

Environmental Impact Statement

Land Development - Block 29002 Lot 4, Montgomery Township, New Jersey

8 August 2019

Project No.: 0338637





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1. INTRODUCTION

This environmental impact statement (EIS) addresses the requirements in Montgomery Township's Ordinance #85-482, S 102, also known as "The Land Development Ordinance of the Township of Montgomery". The specific EIS requirements related to submission of a Preliminary Major Site Plan are indicated at 16-8.4(c) of the ordinance. The purpose of the EIS is to identify the potential impacts on the environment, the issues that may result, and the actions that can be taken to minimize the potential issues associated with the CC 1377 land development project at 1377 Route 206, (Block 29002, Lot 45) Montgomery Township, Somerset County, New Jersey. To this end, this EIS report follows the format of the EIS ordinance in terms of the information required, which includes the following topics:

- Project description including purpose and scope of the project
- Compatibility or incompatibility of the proposed project with various existing planning and natural resource documents at the municipal, County and State level
- Site Description and Inventory providing a description of environmental conditions on the site
- Impact discussion of both the adverse and positive impacts during and after construction
- Environmental Performance Controls, including measures that will be employed during the planning, construction and operation phases, and will minimize or eliminate adverse impacts that could result from the proposed project
- Licenses, Permits and Other Approvals Required by Law to implement the project
- Documentation including references to publications, file reports, and other sources of information used to prepare the EIS report

These items are discussed in detail in remaining sections of this document. CC 1377 retained Environmental Resources Management, Inc. (ERM) to conduct this EIS. The resume of the lead investigator, Kris D. Hallinger, is provided in Appendix A. Mr. Hallinger is based in ERM's Ewing, New Jersey office. ERM is also conducting site investigation work at the property as a result of historic industrial operations (golf ball manufacturing) and is assisting CC 1377 with site closure under the New Jersey Department of Environmental Protection's (NJDEP's) Site Remediation Program. Redevelopment of the Site is part of the overall site closure and beneficial reuse process encouraged by the NJDEP.

2. SITE RE-DEVELOPMENT BACKGROUND

Applicable material on file in the Township (and on-line at the Montgomery Township web site) was reviewed as part of the evaluation of local and regional impacts. This information included, but was not limited to, the Township Master Plan and Natural Resources Inventory. In addition to the Township, the project design engineering firm (Van Cleef Engineering Associates LLC) and the architectural firm (Holliday Architects, Inc.) were contacted for additional site-specific and project-specific information. A project description and discussion of various planning and land-use considerations are provided below in accordance with requirements in the EIS ordinance.

2.1 Project Description

The proposed Project is a multifamily housing development containing 115 apartments (42 one-bedroom, 67 two-bedroom and 6 three-bedroom), of which 92 are market-rate family rental units and 23 are affordable family rental units in accordance with Montgomery Township's Site Specific Inclusionary Zone-2 (SSIZ-2). The general location of the property to be developed is near the intersection of State Route 206 and County Highway 518, as shown on the map in Attachment 1. Public water shall be provided by New Jersey American Water, and public sewer service shall be provided by Montgomery Township. Conceptual site plans for the proposed project are provided in Attachment 2.

The Site is well-located for the indicated purpose within the Township's Rocky Hill "node" (i.e., designated mixed development area), and on the northern edge of the commercial area near the intersection of Route 206 and Highway 518 (Attachments 1 and 2). The Site was previously developed, is relatively flat, and there is currently an absence of structures/buildings, so excavation/demolition/grading and vegetation clearing during construction is expected to be less than a typical undeveloped site in this area. Further, the Site location has access to both public water and public sewer service, which helps limit potential environmental impacts substantially. Upon completion of the project, the projected resident population is estimated to be 246, the projected working population is estimated to be 1, and the projected visitor population is estimated at 29.

The public benefit from the project includes affordable family rental units, and walkable access to nearby commercial areas with stores for shopping and restaurants for dining. An office complex is also nearby, thus offering potential employment opportunities to residents and additional services within walking distance. In addition, the currently vacant, underutilized site (previously used for industrial purposes) will be redeveloped and put back into productive use after many years of being vacant, thus improving the aesthetics of the area and increasing the Township's tax revenues.

2.2 Project Land-Use Compatibility

This section discusses the compatibility and/or incompatibility of the proposed project with various planning/land use documents at the local, county, and state level as follows:

2.2.1 Township Master Plan

The Master Plan re-examination in 2017 indicates that the Development Plan should guide and contain the principal commercial and higher density residential development within the municipality to specific areas of concentrated land uses. One of these areas, referred to as the "Rocky Hill node", currently exists along Route 206 near its intersection with Route 518. The Site is located within this Rocky Hill node area, and because the project involves higher-density residential development it is consistent with the Township's Master Plan in terms of desired mixed-use development in this area.

The basic theme of the Master Plan has been, and continues to be, that there are two so-called "nodes" of mixed-use development along the Route 206 corridor (i.e., Rocky Hill & Belle Mead), with single-family

residential development the primary land use in between. An amendment to the Land Use Plan Element of the Master Plan as part of the 2017 re-examination addressed the vacant, underdeveloped and underutilized commercial lands in the northwest quadrant of the "Rocky Hill Node", specifically lands located in the northwest quadrant of Routes 206 and 518. Therefore, the re-examination of mixed-use development did not affect the subject Site, east of Route 206, and the proposed project remains compatible with the Montgomery Township Master Plan. A copy of the 'Existing Land Use' map (last revised July 24, 2017) contained in Appendix A of the 'Montgomery Township Master Plan periodic reexamination – August 2017' is provided in Attachment 3.

2.2.2 Montgomery Township Natural Resources Inventory

A review of Figure 1, the land use map, contained in the April 2004 Montgomery Township Natural Resources Inventory (NRI) report indicates that the majority of the Site is considered "Urban", and the Site lies within an area characterized as "Urban" (Attachment 3). The wooded area in the northeastern portion of the Site is mapped as "Forest" as is the property to the northwest of the Site on the western side of Route 206. The text of the NRI report describes the area where the Site is located as an area of compact development (higher density) found in the southeastern corner of Montgomery Township. The Existing Land Use map (last revised July 24, 2017) contained in the 'Master Plan periodic re-examination – August 2017' for Montgomery Township also indicates urban and commercial/industrial land use at, and surrounding, the Site (Attachment 3).

Based on this information, the proposed project is compatible with the existing land use designations in this area of Montgomery Township.

2.2.3 Master Plan of Adjacent Municipalities

The Master Plan for Rocky Hill, a municipality near the Site, indicates that Rocky Hill is approaching full build-out in the sense that little privately-owned vacant land remains available for new development. Therefore, the primary planning focus in the community is shifting toward infill sites and potential redevelopment. This is consistent with the redevelopment of the subject Site.

The fundamental goals of this Master Plan and the Land Use Plan element include the protection of the integrity of the Village Center and the Historic District and preservation of established residential neighborhoods. The proposed project along Route 206 north of Route 518 is located well away from Rocky Hill's "Village Center", the Historic District, and established residential neighborhoods. As a result, potential adverse environmental impacts from the proposed project on these focus areas within Rocky Hill are unlikely.

Rocky Hill's Master Plan does note that land use patterns along Rocky Hill's southern border with Montgomery are substantially different on each side of the border. In Montgomery, there is a mix of multifamily residential developments, single-family homes, and large tracts of vacant land. In Rocky Hill, the land use pattern is largely single-family residential with large areas of preserved open space. Although both areas are developed with residential uses, the development patterns and densities are substantially different. Therefore, Rocky Hill recommends working with Montgomery, wherever possible, to mitigate potential impacts. An example of mitigation efforts associated with the project at the subject Site includes an improvement of public sidewalks to the Site from the neighboring Rocky Hill Shopping Center to encourage pedestrian use in the area and limit vehicular traffic.

In addition, the Office of State Planning has recommended, and the Borough of Rocky Hill supports (based on their Master Plan), a transition to center-based planning in Montgomery Township. Designating the Route 206/518 area a "center" (i.e., Rocky Hill node) and establishing center-based policies (e.g., pedestrian-friendly, use of mass transit, mixed use) could be mutually beneficial to the residents of each community. The proposed project supports this approach by providing residential housing within an

already established commercial area of Montgomery Township, where sidewalks and municipal water and sewer services are available.

