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May 1, 2026

Town of Montgomery Planning Board
110 Bracken Road
Montgomery, New York 12549
ATTN: Jay Beaumont, Chairperson

**RE: W.O. # 103.0301
SHEFFIELD GARDENS
NYS ROUTE 17K, TOWN OF MONTGOMERY, NY
FEIS COMMENT RESPONSE LETTER**

Dear Chairperson Beaumont,

Please find the following comment-by-comment response to each written correspondence received regarding the Sheffield Gardens Final Environmental Impact Statement. The following items are attached to this response letter.

1. USGS 1957 Topography map
2. Culvert Flow Calculations

It is noted that the site plan layout was revised to remove some parking between Building 2 and Well #1 to provide more of a buffer around the existing well.

In addition, the revised FEIS items are attached for your review.

3. Redlined FEIS Narrative dated 05/01/2026
4. Figures
 - a. 2.3A - Proposed Site Layout
 - b. 2.4A - Construction Phasing Plan
 - c. 3.1C - Proposed Cut and Fill Areas
 - d. 3.3A - Proposed Water System
 - e. 3.6A - Viewpoint Locations
 - f. 3.6F - Proposed Water Storage Tank
 - g. 3.10B - Proposed Wastewater System
 - h. 3.11A – Visual Assessment Cross-section
5. Appendices
 - a. Appendix E - Stormwater Pollution Prevention Plan last revised May 1, 2026
 - b. Appendix H3 – Truck Turning Figures dated December 18, 2025
 - c. Appendix I1 - WWTP Engineer’s Report last revised March 2026
 - d. Appendix L - Site and Subdivision Plans dated May 1, 2026

Nelson Pope Voorhis dated February 3, 2026

A. General Comments

1. *As per the SEQRA regulations, the FEIS must include “a precise summary which adequately and accurately summarizes the statement” which is typically referred to as an Executive Summary. This appears to be missing.*

Response: The FEIS has been reorganized to include an Executive Summary.

2. *The FEIS keeps open the door for a future area variance to a taller building. Applicable responses need to address the potential impact related to a taller building. The responses are also inconsistent – either the Project Sponsor wants to pursue a variance, or not.*

Response: A height variance is not being requested. All references to a height variance have been removed from the FEIS.

3. *In general, there needs to be a comprehensive discussion of the ownership and maintenance of the wastewater treatment plant (WWTP). There are pieces of information throughout the responses which should all be presented in one section. For example, somewhere further in the document after the Project Description, it refers to the establishment of a sewer district.*

Response: A comprehensive discussion of the ownership and maintenance of the wastewater treatment plant (WWTP) has been added to FEIS Section 1.2 & 1.3.3.

4. *NYSDEC should provide some indication of whether or not they are willing to permit the wetland buffer disturbances, and generally whether they accept the design of the WWTP, including the discharge point.*

Response: The WWTP Engineer’s Report was submitted to NYSDEC as part of the overall application package. However, NYSDEC has not yet formally reviewed it, as they indicated that technical review will not proceed until the SEQR process is complete and the Public Participation Plan requirements are satisfied. The most recent coordination with NYSDEC was related to the wetlands delineation and Jurisdictional Determination (JD) process for the parcel, during which the wetland boundary was confirmed. NYSDEC has not provided any comments to date regarding the proposed discharge location. The Department will review the final proposed discharge location as part of its formal technical review once the SEQR process is complete.

5. *The applicable fire departments should review the responses and indicate if they are acceptable.*

Response: EP and Town Engineer Jim Farr attended meetings with both the Montgomery and Coldenham fire departments on February 20, 2026 and February 26, 2026, respectively, to review the responses to the fire district comments.

6. *The Planning Board has been discussing the timing of when the traffic signal will be installed – prior to construction? This needs to be determined.*

Response: It is the Applicant’s intention to complete the installation of the offsite roadway improvements, the traffic light and left turn lanes, **BEFORE** a Certificate of Occupancy is issued for the first residential building, which is expected to be 18 months after construction commences. Construction Entrance Ahead signs with flashing warning lights will be located along 17K both east and west of the construction entrance. The contractor will provide a flagger to direct traffic into and out of the Site’s construction entrance during all periods of construction before the traffic signal is operational. Additionally, a flagger will be positioned at the Montgomery Heights intersection during the AM and PM high school and middle school arrival times until the traffic

signal is operational. This language has been added to Section 1.4 under the heading Off-Site Improvements.

7. *Please address if a PILOT is being pursued, or other financial measures which would reduce tax payments.*

Response: The Applicant is seeking Real Property Tax and Mortgage Tax reductions. A PILOT will not be pursued.

8. *The Valley Central School District specifically requested a School Impact Study which has not been performed. The Planning Board should determine whether the draft responses should be provided to the school district for review.*

Response: EP attended a meeting with the VCSD on February 26, 2026 to review the responses to the school district's comments. The VCSD is currently reviewing the responses.

B. FEIS Comments

1. *Contents. Please fix formatting errors in the section.*

Response: The formatting of the Table of Contents has been corrected.

2. *The FEIS keeps open the concept of requesting an area variance at a later date....*

Response: The Applicant is not requesting a height variance. All references to a height variance have been removed from the FEIS.

3. *Table 1.2A states that 12.95 acres of impervious surface is proposed – the sentence after the table indicates its 13.76 acres?*

Response: Table 1.2A is now 1.2C and it has been corrected to indicate 12.83 acres of impervious surfaces will be constructed for a total of 13.08 acres, which includes the existing 0.25 acres of impervious surfaces.

4. *Table 1.2A states there is a total of 27.93 acres of “loss of cover”. Under 1.2B, it states 29.21 acres to be disturbed? Please make consistent or clarify.*

Response: Both values are correct. Some areas of disturbance will remain the same cover type as they were in the existing condition, which makes the area of disturbance greater than the “loss of cover” amount. A footnote has been added for clarity.

5. *It is incorrect to state the entirety of the forested upland of the parcel had been cleared. Aerial images from 1963 illustrate the ridgeline on the property to the west of the wetland was still forested. Thus, there would be trees present over 60+ years of age. This narrative should be revised or deleted.*

Response: According to the USGS 1957 Topography map (attached) for Walden, the Site was cleared of trees with the exception of two small areas on the southern portion.

6. *The narrative regarding wetlands does not match the ACOE determination. The ACOE determination states there are three wetlands. Explain differences in narrative.*

Response: The narrative describing the ACOE wetlands in Section 1.2 has been revised to match the ACOE determination.

7. *For the uses and reference to 55 and older community, note it is adjoining and south of the site.*

Response: Section 1.2 has been revised as requested.

8. *Indicate whether lights will be installed along the school pathway.*

Response: Section 1.3.2 has been edited to state that low wattage bollard light posts will be installed along the walking/bicycle path.

9. *KALA is reviewing the landscaping plan and performance buffer adequacy.*

Response: Comment is noted.

10. *The Applicant has provided a recreation “required analysis” – this the Planning Board’s responsibility. Also, we do not believe that open space is counted toward recreation – the Planning Board should review as there is case law in this regard.*

Response: This item is being reviewed by the Town Attorney. Town Law §277(4)(b) specifically states that “Land for park, playground or other recreational purposes **may not** be required until the planning board has made a finding that a proper case exists for requiring that a park or parks be suitably located for playgrounds or other recreational purposes within the town. Such findings shall include an evaluation of the present and anticipated future needs for park and recreational facilities in the town based on projected population growth to which the particular subdivision plat will contribute.” Notwithstanding this, the Applicant will provide on-site areas, both indoor and outdoor, for recreational purposes for residents of the development and their guests. The Applicant will address this matter with the Town Board. See FEIS *Response 13.1, 14.8, 16.1, 33.1 & 28.1.*

11. *Check signage*

Response: The proposed signage will comply with Zoning Code Section 235-13 and are described in FEIS Section 1.3.6.

12. *Is the 5-[acre] waiver approved by the NYSDEC or the Town’s stormwater management officer?*

Response: The reference in Section 1.4 has been edited to state “The Property Owner will seek a waiver from the NYSDEC’s maximum disturbance limit of 5 acres regulation from the Town of Montgomery as the MS4 Administrator.”

13. *How will the concrete slurry be managed to avoid it entering the on-site water resources? Does the site plan provide information on where these activities will be staged? This should be a more specific discussion.*

Response: The following statement has been added to Section 1.4. Concrete slurry will be contained using designated washout areas and protective barriers so it cannot reach any on-site water resources. All concrete washing and equipment cleaning will occur only within the marked washout zone shown on the site plan. The contractor will ensure these activities remain confined to that controlled area at all times.

14. *The purpose of SEQR is to know what the impacts are now, not at a later date. This page should discuss what geotechnical analysis has done to predict whether rock will be encountered.*

Response: A discussion of the subsurface investigation that was performed has been added to Section 1.4.

15. *The Planning Board should consider whether the grading and all the earthwork adjacent to the Montgomery Heights Road homes, occurring within 25 feet of the nearest home, is acceptable, or whether additional mitigation, e.g., bigger setbacks, should be provided.*

Response: The proposed grading located within 25 feet of the nearest home is for the proposed residential driveway which is located as such to minimize the amount of wetlands disturbance. All other proposed grading limits are over 125 feet at the nearest point to an existing house. Furthermore, the Applicant is unaware of a Town Code that prohibits grading up to the property line. The proposed grading is consistent with what the Planning Board has approved for other projects, such as Hawkins Apartments where the new apartment building is less than 70 feet from the nearest existing house and grading for the infiltration pond is approximately 35 feet from the existing house.

16. *This is first reference to the sewer being potentially dedicated to the Town. There needs to be a comprehensive discussion in the project description, incorporating all aspects of ownership and maintenance. Under 1.3.3, it is stated it will be owned and maintained by the Project Sponsor, but later, the FEIS references it being dedicated.*

Response: Section 1.5 has been edited for clarity and 1.3.3 has been revised to state “The proposed sewage collection system and WWTP will be offered for dedication to the Town, should it decide to take over the operation and maintenance. Until the Town takes ownership, the sewage collection system and WWTP will be owned and maintained by the Project Sponsor and the Applicant will prepare the required incorporation documentation in compliance with Transportation Corporation Law Article 10.”

17. *Reference to a stormwater agreement needs to be added. Also, if there will be a drainage district, add information here.*

Response: The statement “A stormwater maintenance agreement between Lots 1, 2 & 3 for shared facilities will be filed prior to subdivision approval. If the Town requires the Applicant to establish a drainage district, one will be established per the Town’s direction.” has been added. However, the Applicant believes a drainage district does not make sense for this project.

18. *Please add reference to the enhanced Cary Institute protocol for de-icing mentioned elsewhere in the FEIS.*

Response: As requested, the reference has been added to Section 1.5 under the heading Snow & Ice Removal.

19. *Table 1.7 – please address who approves the 5-acre waiver. Earlier, the document indicates it is NYSDEC.*

Response: The earlier reference in Section 1.4 has been edited to state “The Property Owner will seek a waiver from the NYSDEC’s maximum disturbance limit of 5 acres regulation from the Town of Montgomery as the MS4 Administrator.”

20. *Land Use and Zoning – the Project is not consistent with zoning if an area variance is being pursued.*

Response: A height variance is not being requested. The reference has been removed.

21. *Under land, is it 27.93 or 29.21? Same under Vegetation and Habitat.*

Response: The numbers in Table 2.2 are correct. The area of disturbance (29.21 acres) greater than the “loss of cover” amount (27.93 acres) because some areas of disturbance will remain the

same cover type as they were in the existing condition,

22. Need to consult with the NYSDEC and evidence provided that they will approve 0.996 acres of buffer disturbance. What mitigation is being offered?

Response: The NYSDEC will review the proposed buffer disturbance as part of its formal technical review once the SEQR process is complete. If the NYSDEC requires mitigation, it will be provided to their satisfaction.

23. R3.6 - Revise Response to Comment – SEQRA does not indicate that mitigation is to be provided “where possible.” The following should be stated in some form: “Agencies shall use all practicable means to realize the policies and goals set forth in this article, and shall act and choose alternatives which, consistent with social, economic and other essential considerations, to the maximum extent practicable, minimize or avoid adverse environmental effects, including effects revealed in the environmental impact statement process.”

Response: The response has been revised as requested.

24. Regarding Table 3.3 – would the entire site have to be laid out as a subdivision to be able to then consider it a cluster development?

