

State Environmental Quality Review Act

POSITIVE DECLARATION

**Notice of Intent to Prepare a Draft Environmental Impact Statement
and Lead Agency Determination of Significance**

This notice is issued pursuant to Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act) and its implementing regulations, 6 NYCRR Part 617 (collectively "SEQRA"). The Town of Montgomery Planning Board (the "Planning Board") has determined that the proposed action described below may have the potential for a significant adverse impact on the environment and that a Draft Environmental Impact Statement ("DEIS") will be prepared. The Planning Board hereby adopts this Positive Declaration in order to investigate and evaluate the potential environmental impacts of this proposed action. As discussed, below, scoping will be conducted.

- Applicant:** MILR, LLC
- Name of Project:** Sheffield Gardens Site Plan, Special Use Permit and Subdivision application for a 261-unit apartment complex, a 3,375 square foot bank, 24,000 square feet of retail space, sewage treatment plant to serve all uses, and associated accessory uses.
- Lead Agency:** Town of Montgomery Planning Board
- Date:** November 14, 2022
- SEQRA Classification:** Type I Action Undergoing Coordinated Review
- Project Location:** 1127 New York State Route 17K, Town of Montgomery, County of Orange; Section 29, Block 1, Lots 5.1, 5.2, 5.3, 5.4 and 5.5
- Description of Action:** The Applicant, MILR, LLC, proposes to construct a mix of residential and commercial uses on property located along NYS Route 17K just west of its intersection with NYS Route 208. The subject property is located in the Community Commercial (B-2), the Multifamily (RM-1), and the Residential Agriculture – One and Two Family Residences (RA-1) zoning districts. In addition, portions of the property are located in the Floodplain and Planned Development overlay zoning districts. The project would be located on five (5) parcels with frontage on either NYS Route 17K and/or Montgomery Heights Road: 29-1-5.1 (2.1 acres); 29-1-5.2 (0.35 acres); 29-1-5.3 (1.1 acres); 29-1-5.4 (0.41 acres); and 29-1-5.5 (49 acres). In total, the subject property is approximately 52.96 gross acres in size.
- The tax lots will be combined to create three (3) lots and additional road right-of-way. A 261-unit multifamily residential apartment complex will be constructed on one of the lots. Other uses include a 3,375 square foot bank

and 24,000 square feet of retail uses. The site would be developed with 528 vehicle parking spaces. Utilities do not presently serve the property and the applicant has proposed the construction of a wastewater treatment plant on Lot 2; the site is also within Town of Montgomery Sewer District No. 3. New water supply wells would be drilled to serve the site, and a 100-foot tall water storage tank would be installed at the southerly end of the property. Access to the overall site will be from NYS Route 17K and internal drives will be constructed to access the uses.

North of the site and on the other side of NYS Route 17K are a mix of residential and commercial uses. The easterly side of the project site is located within the 100-year floodplain. In addition, the site contains both New York State and US Army Corps of Engineer (USACOE) regulated wetlands, including an approximately 90-acre DEC wetland. The site is currently vacant and consists mostly of forested and wetland areas.

The Valley Central High School complex is located west of the site. The site also abuts several single-family dwellings to the west, including three residential parcels which the project site surrounds. South of the project site are commercial businesses, including several warehouses, a church, and daycare facility. Southwest of the project site are lands in agricultural use.

DEIS Scoping:

Pursuant to Part 617.8, the Lead Agency is conducting scoping, the primary goals of which are to focus the DEIS on potentially significant adverse impacts, and to eliminate consideration of those impacts that are not significant or irrelevant. A public scoping session will be held in the Town of Montgomery Town Hall, on November 28, 2022, at 7:30 p.m. The purpose of the scoping session is to consider public and agency comments on the draft Scoping Document for the Sheffield Gardens Project. The document is being made available on the Town website at <https://townofmontgomery.com/>. Written public comments on the Draft Scope will be accepted by the Planning Board until the close of business on December 2, 2022.

Reasons Supporting this Determination:

Potential environmental impacts associated with the Proposed Action are identified in the Full Environmental Assessment Form (“EAF”) Part 2. These impacts, which may be reasonably expected to result from the Project, have been compared to the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3). The Planning Board finds that the Proposed Action may result in one or more potentially significant adverse impacts on the environment, and an Environmental Impact Statement (“EIS”) must be prepared. The potentially significant adverse environmental impacts associated with the Proposed Action include but are not limited to the following:

- Extensive land disturbance activities
- Stormwater runoff and changes to existing drainage patterns
- Ecological habitat and wetland disturbances

- Traffic generation and impacts to levels of service
- Community services and facilities, including schools, recreation and emergency services
- Change in existing community character
- Potential effects on historic and archaeological resources
- Fiscal impact to municipal and community service providers
- Water supply demand and construction of new wells, and potential effect on any adjoining wells
- Sewer design and demand; construction of new wastewater treatment plant and potential for pollutants, odors and noise
- Stormwater runoff and impacts to wetlands and surface waters
- Ambient noise level changes
- Increase in ambient light levels

For Further Information:

Contact Person: Ms. Suzanne Hadden, Secretary
 Town of Montgomery Planning Board
 Town Hall - 110 Bracken Road
 Montgomery, New York 12549
 Phone (845) 457-2643 x 1260
 Fax: (845) 457-2760
 Email: shadden@townofmontgomery.com

A copy of this notice is being sent to the following Involved and Interested Agencies:

Attachment: Draft Scoping Document

Involved and Interested Agencies:

Town of Montgomery Planning Board
 110 Bracken Road
 Montgomery, New York 12549

Town of Montgomery Town Board
 110 Bracken Road
 Montgomery, New York 12549

Town of Montgomery Building Department
 110 Bracken Road
 Montgomery, New York 12549

Town of Montgomery Highway Department
 110 Bracken Road
 Montgomery, New York 12549

Montgomery Fire Department
136 Ward Street
Montgomery, NY 12549

Town of Montgomery Police Department
110 Bracken Road
Montgomery, NY 12549

Town of Montgomery Ambulance Corps
2 South Montgomery Street
Walden, NY 12586

Valley Central School District
944 State Route 17K
Montgomery, NY 12549

Village of Montgomery Board of Trustees
Village Hall
133 Clinton Street
Montgomery NY 12549

Patricia Henighan, Chairperson
Town of Montgomery Conservation Advisory Council
110 Bracken Road
Montgomery, New York 12549

Mary Ellen Matise, Chairperson
Town of Montgomery Historic Preservation Commission
110 Bracken Road
Montgomery, New York 12549

Orange County Health Department
124 Main Street
Goshen, New York 10924

Orange County Planning Department
124 Main Street
Goshen, New York 10924

New York State Department of Environmental Conservation
Region 3 Permit Administrator
21 South Putt Corners Road
New Paltz, New York 12561

OPRHP, Field Services Bureau – Peebles Island
PO Box 189
Waterford, NY 12188-0189

New York State Department of Transportation
SEQR Unit, Traffic Engineering and Safety Division
4 Burnett Boulevard
Poughkeepsie, New York 12603

New York State Department of Health
Corning Tower
Empire State Plaza,
Albany, NY 12237

United States Army Corps of Engineers (USACE)
Wetlands and Section 404 Clean Water Act
USACE Operations/Regulatory 16-406
c/o PSC Mail Center
26 Federal Plaza
New York, NY 10278

Richard Hoyt, Esq. (for the Planning Board)
P.O. Box 402
Walden, New York 12586

Ross Winglovitz, PE
Engineering & Surveying Properties (for the Applicant)
71 Clinton Street
Montgomery, NY 12549

