

Cloewood Final Environmental Impact Statement

10.2 Responses to Comments on the Cloewood DEIS

The Project's Draft Environmental Impact Statement (DEIS) was accepted as complete by the Co-Lead Agencies in Village Planning Board Resolution No. 3 of 2020 on March 5, 2020 and Village Board of Trustees Resolution No. 14 of 2020 on March 16, 2020 found in Attachment 144. The Public Comment Period was closed on January 15, 2021. Copies of all comments received are found in Appendix P. Section 10.2.1 consists of general responses addressing common topics and Section 10.2.2 consists of responses to each individual who provided either verbal, written, or verbal and written comment during the Public Comment Period. Attachments to these responses are included in Section 10.2.3. It should be noted that, as per SEQRA guidelines, speculative comments and prejudiced assertions not supported by reasonable observations or data need no responses. In most cases, such comments have been responded to below with the words "comment noted."

10.2.1 General Responses

General Response 1

The Village Scoping Document adopted by the Co-Lead Agencies required the DEIS evaluate potential significant adverse environmental impacts of the Project based upon two demographic scenarios. Scenario No. 1, a development occupied by families from Satmar Hasidic community and Scenario No. 2, a development occupied by a community with demographics similar to the existing conditions in the Village of South Blooming Grove. As clarified in the DEIS, regardless of the Village's direction to discuss two demographic scenarios, all residential units in the Project would be made available for occupancy, purchase or rental to any person regardless of race, color, religion, gender identity, handicap or disability, familial status, national origin, age, marital status, military status or other protected class status in accordance with federal and state law. The Project Owner and Developer is committed to providing and satisfying equal housing opportunity principles and legal requirements.

General Response 2

A full well development and water taking analysis is included in Appendix F of the DEIS. Wells have been drilled on the Project Site and a 72-Hour Water Well Pumping Test was performed. Wells C-6, C-12, C-14, C-16, and C-23 were pumped for approximately 5.5 days (53 hours more than the 72-hour regulatory requirement) and were measured at pumping rates of 45 gpm, 40.5 gpm, 157 gpm, 50 gpm, and 90 gpm, respectively, for a combined yield from the five wells of 382.5 gpm or 550,800 gpd. Well C-21, the best well, was pumped for 72.5 hours. This well alone was measured at a pumping rate of 163 gpm or 234,720 gpd. The total combined yield of the six wells is a rate of 545.5 gpm or 785,520 gpd.

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The testing protocol was vetted with the NYSDEC, NYSDOH, OCDH and the Village of South Blooming Grove prior to completion of the testing program. The State well testing regulations require that the water supply developed for a new project be able to meet twice the Project's average water demand with the best well out of service. Accordingly, the Project's six wells and their 550,800 gallons of water per day are able to meet an average daily water demand from a new project of 191.25 gpm or 275,400 gpd.

An average daily water demand for the Project has been calculated based on the 2014 New York State Design Standards (for Intermediate Sized Wastewater Treatment Systems) water usage rate of 110 gpd/bedroom. In the Project's case this amounts to 264,000 gpd or 183.33 gpm (600 dwelling units x 4 bedrooms x 110 gpd per bedroom). The Project has 25 on-site wells; however, it would utilize just six (of the 25) in order to supply water to the Project, and the wells that resulted in interference with other neighboring wells would not be included in those six wells.

The Groundwater Well Investigation summarized in Appendix F of the DEIS concludes the Project's water supply system and associated six wells that would be used to provide water supply to the Project would not adversely impact the aquifer or nearby water wells. Accordingly, there would be no significant adverse environmental impacts from the Project's proposed method of water supply, and the Project's wells have sufficient capacity to supply the Project with water in compliance with state regulations.

General Response 3

The Project would be served by a new central wastewater treatment facility designed to treat and dispose of an average of up to 280,000 gallons of effluent per day, and would meet the effluent requirements set forth by the NYS SPDES Permit that will be issued for the Project. Treated water from the WWTP would discharge into an on-site tributary to Satterly Creek. Effluent discharge would meet all applicable standards.

The design criteria for the Project's WWTP and sewage collection system components, including gravity sewer mains, sewage pump stations and sewage force mains has been developed based on guidelines and standards from the NYS Design Standards for Intermediate Sized Wastewater Treatment Systems, and Recommended Standards for Wastewater Facilities (Ten State Standards). A Waste Assimilation and Capacity (WAC) Analysis was performed in compliance with the NYSDEC Division of Water Technical and Operational Guidance (TOGS) to develop preliminary SPDES limits.

There would not be significant adverse environmental impacts from the wastewater collection and treatment components of the Project, as confirmed by the consideration of wastewater treatment and collection design alternatives and studies of stream wastewater assimilative capacity. The

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selected wastewater collection and treatment system would meet NYSDEC effluent limits, and ensure protection of stream quality.

General Response 4

The Project's Traffic Impact Study found in Appendix J of the DEIS accurately details potential traffic conditions as a result of the Project. The Traffic Impact Study met all Village Scoping Requirements as well as those required by the the NYS Department of Transportation. As part of the NYSDOT Highway Work Permit process, the Project would make access related widening improvements on NYS Route 208 to serve the development. The Project would participate in any fair share improvements that the Village advances on NYS Route 208 and Clove Road.

Additionally, the Village of South Blooming Grove is in the process of advancing the Master Plan improvements to accommodate future pedestrian and traffic improvements along the NYS Route 208 corridor. As individual developments are progressing through the planning process, the Village will be ensuring that the necessary right-of-ways will be obtained and as developments progress, the Village will be able to implement certain lane widening, signal, and pedestrian improvements.

As part of the Project, in addition to the access related improvements, the Applicant would work together with the Village on any additional land dedications that may be required for improvements, including future corridor upgrades.

General Response 5

The DEIS complied with the requirements found in the Scoping Document in regard to wildlife and vegetation. The evaluations completed by the Project's wildlife/biological consultant ("WBC") were specific to those species that were individually referenced by the NYSDEC and USFWS as being either state or federally listed as endangered, threatened or rare as indicated in correspondence found in Appendix C of the DEIS. The evaluations included a general habitat assessment to determine if suitable habitat conducive to the existence of the listed species is present, and species-specific surveys were conducted in an attempt to identify actual species presence/absence on the property.

During the endangered and threatened species evaluations, WBC staff compiled a list of all species of flora and fauna identified on the property. These species were identified by direct observation, by sound, or by physical remains (ie, tracks, scat, fur, feathers, bones, etc.). With respect to the birds identified on the property, it does not appear that any are currently listed on the state or federal endangered species list as either endangered or threatened. Therefore, no further studies have been deemed required by the NYSDEC or USFWS and no further information is provided. Additionally, the Project would not adversely impact any bat species, including the Long Eared bat.

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In coordination with the NYSDEC, the Applicant has submitted an Incidental Taking Permit which includes measures to permanently preserve land to benefit the Timber Rattlesnake Species. The Project's preservation area is inclusive of 209± acres of the Site, as well as 61.88± acres off-Site located in the Town of Blooming Grove and owned by the Applicant. The proposed preservation area has been identified as suitable habitat that is contiguous with the Project Site and Schunnemunk Mountain. It would be preserved in perpetuity as Timber rattlesnake habitat. The preservation of land provides a net benefit to off-set the loss of any suitable foraging habitat to the species that may occur as a result of the Project.

10.2.2 Individual Responses

Response to Commenter No. 1: Ahmadi, Kate - page 1 of Appendix P

Public Parkland: No entrances to the public parkland are proposed as part of the Project, as this land would be dedicated to the Village, and it would be the Village's responsibility to determine where any entrances should be located. A Map entitled "Proposed Parkland Area" is included in Section 2.20 of the DEIS and includes detailed information and conditions applicable to this area. It also illustrates how the location of the proposed public parkland has over 3,000 feet of road frontage on Clove Road, which should allow for easy public access.

Open Space: The words "private" and "open" are not contradictory, as open space is not defined as "shared" or "communal" by default, rather the Village of South Blooming Grove Zoning Code (Article II, §235-4) defines OPEN SPACE as *"That percentage of the land area not covered by the combined area of all buildings, structures and paved areas on all or that portion of the lot within the same zoning district as the main building."* Additionally, the Village Zoning Code §235-14.1.A(4)(a) states, *"A minimum of 50% of the total site area shall be permanently preserved as open space per the standards of §235-14.1C"* where section (2) indicates *"the permanent preservation of such open space or conservation areas shall be legally ensured to the satisfaction of the Planning Board and the Village Attorney by the filing of appropriate covenants, deed restrictions, easements or other agreements."*

The open space may be located within portions of private individual lots proposed as part of the subdivision as per §235-4 above mentioned, which states that the open space may be located on "that portion of the lot" containing the main building, allowing it to be located within the lands remaining undeveloped as a result of the maximum building or lot coverage requirement under the Village Zoning Code Requirements.

Riach Hachaim: This park is not associated with the Project and was paid for by the residents of the Village of Kiryas Joel.

Comment in regard to peace groups, Natives, Committee on Unity, etc. are noted.

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Response to Commenter No. 2: Alonge, David – page 6 of Appendix P

As detailed in Table 3210 of Section 3.2 of the DEIS, the net tax benefit to the School District would be \$6,550,406 under Scenario No. 1 and \$5,264,072 under Scenario No. 2. The school system would handle costs associating with bussing through revenue generated from the Project's property taxes.

The fiscal analysis detailed in Section 3.2 of the DEIS is accurate and based upon the factual data from the US Census Bureau in accordance with the requirements of the Scoping Document. Regardless of what this commenter believes is an average family size of a “Satmar” family, multiple families at different stages would occupy the homes so while one family may have many school aged children, another may be retired with all adult children or without children at all. In fact, according to the CGR Report¹ the average household size for the Village of Kiryas Joel (Satmar Hasidic Family) is actually decreasing as a result of changes in demographic characteristics from an average household size in 2015 of 5.9 to about 4.8 persons over the next few years. Accordingly, the household size of 5.47 persons presented in the revised DEIS for this scenario gives the broadest real perspective of future population growth based upon actual growth trends without underestimating the anticipated population.

Please review General Response 2 in regard to water supply and the aquifer and General Response 3 in regard to wastewater treatment. The cemetery is not located on the Project Site, and is on its own parcel with its own section, block and lot number and would not be impacted by the Project. Nothing of historical significance would be adversely impacted as a result of the Project as detailed in Section 3.5 of the DEIS. Wildlife is addressed in Section 3.6 of the DEIS which concludes there would be no significant adverse impacts to wildlife as a result of the Project. Additionally, land on the Project Site nearest to the Schunneunk Mountain Ridge would be preserved. Traffic and transportation is addressed in Section 3.11 and Appendix J of the DEIS; likewise, the Project would include traffic mitigation measures where warranted by NYSDOT.

Importantly, it was the requirement of the Village Scoping Document that the DEIS evaluate potential significant adverse environmental impacts of the Project based upon two demographic scenarios. Scenario No. 1, a development occupied by families from Satmar Hasidic community and Scenario No. 2, a development occupied by a community with demographics similar to the existing conditions in the Village of South Blooming Grove. As clarified in the DEIS and in General Response 1, regardless of the Village’s direction to discuss two demographic scenarios, all residential units in the Project would be made available for occupancy, purchase or rental to any person regardless of race, color, religion, gender identity, handicap or disability, familial status, national origin, age, marital status, military status or other protected class status in

¹ At the request of the Orange County Planning Department, the Center for Governmental Research (“CGR”) and the Chazen Companies conducted an independent assessment dated August 21, 2015 analyzing the circumstances surrounding the Kiryas Joel Annexation.

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accordance with federal and state law. The Project Owner and Developer is committed to providing and satisfying equal housing opportunity principles and legal requirements, although the Village required the DEIS analyze these two scenarios.

Response to Commenter No. 3: Amodeo, Jennifer – page 8 of Appendix P

The traffic study found in Appendix J of the DEIS complied with the requirements of the Village Scoping Document, as well as with the requirements of the NYSDOT, who do not believe the numbers are skewed, as they are not. Hasidic individuals actually have less cars on average than a non-Hasidic household due to the unique driving patterns and cultural norms of a Hasidic community. This is reflected in Table 341 of Section 3.4 of the DEIS which indicates each household under Scenario No. 1 would have just 0.52 vehicles versus 2.01 under Scenario No. 2. Accordingly, with more Hasidic individuals purchasing homes in the Village, traffic would actually be expected to decrease; accordingly, the numbers in the DEIS would be more conservative than necessary. The driveways proposed contain spaces for two vehicles, with the potential for up to four vehicles because this was a requirement as per the Village Scoping Document; however, it is extremely conservative. Additionally, the Blooming Grove Shuttle is operational and in service.

The traffic study detailed in Section 3.11 and included in Appendix J of the DEIS includes the worst case scenario of vehicles per home. In fact, it analyzes both Scenario No. 1 and No. 2 with and without accessory apartments. Every aspect of the Traffic Impact Study has been completed in accordance with applicable NYSDOT guidelines and standards, and the Project has coordinated with the NYSDOT in this regard. Its study meets and exceeds any traffic study requirements. The shuttle would only serve to improve traffic conditions and would therefore mean that any analysis without such shuttle service would be more conservative. Bus traffic would be expected to mirror current bus traffic and is therefore automatically accounted for in the existing traffic and post build-out scenarios. There is no commercial development planned for the Project Site and the 22 acres has no development proposed at this time. Likewise, since the Project would no longer be proposing any park and ride facilities; therefore, there would be no transportation buses associated with a park and ride.

Response to Commenter No. 4: Amodeo, Louis – page 11 of Appendix P

Please refer to Response to Commenter No. 3 above, as this commenter's written comment is the exact same document, with a different signer.

Response to Commenter No. 5: Anthony, John – page 14 of Appendix P

Comment noted. We agree the plans are thorough and would greatly benefit, in part, the current and future housing needs of the local and regional community, and would also result in many economic benefits as detailed in Section 3.2 of the DEIS.

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Response to Commenter No. 6: Aselta, Chrisine – page 16 of Appendix P

Comment noted. Traffic is addressed in Section 3.11 and Appendix J of the DEIS.

Response to Commenter No. 7: Ayala, Sonia – page 18 of Appendix P

The second Public Hearing was noticed accurately in the NYSDEC EBN (see Attachment 7-a). Still, a third Public Hearing on the DEIS was held on 1/5/21, which was also noticed accurately (see Attachment 7-b) and specifically mentioned a virtual meeting would be held via Zoom. The resolutions in regard to the transportation corporations were passed legally after having been included during the first Public Hearing on 8/10/21. According to correspondence with the NYSDEC, the transportation corporation documentation must be executed by the municipality as part of the NYSDEC approval process and prior to the issuance of the NYSDEC approvals (see NYSDEC correspondence in Section 10.3 of the FEIS). Please also refer to Response to Commenter No. 50 for more information in regard to the second Public Hearing notice and transportation corporations.

Response to Commenter No. 8: Bartlett, Ronald – page 22 of Appendix P

Comment noted.

Response to Commenter No. 9: Battista, Bryan – page 24 of Appendix P

Please refer to General Response 2 in regard to water supply and potential interference. The Project Site has 25 wells, but would only use 6 total wells to supply water to the Project residents. The wells that would be used are those that did NOT result in interference with neighboring wells. As detailed in Table 3210 of Section 3.2 of the DEIS, the net tax benefit to the School would be \$6,550,406 under Scenario No. 1 and \$5,264,072 under Scenario No. 2.

Response to Commenter No. 10: Beaumont, James – page 26 of Appendix P

Soils found on the Project Site are predominately Mardin gravelly silt loams (approximately 49%) and Swartswood gravelly and stony loam (approximately 25%). Mardin is the most predominate soil group found in Orange County.

There is the potential for soil erosion during the construction process. Consistent with the NYSDEC policies and the recommendation of the MCWIMC, the waiver that will be requested for the area that will be allowed to be disturbed at any one time will be limited to 15 acres, which is below the 18 acre threshold recommended by MCWIMC. With the increase in the disturbed area threshold above the standard five acre limit, stormwater inspection frequency will double to twice per week performed by a Qualified Inspector. Defects noted will be corrected immediately. The excavation company will employ at least one full time person who will be responsible for the maintenance of the erosion and sediment control practices.

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All proposed erosion and sediment control measures will be designed and implemented in accordance with NYS Standards and Specifications for Erosion and Sediment Control. Sediment traps will be designed and built to the standards so as to provide a minimum 2:1 length to width ratio. The applicant does not propose to double the size of the tributary drainage area in performing erosion control sizing calculations. Multiple temporary sediment traps will be installed throughout the project site in conjunction with the various phases of construction. Sediment laden run-off will be directed toward the practice at its designed entry point, not through multiple sides which effectively “short-circuits” the flow path for sediment settlement.

The current NYSDEC Standard requires that all areas that will remain idle for a period of 14 days be stabilized. Areas highly sensitive to erosion, such as steep slopes and waterways, will be stabilized with rolled erosion control products.

Interim grading plans will be prepared for each 15 acre disturbance. The plans will identify areas of cut, fill, and topsoil stockpiling. Given the undeveloped acreage available on the Project Site, there is ample area available for the placement of excess cut material. These areas will be identified and will be situated away from existing stormwater run-off pathways.

It is agreed that roadways should be stabilized with gravel or other non-erodible material as soon as practical. Water bars will be implemented on sloped areas where warranted. Clean water diversion around the disturbed area will certainly be a part of the erosion and sediment control plan. Through implementation of the above practices, impacts to the Moodna Creek watershed due to construction would be mitigated.

Sewer collection within the Project will be entirely new construction consisting of gasketed plastic pipes and water proof concrete manholes built to the Village of South Blooming Grove specifications. Materials and workmanship will be observed by the Village Engineer. Completed conveyance systems will be allowed to settle for a period of time, typically 30 days, after which all pipes will deflection tested and air tested for leakage. Sewer manholes will be vacuum tested. It is agreed that the Village of South Blooming Grove should not allow the connection of sump pumps or footing drains into the sewer collection system. Roof leaders will be designed to direct roof top run-off into the stormwater collection system.

Response to Commenter No. 11: Beltrani & Franson, page 30 of Appendix P

1. Comments to which we replied were adequately addressed. Moreover, many of the repeat comments referenced outdated tables and figures which had been since renamed in the revised DEIS.

2. The public was advised that the November 25, 2019 hearing was not in regard to DEIS completeness. In fact, at the beginning of the Public Hearing, the Village attorney mentioned this,

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and the Applicant's attorney further explained that the concept of a Public Hearing on "claimed completeness" is something which does not exist in the SEQRA Process. Accordingly, it was clear to all members of the public that they were not commenting on DEIS completeness.

3. All comments on the Clovewood DEIS received from involved and interested agencies have been responded to and included in the FEIS.
4. The Project is not proposing any park and ride facilities and the revised Project Plans in Section 10.4 of the FEIS reflect this.
5. This comment has been addressed in Appendix N of the DEIS.

The subdivision layout shown on page 8 of the Scoping Document was submitted to the Village on August 27, 2015. More updated subdivision layout maps were subsequently submitted to the Village on December 18, 2015, and in September, November and December 2016. The subdivision layout map was further revised in 2017 to incorporate comments received from the Village, NYSDEC and other governmental agencies. The subdivision layout submitted with the DEIS differs in minor aspects from the previous subdivision layout map submitted to the Village and other governmental agencies in 2017. It is very similar to the version in the Scoping Document, with appropriate revisions in response to agency comments.

Projects naturally incorporate changes that occur throughout the Planning Board and SEQRA review in order to comply with comments received from governmental agencies. SEQRA is intended to be an iterative, "open and deliberative" process leading to the consideration and potential adoption of mitigation measures to the Project. See Merson v. McNally, 90 N.Y.2d 742, 753-754 (1997) "there would ordinarily be no inherent problem in revising or modifying project plans to address concerns raised during the environmental review, particularly concerns raised by other agencies". The minor modifications to the Project were addressed in the DEIS and are addressed in the FEIS and will be the subject of the SEQRA review process. These were made in several instances at the direction of the Village and its consultants, as well as from the Village's Planning Board and consultants.

- a. Cul-De-Sacs: The subdivision layout does not introduce three new cul-de-sacs. The Road L cul-de-sac is shown on the subdivision layout submitted to the Village in 2015. Road I is proposed to connect with a nearby property. Road G replaced the road connecting Road F to Road B, and a walking trail is proposed in its place.
- b. Arlington Drive: As indicated in the DEIS Addendum Section 9.1, the Project would not propose an interconnection with Arlington Drive.

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- c. Development on Southerly Border: In 2016, the Village asked the Applicant to increase the lot sizes. Development is proposed along the southerly border of the Project Site to make up for the lots lost as a result of the increase in lot sizes. This location was chosen to minimize environmental impacts as this area is already proposed to have a roadway and had been previously disturbed by the Lake Anne Country Club golf course.
- d. Roundabouts: Initially, the Project proposed its four-way intersections as roundabouts. However, the Project's layout progressed to include only three-way intersections, which were never proposed as roundabouts, because the Village Zoning Code states, "*cross (four-cornered) street intersections shall be avoided insofar as possible,*" (§163-24.C)
- e. Open Space Location: The location of the public parkland was originally divided into two areas and has now been combined into one to create 60 acres of contiguous parkland with approximately 0.6 miles of frontage on Clove Road, which would allow for easier access by Village residents. The acreage proposed as public parkland would contain lands, including wetlands rich with biodiversity, and appropriate for passive and active recreational uses. The proposed public parkland does not primarily consist of NYSDEC wetlands, rather it consists of approximately 40 acres of uplands and approximately 20 acres of wetlands, including an approximately 0.5-acre pond, which would serve to add to public enjoyment, offering beautiful, serene lake-views.
- f. Park and Ride Locations: The Project is not proposing any park and ride facilities, and they are not shown on the revised Project Plans in Section 10.4 of the FEIS.
- g. Color Coding: The DEIS includes both black and white, as well as color-coded maps where applicable.
6. The Site Plan submitted as part of the FEIS (see Section 10.4) illustrates the limits of disturbance required to create a buildable lot and all the grading associated with various infrastructure.
7. The zoning analysis in the DEIS includes the Village Board of Trustee's resolution issuing a negative declaration and adopting the zoning code for the Village. The Project complies with the zoning in all respects. The determination by the Village Board of Trustee's that the proposed zoning would not result in any significant adverse environmental impacts, demonstrates generally that Projects that comply with the zoning are unlikely to generate any significant adverse environmental impacts, including those related to land use, zoning, public policy, and community character. The Project conforms to the Village zoning district and map regulations which the Village Board adopted and made applicable to the Project Site.

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8. This map was included in the DEIS Addendum.

9. The FEIS does not include references to a potential water and sewer interconnection with the Village of Kiryas Joel, as such alternative is not being pursued by the Project as detailed in the DEIS Addendum.

10. Well locations have not been mapped on documentation available to the public due to vandalism which had previously occurred on the Project Site; however, NYSDEC has received, in the water withdrawal application as well as the Incident Taking Permit Application, the locations of all wells and all additional infrastructure. The Village has also received this map for its review. The DEIS references the limitations that will be included in the HOA and the specific bylaws were not required to be included as per the Scoping Document.

11. The lot yield from the RC-1 has been calculated properly in agreement with the Planning Board and Village Planner. The Village Zoning Code does not require the demonstration of a layout with 3,000 square foot lots, as per the interpretation from the Village of South Blooming Grove Building Inspector.

The Village's Zoning Code establishes density in the RC-1 Zoning District for single family homes through permitting one dwelling unit per 3,000 square feet. The Zoning Code does not provide that 3,000 square foot lots be platted, and accordingly, this comment is at odds with the Village Zoning Code. Importantly, transferring the RC-1 Zoning District yield to the RR Zoning District land on the Project Site has been discussed with the Planning Board since 2014. Initially, the Project proposed a transfer of 54 two-family homes (108 dwelling units) because the RC-1 Zoning District allows one two-family home per 5,000 sq. ft. ($5,000 \times 54 = 270,000$ square feet = 6.2 acres). However, the Planning Board recommended the transfer should include a use that is permitted in the receiving RR Zoning District such as single-family homes. Accordingly, the Project revised its plans to propose only 90 single-family homes ($3,000 \times 90 = 270,000$ square feet = 6.2 acres) instead of 108 dwelling units, which reduced the total dwelling units transferred by 18.

12. There are no issues associated with the market value of the proposed dwelling units which has been addressed in the revised DEIS. The factual data included in the revised DEIS was supplied based upon information obtained from the Orange County Clerk's office and the Hudson Gateway MLS. The market value of \$495,000 in the original DEIS was based upon real comparable sales at the time of its initial submission in 2018. Later, at the time of the submission of the revised DEIS in 2019, based upon data from the Hudson Gateway MLS for 2018 sales (from 1/1/18 through 12/31/18), the market value increased to \$562,000 as indicated on page 130 of our responses in Appendix N-5 of the revised DEIS.

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After receiving additional Village comments on 11/5/19 in this regard, we hired an independent, outside real estate broker to conduct a comparable market analysis which was included as Attachment V to our responses submitted to the Village on 11/8/19, which estimated the average market value of the Project's homes to be approximately \$540,000. In fact, we contacted multiple real estate brokers; however, this individual, who is not in any way associated with the Project, responded first and produced the comparable market analysis on 11/7/19 within the deadline we needed in order to promptly reply to the Village's comments. This independent individual did not selectively pick homes to support a market value, but rather used true comparables based upon one year sales from 11/7/18 through 11/7/19 to illustrate the actual market value of the Project's proposed homes based on square footage, location, number of bedrooms, etc.

Using the most recent data to estimate market value is not problematic as the more recent the data, the more accurately it reflects actual market value and sales trends for homes in a new development proposed to be built. Furthermore, the Town of Blooming Grove and Village of South Blooming Grove Tax Assessor confirmed the \$495,000 home value presented in the DEIS submitted on April 27, 2018 when we contacted him to vet the analysis, as required by the Village.

Moreover, most of the 17 homes provided by this commentor on the map from Trulia as comparable sales to the Project's homes are not an accurate representation of the projected value of the Project's homes.

Firstly, the average price of the 17 homes is approximately \$421,000 (see Column A in table below) not \$397,000 as noted in this comment. Secondly, the home listed below as Comparable 1 is an appropriate comparable to the Project; however, according to the Orange County Real Property Website it was actually sold for \$550,000 and not \$128,000 (the Deed from Book 14574 Page 646 clearly indicates the purchaser assumed a mortgage of \$422,000 in addition to the \$128,000). After updating this sales price, the average sales price would be \$446,000 (see Column B in table below) not \$397,000 as noted in this comment.

Thirdly, the homes listed below as Comparables 2 and 4 are not appropriate comparable sales to the Project's homes as they were both homes sold under distress while in the foreclosure process, and in fact, Comparable 4 was uninhabitable and in a state of disrepair. After removing these homes, the average sales price would be \$465,000 (see Column C in table below) not \$397,000 as noted in this comment.

Fourthly, the homes listed below as Comparables 3 and 5 through 11 are not comparable to the Project's homes as, according to data obtained from the website Trulia, they range in size from 990 square feet to 1,276 square feet, which is less than half the size of the Project's proposed homes. This Village comment suggests that these properties were intentionally omitted from Attachment V of our responses submitted to the Village 11/8/19 even though they were "similar

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in size.” However, this statement is in error, as the square footage clearly illustrates that these properties were omitted simply because they are not similar in size and are not true comparables. After removing these homes and leaving the remaining comparables, the average sales price would be \$563,000 (see Column D in table below), which is almost the same as the value of \$562,000 mentioned on page 130 of our responses in Appendix N-5 of the revised DEIS, and not \$397,000 as incorrectly noted in this Village comment.

Homes from map in NPV Comment 12		Column A	Column B	Column C	Column D
No.	Address	Home Sales Prices			
1	8 Pennsylvania	\$128,000	\$550,000	\$550,000	\$550,000
2	6 Tanager	\$280,000	\$280,000	N/A	N/A
3	6 Old Town Road	\$325,000	\$325,000	\$325,000	N/A
4	2 Michael	\$329,000	\$329,000	N/A	N/A
5	7 Fort Worth	\$330,000	\$330,000	\$330,000	N/A
6	1 Duelk	\$350,000	\$350,000	\$350,000	N/A
7	27 Pine Hill	\$375,000	\$375,000	\$375,000	N/A
8	69 Duelk	\$375,000	\$375,000	\$375,000	N/A
9	4 Alamo	\$385,000	\$385,000	\$385,000	N/A
10	14 Old Town Road	\$445,000	\$445,000	\$445,000	N/A
11	373 Lake Short Dr.	\$449,000	\$449,000	\$449,000	N/A
12	15 Pennsylvania	\$499,000	\$499,000	\$499,000	\$499,000
13	18 Arlington	\$525,000	\$525,000	\$525,000	\$525,000
14	27 Virginia	\$545,000	\$545,000	\$545,000	\$545,000
15	39 Virginia	\$575,000	\$575,000	\$575,000	\$575,000
16	40 Fort Worth	\$600,000	\$600,000	\$600,000	\$600,000
17	34 Merriewold	\$648,000	\$648,000	\$648,000	\$648,000
Average Sales Price		\$421,353	\$446,176	\$465,067	\$563,143

Moreover, as of 2022, housing prices have continued to rise as a result of more demand caused by the Covid-19 pandemic as well as more demand to live in the Village of South Blooming Grove.

1.0-1. The sentence on page 1.0-3 is correct. The Village of South Blooming Grove is a village in the State of New York and exists independently from the Town of Blooming Grove.

1.0-2. Section 2.4 of the revised DEIS, found on pages 2.0.-7 through 2.0-9 is entitled “Project Purpose and Need,” and indicates “*The Project would meet current and future, local and regional housing needs, including those from the neighboring Village of Kiryas Joel.*” Page 43 of Appendix N-5 includes supporting documentation for the housing demand of the Satmar Hasidic community.

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However, such a discussion in detail in the DEIS would not be appropriate as all residential units in the Project would be made available for occupancy, purchase or rental to any person regardless of race, color, religion, gender identity, handicap or disability, familial status, national origin, age, marital status, military status or other protected class status in accordance with federal and state law. The Project Owner and Developer is committed to providing and satisfying equal housing opportunity principles and legal requirements.

1.0-3. This discussion was included because it details the history of the Project Site, in accordance with the Scoping Document's requirement to describe "the background and/or history of the Project Site," which was not limited to the history that occurred only after 2006.

1.0-4. The Project's affordable housing price, as explained in the revised DEIS, would be calculated in accordance with the Village Zoning Code §235-4, which defines affordable housing as, "Housing units for which occupants of a household earning up to 80% of the Village of South Blooming Grove median income (as defined by the latest United States Census Bureau data) would pay less than 30% of total gross income for mortgage and property taxes," which would be calculated using the applicable data for median household income at the time of build-out, as this information fluctuates annually. Accordingly, inserting a price for an affordable home into the DEIS would be misleading and it would be subject to change according to the median household income at the time the homes are built and marketed for sale. Please also refer to pages 72, 113 and 130 of our responses in Appendix N-5 of the DEIS.

1.0-5. The avoidance area referenced in this comment is only a very small, insignificant percentage of the total overall public parkland area, and the inclusion of such feature within the public parkland would just enhance the value of the public parkland.

1.0-6. This information is included in Appendix I of the DEIS and summarized in the main text of the revised DEIS where applicable.

1.0-7. As the Project is fully compliant with the zoning code and would not require any variances, it is the type of development envisioned by the Village Board who initially adopted its Zoning Code in 2009 and revised it in 2014 and 2021, which details the development regulations applicable to the Project Site.

1.0-8. The Project does not propose an access drive to NYS Route 209. The statement that the Project complies with the Village's zoning code is accurate, as discussed in Section 3.1 of the DEIS. Moreover, the Project specifically complies with the Surface Water Overlay District regulations as well because the Project is not proposing a motor vehicle service station within the land located in the Surface Water Overlay District in accordance with §235-14.4.E(2)(b), and the Project's proposed access drive from NYS Route 208, which involves encroachment into the Surface Water Overlay District, was submitted to and is being evaluated by the Planning Board as

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per §235-14.4.E(3)(a) and (c).

1.0-9. The Project's lot layout and dwelling units are proposed between 500 and 900 AMSL as shown in Figure 13. However, the beginning of the entrance road on NYS Route 208 is located slightly below 500 AMSL, and only the water tank is proposed at a higher level than 900 AMSL to meet state regulations.

1.0-10 The DEIS does not state that the Project Site adjoins multifamily dwellings, but rather accurately indicates, *"The land uses in the areas surrounding the Project Site, consist primarily of single-family and multi-family residential dwelling units, as well as some commercial and retail stores along NYS Route 208, and some vacant land."*

1.0-11. This statement is not opinion. As indicated by census records, the Village's population has been decreasing. The Project would bring additional population into the Village, thereby increasing its population. A discussion, including sources, is found in Section 3.2 detailing how a shrinking population has consequences for a community.

1.0-12. Comment noted.

1.0-13. The Scoping Document requires that the DEIS quantify the Village's population in accordance with published data from the US Census Bureau, and the DEIS is consistent in this regard. Alternatively, this comment is inconsistent with the requirements outlined in the Village Scoping Document.

1.0-14. The DEIS states that the Project Site is remote in relation to the municipalities in the Secondary Study Area. This is further explained in Section 3.4 of the DEIS: *"Most of the communities located within the thirteen municipalities of the Secondary Study Area are so far removed from the Project Site that potential significant adverse community character impacts on these communities would be nonexistent. The communities in Chester, Monroe, Harriman and Cornwall-on-Hudson are located between three and ten physical miles and up to more than twenty minutes driving distance from the Project Site. These communities are too far distant from the Project for the Project to have the potential to generate any significant adverse community character impacts upon them."*

1.0-15. While some soils on the Project Site can be classified as agricultural soils, none of these soils are currently in agricultural use, and none have been so utilized in the past. There are also far more prevalent and better agricultural soils in other parts of Orange County such as the Black Dirt area of Warwick and Wawayanda, etc. Moreover, as approximately 50% of the Project Site would be designated open space, the Project would not have a significant adverse impact upon farmland soils.

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1.0-16. Communication with solid waste services was not required by the Scoping Document. Moreover, Section 3.10 of the DEIS indicates that any increase in costs associated with solid waste removal would be covered by the Project's property taxes.

1.0-17. Comment noted.

1.0-18. Noise and air impacts are appropriately discussed in Sections 3.12 and 3.13 respectively and do not mention rock processing locations. As indicated in Section 3.7 of the DEIS, the Project's construction would not involve blasting as the parts of the Project Site where bedrock is most likely to be encountered are in the eastern rear part of the Project Site (in the Schunnemunk Mountain foothills) where no development is proposed.

1.0-19. The Orange County Open Space Plan indicates that the Project Site is an area within Orange County that is not designated as having any particular open space resource value as shown in Figure 317 in Section 3.1.1. The Scoping Document did not require the DEIS consider and address the NYS Open Space Plan in the DEIS.

1.0-20. As identified in the Traffic Impact Study, several intersections along the NYS Route 208 corridor such as Museum Village Road, Peddler Hill Road, Clove Road and Mountain Road currently or in the future will experience poor levels of service and may require traffic signals even without the Project. As shown in the Traffic Impact Study Level of Service summary tables, under the No-Build Conditions, many of these intersections were also identified as potential signalization.

The Project received a no impact letter from the NYS OPRHP in November of 2019. This avoidance plan is not a mitigation of impacts that would occur as a result of the Project, but rather a part of the Project as proposed has been designed to protect all historic sites of significance on the Project Site. No further mitigation measures are necessary based on the NYS OPRHP review.

1.0-21. The alternatives are fully analyzed in Section 4.0 of the DEIS, which includes several tables with applicable data, including, among others, population, water demand, wastewater generation, traffic impacts. References to the Applicant's spending \$20 million is relevant to the DEIS as it is pertinent to the analysis of potential alternatives.

1.0-22. Appendix N of the DEIS references sources to indicate there is a housing need in the region, which could not possibly be met in any form by the Low Density Alternative.

2.0-1. It is not necessary to reinsert figures from other sections of the DEIS, specifically those that preceded this chapter.

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2.0-2. This information is relevant to the Project Site history and in accordance with the Scoping Document's requirement to describe "the background and/or history of the Project Site." In addition, when the Applicant purchased the property, it was still located within the Town of Blooming Grove and possessed different zoning regulations than it does now. Such discussion is germane to the analysis and history of the Project Site's land use and zoning history. Lastly, the Village has no formally adopted Comprehensive Plan.

2.0-3. As previously indicated on page 47 of our responses in Appendix N-5 of the DEIS, Plan C-1 in Section 10.4 of the FEIS indicates a proposed access easement to the cemetery. As this proposed access would be located within parkland to be dedicated to the Village, it would be up to the Village or the cemetery to maintain the access.

2.0-4. It is inappropriate for the DEIS to provide additional narrative or to speculate about what would or would not be developed in the future on the 22-acre site as this information is unknown. The Co-Lead Agencies already determined an evaluation does not need to be conducted for these areas and acknowledged any future development on the 22 reserved acres would require a separate review under SEQRA (see pages 6 and 36 of the Scoping Document). Please see pages 1, 41 and 88 of our responses in Appendix N-5 of the DEIS.

2.0-5. The area proposed as public parkland consists of approximately 40 acres of uplands and approximately 20 acres of wetlands, which includes a pond that would serve to add to public enjoyment, offering beautiful, serene lake-views. The Project would provide its own areas for active and passive recreation for its residents. Thus, the proposed public parkland would address a long unmet need for a Village parkland and significantly improve public recreational amenities in the Village. It would be easily accessible by all Village residents, with much frontage on Clove Road, and would dedicate the lands within the Project most appropriate for Village parkland use.

2.0-6. This is a table listing the names the Applicant proposes for the Project's roadways. Therefore, there is no outside source. We submitted these proposed roadway names to the Orange County 9-11. We have revised two roadway names in Section 10.1 of the FEIS to Alaska and Hawaii.

2.0-7. The Project is not proposing any park and ride facilities and they are not shown on the revised Site Plans in Section 10.4 of the FEIS.

2.0-8. The 100-foot riparian buffer being referred to is measured from the perimeter of on-site NYS DEC regulated freshwater wetlands.

2.0-9. Identified habitat areas for threatened or endangered flora and fauna is not listed under primary conservation areas in both Town of Blooming Grove Zoning Code and the Village's Zoning Code.

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2.0-10. This comment is not in accordance with the regulations provided in the Village's Zoning Code. The Village's Zoning Code establishes density in the RC-1 Zoning District for single family homes through permitting one dwelling unit per 3,000 square feet. The Zoning Code does not provide that 3,000 square foot lots be platted or that a conventional layout be submitted. Importantly, transferring the RC-1 Zoning District yield to the RR Zoning District land on the Project Site has been discussed with the Planning Board since 2014. Initially, the Project proposed a transfer of 54 two-family homes (108 dwelling units) because the RC-1 Zoning District allows one two-family home per 5,000 sq. ft. ($5,000 \times 54 = 270,000$ square feet = 6.2 acres). However, the Planning Board recommended the transfer should include a use that is permitted in the receiving RR Zoning District such as single-family homes. Accordingly, the Project revised its plans to propose only 90 single-family homes ($3,000 \times 90 = 270,000$ square feet = 6.2 acres) instead of 108 dwelling units, which reduced the totaling dwelling units transferred by 18.

Furthermore, the DEIS does indeed indicate that 10% of the RC-1 yield would be affordable, specifically on pages 1.0-1 (the first page of the DEIS), 2.0-1 and 3.1-17, as well as in Table 313 of Section 3.1 of the DEIS. Also refer to page 51 of our responses in Appendix N-5 of the DEIS.

2.0-11. A discussion of compliance with each of the requirements of the subdivision code is provided here. Village Zoning Code §163 is the Village's subdivision code. The Project would comply with the subdivision code, as described below under items A through H.

“A. Promote orderly development by maintaining the present character and stability of lands in the Village consistent with the development process.”

The Project, which is consistent with the Village's zoning code and the existing character of other developed subdivisions in the Village, would promote orderly development by maintaining the present character and stability of lands in the Village consistent with the development process.

“B. Encourage the location and design of streets and roadways which will promote the free flow of traffic while discouraging the location of such facilities and routes which will result in congestion.”

The Project's roadways have been designed and located in a way to promote the free flow of traffic and discouraging excess congestion. The Project would include newly designed roads and has been designed in a manner to avoid unnecessary traffic congestion.

“C. Promote a desirable visual environment through creative development techniques and good civic design and arrangements.”

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The Project has been designed to create a desirable visual environment and would use colors to blend in with the surrounding vegetation and scenery as required by the Village's Zoning Code. The homes would be new and aesthetically pleasing and the Project's civic design and arrangement has been completed in a good and positive manner.

"D. Promote the conservation of open space and valuable natural resources and to prevent degradation of the environment through improper use of land."

The Project would include 50% open space, which would include approximately 209 acres in its natural state, 60 acres of public parkland and 70 acres of active recreation areas. The Project would not adversely impact the on-Site wetlands. This would promote the conservation of valuable natural resources and prevent degradation of the environment through improper use of land.

"E. Encourage coordination of various public and private procedures and activities shaping land development with a view toward the more effective use of land."

The Project would include this and has proposed its development with a view toward the most effective use of the land

"F. Require that construction of facilities yield no net incremental discharge of storm-water from a site after development than occurred prior to development where existing downstream conveyances are inadequate. Where construction of such facilities is impractical, a donation of funds may be accepted to be used to carry out drainage improvements."

The Project has been designed to meet all applicable stormwater standards as evidenced in its SWPPP found in Section 10.5 of the FEIS.

"G. Approve development when off-site impacts have been eliminated or mitigated to the maximum extent possible, whether by providing off-site improvements or making a contribution toward the undertaking of these off-site improvements by public agencies."

The FEIS and DEIS examined the potential of the Project to generate significant adverse impacts upon the environment. The Project has been designed to incorporate multiple measures which would prevent any significant adverse environmental impacts from being generated. Each of these measures is discussed in the individual sections analyzing the potential impacts of the Project.

"H. Provide the legal authority to the Planning Board to disapprove plats if the requirements of these regulations and the policies and purposes of these regulations cannot, in the judgement [sic] of the Planning Board, be met."

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NYS law and the Village Code provide such legal authority to the Planning Board.

2.0-12. This has been previously addressed on page 52 of our responses in Appendix N-5 of the DEIS. The location of the capped fill area, which accounts for less than 1% of the Project Site, is behind lots between Road B and Road H and is shown in the Maps in Appendix M. It would not be impacted during Project Construction and would be protected from any disturbances associated with construction.

2.0-13. This information has been sufficiently provided in Sections 3.8 and 3.9 of the DEIS.

2.0-14. A map of the public parkland is shown in Section 2.20. The plan does not suggest access to the parkland would be gained through the existing access to the cemetery. Rather, access will be established anywhere along Clove Road, as the parkland has frontage on this road. Since this public parkland would be deeded to the Village, the Village would decide where access to the public parkland should be. The breakdown of the acreage of wetlands and uplands of the recreational area of the public parkland is shown on the maps and on the Site Plan in Section 10.4 of the FEIS.

2.0-15. No NYSDEC wetlands or its 100-foot buffer are included in the active recreation areas. The active recreation areas consist of 70 acres of land, of which less than 2.5 acres contain ACOE wetlands, whose integrity is not diminished due to their location because they would not left in their natural state and able to be admired by residents.

2.0-16. This was clarified on page 55 of our responses in Appendix N-5 of the DEIS, which states that all types of buses would be allowed to enter the Project's roads under HOA ownership, including school and public transportation buses. If any roadways are deeded to the Village, the types of buses allowed would be subject to and in compliance with the Village Code.

2.0-17. Please refer to Response to 2.0-15 above.

2.0-18. This was addressed on page 58 of our responses in Appendix N-5 of the DEIS. The initial preliminary biological report was conducted by Torgerson in 2014; however, the final (two-year) biological report was conducted by North Country Ecological Services ("NCES"). The reference to Torgersen's preliminary report has been removed from the DEIS. The findings from NCES in coordination with the NYSDEC is the data upon which the DEIS and also the FEIS is based.

Habitat is mapped in the revised DEIS in Section 3.6 and in Figures 361a, 361b, 362a and 362b. Lastly, please refer to Response 2.0-9 above.

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2.0-19. The coverage shown on the illustrations and Project Plans are approximately 35%. However, it is a reasonable planning practice to propose a 50% maximum coverage in the table of bulk requirements for flexibility. Visual, stormwater, and other topics in the DEIS analyzed potential impacts from maximum building coverage appropriately.

2.0-20. Figure 24 is valid as the general design of the collector roads are generally the same, and it would ultimately be up to the Village Planning Board to finalize them as part of the Site Plan Approval.

3.1-1. This reference is relevant as detailed on page 70 in Appendix N-5 of the DEIS, stating that it is appropriate for a zoning analysis to include the Village Zoning Adoption Resolution and Negative Declaration, which was adopted for the specific zoning applicable to the Project Site and with which the Project conforms. Accordingly, when the Village adopted its Zoning Code and Zoning Map and issued the Negative Declaration, it had first determined the Village's new zoning would not have the potential to generate any significant adverse environmental impacts, including but not limited to with respect to land use, zoning, public policy, and community character. While the negative declaration is not a substitute for a site-specific consistency analysis, it is also not proper to ignore the negative declaration. This commenter cannot disregard or minimize the fact that the Project conforms to the very Village zoning district and map regulations which the Village Board adopted and made applicable to the Project Site after issuing a negative declaration.

3.1-2. The majority of the Village's dwellings may have been grandfathered in; they would not be allowed to be developed today under the Village's Zoning Code, as indicated in Section 3.4 of the DEIS.

3.1-3. The DEIS states the following, *"At the time the Village adopted its Zoning Code, approximately 90% of the homes in the Village were developed at a significantly higher density than is allowed under the current Zoning Code, which restricts residential development to one unit per two or ten acres. Therefore, the majority of the Village's existing homes would be defined as nonconforming uses according to the adopted Zoning Code. Hence, the Zoning Code was essentially adopted to provide different and lower density regulations for the remaining 10% of the Village's parcels which were undeveloped or underdeveloped at the time of its adoption, including the Project Site, which accounts for the majority of such land. Thus, the provisions of the Zoning Code governing development in the Village, including the lot count and density provisions etc., were adopted for the purpose of establishing the appropriate type and intensity of development for the Project Site."*

It is only logical to suggest the zoning code was adopted for undeveloped parcels, rather than those that were already developed, unless this commenter is suggesting that when the Village adopted its Zoning Code, it did so under the assumption that applications for subdivisions would be

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proposed on locations with existing subdivisions and homes. Additionally, as stated in NPV comment found on page 91 of our responses in Appendix N-5 “because the Lake Anne site is so large and makes up most of the remainder of the Village's undeveloped residentially zoned land,” most of the Village areas not developed with the suburban residential uses are within the Project Site itself.

3.1-4. These statements are not inconsistent. The language in the Project Description accurately indicates that 544 units of development were approved by the Planning Board and Section 3.1 accurately indicates that the Greene Family made a request for building permits to physically construct the previously approved units. This information does not serve to suggest that the Village has approved the construction of 544 units at this time for the Project Site, but rather to provide a history of the Project Site’s land use, as required by the Village’s Scoping Document.

3.1-5. Figure 311a is a map of the Primary Study Area, which is defined as a 1-mile radius around the Project Site – it does not include a large parcel above Mountain Lodge. Open Space and Parkland is clearly mapped in Figure 15 of Section 1.0 of the DEIS relative to the Project Site. The Section 10.1 of the FEIS notes that all references to the proposed Town of Palm Tree should be read as Town of Palm Tree since it is an existing town and not proposed. The Town of Palm Tree was not included on the list of towns on page 3.1-2 as it was not listed as part of the Secondary Study Areas identified in the Scoping Document.

3.1-6. Open Space and Parkland is clearly mapped in Figure 15 of Section 1.0 of the DEIS. Section 10.1 of the FEIS indicates all references in the DEIS to the proposed Town of Palm Tree should be read as the existing Town of Palm Tree.

3.1-7. The DEIS does not state that the immediately surrounding area around the site contains multifamily uses. It indicates that there are multifamily homes located within the Village, in the area near the Project Site, just like the commercial strip center on NYS Route 208 and Duell Avenue.

3.1-8. Figure 3171 and Map 3171, are both included in Section 3.17 of the DEIS.

3.1-9. The DEIS addresses how the Project would promote rural character. Notwithstanding that since the goal of the zoning code is to promote the rural character of the area, the Project automatically does just that, by being consistent with the zoning code. Moreover, the DEIS makes multiple references to the Project keeping the natural landscape the same to the greatest extent practicable in order to promote rural character, as would the 50% open space preserved as part of the Project. Additionally, as mentioned above and in General Response 6, the areas preserved by the Project’s preservation area would also include 61.88± acres off-Site located in the Town of Blooming Grove and owned by the Applicant which has been identified as valuable for habitat for

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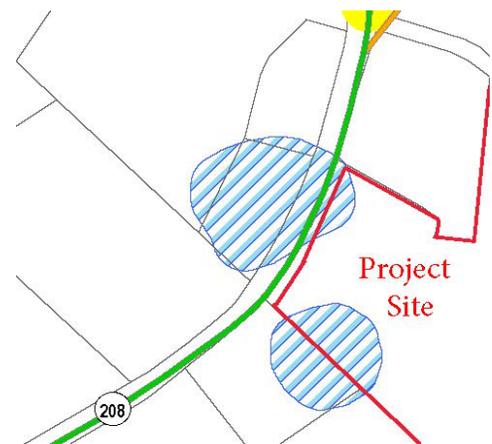
timber rattlesnake. Such areas are also located near the walking trail owned by others at the “top of the mountain”

3.1-10. This comment has been addressed on page 60 of our responses in Appendix N-5 of the DEIS. The DEIS states there are three density categories with regard to the residential properties within the Village’s RR Zoning District. Category No. 1 consists of approximately 1,000 dwelling units on approximately 457 acres of land, which is a density of 1 unit per 0.45 acre; Category No. 2 consists of properties proposed for development, namely the Project, which has 702 acres of RR Zoning District land proposed to have a density of one unit per 1.33 acres; and Category No. 3 consists of undeveloped and underdeveloped land, which currently contains approximately 130 dwelling units, and according to the Village Zoning Code, these lands have the potential to be developed with between 1,200 to 1,400 dwelling units should their landowners choose to exercise their right to develop their lands in accordance with the Zoning Code. Moreover, the Project’s lot sizes have been enlarged as shown on the Site Plan in Section 10.4 of the FEIS in order to be consistent with the Village’s residential character.

3.1-11. Village of South Blooming Grove SBL # 215-6-2 is 1.8 acres (according to Orange County Real Property Records). Suggesting that (even if this was preserved open space) this 1.8 acres is comparable to the 50% required by the Village’s Zoning Code for major subdivisions is absurd.

3.1-12. Figure 315c in the DEIS Addendum is an updated version of Figure 315b. A tree map has been previously submitted to the Village as indicated in Section 3.1 of the DEIS. As mentioned, the Project has sought to mitigate impacts to large trees and other secondary conservation areas to the greatest extent practicable. As secondary conservation areas, these areas/resources would not impact a project’s base lot count as they are not subtracted from the overall site area like primary conservation areas are.

3.1-13. The Project complies with the overlay district standards, specifically the Surface Water Overlay District mentioned in this comment as it does not propose a motor vehicle service station in accordance with §235-14.4.E(2)(b), and the Project application was submitted to and is being evaluated by the Planning Board as per §235-14.4.E(3)(a) and (c). Moreover, the Surface Water Overlay District area that touches the Project Site is located almost in its entirety across NYS Route 208, with only a small portion located on the edge of the Project Site as shown in the Figure at right. Please note that the SWOD contains a portion of NYS 208.



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3.1-14. The SWPPP correctly represents the amount of disturbance to the existing site. The majority of the Project's development would take place on previously disturbed lands. The areas of previous disturbance are discussed in the FEIS.

3.1-15. The proposed avoidance plan is to include the Clove Road Precontact Site & M. H. Howell Farm Complex within open space parkland. Two "No Trespassing" signs would be placed along the existing roads through the M. H. Howell Farm Complex at the 50' buffer boundary. No construction activities would take place within the 50' site boundary buffer, or within the identified site boundary. The NYS OPRHP provided the Project with a no impact letter in November of 2019. Moreover, the archeological and historic resources account for just a very small area of the public parkland.

3.1-16. Please refer to pages 61 through 63 of our responses in Appendix N-5 of the DEIS. This response is still accurate as this comment is requesting analysis beyond what is required per the Scoping Document. The Village Scoping Document did not require an assessment of those eight lot size ranges, size of dwellings on each lot, number of stories, building heights, FAR and bulk requirements based on lot sizes or information whether Mountain Lodge was platted and constructed prior to zoning regulations. Furthermore, the Scoping Document required an analysis of surrounding land uses and zoning, which the DEIS provides as it relates to residential, commercial and development type, and a time period of when a structure was constructed has no impact upon its present land use and zoning classification.

Furthermore, it appears that the author of this comment did not review the revised DEIS again, as the comment refers to a Figure that has been removed from the revised DEIS and replaced with the new Figure 345, which assesses six lot size ranges most appropriate to the Village's Zoning Code as follows:

- Range 1: Less than 3,000 square feet. The minimum lot size in the Village's RC-I and RC-II Zoning Districts is 3,000 square feet. Therefore, it is appropriate to analyze developments with densities less than one dwelling unit per 3,000 square feet. 21.6% of the Village's RR Zoning are within this range.
- Range 2: 3,000 square feet to 0.49 acre. The minimum lot size in the Village's ORI Zoning District is 20,000 square feet (builder's half acre). Therefore, it is appropriate to analyze developments with densities between the minimum lots sizes of RC-I and RC-II Zoning District's (3,000 square feet) and the minimum lot size in the ORI Zoning District (half acre). 56.9% of the Village's RR Zoning parcels are within this range.
- Range 3: 0.5-acre to 1.0 acre. Step Two of the RR Zoning District's Site Analysis Process provides a density of one dwelling unit per one acre. Therefore, it is appropriate to analyze

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developments with densities between the minimum lot size in the ORI Zoning District (half acre) and the minimum lot size from the RR Zoning District's Site Analysis Process's Step Two (one acre). 10.6% of the Village's RR Zoning parcels are within this range.

- Range 4: 1 acre to 1.99 acres. The minimum lot size of the RR Zoning District's Step 5 of the Site Analysis Process is one dwelling unit per two acres (however, the adjusted base lot count allows an applicant to increase the development density to up to 1.5 times, which equals a density of one dwelling unit per 1.33 to 1.99 acres). Therefore, it is appropriate to analyze developments with densities in this range. 2.8% of the Village's RR Zoning parcels are within this range.
- Range 5: 2 acres to 9.99 acres. The RR Zoning District's provides a density of one dwelling unit per 10 acres if an applicant chooses to not perform the Site Analysis Process. Therefore, it is appropriate to analyze developments with densities equal to or greater than the minimum density established during Step 5 of the Site Analysis Process, but less than one dwelling unit per 10 acres. 5.7% of the Village's RR Zoning parcels are within this range.
- Range 6: 10 acres and greater. It is appropriate to analyze development with densities equal to or greater than the minimum density allowed in the RR Zoning District should an applicant choose to not perform the Site Analysis Process. 2.4% of the Village's RR Zoning parcels are within this range.

Accordingly, the six ranges analyzed in the DEIS for the Village's RR Zoning District land include lot sizes and densities that are most applicable and relevant to the Village Zoning Code. The Village adopted a Zoning Code with regulations applicable to the RR Zoning District lands which conflicted with approximately 90% of the developed parcels (1,031 of the 1,157 parcels) in this specific Zoning District.

With regard to the Project's lot sizes, the Project is simply proposing what is allowed according to the Village Zoning Code, without the need for variances, waivers or zoning changes. Therefore, it is the type of development, density and net lot area or home site contemplated by the Village for the Project. The Project's development is not a massing of 3,750 square feet per 7,000 square feet of land, rather it is a 1,250 or 1,875 building footprint per approximately 51,500 square feet of land. The Village Zoning Code requires 50% of a Project Site be preserved as open space. This clustering of lots is the outcome of adhering to the Village Zoning Code regulations for developing property in the RR Zoning District. Consistency with the Zoning Code is the best indicator of appropriate lot layout and development. Moreover, the Project's lot sizes have been enlarged as shown in the Project Plans in Section 10.4 of the FEIS.

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In addition, the Zoning restricts the building footprint to 5,000 square feet which the Project would comply with and not exceed. The Project would also comply with the height restrictions of the Village's Zoning Code. Accordingly, the Project's proposed bulk requirements are consistent with the requirements in the Village Zoning Code and its homes would be consistent with the specific footprint, lot coverage and height requirements currently detailed in the Zoning Code. On the other hand, over 90% of the existing residential lots in the Village are not in compliance with the ordinances as articulated in the Zoning Code (see Section 3.4) and can be classified as non-conforming uses, unlike the Project, which would be consistent with all Village Codes and regulations as detailed throughout the DEIS. Section 3.4 of the DEIS provides the most reasonable, applicable comparison of the Project's proposed lots and homes to existing residential lots in the Village and study area. Lastly, we have already submitted a formal request to the Planning Board to make a determination regarding these bulk requirements, which were verbally accepted by the Board.

3.1-17. Noted. However, the Project's public parkland would be the only large Village parkland in the Village of South Blooming Grove, and as such would be a vast improvement in terms of meeting the recreational needs of the existing Village population.

3.1-18. The development area is clearly referenced in the EIS.

3.1-19. The Project is not proposing any park and ride facilities.

3.1-20. The Project addresses consistency with the overlay districts and zoning parameters in Section 3.1. The Project is consistent with the Village's Zoning requirements without the need of variances.

The following requirements are imposed for lands within Overlay Districts: (a) a visual assessment shall be submitted unless waived by the Planning Board; (b) a biodiversity analysis shall be submitted unless waived by the Planning Board; (c) in the RL Overlay District, no structure with a height of greater than 35 feet, or a footprint greater than 5,000 square feet shall be constructed; (d) in the SV and RL Overlay Districts, on any wall or roof surface, brown, green, gray, or other earth-tone colors, and stone or natural wood materials is encouraged, while white, light, and bright colors, brightly finished metal, and glossy surface reflective materials are discouraged; and (e) in the SR Overlay District, a continuous vegetated buffer, agricultural use, or open field, at least 100 feet deep, shall be maintained.

The Project would conform with all of the design standards mentioned above: (a) a Visual Assessment has been prepared which is summarized in Section 3.14 and found in Appendix K; (b) a biodiversity analysis has been prepared, which is summarized in Section 3.6 and found in Appendix C; (c) home footprints and heights would conform with applicable height and size

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restrictions, and the homes located within the RL Overlay District would not be greater than 35 feet in height or have a footprint of greater than 5,000 square feet; (d) brown, green, gray, or other earth-tone colors, and stone or natural wood materials on wall and roof surfaces would be utilized, which are illustrated in the Site & Floor Plans included in Section 2.20; and (e) a 100 foot vegetated buffer on Clove Road in the SR Overlay District is shown in the Project Plans in Section 10.4 of the FEIS.

Moreover, the Project does conform to the Surface Water Overlay District as it does not propose a motor vehicle service station in accordance with §235-14.4.E(2)(b), and the Project application was submitted to and is being evaluated by the Planning Board as per §235-14.4.E(3)(a) and (c).

3.1-21. The DEIS addresses these items in their respective sections, specifically Section 3.8 and Section 3.9

3.1-22. The Orange County Open Space Plan indicates that the Project Site is an area within Orange County that is not designated as having any particular open space resource value as shown in Figure 317 in Section 3.1.1. The Scoping Document did not require we consider the NYS Open Space Plan in the DEIS. According to the map provided in this comment, the Orange County Open Space Plan recognizes the Project Site has biological diversity; such biological diversity is addressed in Section 3.6 of the DEIS and its Section 10.4 of the FEIS and in the Project's responses to the NYSDEC.

3.1-23. This Figure is a copy of a figure from page 24 of the Southeast Orange County Traffic and Land Use Study. This study chose the area of the Project Site to illustrate an example of a development in a Priority Growth Area and is not a detailed plan with specific calculations of acreage for greenbelts, etc. The Project is proposed similarly with greenbelts, as shown in the Master Plan.

3.1-24. Architectural scale is addressed in Section 3.4 of the DEIS in a manner consistent with the Scoping Document.

3.1-25. This was addressed on pages 66 and 67 of our responses in Appendix N-5 of the DEIS. The floor plans for both the Heartwood and Sapwood models total 3,750 square feet as shown in Section 2.20, and the accessory apartments are not in addition to this square footage. As illustrated in the floor plans, the dwelling units possess 750 square feet of unfinished space included in the 3,750 square feet, which a homeowner could use for an accessory apartment in the future with Planning Board approval.

3.1-26. The DEIS had been revised to remove the citation to the NRPA Report and associated discussion in accordance with NPV comment, and also differentiates between active and passive

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open space. Moreover, the Village of South Blooming Grove currently has no large Village parkland, and the Project's 60 acres of public parkland, which is consistent with the Village Zoning Code requirements to be 8.5% of the Project Site, would serve to offer all residents of the Village, including those of the Project, enjoyment. The Project's proposed open space satisfies the Village requirements as part of this development and the active open space referenced in the last part of this comment is discussed in Section 2.0. Moreover, Gonzaga Park is not Village parkland, as it belongs to the County of Orange.

3.2-1. The assumptions in an analysis need to match the source of the data. Therefore, the DEIS assumes a vacancy rate only where it is applicable in reality (i.e., household sizes derived from the population in occupied housing); however, where vacancy is not applicable (i.e., projected property taxes, which are paid even when a home is vacant) a vacancy rate is not utilized so the assessment is based on 100% occupancy. This allows the most accurate, truest assessment. Please refer to page 73 of our responses in Appendix N-5 of the DEIS.

3.2-2. The data is referenced as the ACS, US Census Bureau, 2012-2016.

3.2-3. The DEIS clearly indicates what year of Census Data was used. Every table includes a reference, as does the text. Moreover, the text clearly refers back to the relevant tables, which are included amidst the discussion.

3.2-4. Comment noted; however, this was not required as part of the Scoping Document.

3.2-5. Comment noted; however, at the time of the submission in 2019 there was not additional ten years of data through 2020.

3.2-6. The area is experiencing a demand for housing, as evidenced in the CGR Report and the KJ GEIS, as well as in property sales in the area. It is an irrefutable fact that there is a great housing need in the region.

3.2-7. A clear analysis is detailed in this section. Such analysis is consistent with the Village Scoping Document, and this comment has suggested recommendations beyond the scope of the Scoping Document.

3.2-8. All sources used as part of the socioeconomic analysis are detailed in Section 3.2.4; moreover, occupancy rates are taken from the US Census, American Community Survey, 2012-2016 as detailed on the tables and throughout the Section.

3.2-9. That statement is substantiated based upon the actual data.

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3.2-10. The analysis was conducted appropriately. Please refer to Responses 12 and 13 immediately above in this section.

3.2-11. The age cohort for the current population of the Village is identified in Table 321 of Section 3.2 of the DEIS, and the discussion is relevant.

3.2-12. This analysis is referring to losing occupied housing units to vacancies.

3.2-13. This is identified in Table 321 of Section 3.2 of the DEIS.

3.2-14. The data used in the DEIS is not outdated. In fact, the DEIS uses more recent data from 2012-2016, although the Scoping Document allowed data from earlier years be used.

3.2-15. The impacts associated with changes in the real property value of the Project Site have been examined in Section 3.2.2 and Table 329 of the DEIS. This was also noted on page 71 of our responses in Appendix N-5 of the DEIS.

3.2-16. The analysis of the Village's trend of decreasing population is based upon data from the US Census, ACS as indicated in Figure 323a. As stated in the analysis, the DEIS used the Village's population trends from 2006 through 2016.

3.2-17. This comment is based upon actual population data and substantiated by documented sources.

3.2-18. The analysis clearly clarifies what workers would be a result of constructions and which would be long term, as shown in Table 327 of Section 3.2 of the DEIS.

3.2-19. A discussion of the potential income levels of individuals who may reside in the Project is inappropriate and unknown at this time. All residential units in the Project would be made available for occupancy, purchase or rental to any person regardless of race, color, religion, gender identity, handicap or disability, familial status, national origin, age, marital status, military status or other protected class status in accordance with federal and state law. The Project Owner and Developer is committed to providing and satisfying equal housing opportunity principles and legal requirements.

3.2-20. Sales tax is discussed under Section 3.2.2(b) of the DEIS, specifically on page 3.2-16.

3.3-21. As indicated in responses above, home value has been substantiated and supported. If anything, according to comparable sales from the Hudson Gateway MLS, the DEIS has a more

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conservative analysis which undervalues home values. Therefore, the property tax analysis is accurate and conservative.

3.2-22. This equalization rate was used to be consistent with the census data used and is in accordance with the Scoping Document requirements.

3.2-23. Table 329 does this and also references the date of the tax assessment roll.

3.2-24. This is done in Section 3.2 of the DEIS, which states... *“the choice to send children to private school does not relieve the property owner from paying property tax to the school district. Such private school students are entitled to certain services from the public school district in which they reside, including transportation to their private school, textbooks, library materials, technology components, and health and special education services.”*

“These services constitute approximately 10% of the total student programming cost, or roughly \$862 per private school pupil. In Scenario No. 1, it is projected that approximately 1,239 private school-age children would reside within the Project. Therefore, costs to the School District would be \$1,068,018 as compared to the tax revenue of \$7,618,424. This would result in a substantial annual net benefit of \$6,550,406 to the Washingtonville Central School District.”

3.2-25. Cost and net revenue are shown in Table 3210.

3.2-26. 2016 data was used in order to be consistent with the census data and is in accordance with the Scoping Document. There is no need to update the data.

3.2-27. An explanation of how the costs are apportioned correctly between residential and nonresidential parcels is found on pages 3.2-18 and 3.2-19 of the DEIS.

3.2-28. This information is public record and the source is the School District itself. Please also refer to Commenter No. 112 in regard to the decline of the student population, who indicates the number of students enrolled in Washingtonville Central Public Schools has declined from 4,163 pupils to 3,723.

3.2-29. An explanation for the derived cost per capita per pupil is explained on page 3.2-19 of the DEIS.

3.2-30. This alternative method is only in addition to the per capita method and is not the main method used in the socioeconomic section. Its source is CPC in the Cloewood DEIS. There is no reason to remove this information.

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3.2-31. The Project is not proposing houses of worship. The community facilities and associated nondenominational rooms and community wellness facilities may be used for any purpose the residents find appropriate, including birthday parties, speeches, social and religious events and/or any other community activity. Regardless of the Co-Lead Agencies' direction as to how the DEIS is to be prepared, all residential units in the Project would be made available for occupancy, purchase or rental to any person regardless of race, color, religion, gender identity, handicap or disability, familial status, national origin, age, marital status, military status or other protected class status in accordance with federal and state law. The Project Owner and Developer is committed to providing and satisfying equal housing opportunity principles and legal requirements. The Project contains locations for all facilities that would be needed in a residential development, including community facilities, and passive and active recreational areas.

3.2-32. The source for all data is properly noted. This comment does not specifically indicate the data they are referring to. The data in the DEIS is clearly noted.

3.2-33. It again appears that the author of this comment did not review the revised DEIS or our responses, as the DEIS not use a multiplier of 5.62 persons for Scenario No. 1.

In regard to vacancy rate, please review page 73 of our responses in Appendix N-5 of the DEIS. The the DEIS assumes a vacancy rate only where it is applicable in reality (i.e., household sizes derived from the population in occupied housing); however, where vacancy is not applicable (i.e., projected property taxes, which are paid even when a home is vacant) a vacancy rate is not utilized. In this manner, estimated household sizes for the Project are consistent with the household sizes of Scenario No. 1 and 2 are derived from occupied housing units only, implying vacancy. Population calculations derived utilizing household sizes based upon occupied housing units with a vacancy rate are equivalent to population calculations derived utilizing occupied and unoccupied housing units without a vacancy rate where the household size would be lower, but the total population would be the same. Asking a Project to not utilize a vacancy rate when its source appropriately considers one is statistically inaccurate.

Although it is unreasonable to estimate population using a household size based on occupied housing without a vacancy rate, if calculated at a 100% occupancy rate there would be additional cost to the Village, Town, County, and School District totaling \$340,216 under Scenario No. 1 and \$216,802 under Scenario No. 2, which would still result in an overall net benefit to the taxing jurisdictions and their taxpayers of \$7,693,640 under Scenario No. 1 and \$7,590,444 under Scenario No. 2, and is a trivial difference since the surplus is comparably great with or without the utilization of an occupancy rate.

Moreover, although the DEIS does not use a multiplier of 5.62 persons for Scenario No. 1 as indicated by this Village comment, the demographic characteristics for Scenario No. 1 are based

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upon those of the Village of Kiryas Joel from 2016 and are reasonable, as multifamily housing in the Village of Kiryas Joel is not smaller than single-family housing and rental units are not necessarily smaller than owner-occupied units. The multiplier in the DEIS under Scenario No. 1 is a true representation of reality and, moreover, is conservative since, according to the CGR Report² the average household size for the Village of Kiryas Joel is actually decreasing as a result of changes in demographic characteristics from an average household size in 2015 of 5.9 to about 4.8 persons over the next few years. Accordingly, the household size of 5.47 persons presented in the revised DEIS based upon Census Data from 2016 for this scenario gives the broadest real perspective of future population growth based upon actual growth trends without underestimating the anticipated population.

3.2-34. The Scoping Document adopted by the Village indicated *“The socioeconomics chapter will present the fiscal impact analysis results based on a per capita multiplier approach.”* The DEIS has complied with the Scoping Document requirements. The DEIS did assign the costs to each taxing jurisdiction on a residential and non-residential basis (see pages 3.2-19 and 3.2-20 of the DEIS), and we did contact the Town of Blooming Grove and Village of South Blooming Grove Tax Assessor to vet the assumptions utilized in the analyses. Please refer to page 76 of our responses in Appendix N-5 of the DEIS.

3.2-35. This has been addressed on page 76 of our responses in Appendix N-5 of the DEIS. The school tax revenues do not consider STAR exemptions. The STAR exemption has been terminated by the State. Instead the State now offers a STAR credit. It is wholly administered by the State and is dependent on the School District. The persons qualifying for the Basic STAR credit in the Washingtonville School District currently (at the time of the submission of the revised DEIS) receive a check in the amount of \$927. The money is sent to the homeowner directly from the State of New York and would therefore have no impact upon a socioeconomic analysis. This is based upon information we received from the Village’s Tax Assessor.

3.3-1. A concerted effort was made. Please refer to page 77 of our responses in Appendix N-5 of the DEIS. Although we only received written responses from three, we conducted in-person meetings and phone conversations with others (i.e., the State Police, Ezras Cholim, etc. as stated in Section 3.3). The few from whom we were unable to receive responses from (i.e., South Blooming Grove Fire Company) were, in addition to being mailed the Project survey, contacted several times via e-mail, telephone and on-site visits. During one on-site visit to the Fire Station, one of the fire station personnel stated that the department had no intention of responding because the department did not want the Project Site to be developed. Please also refer to Attachment 21.

² At the request of the Orange County Planning Department, the Center for Governmental Research (“CGR”) and the Chazen Companies conducted an independent assessment dated August 21, 2015, analyzing the circumstances surrounding the Kiryas Joel Annexation.

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Nonetheless, the analysis is complete and appropriate for evaluating potential impacts for public review.

3.3-2. The yellow cells do not indicate anything. They are just there to separate the different types of service providers from one another (i.e. all Police Protection services are one color, while the next type of service provider is in a different color).

3.3-3. This information was provided to us by the Department itself and is included in Section 3.3.7 of the DEIS.

3.3-4. There is no discrepancy. The DEIS states *“In the Project’s case, this would result in the need for approximately five additional officers under Scenario No. 1 and approximately two under Scenario No. 2. The addition of potential accessory apartments would result in a need for a total of approximately six additional officers under Scenario No. 1 and approximately three under Scenario No. 2”* It is possible the commenter may have confused the different scenarios or the inclusion or exclusion of accessory apartments.

3.3-5. The cost assessment is summarized in this section and is based upon the analysis detailed in Section 3.2 of the DEIS.

3.3-6. No, it does not impact their level of service. This comment was addressed in the DEIS Section 3.3 and on page 78 of our responses in Appendix N-5 of the DEIS.

3.3-7. The comment is requesting an analysis beyond the requirements of the Scoping Document. The analysis in Section 3.3 is more than sufficient for environmental review. In addition, we recently e-mailed John Salka, the fire chief for the South Blooming Grove Fire Company in an effort to obtain more information; however, he never responded to our e-mail.

3.3-8. This comment is requesting an analysis beyond the requirements of the Scoping Document. The property taxes paid to the Town include a portion to cover BG ambulance (see Table 329 in Section 3.2); accordingly, since the Project would result in a net tax benefit to the Town under both Scenarios, the Project’s tax revenue would cover any costs related to BG ambulance. The analysis in Section 3.3 of the DEIS is more than sufficient for environmental review. KJ EMS’s budget is irrelevant for a socioeconomic assessment as they would not be funded by property taxes from this Project.

3.3-9. This comment is requesting information beyond what was required by the Scoping Document. Moreover, it is unclear how ESL or special needs is relevant to an environmental review. Table 334 details enrollment; however, it is unclear how the number of classrooms would be relevant to the analysis. The socioeconomic analysis in Section 3.2 analyzes the potential costs

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to the School District based upon its budget on a per pupil basis and confirms that the Project would result in a net benefit to the WCSD under both scenarios (The net benefit would be \$6,550,406 under Scenario No. 1 and \$5,264,072 under Scenario No. 2).

3.3-10. It appears that the individual who authored this comment did not review the revised DEIS or our responses in Appendix N-5, as these issues have all been addressed:

The language (“could incur impacts”) quoted is the language that particular service provider used as shown in their response. In fact, the service provider’s response also indicates a detailed analysis would need to be conducted, which the DEIS does and concludes the Project would not result in a significant adverse impact.

The revised DEIS includes all relevant data from the fiscal impact analysis in this Section 3.3 on Tables 332 and 333 on page 3.3-3. However, although we revised this section, since the Scoping Document requires public and publicly funded community facilities and services be evaluated, such a fiscal analysis is already provided in the socioeconomics section, thereby making the majority of this section redundant. The DEIS does show that the property taxes generated by the Project would offset costs through tables.

Moreover, the DEIS does not refer to an addition of 7-13 personnel, and instead states, *“In the Project’s case, this would result in the need for approximately five additional officers under Scenario No. 1 and approximately two under Scenario No. 2.”*

3.3-11. It appears that the individual who authored this comment did not review the revised DEIS as it does not state that the Project would result in a need for a new fire station. In addition, the DEIS only discusses one fire service provider. The analysis contains ample information for the assessment.

3.3-12. Page 3.2-21 quantifies the costs associated with the Project to the WCSD and concludes there would be a net benefit under both Scenario No. 1 and No. 2. These numbers are also included on page 3.3-3 of Section 3.3 in Table 333. This is addressed sufficiently.

3.3-13. It is unclear how the plans to expand private schools would be relevant to this environmental review. This comment is outside the scope of SEQRA’s substantive review parameters and beyond the requirements of the Scoping Document.