Response: The Applicant’s Attorney believes that a cluster layout is only necessary for the RA-1 zoned portion of the parcel, where multi-family residential is not permitted, so that the density can be “shifted” from the RA-1 zoned portion of the Site to the RM-1 zone where multi-family is permitted. According to Town Code §235-8.2A, a cluster development for subdivisions can be approved by the Planning Board simultaneously with the approval of a subdivision plat. A conventional subdivision plan was provided as part of the DEIS for the portion of the Project located in the RA-1 zone to establish a yield of eight dwelling units that would be transferred to the RM-1 zone. This item will be addressed by the Town Board.

25. R10.2 – the Planning Board and Town Board need to determine whether the project will impact the Town’s recreational facilities.

Response: See Response #B.10 above

26. R10.4 – are the light poles and luminaires elevated above the Montgomery Heights homes, and will they therefore be visible? Is sufficient undisturbed forested area being retained around the periphery of the development to limit views of the elevated lights? See especially the lights at the entry drive to the apartment complex.

Response: The lighting plan has been revised to include full cut off shields on the light fixtures located closest to the Montgomery Heights neighborhood.

27. R10.5 – response to be revised. The time-consuming nature of photosimulations would not be a response from the Planning Board. The Planning Board must decide whether it still would like some form of a rendering as to how impactful this project is visually on adjoining residences.

Response: The response has been revised as follows: “Although no formal site plan application is being sought for the commercial development, a rendering of what the development “pad” might look like is shown as Viewpoint 2 of DEIS Appendix G2. The retaining wall near the Montgomery Heights residences has been replaced by a landscaped slope which is blocked from view in Viewpoint 2 by the future commercial building.” In addition, a cross-section through the Montgomery Height neighborhood and the proposed apartment complex is provided as Figure

3.11A to illustrate how the existing and proposed landscaping will buffer the proposed buildings and parking areas from the existing residential homes.

28. R10.7 - The specific treatment level and odor control measures need to be provided. The response is too generic.

Response: The following narrative has been added regarding the specific odor control measures. "The MBR (Membrane Bioreactor) wastewater treatment plant is designed to minimize odor. Continuous aeration and fully aerobic operation prevent the formation of hydrogen sulfide and other odor-causing compounds. High MLSS concentrations (10,000–15,000 mg/L) and extended sludge retention times (20–30 days) promote complete biological stabilization of organic matter, further reducing odor potential. The MBR is housed within a building to limit the dispersion of any minor odors. To enhance air circulation, the building will be equipped with two air intake louvers and two exhaust fans, providing controlled airflow and preventing odor accumulation. Based on experience with similar MBR systems, the facility is not expected to generate noticeable odors outside the building. This technology has a proven record of successful installations, and a site visit to an operational MBR plant can be arranged to demonstrate minimal odor."

29. R10.8 – during the review for the DEIS, it has been requested that the Ecologist visit the area surrounding the core habitat area to determine what species are present. This needs to be accomplished if it has not been. This has been an open item for some time. The adjoining area on this site would support habitat for turtles which may be in the core habitat. Responses to whether or not the area around the core habitat has been reviewed are unclear.

Response: The area around any core habitat on the adjoining parcels of land was directly examined by the Town's ecological consultant, Mr. Jason Tusoro, during a field visit on 19 June, 2025. His assessment of any of these areas of potential core habitat is that they appear to be sufficiently buffered and distant from project-related impacts. Any portions of the area on this site that might present non-core habitat for (bog) turtles are limited to the on-site open water areas and immediate shorelines of the pond, and these areas are all within the jurisdiction of the NYSDEC and are areas of the site that are not to be disturbed by the proposed development.

30. R10.10 – the letter in Appendix B1 states a School Impact Study is needed – the appendix does not "acknowledge" that the school district is in agreement with the analyses.

Response: EP attended a meeting with the VCSD on February 26, 2026 to review the responses to the school district's comments. The VCSD is currently reviewing the responses.

31. R21.1 – this response indicates that the FEIS will be reviewed before it is accepted as complete. Will this be the case? The Planning Board should determine whether it will release a draft FEIS before it is accepted.

Response: The typo (before => after) has been corrected.

32. R23.1 – this is not responsive. Provide more detail as to whether other projects were considered under cumulative impacts for the school district impacts, etc.

Response: The response has been revised as follows: "The VCSD Comprehensive Long Range Planning Study 2021-2022 and the VCSD Long Range Planning Study Update 2024-25, both prepared by Western Suffolk BOCES Office of School Planning and Research, which include forecasts for future student enrollment for the entire district, were utilized to assess the cumulative impacts to the school district. The Traffic Impact Study also includes future traffic generation from other proposed projects in the area to evaluate the cumulative impacts on the existing road

network. The water and sewer systems are designed to serve only the proposed development and therefore cumulative impacts were not studied.”

33. R8.2 – a blasting protocol was actually provided in response to one of the comments – this should be discussed in the Project Description, and referenced.

Response: The blasting protocol detailed in Response 8.8 & 10.27 has been added to Section 1.4 under the heading Bedrock Removal Procedures.

34. R1.7 – this narrative regarding water and sewer district formation needs to be provided at the beginning of the document.

Response: The narrative has been added to Section 1.2 as suggested.

35. R2.62 – Please cite the Town’s guidelines referenced in Response to 10.29 and 12.7 (Cary Institute guidelines).

Response: The guideline from Response 10.29 & 12.7 have been restated here.

36. R6.20 – if there is an area variance, will it still meet collapse zones?

Response: A variance is not being requested. The response has been revised accordingly.

37. R6.30 – the response should be straightforward – will there be labels on all four sides of the building

Response: The response has been revised as suggested.

38. R9.14 – this needs to be resolved. The Fire Department states the width is to be 26 feet wide for the access road connecting to Montgomery Heights Drive – the response says it will be 20 feet wide.

Response: The response was reviewed with the Montgomery Fire Department on February 20, 2026, and they concur that a 20-foot-wide access connecting Montgomery Heights Drive is adequate.

39. R10.14 – is the onsite manager there 24/7, i.e., an apartment for the manager?

Response: The response has been revised to state “There will be an onsite **permanent resident** manager, project business office and onsite custodial-maintenance employee or contractor.”

40. R10.17 – the construction hours should be determined at this time, and integrated into the FEIS. The Planning Board should discuss with the Project Sponsor.

Response: The following statement has been added to the response. “Construction will be conducted during specific hours that comply with the Town of Montgomery Noise Code. §162-7.B states construction activities are permitted on weekdays during daytime hours and on weekends and holidays during the hours of 10:00 a.m. to 5:00 p.m. Blasting is not permitted on Sunday or holidays. However, the Applicant will voluntarily limit construction hours to Monday – Friday 7 am to 7pm and Saturday from 10am to 5pm. There will be no construction on Sundays or Federal Holidays.”

41. R10.19 – the market value of the alternatives would not be the same as the proposed action. Please revise.

Response: The market value was determined based on the number of units. Since the alternatives have the same number of residential units as the Proposed Action, their market

values would also be the same.

42. R10.20 – *this is not entirely accurate, as the FEIS states the Project Sponsor may pursue an area variance.*

Response: The response has been changed to say “A height variance is not being pursued.”

43. R14.2 – *please provide brief summary of what the responses are. As noted previously, the details of the water and wastewater need to all be provided in the Project Description – details are spread out through various responses.*

Response: A summary has been provided in the response and a narrative has been added to Section 1.2.

44. R10.27 – *this appears to be the blasting protocol to be utilized. This should be put in the Project Description or somewhere in the beginning of the FEIS, and then referenced. It could also be an appendix.*

Response: The blasting protocol has been added to Section 1.4 under the heading Bedrock Removal Procedures and referenced in the response.

45. R3.2 – *the discussion regarding the culvert is nonresponsive. The Project Sponsor should consult with the NYSDOT for responses to comments. There is a lot of hypothesizing about the issue and that it is DOT’s responsibility – since the Project Sponsor is contributing to flows, the NYSDOT should be contacted.*

Response: The SWPPP Report was provided to NYSDOT in the December 17, 2025 submission. Their review of this submission has not yet been completed, however to date there has been no indication of drainage concerns relative to this culvert by the NYSDOT. It is anticipated that further drainage analysis associated with the offsite roadway improvements, including analysis of the existing roadside swale on the south side of Route 17K and the culvert under Route 208 that is referred to in the comment will be conducted as part of the detailed design of the offsite improvements.

46. *Same comment as above.*

Response: See response to #45 above.

47. *The Planning Board needs to determine whether the WWTP location is acceptable. In some instances, the FEIS states that the WWTP will not be enlarged and only services the development – in other responses, it states it could be expanded. These responses need to be presented consistently.*

Response: Any proposed alternative WWTP location would still require a discharge line to the wetlands and would have similar impacts to the wetlands buffer. In addition, any alternative to the current WWTP location would require the plant to be moved up hill and would no longer allow for gravity wastewater flow from the future retail commercial buildings and would preclude the opportunity to service other adjacent properties via gravity sewer should the Town decide to take over the WWTP and form a larger sewer district, which would amount to poor planning. The following statement has been added to Section 1.3.3 “The WWTP will be designed and constructed in a manner that allows for it to be expanded in the future should the Town determine additional capacity is warranted.”

48. R8.29 – *an indication that NYSDEC is willing to permit the buffer disturbance is needed for the*

FEIS. Will they require mitigation? Depending on their comments, project changes may be necessitated.

Response: The following has been added to the response, “The NYSDEC will review the proposed buffer disturbance as part of its formal technical review once the SEQR process is complete. If the NYSDEC requires mitigation, it will be provided to their satisfaction.”

49. R8.36 – will the drainage analysis include the impacts associated with the theoretical commercial development? Again, some response from NYSDOT is needed that indicates they find the mitigations acceptable.

Response: See response to #45 above.

50. R8.48 – from the NYSDEC or the Town Stormwater Management Officer?

Response: The response has been revised to state “A waiver will be requested from the Town of Montgomery as the MS4 Administrator so that more than 5 acres of disturbance can occur at any one time.”

51. Regarding the culvert, provide communications with NYSDOT.

Response: See response to #45 above.

52. R34.1 – specifically indicate if culvert has been or will be studied in the response.

Response: See response to #45 above.

53. R2.5 – revise the response. The specific question being asked is that the Project Sponsor indicates if they would commit to providing water should their wells run dry after this project is implemented. Please address.

Response: The following statement has been added to the Response “Assuming the Applicant complies with all rules and regulations related to the taking of a potable water supply for the project, there is no reason to believe the surrounding wells will be adversely affected. Therefore, there is no justification for a commitment to provide water service to the surrounding homes.”

54. Revise Response 23.5 – the Planning Board would not necessarily opine for the Richard Dairy Shed to hire and well contractor and make improvements to their well. Also, the last paragraph is inconclusive – the drawdown would be 6 feet, and there is no information on the depth of their wells provided.

Response: The statement suggesting that Richard Dairy Shed, as a public water supply, should hire a NYSDEC registered water well contractor to inspect the shop well and make the proper improvements to their well to be in conformance with the New York State Sanitary Code has been removed from the response, and the following language has been added “Since both wells were inaccessible at the time of the well inspection, and the depth of the wells are unknown. Less than six (6) feet of drawdown is considered a minor impact on a typical water supply well and should not affect the normal use of the well. A Freedom of Information Law (FOIL) request was submitted to the Town, NYSDOH, and NYSDEC for well construction details for the Richard’s Dairy Shed. Well depth will be provided if the information is obtained.”

55. R29.10 – need DEC input on the water report.

Response: The following statement has been added to the response, “The hydrogeologic report was included in the Water Withdrawal Permit Application provided to the NYSDEC on November 12, 2025, and is currently under review. The conclusions of the review will be available when they

are provided by NYSDEC.”

56. R6.2 – these responses, including others involving firematics, should be reviewed by the fire departments for their acceptability.

Response: EP and Town Engineer Jim Farr attended meetings with both the Montgomery and Coldenham fire departments on February 20, 2026 and February 26, 2026, respectively, to review the responses to all of the fire district comments.

57. R8.24 – the Planning Board should decide whether there will be any post groundwater monitoring study to ensure neighboring wells are not impacted. There do not appear to be any contingency plans in the event of wells being impacted by the development.

Response: The following language has been added to the response “The taking of a potable water supply for the project requires compliance with Environmental Conservation Law Article 15. The NYSDEC will review all of the tests, reports and plans to make the necessary determinations that satisfy the standards for a safe, reliable and necessary water supply systems. The capacity and adequacy of the sources of the water supply are part of its decision process. Assuming the Applicant complies with all rules and regulations related to the taking of a potable water supply for the project, there is no reason to believe the surrounding wells will be adversely affected. Therefore, there is no justification for a commitment to provide water service to the surrounding homes.”

58. R9.1 – again, provide all details at the beginning of the FEIS regarding offers of dedication, etc. for the water supply and WWTP.

