FINAL SCOPE
for
DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS)
for

NEELYTOWN BUSINESS PARK

TOWN OF MONTGOMERY ORANGE COUNTY, NEW YORK

August 8, 2022

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

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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 ("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 Use Permit and Site Plan approval from the Planning Board for three Intensive Warehouses pursuant to the Town of Montgomery Zoning Law ("Zoning Law") Table of Use Regulations and §§ 235-3.2, 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 net acreage of each lot consistent with the requirements of Zoning Law § 235-11.2(B) will be calculated as part of a more detailed description of the Proposed Action in the DEIS.

Trucks will only enter and exit the Neelytown Business Park from three driveways on Neelytown Road. Employee vehicles and emergency vehicles only will enter and exit the Project Site via two driveways on Beaver Dam Road. Finally, an existing Town access road adjacent to I-84 will be improved to provide emergency vehicle access only to the proposed truck parking lot.

The Proposed Action would disturb a 100-foot adjacent area of a state-regulated wetland, MB-2, and may also affect the 100-foot adjacent area of MB-1 if unavoidable through design. 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.

C. SEQRA POSITIVE DECLARATION AND SCOPING

On June 11, 2021, the Planning Board declared its intent to serve as lead agency for the 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 agencies for the Proposed Action on July 26, 2021. After waiting the required 30 days and receiving no written objections from any agency, the Planning Board declared itself lead agency for SEQRA review of the Proposed Action on September 13, 2021.

Acting as SEQRA lead 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. Specifically, the Positive Declaration found that the Proposed Action, when compared with the SEQRA criteria of environmental effects listed in 6 NYCRR § 617.7, may have the following potential significant adverse impacts on the environment:

- Impact on Traffic: The Proposed Action may 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 involve the substantial physical disturbance of approximately 83 acres of land.

- Impact on Stormwater: The Proposed Action may 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 "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 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 and RDM proposes to revise the Proposed Action to construct a third warehouse/distribution center on the overall Site. 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 submitted an Amended Draft Scope, dated May 27, 2022 (the "Amended Draft Scope"), for Planning Board consideration.

SCOPE OF ENVIRONMENTAL IMPACT STATEMENT

Pursuant to 6 NYCRR § 617.8 of the SEQRA regulations, the Planning Board as Lead Agency conducted scoping with respect to the Proposed Action based on the Amended Draft Scope 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, the Amended Draft Scope was circulated to involved and interested agencies for comment. Further, a fully-noticed public scoping session was held by the Planning Board on July 25, 2022 and written comments were received. In response to comments received from the public, involved and interested agencies and the Planning Board's consultant, a proposed Final Scope was prepared, along with the Applicant's responses to comments. Based on its review of the proposed Final Scope, comments received, and the Applicant's responses to comments, after due consideration, the Planning Board has adopted this Final Scope for the Proposed Action as follows:

- This Final Scope 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 Final Scope 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 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 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 will describe the Proposed Action 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 Zoning Board of Appeals
- 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
- New York State Historic Preservation Office
- New York State Department of Transportation
- United States Army Corps of Engineers (USACE)

CHAPTER 2: DESCRIPTION OF PROPOSED ACTION

This section will include a narrative description of the nature of the Proposed Action, and a description of the proposed Intensive Warehouse uses of the Project Site. No specific tenants have been identified for the Proposed Action at this time, however, the description of the Proposed Action will encompass the normally anticipated uses for warehouse and distribution centers, focusing on possible tenants that could occupy these 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, 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.

2. Public need for the Proposed Action.

3. RDM's project objectives.

4. Benefits of the Proposed Action: (a) economic and (b) social.

B. LOCATION

1. Define geographic boundaries of the Proposed Action.

2. Description of access to the Project Site.

3. Description of existing zoning of Project Site.

4. Easements, fee ownership of any utility installation on the Project Site, or private agreements that may affect the proposed use of the Site.

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. Loading and trailer spaces.

