

**State Environmental Quality Review Act (SEQRA)
SCOPING DOCUMENT
For
Monroe Commons
Draft Environmental Impact Statement**

Adopted November 17, 2020

Introduction

Monroe Nininger LLC, the “Applicant,” is seeking several discretionary approvals (the “Proposed Action”) to develop a 400,646-square-foot mixed-use commercial building containing retail space on the first two floors, a 39-room hotel on the third floor, and office space on the fourth floor (the “Proposed Project”) on an 18.2-acre lot located at 220 Nininger Road (tax lot Section 2, Block 1, Lot 10) in the Town of Monroe (the “Town”), Orange County, New York (the “Project Site” or “Site”). The Project Site is located in the Town’s Heavy Industry (HI) zoning district, and is located on the north side of Nininger Road, adjoining the Village/Town of Woodbury to the east and the Village of Kiryas Joel/Town of Palm Tree to the west.

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 Town of Monroe Planning Board (the “Planning Board”), acting as Lead Agency has determined that the Proposed Action has the potential to result in one or more significant environmental impacts. To identify appropriate measures to mitigate potential impacts and allow the public the greatest opportunity to comment on the potential impacts of the Proposed Action, the Planning Board adopted a “Positive Declaration” on July 9, 2020, requiring the preparation of an Environmental Impact Statement (EIS). This Scoping Document was prepared to guide the preparation of the Draft EIS (DEIS) and describes the Proposed Action, the Proposed Project, and the proposed scope of analysis for the DEIS.

Brief Description of the Proposed Action

To develop the Proposed Project on the Project Site (tax lot Section 2, Block 1, Lot 10), the Applicant is seeking Town approval of several discretionary actions, including:

- Amendment of the Town’s Zoning Ordinance to allow an increase of 10 feet (from 40 to 50 feet) to the maximum building height allowed in the HI District. The proposed zoning text amendment would require approval by the Town Board of the Town of Monroe (the “Town Board”). The Town Board has therefore been identified as an Involved Agency under SEQRA. As discussed below under “Involved/Interested Agencies and Approvals,” County referral of the proposed local law is also required in accordance with GML-239m.
- Approval of an area variance related to the HI district’s lot coverage (and possibly height) requirements from the Town of Monroe Zoning Board of Appeals (the “ZBA”). The ZBA has also been identified as an Involved Agency under SEQRA.

- Approval of a Site Plan, a hotel Special Use Permit, Local Wetlands Permit, and architectural review approval from the Planning Board. These approvals would not be finalized until the Town Board adopts the above referenced zoning text amendment, and the ZBA approves the requested variance(s).

The Proposed Action is a Type I action under SEQRA as it proposes the construction of a non-residential facility that involves the physical alteration of over 10 acres, parking for over 500 vehicles, and a facility with more than 100,000 square feet. See 6 NYCRR §617.4(b)(6)(i), (iii), and (v).

Involved/Interested Agencies and Approvals

The list of the approvals required to construct the Proposed Project is presented below. The governmental agencies responsible for those approvals, shown in parentheses, are identified as “Involved Agencies” pursuant to SEQRA.

- HI Zoning Text Amendment (Town of Monroe Town Board)
- Area Variance for lot coverage, potential height variance (Town of Monroe Zoning Board of Appeals)
- Special Permit for Hotel Use (Town of Monroe Planning Board)
- Site Plan and Architectural Approval (Town of Monroe Planning Board)
- Local Wetlands Permit (Town of Monroe Planning Board)
- Stormwater Pollution Prevention Plan Approval (Town of Monroe Planning Board)
- Highway Work Permit (Orange County Department of Public Works)
- Driveway Permit (Orange County Department of Public Works)
- Utility Permit (Orange County Department of Public Works)
- Orange County Sewer District No. 1 Sewer Use Permit (Orange County Environmental Facilities and Services)
- Plan Review for Wells Serving Public Water Systems (Orange County Health Department)
- Chlorination or Ultra Violet Treatment Application Review (Orange County Health Department)
- State Pollution Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity (New York State Department of Environmental Conservation [NYSDEC], Region 3)
- Water Withdrawal Permit (NYSDEC, Region 3)
- Approval for Wells Serving Public Water Systems (New York State Department of Health)
- Nationwide Wetlands Permit (U.S. Army Corps of Engineers)

“Interested Agencies” participating in review of the Proposed Action under SEQRA, include:

- New York State Department of Transportation, Region 8
- New York State Office of Parks, Recreation, and Historic Preservation (National Historic Preservation Act Section 106 Review, NYS Historic Preservation Act Section 14.09 Review, and other input as required for the SWPPP)
- NYSDEC Department of Fish & Wildlife

- NYSDEC Natural Heritage Program
- Orange County Department of Planning (General Municipal Law [GML] 239-m Referral, Review of proposed Local Law)
- Orange County Department of Public Works (GML 239-f Referral)
- Town of Monroe Building Department (Building Permit)
- Monroe Joint Fire District
- Village of Kiryas Joel
- Town of Palm Tree
- Village of Woodbury
- Town of Woodbury
- Village of Monroe
- Village of Harriman
- Monroe-Woodbury Central School District

Brief Description of the Proposed Project

The Proposed Project would be facilitated by the Proposed Action and would consist of the following components on the Project Site:

- A four-story, approximately 400,646-square-foot mixed-use commercial building containing retail space on the first two floors, a 39-room hotel on the third floor, and office space on the fourth floor. Each floor of the building would include approximately 82,701 square feet of floor area. The building would rise to a height of 50 feet.
- Surface parking for approximately 1,071 vehicles (including “land-banked” or “deferred” parking in accordance with Section 57-47 of the Town Code) accessible via two 26-foot-wide driveways extending off of Nininger Road.
- Landscaping, stormwater management, and a wetland mitigation area.
- On-site private wells.

Off-site Considerations of the Proposed Zoning Text Amendment

The proposed zoning text amendment related to maximum building height would be applicable to all Town parcels mapped in the Town’s HI zoning district. Because the Applicant is seeking a text amendment that would apply to the whole district, the DEIS must address the district-wide implications of this action. As described in Section 18 below, the DEIS will include a separate chapter to discuss the existing HI-zoned parcels in the Town and assess the potential for environmental impacts from increasing the maximum building height regulation from 40 feet to 50 feet.

Positive Declaration

On April 21, 2020, the Planning Board declared its intent to serve as Lead Agency for the SEQRA environmental review of the Proposed Action. A Notice of Intent to Establish Lead Agency was circulated to the Involved Agencies on May 11, 2020. After waiting the required 30 days and receiving no written objections from Involved Agencies, the Planning Board declared itself Lead Agency on June 11, 2020.

Pursuant to the rules and regulations of the State Environmental Quality Review Act (SEQRA, Article 8 of the Environmental Conservation Law and its implementing regulations at 6 NYCRR 617), the Planning Board, acting as Lead Agency adopted a Positive Declaration on July 9, 2020, thereby finding that the Proposed Action may potentially have a significant adverse impact on the environment and therefore requiring preparation of a DEIS.

The SEQRA Positive Declaration adopted by the Planning Board on July 9, 2020 found that the implementation of the Proposed Action, when compared with the SEQRA criteria of environmental effects listed in Section 617.7 of the SEQR regulations, may have potential significant adverse impacts on the environment and listed the following as reasons supporting its Determination of Significance:

- The Proposed Action may involve construction on land where depth to the water table is less than three feet.
- The Proposed Action may involve construction on slopes of 15 percent or greater.
- The Proposed Action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.
- The Proposed Action may involve the excavation and removal of more than 1,000 tons of natural material.
- The Proposed Action may involve construction that continues for more than one year or in multiple phases.
- The Proposed Action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).
- The Proposed Action involves significant grading.
- The Proposed Action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.
- The Proposed Action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.
- The Proposed Action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.
- The Proposed Action may affect the water quality of any water bodies within or downstream of the site of the proposed project.
- The Proposed Action may require the construction of new, or expansion of existing, wastewater treatment facilities.
- The Proposed Action will require new water supply wells, or create additional demand on supplies from existing water supply wells.
- Water supply demand from the Proposed Action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer.
- The Proposed Action is located over a portion of the Ramapo River Basin Aquifer Systems Sole Source Aquifer.
- The Proposed Action may result in, or require, modification of existing drainage patterns.
- The Proposed Action will introduce traffic that could contribute to air pollution.
- The Proposed Action involves construction that could result in fugitive dust.

- The Proposed Action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.
- The Proposed Action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.
- The Proposed Action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.
- The Proposed Action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.
- The Proposed Action may substantially interfere with nesting/breeding, foraging, or overwintering habitat for the predominant species that occupy or use the project site.
- The Proposed Action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat.
- Proposed Action may be visible from officially designated federal, state, or local scenic or aesthetic resource.
- The Proposed Action may be visible from publicly accessible vantage points both seasonally and year round. The situations or activities which viewers are engaged in while viewing the Proposed Action include routine travel by residents, including travel to and from work, and during recreational or tourism based activities.
- The Proposed Action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory.
- The Proposed Action may result in the destruction or alteration of all or part of the site or property.
- The Proposed Action may result in the alteration of the property's setting or integrity.
- The Proposed Action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.
- Projected traffic increase may exceed capacity of the existing road network.
- The Proposed Action may result in the construction of paved parking area for 500 or more vehicles.
- The Proposed Action may utilize more than 2,500 megawatt hours (MWhrs) per year of electricity.
- The Proposed Action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.
- The Proposed Action may produce sound above noise levels established by local regulation.
- The Proposed Action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.
- The Proposed Action may result in light shining onto adjoining properties.