Response: The details of the water supply have been added to Section 1.2.

59. R9.8 – not responsive. How is this project different or similar.

Response: The response has been revised as follows “ Sprinkler systems will be provided throughout the proposed residential buildings. In addition the Water System Report (FEIS Appendix I2) indicates that the proposed water supply system provides adequate flow and pressure rates for fire suppression purposes.”

60. R9.9 – if the Applicant is not providing a dry system in place, please state this.

Response: “A dry system is not proposed” has been added to the response.

61. R24.6 - The FEIS needs to address tie-ins. The Planning Board should discuss.

Response: The response has been revised to state “The water and sewer systems are designed specifically for the Project’s use. The Montgomery Heights properties will not be connected to the water and sewer systems as part of the Proposed Action. The WWTP will be designed and constructed in a manner that allows for it to be expanded in the future should the Town determine additional capacity is warranted.”

62. R2.30 – this response states that there were no species-specific surveys. R.10.38 states the site was walked for bog turtles. Please clarify.

Response: The response has been revised as follows: “There were no species-specific studies conducted for wildlife species. All observations of wildlife were made incidental to the development of a wildlife habitat assessment of the property. The Natural Heritage Program of the NYSDEC does not include any reports of the presence of Blanding’s turtle in Orange County or its surroundings. The site was not walked for the purpose of conducting a species-specific survey for

bog turtles. The site was walked for the purpose of identifying habitats that might be exploitable by species of wildlife that might be expected to be present on, or in the vicinity of, the property. Mr. Tesauro, acting as the Town's ecological consultant, conducted a habitat review of the property on 19 June, 2025, to document ecological conditions and to evaluate the potential for the occurrence of protected species of wildlife in relation to those observed conditions."

63. R10.38 – it is still unclear whether the Ecologist field visited the site, at the appropriate time, to observe habitat in and around the core habitat which is just off-site.

Response: The following clarification has been added to the response "The areas of habitat in and around the possible areas of core habitat that were suggested by the Town's ecological consultant on an adjoining parcel were not visited by the project's ecologist."

64. R12.12 – not responsive.

Response: The Town's Natural Resources Inventory (NRI) produced in December of 2020, did not include any known locales for regulated species of turtle within the Town. That NRI report included updated information obtained by the Town from the NYSDEC, Hudsonia, and the Hudson River Estuary Program."

65. R21.5 – the response appears to be an unsubstantiated assertion regarding water quality – did the Project Sponsor test the wetland's water quality? If not, delete.

Response: The response has been revised as follows: "Effluent discharged to the wetlands will be fully treated within the proposed wastewater treatment plant (WWTP) prior to release and will be required to meet all applicable NYSDEC SPDES permit limits and water quality-based effluent limitations established for the receiving waterbody. The WWTP design and operation will be subject to NYSDEC review and approval, and effluent monitoring will be conducted in accordance with permit requirements to ensure compliance with applicable State water quality standards and protection of wetland resources."

66. R26.3 – since the Applicant is not providing a performance buffer for a potential drive-through, not in the Project Description that drive-throughs will not be permitted on the commercial site.

Response: The statement "drive-throughs will not be permitted on the commercial Lots 1 or 2" has been added to Section 1.2.

67. R5.3 – what is the length of the Hawkins Drive apartment? What is the total square feet of the proposed buildings versus Hawkins Drive?

Response: The response has been edited to read "The 26,716 square-foot, 3-story, L-shaped building is very visible from Hawkins Drive and Goodwill Road. The building contains 80 apartment units and measures approximately 516 feet along the parking lot side of the building (295 ft + 34 ft + 187 ft) and is 59 feet wide."

68. R2.72 – revise response. The Planning Board has viewed balloon tests for wireless community facilities – a balloon could certainly be flown at the height of the water tank. It is a different matter whether a balloon should be flown – that should be a Planning Board discussion.

Response: The response has been revised to state "The Final Scoping Document for Sheffield Gardens adopted on December 12, 2022 did not specify the use of flags or balloons for the visual study. The water tank is depicted in Viewpoint 11 in the photo-simulation in DEIS Appendix G2. See Response 10.44 below, which describes the method used to prepare the photo-simulation."

69. R12.21 – Planning Board needs to decide on the balloon test.

Response: See Response 68 above.

70. R2.69 – provide status – this reads as if it is an open item.

Response: The response has been revised as follows: Section 1.3.2 states “Improvements proposed to Montgomery Heights Road include a vehicle turnaround near the proposed termination adjacent to NYS Route 17K and emergency access gates at both ends of the north/south leg.” The turnaround will accommodate vehicle turning movements for fire emergency vehicles and highway maintenance vehicles. The site plan was reviewed with the fire department on February 20, 2026.

71. R2.70 – this narrative on the water and sewer systems, ownership, operation and maintenance need to be comprehensively addressed in beginning of FEIS.

Response: The language from this response has been added to the narrative in Section 1.3.3.

72. R14.4 – odors have not been discussed in detail. Include specific details in section at beginning of FEIS.

Response: The following narrative has been added to Section 1.3.3 “The MBR (Membrane Bioreactor) wastewater treatment plant is designed to minimize odor. Continuous aeration and fully aerobic operation prevent the formation of hydrogen sulfide and other odor-causing compounds. High MLSS concentrations (10,000–15,000 mg/L) and extended sludge retention times (20–30 days) promote complete biological stabilization of organic matter, further reducing odor potential. The MBR is housed within a building to limit the dispersion of any minor odors. To enhance air circulation, the building will be equipped with two air intake louvers and two exhaust fans, providing controlled airflow and preventing odor accumulation. Based on experience with similar MBR systems, the facility is not expected to generate noticeable odors outside the building. This technology has a proven record of successful installations, and a site visit to an operational MBR plant can be arranged to demonstrate minimal odor.”

73. R3.20 – the response is generic. Please address based on discussions with DEC.

Response: The statement “The application for a SPDES permit has been submitted to the DEC. The flow and discharge effluent limits will be specified in the SPDES permit.” has been added to the response.

74. R21.3 – please address whether DEC finds the design acceptable.

Response: The statement “The application for a SPDES permit has been submitted to the DEC. The flow and discharge effluent limits will be specified in the SPDES permit.” has been added to the response.

75. R12.24 – Provide a summary of sludge collection here.

Response: “Sludge will be collected in the 10,000-gallon tank at WWTP. The system is designed to be pumped out every four weeks, and the details are included in Section 4.7 of the WWTP Engineer’s Report (FEIS Appendix I1).” has been added to the response.

76. R21.2 – provide a summary here – will the treated effluent travel over an adjoining property before entering the wetlands?

Response: The response has been revised to state “See **Response 2.9, 29.7 & 31.3**, which evaluates the size and flow capacity of the existing wetland and outlet culvert. The treated

effluent will be discharged into the onsite wetland and then travel over the adjoining property through the same wetland.”

77. R29.8 – provide summary of effluent being monitored.

Response: The response has been revised to state “The Engineer’s Report in FEIS Appendix I lists BOD₅ (five-day Biochemical Oxygen Demand), TSS (Total Suspended Solids), TP (Total Phosphorus) and TN (Total Nitrogen) as the constituents being monitored.”

78. R32.1 – provide a brief summary response here.

Response: The response has been revised to state “See **Response 2.9, 29.7 & 31.3**, which evaluates the size and flow capacity of the existing wetland and outlet culvert, **Response 3.26 & 21.3**, which indicates landscaping is proposed around the WWTP and the NYSDEC will review daily monitoring of the effluent discharge quality and quantity going into the wetlands. and **Response 29.5**, which explains why a connection to an existing treatment facility is not feasible and how the WWTP will allow the project to proceed independently without relying on external infrastructure upgrades.”

79. R24.7 – here the response indicates no variances are being sought. Elsewhere, it is stated the Project Sponsor is not seeking a variance “at this time”. Please address and make it consistent throughout.

Response: A height variance is not being pursued.

80. R10.52 – Planning Board needs to provide input, with Planning Board Attorney direction and advice regarding open space and recreation.

Response: This item is being reviewed by the Town Attorney.

81. R12.6 – this needs a response in the FEIS, as per the comment.

Response: The retaining wall in question has been removed from the site plans. A detailed structural design for all other proposed retaining walls will be provided prior to final site plan approval.

82. R2.8 – this is generic response. Will the Project Sponsor first market the apartments to service providers?

Response: The following statement has been added to the Response “The Project Sponsor will market the apartments to service providers first.”

83. R2.32 – believe the range is \$1900 to \$2100 as per Project Description?

Response: The typo has been corrected.

84. R10.58 – the first two sentences are opinion and should be deleted – they also have no relevance to the comment on scale and form. The comment does not ask for any information on rental versus owner occupancy either.

Response: The first three sentences have been deleted as requested.

85. All comments regarding recreation will need to be addressed by the Planning Board. The Planning Board must determine if the Project Sponsor’s analysis on p. 152 is acceptable.

Response: This item is being reviewed by the Town Attorney.

86. R15.1 - *The Planning Board should refer this response to the school district, to determine if the school district believes it is adequate.*

Response: EP attended a meeting with the VCSD on February 26, 2026 to review the responses to the school district's comments. The VCSD is currently reviewing the responses.

87. *Bottom of page - does the average expenditure per pupil already factor in state aid? Did the Applicant speak to the school district to determine what the average state aid is per pupil? Without state aid, the school district will experience a deficit with this project, based on the assumptions.*

Response: The average expenditure per pupil does not factor in state aid. They are the average per pupil expenditures for all schools in the district. The amounts are publicly available on the NYS Education Department website <https://data.nysed.gov/profile.php?instid=800000040264>

88. R23.3 – *consultation is needed with DEC and ACOE to determine if they are likely to permit the disturbances. Written response should be provided.*

Response: The NYSDEC will review the proposed wetland buffer disturbance as part of its formal technical review once the SEQR process is complete. A Nationwide permit will be filed with the ACOE for the 0.03 acre disturbance of ACOE Jurisdictional Wetlands.

89. R12.34 – *this response is confusing. How would a market rate development be affordable? This response should be stated as the opinion of the Project Sponsor.*

Response: The response has been modified to read "In the opinion of the Project Sponsor, this is a market rate project to meet the need for middle income residents."

90. R8.19 – *the comment relates specifically asks for improvements that will be done prior to Phase I construction. State in the response that these improvements are being made prior to Phase I construction.*

Response: It is the Applicant's intention to complete the installation of the offsite roadway improvements, the traffic light and left turn lanes, **BEFORE** a Certificate of Occupancy is issued for the first residential building, which is expected to be 18 months after construction commences. Construction Entrance Ahead signs with flashing warning lights will be located along 17K both east and west of the construction entrance. The contractor will provide a flagger to direct traffic into and out of the Site's construction entrance during all periods of construction before the traffic signal is operational. Additionally, a flagger will be positioned at the Montgomery Heights intersection during the AM and PM high school and middle school arrival times until the traffic signal is operational. This language has been added to Section 1.4 under the heading Off-Site Improvements.

91. R8.21 – *refer to the blasting protocol provided in an earlier response.*

Response: The response has been revised as follows "The blasting protocol is provided in Response 8.8 & 10.27 has been added to FEIS Section 1.4 under the heading Bedrock Removal Procedures."

92. *Note the following:*

- The equalization rate appears to have been 42% in 2023. Need to make sure the appropriate tax rate was applied to the appropriate assessed value.

Response: The equalization rate used for the fiscal analysis is 49% not 47%. The result is higher assessed valuation with corresponding higher tax revenue. The tax rates used are

\$36.19 school. The 2025-2026 rate is \$36.55. The town tax used was \$2.83. The 2026 rate \$2.90. The difference is covered by the ER increase from 42 to 49%. Tax rates and ER vary annually.

- Note 2, what is the date of the study regarding capitalization rates?

Response: The capitalization rate was based on 2024-25 confirmed sales. Current market activity evidences in Orange, Ulster and Rockland Counties. However, the capitalization rate used of 6.95 is still supported by market experience and is consistent with the practice of nearby assessors and national real estate companies with Mid-Hudson offices.

- Real property taxes in operating expenses – does this match the outcome?

Response: The real property taxes of \$1,294,588 are matched with the operating expenses of \$2,215 per dwelling unit \$578.115 plus \$564,116 taxes in excess of proforma, plus commercial \$152,357. The real property taxes of \$1,294,588 to match the property tax estimates. Valuation of income producing property requires use of market driven rents not project particular experience.

- Was the market value vetted by the Town Tax Assessor?

Response: The market value was not vetted with the tax assessor since the value is to be determined based on the facts at the time of Certificate of Occupancy. The valuation calculation requires acceptable income and expense numbers, the NOI analysis and market cap rates at that time.