2.2.4 Somerset County Master Plan

The Somerset County Master Plan dates back to 1987 and contains general land use management goals and guidelines addressing land development issues in the County. The plan classifies the Site as a "Growth Management" area within Montgomery Township, and Route 206 in this region as a "Corridor Development and Major Travel Corridor" area. The County's goals and objectives for this area are to provide the majority of the County's housing, employment and service needs. In addition, these areas are to promote mixed-use and high-quality design standards as well as maintain a balance between housing, jobs, and support services. Therefore, the County's goals and policies for such designated areas are consistent with Montgomery's Master Plan and the planned development at the Site.

The updated Housing Element of the Master Plan from 2017 continues to support planned growth by designating "Priority Growth" and "Alternative Growth" as investment areas within the County. In these areas, the County encourages medium- to higher-density development patterns, including apartment buildings within walking distance of transit. A sample best practice from Somerset County Investment Framework Matrix is to incorporate workforce housing into redevelopment projects that will transform underutilized and vacant areas; renew existing infrastructure; and revitalize commercial corridors. The proposed project will utilize existing public water and sewer services along the Route 206 corridor, and will be using a vacant, underutilized property for redevelopment purposes. This approach is consistent with the County's 2017 update to the Housing Element of their Master Plan.

2.2.5 Regional and State Planning Guides

The New Jersey State Development and Redevelopment Plan (SDRP) identifies the eastern portion of Montgomery Township as containing Planning Areas 2 (PA-2) and 3 (PA-3), which are considered developed portions of the Township. Figure 24 in Montgomery Township's NRI report indicates that the Site is located on the border of PA-2 (Suburban) and PA-3 (Fringe) (Attachment 3).

PA-2 is characterized by existing "suburban" type development, typically occurring on lands with available infrastructure such as public sewer and water. These areas of the State are intended to absorb the market demand for additional housing, allowing protection to be afforded to other areas not appropriate for development. PA-3 represents a transition area between the environmentally- sensitive and rural areas of the Township and the more dense suburbs. Fringe Planning Areas generally lack significant investment in public roads and other infrastructure and are not characterized by critical environmental features or prime and statewide important agricultural soils.

Because the Site has available infrastructure, including public sewer and water, and is located in an already well-developed area of the Township, it is consistent with the PA-2 designation of Suburban. Therefore, the proposed project is consistent with the New Jersey SDRP. The SDRP also designates Rocky Hill as PA-2 (Suburban), which is consistent with the adjacent area of Montgomery Township, where the Site is located.

Additionally, the Township's nodal system, including the "Rocky Hill node" where the Site is located, has formed the basis of the Township's zone plan since 1985, and is compatible with the State Plan's center-based planning concept. The proposed project supports this development approach by providing residential housing within an already established commercial area of Montgomery Township, where sidewalks and municipal water and sewer services are readily available.

3. SITE DESCRIPTION & INVENTORY

The Site consists of one parcel located at 1377 Route 206, (Block 29002, Lot 45) Montgomery Township, Somerset County, New Jersey. The general location of the property and the physiographic features of the surrounding area are shown on the map in Attachment 1, developed from the United States Geological Survey (USGS) Rocky Hill, New Jersey 7.5-minute quadrangle. The Site is located on the east side of Route 206 and has an approximate total land area of 5 acres. The subject property is owned by CC 1377 LLC. An asphalt paved parking area is located along the southern Site boundary, the western portion of the Site (bordering Route 206) is covered by lawn, and wooded areas occupy the northern Site boundary and northeast portion of the Site.

3.1 Types of Soils

According to the US Department of Agriculture Soil Conservation Service, Soil Survey of Somerset County, soils at the Site are associated with the Royce Series, specifically Royce Silt Loam with 2 to 6 percent slopes. The Royce Series is characterized by gently sloping, well-drained soils. A minor component of Lansdowne series soils (Lansdowne silt loam, 2 to 6 percent slopes) may also be present. A copy of the Montgomery Township soils type map with the location of the Site is provided in Attachment 4.

Soil in the undeveloped portions of the property including grassy areas along the Site boundary, front (western) lawn area and rear (eastern) lawn area consisted of primarily brown fine to medium sand. Evidence of construction fill was identified in former building areas. Approximately four to 8 feet of fill material, consisting primarily of silt and clay, with minor amounts of sand, pebbles and debris, has been identified in the previously developed area of the Site. The existence of this fill material is likely the result of historical excavation and grading associated with the original development of the Site.

3.2 Topography

The property slopes gently to the west towards Route 206 and tributaries to Beden Brook from a high elevation of 132 feet above mean sea level (MSL) along the eastern property boundary to an elevation of 102 feet above MSL along the western property boundary (near Route 206). An earthen berm separates the property from the adjacent Montgomery Knoll Office Complex to the north. A wooded area near the northeast corner of the property at an elevation between 109 and 110 feet MSL is elevated above the surrounding area at an elevation of approximately 102 to 103 feet MSL. Attachment 1 contains a copy of the United States Geological Survey (USGS) Rocky Hill, New Jersey 7.5-minute topographic quadrangle for the Site.

According to flood zone data presented in an EDR® Radius Map™ Report, the Site is not located within the 100 or 500-year flood zone areas. Flood zone data was obtained by EDR from the Federal Emergency Management Agency (FEMA). A copy of the FEMA map with Site location is provided in Attachment 5.

3.3 Geology

Underlying bedrock at the Site, encountered approximately 20-feet below grade, consists of the Brunswick Formation. The Brunswick Formation in the area of the Site consists of shale, mudstone, siltstone, sandstone and argillite. Several feet of the upper surface consists of a weathered veneer of clay and rock fragment. There is no evidence of bedrock within two feet of the ground surface and there are no major rock outcroppings at the Site.

3.4 Vegetation

The site primarily consists of concrete and/or asphalt pavement in its central area surrounded by landscaped grass areas. A small wooded area, located mostly near the northeastern corner of the Site, consists of newer-growth tree species, including some black cherry (*Prunus serotina*), black locust (*Robinia pseudoacacia*), and tree-of-heaven (*Allanthus altissima*) trees. The understory consists primarily of Russian olive (*Elaeagnus angustifolia*) bushes and snakeroot (*Ageratina* sp.). Some maple (*Acer* sp.), pine (*Pinus* sp.), and red cedar (*Juniperus virginiana*) trees are observed in the western area of the wooded area. Several oak trees (*Quercus* sp.) were also observed in this area. Tree species such as black locust and tree-of-heaven are considered invasive species. In addition, several large Norway maple trees (*Acer platanoides*) are observed growing along Route 206 at the western property boundary, and pine trees are found growing in grass-covered strips along the northern and southern property boundaries.

Attachment 6 provides a map with land use features, including the wooded area, associated with the Site and surrounding area. Land use associated with the area surrounding the Site is primarily "Commercial/Services" and "Upland Rights-of-Way Undeveloped".

3.5 Wildlife

Habitats of endangered or protected species are absent from the property as indicated in the New Jersey Department of Environmental Protection (NJDEP) Natural Heritage Database (NHD) search results presented in Attachment 7. As noted in the NHD search results, the nearest sensitive habitat is a wetland area located approximately one-quarter mile from the Site on the opposite side (i.e., west) of Route 206. As described above, the onsite wooded area is newer growth of limited resource value due to a lack of diversity and absence of older growth trees. Attachment 7 also contains a map with environmentally-sensitive natural resources (ESNR) proximal to the Site. This map shows the location to the northwest of the Site on the western side of Route 206, where a wetland (and possibly vernal pool habitat) as well as Great Blue Heron (Ardea herodias) and Wood Turtle (Glyptemys insculpta) habitat may be located. There are no ESNR located on the Site.

3.6 Subsurface Water

The Brunswick formation is the principal bedrock aquifer system in the area. Groundwater in the Site area is present in a number of water bearing zones consisting of unconfined to semi-confined conditions. Intersecting fractures resulting from jointing provide the principal means of groundwater storage and movement. Previous investigations have concluded that groundwater was not encountered at the subject Site to a depth of 30 feet below ground surface (bgs) (ERM 2016).

