

CLOVEWOOD

Final Environmental Impact Statement

Appendix P

**Copies of All Comments Received
During the Public Comment Period
(March 16, 2020 - January 15, 2021)**



P.O. Box 2020, Monroe New York 10949
Tel: (845) 774 · 8000 | cpcnyj@gmail.com

Comment Index

No.	Commentor Name
1	Ahmadi, Kate
2	Alonge, David
3	Amodeo, Jennifer
4	Amodeo, Louis
5	Anthony, John
6	Aselta, Christine
7	Ayala, Sonia
8	Bartlett, Ronald
9	Battista, Bryan
10	Beaumont, James
11	Beltrani & Franson
12	Berardi, Nick
13	Bernard, Gabriel
14	Blakeney, Susan
15	Bonelli, Kate
16	Borrebach, Katherine
17	Brennan, John
18	Budakowski, Jacqui
19	Camacho, Nicolas
20	Carhart, Mike
21	Castellano, Peter
22	Crispi, Esther & Jim
23	Croce, Heidi & John
24	Daly, John & Laurel Stauffer
25	Decker, Matt
26	Dejmal, Gail
27	Delbue, Astrid
28	Deoul, Paul
29	Dickson, Lindsey
30	DiGiovanni, Robin
31	Dolan, Peter
32	Egan, Carol
33	Ekstein, Shimon
34	Fahringer, Bill
35	Fahringer, Lena
36	Flynn, Bridget
37	Gabay, Victoria
38	Gelletich, Gloria
39	Greenfield, E.
40	Gross, Stephen
41	Hanley, Barbara
42	Hanley, Michael
43	Harris, Jessica
44	Hatzis, Laura
45	Henry, Edna
46	Hickey, John
47	Higgs, Victoria
48	Hiller, Paula
49	Jacewicz, James
50	Jeroloman, Robert

No.	Commentor Name
51	Johnson, Edie
52	Johnson, Kristie
53	Jones, Guy
54	Kafka, Brandon
55	Kiernan, Johanna
56	Killeen, Michael
57	Kitzrow, Kaitlyn
58	Kitzrow, Ryne
59	Klein, S.M.
60	Knoll, R.
61	Koza, Brenda
62	Leeds, Josh
63	Lepore, Sharon
64	Light, Jane
65	Litke-Newfield, Amy
66	Loeb, Joel
67	Mendel, Goldie
68	Mandel, Leo
69	Mann, Brandi
70	Marino, Heather
71	Marino, Joe
72	Marshall, Richard
73	Mauskapf, Brana
74	McCabe, John
75	McGrath, Laura
76	McGroddy, Sheila
77	Mclaughlin, Judy
78	Mongello, Stacy
79	Montoya, Michael
80	Moran, Meiligh
81	Morrissey, Richard
82	Mullan, Brian
83	Myers, Herman
84	Meyers, Rebecca
85	Newell, Ramilda
86	O'Hara, Lisa
87	O'Meara, Peggy
88	O'Hara, Michelle
89	Padluck, Robert
90	Paese, Jonatony
91	Partridge, Elena
92	Patrick, Shaun
93	Popko, Edyta
94	Prendergast, Marybeth
95	Prunty, Valerie
96	Ragbalia, Craig
97	Rainato, Johanna
98	Reddan, John
99	Rehberg, Marilyn & Harry
100	Rivano, Grace

No.	Commentor Name
101	Rivera, Adrian
102	Roach, Joan
103	Roach, Stanley
104	Romero, Vanessa
105	Rosario, Laurie
106	Rosso, Karen
107	Rothenberg, YM
108	Rum, Bonnie
109	Sacco, Elizabeth
110	Sagala, Joanne
111	Sagala, Theresa
112	Salka, Dawn
113	Salka, John
114	Santambrosio, Lori
115	Santos, Amanda
116	Sardella, Danielle
117	Schatz, Joseph
118	Scheetz, Linda
119	Schmitt, Collin
120	Schnitzer, Moses
121	Schuh, Tracy
122	Schutt, Bob
123	Schuttinger, Bob
124	Serrano, Mr.
125	Shapiro, Susan
126	Skoufis, James
127	Smith, Erin
128	Snider, Andrew & Jillian
129	Snowden, Anabel
130	Scanlon, Patrick
131	Stefano, Courtney
132	Triantafillou, Cheryl
133	Vitello, Nerissa
134	Volgelsberg, Sue Anne
135	Wagschal, Jacob
136	Weiss, Shimon
137	Whalen, Alan
138	Wiesner, Rachel
139	Yee, Kum Key
140	Zarra, Joely
141	Nugent, Brian
142	Weeks, Michael
143	Franson, Bonnie
144	Iovine, Linda

Public Hearing Dates:

August 10, 2020

December 3, 2020

January 5, 2021

Close of Public Comment Period: January 15, 2021

Commenter No. 1

Ahmadi, Kate

second draft: 7/31/2020

“Clovewood” DEIS
Hearing
August 10, 2020

Dear fellow citizens:

I was excited to notice the seal of Community Planning Consultants (CPC), who purportedly prepared this document. **Who remembers what is shown on it?** Below the letters CPC, green color and what appears to be bubbling water lead from multiple mountain peaks.

