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July 7, 2022

VIA CERTIFIED MAIL

To Involved and Interested Agencies:

***RE: RDM Neelytown Business Park – Notice of SEQRA Public Scoping Session
Property: 296 Neelytown Road, Montgomery, NY (SBL ## 36-1-33, 36-1-11.221, 36-1-11.23, 36-1-11.1, 36-1-10.1, 36-1-11.212 and 33-1-91)***

At the request of the Town of Montgomery Planning Board, please find attached the following materials:

- Attachment 1 Notice of SEQRA Public Scoping Session.
- Attachment 2 May 27, 2022 letter from David R. Everett, Esq. transmitting: (1) Conceptual Plan for Amended Project (dated May 27, 2022) and prepared by Colliers Engineering & Design; and (2) Amended Draft Scope for DEIS (dated May 27, 2022).
- Attachment 3 June 3, 2022 from David R. Everett, Esq. transmitting: (1) An updated SEQRA Full Environmental Assessment Form, Part 1; and (2) Figure 1 for the Amended Draft Scope for DEIS submitted to the Planning Board on May 27th (See page 33), depicting proposed visual impact study locations for the proposed Project.
- Attachment 4 Original Concept Plan for proposed Project (dated June 8, 2021) and prepared by Colliers Engineering & Design.

Any questions regarding this matter should be directed to the Planning Board's SEQRA lead agency contact, Sue Hadden, Planning Board Clerk, as specified in the attached notice.

Very truly yours,



Paul Van Cott
Of Counsel

c: Sue Hadden, Planning Board Clerk (w/attachments)

**PLANNING BOARD OF THE TOWN OF MONTGOMERY
NOTICE OF PUBLIC SCOPING SESSION**

PLEASE TAKE NOTICE that the Town of Montgomery Planning Board, as the Lead Agency, has scheduled a public scoping session pursuant to the State Environmental Quality Review Act and its regulations, 6 NYCRR Part 617 (collectively “SEQRA”) for the project described below. The scoping session will be held in the Town Government Center, 110 Bracken Road, Second Floor, Montgomery, New York on Monday the 25th day of July 2022 at 7:35 p.m., or as soon thereafter as the matter may be heard. The purpose of the scoping session is to consider public and agency comments on the Amended Draft Scope for the environmental review of the proposed RDM/NEELYTOWN BUSINESS PARK warehouse distribution facility.

The project is a proposed 664,200 SF warehouse distribution facility and separate 214,000 SF and 250,070 warehouse distribution facilities with attendant parking, utilities and stormwater management facilities on seven existing tax parcels consisting of approximately 111.47 acres at 296 Neelytown Road and Beaver Dam Road. The parcels are known as SBL ## 36-1-33, 33-1-91, 36-1-11.221, 36-1-11.23, 36-1-11.1, 36-1-10.1 and 36-1-11.212.*

The project has recently been amended to add the proposed 250,070 SF warehouse distribution facility and five additional tax parcels. Previously, in September 2021, the Planning Board acting as SEQRA Lead Agency had issued a Positive Declaration for a Type 1 Action finding that the two original warehouse distribution facilities may have potentially significant adverse environmental impacts and that a Draft Environmental Impact Statement (DEIS) must be prepared. Subsequently, after conducting scoping and considering agency and public input, in October 2021 the Planning Board adopted a Final Scope for a DEIS with respect to the original

* The application includes the creation of three (3) new lots – one for each proposed warehouse.

proposal. Based on the amended project, an Amended Draft Scope has been prepared to include SEQRA review in the DEIS of the additional warehouse distribution facility and tax parcels.

At this scoping session the Planning Board will consider all verbal and/or written statements from all persons and agencies interested. The purpose of this scoping session is to discuss the potential significant adverse environmental impacts which must be evaluated in the DEIS. An Amended Final Scope as approved by the Planning Board will become the outline of the DEIS. Persons may appear in person or by agent. Upon the acceptance by the Planning Board of a complete DEIS, a formal public hearing will be held by the Planning Board pursuant to separate notice. Copies of the amended proposal, Amended Draft Scope and original concept plan for the project may be inspected at the Town Government Center during normal business hours and these documents also may be inspected at www.townofmontgomery.com.

Written comments on the Amended Draft Scope can be submitted to the Planning Board until the close of the scoping session on July 25, 2022 and may be submitted via mail, email or by hand delivery to the contact person listed below. The Lead Agency contact person is Sue Hadden, Planning Board Clerk, 110 Bracken Road, Montgomery, NY 12549, 845-457-2643 or at shadden@townofmontgomery.com.

Dated: July 7, 2022

THE PLANNING BOARD OF THE
TOWN OF MONTGOMERY
FRED REICHLE, CHAIRMAN

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May 27, 2022

Fred Reichle, Chairman
Town of Montgomery Planning Board
Town of Montgomery Town Hall
110 Bracken Road
Montgomery, New York 12549

RE: *RDM Neelytown Business Park - Request for Amended Concept Plan Review and Approval of Amended DEIS Scope*
Property: 296 Neelytown Road, Montgomery, NY (SBL ## 36-1-33, 36-1-11.221, 36-1-11.23, 36-1-11.1, 36-1-10.1, 36-1-11.212 and 33-1-91)

Dear Chairman Reichle and Members of the Planning Board:

This firm represents Real Deal Management, Inc (“RDM”) with respect to its proposed development of the Neelytown Business Park (the “Project”) to be located at 296 Neelytown Road in the Town (the “Site”). As you know, RDM has submitted applications to the Planning Board for a special permit, site plan approval and minor subdivision approval for the Project. Also, RDM is in the process of preparing a draft environmental impact statement (“DEIS”) for the Project pursuant to SEQRA based on a scope adopted by the Planning Board.

We are writing to advise the Planning Board that RDM seeks to amend the Project as follows:

1. Add five (5) additional lots to the original Project Site (SBL ## 36-1-33 and 33-1-91). The new lots are designated as SBL ## 36-1-11.221, 36-1-11.23, 36-1-11.1, 36-1-10.1 and 36-1-11.212. These lots contain residential houses and vacant land. RDM has now entered into contracts to purchase all remaining residential and vacant lots located on the east side of Beaver Dam Road (except one lot on the corner of Neelytown Rd and Beaver Dam Road which is still in negotiation). Except as noted, RDM now controls all the land on this side of the road. All existing houses will be removed from the Site as part of the Project. In total, the Project Site will now be comprised on seven (7) lots consisting of

111.47± acres (the “Amended Project Site”). As part of the Project, all of these lots will be consolidated into 3 lots.

2. Construct a third warehouse/distribution facility containing 250,070 square feet (“sf”) on the Amended Project Site. The new warehouse would also contain accessory office space, access drives, parking, lighting, landscaping, stormwater facilities and other related improvements. The two warehouses/distribution facilities originally proposed as part of the Project would also remain. These buildings would contain 214,000 sf and 664,200 sf respectively. Each building and its related improvements would be located on its own lot (the “Amended Project”).

A conceptual plan for the Amended Project is enclosed for the Planning Board’s consideration (the “Conceptual Plan for the Amended Project”).

Due to the addition of 5 new lots to the Project Site and a third warehouse/distribution facility, RDM anticipates that the Planning Board will need to amend the adopted Final Scope for the DEIS to consideration any potentially significant adverse environmental impacts from the Amended Project. To facilitate the Planning Board’s preparation of an amended scope, an Amended Draft Scope for the DEIS has been prepared by RDM and is enclosed for the Board’s consideration. For ease of reference, the amendments to the Final Scope are shown in track changes.

To assist the Planning Board in its review of the Amended Project, we are providing ten (10) paper copies of this letter and the following materials organized into individual packets:

- Conceptual Plan for Amended Project (dated May 27, 2022) and prepared by Colliers Engineering & Design; and
- Amended Draft Scope for DEIS (dated May 27, 2022).

Under separate cover, we will provide updated applications for the Amended Project and a revised SEQRA Full Environmental Assessment Form (“FEAF”), Part 1. A check for any additional application fees to cover the third warehouse building and any review fees of the Amended Project by the Planning Board and its consultants will also be provided.

We would respectfully request to be placed on the agenda for the Planning Board’s upcoming June 13, 2022 meeting to discuss the concept plan for the Amended Project and the Amended Draft Scope for the DEIS. We look forward to obtaining initial feedback from the Planning Board related to the Project as amended. We would also ask the Board to consider recirculating the concept plan for Amended Project, the updated FEAF Part 1 and the Amended Draft Scope to involved and interested agencies for comment, when appropriate.

If you have any questions, please let me know. Thank you kindly for your attention to this matter.

Very truly yours,

/s/ David R. Everett

May 27, 2022
Page 3

David R. Everett

Enclosures

c: (w/paper and electronic enclosures):

Isaac Neuman, RDM

AMENDED DRAFT ~~ADOPTED~~ SCOPE
for
DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS)
for

NEELYTOWN BUSINESS PARK

TOWN OF MONTGOMERY ORANGE COUNTY, NEW YORK

Proposed: May 27, 2022

Lead Agency: Town of Montgomery Planning Board SEQRA Classification: Type 1 Action

Lead Agency Contact Person:

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

Scope Preparer and Contact Person:

Jesse Cokeley, P.E.
Colliers Engineering & Design
50 Chestnut Ridge Road
Suite 101 Montvale, New Jersey 07645
Phone: (877) 627-3772

PRELIMINARY INFORMATION

A. GENERAL GUIDELINES

1. The DEIS will cover all items in the Final Scope and will conform to the format outlined in the Final Scope.
2. The document should be written in the third person. The terms "we" and "our" should not be used. The Applicant's conclusions and opinions should be identified as those of "the 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 be most effectively described in graphic format, the narrative discussion should merely summarize and highlight the information presented graphically. All plans and maps showing the site should include adjacent homes, other neighboring uses and structures, roads, water bodies and a legend.
4. Impacts should be described in terms, which the layperson can readily understand (e.g., truckloads of fill and cubic yards rather than just cubic yards).
5. All discussions of mitigation measures will consider at least those measures mentioned in the Final Scope. Where reasonable and necessary, mitigation measures will be incorporated into the proposed action if they are not already included.
6. The DEIS may incorporate in the text or as appendices all or portions of other documents including studies and reports that contain information relevant to the Project Site. Portions of the Project Site have been studied in detail as part of other development projects.
7. The DEIS will discuss, where appropriate, all related short-term and long-term impacts, cumulative impacts and associated environmental impacts.

B. BRIEF DESCRIPTION OF THE PROPOSED ACTION

The Applicant, RDM Group, LLC ("~~RDM~~"), is proposing to develop ~~threetwo~~ warehouse facilities and related improvements (the "Proposed Action") on ~~sevensentwo~~ parcels containing approximately 111.47 ±89.2 acres of ~~vacant~~ land with frontage along Neelytown Road to the east and Beaver Dam Road to the west in the Town of Montgomery, New York (Tax Parcel Section/Block/Lot ## ~~36-1-33 and 33-1-91~~ 36-1-33, 36-1-11.221, 36-1-11.23, 36-1-11.1, 36-1-10.1, 36-1-11.212 and 33-1-91) (the "Project Site"). The Project Site is located in the Town's ~~General Industry ("I-1")~~ Interechange Commercial and Industry zoning district and the Airport Overlay zoning district. The Proposed Action will involve the development of ~~threetwo~~ warehouses containing approximately 250,070 square feetXXX,XXX ("~~SF~~"), 214,000 ~~square feet~~ ("~~SF~~") and ~~66492,2~~900 SF of gross floor area, respectively, and other related site improvements, including, among other things, accessory parking for employee vehicles and trucks,

stormwater control measures, utility lines, dark-sky compliant lighting, signage and landscaping. The Proposed Action would be served by municipal sewer and water services.

~~The Proposed Action will require a Special Exception Use Permit (“SEUP”) and site plan approval from the Planning Board. The Proposed Action will also require a minor two-lot subdivision of existing tax parcel 36-1-33 into an 18.83-acre lot (“Lot 1”) and a 44.17-acre lot (“Lot 2”). Tax parcel 33-1-91 will then be merged with Lot 2 for a combined parcel containing 69.17 acres. Lot 1 will have frontage on Neelytown Road and contain a ±214,000 square foot warehouse/distribution facility with 15,000 square feet of office space and associated improvements. Lot 2 will have frontage on Beaver Dam Road and will contain a ±692,000 square foot warehouse/distribution facility with 15,000 square feet of office space and associated improvements.~~

The Proposed Action will require a Special Permit and Site Plan approval from the Planning Board pursuant to the Town of Montgomery Zoning Law (“Zoning Law §§ 235-15.4 and 16.5, respectively.” RDM proposes to consolidate the seven parcels comprising the Project Site and create three lots by subdivision pursuant to Chapter 200 of the Code of the Town of Montgomery as follows:

- Lot 1, comprising 18.83± acres, will have frontage on Neelytown Road and contain a 214,000 SF warehouse/distribution facility with 8,000 SF of office space and associated improvements;
- Lot 2, comprising 64.64± acres, will have frontage on Beaver Dam Road and contain a 664,200 SF warehouse/distribution facility with 16,000 SF of office space and associated improvements. Lot 2 will have dedicated truck access from Neelytown Road; and
- Lot 3, comprising 28.00± acres, will have frontage on Neelytown Road and Beaver Dam Road and will contain a 250,070 SF warehouse/distribution facility with 8,000 SF of office space and associated improvements.