3.3-14. The Blooming Grove Day Care is a privately funded day care and analysis of this day care was therefore removed from the DEIS as indicated on page 83 of our responses in Appendix N-5 of the DEIS. It is unclear what numerical data this comment is referring to.

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3.3-15. Tax revenues from the Project by taxing district, cost and surplus are detailed in Tables 3210 (Section 3.2) and 333 (3.3). Just like the Village currently has residents who are volunteers for fire and EMS, the Project will too.

3.4-1. The Village Zoning Code is relevant to community character, in part because the Scoping Document itself begins its discussion of community character by quoting the Village Zoning Code. In addition, the Zoning Code is relevant to the site-specific community character impacts of the development as the zoning regulations determined the type and scale of development that would be allowed on the Project Site and were adopted without there having been any finding that such development of the Project Site would have the potential to generate any significant adverse community character impacts. Thus, the history of the adoption of the Village's Zoning Code, including the Negative Declaration, is relevant to the community character analysis in the DEIS. Since the Project does not include any variances from the Village's Zoning Code, the Project is consistent with the community character which the Village Zoning Code intended to create. Under SEQRA, consistency with the Zoning Code and Comprehensive Plan is the best indicator of consistency with existing community character.

3.4-2. The creation of the Town of Palm Tree, which includes the annexation of land to Kiryas Joel is referenced in the EIS.

3.4-3. The DEIS provides a meaningful analysis of the Secondary Study Area. Please refer to pages 3.4-2 and 3.4-3 of Section 3.4 of the DEIS.

3.4-4. The community character analysis includes discussion about more than specific subdivisions in the vicinity of the Village. However, it logically provides a more in depth analysis of the existing subdivisions in the Village's RR Zoning District because they are adjacent to the Project and because that is exactly what the Project proposes – a subdivision in the Village's RR Zoning District. This allows an apples to apples comparison of character.

3.4-5. The estimates were based upon property tax records.

3.4-6. Section 3.4 analyzes architectural scale.

3.4-7. This comment and its information is irrelevant to the Project's character.

3.4-8. Kiryas Joel is discussed on pages 3.4-6 and 3.4-7 of the DEIS.

3.4-9. The existing neighborhoods in the Village and Mountain Lodge are the communities located within the Primary Study Area, which is why they are analyzed in the DEIS. Moreover, as stated in NPV Comment on page 91 of our responses in Appendix N-5 indicating that the Project Site is

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large and “makes up most of the remainder of the Village's undeveloped residentially zoned land,” so most of the undeveloped residential lands in the Village are within the Project Site itself. However, the DEIS does include a robust discussion of community character, in and around the proposed Project Site.

3.4-10. The Project does fully conform to the Surface Water Overlay District as it does not propose a motor vehicle service station in accordance with §235-14.4.E(2)(b), and the Project application was submitted to and is being evaluated by the Planning Board as per §235-14.4.E(3)(a) and (c).

3.4-11. The Scoping Document did not require architectural scale be analyzed according to these excessive requirements. The analysis provided in this section of architectural scale satisfied the Scoping Document Requirements. However, the DEIS documents the existing and proposed dwelling sizes, which are shown in the Plans in Section 2.20, provides discussion of the dwelling sizes relative to lot sizes (including the gross and net lot sizes), and discusses building heights and floor plans. Moreover, the majority of the Project's lot sizes and proposed footprints are similar to those of the majority of the Village's existing lot sizes and footprints.

3.4-12. Statistics for the unincorporated areas have been provided.

3.4-13. There is no Section 3.4.5 in the DEIS. We also do not know what 3-127 is referring to, as there is no page 3-127 and there is no chart labeled 3-127.

3.4-14. The Project is proposed in accordance with the Village's Zoning Code and would not require any variances, waivers or zoning changes. The Village Planning Board, on multiple occasions, as evidenced in Planning Board Minutes, verbally determined that the Project is compliant with the Zoning Code and agreed to the Project's proposed Bulk Requirements.

3.4-15. The Project is not proposing any park and ride facilities as shown on the Project Plans in Section 10.4 of the FEIS.

3.4-16. The proposed avoidance plan is to include the Clove Road Precontact Site & M. H. Howell Farm Complex within open space parkland. Two “No Trespassing” signs would be placed along the existing roads through the M. H. Howell Farm Complex at the 50' buffer boundary. No construction activities would take place within the 50' site boundary buffer, or within the identified site boundary. The NYS OPRHP provided the Project with a no impact letter in November of 2019.

3.4-17. Section 3.3 of the DEIS provides a detailed analysis of community service impacts.

3.4-18. Renderings of the dwellings are included in Section 2.20 of the DEIS.

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3.4-19. Please see the revised Site Plan in Section 10.4 of the FEIS, which includes larger lots.

3.4-20. This information was based upon the 2016 Final Assessment Roll for the Village of South Blooming Grove and is valid.

3.4-21. The upper portion, which would remain open space is still part of the Project Site. Please refer to page 63 of our responses in Appendix N-5 of the DEIS.

3.4-22. Visual impacts and aesthetics are discussed in detail in Section 3.14. The discussion included in Section 3.4 is appropriate for visual character assessment. The Project is not proposing any park and ride facilities.

3.4-23. This is not opinion as it is substantiated with sources.

3.4-24. CGR Report is spelled out in previous sections of the DEIS.

3.4-25. Noise impacts are discussed in detailed in Section 3.12 of the DEIS. It is unclear how bus travel is related to community character.

3.4-26. The lot sizes for those lots are included on page 3.4-12 of the DEIS in Figure 345.

3.4-27. As the Village of Woodbury is discussed on page 3.4-3, we believe this comment is referring to pages 3.4-21 through 3.4-28. However, a note indicates that since the Village of Woodbury is also a Town it was not included in the discussion on these last pages due to the fact that those include an analysis of just villages.

3.4-28. We believe this comment is referring to figures and not tables: the jurisdictions (municipalities) included on Figures 347, 348a and 348b are identified on page 3.4-22 (there is also a note on the Figures clearly stating that the municipalities are those identified in Table 342). Yes, they are included in their entirety.

3.4-29. We believe this comment is referring to Figure 3410a not Table and it has not selectively chosen statistics. There is a note indicating that the figure illustrates all relevant and comparable villages within the Priority Growth Areas in Orange County, NY; therefore, Tuxedo Park and Woodbury have been omitted due to the unusual nature of the two: only part of Woodbury is located within a Priority Growth Area and Tuxedo Park is a gated community.

3.4-30 Please refer to page 65 of our responses in Appendix N-5 of the DEIS.

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3.4-31. It is clear this data is not projections as the projections apply to the Project under both scenarios.

3.4-32. The Village's population decline is based on factual statistics from the US Census, as referenced in the DEIS.

3.4-33. Please refer to page 91 of our responses in Appendix N-5 of the DEIS. Moreover, this comment is requesting something beyond the requirements of the Scoping Document.

3.5-1. They are correct, as the NYS OPRHP files were reviewed, and there are no previously identified Historic Properties (National Register Eligible or Listed) within the general vicinity. Because of the lack of the identified historic properties, combined with the topographical elevations, adverse visual effects from the project are not expected.

3.5-2. The proposed avoidance plan is to include the Clove Road Precontact Site & M. H. Howell Farm Complex within open space parkland. Two "No Trespassing" signs would be placed along the existing roads through the M. H. Howell Farm Complex at the 50' buffer boundary. No construction activities would take place within the 50' site boundary buffer, or within the identified site boundary. The NYS OPRHP provided the Project with a no impact letter in November of 2019. Moreover, the archeological and historic resources account for just a small area of the public parkland.

3.5-3. This statement is summarizing what the reality was at the time, and the DEIS goes on to explain that once additional testing was required, a supplemental study (which is included in Appendix B-3 of the DEIS) was completed. The NYS OPRHP provided the Project with a no impact letter found in Attachment 55.

3.5-4. As previously noted, this is a reference to the Archaeological Report a/k/a Phase 1A, which is included as B-1 of Appendix B.

3.5-5. The NYS OPRHP provided the Project with a no impact letter in November of 2019, which is included in the FEIS.

3.6-1. This is not required as per the Village zoning code.

3.6-2. The DEIS contains no such statement; however, page 3.6-13 of the DEIS states, "*The Project Site is located approximately 8.0± miles from the Sterling Forest Bird Conservation Area.*" In addition, page 3.6-18 addresses the Hudson Highlands West Important Bird Area.

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3.6-3. The DEIS accurately discusses the location of timber rattlesnake basking areas. There is no den located on the Project Site.

3.6-4. The Village Zoning Code §235-14.1.B(2)(a)(1)[a][viii] does not include identified habitat areas under primary conservation areas. There is no reference to 136 acres of Project Site development in the DEIS. Moreover, no significant adverse impacts are anticipated from construction. Wildlife species would have substantial suitable habitat within the approximately 50% of the Project Site that would be undeveloped and preserved as open space. The Project would not have the potential to substantially interfere with nesting/breeding, foraging, or over-wintering habitat of any endangered or threatened species, or any species of special concern.

Furthermore, the NCES bat survey identified trees that appeared suitable for use by both species for roosting activities, of which some are located immediately adjacent to the Palustrine wetland areas and others are sporadically located throughout the forested upland components of the Project Site. Accordingly, the Project would conduct tree clearing activities between November 1 and March 31 of a given calendar year. Wetlands and an additional approximately 180 acres of upland habitat suitable for bats would not be impacted by the Project. The areas of disturbance are clarified in Section 10.1 of the FEIS, as well as on the Project Plans in Section 10.4 of the FEIS.

3.6-5. It appears that the author of this comment has neither reviewed the revised DEIS nor our responses in Appendix N-5, as the author is repeating, in multiple comments, the exact same information, without having taken into consideration our responses and the new information provided in the DEIS. For example, above in Comments 3 and 4, the author states that the DEIS uses language that is no longer in the revised DEIS.

The DEIS complied with the requirements found in the Scoping Document, which did not include an analysis of the presence of the Hudson Highlands West Important Bird Area or the other items listed in this comment. Moreover, based on the overall acreage of the Hudson Highland West Important Bird Area and the impacts to forested areas, the Project would not have a direct impact on bird populations in the Hudson Highlands Bird Area.

The evaluations completed by NCES were specific to those species that were individually referenced by the NYSDEC and USFWS as being either state or federally listed as endangered, threatened or rare as indicated in correspondence found at the end of Appendix C. The evaluations included a general habitat assessment to determine if suitable habitat conducive to the existence of the listed species is present. If suitable habitat was documented, then species-specific surveys were conducted in an attempt to identify actual species presence/absence on the property. During the endangered and threatened species evaluations, NCES staff compiled a list of all species of flora and fauna identified on the property. These species were identified by direct observation, by sound, or by physical remains (ie, tracks, scat, fur, feathers, bones, etc.). With respect to the birds

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identified on the property, it does not appear that any are currently listed on the state or federal endangered species list as either endangered or threatened. Therefore, no further studies have been deemed required by the NYSDEC or USFWS and no further information is provided.

3.6-6. According to the Project's biologist, "The use of such chemicals for the maintenance of lawns is not a significant quantity and would therefore not present any potential negative impacts, especially so given the size of the lots and the modest amount of area within each lot for lawns and plantings."

3.6-7. The discussion is complete. The incidental taking permit has been included in Section 10.3 of the FEIS.

3.7-1. Figure 374 has been revised in Section 10.1 of the FEIS.

3.8-1. This section has been organized by existing conditions, impacts and mitigation in a logical fashion that is easy to understand. Potential impacts to wetlands are clearly addressed under Section 3.7.2 potential impacts.

3.8-2. This has been noted in Section 10.1 of the FEIS.

3.8-3. Figure 382 maps the wetlands listed in Table 381. The streams shown in the Freshwater Wetland Map in Appendix E are also shown in the Site Plan sheets in Section 10.4 of the FEIS, which allow the reviewer to determine any potential impacts to streams. The information stated in (a) on page 3.8-5 is accurate.

3.8-4. No impoundments of any kind would be proposed as part of the Project as indicated on page 3.8-6.

3.8-5. Section 10.1 of the FEIS clarifies this.

3.8-6. Section 3.6 addresses bird species, specifically on pages 3.6-13, 3.6-14 and 3.6-18.

3.12-1. This comment is beyond the scope of the previous Village comments. SEQRA explicitly provides that once a revised DEIS is submitted, the Village is obligated to make a completeness determination based "solely on the written list of deficiencies provided by the [lead agencies] following the previous review." See 6 NYCRR 617.9(a)(2)(ii) (emphasis supplied). However, this comment is addressed in Section 10.1 of the FEIS under noise.

3.12-2. None of this information was required by the Scoping Document. Additionally, this comment is beyond the scope of the previous Village comments, and SEQRA explicitly provides

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that once a revised DEIS is submitted, the Village is obligated to make a completeness determination based "solely on the written list of deficiencies provided by the [lead agencies] following the previous review." See 6 NYCRR 617.9(a)(2)(ii) (emphasis supplied).

3.12-3. The times identified as typical daytime activities are times that would be representative of noises you would expect hear throughout the day. It was the professional opinion of our consultant (Tim Miller Associates) that the two times (morning and afternoon) chosen would be appropriate times to conduct the analysis; however, the results would be typical of noise patterns expected to be heard from 7:00am through 5:00pm. In addition, the time frames specific to each monitoring location are indicated in Table 3125. Lastly, the comment regarding peak traffic hour is not inaccurate as there is considerable overlap between the times associated with peak traffic hours and typical daytime activities.

3.12-4. Since the Scoping Document did not specify which day of the week the assessment should be conducted, it was the opinion of our consultant (Tim Miller Associates) that noise be measured on weekday periods because weekdays generally experience more noises from traffic, construction and other activities, including commercial noises, than weekends.

3.12-5. This comment is beyond the scope of the previous Village comments. SEQRA explicitly provides that once a revised DEIS is submitted, the Village is obligated to make a completeness determination based "solely on the written list of deficiencies provided by the [lead agencies] following the previous review." See 6 NYCRR 617.9(a)(2)(ii) (emphasis supplied). However, a response will be incorporated into the FEIS.

3.12-6. Page 3.12-3 of the DEIS lists criteria from relevant agencies, including the NYSDEC and Federal Highway Administration. Moreover, the Scoping Document did not require additional standards be evaluated.

3.12-7. This comment is beyond the scope of the previous Village comments. The noise measurements were taken at the nearest property line to the receptors and are accurately shown on the figure.

3.12-8. All monitoring locations were studied. With regard to traffic, Appendix J is the Project's Traffic Impact Study and it includes data related to the levels of service for all intersections studied as part of the Project's traffic analysis. Page 3.12-8 indicate how locations not included as part of the traffic impact study as they do not have current intersections or intersections required to be analyzed were evaluated.

3.12-9. This was not required by the Scoping Document.

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3.12-10. This was not required by the Scoping Document.

3.13-1. Noted.

3.13-2. See air quality revisions in Section 10.1 of the FEIS.

3.13-3. See air quality revisions in Section 10.1 of the FEIS.

3.13-4. This comment is beyond the scope of the previous Village comments. SEQRA explicitly provides that once a revised DEIS is submitted, the Village is obligated to make a completeness determination based "solely on the written list of deficiencies provided by the [lead agencies] following the previous review." See 6 NYCRR 617.9(a)(2)(ii) (emphasis supplied). However, see air quality revisions in Section 10.1 of the FEIS.

3.13-5. The Scoping Document did not require this section use data from the 2017 air quality report. However, see air quality revisions in Section 10.1 of the FEIS.

3.13-6. We have contacted O&R who have indicated natural gas is available for the Project.

3.13-7. The Project is no longer proposing to use LEED standards as indicated in Section 10.1 of the FEIS.

3.13-8. This comment is beyond the requirements of the Scoping Document, as well as beyond the scope of the previous Village comments. SEQRA explicitly provides that once a revised DEIS is submitted, the Village is obligated to make a completeness determination based "solely on the written list of deficiencies provided by the [lead agencies] following the previous review." See 6 NYCRR 617.9(a)(2)(ii) (emphasis supplied). However, see air quality revisions in Section 10.1 of the FEIS.

3.13-9. The preceding text on page 3.13-7 address this information stating, *"The future overall levels of service for the above-listed intersections are summarized in Table 3135 below. These levels of service are for the Build condition, or with the Project as proposed under Scenario No. 1 including the potential for 600 accessory apartments, and with the proposed traffic mitigation measures. Each of the intersections listed above may be signalized, as per NYSDOT warrants."*

3.13-10. The analysis includes the traffic light scenario as opposed to the round-a-bout as a worst case scenario, as impacts from a round-a-bout are generally lesser than those from a traffic light. The Project is not proposing any park and ride facilities.

3.13-11. This is addressed in Section 3.13.2 of the DEIS.

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3.14-1. The test was not conducted in December of 2016, but rather in February of 2017, and its locations were based upon a layout similar to the current layout.

3.14-2. Models of the site structures were created in 3D Studio Max and then placed with Photoshop into the photographs that were obtained with digital 50mm lenses, which accurately simulate the vision of the naked eye. The sizes of the structures were based on the distances using physical benchmarks consisting of balloons flown at the actual location on heights consistent with those proposed for the Project's homes. Line of sight diagrams were prepared using the actual terrain of the study areas as depicted with USGS DEM (Digital Elevation Model) files loaded into Global Mapper software, which provided an accurate cross-section of the high and low areas of the terrain between the locations analyzed and the Project Site. Areas with ground cover vegetation were shown with average height of trees as 50'. A property boundary line was placed into the Global Mapper program and then a line of site vector was drawn between the two points (balloon location and visual receptor) to determine whether the ground and/or tree cover would block any views.

3.14-3. As previously noted, the Visual Assessment was conducted in accordance with all Village Scoping Document requirements with explicit approval from the Village Boards over the course of over two years (see Response 1 above). It also complied with NYSDEC visual assessment guidance. Furthermore, the balloon testing was overseen on-site by the Village officials and professionals to ensure compliance with Village protocol, and Village officials and professionals visited the Vantage Points during the Balloon Test. No balloons were visible from any of the Vantage Points.

3.14-5. As previously noted, the analysis was conducted as per the Vantage Points approved by the Village Boards and Village professionals.

3.14-6. The analysis, specifically Vantage Point No. 6, included views from Mountain Lodge Park.

3.14-7. Figures 3141 and 3142 in Section 3.14 of the DEIS are legible and clear.

3.14-8. Image 3141 states not within line of sight due to a large mountain blocking the view, not trees.

3.14-9. All vantage points are listed in tabular format in Table 3141 of Section 3.14 of the DEIS. Visual resources as they relate to Historic Sites are analyzed on page 3.14-11 of the DEIS. The H. Howell House and Quonset hut, which is part of the former Lake Anne development are not National Register eligible, due to the condition of the structures, and details regarding which structures would be preserved and which would be demolished are included in Appendix B. Please refer to page 100 of our responses in Appendix N-5 of the DEIS.

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3.14-10. A landscaping plan is included in the Site Plan Review Package in Section 10.4 of the FEIS. To prepare a separate landscaping plan for each of the 600 lots seems redundant and not necessary for environmental review.

4.0-1. Section 4.0 analyzes each alternative at a level of detail sufficient to permit a comparative assessment of alternatives discussed. Tables 42, 43 and 44 provide appropriate, relevant data in regard to the resource areas studied as part of the DEIS.

4.0-2. If 70 lots had 500 feet of frontage each, with 35 homes on one side of the road and 35 homes on the other, it would require a minimum of 17,500 feet (35 lots x 500 feet of frontage) which is over three miles of roadway (17,500 feet divided by 5,280 feet in one mile = 3.31 miles) and not just 0.8 miles. It would not be financially feasible or reasonable to incorporate aspects such as affordable housing or LEED certification under the Low Density Alternative. Additionally, no further analysis is warranted for this alternative as it is neither feasible nor reasonable as detailed on page 4.0-5.

4.0-3. The Applicant has already spent over \$20 million on the Project, and adding infrastructure such as roadways would cost millions more.

4.0-4. Prior to the 2017 Revision made by NPV to the Town of Monroe Master Plan, it mentioned the language set forth in this section regarding the Long Island Builders Institute. Why is this comment referring to multifamily residences in other zones – is the author recommending that the Project propose multifamily housing? In Berenson v Town of New Castle, 38 N.Y.2d 105 (1975), the New York Court of Appeals made clear that each municipality has an obligation to address regional housing needs. Additionally, no further analysis is warranted for this low density alternative as it is neither feasible nor reasonable as detailed on page 4.0-5.

4.0-5. The DEIS does not assume that the base lot alternative would require that dwellings be located on one acre lots. The Project is not proposing any park and ride facilities and this is clarified in Section 10.1 of the FEIS.

4.0-6. A source is provided at the bottom of the table (US Census, ACS 2010-2016). They are based upon the same multipliers found in Section 3.2 of the DEIS as indicated in the table.

4.0-7. The Village's Scoping Document required the Project analyze the alternative of the extension of municipal water service to serve the Project. However, the Village failed to respond to the Project's requests in regard to it expanding its wastewater and water supply systems to service the Project Site. At this time, the Project's preferred alternative is to utilize its own water supply and wastewater treatment systems, especially because the Village's water supply system has .

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In fact, MHE's office prepared a presentation entitled "Village of South Blooming Grove Consolidated Water District" in 2019, which summarizes what the Village needs to do in order to remedy the problems related to its Merriewold Well. Doing so would cost approximately \$1.2 million and take until the end of 2020 to be completed, according to the presentation. Accordingly, interconnecting with the Village's water supply system is not a feasible alternative at the moment because the Project would be interconnecting with a problematic system. We submitted a letter to the Village on 5/31/19 (included as Attachment III in our responses submitted to the Village on 11/8/19) indicating that the Applicant is willing to discuss interconnecting with the Village's Water Supply and Sewer Systems, as well as providing some of the Project's excess water to the Village and/or paying a fee to the Village to interconnect, which the Village could allocate towards its cost to remedy the Merriewold Well should the Village see fit. However, as with previous requests in this regard, we never received any response or interest from the Village. Nonetheless, we were later provided with some of the data needed to perform an analysis of the potential extension of the Village's water supply to serve the Project Site as required by the Scoping Document, which is found in Section 9.5 and Attachment II of the DEIS Addendum and concludes the Village does not presently have sufficient capacity to supply water to the Project.

Accordingly, since interconnecting with the Village's water supply system had not appeared to be a feasible alternative, the Project presented the Kiryas Joel water supply alternative as a feasible way to interconnect with a municipal water supply system. At this time, the Applicant does not intend to use this water supply alternative and intends to provide the Project with private community water and sewer as in Section 9.2 of the DEIS addendum submitted to the Village 1/15/20. However, if the Applicant changes its position and choose to pursue the Kiryas Joel water supply alternative in the future, a full evaluation would be provided to the appropriate state agencies.

5.0-1. The Project has been designed to incorporate multiple measures which would prevent any significant adverse environmental impacts from being generated. Each of these measures is discussed in the individual sections analyzing the potential impacts of the Project. Because the Project would not have the potential to generate any significant adverse environmental impacts, no mitigation is required. Also, note that many intersections in the Village are currently, without the Project, operating at low levels of service.

6.0-1. The Project addresses these impacts in Section 8.0 Irreversible and Irretrievable Commitments of Resources.

7.0-1. The additional 159 acres owned by Keen Equities consists of adjacent lands in the Town of Blooming Grove and is identified as Tax Parcel Section 4, Block 1, Lot 1.13. There are no plans to develop this parcel. In addition, Chapter 7.0 of the DEIS addresses all items outlined by the Scoping Document; however, the Scoping Document did not require these adjacent lands be

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evaluated. Since the Project would not be developing excess sewer or water capacity beyond that needed for the Project, the Project would not induce growth on Keen's additional contiguous lands.

7.0-2. There are vacancies in Blooming Grove Plaza, which is located at the corner of NYS Route 208 and Clove Road.

7.0-3. There is no requirement from SEQRA to include a discussion of potential uses of the 22 acres when it is unknown what use, if any, the 22 acres would have. Moreover, in the future, if any use is indeed planned, it would require its own SEQRA review.

Response to Commenter No. 12: Berardi, Nick – page 65 of Appendix P

Comment noted. Please refer to General Response 2 in regard to concerns related to water supply and the aquifer. Section 3.2 of the DEIS details the Project's population projections, which is also addressed in the Response to Commenter No. 82 below.

The analysis detailed in Section 3.4 of the DEIS confirms that the conclusions reached in the negative declaration when the applicable Zoning Code was enacted are still applicable and accurate: the development allowed on the Project Site under the applicable zoning, would not have the potential to generate any significant adverse impacts upon the community character. Since the Village's Zoning Code refers to the character it is protecting as rural its zoning regulations uphold such rural character and accordingly the Project would also not generate any significant impacts upon the rural character of the community. The Project would be consistent with the current zoning as well as with the current character of the community.

Moreover, Figure 345 of Section 3.4 of the DEIS illustrates approximately 80% of existing lots in the Village's RR Zoning District are less than half an acre in size and approximately 90% of the RR Zoning District is comprised of lots less than one acre in size. In fact, over 20% of the Village's lots are less than 3,000 square feet (0.069 acres) in size. Also, as detailed in Section 3.4, the Village communities located adjacent (southwest) to the Project Site, include approximately 760 residential single-family lots/ homes located in the Worley Heights, Capital Hill, and Merriewold Lake subdivisions (about 300 homes in Worley Heights, 125 homes in Capitol Hill, and 335 homes in Merriewold). Also, near the Project Site (northeast) in the Town of Blooming Grove is the Mountain Lodge subdivision which contains significantly higher density development than proposed by the Project.

There are not currently 45 homes within the Village listed for sale. In fact, according to a search on the Hudson Gateway MLS, there are currently (2/17/21) just 3 homes listed for sale within the Village. There is a documented local and regional need for housing and, since COVID-19, homes in areas like the Village are in even greater demand as mentioned by other commenters.

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Response to Commenter No. 13: Bernard, Gabriel – page 67 of Appendix P

Affordable Housing: The Project acknowledges the importance of affordable housing, which is why the Project would incorporate affordable housing into the development. As indicated in the FEIS, the Project would include 94 affordable housing units instead of the originally proposed 43 in accordance with the current Village Zoning Code as shown in Attachment 13.

Senior Housing Floating Zone: Under the zoning allowed in the Senior Housing Floating Zone (“SHFZ”) approximately 4,248 dwelling units could be proposed on the Project Site, totaling the allowable six dwelling units per acre in SHFZ. However, this would require the Project obtain a waiver or modification from the Village Board of Trustees and/or Planning Board in regard to the following Zoning Code regulations: §235-12.5.B(7) age limitations; §235-12.5.D(2)(b) maximum lot size; and §235-12.5.D(14) number of bedrooms per dwelling unit.

Kiryas Joel Density Alternative: Since the Project is not pursuing the Kiryas Joel Water Supply Alternative, it would not be appropriate to include an analysis of a Kiryas Joel density alternative. However, the following analysis is provided; the Village of Kiryas Joel consists of approximately seven to eight units per acre. Accordingly, the Project could propose between 5,000 and 6,000 dwelling units if this density was applied to the 708-acre Project Site.

Village Water Supply: Since the Project would supply water to its residents with its own water supply system and is not proposing to interconnect with the Village, an analysis of the Village’s water supply based upon the overall watershed would be superfluous and unnecessary. However, as noted by this commenter, there are approximately 4.5 million gallons of water per day available in the overall watershed. Calculating the maximum daily demand based on the NYSDOH requirement that a new water system demonstrate twice the average water demand would mean dividing that number in half, which totals 2.5 million gallons of water per day. At 110 gallons per bedroom with 4-bedroom homes, it would be the Village’s watershed could support around 5,113 four-bedroom dwelling units (2.5 million ÷ 110 gallons per bedroom ÷ 4 bedrooms per home). Currently the Village has around 1,100 units, which means its watershed could support a minimum of approximately 4,000 more four-bedroom dwelling units conservatively.

Response to Commenter No. 14: Blakeney, Susan – page 70 of Appendix P

The Notice for the 12/3/21 Public Hearing originally was planned to be an in person meeting; however, it was changed to a virtual meeting on Zoom due to the COVID-19 Pandemic and in accordance with the New York State recommendations for Public Hearings during the COVID-19 Pandemic. A notice was posted on the Village’s website notifying the Public of the Zoom Hearing. Nonetheless, a third Public Hearing was scheduled for 1/15/21 whose notice informed individuals it would be held virtually over Zoom.

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The November 2019 comments from the Village Engineer and Planner were responded to by the Applicant on 11/22/19 and submitted to the Village on 11/25/19, after which the Village' deemed the DEIS complete in March 2020. The February 2020 comments from the Village Engineer were responded to on 6/11/20.

The Project would not be pursuing the Kiryas Joel Water Supply Alternative and therefore there would be no need to redo the water well pumping test due to Kiryas Joel's water usage. If this comment is suggesting it should be redone in general, there is also no need to do so, and the NYSDEC, who is responsible for issuing the Water Withdrawal Permit and who are aware of Kiryas Joel's water useage, as per this commenter's own admission, is not requesting any new testing be conducted.

In regard to rattlesnakes, the Project has submitted an Incidental Take Permit with the NYSDEC and would preserve large portions of the Project Site as well as a portion of a neighboring property which contain the most ideal basking locations for rattlesnakes.

Many homes in the Village are two stories in size; moreover, as discussed multiple times throughout the DEIS, the existing subdivisions in the Village and in the Town's Mountain Lodge area have no open space, while the Project would include open space. The clustering of the Project's lots is actually encouraged by the Village's zoning code and it means that there would be more gross lot area per single family home than exists in the Village's existing subdivisions.

In regard to forested lands, a map of the Project's subdivision layout superimposed on the Project Site's ecological communities is found in Figures 362a and 362b of Section 3.6 of the DEIS. Potential disturbance is listed in Table 364. The Project would also maintain the rural character by including a buffer on Clove Road and incorporating green belts throughout the layout.

Response to Commenter No. 15: Bonelli, Kate – page 76 of Appendix P

The Project's 7/23/20 responses to the County's 5/22/20 comment letter adequately addresses all of the County's comments (see correspondence with the Orange County Dept. of Planning in Section 10.3 of the FEIS).

1. It is true that the intersection located at Clove Road and NYS Route 208 currently experiences traffic and safety concerns separate from the Project. However, the SEQRA process cannot be used to redefine the designated responsibilities of parties involved in the action. SEQRA does not change the jurisdictions of agencies or between or among agencies, ECL 8-0103.6; 6NYCRR §617.3(b). The Project cannot determine which improvements should be made to roadways located outside of the Project Site owned by other individuals/entities. It is ultimately up to the discretion of the NYSDOT what improvements, if any, would be implemented at intersections along their NYS Route 208 corridor included in the Traffic Impact Study found in Appendix J and

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summarized in Section 3.11 of the DEIS. The Project would include sidewalks; however, the Project has no authority to install sidewalks on neighboring roadways belonging to the County and State. Sidewalks would nonetheless continue along the length of NYS Route 208 fronting the Project Site as indicated in Section 3.11.2(i) of the DEIS.

The Project is agreeable to a fair share contribution toward traffic mitigation on the NYS Route 208 corridor, which is already an existing heavy traffic corridor during peak periods “as is” without the Project, specifically the intersections of NYS Route 208 at Clove Road and at Mountain Road.

Government funding of approximately One Million Dollars had previously been allocated to improve the existing intersection of NYS Route 208 at Clove Road (County Route 27). Section 3.11 and Appendix J of the DEIS evaluate potential improvements to this intersection. It is our understanding that the Village currently has funds in an escrow account for future improvements to the intersection of NYS Route 208 at Mountain Road, which other projects, such as the Sleep Inn Hotel have made contributions toward. As part of the NYSDOT Highway Work Permit process, the final details of any improvements and a determination of the Project’s fair share contribution would be identified and coordinated with NYSDOT.

2a. Wastewater calculations for the Project are based upon the NYSDEC standards of 110 gpd per bedroom, which is the standard for all projects in New York State.

2b. The Project is proposing to have its own wastewater treatment plant which would be serviced by a qualified operator, typically a company specializing in the operation and maintenance of such facilities.

2c. Realistic peak flows are considered as NYSDEC requires a conservative, experience based analysis as part of the SPDES permit application based upon the New York State Design Standards for Intermediate Sized Wastewater Treatment Systems.

2d. The 72-hour pumping test confirmed the water supply availability of the Project’s wells. The average water demand for the Project calculated based on the water usage values in the New York State Design Standards for Intermediate Sized Wastewater Treatment Systems is 273,600 gpd (gallons per day). The 547,200 gpd maximum daily demand (twice the daily demand) value is calculated based on twice the average demand using the New York State Design Standards water usage values. The Project’s wells would meet this demand as detailed in Sections 3.8 and 3.9 of the DEIS and the associated Appendices F and G.

3. The open space would be preserved as required by the Village Zoning Code.

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There is no need to resubmit the DEIS, which was deemed complete by the Co-Lead Agencies in March of 2020. The SEQRA regulations provide that “the draft EIS may be directly incorporated into the final EIS or may be incorporated by reference.” 6 NYCRR Section 617.9(b)(8).

Response to Commenter No. 16: Borrebach, Katherine – page 79 of Appendix P

Please refer to General Response 2 in regard to water supply. The Project would include 50% of the Project Site as open space and would not significantly adversely impact wildlife, so this commenter will still be able to enjoy the birds and occasionally see bear who will still have hundreds of acres to inhabit.

Response to Commenter No. 17: Brennan, John – page 81 of Appendix P

Please refer to General Response 2 in regard to water supply. The Project would supply water to the Project residents with its own wells, not rely on the Village’s current water supply system, which could not support the Project. Wastewater would be treated at an on-site WWTP as detailed in Sections 3.8 and 3.9 of the DEIS and in Appendix I. The Project would maintain the character of the area as detailed in Section 3.4 and would remedy the existing eyesore from the abandoned buildings by demolishing them and constructing new single family homes with greenbelt style lots.

Response to Commenter No. 18: Budakowski, Jacqui – page 83 of Appendix P

Comment noted. It should also be noted that degrading comment in regard to individuals of a specific religious group is outside the scope of SEQRA.

Response to Commenter No. 19: Camacho, Nicolas – page 85 of Appendix P

Please refer to General Response 2 in regard to water supply. As detailed in Section 3.2 the Village is not “crowded,” and has been losing population – it has the lowest population density of all comparable villages in Orange County and still would even with the Project (see Figures 3410a and 3410b in Section 3.4 of the DEIS). The Project would help remedy, in part, this population loss, and more importantly, would provide housing to meet a current housing need in the region. The Project would preserve 50% of the Project Site as open space, offering ample space for any potentially displaced wildlife and would not significantly adversely impact wildlife as discussed in Section 3.6. Additionally, the Project would improve some aesthetics of the Project Site, especially through the demolition of the existing structures on the Project Site currently in a state of disrepair, and maintain the natural landscape to the greatest extent practicable.

Response to Commenter No. 20: Carhart, Mike – page 87 of Appendix P

Indeed, the Project would have its own water supply and wastewater treatment systems. Likewise, the parkland dedicated would meet a demonstrated need for such parkland in the Village.

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Response to Commenter No. 21: Castellano, Peter – page 89 of Appendix P

Floor plans for the proposed homes are included in Section 2.20 of the DEIS. No floor plans are included for the proposed community rooms, as they would be developed with input from the residents as per their collective desires. There is no need to submit a Supplemental DEIS, and the Village Board and Planning Board (Co-Lead Agencies) deemed the DEIS complete in March of 2020. Moreover, we made multiple attempts to communicate with the South Blooming Grove Fire Department, as indicated in Section 3.3 of the DEIS, including in person, telephone and mail attempts. Additionally, please see Attachment 21 regard to additional attempts we made to communicate with the South Blooming Grove Fire Department.

Response to Commenter No. 22: Crispi, Esther & Jim – page 91 of Appendix P

Please refer to General Response 2 in regard to water, General Response 3 in regard to wastewater, and General Response 4 in regard to traffic. The Project would not destroy the landscape and would instead maintain the natural landscape to the greatest extent practicable as detailed in Section 3.14 of the DEIS. The deer and turkey that cross your yard should still continue to cross your yard, as the Project would preserve 50% of the Project Site as open space, allowing ample space for any wildlife potentially displaced from the construction of the homes and roadways. The Project would not result in significant adverse impacts to the infrastructure and community facilities and services as detailed in the respective sections of the DEIS.

Response to Commenter No. 23: Croce, Heidi & John – page 93 of Appendix P

As detailed in Section 3.2 of the DEIS, the Project would result in a net tax benefit to the taxpayer of over \$7.9 million under both scenarios. Traffic is addressed in Section 3.11 of the DEIS, noise in Section 3.12, solid wastes (garbage pickup) in Section 3.10 and community services such as emergency or fire services in Section 3.3; the DEIS concludes the Project would not result in any significant adverse impacts in this regard. Furthermore, please refer to General Response 2 in regard to water supply, as well as Sections 3.8 and 3.9 and Appendices F and G of the DEIS. (Interestingly, as shown on this comment, this commenter was contacted by CUPON Orange who encouraged the commenter to submit comment on the DEIS.)

Response to Commenter No. 24: Daly, John & Laurel Stauffer – page 95 of Appendix P

1. As clarified in the DEIS and in General Response 1, regardless of the Village's direction to discuss two demographic scenarios, all residential units in the Project, including the affordable housing units, would be made available for occupancy, purchase or rental to any person regardless of race, color, religion, gender identity, handicap or disability, familial status, national origin, age, marital status, military status or other protected class status in accordance with federal and state law.

2. Please refer to General Response 2 in regard to water supply, including the aquifer. The Village's current water supply concerns are the reason the Project is not proposing to interconnect

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its wells with the Village's Water Supply System. Instead, the Project would provide water to its residents with its own on-site wells and water supply system. Nowhere in the DEIS is there a reference to "bring[ing] in water tankers." Please refer to Response to Commenter No. 50 in regard to the Orchard Lake community. Moreover, in regard to your water supply, the Project has 25 on-site wells; however, it would utilize just six (of the 25) in order to supply water to the Project, and the wells that resulted in interference would not be included in those six wells.

3. The Project's traffic impact study included in Appendix J was conducted in accordance with NYS DOT requirements. The NYS DOT, who are responsible for issuing the Highway work permit has not requested the study be redone. The study also took into consideration additional proposed projects.

4. The Public park and ride was removed from the Project as per the request of the Village and no park and ride facilities are proposed by the Project. Moreover, the four parking spaces provided were a worst case scenario assuming two drivers per primary residence and two drivers per accessory apartment (Under Scenario No. 2) in accordance with the Village Scoping Requirements. Again, the religion and race of potential buyers is not predetermined. The Project Owner and Developer is committed to providing and satisfying equal housing opportunity principles and legal requirements, although the Village required them to analyze these two scenarios.

5. There are no snake dens or nests on the Project Site. Please refer to General Response 5 in regard to timber rattlesnakes and note that the Applicant has submitted an Incidental Take Permit to NYSDEC and is preserving the most appropriate lands for rattlesnake basking.

6. The cemetery is not located on the Project Site. It is an out-parcel with its own section, block and lot number.

7. The thresholds are acceptable per the New York State standards as detailed in Section 3.12 of the DEIS.

8. The development is located on the lowest portions of the Project Site and would not adversely impact the night sky in a significant manner. All lighting that is chosen for the Project would be down ward directed with shields that cut off the light. No light spillage off the site will occur and the project with modern lighting and fixtures will have less of an impact than existing residential areas in the Village that were designed and built before there was attention to such light shielding.

9. The website has been functional. The inability of this commenter's computer loading pages of a document may be due to the commenter's internet speed or the computer memory. The DEIS is a thorough document which met the requirements of the Scoping Document and was deemed

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complete by the Co-Lead Agencies in March of 2020. There are no existing easements on the Project Site. The December 3, 2020 Public Hearing was noticed properly (please see response to Commenter No. 7 and Commenter No. 50).

Response to Commenter No. 25: Decker, Matt – page 100 of Appendix P

1. Cluster Subdivision: This commenter's interpretation of the Village's Zoning Code is incorrect. The Project's layout conforms to the Village Zoning Code requirements and is a cluster subdivision where lots are clustered on the lower portions of the Project Site, much of which has previously been disturbed, incorporating open space in other portions of the Project Site closer to Schunnemunk Mountain most appropriate for preservation. The Project's layout also incorporates green belts near the Project's lots and includes a buffer on Clove Road, which would preserve the integrity of the landscape.

The Project's lot count is accurately calculated as detailed. The Village Zoning Code allows open space to consist of undevelopable land such as wetlands. In fact, when subtracting all primary conservation areas on the Project Site, the Project would have a base lot count of 482 dwelling units from its RR Zoning District lands as shown in Table 311 of Section 3.1; however, the Zoning Code restricts the base lot count to one unit per two acres, or in the Project's case 340 dwelling units. Including the adjusted base lot count (170 dwelling units) as well as the density from the RC-1 Zoning District lands (90 dwelling units), the Project's development density as per the Zoning Code would total 600 units (340 + 170 + 90) as is proposed.

2. Open Space Design: The Project has been updated to not include most of these fragmented areas as open space. Instead of utilizing additional open space for the Project's adjusted base lot count, the Project includes 94 (16%) affordable housing units instead of the originally proposed 43 (7%) in accordance with the Village Zoning Code as detailed Section 10.1 of the FEIS. Additionally, it should be noted the Village's Zoning Code allows active recreation areas to be included in open space.

3. Mechanism of Open Space Protection: The Project's open space area would be protected in accordance with the Village Zoning Code requirements (See Response to Comment No. 1). The Project is also protecting additional open space on a neighboring property owned by the Applicant as part of the Incidental Take Permit submitted to NYSDEC (see correspondence in Section 10.3 of the FEIS). Responses to the Orange County Department of Planning can be found in Section 10.3 of the FEIS as well.

4. We are unaware of any existing public trails located on the Project Site. There are no public trails within the Project Site that connect Schunnemunk State Park with Gonzaga State Park, and likewise, no sections of the Long Path are located within the Project Site. Indeed, the Long Ridge of Schunnemunk Mountain is situated mainly in Woodbury outside of the southeastern boundary

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of the Project Site and not within it. Additionally, the Project would preserve the portion of the Project Site closest to Schunnemunk Mountain and by doing so would provide a substantial buffer to the trails on adjoining lands of others. Accordingly, the Project would not impact such trails.

5. Important Bird Area: Bird species are addressed in Section 3.6 of the DEIS. Specifically, the Project Site is located approximately eight miles from the NYSDEC designated SFBCA. As this area is located far away from the Project Site, the Project would not have the potential to generate any significant adverse impact upon any bird species in the BCA and would have no impact on that area's status as a National Audubon Important Bird Area. Migratory species of wildlife, primarily birds, would utilize both properties (the Project Site and SFBCA) as spring and fall migrations occur.

The undeveloped and preserved portions of the Project Site would provide ample suitable habitat for all migrating birds. The undeveloped portions of the forested communities in the higher elevations, as well as the wetlands and ponds in the lower elevations of the property, would provide roosting, feeding, resting, breeding and foraging habitat for a variety of birds. As a result, the minimal amount of habitat that would be permanently altered by the Project development would have little to no effect upon residential and migrating birds that utilize the SFBCA. Likewise, based on the overall acreage of the Hudson Highland West Important Bird Area and Project's preservation of open space, the Project would not have a direct impact on bird populations in the Hudson Highlands Bird Area.

Response to Commenter No. 26: Dejmaj, Gail – page 105 of Appendix P

Comment noted. Please refer to General Response 2 in regard to water, General Response 3 in regard to wastewater, and General Response 4 in regard to traffic; as well as to their respective sections in the DEIS.

Response to Commenter No. 27: Delbue, Astrid – page 107 of Appendix P

There is no reason to be appalled that a municipality is reviewing a development proposal, as every landowner has a Constitutional right to develop his property; moreover, the Project is proposed in accordance with the existing zoning applicable to the Project Site. The Project is not related to Legoland or to "those high density buildings" on Route 17 referenced by this commenter. Additionally, the Project would not "destroy more than 700 acres," as the Project would preserve 50% of the Project Site as open space. It would also remedy the current eyesore caused by the dilapidated Lake Anne cottages and replace them with attractive single family homes, while maintaining the natural landscape to the maximum extent practicable. The Project is not a high density development and is certainly less dense than the Mountain Lodge Park area where this commenter resides. Please refer to General Response 2 in regard to water supply and General Response 4 in regard to traffic. It is unclear why there would be an influx of cats as a result of the Project.

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Response to Commenter No. 28: Deoul, Paul – page 109 of Appendix P

1. The Project would supply water with its own water supply system and on-site wells. There would be no pipe “running over a mountain,” and the Kiryas Joel Water Supply Alternative would not be pursued by the Project as indicated in Section 9.2 of the DEIS Addendum.

2. The timber rattlesnake assessment was done in coordination with the NYSDEC requirements and was not fabricated.

3. The Village Scoping Document requested the DEIS use population multipliers based upon the US Census Bureau, ACS. Moreover, the estimations for the Project Under Scenario No. 1 is also conservative since, according to the CGR Report³ the average household size for the Village of Kiryas Joel is actually decreasing as a result of changes in demographic characteristics from an average household size in 2015 of 5.9 to about 4.8 persons over the next few years. Accordingly, the household size of 5.47 persons presented in the DEIS for this scenario gives the most conservative assessment of future population growth based upon actual growth trends. Furthermore, as detailed in Table 3210 of Section 3.2 of the DEIS, the net tax benefit to the School would be \$6,550,406 under Scenario No. 1 and \$5,264,072 under Scenario No. 2. The school system would handle costs associating with bussing through revenue generated from the Project’s property taxes.

4. The Traffic Impact Study in Appendix J of the DEIS was conducted in coordination with NYSDOT and complies with all sources of information used by NYSDOT and traffic consultants to predict traffic impacts from proposed residential developments.

Response to Commenter No. 29: Dickson, Lindsey – page 112 of Appendix P

As per Section 9.2 of the DEIS Addendum, the Project would not be pursuing the Kiryas Joel Alternative; and as per Section 9.1 of the DEIS Addendum, the Project would not be pursuing the public park and ride and no park and ride facilities are proposed by the Project. Soils are addressed in Section 3.7 of the EIS. Please refer to General Response 2 in regard to water supply.

Response to Commenter No. 30: DiGiovanni, Robin – page 114 of Appendix P

Comment noted.

Response to Commenter No. 31: Dolan, Peter – page 116 of Appendix P

We are unaware of any existing public trails located on the Project Site. There are no public trails within the Project Site that connect Schunnemunk State Park with Gonzaga State Park, and likewise, no sections of the Long Path are located within the Project Site. Indeed, the Long Ridge

³ At the request of the Orange County Planning Department, the Center for Governmental Research (“CGR”) and the Chazen Companies conducted an independent assessment dated August 21, 2015 analyzing the circumstances surrounding the Kiryas Joel Annexation.

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of Schunnemunk Mountain is situated mainly in Woodbury outside of the southeastern boundary of the Project Site and not within it. Accordingly, the Project would not impact such trails.

Response to Commenter No. 32: Egan, Carol – page 118 of Appendix P

Please refer to General Response 2 in regard to water and General Response 3 in regard to wastewater. As detailed in Section 3.15 of the DEIS and in Appendices L and M, there are no hazardous materials and/or threats from hazardous materials on the Project Site.

Response to Commenter No. 33: Ekstein, Shimon – page 120 of Appendix P

As indicated in Section 9.1 of the DEIS Addendum, the Arlington Drive interconnection is proposed as an emergency access and would contain a lock with a private code. However, it should be noted that the original plans detailed in Map # 2966 entitled Capital Hill Section IV shows that Arlington Road was designed as a potential connector road with a temporary turn around (see Attachment 33). It would ultimately be the Village's discretion to open this interconnection to the public if they so choose. Additionally, please refer to Response to Commenter No. 83 below.

Response to Commenter No. 34: Fahringer, Bill – page 122 of Appendix P

Please refer to General Response 2 in regard to water supply.

Response to Commenter No. 35: Fahringer, Lena – page 125 of Appendix P

1. Please refer to General Response 4 in regard to traffic, as well as to Section 3.11 of the DEIS and Appendix J. Drivers utilizing cellular phones and/or not adhering to roadway signs is unrelated to the Project.

2. The NYSDEC protects endangered species such as the timber rattlesnake which is why the Project is applying for an incidental take permit and has worked with NYSDEC to have acceptable mitigation integrated into the Project to protect the species, as well as other wildlife on the Project Site.

3. Please refer to General Response 2 in regard to water supply.

Response to Commenter No. 36: Flynn, Bridget – page 129 of Appendix P

Please refer to General Response 2 in regard to water supply and General Response 4 in regard to traffic. As detailed in Table 3210 of Section 3.2 of the DEIS, the net tax benefit to the School would be \$6,550,406 under Scenario No. 1 and \$5,264,072 under Scenario No. 2. The Project would indeed include its own wastewater treatment system. The Project is proposing 600 single-family homes in accordance with the zoning code of the Village of South Blooming Grove without the need for variances. Apartment buildings are not proposed as they are not allowed according to the zoning code.

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Response to Commenter No. 37: Gabay, Victoria – page 131 of Appendix P

Please refer to General Response 2 in regard to water supply and General Response 4 in regard to traffic. Indeed, the COVID-19 Pandemic has created an even greater need for housing in municipalities such as the Village, as individuals seek single family homes within a commutable distance from NYC. This has actually increased the housing need in the region; an important need which the Project would, in part, meet.

Moreover, 700 acres would not be destroyed and the Project would preserve 50% of the Project Site as open space. The development proposed by the Project is in accordance with the Village's zoning code.

Response to Commenter No. 38: Gelletich, Gloria – page 133 of Appendix P

Please refer to General Response 3 in regard to wastewater. Additionally, the NYS Stormwater SPDES Permit, effective 1/29/20, requires that stormwater quantity measures be implemented for storm events up to the 100-year event, and this was completed for the Project.

Response to Commenter No. 39: Greenfield, E. – page 135 of Appendix P

The Project is no longer proposing public swimming pools in accordance with this comment. The floor plans shown in Section 2.20 of the DEIS are illustrative and may be adjusted by the builder and/or home buyer. Additionally, as per this comment, following is an evaluation of potentially re-opening the previously existing Mangin Road connection between NYS Route 208 and Seven Springs and Mountain Roads (see Attachment 39). Based upon the five maps included in the attachment, Mangin Road used to connect to Seven Springs Road through the two following parcels in the Village of South Blooming Grove: SBL # 217-1-5 (Owner of Record: Mangin LLC) and SBL #222-1-1 (Owner of Record: County of Orange). The first map from 1935 illustrates Mangin Road continuing up to Seven Springs Road, as does the second Map, which is an official 1953 Zoning Map for the Town of Blooming Grove. The third map, the Zoning Map of 1970 illustrates this connection as a trail rather than a main road. The fourth map, a map from the deed filed in the County Clerk's Office in favor of the County illustrating the Mangin road extension to Seven Springs Road in dashed lines, and the fifth map is the County Map of Gonzaga Park (with a red arrow indicating the location of the road/trail).

The comment stating, “*Section 9.5 of the DEIS Addendum addresses the fact that Cloewood does not intend to interconnect with the Village's water supply system since the Village's current system is subpar and full of existing issues. I think it is important to note that the Cloewood developers own the entire 708 acres and were able to find optimal wells all over their property, but the Village owns just a few acres of land and cannot just drill wells wherever it pleases, unless it obtains private contracts with property owners. I think the Village should investigate ways to contract together with private property owners like the developers of Cloewood to find better wells for its residents,*” is noted.

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Response to Commenter No. 40: Gross, Stephen – page 137 of Appendix P

2-1: The Project is not segmented as there is currently no development of any kind planned for the 22 acres. Since nothing is planned for this acreage, there is no segmentation. Should any use be proposed in the future, such use would be entirely independent of the proposed Project, and potential environmental impacts would be assessed and analyzed at that time. The Co-Lead Agencies acknowledge this on pages 6 and 36 of the Scoping Document.

Since the development of the 22 acres on the Project Site and/or the development of the 160 acres in the Town of Blooming Grove on an adjacent parcel owned by the Applicant are not proposed as part of the Project and its application and have not been proposed by any other entity on the Project Site in any application, any potential impacts or assessment of such potential impacts are a speculative impact and not appropriate for consideration under SEQRA. See for example, *City Council of Watervliet v. Town Bd. of Colonie*, 3 N.Y.3d 508 (2004) (no specific project plan existed, so annexation of land could be considered independently), and numerous other cases cited in *Environmental Review in New York* (§5.02 [3] [b] pp 5-20 to 5-30)(2019); See also, *id.* §5.10[4][c] fn 61 p. 5-73 and §5.11[1] fn 9. Pp 5-83 to 5-84). The assertions that ignoring the 22 acres on the Project Site and/or the 160 acres in the Town of Blooming Grove on an adjacent parcel owned by the Applicant could result in the impermissible segmentation of the SEQRA review process is a fiction.

2-2: Temporary disturbed areas, such as those not covered by buildings, are not considered developed areas, but rather open space.

2-3: The Project would include areas of preserved open space in accordance with the requirements of the Village's Zoning Code, which allows some portions of such open space to be included in public parkland, active recreational area, and on individual lots.

2-4: The statement in the DEIS is true as the vast majority of the locations on the Project Site where construction is proposed do not contain steep slopes of 25% or greater (in accordance with the Village Zoning Code) and those that do would first be graded.

2-5: This comment incorrectly assumes that subtracting 10% of land area for infrastructure would impact the overall density, when it would not. However the description of the potential development on the Project Site according to its applicable original zoning ordinances is as follows: 2,570 dwelling units would have been allowed to be developed on the Project Site (1 dwelling unit per 12,000 square feet) or 2,313 dwelling units when subtracting 10% of the Project Site for infrastructure.

2-6: The Project is not segmented as there is currently no development of any kind planned for the 22 acres. Please see Response to Comment 2-1 above.

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2-7: Water and wastewater demand numbers are consistent throughout the DEIS. The Project is not proposing accessory apartments, and the DEIS clearly indicates that the estimates in regard to the greater water demand for such apartments were included as per the requirements found in the Village Scoping Document.

2-8: This parkland would be a vast improvement in terms of meeting the recreational needs of the existing Village population. The area proposed as public parkland consists of approximately 40 acres of uplands, which includes areas suitable for use as playgrounds and fields, and approximately 20 acres of wetlands, which includes a pond that would serve to add to public enjoyment by offering beautiful, serene lake-views. The Project would provide its own areas for active and passive recreation for its residents. Thus, the proposed public parkland would significantly improve public recreational amenities in the Village. It would be easily accessible by all Village residents, with much frontage on Clove Road, and would dedicate the lands most appropriate for Village parkland use. The Village Code does not indicate dedicated parkland must be “entirely dry,” and the land to be dedicated as public parkland is “relatively” dry. Furthermore, the small area of cemetery located on an out-parcel which is not part of the Project Site also being encompassed by the proposed area of parkland would not limit any recreational use of the parkland or indeed any use of the cemetery.

2-9: As stated in the DEIS, the build-out is proposed in 5-acre increments to comply with the SPDES requirements; however, we intend to request a waiver allowing 15-acres of disturbance at any one time. Until such waiver is granted by the NYSDEC, 5-acres increments would be used.

2-10: The Project Site already contains existing trails, and therefore, beginning the construction at the highest point of elevation would not require more than five acres of road disturbance at a time.

2-11: We are unsure as to why this commenter is singling out a specific demographic group when referring to floor plans. Moreover, the Project is proposing the construction of 600 four-bedroom single-family homes. Additionally, since the COVID-19 Pandemic, homeowners have found the inclusions of playrooms, study rooms, and home office space to be important due to increase demand for remote learning and work.

2-12: The Project is not proposing multi-family units. Moreover, it is ridiculous to suggest that because a kitchen has three stove tops it would allow the home to be a multiple family unit, as multiple units do not share a single kitchen. The small kitchen is shown as an optional Passover Kitchen. Individuals in the Scenario No. 1 demographic may have more stove and cook tops, or two sinks in a single home due to kosher religious standards (one for meat and one for dairy). Additionally, the sketch floor plans only show the possibility of what kitchen layouts and items may fit in the proposed kitchen area; however, the final design would be decided by the home buyers.

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2-13: See Response to Comment No. 2-12 above.

2-14: The Project is not proposing accessory apartments and only included a potential location in the renderings to comply with the Village Scoping Document's request that they do so. Moreover, they are not located in a "cellar" as there is a proposed egress.

3.1-1: It is appropriate for a zoning analysis to include the Village Zoning Adoption Resolution and Negative Declaration, which was adopted for the specific zoning applicable to the Project Site and with which the Project conforms. Accordingly, when the Village adopted its Zoning Code and Zoning Map and issued the Negative Declaration, it had first determined the Village's new zoning would not have the potential to generate any significant adverse environmental impacts, including but not limited to with respect to land use, zoning, public policy, and community character. While the negative declaration is not a substitute for a site-specific consistency analysis, it is also not proper to ignore the negative declaration. Indeed, nothing could be further from the truth, and therefore, one cannot disregard or minimize the fact that the Project conforms to the very Village zoning district and map regulations which the Village Board adopted and made applicable to the Project Site after issuing a negative declaration.

3.1-2: Please see Figure 315c in the DEIS Addendum.

3.1-3: The Project would not include development on steep slopes and would incorporate grading as shown on the Site Plan where necessary. Please also see Response to Comment 2-4 above.

3.1-4: The Project would comply with all applicable Overlay District regulations.

3.1-5: More detailed mapping is included in the DEIS Addendum in Figure 315c.

3.1-6: The Project has been revised to present only unfragmented forest as open space. It is noteworthy to mention that there are over 100,000 acres of preserved open space within the vicinity of the Project (see Figure 15 of the DEIS) and ample suitable habitat for any species potentially displaced as a result of the Project.

3.1-7: The watercourses have been included on Figure 315c in the DEIS Addendum.

3.1-8: This Zoning Code requirement has been satisfied.

3.1-9: The DEIS does not "cherry pick" which Overlay District requirements should be included. The DEIS references the correct chapter in the Village Code and summarizes the most applicable information. Additionally, the Planning Board has seen the Project's layout for approximately 7

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years and were comfortable with the siting of the homes, which is consistent with this Overlay District and has been “sited to avoid, to the greatest extent practicable, occupying or obstructing public views.”

3.1-10: The DEIS states “approximately 70 acres.”

3.1-11: This statement is incorrect, as the Project is consistent with the Village Zoning regulations, including those applicable to the Overlay Districts.

3.1-12: This image does not serve to suggest what type of development should be on the Project Site, as what is proposed in the Southeast Orange County Land Use Study would not be allowable under the Village’s current zoning. Instead, this figure serves to indicate the area of the Project Site was identified as an appropriate area for future development by the County’s study.

3.2-1: The vacancy is not being deducted, but rather, used to accurately project the truest potential occupancy rate of the Project’s homes.

3.2-2: The Village Scoping Document requested the DEIS use population multipliers based upon data from the 2014 US Census Bureau, ACS and later comment received from the Village asked us to utilize the data from 2016. Utilizing data from 2000 or 2010 in accordance with this comment would not be appropriate. Moreover, the estimations for the Project Under Scenario No. 1 is also conservative since, according to the CGR Report⁴ the average household size for the Village of Kiryas Joel is actually decreasing as a result of changes in demographic characteristics from an average household size in 2015 of 5.9 to about 4.8 persons over the next few years. Accordingly, the household size of 5.47 persons presented in the revised DEIS for this scenario gives the broadest real perspective of future population growth based upon actual growth trends without underestimating the anticipated population.

3.2-3: Firstly, the Project is not proposing accessory apartments and any inclusion of analyses related to such apartments provided in the DEIS was done so to comply with the Scoping Document requirement to do so. However, since the Project would not propose such apartments any analyses is conservative. Additionally, basing the potential population of the accessory apartments upon 25% of the population of the primary unit provides for a consistent analysis. Since the Village restricts accessory apartments in size to 25% of the primary unit, basing the occupation to 25% of that of a primary unit is reasonable. Likewise, the estimates for the primary units are conservative, and combining that with the fact that the Project is not proposing accessory apartments, there would be no need to utilize a different population multiplier for these apartments.

⁴ At the request of the Orange County Planning Department, the Center for Governmental Research (“CGR”) and the Chazen Companies conducted an independent assessment dated August 21, 2015 analyzing the circumstances surrounding the Kiryas Joel Annexation.

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3.2-4: See Response to Comment No. 3.2-3 above.

3.2-5: The population multiplier was not based upon the number of bedrooms it was based upon the average household sizes with the Village of Kiryas Joel for Scenario No. 1 and the Village of South Blooming Grove for Scenario No. 2, regardless of the number of bedrooms.

3.2-6: This responsibility would fall upon the Tax Assessor's Office, as addressed in Section 3.2 of the DEIS.

3.2-7: This comment is in regard to Figure 3218; however, the DEIS has no such figure in Section 3.2 where Figures 321 through 325 are provided. The methodology used for calculating the municipal cost is accurate and was conducted in accordance with the requirements of the Village Scoping Document. Moreover, the methodology used by the commenter is completely inaccurate as it does not deduct the amount of the budget not raised by tax dollars and ignores the taxable percent for non-residential parcels.

3.2-8: It is unnecessary to consistently update studies beyond what is required by the Village Zoning Code, Scoping Document and the applicable agencies.

3.2-9: Please refer to the Response to Commenter No. 40, Comment No. 3.2-7 above.

3.2-10: The Scoping Document does not require an assessment of impact on surrounding property values.

3.4-1: The Scoping Document required the DEIS analyze potential impacts upon the community character, and the analysis found in the DEIS concludes the Project would not generate any significant adverse impacts upon community character. The conclusion detailed in the DEIS is appropriate and does not suggest the Scoping Document is irrational.

3.4-2: See Response to Comment No. 2-1 above.

3.4-3: The Project is simply proposing what is allowed according to the Village Zoning Code, without the need for variances, waivers or zoning changes; and this zoning code encourages the clustering of lots. The Village Zoning Code requires 50% of a Project Site be preserved as open space. There is no such preserved open space for the current Village subdivisions. As detailed in Section 3.4 of the DEIS, overall, the Worley Heights, Capitol Hill, Merriewold subdivisions as well as the Stone Gate Condominiums (Tax Map Sections 205, 209, 210, 211, 213, 214, 215, 216, and 221), contain over 1,000 residential parcels/dwelling units, situated on a total of approximately 480 acres of land, with an overall average density of approximately 2.1 dwelling units per acre (or one unit per 0.48 acre). Conversely, the Project's overall density of 600

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residential lots/homes on 708 acres of land (approximately one dwelling unit per 1.2 acres) would be less than half of the density of the aforementioned 760 residential lots/homes located within the adjacent Village communities situated on approximately 440 acres of land with an average density of approximately one dwelling unit per 0.58 acre. Nonetheless, we have enlarged most of the Project's lots (see Section 10.4 of the FEIS) and also included additional models for potential homes (more models may be available and customized by the builder for the individual lot/home owners) to add a varied appearance of housing in accordance with this comment

3.4-4: The character of the Project would not significantly contrast with the existing character of the Village community. Please refer to Response to Comment 3.4-3 above.

3.4-5: As noted above, the Project would fully comply with the zoning ordinances applicable to the various Overlay Districts.

3.4-6: This comment is inaccurate and is simply a repeat of previous comments. Please refer to Response to Comment No. 3.4-3 above.

3.4-7: This comment fails to take into account the vast amounts of preserved open space included in this Project versus no preserved open space currently existing in the Village's existing subdivisions. Please refer to Response to Comment No. 3.4-3 above.

3.4-8: This comment expresses the opinion of the commenter; however, we disagree with this statement. The homes would be situated in a way to preserve the natural scenery and incorporate greenbelts to provide a visual appearance and density of homes inconsistent with the opinion expressed in this comment.

3.4-9: As noted in the DEIS the Project includes a buffer on Clove Road to shield views of this cut. Nonetheless, even if some portions of this cut would be visible, it would certainly be more visually pleasing than the current, dilapidated structures that are in a current state of disrepair; and therefore, demolishing these structures would vastly improve the visual appearance of those portions of the Project Site.

3.4-10: There are no plans for the development of the 22 acres and it is unknown if those 22 acres will ever be developed. Accordingly, the undeveloped state of the 22 acres is the character that would be part of the Project as proposed. Nonetheless, the 22 acres is just approximately 3% of the Project Site, which is not a significant enough percentage to impact the remaining Project Site's character. Secondly, while some portions of the previously disturbed Lake Anne Golf Country Club have been re-vegetated, these areas are not considered wooded and no tree disturbance would occur in this area. Thirdly, the DEIS clearly explains the difference between permanent and temporary disturbances and provides the appropriate acreage in regard to the same.

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3.4-11: The Vantage Points used in the Visual Analysis were selected by the Village's professionals over the span of two years of review. The Village's professionals were also present during and monitored the Project's balloon test. As shown in the photographs in Section 3.14 and Appendix K of the DEIS, the trees on the Project Site are taller than the proposed structures.

3.4-12: The fiscal analysis included in Section 3.2 of the DEIS is accurate. Please refer to the Response to Comment No. 3.2-7 above.

3.4-13: The Project would not double the current population under all scenarios. Additionally, the DEIS concludes this population increase would actually remedy the Village's population decrease, making it more consistent with other comparable villages in the County, and not adversely impact the character of the Village.

3.4-14: This comment is representative of the commenter's opinion. Please refer to the Response to Comment No. 3.4-13 above. In addition, the Project would not change the population of the Village from 2,500 to 50,000 persons.

3.4-15: The Project Site's address is in Monroe, NY 10950 and is included in the overall region south of Route 17.

3.4-16: This commenter accurately points out that the goal of the Village's zoning code is to "*maintain the rural character of the area.*" Since the Project complies with this very zoning code, the Project would therefore maintain the character the Village's zoning code seeks to protect. The DEIS analyzes the Regional Plan as required by the Village Scoping Document.

3.4-17: Since the Village's zoning code intends to "*maintain the rural character of the area,*" and the Project is consistent with all of the zoning ordinances without the needs for waivers, the Project would maintain the character of the area and not adversely impact the community character. Additionally, even with the Project, the Village would still have the lowest population density per square mile when compared to all other comparable villages, not changing the Village's current "status."

3.5-1: The Howell Family/Round Hill Cemetery is not located on the Project Site but rather on an out parcel. The Schunemunk Precontact Site would be avoided as indicated on the plan in Appendix B-3, which the NYS Office of Parks, Recreation and Historic Preservation confirmed would not be adversely impacted.

3.6-1: The threatened and endangered species report and evaluation included in Appendix C, as well as in new information found in the Sections 10.1 and 10.3 of the FEIS, complied with the Village Scoping Document requirements for this EIS as well as with the NYSDEC requirements.

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In coordination with the NYSDEC, the Applicant has submitted an Incidental Taking Permit which includes measures to permanently preserve land to benefit the Timber Rattlesnake Species.

The Project's preservation area is inclusive of 209± acres of the Site, as well as 61.88± acres of additional land bordering the Project Site located in the Town owned by the Applicant. The proposed preservation area is suitable habitat that is contiguous with the site and Schunne-munk Mountain, and will be preserved in perpetuity as Timber rattlesnake habitat. The preservation of land provides a "net benefit" to off-set the loss of suitable foraging habitat that would occur by the Project.

3.6-2: The DEIS does not discount the potential for rattlesnakes to wonder or have suitable basking habitat for the species; however, the DEIS accurately confirms that the areas more adequate for basking and other rattlesnake activities are found in the areas of the Project Site above approximately 900 AMSL. These areas would be permanently preserved which would benefit Timber Rattlesnake as mentioned above under response to 3.6-1. The residents of the community will be provided with a "Timber Rattlesnake Education & Encounter Plan" so they know how to identify common snake species, how to avoid snakes, and what to do if a Timber Rattlesnake is encountered. All of the mitigation measures to be used both during construction and post-construction to protect the Timber Rattlesnakes are set forth in the correspondence with NYSDEC included in Section 10.3 of the DEIS.

3.6-3: The Project would not result in adverse ability of the Timber Rattlesnake Species to continue to bask on other areas of the Project Site. The areas described in 3.6-1 immediately above would provide ample space for the species to continue to bask and to forage.

3.6-4: We have submitted an Incidental Taking Permit in coordination with NYSDEC. It has been developed with their input and can be found, along with the responses to their comments, including the one referenced in this comment, in Section 10.3 of the FEIS.

3.6-5: The finalized, accurate areas of disturbance can be found in Sections 10.1 and 10.4 of the FEIS.

3.6-6: Streams are discussed in their respective section 3.8 and potential impacts to them are accurately discussed in the DEIS.

3.6-7: The investigation of such pools, while not required by the Scoping Document, found no significant vernal pools outside of the wetland areas.

3.6-8: The DEIS addresses the existed of forested habitat and the Applicant has made every effort to preserve that habitat in its natural form as much as possible, placing the development in the

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lower areas of the Project Site on previously disturbed areas where possible. The Project would also preserve 50% of the Project Site as open space. The preservation of this land results in the establishment of a large, un-fragmented expanse of forested habitat that is contiguous with the Earl Reservoir Park and the Schunnemunk Mountain State Park. With the preservation of the land, Timber Rattlesnake habitat will be preserved in perpetuity. The preservation of the undeveloped portions of the Project Site also maintains a large, contiguous, un-fragmented, and undeveloped area of land that ecologically connects with the Earl Reservoir Park and the Schunnemunk Mountain State Park, which are located to the southeast and northeast of the Site. The Schunnemunk Ridge extends from the southern boundary of the site to the northeast and into the State Park property. This ridge and immediately adjacent, undeveloped lands provide substantial amounts viable habitat to support the local population of Timber Rattlesnakes as well as other flora and fauna found in the area.

3.6-9: Since the Project would preserve large portions of the Project Site, the impact to the wildlife habitat would not be significant as there will be ample space for species to continue to use, as well as the hundreds of thousands of acres of forested land in the vicinity. Moreover, the Project development has been designed to try and limit itself, as much as possible, to areas previously disturbed.

As impact to habitat is unavoidable with any development; however, the particular impact to the vegetation and wildlife on the Project Site would not be significant in terms of overall impact when compared to the vast amount of open space in the region. In regard to the timber rattlesnakes specifically, adequate mitigative measures are proposed to be implemented to minimize potential direct and indirect impacts to rattlesnakes and their foraging habitat. The measures include the following: Timber Rattlesnake On-Site Contractor Education and Encounter Plan; Timber Rattlesnake Sighting Protocol; Exclusionary Construction Fencing; Permanent PVC Fence/Barrier if requested by NYSDEC; and On-site Snake Monitor.

3.6-10: Please refer to responses to 3.6-1 and 3.6-2 directly above. The areas above approximately 900 AMSL were only found to be the most suitable areas for rattlesnake basking and therefore they would be preserved as part of a net benefit to the species in coordination with NYSDEC input.

3.7-1: The soils maps are for reference only. The wetland maps, however, were specifically delineated and verified through several on-site visits from the NYSDEC and ACOE. Accordingly, the locations of the wetlands are accurate and have been reviewed in the field by the agencies having jurisdiction over such wetlands.

3.7-2: Section 10.1 of the FEIS clarifies the Project would avoid development on slopes of greater than 25% to the greatest extent practicable and would incorporate grading on that are greater than 25% in order to decrease the slope where necessary, as shown on the Site Plan in Section 10.4. The statement referenced from the DEIS should be disregarded as indicated in the Section 10.1.

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Figure 315a was revised and included as Figure 315c in the DEIS Addendum. It was located in the land use, zoning and public policy section because it is applicable to the Project's zoning.

3.7-3: Lands having shallow depth to water table are limited to on-site watercourses and wetland areas. In regard to mapped hydraulic soils outside the delineated wetland boundaries, the hydraulic soil boundaries are based on Natural Resource Conversation Service ("NRCS") soil mapping which are approximate in nature.

3.7-4: Steep slopes are mapped on Figure 315c of the DEIS Addendum. Please also refer to Response to Comment 3.7-2 above.

3.7-5: Slopes of 25% have been avoided to the greatest extent practicable, in compliance with the Village Zoning Code and as clarified in Section 10.1 of the FEIS. Areas of cut slope would be graded at 2-horizontal and 1-vertical and stabilized with erosion control netting and vegetation.

3.7-6: The Project Site is not located within the Town of Blooming Grove and is therefore not bound by its guidance or zoning code.

3.7-7: The finalized, accurate areas of disturbance can be found in Section 10.1 of the FEIS as well as on the Project Site Plans in Section 10.4 of the FEIS.

3.7-8: Discussion of the change of impervious cover and associated tree removal was included in the SWPPP in Appendix H, which has been revised and the updated information has been included in the FEIS.

3.8-1: This is visible on the Wetlands Map in Appendix E and Figure 315C in the DEIS Addendum.

3.8-2: The DEIS does address everything requested and detailed in the Scoping Document. This data can be found in Sections 3.8 and 3.9, as well as in Appendix F.

3.8-3: The Site Plan has been revised to substantially avoid impacts to all surface waters (see Section 10.4). Lots and roadways have been reconfigured and all proposed crossings include open bottom culverts, and the SWPPP has been revised accordingly.

3.8-4: The Site Plan has been revised to avoid this impact entirely. See response to Comment 3.8-3 above.

3.8-5: Since this impact has been avoided, there is no need to address it in this section.

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3.8-6: The Site Plan has been revised to avoid this impact entirely. For SEQRA standards, there is no difference between providing this data in linear feet or acres and the Scoping Document did not require an acreage-based analysis. Moreover, wildlife is discussed in Section 3.6.

3.8-7: The language quoted is addressing wetland impacts and not stream impacts.

3.8-8: As indicated in Response to Comment 3.8-7 above, the discussion quoted is related to impacts within the 100-foot adjacent area of Wetland No. 1. The temporary impact would be caused during the installation of the sewer main after which the impact would no longer be present. With regard to impacts to streams, please refer to Response to Comment 3.8-4 above.

3.8-9: The rocky headwater streams referred to in the table are substantially comprised of watercourses that convey water during precipitation. Regardless of this, the Plan has been revised to preserve all watercourses to the greatest extent practicable. The impact to rocky headwater streams is now just 295+/- linear feet (approximately 1%), as shown in the revised figures and the Table have been revised to reflect the most accurate numbers and included in Section 10.1 of the FEIS as well as in Section 10.3 of the FEIS in the responses to NYSDEC. The impact caused by deicing of roadways, which are slated to be dedicated to the Village of South Blooming Grove, would be the same as could be expected for all other municipal roadways in the area.

3.8-10: See responses related to surface waters above. The impact to rocky headwater streams is now just 295+/- linear feet (approximately 1%), as shown in the revised figures and the Table have been revised to reflect the most accurate numbers and included in Section 10.1 of the FEIS, as well as in the responses to NYSDEC included in Section 10.3 of the FEIS.

3.8-11: Actually, the unique demands of a Satmar Hasidic community demand a rate of just 71 gpd per bedroom, and not 110 gpd per bedroom (see NYSDOH letter in Appendix F). Nonetheless, NYSDEC does not determine water usage based upon the religion of the individual who may occupy a home and the calculations in the DEIS are based upon the requirements of the NYSDEC, even though utilizing the specific Village of Kiryas Joel allowance of 71 gpd per bedroom would actually favor the Project.

3.8-12: Based on the present plan, the total acre of disturbance is computed to be 247.3 acres. Of that area, the acres of impervious surface are referenced in the SWPPP, with the remaining acreage to be areas of temporary due to land grading which would re-vegetated, lawns and landscaping or stormwater management features.

