

Town of Montgomery Conservation Advisory Council

Date **3/9/25**

To: Town of Montgomery, Planning Board
 Town of Montgomery, Town Board
 Supervisor Steve Brescia

From: Town of Montgomery Conservation Advisory Council
 Chairperson, Patricia Henighan

Re: **Sheffield Gardens, a 261 unit Apt. complex on 17K**

Our Conservation Advisory Council reviewed this project at our meeting on 2/25/25 and have the following comments:

- 4.1 • The size, scope and location would be a disaster and definitely decrease the quality of life for anyone in the village or town. **Community Character**
- 4.2 • Since it is near the high school where students would be walking, it would present dangerous situations. **Traffic**
- 4.3 • It also requires a wastewater treatment plant close to the road, where the odor would be noticeable and could possibly result in run-off into the wetland. **Wastewater**
- 4.4 • We agree that affordable housing is needed, but green energy should be part of any new construction **Energy**



Conservation Advisory Council Comments on the Sheffield Gardens Proposed Project

May 8, 2025

1. Traffic

5.1
Traffic

- a. Page 129 states that accident rate is currently 3 times the rate for similar intersections in the state. Their solution is an increase in the light interval, increasing the yellow light time by one second (from 5 to 6 seconds) to reduce rear end collisions. Perhaps an alternate solution would be a rotary (traffic circle). It should be considered in the upcoming NY DOT study.
- b. The traffic Level of Service (LOS) for the intersection of traffic exiting the Sheffield Gardens is predicted to be rated at an F, the lowest rating. How is it possible to build a project that will have the lowest grading to start.
- c. In addition, 9 intersection approaches are predicted to have downgraded LOS due to this project.
- d. The traffic volume in this part of Rte. 17K is already overburdened. Without a massive upgrade to the highway, traffic delays and accidents will increase and cause a degradation in the town's quality of life.
- e. The DEIS states that anywhere from 1,136 to 2,406 trucks will be needed to move excavated materials out and bring imported materials to the site. This will be done through one entrance/exit, with an expected 75% of the trips coming from the Rte 17K/208 intersection to the east. This necessitates a left turn into the sight. If the dedicated left turn lane is not completed before this occurs, traffic issues could be acute. Even with a dedicated left turn lane in place prior to this massive movement of materials in and out of the site, the traffic will be severely impacted. There is no mention in the document how this will be handled and the impact it may cause on the community.

2. Waste Water Treatment Plant (WWTP)

5.2
Wastewater

- a. On-site WWTP will be located next to a 64 year old business (Richard's ice cream stand). Odor issues that arise could affect business detrimentally.
- b. Amount of discharge of WWTP into the neighboring wetlands could overwhelm the maximum capacity of the drainage, overwhelming the neighboring businesses and culvert just east of Richard's.
- c. Nutrients (nitrogen and phosphorus) in the effluent if not removed under the right conditions (high temperatures, stagnant water flow) could help to contribute to an algal bloom on the adjoining wetlands.

d. The applicant mentioned hooking into the VOM or TOM WWTP but never gave an explanation as to why both were rejected.

3. Sight lines

5.3 Aesthetics

a. The size and height of the apartment complex located on the highest point on the property with the loss of trees would lead to the conclusion that the building site lines will be visible from many locations and may not fit in with the aesthetics of the area, especially the historical village of Montgomery.

4. Reduction of trees

5.4 Plants & Animals

a. The reduction of the number of trees over 12 inches in diameter from 369 to 288. The applicant does not believe that the number of trees to be removed and replaced is significant, but doesn't offer any explanation. We feel an explanation is warranted.

5. Preservation of Open Space

5.5 Project Description

The proposed undeveloped portion of the Site occupies 24.14 acres or 46% of the parcel. The remaining open space will help conserve the Town's natural resources in a sustainable, contiguous area of undeveloped lands.

This is an excellent idea. Has the developer considered making all or some of this land into a permanent conservation easement, to remain undeveloped in perpetuity?

6. Wildflower and Native Plants

5.6 Plants & Animals

a. The CAC recommends incorporating areas of dedicated plantings of wildflowers and native plants to reduce maintenance and increase food sources for native wildlife and plant pollinators.



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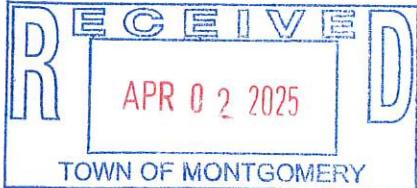
Matthew Hunt, Chief

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Mike Kenny

1st Asst. Chief

Mike Wirth

2nd Asst. Chief

*@ work Session
PB*

26 March 2025

Reference: Sheffield Gardens

As Requested here is a list of questions and concerns regarding the proposed Sheffield Gardens Apartment Complex. These questions and concerns are based off the information and drawings received on 23 March 2025.

- 6.1** • Municipal Water- A complex of this size has the potential for a tremendous fire load between building construction materials and building contents. Ideally a municipal water supply is the best answer to being able to establish and more importantly maintain a sufficient fire flow rate. **Groundwater**
- 6.2** • Has the developer figured out what the required fire flow rate for the complex would be? (Fire flow is calculated based on the fire flow area of the building. The flow area is the total floor area of all floor levels of a building, except for Type I (443), Type I (332), and Type II (222), in which case the fire flow area is the largest three successive floors. The fire flow area should be determined based on the area between the surrounding exterior walls of each floor and the fire separation walls used to create separate buildings) Now keep in mind this is just the building and doesn't even take into consideration the content load of the building. When the building is occupied and every apartment is full or furniture and god knows what else the needed flow is going to increase. **Groundwater**
- 6.3** • Hydrants- What are the flow rates of the hydrants? How drastic is the flow rate change when more than one hydrant is utilized? Will the hydrants come with Storz connections? **Groundwater**
- 6.4** • Fire Hydrants must be installed to meet the requirements of NFPA 1, waterworks standards, and any local requirements of the jurisdiction. Where required by the Authority Having Jurisdiction (AHJ), the hydrant needs to be provided with a reflector and proximity flag. In some jurisdictions, the hydrants are also color-coded to indicate the available flow rate. Fire hydrants need to be located within 600 feet (183 m) from the closest point of the building in detached one- and two-family dwellings, with a maximum spacing of 800 feet (244 m). For buildings other than one- and two-family



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dwelling, hydrants need to be within 400 feet (122 m) of the building with a maximum spacing of 500 feet (152 m). Additionally, hydrants must also be located within 12 feet (3.7 m) of the fire department access road. **Groundwater**

- 6.5 • If the Hydrant System is supplied by a storage tank what is the capacity of the tank and what is the GPM rating on the fire pump for the tank? Does the tank have an emergency generator to ensure the fire pump never loses power? Is there an FDC on the tank itself in the event the generator fails and the fire department needs to put a high capacity (2000 GPM) pumper at the tank to act as the fire pump? **Groundwater**
- 6.6 • The overall potential demand on the system needs to looked at and addressed. Putting just one Tower Ladder into operation (based off the Pump on TL205) is a 2000 GPM flow. **Groundwater**
- 6.7 • How is the hydrant flow rate impacted by activation of the sprinkler system? A multi unit fire is going to result in numerous sprinkler activations. **Groundwater**
- 6.8 • Sprinklers- Is this facility being sprinklered based off the residential sprinkler code or a commercial occupancy code? Again due to fire load and building construction the larger capacity commercial systems should be looked into. **Groundwater**
- 6.9 • Where are the Fire Department Connections located on each building? Are the FDC going to be storz connections or y connections? **Project Description**
- 6.10 • Does the complex have standpipes? If so what are the locations of the standpipes and what is the flow rate of the system? **Project Description**
- 6.11 • If building has standpipes it is extremely important the the FDC on the building be **Project** clearly labeled whether they are standpipe connections or sprinkler connections? **Description**
- 6.12 • Do the buildings have trash chutes and/or trash compactors? If so is the chute sprinklered and is there a fire department hook up on the compactor? **Project Description**
- 6.13 • Building Construction- Are these buildings truss construction or stick built? If truss where are they- flooring, roofing, etc? **Project Description**
- 6.14 • Do these units have fire breaks or is it common space throughout the attic and void spaces? **Project Description**
- 6.15 • Will there be fire doors in the hallways? **Project Description**
- 6.16 • Do these buildings have any fire escapes from the upper floors or is the only emergency access/egress through interior stairwells and elevators? **Project Description**
- 6.17 • Does the facility have elevators? If so how many and where? Will the facility provide the fire department with the appropriate elevator keys? **Project Description**
- 6.18 • Are the stairwells going to be labeled ie: stairwell a, stairwell b etc? **Project Description**



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- 6.19 • Access Concerns- Traffic on 17k is already a nightmare. Depending on time of day traffic in this area significantly backs up. This is going to significantly delay response times. **Traffic**
- 6.20 • What is the overall height of the buildings and is there enough room for fire apparatus and personnel to safely operate outside of the recognized collapse zone which is 1.5 times the height of the building? **Project Description**
- 6.21 • Parking lot navigation- According to the drawings it appears the actual driving areas of the parking lot are only 20 feet wide. Setting up a Tower Ladder takes up an 18 foot jack spread. So if the parking lot is full and a Tower Ladder is set up that leaves about 1 foot of operating space for emergency personnel to walk and operate around either side of the apparatus. Members need to be able to open compartments and access equipment quickly. **Project Description**
- 6.22 • I see potential issues with apparatus navigating the parking lot specifically turning between buildings based on apparatus length and tail swing? Was the fire department contacted to ascertain the overall length and wheelbase of vehicles expected to navigate the lot? This will further be impacted by light post placement and snow piles. **Project Description**
- 6.23 • Are the power and utility lines going to be overhead or underground service? Overhead lines may impede aerial device placement. **Project Description**
- 6.24 • Where are the fire alarm panels going to be located and will there be satellite panels throughout the building? **Project Description**
- 6.25 • Electric Vehicle Charging Stations- Several on the drawings. Will there be emergency power off switches for these stations and where will they be located? These charging stations should be kept as far away from other vehicles and buildings as possible. EV fires present a unique set of hazards for responders. **Project Description**
- 6.26 • Does the facility have generators? If so are the natural gas, propane, diesel? Where will they be located and what will they power? **Project Description**
- 6.27 • Heating Systems and HVAC- Natural Gas, Heating Oil, Propane, Electricity? If propane or heating oil what are the capacity's of the tanks used to hold the material? **Project Description**
- 6.28 • Solar Panels- Any at the location if so where and how many? Make sure EPOs are clearly identified. **Project Description**
- 6.29 • Will each unit have its own laundry set up or are there common laundry areas? Commercial vs residential washer and dryers. **Project Description**
- 6.30 • Each Building should be clearly labeled with its proper designation whether that be a separate address or a building letter or number. Should be labeled on all 4 sides. **Project Description**



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6.31 • Are there any equipment or storage units at the location? Will the contents of these storage units and sheds be governed. Concerns with hazardous materials specifically batterys and fuel. **Project Description**

. I think we can all agree public safety is priority number one and these items need to be addressed. Please feel free to reach out if you have any questions, comments, or concerns on the above items. I can be reached by cell 845-476-6843 or by email huntm629@gmail.com.

Respectfully Submitted:

Matthew Hunt
Chief, Coldenham Fire

STATE OF NEW YORK

7916--A

2013-2014 Regular Sessions

I N A S S E M B L Y

June 10, 2013

Introduced by M. of A. MORELLE, COOK, SCARBOROUGH, RIVERA, GALEF, ROBERTS, ROZIC -- Multi-Sponsored by -- M. of A. ABBATE, ARROYO, McDONALD, MILLMAN, MOSLEY, PEOPLES-STOKES, SWEENEY -- read once and referred to the Committee on Consumer Affairs and Protection -- recommitted to the Committee on Consumer Affairs and Protection in accordance with Assembly Rule 3, sec. 2 -- reported and referred to the Committee on Rules -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general business law and the executive law, in relation to automatic sprinkler system requirements for one- and two-family dwellings; and providing for the repeal of such provisions upon certain conditions.

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. The general business law is amended by adding a new article
2 35-F to read as follows:

ARTICLE 35-F

FIRE SPRINKLER INFORMATION

SECTION 759. DEFINITIONS.

759-A. DISCLOSURE OF AUTOMATIC FIRE SPRINKLER SYSTEM INFORMATION.

S 759. DEFINITIONS. WHEN USED IN THIS ARTICLE, THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:

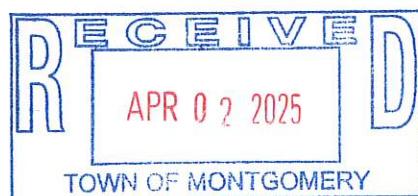
10 1. "BUILDER" MEANS ANY PERSON, CORPORATION, PARTNERSHIP OR OTHER ENTI-
11 TY CONTRACTING WITH AN OWNER FOR THE CONSTRUCTION OF A ONE- OR TWO-FAMI-
12 LY RESIDENTIAL DWELLING HAVING LESS THAN THREE STORIES.

13 2. "BUYER" MEANS ANY PERSON OR PERSONS WHO HAVE CONTRACTED OR WHO
14 INTEND TO CONTRACT WITH A BUILDER FOR THE CONSTRUCTION OF A ONE- OR
15 TWO-FAMILY RESIDENTIAL DWELLING HAVING LESS THAN THREE STORIES.

