

M E M O R A N D U M

TO: Ralph Huddleston, Jr. Chairman & Planning Board
FROM: Dennis G. Lindsay, PE, Town Engineer, &
Sean T. Hoffman, PE, Planning Board Consultant
SUBJECT: Revised Maplewood Village at Goshen – ADC Orange, Inc.
Subdivision, Site Plan & Special Permit – **DEIS Completeness Review**
File No. 8-1-1.1; Memo No. 83–12-005
DATE: February 11, 2012
CC: Douglas Bloomfield, Supervisor & Town Board, Neal Halloran, Building Inspector,
Broderick Knoell, Highway Superintendent, Dennis Caplicki, Esq., Richard Golden, Esq.,
Kelly Naughton, Esq. Ed Garling, AICP, Stuart Turner, FAICP, PP (for Applicant),

The following are our comments regarding the completeness of the Draft Environmental Impact Statement (DEIS) for up to 103 dwelling units¹ including sing-family residences, a Planned Adult Community (PAC) and associated site improvements on a 95.4 acre tract in the Rural (RU) district with AQ-6, Scenic Road and Stream Corridor overlay zones having frontage on Coleman and Craigville Roads (County Route 66).

Background – Prior to the 2009 Zoning Code modifications, this project had proceeded with a development proposal for 213 dwelling units. A DEIS was prepared and a public hearing was held in December 2008. When the public hearing was reconvened in May 2009 the application no longer complied with the Code. The applicant initiated litigation against the Town which was settled by a stipulated agreement in June 2010 and amended in September 2010. This matter returned to the Planning Board on September 2, 2010 to proceed with SEQRA. The DEIS scope was discussed during several meetings and the final scoping document was adopted during your November 8, 2010 meeting. The DEIS was submitted on or about January 12, 2012. We have reviewed the DEIS for completeness with the adopted final scope. The materials reviewed consisted of the DEIS with appendices A through J (one volume) and full size plans by Lanc & Tully Engineering and Surveying, PC of various dates.

Process – As you are aware, SEQRA is a multi step process intended to ensure regulators take a “hard look” at environmental impacts. In this review, we have considered the DEIS from the aspect of responsiveness to the adopted scope. We have refrained from analyzing content other than as needed to review scope compliance. Once the DEIS is accepted, and determined adequate for public review, a public hearing will be scheduled to consider the DEIS, Special Permit and Site Plan. We will distribute technical comments on DEIS content and the site plan for consideration prior to the public hearing.

¹ The stipulation agreement allows for the development of up to 103 dwelling units (38 single-family residences along Coleman Road, 55 dwelling units within the PAC and 10 single-family residences along Craigville Road) and establishes a minimum of 90 dwelling units. The current project consists of 96 dwelling units (38 single-family residences along Coleman Road, 48 dwelling units within the PAC and 10 single-family residences along Coleman Road).

DEIS Completeness Review – Appended is a detailed list of items your scope requires that we are unable to find or we believe were not adequately addressed. If any of the listed items were included the project sponsor representatives simply need to note the location. Some items are routine and can be added to the document before distribution for public comment. We believe the following may require discussion by the Board to give the applicant proper direction in terms of scope satisfaction:

- *Water Supply & Distribution* – The applicant has provided limited review of water supply, indicating the preferred option is to connect to the Village of Goshen water system rather than creating a district to function independently or connect with the adjacent Town district (Hambletonian Park). The applicant cites public opposition and the need for infrastructure upgrades as the reasons for this preference. The scope required the DEIS to discuss a connection to Hambletonian Park with an emergency connection to the Village’s Public Water System. The DEIS indicated a significant excess of water is available from the project site and will benefit the Village’s overall supply (DEIS III-20). The Town Code [§97-10C] prohibits the removal of groundwater for use outside the Town, “except pursuant to a special permit issued by the Planning Board upon a finding that groundwater recharge measures will be taken to prevent any negative impact on the water quantity or quality within the Town”. Therefore, it is possible the consideration of a connection to Hambletonian Park or independent Maplewood water district will have greater relevance as this project proceeds. The DEIS should address these environmental impacts at this time as required in the scope. Lastly, we suggest you discuss any bearing the stipulated agreement may have on this with Attorney Golden.
- *Site & Subdivision Plans* – The applicant has provided a number of figures within the DEIS and oversized versions of these figures. These figures show the general layout of the subdivision, grading and schematics of the proposed water and wastewater infrastructure. The level of detail for site and subdivision plans is specified in the Code [§83-21 & 97-75]. The Board should discuss the schedule for satisfaction of the requirements of detailed engineering plans with the applicant in terms of the hearing and review process.
- *Stormwater* – The applicant has provided a revised Stormwater Management Plan which includes water quality via filtration, rain gardens, bio-retention, dry swales and rooftop disconnects. They have not included storage for channel, overbank or extreme flooding control. This is based on the assertion that it would be better to release water to avoid combined stored releases at the Coleman Road culvert. This conclusion must be supported in the DEIS with a downstream analysis evaluating all culverts and/or obstructions within the downstream channel and include water surface elevations to determine the impact to existing buildings and structures. The applicant has submitted calculations which we will review to determine if we agree with the conclusions, however without designing for the presumptive storage onsite, they may need to later provide this analysis if they are unable to prove the benefits of early release.

