

FINAL SCOPE
for
DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS)
for
EAGLES ROOST PROPOSED MULTIFAMILY DEVELOPMENT
TOWN OF SHAWANGUNK, ULSTER COUNTY, NEW YORK

Adopted by the Town of Shawangunk Planning Board on October 4, 2022

Lead Agency: Town of Shawangunk Planning Board

SEQRA Classification: Type 1 Action

Property:

Tax Parcel No. 106.4-1-6.200
Buena Vista Avenue
Hamlet of Wallkill, Town of Shawangunk, Ulster County, NY

Property Owner and Applicant:

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I. PRELIMINARY INFORMATION

A. GENERAL GUIDELINES

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

B. BRIEF DESCRIPTION OF THE PROPOSED ACTION

The project is a proposed multifamily dwelling rental development which would include 92 dwelling units within six (6) buildings, and one (1) caretaker dwelling unit within a proposed maintenance building, for a total of 93 dwelling units. The lot is 25.797 gross acres and is located in the H-1 Hamlet zoning district and is entirely within the Borden Historic Overlay (BH-O) and partially within the Aquifer Overlay (A-O) zoning district. The site proposes an on-site trail and playground for use by the residents, and accessory parking, including parking and access to the Shawangunk Rail Trail. It is within and would connect to the Town of Shawangunk public sewer and water supply districts.

The project site is located in the Town of Shawangunk, Ulster County, NY, and the parcel is identified on the Town of Shawangunk tax maps as Map 106.004-1-6.2. It is generally located south of Buena Vista Avenue and east of the Shawangunk Rail Trail;

lands to the south and east are in agricultural use. The site would obtain access from two new driveways connected to Buena Vista Avenue and Third Street, both Town roads.

Permits and approvals that are required include but are not limited to:

- Shawangunk Planning Board special use permit and site plan approval;
- Shawangunk Zoning Board of Appeals area variances;
- Shawangunk Town Board approval of sewer and water district design and connections to the town systems;
- Shawangunk Highway Superintendent road access permit;
- Ulster County Health Department approval of the water/sewer connections;
- NYSDEC Freshwater Wetlands permit for any encroachments;
- NYSDEC Sewer Main Extension;
- NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity - GP-0-20-001 (PDF); and
- U.S. Army Corps of Engineers Nationwide Permit.

C. SEQRA DETERMINATION OF SIGNIFICANCE - POSITIVE DECLARATION

On February 1, 2022, 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 involved and interested agencies on March 4, 2022. After waiting the required 30 days and receiving no written objections from any agency, the Planning Board declared itself Lead Agency on May 3, 2022.

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 June 7, 2022, thereby finding that the Proposed Action may potentially have a significant adverse impact on the environment and therefore requiring preparation of a DEIS.

The SEQRA Positive Declaration adopted by the Planning Board on June 7, 2022, 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 (and other potential impacts identified further below):

- Extensive land disturbance
- Ecological habitat and wetland disturbances
- Community character – departure from existing single-family land uses and traditional gridded street layout
- Traffic generation and impacts to levels of service
- Community services and facilities, including schools and emergency services
- Fiscal impact to municipal and community service providers
- Water supply demand
- Stormwater runoff and impacts to surface waters
- Visual and historic resource impacts to the character of the BH-O district and the Wallkill Rail Trail
- Sewer design and demand
- Ambient noise level changes and increase in ambient light levels

II. SCOPE OF ENVIRONMENTAL IMPACT STATEMENT

Pursuant to Part 617.8, the Lead Agency is conducting scoping, the primary goals of which are to focus the DEIS on potentially significant adverse impacts, and to eliminate consideration of those impacts that are not significant or irrelevant. A public scoping session was held in the Town of Shawangunk Town Hall, on September 6, 2022, at 6:00 p.m. The purpose of the scoping session was to consider public and agency comments on the Draft Scope for the environmental review of the proposed Eagles Roost Proposed Multifamily Development.

Written public comments on the Draft Scope were accepted by the Planning Board until the close of business on September 16, 2022.

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.

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.

A. COVER SHEET

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

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

B. TABLE OF CONTENTS

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

C. EXECUTIVE SUMMARY

Chapter 1, Executive Summary, will only include information found elsewhere in the DEIS and at minimum should describe the proposed action and identify any significant adverse impacts, the proposed mitigation measures, and the alternatives analyzed in the DEIS. It will also include a list of all required reviews and approvals from Town, County, State and Federal agencies, including but not limited to:

- Town of Shawangunk Planning Board
- Town of Shawangunk Zoning Board of Appeals (if necessary)
- Town of Shawangunk Town Board
- Town of Shawangunk Building Department
- Town of Shawangunk Highway Superintendent
- Ulster County Department of Public Works
- Ulster County Health Department
- Ulster County Planning Department
- New York State Department of Environmental Conservation (NYSDEC)
- New York State Office of Parks, Recreation and Historic Preservation (OPRHP)
- New York State Department of Transportation
- United States Army Corps of Engineers (USACE)

D. PROJECT DESCRIPTION

Chapter 2, Project Description, will include a description of the nature of the Proposed Action. The site plan will be included as an appendix to the DEIS.