- The Proposed Action may result in lighting creating sky-glow brighter than existing area conditions.
- The Proposed Action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).
- The Proposed Action is inconsistent with local land use plans or zoning regulations.
- The Proposed Action is inconsistent with County plans, or other regional land use plans.
- The Proposed Action may create a demand for additional community services (e.g. schools, police and fire)
- The Proposed Action is inconsistent with the predominant architectural scale and character.
- The Proposed Action is inconsistent with the character of the existing natural landscape.

These potential adverse impacts identified by the Lead Agency in the Positive Declaration will be addressed in the DEIS.

Scoping

Pursuant to Part 617.8, the Lead Agency has conducted scoping, the primary goals of which are to focus the DEIS on potentially significant adverse impacts, and to eliminate consideration of those impacts that are not significant or irrelevant. A public scoping meeting was held virtually on September 10, 2020 (video link: <https://www.youtube.com/watch?v=zRd3E0ISOhg>) and written comments on the draft Scoping Document were accepted through September 21, 2020 at 4 P.M. The Planning Board and the Applicant have mutually agreed to extend the 60-day time period for issuing a Final Scoping Document to November 17, 2020.

This 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

Required Organization and Expected Content of the DEIS

General Guidance

The DEIS is intended to convey general and technical information regarding the potential environmental impacts of the Proposed Action to the Town of Monroe Planning Board (as Lead Agency) and other boards and agencies involved or interested in the review of the Proposed Action. The DEIS is also intended to convey the same information to the interested public. The preparer of the DEIS will keep this audience in mind as it prepares the document. Enough detail

will be provided in each subject area to ensure that most readers of the document will understand, and be able to make decisions based upon, the information provided. Efforts will be made to avoid the use of technical jargon; however, where technical information will be necessary, definitions and explanations will be provided for clarity.

Narrative discussions will be accompanied by appropriate tables, charts, graphs, and figures whenever possible. Where a particular subject can be most effectively described in graphic format, the narrative discussion will attempt to summarize and highlight the information presented graphically. Plans and maps showing the Project Site will include adjacent properties (if appropriate), neighboring uses and structures, roads, appropriate natural features, and water bodies.

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

Required Elements

The DEIS shall contain an analysis of environmental impacts in the subject areas outlined below and an identification of potential significant adverse environmental effects that cannot be avoided if the Proposed Action is implemented. 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. An Executive Summary describing the Proposed Action and potential significant adverse impacts identified shall also be included.

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.

Organization and Content of DEIS

Cover Sheet and General Information

Introductory Material - Cover Sheet that includes:

Title (i.e., Draft Environmental Impact Statement);

Identification of the Proposed Action, including name and location;

Identification of the Lead Agency for the project;

The following contact information for the Lead Agency:

Bonnie Franson, Chair
Town of Monroe Planning Board
1465 Orange Turnpike, Lower Level
Monroe, New York 10950
(845) 783-1900 ext. 115

The website where SEQRA documents will be located:

<https://www.monroeny.org/index.php/document-center/planning-board-projects-1/monroe-commons-1.html>

Date DEIS is submitted and revision dates;

Date of acceptance of the DEIS;

Date, time and location of public hearing on the DEIS;

Deadline by which comments on the DEIS are due;

Name, address, phone and email of sponsor of Proposed Action, and the name, address, phone and email address for a contact person representing the Applicant;

The name, address, phone and email of the primary preparer(s) of the DEIS and a list of consultants involved;

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1. EXECUTIVE SUMMARY

- 1.1. INTRODUCTION, PURPOSE OF DOCUMENT
- 1.2. SUMMARY DESCRIPTION OF THE PROJECT SITE
 - 1.2.1. *Project Site and its Environmental Setting*
- 1.3. LIST OF INTERESTED/INVOLVED AGENCIES AND REQUIRED APPROVALS
- 1.4. SUMMARY OF THE PROPOSED ACTION AND PROPOSED PROJECT
 - 1.4.1. *Zoning Text Amendment, Variances, Site Plan and Special Permit Approvals*
 - 1.4.2. *Proposed Project*
- 1.5. PURPOSE, PUBLIC NEED AND BENEFITS

Description of the Applicant's purpose and public need for the Proposed Action.

Summary of the public benefits of the Proposed Action, including social and economic considerations.
- 1.6. SUMMARY OF POTENTIAL SIGNIFICANT ADVERSE IMPACTS AND MITIGATION MEASURES
- 1.7. SUMMARY OF ALTERNATIVES ANALYZED

2. PROJECT DESCRIPTION

- 2.1. PROJECT IDENTIFICATION

The introduction will identify the document as the DEIS for the Proposed Action, and will describe the location and main programmatic elements of the Proposed Action.
- 2.2. PROJECT SITE / ENVIRONMENTAL SETTING

Identify and describe the current condition and environmental setting of the Project Site in text and graphics, including the Site's location, existing infrastructure, wetlands/waterbodies, access, and roadway/circulation network.

Describe all recent activity/improvements at the Project Site and the relationship of such activities to the Site's existing natural features and resources, including but not limited to the installation of the gravel access road and recent drilling of water supply wells. The dates of such improvements/activities will be provided, and relevant correspondence with agencies (permits, etc.) will be included as an Appendix.

Describe the Site's environmental setting and its relationship to neighboring properties. The description will include a discussion of the Site's natural and man-made features, its historic land use/previous disturbance, its built character, and its location relative to transportation corridors, the Village of Woodbury, Town of Woodbury, Village of Kiryas Joel, and the Town of Palm Tree.

Identify any easement, rights-of-way, restrictions, special district boundaries, etc. affecting the Project Site's development potential.

Identify, describe and map all properties in the HI District that would be impacted by the proposed zoning text amendment.

2.3. PROPOSED ACTION

Fully describe the zoning text amendment, variance(s), site plan, special permit, Local Wetlands Permit, architectural review, and all other approvals being sought, including Town Code citations and the roles of the Town Board, ZBA, and Planning Board in the review and approval process.

Include a reference to the “Potential Impacts of the Proposed Zoning Text Amendment” Chapter.

2.4. PROPOSED PROJECT

Provide a narrative description of the proposed mixed-use building, Site access and internal Site-circulation, utilities, landscaping, grading, drainage, parking and loading, and architectural data.

Describe the proposed wetland mitigation area currently part of the Proposed Project’s site plan.

Describe any green and sustainable technologies proposed for the mixed-use building, parking and landscaping areas, including but not limited to best management practices for water conservation and stormwater management, and alternative sources of energy (solar, etc.).

Include graphic depictions of the Proposed Project to supplement the narrative description provided, including but not limited to the following:

- Site Plan set incorporating all elements required by Town Code § 57-17;
- Floor plans (internal layout) of the proposed building;
- Architectural plans, elevations and renderings incorporating all elements required by Town Code § 57-32, including building materials and colors, window glazing, mechanical screenings, and any green building technologies;
- Construction phasing plan;
- Grading plan including proposed limits of disturbance;
- Tree inventory and removal/preservation plan pursuant to Town Code § 57-84;
- Landscaping plan incorporating all elements required by Town Code § 57-17 and the Planning Board’s landscape architecture consultant¹; and
- Stormwater Pollution Prevention Plan (SWPPP) and Erosion and Sediment Control Plan incorporating all elements required by Chapter 46 of the Town Code and the Planning Board’s consulting engineer.

2.5. PURPOSE, PUBLIC NEED AND BENEFITS

Description of the Applicant’s purpose and the public need for the Proposed Action.

Summary of the public benefits of the Proposed Action, including social and economic considerations.

¹ Memos from Karen Arent Landscape Architect to the Town of Monroe Planning Board, dated August 27, 2020 and October 15, 2020.

2.6. INTERESTED/INVOLVED AGENCIES AND REQUIRED APPROVALS

Provide a comprehensive list of Involved and Interested Agencies and all approvals, permits and reviews required from each.

3. LAND USE AND ZONING

This Chapter will discuss the potential impacts on land use and zoning as a result of the Proposed Project.

3.1. LAND USE

3.1.1. *Existing Conditions*

Map and describe existing land use of the Project Site and the surrounding area within ½ mile of the Project Site, including within the Town of Monroe, Village of Woodbury, Town of Woodbury, Village of Kiryas Joel, and the Town of Palm Tree.

Map and describe existing and approved hotels within 5 miles of the Project Site and pending land use applications for hotels within 5 miles of the Project Site. The location and details of approved hotels and pending hotel applications within 5 miles of the Project Site shall be obtained from neighboring municipalities. Include a summary of the market analysis required for the hotel special use under Town Code § 57-13(L)(7) and attach the market analysis as an Appendix. Include references to the “Fiscal and Economic Impacts” Chapter where appropriate.

Identify and provide photographs of similarly sized buildings in Orange County or nearby (*i.e.*, individual buildings with 400,000 sq. ft. gross floor area).

Describe any land use recommendations relevant to the Project Site or the Proposed Project from applicable portions of the following adopted policy documents:

- Town of Monroe Comprehensive Plan (2017);
- Village of Woodbury Comprehensive Plan (2019);
- Orange County Comprehensive Plan (including the Transportation chapter and the identification of the Project Site as being located in a Priority Growth Area) (2019);
- Orange County Open Space Plan (2004);
- Orange County Greenway Compact (2013);
- Southeast Orange County Traffic and Land Use Study (2005);
- Mid-Hudson Regional Sustainability Plan (2013); and
- USDA Forest Service New York-New Jersey Highlands Regional Study (2002).