What does this mean? Are the consultants environmentalists? Environmentally sensitive? Do they care about the Moodna Creek, its tributaries, and Schunnemunk and nearby mountains and hills? Personally, I do, and hope that the consultants and their sponsors do. Reading, this is what I find:

2.10 Public Parkland

The Project would dedicate approximately 60 acres of public parkland according to Village Code ... with frontage on Clove Road and would be easily accessible by residents of both the Project and the Village. (2-19, p. 115)

Two years later, I still cannot locate the “Conservation Map,” but do find the “Regulatory Compliance Map” (Attachment I, p. 9). I find neither description of the “public parkland,” extending along Clove Road as a dark green space nor any entrance/s to it. Given the condition of that property, I must wonder how green it is. Perhaps it is a buffer? Additional “open space,” perhaps a 22 acres mentioned, seems to serve as a mostly long thin buffer between the “public parkland” and “the Project.”

2.11 Private Open Space

The project would keep an additional approximately 484 acres as open space in natural condition. Approximately 71 acres of this open space would be used for active recreation. The remaining approximately 413 acres would serve as a source of enjoyment to the Project’s residents and would provide an excellent opportunity for the Project residents to observe wildlife, vegetation and beautiful views.

Regarding the 71 acres of active recreation, I find 4 “active recreational area”s, one next to the presumably guarded Clove Road entrance, one next to a “public park and ride” between what may be two entrances on Route 208. Under “Playgrounds and Community Facilities: six playgrounds are mentioned “within the interior of the majority of residential blocks for the use of Project residents... The Project would also contain four active recreation structures and facilities, including a swimming pool/bathhouse and maintenance building etc. for use by the residents. “ (2-20, p. 116) Recreation is

defined as including “indoor cinemas, indoor health and exercise facilities, indoor and outdoor tennis courts, indoor swimming pools, racquet ball and squash courts, etc.” (2-29, p. 125) Given the history of “bathhouse” in the parent community, note the words “active recreation” and “swimming” as well as of “etc.” (twice).

Details about the “Private Open Space” cannot be located. *What is “private open space?”* Are not the words “private” and “open” contradictory? “All existing steep slope areas within the portion of the site proposed to be developed (two very small areas) would be thoughtfully avoided in the layout of lots and roads.” (1-21, p. 73) According to the Regulatory Compliance Report:

All primary conservation areas in the LCA [Land Conservation Analysis] shall be permanently preserved unless the Planning Board, in its sole discretion, determines that disturbance is mitigated by other means and that disturbance is outweighed by other public benefit. Disturbance of secondary conservation areas should be avoided to the greatest extent practicable.... When lots and access streets are laid out, they shall be located in a manner that avoids or minimizes adverse impacts on both the primary and secondary conservation areas. (2-28, p. 124)

Must we conclude that the consultants and their sponsors may actually be interested in nature and its enjoyment, but only as a private experience buffered from the rest of the world? The model for this sort of private recreation would seem to be *Riach Hachaim*. **Who knows what this is?** Its sign says

This Riach Hachaim project was funded and paid for by the residents of Kiryas Joel, no Federal or State funds was used to build this project. The Riach Hachaim is dedicated and reserved exclusively for use by residents of the Kiryas Joel community, proof of residency is required, all others are ordered to leave, violators may be prosecuted for trespassing according to law.

Need I mention that, after I took a picture of this sign, my car was nearly *squashed* by numerous enormous expensive buses entering as I tried to leave as *ordered*?

To conclude, I am interested in the 413-acre “private open space,” at least, being *protected*, so that the “wildlife, vegetation and beautiful views” do remain “natural” and “forever wild.” There is but one way to ensure this: to conserve the land in perpetuity. This cannot be accomplished by owners or by a potentially-changeable Planning Board but only by conservation organizations in cooperation with higher government. That is what I propose, that at least this land become part of Schunnemunk Mountain State Park, so that all people can enjoy it .