The Proposed Action would disturb a 100-foot adjacent area of a state-regulated wetland, MB-2, and may also be within the 100-foot adjacent area for MB-1. A small portion of the parking area is located within the 100-foot regulated adjacent area for MB-2 located in the vicinity of the Neelytown Road frontage. MB-1 wetlands are located on the west side of Beaver Dam Road. In addition, the Project sSite contains wetlands under the jurisdiction of the U.S. Army Corp of Engineers (“USACE”), predominantly located on the portion of the Site adjacent to Neelytown Road.

Parcels 36-1-33, 36-1-11.221 and 33-1-91 are currently vacant and consist mostly of former farm fields and scrub-shrub and wooded vegetation. Parcel 36-1-33 is bounded to the west by Beaver Dam Road, to the east by an existing warehouse (FedEx Ground), and to the south and east by Neelytown Road. Parcel 36-1-11.221 adjoins the Project Site, Beaver Dam Road, existing single family dwellings (nearon the corner of Beaver Dam and Neelytown roads) and Neelytown Road. ~~Single family dwellings and vacant land~~

~~adjoin to the south of the parcel.~~ Parcel 33-1-91 is bound to the north by Interstate I-84, and to the south and east by existing warehouses (FedEx Ground and FedEx Freight). Beaverdam Road and Parcel 36-1-33 adjoin the ~~Lot 91 property~~ to the south and west. The four remaining parcels comprising the Project Site (Tax map parcel ## 36-1-10.1, 36-1-11.1, 36-1-11.23 and 36-1-11.212) are developed by single-family dwellings that would be removed as part of the Proposed Action.

C. **SEQRA POSITIVE DECLARATION AND SCOPING**

On June 11, 2021, the Planning Board declared its intent to serve as ~~I~~Lead ~~a~~Agency for the ~~SEQRA~~ environmental review of the Proposed Action pursuant to the New York State Environmental Quality Review Act as set forth in Article 8 of the Environmental Conservation Law and its implementing regulations at 6 NYCRR 617 (collectively, “SEQRA”). A Notice of Intent to Establish Lead Agency was circulated to all involved and interested the Involved aAgencies for the Proposed Action on July 26, 2021. After waiting the required 30 days and receiving no written objections from any agencyInvolved Ageneies, the Planning Board declared itself ~~I~~Lead ~~a~~Agency for SEQRA review of the Proposed Action on September 13, 2021.

~~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 SEQRA I~~Lead ~~a~~Agency for review of the Proposed Action, on September 13, 2021 the Planning Board determined pursuant to 6 NYCRR § 617.7 that implementation of the Proposed Action may have a significant adverse impact on the environment and that an environmental impact statement (“EIS”) would be required. adopted a Positive Declaration on September 13, 2021, thereby finding that the Proposed Action may potentially have a significant adverse impact on the environment and therefore requiring preparation of a DEIS. Specifically, the

~~The SEQRA~~ Positive Declaration ~~adopted by the Planning Board on September 13, 2021,~~ found that the ~~implementation of the~~ Proposed Action, when compared with the SEQRA criteria of environmental effects listed in 6 NYCRR § 617.7Section 617.7 of the SEQR regulations, may have the following potential significant adverse impacts on the environment ~~and listed the following as reasons supporting its Determination of Significance (and other potential impacts identified further below):~~

- Impact on Traffic: The Proposed Action ~~may will~~ substantially increase traffic above present levels. Access to the Project Site will be provided by Neelytown Road (for passenger vehicles and truck traffic) and Beaver Dam Road (for passenger vehicles only).
- Impact on Land: The Proposed Action ~~may will~~ involve the substantial physical disturbance of approximately ~~83 65~~ acres of land.
- Impact on Stormwater: The Proposed Action ~~may will~~ increase stormwater run-off and the potential for erosion and sedimentation into downstream water bodies.

- Impact on Visual Resources: Elements of the Proposed Action may be visible from nearby residential properties and from I-84, Neelytown Road and Beaver Dam Road.
- Impact on Noise: The Proposed Action may produce construction and operational sound that may exceed existing ambient noise levels on and around the Project Site as established by local or State regulation.
- Impact on Lighting: The Proposed Action may result in lighting brighter than existing area conditions.

As required by SEQRA (6 NYCRR § 617.8), the Planning Board conducted scoping Based on the Planning Board’s September 2021 Positive Declaration, an Environmental Impact Statement (“EIS”) was required for the Proposed Action and scoping pursuant 6 NYCRR § 617.8 was undertaken “to focus the EIS on potentially significant adverse impacts and to eliminate consideration of those impacts that are irrelevant or not significant.” Thereafter, RDM submitted a draft scoping document (the “Draft Scope”) to the Planning Board, which the Board circulated to all involved and interested agencies for comment. On October 12, 2021, the Planning Board conducted a public scoping session at the Town Government Center on the Draft Scope and provided an opportunity for public comment on the document. The Planning Board also accepted written public comment on the Draft Scope until October 20, 2021. At its October 25, 2021 meeting, after considering comments received from involved and interested agencies and the public, the Planning Board adopted a final scope for the EIS Environmental Impact Statement for the Proposed Action (the “Adopted Scope”).

Since the issuance of the Adopted Scope in October 2021, additional properties have been added to the Project Site RDM has acquired five additional properties along Beaver Dam Road (Tax map parcel ## 36-1-10.1, 36-1-11.1, 36-1-11.23, 36-1-11.212 and 36-1-11.221) and RDM proposes to seeks to revise the Proposed Action to merge these parcels as Parcel A described above, comprising a XX± acre parcel with frontage on Neelytown Road, and to construct a third warehouse/distribution center on the overall Project Site as part of the Proposed Action. In addition, the Town of Montgomery has recently adopted amendments to the Town of Montgomery Code and Zoning Law, some of which apply to the Proposed Action. To ensure that the EIS considers these changes and encompasses all of the potential impacts for the amended Proposed Action, RDM has prepared an Amended Draft Scope.

SCOPE OF ENVIRONMENTAL IMPACT STATEMENT

Pursuant to 6 NYCRR §~~Part~~ 617.8 of the SEQRA regulations, the Planning Board as Lead Agency is conducting~~ed~~ scoping with respect to the Proposed Action, the primary goals of which are to focus the Draft EIS (“DEIS”) on potentially significant adverse impacts, and to eliminate consideration of those impacts that are not significant or that are irrelevant. Pursuant to SEQRA, this Amended Draft Scope has been circulated to involved and interested agencies for comment. FurtherA, a public scoping session will be held by the Planning Board in the Town Government

Center, 110 Bracken Road, Second Floor, Montgomery, New York on Tuesday, ~~XXXXXXX~~
~~XX~~October 12, 2022~~1~~, at 7:30 p.m. The purpose of the scoping session is to consider public and agency comments on the Amended Draft Scope for the environmental review of the proposed RDM/Neelytown Business Park warehouse distribution facility.

Written comments on the Amended Draft Scope ~~mayean~~ be submitted to the Planning Board until the close of business on ~~XXXXXXXXXX XX~~October 20, 2022~~1~~, and may be submitted via mail, email or by hand delivery to the contact person listed on the Cover Sheet of this Amended Draft Scope~~draft Scoping Document~~.

- This Amended Draft Scope~~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.
- Pursuant to the requirements of SEQRA, this Amended Draft Scope~~Scoping Document~~ includes an initial identification of mitigation measures. As the impact analyses for the amended Proposed Action have not yet been performed, this identification of such measures is preliminary as it is not yet possible to identify other possibly needed ~~mitigation~~measures to mitigate impacts. 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 already been incorporated into the Proposed Action to mitigate impacts. The DEIS will contain a more fulsome discussion and analysis of mitigation measures for the Proposed Action, and will be based on studies and reports analyzing the potential impacts of the Proposed Action.

A. COVER SHEET

The DEIS will begin with a cover sheet that identifies the following:

1. That it is a Draft Environmental Impact Statement.

2. Date submitted.
3. Name and location of the project including street address.
4. The Town of Montgomery Planning Board as the SEQRA lead agency for the Project and the name, address and telephone number of a person at the agency to be contacted for further information.
5. The name, address and telephone number of the project sponsor or applicant, and the name, address and telephone number of a contact person representing the applicant.
6. The name, addresses, and telephone numbers of all consultants contributing to the preparation of the DEIS.
7. Date of acceptance of the DEIS (to be inserted at a later date).
8. Deadline by which comments on the DEIS are due (to be inserted at a later date).

B. TABLE OF CONTENTS

The DEIS will include a table of contents identifying the chapters and their page numbers. ~~The~~ table of contents ~~will~~~~must~~ also include a list of figures, tables, and a list of appendices and any additional DEIS volumes if necessary.

CHAPTER 1: EXECUTIVE SUMMARY

The summary will only include information found elsewhere in the DEIS and ~~at~~ ~~will~~~~minimum~~ ~~should~~ describe the ~~P~~roposed ~~A~~ction and identify any significant adverse impacts, the proposed mitigation measures, and the alternatives analyzed in the DEIS. It will also include a list of all required reviews and approvals from Town, County, State and Federal agencies, including but not limited to:

- Town of Montgomery Planning Board
- Town of Montgomery Town Board
- Town of Montgomery Building Department
- Town of Montgomery Highway Superintendent
- Town of Montgomery Industrial Development Agency
- Orange County Department of Public Works
- Orange County Health Department

- Orange County Planning Department
- New York State Department of Environmental Conservation
- ~~OPRHP~~ New York State Historic Preservation Office
- New York State Department of Transportation
- United States Army Corps of Engineers (USACE)

CHAPTER 2: ~~PROJECT~~ DESCRIPTION OF PROPOSED ACTION

This ~~s~~Section will include a narrative description of the nature of the ~~P~~project~~posed~~ Action, and a description of the proposed uses of the site as a most likely intensive use scenario. ~~No specific tenants have been identified for the Proposed Action Project at this time. Currently the tenant is unknown;~~ however, the ~~project~~ description of the Proposed Action will ~~encompass~~include language that clearly defines the normally anticipated uses for warehouse and distribution centers, focusing on possible tenants that could occupy ~~these~~is buildings from a “use” perspective. The goal is to ensure the proposed use--a warehouse and/or distribution center--does not expand to uses such as a factory~~ies~~, truck terminal or other uses beyond the conventional definition of warehouse and/or distribution center. The subdivision/site plan will be included as an appendix to the DEIS.

A. PROJECT PURPOSE, NEED AND BENEFITS

1. Introduction. The introduction will provide a brief description of the purpose of the DEIS and a brief statement of the steps in the SEQRA process as it relates to the Proposed Action~~Project~~.
2. Public need for the Proposed Action ~~P~~project.
3. RDM’s project ~~o~~Objectives ~~of the project sponsor~~.
4. Benefits of the Proposed Action~~P~~project: (a) economic ~~and;~~ and (b) social.

B. LOCATION

1. Define geographic boundaries of the Proposed Action~~P~~project.
2. Description of access to the Project ~~S~~site.
3. Description of existing zoning of Project ~~S~~site.
4. Easements, fee ownership of any utility installation on the Project ~~S~~site, or private agreements that may affect the proposed use of the Ssite.

5. Define size, use and condition of adjoining parcels.

C. DESIGN AND LAYOUT

1. Total site area.
 - a) Proposed impervious surface area (roofs, parking areas, roads).
 - b) Amount of land to be cleared by type.
 - c) Amount of open space.
 - d) Area of Project Site proposed for disturbance.
2. Structures.
 - a) Gross area.
 - b) Layout of buildings.
 - c) Site plans, floor plans, and architectural plans/building elevations.
 - d) Drainage plans.
 - e) Underground utilities.
 - f) Fire protection measures including fire equipment access.
 - g) Sewage disposal.
 - h) Water supply.
 - j) Retaining walls.
 - k) Sound walls, berms and other barriers.
3. Parking.
 - a) Pavement area.
 - b) Number of parking spaces by type (e.g., passenger vehicle, truck, trailers) and layout.
 - c) Vehicle and pedestrian circulation.
4. Road access to proposed development.
5. Landscaping plan.
6. Lighting plan.

D. CONSTRUCTION AND OPERATION

1. Construction.
 - a) Project phasing. Describe any proposed phasing of project construction and related impacts.
 - b) Schedule of construction.
 - c) Summary of cut/fill analysis and potential for soil removal/importation to and from the site. Discuss possible need to import or remove soil from the site due to cuts and fills, where soil would be taken, and truck movements needed to effectuate a transfer of soil.