A groundwater treatment facility at the Site is operated by the United States Environmental Protection Agency (USEPA) and is related to a regional groundwater contamination situation. As a result, there are no water-supply wells on the Site or in the surrounding area, and the Site and surrounding area are served by a public water supply provided by New Jersey American Water.

3.7 Distinctive Scenic and/or Historic Features

There are no distinctive scenic or historic features associated with the Site based on a review of Figure 23 (Areas of Scenic and Recreational Importance) in Montgomery Township's NRI report. The nearest Historic feature is Rocky Hill Borough, which is listed as a Historic District in Somerset County's Master Plan.

3.8 Existing Development Features

The Site is currently vacant with the exception of one small building housing a groundwater treatment facility located at the eastern Site boundary. The groundwater treatment facility is operated by the United States Environmental Protection Agency (USEPA) and is related to a regional groundwater contamination situation. An asphalt paved parking area is located along the southern Site boundary.

4. POTENTIAL PROJECT IMPACTS

This section discusses both the adverse and positive impacts of the project during and after construction.

4.1 Soil Erosion and Sedimentation Resulting from Surface Runoff.

Storm water is currently controlled by the storm sewer system and a berm along the northern property boundary. The berm was constructed in 1982/83 as part of the development of the Montgomery Knoll property located to the north of the Site. The storm water drainage system was constructed between 1967 and 1968.

Storm water drainage from the majority of the paved area is via sheet flow to the perimeter. Several catch basins are located in the paved area to the east of the former building location. A storm sewer system carries water north towards the northern property boundary and to the west with eventual discharge to a tributary of Beden Brook, which flows to the Millstone River. Remaining areas of the Site are grass-covered or wooded, and these areas have stable soil conditions due to the presence of vegetative cover. Therefore, soil erosion and sedimentation are limited at the Site.

During re-development, construction activities will include clearing and grading, which will disturb the vegetative cover and potentially cause erosion. A soil erosion and sediment control (SESC) plan will be prepared in advance and implemented during construction activities to limit and manage exposed soils. The SESC Plan will include use of erosion-controls such as silt-fencing in areas downgradient of disturbed soil zones, seeding of temporary soil piles to provide vegetative stabilization, and hay-bale barriers to slow the flow of stormwater runoff.

The SESC Plan containing the soil erosion control techniques to be implemented during construction will be submitted to the Somerset-Union County Soil Conservation District for approval prior to starting construction activities at the Site.

Attachment 2 contains conceptual drawings of the proposed Site development. Post-construction stormwater control will include a detention basin located in the western area of the Site as noted on the drawings. This basin will collect and treat stormwater generated on the Site. The basin will discharge treated stormwater to the same storm sewer system running along US-206 as under existing conditions. A bypass area not drained by the basin will also be directed toward the aforementioned storm sewer system.

4.2 Flooding and Flood Plain Disruption

Flooding and floodplain disruption are not expected at the Site because the Site is not located within the 100-year or 500-year floodplains according to FEMA maps. A copy of the FEMA map with Site location is provided in Attachment 5.

4.3 Degradation of Surface Water Quality

The nearest surface water body is a tributary to Beden Brook located on the opposite side of Route 206, west/northwest of the Site. The tributary flows to Beden Brook, which is located approximately 1,500-feet northwest of the Site. Beden Brook discharges to the Millstone River located approximately 1/2 –mile east of the Site.

Potential degradation of surface-water quality would relate to the nearby tributary of Beden Brook, on the opposite side of Route 206 because there are no surface-water bodies on the Site. This tributary currently receives stormwater inputs from the existing stormwater drainage system at the Site, highway drainage from Route 206, and drainage from a detention basin located at the shopping plaza just south of

the tributary on the western side of Route 206. The FEMA map in Attachment 5 and the Figure provided in Attachment 8 show surface-water features relative to the Site location.

Measures taken to control stormwater runoff and silt migration during construction (i.e., implementation of the SESC Plan) will mitigate degradation of surface-water quality by keeping suspended sediment on the Site. In addition, installation of an onsite detention basin will mitigate potential post-construction impacts to surface water quality from stormwater runoff. The detention basin will allow suspended-solids removal from collected stormwater and subsequent discharge to the storm sewer system associated with the Site. The detention basin location is shown on the Conceptual Site Plans provided in Attachment 2, and details regarding the stormwater system are included in the 2018 Drainage Report prepared for the Site by Van Cleef Engineering Associates (VCEA 2018).

Further, a manufactured treatment device with an internal bypass weir is proposed to provide water quality treatment to the runoff from the 3.03 acres of paved surfaces associated with the Site redevelopment project. To achieve the NJDEP water quality requirements for the Site, a Total Suspended Solids (TSS) removal rate of 80 percent must be attained for the proposed road and driveway areas. The proposed treatment system will meet or exceed this requirement. A detail of the treatment device is shown on the plans in the 2018 Drainage Report (VCEA 2018).

4.4 Ground Water Pollution

Regional contamination in the bedrock groundwater beneath the Site has been investigated by the USEPA as part of the Rocky Hill and Montgomery Township Housing Development Superfund Site. In addition, USEPA operates a groundwater pump and treat system housed in a small building located at the eastern end of the Site. Based on information reported for this Superfund site, bedrock groundwater flow in the area is to the northeast, toward the Millstone River. In addition, this site is exempt from the groundwater recharge requirement described in N.J.A.C. 7:8-5.4 due to the presence of contaminated groundwater.

The Site is currently undergoing a soil investigation under the auspices of the New Jersey Department of Environmental Protection's (NJDEP's) Site Remediation Program (SRP) and a Licensed Site Remediation Professional (LSRP). However, historical Site operations have not contributed to groundwater contamination beneath the Site based on site-specific soil sampling results.

Because groundwater at the Site is in bedrock at a depth greater than 30 feet below ground surface (bgs), Site-related construction activities should not directly affect groundwater quality.

4.5 Reduction of Ground Water Capabilities

Implementation of the proposed Project is expected to have no effect on groundwater quality or capabilities beneath the Site. Due to the presence of non-Site-related regional contamination in the bedrock groundwater beneath the Site, groundwater is not currently used as a source of drinking water at the Site and in the surrounding area. However, a public water supply provided by New Jersey American Water is available to service the area.

4.6 Sewage Disposal

Public wastewater collection and treatment service shall be provided by Montgomery Township. As a result, potential adverse environmental effects from an onsite sewage treatment system will be avoided.

4.7 Solid Waste Disposal

Removal of solid waste associated with construction activities at the Site will be conducted by private, licensed waste haulers, and the removed solid waste will be processed through the Somerset County waste transfer system for disposal at a licensed waste disposal facility.

Post-construction, solid waste from the apartment buildings will be collected in a trash enclosure at the end of the parking lot in the western area of the Site (Attachment 2). The licensed waste hauler will collect the waste from this location and haul it off site for disposal at a licensed solid-waste disposal facility.

4.8 Vegetation Destruction

The vacant Site is currently covered primarily by landscaped cool-season grasses and concrete/asphalt pavement. There is an absence of natural native vegetative growth with the exception of an isolated wooded area near the northeastern corner and a cluster of trees near the southwestern corner of the property. These wooded areas are upland areas that contain secondary tree growth with limited density, including some species, such as black locust and tree-of-heaven, which are considered to be invasive. As a result, the wooded areas are not considered to be critical habitat, and do not provide unique nesting opportunities or habitat for wildlife species. Further, these areas are small and isolated, and they are not expected to provide habitat for sensitive wildlife populations based on information in Montgomery Township's April 2004 Natural Resources Inventory (NRI) report and NJDEP's Natural Heritage Database (Attachment 7).

Removal of these small areas of trees will likely be required as part of the Site soil remediation process, and re-development of the Site will occur after all of the trees have been removed to accommodate the building footprint. While an initial impact to potential wildlife from loss of the wooded area may occur, in terms of displacement, it is expected that the removal of these trees will have limited impact to the environment overall based on the absence of critical habitat and endangered/protected species in this area and the presence of adjacent habitat. Potential wildlife currently using the onsite wooded areas will have a larger alternative wooded habitat area in the remaining wooded area on the property to the east, and in the wooded area on the western side of Route 206 near the Site.