16 S 759-A. DISCLOSURE OF AUTOMATIC FIRE SPRINKLER SYSTEM INFORMATION. A
17 BUILDER OF A ONE- OR TWO-FAMILY RESIDENTIAL DWELLING HAVING LESS THAN

EXPLANATION--Matter in **ITALICS** (underscored) is new; matter in brackets [] is old law to be omitted.

TIBD09422-05-4



MONTGOMERY
@ PB workSession

1 THREE STORIES, PRIOR TO ENTERING INTO A CONTRACT FOR CONSTRUCTION OF
2 SUCH DWELLING WITH A BUYER, SHALL PROVIDE THE BUYER WITH A COPY OF WRIT-
3 TEN MATERIALS PREPARED BY THE OFFICE OF FIRE PREVENTION AND CONTROL
4 PURSUANT TO SUBDIVISION TWENTY-ONE OF SECTION ONE HUNDRED FIFTY-SIX OF
5 THE EXECUTIVE LAW, WHICH DETAILS THE BENEFITS OF AND INCLUDES FACTORS
6 THAT CAN AFFECT THE COSTS ASSOCIATED WITH THE INSTALLATION AND MAINTE-
7 NANCE OF AN AUTOMATIC FIRE SPRINKLER SYSTEM. UPON REQUEST OF THE BUYER,
8 THE BUILDER SHALL, AT THE BUYER'S EXPENSE, INSTALL AN AUTOMATIC FIRE
9 SPRINKLER SYSTEM IN SUCH ONE- OR TWO-FAMILY RESIDENTIAL DWELLING HAVING
10 LESS THAN THREE STORIES.

11 S 2. Section 156 of the executive law is amended by adding a new
12 subdivision 21 to read as follows:

13 21. PROVIDE WRITTEN MATERIALS TO CONSUMERS AND BUILDERS WHICH DETAIL
14 THE BENEFITS OF AND INCLUDE THE FACTORS THAT CAN AFFECT COSTS ASSOCIATED
15 WITH THE INSTALLATION AND MAINTENANCE OF AN AUTOMATIC FIRE SPRINKLER
16 SYSTEM FOR A ONE- OR TWO-FAMILY RESIDENTIAL DWELLING.

17 S 3. This act shall take effect on the one hundred twentieth day after
18 it shall have become a law; provided that, effective immediately, the
19 office of fire prevention and control is authorized and directed to
20 prepare the materials required by subdivision 21 of section 156 of the
21 executive law, as added by section two of this act, on or before such
22 effective date; and provided, further, that this act shall expire and be
23 deemed repealed upon the effective date of provisions of the New York
24 state uniform fire prevention and building code which are equivalent to
25 the terms of section 313.2 (relating to automatic fire sprinkler systems
26 in one- or two-family dwellings under three stories) of the Interna-
27 tional Residential Code (2009 edition) or any successor reversions ther-
28 eof requiring fire sprinklers for one- or two-family dwellings under
29 three stories; provided that the state fire administrator shall notify
30 the legislative bill drafting commission upon the adoption of such
31 provisions of the New York state uniform fire prevention and building
32 code in order that the commission may maintain an accurate and timely
33 effective data base of the official text of the laws of the state of New
34 York in furtherance of effectuating the provisions of section 44 of the
35 legislative law and section 70-b of the public officers law.

Comment 7.# - Jay Beaumont letter dated 1/13/2025

2/5/25
at WR Session
to Jane
Samuelson

JAY BEAUMONT

ANALYSIS OF WARRANTS FOR SHEFFIELD GARDENS SITE ACCESS TRAFFIC LIGHT

JANUARY 13, 2025

7.1
Traffic

I tracked down a guidance for Traffic Control Signal Needs Studies – MUTCD 11th Edition. There are nine possible warrants. See the attachment. The only warrant that seems to apply to this situation is Warrant 3, Peak Hour. I have attached the description for Warrant 3, Peak Hour.

“The Peak Hour signal warrant is intended for use at a location where traffic conditions are such that for a minimum of 1 hour of an average day, the minor-street traffic suffers undue delay when entering or crossing the major street.”

Since the speed limit on 17K exceeds 40 mph, Figure 4C-4 may be used to evaluate the criteria for the warrant.

Also, note: “If this warrant is the only warrant met and a traffic control signal is justified by an engineering study, the traffic signal may be operated in the flashing mode during the hours that the volume criteria of this warrant are not met.”

“Guidance: If this warrant is the only warrant met and a traffic control signal is justified by an engineering study, the traffic control signal should be traffic-actuated.” This Guidance seems to be perfect fit for the Sheffield situation.

The attached sheets present my analysis of the Warrant. Please note that the AM peak hour, PM peak hour, and Saturday peak hour all fall above the applicable curve (75 vehicles per hour) on Figure 4C-4. In fact, the Major Street vehicles per hour are “off the chart”.

WARRANT ANALYSIS

CHAPTER 4C. TRAFFIC CONTROL SIGNAL NEEDS STUDIES

Section 4C.01 Studies and Factors for Justifying Traffic Control Signals

Standard:

- 01 Except for a temporary traffic control signal (see Section 4D.11) installed in a temporary traffic control zone, before a traffic control signal is installed at a particular location, an engineering study of traffic conditions, pedestrian characteristics, and physical characteristics of the location shall be performed to determine whether installation of a traffic control signal is justified at that location.
- 02 The investigation of the need for a traffic control signal shall include an analysis of factors related to the existing operation and safety at the study location and the potential to improve these conditions, and the applicable factors contained in the following traffic signal warrants:

Warrant 1, Eight-Hour Vehicular Volume

Warrant 2, Four-Hour Vehicular Volume

Warrant 3, Peak Hour

Warrant 4, Pedestrian Volume

Warrant 5, School Crossing

Warrant 6, Coordinated Signal System

Warrant 7, Crash Experience

Warrant 8, Roadway Network

Warrant 9, Intersection Near a Grade Crossing

- 03 The satisfaction of a traffic signal warrant or warrants shall not in itself require the installation of a traffic control signal.

Support:

- 04 Sections 8D.08 and 8D.14 contain information regarding the use of traffic control signals instead of gates and/or flashing-light signals at grade crossings.

Guidance:

- 05 When considering the installation of a traffic control signal, alternatives to traffic control signals, including those listed in Section 4B.03, should also be considered.

- 06 A traffic control signal should not be installed unless one or more of the factors described in this Chapter are met.

- 07 A traffic control signal should not be installed unless an engineering study indicates that installing a traffic control signal will improve the overall safety and/or operation of the intersection.

- 08 The study should consider the effects of the right-turning vehicles from the minor-street approaches.

Engineering judgment should be used to determine what, if any, portion of the right-turning traffic is subtracted from the minor-street traffic count when evaluating the count against the signal warrants listed in Paragraph 2 of this Section.

- 09 Engineering judgment should also be used in applying various traffic signal warrants to cases where major-street approaches consist of one lane plus one left-turn or right-turn lane. The site-specific traffic characteristics should dictate whether a major-street approach is considered as one lane or two lanes. For example, for a major-street approach with one lane for through and right-turning traffic plus a left-turn lane, if engineering judgment indicates that it should be considered a one-lane approach because the traffic using the left-turn lane is minor, the total traffic volume approaching the intersection should be applied against the signal warrants as a one-lane approach. The major-street approach should be considered two lanes if approximately half of the traffic on the approach turns left and the left-turn lane is of sufficient length to accommodate all left-turning vehicles.

- 10 Similar engineering judgment and rationale should be applied to a minor-street approach with one through/left-turn lane plus a right-turn lane. In this case, the degree of conflict of minor-street right-turning traffic with traffic on the major street should be considered. Thus, right-turning traffic should not be included in the minor-street volume if the movement enters the major street with minimal conflict. The minor-street approach should be evaluated as a one-lane approach with only the traffic volume in the through/left-turn lane considered.

- 11 If a minor-street approach has one combined through/right-turn lane plus a left-turn lane, the approach should either be analyzed as a two-lane approach based on the sum of the traffic volumes using both lanes or as a one-lane approach based on only the traffic volume in the approach lane with the higher volume.

- 12 At a location that is under development or construction or at a location where it is not possible to obtain a traffic count that would represent future traffic conditions, hourly volumes should be estimated as part of an engineering study for comparison with traffic signal warrants. Except for locations where the engineering study uses the satisfaction of Warrant 8 to justify a signal, a traffic control signal installed under projected conditions should have an engineering study done within 1 year of putting the signal into steady (stop-and-go) operation to determine if the signal is justified. If not justified, the signal should be taken out of steady (stop-and-go) operation or removed.

Option:

- 13 For signal warrant analysis, a location with a wide median may be analyzed as one intersection or as two intersections (see Section 2A.23) based on engineering judgment.
- 14 At an intersection with a high volume of left-turning traffic from the major street, the signal warrant analysis may be performed in a manner that considers the higher of the major-street left-turn volumes as the “minor-street” volume and the corresponding single direction of opposing traffic on the major street as the “major-street” volume.
- 15 For signal warrants requiring conditions to be present for a certain number of hours in order to be satisfied, any four consecutive 15-minute periods may be considered as 1 hour if the separate 1-hour periods used in the warrant analysis do not overlap each other and both the major-street volume and the minor-street volume are for the same specific 1-hour periods.
- 16 For signal warrant analysis, bicyclists may be counted as either vehicles or pedestrians.

Support:

- 17 When performing a signal warrant analysis, bicyclists riding in the street with other vehicular traffic are usually counted as vehicles and bicyclists who are clearly using pedestrian facilities are usually counted as pedestrians.

Option:

- 18 Engineering study data may include the following:
 - A. The number of vehicles entering the intersection in each hour from each approach during 12 hours of an average day. It is desirable that the hours selected contain the greatest percentage of the 24-hour traffic volume.
 - B. Vehicular volumes for each traffic movement from each approach, classified by vehicle type (heavy trucks, passenger cars and light trucks, public-transit vehicles, and, in some locations, bicycles), during each 15-minute period of the 2 hours in the morning and 2 hours in the afternoon during which the total traffic entering the intersection is the greatest.
 - C. Pedestrian volume counts on each crosswalk during the same periods as the vehicular counts in Item B and during the hours of highest pedestrian volume. Where young, elderly, and/or persons with physical or vision disabilities need special consideration, the pedestrians and their crossing times may be classified by general observation.
 - D. Information about nearby facilities and activity centers that serve the young, elderly, and/or persons with disabilities, including requests from persons with disabilities for accessible crossing improvements at the location under study. These persons might not be adequately reflected in the pedestrian volume count if the absence of a signal restrains their mobility.
 - E. The posted or statutory speed limit or the 85th-percentile speed on the uncontrolled approaches to the location.
 - F. A condition diagram showing details of the physical layout, including such features as intersection geometrics, channelization, grades, sight-distance restrictions, transit stops and routes, parking conditions, pavement markings, roadway lighting, driveways, nearby railroad crossings, distance to the nearest traffic control signals, utility poles and fixtures, and adjacent land use.
 - G. A collision diagram showing crash experience by type, location, direction of movement, severity, weather, time of day, date, and day of week for at least 1 year.
- 19 The following data, which are desirable for a more precise understanding of the operation of the intersection, may be obtained during the periods described in Item B of Paragraph 18 of this Section:
 - A. Vehicle-hours of stopped-time delay determined separately for each approach.
 - B. The number and distribution of acceptable gaps in vehicular traffic on the major street for entrance from the minor street.
 - C. The posted or statutory speed limit or the 85th-percentile speed on controlled approaches at a point near to the intersection but unaffected by the control.
 - D. Pedestrian delay time for at least two 30-minute peak pedestrian delay periods of an average weekday or like periods of a Saturday or Sunday.
 - E. Queue length on stop-controlled approaches.

Support:

- 20 The safe and efficient movement of all road users is the primary consideration in the engineering study to determine whether to install a traffic control signal or to install some other type of control or roadway configuration. Installation of a traffic control signal does not necessarily result in improved safety in every case. In some cases, the installation of a traffic control signal at an inappropriate location could adversely impact safety for one or more types of road users. The purpose of the engineering study is to evaluate all of the factors that are relevant to a specific location. The satisfaction of a warrant (or warrants) is one of the relevant factors in the

~~engineering study, but it is not intended to be the only factor or even the overriding consideration. Agencies can install a traffic control signal at a location where no warrants are met, but only after conducting an engineering study that documents the rationale for deciding that the installation of a traffic control signal is the best solution for improving the overall safety and/or operation at the location.~~

Section 4C.02 Warrant 1, Eight-Hour Vehicular Volume

Support:

01 The Minimum Vehicular Volume, Condition A (see Table 4C-1), is intended for application at locations where a large volume of intersecting traffic is the principal reason to consider installing a traffic control signal.

02 The Interruption of Continuous Traffic, Condition B (see Table 4C-1), is intended for application at locations where Condition A is not satisfied and where the traffic volume on a major street is so heavy that traffic on a minor intersecting street suffers excessive delay or conflict in entering or crossing the major street.