2. Operation.
 - a) Type of operation.
 - b) Schedule of operation (days, hours, shifts).
 - c) Discuss what type of storage may occur onsite, the potential for hazardous waste storage to occur, and discuss material handling.

E. SUMMARY AND COMPARISON OF ALTERNATIVES WITH THE PROPOSED ACTION

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

F. PERMITS AND APPROVALS

Approval/Permit/Review	Agency
Town of Montgomery	
Site Plan Approval	Planning Board
Special Exception Use Permit	Planning Board
Subdivision	Planning Board
Building Permits and Certificates of Occupancy	Building Inspector
Driveway Access onto Beaver Dam Road	Town Highway Department
Water and Sewer	Town board, Town Sewer District, Town Water District
Town MS4 Acceptance	Town Stormwater Officer
County/State/Federal	
General SPDES Permit for Stormwater Discharges Associated with Construction Activities	Department of Environmental Conservation (NYSDEC)

Highway Work Permits	NYSDOT
SPDES Sanitary Discharge Permit (Sewer Main Extension)	NYSDEC
Article 24 Freshwater Wetlands Permit	NYSDEC
401 Water Quality Certificate	NYSDEC
Nationwide Wetland Permit	USACE
Cultural Resources No Impact Letter	NYS SHPO
Water Main Extension	Orange County Dept of Health
239-m review	Orange County Planning Department
Driveway Access onto Neelytown Road; 239-f review	Orange County DPW
Airport FAA Approval	Federal Aviation Administration (“FAA”)

CHAPTER 3: EXISTING CONDITIONS/ENVIRONMENTAL SETTING, ANTICIPATED IMPACTS AND PROPOSED MITIGATION MEASURES

The following describes the methodologies that will be used in the DEIS to assess the potential environmental impacts of the [Proposed Action Project](#). The general framework for each impact is to:

- (1) study and describe the existing conditions/environmental setting on the site or in the area;
- (2) assess potential impacts of the [Proposed Action proposed Project](#); and
- (3) present and evaluate potential mitigation measures to mitigate any adverse impacts.

Information for each of the subject areas shall be provided in individual chapters describing existing conditions, conditions in the future without the Proposed Action (the “No Build” / “No Action” condition), potential impacts of the Proposed Action and future potential phases, and mitigation measures for potential significant adverse impacts identified. Each chapter ~~shall~~ include a brief introduction identifying the major topics to be considered, relevant methodology to be used, and thresholds for determining if potential significant adverse impacts exist.

The current conditions on the Project Site shall be considered the existing condition for the technical analyses. The “build year” for the Proposed Action shall be the expected first year of full occupancy and operation (2024). The analysis of the future without the Proposed Action (the “No Build/No Action condition”) will be based on conditions projected in the build year for the Proposed Action.

A. GEOLOGY

This section will describe geological features of the site, potential impacts to these features, and proposed mitigation.

Existing Conditions

1. Composition and thickness of subsurface material.
 - a) Depth to, and nature of, bedrock formations.
 - b) Usefulness of underlying material for construction.

Potential Impacts

1. Blasting. Town water tank and water main serving the tank border the project to the north. The Town water well is west of the project across Beaver Delam Road. Evaluate blasting impacts to the I-84 corridor. Consider potential blasting impacts to properties within ¹/₂-mile of the Project Site, including to buildings and any on-site wells.
2. Depths and volumes of cuts and fills.
3. Anticipated trucking related to material surplus or deficit.

Mitigation Measures

Mitigation measures to avoid or minimize any significant impacts from the Project will be discussed. Any unavoidable impacts will also be discussed. Mitigation measures may include but are not limited to the following:

1. A blasting plan (if necessary) to be approved by the Town.
2. Alternative grading scenarios.
3. Type of retaining wall and/or soil embankments, if necessary. Define linear, vertical and surface area extent.

B. SOILS

This section will describe soil types, potential impacts, and proposed mitigation.

Existing Conditions

1. List of soil types.
2. Discussion of soil characteristics.

- a) Physical properties (permeability, seasonal high groundwater table, rock outcrops (if any), agricultural soils, hydric soils, etc).
 - b) Engineering properties (soil bearing capacity, safe angle of repose).
3. Map of distribution of soil types at project site both without and with the project.
 4. Suitability for various uses/construction limitations.
 5. Possible equalization of cuts and fills to eliminate movement of soil offsite.
 6. Identify depth of existing topsoil and depth of soil horizons (A, B and C) to replicate in proposed planting areas.
 7. Include depth to bedrock detail and soil notes on landscaping plan to determine what is needed to get a minimum of 30” of planting soil in all planting areas to help ensure successful establishment of new plantings.

Potential Impacts

Potential for erosion, loss of agricultural or hydric soil and uses, environmental remediation as per an Environmental Site Assessment (ESA) of the site (if any).

Mitigation Measures

Mitigation measures to avoid or minimize any significant impacts from the [Proposed Action Project](#) will be discussed. Any unavoidable impacts will also be discussed. Mitigation measures may include but are not limited to the following:

1. Use topsoil stockpiled during construction for restoration and landscaping.
2. Minimize disturbance to non-construction part of site.
3. Design and implement phased soil erosion control plan in accordance with applicable NYSDEC stormwater regulations and Town Enhanced Erosion and Sediment Control Guidelines. Grading plan with phases identified to limit disturbed areas will be evaluated. Erosion and sediment control plan for each phase.
4. Lateral stability for neighboring sites.
5. Potential mitigation for any significant adverse impacts to onsite soils, agricultural soils, hydric soils or lands will be described.

C. TOPOGRAPHY

This section will describe geological features of the site, potential impacts to these features, and proposed mitigation.

Existing Conditions

1. Description of topography at [Project Site](#).
 - a) Slopes which will be mapped by slope range using 2-foot contours.
 - b) Prominent or unique features.
2. Description of topography of surrounding area.
3. Identify sub-catchments within the project site.
4. Discuss site and regional seismic characteristics.

Potential Impacts

1. Grading - Provide data on the anticipated excavation and fill to be moved around the site. A preliminary grading plan showing existing and proposed grading on the site will be included. Removal of fill from the site will be discussed if necessary. Provide a map of grading.
2. Cut and fill map, and discussion of the need for soil importation and/or exportation.
3. Identify changes in local drainage patterns due to proposed grading.
4. Discuss grading relative to retaining walls, various grading plans and ability to have buildings at various grade levels. Grading and soil movement should be discussed once or in one section and referenced in other sections as may be appropriate.
5. Discuss impact of grading on adjoining water tank.
6. Design Stormwater practices utilized during and after construction in accordance with the Town's General Enhanced Stormwater Erosion and Sediment Control Plan for Large Projects.

Mitigation Measures

Mitigation measures to avoid or minimize any significant impacts from the [Proposed Action Project](#) will be discussed. Any unavoidable impacts will also be discussed. Mitigation measures may include but are not limited to the following:

1. Design adequate soil erosion devices to protect sloped areas using Town Enhanced Erosion and Sediment Control Guidelines.
2. Aesthetics of proposed retaining walls and/or sloped embankments. ~~Provide~~ Provide wall material specifications (e.g., shape, color of block). Discuss need for repairs, inspection time frames, and general evaluation of the selection considering soils, height, and other data pertinent to quality and safety.
3. Berms for landscape screening and sound attenuation.
4. Discuss the preparation of an Erosion and Sediment Control Measures (E&SC) Plan and Best Management Practices in accordance with NYSDEC and Town of Montgomery regulations to mitigate impacts from Construction.
5. Provide a Phasing Plan during Construction.

D. WATER RESOURCES

This ~~s~~sSection will describe the ground and surface water resources of the ~~P~~Project ~~Site~~area and immediately surrounding environs, which includes creeks, tributaries, wetlands, and recharge areas with reference to ground and water resources. Include classification information on all watercourses and waterbodies on and directly adjacent to the site. It will also discuss potential impacts to these resources and proposed mitigation.

Groundwater

Existing Conditions

1. Location and description of aquifer and recharge areas.
 - a) Depth to water table.
 - b) Seasonal variation.
 - c) Quality.
 - d) Quantity and flow.
 - e) Direction of flow.
2. Identification of present uses and level of use of groundwater around Project Site (if any).
 - a) Private water supply wells.
 - b) Industrial uses.

- c) Agricultural uses.
 - d) Town wells (nearby).
3. Discuss how the Water Quality Volume (WQv) and Runoff Reduction Practices (RRv) will be addressed in accordance with the Requirements of the NYS Stormwater Design Manual.

Potential Impacts

The ~~Proposed Action Project~~ ~~is development~~ will connect to the municipal water supply system and is not expected to use groundwater ~~for the project's~~ water supply needs. Potential impacts to groundwater to be discussed include ~~proposed ground-water sources~~ ~~and~~ proposed drainage facilities and treatment methods to be used to treat runoff (including run-off from hot spots) and long-term maintenance and ownership of proposed drainage facilities. The DEIS will discuss methods to treat ice/snow from all parking areas and the measures to keep contaminants/soils from dispersing off site and into groundwater. Potential impact from fuel and oil spills into groundwater will be evaluated. These potential impacts will be discussed and analyzed in the context of the nearby Town well and underlying aquifer.

Mitigation Measures

Mitigation measures to avoid or minimize any significant impacts from the ~~Proposed Action Project~~ will be discussed. Any unavoidable impacts will also be discussed. Mitigation measures may include but are not limited to the following:

1. Implementation of a stormwater pollution prevention plan (“SWPPP”) in accordance with NYSDEC and Town regulations to treat stormwater runoff prior to recharge of groundwater. A waiver will be necessary from the NYSDEC’s 5-acre disturbance limit due to the size of this development. The SWPPP will be included as an appendix to the DEIS.
2. Maintain permeable areas on the site.
3. Identify any on-site recharge areas and identify measures to protect.
4. Where possible, use low impact development techniques.
5. Opportunity to use salt substitutes.

Surface Water & Wetlands

This section will describe surface water & wetland resources on and around the ~~Project~~ Site, potential impacts to these resources, and proposed mitigation. This section will be coordinated with the section on Stormwater Management (see below).

Existing Conditions

1. Location and description of surface waters and wetlands and wetland adjacent areas (NYSDEC, USACE) located on the project site or those that may be influenced by the project. Water quality classifications will be identified. The National Wetland Inventory (NWI), NYSDEC freshwater wetland maps, and associated surface water maps will be included in this section. A discussion of the character of the wetlands and related surface water features, and any known connections to other surface waters and their classification will be included. A wetland delineation report, field data sheets, and maps, prepared by the project sponsor will be attached as an appendix to the DEIS. This section will also include the NYSDEC wetland boundary certification or proof that the certification was timely requested from NYSDEC.
2. Identification of uses and level of use of all surface waters.
 - a) Public/private water supply.
 - b) Industrial uses.
 - c) Agricultural uses.
 - d) Recreational uses (fishing, swimming, etc)
3. Pre-~~d~~Development drainage analysis including a description of existing drainage areas, patterns, and channels.
4. Identification of floodplains and location, discussion of potential for flooding.
5. Identification of wetland drainage areas before and after construction.

Potential Impacts

Potential impacts to existing wetlands, wetland adjacent areas and other surface waters will be discussed. Wetland disturbances will be quantified, and impact to wetland function evaluated. All wetland related impacts will require NYSDEC and/or USACE permits for jurisdictional wetlands; Jurisdictional determinations or proof that such determinations were timely requested from NYSDEC and USACE and/or qualified delineations~~wetland validation~~ of the wetlands will be provided ~~or proof that such determinations were timely requested from NYSDEC and USACE~~. This section will identify the types of permits required, the status of any permit applications prepared and/or submitted to the agencies and the individual agency review status at the time of writing. The DEIS will describe the amount of open space to be protected, if any, on the Project Site. Any unavoidable impacts will also be discussed.

Mitigation Measures

Mitigation measures to avoid or minimize any significant impacts from the [Proposed Action Project](#) will be discussed. Any unavoidable impacts will also be discussed. Mitigation measures may include but are not limited to the following:

1. Implementation of a stormwater pollution prevention plan (“SWPPP”) in accordance with NYSDEC and Town regulations to treat stormwater runoff. The project sponsor must obtain a SPDES General Permit from the NYSDEC for stormwater discharges from construction activities in excess of one acre. The SWPPP will be included as an appendix.
2. Restrict use of salt or sand for road and parking area snow removal.
3. Avoid direct discharges to surface water resources.
4. Proposed mitigation measures, to offset any significant adverse impacts to wetlands, will be described in this section and will include a description of onsite compensatory wetland mitigation being proposed. It is assumed all wetland impacts will be compensated for onsite and that no offsite measures will be required. However, the overall wetland mitigation requirements will be determined by the USACE and NYSDEC during their review of ~~any~~ wetland permit applications. Measures to protect wetlands and surface waters resources during construction and operation will also be identified in this section.

Stormwater Management

This section will describe stormwater conditions on the site, potential impacts from stormwater run-off from the project and proposed mitigation.