4.9 Disruption of Wildlife Habitats of Endangered and Protected Species

The results of a Natural Heritage Database search for endangered and protected species as well as critical habitat are provided in Attachment 7. Results of the search indicate an absence of critical habitats and protected species at the Site. In addition, Attachment 7 provides mapped information regarding environmentally-sensitive natural resources based on information available from NJDEP's on-line Geographic Information Network (NJGIN). The data provided on the Figure in Attachment 7 indicate an absence of wildlife habitat and sensitive areas on the Site. The nearest sensitive area is a forested wetland located along the Beden Brook tributary northwest of the Site.

The onsite wooded area will be cleared as part of Site preparation activities. There are no wetlands or surface-water features associated with the onsite wooded area. The removal of this wooded area as part of construction activities is not expected to adversely impact threatened or endangered species based on the above information in Section 4.8, or wildlife populations in the area because larger more diverse wooded areas are found nearby to the east of the Site and on the western side of Route 206.

4.10 Destruction or Degradation of Scenic and Historic Features

There are no distinctive scenic or historic features associated with the Site based on a review of Figure 23 (Areas of Scenic and Recreational Importance) in Montgomery Township's NRI report and a site

inspection. As a result, there will be no disturbance to scenic and historic features, which are absent from the Site and area immediately surrounding the Site.

4.11 Air Quality Degradation

Emissions from operation of heavy equipment/machinery during construction activities is the only source of emissions. The emissions are temporary and will only last for the duration of the construction, estimated at approximately 24 months.

Air quality degradation associated with the built apartment facility is not anticipated. Emissions associated with the apartment facility will mostly be related to operation of the heating system, which will use natural gas to fuel the boilers. The boilers or furnaces used for heating purposes will also be energy-efficient to limit exhaust emissions.

4.12 Noise Levels

Noise levels from operation of heavy equipment/machinery during construction activities is the only source of noise associated with the Site development. The noise will be temporary and will only last for the duration of the construction, estimated at approximately 24 months. The level of noise generated by the operation of heavy equipment/machinery during construction will conform with requirements in the municipal noise ordinance.

Noise levels associated with the built apartment facility are estimated to be similar to surrounding ambient noise levels at the adjacent shopping centers and other residential/commercial facilities.

4.13 Energy Utilization

Operation of heavy equipment/machinery during construction activities associated with Site development will utilize energy in the form of fuel. This energy utilization will be temporary and will only last for the duration of the construction, estimated at approximately 24 months. The constructed apartment building will also contain energy-efficient lighting switches/fixtures that will conserve electricity.

5. ENVIRONMENTAL PERFORMANCE CONTROLS

Measures that will minimize or eliminate adverse impacts that could result from the proposed project are discussed below.

5.1 Drainage Plans Which Shall Include Soil Erosion and Sedimentation Controls

A full Soil Erosion and Sediment Control (SESC) Plan has been prepared by Van Cleef Engineering Associates (VCEA), and will be enforced throughout construction. The SESC plan has been designed in accordance with all district standards and a certification will be obtained from the Somerset-Union County Soil Conservation District. A copy of the SESC plan will be maintained on the job site for reference during construction.

VCEA has also prepared a Drainage Report (VCEA 2018), which includes planned low-impact development techniques and stormwater controls for the project, including:

- a riprap apron has been designed to control erosion at the outflow point of the storm sewer network
- Impervious coverage for the site has been minimized so that it is compliant with local regulations
- This project is a redevelopment of a property that has been previously disturbed. There are no
 natural drainage features to protect. There will be a loss of vegetation, which is necessary in
 order to construct the two buildings. However, this loss of vegetation will be compensated for in
 the form of plantings depicted on the Landscape Plan
- There is an increase in the time of concentration from pre-construction to post-construction
- Clearing and grading have been minimized to the maximum extent possible
- Soil compaction will be minimized where feasible
- The landscape design for this project employs the use of native ornamental, shade, and shrubs
 on the site. Because native and adapted trees and shrubs have been chosen for this project, the
 landscape will also require less use of fertilizers and pesticides
- Vegetated open-channel conveyance is proposed to collect and direct the runoff from the basin
- Proposed inlets on site will comply with the NJPDES storm drain inlet criteria. Eco-curbs or approved equal, which are catch basin curb tops, will be provided. They will have debris retention openings to prevent debris from entering the storm drainage system
- When establishing vegetation after land disturbance, the applicant intends to apply fertilizer in accordance with the requirements established under the Soil Erosion and Sediment Control Act

Post-construction stormwater control will include a detention basin located in the western area of the Site as noted on the drawings in Attachment 2. This basin will collect and treat stormwater generated on the Site as discussed in Section 4.3 of this report and the Drainage Report (VCEA 2018).

As indicated in the Drainage Report, the project has been designed in accordance with the standards set forth by various regulatory agencies including Montgomery Township, the Residential Site Improvement Standards, the New Jersey Department of Environmental Protection, and the New Jersey Department of Agriculture for Soil Erosion Control Standards in the State of New Jersey. The proposed development

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will reduce the peak flow rate from the developed area for the 2, 10, and 100 year storms as required, and will meet the required 80% TSS removal rate for all new impervious surfaces. Because the Site closely mirrors existing condition drainage patterns, the new development will not negatively impact runoff on-site or downstream.

5.2 Sewage Disposal Techniques

Public wastewater collection and treatment service shall be provided by the Township of Montgomery. As a result, potential adverse environmental effects from an onsite sewage treatment system will be avoided.

5.3 Water Supply and Water Conservation Proposals

Public water service shall be provided by the New Jersey American Water Company. The applicant will be reviewing the possible use of the following: High-efficiency toilets, faucet aerators on sinks, efficient shower heads and smart irrigation controls.

5.4 Energy Conservation Measures

The applicant will attempt to reduce energy use throughout the building process and final design of the "project". Some features may include: Energy-star fixtures, occupancy sensors controls, insulated outlets on exterior walls, energy efficient wiring and LED/florescent lamps.

A copy of the completed township LEED design form is provided under separate cover as part of the Preliminary Site Plan approval.

5.5 Noise Reduction Techniques

It is anticipated that construction activity will generate noise on site, by the use of heavy equipment. The construction equipment shall be equipped with standard noise reduction measures, such as mufflers. Additionally, all construction activity will be limited to the defined working-day hours established in the Township Ordinance.

6. LICENSES, PERMITS AND OTHER APPROVALS

The following permits/approvals shall be obtained for the proposed Project:

Agency	Type of Permit/Approval	Status
Montgomery Township Planning Board	Preliminary & Final Site Plan Approval	Pending
Somerset County Planning Board	Preliminary & Final Site Plan Approval	Pending
Somerset Union Soil Conservation District	Erosion Control Plan Certification	Pending
NJDEP	5G3-Stormwater-NJPDES GP#NJG0278416	Pending
Delaware & Raritan Canal Commission	Plan Certification	Pending
NJDEP	Freshwater Wetlands Letter of Interpretation/Presences/Absences Determination	Pending
Montgomery Township Committee	Sewer connection agreement	Pending
NJDEP	Sanitary Sewer Application "TWA"	Pending
NJDOT	Access Permit	Pending
Montgomery Township Engineer	Pre-Construction Meeting	Pending

7. CONCLUSIONS

This EIS presents information on the design of the proposed multifamily housing development at 1377 Route 206, (Block 29002, Lot 45) Montgomery Township, and the relationship of this proposed development to the environment. Based on the evaluation presented in previous sections of this report, the following conclusions have been reached:

- The proposed project will integrate soil remediation with re-development of the Site (as multifamily housing units), which will improve the environment and provide much-needed housing in this area of Montgomery Township
- Redevelopment of the Site within the "Rocky Hill node" area of Montgomery Township is consistent with local, county and State planning and land-use policies for this area
- An adverse impact of the proposed project would be removal of the small wooded area in the northeastern and southeastern portions of the property. However, as discussed in detail above, the wooded areas are marginal wildlife habitat and no endangered or protected species are present. Further, a wooded area will remain in the area just east of the Site, and larger more diverse wooded areas are found nearby on the western side of Route 206. These areas provide alternative habitat for potentially displaced wildlife.
- The positive impacts/public benefits from the project include:
 - affordable family rental units
 - walkable access to nearby commercial areas with stores for shopping and restaurants for dining
 - a nearby office complex offering potential employment opportunities to residents and additional commercial services within walking distance
 - the currently vacant, underutilized site will be put back into productive use after many years, thus
 improving the aesthetics of the area and increasing the Township's tax revenues
- The Site location has access to, and will utilize, both public water and public sewer service, which helps limit potential environmental impacts
- Mitigation efforts related to potential adverse impacts also include implementation of a SESC plan, including stormwater runoff mitigation controls during construction, and use of an onsite detention basin to manage post-construction stormwater

Because the Site was developed previously and used for industrial purposes, the only potential environmental resource remaining onsite is a small wooded area, which will need to be removed to perform soil remediation and beneficial re-development at the Site. Wooded areas will still be present to the east of the property and to the northwest on the opposite side of Route 206. In addition, the Site will be landscaped in accordance with a landscape plan that includes restoration and stabilization of top soil and planting of native plant species in selected areas.