3.14-1: The visual assessment conducted complied with the Village Scoping Document and the Village's professionals and was completed by an appropriate professional. Although the commenter offers a different opinion, it is just an opinion, and we believe the comment is

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inaccurate based upon the Visual Assessment conducted by the Project's professionals and approved by the Village's professionals.

3.14-2: Please refer to Response to Comment 3.14-1 immediately above. The direction of the view for Vantage Points 6 and 7 were completed with input from and as approved by the Village Board of Trustees and the Village Planning Board. The Village provided their input over a one-year period and for the comment to suggest the direction be changed now is unreasonable and unnecessary.

3.14-3: The Village professionals determined the locations of the balloons and were present during the balloon testing. During this time, no balloons were seen from any of the vantage points. The Project would maintain as many trees and vegetation as possible, as shown on all of the Project plans.

3.14-4: The conclusions in the DEIS are supported by the Visual Assessment completed in accordance with the Village Scoping Document and the input received by the Village professionals.

3.14-5: Please refer to response 3.14-4 above.

3.16-1: Please refer to the responses to comments beginning with 3.7 above.

3.16-2: Please refer to the responses to comments beginning with 3.8 above.

4-1: Section 10.1 of the FEIS removes this comment from the DEIS.

4-2: There are current permits issued by the Village for the wells on the Project Site that produce 785,520 gallons of water per day, as confirmed by the 72-hour and 125-hour Water Well Pumping Test. These wells could be used to supply neighboring properties or developments with water, thereby inducing growth elsewhere under this alternative.

4-3: A community consists of homes occupied by family; therefore, through detailing the existing communities/subdivisions in the Village, the DEIS correctly analyzes potential impacts to the communities as a result of the Project and correctly concludes there would be no significant adverse impacts in this regard. The yellow, blue and gray areas in this Figure do not consist of permanently preserved space. Indeed, the largest such parcel is the Project Site. Accordingly, these parcels' owners have the right to develop their properties as per the zoning codes. It is inappropriate to compare a proposed Project to undeveloped or underdeveloped parcels that may be developed in the future. This alternative would not be consistent with the character of the Village or the goals of this Project.

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4-4: The majority of expected revenues from the Project would be from raw subdivided lots.

4-5: The Project would address both local and regional housing needs.

4-6: The Town of Monroe is an adjacent municipality, such as the Town of Blooming Grove, which this commenter has referenced multiple times. Also, the Project Site mailing address is Monroe. The Town of Monroe Master Plan references the Long Island study.

4-7: When development of the Project as proposed is a viable option, supported by infrastructure, water and sewer capacity, and allowed by the Zoning Code, there is no reason why a developer should abandon the development of housing on the property, including affordable housing. If every parcel was developed without incorporating some affordable housing, there would definitely not be enough housing to meet growing needs. Please also refer to Response to Comment 4-4 above.

4-8: Leaving the layout the same with simply less density would not result in open space in excess of 50% because the lot owners would still be allowed to build on up to 50% of their larger lots.

4-9: See Response to Comment 4-3 above.

4-10: The DEIS uses the words “probably” and not “certainly” for this reason.

4-11: Please refer to the responses to Comments 3.2-1 through 3.2-5 above.

4-12: Please refer to the Response to Comments 3.2-7 above.

4-13: The Project would not result in any significant adverse impacts. Moreover, the impacts you noted do not outweigh the benefits of the Project in regards to preserving open space and providing housing, including affordable housing, to meet local and regional current and future housing needs.

4-14: Please refer to the proceeding responses to those comments as to why the table need not be updated.

4-15: The Project is the only economically viable development and the only one which would concurrently generate sufficient revenue to satisfy the plan approved for the Applicant by the US Bankruptcy Court and would not generate any significant adverse environmental impacts.

5-1: It is appropriate for a DEIS to refer back to the applicable sections.

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6-1: These are addressed in Section 8.0 of the DEIS entitled Irreversible and Irretrievable Commitments of Resources and are not considered an unavoidable adverse impact according to the SEQRA definition and therefore do not belong in Section 6.0 of the DEIS.

7-1: The Project, as proposed, would not have a significant amount of excess water or sewer capacity to generate growth on the adjacent parcel owned by the Project Sponsor in the Town. The DEIS states the accurate conclusions. Likewise, this section accurately mentions the vacant commercial spaces in the Village located near the Project Site as locations that could potentially serve the Project Site if necessary with commercial services.

9.1: Comment noted.

9.2: Figure 315c in the DEIS addendum replaces Figure 315a. Additionally, the Zoning Code §235-4 references 25% steep slopes, which is why Figure 315c references them.

Response to Commenter No. 41: Hanley, Barbara – page 170 of Appendix P

Water Supply: The Project is not proposing to interconnect with the Village's water supply system and would draw water from its own on-site wells to serve the Project Residents via its own water supply system. The calculations detailed in the 72-Hour Water Well Pumping Report for the Project's wells are accurate. Please refer to General Response 2 in regard to water supply and the aquifer.

Accessory Apartments: The Project is not proposing the development of accessory apartments. They were analyzed in accordance with the Village's Scoping Document and its requirement. If accessory apartments are proposed in the future, homeowners would need to submit their plans to the Village for an approval; however, as for SEQRA purposes, the impacts are analyzed in the EIS.

Fair Housing: Regardless of the Village's direction to discuss two demographic scenarios, all residential units in the Project would be made available for occupancy, purchase or rental to any person regardless of race, color, religion, gender identity, handicap or disability, familial status, national origin, age, marital status, military status or other protected class status in accordance with federal and state law. The Project Owner and Developer is committed to providing and satisfying equal housing opportunity principles and legal requirements, although the Village required them to analyze these two scenarios.

Rattlesnakes: The analysis detailed in the DEIS is thorough and the Applicant is working with NYSDEC in regard to protecting timber rattlesnakes. An Incidental Taking Permit application has been submitted and the Applicant would be preserving not just lands on the Project Site but on an adjacent parcel for this species as well. Additionally, as per NYSDEC, there are no dens on the Project Site.

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Response to Commenter No. 42: Hanley, Michael – page 178 of Appendix P

The visual assessment is detailed in Section 3.14 of the DEIS and concludes the Project would not result in significant adverse impacts; this section also includes images from the multiple vantage points. Please refer to General Response 4 in regard to traffic. As detailed in Section 3.2 of the DEIS, the Project would result in a net tax benefit to the taxpayer of over \$7.9 million under both scenarios. Campbell Hall and Hamptonburgh are approximately a 20 minute drive from the Project Site and would not be adversely impacted by the Project.

Response to Commenter No. 43: Harris, Jessica – page 180 of Appendix P

Please refer to General Response 2 in regard to water supply, General Response 3 in regard to wastewater treatment and General Response 4 in regard to traffic.

Response to Commenter No. 44: Hatzis, Laura – page 183 of Appendix P

The Project, proposed on 708 acres of land, would not adversely disturb the approximately 35 acres of wetlands as indicated in Section 3.8 of the DEIS.

Response to Commenter No. 45: Henry, Edna – page 185 of Appendix P

The Project would use its own water supply system and wells to provide water to the Project residents. Traffic is discussed in Section 3.11 and Appendix J of the DEIS. As detailed in Table 3210 of Section 3.2 of the DEIS, the net tax benefit to the School District would be \$6,550,406 under Scenario No. 1 and \$5,264,072 under Scenario No. 2. Property owners of the Project's homes pay taxes as well.

Response to Commenter No. 46: Hickey, John – page 187 of Appendix P

Please refer to Response to Commenter No. 12 in regard to character, which reiterates the Project would be consistent with the current character of the Village. Additionally, the Project is consistent with the zoning applicable to the Project Site, which was passed when the Village, which this commenter indicated he helped create, was formed. Additionally, your comment in regard to the character shift of the Village at this time, without the Project, is noted. Please also refer to General Response 2 in regard to water supply, General Response 4 in regard to traffic and Section 3.3 of the EIS in regard to police and fire services.

Response to Commenter No. 47: Higgs, Victoria – page 189 of Appendix P

The Project as proposed would preserve 50% of the Project Site as open space.

Response to Commenter No. 48: Hiller, Paula – page 191 of Appendix P

The Project would not interconnect with the Village's water supply system and would instead serve its residents with water from its own wells and water supply system.

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Response to Commenter No. 49: Jacewicz, James – page 193 of Appendix P

Your comment indicated “there will now be more jobs in [the] area and a large tax benefit, especially to the schools, which will help all of the children currently in school, as well as bring more jobs and better finances overall to the area, [for which you are] thankful for all of the new jobs [you] have been given over the past few years since more people started moving to South Blooming Grove and [you are] excited to get more opportunities moving forward” is noted.

Response to Commenter No. 50: Jeroloman, Robert – page 195 of Appendix P

Public Hearing Notices: The December 3, 2020 Public Hearing (which was the second public hearing conducted on the DEIS after the August 10, 2020 public hearing) was initially scheduled as an in-person public hearing. Due to the COVID pandemic and then ongoing increases in infection rates, the decision was made to conduct this second public hearing virtually, via a Zoom meeting. A new public hearing notice was properly posted to advise of this change and dozens of residents and others attended the Zoom meeting and provided comments on the DEIS. Nevertheless, the Village Board of Trustees and Planning Board (Co-Lead Agencies) conducted and properly noticed a third public hearing on the DEIS on January 5, 2021 in order to hear any additional public comment on the DEIS. The date for submission of written public comments was likewise extended through January 15, 2021.

Transportation Corporations: With respect to the fact that the notice of public hearing for the December 3, 2020 public hearing included language referencing a hearing on the formation of the transportation corporations, it is apparent that that language was mistakenly included due to a typographical error on that particular public hearing notice, as the resolutions approving the formation of the transportation corporations had already been adopted on November 23, 2020, following the August 10, 2020 Public Hearing, during which no substantive public comment was made in this regard. It should be noted that in fact, no substantive public comment was made in regard to the formation of the transportation corporations at any of the Public Hearings.

Water Supply, the Aquifer and Neighboring Wells: The Project has 25 on-site wells; however, it would utilize just six (of the 25) in order to supply water to the Project, and the wells that resulted in interference would not be included in those six wells. Please also refer to General Response 2 in regard to water supply.

Orchard Lake Community: Please refer to Attachment 50 for the supporting documentation in regard to the summary detailed below. The Project conducted the first offsite well monitoring program in 2014 and the second in 2017. In 2014, the Orchard Lake Community a/k/a Braeside Aqua Corporation (BAC) agreed to have their wells included in the monitoring program. The wells were measured without incident and the data furnished to BAC following the conclusion of the testing. We monitored three of their wells and we only saw 10 feet of drawdown in one of their

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three wells during the combined test of the Project's wells C-4, C-6, C-7A and C-8. None of these Project wells from 2014 were pumped in the Project's 2017 test.

The following is a timeline of our attempts to request BAC to participate in the second offsite well monitoring program in 2017.

On 5/23/17 & 6/8/17 the project team sent an offsite well monitoring program participation request letter via USPS and email; on 6/12/17 & 6/19/17 called BAC and left voicemail messages; on 6/21/17 received a letter from BAC; on 6/27-28-29-30/17 sent eight emails; and on 7/5/17, 7/10/17, 7/13/17 sent another eight email correspondence.

As part of the 2017 offsite well monitoring program, we contacted a large number of other residential property owners and public water-supply entities in the area on the same timeline as BAC. We provided a time frame for responding to the participation request and all who wanted to participate in the monitoring program responded promptly with the exception of BAC. We worked diligently to accommodate the requests of BAC by providing all the requested information and insurance overages. BAC also wanted an outside Hydro-geologist to shadow our data collection. We agreed to the condition and we also agreed to pay for the cost of the outside Hydro-geologic consultant that would be retained by BAC to oversee our work. However, BAC did not sign the authorization to have their wells included in the offsite well monitoring program.

On 6/13/17, Mr. Jeroloman, as the then Mayor of the Village of South Blooming Grove, asked us to forward the well test information to the deputy clerk. On 6/19/17 we emailed the deputy clerk informing the Village that BAC did not respond and that the well test is scheduled to begin the week of 7/10/17. On 7/7/17 we emailed the deputy clerk to inform the Village that BAC did not provide authorization to have their wells included in the offsite well monitoring program and that the well test was scheduled to start on 7/10/17.

Comments from the NYSDEC: Please see the responses to the NYSDEC comments in Section 10.3 of the FEIS.

Comments from the Orange County Department of Planning: Please see the responses to the Orange County Department of Planning in Section 10.3 of the FEIS.

Wastewater: A Waste Assimilation and Capacity Report (WAC analysis) specific to the Project's proposed discharge location was conducted to determine the treatment standards applicable to the Project's proposed wastewater treatment plant. These modern-day standards are exceedingly more restrictive and protective than any standards that existed in the 1970s. Accordingly, the Project's wastewater treatment system has been designed to meet those current standards in order to not adversely impact stream quality. See more information in regard to this in Appendix I-2 of the EIS, as well as in General Response 3.

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Clovewood Website: The www.clovewood.com website was always functional. Some servers had an issue due to a firewall concern which was promptly remediated.

Response to Commenter No. 51: Johnson, Edie – page 199 of Appendix P

The reason this commenter was unable to see the balloons is because none of the balloons were visible from any of the Vantage Points. The trees on the Project Site surrounding the areas proposed for development are generally greater than 35 feet in height and the Project's homes would be lower than that. Since the balloons represent the heights of the house, they were not visible, even during off-leaves conditions. Moreover, the Project's visual assessment complied with NYSDEC procedure, including line of sight profiles and simulations. The balloon test and visual analysis was conducted as per the Vantage Points approved by the Village Boards and Village professionals and the Village professionals were present during the balloon testing. There is no need for it to be repeated. The Project Site is not the entrance to Schunnemunk State Park and individuals should not be trespassing on the Project Site in order to access Schunnemunk State Park. Please refer to General Response 2 in regard to water supply and General Response 3 in regard to wastewater treatment.

Response to Commenter No. 52: Johnson, Kristia – page 203 of Appendix P

The number of homes proposed is in accordance with the Village Zoning Code and as indicated by the analyses found in the DEIS not environmentally devastating. The DEIS provides accurate analyses based upon relevant, accurate studies in accordance with the Village Scoping Document and applicable regulating agencies, including those of NYSDEC and NYSDOT amongst others. The Project would not result in adverse impacts in regard to noise and light pollution.

Response to Commenter No. 53: Jones, Guy – page 205 of Appendix P

Comment noted. Please refer to General Response 2 in regard to water supply and General Response 3 in regard to wastewater.

Response to Commenter No. 54: Kafka, Brandon – page 207 of Appendix P

Comment noted.

Response to Commenter No. 55: Kiernan, Johanna – page 209 of Appendix P

Please refer to General Response 2 regard to water supply, General Response 3 in regard to wastewater and General Response 4 in regard to traffic. It is unclear what this commenter means when using the word "sacred;" however, as confirmed by the NYS Office of Parks, the Projects would not have the potential to impact any lands of historical significance (see correspondence in attachment 55). The Project would incorporate open space and preserve the natural beauty and character of the community, as detailed in Sections 3.1 and 3.4 of the EIS.

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Response to Commenter No. 56: Killeen, Michael – page 213 of Appendix P

Please refer to General Response 2 in regard to water supply and General Response 4 in regard to traffic. As clarified in the DEIS and in General Response 1, regardless of the Village's direction to discuss two demographic scenarios, all residential units in the Project would be made available for occupancy, purchase or rental to any person regardless of race, color, religion, gender identity, handicap or disability, familial status, national origin, age, marital status, military status or other protected class status in accordance with federal and state law. Moreover, the Project would not destroy Schunnemunk Mountain and would preserve 50% of the Project Site as open space and include dedicated parkland for the enjoyment of all Village residents. Additionally, as shown in Figure 15 of Section 1.0 of the DEIS, there are over 100,000 acres of parkland in the region of the Project Site and the Project would not adversely impact individual's ability to access and enjoy such parkland.

Response to Commenter No. 57: Kitzrow, Kaitlyn – page 217 of Appendix P

1. This commenter indicates a home on her block was listed for a long period of time; however, this commenter resides in the Town and not in the Village of South Blooming Grove. Over the last few years, hundreds of homes have been sold in the Village. There is a documented housing need in the region and home values have risen steadily as well in the Village. This is verifiable by the Hudson Gateway MLS listings.

2. The analyses in the DEIS were not made using outdated data and in fact have been based on the most up to date information in accordance with NYSDEC. Please refer to General Response 3 for further information in regard to wastewater treatment as well as General Response 2 in regard to water supply. There are no specific codes relevant to the Project Site in regard to earthquakes and severe earthquakes as described by this commenter generally occur in the Ring of Fire area of the Earth located on the West Coast of the United States, as well as in South America and Canada, continuing across the Pacific Ocean to Japan.

3. The Village Scoping Document requested the DEIS use population multipliers from the 2014 US Census Bureau, ACS and later comment received from the Village asked us to utilize the data from 2016. The table illustrating the decrease in population illustrates the population decline in the Village since its incorporation in 2008. As detailed in Table 3210 of Section 3.2 of the DEIS, the net tax benefit to the School District would be \$6,550,406 under Scenario No. 1 and \$5,264,072 under Scenario No. 2.

Response to Commenter No. 58: Kitzrow, Ryne – page 220 of Appendix P

1. The water and traffic studies are not outdated and were conducted in coordination with NYSDEC and NYSDOT respectively. Please refer to General Response 2 in regard to water and General Response 4 in regard to traffic. There is no need to conduct these studies again.

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2. Please refer to General Response 2 in regard to water supply.

3. This development is not out of character with other developments in the Village of South Blooming Grove as detailed in Section 3.4 of the DEIS. The development proposed by the Project is consistent with the existing character in the Village and is in accordance with the extant Zoning ordinances without the need for a variance. In fact, the current developments in the Village would actually not be allowed to be developed according to the current zoning code as they are at a greater development density than is allowed by zoning (or proposed by the Project) and do not include preserved open space. In regard to the State of New York, there are 1,000 unit buildings and sky scrapers developed in NYC on small properties, and it is ridiculous to claim that 600 units located on a large track of land consisting of over 700 acres proposed in accordance with a zoning code is unheard of in any state, especially New York.

4. The FEIS revised the density bonus and land located between homes is no longer considered open space as indicated in the Project Site Plans in Section 10.4 of the FEIS. The Project's open space would be preserved as required by the Village Zoning Code.

Response to Commenter No. 59: Klein, S. M. – page 223 of Appendix P

It would be the Village of South Blooming Grove Building Inspector's interpretation of Village Zoning Code §235-14.2.J that would determine if the dwelling units transferred from the RC-1 Zone should be townhouses instead of single family homes; however, the Project, as proposed, includes single family homes only. We agree that it would be beneficial for there to be small offices or convenience stores within the Project so that Project residents would not need to leave the development in order to purchase small items. While outside of the scope of the Project, comment noted in regard to the suggestion that the Village create its own Ambulance Corps, Fire Department, Police Department, School District, etc.

Response to Commenter No. 60: Knoll, R. – page 225 of Appendix P

The Project Site is not located on Round Hill Road. Please refer to General Response 1 in regard to water supply.

Response to Commenter No. 61: Koza, Brena – page 227 of Appendix P

Please refer to General Response 4 in regard to traffic. The Project Applicant would pay for the construction of the wastewater treatment plant and it would therefore not impact taxpayers in any way. Please refer to General Response 2 in regard to water supply, including Orchard Lake, which is also addressed in our Response to Commenter No. 50. As clarified in the DEIS and in General Response 1, regardless of the Village's direction to discuss two demographic scenarios, all residential units in the Project would be made available for occupancy, purchase or rental to any person regardless of race, color, religion, gender identity, handicap or disability, familial status, national origin, age, marital status, military status or other protected class status in accordance with

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federal and state law. The Project Owner and Developer is committed to providing and satisfying equal housing opportunity principles and legal requirements. Although the Village required them to analyze these two scenarios, the Project's homes do not exceed the allowable dimensions of the current Village Zoning Code.

Response to Commenter No. 62: Leeds, Josh – page 231 of Appendix P

Please refer to General Response 2 in regard to water usage and General Response 4 in regard to traffic. The EIS has also been revised to include water calculations for the Project's proposed community facilities. There is no development planned for the 22 acres at this time.

Response to Commenter No. 63: Lepore, Sharon – page 234 of Appendix P

As clarified in the DEIS and in General Response 1, regardless of the Village's direction to discuss two demographic scenarios, all residential units in the Project would be made available for occupancy, purchase or rental to any person regardless of race, color, religion, gender identity, handicap or disability, familial status, national origin, age, marital status, military status or other protected class status in accordance with federal and state law. The Project Owner and Developer is committed to providing and satisfying equal housing opportunity principles and legal requirements, although the Village required them to analyze these two scenarios. Moreover, accessory apartments, buses and community wellness facilities are not specific to any religious demographic. The Project is not proposing any public park and ride facilities. Water calculations in the DEIS are based upon the NYSDEC Standards, which is based upon bedrooms. Actually, according to such standards, two individuals per bedroom are assumed, which would actually be even more conservative than the projections in the DEIS as 4 bedrooms means 8 occupants, more than the projected occupants under either scenario. Please also refer to General Response 2 in regard to water usage. The DEIS present the most reasonable, worst case scenario as required by SEQRA.

Response to Commenter No. 64: Light, Jane – page 237 of Appendix P

The Project would maintain the appearance of the natural landscape as much as possible and incorporate Parkland and active recreation areas into its design. Please refer to General Response 2 in regard to water, General Response 4 in regard to traffic, and Section 3.2 of the EIS in regard to socioeconomics.

Response to Commenter No. 65: Litke-Newfield, Amy – page 239 of Appendix P

Comment noted.

Response to Commenter No. 66: Loeb, Joel – page 246 of Appendix P

Comment noted.

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Response to Commenter No. 67: Mendel, Goldie – page 248 of Appendix P

Indeed, there is a great national need for housing; however, the EIS addresses the local and regional housing needs as those are most significant. Section 10.1 of the FEIS notes the revised roadway names in order to remove the proposed roadway names that already exist elsewhere in the Town of Blooming Grove.

Response to Commenter No. 68: Mandel, Leo – page 250 of Appendix P

According to the original, historical zoning applicable to the Project Site, 2,570 dwelling units would have been allowed to be developed on the Project Site, a density of one dwelling unit per 12,000 square feet. Conservatively, 2,313 dwelling units would have been allowed to be developed on the Project Site when subtracting 10% of the Project Site for infrastructure. If the Project Site would be developed according to the densities of the existing Village subdivisions it would contain between 2,744 and 2,078 dwelling units on 1/4 or 1/3 acre lots and not include any affordable housing units or designate open space areas. The Project plans in Section 10.4 of the FEIS have been revised to propose shared driveways in accordance with this comment and for pedestrian safety, as well as in accordance with the comments of the Village of South Blooming Grove Building Inspector (see Attachment 68). We agree the Project would, in part, help fill a local and regional need for housing, especially in light of COVID-19's impact on increasing the housing demand in the suburbs. Additionally, as noted in Section 10.1 of the FEIS the Project would include additional affordable housing as part of the adjusted base lot count.

Response to Commenter No. 69: Mann, Brandi – page 252 of Appendix P

Comment Noted. Please refer to General Response 2 in regard to water, and General Response 4 in regard to traffic. Population is addressed in Sections 3.2 and 3.4, and taxes in Section 3.2 which concludes there would be a net tax benefit under both scenarios as a result of the Project. The Project would preserve much of the natural landscaping and would be centralized mostly on the previously disturbed areas of the Project Site.

Response to Commenter No. 70: Marino, Heather – page 254 of Appendix P

Please refer to General Response 2 in regard to water supply. Schooling is addressed in Section 3.2 of the DEIS; traffic in Section 3.11, Appendix J and General Response 2; municipal services in Sections 3.2 and 3.3; and waste disposal in Section 3.10.

Response to Commenter No. 71: Marino, Joe – page 256 of Appendix P

Please refer to General Response 2 in regard to water, General Response 4 in regard to traffic and Section 3.2 of the EIS in regard to school taxes.

Response to Commenter No. 72: Marshall, Richard – page 258 of Appendix P

Comment noted. Please refer to General Response 2 in regard to water, and General Response 4 in regard to traffic.

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Response to Commenter No. 73: Mauskaupf, Brana – page 260 of Appendix P

As indicated in the DEIS Addendum Section 9.1, the Project would not propose an interconnection with Arlington Drive. Rather, it would be for emergency access only. Additionally, please refer to responses to Commenter No. 33 and 83.

Response to Commenter No. 74: McCabe, John – page 262 of Appendix P

The Project is working with NYSDEC in regard to Timber Rattlesnakes and has submitted an Incidental Taking Permit along with a preservation plan included in Section 10.3 of the FEIS.

Response to Commenter No. 75: McGrath, Laura – page 264 of Appendix P

Comment noted. Please refer to General Response 2 in regard to water, and Section 3.2 of the DEIS in regard to taxes. The Project proposed is consistent with the extant Village Zoning Code without the need for variances or waivers.

Response to Commenter No. 76: McGroddy, Sheila – page 267 of Appendix P

Please refer to General Response 2 in regard to water supply. There would be no “drilling through Schunnemunk Mountain” because the Kiryas Joel Water Supply Alternative would not be pursued by the Project as indicated in Section 9.2 of the DEIS Addendum. The Project would be consistent with the character of the Village as detailed in Section 3.4 and as determined by the Village’s negative declaration at the time of its adoption of the Zoning Code in 2006; the very Zoning Code with which the Project is consistent with without the need for variances or waivers. Traffic and wastewater treatment are addressed in their respective sections and appendices in the DEIS.

Response to Commenter No. 77: Mclaughlin, Judy – page 269 of Appendix P

The Project’s wastewater treatment and water calculations comply with application NYSDEC standards. They are not inaccurate and are not misleading. Wetlands and watercourses are addressed in Section 3.8 of the DEIS and Appendix E. Traffic, visual impacts and aesthetics, noise, light, school taxes and community character are addressed in their appropriate sections of the EIS.

Response to Commenter No. 78: Mongello, Stacy – page 271 of Appendix P

Comment Noted. The Project would include its own water supply system from wells on the Project Site and construct its own wastewater treatment plant. The cemetery is not located on the Project Site, but rather on an out-parcel, which would not be impacted by the Project. Please refer to Section 3.11, Appendix J and General Response 4 in regard to traffic. Please refer to General Response 6 in regard to vegetation and wildlife, as well as the the Response 3.6-9 to Commenter No. 40 above.

Response to Commenter No. 79: Montoya, Michael – page 273 of Appendix P

Comment noted. Please refer to General Response 2 in regard to water, and General Response 4 in regard to traffic.

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Response to Commenter No. 80, Moran, Meiligh – page 275 of Appendix P

As clarified in the DEIS and in General Response 1, regardless of the Village's direction to discuss two demographic scenarios, all residential units in the Project would be made available for occupancy, purchase or rental to any person regardless of race, color, religion, gender identity, handicap or disability, familial status, national origin, age, marital status, military status or other protected class status in accordance with federal and state law. Traffic is addressed in Section 3.11 of the DEIS, Appendix J and in General Response 4; and taxes in Section 3.2.

Response to Commenter No. 81: Morrissey, Richard – page 277 of Appendix P

Traffic is addressed in Section 3.11 of the DEIS, Appendix J and in General Response 4. Please refer to General Response 2 in regard to water supply.

Response to Commenter No. 82: Mullan, Bria – page 279 of Appendix P

Population Age: Population growth enables service costs to be spread over a larger tax base, thereby reducing the tax burden to the individual taxpayer. As stated in the DEIS, the U.S. Census Bureau found a strong positive correlation is seen with long-term care costs and increasing size of the older adult population. Anecdotal experience shared by this commenter is not sufficient when compared with documented scientific data.

This commenter has also misquoted a statement from the DEIS claiming it suggested a substantial influx of younger members into the Village to care for "older individuals," which is inaccurate. The DEIS is not suggesting young individuals support services solely for the elderly, but for the Village community as a whole. Younger individuals are more capable of engaging in duties such as volunteer EMS members than elderly, but those services would be provided to all residents in the Village, from infants to elderly.

The Village, even with its population decline, made some of the minor improvements and repairs mentioned in this commenter's comment: the repaving of four minor Village roads; repaving the Village Hall parking lot; incorporation of repairs to the exterior and ramp at Village Hall; and some repairs to the water filtration system. However, there are many additional services and major improvements the Village could have provided to Village residents had the tax base included a larger population with more funds such as locating a new water source and incorporating improvements to main roads such as NYS Route 208, Clove Road, and Mountain Road, etc.

Population Growth: Under no scenario would the project triple the Village's population. However, as stated in this section of the DEIS, the Village did experience a ten-year decrease in population of 7% from 2006 through 2016. Had the Village population grown commensurate with the pattern of the Census Tracts in its one-mile radius as detailed in Table 326 of Section 3.2 of the DEIS, the Village should have a population of 5,335 persons by 2026. If the Village continues to lose population at its current rate, in 2026, its population would be just 2,959 persons. The Project

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would instead, partially help to stabilize this population loss. In fact, under Scenario No. 1, the Village population will be 6,011, an increase of approximately 12% of its population projection of 5,335 by 2026; and under Scenario No. 2, the Village population would be 4,527, a decrease of approximately 15% of its 2026 population projection.

Moreover, the DEIS did not arbitrarily determine what “reasonable population growth is.” Instead, Section 3.4 of the DEIS evaluates the Village’s population in accordance with the population per square mile of comparable villages in the Primary and Secondary Study Areas. The populations of the villages located within the Primary and Secondary Study Areas are found in Table 342 of Section 3.4 of the DEIS, and indicates the Village of South Blooming Grove has a population per square mile of just 639 persons, which is far below the population density of every other village in both Study Areas as well as below the average of 3,697 persons per square mile or 2,107 persons per square mile when excluding the most densely populated Village of Kiryas Joel and least densely populated Village of South Blooming Grove. Even with the Project’s population increase, the Village would still be below the average of all villages in the study area as shown in Figure 347 of Section 3.4 of the DEIS, but its population loss would be partially remedied by the population increase associated with the Project.

Scenario No. 1 and No. 2: The commenter’s assertion that, “*this community [Scenario No. 1] will not support the community that existed here [Scenario No. 2],*” is inappropriate and inaccurate. Whatever services for which any Village member volunteers or Village facilities offers would be offered to all members of the Village and/or those within the community service provider’s service area/boundary regardless of race, color, religion, gender identity, handicap or disability, familial status, national origin, age, marital status, military status or other protected class status, as is currently the case. Indeed, during the COVID-19 lockdown, Village residents with Scenario No. 1 demographics passed out food boxes to many Village residents, including those with Scenario No. 2 demographics, amongst other acts of kindness such as assisting elderly residents when possible (see Attachment 82).

Section 9.1 of the DEIS Addendum dated 2/13/20 indicates the Project would not include a vehicular interconnect with Arlington Drive for the general public, but would include the reservation for emergency access (i.e. fire, police or EMT vehicles) through a locked gate. Please also refer to Commenter No. 83 and Responses to Commenter No. 33 and 73.

Response to Commenter No. 83: Myers, Herman – page 282 of Appendix P

As indicated in the DEIS Addendum, the Project would not include a vehicular interconnect with Arlington Drive for the general public, but would include the reservation for emergency access (i.e. fire, police or EMT vehicles) through a locked gate. This decision was made in coordination with the Village; however, should the Village decide to use this interconnection for all Village residents at a future date it would be up to their Boards and beyond the scope of the Project.

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Additionally, as noted in the DEIS Addendum, the Project would not be proposing the KJ Alternative; however, this commenter's suggestion that it should is noted. Wind turbines are an innovative, interesting way to provide energy; however, the Project is not proposing them at this time and was therefore not required to evaluate them as part of the SEQRA process.

Response to Commenter No. 84: Meyers, Rebecca – page 284 of Appendix P

In accordance with this comment, Section 10.1 of the FEIS notes the Project's construction would only take place during the hours allowable by the Village Zoning Code. We are unsure why the Village required the Project be analyzed according to two demographic scenarios; however, in accordance with the Scoping Document we complied with the Village's requirement. As clarified in the DEIS and in General Response 1, regardless of the Village's direction to discuss two demographic scenarios, all residential units in the Project would be made available for occupancy, purchase or rental to any person regardless of race, color, religion, gender identity, handicap or disability, familial status, national origin, age, marital status, military status or other protected class status in accordance with federal and state law.

Response to Commenter No. 85: Newell, Ramilda – page 286 of Appendix P

Any stream crossings would be in accordance with the applicable regulations and would not include blacktopping or the building of structures on top of them. Please refer to General Response 3 in regard to wastewater.

Response to Commenter No. 86: O'Hara, Lisa – page 288 of Appendix P

The Project does not propose segregated housing. As clarified in the DEIS and in General Response 1, regardless of the Village's direction to discuss two demographic scenarios, all residential units in the Project would be made available for occupancy, purchase or rental to any person regardless of race, color, religion, gender identity, handicap or disability, familial status, national origin, age, marital status, military status or other protected class status in accordance with federal and state law.

Response to Commenter No. 87: O'Meara, Peggy – page 290 of Appendix P

As clarified in the DEIS and in General Response 1, regardless of the Village's direction to discuss two demographic scenarios, all residential units in the Project would be made available for occupancy, purchase or rental to any person regardless of race, color, religion, gender identity, handicap or disability, familial status, national origin, age, marital status, military status or other protected class status in accordance with federal and state law. The Project Owner and Developer is committed to providing and satisfying equal housing opportunity principles and legal requirements, although the Village required them to analyze these two scenarios. Please refer to General Response 2 in regard to water supply.

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Response to Commenter No. 88: O'Hara, Michelle – page 292 of Appendix P

Comment noted. Please refer to General Response 2 in regard to water supply and to General Response 4 in regard to traffic.

Response to Commenter No. 89: Padluck, Robert – page 294 of Appendix P

As per the request of the Co-Lead Agencies, the Project is not pursuing the Kiryas Joel Water Supply alternative (see DEIS Addendum Section 9.2). Please refer to EIS Section 3.12 in regard to noise.

Additionally, as per this comment, following is an evaluation of potentially re-opening the previously existing Mangin Road connection between NYS Route 208 and Seven Springs and Mountain Roads (see Attachment 39). Based upon the five maps included in the attachment, Mangin Road used to connect to Seven Springs Road through the two following parcels in the Village of South Blooming Grove: SBL # 217-1-5 (Owner of Record: Mangin LLC) and SBL #222-1-1 (Owner of Record: County of Orange). The first map from 1935 illustrates Mangin Road continuing up to Seven Springs Road, as does the second Map, which is an official 1953 Zoning Map for the Town of Blooming Grove. The third map, the Zoning Map of 1970 illustrates this connection as a trail rather than a main road. The fourth map, a map from the deed filed in the County Clerk's Office in favor of the County illustrating the Mangin road extension to Seven Springs Road in dashed lines, and the fifth map is the County Map of Gonzaga Park (with a red arrow indicating the location of the road/trail).

Response to Commenter No. 90: Paese, Jonatony – page 296 of Appendix P

Comment noted.

Response to Commenter No. 91: Partridge, Elena – page 298 of Appendix P

Comment noted.

Response to Commenter No. 92: Patrick, Shaun – page 300 of Appendix P

Comment noted. As detailed in Section 3.2 of the DEIS, the Project, under both scenarios, would result in a net tax benefit to the school district and other taxing authorities.

Response to Commenter No. 93: Popko, Edyta – page 302 of Appendix P

Traffic is addressed in Section 3.11 and Appendix J of the DEIS; noise in Section 3.12, and wildlife and vegetation in Section 3.6 and Appendix C.

Response to Commenter No. 94: Prendergast, Marybeth – page 304 of Appendix P

Comment noted. Traffic is addressed in Section 3.11 and Appendix J of the DEIS, as well as General Response 4. The Project's residents would pay taxes like all residents and the Project's taxes, under both scenarios, would result in a net tax benefit to the taxpayer. Cell reception is

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related to cellphone towers and would not be impacted by the Project.

Response to Commenter No. 95: Prunty, Valerie – page 306 of Appendix P

Comment noted.

Response to Commenter No. 96: Ragbalia, Craig – page 308 of Appendix P

Comment noted.

Response to Commenter No. 97: Rainato, Johanna – page 310 of Appendix P

Comment noted. The school district impacts are addressed in Section 3.2 of the DEIS, which concludes that under both scenarios, the Project's property taxes would result in a net tax benefit to the tax authorities and taxpayer. The conceptual future road off of Road D is shown to comply with a request made by the Village's Mayor, who asked the Project to propose a road which could be used in the future, if necessary, as a connector road. He made this request as he believed it would potentially alleviate traffic on NYS Route 208; however, the Project does not include plans to develop a neighboring property as the Applicant cannot propose development on property not owned or controlled by the Applicant. The Project's Traffic Impact Study found in Appendix J and summarized in Section 3.11 of the DEIS has been conducted in coordination with NYSDOT and meets all applicable standards. The Project would include improvements to roadways, where warranted. No use is proposed for the 22 acres at this time.

Response to Commenter No. 98: Reddan, John – page 313 of Appendix P

Please refer to General Response 2 in regard to water supply. The Project Applicant is working together with NYSDEC in regard to the timber rattlesnake and would incorporate the appropriate mitigation measures in regard to the species.

Response to Commenter No. 99: Rehberg, Marilyn & Harry – page 315 of Appendix P

Comment noted. The Project's Traffic Impact Study found in Appendix J and summarized in Section 3.11 of the DEIS has been conducted in coordination with NYSDOT and meets all applicable standards and ensure the safety of drivers on the roadways in the Project Site vicinity. Please refer to General Response 2 in regard to water supply. There are no sewer concerns in the Village of South Blooming Grove, as indicated by data supplied in Appendix I and summarized in Sections 3.8 and 3.9 of the EIS.

Response to Commenter No. 100: Rivano, Grace – page 318 of Appendix P

Please refer to General Response 2 in regard to water supply.

Response to Commenter No. 101: Rivera, Adrian – page 320 of Appendix P

Please refer to General Response 2 in regard to water supply. As detailed in Section 3.2 of the DEIS, the Project, under both scenarios, would result in a net tax benefit to the school district. The

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cost to school district for a child attending private school is around just 10% of that of a child attending public school.

Response to Commenter No. 102: Roach, Joan – page 322 of Appendix P

Please refer to General Response 2 in regard to water supply as well as the respective sections in the DEIS. Water well testing conducted in the 1986 does not supersede the testing conducted recently on the Project Site, the results of which have been submitted to the NYSDEC for a water withdrawal permit.

Response to Commenter No. 103: Roach, Stanley – page 325 of Appendix P

Please refer to Response to Commenter No. 102, as this comment is the same comment.

Response to Commenter No. 104: Romero, Vanessa – page 328 of Appendix P

As clarified in the DEIS and in General Response 1, regardless of the Village's direction to discuss two demographic scenarios, all residential units in the Project would be made available for occupancy, purchase or rental to any person regardless of race, color, religion, gender identity, handicap or disability, familial status, national origin, age, marital status, military status or other protected class status in accordance with federal and state law. Please refer to General Responses 2 and 4 in regard to water and traffic respectively.

Response to Commenter No. 105: Rosario, Laurie – page 330 of Appendix P

Please refer to General Response 4 in regard to traffic. As clarified in the DEIS and in General Response 1, regardless of the Village's direction to discuss two demographic scenarios, all residential units in the Project would be made available for occupancy, purchase or rental to any person regardless of race, color, religion, gender identity, handicap or disability, familial status, national origin, age, marital status, military status or other protected class status in accordance with federal and state law.

Response to Commenter No. 106: Rosso, Karen – page 332 of Appendix P

Please refer to General Response 2 in regard to water supply (the Project wells demonstrated a combined yield of over 780,000 gallons per day as detailed in Sections 3.8 and 3.9 of the DEIS and in Appendices F and G) and General Response 4 in regard to traffic. As detailed in Section 3.2 of the DEIS, the Project, under both scenarios, would result in a net benefit to the taxpayer. Moreover, the Project would preserve the vast majority of the Project Site as open space and preserve the natural landscape to the maximum extent practicable. This Project Site is zoned as Rural Residential and not state land and the Project is proposed in accordance with the extant Zoning Code without the need for variances or waivers.

As clarified in the DEIS and in General Response 1, regardless of the Village's direction to discuss two demographic scenarios, all residential units in the Project would be made available for

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occupancy, purchase or rental to any person regardless of race, color, religion, gender identity, handicap or disability, familial status, national origin, age, marital status, military status or other protected class status in accordance with federal and state law.

Response to Commenter No. 107: Rothenberg, YM – page 334 of Appendix P

Comment noted.

Response to Commenter No. 108: Rum, Bonnie – page 336 of Appendix P

As clarified in the DEIS and in General Response 1, regardless of the Village's direction to discuss two demographic scenarios, all residential units in the Project would be made available for occupancy, purchase or rental to any person regardless of race, color, religion, gender identity, handicap or disability, familial status, national origin, age, marital status, military status or other protected class status in accordance with federal and state law. Section 3.2 of the EIS addresses socioeconomics, include the project tax revenues compared to costs and Section 3.4 addresses the Satmar Hasidic community in this regard. Additionally, this commenter inaccurately switched the population data found in Table 321 of Section 3.2 from 2000 with that of 2016. Please refer to General Response 2 in regard to water supply.

According to the County's CGR Report referenced above and in the DEIS, the Satmar Hasidic Community of Kiryas Joel utilizes a proportionate share of Orange County services for certain types of services, exceeds its proportionate share for a few services, but for most services *the "community's unique culture and preference for isolation has the opposite result for many other services"* (CGR Report p. 19). The services which KJ either does not utilize at all or utilizes very sparingly are detailed in Tables 3211 and 3212 in Section 3.2.2(d) of the EIS. Accordingly, Kiryas Joel's lack of usage or sparse usage of several of the County's services result in a net benefit to the County. To the extent Kiryas Joel is seen as a model for the Project's community character impacts, the Project would be a net benefit to the County. Moreover, Satmar Hasidic community members typically enroll their children in private Jewish schools and yeshivas. The CGR report noted, *"Yet if all children living in the Kiryas Joel district attended KJUFSD instead of private yeshivas, KJUFSD would receive upwards of \$100 million in state aid, possibly over \$150 million"* (page v of the CGR Report).

As a result, according to data from Orange County Department of Social Services and the CGR Report, there would be no significant impact upon fiscal conditions and socioeconomic character in the County, its municipalities and State from the Project under Scenario No. 1, as Project-generated taxes would at least cover, and likely exceed, the Project's demand for services for its community. Especially great is the net benefit to the School District and State as a result of the Satmar Hasidic community's enrollment of their children in private schools and yeshivas as indicated in the quotation from page v of the CGR report mentioned above.

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Prospective homeowners would be made aware that they would be required to seek approval from the Village as the Project is not proposing accessory apartments. Homeowners would be aware of what they are purchasing. The plans in Section 2.20 illustrate a potential location for the accessory apartments, but the exact locations would be left to the decision of the homeowner as they would ultimately be the ones who would propose such accessory apartments in the future, if ever.

The EIS discusses bedrooms and not people in regard to water usage because that is how the State of New York calculates water demand for a Project. It is actually a more conservative manner of calculating water usage, and a per capita calculation would require less water per home. Nonetheless, per capita is not the accepted manner in which the State calculates water usage for a development. The discharge into Satterly Creek would be extremely clean and would meet all of NYSDEC regulations for discharge.

The 60 acres of public parkland would be for the use of all Village residents as it would be dedicated to the Village, as indicated in the DEIS. The Project is no longer proposing pools and is not proposing any park and ride facilities.

In regard to community services, the fire department could allocate indoor duties for those without beards and outdoor duties for those with beards. According to information provided to us by the Kiryas Joel fire chief, Kiryas Joel does not rely on neighboring fire departments. Additionally, the possession of a beard does not impact eligibility or the ability to perform duties in regard to emergency medical volunteers.

The Applicant is committed to implement appropriate mitigation measures in regard to traffic should future conditions warrant them. Since NYS Route 208 is a State Road, the NYSDOT would ultimately be the governing agency to determine if such mitigation measures would be warranted. It would be the decision of NYSDOT as well as the Village as to the escrow amounts necessary. Please refer to General Response 4 in regard to traffic.

Lastly, the Village's choice of planner is completely unrelated to the Project. The Village has changed planners on more than one occasion throughout the review of this Project, first from Robert Geneslaw to NPV/Bonnie Franson and now to Fusco Engineering. The Project is proposed according to the zoning code requirements and would preserve 50% of the Project Site as open space, regardless of who the Village's planner is. Comment noted.

Response to Commenter No. 109: Sacco, Elizabeth – page 348 of Appendix P

As clarified in the DEIS and in General Response 1, regardless of the Village's direction to discuss two demographic scenarios, all residential units in the Project would be made available for occupancy, purchase or rental to any person regardless of race, color, religion, gender identity, handicap or disability, familial status, national origin, age, marital status, military status or other

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protected class status in accordance with federal and state law. Please refer to General Response 2 in regard to water supply and General Response 4 in regard to traffic. The Project would not “ruin the rural feel” of the Village as detailed in Section 3.4 and would be consistent with the Village’s current community character. Likewise, the Project would include a buffer on Clove Road and the 600 homes would remedy the existing eyesore caused by the current dilapidated structures on the Project Site from the former Lake Anne Country Club.

Response to Commenter No. 110: Sagala, Joanne – page 350 of Appendix P

Comment noted. Please refer to General Response 2 in regard to water supply and General Response 4 in regard to traffic.

Response to Commenter No. 111: Sagala, Theresa – page 352 of Appendix P

Comment noted. Please refer to General Response 2 in regard to water supply and General Response 4 in regard to traffic.

Response to Commenter No. 112: Salka, Dawn – page 354 of Appendix P

The population projections and tax revenues and expenses detailed in Section 3.2 of the EIS are accurate and based upon the US Census Bureau and a per capita method of assigning revenues and costs respectively in accordance with the Village Scoping Document. Additionally, as stated in the DEIS, the costs to Washingtonville Central School would be significantly less per student under Scenario No. 2 as the cost to the School District for a student attending private school is just approximately 10% of the cost to the School District to educate a child attending public school. The Traffic Impact Study found in Appendix J and summarized in Section 3.11 provides an accurate analysis and does not need to be redone. The numbers found in the noise section of the EIS are accurate. Additionally, it should be noted that the shale bank is located less than a mile away from this commenter’s home, which is located in the Town, and the Project cannot comment on any noise the commenter hears from that facility.

Moreover, there are no plans for the development of 22 acres and the Project is not proposing accessory apartments. The Public Parkland would front Clove Road and is shown on the Project Plans in Section 10.4 of the FEIS, and were included in the DEIS in Section 2.20. The Traffic Impact Study complied with the requirements of the Scoping Document as well as with NYSDOT standards and includes accurate numbers. The Project is not proposing any park and ride facilities. Construction vehicles are discussed in Section 3.16 of the DEIS as well as in the responses in Appendix N. The driveways were designed in accordance with the Village Zoning Code and vehicles such as taxis would not be parked in the driveways unless the owner of the home is also a taxi driver. Please also refer to General Response 2 in regard to water, General Response 4 in regard to traffic.

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Lastly, the Project is not proposing the use of Public Safety Officers; however, such Officers are legally allowed to work in the Village if the Village wanted to utilize their services under the NYS Rules and Regulations. Since the Village does not yet have its own dedicated Police Department, outside Police Departments are notified in the event of a call. Moreover, the services of the Village of Kiryas Joel EMS and/or Public Safety Officers are sufficient and outstanding, and residents have the right to contact these service providers.

Response to Commenter No. 113: Salka, John – page 361 of Appendix P

This commenter is also the chief of the South Blooming Grove Fire Department and he indicates that he was not Chief of the department at the time the Applicant attempted to reach out to the South Blooming Grove Fire Department, meaning in 2017 and 2018. However, we personally spoke with this commenter in 2019, when he was Chief of the South Blooming Grove Fire Department and followed up with an email on 10/24/19, as well as made subsequent attempts to contact him and the department, to obtain their responses to the Project's survey as well as answers to other questions pertaining to the department. Nonetheless, to-date, we have yet to receive a response from the Chief who wrote this comment or the South Blooming Grove Fire Department. Additionally, opinions found in this commenter's letter seem to indicate a lack of knowledge of the Project's proposal, as well as the development patterns in the Village itself. For example, the letter references multifamily dwellings would be part of the Project, when no multifamily homes are proposed. This comment is aware of that, as we have personally shown him the Project's plans, and the commenter has previously acknowledged the Project proposes only single family development. Similarly, in the letter, the commenter indicates the Village currently has no multiple family dwellings; however, approximately 25% of the Village's extant homes are multiple family dwellings (Stone Gate Condominiums a/k/a Rolling Hills). Additionally, please refer to General Response 2 in regard to water supply, General Response 3 in regard to wastewater, General Response 4 in regard to traffic and Appendix G of the EIS for the analysis relevant to fire hydrants, and Attachment 21.

Response to Commenter No. 114: Santambrosio, Lori – page 367 of Appendix P

Comment noted. Please refer to General Response 2 in regard to water supply, General Response 3 in regard to wastewater treatment, and General Response 4 in regard to traffic. Additionally, as clarified in the DEIS and in General Response 1, regardless of the Village's direction to discuss two demographic scenarios, all residential units in the Project would be made available for occupancy, purchase or rental to any person regardless of race, color, religion, gender identity, handicap or disability, familial status, national origin, age, marital status, military status or other protected class status in accordance with federal and state law.

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Response to Commenter No. 115: Santos, Amanda – page 369 of Appendix P

Comment noted. Please refer to General Response 2 in regard to water supply. As noted in Section 3.2 of the DEIS, the Project, under both scenarios, would result in a net tax benefit to the taxpayer and school district.

Response to Commenter No. 116: Sardella, Danielle – page 371 of Appendix P

Please refer to General Response 2 in regard to water supply. The Project is proposed in accordance with the extant zoning regulations in the Zoning Code, including the allowable zoning density, and would include the preservation of open space.

Response to Commenter No. 117: Schatz, Joseph – page 373 of Appendix P

The Project would not adversely impact wildlife as detailed in Section 3.6 of the DEIS. The Project is working with the NYSDEC and submitted an Incidental Taking Permit in regard to the timber rattlesnakes and would comply with the applicable regulations in regard to this species.

Response to Commenter No. 118: Scheetz, Linda – page 375 of Appendix P

Please refer to General Response 2 in regard to water supply and General Response 4 in regard to traffic. Police and fire protection are addressed in Section 3.3 of the DEIS, which concludes the Project would not adversely impact these community services. The Project has been designed so that 50% of the Project Site is open space and to focus its development whenever possible to areas of the Project Site previously disturbed by the former Lake Anne Country Club. It would not significantly impact wetlands as detailed in Section 3.8 and has been designed to avoid such impacts. The Project is consistent with the character of the Village as detailed in Section 3.4 of the DEIS and is proposed in accordance with the Village's Zoning Code without the need for variances. At the adoption of this Zoning Code in 2006, the Village passed a negative declaration which determined the Zoning Code (and therefore the Project proposed in accordance with it) would not significantly adversely impact the character of the Village.

Response to Commenter No. 119: Schmitt, Collin – page 378 of Appendix P

As detailed in Section 3.4 of the EIS, the Project would not impact the Village's character and is proposed in accordance with the Village's allowable zoning. Consistence with the zoning is the most telling aspect of being consistent with the character of the community. Please refer to General Response 2 in regard to water supply and General Response 4 in regard to traffic. The Project would have no impact on historic farmlands and would include open space and not adversely impact the views of Schunnemunk Mountain. An analysis of community facilities and services is found in Section 3.3 of the EIS and concludes the Project would not negatively impact the ability to provide the Village residents, including those of the Project, with community services.

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Response to Commenter No. 120: Schnitzer, Moses – page 380 of Appendix P

As indicated in Section 9.1 of the DEIS Addendum, the Arlington Drive interconnection is proposed as an emergency access and would contain a lock with a private code. Please refer to the responses to Commenter No. 33, 73 and 83.

Response to Commenter No. 121: Schuh, Tracy –page 382 of Appendix P

Open Space Corridors: The roadway network does not unnecessarily extend into the higher elevations of the Project Site (with about 20 lots along a cul-de-sac), rather it has been designed to stop at the cul-de-sac to prevent the roadway from extending into the higher elevations on the Project Site ranging from approximately 900 to 1382 AMSL.

The Project would avoid development on slopes of greater than 15% to the greatest extent practicable and would incorporate grading on those that are to decrease the slope as shown in the Site Plan (see Section 10.4 of the FEIS) where necessary. We included some modifications to the design layout included on the Site Plans to incorporate comments such as these, as well as those made by other commenters.

Parkland: The Project would work alongside with the Village in regard to determining the best plan of action regarding the public parkland.

Alternative Design/Lower Density Proposal: Comment Noted.

Protection for Conservation Easements: The Project would protect the open space as per the requirements in the Village Zoning Code.

Response to Commenter No. 122: Schutt, Bob – page 388 of Appendix P

The pictures provided by this commenter are of the Legoland Amusement Park and is not related to the Project.

Response to Commenter No. 123: Schuttinger, Bob – page 390 of Appendix P

(a) The analysis found in the EIS adequately addresses water and sewer in their respective sections and appendices. Moreover, the Project would propose its only water supply system and is not proposed to interconnect with the Village's current water supply system. Please refer to General Responses 2 and 3 in regard to water and sewer respectively.

(b) The Project would include both private and public open space. Also, since the Project would preserve open space, each home, in addition to its individual lot, would have a gross overall density since open space was allocated as part of the Project.

(c) The locations of the proposed community centers are clearly visible on the Project Site Plan in Section 10.4 of the FEIS of the EIS. Additionally, the proposed locations of the community

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recreation structures and facilities are marked on the Master Plan in Figure 12 of Section 1.0 and the Overall Development Plan in Section 2.20. The above-mentioned community facilities would not exceed 10% of the Project Site as allowed by the Village Zoning Code §235-14.1.C(3)(m) as above mentioned in 2.12. No additional trees beyond what is already described in the EIS would need to be removed for these community centers as they are part of the proposed Project.

(d) The purpose of this Figure is to show the areas surrounding the Project Site. Indeed the map is entitled “Surrounding Area Map.” Proposed locations for community facilities and wastewater treatment plants are included in the appropriate maps throughout the EIS.

(e) Road D is labeled a “collector” road and would therefore be constructed according to collector road standards. The neighboring property is not under ownership of the Project Applicant and we do not know if the road would ever eventually interconnect with the property; however, in accordance with the Village Zoning Code and smart planning practices, it is being proposed as a potential future connector road.

(f) This map is intended to be printed on a 36 x 24 size sheet and it is fully legible as a PDF as well. It appears this commenter must have printed the map on an inappropriately sized paper.

(g) Hazardous materials are described in Section 3.15 of the EIS and the NYSDEC have concluded there the Project fully remedied anything associated with the former use of a small part of the Project Site as a dumping site and that the Project and Project Site pose no threat or adverse impact in regard to this in any way.

(h) Comment noted.

(i) Please refer to General Response 2 in regard to water supply and potential interference, as well as to Response to Commenter No. 9 above. The Project Site has 25 wells, but would only use 6 total wells (including the best well) to supply water to the Project residents. The wells that would be used are those that did not result in interference with neighboring wells.

(j) The Project would have its own on-site wastewater treatment plant. This data was included because it represents the facts relevant to the Harriman treatment plant.

(k) All relevant details to the wastewater treatment plant can be found in Sections 3.8 and 3.9, as well as in Appendix I of the EIS. Moreover, the Project’s wastewater treatment plant is proposed to be fully enclosed.

(l) This is proposed Road C from the Project’s roadways, also shown in the Roadway Classification Map.

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(m) The Kiryas Joel Water Supply Alternative would not be pursued by the Project as indicated in Section 9.2 of the DEIS Addendum

(n) The Project would have its own on-site wastewater treatment plant as detailed in the EIS. Comment noted.

Response to Commenter No. 124: Serrano, Mr. – page 394 of Appendix P

Comment Noted.

Response to Commenter No. 125: Shapiro, Susan – page 396 of Appendix P

Many of this commenter's comments are not her own and were taken from previously submitted Village Comments to which we previously responded to; nonetheless, they are addressed below.

Improper Co-Lead Agency: There is no requirement in SEQRA that NYSDEC approve of two agencies acting as co-lead agencies. SEQRA does establish a process by which disputes over designation of a lead agency can be resolved when two agencies each seek to act as lead agency. In such circumstances, the Commissioner of the DEC may resolve the dispute and designate an agency to serve as lead agency for purposes of SEQRA review. 6 NYCRR § 617.6(b)(5). There is no such situation here as both agencies agreed to act as co-lead agencies (see the 3/7/16 Village Board Resolution in Attachment 125-a). In any event, SEQRA does not prohibit the designation of co-lead agencies, including in a situation in which a Village Board and a Planning Board have agreed to be designated as co-lead agencies. See, e.g., Matter of Town of Blooming Grove v. County of Orange, 103 A.D.3d 655 (2d Dep't 2013), lv. denied, 21 N.Y.3d 857 (2013) (Town Board and Town Planning Board acting as co-lead agencies had issued a positive declaration, which prohibited the County from issuing a subsequent determination); see also SEQR Handbook, 2020 ed., at 60 (SEQRA does not prohibit the use of co-lead agencies). Accordingly, there is no impropriety here in the designation of the Planning Board and Board of Trustees as co-lead agencies.

Improper Municipal Approval of Segregated Housing: As stated in General Response 1, the Project would be open to purchase, rental use or occupancy without regard to race, religion or any other protected class status. As confirmed in the DEIS: "All residential units in the Project would be made available for occupancy, purchase or rental to any person regardless of race, color, religion, gender identity, handicap or disability, familial status, national origin, age, marital status, military status or other protected class status in accordance with federal and state law." DEIS, at 2.0-7. This fact is confirmed throughout the DEIS. See, e.g., DEIS at 1.0-9, 2.0-7, 3.2-8. While it is true that the Project has been subject to opposition based on the fear that Hasidic families might live in the homes, such comments are unfortunate and inappropriate. There is also no truth to the assertion that the project is being "designed for" Hasidic Jews. Simply put, the Project consists of single-family homes consistent with existing single-family homes in the area and will be open to

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occupancy by all. The fact that the homes may be designed to have four bedrooms is irrelevant. Four-bedroom homes are very common in the surrounding area. In addition, any design layouts of the homes at this stage are conceptual only.

Furthermore, contrary to the comment, the Scoping Document adopted by the Village required the Applicant to prepare a DEIS for the Project reflecting two different development scenarios: Scenario No 1 is a development “occupied by families from the Satmar Hasidic community” and Scenario No. 2 is a development “occupied by a community with demographics similar to the existing conditions in the Village of South Blooming Grove.” The Scoping Document did not require solely the analysis of a community having the characteristics of a Satmar Hasidic community. The Applicant objected to the Village’s imposition of the condition requiring different environmental analysis depending on the religious practices of possible occupants, since any such analysis is reflective of discriminatory treatment based on the religious practices of occupants who might reside in the homes, not the use of the land itself or the environmental impacts associated with the use of the land. While the Village’s imposition of two different environmental standards of review based upon different anticipated religious affiliations of possible occupants may be discriminatory, the fact remains that the Project’s housing units will be made available for purchase, rental or occupancy by all persons, regardless of any protected classification, in accordance with federal and state law.

Finally, the comment does not raise a concern regarding mitigation of possible environmental issues that appropriately fall within the ambit of SEQRA. Instead, ensuring equal access to housing is a matter addressed by statutes and regulations other than SEQRA.

Lastly, the designs shown in Section 2.0 of the DEIS are just potential drawings to show what a home may look like; however, it would ultimately be up to the discretion of the lot owners/individual purchases how to specifically design each home. It is inappropriate for a commenter to suggest individuals would utilize kitchens or dining rooms as bedrooms. The Project is not proposing accessory apartments and only included their potential locations on the designs as required by the Scoping Document. Please refer to Response to Commenter No. 40, 4-6 in regard to why it is appropriate to reference the Town of Monroe Master Plan.

Impacts to Community Character: Please see response above pertaining to Improper Municipal Approval of Segregated Housing. With respect to the comment’s characterization of the Matter of Tuxedo Conservation case, the comment is incorrect. The Court in Tuxedo Conservation simply did not find “that failure to consider the change in community character by [sic] vast increase in the existing population did not satisfy the requirements of SEQRA.” Instead, the Court’s 1979 decision found that one member of the town board should have been recused from voting on the project at issue due to a conflict of interest. Although other arguments were asserted under

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SEQRA, the Court rejected those arguments. Thus, the comment's characterization of the Tuxedo Conservation decision is inapposite.

The Project and its lot sizes are proposed in accordance with the Village Zoning Code, which states that its zoning exists to satisfy the policy goal of maintaining the rural character. Since the Project does not include any variances from the Village's Zoning Code, the Project is consistent with the community character which the Village Zoning Code intended to create. Under SEQRA, consistency with the Zoning Code is the best indicator of consistency with existing community character and the policies of the zoning code. Additionally, the Project Plans have been revised (see Section 10.4) and the majority of lots are now larger than originally proposed.

Lack of Affordable Housing Standards: The DEIS does indeed indicate that 10% of the RC-1 yield would be affordable, specifically on pages 1.0-1 (the first page of the DEIS), 2.0-1 and 3.1-17, as well as in Table 313 of Section 3.1 of the DEIS. Additionally, the Project would include 94 affordable housing units instead of the originally proposed 43 in accordance with the current Village Zoning Code. While not every home in the Project would be an affordable home, the Project's 94 affordable homes would be priced in accordance with the Village Zoning Code §235-4, which defines affordable housing as, "Housing units for which occupants of a household earning up to 80% of the Village of South Blooming Grove median income (as defined by the latest United States Census Bureau data) would pay less than 30% of total gross income for mortgage and property taxes," which would be calculated using the applicable data for median household income at the time of build-out, as this information fluctuates annually. Additionally, we confirmed the housing prices with a real estate agent, whose opinion was submitted to the Village, as well as with the Town and Village's property tax assessor.

Improper Segmentation: There is no impermissible segmentation of SEQRA review by virtue of the fact that 22 acres of the site are shown as reserved for possible future development as there is no plan proposed for development of that property at this time. The mere fact that land is held for possible future development is an insufficient basis upon which to sustain a finding of impermissible SEQRA segmentation. In Residents for a More Beautiful Port Washington v. Town of N. Hempstead, 155 A.D.2d 521 (2d Dep't 1989), for example, the lead agency was the developer of a solid waste incineration facility and proposed to build the incinerator on one portion of the land at issue, while holding an additional 400 acres in reserve for possible future development and use, including composting of waste. The Court rejected the claim that holding lands in reserve for future development constituted an impermissible segmentation of environmental review since potential plans for future use of that property did not represent an irreversible commitment on the part of the lead agency. Since the plans for future use of the reserved property were "merely tentative", there was no impermissible segmentation of environmental review. Likewise here, there are no plans for development of the property at this time. Instead, the 22 acres (out of an over 700-acre site) is simply not being restricted as open space. In the event that some form of development

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is proposed in the future, such development would require additional environmental review and discretionary approvals from the Village. Because there is no plan for the 22 acres, there is nothing to be reviewed in connection with the current EIS. Under such circumstances, there is no impermissible segmentation of environmental review. See, e.g., Omnipoint Communications, Inc. v. Village of Tarrytown Planning Bd., 302 F. Supp. 2d 205 (S.D.N.Y. 2004); Long Is. Pine Barrens Soc’y, Inc. v. Planning Bd. of Brookhaven, 204 A.D.2d 548 (2d Dep’t 1994).

There is also no impermissible segmentation of environmental review based upon the Applicant’s mere ownership of nearby land, i.e., the 160 acres in the Town of Blooming Grove. Contrary to the assertion made in the comment, nothing in SEQRA “requires that the potential development of all contiguous land under the project sponsor’s control must be considered and analyzed in a single SEQRA review, and not segmented into separate parts.” Instead, SEQRA only requires cumulative impact review of “actions”, or parts of “actions”, that are interrelated and dependent on each other. There is no development proposed for, and hence no SEQRA “action” related to, the 160 acres and thus no impermissible segmentation.

Finally, the comment’s suggestion that the Applicant deed over the 22 acres or 160 acres to be preserved as open space in perpetuity is not feasible, as the imposition of any such condition represents an unconstitutional taking of the Applicant’s property.

Inaccurate Density Calculation: Lot sizes and bulk requirements are addressed in the EIS, as previously stated, the revised Project Plans in Section 10.4 include larger lots. The Village Zoning Code restricts the building footprint to 5,000 square feet, which the Project would comply with and not exceed. The Project would also comply with the height restrictions in the applicable Zoning Districts. Accordingly, the Project’s proposed bulk requirements would be consistent with the requirements in the Village Zoning Code and its homes would be consistent with the specific footprint, lot coverage and height requirements currently detailed in the Zoning Code. On the other hand, over 90% of the existing residential lots in the Village are not in compliance with the ordinances as articulated in the extant Zoning Code (see Section 3.4) and can be classified as non-conforming uses, unlike the Project, which would be consistent with all Village Codes and regulations as detailed throughout the DEIS. Section 3.4 of the DEIS provides the most reasonable, applicable comparison of the Project’s proposed lots and homes to existing residential lots in the Village and study area.

The Village’s Zoning Code establishes density in the RC-1 Zoning District for single family homes through permitting one dwelling unit per 3,000 square feet. The Zoning Code does not provide that 3,000 square foot lots be platted or that a conventional layout be submitted. Importantly, transferring the RC-1 Zoning District yield to the RR Zoning District land on the Project Site has been discussed with the Planning Board since 2014. Initially, the Project proposed a transfer of 54 two-family homes (108 dwelling units) because the RC-1 Zoning District allows one two-family

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home per 5,000 sq. ft. ($5,000 \times 54 = 270,000$ square feet = 6.2 acres). However, the Planning Board recommended the transfer should include a use that is permitted in the receiving RR Zoning District such as single-family homes. Accordingly, the Project revised its plans to propose only 90 single-family homes ($3,000 \times 90 = 270,000$ square feet = 6.2 acres) instead of 108 dwelling units, which reduced the totaling dwelling units transferred by 18. Please refer to the discussion above in regard to affordable housing.

Open Space: The Project is no longer taking credit for open space integrated into the overall footprint of the developed area and would not apply to use additional open space as a density bonus (please also refer to Response No. 1). The Village Zoning Code does not require all of the preserved open space be deeded as Public Parkland. The Project would include 50% of the Project Site as open space and would dedicate approximately 60 acres of the open space to the Village as public parkland as that is what is required by the Village Zoning Code. The remaining open space would be preserved as required by the Village Zoning Code. The area proposed as public parkland consists of approximately 40 acres of uplands and approximately 20 acres of wetlands, which includes a pond that would serve to add to public enjoyment, offering beautiful, serene lake-views. The Project would provide its own areas for active and passive recreation for its residents. Thus, the proposed public parkland would address a long unmet need for a Village parkland and significantly improve public recreational amenities in the Village. It would be easily accessible by all Village residents, with much frontage on Clove Road, and would dedicate the lands most appropriate for Village parkland use. Please refer to page 48 of our responses in Appendix N-5 of the DEIS. Additionally, as noted in the EIS, the Project is not proposing houses of worship. The community facilities and associated nondenominational rooms and community wellness facilities may be used for any purpose the residents find appropriate, including birthday parties, speeches, social and religious events and/or any other community activity. Section 10.1 of the FEIS details the finalized, accurate disturbance and open space calculations.

DEIS Fails to Consider Cumulative Impacts: The DEIS accurately describes the surrounding land uses in the Village. Stonegate condominium is a multifamily development located on NYS Route 208 within the vicinity of the Project Site. Section 10.1 of the FEIS details the finalized, accurate open space calculations, as well as the total areas of disturbance, which are also included on the Project Plans in Section 10.4 of the FEIS.

With respect to the portion of the comment relating to cumulative impact analysis of “future development of 182 acres”, see response to comment labeled Improper Segmentation above. With respect to the portion of the comment relating to an alleged lack of analysis of impacts of municipal services, fire, police, water usage, sewage, and solid waste disposal, each of those areas of potential environmental impact are thoroughly analyzed in the DEIS: municipal services, fire, police and related community services are analyzed in Section 3.3 of the DEIS, water usage and sewer in

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Section 3.9, and solid waste in Section 3.10, among other analyses, all in accordance with the Scoping Document adopted by the Village.

Incomplete submission: Nothing in this commenter's comment that relates to GML § 239m referral, despite the commenter's reference to the statute in the heading. Additionally, the Co-Lead Agencies deemed the DEIS complete in March of 2020 and no supplemental EIS is required. The map included in the DEIS Addendum includes the accurate percentage of steep slopes as defined by the Village Zoning Code Section 235-4 and also maps large trees. The Plans in Appendix A of the DEIS were accurately detailed and completed; however, the revised Project Plans are now found in Section 10.4 of the FEIS.

Adequate Water Supply: Please refer to General Response 2 in regard to water supply. The Project would obtain water withdrawal permits as well as any applicable permits from any municipal governing agency as required by NY State Law. Moreover, the Project is not proposing accessory apartments and is also not proposing 6-bedroom homes.

Parking: The Project has proposed sufficient parking in accordance with the Village Zoning Code. It appears the commenter did not properly review the drawings. The Project is not proposing park and ride facilities and is not proposing six- or eight-bedroom homes.

HOA Covenants Not Set Forth even though required by Scoping: The Scoping Document did not require the HOA covenants to be submitted. Any community facilities for the Project would be regulated by by-laws that would restrict use of such facilities to residents of the development and their guests. The community facilities would continue to be privately owned and not open for use by the "general public". The community facilities will be open for use by all residents and their guests, regardless of religious or other classifications, in accordance with federal, state and local anti-discrimination laws. Such laws also generally prevent an HOA from prohibiting religious use of community facilities. In any event, nothing in this comment presents an environmental impact that would require additional analysis based on the nature of the use of the community facilities or the users of such facilities.

Phasing Plan Not Provided: A conceptual phasing plan is included in Attachment 125-b.

Development Transfer Rights: The Village's Zoning Code establishes density in the RC-1 Zoning District for single family homes through permitting one dwelling unit per 3,000 square feet, and the Village Zoning Code allows a transfer of the RC-1 yield beyond the RC-1 Zoning District Line, which is what the Project proposes. The Zoning Code does not provide that 3,000 square foot lots be platted, and accordingly, this Village comment is at odds with its Zoning Code. Importantly, transferring the RC-1 Zoning District yield to the RR Zoning District land on the Project Site has been discussed with the Planning Board since 2014. Initially, the Project proposed a transfer of 54

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two-family homes (108 dwelling units) because the RC-1 Zoning District allows one two-family home per 5,000 sq. ft. ($5,000 \times 54 = 270,000$ square feet = 6.2 acres). However, the Planning Board recommended the transfer should include a use that is permitted in the receiving RR Zoning District such as single-family homes. Accordingly, the Project revised its plans to propose only 90 single-family homes ($3,000 \times 90 = 270,000$ square feet = 6.2 acres) instead of 108 dwelling units, which reduced the totaling dwelling units transferred by 18.

Population Projections impact on Community Services is Inaccurate and Misleading: Firstly, the Project is not proposing accessory apartments. They are evaluated as part of the DEIS since the Scoping Document required they be evaluated; however, they are not proposed as part of the Project. Their population projections are included in the tables found in Section 3.2 and elsewhere in the DEIS where applicable in order to provide a conservative analysis in accordance with the Village's scoping requirements. Moreover, basing the potential population of the accessory apartments upon 25% of the population of the primary unit provides for a consistent analysis. Since the Village restricts accessory apartments in size to 25% of the primary unit, basing the occupation to 25% of that of a primary unit is reasonable. Likewise, the estimates for the primary units are conservative, and combining that with the fact that the Project is not proposing accessory apartments, there would be no need to utilize a different population multiplier for these apartments. The population projections were estimated using data from the US Census Bureau in accordance with the Village Scoping Document Requirements.

The floor plans for both the Heartwood and Sapwood models total 3,750 square feet as shown in Section 2.20, and the accessory apartments are not in addition to this square footage. As illustrated in the floor plans, the dwelling units possess 750 square feet of unfinished space included in the 3,750 square feet, which a homeowner could use for an accessory apartment in the future with Planning Board approval should there be sufficient water supply. The Project is not proposing six-bedroom homes.

The data from East Ramapo School District located in Rockland County, NY is not comparable to the Washingtonville School District. The population and other numerical data are not consistent and/or similar and such a comparison would be comparing apples to oranges. The Scoping Document did not require the EIS include this information or analyze it.

The DEIS assumes a vacancy rate only where it is applicable in reality (i.e., household sizes derived from the population in occupied housing); however, where vacancy is not applicable (i.e., projected property taxes, which are paid even when a home is vacant) a vacancy rate is not utilized so the assessment is based on 100% occupancy. This allows the most accurate, truest assessment. Please refer to page 73 of our responses in Appendix N-5 of the DEIS.

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The DEIS was initially submitted in April of 2018. After responding to the Village's comments, a revised DEIS was submitted in March of 2019. An Addendum to the DEIS was submitted in February of 2020. The Co-Lead Agencies deemed the DEIS complete in March of 2020 (see Attachment 1021). There were three Public Hearings Held on the DEIS and the Public Comment Period was closed on January 15, 2021. No revised DEIS or SEIS needs to be submitted. This FEIS complies with the SEQRA requirements.

Response to Commenter No. 126: Skoufis, James – page 415 of of Appendix P

The Project, which proposes the development of 600 single family homes on approximately 708 acres of land in the Village would be fully consistent with the Village Zoning Code and provide housing to meet pressing present and future, local and regional housing needs, while preserving open space and dedicating approximately 60 acres of public parkland.

The commenter states, "Under either scenario, the single Project represents a population spike that, as a proportion to the community's existing population, is unprecedented in Orange County; this type of mega-development is completely out of character for the suburban/exurban Village of South Blooming Grove." This statement is simply untrue because the Project would be consistent with the community character of the Village and would be no denser, and in fact less dense, than the Village's extant communities known as Worley Heights, Capitol Hill and Merriewold Lake, which are adjacent to the Project Site. In 2006, the founders of the Village took upon themselves the responsibility of overseeing a new Village with a population over 3,400. At that time, they also adopted the Village's Zoning Code and issued a negative declaration indicating there would be no potential to generate any significant adverse impacts as a result of the Zoning Code. The Project, which is consistent with that zoning, is what the Village founders envisioned for the Project Site. Also, please refer to Response to Commenter No. 82 in regard to population increase.

The DEIS points out the fact that the Orange County Comprehensive Plan specifically identifies the Village and the area of the Project Site as a Priority Growth Area within the County. Nonetheless, the Village of South Blooming Grove has a population per square mile that is far below the population density of every other village in both Study Areas (see Table 342 and Figure 347 in Section 3.4 of the DEIS) and certainly less than all other Priority Growth Areas in Orange County (see Figures 3410a and 3410b in Section 3.4 of the DEIS).

Since the Village contains the fewest persons per sq. mile and the fewest parcels per sq. mile from among all of the other comparable Orange County villages in Priority Growth Areas, the Project would reverse the Village's population decline and cause the Village to be more consistent with the character of all of the other villages and their communities, while still maintaining the Village's status as having the fewest people and parcels under both scenarios and while partly addressing unmet local and regional housing needs.