DRAFT SCOPING DOCUMENT

FOR

SHEFFIELD GARDENS

DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS)

**ROUTE 17K
TOWN OF MONTGOMERY,
ORANGE COUNTY, NEW YORK**

SEQRA Classification: Type I Action

Property: Tax Parcels Section 29, Block 1, Lots 5.1, 5.2, 5.3, 5.4 and 5.5

Lead Agency and Contact Person:

Town of Montgomery Planning Board
110 Bracken Road
Montgomery, NY 12549
Attn: Fred Reichle, Planning Board Chairman
845-457-2643

Project Sponsor (Applicant) and Property Owner:

MILR, LLC
156 Orange Avenue
Walden, NY 12586

DEIS Preparer:

Engineering & Surveying Properties, P.C.
71 Clinton Street
Montgomery, New York 12549
(845) 457-7727

Scoping Document – Date of Adoption:

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I. GENERAL INFORMATION

A. DEIS General Guidelines

1. The Draft Environmental Impact Statement (“DEIS”) shall address all items and conform to the format outlined in this Scoping Document including the potentially significant adverse impacts of the project identified by the Town of Montgomery Planning Board (“Planning Board”) in the Positive Declaration, adopted on **November 14, 2022**. The DEIS may also contain studies completed by the applicant, in addition to those detailed herein. Unless otherwise directed by this Scoping Document, the specifications for environmental impact statements found in 6 NYCRR 617.9(b) apply to the content of the DEIS and are incorporated herein by reference.
2. The document should be written in the third person. The terms “we,” “us,” and “our” should not be used. The Applicant's conclusions and opinions should be identified as those of the “Project Sponsor,” “Applicant” or “the Developer.”
3. Narrative discussions should be accompanied by appropriate charts, graphs, maps and diagrams whenever possible. If a particular subject matter can most effectively be described in graphic format, the narrative discussion should merely summarize and highlight the information presented graphically.
4. The entire document should be checked carefully to ensure consistency with respect to the information presented in the various sections.
5. Environmental impacts should be described in terms that the layperson can readily understand and will be written in plain language that can be easily read and understood by the public.
6. All discussions of mitigation measures should consider at least those measures mentioned in the Scoping Document. Where reasonable and necessary, mitigation measures should be incorporated into the Proposed Action if they are not already included.
7. The DEIS may incorporate in the text or as appendices all or portions of other documents including other EISs that contain information relevant to the Project Site.
8. Highly technical material will be summarized and, if it must be included in its entirety, referenced in the DEIS and included as an Appendix.
9. The DEIS will discuss, where appropriate, all related short-term and long-term impacts, cumulative impacts and associated environmental impacts.
10. Full-scale Site Plans are to be submitted with the DEIS as a separate appendix. All plans and maps showing the Site will include adjacent homes, other neighboring uses and structures, roads, and water bodies within 100 feet of the property boundaries, a legend and north arrow.
11. The entire document will be provided in both paper and electronic (PDF only) formats. In paper form for the Planning Board’s completeness review and for later public and agency

review. In electronic form for posting on the Town's website, once it has been deemed "complete" by the Planning Board.

12. Where relevant to the discussion of off-site impacts (such as traffic and community services), potential cumulative impacts with other projects proposed in the Town of Montgomery and Village of Montgomery will be analyzed and discussed.

The DEIS is intended to convey general and technical information regarding the potential environmental impacts of the Proposed Project to the Town of Montgomery Planning Board (as Lead Agency), as well as several other agencies involved in the review of the Proposed Project. The DEIS is also intended to convey the same information to the interested public. The Preparer of the DEIS is encouraged to keep this audience in mind as it prepares the document. Enough detail should be provided in each subject area to ensure that most readers of the document will understand, and be able to make decisions based upon, the information provided.

As the DEIS will become, upon acceptance by the Lead Agency, a document that may, if appropriate, support objective findings on approvals requested under the application, the Preparer is requested to avoid subjective statements regarding potential impacts. The DEIS should contain objective statements and conclusions of facts based upon technical analyses. Subjective evaluations of impacts where evidence is inconclusive or subject to opinion should be prefaced by statements indicating that "It is the Applicant's opinion that...". The Town of Montgomery Planning Board reserves the right, during review of the document, to require that subjective statements be removed from the document or otherwise modified to indicate that such subjective statements are not necessarily representative of the findings of the Lead Agency.

B. Description of the Proposed Action

The Applicant, MILR, LLC, proposes to create a three-lot subdivision and develop a multi-use development on a +/-53.04 - acre parcel located on the south side of NYS Route 17K in the Town of Montgomery, New York. The Proposed Action (also "Project") consists of 24,000 square-feet of retail space, a 3,375 square-foot bank and three (3) residential buildings with a total of 261 apartment units, with each use on its own newly subdivided lot. Five (5) existing tax lots will be merged and further subdivided into the three lots. The Applicant is seeking Subdivision, Site Plan and Special Use Permit approval for the Project from the Town of Montgomery Planning Board and approvals and permits from other involved agencies as set forth below. The Project has been classified by the Town of Montgomery Planning Board, as Lead Agency under SEQR, as a Type 1 Action in accordance with the SEQRA Regulations (6 N.Y.C.R.R. § 617.4).

The property is known as Section 29, Block 1, Lots 5.1, 5.2, 5.3, 5.4 and 5.5 as shown on the Town of Montgomery tax maps and is included in three different zoning districts: RA-1, B-2, and RM-1. Access to the site will be from new driveway entrances located on NYS Route 17K. The project proposes 716 parking spaces for apartment residents, retail and bank employees and customers. Water supply will be provided by proposed private on-site well(s). Sewer service will be provided

by an onsite sewage treatment plant. The Applicant's purpose for the Project is to provide retail and multi-family residential opportunities proximate to the Village and Town of Montgomery.

Permits and approvals that are identified in III.D(7) of the Scope below.

C. SEQRA Determination of Significance – Positive Declaration

On **September 12, 2022**, the Montgomery Planning Board declared its intent to serve as Lead Agency for the SEQRA environmental review of the Proposed Action. A Notice of Intent to Establish Lead Agency was circulated to involved and interested agencies on **September 23, 2022**. After waiting the required 30 days and receiving no written objections from any agency, the Planning Board assumed Lead Agency status.

Pursuant to the rules and regulations of the State Environmental Quality Review Act (SEQRA, Article 8 of the Environmental Conservation Law and its implementing regulations at 6 NYCRR 617), the Planning Board, acting as Lead Agency adopted a Positive Declaration on **November 14, 2022**, thereby finding that the Proposed Action may potentially have a significant adverse impact on the environment and therefore requiring preparation of a DEIS.