- What comparables were checked to vet the market value?

Response: The market value of income producing residential real estate can be theoretically valued in three ways. Reproduction less depreciation which is used for unique special type properties that have no income production aspect and no comparables. Valuation based on comparable market sales price requires so many adjustments to the subject that increases subjective factors. The primary valuation tool is capitalized value based on objective components of income and expense for which there are numerous instances and sources. It is the overwhelming choice of professional appraisers and government value experts. Sometimes comparative market sales are visited but are far superseded by the capitalization valuation.

- Need to check whether the market value is inflated. It is \$30,000 more than Hawkins apartments which appear to be comparable units at comparable rental pricing.

Response: The market value is not inflated. There is no empirical comparison to the Hawkins apartments. These two projects are totally different. Hawkins has a tax burden of \$300 tax per apartment. Sheffield is determined by analytical real life facts without benefit of ceiling. Hawkins has subsidized financing. Sheffield is venture capital. The inside and outside amenities, recreation and open space attributes of Sheffield are far in excess of those of Hawkins which is basically minimal. The rental levels of Hawkins are regulated and for the most part below unregulated market prices.

MHE Engineering dated January 30, 2026:

MHE FEIS Comments 30 January 2026

1. Section 1.3.3 and Appendix I1- Proposed WWTP

a. The size of the septic tank (12,000 gallons) seems undersized for a projected average daily

flow of 58,000 gpd. Provide justifying calculations.

Response: One 60,000-gallon EQ tank is proposed with this submission.

b. Discuss process for ventilation and pumping operation/frequency of new septic tank at the WWTP. has the potential to release odors.

Response: Details have been included in Section 4.7 and Section 5 of the WWTP Engineer's Report.

c. The WWTP building appears undersized for the proposed system and operation. The building layout should be reviewed and improved. Additional consideration should also be given for future building expansion.

Response: The building layout has been revised to accommodate the treatment system.

d. More information should be provided regarding the WWTP building type and materials.

Response: This has been provided in Appendix C - WWTP Layout of the WWTP Engineer's Report.

e. MBR systems often require some level of fine screening prior to the MBR Tanks. In this case, possibly prior to the Anoxic Tank. This should be reviewed and incorporated into the building layout if applicable.

Response: A fine screen with one redundancy is proposed before the 9,000 gallons anoxic tank.

f. Sludge removal/solids handling could potentially be a source of odor for the WWTP. Solids handling operations, and building odor mitigation in general, should be further discussed in the FEIS and Engineer's Report.

Response: Details have been included in Section 4.7 and Section 5 of the WWTP Engineer's Report.

g. The FEIS mentions that a fuel tank and backup generator are located inside the building. This may be a typo. The Site Plans call out the generator outside of the building, although nothing is shown. Provide additional information on the fuel tank type/size.

Response: The generator will be located outside the building, as shown in Appendix C - WWTP Layout of the WWTP Engineer's Report (FEIS Appendix I1). The typo in Section 1.3.3 of the FEIS has been corrected. The generator will be a fuel-integral type, with an integral fuel tank incorporated into the equipment assembly. We are currently in the process of sizing the electrical components. The size of the integral fuel tank will be provided upon completion.

h. Due to proximity to Rte 17k and residences, noise from the process blowers (inside the building) and backup generator (outside of the building) should be discussed in the FEIS. Sound attenuating enclosures should be considered.

Response: Turbo blowers will be installed inside the building. They are expected to generate approximately 75–80 dBA at 1 meter, roughly equivalent to the noise of a household vacuum cleaner. Proper placement within the WWTP building will help minimize noise impacts on plant personnel and surrounding areas. The generator will have a standard sound-attenuating enclosure and will only be operated for bi-weekly exercising or as needed during emergencies.

- i. *WWTP Engineer's Report should comment on lifespan and removal frequency of MBR modules. Further, the building layout should provide adequate means to access and remove modules (i.e. overhead doors, room for lifting equipment, etc.)*

Response: The lifespan and removal frequency is provided in Section 4.4 of the WWTP Engineer's Report. We are in the process of adjusting the building to provide adequate means to access and remove modules and will provide details once complete.

- j. *Discuss type/volume/location of chemical storage for the WWTP system*

Response: No chemicals will be stored onsite. Sodium hypochlorite cleaning is performed two to four times per year, and oxalic or citric acid cleaning is performed once per year. Chemicals will be brought in as needed for each cleaning. The CIP system and the 300-gallon tank are shown in Appendix C - WWTP Layout of the WWTP Engineer's Report.

- k. *Provide more information on the proposed outfall. Will the discharge pipe be submerged or above grade? Further discuss any necessary environmental mitigation methods in the FEIS.*

Response: The outfall information has been provided in Section 4.8 of the WWTP Engineer's Report. Additionally, the location of the discharge point is shown on the Utility Plans in FEIS Appendix L. Environmental mitigation methods regarding surface water resources are outlined in Table 2.2 of the FEIS. The discharge pipe will be located above grade and effluent at the discharge location will be monitored in accordance with permit requirements to ensure compliance with applicable State water quality standards and protection of wetland resources.

2. *Section 1.3.3 and Appendix I2- Proposed Water System*

- a. *Discuss type/volume/location of chemical storage*
b. *The FEIS mentions a fuel tank, provide additional information (type/size).*
c. *Noise from the backup generator should be discussed in the FEIS. Sound attenuating enclosures should be considered.*

Response: If chemicals for water treatment are stored on-site, they will be located indoors. Sound attenuating enclosures will be provided around the backup generator. These details have been added to Section 1.3.3. All other details regarding the proposed water system will be provided prior to final site plan approval.

3. *Section 1.3.3 Stormwater*

- a. *FEIS should mention that the project will adhere to Town requirements as a designated MS4 community.*

Response: Section 1.3.3 has been revised as suggested.

4. *Section 1.3.3 Electric and Natural Gas- Has there been preliminary coordination with Central Hudson to confirm whether upgrades to existing infrastructure or new local infrastructure is needed to support the project?*

Response: No, there has not been coordination with Central Hudson to determine if upgrades are needed.

5. *Section 1.3.5 Lighting- FEIS Page 23 mentions 3000 K or lower color temperature for proposed lighting. The Planning Board typically like to see 2700 K or lower if feasible.*

Response: The statement has been revised as follows for clarity “The proposed outdoor lighting will consist of pole-mounted site lighting fixtures, with a correlated color temperature (CCT) of 2,700 kelvins (K) that are 15-feet tall along the driveway and in parking areas, and low wattage bollard light posts, with a correlated color temperature (CCT) of 3000 kelvins (K), along the pathways in the central recreation area and along the pathway to the Valley Central High School.”

6. *Section 1.3.6 Signage- Consider informational signage directing traffic at new traffic circle and at the private drive split heading towards eastern part of the site.*

Response: Signage and striping has been added to the Site Plan.

7. *Section 1.4 Construction*

a. *A construction start in Spring 2026 seems unrealistic.*

Response: The start date has been revised to Spring 2027.

b. *The Planning Board should review if construction work on weekends and holidays will be allowed.*

Response: Section 1.4 has been revised to state, “Construction will be conducted during specific hours that comply with the Town of Montgomery Noise Code. §162-7.B states construction activities are permitted on weekdays during daytime hours and on weekends and holidays during the hours of 10:00 a.m. to 5:00 p.m. Blasting is not permitted on Sunday or holidays. However, the Applicant will voluntarily limit construction hours to Monday – Friday 7 am to 7pm and Saturday from 10am to 5pm. There will be no construction on Sundays or Federal Holidays.”

c. *The work to install the additional turning lane and new traffic light on 17k should occur early in the construction project. Phase 1 is recommended.*

Response: It is the Applicant’s intention to complete the installation of the offsite roadway improvements, the traffic light and left turn lanes, **BEFORE** a Certificate of Occupancy is issued for the first residential building, which is expected to be 18 months after construction commences. Construction Entrance Ahead signs with flashing warning lights will be located along 17K both east and west of the construction entrance. The contractor will provide a flagger to direct traffic into and out of the Site’s construction entrance during all periods of construction before the traffic signal is operational. Additionally, a flagger will be positioned at the Montgomery Heights intersection during the AM and PM high school and middle school arrival times until the traffic signal is operational. This language has been added to Section 1.4 under the heading Off-Site Improvements.

d. *The FEIS and SWPPP should mention that the project will comply with the Town’s General Enhanced Erosion and Sediment Control Plan for Large Projects. This should also be noted on the Site Plans.*

Response: The FEIS at Section 1.4, SWPPP and Site Plans have been revised to state, “The project will comply with the Town’s General Enhanced Erosion and Sediment Control Plan for Large Projects.” In addition, a copy of the Town’s General Enhanced Erosion and Sediment Control Plan for Large Projects has been included as an Appendix in the SWPPP.

8. *Section 1.5 Operation and Maintenance of the Project*

a. *The FEIS and SWPPP Document should mention that a Stormwater Maintenance Agreement with the Town will be executed and filed with Orange County.*

Response: The FEIS and SWPPP have been revised to state “A Stormwater Maintenance Agreement between Lots 1, 2 & 3 and the Town for shared facilities will be executed and filed with Orange County prior to final subdivision approval. If the Town requires the Applicant to establish a drainage district, one will be established per the Town’s direction.”

b. Bedrock Removal/Blasting: The applicant’s response to Comments 8.8 & 10.27 on Page 66 of the FEIS should be included in this section to establish the blasting protocol for this project, if blasting is needed. This protocol should also be included as a note on the Site Plans.

Response: The blasting protocol detailed in Response 8.8 & 10.27 has been added to Section 1.4 under the heading Bedrock Removal Procedures.

MHE Site Plan Comments 30 January 2026

1. *An existing Light Pole and Utility Pole are located at the proposed entrance to the site. Site plans should address proposed relocation.*

Response: A callout has been added to the plan addressing the relocation of the utility & light poles.

2. *Sheet C-106 calls for a proposed 10,000-gallon Septic Tank adjacent to the new WWTP, whereas the WWTP Engineering Report calls for a 12,000-gallon tank. Coordinate and revise as needed.*

Response: The location of the equalization tank has been revised and is consistent with the WWTP Engineering Report.

3. *Sheet C-106 calls out Proposed Generator and Concrete Pad but neither are shown.*

Response: The generator and concrete pad have been added to the plan.

4. *For the proposed WWTP septic tank, consider means of access to the tank’s pump-out manhole in relation to proposed fencing and landscaping.*

Response: The proposed equalization tank is to be located outside of the fencing and be underground.

5. *Review proposed lighting at the East end of the site (adjacent to the proposed walking path) where minor amounts of light are shown bleeding off the site.*

Response: The minor amount of light bleeding off the site is negligible and will come from the bollards located along the proposed walking path the high school provided for the safety of pedestrians and bicyclists.

6. *Show 17k work and traffic light install on the phasing plans. This is recommended to be completed during Phase 1 of the project.*

Response: It is the Applicant’s intention to complete the installation of the offsite roadway improvements, the traffic light and left turn lanes, **BEFORE** a Certificate of Occupancy is issued for the first residential building, which is expected to be 18 months after construction commences. Construction Entrance Ahead signs with flashing warning lights will be located along 17K both east and west of the construction entrance. The contractor will provide a flagger to direct traffic into and out of the Site’s construction entrance during all periods of construction before the traffic signal is operational. Additionally, a flagger will be positioned at the Montgomery Heights

intersection during the AM and PM high school and middle school arrival times until the traffic signal is operational. This language has been added to Section 1.4 under the heading Off-Site Improvements.

7. *Applicant should review with the Planning Board Attorney if an easement is needed for portions of the proposed turnaround on Montgomery Heights Road that cross the property line into proposed Lot 1.*

Response: An easement has been added to the Site Plan around the proposed turnaround on Montgomery Heights Road.

8. *Consider informational signage directing traffic at new traffic circle and at private drive split heading towards eastern part of the site.*

Response: Yield signage, directional striping and yield striping have been added to the plan.

9. *Locate all building Fire Department Connections on the plans.*

Response: Fire department connections have been added to the plan.

MHE SWPPP Comments 30 January 2026

1. *Sub catchment PR-B1-B is 4.222 acres in the SWPPP report but is 0.610 acres in the HydroCAD model.*

Response: Sub catchment PR-B1-B has been revised accordingly.

2. *The curve number calculations show more "D" soils than what has been provided in the soils maps.*

Response: Our office conducted exploratory soils testing in the rear of the property within the areas of PtB, PtC & PtD, which are generally considered well drained soils. Upon testing, these soils were observed to have little to no infiltration rates and consisted of clay & clay loams which are more consistent with "D" soils. This is detailed in Appendix 2 of the SWPPP as well as Section 3.0 of the narrative.