1. Project Purpose, Needs and Benefits

- a. Introduction. The introduction will provide a brief description of the purpose of the DEIS and a brief statement of the steps in the SEQRA process as it relates to the project.
- b. Public need for the project.
- c. Objectives of the project sponsor.
- d. Benefits of the project: (a) economic; and (b) social.

2. Location

- a. Define geographic boundaries of the project.
- b. Description of access to the site.
- c. Description of existing zoning of site.
- d. Easements, fee ownership of any utility installation on the site, or private agreements that may affect the proposed use of the site.
- e. Define size, use and condition of adjoining parcels.

3. Design and Layout

- a. Total and net site area.
- b. Proposed impervious surface area (roofs, parking areas, roads).
- c. Amount of land to be cleared by type.
- d. Amount of open space.
- e. Area of site proposed for disturbance.
- f. Structures and improvements and any that are proposed to be offered for public dedication.
 - 1) Gross square footage.
 - 2) Layout of buildings.
 - 3) Site plans, floor plans, and architectural plans/building elevations. Indicate whether sprinklers and elevators are included in the design.
 - 4) Drainage plan including stormwater facilities.
 - 5) Underground utilities.
 - 6) Fire protection measures including fire apparatus access and need for sprinklers.
 - 7) Sewage disposal.
 - 8) Water supply.
 - 9) Retaining walls, fences and other similar structures
- g. Internal circulation and parking.
 - 1) Pavement area.
 - 2) Number of parking spaces by type (e.g., resident, guest) and layout. Provide parking calculation.
 - 3) Vehicle, pedestrian and bicycle circulation and connections; trail system.
 - 4) Road access to proposed development and driveway design.
 - 5) Landscaping plan.
 - 6) Lighting plan.
 - 7) Snow storage locations.

4. Construction.

- a. Project phasing. Describe any proposed phasing of project construction and related impacts.
- b. Schedule of construction including hours of operation and days of week, the duration of construction to build the project, and when the project is anticipated to be completed and occupied.
- c. Route for construction traffic and effect on neighborhood.
- d. Limitations imposed by potential bald eagle or other species presence.

5. Summary and Comparison of Alternatives

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

6. Permits and Approvals

Approval/Permit/Review	Agency
Town of Shawangunk	
Site Plan Approval	Planning Board
Special Use Permit	Planning Board
Building Permits and Certificates of Occupancy	Building Inspector
Driveway Access; Road Access; Utility Connections	Town Highway Department
Water and Sewer Design and Connection	Town Board, Wallkill Sewer District, Wallkill Water District
Town MS4 Acceptance	Town Stormwater Officer
Area Variances – if needed	Zoning Board of Appeals
County/State/Federal	
General SPDES Permit for Stormwater Discharges Associated with Construction Activities	Department of Environmental Conservation (NYSDEC)
Utility Connections	NYSDOT
SPDES Sanitary Discharge Permit (Sewer Main Extension)	NYSDEC
Article 24 Freshwater Wetlands Permit	NYSDEC
401 Water Quality Certificate	NYSDEC
Nationwide Wetland Permit	USACE
Cultural Resources No Impact Letter	NYS SHPO
239-m review	Ulster County Planning Department

E. EXISTING CONDITIONS/ENVIRONMENTAL SETTING, POTENTIAL IMPACTS AND PROPOSED MITIGATION MEASURES

Chapter 3 of the DEIS will describe existing conditions, potential impacts and proposed mitigation measures. The general framework for each impact is to: (1) study and describe the existing conditions/environmental setting on the site or in the area; (2) assess potential impacts of the proposed Project; and (3) present and evaluate potential mitigation measures to mitigate any adverse impacts.

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

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

1. Geology

Existing Conditions

- a. Composition and thickness of subsurface material.
- b. Depth to, and nature of, bedrock formations.
- c. Usefulness of underlying material for construction.
- d. Depth to seasonal high water table.

Potential Impacts

- a. Blasting. Describe whether or not blasting may be required.
- b. Depths and volumes of cuts and fills.
- c. Anticipated vehicle trips related to material surplus or deficit.

Proposed Mitigation Measures

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

- a. A blasting plan (if necessary) to be approved by the Town.
- b. Alternative grading scenarios.

2. Soils

Existing Conditions

- a. List of soil types using the USDA Soil Survey of Ulster County, NY, and map the distribution of soil types at the project site.
- b. Discussion of soil characteristics.
 - Physical properties (permeability, seasonal high groundwater table, rock outcrops (if any), agricultural soils, hydric soils, etc).
 - Engineering properties (soil bearing capacity, safe angle of repose).
- c. Suitability for various uses/construction limitations.
- d. Possible equalization of cuts and fills to eliminate movement of soil offsite.
- e. History of potential contamination and discussion of any Environmental Site Assessments prepared.
- f. Proposed open space areas.
- g. Describe results of any soil testing performed which is used to assess the stability of the soils to support the proposed construction of the project.