The SEQRA Positive Declaration adopted by the Planning Board found that the Proposed Action, when compared with the SEQRA criteria of environmental impacts listed in Section 617.7 of the SEQRA regulations, may have potential significant adverse impacts on the environment and listed the following as reasons supporting its Determination of Significance:

- Extensive land disturbance activities
- Ecological habitat and wetland disturbances
- Traffic generation and impacts to levels of service
- Community services and facilities, including schools and emergency services
- Fiscal impact to municipal and community service providers
- Water supply demand
- Sewer design and demand
- Stormwater runoff and impacts to wetlands and surface waters
- Ambient noise level changes and increase in ambient light levels

The following involved and interested agencies have been identified:

Involved Agencies

- Town Board of the Town of Montgomery
- Town of Montgomery Planning Board
- Town of Montgomery Stormwater Administrator
- Town of Montgomery Building Department
- Orange County Department of Health
- Orange County Department of Planning
- NYS Department of Environmental Conservation (DEC)
- NYS Department of Transportation

- US Army Corps of Engineers

Interested Agencies

- Town of Montgomery Conservation Advisory Council
- Town of Montgomery Historian
- Town of Montgomery Fire Department
- Town of Montgomery Police Department
- Town of Montgomery Volunteer Ambulance Corp
- Valley Central School District
- NYS Office of Parks Recreation and Historic Preservation
- NYS Police Troop F
- Orange County Hazmat Team

II. PROJECT SCOPING PROCESS

Pursuant to Part 617.8, the Lead Agency is conducting scoping, the primary goals of which are to focus the DEIS on potentially significant adverse impacts, and to eliminate consideration of those impacts that are not significant or irrelevant. A public scoping session will be held in the Town of Montgomery Town Hall, on **November 28, 2022**, at 7:30 p.m. The purpose of the scoping session is to consider public and agency comments on the draft Scoping Document for the Sheffield Gardens Project. The document is being made available on the Town website at <https://townofmontgomery.com/>.

Written public comments on the Draft Scope will be accepted by the Planning Board until the close of business day on **December 2, 2022**.

III. CONTENTS OF DRAFT ENVIRONMENTAL IMPACT STATEMENT

This draft Scoping Document has been prepared in accordance with Part 617.8(e) and sets forth the following:

- Brief Description of the Proposed Action.
- Potentially significant adverse impacts.
- Extent and quality of information needed to adequately address potentially significant adverse impacts as well as the methodologies required for obtaining this information.
- Initial identification of mitigation measures.
- Reasonable alternatives to be considered.
- Information that should be included in an appendix rather than the body of the DEIS.
- Issues raised during scoping and determined to be neither relevant nor environmentally significant or that have been adequately addressed in a prior environmental review.

As per the SEQR regulations, this Scoping Document includes an initial identification of mitigation measures. As the impact analyses have not yet been performed, it is not yet possible to identify other possibly needed mitigation measures. Discussions of mitigation measures will include an explanation of how those measures would be implemented, potential environmental impacts of such implementation, the time frame associated with such implementation, and the entity that would be responsible for implementing the mitigation. The discussion will indicate proposed improvements that have been incorporated into the Proposed Action.

A. DEIS Cover Sheet

The DEIS Cover Sheet shall include the following:

1. Identification as a Draft Environmental Impact Statement.
2. Title/Name of the Project.
3. Location (County and Town) of the Project. Section Block and Lot Number of Parcels.
4. Name and address of the Lead Agency. Name, email, and telephone number of the Lead Agency contact person.
5. Name of Property Owners by SBL.
6. Name and address of Applicant; name, address and telephone number of the contact person for the Applicant.
7. Name, address, phone number, and email address of the primary preparer(s) of the DEIS. Name, address, phone number, and email address of all consultants and other professionals who contributed to the DEIS preparation along with their project responsibilities.
8. Date of submittal of the Preliminary DEIS for the completeness review by the Planning Board and all DEIS revision dates as applicable.
9. Date of acceptance of the DEIS as complete (to be inserted at later date).
10. Date of Public Hearing and subsequent adjournments (to be inserted at later date).
11. The deadline date by which comments are due (to be inserted at later date).

B. Table of Contents

The DEIS shall include a Table of Contents with listings of major sections and subsections, tables, figures, maps, charts, appendices & any items that may be submitted under a separate cover (and identified as such).

C. Executive Summary

The Executive Summary shall consist of a brief but precise summary of the DEIS that adequately and accurately summarizes the Planning Board's process of establishing the Lead Agency, a description of the Proposed Action, an identification of significant adverse impacts including unavoidable adverse impacts, the proposed mitigation measures to avoid or reduce identified

impacts, and the alternatives analyzed in the DEIS. It will also include a list of all required reviews and approvals from Town, Village (if applicable), County, State and Federal agencies. The expected build year shall be included in the Executive Summary.

D. Description of the Proposed Action

The Description of the Proposed Action will include a description of the nature of the Proposed Action. The site plan will be included as an appendix to the DEIS.

1. Introduction

- a. History of the Proposed Action's applications to the Planning Board and any other applications submitted to involved agencies.
- b. History of SEQRA process (i.e., relevant dates establishing Lead Agency, the date of adoption of the Positive Declaration). Provide a summary of SEQRA documents submitted to provide a complete record of all environmental review concerns for their consideration. Include relevant SEQRA documents as appendix.
- c. Describe the purpose of the Draft Environmental Impact Statement.

2. Site Location and Description

- a. Define geographic boundaries and conditions of the Project Site, tax map designation and abutting roads.
- b. Describe site acreage, easements affecting the Site, and existing access. Provide a description of the parcel deed and any restrictions placed on the properties in the deed. Describe history of properties, i.e., part of prior subdivision, etc.
- c. Describe existing land uses within 1-mile of the Project Site.
- d. Describe existing zoning districts and the proposed use as listed in the Town of Montgomery Zoning Law Table of Use Requirements, and any need for variances or waivers. Include a table that illustrates the project's compliance or noncompliance with the Zoning Law Table of Bulk Requirements.
- e. Describe site character, vegetation conditions, wetlands, wildlife and habitat. Discuss the location, existence, and jurisdiction for onsite wetlands (Army Corps of Engineers and NYSDEC) and any regulated streams on the site.
- f. Describe access to the site.

3. Site Design and Layout

- a. Site area.
 - (1) Total area of site disturbance.
 - (2) Proposed impervious surface area (roofs, driveways, roads, etc.) including areas of "banked" parking that may be paved in the future.
 - (3) Describe natural areas of the Site to remain undisturbed along with proposed protection mechanisms for remaining undisturbed in the future. If the proposed site development is the maximum buildout under the Zoning Law, provide a statement to that effect.

- (4) Describe overall site layout.
- b. Buildings and structures.
 - (1) Description of proposed principal and accessory buildings and structures, including fences, lighting, pool or similar amenities, maintenance/storage areas and sheds, and retaining walls.
 - (2) Building dimensions, number of stories and building height, sizes in square feet (footprint and total gross floor area), scale, and massing in relation to the zoning district requirements and surrounding land uses.
 - (3) Location of buildings and structures.
 - (4) Proposed building elevations, floor plans showing apartment units, shared spaces, stairwells, and renderings.
 - c. Site access, vehicular and pedestrian circulation, and parking.
 - (1) Location and widths of roads, driveways, sidewalks, and parking space number, layout and parking stall sizes.
 - (2) Description of access to nearby sidewalks.
 - (3) Describe potential pedestrian connections to adjoining uses including high school.
 - (4) Proposed public rights of way improvements, if any.
 - (5) Snow storage areas and general maintenance of all internal roads and drives.
 - d. Utilities.
 - (1) Sewer. Describe (and show locations of) wastewater treatment plant, outfall location, sewer service connections and sewer mains. Provide calculation for wastewater generation by use.
 - (2) Water. Describe (and show locations of) supply wells, treatment facility, distribution lines and back-up measures to supply water in the event of a power failure (i.e. generators, fuel tanks). Provide calculation for water demand by use.
 - (3) Stormwater facilities & drainage. Describe method of stormwater collection, conveyance and treatment.
 - (4) Describe all other utilities, including but not limited to heating and cooling systems, and gas and electric service, as applicable.
 - (5) Fire protection systems for fire apparatus and need for sprinklers.As to each utility, describe proposed ownership and maintenance responsibilities.
 - e. Landscaping. Describe proposed landscaping plan, including use of native species.
 - f. Lighting. Describe proposed lighting plan, including use of dark sky compliant fixtures.
 - g. Signage. Provide a signage plan, including how various signs will be designed to present a cohesive development.