3.1.2. *Future Without the Proposed Action*

In coordination with the Town and surrounding municipalities, map and describe any known land use changes expected to occur within ½ mile of the Project Site in the future without the Proposed Action.

The above discussion will include any plans by the Applicant to develop the approximately 12-acre parcel (Section 225, Block 1, Lot 30) located immediately to the north of the Project Site within the Village of Woodbury.

3.1.3. *Potential Impacts of the Proposed Action*

Discuss the compatibility of the Proposed Project's land uses with those uses found within ½ mile of the Project Site, including within the Town of Monroe, Village of Woodbury, Town of Woodbury, Village of Kiryas Joel, and the Town of Palm Tree.

Discuss the compatibility of the Proposed Project's height with the operations of the nearby State Police barracks at 369 Nininger Road, including potential operational conflicts with the existing helicopter pad at this location. Include references to the "Traffic and Transportation" Chapter and "Community Facilities and Services" Chapter where appropriate.

Analyze the consistency of the Proposed Action with the applicable portions of the adopted policy documents referenced in Section 3.1.1 above.

3.1.4. *Mitigation Measures*

Identify and describe measures that would be implemented to avoid or mitigate potential significant adverse land use impacts resulting from the Proposed Action and Proposed Project.

3.2. ZONING

3.2.1. *Existing Conditions*

Map and describe the existing zoning of the Project Site and the area within ½ mile of the Project Site, including within the Town of Monroe, Village of Woodbury, Town of Woodbury, Village of Kiryas Joel, and the Town of Palm Tree.

3.2.2. *Future Without the Proposed Action*

In coordination with the Town and surrounding municipalities, map and describe any known zoning changes expected to occur within ½ mile of the Project Site in the future without the Proposed Action.

3.2.3. *Potential Impacts of the Proposed Action*

Analyze the Proposed Project's compliance with the use/dimensional regulations for the HI zoning district and special permit, site plan and architectural review standards set forth by the Town of Monroe Code.

Describe the zoning text amendment and variance(s) being sought to facilitate the Proposed Project, including a comparison to the current HI use and dimensional regulations. Include a reference to the "Potential Impacts of the Proposed Zoning Text Amendment" Chapter, where appropriate.

Describe the proposed number of parking spaces and applicability of Section 57-47 of the Town's Zoning Code, including how much "land-banked" or "deferred" parking could be reserved on the Project Site.

3.2.4. *Mitigation Measures*

Identify and describe measures that would be implemented to avoid or mitigate potential significant adverse land use impacts resulting from the Proposed Action and Proposed Project.

4. GEOLOGY, SOILS AND TOPOGRAPHY

This Chapter will focus on potential impacts on geology, soils and topography as a result of the Proposed Project.

4.1. EXISTING CONDITIONS

Identify and map the major geologic, soil, and topographical conditions on the Project Site, focusing on the suitability of the Site for development using published data (i.e., USDA-NRCS Web Soil Survey and a site-specific geotechnical engineering report, and topographical data from a site survey).

Describe on-Site soils in accordance with the Soil Survey for Orange County, New York, and supported with actual borings where necessary. The evaluation of Project Site soils will include soil characteristics, including erosion potential, precipitation infiltration potential, and hydric soils.

Identify the soil types occurring on the immediately abutting borders of the adjacent properties, including any areas consisting of fill.

Identify if any soils present on the site are considered hydric soils.

Describe underlying geological conditions including depth to bedrock, bedrock type(s), fractures and faults, and depth to groundwater.

Discuss the general drainage characteristics of the Project Site, including any sub-catchments within the Project Site.

Discuss site and regional seismic characteristics.

Describe site topography and slopes and provide a topographic survey of the Project Site based on a two-foot contour interval.

Map existing topography based on the following slope categories:

- 1-15 percent
- 15-20 percent
- 20-25 percent
- 25 percent and greater

4.2. POTENTIAL IMPACTS OF THE PROPOSED PROJECT

Discuss any limitations that geology or soils may place on the development of the Site.

Describe potential impacts to bedrock, rock outcroppings and soil conditions as a result of the Proposed Project. Potential impacts of grading and excavation, including potential impacts to steep slopes, will be quantified and discussed.

Discuss the cut-and-fill balance and map and describe the amount of material to be removed or imported at the Project Site (cut/ fill).

Map proposed topography based on the following slope categories:

- 1-15 percent
- 15-20 percent
- 20-25 percent
- 25 percent and greater

Discuss potential impacts with regard to soil erosion.

Discuss any limitations or relevant regulations of the Town Code (e.g. Chapter 44 – “Soil and Sediment Control”), or any Federal, State or local regulations and compliance therewith.

Discuss and illustrate the amount of grading proposed within development areas and the use of retaining walls on the Project Site.

Illustrate the locations of all areas where existing vegetation will be removed, and where heavy equipment is/will be operating, for either pre-construction or post construction activities.

Identify depth of existing topsoil and depth of soil horizons (A, B and C) to replicate in proposed planting areas.

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.

Discuss how development will affect pre-development versus post-development sub-catchment boundaries and stormwater runoff.

Discuss the potential for blasting or alternatives for rock removal during construction, including rock removal needed to provide a minimum of 30” soil depth for all planting areas.

4.3. MITIGATION MEASURES

Identify and describe measures that would be implemented to avoid or mitigate potential significant adverse impacts on geology, soils and topography resulting from the Proposed Action and Proposed Project, including, but not limited to, phasing considerations, construction methods and the required Erosion and Sediment Control (ESC) Plan and Best Management Practices in accordance with NYSDEC and Town of Monroe regulations.

5. WETLANDS AND SURFACE WATER RESOURCES

This Chapter will focus on potential impacts related to wetland and surface waters as a result of the Proposed Project.

5.1. EXISTING CONDITIONS

Describe and map (and include on the Site Plan) existing surface waters, including the Project Site’s wetlands (as of April 2020, prior to disturbance by well drilling in May 2020), Class C stream, and any other natural or manmade water features including a description in terms of jurisdiction, classification, size, applicable regulated areas (buffers, etc.).

Describe all activity/improvements at the Project Site and the relationship of such activities to the Site’s existing wetlands and surface water resources, including the

installation of the gravel access road, recent drilling of water supply wells, and all existing improvements/encroachments into wetlands and surface water resources.

Discuss the recently drilled water supply wells on-Site in relation to NYSDOH requirements for separation from identified wetland areas (50 feet).

In addition to the U.S. Army Corps of Engineers (USACE), identify the agency(ies) that regulate the wetlands, waterbodies, or their adjacent areas/buffers on or proximate to the Project Site.

Provide a jurisdictional determination by the USACE as part of the DEIS. Delineate wetland boundaries in accordance with the USACE Wetland Delineation Manual and regional supplements, including Chapter 56 of the Town Code.

Following the formal delineation, wetland flags will remain and be clearly visible to the Town's consultant for site visit verification.

Describe existing on-Site surface water conditions of each delineated wetland, watercourse and open water resource.

Describe the existing condition of the wetland, character of the wetland, wetland function and values, and watercourse adjacent areas/buffers.

Describe resident species either through direct observation or anticipated to be present in the wetlands. Provide a reference to the "Vegetation and Wildlife" chapter where appropriate.

Provide a wetland delineation report as an attachment in accordance with professionally accepted standards. This report should include data sheets, photographs, and maps.

Surface water testing will be performed within the watercourses and wetlands onsite. A workplan identifying sampling locations (selected jointly with the Planning Board's ecological/hydrogeological consultants), methods, and analytical requirements would be provided for review/approval by the Planning Board and consultants prior to conducting sampling. Surface water will be collected from a minimum of three locations (one upgradient, and two central (flowing and non-flowing water)). This sampling will be carried out when the presence of surface water flow is expected to be most probable. The surface water samples will be analyzed for baseline parameters including those listed below:

- Turbidity, pH, temperature (air and water), total petroleum hydrocarbons (TPH) including diesel range organics (DRO) and gasoline range organics (GRO), dissolved oxygen, conductivity, salinity, total dissolved solids, phosphorus, nitrate, nitrite, sodium, chloride, and biochemical oxygen demand (BOD). A notation regarding the timing of the most recent precipitation event will also be recorded at the time of sampling.
- Sample locations will be staked in the field for future reference, if needed, and located via GPS for inclusion on a site plan. At the time of sampling, an estimate of the flow entering the wetland/standing water body (measured at the gravel road crossing culvert, immediately upstream of the wetland area) will be made. If applicable, an estimate of the flow

leaving the standing water body at the downstream culver/channel will also be made.

A report detailing baseline water quality in accordance with the methodology presented above will be appended to the DEIS. The report will contain all applicable data, analyses, and site inspection reports.

5.2. POTENTIAL IMPACTS OF THE PROPOSED PROJECT

Calculate, map, and show in tabular form the potential direct or indirect impacts to surface waters or wetlands and their adjacent areas/buffers as a result of the Proposed Project. Identify the local, State, and Federal permits required for disturbance and demonstrate compliance with all permitting requirements including avoidance, etc.

Discuss and quantify all potential encroachments into surface water resources or regulated areas as a result of the Proposed Project, including a discussion of whether the encroachments will be permanent or temporary and impacts associated therewith.

Assess potential impacts on the existing conditions, character, functions and values of the on-Site wetland area.

Discuss the Proposed Project in relation to all requirements of the Town of Monroe's Wetlands Ordinance (Chapter 56 of the Town Code).