Potential Impacts

Potential for soil erosion, loss of agricultural or hydric soil if present, and uses. Potential for the spread of soil contamination if applicable.

Proposed Mitigation Measures

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

- a. Use topsoil stockpiled during construction for restoration and landscaping.
- b. Minimize disturbance to non-construction part of site.
- c. Design and implement phased soil erosion control plan in accordance with applicable NYSDEC stormwater regulations and any Town Enhanced Erosion and Sediment Control Guidelines. Grading plan with phases identified to limit disturbed areas will be evaluated. Erosion and sediment control plan for each phase.
- d. Potential mitigation for any significant adverse impacts to onsite soils, agricultural soils, hydric soils or lands will be described.
- e. A Conservation Easement to preserve open space in perpetuity.

3. Topography

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

Existing Conditions

- a. Description of topography at project site. Slopes will be mapped by slope range using 2-foot contours.
- b. Describe and map any prominent or unique features.
- c. Description of topography of surrounding area.

Potential Impacts

- a. Grading. Provide data on the anticipated excavation and fill to be moved around the site. A preliminary grading plan showing existing and proposed grading on the site will be included. Removal or importation of fill to and from the site will be discussed if necessary.
- b. Provide cut and fill map and discuss any need for retaining walls.
- c. Identify changes in local drainage patterns due to proposed grading.

Proposed Mitigation Measures

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

- a. Design adequate soil erosion devices to protect sloped areas using Town Enhanced Erosion and Sediment Control Guidelines.
- b. Aesthetics of proposed retaining walls if any including materials and heights.
- c. Discuss the preparation of an Erosion and Sediment Control Measures (E&SC) Plan and Best Management Practices in accordance with NYSDEC and Town of Shawangunk regulations to mitigate impacts from construction.
- d. Provide a Phasing Plan during construction.

4. Groundwater Resources

Existing Conditions

- a. Location and description of aquifer and recharge areas.
- b. Identification of present uses and level of use of groundwater around site (if any).
- c. Identify where the site is in relation to the Wallkill Public Water Supply Critical Environmental Area and its function.
- d. Discuss how the Water Quality Volume (WQv) and Runoff Reduction Practices (RRv) will be addressed in accordance with the Requirements of the NYS Stormwater Design Manual.

Potential Impacts

This development will connect to the municipal water supply system and is not expected

to use groundwater on the project site for the project's water needs. Potential impacts to be discussed include proposed groundwater sources and proposed drainage facilities and treatment methods to be used to treat runoff and long-term maintenance and ownership of proposed drainage facilities. The DEIS will discuss methods to treat ice/snow from all parking areas and the measures to keep contaminants/soils from dispersing off site and into groundwater.

Proposed Mitigation Measures

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

- a. Implementation of a stormwater pollution prevention plan ("SWPPP") in accordance with NYSDEC and Town regulations to treat stormwater runoff prior to recharge of groundwater. The SWPPP will be included as an appendix to the DEIS.
- b. Maintain permeable areas on the site.
- c. Identify any on-site recharge areas and identify measures to protect.
- d. Where possible, use low impact development techniques.
- e. Opportunity to use salt substitutes and other snow/ice control measures per modern best management practices.

5. Surface Water and Wetlands

Existing Conditions

- a. Location and description of surface waters and wetlands and wetland regulated areas (NYSDEC) located on the project site or those that may be influenced by the project. Include a description of any wetlands eligible to be a NYSDEC wetland together with the regulated 100-foot adjacent area. Water quality classifications will be provided. The National Wetland Inventory (NWI) maps, NYSDEC freshwater wetland maps, and associated surface water maps will be included in this section. A discussion of the character of the wetlands and related surface water features, and any known connections to other surface waters and their classification will be included. A wetland delineation report, field data sheets, and maps, prepared by the project sponsor will be attached as an appendix to the DEIS. This section will also include the NYSDEC wetland boundary validation and USACE jurisdictional determination.
- b. Identification of uses and level of use of all surface waters.
- c. Pre-development drainage analysis including a description of existing drainage

- areas, patterns, and channels.
- d. Identification of floodplains and location, discussion of potential for flooding.
 - e. Identification of wetland drainage areas before and after construction.
 - f. Describe status of NYSDEC Article 24 permitting process

Potential Impacts

Potential impacts to existing wetlands, wetland adjacent areas and other surface waters will be discussed. Wetland disturbances will be quantified, and impact to wetland function evaluated. Post-development drainage characteristics will be described. Address the existence of small wetland pockets/poor drainage area on the site, proximity to adjoining properties, and whether the proposed project will exacerbate off-site drainage conditions. Identify any wetland related impacts that require NYSDEC and/or USACE permits. This section will identify the types of permits required, the status of any permit applications prepared and/or submitted to the agencies and the individual agency review status at the time of writing.

