoel Jacob <yoel@rdmgrp.com>; Gordon, Andrew B <andrew_gordon@fws.gov>; Booth-Binczik, Susan D (DEC) <Susan.Booth-Binczik@dec.ny.gov>; Fraatz, Michael R (DEC) <Michael.Fraatz@dec.ny.gov>; Cardon, Megan E (DEC) <Megan.Cardon@dec.ny.gov>
Cc: Stefanie Faivre <stefanie.faivre@collierseng.com>; Justin Wagner <justin.wagner@collierseng.com>; Claudette Conigliaro <claudette.conigliaro@collierseng.com>; Allison Robinson <allison.robinson@collierseng.com>; Bao Duong <bao.duong@collierseng.com>; Stephanie Parsons <Stephanie.Parsons@collierseng.com>; Jay and Patti Beaumont <jaybeaumont49@gmail.com>; Sue Hadden <shadden@townofmontgomery.com>; Bonnie Franson <bfranson@nelsonpoppe.com>; Jesse Cokeley <jesse.cokeley@collierseng.com>; Richard Hoyt <rwhoyt1800@gmail.com>
Subject: [EXTERNAL] RE: Neelytown Business Park - Bat Corridor Exhibit

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Hi everyone,

Just touching base, I realize many might be celebrating holidays but we were hoping to hear back from each agency with a conceptual approval on the below. I've reattached the plan so it's fresh in everyone's inbox.

Please let me know once you have reviewed, thank you!

Justin Ferrazzano

Department Manager | Principal Associate | Civil/Site

justin.ferrazzano@collierseng.com

Direct: 201 775 1281 | Cell: 973 204 2633 | Main: 877 627 3772

300 Tice Boulevard Suite 101 | Woodcliff Lake, New Jersey 07677



colliersengineering.com | [affiliated authorized entities](#)



DISCLAIMER This e-mail is confidential. It may also be legally privileged. If you are not the addressee you may not copy, forward, disclose or use any part of this email text or attachments. If you have received this message in error, please delete it and all copies from your system and notify the sender immediately by return e-mail. Internet communications cannot be guaranteed to be timely, secure, error or virus free. The sender does not accept liability for any errors or omissions. Any drawings, sketches, images, or data are to be understood as copyright protected.

From: Justin Ferrazzano

Sent: Thursday, March 26, 2026 5:29 AM

To: 'Orzel, Brian A CIV USARMY CENAN (USA)' <Brian.A.Orzel@usace.army.mil>; Crist, Rebecca S (DEC) <rebecca.crist@dec.ny.gov>; Motty Grunfeld <motty@rdmgrp.com>; isaac@rdmgrp.com; Pesach Landau <plandau@rdmgrp.com>; 'tim_r_sullivan@fws.gov' <tim_r_sullivan@fws.gov>; Yoel Jacob <yoel@rdmgrp.com>; 'andrew_gordon@fws.gov' <andrew_gordon@fws.gov>; Booth-Binczik, Susan D (DEC) <Susan.Booth-Binczik@dec.ny.gov>; Fraatz, Michael R (DEC) <Michael.Fraatz@dec.ny.gov>; Cardon, Megan E (DEC) <Megan.Cardon@dec.ny.gov>

Cc: Stefanie Faivre <stefanie.faivre@collierseng.com>; Justin Wagner <justin.wagner@collierseng.com>; Claudette Conigliaro <claudette.conigliaro@collierseng.com>; Allison Robinson <allison.robinson@collierseng.com>; Bao Duong <bao.duong@collierseng.com>; Stephanie Parsons <Stephanie.Parsons@collierseng.com>; Jay and Patti Beaumont <jaybeaumont49@gmail.com>; Sue Hadden <shadden@townofmontgomery.com>; Bonnie Franson <bfranson@nelsonpope.com>; Jesse Cokeley <jesse.cokeley@collierseng.com>; Richard Hoyt <rwhoyt1800@gmail.com>

Subject: Neelytown Business Park - Bat Corridor Exhibit

All,

Attached for everyone's review is a draft of our Bat Corridor Exhibit, which will become part of our Site Plan set and FEIS.

The purpose of this plan is that the DEC called to our attention that our design cut off the availability for bats to move across the site from east to west and the connectivity to the adjacent wooded area across Beaver Dam Road. This would result in an incident taking permit which everyone would prefer to avoid.