Existing Conditions

This ~~s~~Section will include a pre-development analysis of stormwater drainage as well as an analysis of existing hydrology. The existing and proposed storm water conditions will be evaluated for the 1-year, 10-year, 25-year, 100-year and 500-year storm events using the current methodologies, consistent with ~~New York State Department of Conservation (NYSDEC)~~ and Town regulations. ~~Utilize~~ NOAA rainfall data for 500-year storm events will be used, should ~~that data~~ not be available from NYSDEC. Tabular summary of the stormwater analysis comparing existing and proposed conditions will be presented. The analysis shall encompass all contributory flow areas to the ~~Project Site~~. ~~Provide~~ Topographic maps illustrating watershed boundaries will be provided. To the extent a resiliency study being conducted by Orange County is made available (draft or otherwise) during preparation of the ~~DEIS and FEIS~~, the stormwater analysis will discuss the recommendations of that study, and the project’s consistency with same.

Potential Impacts

This ~~s~~Section will include a post-development analysis of the stormwater drainage for the ~~proposed~~ Proposed Action Project. Location of stormwater management facilities relative to both on-site and off-site land uses ~~will should~~ be discussed. The appearance and design of the stormwater management facility ~~will should~~ also be discussed. Special attention shall be paid to protecting water quality of the stormwater runoff and ensuring that post-development runoff will be equal to or less than predevelopment runoff. Long term maintenance of stormwater management facilities ~~will must~~ be considered and provided for in the DEIS.

Mitigation Measures

Mitigation measures to avoid or minimize any significant impacts from the Proposed Action Project will be discussed. Any unavoidable impacts will also be discussed. Mitigation measures may include but are not limited to the following:

1. Implementation of a stormwater pollution prevention plan (“SWPPP”) in accordance with NYSDEC and Town regulations to treat stormwater runoff.
2. Potential low impact development techniques considered for the purposes of water quality protection, peak and volumetric flow rate discharges and water conservation measures.

E. WASTEWATER MANAGEMENT

This section will describe wastewater management related to the Proposed Action Project, potential impacts, and proposed mitigation.

Existing Conditions

This ~~s~~Section ~~will should~~ describe existing municipal sewage treatment availability for the Project Site, and ~~Describe~~ whether the Project Site parcels is are in municipal sewer district or whether any district extension is required.

Potential Impacts

The Proposed Action Project will connect to the existing municipal sewer system. This section will discuss the estimated wastewater to be generated by the Proposed Action Project and the capacity of the existing municipal sewer system to treat the wastewater. The discussion will include consideration of wastewater transmission lines, pump stations and all facilities proposed and/or required to serve the site. All calculations for transmission lines, pump stations and other relevant facilities' capacity ~~will shall~~ include consideration of any and all pending and/or approved development in the vicinity of the Project Site. The location of the proposed sewer lines for the Proposed Action Project will be included on a map.

Mitigation Measures

Mitigation measures to avoid or minimize any significant impacts from the [Proposed Action Project](#) will be discussed. Any unavoidable impacts will also be discussed. Mitigation measures may include but are not limited to the following: use of low flow bathroom fixtures.

F. WATER SUPPLY

This section will describe water supply related to the [Proposed Action Project](#), potential impacts, and proposed mitigation.

Existing Conditions

This section will describe existing water availability and proposed water supply for the [Proposed Action Project](#), including water quality, pump testing, and water storage requirements. ~~It will include a discussion as to describe~~ whether ~~the Project Site~~ ~~is~~ ~~are~~ in municipal water district or whether any district extension is required. A detailed explanation of the anticipated daily water usage rates and fire flow requirements will be provided.

Potential Impacts

The [Proposed Action Project](#) will connect to the existing municipal water supply system. Proposed water line locations will be mapped. This section will discuss the estimated water demands to be generated by the [Proposed Action Project](#) and capacity of the existing municipal water system to supply water for the [Proposed Action Project](#). ~~The Such estimate of water demands will description shall include a description of the~~ basis for the estimated daily rate of flow and will r. ~~Reference the~~ source of flow rate data. ~~Discussion will~~ include consideration of water transmission lines and all facilities proposed and/or required to serve the Project Site. Fire flows and water pressure will should be discussed as part of this section including requirements for both peak rates and storage volumes. All calculations for transmission lines and other relevant facilities' capacity shall include consideration of any and all pending and/or approved developments in the vicinity of the [Project Site](#). The DEIS will include letters from Town officials documenting the ability to service the [Proposed Action Project](#).

Mitigation Measures

Mitigation measures to avoid or minimize any significant impacts from the [Proposed Action Project](#) will be discussed. Any unavoidable impacts will also be discussed. Mitigation measures may include but are not limited to the following: incorporate water saving fixtures into facility design.

G. TRAFFIC AND TRANSPORTATION

This section will describe traffic to be generated by the ~~Proposed Action~~Project, potential impacts, and proposed mitigation. Specifically, the DEIS will ~~include~~require a comprehensive and detailed Traffic Impact Study (“TIS”). The ~~TIS~~traffic study will include a description of the current traffic operations near the site and within the study area and address how the proposed development will impact traffic operations. The ~~TIS~~traffic study will identify future hours of operation, commercial vehicle types, truck routes, and typical arrival and departure characteristics for the proposed development. The ~~TIS~~study will be prepared by a qualified traffic engineering consultant.

Existing Conditions

1. Roadway Inventory. Roadway characteristics will be described including classifications, posted speed limit, general condition, number of lanes by direction and width of lanes, pavement markings, on-street parking, bus stops and school bus use/routes, percent heavy vehicles, traffic control and pedestrian buttons.

For Beaver Dam Road, ~~the Applicant will conduct~~ a baseline investigation of the road and its alignment, pavement depth, and its existing construction to assess the ability of the road to handle non-truck traffic generated by the ~~Proposed Action will be conducted~~proposed use. Under the direction of the Highway Superintendent and based on the protocol approved by him, a core sample(s) will be taken for this purpose, and the results disclosed in the EIS. A speed survey will be conducted for Beaver Dam Road.

2. Pedestrian Activity. Existing pedestrian activity will be discussed including locating all crosswalks within the study area.
3. Public Transportation and school busses. Public transportation and school bus routes will be identified within the study area by type, location of stops, frequency, and routing. Evaluation will include but not limited to public busing and school busing.
4. Traffic data will be collected from NYSDOT, Orange County DPW, the Town of Montgomery and through field data collection. Prior to conducting the data, the Planning Board will~~shall~~ approve the locations where traffic counts shall be collected. At a minimum the study area will include the following roadways and intersections:
 - a) CR 99 and Proposed Site Access Drives
 - b) CR 99 at Beaver Dam Road
 - c) CR 99 at NYS Route 208

- d) CR 99 at NYS 416
 - e) NYS Route 208 at 1-84 Interchange (all movements)
 - f) Beaver Dam Road and Chandler Lane
 - g) Beaver Dam Road and Goodwill Road.
5. Manual Count Program. Manual turning movement counts will be collected during typical weekday morning, afternoon/evening and Saturday midday peak periods. The data collection effort will include the following:
 - a) CR 99, just west of the proposed site access drives
 - b) NYS Route 208, between CR 99 and 1-84 Interchange
 - c) Site access drive at comparable warehouse facility. The Applicant will discuss with the Planning Board the comparable warehouse facility to be evaluated.
 6. Automatic Traffic Recorders. Automatic Traffic Recorders (ATRs) will be used to collect hourly traffic counts by direction for a one-week period at the following intersections:
 - a) CR 99, just west of the proposed site access drives
 - b) NYS Route 208, between CR 99 and 1-84 Interchange
 - c) Site access drive at comparable warehouse facility. The Applicant will discuss with the Planning Board the comparable warehouse facility to be evaluated.
 7. The ATR survey will include the dates of the manual count program. The traffic study will identify how the manual counts volumes compare to the periods of peak activity identified by the hourly data.
 8. Accident History. An analysis of detailed accident data will be included in order to identify accident types, accident patterns, possible causes and safety deficient locations at the road intersections identified above. At a minimum, the following items will be addressed:
 - a) A summary of accident history will be prepared for the most recent three-year period of roadways and intersections within the study area.
 - b) The accident data should include location, date, daytime, severity, collision type, manner of collision, contributing factors, road conditions, weather conditions, and light conditions.
 - c) For those roadway segments and intersections that experience 5 or more incidents over a 12-month period, a calculation of the accident rate will be provided. The accident rate calculation will follow the standards and procedures outlined in the NYS Department of Transportation Highway Design Manual and

include a comparison to the state-wide average for comparable roadway segments.

- d) Locations with accident rates greater than the statewide average will be addressed and a recommendation provided for improvements. Contributing factors to accidents will also be discussed and any Priority Investigation Locations within the study area will be identified.
9. Capacity Analysis for existing conditions. Capacity analysis at each of the previously identified intersections will be conducted in accordance with procedures identified by the most recent versions of the Highway Capacity Manual Software or Synchro Traffic Signal Coordination Software. In addition to identifying the overall intersection performance level, results will be presented by each approach and movement. The same procedures will be followed in the analysis of the No Build Condition and the Build Condition.
 10. No Build Conditions — Other Developments. Consideration to other proposed or approved traffic-generation developments in the vicinity of the study area will be accounted for as part of the No Build Condition. The traffic study will itemize each development and identify the volume of traffic estimated to be generated. The Applicant will obtain a list of approved and pending projects to be included in the traffic analysis which will be found to be acceptable to the Planning Board. Developments will include any pending projects within the Town of Hamptonburgh which may contribute traffic to the intersections to be analyzed.
 11. Build Conditions — Background Growth. General background growth will be accounted for as part of the No Build Condition. The traffic study will identify the estimated growth rate and the basis for this estimate.
 12. No Build Conditions — Planned Roadway Improvements. The traffic study will identify and address the impact of planned roadway improvements within the study area.
 13. No Build Conditions — Capacity Analysis. General background growth and traffic generated by the other developments will be added to the existing traffic volumes to create the No Build Condition.
 14. Build Conditions - Site-Generated Traffic Volumes. At a minimum, site-generated traffic will be projected based on the most recent Institute of Transportation (ITE) data and methodology. If available, the TIS traffic study will include a comparison to actual site-generated traffic created by similar developments. The TIS will include a discussion of anticipated traffic during all facility shifts. The TIS will also consider NYSDOT

guidance related to conducting traffic studies during the COVID-19 pandemic.

15. Build Conditions - Capacity Analysis. The estimated site-generated volumes will be added to the No Build Condition to create the Build Condition.
16. Sight Distances. The analysis will identify sight distances at the proposed access points along Neelytown Road and Beaver Dam Road based on the 85% speeds observed along the roadways. There is limited sight distance for the car entrance at Beaver Dam Road intersection.
17. Turning Radii. The analysis will also address the needs of emergency response vehicles to sufficiently access, circulate and depart the Site without difficulty.
18. Identify posted speed limits, weight limits and entity having jurisdiction over each roadway.
19. Provide a discussion of parking zoning code requirements, estimated parking demand and provision of on-site parking facilities. Discuss required truck loading calculation required by the Town Zoning Law. Discuss the road maintenance activities and responsibilities, particularly winter maintenance including location of snow storage and pavement/sidewalk de-icing.
20. Entrances. Need to create adequate space for trucks entering property from Neelytown Road~~Route 99~~ as it is close to Beaver Dam Road intersection. Describe which vehicles which will use the specific entrances. Through traffic headed west backs up past property entrance. Discuss truck and vehicle entrances and movement.
21. Internal traffic movements. Describe the site layout and internal movement of trucks and employee vehicles.

Potential Impacts

Traffic impacts resulting from the increase in activity on the Project's Site will be described and evaluated in the TIS. This will include a description of the adjacent roadway network and any potential impact to these roadways from the Proposed ActionProject's operations. Truck queuing waiting to deliver to the warehouses will be described. This section will discuss potential impacts of construction and site preparation traffic and any unavoidable impacts from the Proposed ActionProject.

Mitigation Measures

Mitigation measures to avoid or minimize any significant impacts from the [Proposed Action Project](#) will be discussed. Any unavoidable impacts will also be discussed. Mitigation measures [for impacts](#) may include but are not limited to the following:

1. A discussion of roadway improvements (if necessary) will be included. This section will evaluate traffic impact mitigation needs at various phases of the [Proposed Action Project](#) based on the potential impacts described.
2. Mitigation Responsibilities. Where the increased traffic has the potential to significantly affect traffic operations and safety, the traffic study will identify potential mitigation measures to address such conditions. The discussion of mitigation measures will include the following information:
 - a) The types of improvements, including traffic control and turning lanes to enter the [Site](#).
 - b) An outline of the procedures to implement the improvements.
 - c) The party responsible for implementing the improvements and the method of funding.
 - d) The type of public services such as buses, shuttles and trains that might decrease the car trips generated by this project.
 - e) Property will be included in any future Transportation Improvement District or similar mechanism, if later allowed.
3. Construction Related Traffic. The ~~TIS traffic study~~ will address the projected impact of construction related traffic activity. The ~~TIS study~~ will include, but not be limited to, a detailed construction staging schedule, the identification of the number and type of construction related vehicles by construction stage, arrival and departure/routing patterns, construction worker trips, hours and days of construction, and total peak hour volumes.