Kate S. Ahmadi, Ph. D.; citizen, Blooming Grove

South Blooming Grove "Clovewood" DEIS Hearing

January 5, 2021

On the Satterly Creek, I tried to explore the site of the former Satterly's Mills. The owner called the police. The policeman advised me to explore the library instead. Here is what I found:

This neighborhood is a place of very early settlement. Nathaniel Satterly's mill is mentioned in the town-meeting of 1765. *Uriah Crossman* [my underlining] is the present proprietor. There is no other special business at this point. A Methodist society existed here for a time, and a house of worship was erected. It is evident from the frequency with which some of these names in the interior of Blooming-Grove appear in the Cornwall records that there was quite a population in this section --- perhaps nearly as many as there are now living in these rural neighborhoods; the military rolls given elsewhere for 1776 indicate this fact clearly.

This quotation is taken from History of Orange County, New York, compiled in 1881 by Ruttenber and Clark, considered the pre-eminent reference. In the library. However, this quotation contains an error. Certainly, Nathaniel Satterly was the original owner of Satterly's Mills. However, in 1872 after he had died, Julia Satterly bequeathed the property to his mechanic, Uriah Crosson --- not *Uriah Crossman*, as the present owner of the property believes.

Uriah Crosson was my great-great grandfather, married to Mary Madden, who inherited the property when he died in 1899. Their son, William, married Alice Cobb; in 1909, when he died, she re-married to Hiram Weller Bull, who farmed the golf-putting property that has recently been sold. As I have been told by Al Bull, my great-grandmother "married into" the Bull family. As Amy Bull Crist told me when I introduced myself: "There are Bulls, and there are Bulls."

My father told me that some of my ancestors farmed Schunnemunk Mountain, somewhere that I am still searching for.

Where am I going with all this boring biblical genealogy?

First, this is a reason for why I care, as I said in my earlier testimony: about the Moodna Creek and its tributaries, including the Satterly, and about Schunnemunk. (Full disclosure, once again, I am a Trustee of the Friends of Schunnemunk Mountain State Park. I am also a member of the Moodna Creek Watershed Intermunicipal Council, but speak for myself).

In honor of my ancestors, I care about the water, about effluent being released into the Satterly. And I care about preservation of the mountain, as I spoke about at the previous hearing.

But there is another reason why I care. My ancestors did not reside here forever. The natives did, for some 12,000 years. The name Satterly derives from a settler, but the word Schunnemunk derives from native language: "excellent fireplace." In honor of the original peoples, I care.

Maringamus, the legendary “last chief,” had a “castle” on northern or northeastern Schunnemunk. He also had a “wigwam” in Washingtonville, the site of which is presently being destroyed, and lived in Salisbury Mills, Mountainville, Hamptonburgh, and eventually Ulster County.

No records about natives in South Blooming Grove have been found. The only hint is the name of one of the hills south of Round Hill. For years, I thought it was called Mosquito Hill, but another map calls it Musket Hill. This is more likely, reminding me of the Hudson residence on Hudson Road. In the basement, there were strange windows that the previous owner, Marie Scheppers, said were slots through which natives were shot. Shot. By muskets? Can it be that the legacy further south is one of shooting each other, rather than of the apparent peacefulness that existed between Maringamus and the settler Vincent Matthews? Or, can both be true?

In any case, to complicate my feelings, I care about the Moodna, the Satterly, and Schunnemunk because of guilt. One way or another, the “settlers,” including my ancestors, did drive out the Indians.

And I watch the process being repeated. What we did to the natives is being done to us. We and our muskets drove them out. Now we are being driven out.

Maybe we deserve it.

To speak personally, as one person, a Quaker-Buddhist, I have tried the path of peace.

I have spoken about how hikers of both groups have long greeted each other in peace, as we hikers do. I advocate for preserving the mountain in perpetuity so that we can continue to do so.

I have spoken about my grandson, and my hope that he and the other children play in Gonzaga playgrounds together, and hike together. As Gonzaga opened, I welcomed the others.

I admit to inviting the peace group to Town meetings, and welcoming them. I have enormous respect for Rabbi Loeb and his group.

Three times, I have asked the Town Board to share facts and to discuss the situation with us, the citizens. I have asked them to confer with the peace group. No response.

What path shall I take now? I have shared with you my genealogy, searches into lost native history, advocacy, and my intimate feelings. Personally, where can I go from here? How?

Where can we go from here? How? I ask you, everyone, members of any and all groups.

I propose that we learn about each other.