Describe and quantify the anticipated impact of stormwater to the existing wetland character and function.

Evaluate the feasibility of the proposed wetland mitigation area depicted on the Proposed Project's site plan, providing all necessary data to support a conclusion that there is no option to avoid or minimize the direct impact to the on-Site wetland.

Discuss impacts from long-term use of the Project Site after construction, including impacts of de-icing practices, lawn care products, fertilizers, pesticides, herbicides, and other maintenance operations.

Summarize the surface water quality testing program (and appended report) outlined in Section 5.1 above, and evaluate the impact of the Proposed Project based on the data collected.

5.3. MITIGATION MEASURES

Identify and describe measures that would be implemented to avoid or mitigate potential significant adverse impacts to wetlands, watercourses, open waters and/or adjacent areas/buffers as a result of the Proposed Action and Proposed Project, in accordance with Town of Monroe, NYSDEC, and USACE requirements as applicable including, but not limited to, preparation and inclusion of a drainage study and SWPPP which shall be described in the DEIS text and included as Appendices.

Include an explanation of avoidance and minimization alternatives to eliminate or reduce wetland impacts.

Discuss the suitability, adequacy, and feasibility of the proposed wetland mitigation area depicted on the Proposed Project's site plan.

Based on the findings of the water quality testing described in Sections 5.1 and 5.2 above, identify any need for additional monitoring over the course of the Proposed Project's construction.

6. GROUNDWATER RESOURCES

This Chapter will focus on potential impacts to groundwater resources as a result of the Proposed Project.

6.1. EXISTING CONDITIONS

Describe the existing bedrock aquifers and recharge areas including characteristics such as condition, location, depth to water table, and flow of groundwater. Describe the proximity of the Project Site to the neighboring water supply wells and the Ramapo River Basin Sole Source Aquifer.

Identify existing on-Site and nearby water supply wells and local water demand from groundwater sources.

Identify NYSDEC and Orange County Department of Health regulatory requirements and water quality standards.

6.2. POTENTIAL IMPACTS OF THE PROPOSED PROJECT

Describe locations of proposed wells on the Project Site and setback requirements for on-site wells.

Calculate the anticipated water demand for the Proposed Project, which shall include all potential commercial uses and use for irrigation and landscaping purposes. Pumping tests for any wells installed for use at the Proposed Project, regardless of intended usage (e.g., drinking water, irrigation, dewatering, etc.), will be completed in accordance with NYSDEC and OCDOH requirements. Testing will be completed at rates consistent with the proposed demands inclusive of a minimum safety factor of 20 percent and include accommodations for peak demands and projecting impacts from drought conditions and future climate change impacts on groundwater recharge.

Pumping tests will include the collection of groundwater samples from the respective wells for submittal to a New York certified laboratory for appropriate drinking water parameters (NYSDOH), and include sodium, chloride, and PFAS.

A Hydrogeologic Report will be prepared for the Proposed Project, included as an Appendix, and fully summarized in the DEIS, including the following information:

- Description of pumping test and groundwater sampling protocols, water level data and corresponding graphs collected during testing.
- Laboratory results of groundwater sample testing, and a discussion of anticipated treatment needs.
- Description of potential sources of any contaminants detected by the laboratory analyses, including references to NYSDEC's "Info Locator" Database to identify the locations of local land uses and businesses potentially associated with groundwater and soil contamination occurring within a 1-mile radius of the proposed wells.
- Description of potential on-Site and nearby off-Site lateral and vertical groundwater flow directions, and available groundwater recharge under existing and proposed development conditions (e.g., introduction of impervious surfaces).
- Map(s) depicting locations and extent of potential groundwater bearing bedrock fractures (on-Site and nearby off-Site).

- Map the locations of the closest Ramapo River watershed and Ramapo Valley Aquifer system boundaries, and locations and geologic logs for all nearby identified existing wells.

Based on the projected yield of the Project Site's water supply wells, determine if potential exists for other nearby developments to utilize these wells. Include references to the "Growth Inducing Aspects" Chapter where appropriate.

Discuss potential impacts to the Ramapo River Basin Sole Source Aquifer, including any impacts from use of de-icing agents, lawn care products, fertilizers, pesticides, herbicides, and other maintenance operations.

Discuss the potential for the on-Site wetlands and water bodies to act as groundwater recharge sources and the possible impacts related to increased impervious surface from on-Site and nearby off-Site locations.

Describe any green and sustainable water conservation technologies/best management practices proposed for the mixed-use building, parking and landscaping areas.

6.3. MITIGATION MEASURES

Identify and describe measures that would be implemented to avoid or mitigate potential significant adverse impacts on groundwater resources that may result from the Proposed Action and Proposed Project, including, but not limited to, any green and sustainable water conservation technologies/best management practices.

7. VEGETATION AND WILDLIFE

This Chapter will focus on potential impacts on vegetation and wildlife as a result of the Proposed Project.

7.1. EXISTING CONDITIONS

Using information from Federal, State, and County resources, including the NYSDEC and U.S. Fish and Wildlife Services (USFWS), supplemented with ecological field surveys and a Habitat Assessment conducted by a qualified biologist, known protected, endangered, threatened, and rare species and habitats on the Project Site, as well as protected species and habitats known to occur or that have the potential to occur on the Project Site, will be identified. These species include but are not limited to the Indiana bat, Northern long-eared bat, bog turtle, and small whorled pogonia. Onsite assessments will take place in seasons of the year where the identified species are active. The Habitat Assessment will map and describe the types and sizes of vegetative cover and habitat (including existing aquatic habitats) on the Project Site and the potential for listed species to use the habitat. Maps and photographs will be provided to document important features. The Habitat Assessment will be summarized in the DEIS and the complete report included as an Appendix. Correspondence with NYSDEC and USFWS will also be included as an Appendix.

Identify, describe, and map any invasive species present on the Project Site.

Submit a tree inventory depicting existing conditions of the Project Site in accordance with Town Code § 57-84. The inventory will include identification by species, diameter at breast height (DBH), condition of the tree, and potential for bat habitat. The inventory will also identify whether or not any trees would qualify as a landmark, native, protected or specimen tree, as defined in Town Code § 57-3 and referenced in Town Code § 57-

93. The Applicant shall arrange for a site visit by the Monroe Conservation Commission and describe any comments/recommendations of the Monroe Conservation Commission including, but not limited to, comments/recommendations as to the presence of any trees that would qualify as a landmark, native, protected or specimen tree.

7.2. POTENTIAL IMPACTS OF THE PROPOSED PROJECT

Identify and assess the potential direct impacts to existing vegetative communities or wildlife habitat as a result of the Proposed Project. Discuss changes to species assemblages that are anticipated including the impact to forest interior species.

Identify and assess the potential direct and indirect impacts to the wildlife presently occurring, or expected to occur, on or in proximity to the Project Site.

Assess the potential direct and indirect impacts to protected species or habitat that occur, or have the potential to occur, on or in proximity to the Project Site.

Discuss potential for wildlife species to be impacted or displaced from the Project Site and the fragmentation of habitat areas, including but not limited to a discussion of all species identified by NYSDEC or USFWS, including habitat impacts as well as impacts from noise and light. Include a discussion of fragmentation of large habitat blocks that currently extend onto adjacent properties.

Discuss amount of vegetation removal, including any portions of habitats identified by NYSDEC or USFWS, and the amount of open and/or green space that will remain after construction. A tree plan depicting proposed areas of disturbance, etc. will be submitted in accordance with Town Code § 57-84.

Discuss potential for the Proposed Project (e.g., proposed well pumping, establishment of impervious surface) to impact the on-site wetland vegetation relating to groundwater recharge.

Discuss the anticipated changes to the on-Site wetland from the proposed filling activities. Include a reference to the “Wetlands and Surface Water Resources” chapter where appropriate.

7.3. MITIGATION MEASURES

Identify and describe measures that would be implemented to avoid or mitigate potential significant adverse impacts on vegetation and wildlife that may result from the Proposed Action and Proposed Project. Mitigation measures may include, but not be limited to, preservation, rehabilitation, relocation, plantings, restrictions on tree-cutting time periods, etc.

8. STORMWATER MANAGEMENT

This Chapter will focus on potential impacts on stormwater management as a result of the Proposed Project.

8.1. EXISTING CONDITIONS

Discuss the general drainage characteristics of the Project Site, including identification of sub-catchments within the Project Site.

Calculate and describe the pre-development peak runoff volumes and rates for the 1-, 10-, and 100-year storm events.

Describe the existing stormwater runoff quality.

8.2. POTENTIAL IMPACTS OF THE PROPOSED PROJECT

Calculate the size of proposed impervious surfaces.

Provide a drainage study and SWPPP in accordance with the requirements of the Town of Monroe and NYSDEC. The SWPPP shall include a maintenance program to inspect, repair, and clean out proposed stormwater management facilities on an ongoing basis.

Describe and depict the proposed post-construction stormwater management system, including changes to existing drainage patterns, subsurface conveyance systems, water quality treatment practices and water quality control practices. All stormwater management areas will be designed in accordance with NYSDEC guidelines. Include any green infrastructure measures used to cleanse stormwater and surface runoff on the landscaping plan.

Illustrate grading proposed within development areas and discuss how development will affect sub-catchment boundaries and storm water runoff. Discuss how the Proposed Project could increase the peak flow rates from the Site. Calculate and describe the post-development peak run-off rates and volumes for the 1-, 10- and 100-year storm events using a methodology in conformance with the Natural Resources Conservation Service Technical Release Number 55 (TR-55) and specific to Orange County. Describe the potential impacts to downstream wetlands, ponds, streams, and other nearby surface waters and water bodies.