4. Construction.

- a. Expected year of project completion.
- b. Construction periods and phasing including a chart for the maximum anticipated duration, the start and completion of key milestone tasks such as site clearing, grading, blasting (if required), and fill placement, infrastructure, foundations, and site amenities.
- c. Safety plans, if any construction activities will be on-going after any part of the project is in use.
- d. Environmental protective measures such as stormwater pollution prevention plan (SWPPP), topsoil stockpiling, noise reduction, a blasting plan if needed, a description of other rock removal work, and soil erosion and sediment control measures, including limitations to soils being tracked onto Route 17K and Montgomery Heights Road.
- e. Discuss plans for protecting Sheffield Apartments from construction activity on the site.
- f. Hours and days of the week when construction operations will occur.
- g. Construction access and staging, including routing of heavy machinery and trucks on Town roads and Village streets. Quantify construction traffic, including truck from fill and other material export/import activities.
- h. Areas for material handling and storage; snow storage.
- i. Describe any need for on-site rock crushing.
- j. Construction traffic generation, including export or import of materials to the site.

5. Operation and Maintenance of the Project.

- a. Ownership and management of Project.
- b. Hours of operation.
- c. Maintenance of on-site improvements including the entity that will maintain such improvements (sewer, water, stormwater, landscaping and other amenities).

6. Summary and Comparison of Alternatives.

Provide summary matrix of the impacts associated with each alternative compared to the proposed action.

7. Summary of Permits and Approvals.

Agency	Approval
Us Army Corps of Engineers	Potential Wetland Permit
New York State Department of Environmental Conservation	SPDES – Stormwater
	SPDES - Wastewater
	NYSDEC Article 24 Permit- Water Withdrawal pursuant to 6 NYCRR 601.6
	Freshwater Wetlands – wetland eligibility determination and mapping

Agency	Approval
	Potential Incidental Take Permit
New York State Department of Transportation	Highway Entrance and Installation of Utilities Permits
New York State Department of Health	Public Water Supply Approval
Orange County Health Department	Water Main Extension
Orange County Planning	GML Review
Town of Montgomery Planning Board	Subdivision
	Site Plan
	Special Use Permit
Town of Montgomery Town Board	Private Commercial Road/Town Road
Town of Montgomery Stormwater Administrator	MS4 Acceptance

8. Project Purpose, Need and Benefits

- a. The public need for the proposed action, including its social and economic benefits to the community, will be provided.
- b. Provide a statement of consistency of the proposed project with adopted policies and/or plans set forth within the Town Comprehensive Plan.

E. Environmental Setting, Potential Impacts and Proposed Mitigation Measures

This Section of the DEIS shall describe the existing environmental conditions on the Project Site and off-site areas where there may be adverse impacts caused by the Proposed Action. The extent of off-site areas studied for the existing conditions shall be defined for each topic. Sufficient detail will be provided so that readers are able to gain an understanding of existing conditions and the context of which potential impacts will be assessed.

For each of the following topics, existing site conditions are to be defined, proposed site conditions shall be described along with potential impacts resulting from the Proposed Action, and mitigation measures designed to avoid, minimize or offset potential impacts are to be proposed. The methodology and standards used to quantify projected impacts are to be described.

1. Geology , Soils and Topography

Existing Conditions

- a. Provide topographic mapping at 2-foot contour intervals and a description of the site topography.
- b. Identify the existing bedrock and surficial geology of the site. Identify the depth to bedrock, including any areas of exposed bedrock. Provide a map of exposed bedrock locations, if any.
- c. Identify and list soil types on the Project Site, based on site-specific mapping with a discussion of soil characteristics and suitability for construction. Include a soils map

- and identify location of areas of sensitive soils (soils with shallow depth to bedrock, shallow water table, high erodibility characteristics or having greater than 20% clay content). Provide tables indicating soil characteristics (e.g., construction-related and long-term erosion potential, runoff, permeability), limitations and suitability of each soil type for particular land uses, specifically, roads, driveways, underground utility installation, and building construction. Submission of Soils Report.
- d. Identify the slopes ranges found on the Site (0-10%, 10-15%, 15-25%, 25-50%, 50%+).
 - e. Provide a geotechnical investigation, include the results of the study.
 - f. If an Environmental Site Assessment (ESA) was performed and is available for the site, the information disclosed in the ESA will be included. If there are any areas of concern, identify the locations on a map.
 - g. Discuss the general watershed characteristics of the site.

Potential Impacts

- a. Quantify the total area of disturbance and provide the limits of disturbance on a map. Provide phasing of disturbances.
- b. Quantify the disturbance by slope range.
- c. Quantify the cut and fill on the site, and whether grading will result in net import or export of materials.
- d. If fill is required, describe amount and potential sources.
- e. Describe grading plan. Provide map.
- f. Describe any proposed retaining walls, design and height.
- g. Describe rock removal and the potential for blasting.
- h. Identify whether soil processing or rock crushing will occur.
- i. Describe construction related impacts such as fugitive dust and earth moving activities and their duration.

Mitigation Measures

- a. Mitigation will be proposed for identified adverse environmental impacts as necessary. Unavoidable adverse impacts will be identified.
- b. Discuss soil erosion and sediment control measures designed in accordance with the NYS Department of Environmental Conservation's "New York Standards and Specifications for Erosion and Sedimentation Control" (current version) and the Town of Montgomery Enhanced General Enhanced Erosion and Sediment Control Plan for Large Projects.
- c. Provide a blasting plan, if required, which will include pre- and post-blasting monitoring plan.
- d. Provide construction phasing plan and identify phasing of soil removal and soil stabilization.
- e. If a waiver from the NYSDEC maximum disturbance limit of 5 acres is proposed, additional appropriate mitigations will be provided.

2. Surface Water Resources

Existing Conditions

- a. Locate, describe and quantify on-site and off-site surface waterbodies, including NYSDEC and ACOE designated wetlands and buffer areas, 100-year floodplain, based on secondary resource data and field surveys. Show on map. For each wetland, provide:
 - Wetlands type, including soils, vegetation and hydrology.
 - Wetlands acreage.
 - Pertinent jurisdiction.
 - Wetlands functions. Functional analysis shall be based upon one of the accepted methodologies, such as the U.S. Army Corps of Engineers HGM (hydrogeomorphic model) or EPW (Evaluation of Planned Wetlands) model.
- b. Classification of waterbodies according to NYSDEC and/or ACOE.
- c. Description and mapping of existing drainage areas.
 - a. Discuss the most current Waterbody Inventory/Priority Waterbodies List (WI/PWL) for water quality assessment information for the waters of the Lower Hudson River Basin, as posted on the State DEC [website](#)¹.
 - b. Quantify pre-development stormwater flow peak rates for the 1-, 10-, 100- and 500-year storm events, consistent with New York State Department of Conservation (NYSDEC) and Town regulations. Utilize NOAA rainfall data for 500-year storm event, should it not be available from NYSDEC.