Proposed Mitigation Measures

- Mitigation measures to avoid or minimize any significant impacts from the Project will be discussed. Mitigation measures may include but are not limited to the following:
- a. Implementation of a stormwater pollution prevention plan (“SWPPP”) in accordance with NYSDEC and Town regulations to treat stormwater runoff. The SWPPP will be included as an appendix.
 - b. Restrict use of salt or sand for road and parking area snow removal if necessary in accordance with best management practices.
 - c. Avoid direct discharges to surface water resources.
 - d. Address changes to wetland hydrology which may be affected by new drainage systems.
 - e. Proposed mitigation measures, to offset any significant impacts to wetlands, surface waters or stormwater discharge, will be described in this section and will include a description of onsite compensatory wetland mitigation being proposed.
 - f. Evaluate the proposed location of the road connections into the property, and whether it needs to be redesigned/relocated to mitigate drainage issues.
 - g. Measures to protect wetlands and surface waters resources during construction and operation will also be identified in this section.

6. Flora and Fauna

This section will rely on field investigations to describe the existing flora and fauna resources on or near the project site, potential impacts and proposed mitigation.

Existing Conditions

- a. On-site investigations will be made by qualified biologists to generally identify all resident species and transient species. The results (subject to agency confidentiality requirements) of any species-specific studies conducted will be included as an appendix to the DEIS. The study will consider the potential species which could be present seasonally. Include migratory birds and amphibians.
- b. Description of the plants and animals that inhabit the Project Site and its immediate surroundings.
- c. Identification of any threatened or endangered species on or near the Project Site including existing or potential nesting habitat for the Bald Eagle.
- d. The New York State Natural Heritage Program, New York State Department of Environmental Conservation and US Fish & Wildlife Service will be contacted to determine the recorded presence of threatened, endangered, or unique and rare plant and animal species on or in close proximity to the site.
- e. Flora and fauna identified on the Site and species that may be present on the Site based on their known range in New York, existing on-site habitat and expected or observed seasonal occurrence will be provided. The NY Breeding Bird Atlas and NY Herp Atlas are some data sources that will be used to develop a list of potential on-site species. Site-wide flora and fauna and species habitat potentials will be described, relative to terrestrial and aquatic habitats (i.e. wetlands and other on-site water bodies). Species shall include amphibians and reptiles.

Potential Impacts

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

Proposed Mitigation Measures

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

7. Stormwater Management

Existing Conditions

This section will include a pre-development analysis of stormwater drainage as well as an analysis of existing hydrology. Discuss MS4 requirements. The existing and proposed storm water conditions will be evaluated for the 1-year, 10-year, and 100-year storm events using the current methodologies, consistent with New York State Department of Conservation (NYSDEC) and Town regulations. Tabular summary of the stormwater analysis comparing existing and proposed conditions will be presented. The analysis shall encompass all contributory flow areas to the site. Provide topographic maps illustrating subwatershed boundaries.

Potential Impacts

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

Proposed Mitigation Measures

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

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

8. Wastewater Treatment

Existing Conditions

This section will describe existing municipal sewage treatment availability for the site. Describe whether parcels are in municipal sewer district or whether extension is required. Provide a map of existing sewer lines, details of pipe including material and diameter, within 1,000 feet of the project site relevant to the proposed connection.

Potential Impacts

The project will connect to the existing municipal sewer system. This section will discuss the estimated wastewater to be generated by the Project and capacity of the existing municipal sewer system to treat the wastewater. Include consideration of wastewater transmission lines, pump stations and all facilities proposed and/or required to serve the site and the various repair and maintenance responsibilities for each of the components. All calculations for transmission lines, pump stations and other relevant facilities' capacity shall include consideration of any and all pending and/or approved development in the vicinity of the Project Site. The location, connections, materials and sizing of the proposed sewer lines will be included on a map. Describe proposed ownership and maintenance of all components of the system. Describe contingencies if the owner fails to maintain any on-site infrastructure.

Proposed Mitigation Measures

Mitigation measures to avoid or minimize any significant impacts from the Project will be discussed. These may include alternate locations for any pump stations and alternative connection to a potential new sewer trunk line along Route 208.

9. Water Supply

Existing Conditions

This section will describe existing water availability and proposed water supply for the Project, including water quality, pump testing, and water storage requirements. Existing water line locations will be mapped within 1,000 feet of the property and the size and materials of the lines described that are relevant to the proposed connection. Describe whether parcels are in a municipal water district or whether extension is required.

Potential Impacts

The project will connect to the existing municipal water supply system. A detailed explanation of the anticipated daily water usage rates and fire flow requirements will be provided. Existing and proposed water line locations will be mapped. This section will discuss the estimated water demands to be generated by the Project and capacity of the existing municipal water system to supply water for the project and the need for any further regulatory approvals. Such description shall include basis for daily rate of flow.

Reference source of flow rate data. Include consideration of water transmission lines and all facilities proposed and/or required to serve site. Fire flows and water pressure should be discussed as part of this section including requirements for both peak rates and storage volumes. All calculations for transmission lines and other relevant facilities' capacity shall include consideration of any and all pending and/or approved developments in the vicinity of the project site. Describe proposed ownership and maintenance of all components of the system. Describe contingencies if the owner fails to maintain any on-site infrastructure.