Discuss how the Proposed Project could increase pollution discharge from the Site.

Describe the operational policies included as part of the Proposed Project to minimize pollutant loading to stormwater runoff.

8.3. MITIGATION MEASURES

Identify and describe measures that would be implemented to avoid or mitigate potential significant adverse impacts related to stormwater management that may result from the Proposed Action and Proposed Project.

Provide a SWPPP and Erosion and Sediment Control Plan in accordance with NYSDEC and Town of Monroe regulations to mitigate impacts from changes in drainage patterns.

Discuss how Peak Runoff Rates will be mitigated in accordance with the Requirements of the NYS Stormwater Design Manual.

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.

9. TRAFFIC AND TRANSPORTATION

This Chapter will focus on the potential impacts to traffic and transportation as a result of the Proposed Project, utilizing an analysis year of 2024.

A Traffic Impact Study will be conducted, which will evaluate existing traffic conditions compared to conditions that would be anticipated upon completion of the Proposed Project. The

study will address potential impacts and will identify proposed traffic and safety improvements or mitigation measures necessary to reduce the impact of the Proposed Project on the adjacent roadway network.

9.1. EXISTING CONDITIONS

Describe the roadways in the area surrounding the Project Site, including the following characteristics: roadway conditions, pavement widths, pavement markings, number of travel lanes, locations of sidewalks and curbing, traffic control, on-street parking regulations, posted speed limit, and the jurisdiction of each roadway.

Evaluate traffic conditions at the following locations (the “Study Area”):

- Intersection of CR 105 (Bakertown Rd) and CR 64 (Nininger Rd)
- Intersection of CR 105 (Bakertown Rd) and Bakertown Rd
- Intersection of Bakertown Rd, Spring Street and Freeland Street
- Intersection of CR 64 (Nininger Rd) and CR 95 (Dunderberg Rd)
- Intersection of CR 64 (Nininger Rd) and NY Route 32 Access (Roundabout)
- Intersection of CR 64 (Nininger Rd) and NY Route 32
- Route 17 Eastbound Ramps and NY Route 32
- Route 17 Westbound Ramps and NY Route 32

Due to the currently ongoing COVID-19 pandemic resulting in atypical levels of vehicular traffic, field measurements of traffic volumes would not be sufficient to represent expected traffic conditions upon completion of the Proposed Project. Therefore, existing conditions traffic volumes for the traffic study will be based on a combination of historic traffic data, previously approved studies, and new traffic data to develop the baseline traffic volumes for the weekday AM, weekday PM, and Sunday peak periods.

Historic Turning Movement Counts (TMCs):

- CR 105 (Bakertown Rd) and CR 64 (Nininger Rd) - May/June 2019 weekday AM/PM
- CR 105 (Bakertown Rd) and Bakertown Rd - May/June 2019 weekday AM/PM
- Bakertown Rd, Spring Street and Freeland Street - February 2017 weekday AM/PM
- CR 64 (Nininger Rd) and CR 95 (Dunderberg Rd) - February 2017 weekday AM/PM

Historic Automatic Traffic Recorder (ATR) data:

- CR 64 (Nininger Rd) - February 2017
- CR 105 (Bakertown Rd) - August 2019

Previously Approved Traffic Studies:

- Route 17 at Route 32 (Exit 131) Reconstruction (D900038) Traffic Study - April 2018
- Veyoel Moshe Garden EIS - December 2017

New Traffic Data:

- CR 105 (Bakertown Rd) and CR 64 (Nininger Rd) - TMC data for the weekday AM, weekday PM, and Sunday peak periods.
- CR 64 (Nininger Rd) - ATR data
- CR 105 (Bakertown Rd) - ATR data

Develop a weekday to Sunday peak hour adjustment factor based on new and historical ATR data to apply to the weekday historic TMC data and estimate Sunday peak period volumes. Compare new TMC data for the Sunday peak period with estimates to confirm the Sunday patterns have been properly estimated.

As the Route 32 corridor, including a portion of Nininger Road, have undergone substantial reconfiguration beginning in 2017 with substantial completion in 2020, approved projected traffic volumes with the roadway reconfiguration from the Route 17 at Route 32 (Exit 131) Reconstruction (D900038) Traffic Study will be used.

Determine Sunday traffic volumes by comparing available Sunday data along Route 32 to the projected Saturday volumes to estimate Sunday peak period volumes.

Perform capacity analyses to determine Level of Service (LOS) for each of the Study Area intersections listed above using methodologies from the latest version of the Highway Capacity Manual utilizing the most recently approved version of the Synchro traffic software (version 10). Use inventories of existing roadways including roadway geometry, speed limits, traffic control devices, signage and striping, and official signal timing plans from the appropriate agencies to determine appropriate parameters for analysis. Summarize the existing conditions LOS in tabular form.

Obtain the most recent three years of available crash data (prior to COVID-19) from the New York State Department of Transportation (NYSDOT), New York State Police, the Town of Monroe, and the Village/Town of Woodbury. Summarize the crash data in tabular form to determine general vehicular safety conditions in the Study Area. Discuss in detail locations with notable crash history and patterns, and identify potential improvement measures for these locations.

Summarize the public transportation system including routes and stops near the Project Site, school bus routes, school traffic to/from the Monroe-Woodbury High School and Middle School, and pedestrian/bicycle facilities in the vicinity of the Study Area.

9.2. FUTURE WITHOUT THE PROPOSED PROJECT

Estimate traffic volumes in the Study Area in the future without the Proposed Project (i.e., No Build/No Action condition) for the future build year 2024, utilizing:

- A background growth factor based on historical data, developed in coordination with the Town's engineering consultant, study area municipalities, and Involved Agencies.
- Traffic volumes from other pending or approved projects proximate to the Project Site and anticipated to be completed by the build year, 2024, as identified through outreach to the appropriate municipal agencies. The list of projects will include but not be limited to the following:
 - Bald Hill Estates (138-unit multiple dwelling group) (Monroe, NY)
 - Gardens at Harriman (1,400 residential units and 300,000 sf retail and other commercial uses) (Village of Woodbury, NY)

- Woodbury Common expansion (net 159,626 sf of new retail space, two 120-room hotels with associated restaurant and day spa services, expansion of existing parking garage, and construction of new 5-level parking garage) (Village of Woodbury, NY)
- Shops at Woodbury (mixed commercial center with retail, restaurant, and hotel uses totaling 52,650 sf) (Village of Woodbury, NY)
- Veyoel Moshe Gardens (1,600-unit residential development) (Kiryas Joel, NY)
- Legoland New York (140-acre Theme Park and Resort, with hotel, estimated to attract between 1.5 to 2.5 million visitors per year) (Goshen, NY)
- Remaining buildout of 451-unit residential development, originally approved in 2006 under the name of the “Woodbury Junction Project of Woodbury Suburban a/k/a WP3” (Village of Woodbury, NY)
- Greens at Chester (431-lot subdivision) (Chester, NY)
- Roadway improvement projects to be completed by the build year, 2024.

Calculate the No Build traffic volumes for the weekday AM, weekday PM, Sunday peak hours and show on a figure.

Conduct capacity analyses to determine LOS for the No Build condition for each of the Study Area intersections using the same methodology described for existing conditions in Section 9.1 above. Summarize the LOS in tabular format.

Describe known changes to the public transportation routes and stops, pedestrian facilities, and bicycle facilities adjacent to the Project Site that are expected to occur in the future without the Proposed Project.

9.3. POTENTIAL IMPACTS OF THE PROPOSED PROJECT

Estimate Site-Generated Traffic based on information published in the Institute of Transportation Engineers (*ITE Trip Generation Manual, 10th Edition*), in accordance with NYSDOT standards. Assign the Site-Generated Traffic Volumes for each of the proposed land uses to the roadway network based on the anticipated arrival and departure distributions.

Combine the Site-Generated Traffic Volumes with the No Build traffic volumes to obtain the Build Traffic Volumes for the weekday AM, weekday PM and Sunday peak hours and show on a figure.

Conduct capacity analyses to determine LOS for the Build Condition, for each of the Study Area intersections using the same methodology described for existing conditions in Section 9.1 above. Summarize the LOS in tabular format.

Discuss potential impacts to, benefits from, and anticipated services provided by the public transportation system, and the potential for employees and patrons of the Proposed Project to use public transportation.

Discuss potential impacts to school bus routes, school traffic to/from the Monroe-Woodbury High School and Middle School, and pedestrian and bicycle facilities.

Describe on-site circulation of vehicles (auto, truck, bus, and fire).

Describe driveway sight distance conditions.

Discuss and graphically illustrate external and internal flow of pedestrian traffic to/from the Project Site.

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 Code (Section 57-50).

Discuss the road maintenance activities and responsibilities, particularly winter maintenance including location of snow storage and pavement/sidewalk de-icing.

Discuss potential traffic related impacts on the operations of the nearby State Police barracks at 369 Nininger Road. Include references to the “Land Use and Zoning” Chapter and “Community Facilities and Services” Chapter where appropriate.

9.4. MITIGATION MEASURES

Identify and describe measures that would be implemented to avoid or mitigate potential significant adverse impacts on traffic and transportation that may result from the Proposed Action and Proposed Project. Based on the results of the traffic analyses, identify improvements to the traffic and transportation systems, consistent with the methodology and format of the Project-impact analysis, to address potential significant adverse impacts where necessary.