Potential Impacts

- a. Discuss potential impacts associated with any wetland or wetland buffer disturbance. Include a discussion of impact to streams and other surface water bodies impaired by construction-related activities.
- b. Discuss any encroachments into surface water resources including whether encroachments are temporary or permanent.
- c. Discuss potential impacts from stormwater runoff including any modification of current drainage patterns, comparison of pre- versus post-development peak discharges, net increase in stormwater runoff rate due to increased impervious cover, potential degradation in stormwater quality, and alternatives to salt (NaCl) for deicing.
- d. Discuss potential for diminished water quality of surface waters by erosion due to construction and implementation of Enhanced Erosion and Sediment Control.
- e. Describe potential for and evaluate the impact of increased concentrations of fertilizer, pesticides, herbicides, fungicides and other chemicals proposed for use on the Project Site in the existing waterbodies, watercourses and wetlands.
- f. Discuss deicing agents and locations for snow removal.
- g. Quantify post-development stormwater flow peak rates for the 1-, 10- and 100- year storm events, consistent with New York State Department of Conservation (NYSDEC) and Town regulations. Utilize NOAA rainfall data for 500-year storm event, should it not be available from NYSDEC.

¹ <http://www.dec.ny.gov/chemical/36740.html>

- h. Include a qualitative discussion of whether the SWPPP will allow, and have the capacity to remove, pesticides and fertilizers from on-site landscaping. The SWPPP will also demonstrate compliance with the Montgomery Town Code and MS4 requirements.
- i. Discuss any disturbances to the 100-year floodplain, and compliance with Chapter 116, Flood Damage Prevention.
- j. Include a discussion of management of groundwater during and after construction if the proposed structures will be affected by groundwater levels.

Mitigation Measures

- a. Discuss potential methods for mitigation of potential adverse impacts that could result from the proposed development, including that which may be required by the NYSDEC and/or USACOE.
- b. Discuss Stormwater Pollution Prevention Plan (SWPPP) in accordance with the NYS Dept. of Environmental Conservation's "Stormwater Management Design Manual" (Current version) and the Town of Montgomery Enhanced General Enhanced Erosion and Sediment Control Plan for Large Projects.
- c. Describe long-term maintenance of stormwater facilities and any agreements that will be created to ensure maintenance.

3. Groundwater Resources/Water Supply

Existing Conditions

- a. Provide the location and description of any existing on-site and off-site wells within 500 feet of the site.
- b. If on-site wells exist, describe their construction (bedrock, gravel, depth, etc.)
- c. Identify whether the Project Site is located over a designated aquifer.

Potential Impacts

- a. Describe proposed well location(s).
- b. Calculate the existing water usage of the uses on the site.
- c. Discuss the source of contaminants (i.e. pesticides, herbicides, deicing agents, subsurface sewage disposal systems) from the site and adjacent properties and their potential impacts to the proposed well and identified resources.
- d. Conduct water supply investigations in accordance with Appendix 5-D of the New York State Department of Health (NYSDOH), Orange County Department of Health (OCDOH), and the New York State Department of Environmental Conservation (NYSDEC) Regulations for community supply wells.
- e. Conduct a 72-hour well monitoring and drawdown test for each well including water quantity, measured and potential impacts on neighboring wells and water quality.
The location of well monitoring and parameters for the study will be reviewed by the Planning Board Engineer and approved by the Planning Board prior to the test being conducted.

- f. Conduct and provide results of water quality testing meeting. The water sample(s) will be sent to a New York State certified laboratory and will be analyzed in accordance with NYSDOH Regulations for a complete NYS Sanitary Code Part 5 Analysis.

Mitigation Measures

- a. Mitigation will be proposed for identified adverse environmental impacts as necessary. Unavoidable adverse impacts will be identified.

4. Plants and Animals

Existing Conditions

- a. Vegetative/ecological communities within the limits of the site will be identified and described as per Ecological Communities of New York State, second edition (Edinger et al. 2002).
- b. The New York State Natural Heritage Program, New York State Department of Environmental Conservation, and the US Fish & Wildlife Service will be contacted to determine the recorded presence of threatened, endangered, or unique and rare plant and animal species on the site.
- c. On-site investigations will be performed by a qualified biologist to identify resident and transient species on the site, including avian, mammal, reptiles and amphibians.
- d. Provide a survey of trees on the site which may exceed 8-12 inch dbh, and 12-inch and greater dbh.

Potential Impacts

- a. Describe the proposed limits of site disturbance and impacts to each habitat type.
- b. Vegetation to remain after construction and how it will be protected.
- c. Describe the potential impacts to plant and animal communities and their habitats on, or in the vicinity of the Site, due to construction or operation of the Proposed Action, using the above studies of existing conditions as a baseline from which to assess impacts.
- d. Describe trees to be removed, and consistency with the Town of Montgomery subdivision regulations.
- e. Describe impacts of use of fertilizer, pesticides, herbicides, fungicides and other chemicals on the Project Site.

Mitigation Measures

- a. Discuss potential methods for mitigation of potential adverse impacts that could result from the proposed development.
- b. Preservation of trees, to the maximum extent possible.
- c. Preservation of existing conditions (e.g., forested areas, wetlands), to the maximum extent possible.
- d. Utilization of existing cleared areas to maximum extent possible.

- e. Establishment of clearing and grading limit lines to depict maximum limits of areas of disturbance.
- f. Landscape plan for the Project Site showing proposed planting areas, as well as their design intent and function. Species of plants native to New York should be used to the extent practicable for landscaping, soil stabilization, and stormwater mitigation features.
- g. Protect existing mature landscape features to the maximum extent possible.
- h. Buffer screening to reduce impacts on neighboring properties and area roadways.
- i. Supplement with additional year round screening as necessary.
- j. Preservation of trees, to the maximum extent possible.
- k. Preservation of existing conditions (e.g., forested areas, wetlands), to the maximum extent possible.
- l. Pesticide Application Plans, if necessary.

5. Air Quality

Existing Conditions

- a. Provide a qualitative summary of existing air quality in the study area based on DEC monitoring data for the most recent five-year period. If older than five years old, provide newer data.
- b. Identify the attainment or non-attainment status of the study area and the reason(s) for non-attainment if applicable.

Potential Impacts

- a. Identify whether proposed action will include any state regulated air emission sources.
- b. Perform an air quality intersection screening analysis using procedures in the NYSDOT Environmental Manual (TEM). Generally, intersections impacted by a project, with a build condition Level of Service (LOS) C or better are excluded from microscale air quality analysis. The screening process also considers proximity to potentially sensitive receptors (i.e. schools, hospitals). If, based on the results of the screening, further analysis is warranted, it will be determined if it is appropriate to conduct further analysis as part of the DEIS.
- c. Provide a qualitative analysis to assess the potential for significant adverse effects from any fossil-fuel fired HVAC and hot water system.
- d. Quantitatively assess the potential for air and dust impacts to result from construction activities, including blasting, based on the construction schedule, equipment list and workers projection.
- e. Discuss greenhouse gas emissions generation.

Mitigation Measures

- a. Describe the engineering and construction techniques, emission controls and construction scheduling that will be implemented to reduce short-term construction-related emissions.

- b. Identify mitigation measures for any adverse impacts that would result from project implementation.

6. Aesthetic Resources

Existing Conditions

- a. Provide narrative and graphic representation describing the existing scenic resources and visual character of the project site and the surrounding neighborhood.
- b. Aesthetic and historic resources important to the community in the vicinity of the site shall be identified and described, including historical identification on maps and other relevant documents, measurement and elevation drawings showing its prominence on the surrounding landscape as a defining characteristic of the resource and its existing viewshed.
- c. Identify whether the site is visible from any public parks or trails.
- d. Prepare photo-documentation of the current site from public viewpoints within 1 mile of the site, Valley Central High School, from Bailey Road and Route 17K, in addition to two vantage points looking toward the site from NYS Route 17K from the east and west. The methodology outlined in the NY State Program Policy document entitled “Assessing and Mitigating Visual Impacts” (DEP-00-2) is to be used to assess impacts, and which methodology will be used to define locally significant properties as well. In addition, include photo from site looking southwest from intersection of Route 17K and Walnut Street.