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The average population per square mile in the six villages found in the Primary and Secondary Study Areas (Harriman, Monroe, Washingtonville, Chester, Cornwall on Hudson, and Kiryas Joel) is 4,207 people/square mile. The Village (South Blooming Grove) has only 639 people/square mile which is 85% or 3,568 people/square mile less (17,769 persons) than the average.

The Project's transportation assessment can be found in Section 3.11 of the DEIS, and the Traffic Impact Study is included as Appendix J. Please review Sections 3.8 and 3.9 of the DEIS in regard to water supply and wastewater/sewer treatment, as well as Appendices, F, G and I. As indicated in those sections, the Project would use its own on-site wells to provide water to the Project and would create its own wastewater treatment plant. Although we submitted requests to the Village asking that the remaining balance of its surplus sewer capacity from the County be allocated for the Project, the Village was not amenable to allocating its excess surplus sewer capacity for the Project. See more information in this regard in Section 3.9ii.4 of the DEIS.

The Project has already drilled twenty-four wells on the Project Site, and has conducted a 72-Hour Water Well Pumping Test summarized in Section 3.8 and 3.9 of the EIS and included in Appendices F and G. The Project would utilize six of its wells to provide water supply to the Project homes. The average water demand for the Project has been calculated based on the water usage values in the NYSDEC March 2014 New York State Design Standards for Intermediate Sized Wastewater Treatment Systems. The maximum daily demand value is calculated based on twice the average demand using the March 2014 Design Standards water usage values. This is a very conservative method to estimate a maximum daily demand for a new development. In addition, the Project's best well would be out of service. All of these regulations would ensure the Project's water supply and wells would not result in any significant adverse impacts in any regard. In regard to the water quality, although it is the opinion of the Project's hydrogeologist that the water quality would clear on its own with pumping, the Project has developed a Water Quality Engineering Report (See Section 10.3.3 of the FEIS).

Section 3.2 of the DEIS addresses socioeconomics and Section 3.3 addresses community facilities and services. Specifically, Table 329 of Section 3.2 outlines the projected taxes for the Project, which would result over \$11.3 million of tax revenue to the Village, Town, County and Washingtonville Central School District. Under both scenarios, there would be a net benefit of over \$7.9 million as outlined in Table 3210 of Section 3.2. These property taxes would offset any additional costs associated with the Project. In regard to roadways, while the Project Sponsor is amenable to dedicating its roadways to the Village, the Village has not indicated if it would be willing to accept such dedication, as indicated in the EIS. However, additional costs related to roadway maintenance, like the clerk's salary, would be covered by the property tax revenue generated by the Project property taxes.

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The Project would be consistent with the Zoning Code and propose development which is allowed as of right by the Village Zoning Code. It would likewise be consistent with the regulations applicable to the Zoning Overlay Districts as detailed in Section 3.1.2 of the EIS. The Project would include restrictive covenants in order to preserve the open space. These restrictive covenants would be consistent with the requirements in the Village's Zoning Code. For the areas being preserved for wildlife habitat the deed restrictions will be prepared in accordance with the NYSDEC requirements for such deed restrictions.

Response to Commenter No. 127: Smith, Erin – page 418 of Appendix P

Please refer to General Response 2 in regard to water supply. The Project would supply its homes with water from its own on-site wells. As detailed in Sections 3.2 and 3.3, the Project would not adversely impact police protection and property tax revenues would offset any costs associated with providing police protection to the Project. The Project does not propose to have its own fire department. If a fire department would not have enough volunteers making it necessary to hire paid for employees, such costs would be offset by property taxes. As detailed in Section 3.2 the Project, under both scenarios, would result in a net tax benefit to the taxing agencies and therefore tax payer. The thorough wildlife assessment found in Section 3.6 and detailed in Appendix C was conducted in accordance with the requirements of State and federal natural resource agencies and also meets the requirements outlined in the Village's Scoping Document.

Response to Commenter No. 128: Snider, Andrew & Jillian – page 422 of Appendix P

The Project would supply its homes with water from its own on-site wells. Please refer to General Response 2 in regard to water supply and potential interference, as well as to Response to Commenter No. 9 above. The Project Site has 25 wells, but would only use 6 total wells (including the best well) to supply water the the Project residents. The wells that would be used are those that did not result in interference with neighboring wells. As detailed in Table 3210 of Section 3.2 of the DEIS, the net tax benefit to the School District would be \$6,550,406 under Scenario No. 1 and \$5,264,072 under Scenario No. 2. Noise and traffic are addressed in Sections 3.12 and 3.11 of the DEIS respectively. The Project Application is working in coordination with NYSDOT to address existing concerns in regard to the NYS Route 208. The Project would not adversely impact the aesthetics. Alternatively, it would remedy the existing eyesore caused by the dilapidated structures on the Project Site by demolishing them and replacing them with new single family homes.

Response to Commenter No. 129: Snowden, Anabel – page 424 of Appendix P

Comment noted.

Response to Commenter No. 130: Scanlon, Patrick –page 426 of of Appendix P

Please refer to Response to V-2 above in regard to the rural classification. Moreover, the Project is not proposing higher density development than is already existent in the Village. The Project, which is consistent with the Village's zoning code and allowable zoning density would be

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consistent with the density of the Village's extant developments as detailed in Section 3.4 of the EIS. Please refer to General Response 2 in regard to water supply and General Response 4 in regard to traffic.

Response to Commenter No. 131: Stefano, Courtney – page 428 of Appendix P

Comment noted. As detailed in Section 3.2 of the EIS, the Project, under both scenarios would result in a net tax benefit to all taxing agencies and their taxpayers.

Response to Commenter No. 132: Triantailou, Cheryl – page 430 of Appendix P

Comment noted.

Response to Commenter No. 133: Vitello, Nerissa – page 432 of Appendix P

Comment noted. Water, sanitation and transportation are addressed in their respective sections in the EIS.

Response to Commenter No. 134: Vogelsburg, Sue Ann – page 434 of Appendix P

Population impacts are addressed in the EIS's socioeconomic analysis found in Section 3.2. Importantly, it was the Village's requirement that the DEIS evaluate potential significant adverse environmental impacts of the Project from two demographic scenarios: Scenario 1 a development occupied by families from Satmar Hasidic community and Scenario No. 2, a development occupied by a community with demographics similar to the existing conditions in the Village of South Blooming Grove. As clarified in the DEIS and in General Response 1, regardless of the Village's direction to discuss two demographic scenarios, all residential units in the Project would be made available for occupancy, purchase or rental to any person regardless of race, color, religion, gender identity, handicap or disability, familial status, national origin, age, marital status, military status or other protected class status in accordance with federal and state law.

The Project would meet regional housing needs, which includes housing needs of neighboring villages and towns, regardless of the religious affiliation of occupants of such villages and towns. Moreover, www.cloewood.com never engaged in any real estate marketing.

In regard to this commenter's verbal comments, there are no plans for any development on the 22 reserved acres, and this commenter is mistaken in that regard. The 60 acres of Public Parkland is clearly identifiable on all Project plans, including those found in Section 10.4 of the FEIS of the EIS. Such Public Parkland would be located with frontage along Clove Road. Since this Public Parkland would be dedicated to the Village, it would be up to the Village to arrange for its access. Please refer to General Response 4 in regard to traffic. The Project is not proposing any park and ride facilities. Moreover, the population projections were based upon data from the U.S. Census Bureau, ACS in accordance with the Scoping Document requirements. It would not be appropriate

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to base populations upon the occupancy of a single home in the Village, as suggested by this commenter.

Response to Commenter No. 135: Wagschal, Jacob – page 439 of Appendix P

Comment noted.

Response to Commenter No. 136: Weiss, Shimon – page 441 of Appendix P

While not required by the Village Scoping Document, please find two fiscal analyses provided by the National Association of Homebuilders in Attachment 136.

Response to Commenter No. 137: Whalen, Alan – page 443 of Appendix P

Comment noted. The Project would provide housing to meet, in part, current and future local and regional housing needs, including the provision of some affordable housing needs. Additionally, the Project would dedicate parkland to the Village, accessible for all Village residents and include recreational facilities for the Project's residents. The Project includes roadway improvements as detailed in Section 3.11 and Appendix J of the EIS and would result in a net tax benefit to the Washingtonville Central School District as detailed in Section 3.2.

Response to Commenter No. 138: Wiesner, Rachel – page 445 of Appendix P

The Village Scoping Document required a per capita analysis be provided, which is what is included in the EIS. Please see the additional noise impact and air quality data in Section 10.1 of the FEIS.

Response to Commenter No. 139: Yee, Kum Key – page 447 of Appendix P

We attempted to reach out to the South Blooming Grove Fire Department multiple times via telephone, in person visits and emails to its chief, as we too would have liked to receive a response from them; however, they did not respond. Nonetheless, the analysis presented in the EIS addressing potential impacts to fire services is thorough and accurate. Please refer to Responses to Commenter No. 113.

Response to Commenter No. 140: Zarra, Joely – page 449 of Appendix P

Comment noted. The sizes and number of homes proposed as part of the Project have been proposed in accordance with the Village Zoning Code without the need for variances and/or waivers. The proposed lots have been clustered in order to benefit wildlife and preserve the majority of the Project Site as open space. As detailed in Section 3.2 of the EIS, the Project would result in a net tax benefit to the school district and its tax payer.

Response to Commenter No. 141: Nugent, Brian – page 451 of Appendix P

The DEIS as revised along with its Addendum was accepted and deemed complete by both the Village Board and Planning Board (Co-Lead Agencies) by duly adopted resolutions. Specifically,

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by resolution adopted on March 5, 2020, the Village Planning Board determined to accept the DEIS as complete and by resolution adopted on March 16, 2020, the Village Board of Trustees determined to accept the DEIS as complete (see Attachment 141). There were numerous opportunities and a lengthy time period for the receipt of public comment, including three Public Hearings, on the DEIS were afforded to agencies and the public for approximately 10 months until January 15, 2021. Also, please refer to Response No. 7 in regard to the ENB. The www.cloewood.com was always functional. Some servers had an issue due to a firewall concern which was promptly remediated.

Response to Commenter No. 142: Weeks, Michael – page 457 of Appendix P

The water supply calculations detailed in the DEIS are consistent and accurate. The Project is not proposing accessory apartments and is not proposing public swimming pools. Backwash from water treatment is highly unlikely to occur.

2.9: Although the yield of the best well cannot simply be added to the yield of the other five wells, 550,800 gpd plus 234,720 gpd equals a total of 785,520 gpd.

2.10: The wastewater plant being designed for the Project is an adequate design flow based upon the water supply calculations in the DEIS.

3.12: The Town of Blooming Grove Zoning Code and the current Village Zoning Code do not include Identified Habitat Areas for Threatened or Endangered Flora or Fauna under Primary Conservation Areas for the preparation of a Land Conservation Analysis (see Attachment 142-a), and the FEIS has included information referencing that. Moreover, as detailed in the EIS and in response to 2.9 above, there is adequate water to serve the Project. Please refer to Section 10.3 of the FEIS in regard to the backwash.

3.8: The description of the desktop evaluation of the site's recharge provided in this comment is accurate. However, while desktop evaluations are useful, the results of the 72-hour pumping test program provide a scientific evaluation of available well capacity that is afforded by a site's available recharge and the potential effects that the groundwater withdrawal will have on other users in a watershed based on data collected in a manner required by the NYSDEC and NYSDOH. Also please refer to General Response 2 in regard to water supply.

The results of the 72-hour pumping test program conducted on the Project's well showed that the Project Site can sustain a combined withdrawal of 550,800 gpd from the proposed on-site supply wells (the Project's demand is only half of this number). In addition, the results of the offsite well monitoring program conducted during the 72-hour pumping test demonstrated "no discernible drawdown in any offsite well" that was attributed to pumping in wells C-6, C-12, C-14, C-16, C-21 or C-23.

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3.9i: The statement is supported by the reports provided in the DEIS, specifically in Appendices F and G. Wells C-6, C-12, C-14, C-16 and C-23 were pumped concurrently and demonstrated pumping rates of 45 gpm, 40.5 gpm, 157 gpm, 50 gpm, and 90 gpm, respectively, for a combined yield from the five wells of 382.5 gpm or 550,800 gpd. Well C-21 was tested individually as the best well and demonstrated a pumping rate of 163 gpm or 234,720 gpd. A significant amount of data was provided in LBG's report to support these test rates. It appears the commenter did not review the full reports in both Appendices.

The simultaneous pumping test on wells C-6, C-12, C-14, C-16 and C-23 was run for 5.5 days and the individual test on well C-21 was run for 72.5 hours. During those tests, extensive well monitoring and surface water monitoring was conducted, in excessive of what is typically required by the regulatory agencies for well testing and approval. Twenty-four (24) onsite wells were measured and sixteen (16) offsite wells for a total forty (40) wells measured during the testing program. In addition, eight (8) piezometer locations and nine (9) stream gauging locations were also measured during the tests.

The duration of the five well simultaneous test was extended because of generator shut down. However, the statement that the test was extended "due to excessive drawdown in offsite wells" is entirely false.

Furthermore, there is no regulatory guideline that would require the development of additional water in the event of possible diminishment in well yield in the future. Additionally, the quantity of water developed for the Project can meet double the project's average daily demand, along with an additional backup supply well. The regulatory guideline is designed to prevent the development of a marginal water system and affords potential surplus water for the system.

Importantly, the testing protocol was vetted with the NYSDEC, NYSDOH, OCDH and the Village of South Blooming Grove prior to completion of the testing program. The testing scheme of pumping the best well separately was approved by those agencies and is standard well testing practice. The State well testing regulations require that the water supply developed for a new project be able to meet twice the project's average water demand with the best well out of service. With well C-21 (the best well) out of service, wells C-6, C-12, C-14, C-16 and C-23 demonstrated that they can pump simultaneously to meet twice the project's average water demand.

Additionally, the statement that "well C-21 could not be pumped in conjunction with the other onsite wells due to the interference and drawdown it caused" is inaccurate. As described in LBG's report, well C-21 replaced well C-7 as the planned best well in the testing program because of offsite wells impacts observed during the test that were attributed to well C-7. Well C-7 is not proposed for use by the Project. No additional well testing is needed or required.

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3.9ii: The wastewater treatment plant design considers all of the Project's water demands.

3.11: The DEIS indicates if warranted and encouraged by NYSDOT additional traffic mitigations would be included.

3.16: It is anticipated that full build out of the Clovewood Subdivision and associated improvements will occur over a period of five years beginning in 2022 and ending in 2027.

3.174-1: Please refer to the Responses to the Orange County Department of Planning in Section 10.3 of the FEIS in this regard.

3.174-2: The other sites identified in the table for inclusion in cumulative impact section and as part of the traffic study are not located within the same drainage catchment and therefore there would be no cumulative impact from the Project in association with the other projects.

3.174-3: Please refer to Section 3.6 and Appendix C of the DEIS, as well as to the response to NYSDEC in Section 10.3 of the FEIS.

3.174-4: The basis for this statement is the Traffic Impact Study found in Appendix J of the EIS.

3.174-5: The types of houses proposed are discussed in Section 3.1 and Section 3.4 of the DEIS. They would not have a cumulative impact requiring discussion.

3.174-6: Potential impacts upon noise and air quality are discussed in their respective sections. Since the Project would not result in significant adverse impacts in these regards, they are not discussed here.

5.0: This section adequately addresses the mitigation required as part of the Project.

Appendix F-1: The well testing protocol was vetted with the NYSDEC, NYSDOH, OCDH and the Village of South Blooming Grove prior to completion of the testing program. The testing scheme of pumping the best well separately was approved by those agencies and is standard well testing practice. The State well testing regulations require that the water supply developed for a new project must be able to meet twice the project's average water demand with the best well out of service. With well C-21 (the best well) out of service, wells C-6, C-12, C-14, C-16 and C-23 demonstrated that they can pump concurrently at 550,800 gpd (382.5 gpm) to meet twice the project's average daily water demand. The DEIS and its appendices have demonstrated adequate water for the proposed project.

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Appendix F-2: Below is a response for each well requested. The hydrographs from the 72-hour pumping test report are also found in Attachment 142-b for reference.

“Woodbury Heights North Well shows a drawdown of approximately 7-10 feet during the testing.”- A naturally occurring declining slope in the water level in the Woodbury Heights North Well was observed in the data collected. The slope was consistent throughout the background period prior to the start of pumping in any of the Project’s wells and continued throughout the 72-hour pumping test period and through the end of the post-test recovery period. There was no increase in the downward trend upon the start of pumping in the Project’s wells for the 72-hour tests or rise in water level after pumping in the Project’s wells ended. There is no indication of any discernible effect on this well from pumping the Project’s wells.

“Woodbury Heights East Well shows a drawdown of approximately 5 feet during the testing of C-21”- A naturally occurring declining slope in the water level in the Woodbury Heights East Well was observed in the data collected. The slope was consistent through the background period prior to the start of pumping in any of the Project’s wells and continued throughout the 72-hour pumping test period and through the end of the post-test recovery period. There was no increase in the downward trend upon the start of pumping in the Project wells for the 72-hour tests or rise in water level after pumping in the Project wells ended. There is no indication of any discernible effect on this well from pumping the Project wells, and specifically 5 feet of drawdown in the well’s static level did not occur during the test on well C-21.

“35 Round Hill Road Well shows a gradual drawdown likely attributed to the pump testing.”- A naturally declining slope in the water level in the well at 35 Round Hill Road was observed in the data collected. The slope begins during the background period prior to the start of pumping in any of the Project wells and continued throughout the 72-hour pumping test period and through the end of the post-test recovery period. There was no increase in the downward trend upon the start of pumping in the Project wells for the 72-hour tests or rise in water level after pumping in Project wells ended. There is no indication of any discernible effect on this well from pumping the Project wells.

“562 Clove Road Well shows significant drawdown that does not completely recover after the shutdown of C-21 and C-7B.”- As described in Appendix F, drawdown was observed in the well at 562 Clove Road that is attributed to pumping in well C-7B. Immediately after the shut down of the pump in well C-7B, the water level in this well rises rapidly. There was no similar rise when the pumps in the remaining wells (C-6, C-12, C-14, C-16 and C-23) are turned off at the end of the simultaneous test, supporting that these five wells had no discernible effect on the well at 562 Clove Road. Similarly, when the pump in well C-21 was turned on at the start of the individual pumping test, the water level in the well at 562 Clove Road did not drawdown and when the pump was turned off at the end of the individual test on well C-21, the water level did not rise. There is

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no indication of any discernible effect on this well from pumping the Project wells C-6, C-12, C-14, C-16, C-21 and C-23. There was an effect on the well at 562 Clove Road from pumping in well C-7B, and that well is not proposed for use to supply the Project with water.

“481 Clove Road Well shows significant drawdown that does not completely recover after the shutdown of C-21 and C-7B.” - As described in Appendix F, drawdown was observed in the well at 481 Clove Road that is attributed to pumping in well C-7B. Following shut down of the pump in well C-7B, the water level in this well rises. There was no similar rise when the pumps in the remaining wells (C-6, C-12, C-14, C-16 and C-23) are turned off at the end of the simultaneous test, supporting that these five wells had no discernible effect on the well at 481 Clove Road. Similarly, when the pump in well C-21 was turned on at the start of the individual pumping test, the water level in the well at 481 Clove Road did not drawdown and when the pump was turned off at the end of the individual test on well C-21, the water level did not rise. There is no indication of any discernible effect on this well from pumping the Project wells C-6, C-12, C-14, C-16, C-21 and C-23. There was an effect on the well at 481 Clove Road from pumping in well C-7B, and that well is not proposed for use to supply the Project.

“568 Clove Road Well shows significant drawdown that does not completely recover after the shutdown of C-21 and C-7B.” - As described in Appendix F, drawdown was observed in the well at 568 Clove Road that is attributed to pumping in well C-7B. Following shut down of the pump in well C-7B, the water level in this well rises. There was no similar rise when the pumps in the remaining wells (C-6, C-12, C-14, C-16 and C-23) are turned off at the end of the simultaneous test, supporting that these five wells had no discernible effect on the well at 568 Clove Road. Similarly, when the pump in well C-21 was turned on at the start of the individual pumping test, the water level in the well at 568 Clove Road did not show a corresponding drawdown and when the pump was turned off at the end of the individual test on well C-21, the water level did not show a corresponding rise. There is no indication of any discernible effect on this well from pumping the Project wells C-6, C-12, C-14, C-16, C-21 and C-23. There was an effect on the well at 568 Clove Road from pumping in well C-7B, and that well is not proposed for use to supply the Project.

“479 Clove Road Well shows a gradual drawdown likely attributed to the pump testing.” - A naturally occurring declining slope in the water level in the well at 479 Clove Road was observed in the data collected, with some minor inflections corresponding to precipitation events. The declining slope begins during the background period prior to the start of pumping in any of the Project wells. There was no increase in the downward trend upon the start of pumping in the Project wells for the 72-hour tests or rise in water level after pumping in Project wells ended. There is no indication of any discernible effect on this well from pumping the Project wells.

“564 Clove Road Well shows significant drawdown that does not completely recover after the shutdown of C-21 and C-7B.” - As described in Appendix F, drawdown was observed in the well

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at 564 Clove Road that is attributed to pumping in well C-7B. Following shut down of the pump in well C-7B, the water level in this well rises. There was no similar rise when the pumps in the remaining wells (C-6, C-12, C-14, C-16 and C-23) are turned off at the end of the simultaneous test, supporting that these five wells had no discernible effect on the well at 564 Clove Road. Similarly, when the pump in well C-21 was turned on at the start of the individual pumping test, the water level in the well at 564 Clove Road did not show a corresponding drawdown and when the pump was turned off at the end of the individual test on well C-21, the water level did not show a corresponding rise. There is no indication of any discernible effect on this well from pumping the Project wells C-6, C-12, C-14, C-16, C-21 and C-23. There was an effect on the well at 564 Clove Road from pumping in well C-7B, and that well is not proposed for use to supply the Project.

“The Spring on Route 208 went dry at the onset of pumping, and while it did recover, it did not recover completely after the shutdown of C-21 and C-7B.” - The decline in the discharge rate of the Spring on Route 208 is attributed to pumping in well C-7B. Following shut down of the pump in well C-7B, the discharge at the spring showed a corresponding increase. There was no similar increase when the pumps in the remaining wells (C-6, C-12, C-14, C-16 and C-23) are turned off at the end of the simultaneous test, supporting that these five wells had no discernible effect on the spring on Route 208. Similarly, when the pump in well C-21 was turned on at the start of the individual pumping test, there was no corresponding decrease in the spring on Route 208 and when the pump was turned off at the end of the individual test on well C-21, there discharge did not show a corresponding increase. There is no indication of any discernible effect on the spring from pumping the Project wells C-6, C-12, C-14, C-16, C-21 and C-23. There was an effect on the spring on Route 208 from pumping in well C-7B, and that well is not proposed for use to supply the Project.

Conclusion: As stated in the water well pumping report found in Appendix F, there was no discernible impact to any offsite well measured during the 72-hour pumping test program that was attributed to pumping in wells C-6, C-12, C-14, C-16, C-21 or C-23.

Appendix F-3: The conditions of a 72-hour pumping test, with wells pumping at their maximum capacities for 72 hours continuously, is designed to stress the aquifer and hydrologic system to demonstrate potential effects. The data collected from PZ-8 during the 72-hour test on well C-21 (the best well – out of service) did not definitely demonstrate impact to the shallow groundwater in the wetland area, but the data was ultimately inconclusive that there was no impact either. If further evaluation is determined to be warranted, monitoring of the wetland should be conducted once the best well (out of service) is placed into service to assess conditions over an extended period of time under various pumping and seasonal scenarios.

Appendix F-4: 600 four-bedroom homes (110 gpd per bedroom x 4) = 440 gpd x 600 = 264,000 gpd (or 183.3 gpm). Community wellness facilities (10 gpd minus 20% for water saving fixtures)

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= 8 gpd x 600 – 4,800 gpd (or 3.33 gpm). This would result in a surplus of 8,400 gallons of water per day. In regard to the community buildings, there would be four buildings (150 homes per building) x 2 users from each home = 1,200 people/users x 5gpd = 6,000 gpd minus 20% for water saving fixtures = 4,800 gpd. After subtracting the 4,800 gpd from the 8,400 surplus, there would still be a surplus of 3,600 gallons of water per day.

Appendix F-5: The water treatment process for the water supply wells will include the reduction of color, iron, manganese and turbidity using a filtration vessel with appropriate media. The treatment equipment to reduce the concentration of these parameters will include provisions for backwashing the filtration vessel to regenerate the media with the backwash water being directed to the wastewater treatment plant. A copy of the Engineer's Report that was prepared in June of 2020 which presents a preliminary design of the water supply and treatment system that was submitted to the Village and included in Section 10.3 of the FEIS-3.

Appendix H-1: The Project proposes that all surface waters be maintained to the greatest extent practical by the use of open bottom structures. Stormwater run-off from impervious areas will be directed to water quality practices and stormwater management ponds. Ponds are designed to attenuate and release run-off within 48 hours of the end of the storm event. Detention will be accomplished via earthen ponds having a permanent pool of water that will not be released to existing surface water features. Furthermore, stormwater run-off from the site does not discharge into waterbodies classified as supporting trout.

Appendix H-2: Run-off rates at the analysis points where stormwater discharges off the site will be maintained at pre-developed rates. As such the impacts to downstream channels will be negligible. There will be an increase in run-off volume due to the increase in impervious areas however the increased volume will be discharged over a longer duration of time thereby mitigating the potential impacts due to run-off volume.

Appendix H-3: Plans have been revised to reduce the impact to watercourse by piping and diversion from approximately 7,000 linear feet of to 341 linear feet. Where possible, all crossing will be accomplished using open bottom structures aligned to follow the natural course of drainage. In doing so the impact to waterways have been reduced to the greatest extent possible and there are no anticipated impacts associated with diverting streams or waterways.

Appendix H-4: The numbering has been corrected in accordance with this comment.

Appendix H-5: Prior plans showed grading and pavement in an area of local wetland for a future park and ride facility at the southerly extremity of the project. This facility has been removed from the plan.

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Appendix H-6: Water quality and run-off reduction will be accomplished by a system of swales, disconnected impervious areas and centralized bio-retention areas. On lot rain gardens are no longer proposed.

Appendix H-7: The grading of all ponds and water quality features is completed and is shown on the plans.

Appendix H-8: The regulated 100-foot adjacent area from NYS Wetlands is shown on the plans and there is no encroachment into this space save for a temporary disturbance for the installation of a sewer line. The sponsor has offered a self-imposed 100 buffer from all federal wetlands although not required by the regulatory agency. One location shown the placement of a passive recreation park within the voluntary buffer area. That has now been removed. The only other impact to wetlands was the impact to the local wetland as discussed in response H-5 above. As indicated in that response, that impact has also been removed.

Appendix H-9: All flows are shown to the hundredth decimal place.

Appendix H-10: When identifying the pre-developed watershed area it was determined that there are six basin areas. Development is only proposed in four of those six areas. The remaining two areas are undisturbed in the post developed condition and therefore do not require a pre- and post-development summary.

Appendix H-11: The Basin titled “OLD COURSE A” refers to that portion of the site that is comprised of the former golf course and having “A” type soils.

Appendix H-12: The future development area is an approximate 22-acre area that was reserved for possible future development. The current proposal enlarges the residential lot sizes and the former future development area has been replaced with proposed homesites. The stormwater analysis has been updated accordingly.

Appendix H-13: See response to Appendix H-12, above.

Appendix H-14: The description for C5 and C9 have been added.

Appendix H-15: This statement is incorrect. The area water quality features and run-off reduction measures for all catchment areas having proposed improvements resulting in an increase in impervious area.

Appendix H-16: The water quality and run-off reduction area calculations only include the acreages that are tributary to the practice and that have impervious area added. The water quantity

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calculation associated with the HydroCAD model and the associated analysis points has nothing to do with the WQv and RRv calculation and includes all acreage tributary to the analysis point including undisturbed areas that lie with the catchment area.

Appendix H-17: The NYSDEC worksheets for WQv and RRv can be found in Appendix C of the SWPPP.

Appendix H-18: All proposed grading is shown.

Appendix H-19: All subcatchments have been updated to reflect the current plan. The post developed Tc for Subcatchments A is lower than the pre-developed value.

Appendix H-20: The 2- year storm HydroCAD analysis has been added to the Appendix.

Appendix H-21: The Channel protection volume is accomplished by 24-hour detention of the unit hydrograph of the 1-year storm model. Channel protection volume calculations can be found in Appendix C of the SWPPP.

Appendix H-22: The plans and SWPPP have been revised to provide for open bottom arch culverts at all stream crossings. With the increased cross-sectional area of the open bottom culverts the head required to pass the 100-year storm is lower. The culvert label on the plan corresponds to the culvert in the HydroCAD analysis.

Appendix H-23: All pipe will be smooth bore ABS plastic with an “n” value of .012. Large diameter culverts used for stream crossings are now proposed as open bottom structures. The HydroCAD model has been revised to the appropriate roughness coefficient for the existing stream channel.

Appendix H-24: Pursuant to the NYS Design Standards, Bio-retention practices used in areas having low permeability in excess of 0.5 inch per hour will be fitted with an underdrain. The bio-retention details depict underdrains.

Appendix J-1: The trip tables in the Traffic Impact Study in Appendix J, as well as the tables included in Section 3.11 of the DEIS show the traffic generation for each scenario. The build traffic volume figures show the combined (No-Build plus Site generated=Build) future volumes at each intersection.

Appendix J-2: No. All new Project Site traffic was assigned to and from NYS Route 208. Any local traffic that would use an alternate route would only reduce the amount on NYS Route 208.

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Appendix J-3: The traffic on NYS Route 208 in the vicinity of the Project Site access has not shown that increase in volume. While the population of Kiryas Joel may have increased by 24.9%, and some roadways in KJ have shown larger increases, NYS Route 208 and areas in Blooming Grove and Washingtonville have not shown the same level of increase in traffic volume.

Appendix J-4: This category includes walking, taxi, and express bus.

The Project Site plans have been revised and the new Project Site Plans are included in Section 10.4 of the FEIS.

Response to Commenter No. 143: Franson, Bonnie – page 470 of Appendix P

The Village of South Blooming Grove is a Village in the State of New York. Its neighbors include four Towns: the towns of Monroe, Palm Tree, Woodbury and Blooming Grove. The Town of Blooming Grove has no jurisdiction over the Village. Although the Village has historically shared some services with the Town of Blooming Grove, over the past year, these services have decreased (for example, the Village has opened its own independent Building Department and is working on establishing its own community services such as its own ambulance corps and fire department). This would intrinsically decrease any burden upon the Town of Blooming Grove, independent of or together with the Project. The resolutions have been included in Attachment 1021.

1. The DEIS does not underestimate the population to be generated by the Project. Firstly, the Project is not proposing accessory apartments. They are evaluated as part of the DEIS since the Scoping Document required they be evaluated; however, they are not proposed as part of the Project. The population projections including such apartments are set forth in the tables found in Section 3.2 and elsewhere in the DEIS where applicable in order to provide a conservative analysis in accordance with the Village's scoping requirements. Moreover, basing the potential population of the accessory apartments upon 25% of the population of the primary unit provides for a consistent analysis. Since the Village restricts accessory apartments in size to 25% of the primary unit, basing the occupation to 25% of that of a primary unit is reasonable. Likewise, the estimates for the primary units are conservative, and combining that with the fact that the Project is not proposing accessory apartments, there would be no need to utilize a different population multiplier for these apartments. The population projections were estimated using data from the US Census Bureau in accordance with the Village Scoping Document Requirements. Moreover, estimates for water and wastewater would not be impacted by potential population because, as per New York State requirements, these calculations are based upon the total number of bedrooms, which assumes two occupants per room, totaling eight persons per unit or a water and sewer capacity for a population of up to 4,800 people for the Project.

2. The EIS accurately describes the Village's density by discussing the development density of the development communities within the Village. Including undeveloped, or underdeveloped

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properties, which the property owners and developers may develop at any time as allowed by the Village's Zoning Code only confirms that the Village indeed contains undeveloped land that could be developed and could address local and regional present and future housing needs. Moreover, the Project Site consists of approximately 700 acres of almost vacant land (with the exception of the few bungalows in a state of disrepair), which is approximately on a quarter of the Village's land area. Accordingly, this Project Site alone makes up a significant portion of the undeveloped area in the Village and it is currently proposing development. It is therefore appropriate and accurate to compare the Project to other subdivisions and developed communities in the Village.

The Project is proposing what is allowable under the zoning code without the need for a waiver. As shown in Figure 345 of Section 3.4 of the DEIS, approximately 80% of existing lots in the Village's RR Zoning District are less than half an acre in size and approximately 90% of the RR Zoning District is comprised of lots less than one acre in size. Over 20% of the Village's parcels (SBLs) are less than 3,000 square feet (0.069 acres) in size. Also, as detailed in Section 3.4, the Village communities located adjacent (southwest) to the Project Site, include approximately 760 residential single-family lots/ homes located in the Worley Heights, Capitol Hill, and Merriewold subdivisions (about 300 homes in Worley Heights, 125 homes in Capitol Hill, and 335 homes in Merriewold). Also near the Project Site (northwest) in the Town of Blooming Grove is the Mountain Lodge subdivision which contains significantly higher density development than proposed by the Project. Lastly, the Project is not proposing the development of accessory apartments.

3. It is inappropriate for this commenter to suggest the developer "has no intention of developing affordable housing units," when that is simply not the case and there is no evidence to substantiate this inaccurate statement. While not every home in the Project would be an affordable home, the Project's 94 (not 43) affordable homes would be determined in accordance with the Village Zoning Code §235-4, which defines affordable housing as, "Housing units for which occupants of a household earning up to 80% of the Village of South Blooming Grove median income (as defined by the latest United States Census Bureau data) would pay less than 30% of total gross income for mortgage and property taxes," which would be calculated using the applicable data for median household income at the time of build-out, as this information fluctuates annually. The exact price of an affordable home is subject to change according to the median household income at the time the homes are built and marketed for sale. Please also refer to pages 72, 113 and 130 of our responses in Appendix N-5 of the DEIS. The \$495,000 is the property value estimated in the DEIS in order to calculate the tax revenue generated by the Project. This figure was reviewed by and confirmed by the Town of Blooming Grove's own Tax Assessor, in regard to the standard and affordable units.

4. The park and ride facility was removed from the maps in the FEIS (see Section 10.4 of the FEIS) as they are no longer proposed as part of the Project.

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5. No, the Traffic Impact Study did not reduce the number of trips traveling down Route 208 on the basis of the availability of the park and rides. Accordingly, there is no impact to the levels of traffic predicted to travel on Route 208 south to Route 17 as a result of the removal of the park and ride facilities.

6. The adjoining parcel in the Town of Blooming Grove is vacant land consisting of approximately 160 acres owned by the Applicant. Some portions of it would be preserved as part of the Incidental Taking Permit and would not be adversely impacted by the Project's construction, and would even serve as a buffer from noise for other properties in the Town. We have included additional noise analyses in Section 10.1 of the FEIS in accordance with this comment.

7. The discussion and analysis related to community service providers is adequate. A concerted effort was made to reach all providers. Please refer to page 77 of our responses in Appendix N-5 of the DEIS. Although we only received written responses from some, we conducted in-person meetings and phone conversations with others. The only one from whom we were unable to receive responses from were, in addition to being mailed the Project survey, contacted several times via e-mail, telephone and on-site visits. Nonetheless, the analysis is complete and appropriate for evaluating potential impacts.

For example, we emailed the South Blooming Grove Fire Department's Fire Chief on 10/4/19, 10/24/19, 12/20/20 and 1/14/21, as well as contacted in person numerous times. During one on-site visit to the Fire Station, one of the fire station personnel stated that the department had no intention of responding because the department did not want the Project Site to be developed. No additional fire station or trucks would be needed as a result of the Project. The language that was removed from the DEIS was referring to the Monroe Fire Department.

The DEIS provides substantial data to support the conclusion that the property tax revenues would pay for the additional demands placed on the Washingtonville Central School District. The costs are quantified in Section 3.2 of the DEIS. The socioeconomic analysis in Section 3.2 analyzes the potential costs to the School District based upon its budget on a per pupil basis and confirms that the Project would result in a net benefit to the WCSD under both scenarios (The net benefit would be \$6,550,406 under Scenario No. 1 and \$5,264,072 under Scenario No. 2). The Scoping Document did not require Hasidic schools be evaluated as part of the DEIS.

8. The Scoping Document adopted by the Village (Co-Lead Agencies) indicated "*The socioeconomics chapter will present the fiscal impact analysis results based on a per capita multiplier approach.*" The DEIS has complied with the Scoping Document requirements. The DEIS did assign the costs to each taxing jurisdiction on a residential and non-residential basis (see pages 3.2-19 and 3.2-20 of the DEIS).

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9. The DEIS and the Traffic Impact Study address potential improvements to the Route 208 and Clove Road intersection, which is a poorly designed existing intersection unrelated to the Applicant's Project. It is not the Project's responsibility to rectify this currently existing intersection. NYSDOT indicated that they are waiting for input from the Town of Blooming Grove in order to determine the best improvements to this intersection, and the Project would contribute a fair share to such improvements as indicated in the EIS.

10. The Project is not proposing accessory apartments, although the traffic impact study included trips from such apartments as required by the Village Scoping Document. The Traffic Impact Study evaluated trip generation based on a variety of conditions. The Scenario 2 trip rates utilized the typical single-family home trip rates based on the Institute of Transportation Engineers (ITE) data with the accessory apartments considered under the ITE Land Use 221 - Apartment. (Appendix H of the TIS provides a detailed analysis of this condition). Based on the Project, it would not be appropriate to apply a 0.72 single family trip rate to all 1,200 dwelling units since that is not what is proposed by the Project.

The trip generation and analysis provide an indication of the expected traffic generation for the project as currently proposed and includes a sensitivity analysis as described above. While Kiryas Joel may not be an exact comparison to this site, the analysis presented in the traffic study provides a range of trip generation that was analyzed as part of the project traffic study.

As specified in the Traffic Impact Study in Appendix J, improvements at various intersections, including locations such as NYS Route 208/Clove Road, NYS Route 208/Mountain Road, and NYS Route 208/Site Access, were identified as locations for improvements; some of which are the result of expected background traffic increases. The Applicant, as part of the Highway Work Permit process, will continue to coordinate these improvements with the New York State Department of Transportation (NYSDOT) and the Village. The specific mitigation proposed by the project includes all access related improvements as well as fair share contribution towards improvements on NYS Route 208. The Traffic Impact Study did not reduce the number of trips based upon the park and ride.

11. The EIS does not refer to carbon sequestration benefit or claim such benefits would occur as a result of the Project.

12. The updated Project Plans found in Section 10.4 of the FEIS propose larger lot sizes for yards and recreational use. 8.5% of the Project Site (60+ acres) would be dedicated Village parkland available for public use and 10% of the Project Site (70+ acres) would be active recreation area. The Project's active recreation areas would include six community playground areas located within the interior of residential blocks, four active community recreation structures and facilities, including but not limited to community rooms, clubhouses, maintenance rooms, etc.

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The public parkland would be a vast improvement in terms of meeting the recreational needs of the existing Village population as well as the Project's residents. The area proposed as public parkland consists of approximately 40 acres of uplands and approximately 20 acres of wetlands, which includes a pond and would serve to add to public enjoyment, offering beautiful, serene lake-views. The Project would provide its own areas for active and passive recreation for its residents. The proposed public parkland would address a need for a Village parkland and significantly improve public recreational amenities in the Village. It would be easily accessible by all Village residents, with much frontage on Clove Road, and would dedicate the lands most appropriate for Village park use. It is not anticipated that the Project's residents would place additional demands on the Town of Blooming Grove's recreational facilities.

13. It is inappropriate for the DEIS to provide additional narrative or to speculate about what would or would not be developed in the future on the 22 reserved acres, as this information is unknown. The Co-Lead Agencies already determined an evaluation does not need to be conducted for these areas and acknowledged any future development on the 22 reserved acres would require a separate review under SEQRA (see pages 6 and 36 of the Scoping Document). Please see pages 1, 41 and 88 of our responses in Appendix N-5 of the DEIS. Please also refer to response to Commenter No. 125.

14. The updated Project Plans found in Section 10.4 of the FEIS propose larger lot sizes.

15. The DEIS addresses all of the planning policies specifically required to be addressed in the Scoping Document, as well as the planning policies of neighboring municipalities including the towns of Palm Tree, Monroe and Blooming Grove. The 2020 Community Preservation Plan bill/legislation presented by the Town of Blooming Grove was vetoed by the New York State Governor.

16. Outdated zoning is addressed as part of the Project Site history, as this zoning is part of the history of the Project Site, which the Scoping Document required be discussed and summarized in the DEIS.

17. The Town's Zoning Code and Overlay Districts are not applicable to the Project Site as the Project is located within the Village of South Blooming Grove, which is an incorporated Village in the State of New York. The Town of Blooming Grove has no jurisdiction over the zoning of the Project Site. Nonetheless, the Project would preserve the rural character of the area, preserve open space, protect threatened and endangered species in accordance with NYSDEC requirements, not overburden community facilities and services, be consistent with the community character, and have its own water supply system and wastewater treatment plants to provide water and wastewater services to Project residents. Also, please refer to General Response 2 in regard to water supply, as well as to the proceeding and further responses to comments made by this commenter in regard

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to the 22 acres, lot sizes, etc.

18. Please refer to the responses to this commenter's (Commenter No. 143) comments 15 and 17 above.

19. The Project has been proposed as a cluster development in accordance with the Village's Zoning Code. A cluster development limits the overall footprint of the Project's development area. As currently proposed, the Project area encompasses 252.0± acres (35.6%) of the entire Project Site. By clustering the development, 456.0± acres (64.4%) of the Site are located outside of the development area and would remain undisturbed. Moreover, the analysis provided in Section 3.6 of the DEIS and in Appendix C adequately addresses the ecological and biological conditions of the Project Site and any potential impacts to them. The development is predominantly located within the portion of the property that has been previously cleared, graded, and partially developed for the former Lake Ann Country Club and Golf Course. By limiting the proposed development to previously developed lands, impact to the undisturbed forested habitats found on the property are minimized. Consequently, the Project preserves 65% of the forested habitat that is found on the property.

In coordination with NYSDEC, the Applicant also proposed the permanent preservation of 270.88± acres of land best suited as basking habitat for the timber rattlesnake, via a formal deed restriction. The preservation of this land would be accomplished via a deed restriction that would prevent future development or encroachment of any kind. The preservation area is inclusive of 209± acres of the Site, as well as 61.88± acres of additional land owned by the Applicant in the Town of Blooming Grove and which borders the Site to the east.

The land encompassed within the deed restricted areas is comprised of the Acidic Talus Slope Woodland, Chestnut Oak Forest, Oak-Tulip Tree, and Successional Southern Hardwood Forest communities. These ecological communities provide suitable denning, basking, shedding, gestating, and foraging habitat for Timber Rattlesnakes. The deed restricted lands are also contiguous with other undisturbed and unfragmented forested communities that contain suitable habitat and which that are found along the Schunnemunk Mountain Ridge and within the adjacent state park lands.

Bird species are addressed in Section 3.6 of the DEIS. Specifically, the Project Site is located approximately eight miles from the NYSDEC designated SFBCA. As this area is located far away from the Project Site, the Project would not have the potential to generate any significant adverse impact upon any bird species in the BCA and would have no impact on that area's status as a National Audubon Important Bird Area.

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The undeveloped and preserved portions of the Project Site would provide ample suitable habitat for all migrating birds. The undeveloped portions of the forested communities in the higher elevations, as well as the wetlands and ponds in the lower elevations of the property, would provide roosting, feeding, resting, breeding and foraging habitat for a variety of birds. As a result, the minimal amount of habitat that would be permanently altered by the Project development would have little to no effect upon migrating birds that utilize the SFBCA. Likewise, based on the overall acreage of the Hudson Highland West Important Bird Area and Project's preservation of open space, the Project would not have a direct or indirect impact on bird populations in the Hudson Highlands Bird Area.

Open Space: The Scoping Document states the Project would not adversely impact open space. Grading is accurately calculated on the Project Plans submitted with the FEIS and included in Section 10.4 of the FEIS.

20. The historic and cultural resource analysis detailed in Section 3.5 of the DEIS and in Appendix B supports the conclusions found by the Office of Parks, Recreation and Historic Preservation which is that the Project would not adversely impact any historic or cultural resources. Given the response from OPRHP and the results of the surveys, the Project would not have the potential to generate any significant adverse impacts on historic or cultural resources. The Project's inclusion of buffers around the cemetery, M. H. Howell Farm and Clove Road Precontact Site protects these locations from any potential significant adverse impacts. In addition, the development of an avoidance and preservation plan for the Schunnemunk Precontact Site and the Project's routing of its waterline to avoid impacts to this Site, protects the Schunnemunk Precontact Site from any potential significant adverse impacts.

21. The Project's Visual Assessment was conducted in accordance with all Village Scoping Document requirements with explicit approval from the Village Boards over the course of over two years (see Response 1 above). It also complied with NYSDEC regulations. Furthermore, the balloon testing was overseen on-site by the Village officials and professionals to ensure compliance with Village protocol, and Village officials and professionals visited the Vantage Points during the Balloon Test. No balloons were visible from any of the Vantage Points. The Village Scoping Document, nor its professional, required Mountain Lodge be evaluated as part of the Visual Assessment.

22. The Project is not proposing accessory apartments. Additional noise analyses have been included in Section 10.1 of the FEIS.

23. The calculations of the Project's density found in the EIS are accurate; however, the Project has been revised to include additional affordable housing. The calculations shown on the cover sheet of Section 10.4 of the FEIS confirm the Project's development density of 600 single family

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units. Any comment suggesting the Project should be limited to a development density of zero (0) dwelling units is simply incorrect.

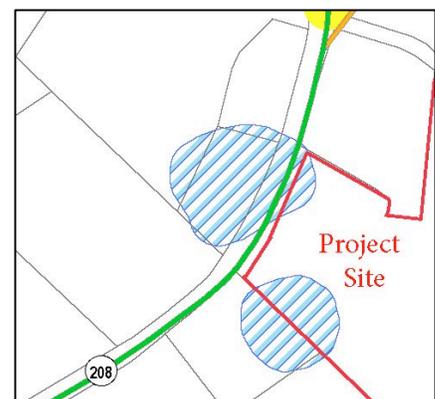
On the other hand, this comment also states that the Project may apply one dwelling unit per gross acre for its RR Zoning District lands. The Project Site has 702 acres within the RR Zoning District, and applying a density of one unit per gross acre would result in a development density of 702 units. As currently proposed, 510 of the Project's 600 total units are from the RR Zoning District lands, which is 192 less than what this commenter is suggesting may be permitted. The remaining comment found in this commenter's comment have all been addressed multiple times either in the DEIS or in previous comments; however, they are again addressed as follows.

The Village's Zoning Code establishes density in the RC-1 Zoning District for single family homes through permitting one dwelling unit per 3,000 square feet. The Zoning Code does not provide that 3,000 square foot lots be platted or that a conventional layout be submitted. Importantly, transferring the RC-1 Zoning District yield to the RR Zoning District land on the Project Site has been discussed with the Planning Board since 2014. Initially, the Project proposed a transfer of 54 two-family homes (108 dwelling units) because the RC-1 Zoning District allows one two-family home per 5,000 sq. ft. ($5,000 \times 54 = 270,000$ square feet = 6.2 acres). However, the Planning Board recommended the transfer should include a use that is permitted in the receiving RR Zoning District such as single-family homes. Accordingly, the Project revised its plans to propose only 90 single-family homes ($3,000 \times 90 = 270,000$ square feet = 6.2 acres) instead of 108 dwelling units, which reduced the totaling dwelling units transferred by 18.

Furthermore, the DEIS does indeed indicate that 10% of the RC-1 yield would be affordable, specifically on pages 1.0-1 (the first page of the DEIS), 2.0-1 and 3.1-17, as well as in Table 313 of Section 3.1 of the DEIS. Also refer to page 51 of our responses in Appendix N-5 the DEIS.

Moreover, identified habitat area for threatened or endangered flora or fauna is not listed under Primary Conservation Areas in the current Village Zoning Code.

The Project complies with the overlay district standards, specifically the Surface Water Overlay District mentioned in this comment as it does not propose a motor vehicle service station in accordance with §235-14.4.E(2)(b), and the Project application was submitted to and is being evaluated by the Planning Board as per §235-14.4.E(3)(a) and (c). Moreover, the Surface Water Overlay District area that touches the Project Site is located almost in its entirety across NYS Route 208, with only a small portion located on the edge of the Project Site as shown in the Figure at right. Please note moreover that NYS Route 208 goes through this



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overlay district, given this it is not clear how the SWOD will ever achieve its goals.

The Project is no longer seeking additional density bonuses associated with additional inclusion of Open Space and is proposing 50% open space as required by the Village Zoning Code. The calculations can be found on the cover sheet of Section 10.4 of the FEIS.

Response to Commenter No. 144: Iovine, Linda – page 488 of Appendix P

Comment noted. Please refer to General Response No. 2 in regard to water supply and General Response No. 4 in regard to traffic. The Project would not be an eyesore and would not adversely impact home values in the area.

10.2.3 Attachments to the Responses

The attachments referenced in the above are annexed hereto. Each attachment is numbered according to the response in which it is first referenced.

Attachment 7-a



ENB Region 3 Notices 11/25/2020

Public Notice

The New York State Department of Environmental Conservation (NYS DEC) has received a **Brownfield Cleanup Program (BCP) application from Mamaroneck White Plains, LLC for a site known as YMCA - White Plains, site ID #C360206**. This site is located in the City of White Plains within the County of Westchester, and is located at 250 Mamaroneck Avenue.

Access the [application and other relevant documents](https://www.dec.ny.gov/data/DecDocs/C360206/) online through the DECinfo Locator: <https://www.dec.ny.gov/data/DecDocs/C360206/>. The documents will also be available at the document repository once reopened, located at White Plains Public Library, 100 Martine Avenue, White Plains, NY 10601.

There are several ways to comment on BCP applications. Comments can be submitted to: John Spellman, NYS DEC - Division of Environmental Remediation, 625 Broadway, Albany, NY 12233-7014, Phone: (518) 402-9662, E-mail: john.spellman@dec.ny.gov. **All comments must be submitted by December 25, 2020.**

Site [information](http://www.dec.ny.gov/cfm/external/index.cfm?pageid=3) can be viewed by entering the site ID noted above at: <http://www.dec.ny.gov/cfm/external/index.cfm?pageid=3>.

We would also encourage those interested in receiving information on future activities at this site or any other site to sign up to NYS DEC's [Contaminated Sites E-mail List](http://www.dec.ny.gov/chemical/61092.html) at: <http://www.dec.ny.gov/chemical/61092.html>.

What is the Brownfield Cleanup Program?

New York's Brownfield Cleanup Program (BCP) is designed to encourage private-sector cleanups of brownfields and to promote their redevelopment as a means to revitalize economically blighted communities. The BCP is an alternative to "greenfield" (land not previously developed or contaminated) development and is intended to remove some of the barriers to, and provide tax incentives for, the redevelopment of brownfields. Since its inception (2003), the BCP has catalyzed the cleanup of more than 300 contaminated sites statewide and incentivized redevelopment. There are more than 350 active sites in the BCP.

Additional information on the New York State's [Brownfield program](http://www.dec.ny.gov/chemical/8450.html) is available at NYS DEC's website: <http://www.dec.ny.gov/chemical/8450.html>.

Negative Declaration

Orange County - The Village of Goshen Planning Board, as lead agency, has determined that the proposed GFI Partners will not have a significant adverse environmental impact. The action involves the construction of a 488,124 square foot warehouse and 12,000 square foot office with associated parking and loading facilities on a 83 acre parcel with access to NYS Route 17M. Public water and sewer services will be provided by the Village of Goshen. The project is located at 500 NYS Route 17M in the Village of Goshen, New York.

Contact: Elaine McClung, Village of Goshen, 276 Main Street, Goshen, NY 10924, Phone: (845) 294-6750, E-mail: VoGClerk@frontiernet.net.

Orange County - The Town of Chester Planning Board, as lead agency, has determined that the proposed 1251 Kings Highway, LLC will not have a significant adverse environmental impact. The action involves a three lot subdivision with warehouses on two lots and the existing house on the third house. All structures to be served by

private well and septic with driveway entrances onto County Roads. The project is located at the intersection of Bellevale Road and Kings Highway in the Town of Chester, New York.

Contact: Donald Serotta, Town of Chester, 1786 Kings Highway, Chester, NY 10918, Phone: (914) 772-2468, E-mail: dserotta@thetownofchester.org.

Notice of Availability of Final Scope

Orange County - The Town of Monroe Planning Board, as lead agency, has made the Final Scope for the proposed Monroe Commons available. The Final Scope is available from Town of Monroe Town Hall, 1465 Orange Turnpike, Monroe, NY 10950 and on line at: <https://www.monroeny.org/document-center/government-boards/planning-board-projects/planning-board-projects-1/monroe-commons-1.html>. The action involves a proposal by Monroe Nininger, LLC to construct a 4 story, approximately 400,646 square foot mixed-use commercial building (containing retail space on the first two floors, a 39 room hotel on the third floor, and office space on the fourth floor) on an 18.2 acre lot located at 220 Nininger Road in the Town of Monroe, New York. The property is located in the Heavy Industry (HI) Zoning District. Approval of several actions are sought, including: Town Board approval of a zoning text amendment to increase the maximum height permitted in the HI Zoning District from 40 foot to 50 foot; Zoning Board of Appeals approval of an area variance related to the HI district's lot coverage (and possibly height) requirements; and Site Plan, hotel Special Use Permit, Local Wetlands Permit, and architectural review approval from the Planning Board.

Contact: Bonnie Franson, Town of Monroe, 1465 Orange Turnpike, Lower Level, Monroe, NY 10950, Phone: (845) 983-1900, E-mail: planning@monroeny.org.

Notice of Acceptance of Draft EIS and Public Hearing

Orange County - The Village of South Blooming Grove Village Board of Trustees (Village Board) and the Village of South Blooming Grove Planning Board (Planning Board), as lead agency, has accepted a Draft Environmental Impact Statement on the proposed Clovewood Project. A public hearing on the Draft EIS will be held on 7:15 p.m. on December 3, 2020 at the South Blooming Grove Fire House, 815 Route 208, Monroe, NY 10950. Due to the COVID-19 crisis, special arrangements for the Public Hearing will be observed, all persons seeking to attend the Public Hearing must be wearing a face mask and observe the social distancing directions posted within the Hall. Written comments on the Draft EIS will be accepted for 10 (ten) days after the close of the Public Hearing. The Draft EIS is available from the Village of South Blooming Grove Village Hall, 811 Route 208, Monroe, NY 10950 and on line at: <http://shepstone.net/CLOVEWOOD/default.html>.

The action involves a residential development of what the Project Sponsor described as 600 single family lots, within a site of approximately 708.2 acres located at the Project Site. The Project Site is generally vacant land, except for the abandoned former Lake Anne Country Club buildings which would be demolished as part of the Project. 702 acres of the Project Site are claimed by the Project Sponsor to be within the Village's RR Zoning District and approximately 6.2 acres is claimed by the Project Sponsor to be in the RC-I Zoning District. The Project Sponsor asserts that no change in existing zoning is proposed. Approximately 142.2 acres of the Project Site would be developed. The Project would also include associated infrastructure, including but not limited to roads, utilities, on-site water supply, sewage treatment plant, stormwater and erosion control systems, and community recreational facilities.

In addition to other New York State and regional approvals, the Project requires Site Plan and Subdivision Approval from the Planning Board as well as other potential approvals. The Project Sponsor is requesting approval for a Transportation Corporation and acceptance of dedicated land by the Village Board.

The project is located on the east side of NYS Route 208 and County Route 27 (a/k/a Clove Road) within the Village of South Blooming Grove, New York.

Contact: Kerry Dougherty, Village of South Blooming Grove, 811 Route 208 Monroe, NY 10950, Phone: (845) 782-2600, E-mail: Clerk@villageofsouthbloominggrove.com.

Notice of Acceptance of Draft GEIS

Rockland County - The Village of Haverstraw Village Board, as lead agency, has accepted a Draft Environmental Impact Statement on the proposed Adoption of the 2020 Comprehensive Plan, 2020 Local Waterfront Revitalization Plan, and Local Laws. **Written comments on the Draft EIS will be accepted until November 30, 2020.** The Draft EIS is available from the Village of Haverstraw Clerk's office and on line at: <https://voh-ny.com/comprehensive-plan/>.

The action involves the adoption of a Comprehensive Plan, Local Waterfront Development Program (LWRP) and amendments to the Village Code implementing policy recommendations of the Plan. Funded in part by the New York State Climate Smart Communities Program and the New York State Department of State the Village's Comprehensive Plan and LWRP seek to revitalize an urban Village by improving housing choice and focusing development density on grayfield and abandoned sites. The Plan and LWRP focus primarily on sustainability and resiliency for the waterfront Village by emphasizing green infrastructure, walk and bike-ability and social cohesion. The project is located throughout the Village of Haverstraw, New York.

Contact: Judith Curcio, Village of Haverstraw, 40 New Main Street, Haverstraw, NY 10927, Phone: (845) 429-0300, E-mail: Judith.curcio@vohny.com.

Attachment 7-b



ENB Region 3 Notices 12/30/2020

Negative Declaration

Orange County - The Village of Greenwood Lake, as lead agency, has determined that the proposed Water System Improvement Project will not have a significant adverse environmental impact. The action involves improvements to the existing potable water system and potential development of a new source of water supply. The Project will include upgrades and building renovations at the water filtration plant at Elm Street; structural repairs and painting of water tanks; replacement of deteriorated water distribution pipe, valves and services at Teneyke Avenue, Lake Road and Main Drive; and evaluation of a potential spring water source that feeds Greenwood Lake. The project is located at various locations in the Village of Greenwood Lake, New York.

Contact: Jesse Dwyer, Village of Greenwood Lake, 18 Church Street, Greenwood Lake, NY 10925, Phone: (845) 477-9215, E-mail: vcmgw1@yahoo.com.

Rockland County - The Town of Haverstraw Town Board, as lead agency, has determined that the proposed Town of Haverstraw Recreational Facility will not have a significant adverse environmental impact. The action involves a recreational complex development project located within the First Residence District, R-1, in the Village of West Haverstraw. The Site consists of a total tract area of 25 acres that the Town acquired from the State of New York. The proposed development of the existing vacant parcel of land that is primarily grassed with areas of woods and some wetlands will include a multi-purpose field, baseball and soccer fields, dog park, multipurpose building, and several playground areas along with associated parking lots, restrooms, robust landscaping and stormwater management facilities. The project proposes to create a recreational complex hosting a variety of sport and recreation focused areas for varying ages. The project is located on the northeast corner of Chapel Street and Central Highway in the Village of West Haverstraw, Town of Haverstraw, New York.

Contact: Michael Gamboli, Town of Haverstraw, Town Hall, Garnerville, NY 10952, Phone: (845) 429-2200, E-mail: MGamboli@TownofHaverstraw.org.

Notice of Availability of Final Scope

Rockland County - The Village of Chestnut Ridge Board of Trustees, as lead agency, has made the Final Scope for the proposed Chestnut Ridge Comprehensive Plan available. The Final Scope is available from Chestnut Ridge Village Hall, 277 Old Nyack Turnpike, Chestnut Ridge, NY 10977 and on line at: www.chestnutridgevillage.org. The action involves the adoption of the first Comprehensive Plan for the Village of Chestnut Ridge. The Plan proposes a comprehensive land use framework and lays out transportation recommendations for the orderly development for the Village. Long standing zoning problems are analyzed and adjustments to the current zoning map are proposed to eliminate nonconforming uses. Changes are recommended to promote the development of employment opportunities and additional housing types other than single-family homes. The Plan focuses development density on areas in the Red Schoolhouse Road corridor near the Garden State Parkway interchange, with transportation improvements funded by new development. The project is located throughout the Village of Chestnut Ridge, New York.

Contact: Rosario Presti, Jr., Village of Chestnut Ridge, 277 Old Nyack Turnpike, Chestnut, Ridge, NY 10977, Phone: (845) 425-2805, E-mail: rpresti@chestnutridgevillage.org.

Notice of Acceptance of Draft EIS and Public Hearing

Orange County - The Village of South Blooming Grove Board of Trustees and Village of South Blooming Grove Planning Board, as co-lead agencies, have accepted a Draft Environmental Impact Statement on the proposed Clovewood. **A virtual public hearing on the Draft EIS will be held on January 5, 2021 at 7:15 p.m. via zoom**, instructions can be found on the Village of South Blooming Grove website at:

<https://www.villageofsouthbloominggrove.com/forms/special-meeting-clovewood-january-5-2021/>. Written comments on the Draft EIS will be accepted until January 15, 2021. The Draft EIS is available from the Village of South Blooming Grove, 811 Route 208, Monroe, NY 10950 and on line at: <http://shepstone.net/CLOVEWOOD/default.html>.

The action involves a residential development of what the Project Sponsor described as 600 single family lots, within a site of approximately 708.2 acres located at the Project Site. The Project Site is generally vacant land, except for the abandoned former Lake Anne Country Club buildings which would be demolished as part of the Project. 702 acres of the Project Site are claimed by the Project Sponsor to be within the Village's RR Zoning District and approximately 6.2 acres is claimed by the Project Sponsor to be in the RC-I Zoning District. The Project Sponsor asserts that no change in existing zoning is proposed. Approximately 142.2 acres of the Project Site would be developed. The Project would also include associated infrastructure, including but not limited to roads, utilities, on-site water supply, sewage treatment plant, stormwater and erosion control systems, and community recreational facilities.

The project is located on the east side of NYS Route 208 and County Route 27 (a/k/a Clove Road) within the Village of South Blooming Grove, New York.

Contact: Kerry Dougherty, Village of South Blooming Grove, 811 Route 208 Monroe, NY 10950, Phone: (845) 782-2600, E-mail: Clerk@villageofsouthbloominggrove.com.

Notice of Acceptance of Final EIS

Westchester County - The Town of North Castle Town Board, as lead agency, has accepted a Final Environmental Impact Statement on the proposed Eagle Ridge. The Final EIS is available from the Town of North Castle Town Clerk, Town Hall, 15 Bedford Road, Armonk, NY 10504 and on line at:

<https://www.northcastlenny.com/home/pages/eagle-ridge>.

The action involves a proposed mixed-use development located on an approximately 32.5 acre, vacant and undeveloped parcel of land located in the Town of North Castle. The 32.5 acre property would be subdivided to create two new lots of 17.03 acres and 15.51 acres. The northernmost 15.51 acre parcel is proposed to be improved to support a separate free-standing, 4 story, 72,800 square foot limited service hotel consisting of 115 guest rooms, a 135 seat restaurant, a 45 seat bar and a junior ballroom accommodating 100 guests. To the east of the hotel on the same parcel, a 4 story, 71,600 square foot multi-family building is proposed consisting of 59 condominiums (39 two-bedroom units and 20 one-bedroom units). 9 of the two-bedroom units would meet the Town's Affirmatively Furthering Fair Housing (AFFH) requirements, as would 2 of the one-bedroom units. On the southern 17.03 acre parcel, 50 market rate, age-restricted senior housing (55 and older) townhouses are proposed, configured around a looped oval roadway. The townhouses would contain 2 bedrooms with office or den, and each would contain a 2 car garage and 2 driveway off-street parking spaces. The Final EIS plan calls for utilizing the R-MF-SCH - Residential Multifamily Senior Citizen Housing district floating zone provisions to allow for the development of age restricted senior citizen housing on this parcel. The project is located on North Castle Drive in the Town of North Castle, New York.

Contact: Adam R. Kaufman, Town of North Castle, 17 Bedford Road, Armonk NY 10504, Phone: (914-273-3542, E-mail: akaufman@northcastlenny.com.

Attachment 13

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one:)

of South Blooming Grove

FILED
STATE RECORDS
AUG 09 2021

DEPARTMENT OF STATE

Local Law No. 1 of the year 2021

A local law Amending Chapter 235 of the Village Code entitled Zoning
(Insert Title)

Be it enacted by the Village Board of Trustees of the
(Name of Legislative Body)

County City Town Village
(Select one:)

of South Blooming Grove as follows:

See Attached

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2021 of the ~~(County)(City)(Town)~~(Village) of South Blooming Grove was duly passed by the Village Board of Trustees on July 29 2021, in accordance with the applicable ~~(Name of Legislative Body)~~ provisions of law.

~~**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ and was deemed duly adopted (Elective Chief Executive Officer*) on _____ 20____, in accordance with the applicable provisions of law.~~

~~**3. (Final adoption by referendum.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20____. (Elective Chief Executive Officer*)~~

~~Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.~~

~~**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.~~

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

~~5. (City local law concerning Charter revision proposed by petition.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.~~

~~6. (County local law concerning adoption of Charter.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.~~

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

Wing a [Signature]

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: July 29, 2021

(Seal)

Village of Blooming Grove
Amendment to Zoning Code

LOCAL LAW NO. 1 OF 2021
A LOCAL LAW AMENDING ZONING CHAPTER 235
ZONING CODE
VILLAGE OF SOUTH BLOOMING GROVE

ITEM NO 1:

AMEND ARTICLE II Terminology

Chapter 235-4 Definitions.

To include:

HOUSE OF WORSHIP – A church, mosque, synagogue, or other place of religious worship or other place of religious retreat (subject to NY State Uniform Prevention and Building Codes) for regular organized religious assembly of 50 or more persons (also called House of Worship Large).

HOUSE OF WORSHIP HOME – The use of a dedicated portion of a home for religious gatherings. No more than 750 square feet of principle residence shall be designated for such use and be subordinate to the principle residential use. Use in accordance with NYS Uniform Fire Prevention and Building Codes.

HOUSE OF WORSHIP SMALL – Use of a building or structure for regular organized religious assembly with a maximum of under 50 worshippers. The use may take place in a structure with or without residential component. The facility to be in accordance with NYS Uniform Fire Prevention and Building Codes.

ITEM NO. 2:

AMEND CHAPTER 235

Zoning Attachment I – Village of South Blooming Grove – Table of General Use Requirements as follows:

Replace current Table with the following: enclosed new zoning 235 attachment 1, Village of South Blooming Grove Table of General Use Requirements (enclosed).

ITEM NO. 3:

AMEND ARTICLE XVIII – VILLAGE BOARD SPECIAL PERMITS - §235-94:

Application Procedure:

Add – There will be a separate Village Board Special Permit for House of Worship (see 235-94G)

NEW SECTION: 235-94G:

Requests to the Village Board for a Special Permit for House of Worship will be reviewed as follows:

- (1) If request is for House of Worship Home, the Board can review and consider approval with conditions to be enforced by Code Enforcement Officer. Limited to 750 square feet.
- (2) If request is for House of Worship Small, with larger number of worshippers proposed, the Village Board can seek recommendations from the Code Enforcement Officer and Village Engineer or forward to the Planning Board to follow the procedure in §235-94 A, B, C, D, E, and F. Limited to under 50 worshippers and in accordance with NYS Uniform Fire Prevention and Building Codes.
- (3) If request is for House of Worship Large, the Village Board would forward to the Planning Board for their recommendation under §235-94 A, B, C, D, E, and F in accordance with NYS Uniform Fire Prevention and Building Codes.

ITEM NO. 4:

ELIMINATE:

Article VA District Regulations
Chapter 235-14.1 Rural Residential District Regulations
Section A (2)(a)[1][a][vii]

ADD: With language that follows:

Article VA District Regulations
Chapter 235-14.1 Rural Residential District Regulations
Section A (3)(a)

Add with language that follows:

Ten-percent increase over the base lot counts for provision of 10% of the base lot count in affordable housing units to be restricted by the applicant on the project site or on another site owned or controlled by the applicant in the Village of South Blooming Grove, and appropriately zoned or an increase of 1.5 times the base lot count referenced in 235-14.1(3) when 50% of the increase over the base lot counts are affordable housing units.

ITEM NO. 5:

ELIMINATE:

Article VA
Chapter 235-14.4 Overlay District
Section C - Ridgeline Overlay District
3(a), (ii), (iii), (iv)

Also Section C – (4)(a)[1], [2], and (4)(b)[1][c]

All other provisions of the above noted code to be as currently written.

ADD: With language that follows:

Chapter 235-14.4 Overlay District
Section C - Ridgeline Overlay District

(3) General Provisions.

- (a) The provisions of this section shall apply to any parcel of land lying fully or to the designated portion of any parcel of land located partially within the Ridge Overlay district.
 - (i) All applications for land use development, including site plan, subdivision, special use and conditional use permits, zoning variances, building permits for new residential dwellings.
- (b) To ensure the placement of structures outside of the exposed ridgeline area on proposed building lots, building sites, including areas of vegetation, shall be clearly designated on the applicable subdivision plat and/or site plan. The ridgeline's boundary shall be shown on plot plans.
- (c) No land shall be developed, and no building or structure erected or developed unless the Planning Board finds that the development proposed will be consistent with the standards of the Ridgeline Overlay District and grants approval.

Village of South Blooming Grove
Amendment to Zoning Code

- (d) Sites in the RL District, also located within the Scenic Roads, Scenic Viewshed or Scenic Gateways Overlay Districts are subject to the provisions and standards found therein.
- (4) Standards.
 - (a) Height.
 - [1] The total height of any structure or accessory element attached to any structure shall be the vertical distance from the average elevation of the proposed finished grade along the wall of a building (or adjacent to the side of non-building use) to the highest point of the roof for flat roofs and the mean height between eaves and ridge for gable, hip and gambrel roof of such building (or non-building uses), except as specifically exempted in Article VII, Section 235-20.
 - [2] Restrictions on height. Within the RL District, no principal structure or accessory element attached to the structure with a building height of greater than 35 feet shall be constructed. The structure must only include a basement and two (2) stories within said 35 feet. Detached accessory structures to be 25 feet or less in height.
 - (3) Structures shall comply with other height provisions of the Zoning Law if they are most restrictive.
 - (b)[1][c] No structure shall have a footprint greater than 5,000 square feet and setbacks remain as stated in the Zoning Code.

Zoning
235 Attachment I
Village of South Blooming Grove Table of General Use Requirements

Principal Uses	Rural Residential	Rural Crossroads I	Rural Crossroads II	Office / Research / Industrial
Residential single-family detached	PB Subdivision Approval	Site Plan	Site Plan	
Residential multifamily		Site Plan	Site Plan	
Mixed-use building(retail/office/residential)	VB Special Permit	Site Plan	Site Plan	Site Plan
Retail (under 2,000 sq. ft. footprint)	PB CU Permit	Site Plan	Site Plan	Site Plan
Retail (over 2,000 sq. ft. footprint)Se	VB Special Permit	PB CU Permit	PB CU Permit	Site Plan
Office (under 1,000 sq. ft. footprint)	PB CU Permit	Site Plan	Site Plan	Site Plan
Office (over 1,000 sq. ft. footprint)	VB Special Permit	Site Plan	Site Plan	Site Plan
Personal service	PB CU Permit	Site Plan	Site Plan	Site Plan
Animal kennels and hospitals	PB CU Permit	PB CU Permit	PB CU Permit	PB CU Permit
Bed-and-breakfast	PB CU Permit	PB CU Permit	PB CU Permit	PB CU Permit
Restaurant	PB CU Permit			PB CU Permit
Entertainment complexes	VB Special Permit			VB Special Permit
Golf course/ country club	VB Special Permit			VB Special Permit
Hotel/conference center/corporate training center	VB Special Permit	VB Special Permit	VB Special Permit	VB Special Permit
House of worship home, small, large	VB Special Permit	VB Special Permit	VB Special Permit	VB Special Permit
Membership Club	PB CU Permit	PB CU Permit	PB CU Permit	PB CU Permit
Motor Vehicle service station		PB CU Permit	PB CU Permit	PB CU Permit
Non-nuisance industry				Site Plan
Passive adult uses				PB CCU Permit
Research institute or laboratory				Site Plan
Residential farming	PB CU Permit			PB CU Permit
Riding academies, boarding stables, breeding farms	PB CU Permit			PB CU Permit
Roadside stands	PB CU Permit	PB CU Permit	PB CU Permit	PB CU Permit
Trade or vocational schools	PB CU Permit	PB CU Permit	PB CU Permit	PB CU Permit
Warehouses; distribution				PB CU Permit
Unlisted uses	VB Special Permit	VB Special Permit	VB Special Permit	VB Special Permit
Accessory Uses				
Home occupation	PB CU Permit	PB CU Permit	PB CU Permit	
Accessory apartment to single-family house	PB CU Permit	PB CU Permit	PB CU Permit	
Accessory apartment to retail/office building	PB CU Permit	Site Plan	Site Plan	Site Plan

Note: A blank cell indicates that a use is not permitted within that zoning district.
 Site Plan = Allowed use, subject to site plan approval.
 PB CU Permit = Use allowed by Planning Board conditional use permit (and site plan) approval.
 VB Special Permit = Use allowed by Village Board special permit approval and Planning Board site plan approval.

Resolution No.: 073 of 2021

THE VILLAGE OF SOUTH BLOOMING GROVE
VILLAGE BOARD

Names	Roll Call Vote			
	Ayes	Noes	Abstain	Absent
<i>Mayor</i> Mr. George Kalaj	X			
<i>Trustee</i> Mr. Abraham Weiss	X			
<i>Trustee</i> Mr. Yitzchok Feldman	X			
<i>Trustee</i> Mr. Asher Guttman	X			
<i>Trustee</i> Mr. Zalmon Rosner	X			
TOTAL	5	0	0	0

The following was presented

By Trustee Feldman

Seconded by Mayor Kalaj

Date of Adoption July 29, 2021

**RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF SOUTH
BLOOMING GROVE ADOPTING LOCAL LAW CHANGES AS MODIFIED WITH
REGARD TO CHAPTER 235**

WHEREAS the Village of South Blooming Grove has proposed local law changes to Chapter 235 of the Village Code; and

WHEREAS, the Village Board of the Village of South Blooming Grove has reviewed the public comments (July 29, 2021) and 239 GML from the Orange County Department of Planning; and

WHEREAS, the Village Board of the Village of South Blooming Grove hereby wishes to enact the local law changes as modified with the understanding that a majority plus one vote is required since all Orange County Department of Planning recommendations were not agreed to; and

WHEREAS, the Village of South Blooming Grove Village Board has received from Orange County Department of Planning requests for modifications; and

WHEREAS, after review some of the modification requests were made, others were not; and

BE IT RESOLVED that the Village Board of the Village of South Blooming Grove hereby enacts the local law changes as modified. Upon passage and filing with the Secretary of State, the local law changes will become law.

**BY ORDER OF THE VILLAGE BOARD OF THE
VILLAGE OF SOUTH BLOOMING GROVE, NEW YORK.**

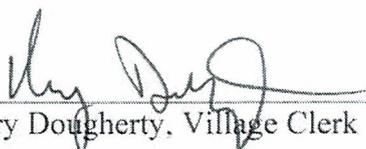
DATED: July 29, 2021

Kerry Dougherty, Village Clerk

CERTIFICATION

I, Kerry Dougherty, Village Clerk of the Village of South Blooming Grove, in the County of Orange, New York, HEREBY CERTIFY that I have compared the foregoing Village of South Blooming Grove Village Board Resolution 073 of 2021 dated July 29, 2021, and that the same is a true and complete copy filed with said Village in my office as Village Clerk on the 29th day of July, 2021; and

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said village this 3rd day of August, 2021.