The proposed development will reduce the peak flow rate of stormwater from the developed area for the 2, 10, and 100 year storms as required, and will meet the required 80% TSS removal rate for all new impervious surfaces. Because the Site stormwater drainage will closely mirror existing condition drainage patterns, the new development will not negatively impact runoff on-site or downstream.

Based on the information contained in this EIS and the planning measures used in the design of the project, the proposed development will cause no reasonably avoidable damage to any environmental resource.

REFERENCES

Borough of Rocky Hill's Master Plan (2001)

http://www.rockyhill-nj.gov/boards-committees/planning-board

Borough of Rocky Hill's Master Plan - re-examination (2019)

http://www.rockyhill-nj.gov/boards-committees/planning-board

Montgomery Township's Environmental Impact Statement Ordinance

https://clerkshq.com/Montgomery-nj

Montgomery Township's Site Specific Inclusionary Ordinance

https://clerkshq.com/Montgomery-nj

Montgomery Township's Master Plan (1971 and re-examination years)

https://twp.montgomery.nj.us/departments/planning/planning-reports-studies/

Montgomery Township's Master Plan re-examination (2017)

https://twp.montgomery.nj.us/departments/planning/planning-reports-studies/

Montgomery Township's Natural Resource Inventory (2004)

https://twp.montgomery.nj.us/depts/landuse/NRITEXTONLY.pdf

New Jersey Department of Environmental Protection - Landscape Project

https://www.state.nj.us/dep/fgw/ensp/landscape/index.htm

New Jersey State Development and Redevelopment Plan (SDRP)

https://www.nj.gov/state/planning/spc-state-plan.html

Sherry Cruz (Montgomery Township Planning): phone call re: the LEED Checklist

Personal communication with Kris Hallinger of ERM on 19 June 2019.

Somerset County Master Plan (1987)

https://www.co.somerset.nj.us/government/public-works/planning/master-plan

Somerset County Master Plan - Housing Element update (2017)

https://www.co.somerset.nj.us/home/showdocument?id=27437

VCEA. 2018. Drainage Report. Prepared For Block 29002 Lot 45, Montgomery Township, Somerset County, New Jersey. Van Cleef Engineering Associates Project Number 0303M. July 17, 2018.

APPENDIX A REPORT PREPARERS RESUME

Kris D Hallinger

Senior Consultant

Kris is a Principal Scientist within ERM based in Ewing, New Jersey, USA. He has more than 30 years of experience in the field of ecological sciences with an emphasis on ecological evaluations and restoration. Mr. Hallinger's experience includes the following disciplines: wildlife habitat evaluation, enhancement, and restoration; wetland evaluations and permitting, wetland design and mitigation; terrestrial and aquatic ecosystem evaluations; environmental impact assessments; human health and ecological risk assessments; biomonitoring; aquatic toxicology; and environmental permitting. He has worked on numerous projects involving identification of sensitive receptors such as threatened and/or endangered species and critical habitats, and potential exposure of these terrestrial and aquatic receptors to environmental disturbances.



Experience: 30 years' experience in the automotive, chemical, oil & gas, and waste management services sectors

Email: kris.hallinger@erm.com

Education

- MS, Environmental Science, Rutgers University, 1989
- BS, Ecology, Pennsylvania State University, 1985

Professional Affiliations and Registrations

- Society of Environmental Toxicology and Chemistry
- Society for Ecological Restoration
- Ecological Society of America
- Society of Wetland Scientists

Languages

English, native speaker

Fields of Competence

- Human health and ecological risk assessments
- Biomonitoring and aquatic toxicology
- Environmental impact assessments
- Sediment investigation/evaluation
- Terrestrial and aquatic ecosystem evaluations
- Environmental permitting and wetland mitigation
- Wildlife habitat evaluation, enhancement and restoration

Key Industry Sectors

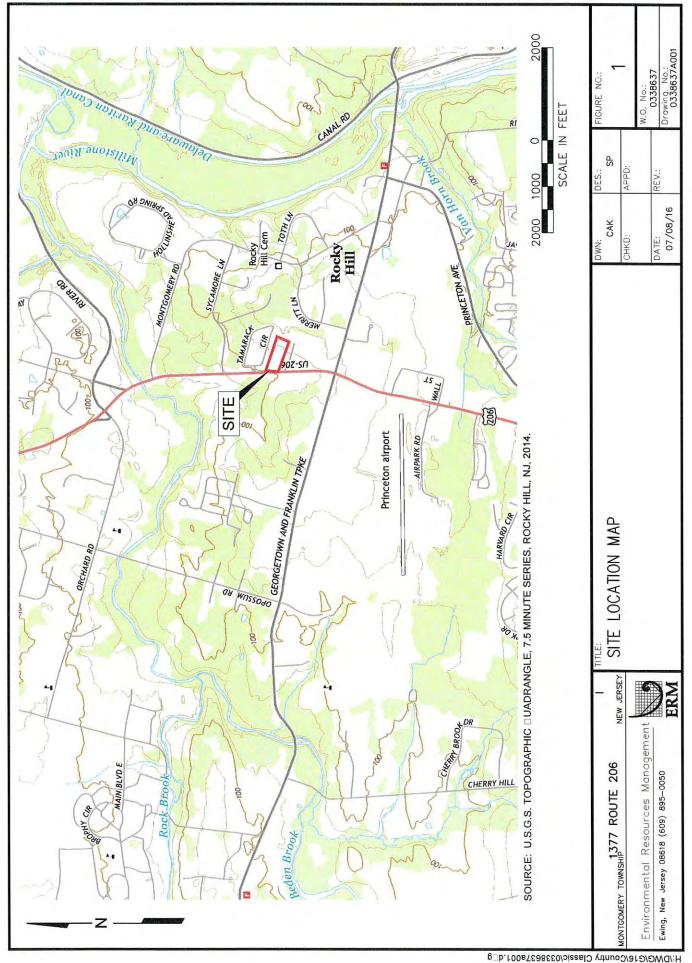
- Automotive
- Chemicals
- Oil & Gas
- Waste Management Services