In response, we have reconfigured our design to push our stormwater basins southwest towards the intersection of Neelytown Road and Beaver Dam Road which would allow for a 50' wide existing forested corridor (green hatch) to remain traversing the project and maintain connectivity to the bat's potential migration path across Beaver Dam Road. We know that 50' is an appropriate width because it is consistent with the corridor we are maintaining a connection to, which picks up opposite Beaver Dam Road and meanders around other warehouses/industrial buildings. We do need to propose two temporary gaps in the system to allow utilities to cross the corridor, but as you can see in cross section A-A we would raise the grade at these locations and plant atop them so there would still be a tree canopy available for the bats to utilize. We already know that the bats are able to cross larger gaps than 50' or they would be

unable to cross the roadways to enter and exit the site. I would like to again reiterate that these gaps would be temporary and planted, and within a few years the tree canopy would be a consistent height throughout. Finally, as you can see in cross section B-B the design already boasts a 15' tall sound/visual barrier wall along the rear of the loading area which will be nearly (-13 feet) at the top of the tree canopy once constructed and will block light/sound from negatively influencing the bats.

What we are requesting at this time is conceptual approval from the DEC, ACOE, and F&W. It would not be final or binding but it would allow us to continue to finalize the design, complete our FEIS, and prepare full applications to all agencies. Please review and let us know if you have any comments or if you feel we are conceptually approved to proceed. If you have any questions about the design we'd be more than happy to provide responses.

Thank you,

Justin Ferrazzano

Department Manager | Principal Associate | Civil/Site

justin.ferrazzano@collierseng.com

Direct: 201 775 1281 | Cell: 973 204 2633 | Main: 877 627 3772
300 Tice Boulevard Suite 101 | Woodcliff Lake, New Jersey 07677



colliersengineering.com | [affiliated authorized entities](#)



DISCLAIMER This e-mail is confidential. It may also be legally privileged. If you are not the addressee you may not copy, forward, disclose or use any part of this email text or attachments. If you have received this message in error, please delete it and all copies from your system and notify the sender immediately by return e-mail. Internet communications cannot be guaranteed to be timely, secure, error or virus free. The sender does not accept liability for any errors or omissions. Any drawings, sketches, images, or data are to be understood as copyright protected.

From: Orzel, Brian A CIV USARMY CENAN (USA) <Brian.A.Orzel@usace.army.mil>
Sent: Thursday, March 19, 2026 1:14 PM
To: Justin Ferrazzano <justin.ferrazzano@collierseng.com>; Crist, Rebecca S (DEC) <rebecca.crist@dec.ny.gov>; Motty Grunfeld <motty@rdmgrp.com>; isaac@rdmgrp.com; Pesach Landau <plandau@rdmgrp.com>; Yoel Jacob <yoel@rdmgrp.com>; Booth-Binczik, Susan D (DEC) <Susan.Booth-Binczik@dec.ny.gov>; Fraatz, Michael R (DEC) <Michael.Fraatz@dec.ny.gov>; Cardon, Megan E (DEC) <Megan.Cardon@dec.ny.gov>
Cc: Stefanie Faivre <stefanie.faivre@collierseng.com>; Justin Wagner <justin.wagner@collierseng.com>; Claudette Conigliaro <claudette.conigliaro@collierseng.com>; Allison Robinson <allison.robinson@collierseng.com>; Stephanie Parsons <Stephanie.Parsons@collierseng.com>; Jay and Patti Beaumont <jaybeaumont49@gmail.com>; Sue Hadden <shadden@townofmontgomery.com>; Bonnie Franson <bfranson@nelsonpope.com>
Subject: RE: RDM/Colliers/DEC Meeting Summary - 3/2/2026

This Message originated outside your organization.

Justin,

I didn't know that you had anything for me to review. I'll try to look at it before too much longer.

However, if it is a question about endangered species and what sort of corridor you wish to establish, you should really talk to the folks at USFWS in Cortland, NY.

I can give you their contact information, if you don't have it already.

Brian

Brian A. Orzel
Senior Regulatory Project Manager, Civil Engineer
NY District US Army Corps of Engineers
Regulatory Division
26 Federal Plaza, Room 16-406
New York, New York 10278-0090

Effective immediately, the preferred electronic application submittal method for the New York District is the Regulatory Request System (RRS). All new submittals should be made through the RRS at <https://rrs.usace.army.mil>. If you choose to submit via alternative submission methods, your projects will likely take longer to be assigned due to manual entry. Please **DO NOT submit to both RRS and the permit inbox email.**