5. Truck and vehicular circulation.

6. Road access to proposed development.

7. Landscaping plan.

8. 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) Demolition of existing structures on the Project Site and the proper management and disposal of all solid wastes, including any regulated wastes, generated during demolition.

d) 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 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. 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; 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 Dam Road. Evaluate blasting impacts to the I-84 corridor. Consider

potential blasting impacts to properties within $^1/_2$-mile of the perimeter 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 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 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 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 section will describe the ground and surface water resources of the Project Site 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).
    e) All other major uses.
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 will connect to the municipal water supply system and is not expected to use groundwater water supply needs. Potential impacts to groundwater to be discussed include 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 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-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 of the wetlands will be provided. 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 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 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 NYSDEC and Town regulations. 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. 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 EIS, the stormwater analysis will discuss the recommendations of that study, and the project's consistency with same.

Potential Impacts

This section will include a post-development analysis of the stormwater drainage for the Proposed Action. Location of stormwater management facilities relative to both on-site and off-site land uses will be discussed. The appearance and design of the stormwater management facility will 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 be considered and provided for in the DEIS.

Mitigation Measures

Mitigation measures to avoid or minimize any significant impacts from the Proposed Action 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, potential impacts, and proposed mitigation.

Existing Conditions

This section will describe existing municipal sewage treatment availability for the Project Site, and whether the Site is in municipal sewer district or whether any district extension is required.

Potential Impacts

The Proposed Action will connect to the existing municipal sewer system. This section will discuss the estimated wastewater to be generated by the Proposed Action 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 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 will be included on a map.

Mitigation Measures

Mitigation measures to avoid or minimize any significant impacts from the Proposed Action 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, potential impacts, and proposed mitigation.

Existing Conditions

This section will describe existing water availability and proposed water supply for the Proposed Action, including water quality, pump testing, and water storage requirements. It will include a discussion as to whether the Project Site is 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 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 and capacity of the existing municipal water system to supply water for the Proposed Action. The estimate of water demands will include a description of the basis for the estimated daily rate of flow and will 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 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.

Mitigation Measures

Mitigation measures to avoid or minimize any significant impacts from the Proposed Action 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, potential impacts, and proposed mitigation. Specifically, the DEIS will include a comprehensive and detailed Traffic Impact Study ("TIS"). The TIS 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 will identify future hours of operation, commercial vehicle types, truck routes, and typical arrival and departure characteristics for the proposed development. The TIS 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, 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. 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 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) NYS Route 211 and NYS Route 416.

d) CR 99 at NYS Route 208.

e) CR 99 at NYS 416.

f) NYS Route 208 at 1-84 Interchange (all movements).

g) Beaver Dam Road and Chandler Lane.

h) 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:

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. Local emergency service providers will be contacted for accident records. 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 that 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 using the "higher" trip generation rates based on ITE Land Use 130 for Industrial Park to provide a conservative analysis. If available, the TIS 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. Two Build conditions will be analyzed: a Build Design Year of 2027 and 2037 Design Year (Build +10).

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 and Accessibility. The analysis will also address the needs of emergency response vehicles to sufficiently access, circulate and depart the Site without difficulty. Emergency vehicle accessibility will be determined based on the requirements of the Uniform Fire Prevention and Building Code and will include consideration of alternative scenarios for emergency vehicle access based on the Proposed Action's access points.

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 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 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 Action'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 Action.

Mitigation Measures

Mitigation measures to avoid or minimize any significant impacts from the Proposed Action 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 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 will address the projected impact of construction related traffic activity. The TIS 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 during construction or operations per Local Law 2 of 2022. All such truck access in excess of eight (8) tons may only occur to and from Neelytown Road.

H. NOISE

This section will describe potential noise related to the Proposed Action'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 Action'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 Action.

2. Identification of major sources of noise nearby:

   a) Major highways (I-84) and roadways.

   b) Stewart International Airport.

   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, subject to approval by the Planning Board, 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 operations. This will include discussion on hours and characteristics of operation of the Proposed Action (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 discussion will also consider the noise levels and potential impacts 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, the potential noise impact of the Proposed Action will be determined using existing ambient noise levels and proportional modeling techniques. These will compare existing noise levels and future noise levels resulting from the Proposed Action, using appropriate date 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 or natural berms) will be quantified and resulting impacts assessed.