I propose that we ask for help from mutually-agreed-upon person/s. For example, in 1944 Mayor Fiorello La Guardia established a Committee on Unity of New York City. Two persons who come to mind are Chuck Thomas, retiring Director of the Newburgh Free Library, and Rabbi Yoel Loeb.

I propose that, before continuing on the path of endless recrimination and lawsuits, we consider negotiation, even mediation. In the name of our children and grandchildren, I beg you to stop and think.

Kate S. Ahmadi, Blooming Grove citizen

Commenter No. 2

Alonge, David

To whom it may concern,

I have many questions and concerns over the Clovewood proposal for South Blooming Grove.

What tax benefit does this bring to our community and school system? How will our school system handle costs and bussing for many thousands new private school kids?

I believe the economic study in the DEIS is faulty at best, noting that these houses will go for 495k. Are we confident these houses will even pay taxes or will we see certain religious exemptions, noting that the current taxpayers will have to shoulder the burden for private school transportation. In the economic impact of scenario 1, they state "it is projected that approximately 1,239 private school-age children would reside within the Project" which I believe is a massive miscalculation. If there is 600 homes at minimum, I believe that the average Satmar family has ~4 children, bringing that total to a conservative 2,400 children that would reside in the project. I think the DEIS is severely underrepresenting the cost side of the economic impact.

How will our aquifer provide clean water when there is not nearly enough to support the existing residents? How will the seasonal Satterly Creek handle the effluent (treated wastewater) of this massive project? Who protects the farmland this creek flows through? What becomes of the historic cemetery, wildlife, and our beautiful Schunemunk Mountain? How will the treacherous Clove Road/Route 208 corner handle thousands of more vehicles and hundreds of additional buses? I have concerns that this community will only be available to the Satmar Hasidic community, and not everyone, which in itself is blatant discrimination against the non-hasidic community.

A concerned taxpayer,

--

David S. Alonge



Commenter No. 3

Amodeo, Jennifer

January 14, 2021

Jennifer Amodeo

18 Merriewold Lane South

Monroe, NY 10950

Village Board and Planning Board Village of South Blooming Grove

811 Route 208 Monroe, New York 10950

ATTN: Kerry Dougherty, Village Clerk

Re: Clovewood Draft Environmental Impact Statement Review & Comment

Dear Honorable Members of the Village Board and Planning Board:

As a general comment, I find the DEIS fatally flawed, having ignored or dismissed several serious issues. One of its greatest deficiencies is noted in my comment below. As it impacts aspects of the potential impact of the proposed project as studied throughout the DEIS, this one deficiency alone is significant enough to render this DEIS inadequate, requiring the preparation of a Supplemental Environmental Impact Statement (SEIS). I respectfully offer the following comments for your consideration.

Appendix J – Traffic Study Impact

Traffic

Traffic study was done “June and September 2014/2015/2016

when the majority of people are away on vacation. Those numbers are skewed. And we obviously see an increased number of cars and increased traffic since Simon Gelb actually reported at a Village board meeting that over 400 homes have changed hands to the Hassidic community. Since that meeting, it is reported that over 500 homes have changed hands.

The project description says the homes will have a driveway for four vehicles but the drawings show only two cars per home. Four cars per home equals 600 vehicles.

“recently established Blooming Grove shuttle service to the Project can all be expected to lower Route 208 traffic volumes”. There is NO shuttle service. And there will be the private vehicles, car services and cabs going back and forth as well to the doctors and KJ. Also if you feel the shuttle is expected to lower traffic volumes why do you need parking spots for four cars per home.

This traffic study is skewed because it DOES NOT include 4 cars per home (2400 cars), shuttle buses for the park and ride, 600 parking spots for additional cars and hundreds of school buses transporting the children to KJ. It DOES NOT include all of the buses that will be coming for the events at the community recreation centers which the DEIS says will be for parties, bar mitzvahs and other religious events. It does not include traffic from nearby Worley Heights for those "who wish to come and shop" at the

proposed future commercial development on 22 acres. How many shoppers' vehicles will that be? Since the women don't drive - there will be an INCREASED number of cabs for those who do not wish to use the shuttle. The DEIS does not include the proposed bus schedule to the park and ride. How MANY buses will be coming in and out of this development starting when and till what time of night?

Please do not approve this project that obviously has a negative effect on every aspect that they have presented in their DEIS.

This project based on the DEIS that has been submitted should be denied. All numbers are false or skewed. Every number that is skewed from # of cars, people, residences will change the numbers in EVERY SINGLE STUDY and SURVEY THAT THEY DID.

We have also noticed excessive speeding both up and down the streets through out the day which we have never encountered before. The sign simply states 30MPH.