Potential Impacts

- a. Describe any Comprehensive Plan or zoning design guidelines that apply to the use.
- b. Areas from which the site will be visible will be identified.
- c. Describe the proposed visual conditions of the Site.
- d. Discuss the potential diminished public enjoyment of the Site.
- e. Discuss proposed signage (location, proposed colors, and size of signage).
- f. Describe and illustrate building design and architecture (location, proposed colors, building materials, size/height),
- g. Describe and illustrate landscaping (location, type, size/height), and lighting. A discussion of the lighting will include off-site impacts (light spillage and glare). Specifically, discuss the use of LED lighting that limits light spillage within the project. Also discuss use of Amber lighting.
- h. Provide elevation drawings and diagrams illustrating the proposed buildings and infrastructure as seen from public roadways and other public viewpoints.
- i. Prepare photo simulations of the proposed site and structures from at least two vantage points looking toward the site from NYS Route 17K from the east and west (into and out of the Village of Montgomery) and from any public viewpoints where the site is visible from. In addition, provide a photographic simulation of site looking southwest from intersection of 17K and Walnut Street. The Planning Board shall approve the vantage points.
- j. Assess night-time visibility using the proposed lighting plan for the project.

- k. Include a description of the changes in visual character of the site and surrounding areas. This section will also discuss the impact on the views from any sensitive receptors identified in the DEC methodology (surrounding residential uses, school, hospital, licensed daycare center, group home, nursing home or retirement community located within 1500 feet of the site) and the project's potential effects on the character of the community and neighborhood.
- l. From the elevations provided, discuss the proposed architecture of the on-site structures and how they will relate in scale, mass or aesthetic details to the Town of Montgomery.

Mitigation Measures

- a. Mitigation will be proposed for identified adverse environmental impacts as necessary. Unavoidable adverse impacts will be identified.

7. Historic and Archaeological Resources

Existing Conditions

- a. A descriptive detail of the Proposed Action including the proposed direct impact areas (Area of Potential Effect or "APE") shall be submitted to the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP) as part of the SEQRA consultation process. The project notification paperwork shall be submitted electronically to NYSOPRHP using that agency's Cultural Resources Information System (CRIS).
- b. Describe historic resources on the Project Site, or in the surrounding area. Include information obtained from the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP). Identify and map properties that are listed or eligible for listing on the National or State Register of Historic Properties within 1,500 feet of the project's property boundary.
- c. Contact the Town Historic Preservation Commission to determine what local sites are significant within the project vicinity.

Potential Impacts

- a. Discuss results of any Phase I/Phase II Archaeology Report including all interactions (correspondence and other reports) with the State Office of Parks, Recreation and Historic Preservation ("OPRHP" or "SHPO").
- b. Discuss potential road names that reference persons/places of historic significance.

Mitigation Measures

- a. Mitigation will be proposed for identified adverse environmental impacts as necessary. Unavoidable adverse impacts will be identified.

8. Traffic/Transportation

Existing Conditions

- a. Provide a description of size, capacity and physical condition of the following roadways:
 - NYS Route 17K (Ward Street)
 - NYS Route 208
 - Bailey Road
 - Montgomery Heights Road
 - Walnut Street
- b. Provide the current vehicle levels of service for Weekday A.M., P.M. and Saturday peak hour traffic flow. Include Weekday arrival and departure time and peak times for school bus travel on local roads. Acquire current traffic counts at applicable roads and intersections and back up hourly traffic volumes requested from the NYSDOT, for comparison, for the following intersections:
 - NYS Route 17K/NYS Route 208
 - NYS Route 17K/Bailey Road/Site Entrance
 - NYS Route 17K/NYS Route 211
 - NYS Route 17K/School access driveways
- c. Provide Capacity Analysis (Level of Service) for each of the above intersections (SYNCHRO Analysis).
- d. Perform a review of the accident history over the past three (3) years of the study area roads and intersections and prepare an analysis regarding types/number/location of accidents and whether any patterns exist. A comparison against statewide average accident rates shall be made and identification of personal injury/fatal accidents.
- e. Discuss New York State's Complete Streets Act of 2011 and the relationship of such legislation to the NYSDOT Highway Work Permit required for proposed improvements on NYS Route 17K.
- f. Discuss pedestrian and bicycle activity on NYS Route 17K. Discuss existing impediments to such activities including safety and security.
- g. Discuss availability of public transit that serves the site.
- h. Discuss proximity of site to school site, and any traffic/pedestrian connections that presently exist. Discuss pedestrian access to the Valley Middle/High School campus.
- i. Applicant shall consult with the NYSDOT and Town Highway Superintendent prior to conducting the traffic impact analyses.
- j. Discuss extent of dedication of Montgomery Heights Road to the Town.

Potential Impacts

- a. Describe proposed on-site traffic improvements and traffic circulation including a discussion of parking and handicapped accessibility.
- b. Project the existing traffic volumes at the identified intersections to determine the "No-Build" traffic volumes.

- c. Using accepted sources, such as the Institute of Transportation Engineers' publication, *Trip Generation, latest Edition*, determine the traffic that will be generated by the proposed Project.
- d. Establish trip distribution patterns for the generated trips.
- e. Add the Project generated trips to the "No-Build" traffic volumes to yield the "Build" traffic volumes at the identified intersections.
- f. Compare intersection levels of service for the "Build" and "No-Build" peak-hour traffic volumes to identify potential project impacts.
- g. Provide Figures showing the Existing, Projected, No-Build, Site Generated, and Build Traffic Volumes for each of the intersections for each of the peak hours.
- h. Discuss feasibility of public transit.
- i. Include other proposed developments in the Village and Town of Montgomery that will potentially affect the road network studied in the Traffic Impact Study in the No Build traffic analysis.
- j. Differentiate commercial and residential trips for traffic generated by the project based upon their different travel patterns and hours.
- k. Discuss construction period traffic generation and impacts on relevant intersections and roadways.
- l. Analyze the installation of wide area on entrance road for parental parking while waiting for the school buses.
- m. Discuss the installation of sidewalks along the entrance road for walking to the school buses.
- n. Discuss the installation of a school bus pull-off area beside Route 17K for student loading and off-loading.
- o. Describe the proposed ownership and maintenance of the new main access to the site.

Mitigation Measures

- a. Mitigation will be proposed for identified adverse environmental impacts as necessary. Unavoidable adverse impacts will be identified.
- b. Discuss design solutions addressing the use of the NYS Route 17K corridor by the project users that include expanding opportunities for bike, pedestrian, and public transportation. Identify whether the design solutions are warranted by the proposed action or are currently warranted without development of the project.
- c. Discuss safety and other needs of pedestrians and bicyclists in addressing mitigation measures to be implemented.
- d. Discuss dedicated walking/bike path to the middle and high school.

9. Energy

Existing Conditions

- a. Identify existing energy sources available in the vicinity of the project site. Describe the availability of gas, electric, and other fuel sources. Describe the utility service providers.

Potential Impacts

- a. Identify the proposed sources of energy for the uses in the project.
- b. Discuss both the short- and long-term energy demands of the project on energy sources.
- c. Discuss compliance with applicable zoning and building code regulations.
- d. Discuss the use of solar and wind energy at the site.

Mitigation Measures

- a. Discuss energy conservation techniques and technologies incorporated into the design and operation of the buildings.
- b. Provide solar, wind, and other green technologies.
- c. Discuss other mitigation as required.