Scope Reference Comment

A.	Cover Sheet
4.	Include Lead Agency Website
B.	Table of Contents
	No comments at this time
C.	Body of Document
I)	Executive Summary
2.	<u>List of Involved Agencies</u>
	Include acceptance of dedication of open space lands; formation of lighting district;

Hambletonian Park Water System determination in DEIS Table I-1.

Include GML 239-nn referral in DEIS Table I-1.

4. DEIS Includes narrative descriptions of existing site and should include an existing conditions map.
5. DEIS to provide narrative detail of all major elements (buildings, roads and infrastructures).

II) Description of Proposed Action

1. Site Location & Description – Surrounding utilities and infrastructure not described here; graphical representation of surrounding land uses and zoning excludes description of adjacent uses/zoning.
2. Description of Proposed Action – DEIS to include narrative description of zoning requirements and construction timing; discussion of PAC phasing and amenities;
 - Discussion of project history, settlement including interplay between the Town Code, explanation of agreed non-compliance
 - Grading plan to include limits of site disturbance
 - Architectural rendering not presented here; DEIS includes sample photographs
 - DEIS to include landscaping, utility, water supply, sanitary sewage, stormwater and sediment control and erosion control plans (see comment above regarding site and subdivision plans above)
 - PAC housing design demonstrating ADA compliance to be included

III) Exiting Conditions, Anticipated Impacts & Proposed Mitigation Measures

1. Land Use, Zoning and Public Policy
 - DEIS to *discuss* existing zoning within a half mile
 - DEIS to address screening requirements of §97-54 and applicable cemetery regulations
 - Cemetery right-of-way connection not addressed here
 - DEIS to discuss project's relationship with the Town's Open Space Plan, Trail Map, Rural Design Guidelines and Cornell Environmental Accounting for Sustainable Water Management Study
 - DEIS lists agricultural (crop production and horse farms) operations as surrounding land uses, but does not discuss potential impacts from traffic, noise and light to these sensitive land uses
 - DEIS to discuss proposed unit count distribution on site versus stipulation maximums
 - DEIS to discuss feasibility and costs to create and maintain pathways to Craigville Road and Coleman Road.
 - DEIS to identify unavailable adverse environmental impacts to land use, zoning and public policy (if any)

2. Visual Character
 - DEIS to document view from public roads towards potential water tower in Hambletonian Park (see comments above regarding water supply and distribution)
 - DEIS to identify prevalent landforms and/or vegetative cover (if any) within the site and visible from public roadways
 - DEIS to illustrate the post-construction potential visual impact from the four (4) locations with photographs and cross-sections
 - DEIS should discuss potential of vegetated berms, stone walls and water features as visual mitigation measures.

3. Vegetation and Wildlife

No comments at this time

4. Wetlands & Surface Water Hydrology
 - DEIS to include information on size of wetland buffers
 - DEIS should identify direct and indirect wetlands impacts from construction
 - DEIS to discuss using open box culverts or bridges to mitigate potential impacts to wetlands

5. Groundwater
 - Discussion of feasibility of aquifer as a potable water supply – not here
 - DEIS to provide additional information and results so compliance with the Town's previous well testing protocols may be confirmed
 - DEIS to discuss changes to water budget
 - DEIS should describe legal and technical feasibility of connecting municipally controlled water supplies (see general comments regarding water supply and distribute above)
 - DEIS identified a number of adjacent offsite wells and effects of previous testing and should discuss potential impacts to neighboring properties
 - DEIS should discuss future expansion of water system and the option of Town ownership
 - DEIS to include a plan to ensure integrity of offsite wells as mitigation

6. Stormwater
 - Description of stormwater volumes and peaks (rate of runoff) not described here
 - DEIS identifies the stormwater management structures and should include information on their proposed size
 - DEIS indicates road salt has the potential to impact the Otterkill Creek and Purgatory Swamp water quality; scope requires a discussion of impacts and mitigation

7. Infrastructure & Utilities
 - DEIS indicates infrastructure costs to be provided later; scope requires a discussion of infrastructure cost

8. Geology, Topography & Soil
 - DEIS indicates soil borings will be conducted prior to construction; scope required borings as presented originally to support data from soil survey
 - DEIS should describe grading and excavation plans including impacts to bedrock and landscape
 - DEIS to discuss potential location for blasting and protection of cemetery

9. Traffic & Transportation
 - DEIS to discuss project timeline here
 - Scope required documentation of pedestrian activity at each identified intersection
 - Compliance with comprehensive plan goal of pedestrian access not here
 - PAC parking not addressed here
 - DEIS to describe interior roadway design
 - Goshen Area Traffic Study not addressed here
 - DEIS to include outline of implantation of new traffic mitigations

10. Community Facilities
 - DEIS to discuss snow removal
 - Scope required comments from fire district and emergency services; DEIS indicates fire department contacted

11. Fiscal Analysis
 - Scope requires use of 2006 Rutgers Demographic Multipliers; DEIS lists 1986 multipliers; applicant to review and revise if current reference affects findings

12. Cultural Resources

No comments at this time

Chapter IV – Construction Impacts

Chapter V – Alternatives

Chapter VI – Potential Growth-Inducing Aspects

Chapter VIII – Unavoidable Adverse Impacts

Chapter VIII – Project Impacts on Energy Use

- DEIS to discuss green technologies, LEED and energy star designs

Chapter IX – Irreversible & Irretrievable Commitment and Resources

Technical Appendices

- DEIS to include technical reports on water system
- DEIS to include supporting data on soil types