Proposed Mitigation Measures

Mitigation measures to avoid or minimize any significant impacts from the Project will be discussed. Any unavoidable impacts will also be discussed.

10. Traffic and Transportation

This section will describe traffic to be generated by the project, potential impacts, and proposed mitigation. Specifically, the DEIS will require a comprehensive and detailed Traffic Impact Study. The traffic study will include a description of the current traffic operations near the site and within the study area and address how the proposed development will impact traffic operations. The traffic study will identify typical arrival and departure characteristics for the proposed development. The study will be prepared by a qualified traffic engineering consultant.

Existing Conditions

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

Pedestrian Activity. Existing pedestrian activity will be discussed including locating all crosswalks within the study area.

- b. Public Transportation and school busses. Public transportation and school bus routes will be identified within the study area by type, location of stops, frequency and routing. Evaluation will include but not limited to public busing and school busing.
- c. Traffic data will be collected from NYSDOT, Ulster County DPW, the Town of Shawangunk and through field data collection. Prior to conducting the data, the Planning Board shall approve the locations where traffic counts shall be collected, taking into considerations the recommendations of the NYSDOT regarding the analysis. At a minimum the study area will include a description of the geometrics (road width, curbs, number of lanes and directional information)

and speeds of the the following roadways and intersections:

- 1) Site driveway access and Buena Vista Avenue
 - 2) Bona Ventura Avenue and Second Street
 - 3) Bona Ventura Avenue and Third Street
 - 4) Bona Ventura Avenue and Park Avenue
 - 5) Bona Ventura, Central Avenue and NYS Route 208 (where Route 208 turns southerly)
 - 6) NYS Route 208 and NYS 300
- d. Manual Count Program. Manual turning movement counts will be collected during typical weekday morning, afternoon/evening and Saturday peak periods. The data collection effort will include the following:
- e. Automatic Traffic Recorders. Automatic Traffic Recorders (ATRs) will be used to collect hourly traffic counts by direction for a one-week period at the following intersections:
- 1) Bona Ventura, Central Avenue and NYS Route 208
 - 2) NYS Route 208 and NYS 300
- f. The ATR survey will include the dates of the manual count program. The traffic study will identify how the manual counts volumes compare to the periods of peak activity identified by the hourly data.
- g. Accident History. An analysis of detailed accident data will be included in order to identify accident types, accident patterns, possible causes and safety deficient locations at the road intersections identified above. At a minimum, the following items will be addressed:
- 1) A summary of accident history will be prepared for the most recent three-year period of roadways and intersections within the study area.
 - 2) The accident data should include location, date, daytime, severity, collision type, manner of collision, contributing factors, road conditions, weather conditions, and light conditions.
- h. Capacity Analysis for existing conditions. Capacity analysis at each of the previously identified intersections will be conducted in accordance with procedures identified by the most recent versions of the Highway Capacity Manual Software or Synchro Traffic Signal Coordination Software. In addition to identifying the overall intersection performance level, results will be presented by each approach and movement. The same procedures will be followed in the analysis of the No Build Condition and the Build Condition.

- i. No Build Conditions — Other Developments. Consideration to other proposed or approved traffic-generation developments in the vicinity of the study area will be accounted for as part of the No Build Condition. The traffic study will itemize each development and identify the volume of traffic estimated to be generated. The Applicant will obtain a list of approved and pending projects to be included in the traffic analysis which will be found to be acceptable to the Planning Board. Developments will include any pending projects within the adjoining Town of Montgomery which may contribute traffic to the intersections to be analyzed.
- j. Build Conditions — Background Growth. General background growth will be accounted for as part of the No Build Condition. The traffic study will identify the estimated growth rate and the basis for this estimate.
- k. No Build Conditions — Planned Roadway Improvements. The traffic study will identify and address the impact of planned roadway improvements within the study area.
- l. No Build Conditions — Capacity Analysis. General background growth and traffic generated by the other developments will be added to the existing traffic volumes to create the No Build Condition.
- m. Build Conditions - Site-Generated Traffic Volumes. At a minimum, site-generated traffic will be projected based on the most recent Institute of Transportation (ITE) data and methodology. If available, the traffic study will include a comparison to actual site-generated traffic created by similar developments.
- n. Build Conditions - Capacity Analysis. The estimated site-generated volumes will be added to the No Build Condition to create the Build Condition.
- o. Sight distances. The analysis will identify sight distances at the proposed access points with Buena Vista Avenue and at the Second and Third Street entrance with Bona Ventura Avenue (NYS Route 208), based on the 85% speeds observed along the roadways.
- p. Emergency access. The analysis will address the needs of emergency response vehicles to sufficiently access, circulate through the Site without difficulty.
- q. Identify posted speed limits, weight limits and entity having jurisdiction over each roadway.
- r. Specifically address whether the intersection of Second and Third Street meet NYSDOT warrants for a traffic light.
- s. Provide a discussion of parking zoning code requirements, estimated parking demand and provision of on-site parking facilities. Discuss the driveway maintenance activities and responsibilities, particularly winter maintenance including location of snow storage and pavement/sidewalk deicing.