03 It is intended that Warrant 1 be treated as a single warrant. If Condition A is satisfied, then Warrant 1 is satisfied and analyses of Condition B and the combination of Conditions A and B are not needed. Similarly, if Condition B is satisfied, then Warrant 1 is satisfied and an analysis of the combination of Conditions A and B is not needed.

Guidance:

04 *The need for a traffic control signal should be considered if an engineering study finds that one of the following conditions exist for each of any 8 hours of an average day:*

- A. *The vehicles per hour given in both of the 100 percent columns of Condition A in Table 4C-1 exist on the major street and the more critical minor-street approach, respectively, to the intersection; or*
- B. *The vehicles per hour given in both of the 100 percent columns of Condition B in Table 4C-1 exist on the major street and the more critical minor-street approach, respectively, to the intersection.*

Standard:

05 These major-street and minor-street volumes shall be for the same 8 hours for each condition; however, the 8 hours that are selected for the Condition A analysis shall not be required to be the same 8 hours that are selected for the Condition B analysis.

Table 4C-1. Warrant 1, Eight-Hour Vehicular Volume
Condition A—Minimum Vehicular Volume

Number of lanes for moving traffic on each approach		Vehicles per hour on major street (total of both approaches)				Vehicles per hour on more critical minor-street approach (one direction only)			
Major Street	Minor Street	100% ^a	80% ^b	70% ^c	56% ^d	100% ^a	80% ^b	70% ^c	56% ^d
1	1	500	400	350	280	150	120	105	84
2 or more	1	600	480	420	336	150	120	105	84
2 or more	2 or more	600	480	420	336	200	160	140	112
1	2 or more	500	400	350	280	200	160	140	112

Number of lanes for moving traffic on each approach		Vehicles per hour on major street (total of both approaches)				Vehicles per hour on more critical minor-street approach (one direction only)			
Major Street	Minor Street	100% ^a	80% ^b	70% ^c	56% ^d	100% ^a	80% ^b	70% ^c	56% ^d
1	1	750	600	525	420	75	60	53	42
2 or more	1	900	720	630	504	75	60	53	42
2 or more	2 or more	900	720	630	504	100	80	70	56
1	2 or more	750	600	525	420	100	80	70	56

^a Basic minimum hourly volume

^b Used for combination of Conditions A and B after adequate trial of other remedial measures

^c May be used when the major-street speed exceeds 40 mph or in an isolated community with a population of less than 10,000

^d May be used for combination of Conditions A and B after adequate trial of other remedial measures when the major-street speed exceeds 40 mph or in an isolated community with a population of less than 10,000

Section 4C.04 Warrant 3, Peak Hour

Support:

01 The Peak Hour signal warrant is intended for use at a location where traffic conditions are such that for a minimum of 1 hour of an average day, the minor-street traffic suffers undue delay when entering or crossing the major street.

Guidance:

02 This signal warrant should be applied only in unusual cases, such as office complexes, manufacturing plants, industrial complexes, or high-occupancy vehicle facilities that attract or discharge large numbers of vehicles over a short time.

03 The need for a traffic control signal should be considered if an engineering study finds that the criteria in either of the following two categories are met:

- A. If all three of the following conditions exist for the same 1 hour (any four consecutive 15-minute periods) of an average day:
 - 1. The total stopped-time delay experienced by the traffic on one minor-street approach (one direction only) controlled by a STOP sign equals or exceeds: 4 vehicle-hours for a one-lane approach or 5 vehicle-hours for a two-lane approach, and
 - 2. The volume on the same minor-street approach (one direction only) equals or exceeds 100 vehicles per hour for one moving lane of traffic or 150 vehicles per hour for two moving lanes, and
 - 3. The total entering volume serviced during the hour equals or exceeds 650 vehicles per hour for intersections with three approaches or 800 vehicles per hour for intersections with four or more approaches.
- B. The plotted point representing the vehicles per hour on the major street (total of both approaches) and the corresponding vehicles per hour on the more critical minor-street approach (one direction only) for 1 hour (any four consecutive 15-minute periods) of an average day falls above the applicable curve in Figure 4C-3 for the existing combination of approach lanes.

Option:

04 If the posted or statutory speed limit or the 85th-percentile speed on the major street exceeds 40 mph, or if the intersection lies within the built-up area of an isolated community having a population of less than 10,000, Figure 4C-4 may be used in place of Figure 4C-3 to evaluate the criteria in Item B of Paragraph 3 in this Section.

05 If this warrant is the only warrant met and a traffic control signal is justified by an engineering study, the traffic control signal may be operated in the flashing mode during the hours that the volume criteria of this warrant are not met.

Guidance:

06 If this warrant is the only warrant met and a traffic control signal is justified by an engineering study, the traffic control signal should be traffic-actuated.

FLASHING
MODE
TRAFFIC
ACTUATED

Section 4C.05 Warrant 4, Pedestrian Volume

Support:

01 The Pedestrian Volume signal warrant is intended for application where the traffic volume on a major street is so heavy that pedestrians experience excessive delay in crossing the major street.

Guidance:

02 The need for a traffic control signal at an intersection or midblock crossing should be considered if an engineering study finds that one of the following criteria is met:

- A. For each of any 4 hours of an average day, the plotted points representing the vehicles per hour on the major street (total of both approaches) and the corresponding pedestrians per hour crossing the major street (total of all crossings) all fall above the curve in Figure 4C-5; or
- B. For 1 hour (any four consecutive 15-minute periods) of an average day, the plotted point representing the vehicles per hour on the major street (total of both approaches) and the corresponding pedestrians per hour crossing the major street (total of all crossings) falls above the curve in Figure 4C-6.

Option:

03 If the posted or statutory speed limit or the 85th-percentile speed on the major street exceeds 35 mph, or if the intersection lies within the built-up area of an isolated community having a population of less than 10,000, Figure 4C-7 may be used in place of Figure 4C-5 to evaluate Item A in Paragraph 2 of this Section, and Figure 4C-8 may be used in place of Figure 4C-6 to evaluate Item B in Paragraph 2 of this Section.

Figure 4C-3. Warrant 3, Peak Hour

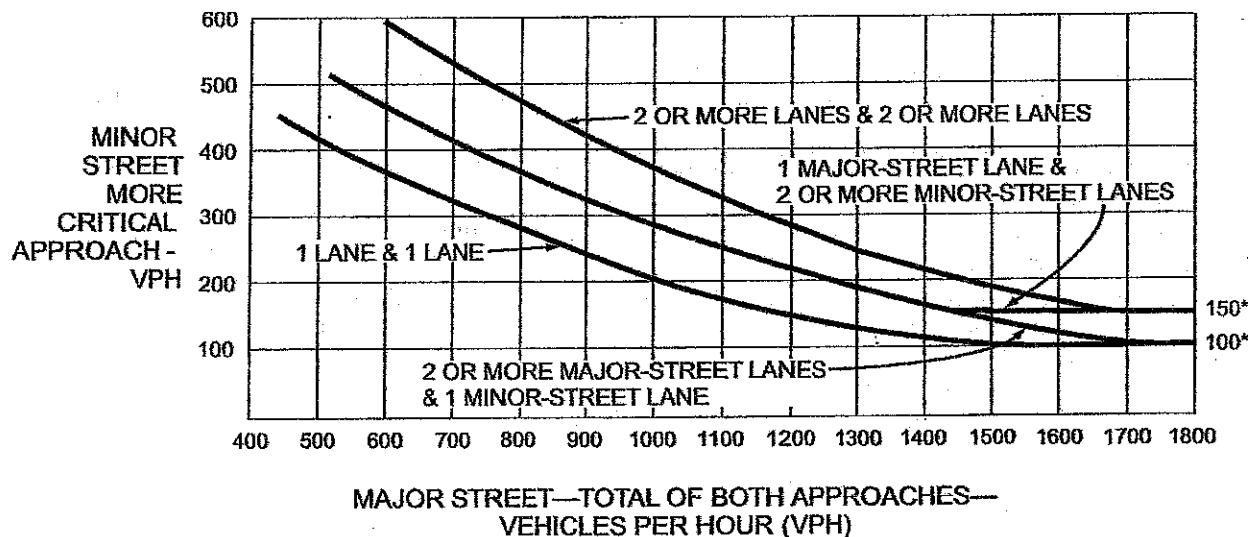
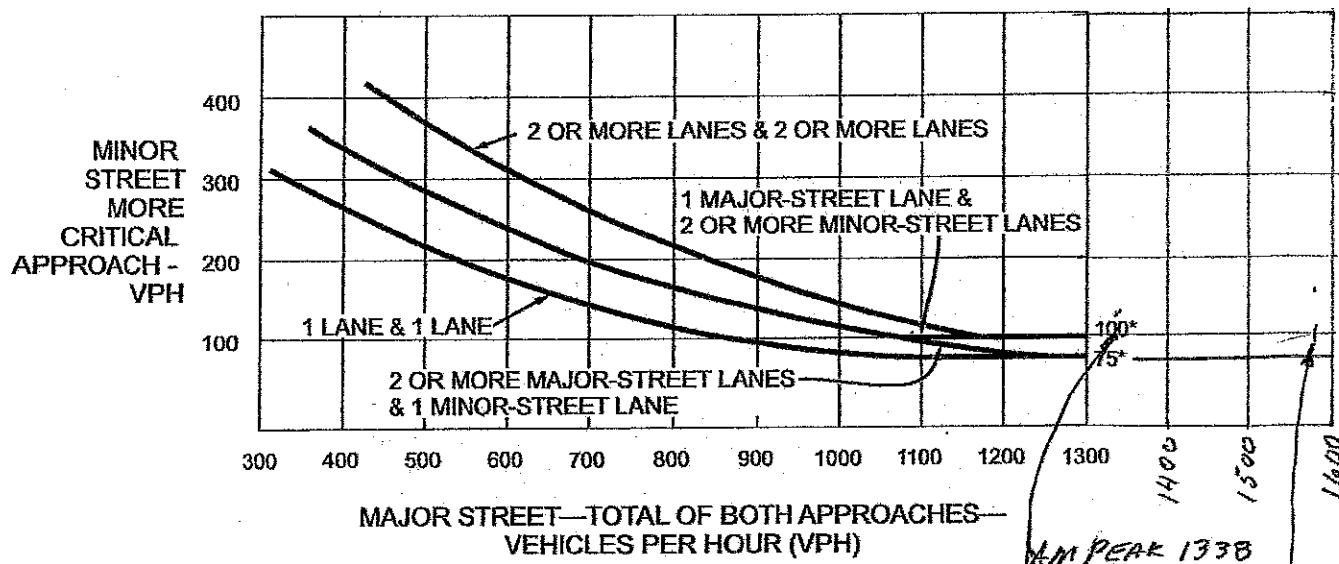
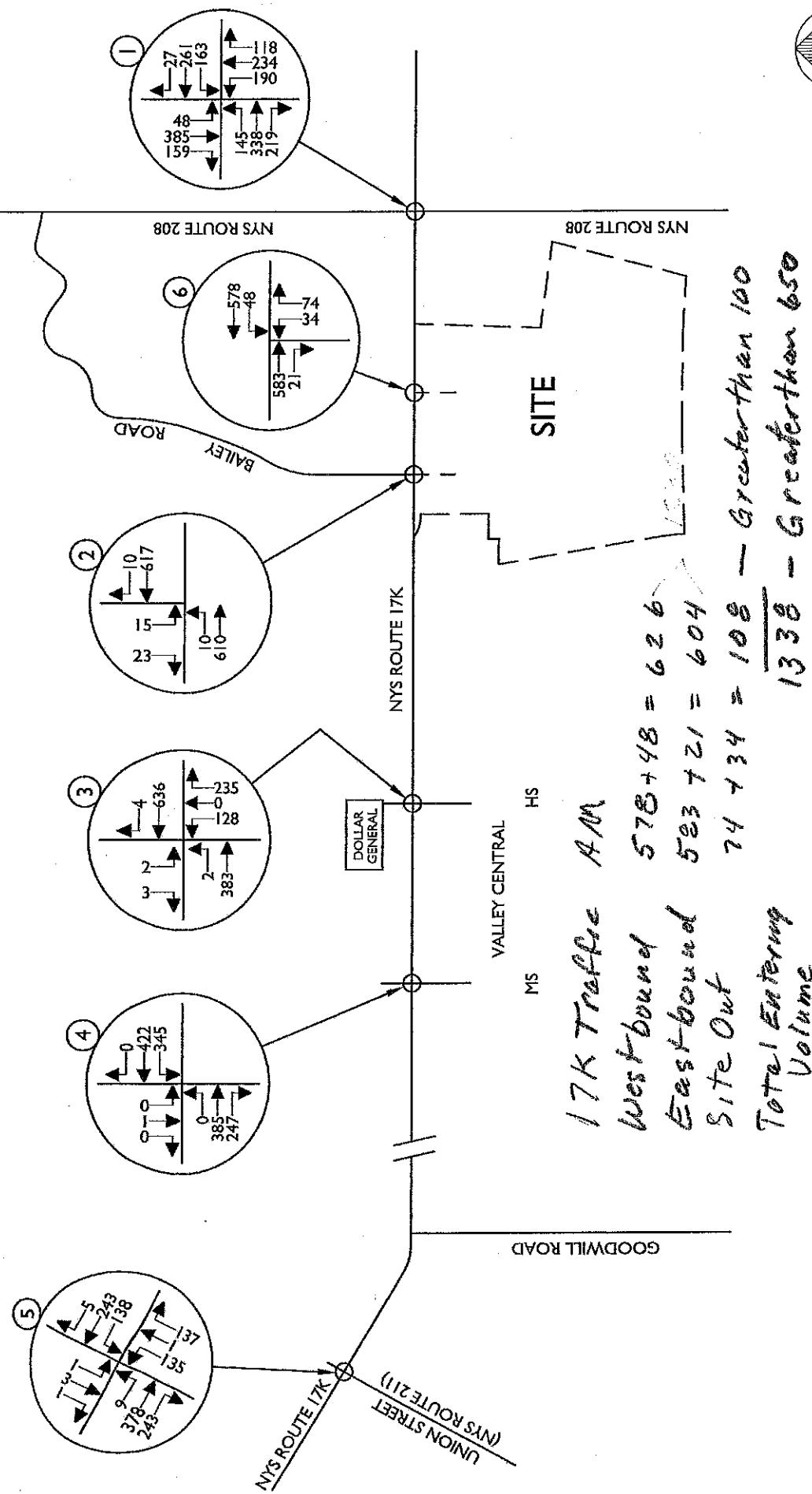
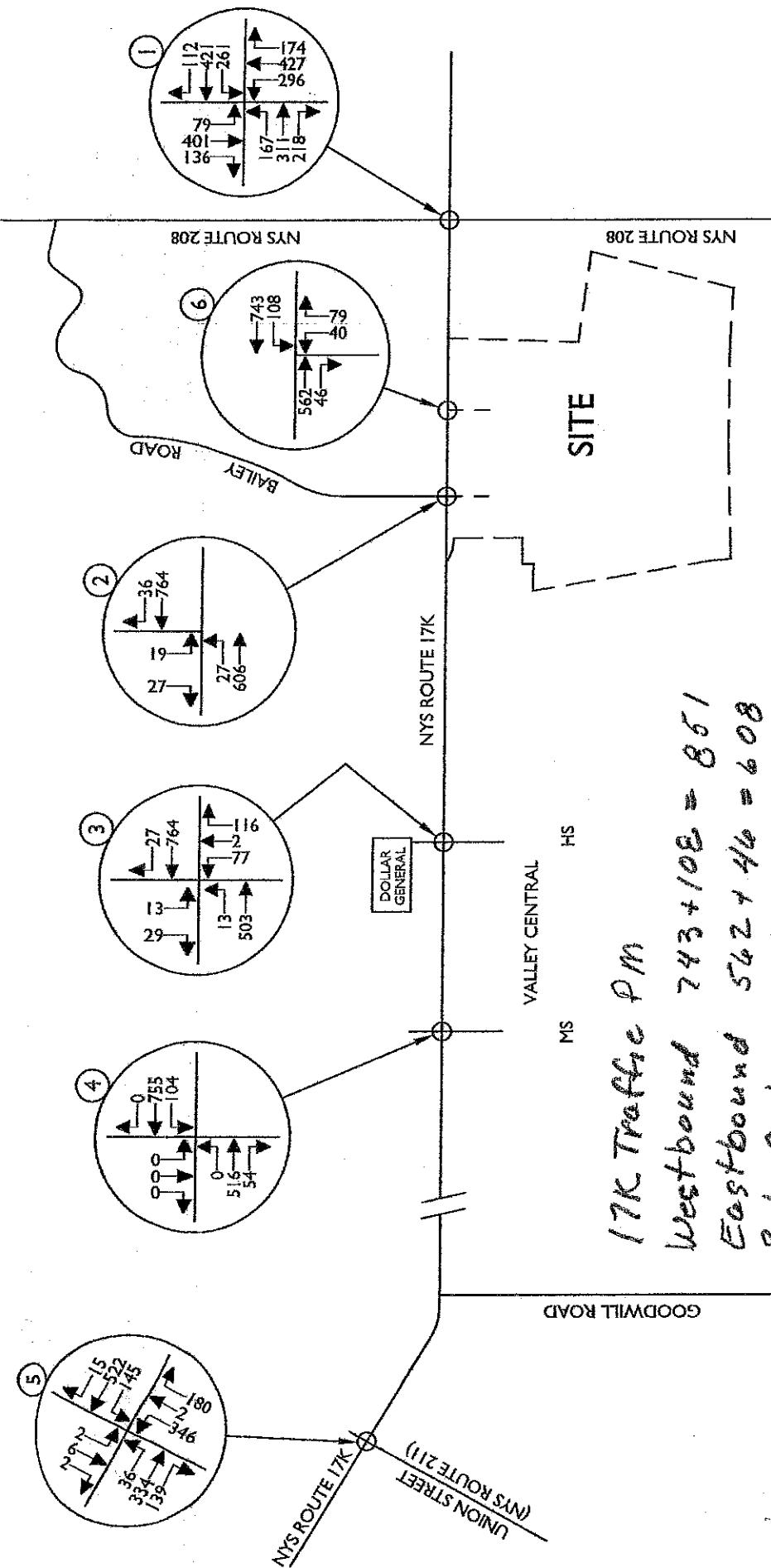