3. *Applicant needs to obtain a permit from the Town for the phases where more than 5 acres are being disturbed.*

Response: The reference in Section 1.4 has been edited to state "The Property Owner will seek a waiver from the NYSDEC's maximum disturbance limit of 5 acres regulation from the Town of Montgomery as the MS4 Administrator."

4. *Sub catchment PR-B1-A must have at least 1' of freeboard during the 100-year storm event.*

Response: The proposed bio-retention basins have been revised to provide at least 1 foot of freeboard.

MHE DEIS Comments 8 May 2025 (Unaddressed comments only)

5. Under Section 2.3.4 - Water, the applicant has a typo where 61,630 gallons per day is noted as the proposed water use whereas our office understands the total water use proposed is 61,360 gallons per day. **Section 1.3.3 of the FEIS still contains the typo of 61,630.**

Response: The typo has been corrected.

8. Under Section 3.1.3 – Bedrock Removal Procedures, the applicant notes that rock removal by blasting is not anticipated and if blasting is required for the project, they will "be addressed by

the construction contractor through a pre-blasting analysis and development of a blasting protocol.” The blasting protocol should be developed as part of the Environmental Impact Study. **Blasting protocol provided under applicant Comments 8.8 & 10.27 response in the FEIS. It is recommended this be added to the FEIS narrative and as a note on the Site Plans.**

Response: The blasting protocol detailed in Response 8.8 & 10.27 has been added to Section 1.4 under the heading Bedrock Removal Procedures and as a note on the Site Plans.

11. Under Section 3.2.3 – Mitigation Measures, the applicant should evaluate moving mitigation measures such as relocating the proposed wastewater treatment plant farther interior to the site away from NYS Route 17K as a potential mitigation measure. **Applicant contends that the current proposed location of the WWTP is the best location for the current project along with future expansion. Applicant is still recommended to evaluate alternate WWTP locations on the site.**

Response: Any proposed alternative WWTP location would still require a discharge line to the wetlands and would have similar impacts to the wetlands buffer. In addition any alternative to the current WWTP location would require the plant to be moved up hill and would no longer allow for gravity waste water flow from the future retail commercial buildings and would preclude the opportunity to service other adjacent properties via gravity sewer should the Town decide to take over the WWTP and form a larger sewer district, which would amount to poor planning. Planning Board

13. Section 3.3.2 – Potential Impacts should be updated to discuss the draw down resulting from pumping wells 2 and 3 on the 6 Montgomery Heights Well. **Not addressed**

Response: A review of the water level data for the 6 Montgomery Heights well indicates approximately 0.43 feet of drawdown occurred in the well during the combined Well-2 and Well-3 pumping test. The drawdown produced during the combined Well-2 and Well-3 pumping test will likely have no impact on the water supply available for 6 Montgomery Heights, based on the very minor amount of measured drawdown during the pumping test.

17. Section 3.8 should consider required improvements to dedicate the proposed site access road to the Town of Montgomery to the proposed intersection with Montgomery Heights Road. **Not addressed**

Response: FEIS Section 1.3.2 states “The entirety of east/west leg of Montgomery Heights Road right-of-way shall be gratuitously dedicated to the Town of Montgomery for highway purposes to resolve the existing title issue along with the proposed public entrance roadway opposite Bailey Road. Improvements proposed to Montgomery Heights Road include a vehicle turnaround near the proposed termination adjacent to NYS Route 17K and emergency access gates at both ends of the north/south leg.”

19. Section 3.17.2 should be updated to evaluate all required NYSDOT improvements prior to Phase I of construction on the site. **Not addressed**

Response: It is the Applicant’s intention to complete the installation of the offsite roadway improvements, the traffic light and left turn lanes, **BEFORE** a Certificate of Occupancy is issued for the first residential building, which is expected to be 18 months after construction commences. Construction Entrance Ahead signs with flashing warning lights will be located along 17K both east and west of the construction entrance. The contractor will provide a flagger to direct traffic into and out of the Site’s construction entrance during all periods of construction before the traffic

signal is operational. Additionally, a flagger will be positioned at the Montgomery Heights intersection during the AM and PM high school and middle school arrival times until the traffic signal is operational. This language has been added to Section 1.4 under the heading Off-Site Improvements.

21. The applicant should include a blasting plan within Section 3.17.3. **See 1/20/26 MHE FEIS Comment 8.b.**

Response: The blasting protocol detailed in Response 8.8 & 10.27 has been added to Section 1.4 under the heading Bedrock Removal Procedures.

23. The applicant should review Chapter 5 – Long Term Impacts within the increase in local traffic discussion as NYS Route 207 and Wisner Avenue intersection is discussed; however, was this intersection studied as part of the project? **Not addressed**

Response: The DEIS has been accepted as complete by the Planning Board. The response has been revised as follows: The paragraph in the DEIS Chapter 5 under the heading Long Term Impacts that addressed traffic has been revised to remove the erroneously referenced to the NYS Route 207 and Wisner Avenue intersection and reflect the current access configuration. It should have stated the following:

“Increase in local traffic - The project is expected to generate approximately 167 vehicular trips in the weekday AM peak hour, 255 vehicular trips in the weekday PM peak hour, and 253 vehicular trips in the Saturday peak hour. This represents the net increase in existing peak hour traffic on the local area network since the site is presently unoccupied. All studied intersections are projected to operate at the same or improved overall levels of service as the No Build Conditions, with the exception of the NYS Route 17K & NYS Route 208 intersection in the Saturday Peak Hour condition. Recommendations for mitigating off-site traffic conditions are presented in the Traffic section of this document.”

24. The Board should consider requiring a post construction groundwater monitoring study as a mitigation measure for the proposed on-site wells. This study would be performed by the applicant and escrow established by the applicant to have their hydro-geologist review the study. The study would evaluate the impacts of the proposed well/ water usage on the existing wells near the site. The timing and length of this study should be discussed by the Board; however the timing of the start of the study being 3-12 months after the final Certificate of Occupancy would seem appropriate. **The applicant has responded stating that this study is unwarranted based on the Hydrogeologist’s report. Regardless, it is recommended the Board still consider requesting this study.**

Response: The taking of a potable water supply for the project requires compliance with Environmental Conservation Law Article 15. The NYSDEC will review all of the tests, reports and plans to make the necessary determinations that satisfy the standards for a safe, reliable and necessary water supply systems. The capacity and adequacy of the sources of the water supply are part of its decision process. Assuming the Applicant complies with all rules and regulations related to the taking of a potable water supply for the project, there is no reason to believe the surrounding wells will be adversely affected. Therefore, there is no justification for a commitment to provide water service to the surrounding homes.

MHE SWPPP Comments 8 May 2025 (Unaddressed comments only)

5. The plans show NYSDEC buffer disturbance. Provide a wetland disturbance permit for the

proposed disturbance. **A NYSDEC wetlands disturbance permit for the buffer will be obtained before final site plan approval.**

Response: The statement "A NYSDEC wetlands disturbance permit for the buffer will be obtained as a condition of site plan approval" has been added to Section 2.4.

7. Show the required grading for the swale located in the northwest of the site by the emergency access drive. **Revise the grading to show the location of the 400' contour on the northwest swale.**

Response: The grading has been revised in the vicinity of the emergency entrance.

13. For Pond BB1 to be considered a bioretention basin, the lowest orifice must be 0.5 ft. above the bottom of the basin. The HydroCAD current shows the pond's first orifice at an elevation of 0.75 ft. above the bottom of the basin. **Show this in the Bioretention detail in the plans.**

Response: Bio-retention basin B1-A & B1-B have a first outlet set 0.90' above the bottom of the basin, with an average ponding depth of 0.45' as clarified in Appendix 6 of the SWPPP. The requirement of the lowest orifice being set at 0.5' is not specified in the Stormwater Manual.

21. Provide at least one foot of free board for all the proposed basins for the 100-year storm event. Bioretention /basin BB1. **Revise Bioretention B1-A to show 1' of freeboard.**

Response: The proposed bio-retention basins have been revised to provide at least 1 foot of freeboard.

22. The water quality calculation sheet shows an impervious area of 5.322 acres, while the HydroCAD model shows an impervious area totaling 13.225 acres. Revise the WQv calculation to include all proposed impervious areas. **WQv calculations show 11.374 acres of impervious area but the HydroCAD model shows 17.47 acres of impervious area in the proposed areas. Applicants engineer to discuss.**

Response: Existing impervious areas are not included in the calculation for water quality volume but are included in the calculation of the curve numbers. The impervious area of 11.374 acres is part of the proposed development which is then used to calculate the required WQv and RRV numbers.

24. Provide a phasing plan to show how not more than 5 acres will be disturbed at any one time. **A waiver will be requested from the NYSDEC for minimum of 5 acres of disturbance at any time. A waiver must also be obtained from the Town of Montgomery for all construction phases disturbing greater than 5 acres.**

Response: Section 1.4 has been edited to state "The Property Owner will seek a waiver from the NYSDEC's maximum disturbance limit of 5 acres regulation from the Town of Montgomery as the MS4 Administrator."

Richard Hoyt dated January 14, 2026

A. At Appendix E – the SWPPP at Section 7 – does the Planning Board need to ask for any enhanced stormwater measures e.g. Medline's approval to avoid the Town of Goshen Legoland runoff issues?

Response: The FEIS at Section 1.4, SWPPP and Site Plans have been revised to state, "The project will comply with the Town's General Enhanced Erosion and Sediment Control Plan for Large Projects."

B. Also at Appendix E, at Section 8, we will require our standard “MS-4” Stormwater Agreement.
This should be so noted?

Response: The SWPPP and Section 1.4 have been edited to state “The Property Owner will seek a waiver from the NYSDEC’s maximum disturbance limit of 5 acres regulation from the Town of Montgomery as the MS4 Administrator.”

C. Also, at Section 9, see error RE: “Britain Woods Project.”

Response: The reference to the “Britain Woods Project” has been deleted from the SWPPP.

D. My version does not have anything attached to Appendix H3 and the date should not be XXXX.

Response: The divider for Appendix H3 has been corrected to state “Truck Turning Figures dated December 18, 2025”

E. Similar comment for Appendix 1.

Response: The divider for Appendix I1 has been corrected to state “SPDES Permit & WWTP Engineer’s Report last revised March 2024”

F. At Appendix 1i, at page 13, there is no analysis of the impacts from effluent draining through the wetlands north of 17K (K. Tipton comments) nor any definition of the mitigations to be made to avoid encroachments (See last line of Conclusion).

Response: The purpose of the WWTP Engineer’s Report is to evaluate the proposed wastewater treatment processes, facility design, and compliance with applicable effluent limitations; it is not intended to provide a detailed ecological impact analysis of adjacent wetlands. Potential impacts associated with effluent discharge and downstream wetland resources are evaluated in the FEIS, including wastewater treatment, discharge parameters, and watershed-scale effects. The proposed discharge will be subject to NYSDEC SPDES permitting, which establishes water quality-based effluent limitations and monitoring requirements specific to the receiving waterbody. Environmental mitigation measures regarding surface water resources are outlined in Table 2.2 of the FEIS.

The project is also covered under a Stormwater Pollution Prevention Plan (SWPPP) and Erosion and Sediment Control Plan. The SWPPP evaluates pre- and post-development runoff rates, drainage patterns, and stormwater quality treatment for the project area and contributing watershed, and is designed in accordance with NYSDEC standards, including performance criteria for the 100-year storm event. Construction-phase erosion and sediment control measures will minimize sedimentation of adjacent wetlands and surface waters. No off-site disturbance or unpermitted wetland encroachment is proposed.

Specific mitigation measures will ensure the discharge remains within the project boundaries and does not encroach on neighboring properties or wetlands. These measures include appropriate siting of the outfall, maintenance of buffer areas, and adherence to approved design and construction practices.

G. At Appendix B, it looks like the prior site plan is used i.e. access not opposite Bailey Road.

Response: The site plan in FEIS Appendix I1 has been updated in Appendix B.

H. Appendix 1-2 should bear a date – not XXXX.

Response: The divider for Appendix I2 has been corrected to state “Water System Report dated December 2025”

I. Appendix 1-2, at Sections 4 and 5 (and elsewhere in the FEIS as noted below) there does not seem to be a point-by-point response to the detailed comments of the Coldenham and Montgomery FD at 10.19). (See, also, P. 52.)