Potential Impacts

Traffic impacts resulting from the increase in activity on this Site will be described. This will include a description of the adjacent roadway network and any potential impact to these roadways. This section will discuss potential impacts of construction and site preparation traffic. The results of changes in levels of service will be provided in tabular format. Discuss public versus private roadways/ Discuss any proposed offer of road dedications to the Town. If private roads, describe long-term maintenance and repair responsibilities.

Proposed Mitigation Measures

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

- a. A discussion of roadway improvements (if necessary) will be included. This section will evaluate traffic impact mitigation needs at various phases of the project based on the potential impacts described.
- b. Mitigation responsibilities. Where the increased traffic has the potential to significantly affect traffic operations and safety, the traffic study will identify potential mitigation measures to address such conditions. The discussion of mitigation measures will include the following information:
 - 1) The types of improvements, including traffic control and turning lanes to enter the site.
 - 2) The party responsible for implementing the improvements and the method of funding.
- c. Construction Related Traffic. The traffic study will address the projected impact of construction related traffic activity. The study will include, but not be limited to, a detailed construction staging schedule, the identification of the number and type of construction related vehicles by construction stage, arrival and departure/routing patterns, construction worker trips, hours and days of construction, and total peak hour volumes.

11. Noise

Existing Conditions

- a. Identification of existing level of ambient noise in the immediate area based on noise measurements. Ambient noise levels will be measured along property line nearest to sensitive receptors. Noise measurements will be compiled from nearby sensitive receptor locations to determine existing noise levels and noise characteristics within the study area. New measurements will be made during the weekday AM, weekday PM, Sunday peak periods, and the monitoring

protocol and receptors will be reviewed and approved by the Planning Board prior to measuring ambient noise levels.

Measurements will be made using a Type I or Type II noise analyzer, as appropriate, and would include measurements of Leq, L1, L10, L50, and L90 and/or Ldn noise levels in dBA. 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.

- b. Discuss presence of existing natural buffers.
- c. Identify sensitive noise receptors on or near the Project Site, especially adjacent and nearby residences and identify locations on a map.
- d. Identify potential sources of noise including from construction and use of the site including vehicular traffic.

Potential Impacts

This section will include a discussion of anticipated noise created by construction, including blasting, if required, and from the use of the site including vehicular movement, parking activities and similar noises. The DEIS will evaluate, where appropriate, potential noise impacts in accordance with government policy and guidance documents and reports, including but not limited to NYSDEC Program Policy for Assessing and Mitigating Noise Impacts (2000). At each receptor location, determine the noise levels without the Proposed Project using existing noise levels and proportional modeling techniques. Compare existing noise levels and future noise levels with the Proposed Project, as analyzed in the Traffic Impact Study and with consideration of the operational noise impacts, with various noise standards and guidelines including NYSDEC policy. The removal of existing natural barriers that could act as a noise barrier (e.g., wooded areas) will be quantified and resulting impacts assessed.

Proposed Mitigation Measures

Mitigation measures to avoid or minimize any significant impacts from the Project will be discussed. Mitigation measures may include but are not limited to the following: (1) maintaining natural barriers, (2) using sound walls; (3) using landscaping berms; and (4) use of existing topography to buffer project sound.

12. Air Quality

This section will describe potential air quality around the project site due to construction activities, potential impacts, and proposed mitigation. It will consider stationary source and mobile sources.

Existing Conditions

- a. This section will discuss existing air quality on the Project Site and in the immediate vicinity of the Project Site. It will also discuss air emission sources, if any, near the Project Site. 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.

Proposed Impacts

Describe Construction air impacts from equipment, dust, blasting and rock crushing (if any) (short term).

Proposed Mitigation Measures

Mitigation measures to avoid or minimize any significant air quality impacts from the Project will be discussed. Mitigation measures may include short term (construction) measures such as fugitive dust control.

13. Land Use and Zoning

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

Existing Conditions

- a. Existing land use and zoning. Describe existing land use of the Project Site and surrounding area within a 1,500-foot radius of the Project Site. Describe of existing zoning on Project Site and zoning overlays and within a one-half-mile radius of the Site including discussion of district intent.
- b. Land use plans.
 - 1) Description of 2021 Town Comprehensive Plan including Project Site and surrounding area and any deviations from recommendations that relate to the project site.
 - 2) Description of how County land use plans addresses this area.
- c. Identify whether the parcel is within an Agricultural District

Potential Impacts

- a. Proposed Action's consistency with surrounding land uses.
- b. Proposed Action's consistency with Town's Zoning Law and other laws including any required variances.
- c. Proposed Action's consistency with 2021 Town Comprehensive Plan and

County land-use plans.

- d. The relationship of the Project and nearby sensitive uses, if any, such as agriculture, residential areas and any public parks.