Noise levels generated by the Proposed Action 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 Action 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 sound. A 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 Project Site, 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 description of existing ambient air

quality using information from NYSDEC's Ambient Air Quality Monitoring Network will be provided. In addition, a description of the latest information regarding the status of the State Implementation Plan (SIP) and attainment status will be included.

2. PM 2.5 and PM 10 sampling will be done at the Project Site and reported.

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 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 Neelytown Road.

4. Future PM 2.5 and PM10 levels will be predicted for the Proposed Action.

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 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.

4. Removal and proper disposal by a NYS-licensed asbestos abatement contractor of any ACMs prior to demolition in accordance with all applicable federal, state and local requirements.

J. LAND USE AND ZONING

This 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 Project Site.

    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 Intensive Warehouses with the standards for approval of a Special Use Permit and Site Plan under Zoning Law §§ 235-15.4 and 235-16.5, respectively.

5. The relationship of the Proposed Action 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 Action 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 Action, potential impacts, and proposed mitigation. Willingness to serve letters will be included in the appendices.

Existing Conditions

1. Electric and natural gas 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 section will describe existing community services, including police protection, fire protection, ambulance services, solid waste services, and recreation, and will include interviews with providers. This section will specifically address the ability of the Maybrook Fire District to serve the fire protection needs of the Project Site and any particular demands that the Proposed Action might place on ambulance services for routine hospital transport. Projected response times for emergency services will be identified. Other emergency

service needs will also be evaluated. The potential impacts of increased population due to the Proposed Action (see Growth-Inducing Aspects) on Community Services and Facilities will 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 stream.

Potential Impacts

1. Police protection (state and local): Applicant will correspond with Town police department to evaluate potential impacts.

2. Fire protection: Applicant will correspond with local fire company to evaluate potential impacts and to discuss fire water tank and sprinkler system and fire hydrant requirements.

3. Ambulance services: Applicant will 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.

Existing Conditions

Description of current fiscal impact the Project 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 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 Project Site.

5. Quantify the number and type of jobs to be introduced by the Proposed Action. 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 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.

9. Discuss workforce availability for the potential jobs to be generated by the Proposed Action.

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. This section 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 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 Action with OPRHP.

O. VISUAL RESOURCES

This section will describe existing visual resources on or near the Project Site, 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 visual impact study locations for the Proposed Action, including the 3rd warehouse, have been approved by the Planning Board and are shown in Figure 1.

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 Action'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 Site.

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 Project Site, including specifically residential properties 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 Project Site, 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 Action 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 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-earned Bats will be discussed.

3. Potential impacts to Bald Eagle nesting sites in the Proposed Action'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 Action design.

CHAPTER 4. ADVERSE ENVIRONMENTAL IMPACTS WHICH CANNOT BE AVOIDED IF THE 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 section will discuss reasonable alternatives to the Proposed Action 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. AMENDED ZONING ALTERNATIVE

In the event that the Town of Montgomery Town Board, during the preparation of the DEIS, adopts zoning amendments which affect the layout of the Proposed Action, the DEIS will evaluate an alternative based on a layout that can be undertaken in compliance with the adopted zoning amendments.

E. 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 Project Site.

CHAPTER 6. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

This chapter will discuss the Proposed Action 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 section will describe the potential growth inducing aspects the Proposed Action 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 Site.

B. SUPPORT FACILITIES

1. Business likely to be created to serve the Proposed Action.

2. Service industries likely to be created to supply the Proposed Action.

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 Action. 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 Action 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. This will include consideration of a model that includes a 1000-year storm event. Relevant discussion with respect to the Proposed Action will be provided based on New York's Climate Leadership and Community Protection Act (Climate Act - CLCPA).

FIGURE 1 – Approved Visual Impact Study Locations

APPENDICES

Following is a list of materials typically used in support of an EIS. This list will include supporting studies required as part of the DEIS.