Figure 4C-4. Warrant 3, Peak Hour (70% Factor)
(COMMUNITY LESS THAN 10,000 POPULATION OR ABOVE 40 MPH ON MAJOR STREET)





NOTE: LINE D|AGRAM NOT TO SCALE



Total Entering Volume 1578 - Greater than 650

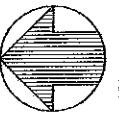
1116 *Tree Physiology*

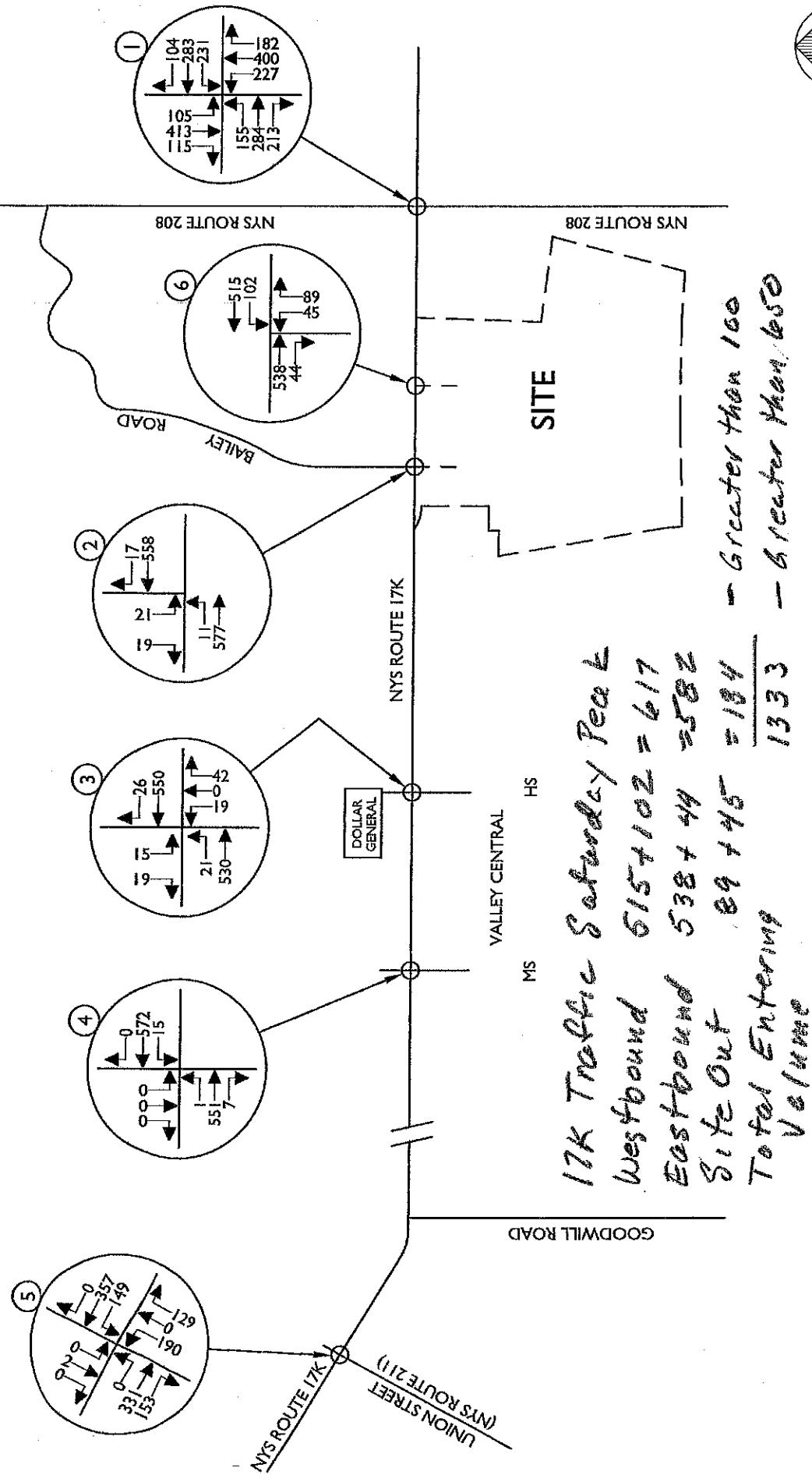
Westbound 743 + 108 = 851
Eastbound 542 + 446 = 988

Site Out $79 + 40 = 119$

Centraal Museum Utrecht

NOTE: LINE DIAGRAM NOT TO SCALE





TRAFFIC IMPACT STUDY	
PROTECT YOURSELF ALL STATES REQUIRE ORGANIZATION OF CAVATORS, DESIGNERS OR DRIVERS TO USE A STATE-SPECIFIED DISTINCTIVE PAINTED SURFACE ANYWHERE IN ANY STATE Known as "Call 81". Call before you dig. Call before you dig. STATE REQUIRED FILE NUMBER FOR STATE-SPECIFIC DIRECT PHONE NUMBERS VISIT: WWW.CALL81.COM	DRAWN BY: R.H. DRAWN DATE: 06/24 DRAWN CHECKED BY: R.H. DRAWN CHECKED DATE: 06/24 PUB. DATE: 06/24 PUB. CHECKED BY: R.H. PUB. CHECKED DATE: 06/24 FIELD BOOK #: 220-12841A PAGES: 00 SHEET TITLE: 2026 BUILD TRAFFIC VOLUMES WEEKEND PEAK SAT HOUR SHEET NUMBER: 27
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To: Planning Board Members, Sue Hadden, Richard Hoyt, Esq., Bonnie Franson, AICP, CEP, PP

From: Shawn E. Arnott, P.E.

Date: 8 May 2025

Re: Sheffield Gardens – DEIS Review

Tax ID: 29-1-5.1, 5.2, 5.3, 5.4 and 5.5

Town of Montgomery Orange County, New York

PB# 22-9

The following document was reviewed by our office:

- Draft Environmental Impact Statement prepared by Engineering & Surveying Properties dated 30 January 2024
- Response Letter prepared by Engineering & Surveying Properties 20 September 2024
- Realty Subdivision and Lot Consolidation Plan (1 Sheet) prepared by Engineering & Surveying Properties 19 September 2024
- Site Plan (22 Sheets) prepared by Engineering & Surveying Properties dated 20 September 2024

Our comments are below:

#	Comments	Notes	Status
MHE DEIS Comments 8 May 2025			
8.1	1. Table 1.3 should be updated to identify the Town of Montgomery as an MS4 for the proposed waiver request for the ability to disturb more than 5 acres at one time as opposed to NYSDEC.	Executive Summary	
8.2	2. Table 1.3 identifies bedrock and blasting removal procedures as mitigation measures; however, these measures have not been included in the DEIS.	Executive Summary	
8.3	3. With regards to Tabel 1.3, the applicant should evaluate the potential impacts of the proposed sewer plant under Aesthetic Resources.	Executive Summary	
8.4	4. Throughout the document, the wastewater treatment and proposed water facilities are noted to be operated by a transportation corporation in the future. The Town of Montgomery Town Board has expressed their desire via letter to the applicant to accept dedication of the proposed water and sewer improvements. As such, the document should be updated accordingly.	Project Description	
8.5	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	Project Description	