Proposed Mitigation Measures

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

- a. Designing project to comply with existing land use plan.
- b. Discussing any needed changes to be consistent with zoning.
- c. Describe mitigation measures to reduce impacts to adjoining lands uses.

14. Utilities

This section will describe utilities to be used by the project, potential impacts, and proposed mitigation. Willingness to serve letters will be included in the appendices.

Existing Conditions

- a. Location and availability of electric and gas service to the site.
- b. Location and availability of telecommunication facilities.

Potential Impacts

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

Proposed Mitigation Measures

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

- a. Install new utility services underground excepting one (1) primary utility pole entering property.
- b. Incorporate energy-saving measures and water saving fixtures into facility design.
- c. Construction of additional water and sewer infrastructure.
- d. Construction of alternative energy infrastructure including EV charging stations.

15. Community Services and Facilities

This Section will describe existing community services, including schools, police protection, fire protection, ambulance services, solid waste services, and recreation, and shall include interviews with providers. Also, any particular demands that the facility might place on ambulance services for routine hospital transport. Other emergency needs shall be evaluated.

Existing Conditions

- a. Public schools serving the site.
- b. Emergency services and health care facilities (police, fire, ambulance, hospital).
- c. Recreational facilities (town and county).
- d. Waste stream. Quantify the amount and type of waste stream. Quantify and describe the waste service – garbage and recycling truck traffic and frequency - that can be expected.
- e. Recreation. Identify and describe existing public recreational facilities within ½-mile of the project site.
- f. Discuss local housing needs and how the project will respond to that need. Discuss whether or not any of the units will be income and/or age restricted.

Potential Impacts

- a. Project the population that will be generated by the Project including total population, seniors and school aged children introduced as a result of the proposed action. Standard multipliers will be used.
- b. School District. Project sponsor to correspond with the Wallkill Central School District to evaluate potential impacts including classroom and bus capacity.
- c. Police protection (state and local): Project sponsor to correspond with Town police department to evaluate potential impacts.
- d. Fire protection: Applicant will correspond with local fire district to evaluate potential impacts. Discuss fire water tank and sprinkler system and fire hydrants. Address whether a ladder truck will be required to service the apartments, and whether the fire department has appropriate equipment to fight a fire. Evaluate whether there will be water storage on site for fire suppression and are the municipal water lines capable of handling both potable and fire suppression demands for water. Evaluate the need for 26-foot fire apparatus roads. Specifically assess and describe the project's compliance with applicable sections of the NYS Fire Code, including Sections 503C and D. Show the location of all fire hydrants. Assess the need for emergency service access, and what will occur if there is a driveway blockage for the units along the dead-end cul-de-sac.

- e. Ambulance services: Project sponsor to correspond with Wallkill VAC to evaluate any impacts.
- f. Describe proposed onsite recreational amenities, whether they will be public or private, common gathering areas and long-term maintenance responsibilities. Evaluate the demand placed on local public recreation facilities, both active and passive, whether the demand will be met on-site, and whether a fee in lieu of recreation will be provided if the demand is not met onsite.

Proposed Mitigation Measures

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

16. Fiscal Impacts

This section will describe the fiscal benefits and impacts of the project.

Existing Conditions

Description of current fiscal conditions of the Site related to the Town of Shawangunk and applicable taxing jurisdictions.

Potential Impacts

- a. Prepare a fiscal analysis using accepted methodologies to project tax revenue and costs generated by the proposed project for all applicable taxing jurisdictions. Indicate whether this will be a rental or condominium project and provide the data used to calculate market and assessed value of the property.
- b. Identify and evaluate all potential property tax exemptions and relief, including any tax credit financing or other financing that would reduce the taxable status and assessed value of the project. Address whether Section 8 housing is proposed and how this affects the assessed value of the property.
- c. Calculate the net fiscal impacts to all taxing jurisdictions.
- d. Analyze the potential impact of the proposed project on property values of residences within ½-mile of the project site.

Proposed Mitigation Measures

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

17. Cultural Resources

This section will describe any historical or archeological resources known to exist on or near the project site, potential impacts and proposed mitigation.

Existing Conditions

- a. Location and description of nearby historic and archeological areas or structures listed on the State or National Register or designated by the Town or included on a Statewide Inventory.
- b. Summarize results of prior cultural resource investigations. Compare area of potential effect to the proposed disturbances associated with the project. Update the cultural resource report as necessary and provide updated response from the Office of Parks, Recreation and Historic Preservation (OPRHP).
- c. Correspond with the Shawangunk Historical Society and Historian and solicit comments on local landmarks and proximity of the project to them.

Potential Impacts

This section will discuss anticipated impacts to any identified historical or archeological resources. Evaluate compliance with the purpose and intent of the BH-O zoning district.

Proposed Mitigation Measures

Proposed mitigation measures to avoid or minimize any significant adverse impacts will be identified as necessary. Mitigation measures may include but are not limited to the following: prepare a plan, including measures to mitigate impacts to historic/archaeological resources (if any) through data recovery, avoidance and/or restriction of project activities, if applicable. This will include a discussion of the procedural consultation processes required for the Project with OPRHP.