1. Correspondences

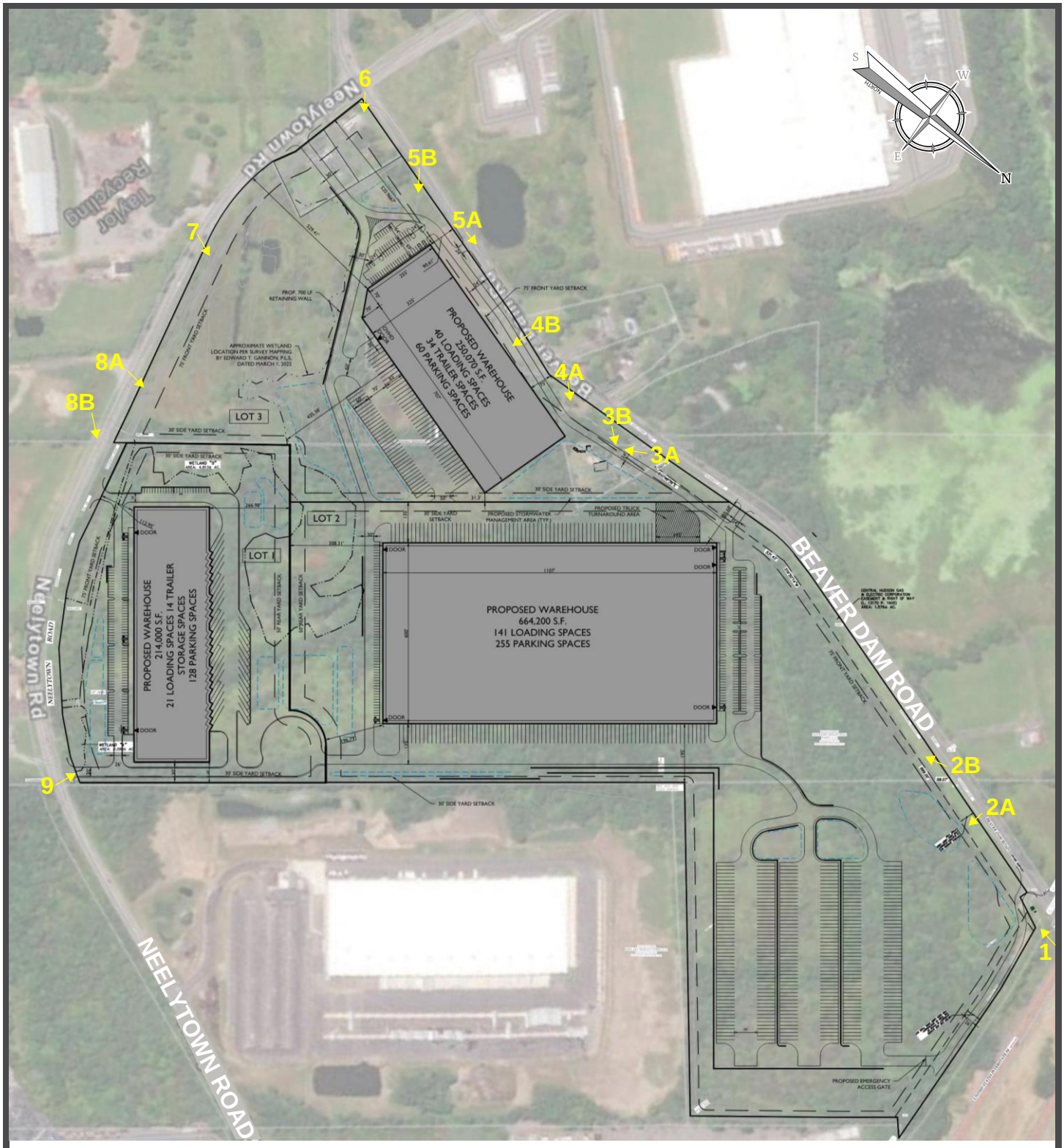
2. SEQRA Documentation (e.g., Scoping Outline).

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. 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



Colliers Engineering & Design

Figure 1
Final Scope for DEIS
Neelytown Business Park

Not to Scale

Date: August 16, 2022

Project No. 21000327A