10. HISTORIC AND CULTURAL RESOURCES

This Chapter will focus on potential impacts on historic and cultural resources as a result of the Proposed Project.

Because the Proposed Project would require the preparation of a SWPPP, the Proposed Project is subject to compliance with the January 2015 Letter of Resolution (LOR) executed between NYSDEC and OPRHP pursuant to Section 14.09 of the New York State Park Recreation and Historic Preservation Law (Section 14.09). In addition, USACE involvement related to wetlands permitting is subject to Section 106 of the National Historic Preservation Act. Therefore, a cultural resources analysis will be prepared and OPRHP will need to make a finding regarding the Project’s potential impacts on cultural resources. The Project will be submitted to OPRHP for OPRHP to make a determination of impact.

10.1. POTENTIAL IMPACTS - ARCHAEOLOGICAL RESOURCES

Consultation with OPRHP is necessary to determine whether the Project Site or immediate area is considered sensitive for archaeological resources. OPRHP will be contacted to determine the potential impact on archeological resources that may be located on the Project Site or immediate area.

If the Project Site is considered by OPRHP to be potentially sensitive for archaeological resources and OPRHP requests the preparation of Phase 1A/1B archaeological studies, they will be prepared as directed by OPRHP, submitted to OPRHP for review, and the DEIS shall summarize the report and assess the potential for the Proposed Project to adversely affect those resources. All interaction with OPRHP shall be documented and any findings and communications shall be included as an Appendix to the DEIS.

10.2. POTENTIAL IMPACTS - HISTORIC RESOURCES

The Project Site does not appear in a search of OPRHP’s online database as being proximate to previously identified (National Register [NR]-listed or eligible) historic

architectural resources. OPRHP will be contacted to determine the potential impact on historic resources that may be located on the Project Site or immediate area. As part of the cultural resources analysis, a survey will be undertaken to determine whether there could be unidentified potential historic architectural resources at or proximate to the Project Site, including those associated with the existing on-site grading, and existing abandoned slab foundation and open cisterns. The DEIS shall describe identified historic architectural resources and assess the potential for the Proposed Project to impact such resources.

10.3. MITIGATION MEASURES

Identify and describe measures that would be implemented to avoid or mitigate potential significant adverse impacts on historic and cultural resources that may result from the Proposed Action and Proposed Project.

11. COMMUNITY FACILITIES AND SERVICES

This Chapter will focus on the potential impacts to community facilities and services as a result of the Proposed Project.

11.1. EXISTING CONDITIONS

Describe existing police, fire protection, emergency services, education, recreation, and solid waste disposal service provider(s) that would serve the Project Site in terms of manpower, equipment, and facility locations relative to the Project Site.

11.2. FUTURE WITHOUT THE PROPOSED PROJECT

Using information made available by the emergency service providers, the school district, and solid waste disposal service provider(s), describe planned changes to staffing levels, service levels, equipment and/or facilities that are likely to occur in the future without the Proposed Project.

11.3. POTENTIAL IMPACTS OF THE PROPOSED PROJECT

The service providers referenced in Section 11.1 above, including, but not limited to, the New York State Police and Monroe Joint Fire District will be contacted to solicit comments related to the Proposed Project.

Discuss potential impacts in terms of adequacy of equipment and/or facilities, locations and staffing demands for police, fire and emergency service, as well as responses times to the Project Site in emergency situations.

Discuss potential impacts of the Proposed Project on the operations of the nearby State Police barracks and helicopter pad at 369 Nininger Road. Include references to the "Land Use and Zoning" Chapter and "Traffic and Transportation" Chapter where appropriate.

Discuss firefighting needs including access, water storage, hydrants, pressure, sprinklers, etc.

Identify the anticipated levels of solid waste to be generated, proposed depository of such waste, truck trips to remove such waste from the property, any methods to reduce solid waste and/or increase recycling or repurposing.

Discuss potential indirect demand on the Monroe-Woodbury Central School District [MWCSO].

In coordination with the fiscal impact analyses performed in the “Fiscal and Economic Impacts” Chapter, describe whether the Proposed Project would have a significant adverse impact on community facilities and service providers.

Include references to the “Potential Impacts of the Proposed HI Zoning Text Amendment” Chapter where appropriate.

11.4. MITIGATION MEASURES

Identify and describe measures that would be implemented to avoid or mitigate potential significant adverse impacts on public safety (police, fire, EMS), education, recreation, and sanitation services that may result from the Proposed Action and Proposed Project.

12. FISCAL AND ECONOMIC IMPACTS

This Chapter will focus on the potential fiscal and economic impact of the Proposed Project.

12.1. EXISTING CONDITIONS

Describe the existing demographic and economic conditions in the Town of Monroe and Orange County using data from the U.S. Census and New York State Department of Labor, as appropriate. Include information on labor force and jobs, as well as the inflow and outflow of jobs using sources such as U.S. Census Longitudinal Employer-Household Dynamics (LEHD) data.

Describe the existing inventory of commercial office, hotel, and retail uses in the Town.

Describe existing property tax revenues and costs generated by the Project Site (Municipal, Monroe-Woodbury Central School District [MWCSO], other special taxing districts, County, and State).

Existing tax revenue and budgets for each taxing jurisdiction based on the most recent tax records, including amounts of budgets met through property taxes will be presented.

12.2. FUTURE WITHOUT OF THE PROPOSED PROJECT

In coordination with analyses performed for the “Community Facilities and Services” Chapter, describe whether service providers’ planned changes to staffing levels, services levels, equipment and/or facilities in the future without the Proposed Project are expected to result in substantive changes to budgets and the property tax revenues required to support budgets.

12.3. POTENTIAL IMPACTS OF THE PROPOSED PROJECT

Describe the economic benefits of construction and operation of the Proposed Project, including the estimated numbers and types of jobs generated. While not required, the description can include quantified estimates of both direct and indirect Project-generated jobs within Orange County, using input-output modeling.

Using a standard methodology such as those presented in the latest edition of Burchell and Listokin’s *The Fiscal Impact Handbook (2017)* (e.g. as a percentage of construction cost, an income-based approach, and/or using comparable projects), estimate the assessed value for the Project Site with the Proposed Project. Using the estimated assessed value and the most current property tax rates for all affected taxing

jurisdictions, estimate the incremental property tax revenues that would be generated by the Project Site for all affected taxing jurisdictions.

Utilizing a standard and appropriate methodology such as those presented in the latest edition of Burchell and Listokin's *The Fiscal Impact Handbook (2017)* (e.g., proportional valuation, per capita, and/or case study), estimate the incremental costs of the Proposed Project to each of the affected taxing jurisdictions. If a marginal cost approach is utilized to estimate incremental cost, in coordination with the analyses performed for the "Community Facilities and Services" chapter, describe whether the Proposed Project would incur capital costs to service providers that are not captured through a marginal costing approach.

Describe other (non-property) taxes and other revenue sources that would be generated by the Proposed Project, and the recipient(s) of those revenue sources.

Based on the estimated tax revenues and costs, as well as the economic activities generated by the Proposed Project, describe whether the Proposed Project would have any potential significant adverse economic and/or fiscal impacts to the Town or other affected taxing jurisdictions.

As required by the Town for projects seeking approval of a hotel special permit, discuss (and attach as an Appendix) a market analysis pursuant to 57-13(L)(7) of the Town's code, which states the following:

"A market analysis shall be submitted demonstrating that there is a demand for said hotel space within a five-mile radius of its proposed location, taking into consideration existing or approved hotels within said area. "

Include references to the "Land Use and Zoning" Chapter where appropriate.

12.4. MITIGATION MEASURES

Identify and describe measures that would be implemented to avoid or mitigate potential significant adverse fiscal and/or economic impacts that may result from the Proposed Action and Proposed Project.

13. NOISE

This Chapter will focus on the potential for operational mobile and stationary noise impacts on existing noise-sensitive (i.e., residential) land uses as a result of the Proposed Project.

13.1. EXISTING CONDITIONS

Noise measurements will be compiled from nearby sensitive receptor locations and along major feeder streets to and from the Project Site to determine existing noise levels and noise characteristics within the study area. New measurements will be made during the weekday AM, weekday PM, and Sunday peak periods and are proposed for monitoring at the following locations:

- Receptor 1 (On-Site): The northwest corner of the Project Site adjacent to the Moshe Gardens development.
- Receptor 2 (On-Site): At the proposed entrance driveway for the Proposed Project on Nininger Road.

- Receptor 3 (Off-Site): Northeast of the Project Site along west side of Catskill Hill Rail, near the residence closest to the Project Site.
- Receptor 4 (Off-Site): East of the Project Site, along the east side of Dunderberg Road near Monroe-Woodbury Middle School.
- Receptor 5 (Off-Site): West of the Project Site, near the intersection of Nininger Road and Bakertown Road, and west of the Moshe Gardens development.

Additionally, at Receptors 1 and 3, which represent adjacent uses that may experience noise from on-site stationary noise sources such as truck loading and HVAC equipment, noise level measurements would be conducted during a late-night hour to capture minimum baseline noise levels during the operation of these on-site sources.

Measurements will be made using a Type I noise analyzer and would include measurements of L_{eq} , L_1 , L_{10} , L_{50} , and L_{90} noise levels. Where necessary, and in coordination with the preparation of the Proposed Project'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 would not be sufficient to represent expected mobile source noise conditions upon completion of the Proposed Project.

13.2. FUTURE WITHOUT THE PROPOSED PROJECT

At each receptor location, determine the noise levels without the Proposed Project using existing noise levels and proportional modeling techniques. Compare existing noise levels and future noise levels without the Proposed Project, as analyzed in the Traffic Impact Study, with various noise standards, guidelines, and other noise criteria.