~~No trucks [in excess of eight \(8\) tons](#) may use Beaver Dam Road exit the site during construction or operations [per Local Law 2 of 2022](#). All such truck access may only occur to and from Neelytown Road. and travel northbound on Beaverdam Road. Trucks may go to Route 416 and travel northbound, but only so far as the Route 416/Route 211 intersection. All trucks must turn left at that intersection and travel westbound on Route 211.~~

H. NOISE

This section will describe potential noise related to the [Proposed ActionProject](#)'s construction and operation, potential impacts, and proposed mitigation.

Existing Conditions

1. Identification of existing level of ambient noise in the immediate area based on noise measurements. Ambient noise levels will be measured in the vicinity of nearby sensitive receptors. Noise measurements will be compiled to establish and understand existing noise levels and noise characteristics within the study area. The ambient survey should contain sufficient information to typify existing sound levels across weekday AM, weekday PM and weekend periods, and monitoring protocol and method of evaluation will be reviewed and approved by the Planning Board prior to measuring ambient noise levels.

Measurements will be made using a Type I or Type II noise analyzer, as appropriate, and would include statistical sound pressure level data as appropriate (Leq, L10, L50, and L90). Where necessary, and in coordination with the preparation of the ~~Proposed~~ [Proposed ActionProject](#)'s Traffic Impact Study, measurements will be supplemented by mathematical models and other results to determine an appropriate base of existing noise levels. For example, due to the currently ongoing COVID-19 pandemic resulting in atypical levels of vehicular traffic, noise measurements relying on existing traffic volumes may not be sufficient to represent expected mobile source noise conditions upon completion of the [Proposed ActionProject](#).

2. Identification of major sources of noise nearby:
 - a) Major highways (I-84) and roadways.
 - b) Stewart International Airport ~~and~~
 - c) Rail operations along rail spur that crosses Neelytown Road.
 - d) Industrial/commercial facilities nearby including other warehouses, truck stop, etc. Discussion will include hours of operation, movement of vehicles on site.
3. Natural buffers available.
4. Identify sensitive noise receptors on or near the Project Site, especially adjacent and nearby residences and identify locations on a map.

Potential Impacts

This section will include a discussion of anticipated noise from the Proposed Action created by trucks, including but not limited to back-up beepers and couplers, doors slamming, refrigerated trailers, and ~~proposed Project~~ operations. This will include discussion on hours and characteristics of operation of the ~~proposed Proposed~~ ActionProject (based on projected types of warehouse/distribution center tenants) and the movement of vehicles. Discussion of the location, type and number of utilities/mechanicals (HVAC, fans) and their location, e.g., rooftop, and noise generation will be included. ~~The Also include a~~ discussion will also consider the noise levels and potential impacts ~~of this~~ during construction as well as noise impacts due to blasting, if applicable. A comprehensive noise study will be undertaken to provide a basis for this analysis and the discussion of potential noise impacts and mitigation measures in this section. The DEIS will evaluate, where appropriate, potential noise impacts in accordance with government policy and guidance documents and reports, including but not limited to NYSDEC Program Policy for Assessing and Mitigating Noise Impacts (2000). At each receptor location, ~~determine~~ the potential noise impact of the Proposed Action~~Proposed Project~~ will be determined using existing ambient noise levels and proportional modeling techniques. These will ~~c~~Compare existing noise levels and future noise levels resulting from with the ~~Proposed~~ Proposed ActionProject, using appropriate data provided in the Traffic Impact Study and with consideration of the operational noise impacts, with various noise standards and guidelines including NYSDEC policy. The removal of existing natural barriers that could act as a noise barrier (e.g., wooded areas) will be quantified and resulting impacts assessed.

Noise levels generated by the ~~proposed Proposed ActionProject~~ and any associated potential impacts will be evaluated along all property lines of the Project Site and unavoidable impacts will also be discussed.

Mitigation Measures

Mitigation measures to avoid or minimize any significant noise impacts from the Proposed ActionProject will be discussed. Any unavoidable impacts will also be discussed. Mitigation measures may include but are not limited to the following: (1) maintaining natural barriers, (2) using sound walls; (3) using landscaping berms; and (4) use of existing topography to buffer ~~Pproject~~ sound. ~~Also include~~ discussion of operational noise mitigation measures related to vehicles and equipment, e.g., strobe lights, etc. will be included.

I. AIR QUALITY

This section will describe potential air quality around the ~~Pproject~~ Ssite, potential impacts, and proposed mitigation. It will consider stationary source and mobile sources.

Existing Conditions

1. This section will discuss existing air quality on the Project Site and in the immediate vicinity of the Project Site. It will also discuss air emission sources, if any, near the Project Site including I-84 and other warehouses and their impacts on air quality. ~~A d~~Description of~~be~~ existing ambient air quality using information from NYSDEC's Ambient Air Quality Monitoring Network will be provided. In addition, ~~a~~description of~~be~~ the latest information regarding the status of the State Implementation Plan (SIP) and attainment status will be included.
- ~~2.~~ PM10 s~~hall be~~ sampling will be done ed at the Pproject Ssite and reported.
- ~~2.3.~~ A Pre-Demolition Regulated Building Materials Inspection of the dwellings to be demolished on the Project Site will be undertaken to identify any asbestos containing materials ("ACM") in any of the buildings.

Potential ~~roposed~~ Impacts

1. Construction air impacts from equipment, dust, blasting and rock crushing (if any) (short term).
2. Long term impacts including potential impacts from emissions from trucks, vehicle traffic, idling and facility operations. A screening-level analysis will be performed to assess the potential for air quality impacts from mobile sources using screening criteria as described in The Environmental Manual (TEM), per NYSDOT guidance.
3. Long term impacts from uses already approved or under study by the Towns of Hamptonburgh and Montgomery that will use ~~CR 99 or~~ Neelytown Road.
- ~~4.~~ Future PM10 levels ~~will~~shall be predicted for the ~~the~~ Proposed Action~~P~~project.
- ~~5.~~ Impacts from any asbestos removal during demolitions of residences.

Mitigation Measures

Mitigation measures to avoid or minimize any significant air quality impacts from the Proposed Action~~P~~project will be discussed. Any unavoidable impacts will also be discussed. Mitigation measures may include but are not limited to the following:

1. Short term (construction), including erosion control plan implementation.
2. Long term (business operation) impacts.
3. Enforcement of relevant existing laws on truck idling for more than 5 minutes.
- ~~3.4.~~ Removal and proper disposal by a NYS-licensed asbestos abatement contractor of any ACMs prior to demolition.

J. LAND USE AND ZONING

This ~~s~~Section will describe the compatibility of the project with existing land uses and the Town's 2021 Comprehensive Plan and 2022 Zoning Law. Address the appropriateness of the use and its size to this Project Site.

Existing Conditions

1. Existing land use and zoning.
 - a) A narrative description of the existing land use of the Project Site and surrounding area within a half mile radius of the Project Site including but not limited to: residential, industrial, commercial, non-residential, agricultural uses.
 - b) Description of existing zoning on Project Site and within a one-half-mile radius of the Site.
2. Land use plans.
 - a) Description of 2021 Town Comprehensive Plan including Project Site and surrounding area and any deviations from recommendations that relate to the Pproject Ssite.
 - b) Description of how County land use plans addresses this area.

Potential Impacts

1. Proposed Action's consistency with surrounding land uses.
2. Proposed Action's consistency with Town's Zoning Law and other laws.
3. Proposed Action's consistency with 2021 Town Comprehensive Plan and County land-use plans.
4. Description of the conformance of the Project's warehouse/distribution facility various uses proposed with the standards for approval of a Sas Special EException UUse Permit and Site Plan ~~s under Section 130-40-20~~

~~and 130-40-30.47 or site plan uses under Zoning Law §§ 235-15.4 and 235-16.5, respectively. Section 140-50-31 through 35 and Section 140-50-37 of the Town laws.~~

5. The relationship of the [Proposed ActionProject](#) and nearby sensitive uses, if any, such as agriculture, residential areas and any public parks.

Mitigation Measures

A discussion of mitigation measures will be included for any significant adverse impacts identified. Any unavoidable adverse impacts will be identified. Mitigation measures may include but are not limited to the following:

1. Designing [Proposed ActionProject](#) to comply with existing land use plan.
2. Discussing any needed changes to be consistent with zoning.
3. Describe mitigation measures to reduce impacts to adjoining lands uses, including residential land uses.

K. UTILITIES

This section will describe utilities to be used by the [Proposed ActionProject](#), potential impacts, and proposed mitigation. Willingness to serve letters will be included in the appendices.

Existing Conditions

1. Electric and [natural gGas availability](#). Address utility lines on Beaver Dam Road as they may need to be raised, relocated or buried due to low clearance.
2. Water and sewer and drainage.
3. Telecommunication facilities.

Potential Impacts

Potential impacts resulting from the increased demands on existing water, sewer, drainage, electric, natural gas and telecommunications infrastructure will be identified.

Mitigation Measures

Mitigation measures required to avoid or minimize any potential significant adverse impacts on these utilities will be described. Any unavoidable adverse impacts will be identified. Mitigation measures may include but are not limited to the following:

1. Install utility services underground.

2. Incorporate energy-saving measures and water saving fixtures into facility design.
3. Construction of additional water and sewer infrastructure.
4. Construction of rooftop or parking lot solar.

L. COMMUNITY SERVICES AND FACILITIES

This ~~s~~Section ~~will should~~ describe existing community services, including police protection, fire protection, ambulance services, solid waste services, and recreation, and ~~will shall~~ include interviews with providers. This section ~~will shall~~ specifically address the ability of the Maybrook Fire District to serve the fire protection needs of the ~~Project Site~~ ~~and~~ ~~-Also~~, any particular demands that the ~~Proposed Action~~ ~~Project facility~~ might place on ambulance services for routine hospital transport. Other emergency ~~service~~ ~~needs~~ ~~will shall~~ ~~also~~ be evaluated.

Existing Conditions

1. Emergency services and health care facilities (police, fire, ambulance, hospital).
2. Recreational facilities (town and county).
3. Waste stream. Quantify the amount and type of waste ~~s~~stream.

Potential Impacts

1. Police protection (state and local): ~~Applicant will~~ ~~Project sponsor to~~ correspond with Town police department to evaluate potential impacts.
2. Fire protection: ~~Applicant will~~ ~~Project sponsor to~~ correspond with local fire company to evaluate potential impacts ~~and to~~ ~~-d~~Discuss fire water tank and sprinkler system and fire hydrants ~~s~~ requirements.
3. Ambulance services: ~~Applicant Proj~~ ~~willeet sponsor to~~ correspond with Town VAC and Mobile Life Support Services to evaluate any impacts.
4. Security concerns.
5. Employee illness/injury: List hospital/burn center/trauma center locations and level of care and emergency medical transportation options.

Mitigation Measures

Mitigation measures required to avoid or minimize any potential significant adverse impacts on these utilities will be described. Any unavoidable adverse impacts will be identified. Mitigation measures may include but are not limited to the following:

1. On-site security.
2. Fire protection on site and building design.
3. Identify any special safety equipment requirements.
4. Protocols for responding to on-site emergency.

M. FISCAL AND EMPLOYMENT IMPACTS

This section will describe the fiscal and employment benefits and impacts of the [Proposed Action Project](#).

Existing Conditions

Description of current fiscal impact the [Project's](#) Site has on the Town of Montgomery and other taxing jurisdictions as well as address the existing labor force in the area taking into consideration other warehouse projects recently completed or recently approved and ready for construction.

Potential Impacts

1. Projected tax revenue generated by the [Proposed Action proposed project](#) for all taxing jurisdictions including real property taxes, sales taxes on construction materials, etc.
2. Projected cost analysis using generally accepted methodologies.
3. Calculation of net fiscal impacts to all taxing jurisdictions.
4. Analyze the potential impact of the warehouse on property values of residences within 1/2-mile of the [Pproject Ssite](#).
5. Quantify the number and type of jobs to be introduced by the [Proposed Action proposed project](#). Address types of employment to be introduced (office, warehouse, etc), and typical wages for the employment created.
6. Calculation of fiscal impacts to all taxing jurisdictions assuming New York State Tax Law 485-B exemptions and/or participation in PILOT.
7. Estimated one-time application fees to the Town of Montgomery including site plan and [special permit SEUP](#) application fees and building permit application fees.
8. Employment analysis to include the number, types and salaries of jobs created by the project including short-term during construction and permanent during facility operations.

Mitigation Measures

Mitigation measures required to avoid or minimize any potential significant adverse impacts on these utilities will be described. Any unavoidable adverse impacts will be identified.