Response: The Montgomery Fire Department letter received 4/2/2025 were responded to as Comments 9.1-9.19 and the Coldenham Fire Company letter dated 3/26/2025 were responded to as Comments 6.1-6.31. Additionally, EP and Town Engineer Jim Farr attended meetings with both the Montgomery and Coldenham fire departments on February 20, 2026 and February 26, 2026, respectively, to review the responses to the fire district comments.

J. Is there a visual of the 106' tall water tank? The brochure from Aquastore attached to Appendix 2 shows different tank options, but I could not find the one they plan to use. (They all look shorter and wider.)

Response: The water tank is depicted in Viewpoint 11 in the photo-simulation in DEIS Appendix G2.

K. At Appendix J, at page 3, Mr. Conklin's email of November 12, 2025 states that student yield projections only are provided if "over 20 students, which is not the case here." Am I missing something? Other data suggest 55 new students are projected. Generally, I can't figure out what the school district has concluded. It seems odd that they will not do a calculation until projects are completed.

Response: EP attended a meeting with the VCSD on February 26, 2026 to review the responses to the school district's comments. The VCSD is currently reviewing the responses.

L. The real meat of the FEIS is at the end where 163 pages include a narrative with response to comments.

1. At page 13, it does not state how much of the 23.21 acres will be preserved but it states that a "formal commitment will be made as part of the approval conditions." A Conservation Easement is mentioned but not promised. (See also page 35.) It is time to nail this down in specific terms as Conservation Easements can provide or prohibit recreational uses, among other items. Ultimately, only the Town Board can vote to accept a Conservation Easement. (See, also, page 63 under 12.5.) To me, this is a SEQRA issue and should be in the FEIS and in the Findings Statement and not defer it to the "approval conditions".

Response: This issue will be reviewed by the Town Board.

2. At pages 16 and 17, is the board ok with the architectural as presented?

Response: The architectural design for the proposed buildings complies with the Town of Montgomery Zoning Code §235-16.5.C(5) entitled "Architectural Design" under Required Site Plan Procedures and Standards.

3. At page 19, the pedestrian/bike path to the school campus will be owned, installed and maintained by the owner. What happens if the owner does not do so? Will it be closed during the winter or will it be plowed/sanded? Is it lighted?

Response: Section 1.3.2 has been revised to state "A walking/bicycle path will be constructed between the Site and the Valley Central High School/Middle School campus that avoids travelling on NYS Route 17K for the safety of students as they walk or bicycle to and from the school campus. Low wattage bollard light posts will be installed along the walking/bicycle path. Students will utilize the western emergency access drive to reach the proposed

walking/bicycle path. All driveway and sidewalk improvements will be installed, owned and maintained by the Property Owner, including snow and ice removal.”

4. Pages 19 and 20 would be a good place to add the Cary Institute Best (Salt) Practices and also at page 55 under 2.62.

Response: As requested, the reference has been added to Section 1.5 under the heading Snow & Ice Removal, and under Response 2.62.

5. At pages 20-21, they propose both a Water Transportation Corp. and a Sewer Transportation Corp., both of which require Town Board approval and both of which require a return on investment to the stockholders in the form of higher user rates. Normal sewer/water districts do not have this “profit” component. This is a Town Board call. (See, also, page 55 under 1.7.)

Response: This issue will be reviewed by the Town Board. The following narrative has been added to Section 1.3.3 “The approvals will include various agreements that provide the legal basis and operational controls to deal with any contingencies. The Town Board will be petitioned to approve a water district and sewer district for the project property. Dedication of the water and sewer systems will be irrevocably offered to the Town. If the Town Board does not immediately accept the offer of dedication, the Town Board will be petitioned to consent to the formation of a water transportation corporation and sewer transportation corporation, which are public utilities regulated by statute and developer’s agreements to provide the Town with the authority and control of the utility systems. Any costs or expenses are charges to the project property. The Applicant will submit the necessary petitions, resolutions, notices and orders as to which the Town Board can take actions to address this comment.”

6. At pages 21-22 there is a slight mention of fire protection systems but no point-by-point response to the two (2) memoranda we received from CFD and MFD.

Response: The Montgomery Fire Department letter received 4/2/2025 was responded to as Comments 9.1-9.19 and the Coldenham Fire Company letter dated 3/26/2025 was responded to as Comments 6.1-6.31. Additionally, EP and Town Engineer Jim Farr attended meetings with both the Montgomery and Coldenham fire departments on February 20, 2026 and February 26, 2026, respectively, to review the responses to the fire district comments.

7. At page 25, the document ties construction hours to the Town’s Noise Law but, I believe, the Planning Board will not want construction on Sundays or holidays, both of which are listed as ok. See, also, top of page 27 where the Noise Law is the only standard? (I disagree) See, also, page 29 under Construction Traffic.

Response: Section 1.4 of the FEIS has been revised to state “Construction will be conducted during specific hours that comply with the Town of Montgomery Noise Code. §162-7.B states construction activities are permitted on weekdays during daytime hours and on weekends and holidays during the hours of 10:00 a.m. to 5:00 p.m. Blasting is not permitted on Sunday or holidays. However, the Applicant will voluntarily limit construction hours to Monday – Friday 7 am to 7pm and Saturday from 10am to 5pm. There will be no construction on Sundays or Federal Holidays.”

8. At page 26, I agree with Jay, the primary access should be built early on and not #7 on the list?

Response: It is the Applicant’s intention to complete the installation of the offsite roadway

improvements, the traffic light and left turn lanes, **BEFORE** a Certificate of Occupancy is issued for the first residential building, which is expected to be 18 months after construction commences. Construction Entrance Ahead signs with flashing warning lights will be located along 17K both east and west of the construction entrance. The contractor will provide a flagger to direct traffic into and out of the Site's construction entrance during all periods of construction before the traffic signal is operational. Additionally, a flagger will be positioned at the Montgomery Heights intersection during the AM and PM high school and middle school arrival times until the traffic signal is operational. This language has been added to Section 1.4 under the heading Off-Site Improvements.

9. At page 37, delete the first part of the first sentence under 2.2.

Response: The first part of the sentence has been deleted as requested.

10. The boxed mitigation measures at page 38-40 need much improvement, especially at #1 (stormwater), at #6 (Planning Board approve architecturals), at #14 (revenue from taxes will offset all fiscal impacts, so no mitigation required) at #15 (no rec fees to be paid.) These all are SEQRA issues and should be in the FEIS.

Response: Table 2.2 is intended to be a short summary of the impacts and mitigations. It was copied directly from the accepted DEIS.

11. At page 42, the entire third paragraph under 2.5 has to be deleted or amended.

Response: The third paragraph under Section 2.5 has been deleted as requested.

12. At page 48, for the first time, we are told that this will be a cluster, so they can move densities from one lot to the other. As you know, any cluster requires Town Board approval based upon a Planning Board recommended action. (Bonnie made this very comment in April 2025). See, also, page 141 under 10.50.

Response: A discussion regarding the cluster to "shift" density from the RA-1 zoned portion of the Site to the RM-1 zone has been added to Section 1.2. According to Town Code §235-8.2A, a cluster development for subdivisions can be approved by the Planning Board simultaneously with the approval of a subdivision plat. A conventional subdivision plan was provided as part of the DEIS for the portion of the Project located in the RA-1 zone to establish a yield of eight dwelling units that would be transferred to the RM-1 zone. §235-8.3D states "the Planning Board, as a condition of plat approval, may establish such conditions on the ownership, use and ongoing maintenance of such open lands shown on the plat as it deems necessary to assure the preservation of the natural and scenic qualities of such open lands. Any such conditions shall be approved by the Town Board by resolution before the final plat may be approved for filing. Prior to the determination of the Town Board as required by §235-8.3D, the Town Board must be in receipt of the resolution of the Planning Board declaring that the cluster development will be a benefit to the Town and also must be in receipt of the negative declaration or findings statement pursuant to the SEQRA as prepared by the lead agency."

13. Pages 48 and 49 is their attempt to avoid the recreation fee. If not amended, the Town cannot impose it later on. See, also, page 152. This has to be addressed at this time.

Response: This item is being reviewed by the Town Attorney.

14. At page 52, under Response 10.9, they note the two (2) fire department comments but do

not respond, specifically, to each one unless I missed that elsewhere.

Response: The Montgomery Fire Department letter received 4/2/2025 were responded to as Comments 9.1-9.19 and the Coldenham Fire Company letter dated 3/26/2025 were responded to as Comments 6.1-6.31. Additionally, EP and Town Engineer Jim Farr attended meetings with both the Montgomery and Coldenham fire departments on February 20, 2026 and February 26, 2026, respectively, to review the responses to the fire district comments.

15. At page 62, under 10.15, they do not commit to 24/7 coverage via an on-site manager. If there are problems, it is likely that our police will be called on a regular basis, I thought we asked for details on any on-site security given 600+ residents in this very confined area.

Response: The response has been revised to state "There will be an onsite **permanent resident** manager, project business office and onsite custodial-maintenance employee or contractor."

16. At page 69 under Section 2.12, they mentioned one culvert under 17K (Jay notes two (2) of them) but then states its up to DOT to maintain. Is this acceptable?

Response: The Applicant has no legal rights to maintain a NYSDOT culvert.

17. At page 76, under Section 12.7, now they do mention The Cary Institute's Best Practices for ice control but, I recall, there are more than the five (5) bullet points listed.

Response: The items listed are only the ones that apply to this project.

18. See pages 85 and 86 regarding fire protection. Were all FD comments addressed? Also, see page 88 at Section 9.6 – is a water tank always full, as assumed?

Response: The Montgomery Fire Department letter received 4/2/2025 were responded to as Comments 9.1-9.19 and the Coldenham Fire Company letter dated 3/26/2025 were responded to as Comments 6.1-6.31. Additionally, EP and Town Engineer Jim Farr attended meetings with both the Montgomery and Coldenham fire departments on February 20, 2026 and February 26, 2026, respectively, to review the responses to the fire district comments. The water system is designed to refill the water storage tank anytime it is not at full capacity. The wells have been tested and shown to be able to supply 2 times the average daily water demand of the entire development, including the future commercial use.

19. At page 93, under 2.3, did not we make them do species-specific studies? It reads that we did not but didn't Jason T. do one?

Response: All observations of wildlife were made incidental to the development of a wildlife habitat assessment of the property. The Natural Heritage Program of the NYSDEC does not include any reports of the presence of Blanding's turtle in Orange County or its surroundings. The site was not walked for the purpose of conducting a species-specific survey for bog turtles. The site was walked for the purpose of identifying habitats that might be exploitable by species of wildlife that might be expected to be present on, or in the vicinity of, the property. Mr. Tesauro, acting as the Town's ecological consultant, conducted a habitat review of the property on 19 June, 2025, to document ecological conditions and to evaluate the potential for the occurrence of protected species of wildlife in relation to those observed conditions."

20. At page 102, they say because we didn't demand a balloon test in the scope for the height of the water tank (106') they will not be doing it? Or its too difficult? Do we have an accurate simulation showing the "as built" tank?

Response: The water tank is depicted in Viewpoint 11 in the photo-simulation in DEIS Appendix G2.

PB Chair Beaumont dated February 4, 2026

1. Traffic -- 24 pages of comments and responses. Definitely the greatest concern. They are proposing to revise their entrance driveway to be across from Bailey Road with a traffic light that is coordinated with the traffic lights at the entrance and exit driveways of the high school/middle school complex. I think that is a great idea. AND, I think they should install the traffic light and intersection improvements at the beginning of the project as part of Phase 1. Because:

The folks on Montgomery Heights Road and Bailey Road should not have to wait until the end of construction to get access to 17K via a signalized intersection.

The earthwork on the site will generate 16,222 cubic yards of excess cut material, which must be removed from the site. They estimate that removal will require somewhere between 625 semi-trailer dump truck trips at 25 cubic yards per trip and 1081 tri-axle dump truck trips at 15 cubic yards per trip. Their present plan is to have flag persons stopping traffic on 17K when the dump trucks leave the site.

The project will require 13,928 cubic yards of material to be hauled into the site. They estimate that delivery will require somewhere between 557 semi-trailer dump truck trips at 25 cubic yards per trip and 1393 tri-axle dump truck trips at 10 cubic yards per trip. Their present plan is to have flag persons stopping traffic on 17K when the dump trucks leave the site.

There is no mention of the quantities of trucks that will deliver the building materials for the buildings; the concrete for the foundations, curbs and sidewalks; the concrete manholes, catch basins, and retention pond outlet structures; the piping for drainage, water supply, and sewers; the steel for the water tank; and the list goes on and on.

Construction at the site will start at 7 AM, which is the busiest traffic time for high school traffic.