13.3. POTENTIAL IMPACTS OF THE PROPOSED PROJECT

At each receptor location identified in Section 13.1, determine the noise levels with the Proposed Project for the 2024 analysis year using existing noise levels and proportional modeling techniques or other approved analysis methodologies to account for changes in traffic volumes due to the Proposed Project.

Appropriate noise models will be employed to analyze increases in noise levels due to operation of proposed new on-Site mechanical equipment and other operational noise.

Compare noise levels with standards, guidelines, and other criteria, and impact evaluation. Existing noise levels and future noise levels with and without the Proposed Project will be compared with applicable noise standards, guidelines, and other noise impact criteria.

Evaluate noise exposure at noise-sensitive uses included in the Proposed Project. Noise-sensitive uses included in the Proposed Project (e.g., hotel rooms, open spaces) will be compared to generally acceptable noise level standards for these uses.

The removal of existing natural barriers that could act as a noise barrier (e.g., wooded areas) will be quantified and resulting impacts assessed.

A discussion of how the anticipated noise levels relate to Town and other noise regulations will be provided, including compliance with Town Code Chapter 33A. All studies of noise should comply with the NYSDEC Program Policy entitled "Assessing and Mitigating Noise Impacts."

13.4. MITIGATION MEASURES

Identify and describe measures that would be implemented to avoid or mitigate potential significant adverse noise impacts that may result from the Proposed Action and Proposed Project including, but not limited to, preserving existing natural barriers where possible.

14. AIR QUALITY

This Chapter will focus on the potential impacts to air quality as a result of the operation of the Proposed Project.

14.1. EXISTING CONDITIONS

Describe existing ambient air quality using information from NYSDEC's Ambient Air Quality Monitoring Network. In addition, describe the latest information regarding the status of the State Implementation Plan (SIP) and attainment status.

14.2. FUTURE WITHOUT THE PROPOSED PROJECT

Describe the potential cumulative impacts to air quality resulting from the No Build projects included in the Traffic Impact Study.

14.3. POTENTIAL IMPACTS OF THE PROPOSED PROJECT

14.3.1. *Stationary Source Analysis*

An initial screening-level analysis will be performed to assess the potential for air quality impacts from stationary sources using USEPA's AERSCREEN model. If the potential for air quality impacts are identified, a refined dispersion model will be performed per NYSDEC DAR-10 guidance.

14.3.2. *Mobile Source Analysis*

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.

14.3.3. *Parking Analysis*

A screening-level analysis will be performed to assess the potential for air quality impacts from on-site parking facilities using screening criteria as described in New York City's City Environmental Quality Review (CEQR) Technical Manual (2014).

14.4. MITIGATION MEASURES

Identify and describe measures that would be implemented to avoid or mitigate potential significant adverse stationary and mobile source impacts that may result from the Proposed Action and Proposed Project.

15. VISUAL RESOURCES AND COMMUNITY CHARACTER

This Chapter will focus on potential impacts to visual resources and community character as a result of the Proposed Project.

15.1. EXISTING CONDITIONS

Describe the existing visual and aesthetic character of the Project Site, surrounding properties, and other parcels within the HI zoning district (to which the proposed zoning

amendment applies). Include references to the “Potential Impacts of the Proposed HI Zoning Text Amendment” Chapter where appropriate.

Text and graphics describing aesthetic resources, historic resources, visual resources, and natural areas of significant scenic value on or near the Project Site will be provided.

Structures of significant architectural design on or near the Project Site will be identified.

Existing lighting levels of the Project Site and surrounding properties will be evaluated and photographs of existing nighttime illumination levels will be provided.

Discuss whether the Project Site is visible from any National or State historic resource or Town or County parks or trails including, but not limited to: Goosepond Mountain State Park, Schunemunk Mountain State Park, Harriman State Park, the Appalachian Trail, and other designated park areas.

Identify, describe, and document with photographs in both the leaf-on and leaf-off condition, the existing views into the Project Site from the following Off-Site vantage points:

- Nininger Road westbound, near the entrance to the Proposed Project.
- Nininger Road eastbound, at the crest of the roadway approximately 550 feet west of the Project Site.
- Northeast of the Project Site along west side of Catskill Hill Rail, near the residence closest to the Project Site.
- NYS Route 17 westbound, at a point aligned with the entrance to the Proposed Project.
- NYS Route 17 eastbound, at a point aligned with the eastern boundary of the Project Site.
- NYS Route 6 westbound, near viewshed parking area approximately two miles east of the NYS Route 17 ramps.
- Appalachian Trail at the optimal viewpoint facing north/northeast toward the Village of Harriman and the Project Site, approximately 3.5 miles south of the Project Site.
- Long Path Trail at the optimal viewpoint facing southeast toward the Project Site, approximately 2.6 miles northwest of the Project Site.

Views will be documented in accordance with NYSDEC’s Program Policy Document “Assessing and Mitigating Visual Impacts.”

15.2. POTENTIAL IMPACTS OF THE PROPOSED PROJECT

Provide a narrative and graphic description of the Proposed Project including building elevations, architecture and proposed massing of the Proposed Project. Provide the proposed signage including location and size. Architectural plans pursuant to Town Code § 57-31 will be included as an Appendix and compliance with the purpose, standards and requirements of Town Code § 57-31 will be demonstrated.

Describe and visually demonstrate the changes to the visibility of the Project Site from the publicly accessible vantage points identified in Section 15.1 above using a combination of photographs and computer simulations depicting the existing conditions

and simulations depicting the proposed future conditions (proposed building and landscaping program, retaining walls and signage), supplemented as necessary by section drawings. A comparison between views of the Project Site under leaf-on and leaf-off conditions will be provided.

Assess the Proposed Project's potential impacts on visual and aesthetic resources from the vantage points identified in Section 15.1 above, including such factors as substantial changes in views to visual and aesthetic resources, potential impairment of the quality of visual and aesthetic resources, the number and types of viewers that would be affected, and the duration of views.

Address the consistency/inconsistency with the surrounding areas and how the proposed structures relate to visible structures in the surrounding area in terms of visibility, height, design, etc.

Assess and quantify the removal of existing natural barriers that could act as a screen (e.g., wooded areas) between the Project Site, Nininger Road, and adjacent properties. Discuss visual impact on adjacent residential properties, including the Moshe Gardens development and homes to the northeast.

Compliance with the purpose, standards and requirements of Town Code § 57-21.6 ("Lighting") will be discussed. Describe and locate on a plan the generalized zones of outdoor site lighting that could be expected with the Proposed Project. Provide an assessment of off-site light migration, glare and "sky glow" light pollution.

Describe and provide a landscaping plan and the Proposed Project's conformance to the Town of Monroe Environmental and Design Standards (Chapter 57, Article VII, §57-21.5).

15.3. MITIGATION MEASURES

Identify and describe measures that would be implemented to avoid or mitigate potential significant adverse visual or community character impacts that may result from the Proposed Action and Proposed Project including, but not limited to, (1) the potential need to screen the Proposed Project from nearby residential uses or public vantage points; (2) preserving open space and existing natural drainage courses, buffers and native vegetation; (3) use of night-sky friendly lighting and limiting foot-candles at the property line.

16. UTILITIES

This Chapter will discuss and analyze the potential impacts of the Proposed Project on water supply, sanitary wastewater, electric and gas infrastructure. Potential impacts to stormwater and roadway infrastructure are discussed in other chapters, as noted in this Scoping Document.

16.1. WATER SUPPLY

16.1.1. *Existing Conditions*

Identify the sources of potable water and fire flow supply, discuss their capacity to serve the Proposed Project and interrelationships with other existing water supply systems. Describe in text and graphics the location, condition, and capacity of the water supply infrastructure serving the Project Site.

Identify the treatment of potable water supply and discuss where and how it will be treated.

Include references to the “Groundwater Resources” Chapter and Hydrogeological Report where appropriate.

16.1.2. *Future Without the Proposed Project*

Using information made available by the Town Engineer and Orange County Department of Public Works, describe planned changes to infrastructure with respect to water supply in the future without the Proposed Project.

16.1.3. *Potential Impacts of the Proposed Project*

Quantify the anticipated water demand (domestic, fire, and irrigation) of the Proposed Project using rates published by NYSDEC.

Analyze the capacity of the water supply system to serve the anticipated demands of the Proposed Project.

Describe, in text and graphics, improvements to the water supply distribution systems that would be included in the Proposed Project.

Identify the State, County, and local permits, approvals, and reporting requirements that would be required to construct and operate the proposed water supply.

Include references to the “Groundwater Resources” Chapter and Hydrogeological Report where appropriate.

Include references to the “Potential Impacts of the Proposed HI Zoning Text Amendment” Chapter where appropriate.

16.1.4. *Mitigation Measures*

Identify and describe measures that would be implemented to avoid or mitigate potential significant adverse impacts on water supply that may result from the Proposed Action and Proposed Project.

16.2. SANITARY WASTEWATER

16.2.1. *Existing Conditions*

Describe in text and graphics the on- and off-Site sanitary sewer infrastructure of the Orange County Sewer District No. 1 serving the Project Site.

Identify the availability of capacity of the existing wastewater collection system.

16.2.2. *Future Without the Proposed Project*

Using information made available by the Town Engineer and Orange County Department of Public Works, describe planned changes to infrastructure with respect to sanitary wastewater in the future without the Proposed Project.