N. CULTURAL RESOURCES

This section will describe any historical or archeological resources known to exist on or near the [Project Site](#), potential impacts and proposed mitigation

Existing Conditions

1. Location and description of nearby historic and archeological areas or structures listed on the State or National Register or designated by the Town or included on a Statewide Inventory.
2. Include Phase 1A/1B and Phase II (if necessary) cultural resource surveys completed for the [Project Site](#) and any identified archaeological sites within or adjacent to the project boundaries. ~~The~~ is section ~~surveys~~ will include a discussion of the coordination with the Office of Parks, Recreation and Historic Preservation (OPRHP), along with the significance of any cultural resources identified on the Site, including their potential eligibility for listing on the National or State Registers of Historic Places. This will include an analysis of any existing ruins on the [Site](#), historically associated with Alexander Trimble.
3. Evaluate the potential for a mastodon to be found during construction based on environmental factors and existing conditions.
4. Correspond with the Montgomery Historic Preservation Commission and solicit comments on local landmarks and proximity of the [Proposed Action](#) ~~project~~ to them.

Potential Impacts

This section will discuss anticipated impacts to any identified historical or archeological resources. Mitigation measures will be proposed for any resource that will be impacted by the Proposed Action.

Mitigation Measures

Proposed mitigation measures to avoid or minimize any significant adverse impacts will be identified as necessary. Mitigation measures may include but are not limited to the following: prepare an Avoidance and Protection Plan, which includes measures to protect the resource from construction impacts, or develop a Phase 2/3 Data Recovery Plan to further investigate the resource, to mitigate impacts of project activities, if applicable.

This will include a discussion of the procedural consultation processes required for the [Proposed ActionProject](#) with OPRHP.

O. VISUAL RESOURCES

This section will describe existing visual resources on or near the [Pproject](#) [Ssite](#), potential impacts and proposed mitigation.

Existing Conditions

1. Description of the physical character of the surrounding area of the Project Site.
2. Description of natural areas of significant scenic value if any, in immediate area.
3. Photos and a narrative will be used to describe the existing conditions of the Site from adjacent public roadways and public places including I-84, County Route 99 and Beaver Dam Road. The proposed study locations for the Proposed Action, including the 3rd warehouse, will be submitted to the Planning Board for prior approval. ~~are indicated in Figure 1 attached hereto.~~
4. Conduct a tree survey in accordance with the Town's site plan and subdivision regulations.

Potential Impacts

To assess impacts, an analysis will describe the [Proposed ActionProject](#)'s physical design (height, bulk, orientation, and façade materials, etc.), lighting system and plan, and its landscaping plan. By the use of photographs, cross sections, verifiable photosimulations, and sketches, the views into the Project Site from adjacent public roadways or other public areas will be described. The Planning Board will determine whether any balloon tests or similar tests will be conducted in advance of visual simulations. Any unavoidable impacts will be discussed. The analysis will include the following considerations:

1. Visual impact from County Route 99, I-84 and Beaver Dam Road. Provide detailed cross-sections including proposed berming and tree plantings.
2. Assess the quantity and removal of trees and tree stands on the [Ssite](#).
3. Visual impact on adjoining residential properties.
4. Provide visual transects of the Project Site from each major viewpoint through the most critical site sections.

5. Potential light pollution from parking areas and drives. Evaluate variable timing light control and transect lines.
6. Evaluate lighting impacts to residential uses within 1/4-mile of the perimeter of the [Pproject](#) [Ssite](#), including specifically residential [propertiesjeets](#) located along Beaver Dam and Neelytown Road.

Mitigation Measures

Proposed mitigation measures to avoid or minimize any significant adverse impacts will be identified as necessary. Mitigation measures may include but are not limited to the following:

1. Design exterior of structure to physically blend with existing surroundings (include elevations; describe exterior materials and colors of building materials, retaining wall materials).
2. Minimize visual impact through design of lighting and signs (consider: height, size, intensity, glare and hours of lighting operation).
3. All lighting will adhere to requirements for shielding, be [downward](#) directed and dark- sky complaint.
4. Design landscaping to be visually pleasing, include use of landscaped berms to serve as a buffer between surrounding land uses and public roadways.
5. If on site water supply is required, tanks will be located to minimize visual impacts.
6. Tree protection plan.

P. ANIMALS, PLANTS & THREATENED AND ENDANGERED SPECIES

This section will describe existing flora and fauna resources on or near the [Pproject](#) [Ssite](#), potential impacts and proposed mitigation [measures](#).

Existing Conditions

1. Description of the plants and animals that inhabit the Project Site and its immediate surroundings.
2. Identification of any threatened or endangered species on or near the Project Site.
3. On-site investigations will be made by qualified biologists to generally identify resident species, and transient species. The results (subject to agency confidentiality requirements) of any species-specific studies

conducted will be included as an appendix to the DEIS. The study will consider the potential species which could be present seasonally.

4. The New York State Natural Heritage Program, New York State Department of Environmental Conservation and US Fish & Wildlife Service will be contacted to determine the recorded presence of threatened, endangered, or unique and rare plant and animal species on or in close proximity to the site.
5. Flora and fauna identified on the Site and species that may be present on the Site based on their known range in New York, existing on-site habitat and expected or observed seasonal occurrence will be provided. The NY Breeding Bird Atlas and NY Herp Atlas are some data sources that will be used to develop a list of potential on-site species. Site-wide flora and fauna and species habitat potentials will be described, relative to terrestrial and aquatic habitats (i.e. wetlands and other on-site water bodies). Species shall include amphibians and reptiles.

Potential Impacts

1. A description of potential primary and secondary impacts to plant and animal communities on or in the vicinity of the Site, due to grading and excavation will be provided. The DEIS will describe the number of forested acres to be removed on the Project Site and the plan for removal of the timber and related woody material. Direct and indirect impacts to wildlife as a result of the ~~proposed~~ [Proposed ActionProject](#) including but not limited to construction, habitat loss and changes of habitat types and habitat fragmentation will be discussed. A qualitative analysis of available on-site postconstruction habitats will be provided. Particular attention will be paid to high value or sensitive habitats (if any) and endangered, threatened and special concern species (if any). Wildlife displacement will be discussed including any impacts created by ~~Project~~ [fencing on the Project Site](#). Secondary impacts, such as noise and lighting impacts, shall be evaluated.
2. Potential impacts on protected Indiana Bats and Northern Long-eared Bats will be discussed.
3. Potential impacts to Bald Eagle nesting sites in the [Proposed Actionproject](#)'s vicinity will be evaluated.

Mitigation Measures

Measures designed to mitigate any significant adverse impacts to identified plant and animal species on and in the vicinity of the Site will be discussed. The use of fish and wildlife friendly infrastructure and native, high value plant materials for target species will be identified and considered where applicable in the [Proposed ActionProject](#) design.

CHAPTER 4. ADVERSE ENVIRONMENTAL IMPACTS WHICH CANNOT BE AVOIDED IF THE PROJECT PROPOSED ACTION IS IMPLEMENTED

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

CHAPTER 5. ALTERNATIVES

As required by SEQRA, this sSection will discuss reasonable alternatives to the Proposed Action~~proposed project~~ that are feasible, considering the objectives and capabilities of the project sponsor. Discussion of each alternative will be at a level sufficient to permit a comparative assessment of costs, benefits and environmental risks for each alternative. A matrix will be provided comparing quantitatively and qualitatively the potential impacts by subject category, e.g., limits of disturbance, impervious surface area, septic demand, etc.

A. ALTERNATIVE SITES

Brief discussion of alternative locations that were considered which are under the control of the project sponsor.

B. ALTERNATIVE SITE LAYOUT

Brief discussion of alternate layout of warehouse development based on existing zoning or to mitigate adverse impacts.

C. NO ACTION ALTERNATIVE

This alternative assumes that the Site remains in its current condition. A discussion of this alternative will evaluate the adverse or beneficial site changes that are likely to occur in the reasonably foreseeable future in the absence of the proposed action.

~~**D. AS-OF-RIGHT ALTERNATIVE**~~

~~This alternative assumes that the Town of Montgomery Town Board adopts zoning which changes the zoning district within which the parcel is constructed, and other text changes which may affect the uses and/or layout of the project. The EIS will evaluate an alternative which presents a layout which can be constructed in accordance with any zoning amendments, and without the need for any variances.~~

E.D. NEELYTOWN ROAD ACCESS ALTERNATIVE

This alternative will examine the elimination of any driveways to Beaver Dam Road, and access provided exclusively from Neelytown Road to the Ssite.

CHAPTER 6. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

This chapter will discuss the ~~proposed~~ [Proposed ActionProject](#) and its impacts in terms of the loss of environmental resources, both in the immediate future and in the long term.

CHAPTER 7. GROWTH INDUCING ASPECTS

This ~~s~~Section will describe the potential growth inducing aspects the [Proposed Actionproject](#) may have. Listed below are examples of topics that are typically affected by the growth induced by a project. These items will be addressed qualitatively, not quantitatively.

A. POPULATION

1. Increases in business and resident population due to creation or relocation of businesses.
2. Increases in resident population due to the creation of jobs to be filled by people outside Orange County.
3. Potential to induce housing construction and demand for housing for persons seeking housing in the Town that will be employed [on the Project Siteat the facility](#).

B. SUPPORT FACILITIES

1. Business likely to be created to serve the [Proposed Actionnew facility](#).
2. Service industries likely to be created to supply [the Proposed Actionnew facility](#).

CHAPTER 8. EFFECTS ON THE USE AND CONSERVATION OF ENERGY RESOURCES

This chapter will discuss the proposed project and its impacts in terms of the use of energy by the [Proposed Actionproposed Project](#). In addition, in accordance with the requirements of the Community Risk and Resiliency Act, this chapter will also consider that future physical risk due to sea level rise, storm surge and flooding have been considered as part of the [Proposed ActionProject](#) and any relevant factors evaluated.

CHAPTER 9. CLIMATE CHANGE

Measures to avoid or reduce the action's impact on climate change and associated impacts due to the effects of climate change such as sea level rise and flooding will be discussed.

APPENDICES

Following is a list of materials typically used in support of [anthe](#) EIS. This list will include supporting studies required as part of the DEIS.

1. Correspondences
2. SEQRA Documentation (e.g., Scoping Outline).
3. List of all Interested and Involved Agencies and their mailing addresses.
4. Stormwater Pollution Prevention Plan (SWPPP). Town of Montgomery Enhanced Erosion and Sediment Control Guidelines to be incorporated into the DEIS, the SWPPP, the Findings Statement, and the Site Plan Set.
5. [Project](#) Site Plans
6. Traffic Impact Study
7. Wetland Impact Report
8. Phase 1A and 1B Archaeological Study (Cultural Resource Assessment)
9. Noise Impact Study
10. Geotechnical Report
11. Ecological Assessment Report
12. Phase 1 Environmental Site Assessment
13. Visual Impact Assessment/[Architectural Renderings](#)
14. Water and Sewer Report
- [15.](#) Fiscal Benefit and Impact Analysis
- [16.](#) [Pre-Demolition Regulated Building Materials Inspection Report](#)
- [15.17.](#)

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June 3, 2022

Fred Reichle, Chairman
Town of Montgomery Planning Board
Town of Montgomery Town Hall
110 Bracken Road
Montgomery, New York 12549

***RE: RDM Neelytown Business Park - Request for Amended Concept Plan Review and Approval of Amended DEIS Scope
Property: 296 Neelytown Road, Montgomery, NY (SBL ## 36-1-33, 36-1-11.221, 36-1-11.23, 36-1-11.1, 36-1-10.1, 36-1-11.212 and 33-1-91)***

Dear Chairman Reichle and Members of the Planning Board:

Please accept the enclosed supplemental documents in support of the May 27, 2022 request by our client, RDM Group, LLC (“RDM”), for Planning Board review of its amended proposal for development of the Neelytown Business Park (the “Project”) to be located at 296 Neelytown Road in the Town (the “Site”). To further facilitate the Planning Board’s review of the Amended Project, we are providing ten (10) paper copies of this letter and the following supplemental materials organized into individual packets:

- An updated SEQRA Full Environmental Assessment Form, Part 1; and
- Figure 1 for the Amended Draft Scope for DEIS submitted to the Planning Board on May 27th (See page 33), depicting proposed visual impact study locations for the proposed Project.

A check to cover the additional application fee associated with the Amended Project’s 3rd proposed warehouse on the Site is being sent under separate cover to the Planning Board’s Secretary and we have been advised by her that the existing escrow account is sufficiently funded at this time. RDM has contracts to purchase all of the tax parcels that have been added to the Site (SBL ## 36-1-11.221, 36-1-11.23, 36-1-11.1, 36-1-10.1 and 36-1-11.212) and is in the process of

June 3, 2022

Page 2

obtaining signed and notarized owner endorsement forms to accompany updated Special Permit/Site Plan/Subdivision applications for the Planning Board's files.

