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June 3, 2026

VIA EMAIL & HAND DELIVERY

Town of New Lebanon Planning Board
14755 Route 22
New Lebanon, NY 12125

To: Members of the Planning Board

Re: Proposed Tilden Commons Project – June 2026 Submission

As you know, our firm represents Tilden Project LLC, and its partner Hudson River Housing, Inc. (Applicant), with its efforts to develop the Tilden Commons (Project) at 538 Route 20 New Lebanon, New York 12125 (Tax Map ID 19.2-1-69) in the Town of New Lebanon, New York.

Please see attached submission for the June 2026 Planning Board meeting, which includes the following documents:

- Exhibit A: Responses to Town Designated Engineer's Comments, dated June 3, 2026. The Applicant's responses are included in **BLUE** within the Town Designated Engineer's letter, dated May 20, 2026.
- Exhibit B: Full Environmental Assessment Form Part 1 Supplement, dated June 3, 2026.
- Exhibit C: Sample Management Plan (discussed further below).

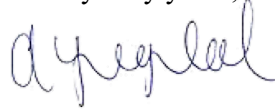
Additionally, during the May 20, 2026 meeting, the Planning Board requested a written explanation of why the Applicant is proposing 41 apartment units. As previously discussed with the Planning Board, including 41 apartments is the smallest scale that makes Tilden Commons financially viable. As demonstrated by the last three years of New York State Homes and Community Renewal's (HCR's) Multifamily Finance 9% Project Awards,¹ the projects with fewer apartments received Phase 2 awards or awards for projects with special needs residents, which are not applicable to the Project. Further, the Planning Board also requested a written explanation of leasing procedures and building management information. Hudson River Housing, Inc. has experience in the management and operation of federally subsidized housing facilities similar to the proposed Tilden Commons. The Applicant is providing a sample management plan as Exhibit C that is similar to what Tilden Commons will use.

With this submission, all outstanding requests from the Planning Board related to its environmental review of the Project pursuant to the State Environmental Quality Review Act (SEQRA) have been satisfied by the Applicant, and the Planning Board may issue its SEQRA determination. The Applicant respectfully requests this determination be issued at the Planning Board's June meeting.

Please contact me with any questions or concerns. We look forward to seeing you at the June 2026 meeting.

¹ 2025 award: <https://hcr.ny.gov/system/files/documents/2026/02/2025-9pct-rfp-project-awards.pdf>
2024 award: <https://hcr.ny.gov/system/files/documents/2025/03/2024-9pct-rfp-project-awards.pdf>
2023 award: <https://hcr.ny.gov/system/files/documents/2024/03/fall-2023-9pct-rfp-awards.pdf>

Very truly yours,



Alicia R. Legland

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Enclosures

cc: Courtney Potter, *Planning Board Clerk*, Town of New Lebanon
Andrew E. Clark, Esq., *Attorney*, Town of New Lebanon Planning Board (*via email*)
Tilden Project LLC (*via email*)

Exhibit A

May 20, 2026

Elizabeth Brutsch
Planning Board Chairperson
Town of New Lebanon
PO Box 328
New Lebanon, NY 12125

Re: TDE Review
Comments from Review of Applicant Materials
Tilden Commons
538 US Route 20
File: 1229.010.001

Dear Chairperson Brutsch,

Barton & Loguidice, D.P.C. (B&L) has completed a sixth-round technical review of revised materials submitted in support of the site plan and special use permit applications for the proposed Tilden Commons project located at 538 US Route 20 in the Town of New Lebanon, as proposed by Tilden Project LLC (Applicant). This review was conducted following B&L's prior comment letters dated August 13, 2025 (Comment Letter #1), September 23, 2025 (Comment Letter #2), December 17, 2026 (Comment Letter #3), and March 10, 2026 (Comment Letter #4), and April 14, 2026 (Comment Letter #5) and focuses on evaluating the Applicant's responses to outstanding comments, revisions to plans and reports, and supplemental materials submitted since the Planning Board's most recent review.

The documents reviewed as part of this sixth-round submission include, but are not limited to, the following:

- Exhibit A: Updated Project Narrative, dated May 6, 2026
- Exhibit B: Updated Engineering Drawings
- Exhibit C: Updated Landscaping Plan, dated May 6, 2026
- Exhibit D: Updated Rendering and an Architectural Context Study (with elevations to scale of nearby buildings), dated May 1 and May 6, 2026, respectively
- Exhibit E: Noise Study regarding the proposed HVAC equipment and emergency generator, with manufacturer cut sheets, dated May 6, 2026
- Exhibit F: Correspondence from the Town Highway Superintendent confirming the road widening on Tilden Road will be outside of the NYS Route 20 Right-of-Way, dated May 6, 2026
- Exhibit G: Responses to Town Designated Engineer's Comments, dated May 6, 2026
- Exhibit H: "No Effect" Letter from New York State Office of Historic Preservation, dated May 20, 2025
- Exhibit I: Email from Fire Chief, dated May 6, 2026

Based on our review of the above-referenced documents and information, we offer the following comments.

Exhibit A – Updated Project Narrative (Comments in Italics are Old & Not Addressed)

1. The narrative references affordability targets and suggests that an anticipated 10 residential units will be reserved for seniors aged 62 and older.

Exhibit B – Updated Engineering Drawings, prepared by Lamont Engineers, dated June 7, 2024, last revised May 6, 2026 (Comments in Italics are Old & Not Addressed):

Sheet C35 – STORMWATER POLLUTION PREVENTION NOTES

1. *The SWPPP notes do not address the performance, limitations, or maintenance of stormwater management practices under winter conditions, including frozen ground, snow storage, snowmelt runoff, and the application of deicing materials. The Applicant shall revise the SWPPP notes to include winter operation and maintenance considerations for all proposed stormwater management practices, consistent with current NYSDEC guidance and the comments provided under Exhibit I.*
 - A SWPPP has not been resubmitted with this submission. Please include with the next submission and ensure comment is addressed.

The updated SWPPP was submitted in April 2026 and has not been modified since. Although the Applicant's engineer, Lamont Engineers, does not believe this addition is required and/or necessary, Lamont Engineers inquired directly with B&L regarding the specific language desired to address this comment. The reviewing engineer at B&L was supposed to check on these details and provide the requisite information. This additional information has not been provided to Lamont Engineers to date.

Sheet C100 – EXISTING CONDITIONS AND DEMOLITION PLAN

1. The erosion and sediment control measures are shown on this plan. Please make a separate erosion and sediment control plan.
It is unclear why this is being requested. Please provide the local zoning code provision or state regulation requiring this modification.
2. Call out the existing well to remain and be protected.
This can be included on the next set of engineering drawings, when required.
3. Show and call out the limit of disturbance on this plan and on the erosion and sediment control plan.
This can be included on the next set of engineering drawings, when required.
4. Please show the construction entrance as 50' length and 12' width as shown in the erosion and sediment control details and add length and width dimensions.
This can be included on the next set of engineering drawings, when required.

5. Only show one construction entrance on the site off Tilden Road instead of U.S. Route 20.
The intent was to minimize construction traffic on US Route 20 and utilize existing entrances. It is unclear why this is being requested. Please provide the local zoning code provision or state regulation requiring this change.
6. Add silt fence around the topsoil stockpile area.
This can be included on the next set of engineering drawings, when required.
7. Silt fence shall be installed parallel to existing contours and should not be shown as being installed over the construction entrance. Also, ensure silt fence is within the limit of disturbance.
This can be included on the next set of engineering drawings, when required.
8. The landscaping plan was revised to remove the two trees to remain. Revise on this plan.
 - It appears that the existing shrubs along the property line of Pierre & Patricia Joseph are to remain. They will likely be disturbed during construction and shall be replaced. This can be included on the next set of engineering drawings, when required.