10. Wastewater Treatment

Existing Conditions

- a. This section will describe existing municipal sewage treatment availability for the site. Describe whether parcels are in municipal sewer district or whether extension is required or possible. Provide a map of any existing sewer lines, within 1,500 feet of the project site.

Potential Impacts

- a. The project proposes construction of a wastewater treatment plant. Describe the plant in terms of capacity, treatment levels, treatment process, ownership, and maintenance. Describe construction of transmission lines, pump stations and all facilities proposed and/or required to serve the Project. All calculations for size of lines, pump stations and other relevant element of the facility shall include consideration of all future uses which could connect, based on any excess capacity being constructed. The location, connections, materials and sizing of the proposed sewer lines will be included on a map.
- b. Describe contingencies if the owner fails to maintain any on-site infrastructure.
- c. Address odor and noise control.
- d. Address screening and buffering of the facility.

Proposed Mitigation Measures

- a. Mitigation measures to avoid or minimize any significant impacts from the Project will be discussed.

11. Human Health and Hazardous Materials

Existing Conditions

- a. Describe any critical receptors (residences, school, hospital, licensed daycare center, group home, nursing home or retirement community) located within 1500 feet of the site, and Valley Central middle and high schools.
- b. Identify State-listed inactive hazardous waste sites, spills, and other soil conditions through a review of DEC information and any Phase 1 Environmental Site Assessment that is completed for the site.
- c. Identify any areas of concern.

Potential Impacts

- a. Identify and evaluate the magnitude of any air quality, water quality, and/or hazardous materials impacts.
- b. Identify whether Phase 2 soil sampling or other investigation is required to be conducted prior to soil disturbance activities.
- c. Indicate how disturbances and removal of any hazardous materials will be performed and the Federal, State and local laws applicable to same.
- d. Identify storage of any hazardous materials on-site if applicable, e.g., chlorine storage for pool.

Mitigation Measures

- a. Describe how any significant public health hazards will be mitigated, if necessary. If necessary, conduct a public health assessment by identifying potential environmental hazard exposure pathways, population affected, and potential exposure impacts. Identify measures to mitigate the potential public health impacts, as warranted.

12. Greenhouses Gases and Climate Change

Existing Conditions

- a. Provide a qualitative discussion of greenhouse gases (CO₂, N₂O, PFCs, SF₆, HFCs, methane) generated under existing conditions on the site.

Potential Impacts

- a. Using the New York State DEC's Guide for Assessing Energy Use and Greenhouse Gas Emissions in an Environmental Impact Statement, qualitatively address the indirect and direct greenhouse gas (CO₂, N₂O, PFCs, SF₆, HFCs, methane) emissions as a result of the proposed project.

Mitigation Measures

- a. Mitigation will be proposed for identified environmental impacts. Unavoidable adverse impacts will be identified. The list of mitigation measures for increased greenhouse gas emissions, as provided in the DEC's Guide, will be reviewed in this section along with a discussion of which mitigation measures are proposed, which will

be considered for the project, and which will be rejected along with the reasons for the rejection.

13. Land Use and Zoning

Existing Conditions

- a. Describe the adopted Town of Montgomery Comprehensive Plan policies that apply to the proposed development on the site.
- b. Describe Orange County Plans relevant to the site. If a plan's policy statements are not relevant to the proposed project, then a statement to that effect will be included. Plans and planning studies to be reviewed include the following:
 - Orange County Comprehensive Plan
 - Orange County Open Space Plan
 - Orange County Water Master Plan
 - Orange County Greenway Compact
 - Orange County Economic Development Strategy
 - Orange County Design Manual
- e. Discuss the Town of Montgomery existing and proposed Zoning Law requirements and subdivision regulation standards that apply.
- f. Discuss existing land uses and zoning district designations on-site and on adjacent properties and in the surrounding area (i.e. within one mile).
- g. Describe the existing and historic land uses of the site including buildings and structures.
- h. Discuss permitted "as-of-right" uses allowed on the site, special permit uses allowed, and accessory uses allowed.
- i. Describe the bulk regulations that apply to the site, and any special use permit standards applicable to the uses.

Potential Impacts

- a. Describe the proposed land uses of the site.
- b. Discuss compatibility of the Project with the above identified planning documents, zoning, subdivision regulations and local laws.
- c. Discuss the change in land use for the site as it relates to surrounding land uses.
- d. Analyze and discuss the Project's compliance with the Zoning Law, including the intent and purposes of the Zoning Law, the provisions of Site Plan/Special Use Permit requirements, bulk requirements and other relevant sections of the Town Zoning Law and Subdivision Regulations.
- e. Explicitly identify the need for any waivers and variances, and a rationale for which such waivers and variances should be approved.

Mitigation Measures

- a. Discuss buffering between the proposed new uses as well as existing single-family dwellings and school complex.

- b. Describe mitigation measures that will be implemented to address any adverse environmental impacts that are identified.

14. Socioeconomics

Existing Conditions

- a. Discuss existing demographics of the Town of Montgomery, Village of Montgomery and Orange County. Most recent U.S. Census Bureau or other comparable source of information for the Town will be used to describe existing population characteristics, age, distribution, household size, income, and composition. In addition, population projections will be provided to determine future demands for housing and the tourist trade. Using Census and current source material, a description of local and area-wide housing conditions will be provided.
- b. Provide an overview of the market for rental apartments in the area.

Potential Impacts

- a. Project the population and schoolage children, and public schoolage children that would be generated by the project using standard multipliers in the region applicable to the housing product proposed.
- b. Describe the population and student increase on the existing demographics and housing supply.
- c. Estimate temporary employment associated with construction of the proposed action and income to the local economy from sales of construction material, construction labor, and construction spending/sales tax.
- d. Estimate permanent employment associated with the Project and its effect on the local labor market.
- e. Describe housing market conditions in Montgomery and whether employees hired can be expected to find housing in Montgomery, based upon projected pay scales for the positions available.
- f. Analyze the need for affordable housing and describe whether any affordable units are provided in the complex.

Mitigation Measures

- a. Identify mitigation for any adverse impact that would result. Describe any measures that would be implemented to maximize socioeconomic benefits to the community. Identify any unavoidable adverse effects that cannot be mitigated.

15. Community Services and Facilities

Existing Conditions

- a. This section will discuss existing police, fire, emergency including ambulance, recreation, and solid waste services in the Town of Montgomery. Information will be based on conversations with, and correspondence received from service providers and available online resources.

- b. Police - Identify State, County, and local Police Departments that provide police coverage to the project site, with a description of the following information for each:
 - Distance to the project site.
 - Station locations.
 - Staffing levels.
 - Average response time expected to the project site.
 - Any existing deficiencies in staffing or facilities, if available.
 - Any planned or proposed expansions or improvements to address the deficiencies.
- c. Fire and EMS - Identify Fire Departments and Emergency Medical Service (EMS) providers that service the project site based upon discussions and correspondence with the respective departments. This will include a description of the following information for each:
 - Distance to the project site.
 - Station locations.
 - Staffing levels (with subtotals of paid staff and volunteers).
 - Average response time expected to the project site.
 - Inventory of equipment including the number and type of apparatus and the ability of the equipment to serve the proposed buildings.
 - Discussion of existing water supply for fire protection.
- d. Open Space and Recreation - Discuss existing and planned recreation and open space facilities in the Town of Montgomery that is available for use by the future residents. Discuss the Town of Montgomery's plans for parks and recreation. Based on input from Town officials, discuss any existing identified deficiencies in recreational facilities and/or plans for improvements/expansions to any facilities.
- e. Schools - Identify the School District facilities that serv the project site. This will include a description of the following information for each:
 - Location and distance to the schools.
 - Bus stop availability and pick-ups.
 - Existing school facility capacity, and whether improvements are proposed.
 - Specifically address the Project Site's proximity to the high school, and any existing interconnections for access.
- f. Solid Waste - Describe relevant town and/or county plans and policies regarding the management of solid waste. Describe existing waste generation and solid waste collection to the site.