Kerry Dougherty, Village Clerk

(SEAL)

mailed 7/14/2021 @



Steven M. Neuhaus
County Executive

Orange County Department of Planning

124 Main Street
Goshen, NY 10924-2124
Tel: (845) 615-3840
Fax: (845) 291-2533

Alan J. Sorensen, AICP
Commissioner

www.orangecountygov.com/planning
planning@orangecountygov.com

County Reply – Mandatory Review of Local Planning Action as per NYS General Municipal Law §239-l, m, & n

Local Referring Board: Village of South Blooming Grove Bd/PB Referral ID #: SBG01-21M
Applicant: Village Board of South Blooming Grove **Tax Map #:** Municipal-wide
Project Name: Local Law No. 1 of 2021 **Local File #:** N/A
Proposed Action: A Local Law Amending Zoning Chapter 235 Zoning Code
Reason for County Review: Amendment of local law, as per §239-m.
Date of Full Statement: June 25, 2021

Comments:

The Department has reviewed the proposed local law amending Chapter 235 of the Zoning Code to add “House of Worship” to the Table of General Use Requirements as a Village Board Special Permit use and to amend Chapter 235 Article VI District Regulations regarding affordable housing and Ridge Overlay District General Provisions. The Department has reviewed the local law in accordance with Section 239, paragraphs l & m of the NYS General Municipal Law and has found the Proposed Action, as written, could result in intermunicipal or countywide impacts. Therefore, our office recommends **Modification** of the Proposed Action.

LL ITEM No. 1 Discussion: Item No. 1 of Local Law No. 1 of 2021 Amending Article II Terminology, Chapter 235-4 Definitions, should be expanded to define the following: 1) Home House of Worship, 2) House of Worship, Small and 3) House of Worship, Large. Each definition should be sufficiently clear to draw a distinction between the different classes of a House of Worship. Examples are provided below.

House of Worship, Home –

- A. The use of a dedicated portion of a one-family detached residence for religious gatherings, meeting all of the following criteria:
 - (1) Gatherings occur more than 12 times per year; and
 - (2) Gatherings are limited to the maximum allowable number of people under the New York State Uniform Fire Prevention and Building Code; and
 - (3) No more than 750 square feet of principal residence shall be designated for such use, which shall be subordinate to the principal residential use.
- B. Any use that does not fit any of the above criteria at any time shall not be considered a Home House of Worship. The Building Inspector shall determine the appropriate use category, based upon the requirements of this chapter.

House of Worship, Small –

The use of a building or structure for regular organized religious assembly in a structure or structures with a maximum permitted occupancy of up to 50 worshippers and other than a Home House of Worship. The use may take place in a structure with or without a residential component.

House of Worship, Large –

The use of a building or structure designed for regular organized religious assembly of 50 or more persons in structures with a floor area of more than 10,000 square feet.

Required Modification: Revise the local law to name and define each House of Worship class. Each definition should be sufficiently clear to draw a distinction between the different classes of a House of Worship.

LL ITEM No. 2 Discussion: Table of General Use Requirements is proposed to be amended to add a House of Worship to each of the Village’s Zoning Districts as a Special Permit subject to the review by the Village Board. While proposed NEW SECTION 235-94G effectively creates three (3) classes for a House of Worship, the Table of General Uses proposes to simply add a generic “House of Worship,” which would be allowed in every Zoning District in the Village of South Blooming Grove.

Required Modification: In conjunction with the Required Modification cited for LL ITEM No. 1 above, amend the Table of General Uses to list each of the three (3) classes for a House of Worship individually. The Village should further assess whether each House of Worship class should be allowed in every Zoning District, or whether certain classes should be restricted to certain Zoning Districts. For example, does it make sense to allow a Home House of Worship in the Village’s Office Research Industrial Zoning District, which does not allow residential land uses? Furthermore, does it make sense to allow a Large House of Worship in the Office Research Industrial Zoning District?

LL ITEM No. 3 Discussion: Local Law No. 1 of 2021, as written, would effectively create three (3) classes for a “House of Worship”, but fails to define each class and does not provide sufficient objective criteria in NEW SECTION 235-94G to regulate such uses. As written, the proposed local law would empower the Code Enforcement Officer to impose conditions on each of the House of Worship classes without providing objective criteria in which to classify or regulate such uses. The likely impact of the ambiguity in the local law will be inconsistency in its application, which poses public health, safety, and welfare concerns. Without objective criteria to review each Houses of Worship class, the cumulative impact of establishing them could result in potentially significant adverse environmental impacts that could otherwise be avoided.

The different “House of Worship” classes described in the NEW SECTION 235-94G should be clearly defined in Article II Terminology. Furthermore, objective Special Permit Use review criteria should be provided for each House of Worship class within the NEW SECTION 235-94G. However, we note that the new House of Worship regulations might better be placed in a *NEW SECTION 235-94.1 Standards for Specific Special Permit Uses*, A. House of Worship, (1) Home House of Worship, (2) House of Worship, Small, and (3) House of Worship, Large, since the standards contained within are for a specific land use.

As written, all three proposed House of Worship classes (e.g., home, small and large) are proposed to be allowed anywhere in the community. While a Home House of Worship, subject to careful objective review criteria, might be appropriate in a single-family residential neighborhood served by local roads, it may not be appropriate to situate a large “House of Worship” there due to transportation needs and potential adverse impacts to community character. Providing objective review criteria for each class can help the community to avoid potentially significant adverse environmental impacts related to community character, transportation, and visual resources. As written, the proposed local law does not adequately address such concerns.

There is clearly ample room within the Village of South Blooming Grove to accommodate Houses of Worship and such uses must be allowed. However, the Village should conduct further analysis to determine where the different House of Worship classes would be best situated within the Village. Such analysis should be included in the environmental review record for the Proposed Action. This may result in limiting each House of Worship class to designated zoning districts rather than allowing them anywhere in the community.

Required Modification: As currently written, the local law poses potentially moderate to large impacts related to aesthetic resources, community character, and transportation. The SEQRA Full EAF Part 3 should be expanded to explain why the Proposed Action, will not, or may result in a significant adverse impact. Furthermore, special permit criteria for each “House of Worship” class should be developed within the local law to provide objective criteria for regulating each House of Worship “class” and ensuring that potentially moderate to large adverse impacts related to aesthetic resources, community character and transportation are avoided. Finally, the Village should explain how the local law is consistent with community plans. Rather than leaving it up to the Code Enforcement Officer or Village Engineer to impose conditions to mitigate potential adverse environmental impacts after the local law is adopted, the local law should instead establish objective criteria intended to ensure that such impacts are avoided by regulating the placement, scale and design of each Houses of Worship class.

For example, criteria for a *Home House of Worship* should be written into the code to address compliance with building and fire prevention codes of New York State and establish a formula for establishing the maximum number of nonresident persons using a Home House of Worship. Furthermore, standards for maximum permitted lot coverage, access, on-site parking requirements, lighting, signs, limitations on the number of gatherings per year, hours of operation and prohibition of leasing a Home House of Worship should be included in the local law to protect adjacent residential properties.

Similarly, specific Special Permit review criteria should be established for the regulation of Small and Large Houses of Worship, since the potentially significant adverse impacts of such uses could be mitigated by ensuring such uses are situated in those areas where the existing sidewalk system and/or roadway capacity can handle the additional traffic or where transit access could be provided. The Code of the Village of Chestnut Ridge, Chapter 290 Zoning, Article XII Conditional Use and Special Permit Standards, Sections, 290-80, 81 and 82 might provide a good model for the Village of South Blooming Grove to consider.

LL ITEM No. 4 Discussion: The local law proposes to eliminate Chapter 234 Section 14.1 A (2) (a) [1][a] [vii], which would remove the requirement to factor in “*identified habitat areas for threatened or endangered flora or fauna*” into the Land Conservation Analysis. There is no explanation as to why this is being proposed or its potential impact on the environment.

Required Modification: The Village must explain the purpose of this proposed change and assess its potential impact on the environment in the environmental review record. In the absence of such analysis, the existing provision in the Zoning Law should remain as it is in Chapter 234 Section 14.1 A (2) (a) [1][a] [vii].

Discussion: Chapter 234 Section 14.1 A (3) *Adjusted Base Lot Count* establishes the criteria under which the Planning Board may increase the base lot count. Chapter 234 Section 14.1 A (3) (a) states “Ten-percent increase over the base lot count for provision of 10% of the base lot count in affordable housing units to be constructed by the applicant on the project site or on another site owned or controlled by the applicant in the Village of South Blooming Grove, and appropriately zoned.” The Proposed Action would add the following language to Chapter 234 Section 14.1 A (3) (a) “*or an increase of 1.5 times the base lot count when 50% of the increase over the base lot counts are affordable housing units.*”

This would effectively increase the base lot count for the provision of affordable housing units from 10% to 50%. Such a substantial increase in the permitted residential density in the community must be evaluated in the SEQRA review including potentially moderate to large impacts on water, sewer, transportation, and community character. While our Department supports measures (including density bonuses) to encourage the development of affordable housing, this must be balanced with the ability of the municipality to provide sufficient water and sewer capacity, transportation, and transit to meet the demands of higher density development.

Required Modification: As currently written, this provision of the local law poses potentially large impacts on groundwater (i.e., “The Proposed Action may require new water supply wells or create additional demand on supplies from existing water supply wells) and surface water (e.g., the proposed action may result in construction of new, or expansion of existing wastewater treatment facilities). The Village of South Blooming Grove currently experiences periodic water shortages. *The SEQRA Full EAF Part 3 should be expanded to explain why the Proposed Action, will not, or may result in a significant adverse impact on groundwater and/or surface water and what mitigation measures if any, are proposed.* Affordable housing is generally defined as housing on which the occupant is paying no more than 30 percent of gross income for housing costs, including utilities. The proposed local law should be amended to provide a definition of the term “affordable housing” and identify measures to ensure that any affordable units created through the density bonus remains affordable

LL ITEM No. 5 Discussion: The Proposed Action would limit those actions that are subject to the Ridge Overlay District protections by removing the following actions from Chapter 235, Section 14.4 Overlay District, Section C - Ridge Overlay District review:

- (ii) Any dwelling addition wherein the cumulative total floor area of all prior and proposed additions to the building is 600 square feet or more;
- (iii) Any accessory structure wherein the cumulative total floor area of all prior and proposed accessory structures totals 300 square feet or more;
- (iv) Any combination of a dwelling addition and accessory structure wherein the cumulative total floor area of all prior and proposed additions and accessory structures totals 900 feet or more.

Required Modification: The proposed local law should be expanded to explain the purpose of this deletion. The SEQRA Full EAF Part 3 should be expanded to explain why the Proposed Action, will not, or may result in potentially large adverse impact on aesthetic resources. We recommend that these actions (building additions) remain subject to Ridge Overlay District review.

Discussion: Chapter 235, Section 14.4 Overlay District, Section C (4) Standards, (a) Height,

[1] Defines height as “the total height of any structure or accessory element attached to any structure shall be measured from the natural ground level to the top of the structure or to the top of the uppermost accessory affixed to the structure, whichever is higher.”

The Proposed Action would redefine height as “The total height of any structure or accessory element attached to any structure shall be the vertical distance from the average elevation of the proposed finished grade along the wall of the building (or adjacent to the side of non-building use) to the highest point of the roof for flat roofs and the mean height between the eaves and ridge for gable, hip and gambrel roof of such building (or non-building uses), except as exempted in Article VII, Section 235-20.”

NOTE: – The language the Village is proposing to delete from the current Zoning Code is shown in ~~Strike thru~~ and the language proposed to be added is underlined in the section below.

[2] Restrictions on height. ~~Within the RL District, no principal or accessory structure with a building height of greater than 25 feet shall be constructed.~~ Within the RL District, no principal structure or accessory element attached to the structure with a building height of greater than 35 feet shall be constructed. The structure must only include a basement and two (2) stories within said 35 feet. Detached accessory structures to be 25 feet or less in height.

[3] Structures shall comply with other height provisions of the Zoning Law if they are more restrictive.

Required Modification: The proposed local law should be expanded to explain the purpose of this deletion. *The SEQRA Full EAF should be expanded to explain why the Proposed Action, will not, or may result in potentially large adverse impact on aesthetic resources.*

Discussion: Chapter 235, Section 14.4 Overlay District, Section C (4) Standards, (b) Design requirements,

[1] Placement of structures [c] ~~No structure shall have a footprint greater than 2,500 square feet for a two-story house or 5,000 square feet for a one-story house and setbacks remain as stated in the Zoning Code.~~

Increasing the maximum permitted building footprint from 2,500 square feet to 5,000 square feet, coupled with increasing the building height from 25 feet to 35 feet has the potential to significantly increase the allowed density within the Village. This zoning text amendment alone would increase the maximum permitted square footage of a house on a lot from 5,000 square feet (sf) to 10,000 sf. The SEQRA Full EAF must thoroughly explain how the Village's current infrastructure can handle such an increase in permitted housing density. The Environmental Impact Statement completed in 2020 for the 600-unit Clovewood development suggest that the capacity is not there to support greater housing density in the Village.

Required Modification: The SEQRA Full EAF Part 3 should be expanded to explain why the Proposed Action, will not, or may result in potentially large adverse impacts related to groundwater, surface water, sewer capacity, and transportation due to the increase in density resulting from the proposed zoning text amendments outlined in the local law. The SEQRA Full EAF for the proposed local law must explain how the infrastructure is now in place for both the Clovewood development and the increase in density that would be allowed in accordance with the proposed zoning amendments.

Upon completing the Required Modifications, please submit same for review as to their adequacy in addressing our comments.

Date: July 14, 2021

Prepared by: _____
Planner



Alan J. Sorensen, AICP
Commissioner of Planning

As per NYS General Municipal Law 239-m & n, within 30 days of municipal final action on the above referred project, the referring board must file a report of the final action taken with the County Planning Department. For such filing, please use the final action report form attached to this review or available on-line at www.orangecountygov.com/planning.

Village Of South Blooming Grove

Incorporated in July 14, 2006

P.O. Box 295

Blooming Grove, New York 10914

(845)-782-2600

Fax (845)-782-2601

www.villageofsouthbloominggrove.com

July 29, 2021

George Kalaj, Mayor
Village Board

RE: Local Law Amendments
Chapter 235 of the Zoning Code

Gentlemen,

Below please find comments from the Village Engineer after conference with Village consultants responding to the comment letter received from the Orange County Department of Planning dated 7/14/21 regarding the proposed text amendments to the Village Zoning Code.

According to the NYS General Municipal Law (Section 239-m) the referral is made to the County planning to afford it the opportunity to share regional planning concerns that may arise out of the action. In this case, the Orange County Planning has not articulated a basis for the recommended modifications that are regional in nature. In addition, since the referral was made and the recommendation received from County Planning there is no obligation to re-refer anything to the County if the Village Board determines by a vote of a majority plus one to proceed with the local law as they are drafted, and if the Village Board provides the reasons for its decision not to follow the County's recommendations. Therefore, the letter from the Village engineer should be referenced in and attached to the resolution.

Additionally, it is important the letter from the Village engineer states that the Village overrules and does not accept the County's recommendations as the recommendations are too restrictive, as such language clarifies the Village's position and covers the entire comment letter, including County comments not specifically addressed in the letter from the Village engineer.

Local Law Item #1: The Village overrules and does not accept the County's recommendations in regard to Local Law Item No. 1 as the recommendations are too restrictive, except in regard to the revision of the name classification of the 3 types of house of worship Home, Small and Large.

Local Law Item #2 regarded the Table of General Use requirements. We added the three (3) different levels of House of Worship; however, we did leave it for all zones, as originally written to allow House of Worships in all zones as per Board directives. The Village overrules and does not accept the County's recommendations in regard to Local Law Item No. 2 as the recommendations are too restrictive. Specifically, the Village rejects the County's recommendation to not allow houses of worship in the ORI Zoning District because residential units are currently allowed in the ORI Zoning District under mixed use.

Local Law Item #3: We reviewed the new Section 235-94G and modified it to the new designations (home, small and large); however, we thought the original local law amendments were adequate for the Board's requirements. The Village overrules and does not accept the County's recommendations in regard to Local Law Item No. 3 as the recommendations are too restrictive. Specifically, the Village rejects the County's recommendations to limit the number of gatherings per year and to prohibit the leasing of houses of worship, etc. as these are religious matters and it would be inappropriate for a Village to restrict them. (Importantly, there are no zoning code restrictions in the State of New York restricting Christian religious worship in such a manner, and the Village is not aware of any comments from any County Planning Department restricting Christian religious worship in this way; accordingly, it is highly inappropriate for the County to attempt to restrict potential Jewish religious worship in this way.)

Local Law Item #4: We reviewed the proposed local law amendment section to remove the requirement to factor “identified habitat areas for threatened or endangered flora and fauna”. We have not modified the proposed local law changes since this is a mandatory requirement for SEQRA on all projects and did not require duplication. The Village overrules and does not accept the County's recommendations in regard to Local Law Item No. 4 as the recommendations are too restrictive. §235-14.1.A(2)(a)[1][b][ii] of the Village Zoning Code provides Overlay Districts to be secondary conservation areas. One such Overlay District is the Significant Biological Overlay District, which according to §235-14.4.F.(1)(a) is to protect and preserve threatened and endangered species of flora and fauna. Accordingly, habitat areas for threatened or endangered flora or fauna are already considered secondary conservation areas.

In regard to affordable housing, the proposed revision would result in no increase in the permitted residential density as the amendment specifically references that §235-14.1(3) would apply, confirming that *the adjusted base lot count is limited to 1.5 times the base lot count established in §235-14.1A(2)(e)*. This amendment would further advance the County’s commitment to affordable housing by offering bonuses to developers to include affordable housing in their developments, while not increasing the extent allowable density. (Accordingly, the County should support this amendment as it is consistent with the County’s opinion of the importance of affordable housing.)

The Village Zoning Code §235-4. Definitions currently already defines affordable housing as *“Housing units for which occupants of a household earning up to 80% of the Village of South Blooming Grove median income (as defined by the latest United States Census Bureau data) would pay less than 30% of total gross income for mortgage and property taxes. If median income information for the Village is not available, information for the Town shall apply.”*

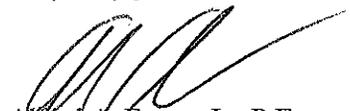
Local Law Item #5 proposed changes in the Ridge Overlay District of Chapter 14.4, Overlay District Section C Ridge Overlay District to allow larger square footage and higher height of structures. The Village Board has indicated a desire by the populous to have bigger homes for the bigger family units moving into the Village of South Blooming Grove. The Village overrules and does not accept the County's recommendations in regard to Local Law Item No. 5 as the recommendations are too restrictive. The extant Village Zoning Code allows the construction of two-story residential homes; however, if the height would be measured according to the Village’s Zoning Code without the amendment, it would be almost impossible to build more than one story homes in the majority of locations where two story homes are allowed. Accordingly, this amendment is a logical conclusion and would not adversely impact aesthetic resources as the same number of allowable stories as the extant Zoning Code allows would remain unchanged. Increasing the size of a room and the height of a ceiling would not impact allowable housing density within the Village, as it has no impact upon the number of units one may propose. Moreover, the proposed amendment is actually already included in §235-4. Definitions and would only seek to clarify the ambiguity found in the chapter to be amended which is inconsistent with the definition detailed in the Village's own Zoning Code.

The Clovewood Environmental Impact Statement does not indicate that the Village could not ever handle additional units, rather that the Village should seek to expand its current water supply system in order to include additional wells and/or conduct repairs to maximize its water supply to better serve its residents.

The SEQRA Full EAF Part 3 would not need to be expanded as no change in the allowable density is proposed. Moreover, it would not need to explain how Village infrastructure is now in place for the Clovewood Development as the Clovewood Project is proposing its own water supply and wastewater treatment plants, and the Environmental Impact Statement for the Clovewood Project is already on file with the Village. Additionally, Clovewood is a separate project that would be evaluated by the Village Boards for approval, as would any other proposed Project in the Village, all of which would need to undergo their own individual SEQRA process.

Please advise if you have any questions.

Very truly yours,



Alfred A. Fusco, Jr., P.E.

Village Engineer

Cc: Isaac Ekstein
Joel Stern

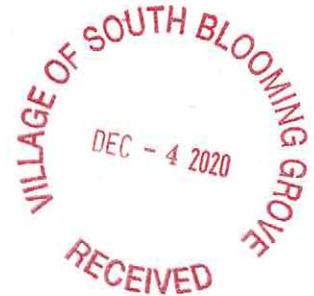
Attachment 21



P.O. Box 2020, Monroe, New York 10949 | Tel. (845) 774-8000 | E-Mail cpcnyj@gmail.com

December 4, 2020

Village of South Blooming Grove
Village Board & Planning Board
811 NYS Route 208
Monroe, NY 10950



Re: South Blooming Grove Fire Department

Dear Board Members,

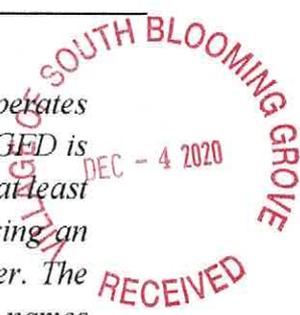
Following is a response to the comment letter dated 12/2/20 received from Fire Chief John Salka on behalf of the South Blooming Grove Fire Department/District (“SBGFD”) in regard to the Clovewood DEIS. The comment letter is included with this letter as Attachment I and was provided to us by the Village of South Blooming Grove (the “Village”) on 12/3/20.

In the comment letter received from SBGFD, Chief John Salka provides some comment in regard to the Clovewood DEIS as the Project would relate to fire protection in the Village and references some of the following discussion found in Section 3.2.2 (pages 3.2-7) of the DEIS in regard to SBGFD:

“The Project Site is located within the South Blooming Grove Fire District and would be served by the South Blooming Grove Fire Department (“SBGFD”). The District and Department consist of one station located at 819 NYS Route 208, Monroe, NY, which is a driving distance of approximately two miles or three minutes from the Project Site...”

“The majority of the information regarding SBGFD was taken from its website sbgfd.com and other public records, as all attempts to contact the department, including mailed letters and multiple in-person visits beginning in May of 2017 and continuing through 2018 were unsuccessful. The SBGFD did not respond to the Project’s survey and refused to answer questions pertaining to the department, and therefore, some specifics regarding its services, response times and/or details related to providing fire protection services to the Project are not available.”

“SBGFD is connected to the Orange County 911 emergency system and currently operates two engines, one ladder, one rescue, one brush truck, and two chiefs’ vehicles. SBGFD is a 100% volunteer organization. Requirements to become a volunteer include being at least 16 years of age, obtaining medical clearance to perform firefighter duties, passing an arson background check, and willingness to become a qualified interior firefighter. The SBGFD website makes no mention of the specific number of volunteers, but lists the names of 16 individuals including eight line officers, four civil officers and four miscellaneous officers.”



“All of the Project’s homes and associated community facilities would be constructed according to the NYS Building and Fire Code. There would be no additional manpower costs as a result of the Project, since SBGFD consists of volunteers and it is reasonable to assume new residents from the Project would become firefighting volunteers to cover the additional demand needed as a result of the Project. In addition, fire services for the SBGFD are included in the property tax bill, and therefore, any associated costs of providing fire protection services to the Project would be covered by the Project’s property tax revenue, as addressed in Section 3.2 and shown in Table 333, which would result in a net benefit. As a result, the Project would not have the potential to significantly adversely impact the SBGFD, and would not have an adverse impact on community facilities and services relating to fire protection in the area.”

Chief John Salka indicates he “was not Chief of the department at that time,” meaning in 2017 and 2018 when we attempted to contact SBGFD. However, we personally spoke with Chief John Salka in 2019, when he was Chief of the SBGFD and followed up with an email on 10/24/19 included in Attachment II, in an attempt to obtain responses to the Project’s survey as well as answers to other questions pertaining to the department. Nonetheless, to-date, we have yet to receive a response from Chief John Salka or the SBGFD.

Furthermore, on 9/10/20 the Village provided us with written public comments on the Project’s 8/10/20 Public Hearing, one of which indicated the commenter had noticed other public service providers had responded to the Project’s survey, but that the “fire department did not reply” and wanted the Village “to ask them [SBGFD] to please do so.” This indicates Village residents are concerned with the refusal of SBGFD to respond to the Project’s survey and have implored the Village to encourage SBGFD to respond.

Additionally, opinions found in the written comment letter received from Chief John Salka seem to indicate a lack of knowledge of the Project’s proposal, as well as the development patterns in the Village itself. For example, the letter references multifamily dwellings would be part of the Project, when no multifamily homes are proposed. Chief John Salka is aware of this fact, as we have personally shown him the Project’s plans, and Chief John Salka has acknowledged the Project

proposes only single family development. Similarly, in the letter, Chief John Salka indicates the Village currently has no multiple family dwellings; however, approximately 25% of the Village's extant homes are multiple family dwellings (Stone Gate Condominiums a/k/a Rolling Hills).

Chief John Salka requests additional time in order to review the Project's DEIS; however, we have been making attempts since 2017 to contact the SBGFD, which is more than enough time. New York Codes, Rules and Regulations (NYCRR) 617.3(h) mandates that lead agencies must implement State Environmental Quality Review ("SEQR") in a manner that minimizes procedural and administrative delay, must avoid unnecessary duplication of reporting and review requirements by providing, where feasible, for combined or consolidated proceedings, and must expedite all SEQR proceedings in the interest of prompt review. It would be unreasonable to additionally delay the Project's SEQRA review simply because the SBGFD has never bothered to respond to any of our mutiple requests over the last approximately four years.

Lastly, in the letter, Chief John Salka requests we schedule a workshop to discuss the Project cooperatively. During a phone conversation with Chief John Salka on 12/4/20, we scheduled a tentative meeting for 12/9/20 or 12/10/20 at 10:00am. Chief John Salka requested a Village representative be present at the meeting.

We request the Village assist us in scheduling this meeting and reply if 12/9/20 or 12/10/20 works for the Village representative. We are also including a copy of our initial questionnaire to which the SBGFD never responded in Attachment III.

Respectfully,


Simon Gelb

Attachment I





December 2, 2020

Village Board of Trustees and Planning Board
Village of South Blooming Grove
811 Route 208
Monroe NY 10950

Re: Clovewood DEIS

Dear Village Board of Trustees and Planning Board,

The South Blooming Grove Fire Department and South Blooming Grove Fire District provide fire protection and emergency first aid response within the Village of South Blooming Grove and therefore are involved and interested parties in the Clovewood Development Project.

In the Clovewood Draft Environmental Impact Statement, Page 3.3-7, Section 3.3.2 Fire Protection, there is indication that communication with SBGFD was unsuccessful and that cooperation in an attempt to obtain operational information was refused. Although I cannot speak to that attempt as I was not Chief of the department at that time, I do wish to convey our sincere desire to communicate in any positive and appropriate manner at this time. It is within the best interests of our department and community we serve, to appropriately discuss, review, report, plan and implement any and all public safety and response procedures.

Due to the nature, scope and size of this project, it is imperative that we have the opportunity to review and comment on the potential impact to the emergency response, apparatus placement and operation, water supply capabilities and occupant safety aspects of this project. Currently, our district consists of single family, one and two story residential dwellings and a few commercial occupancies. With the potential of multi-story, multi-family residential dwellings being considered, we are consulting several subject matter experts to assist us with the plans review process where we can properly determine the potential impact and future needs that will be required to properly protect the future residence of this development. Considerations to be made are, but not limited to: reliable fire protection water supply; emergency ingress and egress to the development; response times due to increased traffic and apparatus location; additional apparatus requirements (engine and/or ladder), additional equipment, training and personnel requirements; mutual-aid capabilities; operational and administrative procedural upgrades.

We respectfully request additional time to produce a comprehensive review of the currently submitted documentations. Additionally, we respectfully request that a workshop be held with our fire department's key operational personnel and other fire department's representatives that provide mutual-aid, where we can discuss at length our concerns and potentially develop adequate solutions beneficial to all involved parties.

Thank you for consideration of our request,

Respectfully submitted,

John Salka
Chief of the South Blooming Grove Fire Department / District

Attachment II



Cloewood DEIS

1 message

Gelb Simon <gelbsimon@gmail.com>
To: chiefjohnsalka@gmail.com

Thu, Oct 24, 2019 at 4:05 PM

John Salka
South Blooming Grove Fire Chief
819 NYS Route 208
Monroe, NY 10950

Dear Mr. Salka,

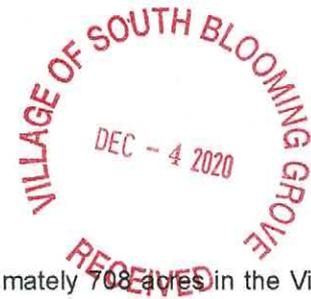
As you are aware, we are the agent for Keen Equities LLC, the owners of approximately 708 acres in the Village of South Blooming Grove, Orange County, New York (Tax Map Section 208, Block 1, Lots 2 and 3), located on the east side of NYS Route 208 and County Route 27 (Clove Road). The property owner is proposing a development project known as Cloewood. The Village of South Blooming Grove Planning Board and Village Board (as co-lead agencies) have directed the project sponsor to contact the South Blooming Grove Fire Department for certain information related to potential impacts of the proposed project and requires to secure a response in writing.

As discussed, we had tried multiple times in person, via telephone and via mail to reach out to the South Blooming Grove Fire Department to obtain the required information. However, we were unsuccessful and the members refused to provide us with information. We used available public data to calculate any potential impacts to the fire department (see attached copy of Section 3.3.2 of the Cloewood DEIS).

We would greatly appreciate if you would fill out the attached form and send it back to us as soon as possible.

Respectfully,

Simon Gelb, CPC



2 attachments

 **Survey.pdf**
131K

 **3.3.2.pdf**
1020K

Attachment III



C • P • C

P.O. Box 2020, Monroe, New York 10949 | Tel. (845) 774-8000 | cpcnynj@gmail.com

Re: Clovewood Environmental Impact Statement ("EIS") - Community Facilities and Services

CPC is the agent for Keen Equities LLC, the owners of approximately 708 acres in the Village of South Blooming Grove, Orange County, New York (Section 208, Block 1, Lots 2 and 3), located on the east side of NYS Route 208 and County Route 27 (Clove Road). The property owner is proposing a residential development project known as Clovewood.

The New York State Environmental Quality Review Act (SEQRA) demands a comprehensive and thorough EIS. The Village of South Blooming Grove Planning Board and Village Board, as co-lead agencies, have directed the applicant to contact you for certain information related to potential impacts of the proposed project and requires to secure a response in writing.

The Village's adopted EIS Scoping Document for Clovewood (4.0 E. Chapter 3:3.) provides as follows: *The Project will be evaluated for its effects upon community facilities and services. Community facilities and services are public or publicly-funded facilities such as police protection, fire protection, ambulance services, schools, hospitals and other health care facilities, libraries, and day-care centers. The impact on community facilities will vary for the two demographic scenarios because some community facilities may not be utilized under Scenario 1, but would be utilized under Scenario 2 (see below).*

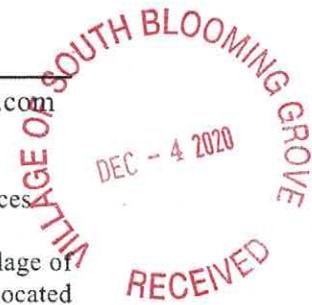
The DEIS will provide a list of the community facilities and services that will be utilized by the Project. For each facility/service, the relevant agency providing the service shall be contacted, and responses from the agencies shall be provided in writing; where written documentation is not provided, the date and name of the person interviewed shall be described. Existing number and duties of paid personnel and volunteers, equipment, locations, response times in the event of a service call, and current budgets for all service providers shall be provided, including existing tax rates and debt service for local agencies (fire district, ambulance, school districts, etc.).

Impacts to each service provider shall be identified and described, using quantitative information where available. Any potential need for additional manpower, equipment, buildings, impact on response times, and impact on other resources will be evaluated based on discussions with the service providers. The need to augment volunteers with paid professionals will be evaluated. Fiscal costs to the providers associated with the construction and operation of the Project will be estimated.

The two scenarios are provided in the Village's adopted EIS Scoping Document (3.0 B.) as follows: *The housing created by the Project is expected to be occupied by the local Satmar Hasidic Jewish community. The Satmar Hasidic community characteristics relevant to the environmental impact analysis for the project include larger household sizes compared to the general population of the area (which may affect water/sewer demand), use of private religious schools rather than public schools, and no vehicular travel on Saturdays, among other characteristics. However, it cannot be guaranteed that the housing created by the Project will be occupied entirely by the Satmar Hasidic community in perpetuity. Therefore, to assess the full range of potential impacts, two community scenarios will be analyzed as part of the With Action condition:*

Community Scenario 1: Development occupied by a Satmar Hasidic community.

Community Scenario 2: Development occupied by a community with demographics similar to the existing conditions in the Village of South Blooming Grove.





The EIS will document the sources and environmental assumptions used to evaluate both scenarios with respect to water use, traffic, community services, and fiscal impacts (e.g., studies of similar communities, references to relevant literature, etc.).

A copy of the Village's adopted EIS Scoping Document is available at www.clovewood.com, and also includes a location map and a site plan of the proposed subdivision.

Attached is a relatively simple survey form for the purpose of collecting the information we've been told to gather from you. Please note, New York State Codes, Rules and Regulations (Title 6, Chapter VI, Part 617.9(b)(1)) provides that agencies must cooperate with project sponsors who are preparing EISs by making available to them information contained in their files relevant to the EIS. Accordingly, please complete all items/questions of the attached survey and attach any additional information or reply by letter and e-mail or mail it back within 30 days to:

CPC400@gmail.com

CPC

P.O. Box 2020

Monroe, NY 10949

Also, please provide the name and contact information of the individual preparer and the appropriate individual to contact should we need to follow-up.

Thank you for your attention to this matter.

Respectfully,
Simon Gelb

AGE OF SOUTH BLOOMING GROVE
 DEC - 4 2020

RECEIVED

Cloverwood Community Facilities and Services Survey		
Existing Conditions		
No.	Questions	Answers
1	How many paid personnel do you currently employ (in full-time employee equivalents)?	
2	What are the duties of these employees? (attach list, if necessary)	
3	How many volunteers do you currently use?	
4	What are the duties of these volunteers? (attach list, if necessary)	
5	What equipment do you use? (please be specific and provide amounts)	
6	Where are you located?	
7	If you are an emergency service provider, what is your response time in the event of a service call?	
8	What is your existing budget?	
9	If you are supported by taxes, what is the existing tax rate for your agency?	
10	How much is your existing debt service?	
11	Do you currently have adequate manpower, equipment, building space, and other resources to provide needed services? (if not, please explain)	

VILLAGE OF SOUTH BLOOMING GROVE
DEC - 4 2020
RECEIVED

Potential Future Impacts by Scenario			
No.	Questions	Scenario 1 Satmar Hasidic Demographic Characteristics	Scenario 2 Existing South Blooming Grove Village Demographic Characteristics
12	Will the proposed Clovewood development generate additional manpower needs, both hired full-time employees and volunteers? (if so please explain)		
13	Will the proposed Clovewood development generate additional equipment needs? (if so please explain)		
14	Will the proposed Clovewood development generate additional building needs? (if so please explain)		
15	Will the proposed Clovewood development generate additional needs with regards to other resources? (if so please explain)		
16	If you are an emergency service provider, will the proposed Clovewood development impact your response time in the event of a service call? (if so, please explain)		
17	Will the proposed Clovewood development impact your budget and/or debt service? (if so please explain)		

Please indicate the name and contact information for the individual who completed this form:
If different from above, please provide the name and contact information for an individual with whom we can follow-up with, if necessary:

Thank you!

Additionally, please provide us your responses on the following additional questions for our analysis:

1. What percentage of your calls are for interior firefighting?
2. What percentage of your calls are for exterior firefighting?
3. Would you welcome Hasidic volunteer firefighters to perform exterior firefighting?

From: **Gelb Simon** <gelbsimon@gmail.com>
Date: Sun, Dec 20, 2020 at 6:33 PM
Subject: Re: Meeting
To: John Salka <chiefjohnsalka@gmail.com>

Chief John Salka,

Please see attached. We are looking forward to receiving your responses.

All the best,
Simon Gelb, CPC

On Fri, Dec 18, 2020 at 12:16 PM John Salka <chiefjohnsalka@gmail.com> wrote:
| Simon please send me the project questionnaire again. Thanks



From: **Gelb Simon** <gelbsimon@gmail.com>
Date: Wed, Jan 13, 2021 at 7:45 PM
Subject: Clovewood DEIS - Questionnaire
To: Chief John Salka <chiefjohnsalka@gmail.com>

Chief John Salka
South Blooming Grove Fire Department
819 NYS Route 208
Monroe, NY 10950

Dear Mr. Salka,

Since 2017, we have made multiple attempts (including in person, via telephone, via mail and via email) to obtain information from the South Blooming Grove Fire Department as part of the Clovewood SEQRA process. Below is a condensed chronology of the foregoing.

A letter along with the Clovewood Community Service Provider Questionnaire (the "Questionnaire") was mailed to the South Blooming Grove Fire Department on 3/1/17, and an initial phone call was made on 3/22/17. This phone call was followed up with additional calls several times over the next few months. An individual from our office conducted the first in person visit to the Station on 5/19/17. We received no responses from any of our attempts to contact the Department and obtain information to be included in the Clovewood DEIS.

Once you were appointed chief of the South Blooming Grove Fire Department, we reached out to you in person and followed up with an email, which included the Questionnaire, to you on 10/24/19, but never received a response. After receiving the South Blooming Grove Fire Department's written comment on the Clovewood DEIS, we submitted a response to the Village of South Blooming Grove on 12/4/20, which also included the Questionnaire. We emailed you the Questionnaire again on 12/20/20 as per your request.

To date, despite numerous attempts on our behalf, we have still not received a response to the Questionnaire from the South Blooming Grove Fire Department. We are attaching it to this email yet again in an attempt to obtain information to be included in the Clovewood FEIS. The Public Comment period on the Clovewood DEIS is closing this Friday, January 15, 2021. I ask you to please return the attached Questionnaire by then so that we can incorporate the information provided by you into the FEIS. As of now, the only information we have in regard to the South Blooming Grove Fire Department is what is available online and provided to us by other Village residents.

New York Codes, Rules and Regulations mandate that agencies must implement SEQR in a manner that minimizes procedural and administrative delay, by providing, where feasible, for combined or consolidated proceedings, and must expedite all SEQR proceedings in the interest of prompt review. Accordingly, we ask you please respond to the Questionnaire as soon as possible.

Sincerely,
Simon Gelb



P.O. Box 2020, Monroe New York 10949
Tel: (845) 774-8000

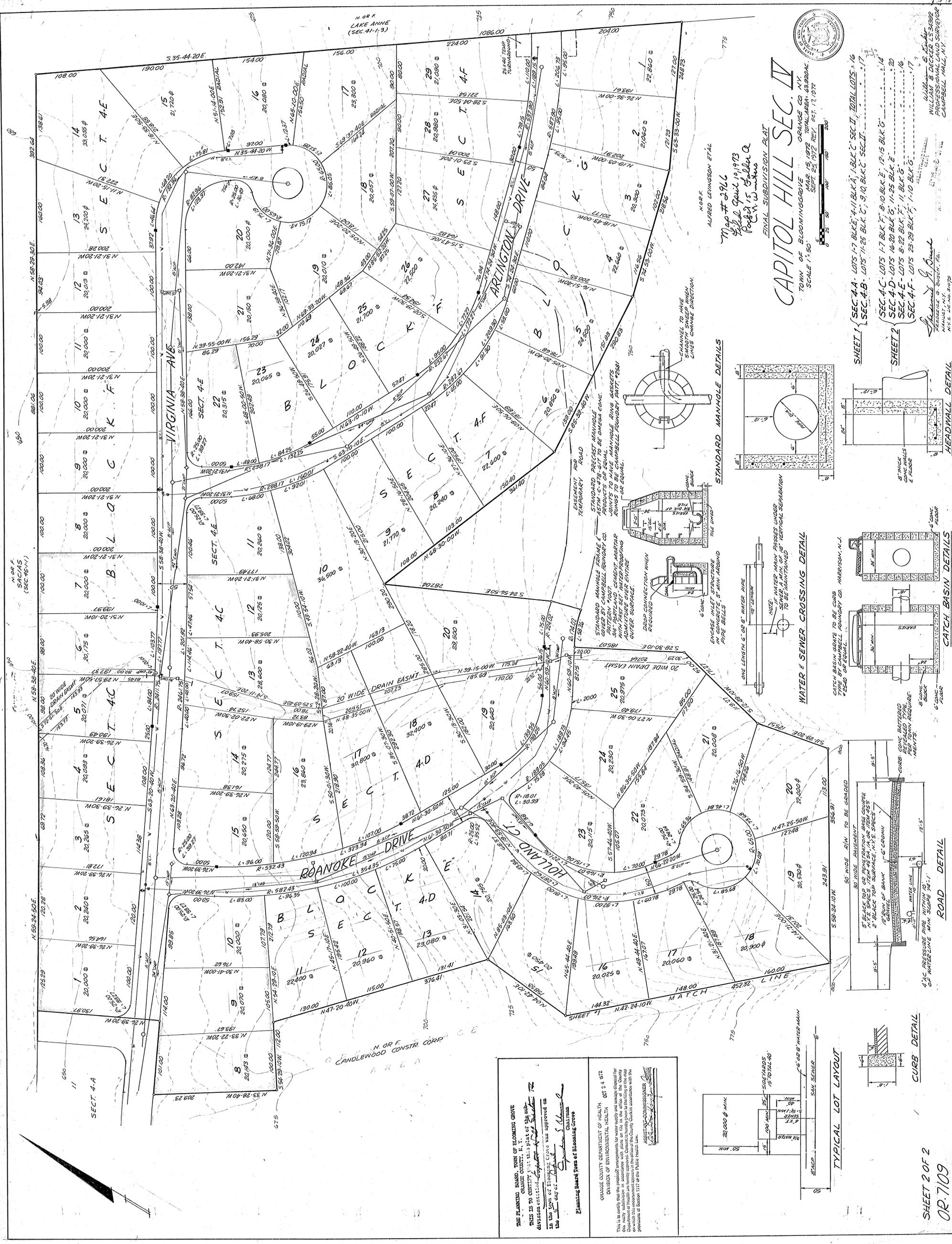
From: **John Salka** <chiefjohnsalka@gmail.com>
Date: Thu, Jan 14, 2021 at 8:45 AM
Subject: Re: Clovewood DEIS - Questionnaire
To: Gelb Simon <gelbsimon@gmail.com>

Simon,

Th questionnaire was delivered to the fire commissioners and they should be returning it to you shortly.

John Salka

Attachment 33



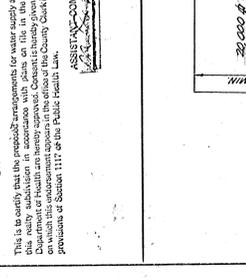
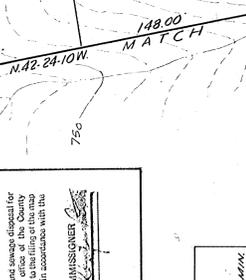
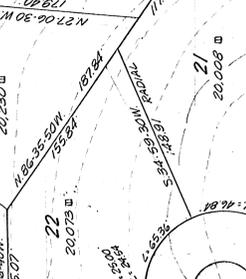
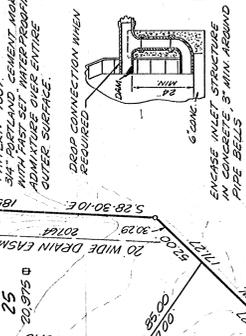
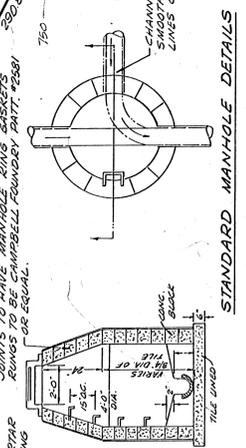
CAPITOL HILL SEC. II

Map # 2966
 Filed April 10, 1973
 Pages 15 of 16
 A. W. WILSON

ALFRED LEWISSON ET AL
 TOWN OF BLOOMINGGROVE
 SCALE 1" = 50'
 MAR 15 1972 TOTAL AREA 63.920 AC.
 SEPT 25 1972 REV. 047, 17, 1972

SECT. 4-A LOTS 1-7 BLK. A-11 BLK. A, 1 BLK. C-1, 1 BLK. C-2, TOTAL LOTS = 16
 SECT. 4-B LOTS 11-25 BLK. C, 9, 10, BLK. C-2, 17
 SECT. 4-C LOTS 1-7 BLK. F, 8-10 BLK. F, 12-15 BLK. G
 SECT. 4-D LOTS 16-20 BLK. G, 11-25 BLK. E
 SECT. 4-E LOTS 8-22 BLK. F, 11, BLK. G
 SECT. 4-F LOTS 28-29 BLK. F, 1-10 BLK. G

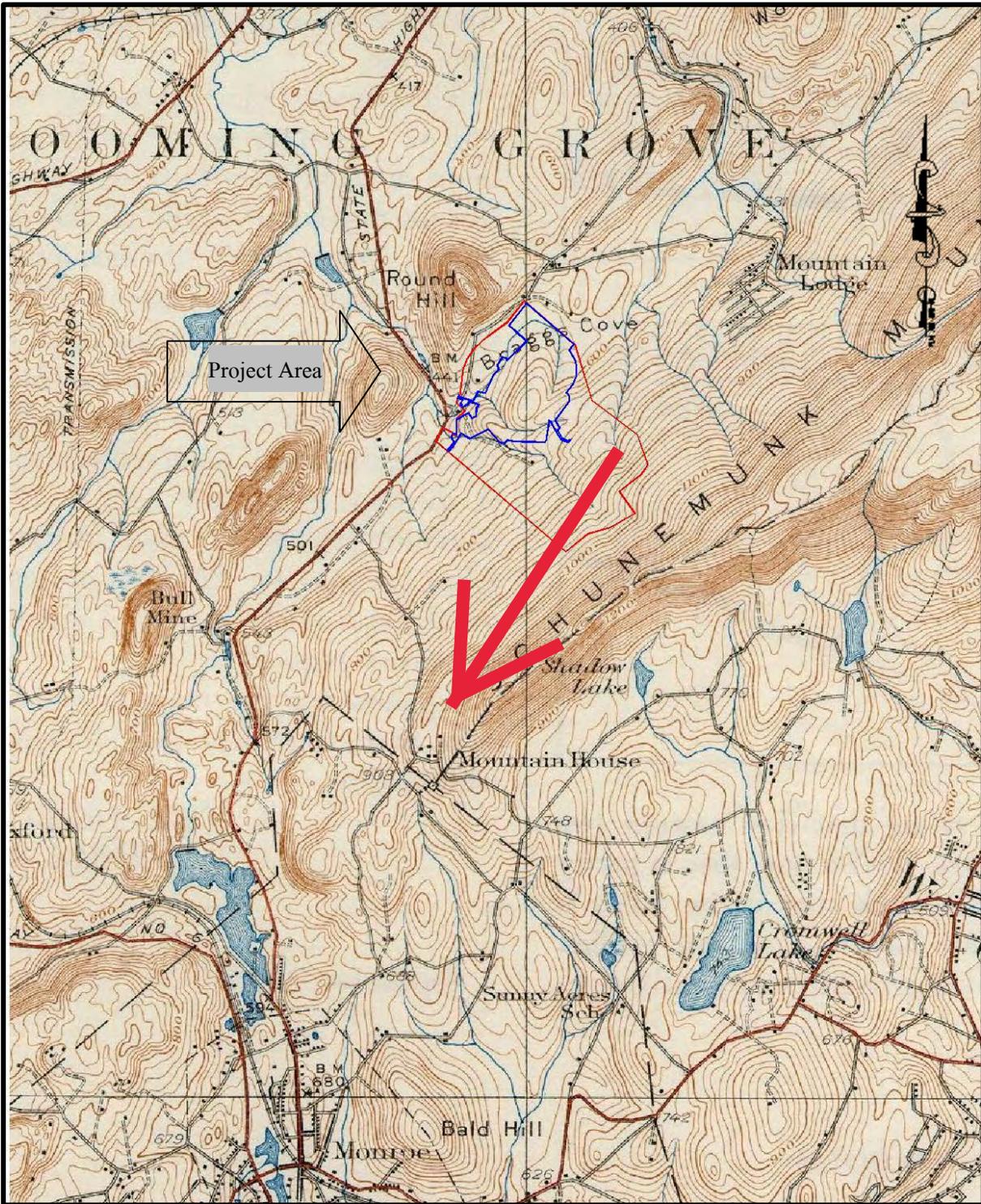
WILLIAM J. BROWN
 PROFESSIONAL LAND SURVEYOR
 CAMPBELL HALL, N.Y.
 M.Y.S. Lic. No. 9-079



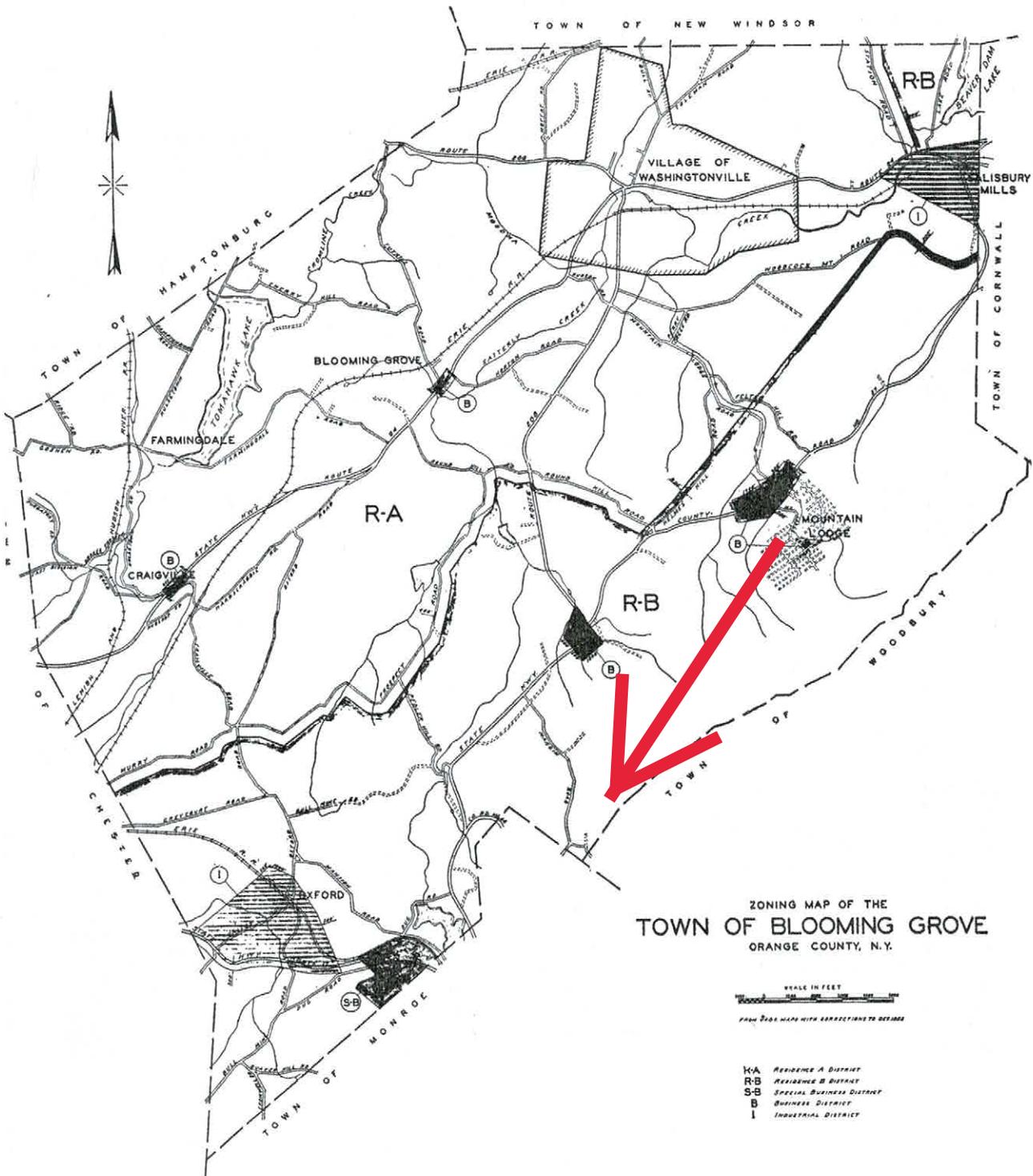
THE PLANNING BOARD, TOWN OF BLOOMING GROVE
 ORANGE COUNTY, N. Y.
 THIS IS TO CERTIFY that the subdivision of the sub-
 division entitled "Capitol Hill Sec. II" as shown on
 the map of the above entitled subdivision was approved on
 this 10th day of April 1973 by the Planning Board of the
 Town of Blooming Grove.
 Chairman
 Planning Board Town of Blooming Grove

ORANGE COUNTY DEPARTMENT OF HEALTH
 DIVISION OF ENVIRONMENTAL HEALTH
 This is to certify that the proposed water supply and sewage disposal
 plan is in accordance with the provisions of the Health Law of the State of New York
 and the rules and regulations of the Department of Health in accordance with the
 provisions of Section 1317 of the Public Health Law.
 ASSISTANT-COMMISSIONER

Attachment 39



Map 10: 1935 USGS Topographical Map. Schunemunk Quadrangle. 7.5 Minute series. Red line indicates Cloveswood project area. Blue line indicates APE. Scale: 1"=4650'.



ZONING MAP OF THE
TOWN OF BLOOMING GROVE
ORANGE COUNTY, N.Y.



- R-A RESIDENCE A DISTRICT
- R-B RESIDENCE B DISTRICT
- S-B SPECIAL BUSINESS DISTRICT
- B BUSINESS DISTRICT
- I INDUSTRIAL DISTRICT

OUTDATED

TOWN OF BLOOMING GROVE Orange county, new york ZONING MAP



SCALE IN FEET
0 500 1000 1500 2000

THIS IS TO CERTIFY THAT THIS ZONING MAP OF THE TOWN OF BLOOMING GROVE WAS ADOPTED BY THE TOWN BOARD ON NOVEMBER 12, 1962, AMENDED AS OF AUGUST 12, 1963, AND AMENDED AS OF MARCH 11, 1968.

Mar 11 1968
TOWN CLERK

Amended March 9, 1970
Amended March 30, 1970
Amended June 8, 1970



LEGEND

R-A Residence - Agriculture

R-H Residence - Resorts

R-100 Residence - 100 feet min. lot width

R-85 Residence - 85 feet min. lot width

R-60 Residence - Glenwood Hills

R-50 Residence - Mountain Lodge Park

R-M Multiple Dwelling

R-MHC Residence - Mobile Home Court

N-B Business - Retail and Office

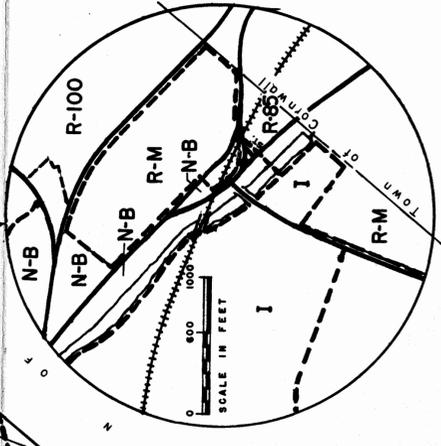
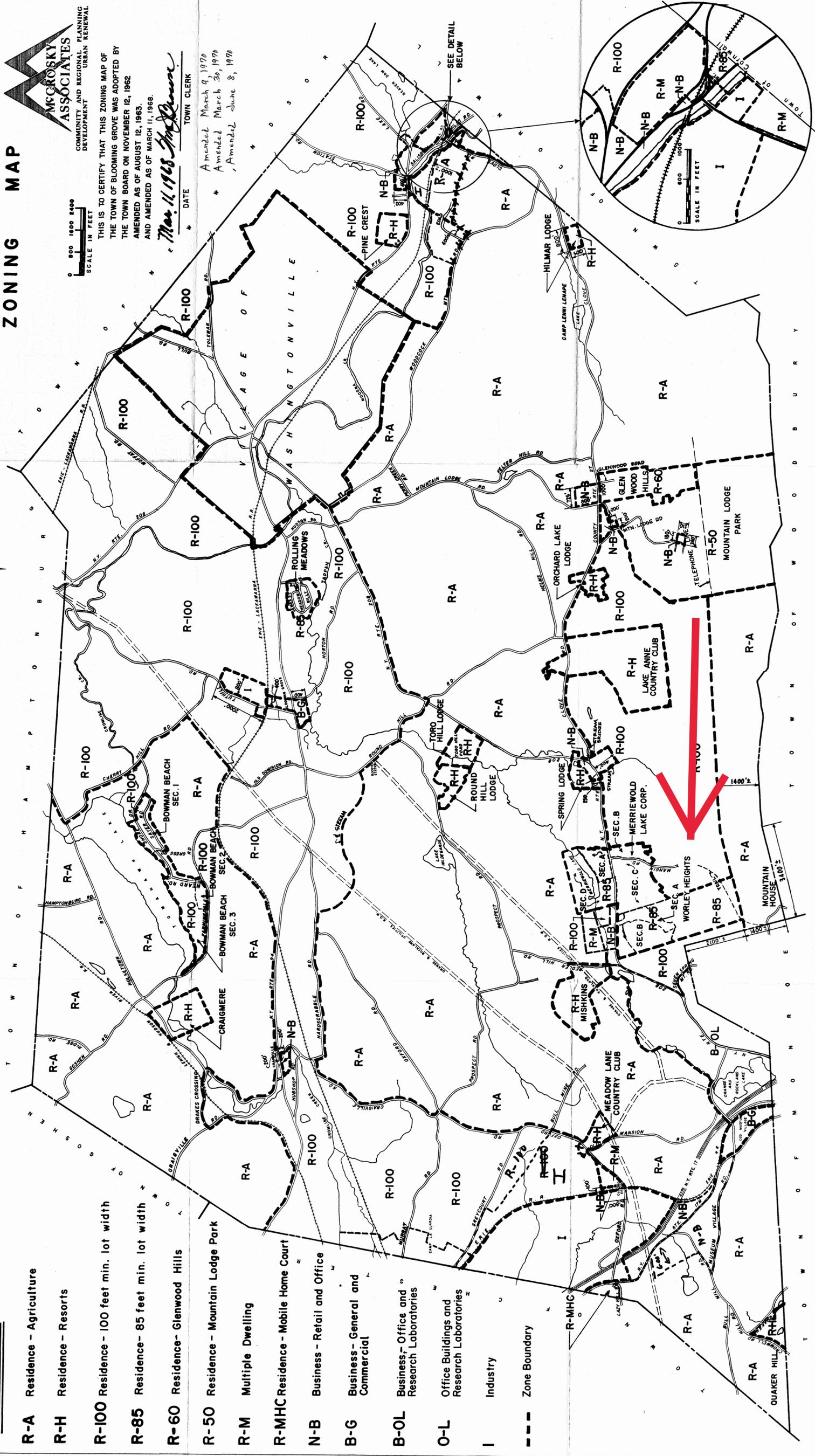
B-G Business - General and Commercial

B-OL Business - Office and Research Laboratories

O-L Office Buildings and Research Laboratories

I Industry

--- Zone Boundary



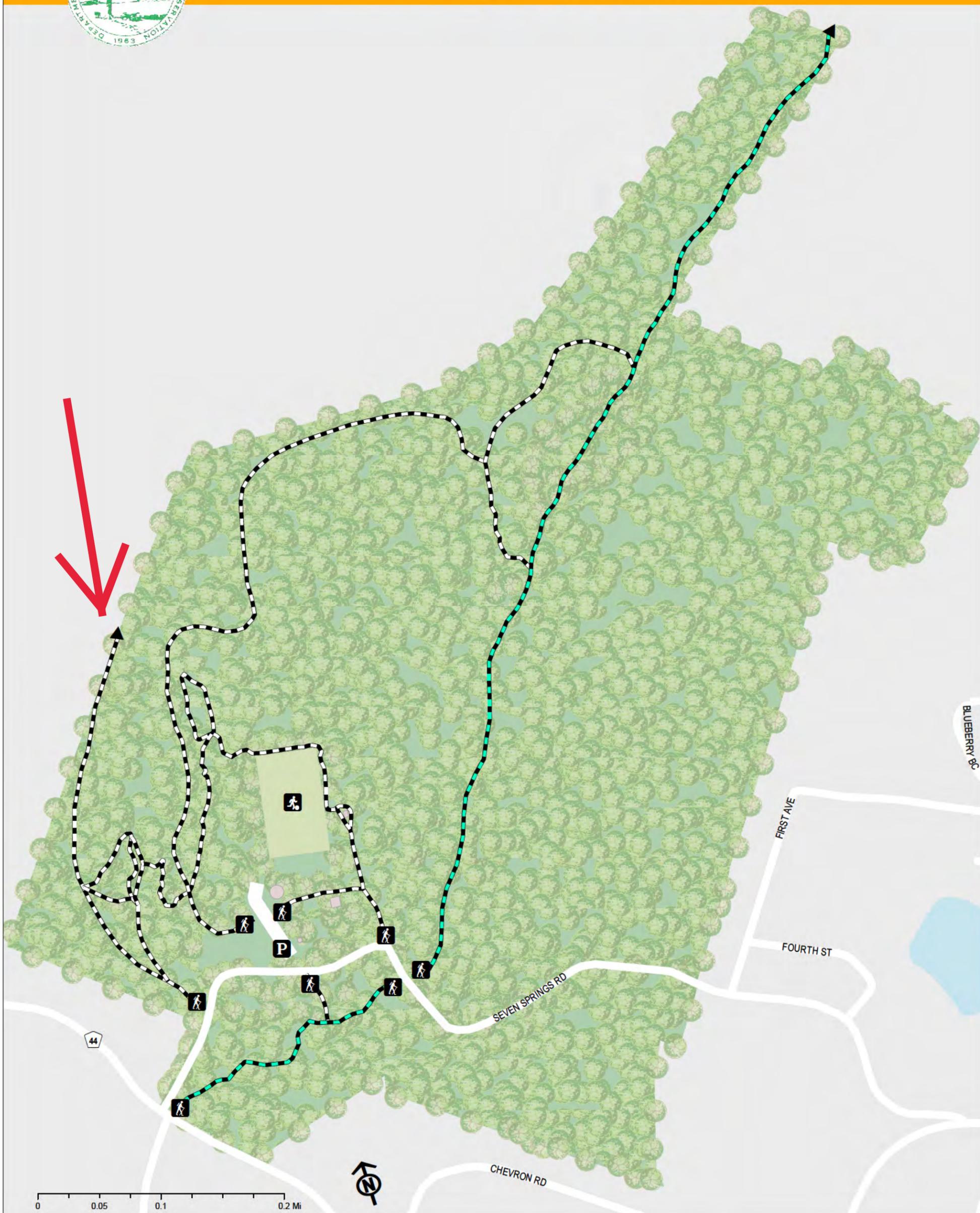
DATE MAP PREPARED BY THE OFFICE OF THE PLANNING ENGINEER, GENERAL

T O W N O F B L O O M I N G G R O V E



GONZAGA PARK

Orange County Parks and Trails



Legend

- Park Boundary
- Streams
- Building Ruins
- Long Path/Highlands/Jessup Trail
- Waterbodies
- Trails

Available Amenities

- Parking
- Gaelic Football/Soccer Field
- Hiking



Steven M. Neuhaus
County Executive

Attachment 50

This will authorize representatives of Leggette, Brashears & Graham, Inc. to enter the Braeside Aqua Corporation property for the sole purpose of making water-level measurements in the water-supply well. I understand that I will receive copies of the data collected, as described above.

Signed: Brenda Roza, Treasurer

Printed Name: Brenda Roza, Treasurer

Address of Premises: 59 Orchard Lake Dr
Monroe, NY 10950

Telephone: 845-238-5746

Date: 10/20/14

Mailing address if different:

P.O. Box 564
Washingtonville, NY 10992-0564

Well Information (if available):

- General description of well location:
59 Orchard Lake Dr. Monroe, NY

- Well depth N/A feet
- Pump depth N/A feet

Stieber, Stacy

From: Stacy Stieber <SStieber@LBGct.com>
Sent: Tuesday, May 23, 2017 3:03 PM
To: braesideaqua@gmail.com
Cc: T. CUSACK
Subject: Well Monitoring Program-Request for Monitoring Inclusion
Attachments: Request for Monitoring_Braeside.pdf

Leggette, Brashears & Graham, Inc. is conducting a well monitoring program of neighboring wells located near the Clovewood Property in South Blooming Grove. The attached letter is a request for the participation of the Braeside water system in the well monitoring program.

A paper copy of the attached letter has also been sent via regular mail. Let us know if you have any questions.

Stacy Stieber, CPG
Associate/Hydrogeologist
Leggette, Brashears & Graham, Inc.

4 Research Drive, Suite 204
Shelton, CT 06484
Direct Dial: (475) 882-1723
Office Phone: (203) 929-8555 ext. 1723
Fax: (203) 926-9140
sstieber@lbgct.com
www.lbgweb.com

LEGGETTE, BRASHEARS & GRAHAM, INC.

PROFESSIONAL GROUNDWATER AND ENVIRONMENTAL ENGINEERING SERVICES

4 RESEARCH DRIVE, SUITE 204
SHELTON, CT 06484
(203) 929-8555
FAX (203) 926-9140
www.lbgweb.com

May 23, 2017

Mr. Seth Herbst, President
Braeside Aqua Corporation
59 Orchard Lake Drive
Monroe, NY 10950

RE: Well Testing Program

Dear Mr. Herbst:

Leggette, Brashears & Graham, Inc. (LBG), Professional Groundwater & Environmental Engineering Services Consultants is conducting a well monitoring program of neighboring wells located near the Clovewood Property in South Blooming Grove, NY. The well monitoring program will consist of water-level measurement collection from nearby wells for a period of approximately five weeks while yield tests are conducted on wells located on the Clovewood property.

The monitoring program is being conducted to determine potential water-level interference effects from pumping of test wells on the Clovewood property on neighboring wells, if any, and the plan for the pumping test has been vetted with the Village of South Blooming Grove, the Orange County Department of Health and the New York State Department of Environmental Conservation. The Braeside Aqua Corporation has previously expressed interest in being included in the offsite well monitoring program for well testing conducted on the Clovewood property and LBG is reaching out again to request the inclusion of the Braeside wells in this upcoming monitoring program.

The monitoring that is conducted consists of the collection of depth to water measurements from your wells. The measurements would be taken by removing the well cap or opening the access hole in the well cap, depending on the type of well cap, and taking a measurement of the depth to water using a clean electric dropline. An electric dropline, also called an M-scope, is a battery-operated instrument with a probe at the end of a depth-calibrated two-wire cable. Contact with the water in the well by the probe completes a simple electrical circuit, so that the exact position of the water level can be determined. The electric dropline is dipped in chlorine solution for sterilization prior to each use.

Selected wells will also be monitored using a dedicated pressure transducer. The pressure transducer can be setup to automatically record water-level measurements every five minutes. The data is stored on the device and retrieved later using a laptop computer. The transducer allows for accurate water-level measurements to be taken at a greater frequency than the manual measurements would. This in turn produces a better water-level record, which highlights regional trends, daily water usage and any potential impact or interference from nearby wells.

Please note if a well head is inaccessible or buried beneath the ground, the well cannot be monitored.

The water-level measurement procedure does not interfere with the normal use of the well water. A sufficient number of measurements would be taken so that effects due to operating cycles of your own pumps could be distinguished from drawdown caused by the pumping on the Clovewood property, if any. At the conclusion of the test, LBG will provide you with a simple graph of the water-level measurements collected from your well with a letter of explanation.

Such monitoring programs have been carried out successfully and without incident in yours and other nearby communities. LBG is adequately insured in the event of any unforeseen difficulty. A certificate of insurance has been included with this letter. Should you choose to participate in this upcoming monitoring program, we request that an authorized agent for the Braeside Aqua Corporation endorse the permission form on the next page.

The completed form can be faxed to LBG at (203) 926-9140, scanned and emailed to tcusack@lbgct.com, or mailed to 4 Research Drive, Suite 204, Shelton, CT 06484 in the enclosed stamped envelope. Authorization must be received by **June 5, 2017** if you choose to continue your participation in this well monitoring program.

If you have any questions, please contact me directly at (475) 882-1704.

Very truly yours,

LEGGETTE, BRASHEARS & GRAHAM, INC.



Thomas P. Cusack, CPG
Senior Vice President

TPC:cmm
Enclosures

LEGGETTE, BRASHEARS & GRAHAM, INC.

PROFESSIONAL GROUNDWATER AND ENVIRONMENTAL ENGINEERING SERVICES

4 RESEARCH DRIVE, SUITE 204
SHELTON, CT 06484
(203) 929-8555
FAX (203) 926-9140
www.lbgweb.com

June 8, 2017

Mr. Thomas Talamini, President
Braeside Aqua Corporation
59 Orchard Lake Drive
Monroe, NY 10950

RE: Well Testing Program

Dear Mr. Talamini:

Leggette, Brashears & Graham, Inc. (LBG), Professional Groundwater & Environmental Engineering Services Consultants is conducting a well monitoring program of neighboring wells located near the Clovewood Property in South Blooming Grove, NY. The well monitoring program will consist of water-level measurement collection from nearby wells for a period of approximately five weeks while yield tests are conducted on wells located on the Clovewood property.

The monitoring program is being conducted to determine potential water-level interference effects from pumping of test wells on the Clovewood property on neighboring wells, if any, and the plan for the pumping test has been vetted with the Village of South Blooming Grove, the Orange County Department of Health and the New York State Department of Environmental Conservation. The Braeside Aqua Corporation has previously expressed interest in being included in the offsite well monitoring program for well testing conducted on the Clovewood property and LBG is reaching out again to request the inclusion of the Braeside wells in this upcoming monitoring program.

The monitoring that is conducted consists of the collection of depth to water measurements from your wells. The measurements would be taken by removing the well cap or opening the access hole in the well cap, depending on the type of well cap, and taking a measurement of the depth to water using a clean electric dropline. An electric dropline, also called an M-scope, is a battery-operated instrument with a probe at the end of a depth-calibrated two-wire cable. Contact with the water in the well by the probe completes a simple electrical circuit, so that the exact position of the water level can be determined. The electric dropline is dipped in chlorine solution for sterilization prior to each use.

Selected wells will also be monitored using a dedicated pressure transducer. The pressure transducer can be setup to automatically record water-level measurements every five minutes. The data is stored on the device and retrieved later using a laptop computer. The transducer allows for accurate water-level measurements to be taken at a greater frequency than the manual measurements would. This in turn produces a better water-level record, which highlights regional trends, daily water usage and any potential impact or interference from nearby wells.

Please note if a well head is inaccessible or buried beneath the ground, the well cannot be monitored.

The water-level measurement procedure does not interfere with the normal use of the well water. A sufficient number of measurements would be taken so that effects due to operating cycles of your own pumps could be distinguished from drawdown caused by the pumping on the Clovewood property, if any. At the conclusion of the test, LBG will provide you with a simple graph of the water-level measurements collected from your well with a letter of explanation.

Such monitoring programs have been carried out successfully and without incident in yours and other nearby communities. LBG is adequately insured in the event of any unforeseen difficulty. A certificate of insurance has been included with this letter. Should you choose to participate in this upcoming monitoring program, we request that an authorized agent for the Braeside Aqua Corporation endorse the permission form on the next page.

The completed form can be faxed to LBG at (203) 926-9140, scanned and emailed to tcusack@lbgct.com, or mailed to 4 Research Drive, Suite 204, Shelton, CT 06484 in the enclosed stamped envelope. Authorization must be received by **June 16, 2017** if you choose to continue your participation in this well monitoring program.

If you have any questions, please contact me directly at (475) 882-1704.

Very truly yours,

LEGGETTE, BRASHEARS & GRAHAM, INC.



Thomas P. Cusack, CPG
Senior Vice President

TPC:cmm
Enclosures

Braeside Aqua Corporation

59 Orchard Lake Drive, Monroe, New York 10950 - BraesideAqua@gmail.com

June 21, 2017

VIA FACSIMILE ONLY TO 203.926.9140

LEGGETTE, BRASHEARS & GRAHAM, INC.

Attn: T.P. Cusack, CPG, Snn. VP

4 Research Drive, Suite 204

Shelton, CT, 06484

Re: Your voice messages of 06/12/17 & 06/19/17

Dear Sir:

Kindly re-send the permission form mentioned in subject voice-messages. Also we are in receipt of your current Certificate of Liability Insurance, naming Braeside Aqua Corporation (BAC) as an additional insured.

We also require the water-level measurements graph promised, but not yet supplied by you, resulting from the previous monitoring of our well(s) conducted by you in or about 2015-2016.

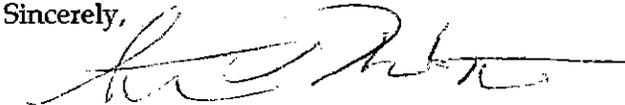
All monitoring equipment must be disinfected prior to placement in the well(s). You will provide proof of same to a BAC designee who will be present at all monitoring sites and times, prior to each yield test. BAC will take a raw water sample from the well(s) to be tested immediately before your test, to document the absence of pre-test contamination.

During your monitoring of our well(s), BAC will download/collect raw data simultaneous with your collection. In addition, please do continue to provide hardcopy data as per subject correspondence.

How many of your wells will participate in the monitoring of BAC's, and what percentage of your wells on the Clovewood property, to-date, does that number represent? Will you kindly provide coordinates for your wells dug to-date, to allow BAC to calculate their proximity to its wells?

We look forward to your thoughtful responses, which will help insure BAC's ongoing ability to deliver an adequate, safe, continuous supply of water to the residents of Orchard Lake Park now, and going forward.

Sincerely,



Seth Herbst, President

cc: OLPHOA BOD; Tuthill Insurance; Village of South Blooming Grove; Town of Blooming Grove; O.C. Health Dept; NYS Dept of Health; NYS Department of Public Service

From: **Stacy Stieber** <SStieber@lbgct.com>
Date: Tue, Jun 27, 2017 at 2:37 PM
Subject: Braeside Aqua Water System - Well Monitoring Program
To: "braesideaqua@gmail.com" <braesideaqua@gmail.com>
Cc: "T. CUSACK" <TCUSACK@lbgct.com>

Mr. Taub,

Following up on our telephone conversation, for your records attached are prior correspondence between Leggette, Brashears & Graham, Inc. and the Braeside Aqua Water Company, specifically the results letter that was sent following completion of the 2014 pumping test event and the information provided in 2015 in response a request letter submitted by the Braeside Aqua Company. After the attached 2015 correspondence, the well testing was not conducted so no further correspondence occurred in regard to this.