Sheet C110 – OVERALL SITE PLAN

1. Zoning and Setback Verification

The Site Plan references zoning compliance; however, setback distances from property lines, rights-of-way, and other regulated features are not consistently dimensioned. The Applicant shall dimension all required setbacks on the Site Plan to demonstrate compliance with Town zoning requirements.

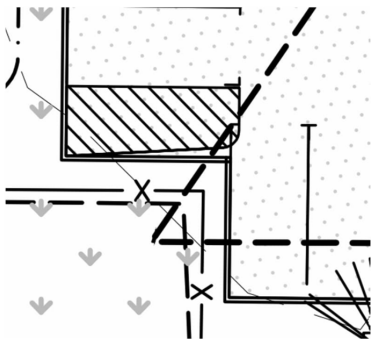
- Per the Town of New Lebanon code 205-7B(9)(c)[2](b), no accessory building shall be set back less than 10' from any lot line. The dumpster/enclosure is within 5' of the property line. Revise. The dumpster and fence are not an accessory building.
 - Also, setbacks should be dimensioned perpendicular to the centerline of the road. It appears that some of the dimensions are not perpendicular, please revise. This can be included on the next set of engineering drawings, when required.
2. Show radii dimensions for all curves on the plan.
It is unclear why this is being requested. Please provide the local zoning code provision or state regulation requiring this level of detail for a planning board review.
 3. The handicap parking spaces shall have ADA signage in front of the handicap spaces and no parking signage in front of the striped spaces.
This can be included on the next set of engineering drawings, when required.
 4. Provide a buffer at the end of the parking lot so the cars in the end parking stalls have sufficient room to back out to leave.

It is unclear why this is being requested. Please provide the local zoning code provision or state regulation requiring this feature.

5. Beneath the title of the overall site plan it states 1"=30' and the graphic scale states 1" = 40'. Please ensure the scale is accurate and that they both match. It appears based on the length of the parking stalls that the graphic scale should show 1"=30'.

This can be included on the next set of engineering drawings, when required.

6. It appears that the two parking spaces shown in the image below are overlapping. Please revise. This can be included on the next set of engineering drawings, when required.



7. It appears there may be landscape boulders along the side of the commercial building near US Route 20, please add a callout for these and include a detail. This can be included on the next set of engineering drawings, when required.

Sheet C111 – DETAILED PLAN VIEW

1. Dumpster Location and Screening

The site plan depicts a dumpster/refuse area; however, screening details are not clearly shown. In accordance with Town of New Lebanon Zoning Code requirements, all refuse and recycling collection areas shall be adequately screened from view. The Applicant shall revise the Site Plan to include fencing and/or vegetative screening for the dumpster area.

- Provide a detail for the dumpster and the fence around the dumpster. Screening and fencing around the dumpster were provided in the Landscaping Plans. It is unclear why a detail for the dumpster is being requested. Please provide the local zoning code provision or state regulation requiring this detail.

Sheet C112 – DETAILED PLAN VIEW

1. Add more dimension labels for the sidewalk since the width changes throughout. It is unclear why this is being requested. Please provide the local zoning code provision or state regulation requiring this level of detail for a planning board review.

2. Label the handicap parking spaces on the plan as 10' wide and the striped no parking spaces as 9' wide.
This can be included on the next set of engineering drawings, when required.
3. Add dimensions on the plan for the length and width of the fire lane no parking area, all drive areas, all sidewalk areas, etc.
It is unclear why this is being requested. Please provide the local zoning code provision or state regulation requiring this level of detail for a planning board review.
4. *The ramp on the northwest side of the building spans from elevation 704.8 to elevation 706.2, however no 705 or 706 contour are shown. Show proposed contours in this area that show how this ramp area ties back into grade or if any walls are proposed.*
 - Still not addressed. 705 and 706 contour lines have been added across the sidewalk but they need to be shown tying into other 705 and 706 contour lines and/or show the TC/BC spot grades for it to make sense. There is still a 704 spot grade east of Tilden road and a 706.2 contour south of it that don't have a 705 and 706 contour between the two. *It is unclear why this is being requested. Please provide the local zoning code provision or state regulation requiring this level of detail for a planning board review.*

Sheet C115 – GRADING & STORMWATER PLAN

1. *Side slopes of stormwater capture, conveyance, and treatment areas shown in 1:20 scale on this sheet appear to have side slopes of 2:1. Side slopes of stormwater capture, conveyance, and treatment practices located at grade should be reduced to no steeper than 3:1 in compliance with the NYSDEC Stormwater Design Manual.*
 - There are still several areas on the site that are graded at a 2:1 slope. Revise slopes to be no steeper than 3:1 as previously requested.
It is unclear why this is being requested. Please provide the regulation section in the NYSDEC Stormwater Manual that is being referenced in this comment.
2. Add top of curb and bottom of curb spot grades at all corners/ends of the curb.
It is unclear why this is being requested. Please provide the local zoning code provision or state regulation requiring this level of detail for a planning board review.
3. Add spot grades at all pavement corners.
It is unclear why this is being requested. Please provide the local zoning code provision or state regulation requiring this level of detail for a planning board review.
4. *A catch basin is placed in the middle of the drive aisle on the eastern side of this plan. Grading appears to pitch downward beyond this catch basin until the curblines to the west. We recommend locating this basin against the curb line at the apparent low point of the drive aisle.*
 - The catch basin has moved, however, the spot grade of 706.7 from the catch basin location in the previous submission in the middle of the road is still there. Please revise. *This can be included on the next set of engineering drawings, when required.*

- Provide an erosion control blanket detail and note on the plans that erosion control blanket shall be provided on all slopes 3:1 or steeper. [This can be included on the next set of engineering drawings, when required.](#)

Sheets C120 – C120A – TURNING RADIUS PLANS

1. *The plans indicate that the Applicant is proposing to widen Tilden Road on both sides of the roadway for an approximate length of 40 feet in the vicinity of the intersection with U.S. Route 20; however, the proposed tie-in to U.S. Route 20 is not clearly depicted. The Applicant shall clearly show and label all proposed improvements, including the full limits of widening, and shall provide detailed curb radius and tie-in geometry demonstrating how the proposed widening transitions into the existing curb along U.S. Route 20.*
 - A. This comment has still not been addressed. Show the proposed pavement sawcut line in U.S. Route 20 for tying the proposed pavement into the existing pavement. Add a callout stating “Proposed pavement shall match existing pavement line and grade.” [The existing “curb” along the DOT road no longer has any reveal at the transition at Tilden Road so this is not a concern, but this can be included on the next set of engineering drawings, when required.](#)

Sheet C130 – NYSDOT ENTRANCE & GENERAL PLAN

1. *Sheets C130–C131 depict the proposed site access connection to NYS Route 20. Review and approval of driveway location, geometry, grading, drainage, and construction within the State highway right-of-way are subject to final review and approval by the New York State Department of Transportation (NYSDOT) and issuance of a Highway Work Permit. No work within the NYS Route 20 right-of-way may occur without NYSDOT approval.*
 - Show the sawcut line on the plan, add a callout stating “proposed pavement shall meet existing line and grade”, provide spot grades at the tie in corners, label the radii, show the demo of the existing curb, etc. [This can be included on the next set of engineering drawings, when required.](#)
2. *While the plans generally depict the proposed entrance configuration, final driveway geometry, curb radii, lane widths, and tie-ins to existing pavement are not fully detailed. The Applicant shall ensure that all entrance design elements are finalized in accordance with NYSDOT standards as part of the Highway Work Permit review process. [This can be included on the next set of engineering drawings, when required.](#)*

Sheet C131 – NYSDOT SITE PLAN & DETAILS

1. *Sheets C130–C131 depict the proposed site access connection to NYS Route 20. Review and approval of driveway location, geometry, grading, drainage, and construction within the State highway right-of-way are subject to final review and*

approval by the New York State Department of Transportation (NYSDOT) and issuance of a Highway Work Permit. No work within the NYS Route 20 right-of-way may occur without NYSDOT approval.