Honors and Awards

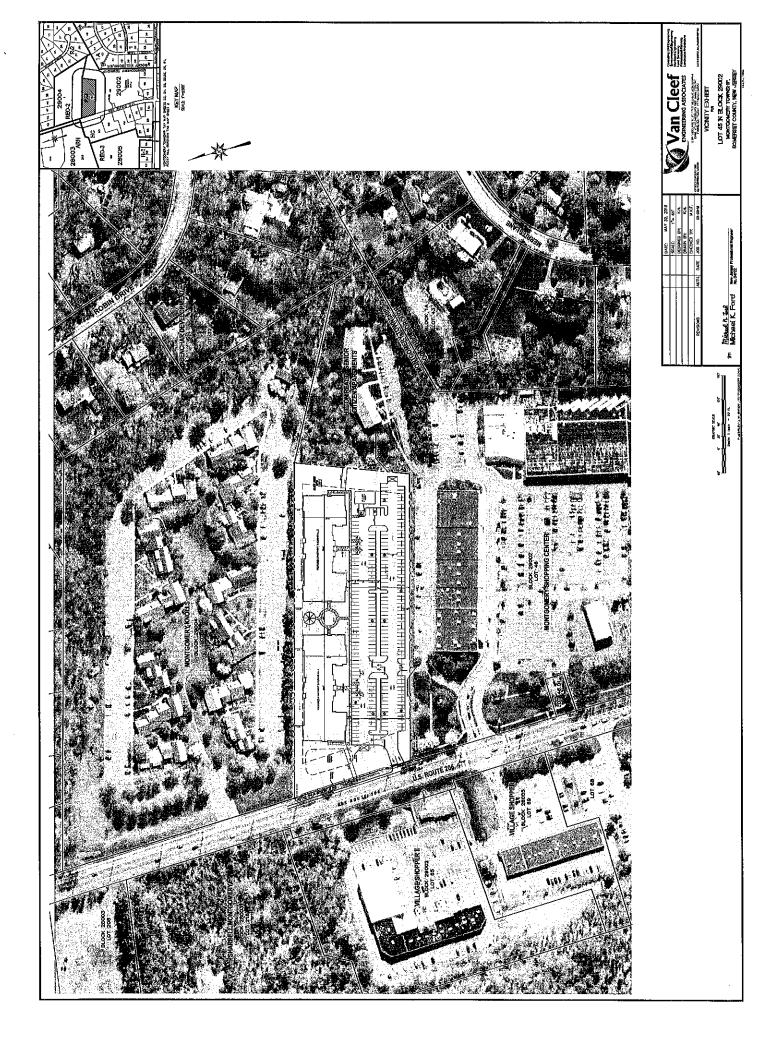
 President of the local Hudson-Delaware Chapter of the Society of Environmental Toxicology and Chemistry