Below is contact information for two Hydrogeologic Consulting firms that have the capability of collecting the data you requested to shadow LBG:

HydroEnvironmental Solutions
Mr. William Canavan
1 Deans Bridge Road
Somers, NY 10589
[914-276-2560](tel:914-276-2560)

Miller Hydrogeologic Incorporated
Mr. Robert Miller
P.O. Box 996
55 Main Street
Pine Bush, NY 12566
[845-524-2059](tel:845-524-2059)

Based on the work conducted to collect the water-level measurements from the Braeside well in 2014, we anticipate that manual water-level measurements would be collected from Wells 1 and 2 and an automated pressure transducer would be installed in Well 4. Several manual water-level measurements would need to be collected per day from Wells 1 and 2 during the test period to differentiate normal well pumping cycles from potential interference from other wells pumping nearby.

LBG will be collecting background water-level data starting the week of July 3 and data collection will continue for approximately 4 weeks.

Let us know if you need any additional information.

Regards,

Stacy Stieber, CPG
Associate/Hydrogeologist
Leggette, Brashears & Graham, Inc.

4 Research Drive, Suite 204
Shelton, CT 06484
Direct Dial: [\(475\) 882-1723](tel:(475)882-1723)
Office Phone: [\(203\) 929-8555 ext. 1723](tel:(203)929-8555 ext. 1723)
Fax: [\(203\) 926-9140](tel:(203)926-9140)
[sstieber@lbgct.com](mailto:ssstieber@lbgct.com)
www.lbgweb.com

From: **Stacy Stieber** <SStieber@lbgct.com>
Date: Tue, Jun 27, 2017 at 4:18 PM
Subject: RE: Braeside Aqua Water System - Well Monitoring Program
To: "braesideaqua@gmail.com" <braesideaqua@gmail.com>
Cc: "T. CUSACK" <TCUSACK@lbgct.com>

Mr. Taub,

Attached is a copy of the current request for authorization letter, permission form and updated certificate of insurance that was previously mailed to Braeside in June 2016.

My apologies for not attaching it to the previous email.

Stacy Stieber, CPG
Associate/Hydrogeologist
Leggette, Brashears & Graham, Inc.

4 Research Drive, Suite 204
Shelton, CT 06484
Direct Dial: [\(475\) 882-1723](tel:(475)882-1723)
Office Phone: [\(203\) 929-8555 ext. 1723](tel:(203)929-8555 ext. 1723)
Fax: [\(203\) 926-9140](tel:(203)926-9140)
ssstieber@lbgct.com
www.lbgweb.com

From: **Stacy Stieber** <SStieber@lbgct.com>
Date: Wed, Jun 28, 2017 at 3:39 PM
Subject: RE: Braeside Aqua Water System - Well Monitoring Program; Yours of even date
To: "dtaub@rcn.com" <dtaub@rcn.com>
Cc: Bob Borrebach <rborrebach23@gmail.com>, "BraesideAqua@gmail.com" <BraesideAqua@gmail.com>, "T. CUSACK" <TCUSACK@lbgct.com>

Mr. Taub,

Below is a copy of the email that I sent earlier today responding to the comments and questions provided in the June 21, 2017 letter from Braeside Aqua Corp and reiterated in your email below.

LBG will provide Braeside the well locations following the completion of this test event on the Clovewood property. Vandalism has become an issue on the site and for the safety of my staff and our equipment I am not authorized to provide that information until after the tests are completed and the wells have been secured.

The Clovewood applicant has agreed to cover the cost of BAC retaining an independent Hydrogeologist to collect additional water level data from the BAC wells. Please provide LBG with the cost estimate and proposal from your preferred Hydrogeologic Consultant for LBG to review.

Regards,

Stacy Stieber, CPG
Associate/Hydrogeologist
Leggette, Brashears & Graham, Inc.
4 Research Drive, Suite 204
Shelton, CT 06484
Direct Dial: [\(475\) 882-1723](tel:4758821723)
Office Phone: [\(203\) 929-8555 ext. 1723](tel:2039298555)
Fax: [\(203\) 926-9140](tel:2039269140)
[sstieber@lbgct.com](mailto:ssstieber@lbgct.com)
www.lbgweb.com

From: Stacy Stieber
Sent: Wednesday, June 28, 2017 1:58 PM
To: braesideaqua@gmail.com
Cc: T. CUSACK
Subject: Braeside Aqua Corp - Responding to June 21, 2017 letter
Mr. Taub,

LBG is in receipt of the faxed letter from Braeside Aqua Corporation dated June 21, 2017, received by LBG on June 25, 2017 (attached). In response to your questions:

- A copy of the permission form and current COI are attached.
- The water-level graphs and spreadsheet of water-level data from 2014 was sent to Braeside in 2014 and is also attached to this email. No additional monitoring of the Braeside wells was conducted in 2015-2016.
- All monitoring equipment will be disinfected with a chlorine solution prior to being placed in the well. LBG understands that a BAC designee will be collecting raw water bacteria samples from the wells prior to the equipment installation.
- LBG understands that BAC will also collect their own water-level data during the monitoring period. LBG will also provide BAC copies of the data collected from the BAC wells by LBG during that same period.
- The monitoring program consists of approximately 50 monitoring locations onsite and offsite of the Clovewood property. These include 8 pumping wells, non-pumping wells, wetland features and streams. The locations of the pumping wells cannot be provide at this time due to security reasons. We will provide you with a map containing this requested information after the test is completed.

The Clovewood applicant has agreed to cover the cost of BAC retaining an independent Hydrogeologist to collect additional water level data from the BAC wells. Please provide us with the cost estimate and proposal from your preferred Hydrogeologic Consultant for LBG to review. As discussed previously, the testing on the Clovewood property is scheduled to begin July 10. In order to collect sufficient background information, the monitoring equipment should be in place in the BAC no later than the Friday of prior week which is July 7.

Stacy Stieber, CPG
Associate/Hydrogeologist
Leggette, Brashears & Graham, Inc.
4 Research Drive, Suite 204
Shelton, CT 06484
Direct Dial: [\(475\) 882-1723](tel:4758821723)
Office Phone: [\(203\) 929-8555 ext. 1723](tel:2039298555)
Fax: [\(203\) 926-9140](tel:2039269140)
[sstieber@lbqct.com](mailto:ssstieber@lbqct.com)
www.lbqweb.com

From: dtaub@rcn.com [mailto:dtaub@rcn.com]
Sent: Wednesday, June 28, 2017 3:01 PM
To: Stacy Stieber
Cc: Bob Borrebach; BraesideAqua@gmail.com
Subject: Braeside Aqua Water System - Well Monitoring Program; Yours of even date

Dear Ms. Stieber:

I acknowledge receipt of subject email and attachments (forwarded from Braeside Aqua Corp, hereinafter "BAC") on behalf of BAC. In fact, I do recall seeing those documents at or about the time LBG originally sent them.

In 2015, you indicated 50 monitoring locations onsite and offsite. How many of your wells will participate in the monitoring this year, and what percentage of your wells on the Clovewood property, to-date, does that number represent? At such time as BAC does consent to LBG's 2017 monitoring request, LBG will provide coordinates for your on-site wells dug to-date, to allow BAC to calculate their proximity to our wells. In this regard, I recall LBG's previous objection to providing well coordinates to BAC, on security grounds. The objection fails, in that LBG has knowledge of BAC's well coordinates.

As discussed during our 06/27 telecon, BAC intends to hire (at 3rd party expense) an independent hydrogeologist to shadow LBG. To that end, I thank you for the references you provided.

BAC's first order of business is to line up funding for this extraordinary expense.

We will keep you posted.

Respectfully -

Doug Taub
Vice President, OLPHOA / BAC

From: dtaub@rcn.com [mailto:dtaub@rcn.com]

Sent: Wednesday, June 28, 2017 4:24 PM

To: Stacy Stieber

Cc: Bob Borrebach; BraesideAqua@gmail.com

Subject: RE: Braeside Aqua Water System - Well Monitoring Program; Yours of even date

Dear Ms. Stieber:

Thank you for your forward of the 06/28 email you sent to BAC earlier today.

I now understand Clovewood will bear the cost of our independent hydrogeologist, and we extend our thanks for streamlining that part of the process.

I also understand vandalism as an issue at your well sites, but the argument against the pre-test release of LBG's well coordinates is unavailing: BAC has already provided our well coordinates to LBG, and we expect reciprocity in advance of testing, for all the reasons previously stated.

Respectfully -

Doug Taub
Vice President, OLPHOA / BAC

From: **Stacy Stieber** <SStieber@lbgct.com>

Date: Thu, Jun 29, 2017 at 9:19 AM

Subject: RE: Braeside Aqua Water System - Well Monitoring Program; Yours of even date

To: dtaub@rcn.com <dtaub@rcn.com>

Cc: Bob Borrebach <rborrebach23@gmail.com>, BraesideAqua@gmail.com <BraesideAqua@gmail.com>, T. CUSACK <TCUSACK@lbgct.com>

Mr. Taub,

I can provide you the distances between the BAC wells and the Clovewood pumping wells. The distances are as follows:

Clovewood Well 6 – 5,900 ft to BAC 1; 5,750 ft to BAC 2; 6,000 ft to BAC 4
Clovewood Well 7A – 4,000 ft to BAC 1; 3,750 ft to BAC 2; 3,550 ft to BAC 4
Clovewood Well 7B – 3,950 ft to BAC 1; 3,700 ft to BAC 2; 3,500 ft to BAC 4
Clovewood Well 12 – 2,600 ft to BAC 1; 2,400 ft to BAC 2; 2,550 ft to BAC 4
Clovewood Well 14 – 5,800 ft to BAC 1; 5,650 ft to BAC 2; 6,000 ft to BAC 4
Clovewood Well 16 – 4,150 ft to BAC 1; 4,000 ft to BAC 2; 4,400 ft to BAC 4
Clovewood Well 21 – 6,350 ft to BAC 1; 6,250 ft to BAC 2; 6,950 ft to BAC 4
Clovewood Well 23 – 6,750 ft to BAC 1; 6,650 ft to BAC 2; 7,250 ft to BAC 4

LBG will provide Braeside a map depicting the well locations following the completion of this test event on the Clovewood property after the wells have been secured.

If you have further concerns, please contact my supervisor Tom Cusack. His cell phone number is 203-767-0404.

Regards,

Stacy Stieber, CPG

Associate/Hydrogeologist

Leggette, Brashears & Graham, Inc.

4 Research Drive, Suite 204

Shelton, CT 06484

Direct Dial: (475) 882-1723

Office Phone: (203) 929-8555 ext. 1723

Fax: (203) 926-9140

ssstieber@lbgct.com

www.lbgweb.com

From: dtaub@rcn.com [mailto:dtaub@rcn.com]

Sent: Friday, June 30, 2017 3:57 PM

To: Stacy Stieber

Cc: Bob Borrebach; BraesideAqua@gmail.com

Subject: RE: Braeside Aqua Water System - Well Monitoring Program; Yours of even date

Dear Ms. Stieber:

Many thanks for your response, and the information contained therein.

BAC will now contact the independent hydrologist, and drive this matter forward.

Respectfully -

Doug Taub
Vice President, OLPHOA / BAC

From: **T. CUSACK** <TCUSACK@lbgt.com>

Date: Wed, Jul 5, 2017 at 2:02 PM

Subject: RE: Braeside Aqua Water System - Well Monitoring Program; Yours of even date

To: dtaub@rcn.com <dtaub@rcn.com>, BraesideAqua@gmail.com <BraesideAqua@gmail.com>

Cc: Stacy Stieber <SStieber@lbgt.com>, Gelb Simon (gelbsimon@gmail.com) <gelbsimon@gmail.com>

Mr. Taub,

Checking on the status of Braeside retaining a consultant to shadow LBG during the upcoming pumping test. The test will start the week of July 10, therefore it would be important that the monitoring of your wells begins not later Friday July 7th so we can collect pretest water level data on your wells prior to start to the Clovewood test. Should you have any questions or should you require an assistant please call me on my cell 2037670288.

Thank you for your time and consideration on this matter.

TPC



Thomas P. Cusack, CPG

Principal

Senior Vice President

4 Research Drive /Suite 204

Shelton Ct 06484

(Direct) 475.882.1704

(Office) 203.929.8555

(Cell) 203.767.0288

From: dtaub@rcn.com [mailto:dtaub@rcn.com]

Sent: Wednesday, July 05, 2017 3:16 PM

To: T. CUSACK

Cc: Borrebach, Robert

Subject: Braeside Aqua Water System - Well Monitoring Program

Dear Mr. Cusack:

Not unlike its other officers and board members, I serve BAC voluntarily. We fit this activity in around our professional and vocational obligations.

That said, I am on trial today, tomorrow, and possibly Friday; July 7 and July 10 are therefore probably not realistic dates. Scheduling testing around a holiday week (when many are away from home) is a bit optimistic.

I will nevertheless inquire as to who, if anyone else from BAC, is available to vet and receive fee and other info from potential consultants.

I'll contact you when I have more.

Respectfully -

Doug Taub
Vice President, OLPHOA / BAC

From: "T. CUSACK" <TCUSACK@LBGct.com>
Date: 7/5/17 8:11 PM (GMT-05:00)
To: dtaub@rcn.com
Cc: Stacy Stieber <SStieber@LBGct.com>
Subject: RE: Braeside Aqua Water System - Well Monitoring Program

Mr, Taub,

We began correspondents with Braeside in late May along with the other homeowners and public water supply entities. All responded within a short period of time and within the requested timeframe for a response. In addition we followed up with phone calls to Braeside as logged below, when we received no response from the letters sent. Please let us know if we can be of any assistance in communication with the recommended consultants to expedite the process. Considering the expansive pumping test program, staffing requirements of both LBG and the pumping test contractor, and the agreed schedule with the Village of South Blooming Grove, including numerous homeowners and public water supply entities, the test will be conducted as scheduled the week of July 10th.

Again we will provide any assistance to expedite you retaining a consultant to shadow LBG in the monitoring program.

Please feel free to call me to discuss this if necessary.

TPC

5/23/17 Sent well monitoring request letter via USPS and via email to Braesideaqua@gmail.com;
6/8/17 Resent well monitoring request letter via USPS and email Braesideaqua@gmail.com;
6/12/17 TC called Braeside contact number and left voicemail message;
6/19/17 TC called Braeside contact number and left voicemail message;
6/27/17 Phone call with Mr. Taub Vice President BAC;
6/27/17, 6/28/17, 6/29/17 email correspondence responding to his requests for information and comments in letter dated June 21, 2017 received via fax June 25, 2017;
6/30/17 Received email response from Mr. Taub that Braeside would contact an outside Hydrogeologist
7/5/17 TC sent email follow up regarding test start date

Thomas P. Cusack, CPG

Principal
Senior Vice President
4 Research Drive /Suite 204
Shelton Ct 06484
(Direct)475.882.1704
(Office) 203.929.8555
(Cell) 203.767.0288

From: **T. CUSACK** <TCUSACK@lbgct.com>
Date: Fri, Jul 7, 2017 at 3:01 PM
Subject: Fwd: Braeside Aqua Corp well monitoring
To: Simone Gelb <gelbsimon@gmail.com>

We will do our best to accommodate them

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: dtaub@rcn.com
Date: 7/7/17 2:26 PM (GMT-05:00)
To: "T. CUSACK" <TCUSACK@LBGct.com>
Cc: Bob Borrebach <rborrebach23@gmail.com>, Braeside Aqua <braesideaqua@gmail.com>
Subject: Braeside Aqua Corp well monitoring

Mr. Cusack:

I have read your 07/05 email, and find your recitation of the facts concerning Braeside Aqua Corp. (BAC) to be accurate.

By way of update, today BAC contacted the company we utilize for certain system-maintenance, to recommend a consultant. Their in-house hydrologist, who will make the recommendation, is away until Monday.

BAC next spoke to the Orange County Department of Health, for an endorsement of the two consulting firms proffered in Ms. Steiber's 06/27/17 email to BAC. A senior engineer there was unfamiliar with either firm. (The engineer did, however, have nice things to say about Leggette.)

BAC next sought out a former Blooming Grove town employee, now living in our community some 50+ years, for comment on the Leggette-provided consultants, as well as any other recommendation. This individual is familiar with BAC and water-related issues and consultants, and should be available to discuss the matter later this evening.

I am out-of-county all day Monday, and will make every effort to contact you Monday with updated information.

Respectfully -

Doug Taub
Vice President, OLPHOA / BAC

From: T. CUSACK
Date: Mon, Jul 10, 2017 9:49 AM
To: dtaub@rcn.com;
Cc: Bob Borrebach; Braeside Aqua;
Subject: Re: Braeside Aqua Corp well monitoring

Good morning just following up from your email on Friday.
No one has followed up from this email.
I can be reached on my cell phone [203 767 0288](tel:2037670288)

Sent from my Verizon, Samsung Galaxy smartphone

From: dtaub@rcn.com [mailto:dtaub@rcn.com]
Sent: Monday, July 10, 2017 11:05 AM
To: T. CUSACK
Cc: Taub, Me
Subject: Re: Braeside Aqua Corp well monitoring

Mr. Cusack:
I'm in court today, but have a designee working on well-monitoring.
I will contact you when I have info.
Doug Taub, VP OLPHOA / BAC

Sent from my Verizon LG Smartphone

From: dtaub@rcn.com [mailto:dtaub@rcn.com]

Sent: Thursday, July 13, 2017 11:56 AM

To: T. CUSACK

Cc: Bob Borrebach; Braeside Aqua

Subject: Braeside Aqua Corp well monitoring

Mr. Cusack:

We now have an independent recommendation for Miller Hydrogeologic Inc., and I have left a voice message for Robert Miller.

I will keep you posted.

Doug Taub

Vice President, OLPHOA / BAC

From: T. CUSACK <TCUSACK@lbgct.com>

Date: Thu, Jul 13, 2017 at 1:16 PM

Subject: RE: Braeside Aqua Corp well monitoring

To: dtaub@rcn.com <dtaub@rcn.com>

Cc: Bob Borrebach <rborrebach23@gmail.com>, Braeside Aqua <braesideaqua@gmail.com>, Gelb Simon (<gelbsimon@gmail.com>)

Ok- unfortunately the main pumping test event will be completed by tomorrow. A smaller testing event will be conducted next week.

From: Mayor@villageofsouthbloominggrove.com <mayor@villageofsouthbloominggrove.com>
Date: Tue, Jun 13, 2017 at 12:30 PM
Subject: Re: Invoices
To: Steven Barshov <sbarshov@sprlaw.com>
Cc: "dlynch@flmpllc.com" <dlynch@flmpllc.com>, Simon Gelb <gelbsimon@gmail.com>, YCR <YCR@windsorglobal.com>

Mr Barshov

All are welcome to our Village Board meetings as they are open to the public.

Additionally as I was just made aware of the situation at hand in the future if you have any concerns please feel free to reach out to me so we can address any concern you may have.

Our Village Clerk is out on a family leave. With that said please forward your anticipated test well pump test dates and time to our Deputy Village Clerk at deputyclerk@villageofsouthbloominggrove.com or [845-782-2605](tel:845-782-2605)

Thank you

Best Regards,

Rob Jeroloman
Mayor

Village of South Blooming Grove
PO Box 295
Blooming Grove, New York 10914-0295
[\(845\) 782-2605](tel:845-782-2605)

From: Stacy Stieber [mailto:SStieber@LBGct.com]

Sent: Monday, June 19, 2017 11:24 AM

To: deputyclerk@villageofsouthbloomington.com

Cc: T. CUSACK <TCUSACK@LBGct.com>; 'S G [gelbsimon@gmail.com] (gelbsimon@gmail.com)' <gelbsimon@gmail.com>

Subject: Clovewood test schedule and offsite well monitoring network

Deputy Clerk,

Per LBG's September 2016 Pumping Test Plan and the February 28, 2017 Response to Comment letter, LBG is sending the Village the attached figure depicting the locations of the offsite wells that will be included in the well monitoring program for the Clovewood pumping test and a table summarizing the solicitation conducted to date. The solicitation of the well owners and nearby water systems is complete, and LBG has scheduled the test to begin the week of July 10.

Per our February 28, 2017 letter, one representative per day from Louis Berger will be allowed to conduct a 1.5 hour site visit with the escort of an LBG representative during the pumping test while the wells are actively pumping Monday through Friday. Prior to the Louis Berger representative being allowed on the site, the Village will need to provide LBG with their names, proof of their OSHA 40-hour training and that their 8-hour refresher training is current, and a certificate of insurance naming Keen Equities, LLC and Leggette, Brashears & Graham, Inc. as additionally insured.

LBG will keep the Village apprised should the start date for the pumping test change.

Regards,

Stacy Stieber, CPG

Associate/Hydrogeologist

Leggette, Brashears & Graham, Inc.

4 Research Drive, Suite 204

Shelton, CT 06484

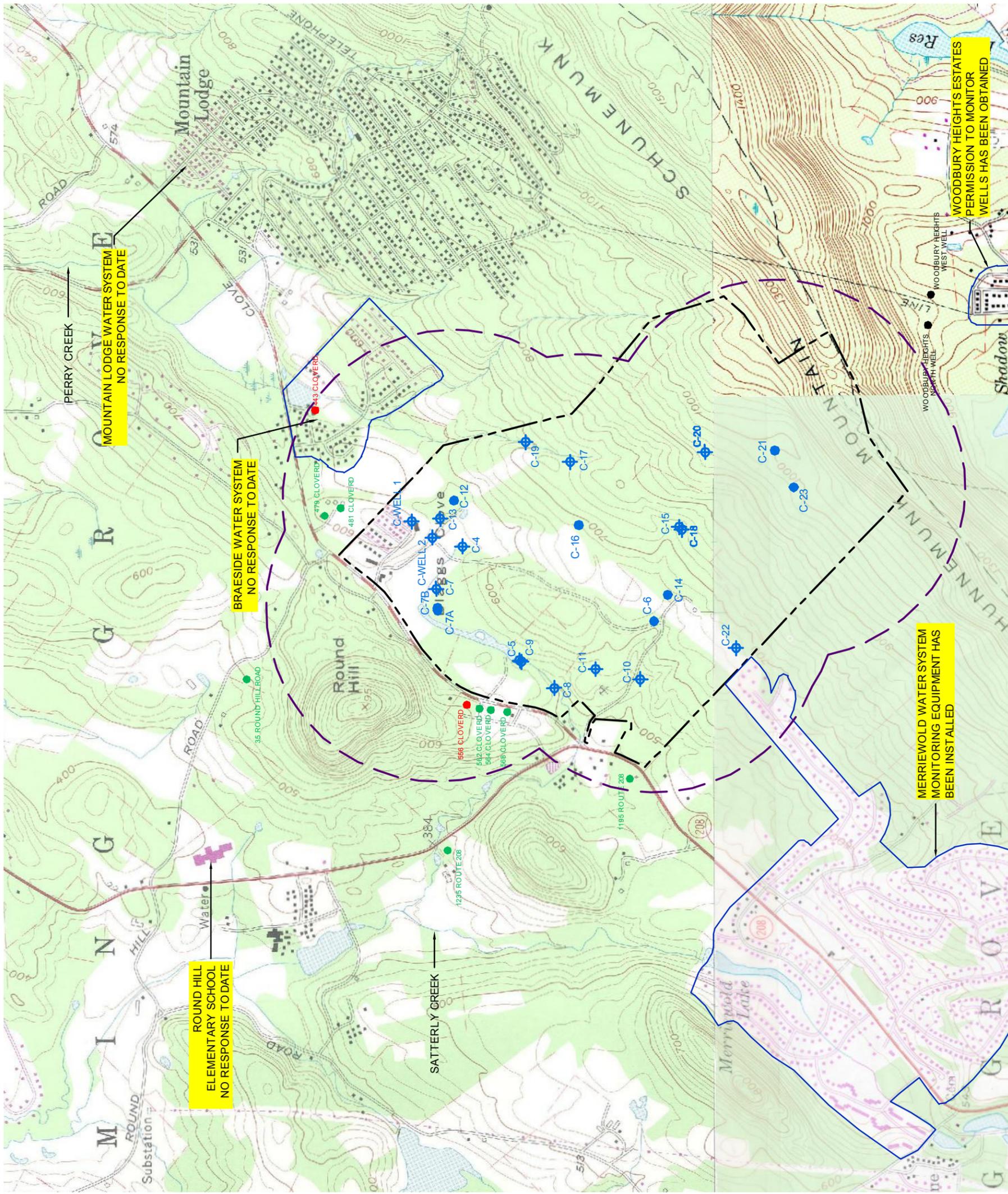
Direct Dial: [\(475\) 882-1723](tel:(475)882-1723)

Office Phone: [\(203\) 929-8555 ext. 1723](tel:(203)929-8555 ext.1723)

Fax: [\(203\) 926-9140](tel:(203)926-9140)

[sstieber@lbgct.com](mailto:ssstieber@lbgct.com)

www.lbgweb.com



LEGEND

PROPERTY BOUNDARY

APPROXIMATE EXTENT OF PUBLIC WATER SUPPLY SYSTEMS

2,500-FOOT RADIUS AROUND PUMPING WELLS

PUMPING WELL LOCATION

ONSITE MONITORING WELL LOCATION

PROPERTY OWNER PROVIDED AUTHORIZATION FOR PARTICIPATION IN OFFSITE MONITORING PROGRAM

RESIDENTIAL PROPERTY DECLINED TO BE INCLUDED IN OFFSITE MONITORING PROGRAM

PUBLIC WATER SUPPLY THAT HAS BEEN SOLICITED FOR PARTICIPATION IN OFFSITE MONITORING PROGRAM



**CLOVEWOOD PROPERTY
VILLAGE OF SOUTH BLOOMING GROVE
BLAGGS CLOVE, NEW YORK**

USGS MAP - PROPOSED OFFSITE MONITORING PROGRAM - JUNE 2017

DATE	REVISED	PREPARED BY: LEGGETTE, BRASHEARS & GRAHAM, INC. Professional Groundwater and Environmental Engineering Services 4 Research Drive Suite 204 Shelton, Connecticut 06484 (203) 929-8555
DRAWN:	RAC	CHECKED:
		SS
		DATE: 06/19/17
		FIGURE: 1

CLOVEWOOD PROPERTY

Offsite Well Monitoring Solicitation Summary 2017

Address	Homeowner Name	Phone Number	Comments	Received signed form?
443 Clove Road Monroe, NY 10950 Apt. 3	Kenneth Stuts	845-614-7149	5/22/17 Sent well monitoring request letter via USPS; 6/8/17 JS solicit, knocked on door no answer, left form attached to front door. Called left voicemail, Mr. Stuts returned call saying he does not wish to participate in monitoring program	No
479 Clove Road Monroe, NY 10950	Thomas Heinlein	845-783-4451	5/22/17 Sent well monitoring request letter via USPS; 6/6/17 TC solicit, spoke with homeowner, received signed form	Yes
481 Clove Road Monroe, NY 10950	Susan Blakeney	845-325-1578	5/22/17 Sent well monitoring request letter via USPS; 6/6/17 TC solicit, spoke with homeowner, received signed form	Yes
556 Clove Road Monroe, NY 10950	Lena Fahringer	845-325-8156	5/22/17 Sent well monitoring request letter via USPS; 6/6/17 TC solicit, spoke with homeowner, received signed form, voiced concerns about increased color in water after last installation, asked to be notified when we install equipment, run garden hose after installation; 6/13/17 Lena Fahringer left a voicemail message for TC after speaking with Town she is rescinding her permission to have her well included in monitoring program	No
562 Clove Road Monroe, NY 10950	Erika and Daniel Waldvogel	845-783-9967	5/22/17 Sent well monitoring request letter via USPS; 6/6/17 TC solicit, spoke with homeowner, received signed form	Yes
564 Clove Road Monroe, NY 10950	Charles Descafano	845-988-1215	5/22/17 Sent well monitoring request letter via USPS; 6/6/17 Received signed form	Yes
568 Clove Road Monroe, NY 10950	Stanley Roach	845-783-2328	5/22/17 Sent well monitoring request letter via USPS; 5/30/17 Received signed form, notes black sediment in drains since last test, needs to be replaces every 2-3 weeks	Yes
35 Round Hill Road Washingtonville, NY 10992	John Zupko	845-496-4430	5/22/17 Sent well monitoring request letter via USPS; 5/30/17 Received signed form	Yes
1195 Route 208 Washingtonville, NY 10992	Gus McGill (Allstate Interiors)	845-783-1060	5/22/17 Sent well monitoring request letter via USPS; 6/8/17 JS solicit, spoke with secretary, received signed form	Yes
1235 Route 208 Monroe, NY 10950	Gerry Garcia	845-783-8739	5/22/17 Sent well monitoring request letter via USPS; 6/6/17 TC solicit, spoke with lady homeowner, received signed from	Yes
Mountain Lodge 269 Mountain Lodge Road P.O. Box 545 Washingtonville, NY 10992	Arthur Parker	845-629-4604	5/22/17 Sent well monitoring request letter via USPS; 6/5/17 Faxed well monitoring request letter to 845-395-0203 6/8/17 JS called Mr. Parker said he did not receive fax; 6/8/17 resent fax; 6/14/17 JS called Mr. Parker, Mr. Parker said that he would be sending in signed form	No response to date
Braeside Aqua Corporation 59 Orchard Lake Drive Monroe, NY 10950	Thomas Talamini	845-238-5746	5/23/17 Sent well monitoring request letter via USPS; 6/8/17 Resent well monitoring request letter via USPS; 6/12/17 TC called Braeside contact number and left voicemail message	No response to date
Round Hill Elementary School 1314 Route 208 Washingtonville, NY 10992	Aaron Forman	--	6/7/17 Sent well monitoring request letter via USPS	No response to date
Merriewold Water System	--	--	Permission to monitor well previously provided	Tranducers have been installed
Woodbury Heights Estates	--	--	Permission to monitor wells previously provided	Yes

From: Stacy Stieber <SStieber@LBGct.com>
Date: 7/7/17 9:41 AM (GMT-05:00)
To: deputyclerk@villageofsouthbloomington.com
Cc: "T. CUSACK" <TCUSACK@LBGct.com>, "'S G [gelbsimon@gmail.com] (gelbsimon@gmail.com)'" <gelbsimon@gmail.com>
Subject: RE: Clovewood test schedule and offsite well monitoring network

As a follow up to the email below, attached is an updated figure depicting the wells that will be measured during the pumping test program schedule to start on July 10, 2017.

Regards,

Stacy Stieber, CPG
Associate/Hydrogeologist
Leggette, Brashears & Graham, Inc.
4 Research Drive, Suite 204
Shelton, CT 06484
Direct Dial: (475) 882-1723
Office Phone: (203) 929-8555 ext. 1723
Fax: (203) 926-9140
[sstieber@lbgct.com](mailto:ssstieber@lbgct.com)
www.lbgweb.com

From: Stacy Stieber
Sent: Monday, June 19, 2017 11:24 AM
To: deputyclerk@villageofsouthbloomington.com
Cc: T. CUSACK; 'S G [gelbsimon@gmail.com] (gelbsimon@gmail.com)'
Subject: Clovewood test schedule and offsite well monitoring network

Deputy Clerk,

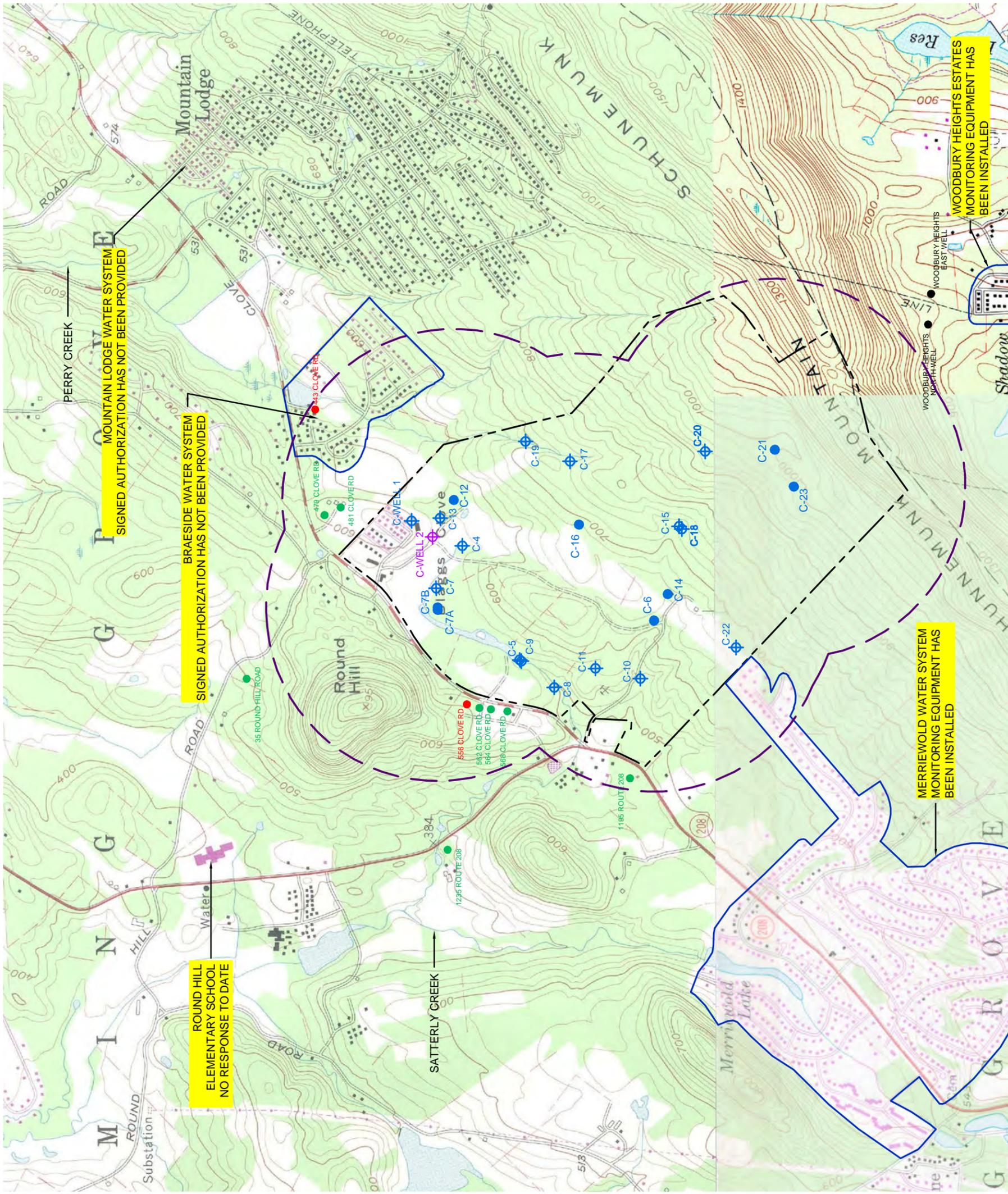
Per LBG's September 2016 Pumping Test Plan and the February 28, 2017 Response to Comment letter, LBG is sending the Village the attached figure depicting the locations of the offsite wells that will be included in the well monitoring program for the Clovewood pumping test and a table summarizing the solicitation conducted to date. The solicitation of the well owners and nearby water systems is complete, and LBG has scheduled the test to begin the week of July 10.

Per our February 28, 2017 letter, one representative per day from Louis Berger will be allowed to conduct a 1.5 hour site visit with the escort of an LBG representative during the pumping test while the wells are actively pumping Monday through Friday. Prior to the Louis Berger representative being allowed on the site, the Village will need to provide LBG with their names, proof of their OSHA 40-hour training and that their 8-hour refresher training is current, and a certificate of insurance naming Keen Equities, LLC and Leggette, Brashears & Graham, Inc. as additionally insured.

LBG will keep the Village apprised should the start date for the pumping test change.

Regards,

Stacy Stieber, CPG
Associate/Hydrogeologist
Leggette, Brashears & Graham, Inc.
4 Research Drive, Suite 204
Shelton, CT 06484
Direct Dial: (475) 882-1723
Office Phone: (203) 929-8555 ext. 1723
Fax: (203) 926-9140
[sstieber@lbgct.com](mailto:ssstieber@lbgct.com)
www.lbgweb.com



**ROUND HILL
ELEMENTARY SCHOOL
NO RESPONSE TO DATE**

**BRAESIDE WATER SYSTEM
SIGNED AUTHORIZATION HAS NOT BEEN PROVIDED**

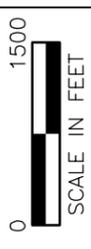
**MOUNTAIN LODGE WATER SYSTEM
SIGNED AUTHORIZATION HAS NOT BEEN PROVIDED**

**MERRIEWOLD WATER SYSTEM
MONITORING EQUIPMENT HAS
BEEN INSTALLED**

**WOODBURY HEIGHTS ESTATES
MONITORING EQUIPMENT HAS
BEEN INSTALLED**

LEGEND

- PROPERTY BOUNDARY
- APPROXIMATE EXTENT OF PUBLIC WATER SUPPLY SYSTEMS
- - - 2,500-FOOT RADIUS AROUND PUMPING WELLS
- PUMPING WELL LOCATION
- ⊕ ONSITE MONITORING WELL LOCATION
- PROPERTY OWNER PROVIDED AUTHORIZATION FOR PARTICIPATION IN OFFSITE MONITORING PROGRAM
- RESIDENTIAL PROPERTY DECLINED TO BE INCLUDED IN OFFSITE MONITORING PROGRAM
- PUBLIC WATER SUPPLY THAT HAS BEEN SOLICITED FOR PARTICIPATION IN OFFSITE MONITORING PROGRAM
- ⊕ WELL HOUSE HAS BEEN SEALED WELL NOT ACCESSIBLE



**CLOVEWOOD PROPERTY
VILLAGE OF SOUTH BLOOMING GROVE
BLAGGS CLOVE, NEW YORK**

USGS MAP - PROPOSED OFFSITE MONITORING PROGRAM - JULY 2017

DATE	REVISED	RAC	CHECKED:	SS	DATE:	FIGURE:

PREPARED BY: **LEGGETTE, BRASHEARS & GRAHAM, INC.**
 Professional Groundwater and Environmental Engineering Services
 4 Research Drive
 Suite 204
 Shelton, Connecticut 06484
 (203) 929-8555

Attachment 55



**Parks, Recreation,
and Historic Preservation**

ANDREW M. CUOMO
Governor

ERIK KULLESEID
Commissioner

November 21, 2019

Mr. Simon Gelb
CPC
P. O. Box 2020
Monroe, NY 10949

Re: DEC
Clovewood - 600 Residential Lot Subdivision at NY 208 and Clove Rd (CR 27)
555 Clove Road, Monroe, NY 10950
15PR03943

Dear Mr. Gelb:

Thank you for requesting the comments of the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the submitted materials in accordance with the New York State Historic Preservation Act of 1980 (section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the Division for Historic Preservation and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6NYCRR Part 617).

OPRHP has reviewed *Supplemental Phase 1B Archaeological Investigation Clovewood Project, Village of South Blooming Grove, Orange County, New York* (Hudson Valley Cultural Resource Consultants, July 2019). Based on the results of this and previous investigations, and the avoidance of M. H. Howell Farm Complex / Clove Road Precontact Site (07167.000009 / 07167.000013) and of the Schunemunk Precontact Site (07167.000014), via the use of Alternative 2, we recommend that the planned project will have **No Adverse Impact** on historic properties listed or eligible for listing on the State and National Registers of Historic Places.

If you have any questions, please don't hesitate to contact me.

Sincerely,

Philip A. Perazio, Historic Preservation Program Analyst - Archaeology Unit

Phone: 518-268-2175

e-mail: philip.perazio@parks.ny.gov

via email only

cc: Susan Bachor, Delaware Tribe; Bonney Hartley, Stockbridge-Munsee
John Petronella, Charles Vandrei, and David Witt, DEC
Beth Selig, HVCRC; Erin Thompson, Delaware Nation

Division for Historic Preservation

P.O. Box 189, Waterford, New York 12188-0189 • (518) 237-8643 • parks.ny.gov

Attachment 68

VILLAGE OF SOUTH BLOOMING GROVE

PO BOX 295

BLOOMING GROVE, NY 10914

DATE: December 21, 2020
TO: Mr. Simon Gelb
FROM: Jeanne Ovensen
Building Inspector
SUBJECT: **INTERPRETATION OF CODE**



On Wednesday, December 16, 2020, Mr. Gelb sent an email requesting the interpretation of Article VIII (Accessory Parking and Loading Requirements). The planner for the South Blooming Grove Planning Board informed the applicant that driveways cannot be placed on the property line due to Article VIII.

I do not consider a driveway as an accessory structure since no permits are required.

However, to end this discussion that a driveway is NOT an accessory structure, please refer to Chapter 235-4 (definitions) of the Village Code, more specifically, the definition of "Structure". It specifically states "A driveway shall not be considered to be a structure".

Therefore, there is nothing in the code prohibiting the placement of a driveway along the property line. Further, none of the bulk requirement setbacks apply.

If you have further questions, please feel free to contact me.

Attachment 125-a

RESOLUTION

Resolution No.: _____ of 2016

Roll Call Vote

Name	Ayes	Noes	Abstain	Absent
<i>Mayor</i> Mr. Robert Jeroloman				
<i>Deputy Mayor</i> Mr. John Hickey				
<i>Trustee</i> Mrs. Dorine Sas				
<i>Trustee</i> Mr. James Mullany				
<i>Trustee</i> Mr. James LoFranco				
TOTAL				

The following was presented

By _____

Seconded by _____

Date of Adoption _____

RESOLUTION REGARDING LEAD AGENCY STATUS

WHEREAS, the Applicant Clovewood Development, LLC ("Clovewood") had previously applied for certain land use approvals within the Village of South Blooming Grove, New York ("Village"); and

WHEREAS, Clovewood previously submitted different proposed plans for development at this Site without complete application supporting the proposed plans for development having been properly filed with the Village; and

WHEREAS, the initial Application by Clovewood required a Special Permit for the Village Board to review aspects of the Clovewood Project, but the Clovewood Project later changed its application so that continued Village Board involvement was not required; and

WHEREAS, the Village Board has a prior history of undertaking the status as “Lead Agency” with regard to land use matters within the Village concerning a project having substantial construction issues and the Village Planning Board has not had such experience as Lead Agency for such projects; and

WHEREAS, the Village Board has great confidence in the Village Planning Board and its Members to properly review all Planning Board issues and the Village Board does not wish to undertake any activities that would interfere with the traditional Planning Board review process under Village Law of the Clovewood Project or any other similar Project; and

WHEREAS, the Planning Board previously indicated and declared its Intention to Serve as Lead Agency with regard to the Clovewood Project and thereafter the Board of Trustees indicated its desire to serve as Co-Lead Agency with regard to the Clovewood Project and contested the Planning Board acting solely as Lead Agency; and

WHEREAS, the Planning Board previously agreed to serve as Co-Lead Agency with the Board of Trustees concerning the Clovewood Project; and

WHEREAS, the Board of Trustees desires to confirm its Intention to Serve as Co-Lead Agency with the Planning Board.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF SOUTH BLOOMING GROVE, NEW YORK AS FOLLOWS:

Section 1. All “Whereas” clauses are hereby incorporated by reference as though set forth in full herein.

Section 2. The Board of Trustees hereby declares its agreement to serve as Co-Lead Agency with the Planning Board with regard to the Clovewood Project and to take all steps pursuant to law to proceed with review of the Clovewood Project.

Section 3. This Resolution shall take effect immediately.

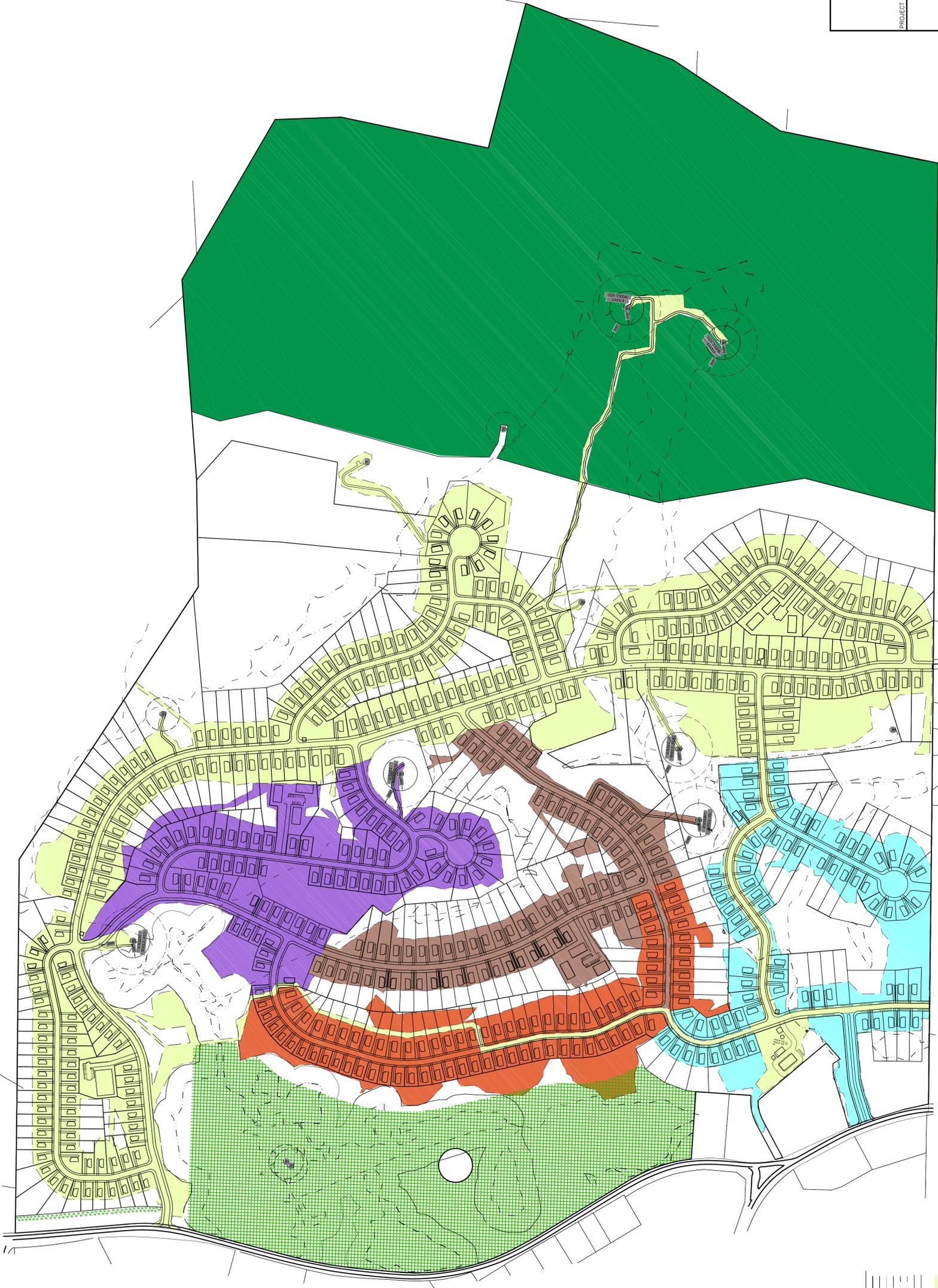
The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

**BY ORDER OF THE BOARD OF TRUSTEES OF THE
VILLAGE OF SOUTH BLOOMING GROVE, NEW YORK**

DATED: March 7, 2016

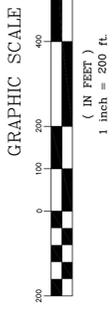
Kerry Dougherty, Village Clerk

Attachment 125-b



LEGEND

- EXISTING PROPERTY LINE
- PROPOSED PROPERTY LINE
- EXISTING DRIVEWAYS
- EXISTING DRIVEWAYS
- EXISTING FEDERAL WETLANDS
- EXISTING STREAM
- EXISTING PAVEMENT
- EXISTING EDGE OF PAVEMENT
- PHASE 1
29 DWELLING LOTS
- PHASE 2
73 DWELLING LOTS
- PHASE 3
74 DWELLING LOTS
- PHASE 4
81 DWELLING LOTS
- PHASE 5
75 DWELLING LOTS
- DEED RESTRICTED AREA
- PARKLAND



CLOVEWOOD
VILLAGE OF SOUTH BLOOMING GROVE,
ORANGE COUNTY, NEW YORK

PROJECT TITLE

CONCEPTUAL PHASING PLAN

DRAWING TITLE

KIRK ROTHER, P.E.
CONSULTING ENGINEER, PLLC
5 Saint Stephens Lane, Warwick NY 10990
(845) 988-0620

DATE	REV. PHASES	REVISIONS
08-02-21	INITIAL PREPARATION	

KIRK ROTHER, P.E. N.Y.S. LIC. NO. 079853

DATE

UNAUTHORIZED ALTERATIONS OR ADDITIONS TO A DOCUMENT BEARING THE SEAL OF A PROFESSIONAL ENGINEER ARE PROHIBITED BY LAW. REPRODUCTIONS OF THIS PLAN WHICH DO NOT BEAR THE ORIGINAL SEAL OF A LICENSED PROFESSIONAL ENGINEER SHALL BE CONSIDERED INVALID.

100% SHEET # DEC. SHEET # TO CHD. SHEET # SHEET #

N.A. N.A. N.A.

CAD # PROJECT # SCALE

14107.0 14107.0 AS SHOWN

PHPI

Attachment 136

The Metro Area Impact of the Cloverwood Project in South Blooming Grove, NY: Comparing Costs to Revenue for Local Governments



September 2020

Housing Policy Department

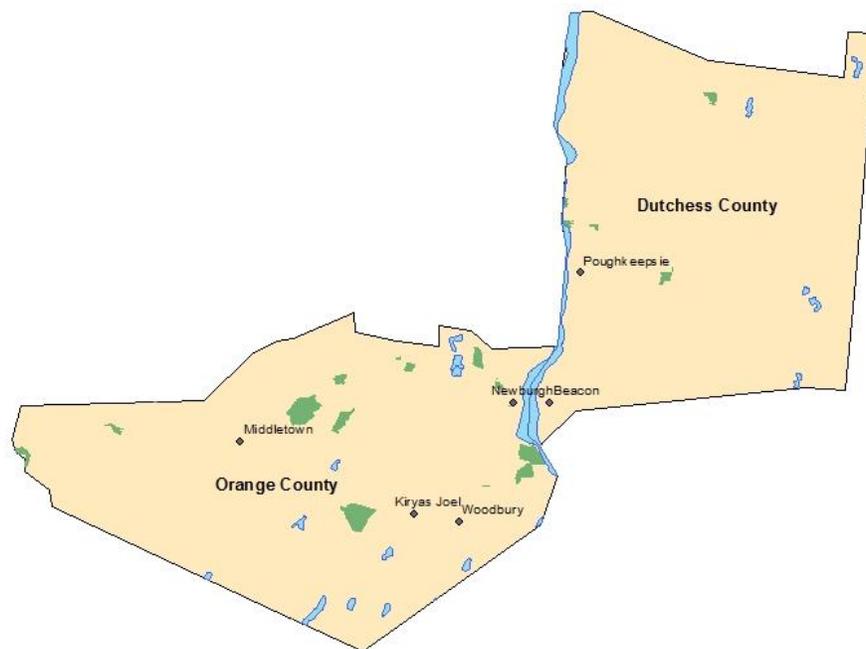
Introduction

Home building generates local economic impacts such as income and jobs for local residents, and revenue for local governments. It also typically imposes costs on local governments—such as the costs of providing primary and secondary education, police and fire protection, and water and sewer service. Not only do these services require annual expenditures for items such as teacher salaries, they typically also require capital investment in buildings, other structures, and equipment that local governments own and maintain.

This report presents estimates of the metro area impacts of home building in Clovewood Project, a development consisting of 600 single-family homes in the Village of South Blooming Grove. The Village of South Blooming Grove, in turn, is located in Orange County in the State of New York.

The local economic benefits generated by this level of construction are reported in a separate NAHB document.¹ This report presents estimates of the costs—including current and capital expenses—that new homes impose on jurisdictions in the area and compares those costs to the revenue generated. The results are intended to answer the question of whether or not, from the standpoint of local governments in the area, residential development pays for itself.

Figure 1. Poughkeepsie-Newburgh-Middletown, New York MSA



¹ "The Metro Area Impact of the Clovewood Project in South Blooming Grove, NY: Income, Jobs and Taxes Generated," completed by NAHB in September 2020.

The comprehensive nature of the NAHB model requires a local area large enough to include the labor and housing market in which the homes are built. The local benefits captured by the model, including revenue generated for local governments, include the ripple impacts of spending and taxes paid by construction workers and new residents, which occur in an economic market area. For a valid comparison, costs should be calculated for the same area.

A local labor and housing market generally corresponds to a Metropolitan Statistical Area (MSA) as defined by the U.S. Office of Management and Budget (OMB). Based on local commuting patterns, OMB has identified the Poughkeepsie-Newburgh-Middletown MSA as a metro area consisting of two counties (Orange and Dutchess) in New York (see Figure 1). In this report, wherever the term local is used, it refers to the two-county metro area.

Costs Compared to Revenue

This section summarizes the cost-revenue comparisons. The relevant assumptions about the single-family homes in the Clovewood Project (including their average price, property tax payments, and construction-related fees incurred) are described in the NAHB report, *The Metro Area Impact of the Clovewood Project in South Blooming Grove, NY: Income, Jobs and Taxes Generated*.

- In the first year, the 600 single-family homes built in the Clovewood Project result in an estimated
 - **\$23.7 million** in tax and other revenue for local governments,²
 - **\$2.8 million** in current expenditures by local government to provide public services to the net new households at current levels, and
 - **\$13.2 million** in capital investment for new structures and equipment undertaken by local governments

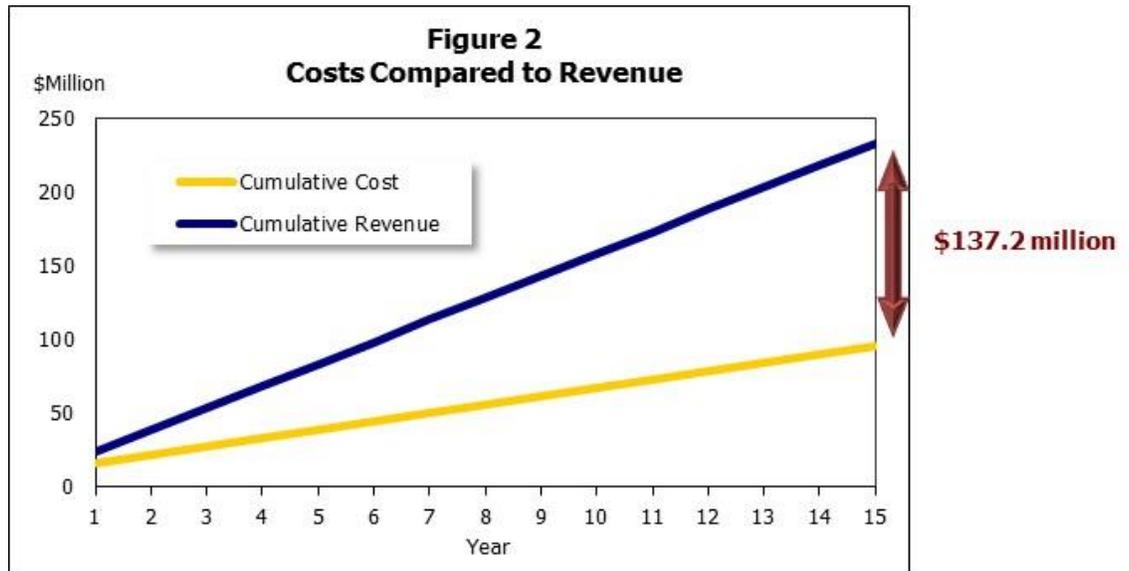
The analysis assumes that local governments finance the capital investment by borrowing at the current municipal bond rate of 4.09 percent.³

- In a typical year after the first, the 600 single-family homes result in
 - **\$15.0 million** in tax and other revenue for local governments, and
 - **\$5.7 million** in local government expenditures needed to continue providing services at current levels.

² This assumes that homes are occupied at a constant rate during the year, so that the year captures one-half of the ongoing, annual revenue generated as the result of increased property taxes and the new residents participating in the local economy.

³ The analysis assumes that there is currently no excess capacity, that local governments invest in capital before the homes are built, and that no fees or other revenue generated by construction activity are available to finance the investment, so that all capital investment at the beginning of the first year is financed by debt. This is a conservative assumption that results in an upper bound estimate on the costs incurred by local governments. The particular interest rate is based on the Bond Buyer Municipal Bond Index, which is based on prices for 40 long-term municipal bonds.

- The difference between government revenue and current expenditures is defined as an “operating surplus.” In this case, the operating surplus generated in the first is large enough to service and pay off all debt incurred by investing in structures and equipment at the beginning of the first year by the end of the first year. After that, the operating surpluses will be available to finance other projects or reduce taxes. After 15 years, the homes will generate a cumulative **\$233.4 million in revenue** compared to **\$96.2 million in costs**, including annual current expenses, capital investment, and interest on debt (Figure 2).



Method Used to Estimate Costs

The method for estimating local government revenue generated by home building is explained in the attachment to *The Metro Area Impact of the Clovewood Project in South Blooming Grove, NY: Income, Jobs and Taxes Generated*. This section describes how costs are estimated.

The general approach is to assume local jurisdictions supply residents of new homes with the same services that they currently provide, on average, to occupants of existing structures. The amount that any jurisdiction spends is available from the Census of Governments, where all units of government in the U.S. report line item expenses, revenues, and intergovernmental transfers once every five years to the Governments Division of the U.S. Census Bureau. Census of Governments accounts can be aggregated for every local government in the Poughkeepsie-Newburgh-Middletown metro area, and the result used to calculate total annual expenses per housing unit (Table 1).

Not surprisingly, cost per housing unit varies substantially across the major service categories. Education accounts for the largest share of annual expenses, followed by the shares for miscellaneous general government functions and police protection.

Table 1. Total Annual Local Government Expenses per Single-family Housing Unit

Education	\$4,751
Police Protection	\$592
Fire Protection	\$300
Corrections	\$366
Streets and Highways	\$192
Water Supply	\$147
Sewerage	\$106
Recreation and Culture	\$236
Other General Government	\$2,714
Public Transit	\$52
Total	\$9,456

In deriving the above estimates, water supply and sewerage expenses are allocated based on gallons of water consumed per day by single-family and multifamily households. Streets and highway expenses are allocated based on average number of vehicle trips generated on weekdays. Education is allocated based on average number of public school children age 5 through 18. The remaining expenses listed in Table 1 are assumed to be proportional to household size and are allocated to single-family and multifamily units based on average number of persons per household.⁴

There are several factors present in most parts of the country that tend to reduce education expenses per housing unit. The first is the average number of children going to public schools present in the units. According to the American Community Survey, there is, on average, only a little over one public school child for every three households in the U.S. The number is about 0.4 per household for single-family and under 0.2 per household for multifamily. So education costs per housing unit are lower than costs per pupil, simply because there is less than one pupil per household.

Beyond that, state governments typically pay for some public school expenses in the form of intergovernmental transfers. In the latest Census of Governments, local governments in aggregate across the Poughkeepsie-Newburgh-Middletown metro area spent about \$1.8 billion

⁴ Information about vehicle trips comes from *Trip Generation Manual, 10th Ed.*, September 2017, Institute of Transportation Engineers: <https://www.ite.org/tripgeneration/index.asp>. Information about water consumption comes from *Water Demand Trends in the Multifamily Housing Sector*, a study undertaken in 2017 by Jack Kiefer and Lisa Krentz for the Water Research Foundation <http://www.waterrf.org/Pages/Index3.aspx>. Information about household size and number of public school children comes from the 2016 Public Use Microdata Sample of the American Community Survey, U.S. Census Bureau: <https://www.census.gov/programs-surveys/acs/>.

in current expenses on education. However, nearly half of this was offset by \$896 million in state-to-local intergovernmental transfers for education.

In addition to current expenses, providing services to residents requires that local governments make capital expenditures for items such as schools and other buildings, equipment, roads, and other structures.

The process employed by NAHB to estimate capital costs involves several steps. The general approach is to apply parameters from a conventional economic model (a production relationship, where costs are expressed as a function of labor and capital) estimated with state level data to information for a specific local area. State and local government capital in each state can be derived through a procedure that has been established over several decades in the technical literature on public finance (see the technical appendix for details). The parameter estimates are then applied to a local area, where information is available for every variable except capital. The local capital stock then emerges as a residual in the calculation. Consistent with the approach used to estimate current expenses, the amount of capital in each category is expressed as the amount necessary to accommodate an average housing unit (Table 2).

Table 2. Local Government Capital per Single-family Housing Unit

Schools	\$9,771
Hospitals	\$230
Other Buildings	\$3,495
Highways and streets	\$5,957
Sewer systems	\$1,315
Water supply	\$1,024
Other structures	\$10
Equipment	\$254
Total	\$22,055

To implement these numbers, several conservative assumptions are made to avoid understating the costs. In contrast to the way current expenses were handled, intergovernmental transfers are generally not taken into account here—it is assumed that local governments undertake all capital investment without any help from the states. The exception is highways and streets, for which the amount of current expenditures per dollar of capital is typically quite low. It is further assumed that none of this demand for capital can be met through current excess capacity. Instead, local governments invest in new structures and equipment at the start of the first year, before any homes are built. To the extent that this is not true—that, for instance, some revenue from impact or other fees is available to fund part of the capital expenditures—interest costs would be somewhat lower than reported here.

To compare the streams of costs and revenues over time, the analysis assumes that half of the current expenses and half of the ongoing, annual revenues are realized in the first year. This would be the case if construction and occupancy took place at an even rate throughout the year. Revenues in the first year also include all of the one-time construction impacts such as impact and permit fees.

The difference between revenues and current expenses in a given year is an operating surplus. At the start of the first year, capital investment is financed through debt by borrowing at the current municipal bond interest rate,⁵ and the interest accrues throughout the year. Each year after that, the operating surplus is used first to pay the interest on the debt, if any exists, then to pay off the debt at the end of the year. Results for the 600 single-family homes in the Clovewood Project are shown in Table 3.

Table 3. Results for 600 Single-family Homes in the Clovewood Project

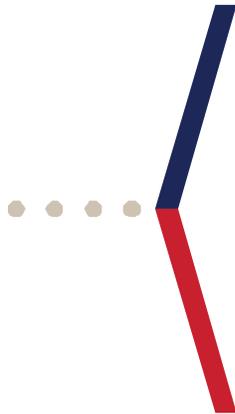
Year	Current Expenses	Revenue	Operating Surplus	Capital Investment Start of Year	Debt Outstanding End of Year	Interest on the Debt	Revenue Net of Costs and Interest
1	2,836,700	23,652,000	20,815,300	13,233,300	0	541,400	7,040,600
2	5,673,300	14,983,600	9,310,300	0	0	0	9,310,300
3	5,673,300	14,983,600	9,310,300	0	0	0	9,310,300
4	5,673,300	14,983,600	9,310,300	0	0	0	9,310,300
5	5,673,300	14,983,600	9,310,300	0	0	0	9,310,300
6	5,673,300	14,983,600	9,310,300	0	0	0	9,310,300
7	5,673,300	14,983,600	9,310,300	0	0	0	9,310,300
8	5,673,300	14,983,600	9,310,300	0	0	0	9,310,300
9	5,673,300	14,983,600	9,310,300	0	0	0	9,310,300
10	5,673,300	14,983,600	9,310,300	0	0	0	9,310,300
11	5,673,300	14,983,600	9,310,300	152,300	0	0	9,158,000
12	5,673,300	14,983,600	9,310,300	0	0	0	9,310,300
13	5,673,300	14,983,600	9,310,300	0	0	0	9,310,300
14	5,673,300	14,983,600	9,310,300	0	0	0	9,310,300
15	5,673,300	14,983,600	9,310,300	0	0	0	9,310,300

The difference between revenues (the third column) and all costs, including interest on the debt, is shown in the last column. In this case, revenue net of costs and interest is positive every year, beginning with the first.

In fact, revenue net of costs and interest is sufficient to pay off all debt by the end of year one. After that, revenue net of costs generated by the 600 single-family homes in the Clovewood Project is approximately \$9.3 million per year.

Net revenue falls slightly in year 11, due to a cost that local governments incur at that time as capital equipment purchased at the start of the first year becomes fully depreciated and needs to be replaced. All other capital investment consists of structures of various types, and the effective service life for any type of structure is considerably longer than a single decade.

⁵The interest rate on municipal bonds is the monthly Bond Buyer long-term Municipal Bond Index available on the Bond Buyer Web site: https://data.bondbuyer.com/MarketStatisticsArchive/Search_MBI/11?Name=Municipal%20Bond%20Index.



Comparing Costs to Revenue for Local Governments

Technical Appendix on Estimating Capital Owned and Maintained by Local Governments

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Technical Appendix on Estimating Local Capital Owned and Maintained by Local Governments

This appendix explains the method used to estimate the age and dollar value of local government capital by function (education, water and sewer services, etc.). The general approach is to estimate economic relationships using state-level data and then apply parameters from the state-level estimates to local data.

First, a cost share equation based on conventional production theory is described for the structures associated with each function of government. In the equations age of capital is used as a proxy for technologic change. Age of capital, in turn, is estimated as a function of population growth.

The following derivations apply to any one of the ten categories of state and local government capital—e.g., highways or school buildings—tracked in the Bureau of Economic Analysis (BEA) wealth data files. For simplicity, the notation suppresses an explicit reference to capital type. In cases where some detail of the model pertains to a particular type of capital or function of local governments, the text will make that clear.

Let y = output; L = labor, w = the price of labor, and r = the price of capital, and consider a general translog cost function:⁶

$$(1) \quad c_{it} = \beta_0 + \beta_w \ln w_{it} + \beta_r \ln r_{it} + \beta_y \ln y_{it} + \beta_a a_{it} + \frac{1}{2} \beta_{ww} (\ln w_{it})^2 + \beta_{wr} \ln w_{it} \ln r_{it} \\ + \frac{1}{2} \beta_{rr} (\ln r_{it})^2 + \beta_{wy} \ln w_{it} \ln y_{it} + \beta_{ry} \ln r_{it} \ln y_{it} + \beta_{wa} a_{it} \ln w_{it} + \beta_{ra} a_{it} \ln r_{it} \\ + \beta_{yy} (\ln y_{it})^2 + \beta_{ya} a_{it} \ln y_{it} + \beta_{aa} a_{it}^2$$

In the case where the firm is a government, y_{it} is essentially unmeasurable, so it seems reasonable to assume linear homogeneity in output. This simplifies the translog specification considerably:

$$(2) \quad c_{it} = \beta_0 + \beta_w \ln w_{it} + \beta_r \ln r_{it} + \ln y_{it} + \beta_a a_{it} + \frac{1}{2} \beta_{ww} (\ln w_{it})^2 + \beta_{wr} \ln w_{it} \ln r_{it} \\ + \frac{1}{2} \beta_{rr} (\ln r_{it})^2 + \beta_{wa} a_{it} \ln w_{it} + \beta_{ra} a_{it} \ln r_{it} + \beta_{aa} a_{it}^2$$

Specification (2) still requires an estimate of $\ln y_{it}$. However, application of Shephard's Lemma generates the following two-equation system:

$$(3) \quad s_{L, it} = w_{it} L_{it} / c_{it} = \partial \ln c_{it} / \partial \ln w_{it} = \beta_w + \beta_{ww} \ln w_{it} + \beta_{wr} \ln r_{it} + \beta_{wa} a_{it} \\ (4) \quad s_{K, it} = r_{it} k_{it} / c_{it} = \partial \ln c_{it} / \partial \ln r_{it} = \beta_r + \beta_{wr} \ln w_{it} + \beta_{rr} \ln r_{it} + \beta_{ra} a_{it}$$

By estimating cost shares rather than the cost function itself, the ability to estimate β_0 , β_a , and β_{aa} (essentially nuisance parameters) is lost. Also lost is some precision, in the sense that a lower-order approximation is being estimated.⁷ The advantage is relief from the need to supply values for the unobservable y_{it} .

⁶ See, for example, Walter Diewert and Terry Wales (1987), "Flexible Functional Forms and Global Curvature Conditions," *Econometrica*, 55, 43-68.

⁷ See Henri Theil, *The System-Wide Approach to Microeconomics*, University of Chicago Press, 1980, page 151.

Economic theory implies several restrictions.

Symmetry: β_{wr} is the same in both equations

Linear homogeneity in input prices: $\beta_w + \beta_r = 1$; $1/2 \beta_{ww} + \beta_{wr} + 1/2 \beta_{rr} = 0$; $\beta_{wa} + \beta_{ra} = 0$.

The restrictions are imposed in the usual way. One of the factor prices (w_{it}) is used as a numeraire; and only one share equation ($s_{L, it}$) is estimated, leaving parameters of the second, if needed, to be recovered by simple algebra. The resulting estimating equation is

$$(5) \quad s_{L, it} = w_{it} L_{it} / (w_{it} L_{it} + r_{it} k_{it}) = \beta_w + \beta_{wr} \ln (r_{it} / w_{it}) + \beta_{wa} a_{it} + \beta_I' I_{it}$$

where I_{it} is a vector of indicator variables that may be added to equations for some government functions to account for outliers among specific states and time periods. More detail is provided when the regression results are discussed.

Model (5) can be estimated with any standard regression package, provided state-level annual data for L , w , and r can be specified. Series beginning in 1987 for the first two are available from the Government Division of the U.S. Census Bureau. For r , standard practice is followed by assuming cost of capital is the sum of three terms: maintenance (meaning, in this case, all non-labor operating costs), interest, and depreciation.

$$(6) \quad r_{it} = x_{it} / k_{it} + \phi_{it} + \xi_t$$

where x_{it} is the difference between total current expenditures and labor costs, ϕ_{it} is an interest rate for appropriate types of tax-exempt public-purpose government bonds, and ξ_t is the national depreciation rate from BEA's wealth accounts.

To estimate the cost share equations, the same annual interest rate series ϕ_t is used for all states. Because the preferred series not available until 1990, two different sources are used to construct the 1987–2001 annual interest rate series ϕ_t . From 1987 through to the end of 1989, the JP Morgan Revenue Bond Index (RBI) is used. The JP Morgan RBI data are monthly. An annual interest rate is constructed by taking the average of the 12 monthly observations for each calendar year.

From 1990 to the present the Merrill Lynch 20 Year AAA GO series is used. The Merrill Lynch data are provided weekly. An annual interest rate is constructed by taking the average of the 52 observations in each calendar year.

To insure that there is no discontinuity in the series, the annual interest rate from the JP Morgan RBI index for the years 1987 1988 and 1989 is multiplied by the average of the annual ratio of the Merrill Lynch 20 Year AAA GO series divided by the JP Morgan RBI index the for the years 1990 to the present. That ratio turned out to be 0.93. The reason the ratio is less than one is largely because the Merrill Lynch index has a duration that is on average 5 years shorter than the JP Morgan RBI Index.

The final index was chosen following consultation with bonds specialists at both JP Morgan and Merrill Lynch. Although there are hundreds of thousands of unique muni-bonds, and most are rarely if ever traded, the experts felt that a 20 year maturity seemed appropriate and that the ML GO AAA series was probably best for this purpose.

In order to make the cost share equations operational, it's necessary to apportion equipment among the other nine types of capital for which it's possible to approximately match capital with expense and employment data by function of government. In general, a year-zero approach is employed, basing the analysis on the ratio of structures to equipment when both are brand new.

Suppressing the cross-sectional (state) subscript, capital k required for a specific local government function is the sum of structures k_s and equipment k_e :

$$(7) \quad k_t = k_{st} + k_{et}$$

where $k_{st} = k_{s0}(1-\xi_s)^{a_s}$, $k_{et} = k_{e0}(1-\xi_e)^{a_e}$

or, equivalently,

$$(8) \quad k_{s0} = k_{st}(1-\xi_s)^{-a_s}, \quad k_{e0} = k_{et}(1-\xi_e)^{-a_e}$$

Brand new equipment is allocated to brand new structures based on the relative total year-zero values of structures. From this, a ratio z can be derived, which will be the same for all local government functions (or structure types):

$$(9) \quad z = k_{e0}/k_{s0} = k_{et}(1-\xi_e)^{-a_e} k_{st}^{-1}(1-\xi_s)^{a_s}$$

The average z ratio for 50 states plus the District of Columbia in the most recent year for which we can compute it (1998) is .11642. This number is used below to help derive estimates of government-owned equipment and structures for a particular local area.

The blended ages and depreciation rates for total capital (structures and equipment) were used to compute the independent variables in the estimating equations. The nine equations (one for each function of government) were estimated, using data for the period where complete state-level government employment and finance data were available—1987 through 1998. The procedure converged quickly (in four iterations). Results are shown in Table 3.

Fit of the model was improved by including a number of indicator variables, up to three per equation. These are identified as I1, I2, and I3 in Table A1 and defined in Table A2.

Not all of the cost equations contain an indicator variable, and each indicator captures only a small number of states. Several variables simply indicate that an observation is for the state of Alaska, and it seems reasonable to suppose that the technology of providing some government services in Alaska would be different than in many other states. In the case of housing, New York appears to be an isolated outlier, and again that is not especially surprising. Other indicators capture a small number of states in New England or the Rocky Mountain area. The conservation series showed a clear break between 1991 and 1992 in Arizona. The Census Bureau instituted some procedural changes involving the collection and reporting of government finance data beginning in 1992.

Table A1. Regression Results: Cost Share Equations

	β_w	β_{wr}	β_{wa}	I1	I2	I3	Adj R ²
Residential	-0.5454 (.0001)	-0.1082 (.0001)	0.0051 (.0158)	0.1531 (.0001)	0.2150 (.0001)		.453
Education	-0.3801 (.0001)	-0.1391 (.0001)	0.0156 (.0001)				.545
Hospital	0.5682 (.0001)	-0.1413 (.0001)	-0.0247 (.0001)	-0.1793 (.0001)			.506
Other Buildings	0.3970 (.0001)	-0.1655 (.0001)	-0.0368 (.0001)				.784
Streets & Highways	-0.0345 (.4529)	-0.0723 (.0001)	-0.0110 (.0001)	0.2072 (.0001)			.598
Conservation	0.1846 (.0165)	-0.0524 (.0001)	-0.0017 (.6021)	0.3443 (.0001)	-0.2017 (.0001)	0.1210 (.0001)	.483
Sewer	-0.4148 (.0001)	-0.0861 (.0001)	0.0018 (.1985)				.522
Water	-0.0336 (.5780)	-0.1077 (.0001)	-0.0169 (.0001)				.413
Other Structures	-0.2342 (.0021)	-0.1112 (.0001)	-0.0111 (.0004)	0.39629 (.0001)			.566

Table A2: Indicator Variables for Cost Share Equations

Capital type	Variable	Condition for I=1
Residential	I1	state=AK
	I2	state=NY
Hospital	I1	state=AZ, NH, or VT
Streets & Highways	I1	state=AK
Conservation	I1	state=AK
	I2	state =NY or CT; or state=AZ and year < 1992
	I3	state=ID, MT, ND, or WY
Other Structures	I1	state= NE, NY, or WA

In the equations above, age of the capital stock appears as an explanatory variable. This is not readily available, even at the state level. A commonly used approach employs perpetual accounting, investment, and depreciation rates to base-year estimates.⁸ The procedure used here begins with that approach, but then relates the investment rates to population growth rates, one of the few items for which consistent time series are available for individual U.S. counties.

From BEA national wealth data, the following are available or can easily be computed:

ξ = real annual rate of depreciation (defined broadly, as BEA does, to include a normal rate of obsolescence and retirement of assets)

λ = monthly depreciation rate, a simple algebraic transformation of ξ .