2. *The plans indicate available sight distance for the proposed entrance has been determined. The Applicant shall either graphically depict the required sight distance triangles on the plans or add a note stating that sight distance has been evaluated, verified to meet NYSDOT standards, and identifying who performed the analysis and when it was completed.'*
 - It is acknowledged that the site distances are stated on the plans, however, please show the site distance triangles on the plans. [This can be included on the next set of engineering drawings, when required.](#)

Sheets C155–C156 – SITE DETAILS

1. *Details related to site furnishings, fencing, screening, or enclosures (including dumpster and transformer screening where applicable) are not clearly identified or coordinated with the Site Plan. The Applicant shall provide or reference appropriate details demonstrating how required screening and enclosures will be constructed.*
[This is provided on the Landscaping Plans.](#)
2. Provide a bike rack, landscape boulder (if applicable), and lawn restoration detail. [It is unclear why this is being requested. Please provide the local zoning code provision or state regulation requiring this level of detail for a planning board review.](#)
3. *Cast in Place Concrete Stair Detail should include concrete material specifications and reinforcement details. Per NYS Building Code, a flight of 4 or more risers in series also requires a handrail, a detail for which should be provided.*
 - Please provide a constructible cast in place concrete stair detail. [It is unclear why this is being requested. Please provide the local zoning code provision or state regulation requiring this level of detail for a planning board review.](#)

Sheets C160 – C164 – SEPTIC PLAN AND SANITARY DETAILS

1. *Sheets C160–C164 depict proposed septic and sanitary system details associated with an intermediate wastewater treatment system. Final design, construction, and operation of the proposed system are subject to review and approval by the New York State Department of Environmental Conservation (NYSDEC), including coverage under the State Pollutant Discharge Elimination System (SPDES) General Permit, as applicable.*
2. *The septic and sanitary details shown on these sheets shall be coordinated with NYSDEC requirements and any conditions associated with SPDES permit coverage. The Applicant shall obtain all required NYSDEC approvals and SPDES permit coverage prior to construction of the wastewater treatment system.*

Exhibit C (Sheet L-100 – LANDSCAPE PLAN)

1. *Existing tree to remain shown in parking island is in an area of proposed fill. Grading should be revised in this area to minimize fill over the existing root system as this would adversely affect the long-term health of this tree. If fill cannot be reduced to 3" max. This tree should be marked for removal.*
 - Ensure these changes are also reflected on all of the site plans. There are proposed trees shown on the landscaping plan that are shown as existing on the site plan. There are two trees still called out on the existing conditions plan as existing tree to remain. [This can be included on the next set of engineering drawings, when required.](#)
2. Show all proposed utilities on the landscape plan to ensure no proposed trees are within 10' of any utilities. [This can be included on the next set of engineering drawings, when required.](#)

Water System Engineer's Report (from April 2026 submission – it was not included with this submission) (Comments in Italics are Old & Not Addressed)

1. The Water System Engineer's Report has not been included with this submission. Please include in next submission. [This was included with the April 2026 submission and has not changed.](#)
2. *The report confirms that the proposed development constitutes a regulated community water system subject to New York State Department of Health (NYSDOH) Part 5 requirements and that final approval of the water system is contingent upon completion of outstanding water quality testing, treatment design (if required), and NYSDOH review and approval. The Applicant shall ensure that all plans and narratives accurately reflect the regulatory status of the proposed water system and clearly identify remaining approvals required prior to construction and operation.*
3. *The report describes the proposed wastewater treatment system as an intermediate system subject to NYSDEC review and SPDES permitting. The Applicant shall ensure consistency between the sanitary system description in this report, the SPDES correspondence included as Exhibit D (from the April Submission), and the Project Narrative, and shall avoid implying that regulatory approvals have been granted prior to permit issuance.*
4. Based on the Water System Engineer's Report submitted by the Applicant, unresolved compliance and operational concerns remain associated with the proposed community public water supply system, including source protection, separation distances, system capacity, and fire protection coordination. The report states that the proposed development will constitute a regulated community water system subject to NYSDOH Part 5 requirements and further states that "there would be no location on this property able to meet the 200' well control area as suggested by the DOH requirements." Based

on the plans submitted, the proposed public water supply well appears to be located approximately 56 feet from the property line and approximately 156 feet from components of the proposed onsite wastewater treatment system.

The submitted report estimates an average daily water demand of approximately 8,710 gallons per day (gpd) and a maximum daily demand of approximately 13,065 gpd for the proposed 41-unit mixed-use development. The report further states that the existing well demonstrated a sustained yield of approximately 13 gallons per minute (gpm) during a 72-hour pump test and that the domestic water system is proposed to be designed for a peak fixture demand of approximately 101 gpm. In addition, the project proposes a separate 30,000-gallon underground fire protection storage tank intended to supply approximately 500 gpm for 60 minutes through a fire pump system.

While the submitted materials conclude that the proposed well yield is sufficient for the development, the submission does not include written confirmation from NYSDOH or Columbia County DOH indicating that the proposed well location, separation distances, source protection measures, water quality, long-term sustainable yield, and overall public water supply system configuration are acceptable for permitting purposes under NYSDOH Part 5 requirements. The Applicant's engineer references additional hydrogeologic evaluation and potential consideration of the well's cone of influence relative to setback limitations; however, no formal agency determination accepting this approach has been provided.

Additionally, based on the materials submitted, it is not fully clear how domestic demand, peak demand conditions, emergency conditions, and fire protection demands will be coordinated to ensure reliable long-term operation of the community water system without adverse impacts to water quality, pressure, neighboring wells, or overall system reliability. The Applicant should provide formal written documentation from NYSDOH and/or Columbia County DOH confirming that the proposed public water supply system is acceptable for permitting purposes, including compliance with applicable separation distance and source protection requirements, confirmation of sustainable long-term yield and water quality, and coordination of domestic and fire protection water supply requirements prior to final approval and construction.

The Water System Report and Hydrogeological Report were submitted in April 2026 and have not changed since that submission. Together, they show that there is a restrictive 50-foot layer of clay above the bedrock and aquifer that serve our well and surrounding wells, so securing a variance should be viable. We reached out to Sean Howard, explained the Planning Board's request, and have not heard back. As previously noted to the Planning Board, the DOH will not issue any formal determination until the Planning Board completes its SEQRA process and may not issue any informal communications at all regarding same. But if the Applicant receives any such communications with DOH, the Applicant will provide it to the Planning Board.

5. The submission does not clearly identify the long-term owner/operator responsible for operation, maintenance, monitoring, sampling, reporting, emergency response, and regulatory compliance associated with the proposed community water system and intermediate wastewater treatment system. The application materials do not clearly identify the entity responsible for ongoing operation of the proposed water treatment equipment, booster pumps, UV disinfection systems, wastewater treatment equipment, alarm systems, monitoring requirements, emergency response procedures, or long-term regulatory compliance obligations associated with the proposed utility systems. The Applicant shall provide additional information regarding long-term ownership, operational responsibility, maintenance obligations, and emergency response procedures for all proposed utility and treatment systems.