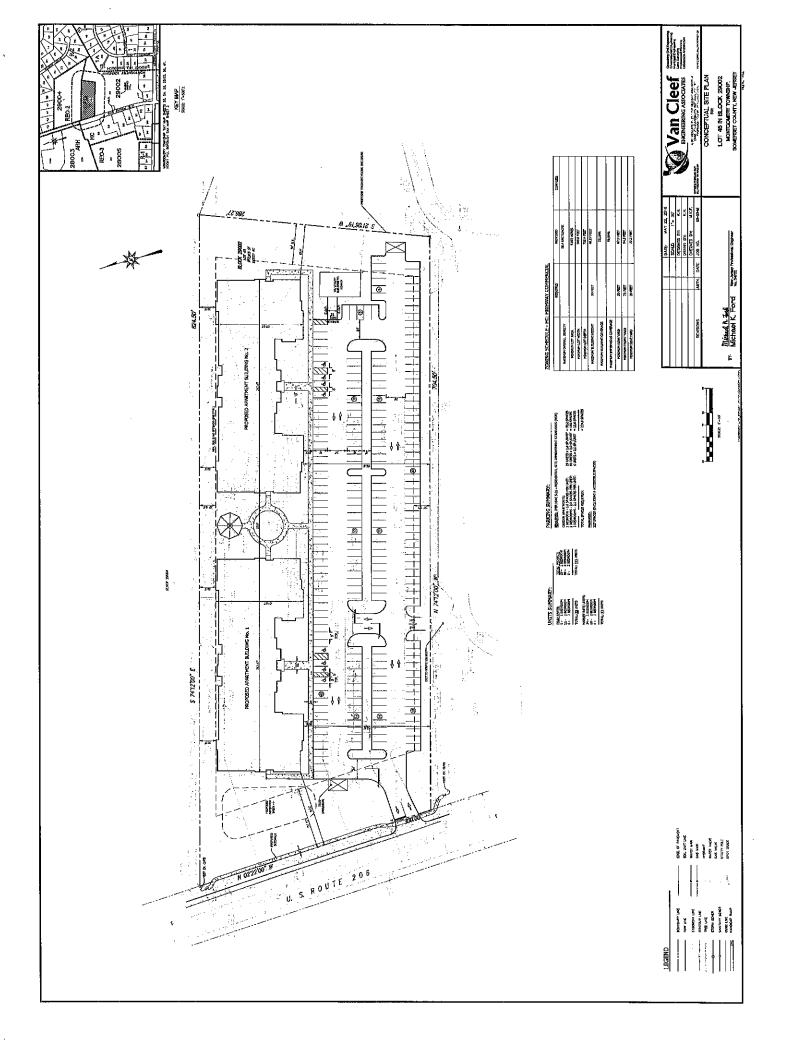


ATTACHMENT 1 SITE LOCATION MAP

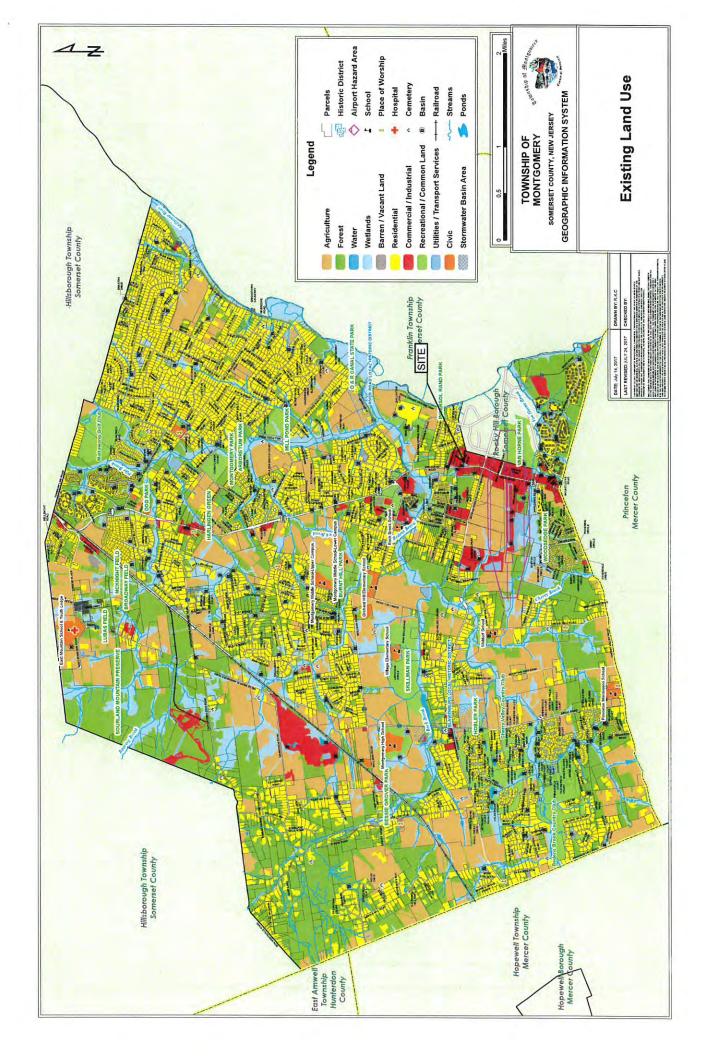


ATTACHMENT 2 CONCEPTUAL SITE PLANS



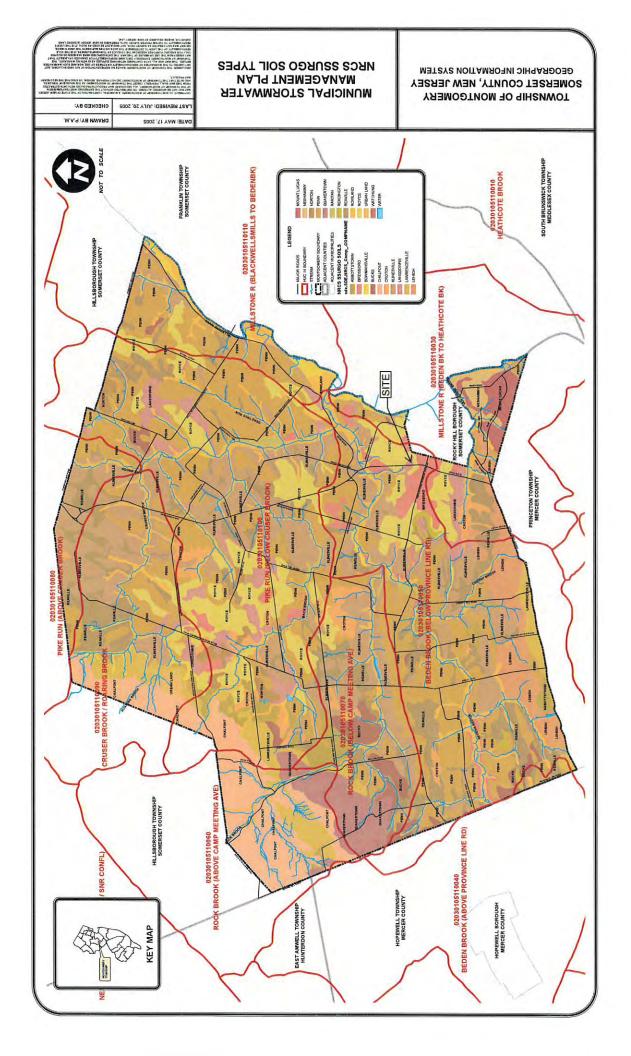


ATTACHMENT 3 LAND USE MAP

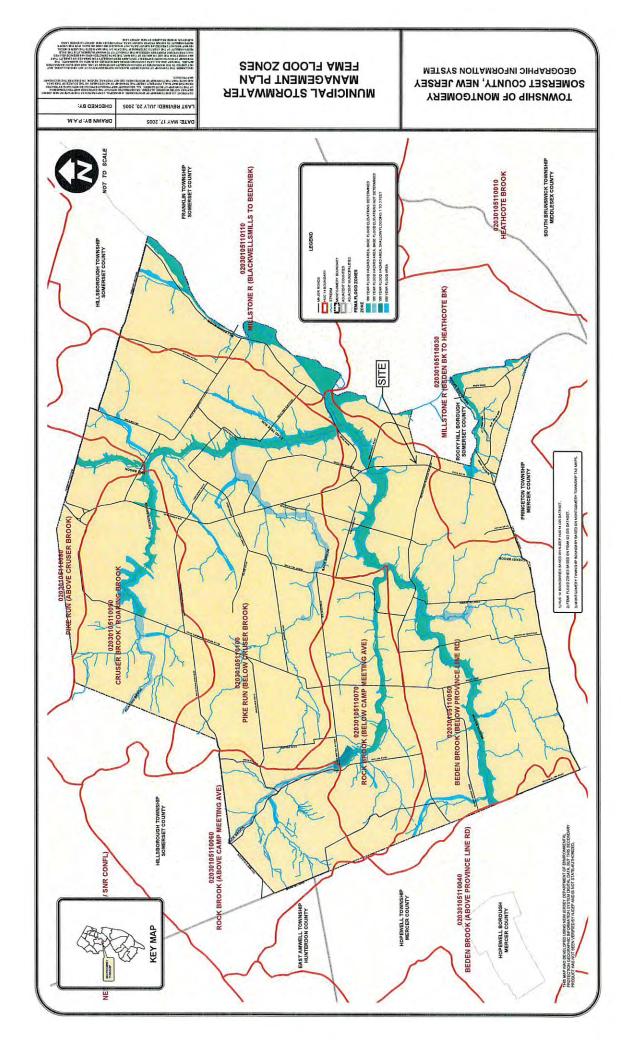


ATTACHMENT 4 SOILS MAP

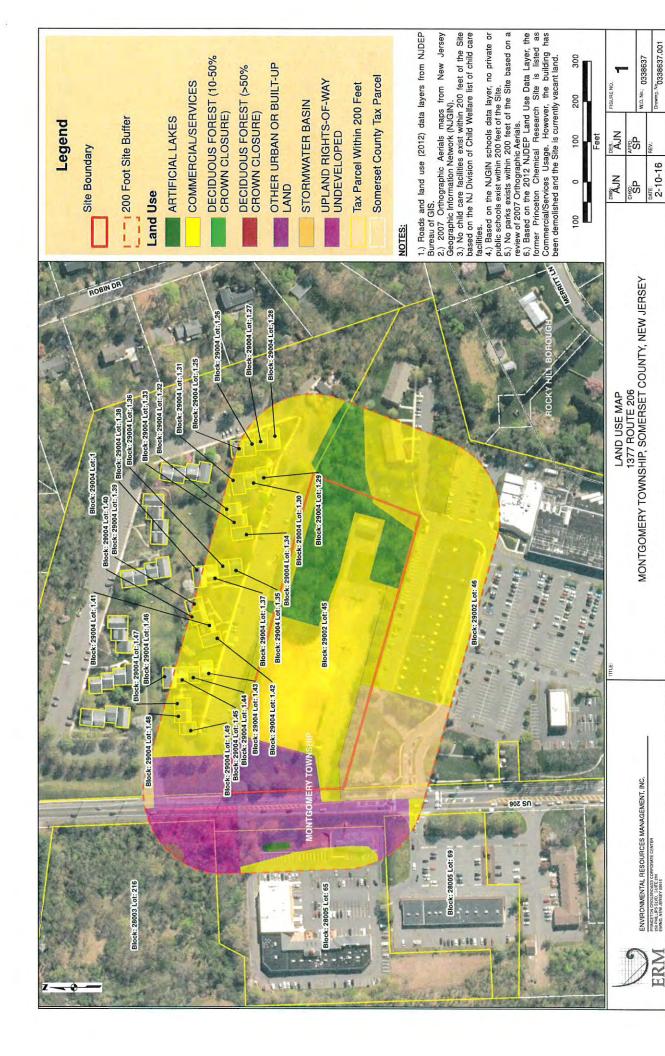
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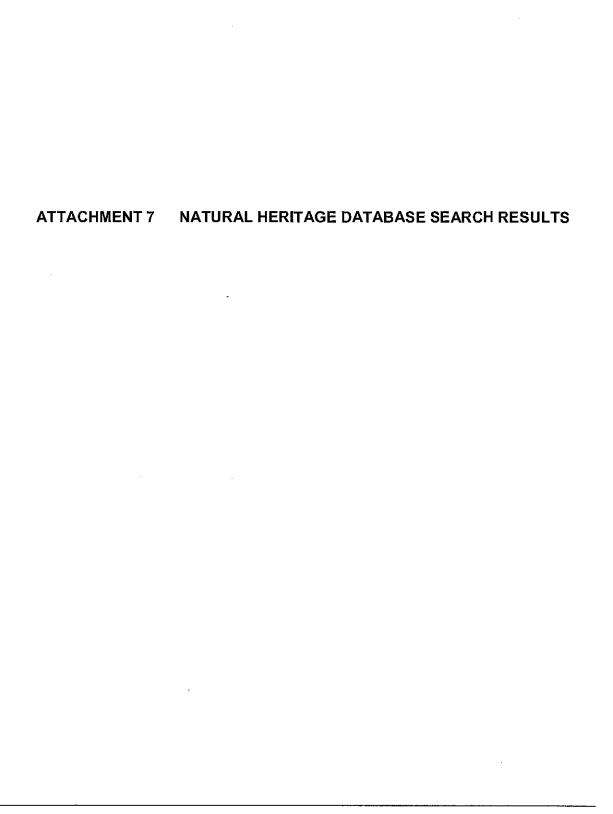


ATTACHMENT 5 FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD ZONE MAP



ATTACHMENT 6 ERM LAND USE MAP







State of New Jersey

MAIL CODE 501-04
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF PARKS & FORESTRY
NEW JERSEY FOREST SERVICE
OFFICE OF NATURAL LANDS MANAGEMENT
P.O. BOX 420

TRENTON, NJ 08625-0420 Tel. (609) 984-1339 Fax (609) 984-0427

June 17, 2019

Kris Hallinger Environmental Resources Management 200 Charles Ewing Blvd., Suite 160 Ewing, NJ 08628

Re:

PHILIP D. MURPHY

SHEILAY. OLIVER

Lt. Governor

Governor

Lot 45 in Block 29002 Block(s) - 29002, Lot(s) - 45

Montgomery Township, Somerset County

Dear Kris Hallinger:

Thank you for your data request regarding rare species information for the above referenced project site.

Searches of the Natural Heritage Database and the Landscape Project (Version 3.3) are based on a representation of the boundaries of your project site in our Geographic Information System (GIS). We make every effort to accurately transfer your project bounds from the topographic map(s) submitted with the Natural Heritage Data Request Form into our Geographic Information System. We do not typically verify that your project bounds are accurate, or check them against other sources.