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PENNSYLVANIA OFFICE

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570-296-2765 | F: 570-296-2767 | mhepa@mhepc.com

	is 61,360 gallons per day.		
8.6	6. Appendix B1 includes test pit locations and logs of excavation exploration for ground water and rock. Our office notes that no test pits were performed in the vicinity of the proposed sewer treatment plant nor the proposed commercial building.	Land	
8.7	7. Section 3.1.2 should include the supporting documents for the cut/fill analysis.	Land	
8.8	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.	Land	
8.9	9. Under Section 3.2.2, the applicant should evaluate the existing culvert east of the project site that conveys water from the large wetland south of Route 17K under 17K to the north towards the Scott’s Corners Golf Course. Our office notes that additional volume of run-off will be generated by the project as well as the proposed wastewater treatment plant discharge. The applicant should evaluate the effects on this culvert with the increased volume of surface water.	Surface Water	
8.10	10. Section 3.2.2 – Surface Water Bodies, Floodplains & Wetlands analyzes the construction of the wastewater treatment plant outfalls impacts to the existing 100-foot adjacent area associated with the NYSDEC wetland to the east of the project site. The applicant should evaluate impacts to the buffer and wetland should the wastewater treatment plant be moved further south on the site.	Surface Water	
8.11	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.	Surface Water	
8.12	12. Section 3.3.2 notes that figure 3.3A includes all locations of proposed monitoring wells. The figure should identify all monitored wells as it is unclear where the Valley Central High School wells, 408 Bailey Road Well, and 6 Montgomery Heights Well are shown.	Ground Water	
8.13	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.	Ground Water	
8.14	14. The photo renderings prepared in Appendices G2 and G3 do not appear to include the proposed 106-foot-tall water storage tank.	Aesthetics	
8.15	15. Within Section 3.8, the applicant should evaluate aligning the site driveway with Bailey Road pursuant to requests by	Traffic	

	NYSDOT in an email dated 6 May 2025 from Zakaia Alam of NYSDOT. Coordination for alignment should be directed to NYSDOT.		
8.16	16. Section 3.8 should be updated to consider connecting the end of Montgomery Heights Road with a proposed site driveway and providing an emergency access gate at the existing intersection of Montgomery Heights Road with NYS Route 17K.	Traffic	
8.17	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.	Traffic	
8.18	18. Section 3.17.2 should be updated to consider an updated construction timeline as the DEIS notes that construction is anticipated to commence in Spring of 2025.	Construction	
8.19	19. Section 3.17.2 should be updated to evaluate all required NYSDOT improvements prior to Phase I of construction on the site.	Construction	
8.20	20. Section 3.17.2 should be reviewed where it states "the majority of the truck trips will come from and leave from the east via NYS Route 17K, limiting the use of Town roadways and use the project entrance drive". Will the import of select materials realistically be delivered from the east? The two nearest quarries are located to the west of the site.	Construction	
8.21	21. The applicant should include a blasting plan within Section 3.17.3.	Construction	
8.22	22. Section 4.3 should be updated within the sewer service discussion to evaluate moving the wastewater treatment plant further interior to the site, away from the neighbors to the north of the site.	Alternatives	
8.23	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?	Adverse Impacts	
8.24	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.	Ground Water	
MHE SWPPP Comments 8 May 2025			
8.25	1. The 31,000 sq. ft. of retail space and parking must be included in the SWPPP report.	Surface Water	
8.26	2. The impervious area of PR-A2 appears to be double the 0.102	↓	

	acres of impervious shown in the CN calculations. Please verify the amount of impervious area.	Surface Water	
8.27	3. It appears that the start of the TC path for PR-A1 and PR-B1 is in an impervious area. If this is correct, revise the TC path calculation accordingly.		
8.28	4. A TC path of 23 and 25 minutes as shown for areas PR-A1 and PR-B1 appears to be too long for an area that has approximately 60% impervious.		
8.29	5. The plans show NYSDEC buffer disturbance. Provide a wetland disturbance permit for the proposed disturbance.		
8.30	6. The plan shows ACOE wetlands on top of NYSDEC wetlands. Verify if the wetlands are ACOE or NYSDEC wetlands.		
8.31	7. Show the required grading for the swale located in the northwest of the site by the emergency access drive.		
8.32	8. Provide access for Infiltration Basin A1 and the associated forebay.		
8.33	9. The increase in impervious for the road widening must be taken into account in the proposed SWPPP report.		
8.34	10. Revise the TC path for PR-A2, as the one shown does not accurately reflect the proposed development.		
8.35	11. The plans show that additional water could be directed towards the dwelling on Montgomery Heights Road. Provide swales or other measures to ensure runoff isn't directed towards neighboring properties.		
8.36	12. Show how the project will not increase runoff to NYS Route 17K.		
8.37	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.		
8.38	14. The detain Basin A-2 must have a starting elevation at the lowest orifice elevation, which based on the HydroCAD model is elevation 398. No storage is allowed to be calculated below the lowest orifice elevation.		
8.39	15. The detain Basin B-1 must have a starting elevation at the lowest orifice elevation which based on the HydroCAD model is elevation 405. No storage is allowed to be calculated below the lowest orifice elevation.		
8.40	16. The forebay A-1 must have a starting elevation at the elevation of the lowest outlet which based on the HydroCAD model is 408. No storage is allowed to be calculated below the lowest outlet elevation.		
8.41	17. The forebay A-2 must have a starting elevation at the elevation of the lowest outlet which based on the HydroCAD model is 398. No storage is allowed to be calculated below the lowest outlet elevation.		
8.42	18. The forebay B-1 must have a starting elevation at the elevation		

	of the lowest outlet which based on the HydroCAD model is 407.5. No storage is allowed to be calculated below the lowest outlet elevation.	Surface Water	
8.43	19. The infiltration basin must have testing meeting the NYSDEC Stormwater Design Manual requirements and these tests must be witnessed by a representative of the Town.		
8.44	20. Based on the test pit information, it appears that the infiltration basin will not meet the NYSDEC required separation from ground water, applicants engineer to discuss.		
8.45	21. Provide at least one foot of free board for all the proposed basins for the 100-year storm event. Bioretention /basin BB1.		
8.46	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.		
8.47	23. The water quality calculation sheet only shows a bioretention basin providing 0.588 acre feet of water quality which is less than the required. Applicant's engineer to discuss how the WQv is being met. Also, the sheet shows the bioretention basin providing 0.588 acre feet of WQv and RRv. This does not appear to be correct. Applicant's engineer to discuss.		
8.48	24. Provide a phasing plan to show how not more than 5 acres will be disturbed at any one time.		
MHE DEIS Completeness Comments 8 March 2024			
1.	Regarding the Construction sections of the DEIS, the number of trips leaving the site during construction by semi-trailer dump trucks is estimated to be approximately 514 or 518 (both approximations are listed in the DEIS). However, the trips for trucks bringing in materials (importing) is not included. This estimate should be calculated and added to the DEIS. Also, it is more likely that the truck trips will be generated by tri axle dump trucks, thereby increasing the total number of trips. The Applicant should recalculate the construction trips accordingly.		Addressed
2.	Although reducing idling time is beneficial in terms of GHG emission reductions, the Applicant should consider if additional measures can be taken to reduce the carbon footprint of the construction process.		Addressed
3.	Regarding Geology, Soils, and Topography, the following items need augmentation or inclusion in the DEIS under this item: <ul style="list-style-type: none"> • A Soils Report • Mapping of sensitive soils (soils with shallow depth to bedrock, shallow water table, high erodibility characteristics or having greater than 20% clay content). 		Addressed
4.	Regarding Surface Water Resources, the Wetland Report letter dated March 24, 2023 is not included in Appendix C2 as indicated on page 52; the Appendix only includes the map.		Addressed

<p>This report should include the parameters outlined in the scope:</p> <ul style="list-style-type: none"> • Wetlands types, including soils, vegetation, and hydrology • Wetlands acreage (included in DEIS) • Pertinent jurisdiction (included in DEIS) • Functional analysis of the wetlands. While required in the scope, the DEIS states on page 52 that "A wetlands functional analysis... will be provided prior to final Planning Board approval." 		
<p>5. Regarding Groundwater Resources/Water Supply, the results of a 72-hr well test were not included in the DEIS, nor are the results of water quality testing from a NYS-certified lab.</p>		Addressed
<p>6. The applicant should address the Montgomery Heights Road Dedication. Fire apparatus turn around(s) should be considered.</p>	<p>The applicant's Realty Subdivision and Lot Consolidation Plan identifies 18,000 +/- square feet of land area for the east west portion of Montgomery Heights Road to be dedicated to the Town; however, the north south portion of Montgomery Heights Road is not noted to be dedicated to the Town and this portion of the roadway refers to Note 17 which does not appear to apply. Further, the applicant has not agreed to provide turnarounds for plowing purposes nor for fire apparatus purposes.</p>	Project Description
<p>7. In the Visual Analysis, View Point #4 should be corrected.</p>		Addressed
<p>8. See comments from Vice-Chair Beaumont in Exhibit A.</p>		Addressed
MHE Comments 3 May 2023		
<p>1. The applicant has revised the layout and geometry of the 3 buildings proposed on the site. Some of the other changes on the site include: the increase in height of the proposed water</p>		Statement

8.49

storage tank from 100 feet to 115 feet, the location of the proposed access drive connection with NYS Route 17K, size of the proposed Lot 1 from approximately 1.44 acres to 9.17 acres.		
2. The Board should discuss any potential necessary updates to the adopted scope for the project with the Board's Planner and Attorney.		Statement
3. Some considerations for the Board to discuss with regards to the scope include the following: <ul style="list-style-type: none"> A. The proposed water storage tank will be taller in height and could affect the Visual Impact Study. B. The proposed improvement are now located within the 100 foot radius of the existing well casing on the eastern end of the property. Our office is concerned with de-icing agents, and other spills that could have an effect on the potable water supply due to its proximity to the existing well proposed to serve the property. C. The applicant should confirm that the proposed additional water storage will not serve other parcels considered under the application. D. The proposed Lot 1, which will contain future potential retail space has been shown as 31,000 square feet for SEQRA purposes only. The water, sewer, and drainage demands should be reviewed and determined if additional scope changes will be necessary. E. The proposed access change to NYS Route 17K will change with regards to site circulation/exiting onto 17K as the new roadway alignment will not be across from Baily Road. Further, the changes to potential stacking at the high school should be considered with this new alignment. 		Addressed
<p>Our office has reviewed the adopted scope with a lens towards the items above. At this time our office does not recommend any additional language in the scope to address any of the items above, as we feel the scope already addresses them. However, our office defers to the Board should they feel any additional language in the scope needs to be added to address the items above.</p>		

MHE Comments 2 August 2022

1. The proposed project involves the consolidation of the existing 5 Lots comprising a total size of 53.04 +/- acres into 3 separate lots sharing a new private road across the street from Baily Road at 17K. Lot 1 will consist of 1.44 acres undeveloped. Lot 2 will be 6.9 acres with a proposed Waste		Statement
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	<p>Water Treatment Plant. Lot 3 will consist of 44.86 +/- acres and will consist of 3 separate multiple residential buildings with 87 unit per building.</p>		
	<p>2. The Board should discuss with the Board's Planner and Attorney if the proposed Waste Water Treatment Plant on Lot 2 will require a Special Use Permit as the principal permitted use for the lot.</p>		Addressed
	<p>3. Proposed Lot 1 should include a Concept Development to ensure the lot is "buildable".</p>		Addressed
	<p>4. The applicant proposes to utilize an existing and proposed potable water supply wells as well as a proposed water storage tank and water distribution system to serve all the buildings for the project on Lot 3. Our office suggests that the applicant consider consolidating water infrastructure with prospective Town improvements.</p>		Addressed
	<p>5. It is understood that the applicant is proposing to treat all waste water from Lot 3 at the proposed Waste Water Treatment Plant on Lot 2. The applicant should advise if the Waste Water Treatment Plant will serve any other lots.</p>		Addressed
8.50	<p>6. The applicant is proposing a private road to serve the 3 proposed Lots. Based on Town Code Section 235-7.8, a private road will need to be authorized by the Town Board. Further, the applicant should consider how the proposed private road and Turn-A-Rounds meet the requirements of the State Fire Code, more specifically Turn-A-Rounds.</p>	<p>Acknowledged Project Description</p>	
	<p>7. Based on the proposed disturbance for the project will likely require the preparation of a Stormwater Pollution Prevention Plan as well as coverage under the NYSDEC Stormwater General Permit.</p>		Addressed
	<p>8. The applicant has noted the NYSDEC Wetland Flags on the Eastern side of the property with the associated 100 ft. adjacent area. Based on the proposed well location on the east side, it is likely that an Article 24 Permit from NYSDEC will be necessary for any disturbance within the 100 ft. adjacent area. Based on General Note 7, it appears that the NYSDEC Wetland Flags are from 2001 and as such will need to be update since they are greater than 5 years old.</p>		Addressed
	<p>9. The applicant will need to coordinate permitting through NYS and Orange County Department of Health for the proposed water supply system.</p>		Addressed
	<p>10. The applicant will need to obtain permitting from NYSDEC for the proposed Waste Water Treatment Plant as well as the proposed collection system or the facility.</p>		Addressed

The above comments represent our professional opinion and judgment, but may not necessarily, in all cases, reflect the opinion of the Planning Board. Please review your plans to reflect these comments with the understanding that further changes may be required. In all cases the requirements of the Zoning Law

and Subdivision Regulations shall be adhered to by the applicant and shall be shown on the plans. Where variances to the Zoning Law are required or where waivers from the Subdivision Regulations are needed, specific requests shall be made to the Planning Board for a waiver or for referral to the ZBA.

These comments are prepared based on the current zoning and subdivision regulation requirements. Any change in those regulations prior to final approval of these plans could require revisions beyond the scope of our existing comments. We hope that these comments are helpful to the Board in its review of this project. Should you have any questions, please don't hesitate to contact us.

Respectfully submitted,

MHE Engineering, D.P.C.