[It is unclear why this is being requested. Please provide the local zoning code provision or state regulation requiring this level of detail for a planning board review.](#)

6. The submission includes a proposed emergency generator; however, the submitted materials do not clearly identify emergency power provisions, redundancy measures, or demonstrate that the proposed generator has been properly sized to support all critical building, life safety, water supply, wastewater treatment, treatment system, alarm, and fire protection loads during emergency operating conditions. The submitted materials do not include generator sizing calculations, connected load analysis, transfer switch information, fuel storage duration, system redundancy details, or identification of which systems and equipment will remain operational during utility interruptions. Given that the proposed development relies on multiple utility-dependent systems, including booster pumps, UV disinfection equipment, wastewater treatment equipment, controls, alarms, and fire protection infrastructure, the Applicant shall provide additional information demonstrating that the proposed generator capacity and emergency power configuration are adequate to support all critical systems necessary for continued operation of the proposed community water supply system, wastewater treatment system, fire protection system, emergency lighting, alarms, and other required life safety systems during power outage conditions.

[It is unclear why this is being requested. Please provide the local zoning code provision or state regulation requiring this level of detail for a planning board review.](#)

Stormwater Pollution Prevention Plan (SWPPP) (from April 2026 submission – it was not included with this submission) (Comments in Italics are Old & Not Addressed)

1. The SWPPP has not been included with this submission. Please include in next Submission. [The updated SWPPP was included in the April 2026 submission and has not changed.](#)
2. *Exhibit G (from April submission) includes an Updated Stormwater Pollution Prevention Plan (SWPPP) prepared by Lamont Engineers for the proposed development. While the*

SWPPP has been revised since prior submissions, several technical deficiencies and inconsistencies identified in earlier reviews have not been fully resolved. It is unclear what this is referring to.

- 3. The SWPPP does not clearly demonstrate that adequate pretreatment is provided for runoff entering the proposed infiltration and bioretention practices, particularly from paved and parking areas. The plans and calculations do not quantify pretreatment volumes, sediment capture capacity, or compliance with NYSDEC Stormwater Management Design Manual pretreatment requirements. The Applicant shall clearly identify all pretreatment measures serving each practice, demonstrate that pretreatment is appropriately sized for the contributing drainage areas, and revise the SWPPP and modeling as necessary to confirm compliance. The Applicant's engineers believe they have provided adequate pretreatment in the current designs. Please elaborate.*

**Traffic Assessment Report (from April 2026 submission – it was not included with this submission), prepared by Creighton Manning Engineering & Surveying, PLLC.
(Comments in Italics are Old & Not Addressed)**

- 1. The Traffic Assessment Report has not been included with this submission. Please include in next submission. The Traffic Assessment Report was included in previous submissions and has not changed.*
- 2. Available storage length for the US Route 20/Tilden Road eastbound direction of 100 ft., as identified in Table 6 – 95th Percentile Queueing Summary, should be revised to account for the future mid-block crossing refuge island depicted in Aerial 1 of Section 2.0. The storage space appears like it could accommodate approximately 1 vehicle (25 ft.). Are there any concerns with left turning vehicles, from US Route 20 to Tilden Lane, departing the eastbound traffic stream with no space to decelerate in the two-way left turn lane? The proposed condition has the potential to contribute to rear-end type vehicle crashes. What is the status of the future mid-block crossing implementation (assumed by others), specifically, can its positioning be adjusted farther east or west on US Route 20? The future mid-block crossing has not yet been designed. The Applicant previously submitted comments from Creighton Manning that the design of the crossing will be coordinated to ensure that it does not pose any safety issues.*
- 3. The plans do not adequately address how site access and turning movements interact with the proposed mid-block pedestrian crossing on US Route 20 located near the Tilden Road intersection. While the crossing does not appear to accommodate large right-turning vehicle movements from Tilden Road to US Route 20, its proximity may affect vehicle queueing and operational safety. The Applicant shall coordinate the site circulation design with planned pedestrian improvements and confirm that access, turning movements, and queueing conditions function safely and consistently with NYSDOT requirements.*

[See immediately above.](#)

While the Applicant has continued to revise portions of the project design in response to prior comments, significant technical, operational, and regulatory issues remain unresolved across multiple disciplines, including stormwater management, wastewater treatment, public water supply, site circulation, utility coordination, and agency permitting. Additional revisions, supporting analyses, agency determinations, and inter-agency coordination remain necessary before the project can be fully evaluated for compliance with applicable engineering standards, regulatory requirements, and long-term operational feasibility.

If you have any questions, please feel free to contact our office.

Sincerely,
BARTON & LOGUIDICE, D.P.C.
Christian Bertram, P.E.
Senior Managing Engineer

Exhibit B

Alicia R. Legland, Esq.
Direct Dial: 518.433.2416
alegland@hodgsonruss.com



June 3, 2026

VIA EMAIL & HAND DELIVERY

Town of New Lebanon Planning Board
14755 Route 22
New Lebanon, NY 12125

Re: Tilden Commons – SEQRA FEAF Supplement

To: Members of the Planning Board

Our firm represents Tilden Project LLC (Applicant) in connection with its efforts to develop Tilden Commons (the Project) on Route 20 in the Town of New Lebanon (Town). The purpose of this letter is to notify the Town of New Lebanon Planning Board (Planning Board) of the amendments to the State Environmental Quality Review Act (SEQRA) forms and to briefly supplement the Full Environmental Assessment Form (FEAF) Part 1 accordingly.

On April 24, 2026, the New York State Department of Environmental Conservation (DEC) adopted amendments to the SEQRA regulations (6 NYCRR Part 617), which will become effective on June 12, 2026. The DEC primarily made changes to the Environmental Assessment Forms (EAFs) to augment review of environmental justice in the SEQRA process as required by the State’s Environmental Justice Siting Law and climate and air impacts to better implement the Community Risk and Resiliency Act. There were also some housekeeping changes and corrections of grammatical errors to the regulations and EAFs.

Although the changes to the EAF forms do not impact the SEQRA process for the Project—because the Project will not result in impacts to Disadvantaged Communities (DACs) (as there are none in the vicinity), significant air impacts requiring state-level permitting, or climate change impacts—to ensure the thoroughness and completeness of the Planning Board’s SEQRA process, the Applicant provides this supplement to the FEAF Part 1. The Applicant has only provided new or restated answers to the new or revised questions in the FEAF Part 1 supplement (*i.e.*, Questions, C.2.d, D.2.g, E4, and E5), which are highlighted for ease of reference. All remaining responses remain unchanged from the Project’s original FEAF Part 1 form.

As for the Planning Board’s FEAF Part 2 form, the only relevant changes include the additions of Items 19 and 20. The additional sub-questions added to Items 5 and 6 do not require further review by the Planning Board for this Project as those items were checked “No” by the Planning Board. Further, Item 19 would be checked “No” as the Project site is not located in or anywhere near a Disadvantaged Community pursuant to the DEC’s Disadvantaged Community

Assessment Tool.¹ Item 20 would also be checked “No” as the Project will not be vulnerable to future physical climate risks (e.g., from increased flooding or sea level rise) as the Project site is not in the a designated Floodway, 100-year Floodplain, or 500-year Floodplain nor is the Project site near any coast. The Project will similarly not increase vulnerability for future physical climate risks as such risks do not exist in the area (e.g., flooding and sea level rise) and the proposed building will be constructed with high-efficiency equipment, sophisticated water and wastewater systems, and will fully mitigate any potential stormwater impacts by following and implementing the measures in the DEC Stormwater Design Manual and NYSDEC Standards and Specifications for Erosion and Sediment Control and the Project’s approved Stormwater Pollution Prevention Plan (SWPPP). As such, the only changes required to the Planning Board’s current FEAF Part 2 form for this Project is to check “No” for the newly added Items 19 and 20.

Please contact me with any questions or concerns.

Very truly yours,



Alicia R. Legland

ARL

Enclosure

cc: Courtney Potter, *Planning Board Clerk*, Town of New Lebanon (*via email*)
Andrew E. Clark, Esq., *Planning Board Attorney*, Town of New Lebanon (*via email*)
Tilden Project LLC (*via email*)

¹ See N.Y.S DEP’T OF ENVTL. CONSERV., *Disadvantaged Community Assessment Tool* (last accessed June 3, 2026), <https://storymaps.arcgis.com/stories/7f0ffdde675e4e3788632c1b4cce6c0a>.