We have checked the Landscape Project habitat mapping and the Biotics Database for occurrences of any rare wildlife species or wildlife habitat on the referenced site. The Natural Heritage Database was searched for occurrences of rare plant species or ecological communities that may be on the project site. Please refer to Table 1 (attached) to determine if any rare plant species, ecological communities, or rare wildlife species or wildlife habitat are documented on site. A detailed report is provided for each category coded as 'Yes' in Table 1.

We have also checked the Landscape Project habitat mapping and Biotics Database for occurrences of rare wildlife species or wildlife habitat in the immediate vicinity (within ¼ mile) of the referenced site. Additionally, the Natural Heritage Database was checked for occurrences of rare plant species or ecological communities within ¼ mile of the site. Please refer to Table 2 (attached) to determine if any rare plant species, ecological communities, or rare wildlife species or wildlife habitat are documented within the immediate vicinity of the site. Detailed reports are provided for all categories coded as 'Yes' in Table 2. These reports may include species that have also been documented on the project site.

The Natural Heritage Program reviews its data periodically to identify priority sites for natural diversity in the State. Included as priority sites are some of the State's best habitats for rare and endangered species and ecological communities. Please refer to Tables 1 and 2 (attached) to determine if any priority sites are located on or in the immediate vicinity of the site.

A list of rare plant species and ecological communities that have been documented from the county (or counties), referenced above, can be downloaded from http://www.state.nj.us/dep/parksandforests/natural/heritage/countylist.html. If suitable habitat is present at the project site, the species in that list have potential to be present.

Status and rank codes used in the tables and lists are defined in EXPLANATION OF CODES USED IN NATURAL HERITAGE REPORTS, which can be downloaded from http://www.state.nj.us/dep/parksandforests/natural/heritage/nhpcodes_2010.pdf.

Beginning May 9, 2017, the Natural Heritage Program reports for wildlife species will utilize data from Landscape Project Version 3.3. If you have questions concerning the wildlife records or wildlife species mentioned in this response, we

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CATHERINE R. McCABE

Commissioner

recommend that you visit the interactive web application at the following URL, https://njdep.maps.arcgis.com/apps/webappviewer/index.html?id=0e6a44098c524ed99bf739953cb4d4c7, or contact the Division of Fish and Wildlife, Endangered and Nongame Species Program at (609) 292-9400.

For additional information regarding any Federally listed plant or animal species, please contact the U.S. Fish & Wildlife Service, New Jersey Field Office at http://www.fws.gov/northeast/njfieldoffice/endangered/consultation.html.

PLEASE SEE 'CAUTIONS AND RESTRICTIONS ON NHP DATA', which can be downloaded from http://www.state.nj.us/dep/parksandforests/natural/heritage/newcaution2008.pdf.

Thank you for consulting the Natural Heritage Program. The attached invoice details the payment due for processing this data request. Feel free to contact us again regarding any future data requests.

Sincerely,

Robert J. Cartica Administrator

NHP File No. 19-4007446-16942

c:

Table 1: On Site Data Request Search Results (6 Possible Reports)

Report Name	<u>Included</u>	Number of Pages
1. Possibly on Project Site Based on Search of Natural Heritage Database: Rare Plant Species and Ecological Communities Currently Recorded in the New Jersey Natural Heritage Database	No	0 pages included
2. Natural Heritage Priority Sites On Site	No	0 pages included
3. Rare Wildlife Species or Wildlife Habitat on the Project Site Based on Search of Landscape Project 3.3 Species Based Patches	No	0 pages included
4. Vernal Pool Habitat on the Project Site Based on Search of Landscape Project 3.3	No	0 pages included
5. Rare Wildlife Species or Wildlife Habitat on the Project Site Based on Search of Landscape Project 3.3 Stream Habitat File	No	0 pages included
6. Other Animal Species On the Project Site Based on Additional Species Tracked by Endangered and Nongame Species Program	No	0 pages included

Table 2: Vicinity Data Request Search Results (6 possible reports)

Report Name	<u>Included</u>	Number of Pages
1. Immediate Vicinity of the Project Site Based on Search of Natural Heritage Database: Rare Plant Species and Ecological Communities Currently Recorded in the New Jersey Natural Heritage Database	No	0 pages included
2. Natural Heritage Priority Sites within the Immediate Vicinity	No	0 pages included
3. Rare Wildlife Species or Wildlife Habitat Within the Immediate Vicinity of the Project Site Based on Search of Landscape Project 3.3 Species Based Patches	Yes	1 page(s) included
4. Vernal Pool Habitat In the Immediate Vicinity of Project Site Based on Search of Landscape Project 3.3	Yes	1 page(s) included
5. Rare Wildlife Species or Wildlife Habitat In the Immediate Vicinity of the Project Site Based on Search of Landscape Project 3.3 Stream Habitat File	No	0 pages included
6. Other Animal Species In the Immediate Vicinity of the Project Site Based on Additional Species Tracked by Endangered and Nongame Species Program	No	0 pages included

		Rare W Immediat Lan	Rare Wildlife Species or Wildlife Habitat Within the imediate Vicinity of the Project Site Based on Search of Landscape Project 3.3 Species Based Patches	Idlife Hal ject Site B pecies Ba	oitat Within the sased on Search of sed Patches			
Class	Common Name	Scientific Name	Feature Type	Rank	Rank Federal State Protection Status Protection Status	State Protection Status	Grank	Srank
Aves								
	Great Blue Heron	Ardea herodias	Foraging	2	NA	Special Concern	G5	S3B,S4N
	Great Blue Heron	Ardea herodias	Nesting Colony	2	NA	Special Concern	G5	S3B,S4N
Reptilia								
	Wood Turtle	Glyptemys insculpta Occupied Habitat	Occupied Habitat	3	NA	State Threatened	G3	S2

Vernal Pool Habitat Type

Vernal Pool Habitat ID

1730

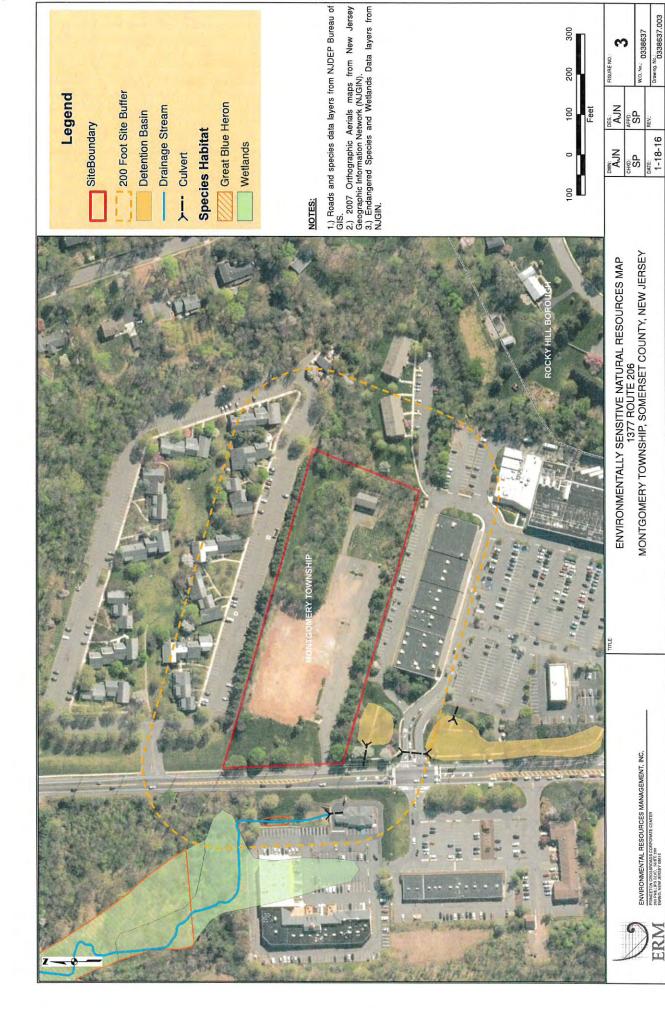
Potential vernal habitat area

Total number of records:

Page 1 of 1

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ATTACHMENT 8 SURFACE WATER FEATURES



ERM has over 160 offices across the following countries and territories worldwide

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