N_t = real, net (of depreciation) rate of investment in year t , $t=1946, \dots, 2000$.

⁸ As in Douglas Holtz-Eakin, "State-Specific Estimates of State and Local Government Capital," *Regional Science and Urban Economics*, Vol. 23, No. 2, April 1993, pp. 185-210.

From data compiled by the Governments Division of the Census Bureau, and ratios employed by BEA to analyze this data, the following can be computed for state i and $t=1977, \dots, 1999$:

vn_{it} = real investment in new assets state i in year t .

ve_{it} = real investment in existing assets state i in year t .

v_{it} = real investment in state i in year $t = vn_{it} + ve_{it}$.

x_{it} = current expenditures associated with the relevant type of capital state i in year t .

From standard Census Bureau data it is possible to compute

Π_{it} = population growth in the state relative to the national rate; i.e.,

$$\Pi_{it} = \frac{\Delta \rho_{it}}{\rho_{it-1}} \left[\frac{\sum_i \Delta \rho_{it}}{\sum_i \rho_{it-1}} \right]^{-1}$$

The starting point consists of initial end-of-year estimates of the real capital stock, k_{i76}^0 , determined by allocating capital to each state according to its share of current expenditure, x_{i77} . This procedure, the one employed for example by Holtz-Eakin (1993), is used here only for the purpose of supplying initial values to be modified in subsequent iterations.

Perpetual inventory accounting can be used to calculate the following recursively for $t=1977, \dots, 1999$:

$$(10) \quad k_{i,t+1}^0 = k_{it}^0 (1-\xi) + v_{it+1} (1-\delta)^6$$

This assumes that investment made during period $t+1$ depreciates an average of 6 months by the end of the period. Then relative (to the national rate) net real rates of investment can also be computed:

$$(11) \quad \equiv_{it} = \left[\frac{v_{it} - \delta k_{it-1}^0}{k_{it-1}^0} \right] N_t^{-1}$$

The goal is to obtain estimates of parameters \forall_j and 2_q in the following regression relationship:

$$(12) \quad \equiv_{it} = \sum_{j=1}^J \alpha_j^0 \rho_{it-j}^0 + \sum_{q=1}^Q \mathcal{G}_q D_q$$

where J is the longest lag considered and the D_q are indicator (dummy) variables. The hypothesis underlying this specification is that a state's rate of investment (relative to the national rate) is a function of past rates of its population growth (also relative to the national rate), with indicator variables to account for anomalies in some states due to peculiarities that are difficult to observe and quantify. Inspection of the pair wise correlations between \equiv_{it} and Π_{it-j} reveal that they begin to decline at or before the lag reaches eight years, depending on the type of capital. Thus, model specification for each type of capital began by tentatively considering population growth effects up to $J=8$. The final specification varies from case to case.

As a practical matter, the final specifications employ averages of population growth rates lagged over several years. Over the course of several experiments, the sum of the coefficients on the population variables never changed substantially when an average was substituted for a series of individual lags. Coefficients on individual lags tended to fluctuate widely and lack statistical significance, due to collinearity. The use of averages thus aids interpretation without impacting the marginal impacts predicted by the equations in a meaningful way.

Three indicator variables were used in all but the hospital capital equation, which employed four. In most cases, indicator variables flag relatively few states (Table A3).

Table A3: Indicator Variables for Relative Investment Rate Equations

Capital Category	DVERYHI=1	DHIGH=1	DLOW=1	DVERYLOW=1
1 Equipment	DC, WY	AZ, CO, MT, UT	AR, NH, RI	
2 Residential Buildings	DC, HI, MA, NY	CT, DE, RI	CO, FL, ID, NM, TX, UT, VT, WY	
3 Educational Buildings	WY	HI, NM, TX	CA, VT, WI	
4 Hospital Buildings	WY	AL, FL, GA, HI, IA, ID, KS, NY, OH, WA	AR, CT, DE, IL, KY, ME, OR, UT, WI, WV	AZ, VT
5 Other Buildings	DC, WY	HI, MD	AR	
6 Highways and Streets	WY	DC, IA, MN, MT, ND, NE	AR, ME, NH, SC, VT	
7 Conservation & Development	HI, WY	AZ, LA, MT	AL, NY, OK, TN, VA	
8 Sewer Systems & Structures	DC, NY, WA	MA, MD, NJ, OH, RI, WI	AR, NC	
9 Water Supply Facilities	CO, DC, SD, WY	FL, NV	DE, NH	
10 Other Structures	DC	NE	NH	

Given initial estimates, it's possible to begin the perpetual inventory accounting process at an earlier date. If we assume that the World War II period was atypical and restrict ourselves to post-war population data, an 8-year lag in (12) implies that 1954 is the first year for which we can obtain state investment estimates. Hence, state capital stocks in 1953 are estimated by allocating the national capital stock in that year according to its share of the U.S. population, then estimating state investment in the years from 1954 through 1976 recursively according to

$$(13) \quad v_{it}^0 = k_{it-1}^0 (\xi + N_t \equiv^0_{it})$$

where \equiv^0_{it} is estimated from (12). In words, (13) says that investment is enough to cover depreciation, plus another term which is the net national rate of investment multiplied by a relative factor specific to state *i*. It is then possible to combine (13) with (10) to derive estimates of the capital stock for the years 1954 through 1976 in most states. (Lack of complete data for in earlier years pushes the first estimate for Alaska forward to 1962.)

In this way revised estimates k_{i76}^1 are derived, and these can be used to restart the process by repeating steps (10) through (13). This results in successively revised estimates k_{it}^1 and π_{it}^1 for $t=1977, \dots, 1999$; parameters ν_j^1 and z_{qi}^1 ; ν_{it}^1 for $t=54, \dots, 76$; and k_{i76}^2 . This ends the first iteration.

This process can be repeated until either a convergence criterion is satisfied. The particular criterion used was an average absolute percentage change in the k_{i76} no greater than 10^{-10} between iterations.

The procedure was carried out for all 10 BEA categories of state and local government capital. Each of the ten equations converged in fewer than 10 iterations. The final estimates are shown in Table A4.

Table A4. Final Regression Results: Dependent Variable=Relative Investment Rate

	Equipment	Residential	Education	Hospital	Buildings nec
Iterations to Convergence	8	6	6	6	6
Final Regression Coefficients (p-values):					
Constant	-0.2590 (.0003)	0.5460 (.0001)	-0.0227 (.8295)	0.3663 (.0001)	0.5439 (.0001)
<i>Lagged relative population growth rates:</i>					
Population lag 1	0.4337 (.0001)		0.3852 (.0001)		0.1336 (.0001)
Population lag 2-5	0.1707 0.0212	0.0662 (.1225)			
Population lag 2-8			0.6865 (.0001)		0.0961 (.0002)
Population lag 6-8		0.0805 (.0532)		0.1270 (.0009)	
<i>State indicator variables:</i>					
DVeryhi	5.6639 (.0001)	2.9842 (.0001)	7.2485 (.0001)	4.1282 (.0001)	1.7082 (.0001)
DHigh	1.2733 (.0002)	0.7862 (.0001)	1.6538 (.0001)	1.4240 (.0001)	1.3839 (.0001)
DLow	-1.3392 (.0001)	-0.8119 (.0001)	-1.2254 (.0003)	-0.8407 (.0001)	-0.6383 (.0001)
DVerylow				-1.7778 (.0001)	
Adjusted R ²	.432	.426	.311	.323	.402

Table A4. Continued

	Streets	C&D	Sewer	Water	Other
Iterations to Convergence	6	6	6	6	8
Final Regression Coefficients (p-values):					
Constant	0.8370 (.0001)	0.0938 (.0617)	0.4386 (.0001)	0.2036 (.0001)	0.2754 (.0016)
<i>Lagged relative population growth rates:</i>					
Population lag 1				0.1967 (.0001)	0.2253 (.0030)
Population lag 2		0.0950 (.0371)			
Population lag 2-5	0.2462 (.0001)				
Population lag 5			0.0516 (.1461)		
Population lag 2-8				0.4270 (.0001)	0.5368 (.0001)
Population lag 3-8		0.2653 (.0001)			
Population lag 6-8	0.0770 (.0318)		0.0701 (.0594)		
<i>State indicator variables:</i>					
DVeryhi	4.955 (.0001)	2.387 (.0001)	1.348 (.0001)	2.270 (.0001)	13.405 (.0001)
DHigh	1.340 (.0001)	1.223 (.0001)	1.025 (.0001)	0.396 (.0206)	5.981 (.0001)
DLow	-0.684 (.0006)	-0.785 (.0001)	-0.745 (.0001)	-0.126 (.0001)	-2.172 (.0001)
Adjusted R ²	.502	.338	.268	.496	.528

The estimated pre-1977 investment series can be spliced onto the 1977-1999 data and the results used to estimate the average age of capital, by type, in each state. The procedure is as follows. First, set the average age of capital in state equal to the national average for 1953. Then, use perpetual accounting to recursively calculate the average age in subsequent years:

$$(14) \quad a_{it+1} = [(a_{it} + 1) k_{it}(1-\xi) + \frac{1}{2} v n_{it+1}(1-\rightarrow)^6 + ap_t ve_{it+1}(1-\rightarrow)^6] / k_{it+1}^0$$

where ap_t is the average age of the relevant type of private capital, in accord with the method used by BEA which assumes that existing assets purchased by governments are "typical".

The process of deriving estimating capital stock estimates for a particular local area begins by adapting the average age equation (14) to location m:

$$a_{mt} = [(a_{mt-1} + 1) k_{mt-1}(1-\xi) + g_t v_{mt}(1-\rightarrow)^6] / [k_{mt-1}(1-\xi) + v_{mt}(1-\rightarrow)^6]$$

where $g_t = \frac{.5 \sum_i v n_{it} + pa \sum_i v e_{it}}{\sum_i v_{it}}$, that is, the average end-of-the year age of total assets

(including both new and used) purchased by all states in the country during the period.

Then (13) is substituted into the average age formula and the capital factor is eliminated in order to obtain

$$(15) \quad a_{mt} = \frac{(a_{mt-1} + 1)(1 - \delta) + g_t (\delta + N_t \eta_{mt})(1 - \varepsilon)^6}{1 - \delta + (\delta + N_t \eta_{mt})(1 - \varepsilon)^6}$$

Equation (13) can be used to estimate a_{mt} from local relative population growth factors Π_{mt} . Starting with the national average age for 1954 as initial estimate of the average age of the capital stock in m , (15) can be applied to calculate a_{mt} recursively for subsequent years.

The result is a recipe for estimating the age of the capital stock for a particular local area. To be implemented, the recipe requires only data on local population growth.

Given the age estimate—along with estimates of the parameters β_w , β_{wr} , and β_{wa} from the cost share equations, capital depreciation rates ξ_t from BEA, a current rate on tax-exempt bonds ϕ_{mt} , and values for w_{mt} , L_{mt} , and x_{mt} that can be obtained for any unit of government from data bases maintained by the U.S. Census Bureau—capital k_{mt} is the only unknown in the local cost share equation

$$(16) \quad [w_{mt} L_{mt} + x_{mt} + (\phi_{mt} + \xi_t) k_{mt}] \cdot [\beta_w + \beta_{wr} \ln((x_{mt}/k_{mt} + \phi_{mt} + \xi_t)/w_{mt}) + \beta_{wa} a_{mt} + \beta'_I I_{mt}] = w_{mt} L_{mt}$$

However, it's necessary to account for the fact that capital in (16) consists of both structures and equipment. Equations (7), (8), and (9) imply that

$$(17) \quad k_{mt,s} = \gamma_{mt} k_{mt} \text{ and } k_{mt,e} = (1 - \gamma_{mt}) k_{mt} \text{ where}$$

$$(18) \quad \gamma_{mt} = [1 + z(1 - \xi_e) a_{mt,e} (1 - \xi_s)^{-a_{mt,s}}]^{-1}$$

By using the 1998 state average value (.11642) for z , it's possible to compute γ_{mt} from BEA's depreciation rates and the estimated ages of structures and equipment. In turn, γ_{mt} can be used to compute

$$(19) \quad a_{mt} = a_{mt,s} k_{mt,s} / k_{mt} + a_{mt,e} k_{mt,e} / k_{mt} = \gamma_{mt} a_{mt,s} + (1 - \gamma_{mt}) a_{mt,e}$$

and

$$(20) \quad \xi_{mt} = \gamma_{mt} \xi_{t,s} + (1 - \gamma_{mt}) \xi_{t,e}$$

for the blended age and depreciation rate of capital, respectively. Substitution into (16) yields a formula that can be applied in practice:

$$(21) \quad [w_{mt} L_{mt} + x_{mt} + (\phi_{mt} + \gamma_{mt} \xi_{t,s} + (1 - \gamma_{mt}) \xi_{t,e}) k_{mt}] \cdot [\beta_w + \beta_{wr} \ln((x_{mt}/k_{mt} + \phi_{mt} + \gamma_{mt} \xi_{t,s} + (1 - \gamma_{mt}) \xi_{t,e})/w_{mt})] + \beta_{wa} (\gamma_{mt} a_{mt,s} + (1 - \gamma_{mt}) a_{mt,e}) + \beta'_I I_{mt}] = w_{mt} L_{mt}$$

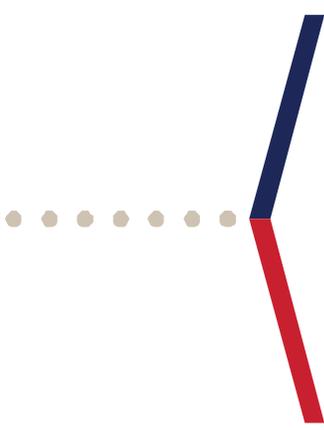
This is the formula used to estimate k_{mt} , the dollar value of a particular type of government capital in a particular local area. Because capital appears twice in the nonlinear expression, a closed form solution for it does not exist. Finding the solution is a one-dimensional problem, however, so k_{mt} can be recovered through elementary numerical methods.

**The Metro Area Impact of the
Cloverwood Project in
South Blooming Grove, NY:
Income, Jobs and
Taxes Generated**



September 2020

Housing Policy Department



The Metro Area Impact of the Cloverwood Project in South Blooming Grove, NY: Income, Jobs and Taxes Generated

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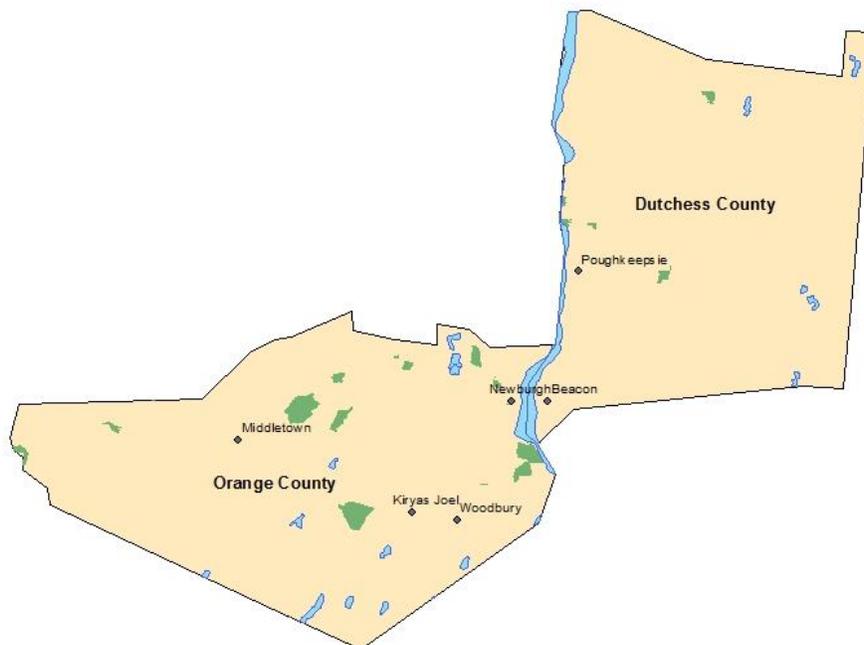
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Executive Summary

Home building generates substantial local economic activity, including new income and jobs for residents, and additional revenue for local governments. The National Association of Home Builders has developed a model to estimate these economic benefits. The model captures the effect of the construction activity itself, the ripple impact that occurs when income earned from construction activity is spent and recycles in the local economy, and the ongoing impact that results from new homes becoming occupied by residents who pay taxes and buy locally produced goods and services. To fully understand the economic impact residential construction has on a local area, it is important to include the ripple effects and the ongoing benefits. Since the model was initially developed in 1996, NAHB has used it successfully to estimate the impacts of construction in over 800 projects, local jurisdictions, metropolitan areas, non-metropolitan counties, and states across the country.

This report presents estimates of the metro area impacts of home building in Cloveood Project, a development consisting of 600 single-family homes in the Village of South Blooming Grove. The Village of South Blooming Grove, in turn, is located in Orange County in the State of New York. For purposes of the NAHB model, a local area must be large enough to include the places where construction workers live and spend their money, as well as the places where the new home occupants are likely to work, shop, and go for recreation. In practice, this usually means a Metropolitan Statistical Area (MSA), as defined by the U.S. Office of Management and Budget (OMB). Based on local commuting patterns, OMB has identified the Poughkeepsie-Newburgh-Middletown MSA as a metro area consisting of two counties (Orange and Dutchess) in New York (see map below).

Poughkeepsie-Newburgh-Middletown, New York MSA



In this report, wherever the term local is used, it refers to the entire metro area. The NAHB model produces impacts on income and employment in 16 industries and local government, as well as detailed information about taxes and other types of local government revenue. Aggregate results are summarized below. Subsequent sections of the report show detail by industry and type of tax or fee revenue generated.

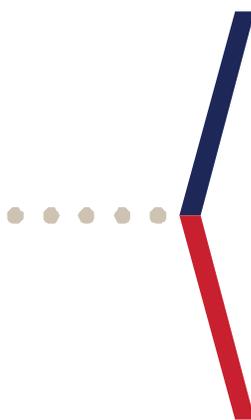
- The estimated one-year metro area impacts of building 600 single-family homes in the Clovewood Project include
 - **\$203.0 million** in local income,
 - **\$16.2 million** in taxes and other revenue for local governments, and
 - **2,554** local jobs.

These are local impacts, representing income and jobs for residents of the Poughkeepsie-Newburgh-Middletown MSA, and taxes (and other sources of revenue, including permit fees) for all local jurisdictions within the metro area. They are also one-year impacts that include both the direct and indirect impact of the construction activity itself, and the impact of local residents who earn money from the construction activity spending part of it within the local area. Local jobs are measured in full time equivalents—i.e., one reported job represents enough work to keep one worker employed full-time for a year, based on average hours worked per week by full-time employees in the industry.

- The additional, annually recurring impacts of building the 600 single-family homes in the Clovewood Project include
 - **\$37.5 million** in local income,
 - **\$15.0 million** in taxes and other revenue for local governments, and
 - **616** local jobs.

These are ongoing, annual local impacts that result from the new homes becoming occupied, and the occupants paying taxes and otherwise participating in the local economy year after year. The ongoing impacts also include the effect of increased property taxes, based on the difference between the value of raw land and the value of a completed housing unit on a finished lot, assuming that raw land would be taxed at the same rate as the completed housing unit.

The above impacts were calculated assuming that the new single-family homes built in the Clovewood Project have an average price of \$495,000; which includes \$100,000 in raw land value and \$1,500 in permit and other fees paid to local governments; and incur an average property tax of \$19,342 per year. The estimates also assume that a local sales tax of 3.75% is charged on construction materials. This information was provided by Community Planning Consultants.



**The Metro Area Impact of the
Cloverwood Project in
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**Detailed Tables on
Income, Jobs and
Taxes**

Impact of Building 600 Single-family Homes: The Clovewood Project in South Blooming Grove, New York

Summary

Total One-Year Impact: Sum of Phase I and Phase II:

Local Income	Local Business Owners' Income	Local Wages and Salaries	Local Taxes ¹	Local Jobs Supported
\$202,994,700	\$61,994,700	\$141,000,400	\$16,160,200	2,554

Phase I: Direct and Indirect Impact of Construction Activity:

Local Income	Business Owners' Income	Local Wages and Salaries	Local Taxes ¹	Local Jobs Supported
\$138,718,200	\$47,411,500	\$91,306,900	\$6,808,100	1,527

Phase II: Induced (Ripple) Effect of Spending the Income and Taxes from Phase I:

Local Income	Business Owners' Income	Local Wages and Salaries	Local Taxes ¹	Local Jobs Supported
\$64,276,500	\$14,583,200	\$49,693,500	\$9,352,100	1,027

Phase III: Ongoing, Annual Effect that Occurs When New Homes are Occupied:

Local Income	Local Business Owners' Income	Local Wages and Salaries	Local Taxes ¹	Local Jobs Supported
\$37,489,300	\$7,836,800	\$29,652,600	\$14,983,600	616

¹ The term local taxes is used as a shorthand for local government revenue from all sources: taxes, fees, fines, revenue from government-owned enterprises, etc.

**Impact of Building 600 Single-family Homes in the Clovewood Project
Phase I—Direct and Indirect Impact of Construction Activity**

A. Local Income and Jobs by Industry

Industry	Local Income	Local Business Owners' Income	Local Wages and Salaries	Wages & Salaries per Full-time Job	Number of Local Jobs Supported
Construction	\$106,448,300	\$36,299,100	\$70,149,300	\$64,000	1,103
Manufacturing	\$11,000	\$500	\$10,500	\$52,000	0
Transportation	\$21,400	\$10,400	\$11,000	\$33,000	0
Communications	\$893,100	\$312,100	\$581,000	\$62,000	9
Utilities	\$214,200	\$46,300	\$167,800	\$136,000	1
Wholesale and Retail Trade	\$11,056,300	\$2,438,100	\$8,618,300	\$40,000	215
Finance and Insurance	\$2,031,200	\$77,200	\$1,954,000	\$99,000	20
Real Estate	\$5,974,300	\$5,144,300	\$830,000	\$49,000	17
Personal & Repair Services	\$549,000	\$130,900	\$418,100	\$43,000	10
Services to Dwellings / Buildings	\$380,800	\$147,000	\$233,800	\$41,000	6
Business & Professional Services	\$8,817,800	\$2,059,000	\$6,758,700	\$61,000	111
Eating and Drinking Places	\$317,300	\$52,100	\$265,200	\$30,000	9
Automobile Repair & Service	\$116,900	\$35,200	\$81,800	\$43,000	2
Entertainment Services	\$69,000	\$6,600	\$62,400	\$26,000	2
Health, Educ. & Social Services	\$12,400	\$400	\$12,000	\$46,000	0
Local Government	\$416,800	\$0	\$416,800	\$64,000	7
Other	\$1,388,400	\$652,300	\$736,200	\$51,000	15
Total	\$138,718,200	\$47,411,500	\$91,306,900	\$60,000	1,527

B. Local Government General Revenue by Type

TAXES:		USER FEES & CHARGES:	
Business Property Taxes	\$674,300	Residential Permit / Impact Fees	\$900,000
Residential Property Taxes	\$0	Utilities & Other Govt. Enterprises	\$542,000
General Sales Taxes	\$3,412,000	Hospital Charges	\$0
Specific Excise Taxes	\$16,100	Transportation Charges	\$15,600
Income Taxes	\$0	Education Charges	\$376,300
License Taxes	\$62,200	Other Fees and Charges	\$804,300
Other Taxes	\$5,300	TOTAL FEES & CHARGES	\$2,638,300
TOTAL TAXES	\$4,169,800	TOTAL GENERAL REVENUE	\$6,808,100

**Impact of Building 600 Single-family Homes in the Clovewood Project
Phase II—Induced Effect of Spending Income and Tax Revenue from Phase I**

A. Local Income and Jobs by Industry

Industry	Local Income	Local Business Owners' Income	Local Wages and Salaries	Wages & Salaries per Full-time Job	Number of Local Jobs Supported
Construction	\$3,767,900	\$1,375,800	\$2,392,200	\$64,000	38
Manufacturing	\$12,300	\$600	\$11,700	\$49,000	0
Transportation	\$209,000	\$101,400	\$107,700	\$33,000	3
Communications	\$3,484,500	\$1,444,400	\$2,040,100	\$78,000	26
Utilities	\$1,223,400	\$262,900	\$960,400	\$136,000	7
Wholesale and Retail Trade	\$9,474,800	\$1,592,000	\$7,882,800	\$36,000	217
Finance and Insurance	\$2,012,700	\$79,000	\$1,933,700	\$79,000	24
Real Estate	\$6,476,600	\$2,684,300	\$3,792,200	\$49,000	77
Personal & Repair Services	\$2,388,700	\$872,700	\$1,516,000	\$43,000	35
Services to Dwellings / Buildings	\$843,600	\$325,600	\$518,000	\$41,000	13
Business & Professional Services	\$8,573,300	\$2,494,800	\$6,078,600	\$52,000	118
Eating and Drinking Places	\$4,343,100	\$847,400	\$3,495,700	\$29,000	120
Automobile Repair & Service	\$1,927,500	\$579,900	\$1,347,600	\$43,000	31
Entertainment Services	\$526,800	\$100,200	\$426,600	\$25,000	17
Health, Educ. & Social Services	\$10,734,900	\$1,171,700	\$9,563,300	\$66,000	146
Local Government	\$6,951,600	\$0	\$6,951,600	\$49,000	141
Other	\$1,325,800	\$650,500	\$675,300	\$45,000	15
Total	\$64,276,500	\$14,583,200	\$49,693,500	\$48,000	1,027

B. Local Government General Revenue by Type

TAXES:		USER FEES & CHARGES:	
Business Property Taxes	\$3,301,700	Residential Permit / Impact Fees	\$0
Residential Property Taxes	\$0	Utilities & Other Govt. Enterprises	\$2,681,200
General Sales Taxes	\$1,867,500	Hospital Charges	\$0
Specific Excise Taxes	\$78,800	Transportation Charges	\$7,200
Income Taxes	\$0	Education Charges	\$174,400
License Taxes	\$256,400	Other Fees and Charges	\$959,000
Other Taxes	\$26,000	TOTAL FEES & CHARGES	\$3,821,700
TOTAL TAXES	\$5,530,400	TOTAL GENERAL REVENUE	\$9,352,100

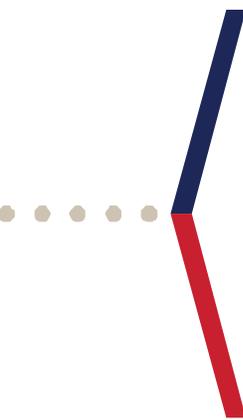
**Impact of Building 600 Single-family Homes in the Clovewood Project
Phase III—Ongoing, Annual Effect that Occurs as the Homes are Occupied**

A. Local Income and Jobs by Industry

Industry	Local Income	Local Business Owners' Income	Local Wages and Salaries	Wages & Salaries per Full-time Job	Number of Local Jobs Supported
Construction	\$1,917,900	\$702,300	\$1,215,600	\$64,000	19
Manufacturing	\$8,000	\$400	\$7,600	\$48,000	0
Transportation	\$93,900	\$45,500	\$48,400	\$33,000	1
Communications	\$1,974,900	\$820,100	\$1,154,800	\$78,000	15
Utilities	\$701,400	\$150,500	\$550,800	\$136,000	4
Wholesale and Retail Trade	\$5,350,600	\$878,500	\$4,472,100	\$37,000	121
Finance and Insurance	\$1,266,700	\$46,600	\$1,220,200	\$78,000	16
Real Estate	\$2,456,500	\$1,018,200	\$1,438,400	\$49,000	29
Personal & Repair Services	\$1,257,300	\$482,800	\$774,500	\$43,000	18
Services to Dwellings / Buildings	\$490,500	\$189,300	\$301,200	\$41,000	7
Business & Professional Services	\$5,293,900	\$1,619,200	\$3,674,700	\$53,000	70
Eating and Drinking Places	\$2,563,000	\$486,600	\$2,076,400	\$29,000	71
Automobile Repair & Service	\$1,033,600	\$311,000	\$722,600	\$43,000	17
Entertainment Services	\$390,800	\$66,900	\$323,900	\$25,000	13
Health, Educ. & Social Services	\$5,241,700	\$594,300	\$4,647,400	\$65,000	72
Local Government	\$6,584,200	\$0	\$6,584,200	\$50,000	133
Other	\$864,400	\$424,600	\$439,800	\$45,000	10
Total	\$37,489,300	\$7,836,800	\$29,652,600	\$48,000	616

B. Local Government General Revenue by Type

TAXES:		USER FEES & CHARGES:	
Business Property Taxes	\$1,906,700	Residential Permit / Impact Fees	\$0
Residential Property Taxes	\$9,260,800	Utilities & Other Govt. Enterprises	\$1,867,500
General Sales Taxes	\$1,078,500	Hospital Charges	\$0
Specific Excise Taxes	\$45,500	Transportation Charges	\$4,200
Income Taxes	\$0	Education Charges	\$101,700
License Taxes	\$148,100	Other Fees and Charges	\$555,600
Other Taxes	\$15,000	TOTAL FEES & CHARGES	\$2,529,000
TOTAL TAXES	\$12,454,600	TOTAL GENERAL REVENUE	\$14,983,600

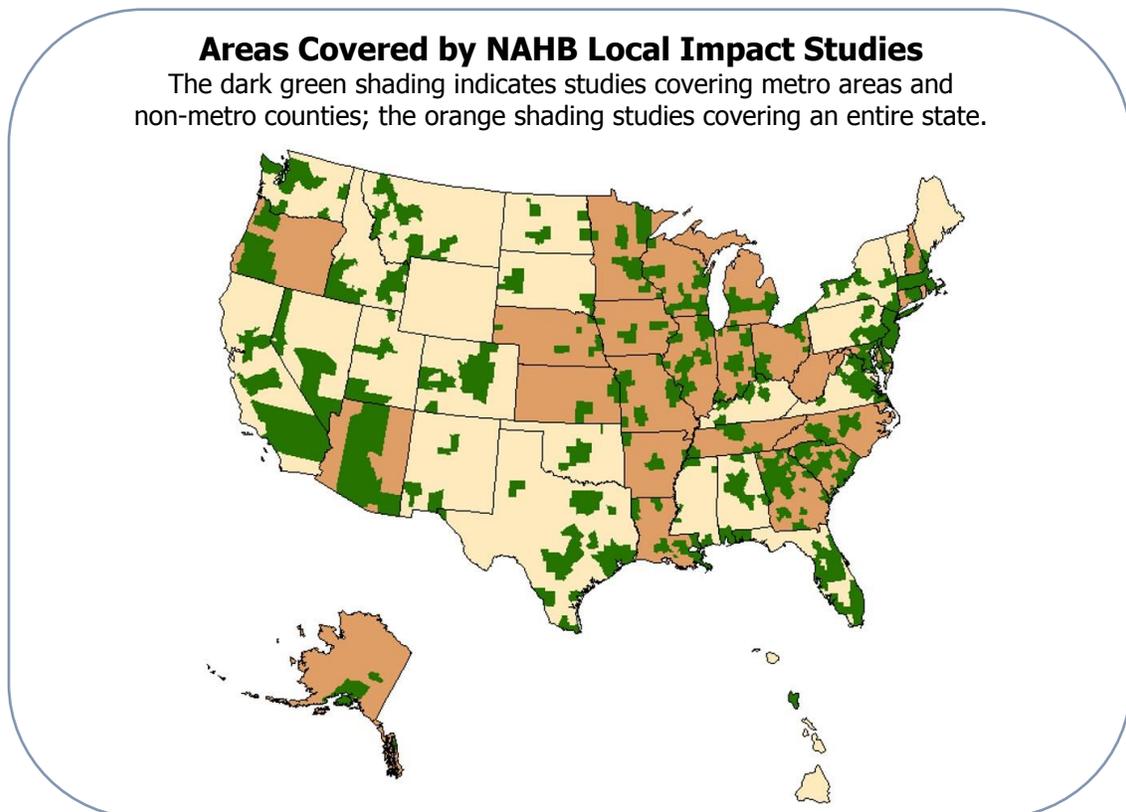


**The Metro Area Impact of the
Cloverwood Project in
South Blooming Grove, NY:
Income, Jobs and
Taxes Generated**

**Background and a Brief
Description of the Model
Used to Estimate the
Economic Benefits**

In 1996, the Housing Policy Department of the National Association of Home Builders (NAHB) developed an economic model to estimate the local economic benefits of home building. Although at first calibrated to a typical metropolitan area using national averages, the model could be adapted to a specific local economy by replacing national averages with specific local data for key housing market variables. The initial version of the model could be applied to single-family construction, multifamily construction, or a combination of the two.

Since 1997, NAHB has used the model to produce customized reports on the impact of home building in various parts of the country. As of February 2012, NAHB has produced over 800 of these customized reports, analyzing residential construction in various metropolitan areas, non-metropolitan counties, and states (see map below).



The reports have analyzed the impacts of specific housing projects, as well as total home building in areas as large as entire states. In 2002, NAHB developed new versions of the model to analyze active adult housing projects and multifamily development financed with the Low-Income Housing Tax Credit, then in 2005 a version of the model that analyzes remodeling.

Results from NAHB's local impact model have been used by outside organizations such as universities, state housing authorities and affordable housing agencies:

- The Shimburg Center for Affordable Housing at the University of Florida used results from the NAHB model to establish that "the real estate taxes paid year after year are the most obvious long-term economic benefit to the community. Probably the second most obvious long-term economic benefit is the purchases made by the family occupying the completed home." www.shimberg.ufl.edu/pdf/Newslett-June02.pdf

- The Louisville Affordable Housing Trust Fund (AHTF) used results from the NAHB model to determine the initial one-year impact and the ongoing annual effect that occurs when new homes are occupied. This analysis was performed to help justify the creation of a commission to oversee the newly established AHTF to insure that it works at “finding creative ways to create a sustainable and renewable fund to provide affordable housing opportunities throughout the Louisville community.”

www.openthedoorlouisville.org/housing-trust/economic-growth
- The Illinois Housing Development Authority used the NAHB model to determine that “the Authority’s new construction activity in single and multifamily housing....resulted in the creation of 4,256 full-time jobs in construction and construction-related industries.” The Authority also used the NAHB impact model to determine the federal, state and local taxes and fees generated from new construction and substantial rehabilitation activity.

www.ihda.org/admin/Upload/Files/94c0ecf7-a238-4be3-90bd-6043cfae81ea.pdf
- The Stardust Center at the Arizona State University used “the model used and developed by the NAHB to assess the immediate economic impacts of affordable housing” by phase including the construction effect, the construction ripple, and on-going impacts. This was done to show “that permanent, affordable and geographically accessible housing provides numerous benefits both to individual families and to the broader community.”

www.orangecountyfl.net/NR/rdonlyres/ef05wiffiqvqgn2s35shus5i4lwdgqbcxpc2dddnds3msj5qs26ubzllsfl6s6rrwnmtkg4dypnjrdrdzei2llq5g/Socialeconomicimpacts.pdf
- The Center for Applied Economic Research at Montana State University used “results from an input-output model developed by the National Association of Home Builders to assess the impacts to local areas from new home construction.” The results show that “the construction industry contributes substantially to Montana’s economy accounting for 5.5 percent of Gross State Product.”
- The Housing Education and Research Center at Michigan State University also adopted the NAHB approach: “The underlying basis for supporting the implementation of this [NAHB] model on Michigan communities is that it provides quantifiable results that link new residential development with commercial and other forms of development therefore illustrating the overall economic effects of residential growth.”
- The Center for Economic Development at the University of Massachusetts found that “Home building generates substantial local economic activity, including income, jobs, and revenue for state and local governments. These far exceed the school costs-to-property-tax ratios. ...these factors were evaluated by means of a quantitative assessment of data from the National Association of Home Builder’s Local Impact of Home Building model.”
- Similarly, the Association of Oregon Community Development Organizations decided to base its analysis of affordable housing on the NAHB model, stating that “This model is widely respected and utilized in analyzing the economic impact of market rate housing development,” and that, compared to alternatives, it “is considered the most comprehensive and is considered an improvement on most previous models.”

www.aocdo.org/docs/EcoDevoStudyFinal.pdf

- The Boone County Kentucky Planning Commission included results from the NAHB model in its 2005 Comprehensive Report. The Planning Commission used values from the impact model to quantify the increase in local income, taxes, revenue, jobs, and overall local economic impacts in the Metro Area as a result of new home construction.

The NAHB model is divided into three phases. Phases I and II are one-time effects. Phase I captures the effects that result directly from the construction activity itself and the local industries that contribute to it. Phase II captures the effects that occur as a result of the wages and profits from Phase I being spent in the local economy. Phase III is an ongoing, annual effect that includes property tax payments and the result of the completed unit being occupied.

**Phase I:
Local Industries
Involved in
Home Building**

The jobs, wages, and local taxes (including permit, utility connection, and impact fees) generated by the actual development, construction, and sale of the home. These jobs include on-site and off-site construction work as well as jobs generated in retail and wholesale sales of components, transportation to the site, and the professional services required to build a home and deliver it to its final customer.

**Phase II:
Ripple Effect**

The wages and profits for local area residents earned during the construction period are spent on other locally produced goods and services. This generates additional income for local residents, which is spent on still more locally produced goods and services, and so on. This continuing recycling of income back into the community is usually called a *multiplier* or *ripple* effect.

**Phase III:
Ongoing,
Annual Effect**

The local jobs, income, and taxes generated as a result of the home being occupied. A household moving into a new home generally spends about three-fifths of its income on goods and services sold in the local economy. A fraction of this will become income for local workers and local businesses proprietors. In a typical local area, the household will also pay 1.25 percent of its income to local governments in the form of taxes and user fees, and a fraction of this will become income for local government employees. This is the first step in another set of economic ripples that cause a permanent increase in the level of economic activity, jobs, wages, and local tax receipts.

Modeling a Local Economy

The model defines a local economy as a collection of industries and commodities. These are selected from the detailed benchmark input-output tables produced by the U.S. Bureau of Economic Analysis. The idea is to choose goods and services that would typically be produced, sold, and consumed within a local market area. Laundry services would qualify, for example, while automobile manufacturing would not. Both business-to-business and business-to-consumer transactions are considered. In general the model takes a conservative approach and retains a relatively small number of the available industries and commodities. Of the roughly 400 industries and commodities provided in the input-output files, the model uses only 97 commodities and 99 industries.

The design of the model implies that a local economy should include not only the places people live, but also the places where they work, shop, typically go for entertainment, etc. This corresponds reasonably well to the concepts of Metropolitan Statistical Areas and Metropolitan Divisions, areas defined by the U.S. Office of Management and Budget based on local commuting patterns. Outside of these officially defined metropolitan areas, NAHB has determined that a county will usually satisfy the model's requirements.

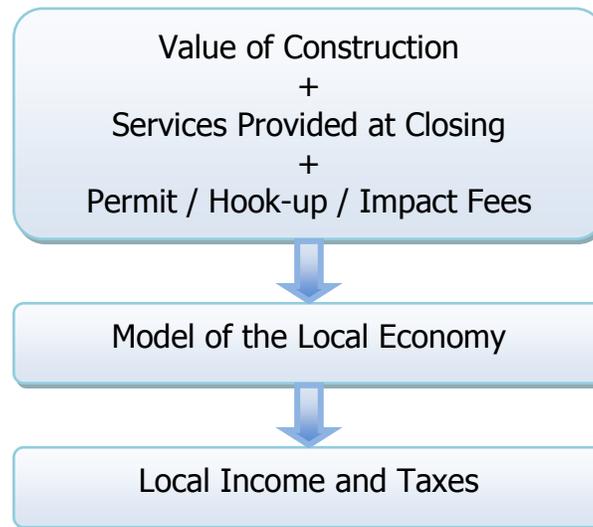
For a particular local area, the model adjusts the indirect business tax section of the national input-output accounts to account for the fiscal structure of local governments in the area. The information used to do this comes primarily from the U.S. Census Bureau's Census of Governments. Wages and salaries are extracted from the employee compensation section of the input-output accounts on an industry-by-industry basis. In order to relate wages and salaries to employment, the model incorporates data on local wages per job published by the Bureau of Economic Analysis.

Phase I: Construction

In order to estimate the local impacts generated by home building, it is necessary to know the sales price of the homes being built, how much raw land contributes to the final price, and how much the builder and developer pay to local area governments in the form of permit, utility connection, impact, and other fees. This information is not generally available from national sources and in most cases must be provided by representatives from the area in question who have specialized knowledge of local conditions.

The model subtracts raw land value from the price of new construction and converts the difference into local wages, salaries, business owners' income, and taxes. This is done separately for each of the local industries. In addition, the taxes and fees collected by local governments during the construction phase generate wages and salaries for local government employees. Finally the number of full time jobs supported by the wages and salaries generated in each private local industry and the local government sector is estimated.

Summary of Phase I



Phase II: The Construction Ripple

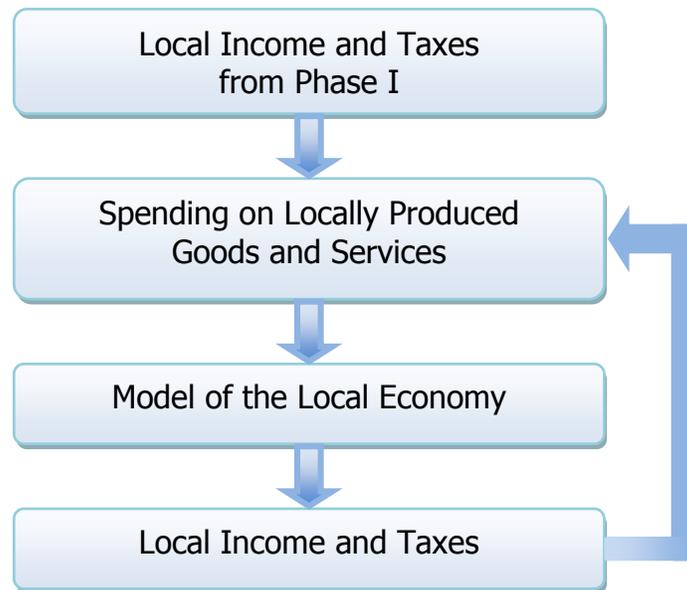
Clearly, the local residents who earn income in Phase I will spend a share of it. Some of this will escape the local economy. A portion of the money used to buy a new car, for example, will become wages for autoworkers that are likely to live in another city, and increased profits for stockholders of an automobile manufacturing company who are also likely to live elsewhere. A portion of the spending, however, will remain within, and have an impact on, the local economy. The car is likely to be purchased from a local dealer and generate income for a salesperson that lives in the area, as well for local workers who provide cleaning, maintenance, and other services to the dealership. Consumers also are likely to purchase many services locally, as well as to pay taxes and fees to local governments.

This implies that the income and taxes generated in Phase I become the input for additional economic impacts analyzed in what we call Phase II of the model. Phase II begins by estimating how much of the added income households spend on each of the local commodities. This requires detailed analysis of data from the Consumer Expenditure (CE) Survey, which is conducted by the U.S. Bureau of Labor Statistics primarily for the purpose of determining the weights for the Consumer Price Index. The analysis produces household spending estimates for 52 local commodities. The remainder of the 97 local commodities enter the model only as business-to-business transactions.

The model then translates the estimated local spending into local business owners' income, wages and salaries, jobs, and taxes. This is essentially the same procedure applied to the homes sold to consumers in Phase I. In Phase II, however, the procedure is applied simultaneously to 56 locally produced and sold commodities.

In other words, the model converts the local income earned in Phase I into local spending, which then generates additional local income. But this in turn will lead to additional spending, which will generate more local income, leading to another round of spending, and so on. Calculating the end result of these economics is a straightforward exercise in mathematics.

Summary of Phase II



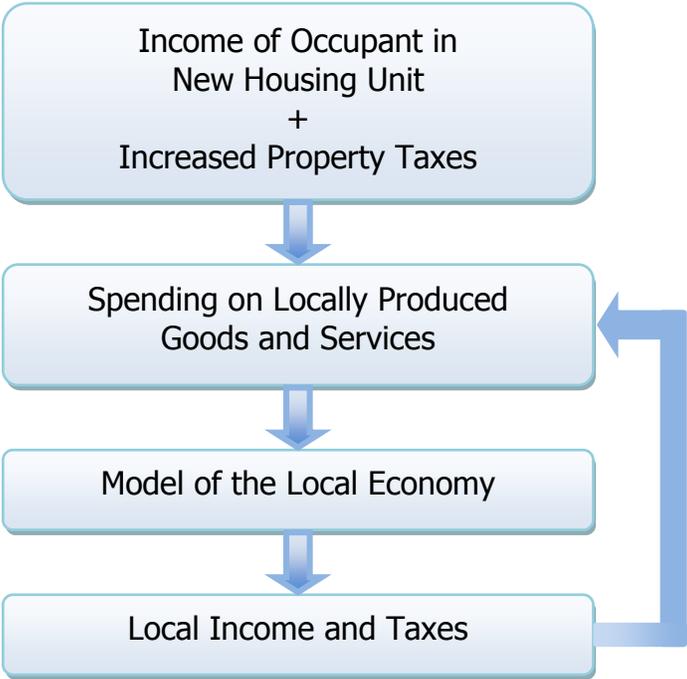
Phase III: Ongoing Impacts

Like Phase II, Phase III involves computing the sum of successive ripples of economic activity. In Phase III, however, the first ripple is generated by the income and spending of a new household (along with the additional property taxes local governments collect as a result of the new structure). This does not necessarily imply that all new homes must be occupied by households moving in from outside the local area. It may be that an average new-home household moves into the newly constructed unit from elsewhere in the same local area, while average existing-home household moves in from outside to occupy the unit vacated by the first household. Alternatively, it may be that the new home allows the local area to retain a household that would otherwise move out of the area for lack of suitable housing.

In any of these cases, it is appropriate to treat a new, occupied housing unit as a net gain to the local economy of one household with average characteristics for a household that occupies a new home. This reasoning is often used, even if unconsciously, when it is assumed that a new home will be occupied by a household with average characteristics—for instance, an average number of children who will consume public education.

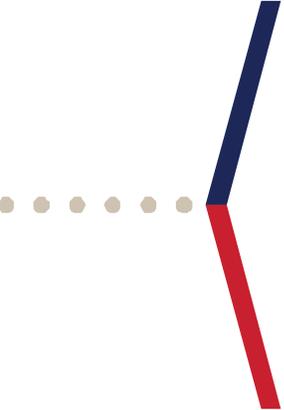
To estimate the impact of the net additional households, Phase III of the model requires an estimate of the income of the households occupying the new homes. The information used to compute this estimate comes from several sources, but primarily from an NAHB statistical model based on decennial census data. Phase III of the local impact model then estimates the fraction of income these households spend on various local commodities. The spending tendencies are estimated with CE data in a fashion similar to that described under Phase II. The model also estimates the amount of local taxes the households pay each year. These estimates are based on Census of Governments data with the exception of residential property taxes, which are treated separately, most often with specific information obtained from a local source. Finally, a total ripple effect is computed in a way similar to the procedure outlined above under Phase II.

Summary of Phase III



The details covered here provide a brief description of the model NAHB uses to estimate the local economic benefits of home building. For a more complete description, see the technical documentation at the end of the report. For additional information about the model, or questions about applying it to a particular local area, contact one of the following in NAHB’s Economics and Housing Policy Group:

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Local Impact of Home Building Technical Documentation for the NAHB Model Used to Estimate Income, Jobs and Taxes

Paul Emrath
Vice President
Survey and Housing Policy Research



Technical Documentation for the NAHB Model Used to Estimate Income, Jobs and Taxes

The Housing Policy Department of the National Association of Home Builders (NAHB) maintains an economic model that it uses to estimate the local economic benefits of home building. The NAHB model is divided into three phases. Phases I and II are one-time effects. Phase I captures the effects that result directly from the construction activity itself and the local industries that contribute to it. Phase II captures the effects that occur as a result of the wages and profits from Phase I being spent in the local economy. Phase III is an ongoing, annual effect that includes property tax payments and the result of the completed unit being occupied.

The model can be customized to a specific local economy by replacing key housing market variables. This document explains describes the sources of data used and explains how the estimates are generated.

Modeling a Local Economy

In the NAHB model, a local economy is defined as a collection of industries and commodities, selected from the 2007 benchmark input-output accounts produced by the U.S. Bureau of Economic Analysis (BEA). These accounts are generally based on the North American Industry Classification System (NAICS), although BEA combines and otherwise modifies the NAICS categories for purposes of the input-output estimates. NAHB's model uses the most detailed (6-digit) industry codes in order to parse industries and commodities as precisely as possible and include only those that are generally local in nature. BEA's 2007 benchmark input-output tables contain a total of 389 industries at the 6-digit level of detail. NAHB's local economy retains the following 99:

	<i>IO Code</i>	<i>Detailed Industry Name</i>
1	111400	Greenhouse, nursery, and floriculture production
2	212310	Stone mining and quarrying
3	221100	Electric power generation, transmission, and distribution
4	221200	Natural gas distribution
5	221300	Water, sewage and other systems
6	230301	Nonresidential maintenance and repair
7	230302	Residential maintenance and repair
8	233210	Health care structures
9	233411	Single-family residential structures
10	233412	Multifamily residential structures
11	323120	Support activities for printing
12	339950	Sign manufacturing
13	420000	Wholesale trade
14	441000	Motor vehicle and parts dealers
15	445000	Food and beverage stores
16	452000	General merchandise stores
17	485000	Transit and ground passenger transportation
18	492000	Couriers and messengers
19	493000	Warehousing and storage
20	511110	Newspaper publishers
21	515100	Radio and television broadcasting
22	515200	Cable and other subscription programming
23	517110	Wired telecommunications carriers
24	517210	Wireless telecommunications carriers (except satellite)

25	518200	Data processing, hosting, and related services
26	519130	Internet publishing and broadcasting and Web search portals
27	524200	Insurance agencies, brokerages, and related activities
28	525000	Funds, trusts, and other financial vehicles
29	531000	Real estate
30	532100	Automotive equipment rental and leasing
31	532400	Commercial and industrial machinery and equipment rental and leasing
32	533000	Lessors of nonfinancial intangible assets
33	541100	Legal services
34	541200	Accounting, tax preparation, bookkeeping, and payroll services
35	541300	Architectural, engineering, and related services
36	541400	Specialized design services
37	541511	Custom computer programming services
38	541512	Computer systems design services
39	541800	Advertising, public relations, and related services
40	541920	Photographic services
41	541940	Veterinary services
42	561100	Office administrative services
43	561200	Facilities support services
44	561300	Employment services
45	561400	Business support services
46	561600	Investigation and security services
47	561700	Services to buildings and dwellings
48	561900	Other support services
49	562000	Waste management and remediation services
50	611100	Elementary and secondary schools
51	621100	Offices of physicians
52	621200	Offices of dentists
53	621300	Offices of other health practitioners
54	621400	Outpatient care centers
55	621600	Home health care services
56	621900	Other ambulatory health care services
57	622000	Hospitals
58	624100	Individual and family services
59	624400	Child day care services
60	711100	Performing arts companies
61	711200	Spectator sports
62	712000	Museums, historical sites, zoos, and parks
63	713100	Amusement parks and arcades
64	713200	Gambling industries (except casino hotels)
65	713900	Other amusement and recreation industries
66	722110	Full-service restaurants
67	722211	Limited-service restaurants
68	811100	Automotive repair and maintenance
69	811200	Electronic and precision equipment repair and maintenance
70	811300	Commercial and industrial machinery and equipment repair and maintenance
71	811400	Personal and household goods repair and maintenance
72	812100	Personal care services
73	812200	Death care services
74	812300	Dry-cleaning and laundry services
75	812900	Other personal services
76	813100	Religious organizations
77	2332A0	Commercial structures, including farm structures
78	2332B0	Other nonresidential structures
79	2334A0	Other residential structures
80	4A0000	Other retail
81	517A00	Satellite, telecommunications resellers, and all other telecommunications

82	5191A0	News syndicates, libraries, archives and all other information services
83	522A00	Nondepository credit intermediation and related activities
84	523A00	Securities and commodity contracts intermediation and brokerage
85	52A000	Monetary authorities and depository credit intermediation
86	532A00	Consumer goods and general rental centers
87	54151A	Other computer related services, including facilities management
88	5419A0	Marketing research & other miscellaneous professional, scientific, & tech. services
89	611B00	Other educational services
90	623A00	Nursing and community care facilities
91	623B00	Residential mental retardation, mental health, substance abuse and other facilities
92	624A00	Community food, housing, and other relief services, including rehabilitation services
93	722A00	All other food and drinking places
94	813A00	Grantmaking, giving, and social advocacy organizations
95	813B00	Civic, social, professional, and similar organizations
96	S00201	State and local government passenger transit
97	S00202	State and local government electric utilities
98	S00203	Other state and local government enterprises
99	S00700	State and local general government

In contrast to the industry categories used in the previous (2002) version of the benchmark input-output tables, the 2007 version shows considerably more detail in the construction sector, and breaks retail trade into several categories.

In the input-output accounts, commodities generally correspond to industries, with the exception of "state and local government passenger transit" and "state and local government electric service," for which there is no distinct commodity (passenger transit and electric services are defined as input-output commodities irrespective of which industry produces them), so the local economy as defined in the NAHB model consists of 99 industries and 97 commodities.

The above list includes industries in trade, construction, finance, transportation, and services—but excludes virtually all manufacturing, mining, and agriculture, under the presumption that the markets for these products are regional—if not national or international—in nature.

The exclusion of many industries is a distinguishing feature of the NAHB local impact model and is consistent with the overall intent of the model: to analyze the impact of locating a housing unit and the household that occupies it in one place rather than another. From this perspective, a house built in Seattle, Washington should not cause additional airplanes to be built or additional software to be produced, even though the occupants of a home built in Seattle may use software produced in Seattle and travel on planes built in Seattle. Because these households would be likely to use these products the same way even if they lived in some other metropolitan area, use of these products is not a function of the home's location. Hence, industries like software publishing and aircraft manufacturing are excluded from the model.

Based on the industries and commodities described above, a "total local requirements" matrix is constructed that shows the total output required from each of the local industries to produce \$1 of each local commodities.

To show the derivation of this matrix, let

$$c = \text{a 97-element column vector of commodity outputs}$$

g = a 99-element column vector of industry outputs

V = a 99×97 subset of the benchmark make table that shows how much of each commodity is produced by each industry

h = a 99-element column vector showing how much scrap is produced by each industry

U = a 97×99 subset of the benchmark use table that shows how much of each commodity used as an input by each industry. Coefficients for the wholesale trade commodity are set to zero, assuming that these transactions are often non-local in nature. The wholesale trade industry produces a considerable amount of the retail trade commodity. The effect of this is to retain retail trade in the model, irrespective of which industry produces it, but to exclude wholesale trade activities.

The following matrices can then be defined through standard input-output algebra:

$B = U \hat{g}^{-1}$ the direct requirements matrix, showing the amount of each commodity needed as a direct input to produce \$1 of each industry's output. (The symbol $\hat{}$ indicates a matrix created from a vector by placing the vector's elements on the matrix diagonal.) This is simply the use table scaled by industry output.

$j = \hat{g}^{-1}h$ a vector showing scrap as a fraction of each industry's output. Many of the elements of this vector are zero in the NAHB local impact model, which excludes most of the manufacturing sector.

$D = V \hat{c}^{-1}$ a 99×97 market share matrix, or the make table scaled by commodity output. D shows the fraction of each commodity (excluding scrap) produced by each industry.

$F = (I-j)^{-1}D$ a 99×97 matrix showing, for \$1 worth of each commodity, the fraction produced by each industry. In short, F is D adjusted for scrap. F is often called a transformation matrix, because it can be used to transform commodities into the output of industries and vice versa.

$$\text{Total Local Requirements} = F(I-BF)^{-1}$$

The total local requirements matrix translates local commodities into the output of local industries. The NAHB model is designed to capture only a fraction of the output: the fraction that becomes either income for local households or revenue for local governments. These fractions are estimated from a combination of value added components of the input-output tables, plus information taken from other BEA industry accounts. In the BEA accounts, the final price of a commodity is the sum of intermediate outputs plus value added by the industry. To avoid double counting, the NAHB model retains only the value added in each local industry for further analysis.

BEA's input-output accounts break value added into three components: compensation of employees, taxes on production and imports (TOPI), and gross operating surplus. In the NAHB model, local income is derived from compensation of employees and gross operating surplus.

The following table shows information taken from BEA accounts used in this derivation:

	Wages & Salaries per \$ of Employee Compensation	Other Corp. as a % of Gross Operating Surplus	Other Non- Corp. as a % of Gross Operating Surplus
Farms	85.98%	77.63%	28.12%
Mining, except oil and gas	82.18%	12.40%	71.60%
Utilities	74.17%	9.32%	84.32%
Construction	83.11%	68.10%	29.88%
Miscellaneous manufacturing	71.19%	10.16%	87.83%
Printing and related support activities	81.90%	11.75%	85.14%
Wholesale trade	85.93%	15.89%	82.08%
Motor vehicle and parts dealers	85.39%	27.06%	69.55%
Food and beverage stores	81.55%	27.06%	69.55%
General merchandise stores	81.30%	27.06%	69.55%
Other retail	84.09%	27.06%	69.55%
Transit and ground passenger transportation	81.66%	76.22%	22.04%
Other transportation and support activities	81.76%	23.56%	74.53%
Warehousing and storage	81.97%	34.38%	63.45%
Publishing industries (includes software)	84.22%	14.36%	84.75%
Broadcasting and telecommunications	81.49%	26.07%	71.94%
Information and data processing services	84.23%	24.24%	74.30%
Federal Reserve banks, credit intermediation, related act.	85.01%	1.98%	87.89%
Securities, commodity contracts, and investments	87.89%	-2.28%	107.02%
Insurance carriers and related activities	84.36%	6.88%	120.64%
Funds, trusts, and other financial vehicles	57.88%	-16.43%	114.13%
Real estate (estimated by NAHB)	85.90%	100.00%	0.00%
Rental & leasing services and lessors of intangible assets	86.04%	32.70%	64.08%
Legal services	84.92%	76.96%	21.03%
Computer systems design and related services	87.90%	42.09%	53.54%
Misc. professional, scientific, and technical services	86.62%	57.56%	40.53%
Administrative and support services	84.67%	57.36%	40.59%
Waste management and remediation services	79.35%	13.44%	84.75%
Educational services	81.12%	39.22%	54.48%
Ambulatory health care services	82.70%	53.75%	42.32%
Hospitals	82.54%	42.00%	45.89%
Nursing and residential care facilities	80.79%	42.00%	45.89%
Social assistance	82.09%	48.30%	47.41%
Performing arts, spectator sports, museums, related act.	86.80%	70.36%	28.48%
Amusements, gambling, and recreation industries	84.18%	8.46%	90.01%
Food services and drinking places	85.50%	38.55%	58.57%
Other services, except government	85.92%	82.52%	15.81%
State and local government enterprises	68.40%	NA	NA
State and local general government	68.17%	NA	NA

Due to data limitations, ratios from relatively broad categories are sometimes applied to more narrowly defined local industries. For example, ratios for the broad categories "farms" is applied to a much more narrowly defined local industry "Greenhouse, nursery, and floriculture production."

Treatment of real estate is less straightforward than it might be, because the input-output accounts provide one set of estimates for real estate with no detail within that relatively broad industry. When analyzing a local housing economy, it is desirable to account for residential real

estate brokers and property managers, each which has well-known distinctive characteristics. NAHB uses data from the U.S. Census Bureau's 2007 Economic Census to estimate a separate set of coefficients for residential real estate brokers. Coefficients derived this way allocate a relatively small 8 percent of value added to wages and salaries, because most realtor offices are organized as a group of businesses where each broker legally counts as proprietor rather than an employee. The modified coefficients are applied to broker fees that arise in the transaction of single-family homes built for sale (as opposed to custom homes built by a general contractor on home owners' land) and individual multifamily condominiums to the ultimate owner-occupants. Any broker fees that that may be charged in the sale of multifamily rental buildings are assumed to be paid to non-local entities and excluded from the model.

Similarly, owners of rental buildings are considered non-local and excluded. However, for obvious reasons, managing the properties needs to be done locally. To handle this, except for the broker fees mentioned above, the NAHB model treats payments made to the real estate sector (primarily rental payments made by tenants in new multifamily buildings) as revenue for non-local property lessors (the federal government's term for what is elsewhere typically called a rental property owner) who then employ local businesses to manage the property. In practice this means subtracting about 57 percent of the rental payment and treating the remaining 43 percent as a local payment for management services. Again, this ratio was computed using detailed industry data from the 2007 Economic Census.

A key feature of the NAHB local impact model is the way it translates the wages and salaries from BEA accounts into local jobs, measured in full-time equivalents (FTEs); i.e., enough work to keep a person employed full-time for a year, based on the hours typically worked by full-time employees in a given industry. Indeed, when users of NAHB's local impact studies cite a single number from one of the studies, it is usually this one.

In general, the translation is accomplished using data on wages per job in each local industry from the Quarterly Census of Employment and Wages (QCEW) produced by the U.S. Bureau of Labor Statistics (BLS). The QCEW provides data for each county in the country, although it may be suppressed in particular cases for some industries due to a small sample size. To reduce the chances of missing data and produce an estimate that can more easily be adjusted for inflation, annual rather than quarterly QCEW data are used. If annual data for a particular industry in a particular local area are missing, they are imputed based on national wages per job in that industry, adjusted by the ratio of local to national wages per job across all industries. If QCEW data are not yet available for the year of construction being analyzed (as is typically the case), wages per job in each industry is inflated using HUD's estimates of median family income, which are available for the current year and for each state and local area in the country. Job counts in the QCEW are based on payroll employment and therefore include part-time as well as full-time workers. The QCEW job counts are converted to FTEs using the ratio of FTEs to jobs in each industry from BEA's national industry accounts.

The estimates of local income in the NAHB model exclude most corporate profits, based on the rationale that ownership of most corporations is national or international in scope. Even if a household living in a particular metropolitan area buys a product manufactured by a corporation located in in that metropolitan area, profits derived from the sale are likely to be distributed to shareholders living in other locations.

The model makes an exception for subchapter S corporations, which tend to be smaller and more local in nature than C corporations. S corporations also tend to be relatively common in particular industries, such as residential construction. The Internal Revenue Service (IRS) provides information on business receipts by form of business and industry, and this is used to decompose corporate profits into profits for S-corporations and C-corporations. The IRS tables provide relatively limited industry detail, so again percentages for a broadly defined industry are sometimes applied to several 6-digit NAICS industries. The S-corporation profits by industry are then counted as part of local income.

In general, local government revenue is estimated industry by industry, as a function of both local income and TOPI. TOPI includes taxes imposed at the federal, state and local level. BEA national accounts show that, in the year of the most recent Census of Governments, 9.2 percent of TOPI is federal (almost all excise taxes and custom duties). The Census of Governments is then used to further decompose TOPI into 42.4 percent collected by state governments and 48.4 percent collected by local governments (the largest components of state and local TOPI being sales and property taxes). Thus, the NAHB model uses a base of 90.8 or 48.4 percent of TOPI in each local industry as a starting point, depending on whether a state or local economy is being analyzed.

A distinctive feature of the NAHB model is the way it further employs Census of Governments data to customize the government finances to a particular area. Census of Governments data are available for each of the roughly 89,000 units of government in the U.S., and the NAHB model reads in every line item for every government within the local area being analyzed. Aggregated across all local (or state and local) governments in the U.S., the ratio of TOPI to personal income is 2.776 (or 6.595) percent. This ratio is also calculated for the area being analyzed and used to adjust TOPI by industry up or down. Personal income is used as the base of the ratio, because this is a measure that is available for every local area in the country.

There are two substantial exceptions to this procedure, as discussed below in the sections on Phase I and Phase III. In the case of residential property taxes and sales taxes paid on construction materials, specific information is collected for the construction being analyzed and fed into the model instead.

Census of Governments data is also used to customize taxes and fees paid by the workers and local proprietors who receive income as a result of the home building activity, and, where applicable, corporate income taxes to a local area. Aggregated over all local (or state and local) governments in the U.S., taxes and fees paid by individuals sum to 4.198 (or 7.843) percent of personal income. Again, equivalent ratios are calculated for the area being analyzed and used to customize the government revenue estimates.

To the extent that S corporations pay taxes to state and local governments, these taxes are also counted on the assumption that stockholders of S corps reside in the same area as the company income.

The general procedure for customizing government revenue to a specific local area (or state) can be summarized as follows:

Personal taxes =
 4.198% (or 7.843%) \times Local Personal Income \times Local Factor 1

Business taxes =
 48.4% (or 90.8%) \times TOPI in Local Industries \times Local Factor 2 +
 6.349% \times Corporate Profits in Local Industries \times Local Factor 3

where the three local factors are derived on a case by case basis from data in the most recent Census of Governments. In practice, Local Factor 3 will usually be zero, as few local governments impose a tax on corporate profits.

The distinguishing aspect of this procedure is that it preserves the industry structure of the input-output accounts while being consistent with revenue being collected by all governments in the area of analysis, as reported by the governments themselves to the U.S. Census Bureau.

Phase I: Construction

As shown diagrammatically in "Background and a Brief Description of the Model Used to Estimate the Economic Benefits", Phase I of the model feeds the dollar amount of construction and ancillary locally produced items into the income and tax matrices derived from the model total local requirements. Accounting for everything that goes into building a home and delivering it to its customer is more complicated than it may at first appear.

For one thing, the Census Bureau subtracts several items from construction value before providing the numbers to BEA for use in the input-output and related GDP accounts. On new homes built for sale, the Census Bureau subtracts 1.1 percent of the sales price for landscaping, 0.5 percent for appliances, 2.9 percent for realtor and brokers fees, and 2.7 percent for marketing and finance costs. There are equivalent subtractions for custom homes (i.e., homes where the builder functions as a general contractor for a home built on the customer's lot).

However, the landscaping and purchases of appliances and marketing/broker services associated with a newly built home clearly are attributable to the construction of the home. Phase I of the NAHB model therefore accounts for these items as separate purchases of the local construction, retail trade, and real estate industries. For retail trade, only the gross margin of appliance purchases are counted. Gross margins for different types of retailers are available from the Census Bureau's Annual Retail Trade Survey.

In addition, there are settlement or closing costs associated with transferring property from a builder to the ultimate owner. In a typical case, these costs are shared between buyers and sellers. Construction value as defined in the input-output accounts includes closing costs if they are paid by the seller, but not the buyer. When the local impact model was first developed, NAHB verified these details with economists at BEA.

In order to estimate both closing costs as a fraction of the home's price and the share of these costs the buyer pays, the NAHB model uses national average data compiled by the U.S.

Department of Housing and Urban Development.² The share of settlement costs paid for by the buyer for loan origination and discount fees, title and private mortgage insurance, and legal fees are counted as output of the local depository credit intermediation, insurance, and legal services industries, respectively.

Another category of closing costs sometimes paid by the buyer is mortgage or deed transfer taxes. Phase I of the NAHB model does not automatically include an amount for transfer taxes. In most (but not all) instances, these taxes are imposed by state, rather than local, governments. To the extent that transfer taxes apply in a specific case, that information needs to be supplied by the local entity requesting the analysis.

The local entity requesting the analysis is also asked to provide information on whether or not sales taxes are imposed on construction materials and supplies; and, if so, the relevant sales tax rate. The model then applies the relevant rate to 34.1 percent of construction value, assuming that materials account for that share of the final value of a housing unit. The figure of 34.1 was calculated from the ratio of materials to construction value for several categories of construction businesses in the Economic Census, including trade contractors. The calculation takes subcontracting into account, as a large fraction of the final construction value of a housing unit is subcontracted to businesses that may also purchase materials.

Phase II: The Construction Ripple

Phase I of the model translates home building activity into income for local workers and business proprietors, and revenue for local governments. This output serves as the input for Phase II, as part of the local income generated will be spent, generating more income, generating more spending, and so on. These spending ripples damp and eventually converge to a limit, which is the ultimate ripple or multiplier effect.

To convert local income to local spending, the model requires information about local household spending tendencies. Detailed spending information at the household level is available from the Consumer Expenditure (CE) Survey, produced by the U.S. Bureau of Labor Statistics (BLS) primarily for the purpose of determining the weights for the Consumer Price Index.³

The CE consists of two different types of surveys: 1) an interview survey that collects data on monthly expenditures as well as information on income and household characteristics, and 2) a diary survey that collects data on weekly expenditures of frequently purchased items. These are two separate surveys, each designed individually with weights that aggregate to an estimate of total spending in the U.S. When it estimates aggregate measures of consumer spending, BLS combines results from the two different types of surveys in a manner it does not disclose.

² Report to Congress on the Need for Further Legislation in the Area of Real Estate Settlements, 1981, Exhibits II-1 and II-6.

³ Technically, in the Consumer Expenditure Survey, the unit of measurement is actually not a household, but a *Consumer Unit*, a group of individuals who live in the same house and make joint purchasing decisions. There may be more than one Consumer Unit in a household.

The NAHB local impact model uses only data from the interview survey, primarily to avoid the need for arbitrary decisions about which spending items to take from which survey. Based on its CE interview survey, BLS produces a public use microdata set consisting of quarterly files with household characteristics (including income), another set of quarterly files with income and other characteristics for each member of the household, and a set of fifty-one annual "EXPN" files with detailed information about various categories of expenditures.

These detailed files allow NAHB to maintain a conservative approach and exclude spending on items that may often be purchased from a vendor outside the local area. For example, BLS collects information on spending while on trips and vacations away from home in a separate "ETRV" and "ETRE" file. The NAHB local impact model does not include any spending information at all from these files. NAHB processes the information from the EXPN files along with information on household characteristics and income to estimate spending tendencies on 52 locally produced commodities, as shown in the following table:

Local Spending Extracted from the CE EXPN Files

	Local commodity	IO Code	CE File	Description of items included in local spending
01	Greenhouse, nursery, and floriculture production	111400	ECRB	Costs of all items and services for planting shrubs or trees, or otherwise landscaping the ground of the housing unit in which the consumer unit lives.
02	Electric power generation, transmission, and distribution	221100	EUTC	Electricity bills for the housing unit in which the consumer unit lives, including if combined with natural gas and/or water, sewerage. This is also the default category for generally combined expenses with particular utility not specified.
03	Natural gas distribution	221200	EUTC	Gas bills for the housing unit in which the consumer unit lives.
04	Water, sewage and other systems	221300	EUTC	Water and/or sewage bills, including water combined with trash collection, for the housing unit in which the consumer unit lives.
05	Residential maintenance and repairs	230302	ECRB	Costs of all items and services associated with building or repairing an addition to the house or a new structure including porch, garage or new wing; finishing a basement or an attic or enclosing a porch; remodeling one or more rooms; building outdoor patios, walks, fences, or other enclosures, driveways, or permanent swimming pools, inside painting or papering; outside painting; plastering or paneling; plumbing or water heating installations and repairs; electrical work; heating or air-conditioning jobs; flooring repair or replacement; insulation; roofing, gutters, or downspouts; siding; installation, repair, or replacement of window panes, screens, storm doors, awnings, etc.; and masonry, brick or stucco work; or other improvements or repairs for the housing unit in which the consumer unit lives.
For the four categories of retail trade, only gross margins rather than total spending is put into the model. Gross margins are applied industry by industry. A single factor is used to reduce the amount to account for loss of business to local retailers to E-commerce and mail order business. The source is the most recent data in the Census Bureau's 2012 Annual Retail Trade Report, released in 2014,				
06	Motor vehicle and parts dealers	441000	EOVB	Purchases of automobiles, including down payment and payment of principle on loans x 17.6% (gross margin for automobile dealers).
07	Food and beverage stores	445000	ETRF	Cost of food or beverages at grocery, convenient or liquor stores during local overnight stays x 27.9% (gross margin for food and beverage stores).

	Local commodity	NAICS Code	EXPN File	Description of items included in local spending
07	Food and beverage stores (cont.)	445000	EXPA	Expenditure for food, non-alcoholic beverages and nonfood items at grocery stores, food and non-alcoholic beverages from places other than grocery stores, and all alcohol to be served at the home x 27.9% (gross margin for food and beverage stores).
08	General merchandise stores	452000	EAPA	50 percent of major appliance purchases (assuming other 50 percent purchased from other retail) x 26.3% (gross margin for general merchandise stores), adjusted for losses to E-commerce and mail order business.
			EAPB	50 percent of purchases of other households appliances and other selected items (assuming other 50 percent purchased from other retail) x 26.3% (gross margin for general merchandise stores), adjusted for losses to E-commerce and mail order business.
			EFRA	50% of purchases of home furnishings (assuming other 50 percent purchased from other retail) x 32.1% (gross margin for department stores), adjusted for losses to E-commerce and mail order business
			ECLA	50% of purchases of clothing and accessories (assuming other 50 percent purchased from other retail) x 32.1% (gross margin for department stores), adjusted for losses to E-commerce and mail order business.
			EENT	50% of purchases of CDs or audio tapes, photographic film, video cassettes or tapes or discs, and books, but not through a mail order club or subscription x 32.1% (gross margin for department stores), adjusted for losses to E-commerce and mail order business.
09	Other retail	4A0000	EUTC	Bills for fuel oil, bottle or tank gas, or fuels not specifically identified, for the home in which the consumer unit lives x 37.8% (gross margin for nonstore retailers).
			ECRA	Purchase of building materials and supplies, either for or not for a specific project x 34.7% (gross margin for building materials and supplies dealers).
			EAPA	50 percent of major appliance purchases (assuming other 50 percent purchased from general merchandise stores) x 28.2% (gross margin for electronics and appliance stores), adjusted for losses to E-commerce and mail order business.
			EAPB	50 percent of purchases of other households appliances and other selected items (assuming other 50 percent purchased from general merchandise stores) x 28.2% (gross margin for electronics and appliance stores), adjusted for losses to E-commerce and mail order business.
			EFRA	50% of purchases of home furnishings (assuming other 50 percent purchased from general merchandise stores) x 46.6% (gross margin for furniture and home furnishing stores), adjusted for losses to E-commerce and mail order business.
			ECLA	50% of purchases of clothing and accessories (assuming other 50 percent purchased from general merchandise stores) x 45.8% (gross margin for clothing and clothing accessories stores), adjusted for losses to E-commerce and mail order business.
			EVOT	Purchases of gasoline and other fuels and fluids used in vehicles x 10.8% (gross margin for gasoline stations)
			EIHB	Share of health insurance premiums, after broker/agent share is subtracted, used to purchase prescription drugs and durable medical equipment x 30.0% (gross margin for health and personal care stores), adjusted for losses to E-commerce and mail order business.
			EIHC	Number of persons covered by Medicare if in a senior household x Medicare expenditure per enrollee x the share of Medicare expenditures used to pay for prescription drugs, other nondurable medical products, and durable medical equipment x 30.0% (gross margin for health and personal care stores), adjusted for losses to E-commerce and mail order business.