At the Planning Board's June 13th meeting, we look forward to hopefully having the opportunity to introduce the concept plan for the Amended Project and the Amended Draft Scope for the DEIS. Any initial feedback at that time from the Planning Board and its consultants related to the Project as amended would be greatly welcomed.

If you have any questions, please let me know. Thank you kindly for your attention to this matter.

Very truly yours,

/s/ David R. Everett

David R. Everett

Enclosures

c: (w/paper and electronic enclosures):
Isaac Neuman, RDM

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Neelytown Business Park		
Project Location (describe, and attach a general location map): 296 Neelytown Road and Beaver Dam Road, Town of Montgomery, Orange County, New York (Tax Lots 36-1-33; 36-1-11.221; 36-1-11.23; 36-1-11.1; 36-1-10.1; 36-1-11.212; and 33-1-91)		
Brief Description of Proposed Action (include purpose or need): See attached Narrative		
Name of Applicant/Sponsor: RDM Group, LLC		Telephone: (845)202-4900
		E-Mail: isaac@realdealmtg.com
Address: 1 International Boulevard, Suite 410		
City/PO: Mahwah	State: New Jersey	Zip Code: 07430
Project Contact (if not same as sponsor; give name and title/role): Jesse Cokeley (Engineer)		Telephone: 845-352-0411
		E-Mail: jesse.cokeley@colliersengineering.com
Address: 50 Chestnut Ridge Road, Suite 101		
City/PO: Montvale	State: New Jersey	Zip Code: 07645
Property Owner (if not same as sponsor): See attached list		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code: /10573 /10001

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Montgomery Planning Board for Site Plan, Special Exception Use and Minor Subdivision	Sketch Submission 5/5/21; Amended 5/27/22
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Montgomery Highway Department, Montgomery Stormwater Management Officer 5-acre waiver, Montgomery Water and Sewer Connection Permits	TBD
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Orange County Health Department , Orange County GML Review, Orange County DPW	TBD
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSDEC - Wetland Buffer disturbance and Water Quality Certification; SPDES Permit for Construction Activity	TBD
h. Federal agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	US Army Corps of Engineers - Nationwide Permit	TBD
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, identify the plan(s): Montgomery is a Hudson River Valley Greenway Community	

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
If Yes, what is the zoning classification(s) including any applicable overlay district?
I-1 (General Industry Zoning District)

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No
If Yes,
i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Valley Central School District

b. What police or other public protection forces serve the project site?
Montgomery Police Department, Orange County Sheriff, NYS Police

c. Which fire protection and emergency medical services serve the project site?
Maybrook Fire Department and Town of Montgomery Ambulance

d. What parks serve the project site?
Stewart State Forest and Thomas Bull Memorial Park

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?
Industrial

b. a. Total acreage of the site of the proposed action? _____ 111 acres
b. Total acreage to be physically disturbed? _____ 83 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 111.47 acres

c. Is the proposed action an expansion of an existing project or use? Yes No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
Minor Commercial Subdivision

ii. Is a cluster/conservation layout proposed? Yes No
iii. Number of lots proposed? 3
iv. Minimum and maximum proposed lot sizes? Minimum 18.83 Maximum 64.64

e. Will the proposed action be constructed in multiple phases? Yes No
i. If No, anticipated period of construction: _____ 24 months
ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,
 i. Total number of structures 3
 ii. Dimensions (in feet) of largest proposed structure: 55' height; 600 width; and 1,107 length
 iii. Approximate extent of building space to be heated or cooled: 1,128,270 square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,
 i. Purpose of the impoundment: _____
 ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____
 iii. If other than water, identify the type of impounded/contained liquids and their source. _____
 iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
 v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:
 i. What is the purpose of the excavation or dredging? _____
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
 • Volume (specify tons or cubic yards): _____
 • Over what duration of time? _____
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____
 iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____
 v. What is the total area to be dredged or excavated? _____ acres
 vi. What is the maximum area to be worked at any one time? _____ acres
 vii. What would be the maximum depth of excavation or dredging? _____ feet
 viii. Will the excavation require blasting? Yes No
 ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:
 i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): 0.03 acres of disturbance to isolated wetland under USACE jurisdiction; disturbance to 100' adjacent area of NYSDEC wetland. The NYSDEC wetland in the area is MB-2, wetland class 2.

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:
 Approximately 635 SF of disturbance/fill for access driveways within the NYSDEC Wetland 100' Adjacent Area
 Approximately 1,028 SF of disturbance/fill for access driveways within the USACE wetland

iii. Will the proposed action cause or result in disturbance to bottom sediments? Yes No
 If Yes, describe: Disturbance will clear bottom sediments to make room for a proposed driveway

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No
 If Yes:

- acres of aquatic vegetation proposed to be removed: 0.03 acres
- expected acreage of aquatic vegetation remaining after project completion: 5.06 acres
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access):
Removal needed for grading and installation of access driveways
- proposed method of plant removal: TBD
- if chemical/herbicide treatment will be used, specify product(s): TBD

v. Describe any proposed reclamation/mitigation following disturbance:
 No reclamation/mitigation required but additional native landscaping will be installed throughout the project site.

c. Will the proposed action use, or create a new demand for water? Yes No
 If Yes:

i. Total anticipated water usage/demand per day: 5,600 gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No
 If Yes:

- Name of district or service area: Neelytown West Water
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No
 If Yes:

- Describe extensions or capacity expansions proposed to serve this project:
- Source(s) of supply for the district:

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No
 If, Yes:

- Applicant/sponsor for new district:
- Date application submitted or anticipated:
- Proposed source(s) of supply for new district:

v. If a public water supply will not be used, describe plans to provide water supply for the project:
 Public water will be used for this project

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: N/A gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No
 If Yes:

i. Total anticipated liquid waste generation per day: 5,600 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each):
 Sanitary wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No
 If Yes:

- Name of wastewater treatment plant to be used: Sewer District 1 Plant near Neelytown Road intersection
- Name of district: Montgomery Sewer
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

- Do existing sewer lines serve the project site? Yes No
- Will a line extension within an existing district be necessary to serve the project? Yes No

 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):
 Public facilities will be used for this project _____

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____
 No plans at this time to recycle or reuse liquid waste

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No
 If Yes:

- i. How much impervious surface will the project create in relation to total size of project parcel?
 2.3M Square feet or 55 acres (impervious surface)
 4.8M Square feet or 111 acres (parcel size)
- ii. Describe types of new point sources Discharges from proposed stormwater mitigation facilities (detention basins) _____
- iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?
 Stormwater runoff will be directed to on-site stormwater management facilities for detention and treatment prior to discharging at existing design points. Full stormwater design to be developed during site plan design process.

- If to surface waters, identify receiving water bodies or wetlands: _____
- Will stormwater runoff flow to adjacent properties? Yes No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No
 If Yes, identify:

- i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)
 Tractor trailer vehicles traversing the site.
- ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)
 Potential for power generation, heavy equipment, and other needs during construction.
- iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)
 Potential heating and cooling systems for the facilities, generators also possible.

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No
 If Yes:

- i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No
- ii. In addition to emissions as calculated in the application, the project will generate:
 - _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
 - _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 - _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 - _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 - _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
 - _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____
Trailer Truck and employee trips to be determined during traffic analysis

iii. Parking spaces: Existing 0 Proposed 521 Net increase/decrease +521

iv. Does the proposed action include any shared use parking? Yes No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:
Two new accesses to Beaver Dam Rd for cars only and one access for emergency vehicles; Three new accesses to Neelytown Rd for trucks/cars

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____
To be determined by architect/MEP. Central Hudson is electric utility provider.

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):
Source of electricity will come from utility surrounding the local area. Central Hudson is electric utility provider.

iii. Will the proposed action require a new, or an upgrade, to an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: 7am to 4pm
- Saturday: -
- Sunday: -
- Holidays: -

ii. During Operations:

- Monday - Friday: 24 hours
- Saturday: _____
- Sunday: _____
- Holidays: _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No

If yes:

i. Provide details including sources, time of day and duration:
 Noise from construction equipment such as dump trucks, excavators and other similar vehicles during construction. Operational noise will primarily be from tractor trailers accessing the site. A noise study will be done.

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
 Describe: Existing natural barriers will be removed and new landscaping will be added as screening

n. Will the proposed action have outdoor lighting? Yes No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:
 Lighting fixtures will be proposed on site, both building and pole mounted, to illuminate the drive aisles, parking and loading areas and driveways. Full cut-off, dark-sky compliant LED fixtures will be proposed.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
 Describe: Existing natural barriers will be removed and new landscaping will be added as screening

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally, describe the proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ 5.0 tons per _____ month (unit of time)
- Operation : _____ 6.5 tons per _____ month (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: Most of the area and soil being disturbed is anticipated to be reused as fill and backfill for foundations, building slabs, and pavement areas if possible. Recycling and solid waste disposal is not anticipated as the site is mostly undeveloped.
- Operation: During operation, recycling will be done in accordance with local, state and federal regulations.

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: Any material not able to be re-used on-site will be removed in accordance with local, state and federal regulations.
- Operation: Coordination with a private hauler to remove trash from the site will be in place. TBD whether waste will be stored in separate trash enclosures on site or if the facilities will be equipped with trash compactors which could be tenant specific.

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No
 If Yes:
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
 ii. Anticipated rate of disposal/processing:
 • _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 • _____ Tons/hour, if combustion or thermal treatment
 iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No
 If Yes:
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

 ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

 iii. Specify amount to be handled or generated _____ tons/month
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No
 If Yes: provide name and location of facility: _____

 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.
 i. Check all uses that occur on, adjoining and near the project site.
 Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Aquatic Other (specify): Town Water Supply System
 ii. If mix of uses, generally describe:
 Project site is primarily surrounded by industrial sites used as distribution centers

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.7 ac	53.8 ac	+53.1 ac
• Forested	73.6 ac	9.4 ac	-64.2 ac
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	23.3 ac	34.5 ac	+11.2 ac
• Agricultural (includes active orchards, field, greenhouse etc.)	-	-	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	-	-	0
• Wetlands (freshwater or tidal)	14.0 ac	13.9 ac	-0.01 ac
• Non-vegetated (bare rock, earth or fill)	-	-	0
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? Yes No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
If Yes,
i. Identify Facilities: _____

e. Does the project site contain an existing dam? Yes No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
If Yes:
i. Has the facility been formally closed? Yes No
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
If yes, provide DEC ID number(s): _____
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ 15 feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site:

Hoosic Sandy Loam, Type A	_____	38.4 %
Pittsfield Gravelly Loam, Type B	_____	24.5 %
Erie Gravelly Silt Loam, Type D	_____	13.9 %

d. What is the average depth to the water table on the project site? Average: _____ 3 feet

e. Drainage status of project site soils: Well Drained: _____ 43.0 % of site
 Moderately Well Drained: _____ 24.5 % of site
 Poorly Drained _____ 32.5 % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ 75 % of site
 10-15%: _____ 15 % of site
 15% or greater: _____ 10 % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name ~~Federal Waters~~ Federal Waters, Federal Waters, ... Approximate Size 1,028 SF
- Wetland No. (if regulated by DEC) MB-2, Class 2 _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100-year Floodplain? Yes No

k. Is the project site in the 500-year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:
 i. Name of aquifer: _____

<p>m. Identify the predominant wildlife species that occupy or use the project site:</p>		
Deer _____	Insects _____	To be supplemented by T&E study _____
Squirrels _____	_____	_____
Birds _____	_____	_____
<p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p>_____</p> <p>ii. Source(s) of description or evaluation: _____</p> <p>iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres 		
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Species and listing (endangered or threatened): _____</p> <p>Indiana Bat</p> <p>_____</p>		
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Species and listing: _____</p> <p>_____</p>		
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>The site is privately owned and is not open to the public for hunting and fishing</p>		
<p>E.3. Designated Public Resources On or Near Project Site</p>		
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, provide county plus district name/number: <u>ORAN001</u></p>		
<p>b. Are agricultural lands consisting of highly productive soils present? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>i. If Yes: acreage(s) on project site? <u>49.5</u></p> <p>ii. Source(s) of soil rating(s): <u>Web Soil Survey - Vegetation Productivity</u></p>		
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p>ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p>		
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. CEA name: _____</p> <p>ii. Basis for designation: _____</p> <p>iii. Designating agency and date: _____</p>		

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? Yes No

If Yes:

i. Nature of historic/archaeological resource: Archaeological Site Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based: _____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? Yes No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? Yes No

If Yes:

i. Describe possible resource(s): Archaeological study will be completed.

ii. Basis for identification: _____

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? Yes No

If Yes:

i. Identify resource: Veterans Memorial Park / Stewart State Forest / Benedict Farm Park / Winding Hills County Park / Thomas Bull Memorial Park

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): Local Park / State park with trails / Local Park / County Park / County Park

iii. Distance between project and resource: 0.37 / 1.2 / 2.5 / 3.6 / 2.5 miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? Yes No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? Yes No

F. Additional Information

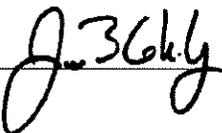
Attach any additional information which may be needed to clarify your project.