16.2.3. *Potential Impacts of the Proposed Project*

Estimate wastewater demand of the Proposed Project and identify and discuss potential impacts or limitations to the Orange County Sewer District #1 and other applicable conveyance or treatment systems.

Discuss quality and quantity characteristics of the wastewater generated by the Proposed Project.

Discuss implementation of best management practices to protect sanitary sewer systems from potential impacts from spills or other discharges.

Include references to the “Potential Impacts of the Proposed HI Zoning Text Amendment” Chapter where appropriate.

16.2.4. *Mitigation Measures*

Identify and describe measures that would be implemented to avoid or mitigate potential significant adverse impacts on sanitary wastewater that may result from the Proposed Action and Proposed Project.

16.3. ENERGY USAGE (ELECTRICITY AND GAS)

16.3.1. *Existing Conditions*

Describe the existing electricity and gas service and infrastructure, including location and conditions, to and within the Project Site.

16.3.2. *Future Without the Proposed Project*

Using information provided by the utility providers, identify improvements to the electric or gas systems planned or expected to be undertaken in the future without the Proposed Project.

16.3.3. *Potential Impacts of the Proposed Project*

Quantify the anticipated electric and gas demand from the Proposed Project. Based on information received from the electric and gas providers, determine if the capacities of the electric and gas systems are adequate to meet the projected demand of the Proposed Project.

Describe any sustainability/green energy measures envisioned for the Proposed Project.

16.3.4. *Mitigation Measures*

Identify and describe measures that would be implemented to avoid or mitigate potential significant adverse impacts on energy usage that may result from the Proposed Action and Proposed Project including, but not limited to, alternative sources of energy (solar, etc.) and other sustainability/green energy measures.

17. CONSTRUCTION IMPACTS

Construction impacts, though temporary, could have a disruptive and noticeable effect on the surrounding community. This Chapter will focus on the technical areas where construction activities associated with the Proposed Project may pose specific environmental issues.

17.1. CONSTRUCTION SCHEDULE

Generally describe the construction schedule, phases and timeline. Describe the construction processes, activities, and tasks envisioned. Estimate the maximum number of workers anticipated to be on-Site. Identify preliminary construction staging areas and areas for construction worker parking.

17.2. CONSTRUCTION PERIOD IMPACTS AND MITIGATION

17.2.1. *Traffic and Transportation*

In coordination with the Traffic Impact Study, discuss the impact of construction activity on study area roadways, identifying the number of construction trips by vehicle trips from construction workers and equipment and potential impacts from truck traffic. Discuss the impact of construction activity on school bus routes and school traffic to/from the Monroe-Woodbury High School and Middle School. Describe the location of construction worker parking and all transportation agency permits needed for construction (e.g., hauling permits, oversized/overweight permits, etc.).

Identify and describe measures that would be implemented to avoid or mitigate potential significant adverse impacts to traffic and transportation during the Proposed Project's construction.

17.2.2. *Erosion and Sediment Control*

Describe the SWPPP and Erosion and Sediment Control Plan and its compliance with NYSDEC and Town regulations. Identify and describe other measures that would be implemented to avoid or mitigate potential erosion and sediment control impacts during the Proposed Project's construction.

17.2.3. *Air Quality*

Discuss potential air quality impacts associated with the construction period, including anticipated duration of construction activities, major sources of air quality concern (i.e. mobile source emissions from construction equipment and worker and delivery vehicles, fugitive dust emissions, etc.). Identify and describe measures that will be taken to avoid or mitigate potential air quality impacts.

17.2.4. *Noise*

Discuss potential noise impacts to sensitive off-Site receptors from each phase of construction activity and describe Town's requirements and limitations on hours of construction work. Identify and describe mitigation measures that that would be implemented to avoid or mitigate potential noise impacts during the Proposed Project's construction.

17.2.5. *Blasting*

Discuss whether construction of the Proposed Project is expected to require blasting. If blasting may be required, identify the areas of potential blasting and the amount of material that may need to be removed via blasting. A blasting protocol should be provided in the DEIS and all blasting shall be conducted in accordance with requirements found in the Town Code. This section shall describe the measures required by the Town Code to avoid impacts to neighboring properties, water supply wells, etc. and identify and describe other measures that would be implemented to avoid or mitigate potential blasting impacts during the Proposed Project's construction.

17.2.6. *Hazardous Materials/Human Health*

Based on a site inspection and review of regulatory databases and historic maps/aerial photos, discuss the potential for hazardous materials to be present in areas proposed for new development. A Phase I Environmental Site

Assessment (Phase I ESA) will be prepared in accordance with ASTM standards to identify potential hazardous contaminants. The Phase I ESA will be included as an Appendix to the DEIS and summarized in this Section, including a discussion of the history of the use of the Project Site and immediate area. A Phase II Subsurface Investigation including sampling and laboratory analysis will be prepared in accordance with ATSM International standards if recommended by the Project Sponsor's consultant or required by the Planning Board based upon the findings of the Phase I ESA.

Based on this discussion and assessment(s), identify the potential impacts of the Proposed Project with respect to hazardous materials, including the potential for any contamination on the Project Site and/or the potential for the Proposed Project to impact or disturb contaminated areas. Identify and describe the measures that would be implemented to avoid or mitigate potential significant adverse impacts related to hazardous materials/human health that may result from the Proposed Project's construction.

18. POTENTIAL IMPACTS OF PROPOSED HI ZONING TEXT AMENDMENT

Because the Applicant is seeking a text amendment that would apply to entirety of the HI district, the DEIS must address the district-wide implications of this action. This Chapter will discuss the existing HI-zoned parcels in the Town and assess the potential for environmental impacts from increasing the maximum building height regulation from 40 feet to 50 feet.

18.1. EXISTING CONDITIONS

Describe and map all parcels within the Town's HI zoning district, including location, acreage, ownership, and existing land uses.

18.2. POTENTIAL IMPACTS TO THE PROPOSED ACTION

Discuss future development potential of the parcels identified in the existing conditions section.

Identify and assess potential impacts associated with the additional 10 feet of height that would be permitted for future development as a result of the Proposed Action. The discussion of potential impacts would be limited to relevant technical areas including but not limited to land use and zoning, community facilities and services, visual resources/community character, utilities, etc.

18.3. MITIGATION MEASURES

Identify and describe measures that would be implemented to avoid or mitigate potential significant adverse impacts that may result from the zoning text amendment.

19. ALTERNATIVES

Pursuant to Part 617, the DEIS must contain a description and evaluation of reasonable alternatives to the Proposed Action that are feasible for the Applicant to pursue, taking into account the objectives and capabilities of the Applicant. The description and evaluation of each alternative should be at a level of detail sufficient to permit a comparative assessment of the alternatives discussed.

This Chapter will provide a narrative description of each alternative and a summary of the comparative analysis in tabular format. For each alternative, this Chapter will evaluate the potential for significant adverse environmental impacts. If the impacts of the alternative for a given environmental impact category are expected to be the same as the Proposed Project, a description of why will be provided.

19.1. NO ACTION/NO BUILD ALTERNATIVE

The No Action/No Build alternative assumes that the existing conditions of the Project Site and HI zoning district would remain absent the Proposed Action.

19.2. NO VARIANCE, ZONING TEXT AMENDMENT, OR WETLAND PERMIT ALTERNATIVE

This alternative would assume the same mix of uses as the Proposed Project, with the following exceptions:

- Development under this alternative would comply with all dimensional requirements of the HI zoning district (no zoning text amendment and no variances) and other applicable sections of the Town's Zoning Code, including parking requirements.
- This alternative would be developed with the required number of parking spaces (no land-banked or deferred parking).
- No wetlands or streams would be disturbed under this alternative, and therefore no wetland permit or mitigation area would be required.

19.3. MULTIPLE BUILDING ALTERNATIVE

This alternative would assume the same mix of uses as the Proposed Project, but those uses would be accommodated within two or more buildings rather than a single building.

19.4. TERRAIN ADAPTABLE PARKING ALTERNATIVE

This alternative would assume the same mix of uses as the Proposed Project, but parking areas would be adapted to the existing terrain of the Project Site (which may require, *inter alia*, a reduction in required parking and/or a reduction in building size), including but not limited to the following:

- Providing a series of smaller parking islands connected with pedestrian walkways or bridges, as opposed to a mass-graded large lot; and
- Preserving/terracing existing native vegetation and forested areas between parking islands;

20. UNAVOIDABLE ADVERSE IMPACTS

Identify those significant adverse environmental impacts that cannot be avoided or adequately mitigated if the Proposed Action is implemented.

21. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

Identify irreversible and irretrievable commitments of environmental resources that would be associated with the Proposed Action should it be implemented. The Proposed Action and its impacts in terms of the loss of environmental resources will be addressed both in the immediate future and in the long term.

22. GROWTH-INDUCING ASPECTS

Identify growth-inducing impacts that could reasonably be expected to occur in the future with the Proposed Action. This would include an assessment of the potential build out of parcels in the HI District, if the proposed zoning text amendment were approved. Reference to analyses presented in Chapter 18 of the DEIS may be provided. This Chapter will quantitatively address (where applicable) the growth-inducing aspects of the Proposed Action, including attracting additional residential and commercial growth. The estimated additional residential and commercial growth, and its impact (including the impact of such growth on wastewater and water demands, water quality, roadway infrastructure and traffic, schools, etc.) will be quantified and addressed, relying on available statistical information, the projected yield of the Project Site's water supply wells, and sources of data related to growth predictions. This Chapter will also include an analysis of impacts on adjoining municipalities.