Response: The following language has been added to Section 1.4 under the heading Off-Site Improvements, "The offsite roadway improvements will be completed before a Certificate of Occupancy is issued for the first residential building, which is expected to be 18 months after construction commences. Construction Entrance Ahead signs with flashing warning lights will be located along 17K both east and west of the construction entrance. The contractor will provide a temporary traffic signal at the proposed future entrance to the Project, opposite Bailey Road, during construction until the permanent traffic signal is operational."

2. I noticed in the RDM FEIS response letter that DOT wants the applicant to install radar detection equipment and 360 degree camera for vehicle detection in lieu of a one-time payment. (NOTE: I SPOKE TO JASON BRENNER OF NYSDOT ABOUT THE RADAR DETECTION EQUIPMENT, AND HE REPORTED THAT NOW THERE IS THERMAL DETECTION EQUIPMENT THAT IS THEIR PREFERED OPTION.)

Here are the responses from the letter:

FROM RDM NEELYTOWN FEIS RESPONSE LETTER PAGE 2

"The NYSDOT has reviewed the TIS submitted 4/3/25 and has requested, as mitigation, the installation of radar detection at the intersections of NYS Route 208 and the I-84 EB and WB ramps and at the intersection of Route 208 and Hawkins Drive. This radar detection equipment will allow for more detailed signal timing measures to be put in place at each intersection location to respond to variations in traffic volume demand. A copy of the NYSDOT requested mitigation is contained in Appendix G."

FROM RDM NEELYTOWN FEIS RESPONSE LETTER PAGE 6

“Response: The traffic improvements required as a result of the project are the widening and introduction of right and left turn lanes at the site access on Neelytown Road, the installation of a 360 degree camera for vehicle detection at the intersection of Neelytown Road and Beaver Dam Road (as discussed with OCDPW) and the furnishing and installation of radar detection at the intersections of NYS Route 208 and the I-84 EB and WB Ramps and NYS Route 208 and Hawkins Drive (as discussed with NYSDOT).”

FROM RDM NEELYTOWN FEIS RESPONSE LETTER PAGE 7

“Response: After discussion with NYSDOT, there will not be a one-time fee payment. Instead, the applicant will be upgrading three (3) intersections with various features at their request.”

I think this is appropriate for Sheffield also.

Response: The traffic signal details, including the proposed detection system, will be reviewed and approved by NYSDOT prior to installation.

3. In addition, John Brown has spoken to the police chief about installing automated speed control signs. The signs could be installed on both Beaver Dam Road north of I-84 (for RDM) and Bailey Road north of 17K (for Sheffield) to help respond to the residents' concerns about extra traffic.

Response: This is a Town Board and Town Police matter.

4. There were 24 pages of traffic comments and responses in the FEIS; more than twice the number of pages for the next topic, which is surface water/wetlands. We should do our best to get the mitigation right!

Surface Water -- Being a hydrologist, I looked at the Rt 17K culvert issue. It turns out there are two culverts -- one at the east end of Richard's parking lot (circa 2004) and an older culvert at the east end of the Spa parking lot. The new culvert is in fine shape. The problem is that there is a trash rack on the opening that collects branches, bottles and other debris. Water still gets through. I think the outlet stream channel invert can not handle a deeper culvert invert. The calculated culvert flow capacity mentioned on page 71 of the draft FEIS of "80,156,160 gallons per day under ideal flow conditions with standard slope ..." is silly. That would be about 900 gallons per second. The slope is very flat. I ran the situation through USGS StreamStats. It estimated the outflow amount to be about 300 gallons per second.

The wetland acts like a giant flood retention pond. The drainage area feeding the wetland is about 300 acres. The watershed area includes: town hall, the hardware store east of the Citgo station, part of the Vistamoor Site, and part of the Sheffield site. About 35 acres from the Sheffield site flows into the wetland. That is about 12%. Since the project will limit the peak runoff to the existing condition peak runoff amount, I think the project will have minimal impact on flooding from the wetland.

The folks south of 17K worry about flooding of the wetland, but the area is so flat and broad that the water does not get very high. Carlos Cortez reported that water has gotten as high as the parking lot for the Spa. I believe that occurred during Hurricane Irene.

Ironically, the folks north of 17K worry about too much water coming out of the culverts, so debris on the trash rack helps them. In any case, the stream north of 17K flows through a wetland. The stream slope is very flat. The access road to the golf course crosses the wetland. Any flooding there would be due to the flat stream channel slope and the wetland.

Response: The culvert flow capacity is based on Manning's equation and is calculated to be 73.8 MGD. The full calculation sheet is attached to this response letter.

5. Truck Washing Out Station -- NYSDOT and NYSDEC require strict "zero discharge" concrete truck washout procedures to prevent high-pH, sediment-laden water from entering waterways or storm drains. Washout must occur in designated, watertight, above-grade, or lined pits located at least 30 feet from drains/water bodies.

Key Requirements and Best Practices:

Containment: Use watertight, pre-manufactured containers or lined pits, ensuring they are designed to prevent overflow, breaches, and infiltration into the ground.

Location: Keep washout operations 30 feet away from storm drains, catch basins, and water bodies.

Management: Wash water must be collected and either allowed to evaporate on-site or transported off-site for disposal.

Site Compliance: Concrete washout is a required component of the Stormwater Pollution Prevention Plan (SWPPP) for construction sites over one acre.

Maintenance: Regularly inspect and maintain, or remove, hardened concrete from washout areas to ensure capacity.

Spill Prevention: If leaks occur, use absorbent pads, and ensure all equipment is maintained away from water sources.

Non-compliance with these regulations can lead to significant fines under the Clean Water Act.

Stabilized Construction Access and Cleaning Vehicle Tires -- NYSDOT requires stabilized construction access points at all site egress locations to clean vehicle tires, trap sediment, and prevent mud/debris tracking onto public roads. These measures, often part of Stormwater Pollution Prevention Plans (SWPPP), ensure compliance with environmental regulations, frequently utilizing rumble plates, stone pads, or wheel wash systems.

Key Requirements & Best Practices:

Stabilized Access: A stone pad or similar structure is required at all exits to remove mud from tires.

Wheel Wash Systems: In high-traffic or high-mud areas, active wheel wash systems (water-based) may be required to ensure tires are clean before entering public roads.

Prevent Trackout: The primary goal is to stop sediment from entering storm drains or being deposited on public pavement.

Maintenance: Stabilized exits must be inspected and maintained (e.g., refreshing stone, cleaning mats) to remain effective.

These measures are crucial to comply with environmental regulations concerning construction site management and to maintain clean, safe roadways.

Response: The locations of the concrete wash out area and wheel wash system are shown on the Erosion and Sediment control plans and details for the concrete wash out area and wheel wash system are provide in the plan set.

6. Aircraft Warning Light on Water Tank -- Consult with FAA to see if a warning light is warranted in this situation. Aircraft warning light regulations, primarily set by the Federal Aviation Administration (FAA) in the U.S. require marking tall structures (typically over 200 ft AGL in the U.S.) with specific red or white lights, flashing patterns, and intensity levels, varying by structure height, location, and surrounding environment, to ensure aviation safety. These rules mandate specific light colors (red/white), placement (outlining height/width), automatic operation, and adherence to standards in FAA Advisory Circular 70/7460-1.

Response: The FAA will be contacted to determine what type of warning light is required on the proposed water tank. The following statement has been added to Section 1.3.3 "An FAA approved warning signal light will be installed on top of the Water Tank" and a note to that effect has been added to the site plans.

7. On-site Building Inspector -- For a project this large, a full-time building inspector, paid for by the applicant and reporting to the Town Code Enforcement Office, should be hired.

Response: The land owner will be required to pay a building permit application fee which the Town can use to hire the appropriate personnel to conduct the required inspections.

8. Route 17k Culvert Maintenance -- consult with the NYSDOT residence about the culvert maintenance schedule.

Response: The Applicant has no legal rights to maintain a NYSDOT culvert.

9. Snow Storage -- Make provision for a significant snow event like the most recent one.

Response: The entire recreation area in the center of the residential apartments could be used for snow storage if needed.

PB Member Prince dated February 5, 2026

1. Project is too ambitious for the area. The amount of residential traffic AND future commercial traffic will be a detriment to an already troublesome stretch of 17K. So public safety becomes a concern. Signalization may be helpful to some of the residences in the surrounding area, but others will see it as an impedance to travel.

Response: The traffic mitigation measures studied in the TIS indicate that similar Levels of Service and delays will be experienced at the area intersections under the future No-Build and future Build Conditions. Therefore, the Project traffic is not expected to create a significant impact in overall traffic operations. Furthermore, the installation of a traffic signal and construction of left turn lanes in both directions on NYS Route 17K at the Bailey Road/Site Access intersection will improve travel conditions.

2. The aesthetic design is not in keeping with the historical/ colonial aspects of the town

Response: The architectural design for the proposed buildings complies with the Town of Montgomery Zoning Code §235-16.5.C(5) entitled "Architectural Design" under Required Site Plan Procedures and Standards

3. The draw of water resources will impact the common aquifer including the nearby residences, businesses, and the school. In the same vein, wastewater discharge will potentially affect local businesses and historical sites.

Response: The taking of a potable water supply for the project requires compliance with Environmental Conservation Law Article 15. The NYSDEC will review all of the tests, reports and

plans to make the necessary determinations that satisfy the standards for a safe, reliable and necessary water supply systems. The capacity and adequacy of the sources of the water supply are part of its decision process.

4. Not adequate storage area for the snow removal processes and the potential for negatively affecting nearby wetlands.

Response: The entire recreation area in the center of the residential apartments could be used for snow storage if needed.

5. I feel there should be some inclusion for working class, senior and/ or veteran housing in a project of this size.

Response: The Project Sponsor will market the apartments to service providers first. Service providers will be given a preference to the extent allowed by law with respect to tenancy opportunities.

6. Their request to have the parks fees waived should be denied. Even though they have included a small "playground and recreation" area will not preclude tenants from utilizing town and village facilities and resources.

Response: This item is being reviewed by the Town Attorney.

7. Lack of monitoring and on-site staff will impact local first responders.

Response: There will be a permanent resident onsite manager, business office and onsite custodial-maintenance employee or contractor. A security system will be installed following recommendations from a credible and competent security service provider. If cameras are a component, they will be monitored as is provided for in the system operations. Keypads will be installed at all doorways for residents and employees to limit entry into the buildings.

PB Zahakos dated February 5, 2026

1. Appendix 3 contains the water system installation. Section 4.06 begins coverage of disinfection and section 4.09 covers Final Flushing. The level of heavily chlorinated water is to be 10mg/l for the sanitizing soak and to be at less than 1mg/l on process completion. The disinfection process covers not just the tank but associated lines and valves. The strength is at such a level that in 4.09 it states "it shall not be discharged directly onto the watercourse but to a suitable location where it can percolate into the ground for treatment"... or be hauled away. If final acceptance testing fails, the process is repeated.

- What is the estimated quantity of water to be consumed for initial system flushing (non-chemical flush)?
- Where will this initial flush water be released ?
- Would/could this required system flushing process with its draw down affect the residential private wells in a 'dry' season?
- If a 'wet' season has the ground saturated if flushing was to be ground discharged what is the alternate plan?
- What is the process for the hyper chlorinated water to be disposed of?
- If on site, which basin will bear the load?
- Is there any concerns about this material if placed in a proposed stormwater pond (future plants etc.)and/or from this process affecting the wetland due to discharge into grounds?

➤ At what point in construction will these processes happen ?

Response: Disinfection of the water system will be conducted according to all state health codes. The flushing water will be discharged into the WWTP or hauled offsite and disposed of appropriately.

2. Discussion of a sidewalk desired along 17K is noted in both DOT document (12/16/25?) and Comment 14.10 (pg 122/TOM /responses). DOT offers >20 feet and states even with future highway widening one could safely be placed. The FEIS/response is the concern for foot traffic safety along 17K, limited demand and the proposed low light path between apartment and campus fulfilling the needs. The proposed path, while beneficial for bike and foot traffic, would possibly be inhibited in winter as traffic must cross campus to get to the buildings being serviced by this route.

➤ What is the maintenance plan for both onsite *and for the VC school campus* supporting fully functional all-season access ? Will the school provide a walkway connecting the two sites that would serve all seasons effectively?

Response: The landowner will be responsible for maintenance and snow clearing for the portion of the proposed sidewalk on the property, while VCSD will do the same for the portion on the highschool campus.

3. Prudently, the Town Board brings forward safety concerns for a single path for foot/bicycle traffic. While low light has been added there remains sections with some visual reduction. (It is noted that it is stated site safety will be the responsibility of *offsite* services; however, this does not necessarily *help prevent* an incident.)

➤ Specifically, are cameras to be installed fully along this path for security, site monitoring 24/7?