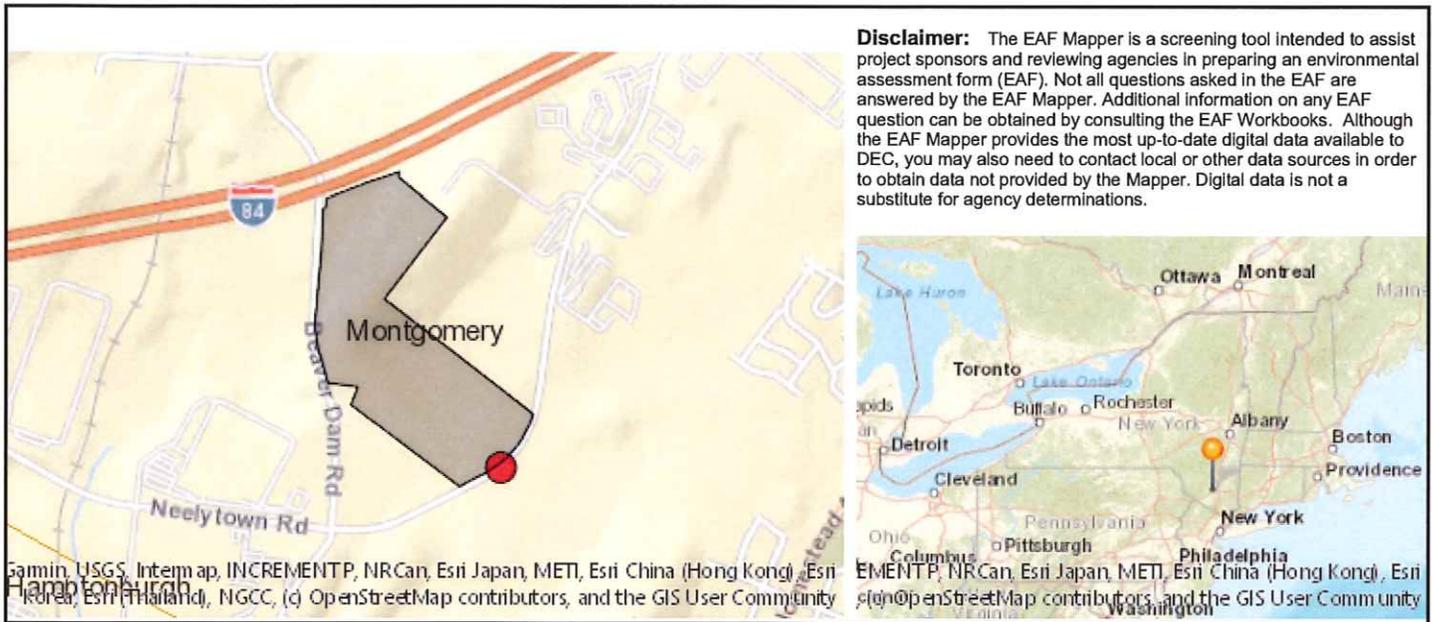
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Jesse B. Cokeley Date June 3, 2022

Signature  Title Professional Engineer/Sponsor



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.ii [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes

E.2.o. [Endangered or Threatened Species - Name]	Indiana Bat
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	Yes
E.3.a. [Agricultural District]	ORAN001
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

June 3, 2022

Project Narrative: Neelytown Business Park

296 Neelytown Road (SBL ## 36-1-33, 36-1-11.221, 36-1-11.23, 36-1-11.1, 36-1-10.1, 36-1-11.212 and 33-1-91)

Town of Montgomery, Orange County, NY

Colliers Engineering & Design Project No.: 21000327A

The Applicant, RDM Group, LLC (“RDM”), is proposing to develop three warehouse facilities and related improvements (the “Proposed Action”) on seven parcels containing approximately 111.47 ± acres of land with frontage along Neelytown Road to the east and Beaver Dam Road to the west in the Town of Montgomery, New York (Tax Parcel Section/Block/Lot ## 36-1-33, 36-1-11.221, 36-1-11.23, 36-1-11.1, 36-1-10.1, 36-1-11.212 and 33-1-91) (the “Project Site”). The Project Site is located in the Town’s General Industry (“I-1”) zoning district and the Airport Overlay zoning district. The Proposed Action will involve the development of three warehouses containing approximately 250,070 square feet (“SF”), 214,000 SF and 664,200 SF of gross floor area, respectively, and other related site improvements, including, among other things, accessory parking for employee vehicles and trucks, stormwater control measures, utility lines, dark-sky compliant lighting, signage and landscaping. The Proposed Action would be served by municipal sewer and water services.

The Proposed Action will require a Special Permit and Site Plan approval from the Planning Board pursuant to the Town of Montgomery Zoning Law (“Zoning Law §§ 235-15.4 and 16.5, respectively. RDM proposes to consolidate the seven parcels comprising the Project Site and create three lots by subdivision pursuant to Chapter 200 of the Code of the Town of Montgomery as follows:

- Lot 1, comprising 18.83± acres, will have frontage on Neelytown Road and contain a 214,000 SF warehouse/distribution facility with 8,000 SF of office space and associated improvements;
- Lot 2, comprising 64.64± acres, will have frontage on Beaver Dam Road and contain a 664,200 SF warehouse/distribution facility with 16,000 SF of office space and associated improvements. Lot 2 will have dedicated truck access from Neelytown Road; and
- Lot 3, comprising 28.00± acres, will have frontage on Neelytown Road and Beaver Dam Road and will contain a 250,070 SF warehouse/distribution facility with 8,000 SF of office space and associated improvements.

The Proposed Action would disturb a 100-foot adjacent area of a state-regulated wetland, MB-2, and may also be within the 100-foot adjacent area for MB-1. A small portion of the parking area is located within the 100-foot regulated adjacent area for MB-2 located in the vicinity of the Neelytown Road frontage. MB-1 wetlands are located on the west side of Beaver Dam Road. In addition, the Project Site contains wetlands under the jurisdiction of the U.S. Army Corp of Engineers (“USACE”), predominantly located on the portion of the Site adjacent to Neelytown Road.

Parcels 36-1--33, 36-1-11.221 and 33-1-91 are currently vacant and consist mostly of former farm fields and scrub-shrub and wooded vegetation. Parcel 36-1-33 is bounded to the west by Beaver Dam

Road, to the east by an existing warehouse (FedEx Ground), and to the south and east by Neelytown Road. Parcel 36-1-11.221 adjoins the Project Site, Beaver Dam Road, existing single family dwellings (near the corner of Beaver Dam and Neelytown roads) and Neelytown Road. Parcel 33-1-91 is bound to the north by Interstate I-84, and to the south and east by existing warehouses (FedEx Ground and FedEx Freight). Beaverdam Road and Parcel 36-1-33 adjoin the Lot 91 to the south and west. The four remaining parcels comprising the Project Site (Tax map parcel ## 36-1-10.1, 36-1-11.1, 36-1-11.23 and 36-1-11.212) are developed by single-family dwellings that would be removed as part of the Proposed Action.

The Project proposes water (for potable and fire protection) and sanitary sewer services for the on-site buildings from public water lines and sanitary sewer lines in Neelytown Road. An on-site pump station and forcemain will likely be needed for the sanitary sewer service.

The Project will require the preparation of a Stormwater Pollution Prevention Plan ("SWPPP"). The SWPPP will be designed in accordance with the Town and NYSDEC requirements to provide stormwater management/mitigation for water quantity and quality as well as Runoff Reduction. The Project will employ the enhanced stormwater control measures developed by the Planning Board for large distribution centers.

The Project will provide significant economic benefits to the Town, the County and the surrounding region. The Project will generate millions of dollars in property taxes for the Town and the local school district. It will also generate significant one-time application fees for the Town for building permits and site plan fees as well as significant one-time sales taxes on construction materials. The Project will create hundreds of new temporary and permanent jobs including construction jobs.

ATTACHMENT TO FEAF PART 1

List of Property Owners and Addresses for the Neelytown Business Park

Tax Parcel #	Property Owner	Property Address
36-1-11.23	Jeffrey J. Drennen	483 Beaver Dam Rd, Montgomery, NY 12549
36-1-11.221	Jeffrey J. Drennen and Maria Drennen	Neelytown Road, Montgomery, NY 12549 (Vacant land)
36-1-11.1	The Estate of Malcom Roberts by and through its executor, Brian Gibson, and Peter Koop	475 Beaver Dam Rd, Montgomery, NY 12549
36-1-10.1	Larry J. Bowers	459 Beaver Dam Rd, Montgomery, NY 12549
36-1-11.212	Victoria Cook-Houck	355 Neelytown Rd, Montgomery, NY 12549
36-1-33	Neelytown Development LLC	Neelytown Road, Montgomery, NY 12549 (Vacant land)
33-1-91	Neelytown Development LLC	Beaver Dam Road, Montgomery, NY 12549 (Vacant land)

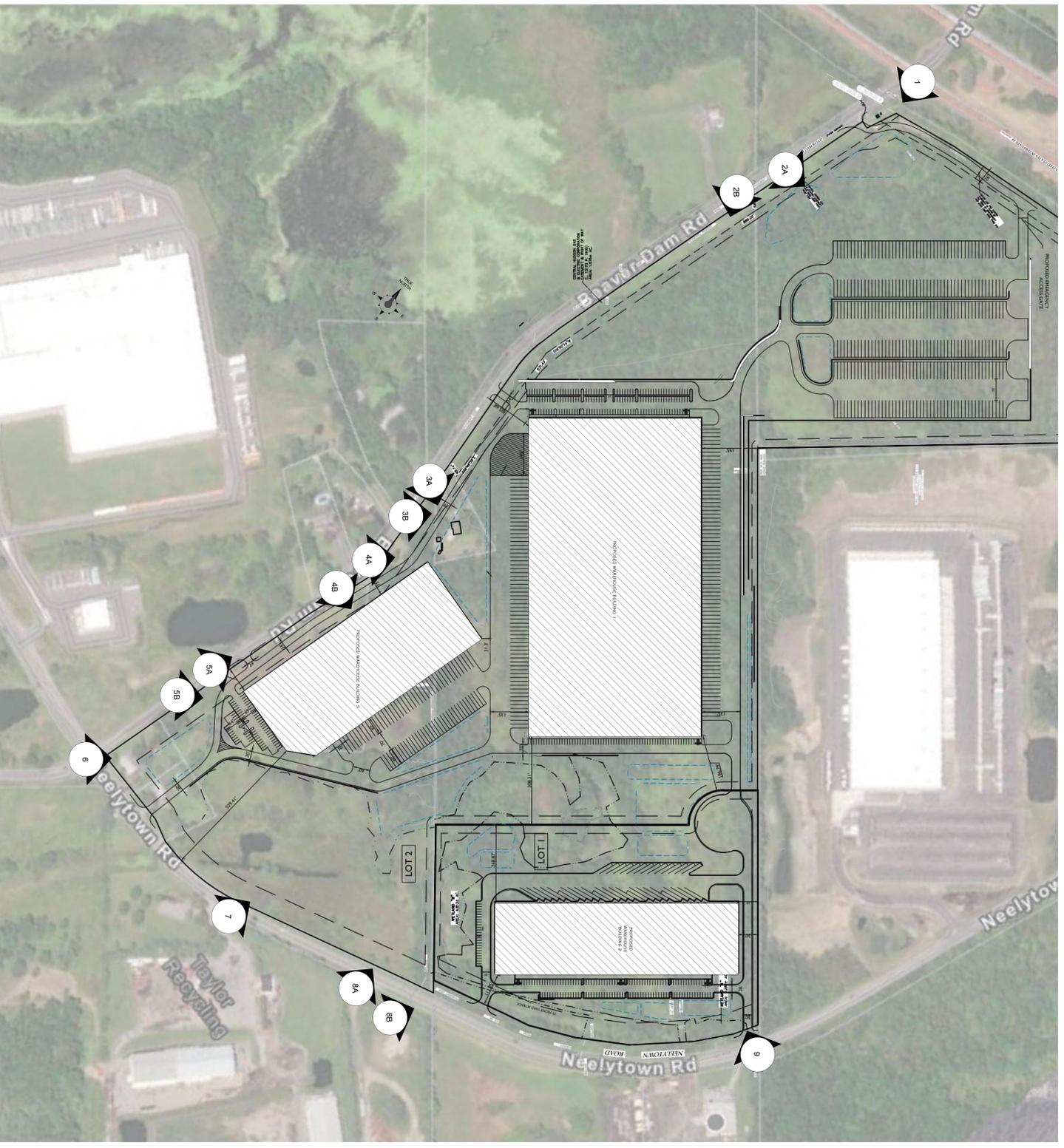


Figure 1 – Amended Draft Scope for DEIS, Neelytown Business Park (Dated June 3, 2022)