	Local commodity	NAICS Code	EXPN File	Description of items included in local spending
09	Other retail (cont)	4A0000	EMDB	Direct purchases of glasses, hearing aids, prescription medication, convalescent equipment, or other medical equipment × 30.0% (gross margin for health and personal care stores), adjusted for losses to E-commerce and mail order business.
			EEDA	Purchases of books or other equipment for elementary or high school for members of the consumer unit × 41.6% (gross margin for sporting goods, hobby, book and music stores), adjusted for losses to E-commerce and mail order business.
			EENT	50% of purchases of CDs or audio tapes, photographic film, video cassettes or tapes or discs, and books, but not through a mail order club or subscription (assuming other 50 percent purchased from general merchandise stores) × 41.6% (gross margin for sporting goods, hobby, book and music stores), adjusted for losses to E-commerce and mail order business.
			EMIS	Expenses for flowers, potted plants, pet supplies and medicines, toys, and games, and hobbies, including if combined with computer software for games × 45.4% (gross margin for miscellaneous store retailer), and adjusted for losses to E-commerce and mail order business.
			EXPB	Expenditures for cigarettes and other tobacco products × 29.4% (gross margin for all retailers excluding motor vehicle and parts dealers), adjusted for losses to E-commerce and mail order business.
10	Transit and ground passenger transportation	485000	EXPB	Costs for taxis, limousine service, and public transportation, except while on a trip.
11	Newspaper publishers	511110	EENT	Expenses for newspapers and other periodicals not through a subscription.
12	Wired telecommunications carriers	517110	EUTA	Bills from telecommunications companies for residential service, internet access, non-telephone rental and purchases, and 71.2% of bills for cable or satellite television service (financial data compiled by Multimedia Research Group, Inc indicates that satellite had a 28.8% share of the combined cable/satellite market).
			EUTP	Pre-paid phone card or public pay phone services.
			EUTI	Bills from internet service providers for internet connection and service (excluding those away from home), miscellaneous combined expenses, and 71.2% of bills for cable or satellite television service.
13	Wireless telecommunications carriers (except satellite)	517210	EUTA	Bills for mobile/cellular telephone service.
			EUTP	Pre-paid cellular minutes.
14	Satellite, telecommunications resellers, and all other telecommunications	517A00	EUTA	28.8% of the bills from telecommunications for cable or satellite television service, plus bills for Voice over IP service.
			EUTI	Bills from internet service providers for satellite radio, plus 28.8% of the bills for cable or satellite television service.
15	Data processing, hosting, and related services	518200	EUTA	Bills paid to providers of applications, games or ringtones.
16	Monetary authorities and depository credit intermediation	52A000	EHEL	Interest paid on lump sum home equity loans, based only on the home in which the consumer unit lives.

	Local commodity	NAICS Code	EXPN File	Description of items included in local spending
16	Monetary authorities and depository credit intermediation (cont)	52A000	EOPH	Interest paid on home equity lines of credit, based only on the home in which the consumer unit lives.
			EXPB	Charges for safe deposit boxes, checking accounts, and other banking services.
17	Nondepository credit intermediation and related activities	522A00	EOVB	Interest payment on automobile loans.
18	Insurance agencies, brokerages, and other insurance related activities	524200	EINB	Percent of premiums for all types of insurance other than health (percentage based on agent/brokers' share of industry).
			EIHB	Percent of premiums for health insurance (percentage based on agent/brokers' share of industry).
19	Real estate	531000	RNT	Total rental payments for the housing unit in which the consumer unit lives.
			OPI	Ground or land rent, regular HOA fees, special payments for property management services—for the property in which the consumer unit lives.
20	Automotive equipment rental and leasing	532100	ERTV	Expenses for renting vehicles, except if rented while on a vacation.
			ELSD	Expenses for leasing vehicles.
21	Consumer goods and general rental centers	532A00	EAPA	Expenses for renting major appliances.
			EAPB	Expenses for renting other household appliances and selected items.
			EFRB	Expenses for renting furniture.
			ECLD	Expenses for renting clothing.
			EMDB	Expenses for renting convalescent or other medical equipment.
			EENT	Amount paid for rental of Blu-ray Discs, DVDs, or VHS tapes.
22	Legal services	541100	EMIS	Expenses for services of lawyers or other legal professionals.
23	Accounting, tax preparation, bookkeeping, and payroll services	541200	EMIS	Accounting fees.
24	Photographic services	541920	EENT	Amount paid for film processing or printing digital photographs.
			EMIS	Amount paid for professional photography fees.
25	Veterinary services	541940	EMIS	Veterinarian expenses, including if combined with other pet services.
26	Investigation and security services	561600	EMIS	Home security service fees.
27	Services to buildings and dwellings	561700	EAPA	Charges for installing major appliances.

	Local commodity	NAICS Code	EXPN File	Description of items included in local spending
27	Services to buildings and dwellings (cont.)	561700	EEQB	Costs for pest control or repairing and servicing heating and air conditioning equipment.
			EMIS	Gardening or lawn care, housekeeping, or other home services and small repair jobs around the house.
28	Waste management and remediation services	562000	EUTC	Trash/garbage collection bills, including if combined with sewerage, and septic tank cleaning services, for the housing unit in which the consumer unit lives.
29	Elementary and secondary schools	611100	EEDA	Tuition and other expenses for elementary or high school for members of the consumer unit.
30	Offices of physicians	621A00	EIHB	Share of health insurance premiums, after broker/agent share is subtracted, used to pay for physician and clinical services.
			EIHC	Number of persons covered by Medicare if in a senior household x Medicare expenditure per enrollee x the share of Medicare expenditures used to pay for physician and clinical services.
			EMDB	Direct payments for eye care or physician services.
31	Offices of dentists	621200	EIHB	Share of health insurance premiums, after broker/agent share is subtracted, used to pay for dental services.
			EIHC	Number of persons covered by Medicare if in a senior household x Medicare expenditure per enrollee x the share of Medicare expenditures used to pay for dental services.
			EMDB	Direct payments for dental care
32	Offices of other health practitioners	621B00	EIHB	Share of health insurance premiums, after broker/agent share is subtracted, used to pay for other professional services.
			IHC	Number of persons covered by Medicare if in a senior household x Medicare expenditure per enrollee x the share of Medicare expenditures used to pay for other professional services.
			EMDB	Direct payments for services by medical professionals other than physicians, lab tests, and other medical care.
33	Home health care services	621600	EIHB	Share of health insurance premiums, after broker/agent share is subtracted, used to pay for home health care.
			EIHC	Number of persons covered by Medicare if in a senior household x Medicare expenditure per enrollee x the share of Medicare expenditures used to pay for home health care.
34	Hospitals	622000	EIHB	Share of health insurance premiums, after broker/agent share is subtracted, used to pay for hospital care.
			EIHC	Number of persons covered by Medicare if in a senior household x Medicare expenditure per enrollee x the share of Medicare expenditures used to pay for hospital care.
			EMDB	Direct payments for hospital rooms or services.
35	Nursing and residential care facilities	623000	EIHB	Share of health insurance premiums, after broker/agent share is subtracted, used to pay for nursing home care.
			EIHC	Number of persons covered by Medicare if in a senior household x Medicare expenditure per enrollee x the share of Medicare expenditures used to pay for nursing home care.
			EMDB	Direct payments for care in convalescent of nursing home.
36	Child day care services	624400	EEDA	Expenses for nursery school or child day care centers for members of the consumer unit.

	Local commodity	NAICS Code	EXPN File	Description of items included in local spending
36	Child day care services	624400	EMIS	Expenses for babysitting, nanny services, or child care in the consumer unit's or someone else's home.
37	Performing arts companies	711100	ESUB	Theater or concert season tickets.
			EENT	Single admissions to movies, theaters, and concerts.
38	Spectator sports	711200	ESUB	Season tickets to sporting events.
			EENT	Single admissions to spectator sporting events.
39	Gambling industries (except casino hotels)	713200	EMIS	Expenses for lotteries and games of chance.
40	Other amusement and recreation industries	713900	EEDA	Recreational lessons and instruction for members of the consumer unit.
			ESUB	Expenses for membership in golf courses. Country clubs, health clubs, fitness centers, or other sports and recreational organizations.
			EENT	Fees for participating in sports.
			ETRF	Amount paid for entertainment or admissions during local overnight stays
41	Full-service restaurants	722110	ETRF	50% of cost of meals, snacks, or beverages at restaurants, bars or fast food places during local overnight stays.
			EXPA	50% of expenditures for food and beverages at restaurants, cafeterias, cafes, drive-ins, etc. or t school for or pre-school for school-age children.
42	Limited-service restaurants	722211	ETRF	50% of cost of meals, snacks, or beverages at restaurants, bars or fast food places during local overnight stays.
			EXPA	50% of expenditures for food and beverages at restaurants, cafeterias, cafes, drive-ins, etc. or t school for or pre-school for school-age children.
43	All other food and drinking places	722A00	EMIS	Food and beverage for catered affairs.
44	Automotive repair and maintenance, except car washes	8111A0	EVEQ	Expenses for vehicle maintenance and repair.
			EVOT	Expenses for towing and automobile repair service policies.
45	Electronic and precision equipment repair and maintenance ⁴	811200	EEQB	Cost for repairs and services to AV equipment (except if installed in a vehicle) and to computers and related equipment.
46	Personal and household goods repair and maintenance	811400	EEQB	Costs for repairing or servicing miscellaneous items such as appliances, tools, photographic, sports, and lawn and garden equipment.
			EFRB	Costs for repairing furniture.
			ECLD	Costs for repairing or altering clothing and accessories, or repairing watches or jewelry.
47	Personal care services	812100	EIHB	Share of health insurance premiums, after broker/agent share is subtracted, used to pay for other health, residential and personal care services.
			EIHC	Number of persons covered by Medicare if in a senior household x Medicare expenditure per enrollee x the share of Medicare expenditures for other health, residential and personal care services.

	Local commodity	NAICS Code	EXPN File	Description of items included in local spending
48	Death care services	812200	EMIS	Expenses for funerals, burials, cremation, and purchase and upkeep of cemetery lots or vaults.
49	Dry cleaning and laundry services	812300	EXPB	Expenses for clothing and other items at sent to drycleaners and laundry, as well as coin operated dry cleaning and laundry machines.
50	Other personal services	812900	ECLD	Costs of clothing storage services.
			EVOT	Fess for vehicle parking, boat docking and plane landing.
			EMIS	Pet services.
			EXPB	Expenses for haircuts, hair styling, manicures, massages, and other salon services.
51	Religious organizations	813100	ECNT	Contributions to religious organizations.
52	Civic, social, professional and similar organizations	813B00	ESUB	Expenses for membership in civic, service, or fraternal organizations.

There is somewhat more detail in a few input-output industries than is available in a spending line from the CE files. For example, the CE files do not distinguish spending in limited service eating places from spending in full service restaurants. According to the 2007 Economic Census, total sales in each category was \$182 to \$192 billion—close to a 50-50 split. Therefore, half of spending in eating places is allocated to full service restaurants; the other half to the limited service places. Similarly, the CE files don't distinguish items purchased in general merchandise stores from those purchased in more specialized retail outlets. For goods that likely could be purchased in either, again a 50-50 split is used, as shown for local commodities 08 and 09 in the table above.

For all items included under any retail sales category, only the gross margins are included, and in most cases a further adjustment is made to account for loss of local sales to E-commerce and mail order business. These adjustments are based on information in the Census Bureau's Annual Retail Trade Report for 2012. The report includes a table on gross margins by 6-digit NAICS code that can be used directly. The report also contains separate tables on total sales and mail order & E-commerce. An adjustment factor is calculated based on total E-commerce & mail order sales as a fraction of total retail sales, excluding food and beverage service and motor vehicle and parts dealers. For 2012, the adjustment factor is $1 - 322,543 / 4,344,140$. In the above table, "adjusted for E-commerce and mail order loss" means that particular category of retail spending is multiplied by this factor.

Insurance payments are separated into a share going to brokers and agents and the insurance companies, based on the proportional share of revenue reported in the latest Economic Census. The share going to brokers and agents is counted as local income. However, it is also assumed that the share going to insurance companies comes back in some cases as these companies pay medical costs for policy holders that go to health care providers in the local area. This is estimated using "Personal Health Care Expenditures by object & Source of Payment" reported by the Census Bureau in the Table 138 of the 2012 [Statistical Abstract of the United States](#). A similar calculation is made for expenses covered by Medicare. The CE data include the number of household members covered by Medicare. Payments made by Medicare to local

health care providers are estimated using statistics on Medicare Enrollees from Table 146 of the 2012 Statistical Abstract, combined with the health care expenditure information from Table 138.

The consumer spending variables used in the model are all in the form of average propensities to consume—that is, average fractions of before-tax income spent on various items. As shown in the table above, The EXPN files generate consumer spending estimates for 52 locally produced commodities. In addition, seven categories of local commodities produced by local government enterprises are appended to the list:

- 1 Local government electric service
- 2 Local government natural gas distribution
- 3 Local government water & sewerage
- 4 Local government passenger transit
- 5 Local government liquor stores
- 6 Local government sanitary services
- 7 Local government hospitals

Although these seven extra commodities do not increase local spending in total, they allow the model to allocate consumption between the publicly produced and privately produced commodities based on information from the Census of Governments. In this sense, the model is consistent with both national household consumption patterns and revenue collected by all government enterprises in a particular local area.

To this is added one other local commodity, general government, to account for tax and fee payments (computed in Phase II primarily from BEA personal income estimates and Census of Governments revenue data).

The results can be collected in the 2×60 matrix, A :

$$A = \begin{bmatrix} a_1 & a_2 & a_3 & \dots & a_{59} & 0 \\ 0 & 0 & 0 & \dots & 0 & 1 \end{bmatrix}$$

The elements in the first row of A show the average fraction of income spent on each of the 59 local commodities (including those produced by local government enterprises such as publicly owned utilities or hospitals). The "0"s and "1" in the second row indicates that no taxes are spent directly by the household on any of the first 59 commodities; 100 percent is spent on the local general government commodity. This two-row structure is designed to align with the output from Phase I of the model, which comes in the form of before-tax local income and local tax estimates.

Several other matrices and vectors derived from the above concepts are needed to calculate the Phase II ripple or multiplier effect:

W : a 60×99 matrix that translates local commodities into local income,

G : a 60×99 matrix that translates local commodities into local government general revenue collected from persons, and

T : a 60×99 matrix that translates local commodities into local government general revenue collected from businesses

$$L = [W \quad G \quad T] \quad \text{therefore defines a } 60 \times 297 \text{ matrix}$$

x = a two element column vector containing local income and local taxes generated in Phase I

$$Y = \begin{bmatrix} i & 0 & 0 \\ 0 & i & 0 \\ 0 & 0 & i \end{bmatrix} \quad \text{a } 297 \times 3 \text{ matrix where } i \text{ is a 99-element unit column vector,}$$

$$Z = \begin{bmatrix} 1 & 0 \\ 0 & 1 \\ 0 & 1 \end{bmatrix}$$

In summary, x is the income and tax output from Phase 1, A translates income and taxes into spending on particular commodities, L translates the detailed commodity spending into income and taxes in each of 99 local industries, and Y and Z are technical devices for summing results. Y collapses the components of a 297-element vector into a 3-element vector of income, personal taxes, and business taxes. Z converts a 3-element vector of this form into a 2-element income and tax vector.

The row vector defined as $x'A$ shows how much, in dollar terms, people who earn income during Phase I spend on each of the 60 local commodities (including local government employees, whose paychecks are supported by taxes and charges for particular government-run enterprises).

The calculation $x'ALYZ$ produces a 2-element local income and local tax vector of the same form as x' . Postmultiplying a vector of this type by $ALYZ$ will always produce a similar, 2-element income and tax vector. Either by construction, or by checking that both eigenvalues are smaller than 1, it is possible to show that $ALYZ$ is a contracting matrix. This implies that the rounds below show successively smaller increments of income and taxes added to the local economy:

$$\begin{aligned} \text{Round 0: } & x' \\ \text{Round 1: } & x' ALYZ \\ \text{Round 2: } & x' ALYZ ALYZ \\ \text{Round 3: } & x' ALYZ ALYZ ALYZ \\ & \vdots \\ & \vdots \\ & \vdots \\ \text{Round } K: & x' \prod_{k=1}^K ALYZ \end{aligned}$$

The terms of this sequence can be summed in the usual manner to create an infinite series. Because $ALYZ$ is a contracting matrix, the result is a convergent series, the limit of which is

$$x' [I-ALYZ]^I$$

This is the final multiplied effect on local income and local taxes at the end of Phase II. The factor $[I-ALYZ]^{-1}$ is a matrix version of the conventional Keynesian spending multiplier. Because x' is reported in Phase I, it is subtracted from the effect reported in Phase II.

For some purposes, especially estimating employment impacts, we are interested in tracking income in Phase II by industry. Calculations to accomplish this are based on the following sequence of 1×297 vectors:

$$\begin{aligned} \text{Round 1: } & x'AL \\ \text{Round 2: } & x'ALYZAL \\ & \vdots \\ & \vdots \\ \text{Round } K: & x'AL \prod_{k=1}^{K-1} YZAL \end{aligned}$$

Note that sequence begins with the spending vector $x'AL$ —that is, it excludes the income and taxes that have already been captured in Phase I. The limit of the series defined based on this sequence is

$$x'AL[I-YZAL]^{-1}$$

This is a 297-element row vector, the first 89 elements containing the final, multiplied effect on local income by industry generated during Phase II. As explained above, income by industry can be separated into business owners' income and wages and salaries, and the wages and salaries converted to full-time job equivalents.

From the standpoint of local governments, it may be desirable to track individual sources of revenue, such as particular fees and taxes. To facilitate this, it is useful to have a three element local income and local tax vector, where the tax revenue is decomposed into taxes collected from persons and taxes collected from businesses.

Consider the following sequence of such 3-element vectors:

$$\begin{aligned} \text{Round 1: } & x'ALY \\ \text{Round 2: } & x'ALY ZALY \\ & \vdots \\ & \vdots \\ \text{Round } K: & x'ALY \prod_{k=1}^K ZALY \end{aligned}$$

This sequence begins after *Round 0*, implicitly excluding income earned and taxes paid during Phase I. The limit of the infinite series defined by this sequence is

$$x'ALY[I-ZALY]^{-1}$$

This is the final, multiplied effect on local income, local government revenue collected from persons, and local government revenue collected from businesses in Phase II of the model. The tax structure for a particular local area, derived primarily from Census of Governments data as described above, can be applied to this result in order to decompose local government revenue into particular types of taxes and fees.

Phase III: Ongoing Impacts

Another distinctive feature of the NAHB model is the way it uses CE and other data to model the average behavior of occupants that differs based on the type of housing being built. At present, there are six basic variants of the NAHB model designed to handle the following types of construction:

1. Generic Single-family
2. Generic Multifamily
3. Active Adult
4. Family Low-Income Housing Tax Credit (LIHTC)
5. Elderly LIHTC
6. Remodeling

The remodeling version of the model does not in general incorporate ongoing impacts, so it requires no occupant income estimates. For the other five versions of the model, separate occupant income estimates are derived in a way that vary with location as well as with the type of units being built. The derivations are based on relationships between average income and standard variables that are typically available at the local level. The methods for establishing these relationships are summarized below.

Generic Single-family. Regression of average income of home owners on area median family income and average value of the units using American Community Survey (ACS) microdata.

Generic Multifamily. Regression of average income of home owners on area median family income and average rent using ACS microdata.

Active Adult. Average income of movers into age-restricted owner occupied units and average income of all home buyers are computed from American Housing Survey (AHS) microdata, and the ratio of the two averages is used to adjust home buyers' income for the active adult case.

Family LIHTC. Average incomes of all movers into rental units who have less than 60 percent of median family income for the U.S. as a whole, computed from CE data.

Elderly LIHTC. Average incomes of all elderly movers into rental units who have less than 60 percent of median family income for the U.S. as a whole, computed from CE data.

The ACS is the Census Bureau’s replacement for the long form questionnaire that until 2000 was used to collect information on income and structure type in the decennial Census. The AHS, funded by the U.S. Department of Housing and Urban Development (HUD) and conducted by the Census Bureau, is the federal government’s primary vehicle for collecting detailed information about housing units and their occupants at the national level.

The ratios and regression results listed above allow the model to be simultaneously customized to a particular area and a particular type of construction by inputting specific local information that is generally available. When customizing to a local area, median family income for that particular area is used. HUD produces median income estimates for all parts of the country in a timely fashion as part of the process it uses to establish income limits for various housing programs.

When it is necessary to translate rents into value or vice versa, the median cap rate from the Rental Housing Finance Survey (RHFS), also funded by HUD and conducted by the Census Bureau, is used.

In addition to average income, estimated spending tendencies for movers into each type of construction are needed. Separate spending vectors are estimated for each using household information available in the CE data. The table on the following page shows average local propensities to consume computed from the 2012 CE.

This modeling of average spending by different types of households soon after they move in is another distinguishing feature of the NAHB local impact model. In addition to the function they serve in the local model, average spending tendencies computed from CE data have also proven to be of interest for their implications at the national level.⁴

Compared to home buyers, renters tend to spend more of their incomes locally—partly due to the tendency of lower-income households to spend a greater fraction of their incomes on necessities, but also due to rental payments that go to a local owner, or owner employing a management company with a local presence. The equivalent housing expense for a home buyer would be a mortgage payment. Because mortgage payments typically are made to non-local owners of the mortgage through non-local servicers, they are excluded from the spending estimates in the NAHB local impact model.

Average propensities to spend on virtually all categories of local health care services are higher for households moving into construction designed for older residents (age-restricted active adult and elderly LIHTC).

As was described in Phase II, seven categories of commodities produced by local government enterprises are added to the model, and a share of local spending (which may be zero) is allocated to these enterprises instead of private producers based on revenues reported in the Census of Governments for each local government enterprises in the area.

⁴ See, for example, the December 2008 Special Study “Spending Patterns of Home Buyers,” written by Natalia Siniavskaia and published by NAHB in [Housing Economics.com](http://HousingEconomics.com).

Average Local Spending Computed from CE Data

		All House-holds	New Home Buyers	New Multifamily Renters	Active Adult Buyers	New Family LIHTC	New Elderly LIHTC
Output of industry purchased locally							
1	Greenhouse, nursery, and floriculture production	0.129%	0.172%	0.000%	0.176%	0.000%	0.000%
2	Electric power generation, transmission, and distr.	2.689%	2.410%	0.002%	3.428%	0.000%	0.000%
3	Natural gas distribution	0.674%	0.499%	0.000%	0.723%	0.000%	0.000%
4	Water, sewage and other systems	0.793%	0.802%	0.000%	1.108%	0.000%	0.000%
5	Residential maintenance and repair	3.059%	2.087%	0.000%	3.567%	0.170%	0.072%
6	Motor vehicle and parts dealers	1.218%	1.439%	5.098%	1.447%	1.408%	1.190%
7	Food and beverage stores	4.829%	3.303%	4.446%	3.567%	8.573%	8.793%
8	General merchandise stores	0.745%	0.840%	1.271%	0.723%	1.129%	0.437%
9	Other retail	3.119%	2.494%	3.088%	2.906%	3.896%	4.069%
10	Transit and ground passenger transportation	0.190%	0.030%	0.269%	0.028%	0.990%	0.990%
11	Newspaper publishers	0.027%	0.016%	0.042%	0.042%	0.057%	0.096%
12	Wired telecommunications carriers	2.392%	1.770%	1.878%	2.588%	2.868%	4.441%
13	Wireless telecom. carriers (except satellite)	2.081%	1.809%	3.565%	1.811%	3.323%	2.435%
14	Satellite, telecom. Resellers & all other telecom.	0.323%	0.249%	0.620%	0.335%	0.472%	0.494%
15	Data processing, hosting, and related services	0.003%	0.002%	0.000%	0.002%	0.006%	0.000%
16	Monetary authorities, depository credit intermediation	0.437%	0.298%	0.000%	0.366%	0.000%	0.000%
17	Nondepository credit intermediation+related activities	0.417%	0.616%	0.906%	0.463%	0.381%	0.327%
18	Insurance agencies, brokerages, and related activities	0.407%	0.387%	0.722%	0.462%	0.291%	0.288%
19	Real estate	8.301%	2.048%	27.078%	1.292%	33.130%	34.324%
20	Automotive equipment rental and leasing	0.795%	0.775%	0.000%	0.348%	0.426%	0.000%
21	Consumer goods and general rental centers	0.070%	0.055%	0.041%	0.046%	0.104%	0.030%
22	Legal services	0.335%	1.185%	0.006%	0.163%	0.852%	0.055%
23	Accounting, tax preparation, bookkeeping, and payroll	2.512%	1.939%	0.250%	1.691%	4.895%	0.904%
24	Photographic services	0.045%	0.039%	0.257%	0.017%	0.054%	0.015%
25	Veterinary services	0.236%	0.199%	0.006%	0.209%	0.149%	0.104%
26	Investigation and security services	0.024%	0.042%	0.055%	0.066%	0.009%	0.015%
27	Services to buildings and dwellings	0.385%	0.389%	0.093%	0.666%	0.181%	0.119%
28	Waste management and remediation services	0.219%	0.217%	0.000%	0.283%	0.000%	0.000%
29	Elementary and secondary schools	0.212%	0.314%	0.000%	0.134%	0.060%	0.022%
30	Offices of physicians	4.361%	2.732%	3.879%	5.881%	3.595%	10.321%
31	Offices of dentists	0.787%	0.693%	0.416%	1.036%	0.698%	1.082%
32	Offices of other health practitioners	0.670%	0.387%	0.280%	0.812%	0.453%	1.269%
33	Home health care services	0.884%	0.395%	0.625%	1.123%	0.755%	2.585%
34	Hospitals	3.761%	2.482%	5.133%	5.953%	2.682%	9.324%
35	Nursing and community care facilities	0.974%	0.386%	0.592%	1.140%	0.791%	2.808%
36	Child day care services	0.202%	0.345%	0.632%	0.013%	0.183%	0.000%
37	Performing arts companies	0.191%	0.235%	0.353%	0.403%	0.279%	0.062%
38	Spectator sports	0.070%	0.071%	0.109%	0.020%	0.156%	0.007%
39	Gambling industries (except casino hotels)	0.068%	0.036%	0.005%	0.083%	0.128%	0.351%
40	Other amusement and recreation industries	0.335%	0.490%	1.146%	0.416%	0.350%	0.058%
41	Full-service restaurants	2.415%	1.902%	3.289%	2.020%	4.756%	2.625%
42	Limited-service restaurants	2.415%	1.902%	3.289%	2.020%	4.756%	2.625%
43	All other food and drinking places	0.107%	0.699%	0.007%	2.638%	0.034%	0.008%
44	Automotive repair and maintenance	1.713%	1.289%	2.595%	1.961%	1.799%	1.746%
45	Electronic and precision equip. repair & maintenance	0.022%	0.019%	0.000%	0.031%	0.012%	0.005%
46	Personal and household goods repair & maintenance	0.105%	0.078%	0.027%	0.131%	0.084%	0.154%
47	Personal care services	0.144%	0.070%	0.107%	0.183%	0.121%	0.403%
48	Death care services	0.278%	0.067%	0.029%	0.163%	0.524%	0.259%
49	Dry-cleaning and laundry services	0.264%	0.103%	0.225%	0.116%	0.886%	0.752%
50	Other personal services	0.745%	0.707%	0.678%	0.859%	1.163%	0.988%
51	Religious organizations	0.746%	0.821%	0.746%	1.205%	0.337%	0.415%
52	Civic, social, professional, and similar organizations	0.011%	0.005%	0.000%	0.009%	0.000%	0.002%

Also as described in Phase II, Census of Governments data are used to estimate most categories of tax and fee revenue generated for general (non-enterprise) governments in the area. The exemption is residential property taxes. Perhaps surprisingly, residential and non-residential property taxes are not reported separately. Moreover, some states have restrictions on rate increases, or other laws that tend to make property tax rates different on new construction. Particular developments (for example, those financed by the LIHTC program) may also be granted special forms of property tax relief.

For these reasons, when customizing the local impact model to a specific area, information about property taxes on the units being built must be supplied by the entity requesting the analysis. Phase III of the model counts only property tax on the value of construction. Unless specific information is provided for an individual project or jurisdiction, this is calculated assuming that the raw land would be taxed at the same rate if not developed. Any residential property tax from existing units is treated as unrelated to the new homes being analyzed and excluded from the government revenue impact estimates.

Non-residential property taxes are treated much like other categories of government revenue, except that the aggregate for a jurisdiction to be estimated from a larger aggregate in the government data that does not distinguish residential from non-residential. This is accomplished by subtracting an estimated 53.37 percent from total property taxes to account for residential share of property taxes. The estimate is calculated as follows, from data available for 2012 in the ACS, RHFS and the Census Bureau’s Summary of State and Local Government Tax Revenue (SSLGTR):

Aggregate real estate taxes paid by homeowners:	\$206.04 billion (ACS)
Estimate for homeowners not reporting:	5.93 billion
<u>Estimated real estate taxes paid on rental housing</u>	<u>41.85 billion (ACS and RHFS)</u>
Total residential real estate taxes	\$253.82 billion
<u>Total property taxes</u>	<u>\$475.83 billion (SSLGTR)</u>
Residential share	53.37%

The estimate for homeowners not reporting in the ACS is based on the number of non-reporters multiplied by median tax payment for those who do report. The estimate for rental units is based on the number of rental units in the ACS multiplied by median tax per rental unit in the RHFS.

Multifamily Phase III impacts are reduced to account for vacant units. By default, the single-family version of the model assumes that units are intended for owner-occupancy and have negligible vacancies. In the Census Bureau’s Housing Vacancy Survey homeowner vacancy rates are usually in the neighborhood of only one percent.

For multifamily units, the average multifamily rental annual vacancy rate over the prior decade and average annual multifamily homeowner vacancy rate over the prior decade are used, depending on whether the units are condominiums or rental apartments. In other respects, Phase III treats condo buyers the same as single-family home buyers (the income and spending tendencies discussed above being based on buyers of owner-occupied housing units, irrespective of structure type).

Although vacancy rates are known to fluctuate, the model estimates annual ongoing impacts that are expected to persist for an extended period, so a long-term “natural” measure of vacancy rates is more appropriate for Phase III than a very current, possibly anomalous, number. The reduction for vacancies is applied to all Phase III multifamily impacts except for property taxes, which are assumed to be paid by the owner of the property, whether the units are occupied or not.

Local spending and taxes (including fees and charges paid to local government entities) generate income for local residents, and this income will be spent and recycled in the local economy, much as in Phase II of the model.

Let x_n denote the initial income and tax column vector for new home occupants, A_n denote the matrix formed from the consumption spending patterns of new home occupants, and otherwise maintain the notation used in Phase II of the model. Then consider the following sequence:

$$\begin{aligned}
 \text{Round 0: } & x_n' \\
 \text{Round 1: } & x_n' A_n L Y Z \\
 \text{Round 2: } & x_n' A_n L Y Z A L Y Z \\
 \text{Round 3: } & x_n' A_n L Y Z A L Y Z A L Y Z \\
 & \vdots \\
 & \vdots \\
 \text{Round } K: & x_n' A_n L Y Z \prod_{k=1}^K A L Y Z
 \end{aligned}$$

The sum of these terms forms an infinite series that converges to the limit

$$x_n' [I + (A_n - A) L Y Z] [I - A L Y Z]^{-1}$$

When results are reported for Phase III the income earned by the occupants is subtracted from the final multiplied effect, so that only income generated for occupants of housing units already existing in the area is counted.

Note that, were new home occupants to spend the same fraction of their incomes on the various local commodities as average households, $A_n = A$ and the formula would simplify to

$$x_n' [I - A L Y Z]^{-1}$$

The formula that produces a 297-element vector, the first 99 of which contain the added income by industry, for Phase III is

$$x_n' A_n L [I - Y Z A L]^{-1}$$

Again, the income in each industry can be disaggregated into business owners' income and wages and salaries, and the wages and salaries converted to full time jobs. These exclude any jobs filled by occupants of the new housing units.

The formula that produces a 3-element vector showing the final, multiplied effect on local income, local government general revenue from persons, and local general government revenue from business generated in Phase III is

$$x_n' A_n LY [I - ZALY]^{-1}$$

As in Phase II, the last two elements of the final 3-element vector can be disaggregated to show revenue generated by particular types of taxes, fees, and charges. The primary difference in Phase III is that the increase in residential property tax revenue (which is introduced into the model as a separate input independent of the Census of Government computations) needs to be subtracted before the decomposition procedure can be applied.

Final Notes

All of the matrix operations in the NAHB local impact model are performed using the O-Matrix package provided by Harmonic Software. The O-Matrix code used to generate Phase III impacts for single-family construction and the code used to compute a local total requirements matrix for a previous iteration of the NAHB model are published on the Harmonic Software web site as notable uses of the O-Matrix package (<http://www.omatrix.com/userstories.html>).

The technical documentation on the NAHB model used to estimate the local income, jobs, and taxes generated by home building was prepared by Paul Emrath, Vice President of Survey and Housing Policy Research. For questions on the technical documentation, or on NAHB's impact of home building models in general, he may be contacted in NAHB's Economics and Housing Policy Group by phone at 202-266-8449, or by email at pemrath@nahb.org.

Attachment 141

RESOLUTION

Resolution No.: 03 of 2020

**THE VILLAGE OF SOUTH BLOOMING GROVE
PLANNING BOARD**

Names	Ayes	Roll Call Vote		
		Noes	Abstain	Absent
<i>Chairman</i> Ms. Donna Douglas	X			
<i>Member</i> Mr. Manny Aleixo	X			
<i>Member</i> Mr. Eric Vogelsberg	X			
<i>Member</i> Ms. Michelle Rivera				X
<i>Member</i> Mr. John Giovagnoli	X			
<i>Alternate Member</i> Ms. Raleem Broadhead- Moses				X
TOTAL	4	X	X	1

The following was presented

By: Chairperson Douglas

Seconded by: Member Vogelsberg

Date of Adoption: March 5, 2020

RESOLUTION REGARDING AMENDED CLOVEWOOD PROJECT

WHEREAS, the Village of South Blooming Grove, New York (“Village”) from time to time considers certain land use Projects in the Village, including a Project submitted and known as the “CloveWood Project” (“CloveWood”); and

WHEREAS, within the Village the Village Planning Board (“Planning Board”) from time to time will undertake review of Projects and with the CloveWood Project the Village Board of Trustees along with the Village Planning Board are both Co-Lead Agencies under SEQRA in reviewing the Project; and

WHEREAS, the CloveWood Project Sponsors previously had submitted an amended DEIS that the Professionals retained by the Village determined said amended DEIS not to be adequate with respect to its scope and content for the purpose of conducting public review and the

Clovewood Project Sponsors acknowledged same by resubmitting a revised draft DEIS in April 2019 to the Village; and

WHEREAS, after said submission and review by the Village Professionals the Clovewood Project Sponsors were advised of still outstanding completeness issues, but with all rights reserved the Village scheduled and previously conducted a Public Hearing on the then submitted amended DEIS; and

WHEREAS, subsequent to said Public Hearing the Clovewood Project Sponsors were requested to supplement the amended DEIS so that in the view of Village Professionals the amended DEIS would be complete for purposes of public review at a Public Hearing and thereafter the Clovewood Project Sponsors provided additional submissions to the Village to supplement the amended DEIS; and

WHEREAS, the Village Professionals have now reviewed the supplemental material provided as now part of the amended DEIS; and

WHEREAS, under the SEQRA Regulations the Village Professionals having recommended to the Co-Lead Agencies that the supplemented amended DEIS is now complete for purposes of public review at a Public Hearing; and

WHEREAS, the Planning Board having received said Village Professionals recommendation is requesting that the Village Board of Trustees as Co-Lead Agency also consider the supplemented amended DEIS as complete for purposes of a Public Hearing at its next Village Board Meeting,

NOW THEREFORE, it is Resolved by the Planning Board as follows:

Section 1. All "WHEREAS" paragraphs are incorporated herein by reference as though set forth in full herein.

Section 2. The Planning Board hereby determines to accept the supplemented amended DEIS as complete for purposes of public review and comment at a Public Hearing and requests the Village Board so act and that a mutually agreeable date for said Public Hearing be determined by the Village Board of Trustees in consultation with the Planning Board Chairperson

Section 3. This Resolution shall take effect immediately.

**BY ORDER OF THE PLANNING BOARD OF THE
VILLAGE OF SOUTH BLOOMING GROVE, NEW YORK.**

DATED: March 5, 2020


Christine Bodeker, Clerk to Boards

**THE VILLAGE OF SOUTH BLOOMING GROVE
VILLAGE BOARD**

Names	Roll Call Vote			
	Ayes	Noes	Abstain	Absent
<i>Mayor</i> Mr. James A. LoFranco	X			
<i>Trustee</i> Mr. John L. Ross	X			
<i>Trustee</i> Mrs. Sue Anne Vogelsberg	X			
<i>Trustee</i> Mr. Johnny Belfort	X			
TOTAL	4	0	0	0

The following was presented

By Deputy Mayor Ross

Seconded by Trustee Vogelsberg

Date of Adoption March 16, 2020

**RESOLUTION OF THE VILLAGE BOARD
OF THE VILLAGE OF SOUTH BLOOMING GROVE REGARDING CLOVEWOOD
PROJECT AND AMENDED DEIS TO BE SET FOR A PUBLIC HEARING**

WHEREAS, the Village of South Blooming Grove, New York (“Village”) from time to time considers certain land use Projects in the Village, including a Project submitted and known as the “Clovewood Project” (“Project”); and

WHEREAS, within the Village concerning this matter, the Board of Trustees (“Trustees”) and the Village Planning Board (“Planning Board”) from time to time will undertake review of Projects and with the Clovewood Project the Trustees along with the Planning Board are both Co-Lead Agencies under SEQRA in reviewing this Project; and

WHEREAS, the Clovewood Project Sponsors previously had submitted an amended DEIS that the Professionals retained by the Village determined said amended DEIS not to be adequate with respect to its scope and content for the purpose of conducting public review and the Clovewood Project Sponsors acknowledged same by resubmitting a revised draft DEIS in April 2019 to the Village; and

WHEREAS, after said submission and review by the Village Professionals the Clovewood Project Sponsors were advised of still outstanding completeness issues, but with all rights reserved the Village scheduled and previously conducted a Public Hearing on the then submitted amended DEIS; and

WHEREAS, subsequent to said Public Hearing the Clovewood Project Sponsors were requested to supplement the amended DEIS so that in the view of Village Professionals the amended DEIS would be complete for purposes of public review at a Public Hearing and thereafter the Clovewood Project Sponsors provided additional submissions to the Village to supplement the amended DEIS; and

WHEREAS, the Village Professionals have now reviewed the supplemental material provided as now part of the amended DEIS; and

WHEREAS, under the SEQRA Regulations the Village Professionals having recommended to the Co-Lead Agencies that the supplemented amended DEIS is now complete for purposes of public review at a Public Hearing; and

WHEREAS, the Planning Board having received said Village Professionals recommendation and on March 5, 2020 resolved that said amended DEIS is now complete for purposes of public review at a Public Hearing and said Planning Board requested that the Trustees as Co-Lead Agency also consider the supplemented amended DEIS as complete for purposes of a Public Hearing at its next available Village Board Meeting; and

WHEREAS, the Trustees also recognize that there currently exists certain guidance by New York State and other Health Officials about the existence of and spread of the COVID-19 Virus and understands that the scheduling of a second Public Hearing may be subject to change based upon said guidance and other information received by the Trustees, but the Trustees know from the last Public Meeting that the public wants an opportunity to be heard on issues related to the amended DEIS at a public meeting where the public can see and be heard.

NOW THEREFORE, it is Resolved by the Board of Trustees as follows:

Section 1. All “WHEREAS” paragraphs are incorporated herein by reference as though set forth in full herein.

Section 2. The Trustees hereby determine to accept the amended DEIS as complete for purposes of public review and comment at a Public Hearing and requests the Planning Board to confirm April 13, 2020 at 7:15PM as a mutually agreeable date for said Public Hearing and that any written comments be received by and in the Office of the Village Clerk concerning the amended DEIS no later than 3:00PM on April 24, 2020.

Section 3. The Village Clerk in consultation with Special Counsel for the Village shall cause appropriate public notice of the foregoing dates after consultation with the Planning Board Chairperson as required by applicable law. Should said dates need to be changed, the Trustees authorize the Clerk in consultation with Special Counsel to change the dates of the Public Hearing and the time for submission of written comments after the Public Hearing.

Section 4. This Resolution shall take effect immediately.

**BY ORDER OF THE BOARD OF TRUSTEES FOR THE
VILLAGE OF SOUTH BLOOMING GROVE, NEW YORK**

DATED: March 16, 2020



Village Clerk

Attachment 142-a

ARTICLE VA District Regulations

§ 235-14.1. Rural Residential District Regulations.

A. Major subdivisions. A major subdivision is any subdivision of land that results in more than three new residential lots (excluding the parent lot from which they are subdivided).

(1) Determination of lot count. In order to determine the legally permitted number of lots on a given parcel within the Rural Residential District, an applicant may either:

- (a) Perform the site analysis process [see § 235-14.1A(2)]; or
- (b) Apply density of one unit per 10 gross acres.

(2) Site analysis process. The site analysis process consists of five steps, all of which must be completed before a base lot count can be determined and approved by the Planning Board.

(a) Step 1: Land Conservation Analysis.

[1] The applicant shall prepare a Land Conservation Analysis, consisting of inventory maps, description of the land, and an analysis of the conservation values of various site features. The Land Conservation Analysis shall show lands with conservation value on the parcel and within 100 feet of the boundaries of the parcel, including but not limited to:

[a] The following primary conservation areas:

- [i] Wetlands;
- [ii] Watercourses;
- [iii] Surface waterbodies;
- [iv] One-hundred-year floodplains;
- [v] Cemeteries;
- [vi] Designated critical environmental areas;

[b] The following secondary conservation areas:

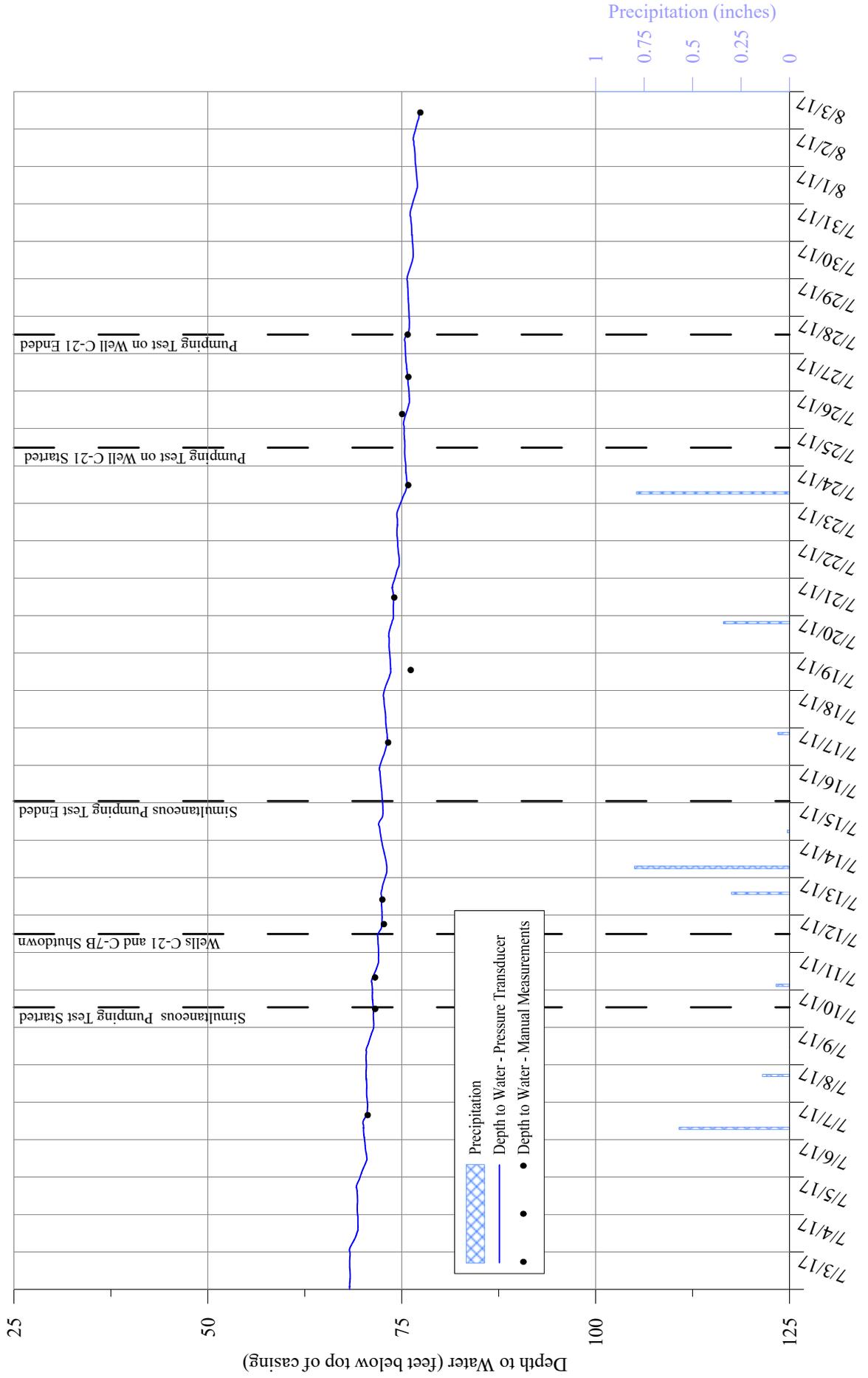
- [i] Areas of steep slopes;
- [ii] Overlay districts identified in § 235-5A(2);
- [iii] Farmland, park and recreation land, fragmented forest land, and historic and archaeological sites identified in the Village's Comprehensive Plan;
- [iv] Buffer areas necessary for screening new development from adjoining parcels;
- [v] Stone walls;
- [vi] Hedgerows and trees 12 inches' diameter at breast height (dbh) or larger;
- [vii] Other land exhibiting present or potential recreational, historic, ecological, agricultural, water resources, scenic or other natural resource value, as determined by the Planning Board.

[2] The Land Conservation Analysis is subject to approval by the Planning Board, which must adopt a written findings statement that identifies the lands to be preserved, areas to be avoided, and design principles for the site. Applicants for development of RR zoned properties larger than five acres shall research the approvals of adjoining and nearby developed properties to determine

Attachment 142-b

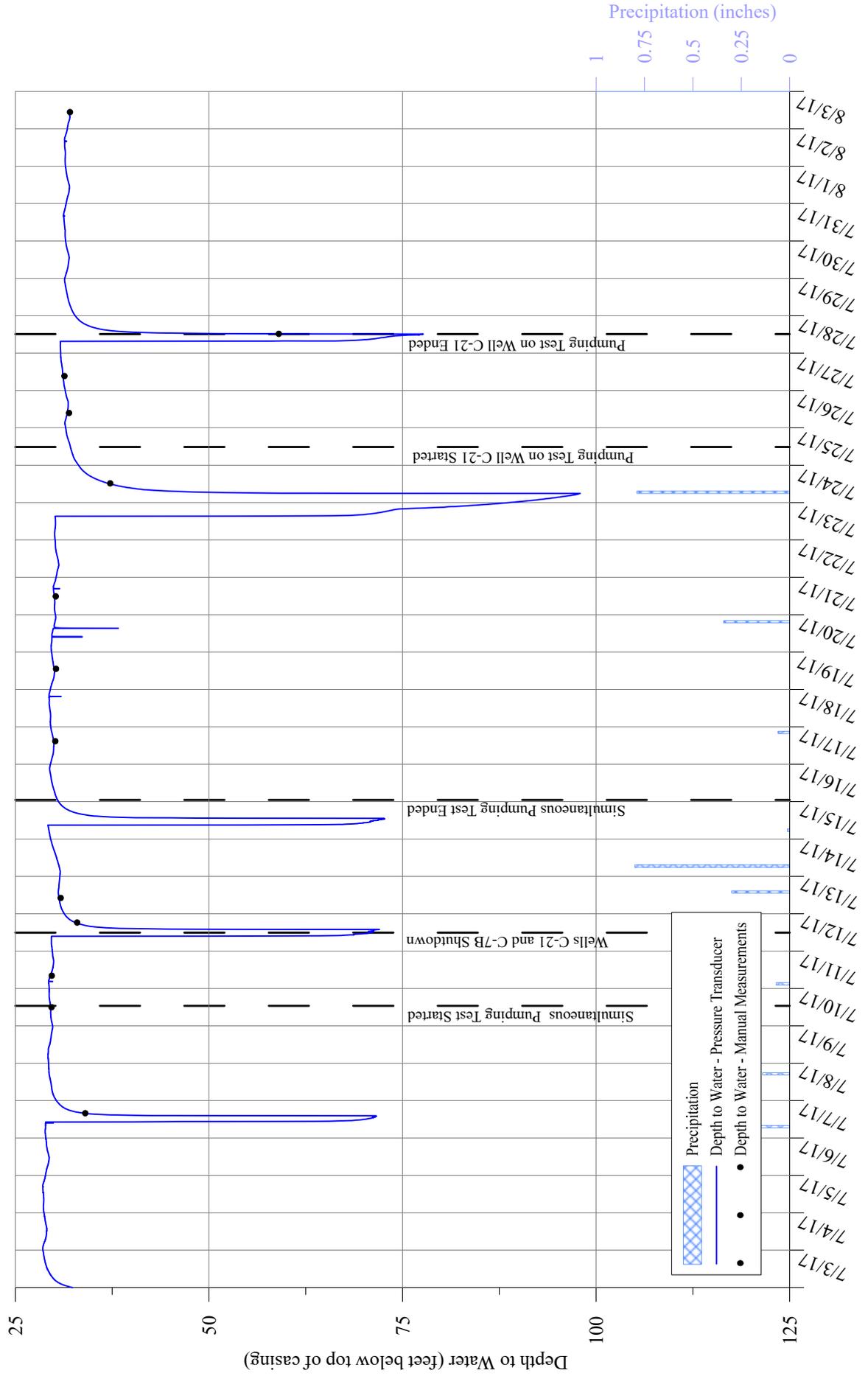
**CLOVEWOOD PROPERTY
VILLAGE OF SOUTH BLOOMING GROVE
BLAGGS COVE, NEW YORK**

**Hydrograph of Water-Level Measurements Collected from Woodbury Heights North Well
During Pumping Test Program Conducted on Wells C-6, 7B, 12, 14, 16, 21, and 23 in July 2017**



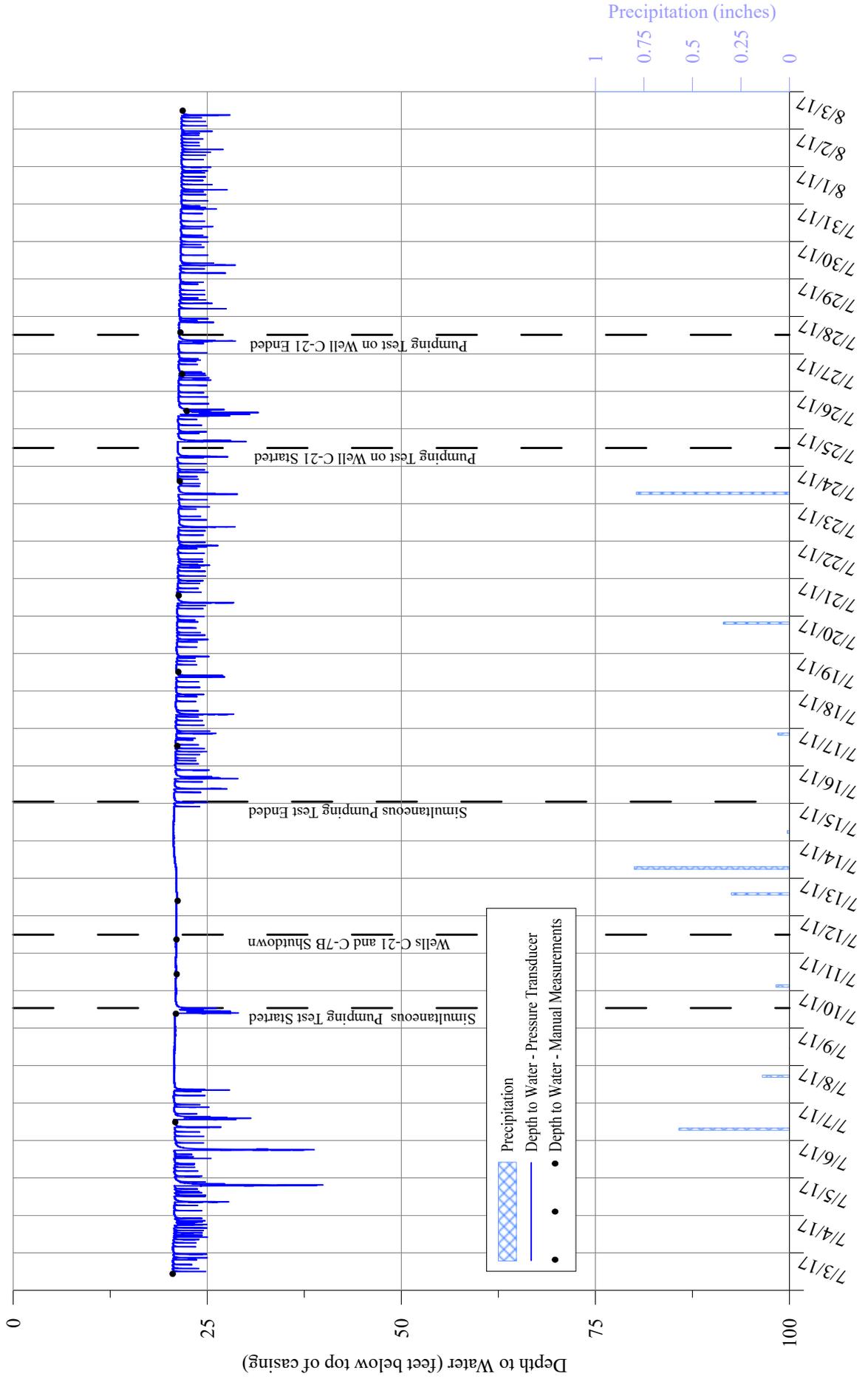
**CLOVEWOOD PROPERTY
VILLAGE OF SOUTH BLOOMING GROVE
BLAGGS COVE, NEW YORK**

**Hydrograph of Water-Level Measurements Collected from Woodbury Heights East Well
During Pumping Test Program Conducted on Wells C-6, 7B, 12, 14, 16, 21, and 23 in July 2017**



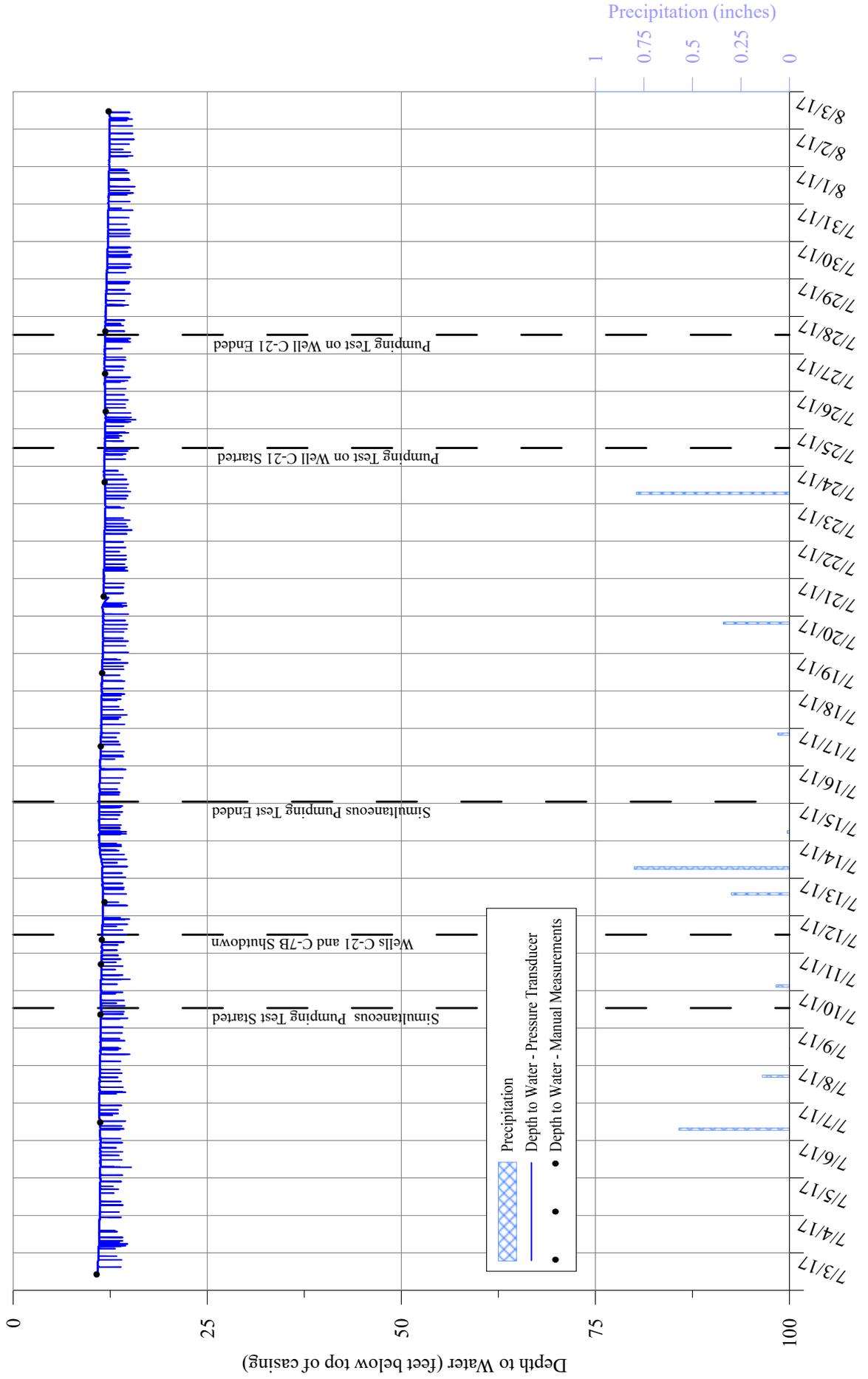
**CLOVEWOOD PROPERTY
VILLAGE OF SOUTH BLOOMING GROVE
BLAGGS CLOVE, NEW YORK**

**Hydrograph of Water-Level Measurements Collected from Well Located at 35 Round Hill Road
During Pumping Test Program Conducted on Wells C-6, 7B, 12, 14, 16, 21, and 23 in July 2017**



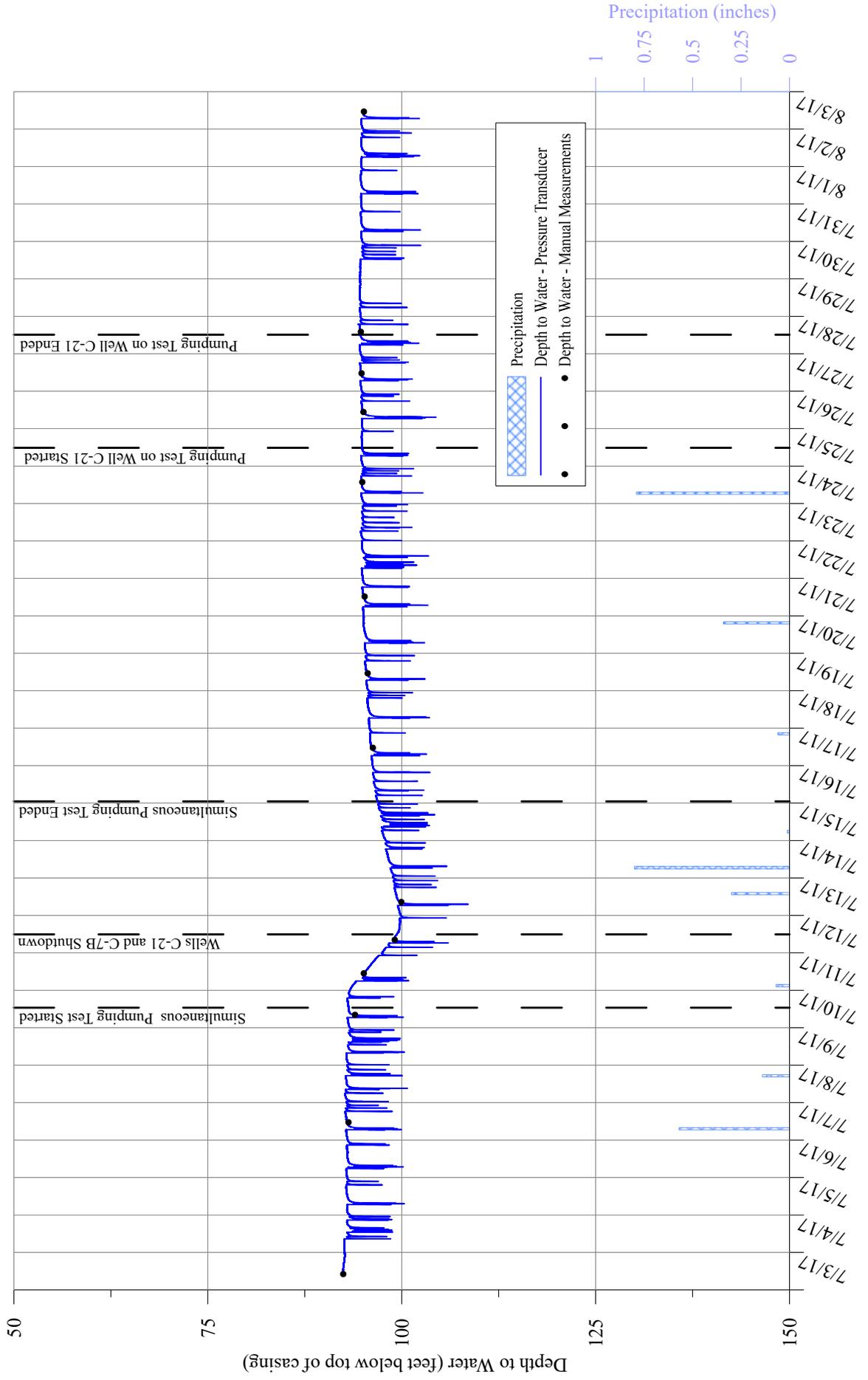
**CLOVEWOOD PROPERTY
VILLAGE OF SOUTH BLOOMING GROVE
BLAGGS CLOVE, NEW YORK**

**Hydrograph of Water-Level Measurements Collected from Well Located at 479 Clove Road
During Pumping Test Program Conducted on Wells C-6, 7B, 12, 14, 16, 21, and 23 in July 2017**



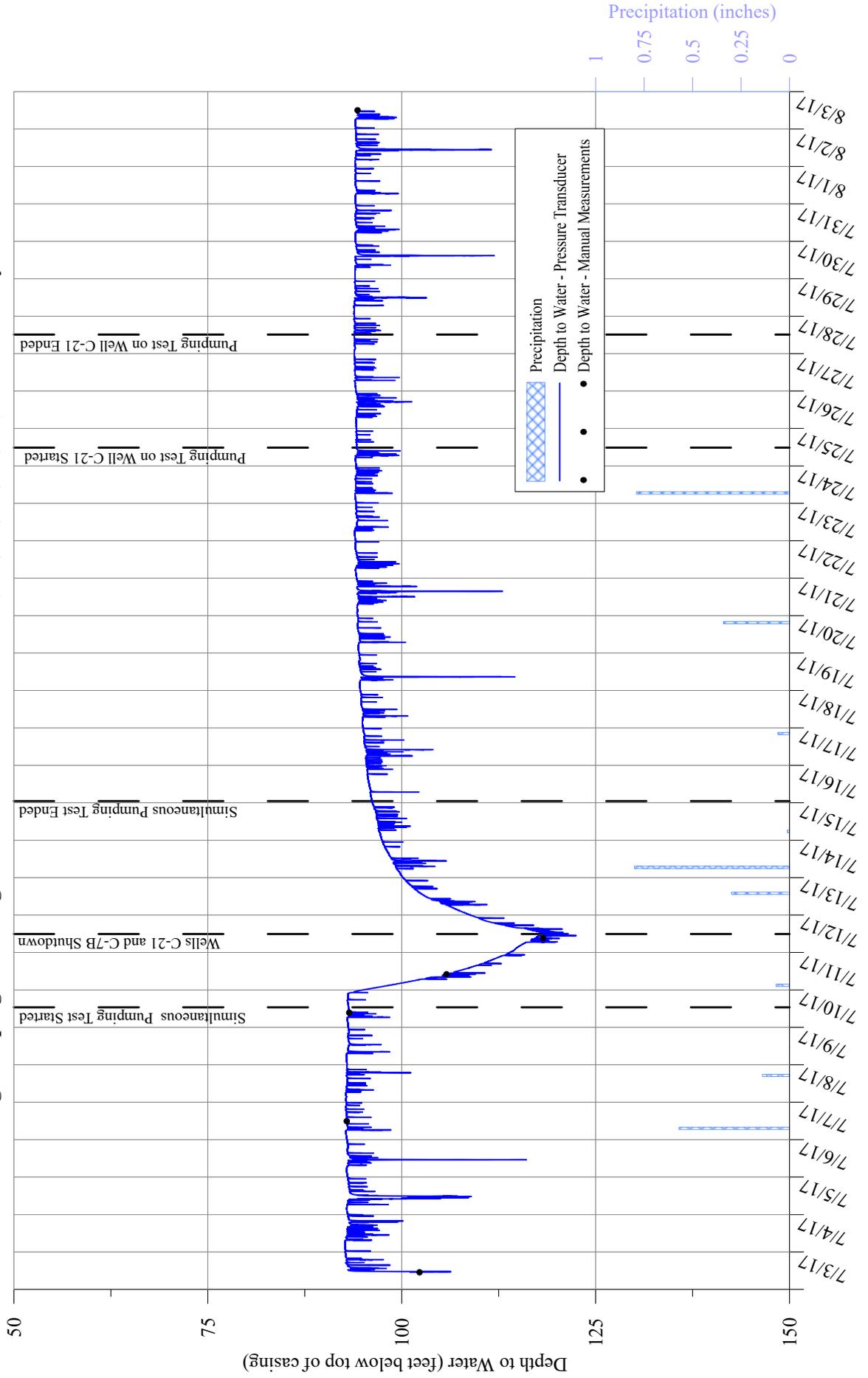
**CLOVEWOOD PROPERTY
VILLAGE OF SOUTH BLOOMING GROVE
BLAGGS CLOVE, NEW YORK**

**Hydrograph of Water-Level Measurements Collected from Well Located at 481 Clove Road
During Pumping Test Program Conducted on Wells C-6, 7B, 12, 14, 16, 21, and 23 in July 2017**



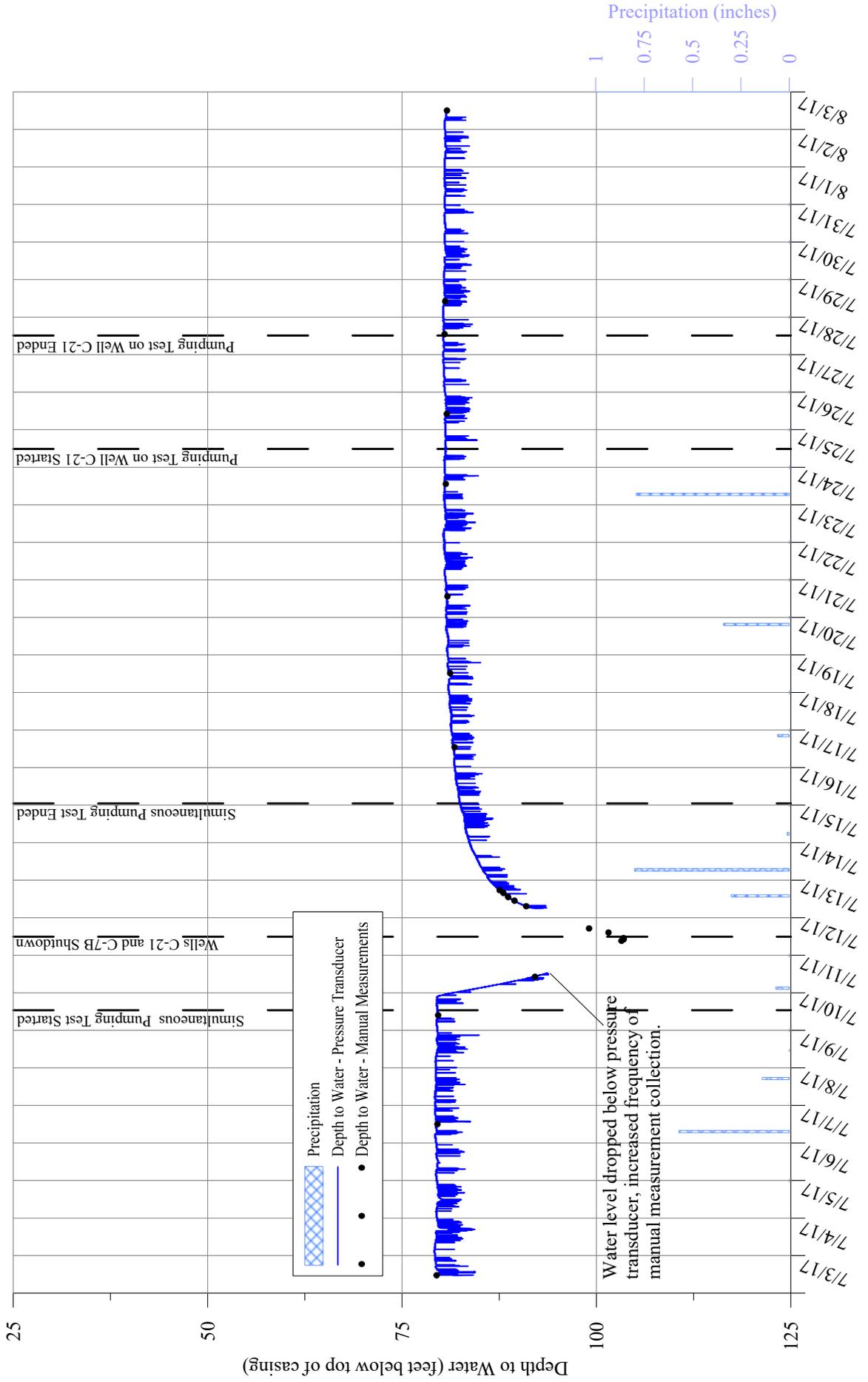
**CLOVEWOOD PROPERTY
VILLAGE OF SOUTH BLOOMING GROVE
BLAGGS CLOVE, NEW YORK**

Hydrograph of Water-Level Measurements Collected from Well Located at 562 Clove Road During Pumping Test Program Conducted on Wells C-6, 7B, 12, 14, 16, 21, and 23 in July 2017



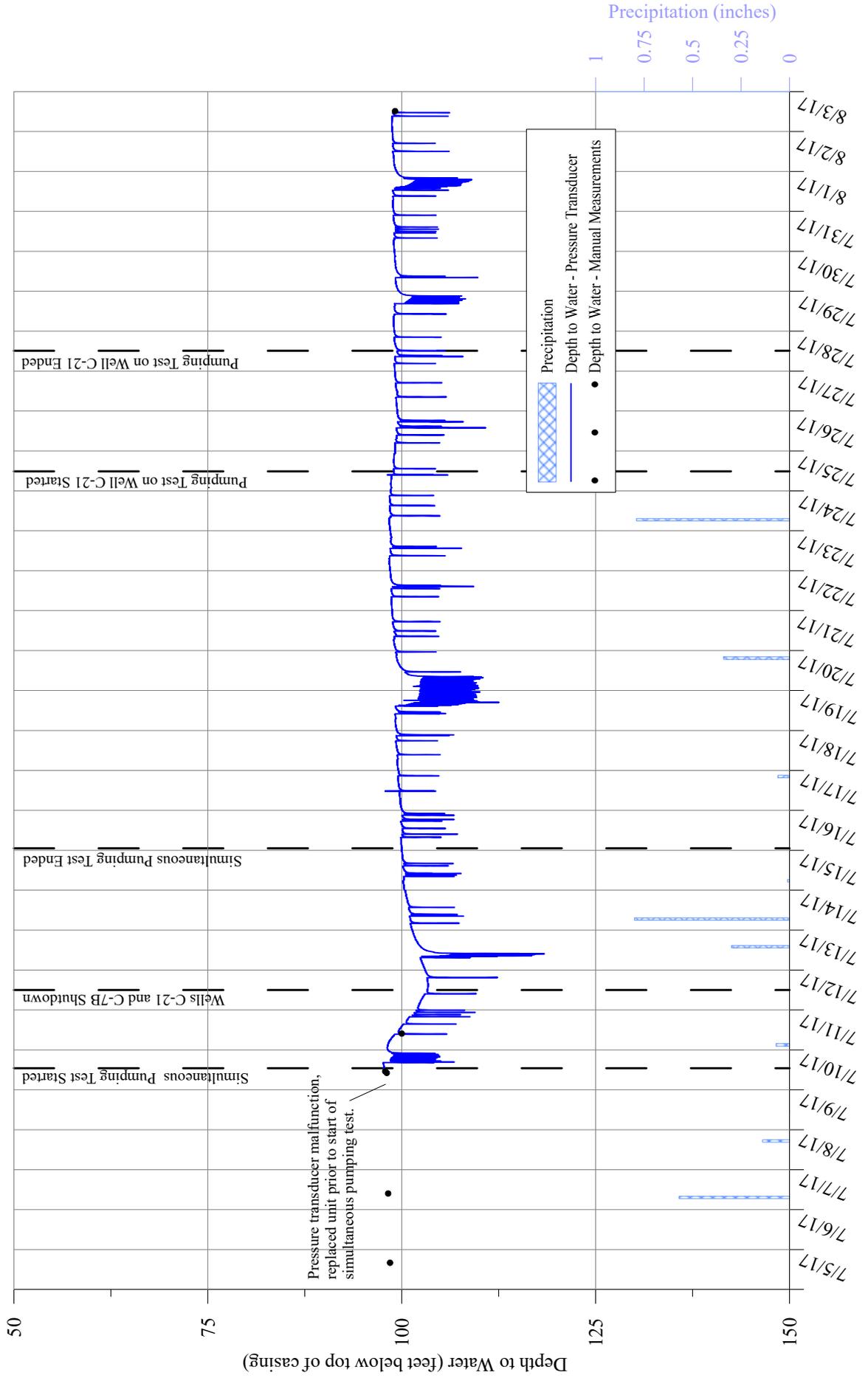
**CLOVEWOOD PROPERTY
VILLAGE OF SOUTH BLOOMING GROVE
BLAGGS CLOVE, NEW YORK**

**Hydrograph of Water-Level Measurements Collected from Well Located at 564 Clove Road
During Pumping Test Program Conducted on Wells C-6, 7B, 12, 14, 16, 21, and 23 in July 2017**



**CLOVEWOOD PROPERTY
VILLAGE OF SOUTH BLOOMING GROVE
BLAGGS CLOVE, NEW YORK**

**Hydrograph of Water-Level Measurements Collected from Well Located at 568 Clove Road
During Pumping Test Program Conducted on Wells C-6, 7B, 12, 14, 16, 21, and 23 in July 2017**



**CLOVEWOOD PROPERTY
VILLAGE OF SOUTH BLOOMING GROVE
BLAGGS COVE, NEW YORK**

**Graph of Flow Rate Measurements Collected from the Spring on Route 208
During Pumping Test Program Conducted on Wells C-6, 7B, 12, 14, 16, 21, and 23 in July 2017**