Shawn E. Arnott, P.E.
Engineer for the Planning Board
SEA/itm

Montgomery Fire District

P.O. Box 207
Montgomery, N.Y. 12549

Robert Reynolds Jr.

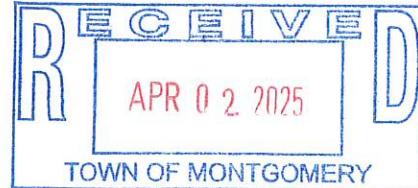
Chief

Ray Dahl.

George Hoeffner

1st Assistant Chief.

2nd. Assistant Chief



*PB @ work
Session*

Below is a list of concerns for the proposed Sheffield Apartment Complex which has been compiled from our members:

Water –

9.1 Can't stress enough that we need to make sure we have adequate water at every hydrant and for an extended operation if needed. We would unequivocally advocate for a municipal water supply. This is not only for this project but all on 17K, there have been multiple commercial buildings constructed or renovated in the last few years that we are not equipped for in an emergency with regards to water supply operations.

Ground water

9.2 What are the flow rates at hydrants?

9.3 Do hydrants have Storz connections? (This should be a Town code for all hydrants if it isn't already. We believe think this was done in 2007)

9.4 Is it a looped system or dead-end system?

9.5 If we utilized a hydrant near the water tower, is the rest of the system affected? If so, how much?

9.6 If our ladder pipe operation is used and it flows 1000 gallons per minute will your system be able to meet that demand and for how long? Our mutual aid departments flow 2000 gpm from their tower ladders. Ground water

9.7 How big is the water tank? Believed to be around 600,000 gallons. What is usable? What is the refill rate? We need exact firefighting usable capacity.

9.8 There was a fire in Spring Valley in 2021 in a building with around 112 residents in which a firefighter and resident died. This was the Evergreen Court fire. The NIOSH report cited the municipality and the water utility noting the lack of enforcement of fire and building safety codes and lack of available water supply for the sprinkler system and fire suppression were contributing factors in the fire.
"At this incident, the fire department encountered a minimal water supply due to both dead end water mains and a community water storage tank (Capacity of 750,000 gallons) being out of water" the report said.
Note: This was a building with limited sprinklers.

9.9 Sprinklers – Obviously the building will be sprinklered by code but if code doesn't require attic space to be sprinklered would you advocate for the life and safety of the occupants and the protection of the structure to put even a dry system in place?

9.10 Are the sprinklers supplied off an independent water supply separate from the fire hydrant system?

9.11 Where are the fire department connections in the buildings? Storz or Gated? Project Description

Access –

9.12 Would we have access to all four sides of the buildings outside of the collapse zone?

9.13 Are there any emergency access roadways? Project Description

9.14 Access road connecting Montgomery Heights Drive only 20' wide, should be a minimum of 26' as per code. Also, all hydrants should be 26' wide in their locations.

9.15 We need to make sure all interior courtyards and roadways allow for all apparatus from Montgomery and our automatic aid departments can navigate. Need to apply our turning radius to make sure no curbs, shrubs, trees etc. will impede. We have ladders, towers, engines and rescues to consider.

9.16 Will there be a traffic signal on 17K by the entrance? Traffic

9.17 Elevators and Fire Escapes? Project Description

Other items –

9.18 Are there any hazardous materials on site? Project Description

Equipment sheds?

Storage units?

Any generators?

Are the buildings heated by gas, electricity or oil?

Any solar panels?

Laundry rooms?

Alarm systems?

9.19 The Town of Montgomery just passed a law banning battery storage facilities and for some very good reasons. We believe you should consider the same with projects like this and for even more important reasons, lifesafety. General

We believe the town should build infrastructure such as water, sewer, roadways before construction, not after.

Chief Robert A. Reynolds Jr.

Montgomery Fire District



MEMORANDUM

TO: **Town of Montgomery Planning Board**

FROM: Bonnie Franson, AICP CEP, PP

RE: **Sheffield Gardens DEIS – Substantive Review**
1127 NYS Route 17K, Town of Montgomery – SBLs 29-1-5.1, 5.2, 5.3, 5.4 and 5.5

DATE: **April 15, 2025**

CC: Sue Hadden, Planning Board Secretary
Rich Hoyt, Esq., Planning Board Attorney
Shawn Arnott, P.E., Planning Board Engineer
Ross Winglovitz, P.E., Applicant Engineer

This memorandum provides substantive comments on the accepted Draft Environmental Impact Statement (DEIS) for Sheffield Gardens.

General Comments

10.1 **General** 1. Shifting of Density from Zone to Zone. Early on in the review of this application, we noted that the Applicant has shifted density from the RA-1 to the RM-1 portion of the site. The Applicant submitted a theoretical layout of four two-family dwellings to yield 8 dwelling units. These units have been shifted to the RM-1 zone and the Applicant does not propose any zoning amendments. Is a cluster subdivision needed to shift the dwelling units?

If so, this would trigger various requirements of Section 235-8 of the Town's zoning. This may require Town Board approval of any concept for the open space. If this is a cluster development and open space is required, we question whether the area left in open space can also be counted toward recreation demand. This question may have been addressed, but should be noted in FEIS.

10.2 2. Recreation. The DEIS indicates that sufficient recreation area is being provided on site, through a combination of miscellaneous recreational equipment and the majority of the open space which remains (much of which cannot be developed as it is within the DEC wetlands or regulated area). The DEIS indicates a fee in lieu of recreation will not be provided. The Planning Board needs to assess whether the proposed 261 dwelling units are creating a recreational demand that is not met onsite.

10.3 3. NYSDEC wetlands. The project site is within the Walden census urban area. It is our understanding that all wetlands would be regulated by the NYSDEC. The Applicant will need to submit to the DEC for a jurisdictional determination. The FEIS should provide, as an appendix, the specific map and data submitted to the NYSDEC for its determinations.

10.4 General 4. Lighting. "Outdoor lighting facilities of any kind where the light source is visible from outside the property lines, or where glare beyond the property lines creates public hazards or nuisances to nearby residential zones" is a prohibited use as per the Town's zoning law. The FEIS should indicate whether the light sources for the development will be visible to any of the residences in the Montgomery Heights neighborhood. If so, it will need to be adjusted.

10.5 5. Visual resources. It does not appear that any visual analysis or simulation has been performed regarding the impact of major grading activities and construction of the development "pad" and retaining walls on the adjoining residences on Montgomery Heights Road. Insufficient information is provided on the impacts to these specific residences, especially 12, 14 and 16 Montgomery Heights Road. The DEIS makes representations that a retaining wall no more than 10 feet off the property line, and nominal amount of land for landscaping (8 feet in width) is mitigative. We question whether this is an adverse impact which is not being adequately mitigated. Focused discussion on impacts to these neighbors should be provided in the FEIS

The Planning Board has also indicated they may desire a balloon test for the proposed project based on a review of the DEIS.

10.6 6. Environmental Justice Area. The Montgomery Heights neighborhood and Project Site is within a Potential Environmental Justice Area of the community: *"The EJ Siting Law requires lead agencies under SEQRA to consider whether an action may cause or increase a disproportionate pollution burden on a disadvantaged community (DAC) as part of the determination of significance for a proposed project and include an evaluation of whether the proposed action causes or increases any disproportionate pollution burden in a DAC where an environmental impact statement is required."*¹⁴ The FEIS needs to consider the implications of the proposed project on any Environmental Justice Area.

10.7 7. Wastewater treatment plant. The Planning Board has expressed that the visibility of the wastewater treatment plant, and potential emissions including odors, would be impactful to adjoining properties and the Town. The Planning Board has expressed that an alternative location should be considered, or the project should consider connection into an existing treatment facility.

10.8 8. Wetlands. During the public hearings, the public noted that numerous turtles had been observed using the on-site wetlands. It does not appear from the FEIS narrative that the ecologist went to the area where the core potential location for bog turtles is situated. Further, the habitat discussion of impacts is uneven and unclear. See comments below. It is recommended that the Town's ecological consultant visit the site to further assess the habitat.

10.9 9. Fire district. At the time the DEIS was accepted, we believe there was little input from the Montgomery Fire Department. The FEIS needs to include comments from the department, given the proposed layout and design of the buildings. The FEIS should indicate the type of construction being used for the building from a Fire Code perspective.

10.10 10. Valley Central School District. The FEIS should document that the school district vetted the population and schoolage children multipliers and that the estimates are reasonable based on local data in the community. The multipliers utilized are old and potentially obsolete.

DEIS Comments**Cover Sheet, Table of Contents and Preliminary Information**

Comment #	Page #	Comment
1.		No comments.

Chapter 1: Executive Summary

Comment #	Page #	Comment
10.11	1.	Confirm you are installing “fit pit” or “fire pit” on pages 24, 222, and 224.

Chapter 2: Description of Proposed Action**Project Description**

Comment #	Page #	Comment
10.12	1.	Why is an excess of parking being provided on the project site 677 required versus 819 provided (additional 142 parking spaces)? The FEIS should provide a rationale for the additional parking and need to disturb the site for the excess parking supply. Is it anticipated that commercial vehicles would be allowed to park on the site?
10.13	2.	Given the very large scale of the buildings and rooftops, is rooftop solar an option?
10.14	3.	Will there be an onsite manager? Given the number of dwelling units on the site, it would be beneficial to have 24-hour presence.
10.15	4.	There has been discussion of an alternative to close Montgomery Heights at its westerly intersection and connect the neighborhood to the new driveway. The Applicant proposed that the driveway would be private. The FEIS needs to address the preferences of the Town in the arrangement and whether the road will be public or private.
10.16	5.	The construction period phasing should be updated in the FEIS.
10.17	6.	The FEIS should discuss the option of limiting certain construction activities on Sundays or weekends. The potential noise impacts are generically considered and the impact discussion minimizes what may occur to the adjoining residences.
10.18	7.	The FEIS should include a maintenance plan that documents the regular maintenance of the apartment building. It is anticipated that the lots can be in different ownership, so the plan or easements and agreements need to document how facilities will be maintained when they are interconnected. How is security being addressed? Will the cameras be monitored 24 hours?
10.19	8.	The FEIS should document how the market value for the various alternatives and the proposed action can be the same, especially the alternative with more buildings that have fewer dwellings in each.
10.20	9.	The FEIS and Applicant should indicate whether they a height variance will be pursued.
10.21	10.	The FEIS needs to document all improvements required by the NYSDOT. It has been discussed that a new signal would be considered.
10.22	11.	A benefit of the action is the land that will remain in open space. What measures will be implemented to retain the lands in open space? Will a

Comment #	Page #	Comment
		conservation easement or other restrictions be imposed? Is this required for a cluster development, if this is needed to transfer the dwelling units?

Chapter 3: Environmental Setting, Potential Impacts and Proposed Mitigation Measures

3.1 **Land** Resources – Geology, Soils and Topography

	Comment #	Page #	Comment
10.23	1.	46	Please confirm that all onsite debris has been removed.
10.24	2.	48	In our evaluation, the proposed action does not minimize cuts and fills to the maximum extent. The need for retaining walls and export of cuts indicates that has not occurred. We question whether the proposal would be more “terrain adaptive” if the smaller building alternative was constructed.
10.25	3.	48	Has sufficient space been provided between the retaining wall and the adjoinder for safety purposes? What kind of construction is proposed to ensure there will not be a retaining wall failure?
10.26	4.	48	In the second full paragraph where it states “Construction of the wall will not impact the residential neighbor or the existing tree line along the shared property line”, this is not a substantive sentence as it does not give indication as to why this is the case.
10.27	5.	51	In the first Bedrock paragraph, it states “If bedrock is encountered, every attempt will be made to remove it to the desired grade by mechanical means such as bulldozers, backhoes, rock hammers and/or pneumatic hammers. While rock removal by blasting is not anticipated, should it be required, all Federal, State, and local rules and regulations governing blasting activity will be strictly followed. Blasting will be utilized as a method of last resort.” If blasting is proposed, a protocol needs to be included in the FEIS. The FEIS should also evaluate whether blasting could occur in proximity to the adjoining buildings.

3.2 **Surface Water** Resources

	Comment #	Page #	Comment
10.28	1.	58	As mentioned previously, NYSDEC has to review the proposed onsite impacts and determine whether all wetlands will be jurisdictional.
10.29	2.	66	As per Planning Board comments, the FEIS should consider use of deicing agents specified by the Town. Stormwater quality impacts can occur from the use of deicing agents to clear parking areas and driveways from snow and ice events. Best Management Practices identified in the report by the Dutchess County EMC and Carey Institute of Ecosystem Studies entitled “Road Salt, The Problem, The Solution and How to Get There” (2010) should be incorporated.
10.30	3.	67	Regarding wetland mitigation, this will be updated in the FEIS based on consultations with the NYSDEC. Note that impacts to wetlands are avoidable.

3.3 Groundwater Resources/Water Supply

	Comment #	Page #	Comment
10.31	1.	72	Does the school complex have any bulk storage facilities?
10.32	2.	79	The FEIS should explain what happens if the well is determined to be under direct influence – what is required and can it be achieved onsite?
10.33	3.	80	FEIS should indicate if irrigation will be used.