From: Justin Ferrazzano <justin.ferrazzano@collierseng.com>
Sent: Thursday, March 19, 2026 12:20 PM
To: Crist, Rebecca S (DEC) <rebecca.crist@dec.ny.gov>; Motty Grunfeld <motty@rdmgrp.com>; isaac@rdmgrp.com;
Pesach Landau <plandau@rdmgrp.com>; Yoel Jacob <yoel@rdmgrp.com>; Booth-Binczik, Susan D (DEC) <Susan.Booth-Binczik@dec.ny.gov>; Orzel, Brian A CIV USARMY CENAN (USA) <Brian.A.Orzel@usace.army.mil>; Fraatz, Michael R (DEC) <Michael.Fraatz@dec.ny.gov>; Cardon, Megan E (DEC) <Megan.Cardon@dec.ny.gov>
Cc: Stefanie Faivre <stefanie.faivre@collierseng.com>; Justin Wagner <justin.wagner@collierseng.com>; Claudette Conigliaro <claudette.conigliaro@collierseng.com>; Allison Robinson <allison.robinson@collierseng.com>; Stephanie Parsons <Stephanie.Parsons@collierseng.com>; Jay and Patti Beaumont <jaybeaumont49@gmail.com>; Sue Hadden <shadden@townofmontgomery.com>; Bonnie Franson <bfranson@nelsonpope.com>
Subject: [Non-DoD Source] RE: RDM/Colliers/DEC Meeting Summary - 3/2/2026

Thank you Rebecca. We are preparing our exhibit and will make sure conceptually everyone is OK with the design before we submit any application packages.

[@Orzel, Brian A CIV USARMY CENAN \(USA\)](#) – did you have a chance to review my previous email and identify if the ACOE has any regulations or standards we need to adhere to as we prepare our bat corridor exhibit? To summarize again, we are working to ensure a minimum 50' wide forested corridor is available to traverse our site to maintain the opportunity for the bats to move across and ultimately avoid an incidental taking permit. Please let us know.

Thank you,

Justin Ferrazzano

Department Manager | Principal Associate | Civil/Site
justin.ferrazzano@collierseng.com
Direct: 201 775 1281 | Cell: 973 204 2633 | Main: 877 627 3772
300 Tice Boulevard Suite 101 | Woodcliff Lake, New Jersey 07677



colliersengineering.com | [affiliated authorized entities](#)



DISCLAIMER This e-mail is confidential. It may also be legally privileged. If you are not the addressee you may not copy, forward, disclose or use any part of this email text or attachments. If you have received this message in error, please delete it and all copies from your system and notify the sender immediately by return e-mail. Internet communications cannot be guaranteed to be timely, secure, error or virus free. The sender does not accept liability for any errors or omissions. Any drawings, sketches, images, or data are to be understood as copyright protected.

From: Crist, Rebecca S (DEC) <rebecca.crist@dec.ny.gov>

Sent: Thursday, March 12, 2026 4:52 PM

To: Justin Ferrazzano <justin.ferrazzano@collierseng.com>; Motty Grunfeld <motty@rdmgrp.com>; isaac@rdmgrp.com; Pesach Landau <plandau@rdmgrp.com>; Yoel Jacob <yoel@rdmgrp.com>; Booth-Binczik, Susan D (DEC) <Susan.Booth-Binczik@dec.ny.gov>; Orzel, Brian A CIV USARMY CENAN (USA) <brian.a.orzel@usace.army.mil>; Fraatz, Michael R (DEC) <Michael.Fraatz@dec.ny.gov>; Cardon, Megan E (DEC) <Megan.Cardon@dec.ny.gov>

Cc: Stefanie Faivre <stefanie.faivre@collierseng.com>; Justin Wagner <justin.wagner@collierseng.com>; Claudette Conigliaro <claudette.conigliaro@collierseng.com>; Allison Robinson <allison.robinson@collierseng.com>; Stephanie Parsons <Stephanie.Parsons@collierseng.com>; Jay and Patti Beaumont <jaybeaumont49@gmail.com>; Sue Hadden <shadden@townofmontgomery.com>; Bonnie Franson <bfranson@nelsonpope.com>

Subject: RE: RDM/Colliers/DEC Meeting Summary - 3/2/2026

This Message originated outside your organization.

I would suggest making a jurisdictional submission on the bats before resubmitting any application, as well as confirming the extent of federal wetlands. If the need for an Incidental Taking Permit can not be avoided, the project will not qualify for the DEC's Blanket Water Quality Certification for Nationwide Permit #39. If the extent of federal wetlands affected will exceed 0.25 acre, that would also preclude coverage under the Blanket Water Quality Certification.

If an individual Water Quality Certification application is needed, then the application must be submitted concurrently to both DEC and the Corps.