**Full Environmental Assessment Form
Part 1 - Project and Setting**

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies that would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No.” If the answer to the initial question is “Yes,” complete the following sub-questions. If the answer to the initial question is “No,” proceed to the next question. Section F allows the project sponsor to identify and attach additional information. Section G requires the name and signature of the applicant or project sponsor to verify the information in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Tilden Commons		
Project Location (describe and attach a general location map): 538 US-20, Town of New Lebanon, Columbia County, NY		
Brief Description of Proposed Action (include purpose or need): 		
Name of Applicant/Sponsor:		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input type="checkbox"/> No		
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
<p>i. Coastal Resources.</p> <p><i>i.</i> Is the project site within a Coastal Area or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>ii.</i> Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>iii.</i> Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>		

C. Planning and Zoning

C.1. Planning and zoning actions.	
<p>Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule, or regulation be the only approval(s) that must be granted to enable the proposed action to proceed? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <ul style="list-style-type: none"> If Yes, complete sections C, F and G. If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 	
C.2. Adopted land use plans.	
<p>a. Do any municipally adopted (city, town, village, or county) comprehensive land use plan(s) include the site where the proposed action would be located? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, identify the plan(s):</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan or an adopted municipal farmland protection plan? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, identify the plan(s):</p> <p>_____</p> <p>_____</p> <p>_____</p>	

d. Is the proposed action in a municipality with an adopted comprehensive or individual plan that addresses climate change? Yes No

If yes, identify the elements of the plan that are relevant to the action:

The Town adopted a Climate Action Plan for Government Operations which does not apply to private projects.

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
If Yes, what is the zoning classification(s) including any applicable overlay district?

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No
If Yes, What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? _____

b. What police or other public protection forces serve the project site?

c. Which fire protection and emergency medical services serve the project site?

d. What parks serve the project site?

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

b. a. Total acreage of the site of the proposed action? _____ acres

b. Total acreage to be physically disturbed? _____ acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? Yes No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? Yes No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? Yes No

i. If No, anticipated period of construction: _____ months

ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? Yes No

If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No

If Yes,

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length

iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No

If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source. _____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) Yes No

If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

iv. Will there be onsite dewatering or processing of excavated materials? Yes No

If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? Yes No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g., excavation, fill, placement of structures, or alteration of channels, banks, and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? Yes No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No

If Yes:

- i. Total anticipated liquid waste generation per day: _____ gallons/day
- ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

- Do existing sewer lines serve the project site? Yes No
- Will a line extension within an existing district be necessary to serve the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e., sheet flow) during construction or post construction? Yes No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or _____ acres (impervious surface)

_____ Square feet or _____ acres (parcel size)

ii. Describe types of new point sources. _____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water, or off-site surface waters)?

• If to surface waters, identify receiving water bodies or wetlands: _____

• Will stormwater runoff flow to adjacent properties? Yes No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

iii. Stationary sources during operations (e.g., process emissions, boilers, electric generation, surface coating)

g. Will any air emission sources named in D.2.f (above), require an Air Facility Registration, Air State Facility Permit, Title IV Permit or Title V Permit? Yes No

If Yes:

i. Is the proposed action subject to the Nonattainment New Source Review or Prevention of Significant Deterioration requirements discussed in 6 NYCRR Part 231? Yes No

ii. As calculated in the air permit application, the proposed action has the potential to emit:

- _____ Tons/year (short tons) of carbon monoxide (CO)
- _____ Tons/year (short tons) of oxides of nitrogen (NOx)
- _____ Tons/year (short tons) of particulate matter (PM-10, PM-2.5)
- _____ Tons/year (short tons) of volatile organic compounds (VOC)
- _____ Tons/year (short tons) of sulfur dioxide (SO₂)

iii. Will emissions of air contaminants from the proposed action described above exceed the corresponding major source thresholds? Yes No

iv. Does the proposed action have the potential to emit 10 tons/year or more of any one designated hazardous air pollutant or 25 tons/year or more of any combination of such hazardous air pollutants (6 NYCRR 200.1(ag))? Yes No

If Yes, provide the total potential to emit hazardous air pollutants in short tons/year: _____

h. Will the proposed action generate or emit annual direct and indirect greenhouse gas emissions, such as carbon dioxide, methane, nitrous oxide, sulfur hexafluoride, hydrofluorocarbons, or perfluorocarbons in excess of 10,000 metric tons of total carbon dioxide equivalents per year at any point in the lifetime of the proposed action (estimated using the carbon dioxide equivalent definition and global warming potentials provided in 6 NYCRR Part 496)? Yes No

If Yes:

i. Estimate the proposed action's metric tons of carbon dioxide equivalents in tons/year (metric): _____

ii. Describe any greenhouse gas capture, control, or elimination measures included in project design: _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? Yes No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional energy demand? Yes No
 If Yes:
 i. Estimate annual electricity demand during operation of the proposed action: _____

 ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____

 iii. Will the proposed action require a new, or an upgrade, to an existing substation? Yes No

l. Hours of operation. Answer all items which apply.
 i. During Construction:
 • Monday - Friday: _____
 • Saturday: _____
 • Sunday: _____
 • Holidays: _____
 ii. During Operations:
 • Monday - Friday: _____
 • Saturday: _____
 • Sunday: _____
 • Holidays: _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No
 If yes:
 i. Provide details including sources, time of day and duration: _____

 ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
 Describe: _____

n. Will the proposed action have outdoor lighting? Yes No
 If yes:
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: _____

 ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
 Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No
 If Yes:
 i. Product(s) to be stored _____
 ii. Volume(s) _____ per unit time _____ (e.g., month, year)
 iii. Generally, describe the proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No
 If Yes:
 i. Describe proposed treatment(s):

 ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____
- Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____
- Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled, or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling, or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- Urban
 Industrial
 Commercial
 Residential (suburban)
 Rural (non-farm)
 Forest
 Agriculture
 Aquatic
 Other (specify): _____

ii. If mix of uses, generally describe:

b. Land uses and cover types on the project site.

Land use or Cover type	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
<ul style="list-style-type: none"> • Roads, buildings, and other paved or impervious surfaces (total) <ul style="list-style-type: none"> • Industrial or manufacturing • Commercial • Residential 			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse, etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth, or fill)			
• Other, Describe: _____			

c. Is the project site presently used by members of the community for public recreation? Yes No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
If Yes,
i. Identify facilities:

e. Does the project site contain an existing dam? Yes No
If Yes:
i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection:

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property that is now, or was at one time, used as a solid waste management facility? Yes No
If Yes:
i. Has the facility been formally closed? Yes No

- If Yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
If Yes, provide DEC ID number(s): _____
iv. If Yes to (i), (ii) or (iii) above, describe current status of site(s):

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If Yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site: _____ %
 _____ %
 _____ %

d. What is the average depth to the water table on the project site? Average: _____ feet

e. Drainage status of project site soils: Well Drained: _____ % of site
 Moderately Well Drained: _____ % of site
 Poorly Drained: _____ % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ % of site
 10-15%: _____ % of site
 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds, or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
 If Yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100-year Floodplain? Yes No

k. Is the project site in the 500-year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:

i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site: _____

n. Does the project site contain a designated significant natural community? Yes No
 If Yes:
 i. Describe the habitat/community (composition, function, and basis for designation): _____

 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:
 • Currently: _____ acres
 • Following completion of project as proposed: _____ acres
 • Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? Yes No
 If Yes:
 i. Species and listing (endangered or threatened): _____

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? Yes No
 If Yes:
 i. Species and listing: _____

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes No
 If Yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
 If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? Yes No
 i. If Yes: acreage(s) on project site? _____
 ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No
 If Yes:
 i. Nature of the natural landmark: Biological Community Geological Feature
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? Yes No
 If Yes:
 i. CEA name: _____
 ii. Basis for designation: _____
 iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NY State Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? Yes No

If Yes:

i. Nature of historic/archaeological resource: Archaeological Site Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based: _____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the New York State Historic Preservation Office (SHPO) archaeological site inventory? Yes No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? Yes No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic, or aesthetic resource? Yes No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail, or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? Yes No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? Yes No

E.4. Disadvantaged Communities Designated Pursuant to ECL Article 75

- a. Is the project located within, or within 1/2-mile of, a disadvantaged community? Yes No
- If No, could impacts (see examples below in E.4.b) from the project affect a disadvantaged community? Yes No

If Yes to either question in E.4.a, answer the remaining questions in this section.