Potential Impacts

- a. Discuss the potential impacts of the proposed project on existing police, fire, emergency, recreation and solid waste services in the Town of Montgomery.
- b. The adequacy of the existing services, facilities, staff and equipment to handle the increased demand generated by the proposed development will be evaluated.
- c. Building or ground space for any community services on site.
- d. The ability of the proposed road system and access points to accommodate emergency vehicles and equipment will be discussed.

- e. The capacity of the water supply system to meet future fire demands of the proposed project will be discussed.
- f. Identify on-site recreational amenities proposed and whether such facilities will be for the exclusive use of residents or whether they will be available to Town residents. Describe on-site open space to be preserved including the method used for permanent protection. Evaluate whether a need exists to provide on-site public recreation, and whether such land and facilities will be provided.
- g. Describe the anticipated number of children that will attend schools, the school facilities they would attend, and whether capacity exists to accommodate any increase in students. Meet with School District officials to discuss the project and any comments they may have regarding the Project's proximity to the high school site.
- h. The amount of solid waste anticipated to be generated by the Project will be identified, as will the proposed method of collection and management.
- i. Analysis of fiscal impacts to the Town and on Town and School District services including projected tax revenues and the cost of community services using a methodology in common use, such as that described in the most recent versions of Rutgers University's Center for Urban Affairs publications entitled The Fiscal Impact Handbook and The New Practitioner's Guide to Fiscal Impact Analysis. The assumptions on which costs and revenues are based will be clearly presented.
- j. Any tax exemptions that are being sought shall be identified and analyzed.

Mitigation Measures

- a. Mitigation will be proposed for identified adverse environmental impacts as necessary. Unavoidable adverse impacts will be identified.
- b. Quantify any fee in lieu of parkland, if applicable.

16. Community and Neighborhood Character

Existing Conditions

- a. Identify and define the community's distinguishing elements of the neighborhood and community that the proposed development might alter. Community character should be defined, in general, based on how that character has been defined in officially approved or adopted planning and zoning documents.
- b. Describe existing housing types in the neighborhood, general size and scale, lot sizes.
- c. Describe existing noise sources and levels.
- d. Describe existing lighting and light levels.
- e. Describe existing traffic levels on local neighborhood roads.

Potential Impacts

- a. Identify changes in noise level, lighting, traffic, and pattern of development resulting from the project.
- b. Discuss how the existing characteristics would change if the project were built as proposed in terms of traffic

- c. Include a discussion of proximity of the project to nearby schools and use of NYS Route 17K as a primary means of transport for school children.

Mitigation Measures

- a. Mitigation will be proposed for identified adverse environmental impacts as necessary. Unavoidable adverse impacts will be identified.

17. Short-Term Construction-Related Impacts

Existing Conditions

- a. Discuss historical land use on the site and any records of prior land disturbance activity.

Potential Impacts

- a. Describe and analyze short term construction phase impacts anticipated as follows:
 - Phasing, if any,
 - Hours of construction operations
 - Noise, traffic, construction traffic access to the site
 - Removal of soil, rocks and trees from the site
 - Prevention of project mud and gravel from being tracked onto Town and State roadways
 - Estimates of the tons per load and truck trips necessary to accomplish construction activities
 - Identify speed restrictions to be set in place
 - Identify the precautions, described in detail, to be taken during construction to avoid and protect wetlands
 - Identify the precautions to be taken (timing/seasonal, inspection schedules and physical method to be used) for any and all significant habitats or listed species identified
 - details for sediment control
 - Staging areas
 - A dust control plan
 - Onsite and offsite improvements necessary prior to the operation of the facilities, including highways, access roads, water and sewer facilities
 - Describe methods of recycling waste and natural materials on-site during construction
 - Describe the building process, and other "green" building techniques employed
 - Describe how construction activity will be planned to minimize the carbon footprint of fossil fuel powered equipment

Mitigation Measures

- a. Mitigation will be proposed for identified adverse environmental impacts as necessary. Unavoidable adverse impacts will be identified.

F. Alternatives

This section contains alternatives to the Project that may minimize or avoid adverse environmental impacts. Discussion of each alternative will be at a level of detail sufficient to permit a comparative assessment of costs, benefits and environmental risks of each alternative. Sketch or concept plans of alternatives discussed will be included and a table comparing the proposed project with all alternatives in impact areas such as limits and amount of disturbance, water and sewer use, square footage of buildings, population and schoolage children generation and municipal and other special district demands such as police and fire, and traffic trips and operation will be provided.

1. No Action

Describe the “No Action” alternative, i.e., the Project Site remains in its current state.

2. As-of-Right Alternative

This alternative will describe the proposed action based on a project that does not require variances or waivers.

2. Alternative Plans/Uses

- a. Discuss the potential for alternative uses of the Site.
- b. Alternative Sewer Service
 - Connection to existing Village of Montgomery sewer system
 - Connection to potential Town sewer district.

3. Alternative Water Service

Connect to potential Town water district.

G. Adverse Environmental Impacts Which Cannot be Avoided if the Project is Implemented

Identify those adverse environmental effects that can be expected to occur regardless of the mitigation measures considered.

H. Irreversible and Irretrievable Resources

This section will summarize the Proposed Project and its impacts in terms of the loss of environmental resources, both in the short- and long-term.

I. Growth-Inducing Aspects

This section will discuss any growth inducing aspects of the Project, especially regarding the introduction of centralized water and/or sewer services.

K. Effects on the Use and Conservation of Energy Resources

Summarize the use of energy resources to be used on-site and strategies to reduce energy consumption. Provide a description of the effect of the Proposed Action on the short and long-term use and conservation of energy resources; methods to reduce inefficient or unnecessary consumption of energy during construction and long-term operation; and a discussion of green building practices for the redevelopment of the site.

L. Summary of Mitigation Measures

Provide a listing of all mitigation measures proposed to avoid or reduce adverse environmental impacts, categorized by DEIS topics.

III. APPENDICES

- A. Project Application
- B. SEQRA Environmental Assessment Form (EAF)
- C. Positive Declaration and Lead Agency Notice
- D. Adopted DEIS Scoping Outline

- E. Copies of all official correspondence related to issues discussed in the DEIS. Correspondence from federal, state, regional or local agencies, members of the public, organizations or consultants contacted during the preparation of the DEIS.
- F. Geotechnical Report
- G. Soils Report
- H. Natural Resource and Habitat Report
- I. Wetland Delineation Report
- J. Stormwater Pollution Prevention Plan (Include locations of soil tests performed in order to demonstrate soil infiltration capabilities in the vicinity of proposed permanent stormwater management facilities)
- K. Phase I Environmental Site Assessment (ESA)
- L. Cultural Resource Investigations
- M. Traffic Impact Study
- N. Water Supply Report
- O. Sewer Plant Study
- P. Photosimulations/Visual Impact Study
- Q. Other Technical Studies, as applicable

- R. Site and Subdivision Plan (Full scale) meeting all requirements of the Town of Montgomery Site Plan and Subdivision review checklists.