3.4 Plants and Animals

	Comment #	Page #	Comment
10.34	1.	82	On what days in March were amphibians checked. They are breeding at the end of March into April.
10.35	2.	--	It is unclear why Natural Heritage Program was not consulted and a request made for data. This needs to be done as part of the FEIS. The Environmental Resource Mapper only provides generic information on whether a species may be present but does not name the species.
10.36	3.	87	The FEIS should specifically address whether trees are present and potential habitat for bat species. The tree inventory does not specifically address this as trees are provided with their generic name. Are the hickories located on the site “shagbark hickories”? What species are present and potentially used by regulated bat species?
10.37	4.	--	All species, especially the regulated species, should be specifically noted by their scientific name and status, including all species of special concern. This was not done. The narrative for each regulated species should specify when observances were made, to determine whether they were done when the species would be present/active.
10.38	5.	--	It is unclear whether the ecologist physically visited the location on the site where Jason Tesauro indicated habitat was present which could be beneficial for bog turtles. What protocol was used to make any assessment of their presence and how does it match any NYSDEC protocol?
10.39	6.	--	As per the NYSDEC communications, sufficient time has lapsed and DEC should be consulted regarding to the location of any breeding bald eagles in the vicinity.

3.5 Air Quality

	Comment #	Page #	Comment
10.40	1.	--	Is PM10 a NAAQS standard? It does not appear to be included in the discussion of air quality analysis?
10.41	2.	--	The FEIS will need to consider the air quality impacts of the new intersection if it is signalized.
10.42	3.	--	The discussion of why additional modeling is needed is not specific. A more enhanced explanation of TEM-1 and what is required as part of the intersection screening should be provided in the FEIS.

3.6 Aesthetic Resources

	Comment #	Page #	Comment
10.43	1.	--	A detailed discussion of lighting, including ranges of proposed footcandles and fixture mounting heights, is needed. The site plan does not provide the average, maximum or minimum footcandles on the sheet. Reference should be made to the lighting plans in Appendix M. The FEIS should detail whether lights will be elevated and light sources be visible from homes on Montgomery Heights Road.
10.44	2.	--	The Planning Board has discussed the need for balloon tests to verify building heights and the water tank. If this is desired as part of the FEIS, we note trees are leafing and it may be more difficult to assess visibility as time passes. How were the building heights verified in the simulation? It is customary to use a pole, balloon, existing feature with a known height to verify building heights that are shown on photosimulations.
10.45	3.	111	Per the Scope, discussion regarding night-time visibility using the proposed lighting plan for the project is needed. In addition, which lighting consultant was consulted?
10.46	4.	--	As a general comment, the buildings do not reflect the local vernacular architecture. It is difficult to do so with the large scale of the buildings. The buildings will appear to have flat roofs because of the parapet facades on the buildings.

3.7 Historic & Archaeological Resources

	Comment #	Page #	Comment
	1.		No comments.

3.8 Transportation

	Comment #	Page #	Comment
	1.	--	Review by others.

3.9 Energy

	Comment #	Page #	Comment
	1.		No comments.

3.10 Wastewater Treatment

	Comment #	Page #	Comment
10.47	1.	--	The Planning Board has requested consideration of alternatives to siting the wastewater treatment plant along the frontage of Route 17K in a highly visible location of the Town.

3.11 Human Health and Hazardous Materials

	Comment #	Page #	Comment
	1.		No comment.

3.12 Greenhouse Gases and Climate Change

	Comment #	Page #	Comment
10.48	1.	157	A description of the Kyoto Protocol and its significance is needed. What is status under new administration (state and federal)?

3.13 Land Use & Zoning

	Comment #	Page #	Comment
10.49	1.	--	Please confirm lot coverage has been calculated on net lot area.
10.50	2.	--	Need to address the transfer of density from the RA-1 to the RM-1 zoning district and the need for cluster approval.
10.51	3.	--	The proposed design is not consistent with TND principles. There is no neighborhood center, mixed uses, gridded layout of streets with parking masked behind buildings, and the building scale, length and architecture is not consistent with TND design. This site would be a good candidate for a properly designed TND development.
10.52	4.	--	With regard to recreation, the undeveloped land that is represented as being "passive recreation" is not designed for that purpose. The Planning Board needs to assess whether the recreation meets the intent of the zoning and addresses demand.

3.14 Socio-Economics

	Comment #	Page #	Comment
10.53	1.	--	As mentioned previously, Environmental Justice Community considerations need to be addressed in the FEIS.
10.54	2.	--	Please indicate whether 485-b exemptions are applied to multifamily properties, and if this benefit will be used. Is the Applicant proposing anticipating other potential tax benefits that would reduce taxable value?
10.55	3.	193	As mentioned previously, the assumptions in student generation should be vetted with the school district. The multipliers are very old.
10.56	4.	206	Assumptions and sources for the monthly rental values, capitalization rate, etc., are not provided. The assumptions should be provided in the FEIS to determine whether they reasonable predict tax revenues. The rental values seem low, and the capitalization rates appear high.

3.15 Community Services and Facilities

	Comment #	Page #	Comment
10.57	1.	--	As mentioned previously, the impacts to the fire department need to be assessed based on conversations with the Montgomery fire department.

3.16 Community and Neighborhood Character

Comment #	Page #	Comment
10.58	1.	1. -- The size of these apartment buildings should be compared with other multifamily developments in the Village, in terms of scale and form. The length of the buildings are significantly greater than other multifamily buildings in Orange County and the Town.
10.59	2.	2. -- As a general comment, smaller massed buildings can have separate community buildings rather than placing community space in each building. It is not entirely accurate that using smaller buildings would eliminate community spaces – it would be in a different format.

3.17 Short-Term Construction-Related Impacts

Comment #	Page #	Comment
	1.	No comments at this time.

Chapter 4: Alternatives

Comment #	Page #	Comment
10.60	1.	1. -- The Planning Board needs to evaluate whether or not the alternative with smaller buildings would be in keeping with the Town's community character and result in less overall impacts.

Chapter 5: Adverse Environmental Impacts Which Cannot be Avoided if the Project is Implemented

Comment #	Page #	Comment
	1.	No comment.

Chapter 6: Irreversible and Irretrievable Resources

Comment #	Page #	Comment
	1.	No comment.

Chapter 7: Growth Inducing Aspects

Comment #	Page #	Comment
	1.	No comment.

Chapter 8: Effects on the Use and Conservation of Energy Resources

Comment #	Page #	Comment
10.61	1.	1. -- The FEIS should address the potential use of rooftop solar facilities.

Chapter 9: Summary of Mitigation Measures

Comment #	Page #	Comment
	1.	None

Chapter 10: Figures and Appendices

Comment #	Page #	Comment
1.		None

ⁱ <https://dec.ny.gov/environmental-protection/environmental-justice/the-environmental-justice-siting-law>

Sue Hadden

From: Shawn Arnott <sarnott@mhepc.com>
Sent: Wednesday, May 7, 2025 9:27 AM
To: Jane Samuelson; Reuben Buck
Cc: Jay and Patti Beaumont; Sue Hadden; Jamison Zajac
Subject: FW: Montgomery Sheffield_SEQR22-218

As discussed



Shawn E. Arnott, P.E.
Associate
Office: (845) 567-3100
Fax: (845) 567-3232
sarnott@mhepc.com | www.mhepc.com
 

From: Alam, Zakia R (DOT) <Zakia.Alam@dot.ny.gov>
Sent: Tuesday, May 6, 2025 12:56 PM
To: Shawn Arnott <sarnott@mhepc.com>; Brenner, Jason (DOT) <Jason.Brenner@dot.ny.gov>
Cc: Jay and Patti Beaumont <jaybeaumont49@gmail.com>; Jamison Zajac <jzajac@mhepc.com>; Zimmer, Lee (DOT) <Lee.Zimmer@dot.ny.gov>
Subject: Montgomery Sheffield_SEQR22-218

Good afternoon,

11.1

I hope this message finds you well. I wanted to follow up and ask if the Town has had a chance to contact the applicant regarding the relocation of the Sheffield gardens main site driveway to across the Baily Road?

We have just received the signal warrant analysis for the proposed driveway and the warrants are met. If the driveway is relocated across the Baily Road, we may need to analyze warrant #6 to see if coordinated signal will be required. Please let us know if there is any update on requesting the applicant an FEIS response.

Regards,

Zakia R. Alam
Assistant Engineer,
Traffic & Safety Group

New York State Department of Transportation (Region 8)
4 Burnett Boulevard, Poughkeepsie, NY 12603
(845) 437 5157 | zakia.alam@dot.ny.gov

From: Shawn Arnott <sarnott@mhepc.com>
Sent: Thursday, April 10, 2025 9:22 AM
To: Brenner, Jason (DOT) <Jason.Brenner@dot.ny.gov>
Cc: Jay and Patti Beaumont <jaybeaumont49@gmail.com>; Jamison Zajac <jzajac@mhepc.com>; Alam, Zakia R (DOT)

<Zakia.Alam@dot.ny.gov>

Subject: RE: Montgomery Sheffield

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Hi Jason,

See below in Red.

Shawn



Shawn E. Arnott, P.E.

Associate

Office: (845) 567-3100
Fax: (845) 567-3232
sarnott@mhepc.com | www.mhepc.com



From: Brenner, Jason (DOT) <Jason.Brenner@dot.ny.gov>

Sent: Wednesday, April 9, 2025 3:02 PM

To: Shawn Arnott <sarnott@mhepc.com>

Cc: Jay and Patti Beaumont <jaybeaumont49@gmail.com>; Jamison Zajac <jzajac@mhepc.com>; Alam, Zakia R (DOT) <Zakia.Alam@dot.ny.gov>

Subject: RE: Montgomery Sheffield

Shawn,

11.2

Ideally it would be beneficial to have Sheffield gardens main site driveway connect across from Baily Road. Is the town willing to ask the applicant to relocate the proposed retail space to a different location if possible. I think, at a minimum, this should be studied by the applicant in an FEIS response. If we did move the main driveway to across from Baily than how would you want to treat Montgomery Heights Road? Since it would be near a new signalized intersection I would prefer to remove any movement from that roadway. This makes sense and is consistent with our discussion to make this a gated emergency access road only.

Regarding the construction of the signal. I will need to talk it over with others, but since their will be roadway expansion with left turn lanes, I would assume the signal be installed during construction. Understood, but I think there is merit to exploring the possibility of requiring this prior to the first building permit.

I will check with the signal group if they went into the field. Thanks I am coordinating with Maureen Kuinlan on a another chain.

JASON BRENNER

Assistant Engineer

Traffic & Safety Group, Hudson Valley Region

New York State Department of Transportation

4 Burnett Blvd. Poughkeepsie NY 12603

845-437-5144(O) | jason.brenner@dot.ny.gov

From: Shawn Arnott <sarnott@mhepc.com>
Sent: Wednesday, April 9, 2025 7:52 AM
To: Brenner, Jason (DOT) <Jason.Brenner@dot.ny.gov>
Cc: Jay and Patti Beaumont <jaybeaumont49@gmail.com>; Jamison Zajac <jzajac@mhepc.com>
Subject: FW: Montgomery Sheffield

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Good morning Jason,

See below from the Town of Montgomery PB Chair.

Would the DOT not prefer the proposed driveway to align with Bailey Road?

When reviewing the warrants, would the warrants suggest that the light be installed BEFORE the start of construction?

Any update on the timing of the lights at the Highschool complex?

Shawn



33 Airport Center Drive, Suite 202
New Windsor, NY 12553

Shawn E. Arnott, P.E.
Associate

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From: Jay and Patti Beaumont <jaybeaumont49@gmail.com>
Sent: Tuesday, April 8, 2025 6:08 PM
To: Shawn Arnott <sarnott@mhepc.com>; Jamison Zajac <jzajac@mhepc.com>
Subject: Montgomery Sheffield

Hi Shawn and Jamie,

Steve Brescia asked why Sheffield's drive does not line up with Bailey Road. Do you recall why they changed it? Would Jason Brenner have an opinion about the location?

Can you reach out to Jason Brenner about when we would be allowed to install the traffic light at Sheffield, if the light is approved? We would like to install as early in the construction phase as possible; contrary to the applicants wishes.

Thanks
Jay

Comment 12.# - Planning Board comments dated 5/9/2025

Planning Board/Consultant Additional Substantive Comments on Sheffield Gardens

5/9/25

FEIS Executive Summary

12.1 • The FEIS outline all mitigation measures in clear terms. Table 1.3 (Section 1.3) at pages 12-15, and elsewhere, needs to carefully describe all of this.

Project Description/Site Plan

12.2 • Combination of retail/ residential (zoning?)

12.3 • Snow removal/ storage areas insufficient and must be examined.

12.4 • The parking narrative should provide justification for the excess parking proposed on the site (beyond what is required by the zoning).

12.5 • The FEIS should clarify how the open space will be preserved in perpetuity. To state that current zoning won't allow further development does not provide any future assurances.

Geology, Soils and Topography

12.6 • The retaining wall will be holding an embankment that is supporting a parking lot. In close proximity to a residence. This is a potential significant safety issue. Particular attention must be paid to the foundation of the retaining wall because a swale is being located at its base. The FEIS needs to specifically address the design details for the wall.

Surface Water Resources

12.7 • High potential to pollute wetlands with salt from snow removal processes – consider alternatives to salt.