- b. Will there be direct or indirect impacts that may affect a disadvantaged community, such as those listed below? Yes No
- i. new noise sources or expansions/modification of existing noise sources;
 - noise from operational sources
 - noise from construction activities
 - ii. emissions of air pollutants, including mobile emissions;
 - iii. wastewater discharges;
 - iv. generation of odors;
 - v. light pollution;
 - vi. new or modified radiation sources;
 - vii. new or modified sources of solid waste generation, management, or disposal.

If Yes, describe the impacts: _____

- c. Do any of the state agency approvals identified in question B.g include any of the following DEC permits?

State Pollutant Discharge Elimination System (SPDES)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Solid Waste Management Facility	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Hazardous Waste Management Facility	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Air Pollution Control (Title V or Air State Facility)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Water Withdrawal over 20 MGD for Cooling Water	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Waste Transporter	<input type="checkbox"/> Yes	<input type="checkbox"/> No

E.5 Future Physical Climate Risks

Will the proposed action be vulnerable to the following future physical climate risks under current or projected future conditions:

- a. Is the proposed action vulnerable to damage from a projected 100-year flood? Yes No
- b. Is the proposed action vulnerable to damage from a projected 500-year flood? Yes No
- c. Is the proposed action in an area potentially affected by sea level rise? Yes No
- d. Will the proposed action increase the vulnerability of human or ecological communities to the following:
 - i. drought? Yes No
 - ii. temperature extremes (hot or cold)? Yes No
 - iii. extreme storms, including high winds? Yes No
 - iv. landslides? Yes No
 - v. coastal erosion? Yes No
 - vi. stormwater flooding? Yes No
 - vii. other climate or weather hazards? Yes No. If Yes, describe: _____

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Joshua Young Date June 3, 2026

Signature  Title Managing Member

PRINT FORM

Exhibit C

MANAGEMENT PLAN

For

Falkkill Commons on Rose
17 & 18 Rose Street
Poughkeepsie, New York

BY

Hudson River Housing, Inc.

Christa Hines, Executive Director

TEL: (845) 454-5176

FAX: (845) 485-1641

SECTION I - PROJECT INFORMATION

Provided herewith is the proposed Management Plan (the “Plan”) for the affordable project (the “Project”) to be known as:

Name: Fallkill Commons on Rose

Address: 17 & 18 Rose Street
Poughkeepsie, New York

Type of Structure: Building 1: 4 stories with 54 units
Building 2: 3 stories with 24 units

Number of dwelling units: 78

Number of commercial units: 0

This Plan, dated this 1st day of August, 2018 is intended to set forth the relationship between Fallkill Commons Limited Partnership (the “Owner”), and Hudson River Housing, Inc. (the “Agent”) and to define the responsibilities of the Agent in the conduct of business affairs of the Project.

In addition, this Plan intends to outline a definite program of action to assure:

1. A well-managed, economically maintained and financially viable project.
2. A pleasant, healthy, and secure living environment for the residents.
3. A sound relationship between tenants and management.
4. A harmonious integration of the Project into the surrounding community through developing positive interactions among Project employees, residents and neighbors.

SECTION II - OWNER/MANAGEMENT AGENCY RELATIONSHIP

Fallkill Commons Limited Partnership is the beneficial owner of the Project. The Owner is prepared to employ the Agent to handle the daily property management of the Project. Agent has experience in the management and operation of federally subsidized housing facilities for low and moderate-income families, and for elderly and handicapped persons. Agent is dedicated to the principle that every family and person is entitled to a decent home with equal opportunity without regard to race, sex, color, or national origin, or economic circumstances. It is proposed that the Owner agree to the delegation of authority for management of the Project to the Agent. The Agent would be charged with specific performance in accordance with this Plan and will, by means of periodic budgets, financial statements, status reports, and personal conferences, advise the Owner on the operation of the Project.

The Agent will enter into a Management Agreement (the “Management Agreement”) approved by the Owner and will be paid a fee for its services.

The Management Agreement will provide detailed responsibilities which the Agent will assume and perform with all diligence. More specifically, the Agent will function as follows:

- A. The Agent will prepare an operating schedule, set job standards and wage rates previously approved by the Owner; investigate, hire, pay, supervise, and discharge all Project personnel necessary to properly maintain and operate the Project.
- B. The Agent will maintain the Project in accordance with the highest standards achievable and consistent with the plans agreed on by the Owner and in compliance with the requirements of HCR. These maintenance items will include, but not be limited to, exterior and interior cleaning, painting, decorating, plumbing, steam fitting, carpentry, and other normal maintenance and repair work sufficient to maintain the Project in first class condition.

The Agent will secure Owner approval for any one item of repair or replacement if the required expenditure exceeds \$15,000 unless specifically authorized to spend more than that amount by the Owner. Exceptions should be cases where the prolonging of emergency repairs could endanger life, property, or the welfare of the residents or any other person.

Maintenance of the physical appearance of the Project is critical both in assuring the longevity of the building and in encouraging residents to take pride in their surroundings, and do their share to preserve the quality of the Project.

All apartments will be inspected by management prior to occupancy. Before a resident moves in, he/she will check the apartment with management. After they are occupied, semiannual inspections will be conducted. Residents will be notified in advance of the approximate period during which management will be conducting inspections. The purpose of this semiannual inspection policy is to discover problem areas and have repairs made before reaching a serious stage, and to aid management through viewing the resident's care of his or her apartment, in determining whether remedial action should be taken, such as counseling the resident. Although these official inspections will be conducted semi-annually, all personnel will be notified to check for signs of abuse or neglect when entering an apartment for a service call or other purposes. It will be stressed to the residents to report problems as they occur. A copy of both the move-in and semi-annual inspection reports will be given to the resident and a copy will be maintained in the resident's file.

When a repair in an occupied unit is required, the resident will call the office. A work order will be filled out in order to have the repairs completed. If the repair is of a nature that it must be completed by an outside contractor, the resident will be contacted and informed of the arrangements that have been made for repairs.

If the repairs can be done by the on-site personnel, the resident will be provided a copy of the work order or a copy will be left in the resident's apartment stating the work that was accomplished. Whenever possible, the residents' signature will be secured on the completed work order.

Records will be maintained in each resident's file concerning the repairs requested and the corrective action taken. The Agent will be responsible for preparing and submitting to the Agent, a monthly report summarizing the Project's operations and a general discussion of the Project's operations in comparison with the annual budget. This report will also include suggestions for improvements in the Project operation and management procedures.