➤ What prevents installing on-site 24/7 site security/response person as there is proposed one for maintenance, one for a site manager? Can a position combine to support safety?

Response: Cameras are not proposed along the proposed sidewalk. The permanent resident onsite manager and business office staff will assist future residents with on site security concerns.

4. The Comprehensive Plan has stated the towns desire to become more accessible through such things as sidewalks, bike lanes... There is not just a school campus, Dollar General, Repair Garage and to the east Richards, but residential growth with homes, potential for further food offerings, commercial businesses all creating a community centric vibe in this area. Note Response 2.48 relates there is a minimum of school aged children that would be walking 17K. While justification of 'no sidewalk' is presented based on number of site generated children with the growth potential in this location, access should be viewed with a wider lens, not limited to those of school age. Should the apartments be built it is more than realistic to have numerous people, of all ages, walking to an ice cream stand or general store, etc., vs driving.

➤ Please, show a viable sidewalk location following the EB side of Rt. 17K between the VC campus, the entrance to the proposed apartments and from the apartments to the establishment known as *Richards*. This will allow proper evaluation of the sidewalk, connectivity, and the support for successful commerce.

Response: The Applicant intends to provide a sidewalk from the shared property line with the

VCSD into and through the Project Site in lieu of providing a sidewalk that does not connect to any other sidewalks on 17K. The Applicant believes this is a safer option for pedestrians and bicycles.

5. Will there be chlorine or similar stored on site for water treatment, if yes, max proposed qty.? Appendix 3 discussed treatment options. Both included chemicals. FD asked about on site chemicals, it was stated there would be none.

Response: Section 1.3.3 states that if chemicals for water treatment and/or wastewater treatment are stored on-site, they will be located indoors. The storage of chemicals will be limited by the amount of space available inside each of these building and state and federal laws.

6. Noted multipliers for population projections for school aged children's justifications is sourced from: Rutgers University, Center for Urban Policy Research... (June 2006). This source is twenty (20) years old.

- Is there a more current source to use? Time has shifted much since 2006.
- Are the presented values still valid? (Comment 2.48, Pg 143, Tbl 3.19.1)
 - Note this was discussed in the 2/4/26 work session. But a response is welcomed for the public's understanding. Thank you.

Response: The VCSD was contacted to provide the source of the multipliers utilized by Western Suffolk BOCES in the LRPS, to which they stated they use "Rutgers". Although the multipliers are somewhat dated, they are the most widely available and used numbers by community planners. With the recent historical decline of school age children population in Orange County and the Town of Montgomery, these generation rates are likely conservative.

7. Short Tems Construction

There is no acknowledgement of the numerous traffic trips onto and then off during construction will lead to a very active traffic area where 'Jake braking' is often experienced, not just on site but approaching a destination. As stated in my first submission, school zones are especially sensitive to loud, sudden noise due to the environment they are now forced to live in.

- What actions are being taken to control highway Traffic noise limits?
- Should there be a section of regulated noise with the installation of highway signage stating no air braking or noise above 'x' decibels sought and installed at the start of any work ?
- Where should the sound protection begin? IE., within 1/8 mile of the campus...

Response: Noise control beyond the boundaries of the Project Site falls under the jurisdiction of the Town Police who would enforce noise restriction state in the Town Code.

8. It is stated the site will follow best practice for remediations of construction impacts both on site and departing.

- With this area being so impactful should on-site more intense mud rinsing systems be required for highway access, above and beyond what is generally accepted in 'best practice'?
- While best practice using water trucks is stated, activities often lead to dust plums that are not controlled.

Should, if the prevailing winds blow dust towards the school campus, is there alternative construction plans to eliminate these impacts? Increased over minimum requirement, watering? Work stoppage?

- Request for greater than 5-acre disturbance is to be made. Based on sensitive location, climate intensification, dust etc. Should this be considered? Are smaller, more controllable sections

more beneficial?

Response: The location of the wheel wash system are shown on the Erosion and Sediment control plans and details for wheel wash system are provide in the plan set. Dust control will be implemented as required to mitigate all offsite impacts. It is not possible to construct this project with the amount of cut and fill required, to limit disturbance to 5-acres at one time.

9. Truck Trips were restated as believed to come in majority from the east (70%), not west. There is no substantiation for this as there is no specific company or source/deposit location identified. Construction traffic if from the west places' impacts on the village and it then must pass across the school campus. (Comment 80-20)

- Should, for planning, impact reduction, companies that are to perform the major vehicle movements be identified ASAP prior to initiation of work along with direction of arrivals/departures, timing/date(s) as much as practicable? This would include cuts, fill's, debris, site building materials etc. allowing for local authorities (School, Village and Town) to use this information for coordination and avoidance planning as sport events, shows, town, and village activities will all entangle over the months of construction.
- Dumpsters are stated to be used during construction. The 'dumping' of construction debris is impactful as it is loud and jarring. What actions are being taken to ensure these are placed as far as practicable from the residential homes and not what is 'easiest'?
- No construction on Holidays and Sundays adjacent or near residential sites. No overnight construction. The residents, as of right, have need of a quality of life and will be surrounded by this site activities for several years filled with highly impactful actions. Relief is required for many reasons.

Response: The arrival distribution is based on a review of the Existing Traffic Volumes and the expected travel patterns on the surrounding roadway network as determined in the Traffic Impact Study (DEIS Appendix I). The proposed temporary traffic signal during construction will help to alleviate the effect of construction traffic on NYS Route 17K. The erosion and sediment control plans show the location of the construction dumpster, which is over 390 feet from the existing residential homes. A statement has been added to the FEIS in Section 1.4 that states "However, the Applicant will voluntarily limit construction hours to Monday – Friday 7 am to 7pm and Saturday from 10am to 5pm. There will be no construction on Sundays or Federal Holidays."

10. Plumbo-Cortez and other residents, and business owners, speak of concerns based on the intensification of weather events, growth, and additions of inflow from the proposed complex to the wetlands. While noting the wetlands are vast and will technically accept this new inflow, changes will occur to the overall area created by this construction. Including alterations of Rt. 17K. While the applicant states they do not have responsibility for the problematic culvert highlighted in public comments, isn't there an opportunity while in active communication with the DOT to create a plan for the as needed repairs?

Response: The Applicant's traffic consultant has informed the NYSDOT about concern with the culvert under NYS Route 17K. The Applicant has no legal rights to maintain a NYSDOT culvert.

11. While there are controls for the liquid outflow of the sewer system being proposed, there is still the possibility of system failures for many reasons. One concern is that the effluent will cause

unpleasant environmental changes when the system is stressed, that includes the location and water levels of the stream its stated will discharge too.

- Can a plan be created for a series of water tests near the receiving area and near Richards showing stability of the system as well as creating a base line for future use?
- The town it is noted asks for expanded capabilities of the sewer system. Is this done? What is the expansion percentage, volume offered?

Response: As part of the SPEDES discharge permit approval the WWTP will be required to sample the effluent to assure it meets the required standards. The WWTP is designed in such a way that it can undergo a 100% expansion.

12. There is a possibility, as it was held in reserve to request a height variance for the buildings. This affects both the need to go before the ZBA, the FD safety requirements etc.

- When will the applicant decide to commit to the proposed heights and what would drive a need for an increase?

Response: The FEIS has been revised to indicate that a height variance will not be pursued.

13. Dark Sky and lamp cutoffs are discussed and that this should avoid impact on the existing residential homes.

- Has the evaluation included the impact of those lights being 'above' those homes as they are now 'looking up' at the light sources?
- Can certain lights be set to go off along the access drive, other illuminated areas, after a set time leaving the site less impactful? Especially important is considering residences.

Response: The lighting plan has been revised to include full cut off shields on the light fixtures located closest to the Montgomery Heights neighborhood. None of the outdoor lights are proposed to turn off during nighttime hours as they are all designed for safety and security purposes.

14. It is stated that the sewer treatment building will look like the other buildings on site. None are specifically called out.

- Is there a building that shows what these buildings will resemble? *(Stated at Work session there was an image for review. (response no longer asked for this and thank you)).
- It should state that the design will be in conformance with both the zone law and the subsection of the Zone Law called Non-Residential Design Standards and not to appear like 'the other' buildings.
- Does the building design conform to these guidelines, code requirements? If not, please show a design that does.

Response: A depiction of what the proposed WWTP will look like was included in the DEIS as Figure 3.6E. The following statement has been added to Section 1.3.1 "The guidelines provided in Attachment 6 of the Zoning Code, entitled Town of Montgomery Non-Residential Design Guidelines, have been followed to the extent that they apply to the design of the future commercial retail buildings and the wastewater treatment plant building."

15. While pollinators are stated to be planted to support a section of environmental life, there are trees where bats may choose to roost that will be eliminated.

- To support natural pest control, especially near wet land are Bat Boxes proposed? If so, how will they be maintained for functionality?

Response: The Applicant does not intend to install Bat Boxes on site.

16. It is acknowledged that the environment for migrating amphibians will be disrupted as travel ways will be altered at various locations on the site. It is left that it is unavoidable. While the alteration of the site to achieve the end goal is unavoidable there is no noted attempt to address the loss of these travel ways. Loss of 'navigation' markers causes confusion and ultimately death in turtles. It is understood traversing a roadway has impact, especially a highway such as 17K.

➤ A study for these routes, to locate and evaluate may be needed by a certified person but what prevents, where able on site, the creation, or a somewhat reproduction of possible safe travel ways for these amphibians?

Response: The Town's ecological consultant, Mr. Jason Tusoro, conducted a field visit on June 19, 2025. His assessment of any of the areas of potential core habitat is that they appear to be sufficiently buffered and distant from project-related impacts. Any portions of the area on this site that might present non-core habitat for (bog) turtles are limited to the on-site open water areas and immediate shorelines of the pond, and these areas are all within the jurisdiction of the NYSDEC and are areas of the site that are not to be disturbed by the proposed development

17. The construction impacts for those residents located adjacent to the building areas will be great as dust and dirt will migrate across their yards, cars and in their homes for the duration of construction.

➤ Is there a mechanism where the applicant can offer the residents aid in reducing this impact? This could include coupons for car washes, a monthly home cleaning service for dust and other impacts.

Response: FEIS Section 1.4 details the mitigation measures that will be employed to address fugitive dust from construction activities.

18. A pest control program is spoken of as well as the need for vegetative controls (pesticides/herbicides) for the site's needs in these areas. While these things are acknowledged as being proposed for use, a request was made for pesticides, herbicides that do not use certain chemicals. There is an even higher level of awareness for their use considering the site's environmentally sensitive location.

➤ Why does the applicant not state those chemicals will not be used on site? Why would it be needed for use?

Response: The Applicant cannot definitively state that pesticides and/or herbicides chemicals will not be used on Site. There might be an instance in which pesticides or herbicides are used as a last resort to address an infestation that does not respond to Integrated Pest Management practices. When used as directed and intended pesticides and/or herbicides a pose a low risk of causing environmental harm.

19. States fireplaces will be in lobbies, are these electric? Gas?

Response: In compliance with the latest building code regulations the proposed fireplaces will be electric.

20. It is stated there is no need for park and entertainment facilities use outside of the sites offerings as it supports that demand and so eliminating need for town fees. However, it also states the demographic is for single up and coming people that will populate the one-bedroom

suits offered and the two bedrooms will support young families.

- How would the site support, in example, 55 apartments wanting to BBQ on a summer's day?
- Will the apartments be allowed to be sub-leased?
- The apartments are stated as one and two bedrooms, is there a control proposed to limit the number of persons per apartment?

Response: BBQs will be available for residents use on a first come first serve basis. Apartments will not be permitted to be sublet. Apartment occupancy limits will follow New York Real Property Law § 235-F and local building/fire codes.

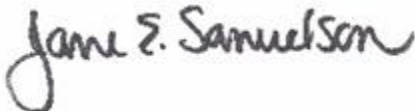
PB Zahakos dated February 6, 2026

Water Supply

1. The water holding tank represented in sales brochure is depicted as a low wide cylinder. This is not what is stated for actual use.
 - Please provide an actual image or rendering that reflects the tank intended for installation.
 - Please provide depictions reflecting this water tank as it will appear from the following viewpoints:
 - SR 208 & 17K intersection, SR 17K and Peale Place development (Dollar General), Goodwill Church on SR 208.
 - Please provide color selection offered from water tanks supplier as suspected different suppliers, slightly different offerings.

Response: Figure 3.6F has been added to provide an approximate image of what the water storage tank will look like. The water storage tank will be cobalt blue in color.

Sincerely,
Engineering & Surveying Properties, PC



Jane Samuelson, P.E.
Professional Engineer