18. Visual and Community Character Resources

This section will describe existing visual resources on or near the project site, potential impacts and proposed mitigation.

Existing Conditions

- a. Description of the physical character of the surrounding area of the Project Site.
- b. Description of natural areas of significant scenic value if any, in immediate area.
- c. Photos and a narrative will be used to describe the existing conditions of the Site from adjacent public roadways and public places including but not limited to the Wallkill Rail Trail, Buena Vista Avenue, Bona Ventura Avenue (west-east segment of Route 208), Route 208 (north/south segment), Stewart Crowell

Bridge and the western edge of Borden Circle.

Potential Impacts

To assess impacts, an analysis will describe the Project's physical design (height, bulk, orientation, and façade materials, etc.), lighting and landscaping plan. The results of the balloon test previously prepared shall be submitted and discussed, and additional photographs, cross sections, verifiable photo simulations, and sketches will be provided that depict visual impacts including the full massing of the buildings with vegetation cleared.

- a. Visual impacts will be depicted from Elsie's Meadow Senior Apartments, the end of Third Street, Residences along Buena Vista Avenue, the Rail Trail (specifically locations V, W, X, Y, Z, 1A, 1B and 1F of the balloon test report submitted previously to the Planning Board), Route 208 and the western edge of Borden Circle.
- b. Assess the quantity and removal of trees and tree stands on the site.
- c. Identify lighting impacts to adjacent uses if applicable.
- d. The cumulative consideration of neighborhood impacts to community character shall be discussed as it relates to the historic neighborhood and the Borden Farm and planned neighborhood to the north. The design of the site shall be discussed in terms of the traditional neighborhood pattern and intent of the Borden Home Farm Historic Overlay District. The massing of buildings, street layout, building design and materials, and the sites relation to the existing neighborhood and the historic landscape shall be discussed.
- e. Address the potential for trespass to occur on neighboring residential properties.

Proposed Mitigation Measures

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

- a. Design of buildings (including height and materials), lighting, landscaping to physically blend with existing surroundings and be compatible with the BH-O requirements.
- b. Architectural design and relation to the streetscape.
- c. Buffer screening between the rail trail and the development and other areas from which it will be visible.
- d. Address the need to install fences and/or other barriers to ensure trespass does not occur.

F. ADVERSE ENVIRONMENTAL IMPACTS WHICH CANNOT BE AVOIDED IF THE PROJECT IS IMPLEMENTED

In **Chapter 4**, identify those adverse environmental effects in Chapter 3 that can be expected to occur regardless of the mitigation measures considered.

G. ALTERNATIVES

As required by SEQRA, **Chapter 5** will discuss reasonable alternatives to the proposed project that are feasible, considering the objectives and capabilities of the project sponsor. Discussion of each alternative will be at a level sufficient to permit a comparative assessment of costs, benefits and environmental risks for each alternative. A matrix will be provided comparing quantitatively and qualitatively the potential impacts by subject category, e.g., limits of disturbance, impervious surface area, septic demand, etc.

1. Alternative Site Layout

Discussion of alternate layout that meets Borden Historic Farm Overlay guidelines.

2. Alternative Road Layout

Provide an alternative layout that eliminate the dead-end cul-de-sac, and routing of the road over the on-site wetland, and describe the impacts associated with same.

3. No Action Alternative

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

4. As-of-Right Alternative

The DEIS will evaluate an alternative which presents a layout without the need for any variances.

4. Lesser Build Alternative

This alternative will evaluate a layout which reduces significant adverse impacts identified in DEIS through a reduction in overall development footprint, number of units and general size or density of the proposed action.

H. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

Chapter 6 will discuss the proposed Project and its impacts in terms of the loss of environmental resources, both in the immediate future and in the long term.

I. GROWTH INDUCING ASPECTS

Chapter 7 will describe the potential growth inducing aspects the project may have. Listed below are examples of topics that are typically affected by the growth induced by a project. These items will be addressed qualitatively, not quantitatively.

J. EFFECTS ON THE USE AND CONSERVATION OF ENERGY RESOURCES

Chapter 8 will discuss the proposed project and its impacts in terms of the use of energy by the proposed Project. In addition, in accordance with the requirements of the Community Risk and Resiliency Act, this chapter will also consider that future physical risk due to sea level rise, storm surge and flooding have been considered as part of the Project and any relevant factors evaluated.

K. CLIMATE CHANGE

Chapter 9 will describe measures to avoid or reduce the action's impact on climate change and associated impacts due to the effects of climate change such as sea level rise and flooding will be discussed.

L. APPENDICES

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

1. Correspondence
2. SEQRA Documentation
3. Stormwater Pollution Prevention Plan (SWPPP).
4. Project Site Plans
5. Traffic Impact Study
6. Wetland Impact Report

7. Cultural Resource Study
8. Noise Study
9. Geotechnical Report
10. Ecological Assessment Report
11. Phase 1 Environmental Site Assessment
12. Visual Impact Assessment
13. Water and Sewer Calculations