- C. The Agent will collect all rents due from residents and lessees and all monies due from concessionaires.
- D. The Agent will furnish the Owner an itemized list of all rents and other income received each month on a quarterly basis before the fifteenth (15th) day following each quarter.
- E. The Agent will render to the Owner a quarterly report on rental activity. That report will document leasing activity, occupancy and details of vacancy. Initially, advertising will be necessary; newspapers will be used on days which optimize circulation to our markets. Newspapers will be further supplemented by signage and brochures and subject to Fair Housing and Affirmative Marketing standards. Cable TV will also be a viable option for advertising. Where conflicts may arise between the wording contained herein and that of the approved Affirmative Fair Housing Marketing Plan for the Project ("AFHMP"), the provisions of the AFHMP will prevail.
- F. The Agent will maintain a computerized chronological file of applicants and update daily, to minimize the time between the departure of an old resident and arrival of a new one. Where conflicts may arise between the wording contained herein and that of the approved AFHMP, the provisions of the AFHMP will prevail.
- G. The Agent will prepare an annual operating budget and will receive the approval of the Owner annually no later than November 1st of each year. Quarterly thereafter, the Agent will furnish to the Owner a statement of all receipts and disbursements for the prior months. The Agent will prepare a quarterly report which will be accompanied by a brief status summary of the operation, including the problems, resident complaints, and abnormal operating conditions reported during that month. The operating budget will be submitted to DHCR no later than three (3) months prior to the start of the project's fiscal year.
- H. The Agent will maintain a comprehensive set of accounting records.

- I. The Agent will maintain a separate bank account as a general operating account under the name of “The Fallkill Commons on Rose General Operating Account”. The funds in this account will be used for the payment of all Project expenses including mortgage payments, escrows, administrative expenses, operational expenses, maintenance expenses and other expenditures. All deposits from rental and other income will be placed in this account for disbursements to various vendors. All checks against this account will be written from the central office of the Agent. A separate account under the name of “The Fallkill Commons on Rose Real Estate Tax and Insurance Escrow Account” for payment of real estate taxes and insurance.
- J. The Agent will investigate and make a full written report of all personal accidents relating to the operation of the Project, and will cooperate with the insurance carriers to facilitate any claim handling that may be required from time to time. Should significant social disorder develop on site, the Agent will secure Owner approval for a plan of action.
- K. All expenses incurred by the Agent for work related to lease-up and rent collection will be paid from the Agent’s fee. The Agent shall be reimbursed by the Project for expenses incurred by the Agent to maintain and clean the Project’s building and grounds.

Expenses paid for by the Project and not borne by the Agent are:

- 1. Cost of any apartment or apartments for on-site staff, if applicable.
 - 2. Legal and auditing expenses, and finance and accounting materials and services.
 - 3. Cost of preparing annual financial reports to HCR, and tax information for the Owner.
 - 4. Cost of fidelity bonds, delinquency notices, evictions.
 - 5. Credit checks, home visits, etc., if applicable.
- L. HRH’s Senior Property Manager, is the key contact person for the Agent, who acts on behalf of the Owner and is subject to the approval and control of the Owner.

SECTION III - PERSONNEL POLICY AND STAFFING REQUIREMENTS

The Agent will comply with the Federal Executive Order 11246 for Equal Opportunity Employment and any amendments to said order. All hiring will be in conformance with the equal employment opportunity requirements of federal, state, and local laws and administrative policies and regulations as they apply to management of a residential development.

The Agent, acting on the Owner’s behalf and subject to the Owner’s approval and control, will give priority to qualified residents and then to members of the local/surrounding community in the

hiring of all personnel, and will make available all pertinent information such as qualification, remuneration, application procedures, etc. Such information will be posted for the benefit of all residents.

The Property Manager and staff will be trained by the Agent, who is qualified by both experience and education to do so. Project personnel will be encouraged to take management courses sponsored by local vocational schools and colleges, the Real Estate Board, the Institute of Real Estate Management, and the National Center for Housing Management, when available, and will be required to attend and successfully complete training courses conducted by the Agent.

Fringe benefits for each employee will be consistent with similar employment in the industry. Employees will be encouraged to discuss all work-related problems or grievances with the Agent, acting on the Owner's behalf, and subject to the Owner's approval and control.

Employment, termination of employment and promotions of on-site personnel will be handled directly by the Agent, who is acting on the Owner's behalf and is subject to the Owner's approval and control, conforming at all times with equal opportunity and affirmative action goals and requirements.

Within the described staffing program, the Property Manager will have authority and responsibility for the organizing and directing the work of all on-site employees and will report to the Agent through the Property Manager representing the Agent, who is acting on behalf of the Owner and is subject to his approval and control.

SECTION IV - PLANS AND PROCEDURES FOR MARKETING

Advertising, as may be required, will be placed in newspapers of general and local circulation not less than three (3) months prior to the availability of the units. All advertising will be placed regularly until rent-up. The marketing of the units will utilize media advertising specified in the approved AFHMP attached hereto as Exhibit "E". The Agent will be primarily responsible for the marketing of the Project, with the assistance of HRH.

Reasonable efforts will be made to complete a model unit in an accessible location within the Project as early as possible. Eligible and prospective tenants will be advised of the times when the model will be open for inspection. Every effort will be made to enable a prospective tenant to view the specific unit to be occupied prior to the execution of a lease. However, if safety and convenience do not permit such inspection, the tenant will be notified of the earliest date for viewing the unit. In every instance, each tenant will inspect the unit prior to occupancy.

In terms of tenant relations, the Agent will be responsible for the selection and interview process for the Project. In terms of orientation services, the Agent will provide such services and will work with each individual tenant starting with lease execution, prior to occupancy.

Upon move-in, the Property Manager will meet with each individual tenant and provide him or her with a tour of the Project, operating instructions for any appliances or equipment in their apartment, and a review of community services available nearby.

It is important to point out that all apartments are inspected and signed off by the Property Manager and either the arriving tenant or departing tenant. Records of these inspections are maintained at the Project.

The Agent through the Property Manager will try to determine as early as possible whether or not a tenant will be renewing their lease. Once the Agent has determined an apartment will be becoming vacant, that apartment is immediately listed as available. That potential vacancy is to be filled either through an existing waiting list, by notification to housing or social service agencies, or by advertising in local papers.

The Agent will maintain regular hours when the Property Manager will be available on site to show any apartment which may become available. The hours of operation will be as follows: Monday - Friday 9:00 a.m. – 2:00 p.m. During initial rent up Saturday and Sunday hours will be available.

Where conflicts may arise between the wording contained herein and that of the approved AFHMP, the provisions of the AFHMP will prevail.

SECTION V - RESIDENT ELIGIBILITY AND OCCUPANCY PROCEDURES

Resident selection is an important facet of the management function and will receive special attention at Fallkill Commons on Rose. Resident selection criteria (“Resident Selection Criteria”) is included in this Plan as Exhibit “D” which provides all necessary detail pertaining to the admissions and occupancy policies of Fallkill Commons on Rose, including a specific screening process, income requirements, etc.

The Property Manager’s selection of residents is subject to periodic review by the Agent. The Property Manager will be well trained in eligibility requirements, family composition criteria, unit size selection processes and certification and recertification procedures.

Procedures to be observed by the Agent are as follows:

- A. The Agent will require formal applications together with the required verifications of age, employment, and income and other supporting documents necessary for each applicant.
- B. Applications and supporting documentation will be accepted on the appropriate application form, and applications will be checked for eligibility determination by the Agent, including the verification of past credit references and prior landlord verification of eligible applicants. Applicants will be processed in accordance with Fallkill Commons on Rose approved Resident Selection Criteria.

- C. Inspection of each dwelling unit by the Agent and the new resident will be scheduled, and a checklist of the unit's condition will be signed by the Agent and the resident upon occupancy. Instructions will be provided to the resident for maintaining the unit.
- D. As residents are accepted for occupancy, the Agent will conduct an orientation session with each resident. That meeting will include dialogue with the resident(s) regarding their interests and expectations with respect to community life on site.
- E. The unit size will be selected based on household composition and size as follows:
 - 1 - 1 person 0 Bedroom
 - 2 - 2 persons 1 Bedrooms
- F. All provisions of the rental agreement will be explained thoroughly prior to the time the agreement is signed, and each resident will be provided with an original copy of the agreement for the resident's permanent records.
- G. The resident will be required to pay the first month's rent in advance.