Groundwater Resources/Supply

12.8 • Will the project stress/place too much demand upon the aquifer? Drilling wells for water to supply a project of this size will impact surrounding wells that also tap that aquifer.

Plants and Animals

12.9 • Additional runoff from impervious surfaces mitigation - impacts downstream / impact on wildlife need to be detailed and discussed in the FEIS.

12.10 • Indiana and Long ear bat habitat disturbance/ removal – what is status of the evaluation. Are any additional studies required by the NYSDEC?

12.11 • Confirmation of Eagle/ Blue Heron nesting in proximity. Additional field study is needed at this time of year to properly document.

12.12 • Additional review of the potential for regulated turtle species to be present on the site or use it for habitat needs to be performed during the season when they will be present.

Transportation

12.13 • Traffic impact on an already congested highway (even with existing controls) – how does project add capacity?

12.14 • The connection between the project and Montgomery Heights neighborhood must be reviewed to alleviate traffic and future safety issues. Communication with the neighbors is needed as part of the evaluation.

12.15 • From the Planning Board's perspective, the project needs a traffic actuated light, a westbound left turn in, and left and right turn lanes going out to 17K.

12.16 • The FEIS is to describe the installation specifications and long-term maintenance obligations for the bicycle/pedestrian access to the school complex. What entity will be responsible for the above? What happens if that entity no longer exists?

12.17 • The FEIS needs to recite all DOT interaction/comments to the date of submittal of the document.

12.18 • The ownership and future use and improvements for Montgomery Heights Road has to be clarified. At least one map, Sheet 3.3A of Section 10 seems to have the public v. private sections reversed (the north/south leg is labeled “private” with the east/west leg “public”).

Aesthetic Resources

12.19 • Location of sewage treatment plant – is visible from Route 17K. The FEIS needs to consider specific mitigations and/or an alternative location for the plant. Can the development be connected to an existing plant.

12.20 • Sufficient visual screening is needed between the development and homes on Montgomery Heights Road. The FEIS needs to detail how screening will be accomplished, e.g., vegetation, stockade fence, changes in layout, etc.

12.21 • A balloon test may be needed to determine the impact of the project's visibility from its surrounds. Applicant needs to be provide a current survey map and show limits of disturbance with proposed topography relative to adjoining property topography.

Wastewater Treatment

- 12.22 • Operation and maintenance of sewer plant and water storage – Who will be responsible?
- 12.23 • Need to specifically identify odor control measures which will be effective and will work long-term. Discuss specific odor control measures to be used by the wastewater treatment plant building and for the effluent being discharged into the wetland.
- 12.24 • Discuss how sludge will be collected and disposed. What odor control measures will be implemented.
- 12.25 • Address the Order creating Sewer #3 together with a description of the boundaries.

Socioeconomics

- 12.26 • The fiscal analysis at 3.14.4 uses stale data regarding tax rates/budgets etc. The FEIS should use the most current data available. In connection with this, we expect that the FEIS will address the issues raised in detail by the Valley Central School District.
- 12.27 • Provide analysis of the fiscal impacts if the project were to become a condominium some day as assessments on condominiums, by law, have to be lower than a standard dwelling unit. Alternatively, what guarantees can be offered that a condominium never would occur?

Community Services and Facilities

- 12.28 • What is the availability of emergency vehicles to effectively access the site
- 12.29 • There is inadequate secondary water sources for fire protection
- 12.30 • Public Safety- A large amount of pedestrian / bicycle traffic inserted into a busy highway
- 12.31 • Open space requirements/ recreation areas insufficient
- 12.32 • Planning Board will assess as part of the FEIS whether the onsite facilities are sufficient for the proposed 261 dwelling units or whether a fee in lieu of parkland is required.
- 12.33 • Per the DEIS, at page 216, on site security is listed as emergency phones outside all residential buildings and “limited entry to residents and employees” but how entry will be limited is not described. It would appear that the number of occupants for this project would command some level of private security be it personnel, cameras, etc. Please detail in the FEIS the various security measures to be utilized.

Community and Neighborhood Character

- 12.34 • Failure for allowances of “Working class” / low-income units/ Veteran
- 12.35 • Project is too large (density) to fit community character. Apartment complexes in Walden and Maybrook and a small one being built on Hawkins Drive are not this large. There are many apartment complexes in the Town of Wallkill and in Middletown that are

not this large. There does not appear to be precedent for the scale of buildings being proposed.

12.36

- Lighting impacts need to be examined so as not to impact the Montgomery Heights neighborhood, particularly from the north parking lot of Building 1.

Comment 13.# - Theron Adkins letter dated 5/7/2025

May 7, 2025

Town of Montgomery Planning Board

Town Hall
110 Bracken Road
Montgomery, NY 12549

RE: Opposition to Waiver of Recreation Fee in Lieu of Parkland – Sheffield Gardens Development

Dear Members of the Planning Board,

13.1 On behalf of the Town of Montgomery Recreation Department, I write to **strongly oppose any waiver or reduction of the required recreation fee in lieu of parkland** associated with the proposed Sheffield Gardens development.

Community

Services As stewards of the Town's recreational infrastructure, we must emphasize that this fee is not only appropriate—it is essential. The anticipated increase in population resulting from any new development directly impacts the usage and wear on our parks, trails, and community facilities. It is both reasonable and necessary for developments contributing to this growth to also contribute to the resources their residents will rely upon. The proposed Sheffield Gardens project is no exception.

The Parks & Recreation Department maintains a robust list of current projects and future priorities that require sustained funding. These initiatives are not conceptual—they are real, tangible investments aimed at improving accessibility, safety, sustainability, and quality of life for all Town residents.

This funding is expected to support a range of impactful initiatives across multiple park locations, including, but not limited to, the following high-priority projects:

Riverfront Park

- Permanent Bathrooms
- Pickleball Courts
- Pavilion Replacement
- New Dock
- Nature Trails with educational signage, sensory exploration stations, and sponsorship opportunities
- ADA-compliant, environmentally respectful playground

- Benches
- Rest Stations
- Bike Station & Grid Bike Rack

Berea Park

- Raised Nature Trail
- Pond
- Turf Fields
- Field & Parking Lot Lighting
- Additional Athletic Fields
- New Playground

Rail Trail

- Picnic Tables

Benedict Farm Park

- New ADA-Compliant Walking Trails
- ADA-Compliant Playground
- Refurbishment of Farmhouse for potential rental or community use
- New Barn for Farmers Market
- Lighting Improvements
- Pedestrian Bridge over Wallkill River
- Pump Track

Colden Mansion Ruins

- Sitewide Clean-up

- Historical Survey to support State Preservation approval for additional benches, picnic tables, walking paths, and interpretive signage

Town wide Parks Needs

- Maintenance Equipment and Vehicles
- Seasonal or Themed Events (e.g., art walks, birding)
- Expanded Community Programming
- Multi-use Basketball Court / Winter Ice Skating Rink

These investments are not only forward-thinking—but they are all necessary to uphold the standard of public service and community enrichment that our residents expect and deserve. Granting a waiver of the required recreation fee would set a concerning precedent and significantly undermine our ability to meet growing demands.

We strongly urge the Planning Board to **uphold the recreation fee in lieu of parkland** for the Sheffield Gardens development. This is not merely a financial issue—it is a matter of equity, responsibility, and future-readiness. Ensuring that all residents, both current and future, have access to safe, inclusive, and well-maintained recreational resources must remain a top priority of the Town.

Thank you for your attention to this important matter. Please include this letter in the public record as part of your deliberations.

Sincerely,

Theron Adkins, Director

Town of Montgomery Recreation Department



Office of the Supervisor
TOWN OF MONTGOMERY
110 BRACKEN ROAD
MONTGOMERY, NEW YORK 12549
Tel: (845) 457-2600 Fax: (845) 457-2603

TOWN OF MONTGOMERY
TOWN BOARD
PROPOSED SHEFFIELD GARDENS APARTMENT COMPLEX
COMMENTS FOR PLANNING BOARD CONSIDERATION
Adopted May 7, 2025

The Town of Montgomery Town Board would like the Planning Board to consider the following comments with respect to the proposed Sheffield Gardens Apartment Complex which includes a commercial strip mall component. We understand that there will be approximately 261 market rate apartments to be constructed. The proposed project will be served by on-site water and wastewater treatment facilities. There will be on-site groundwater wells and a water storage tank to provide the water supply and an on-site wastewater treatment plant to process wastewater.

Our comments for your consideration are as follows:

14.1 **Project Description** 1. All water and wastewater infrastructure shall be designed to a municipal standard. During the design process the Town Engineer, and/or the Town's Consulting Engineer should be involved in the design of all components. The design of the infrastructure shall include provisions for future expansion.

14.2 **Project Description** 2. The water and wastewater infrastructure shall be offered for irrevocable dedication to the Town. The Town Board will consider accepting dedication of the water and wastewater infrastructure upon start-up of the facilities to ensure that the infrastructure is properly operated and maintained.

14.3 **Project Description** 3. The environmental impact statement should include a sufficient budget for operation and maintenance of the facilities as well as the establishment of a capital fund to pay for repairs.

14.4 **Wastewater** 4. Odor control facilities shall be incorporated into the wastewater treatment plant design.



14.5 5. All wastewater treatment plant components, excluding underground sewer lines and manholes, shall be located in the wastewater treatment plant building.

14.6 6. Adequate land shall be provided around all water and wastewater treatment facilities to allow for future expansion of the facilities.

14.7 7. The developer shall fund a capital improvement fund for both water and wastewater infrastructure in the amount of 25% of the capital cost of the improvements. The capital fund will be maintained in the water and sewer district fund for the service area of the districts.

14.8 8. The Town Board expects the developer to pay 100% of the recreation fee for the project per unit. Although we understand that the developer is proposing on-site recreation amenities, it is highly unlikely that these facilities would be used by the general population. However, it is highly likely that the residents of the apartment complex will use municipal recreation facilities throughout the Town.

14.9 9. The developer shall complete all NYSDOT required traffic improvements, inclusive of any signal lights, prior to any Certificate or Temporary Certificate of Occupancy being issued for the project or any phase of the project.

14.10 10. The applicant should construct sidewalks from the project site to the Valley Central School complex on NYS Rt 17K for safe pedestrian access from the apartments to the school complex. If an alternative means of access from the project site to the school complex is acceptable to the Planning Board, such as a direct path from Sheffield Gardens to the school property, it will be necessary to ensure that student safety and security must be given priority. Towards that end, school security officials and the Town Police Department should be consulted regarding such path.

14.11 11. A traffic study is being undertaken by the Orange County Department of Planning which will include several portions of the Town of Montgomery, including the area in which the project is contemplated. It is anticipated that the study will not be completed until late 2025 or 2026. The Town Board requests that the Planning Board consider making reference to the traffic study in its SEQRA findings statement and adding a condition to any approvals issued in connection with this project that any recommendations contained in the traffic study that are adopted by Orange County be incorporated into the project approvals as binding conditions to the extent practicable.



VALLEY CENTRAL SCHOOL DISTRICT

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ASSISTANT SUPERINTENDENT FOR BUSINESS

DEPUTY DISTRICT CLERK

BRAD CONKLIN

February 10, 2025

VIA EMAIL

shadden@townofmontgomery.com

The Honorable Jay Beaumont, P.E., Chairman
Town of Montgomery Planning Board
Town Hall - 110 Bracken Road
Montgomery NY 12549

Re: Sheffield Gardens

Chairman Beaumont and Honorable Planning Board Members:

Community Services

15.1 On behalf of the Valley Central School District, I would like to express to the Planning Board our concerns with the Draft Environmental Impact Statement (DEIS) presented on the Sheffield Gardens proposed Site Plan, Special Use Permit and Subdivision Application. As the Planning Board is aware, this proposed development adjoins the Valley Central High School campus. While the DEIS purports to address a number of impacts the proposed project will have on the School District's educational facilities and fiscal resources, the School District believes that the applicant has not fairly portrayed what those impacts are, nor has it accurately explained how those impacts will be mitigated.

Initially, despite our previous requests (copies attached for your reference), the applicant has not conducted a more in depth school impact study addressing in detail the impact this proposed development would have on School District resources. While the DEIS states the proposed development will generate 55 generic school-age students, it doesn't focus on the individual needs of these additional students.

For instance, an impact study that factors in the cohorts of students who are classified with disabilities or are English Language Learners might show how the proposed development impacts the staffing needs in relationship to the services such individual students might require; or the tuition and transportation costs for students with disabilities placed in State-approved out-of-district programs. In addition, a school impact study could address how the number of students expected to be generated might be distributed among grade levels, and how that may affect facility needs of the elementary vs. secondary schools. Moreover, the DEIS fails to take

February 10, 2025

into consideration the School District's most recent enrollment projections; instead, it relies on enrollment projections from more than three years ago.

Finally, the DEIS does not accurately describe the tax revenue implications of the proposed development. While it is true the assessed valuation of a fully built out development will generate additional taxes produced by the parcels, such additional taxes do not equate to new revenues realized by the School District.

It is our belief that with a more in depth school impact study, the Planning Board might make a more informed decision regarding the applicant's proposed development.

Very truly yours,



Brad Conklin

cc: Evette Avila, Superintendent of Schools
Board of Education