Rebecca

From: Justin Ferrazzano <justin.ferrazzano@collierseng.com>

Sent: Thursday, March 12, 2026 4:13 PM

To: Motty Grunfeld <motty@rdmgrp.com>; isaac@rdmgrp.com; Pesach Landau <plandau@rdmgrp.com>; Yoel Jacob <yoel@rdmgrp.com>; Crist, Rebecca S (DEC) <rebecca.crist@dec.ny.gov>; Booth-Binczik, Susan D (DEC) <Susan.Booth-Binczik@dec.ny.gov>; Orzel, Brian A CIV USARMY CENAN (USA) <brian.a.orzel@usace.army.mil>; Fraatz, Michael R (DEC) <Michael.Fraatz@dec.ny.gov>; Cardon, Megan E (DEC) <Megan.Cardon@dec.ny.gov>

Cc: Stefanie Faivre <stefanie.faivre@collierseng.com>; Justin Wagner <justin.wagner@collierseng.com>; Claudette Conigliaro <claudette.conigliaro@collierseng.com>; Allison Robinson <allison.robinson@collierseng.com>; Stephanie Parsons <Stephanie.Parsons@collierseng.com>; Jay and Patti Beaumont <jaybeaumont49@gmail.com>; Sue Hadden <shadden@townofmontgomery.com>; Bonnie Franson <bfranson@nelsonpope.com>

Subject: RDM/Colliers/DEC Meeting Summary - 3/2/2026

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Hi everyone,

Thank you everyone for taking the time to meet with us last Monday.

I just wanted to summarize some of the items we discussed as we move forward, as well as connect everyone (RDM, DEC, ACOE, and Town of Montgomery) on this email so everyone understands our approach.

The first item we discussed was maintaining a corridor for allowing the bats the continued opportunity to traverse the lot from Neelytown Road to around the approximate area of the existing dwellings along Beaver Dam Road.

- We confirmed and agreed that the connection point we want to maintain is immediately adjacent to the existing dwellings on Beaver Dam Road:



- We discussed parameters for how to provide this and we ultimately agreed that as long as the corridor was a) approximately 50 feet wide, b) was composed mostly of existing mature/tall trees (some replacement would be acceptable), c) provided minimal light levels, and d) didn't include any gaps/breaks in the corridor any larger than the roadway/right of way they already cross, then the proposal can potentially be accepted.
- [@Booth-Binczik, Susan D \(DEC\)](#) was going to double check to see if there were any other regulations we may not be aware of.
- We shared a rough idea which would involve maintaining our design but sliding around our stormwater basins to maintain an existing tree corridor across the site which was well received.
- The general sentiment was that if we can provide the proper criteria and ensure the bat corridor connection across the lot, we should be able to accomplish the goal of a determination of no taking as per the Departments preference of avoiding impact.

The second item we discussed was the wetlands and their associated buffers.

- We discussed the history of the project and all of the major adjustments that have been made to date to scale back impact. DEC requested we explain all of that in detail when we make our formal submission, as well as the economic/social need for the project.
- We also discussed that the 2:1 mitigation we have proposed is what the DEC would expect to see and request.
- Finally we determined that [@Cardon, Megan E \(DEC\)](#) would send out the official JD letter

Lastly we discussed the need to make a full submission to ACOE as well as Fish & Wildlife. We wanted to make a few quick notes about the history on that item:

- In September of 2024 we submitted our PCN package to ACOE (email attached). It included the application, survey, mitigation plans, wetland delineation report, data sheets, natural resource survey, fish and wildlife correspondence, and a forest analysis exhibit for all 8 lots and the entire development of the property. Two months later we received our PCN attached.
- We also submitted already to Fish & Wildlife in July of 2025 (letter attached) where they determined "may affect but not likely to adversely effect" the species.

- Both of these will be resubmitted by way of our forthcoming joint permit application.
- [@Orzel, Brian A CIV USARMY CENAN \(USA\)](#) – As we prepare an exhibit showing our proposal to maintain the bat corridor, can you let us know if there are any ACOE rules or standards that need to be met, so we can ensure all parties are satisfied with our design? Or would you be in agreement with or defer to the DEC requests above?

Our next step is to prepare a Joint Application permit for an Article 24 submission and PCN resubmission. Before we submit that we would first like to prepare an exhibit for the DEC's review as the Town would like a conceptual approval to allow us to continue proceeding through the EIS.

I will have that circulated this week for review.

Thank you,

Justin Ferrazzano

Department Manager | Principal Associate | Civil/Site

justin.ferrazzano@collierseng.com

Direct: 201 775 1281 | Cell: 973 204 2633 | Main: 877 627 3772

300 Tice Boulevard Suite 101 | Woodcliff Lake, New Jersey 07677



colliersengineering.com | [affiliated authorized entities](#)



DISCLAIMER This e-mail is confidential. It may also be legally privileged. If you are not the addressee you may not copy, forward, disclose or use any part of this email text or attachments. If you have received this message in error, please delete it and all copies from your system and notify the sender immediately by return e-mail. Internet communications cannot be guaranteed to be timely, secure, error or virus free. The sender does not accept liability for any errors or omissions. Any drawings, sketches, images, or data are to be understood as copyright protected.