The Owner will require the resident to pay a security deposit equal to one month's rent at initial occupancy. This deposit will be paid by the resident upon acceptance of the lease, and the deposit will be held in a separate depository approved by the US Government on behalf of the resident in an interest-bearing account, which interest shall be credited to the resident according to the resident's share of the total amount of the deposit.

SECTION VI - MAINTENANCE AND REPAIR PROGRAM

The following maintenance functions will be carried out by the Agent through the on-site staff:

- A. Scheduled maintenance and repair for installed equipment in accordance with manufacturer's recommendations and the requirements of equipment operating manuals.
- B. Routine repairs to kitchen appliances, electrical, plumbing, heating and cooling apparatus, and various other maintenance requirements.
- C. Preventive maintenance inspections to regularly and consistently ascertain the condition of each unit in the community. Maintenance problems discovered during this inspection will be repaired at the earliest possible time. Housekeeping problems will be addressed accordingly.
- D. All emergency repairs or replacements regardless of the time they occur. Outside contractors will be called in when necessary.

- E. Exterior painting as required. Interiors of individual units will be redecorated on a three-year schedule, or as occupancy changes, or as the Agent may otherwise deem it necessary.
- F. Maintenance of grounds/landscaping and snow removal in all areas.
- G. Common areas, such as hallways and laundry rooms, will be swept and cleaned daily and kept free of trash and other debris.
- H. Garbage removal will be carried out through arrangements with a private trash hauler.
- I. Extermination services will be provided on a regularly scheduled basis.
- J. All maintenance complaints will be reported directly to the Project business office for orderly transmission to the maintenance staff during office hours. In case of an emergency after hours, a 24-hour answering service will be maintained to notify the Property Manager. Quality control inspections will be periodically conducted by the Property Manager and Agent, in order to assess the quality of repairs and the overall maintenance delivery system.
- K. Residents will be encouraged to report maintenance problems directly to the Project office, which will record the complaint in duplicate in a suitable ledger, provide one copy of the service order to the maintenance staff for immediate attention, and retain the other copy to determine if the work was completed.

Once the work is completed and the resident has acknowledged this by signing a copy of the work order, the resident's copy is placed in his/her file folder. If outside help is needed, the Property Manager will call in local subcontractors.

- L. Subject to approval by the Owner, the Agent will make contracts or other suitable arrangements for water, electricity, gas, fuel oil, telephone, and other necessary services, or such of them as the Owner may deem advisable. The Agent will take bids and place purchase orders for such equipment, tools, appliances, materials, and supplies as are necessary to properly maintain the Project. All such contracts and orders will be made in the name of the Owner and will be subject to the limitations set forth elsewhere in this Plan. The Agent will secure for and credit to the Owner any discounts, commissions or rebates obtained as a result of such purchases.
- M. Annually updated inventory sheets for all parts and equipment will be maintained on site. All apartment units will be inspected prior to and after move-outs, utilizing an apartment inspection checklist. All appliances and equipment will be placed in good operating condition prior to move-in, and the resident will sign the inspection report acknowledging same. At move-out, the same inspection will be made, and the resident will sign a report acknowledging any damages.

A resident will be responsible for any maintenance repairs when damages result from negligence or abuse on his/her part.

Maintenance repair costs resulting from resident neglect or abuse will be based upon the actual cost of repair materials and/or contractor's labor at the time the repairs are made. Residents will not be charged for in-house maintenance staff labor.

Residents will be billed via a copy of the actual repair invoice. Payment will be required within thirty (30) days.

The Agent will periodically advise residents by letter regarding the proper use of apartment appliances, heating and A/C equipment, and the need to promptly report mechanical problems, such as leaking faucets and malfunctioning toilets. Residents will be encouraged to extinguish lights and turn off appliances when unused. The Agent will also strive to reduce energy and utility costs on a continuous basis by using aerators, timers, and fluorescent light fixtures, whenever possible.

SECTION VII - RENT COLLECTION POLICY AND PROCEDURE

All rent will be due and payable on the first day of the month but in no event later than the tenth (10th) day of the month. A ten (10) day delinquency notice is to be implemented with demand letters sent out by the twenty-fifth (25th) of each month and eviction proceedings initiated.

Method, time and place of payment will be made clear to the residents and will specify payment is to be made on-site either by check or money order. When rent is paid, the Agent will provide the resident with a receipt, as requested. No provision will be made for an after-hours depository.

Partial rent payments will be accepted, however, a delinquency letter will be sent out. There is a \$25 late fee. The Project's eviction policy is incorporated into this Plan as Exhibit "B".

SECTION VIII - PROGRAM FOR MAINTAINING ACCOUNTING RECORDS

The Agent will maintain a Project Management Operating Manual in the Agent's office for ready reference on any aspect of the Agent's manner of conducting business. In turn, the Property Manager will be provided with manuals for written instructions on the operation of the Project.

In conformance with those directives, the Agent will maintain accurate files of all resident transactions, including certifications of incomes, recertifications, verification of income, maintenance requests and responses, unit inspection results, and any other pertinent resident data.

The Property Manager will be limited to \$12,000 per budgeted purchase transaction and all purchases are to be reviewed by the Agent to ensure conformance with declining budget control format prescribed by the Agent for the Property Manager's use. Invoices will be matched with invoice transmittal forms by the Property Manager, reviewed for accuracy by the Agent, and then

vouched for payment by the Agent's central office. Checks will be processed weekly for payment of any payables on hand.

Accounting records, rent rolls, payroll, and payables will be processed by a computer system that provides disbursement journals, daily cash balance reports, rental delinquency reports and monthly operating reports of actual performance against budget, general ledger transaction journals, and balance sheets. The Owner may be furnished any such report as desired.

The Agent maintains internal audit personnel who carry out continual reviews of audit prints within the Project operation and who report findings to management personnel.

SECTION IX - RESIDENT/MANAGEMENT RELATIONS

The Agent views it desirable to work closely with the residents of Fallkill Commons on Rose to establish a forum to hear views and concerns of the residents. It is important to the Project's viability that there be some vehicle for resident cohesiveness through which residents and management can discuss and understand their mutual problems, concerns and objectives, and arrive at agreed upon solutions. This could be established by the formation of a residents' council. That council should consist of residents who are interested in the preservation of the Project as a pleasant home for all.

The Agent will actively involve residents in planning of changes to management policies and procedures. This acknowledges that residents' ideas and priorities can result in more relevant, sensitive and effective management policies. It also recognizes the principle that "participation brings commitment" and that, given an opportunity to participate, the residents will act to improve the quality of life in the Project.

The Agent will ensure that all Project employees treat residents respectfully, both individually and corporately. Residents are also cautioned on the misuse of utilities, on the abuse of the physical plant, and the Agent's willingness to hold residents accountable to published Project rules and regulations.

In lieu of a resident handbook, Agent will refer the tenants to the House Rules & Regulations attached to the lease.

Residents will be encouraged to discuss grievances with the Property Manager. Fallkill Commons on Rose will establish procedures for residents to discuss grievances. Such procedures will consist of an opportunity to meet with the Property Manager.

This Management Plan is entered into and approved by the undersigned as of the date referenced in Section I above.

Hudson River Housing, Inc.

By: _____
Christa Hines, Executive Director

FALLKILL COMMONS LIMITED
PARTNERSHIP

By: Fallkill Commons Housing Development
Fund Company, Inc., its General Partner

By: _____
Mary Linge, Treasurer