Thank you for your consideration to this matter.
With Serious Concerns,
Jennifer Amodeo

Commenter No. 4

Amodeo, Louis

January 14, 2021

Louis Amodeo

18 Merriewold Lane South

Monroe, NY 10950

Village Board and Planning Board Village of South Blooming Grove

811 Route 208 Monroe, New York 10950

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We have also noticed excessive speeding both up and down the streets through out the day which we have never encountered before. The sign simply states 30MPH.

Thank you for your consideration to this matter.
With Serious Concerns,
Louis Amodeo

Commenter No. 5

Anthony, John

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
December 3, 2020
Clovewood DEIS – Public Comment

John Anthony he is a construction worker, in his opinion and after looking at plans he feels this will work for the community. This project could produce business flourishing, personal flourishing and it will make a lot of work for people in the town..

Commenter No. 6

Asetla, Christine

From: [Christine Aselta](#)
To: [Clerk](#)
Subject: Clovewood
Date: Thursday, January 14, 2021 12:46:29 PM

As a resident of the town of Blooming Grove for the past 20 years, I would like to go on record as opposed to the development of Clovewood. My family and I moved here to enjoy the open green space, and mountain views we love. Also, we moved from Bergen County because of heavy traffic everywhere. Developing that property will add much traffic and congestion to roads that are not sufficient to handle it. It would not be fair to have all the extra traffic to contend with during our normal comings and going's.

Christine Aselta
16 Amy Rd

Commenter No. 7

Ayala, Sonia

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
December 3, 2020
Clovewood DEIS – Public Comment

Sonia Ayala, 36 Merriewold Lane North: in writing, see attached.

Statement – Public Hearing on December 3, 2020

Please allow this statement to be accepted as I am a concerned resident in the Village of South Blooming Grove.

On November 23, the Village Board of Trustees voted to approve two resolutions. Resolution of the Village Board of the Village of South Blooming Grove authorizing the formation of the Keen Transportation Corporation and Resolution of the Village Board of the Village of South Blooming Grove authorizing the formation of the Clovewood Transportation Corporation.

Also, the Public Notice that was received announcing the Public Hearing, which is scheduled for Thursday, December 3, 2020 at the South Blooming Grove Fire House at 815 Route 208, stated “The Project Sponsor is requesting approval for a Transportation Corporation and acceptance of dedicated land by the Village Board”. The Village’s Public Hearing was to hear from the public in regards to these transportation corporations.

At the November 23, 2020, Village Board meeting you took action and adopted resolutions prior to hearing from the public at the public hearing concerning these transportation corporations. These resolutions are improper and illegal since they occurred prior to the public hearing related to these transportation corporations.

Since the State Environmental Quality Review, also known as SEQRA, has not been finalized nor the environmental study been completed, the approval of these resolutions was improper and illegal. There is no data available for these two resolutions, which is needed in order for final review and adoption of the Environmental Determination. There are many steps to the process that should have been taken before the Village Board approved these resolutions.

I hope that the Village Board members revisit this issue, and correct this improper action.

The Public Notice was updated, but not the date of the notice? Why wasn’t the date of the notice changed? Is it the intention of the Village Board to mislead the public?

The notice has to be published 14 days before the public hearing. However, this notice was not published 14 days prior to the public hearing nor was this notice filed with the ENB (Environmental Notice Bulletin). Rather, it was the in-person notice that was published in the Times Herald Record and ENB.

The Village sent out yet another and third notice yesterday Wednesday, December 2, 2020, giving further notice of a change to a zoom meeting. These notices do not meet the minimum requirement of a notice for a public hearing and the hyper link for the Clovewood DEIS documents does not work and these public documents are not available to the public prior to the public hearing.

Again, is the position of the Village Board to mislead the public by withholding public documents and giving false misleading public notices?

Since the notices, documents, and change in venue for this public hearing are flawed and were improperly done or withheld, this public hearing is illegal and should not have taken place.

Sonia Ayala
Village of South Blooming Grove

Commenter No. 8

Bartlett, Ronald

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
January 5, 2021
Clovewood DEIS – Public Comment

Mrs. Ronald Bartlett – Section 1.0 of the DEIS immediately indicates that the village scoping document required the DEIS use two scenarios for the basis of evaluating potential significant adverse environmental impacts of the project. Scenario 1, a development occupied by families from Satmar Hasidic Community and Scenario 2 – a development occupied by community with demographics similar to those existing conditions in the Village of South Blooming Grove. The DEIS then clarifies that 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 DEIS indicates that 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. I am actually appalled that the village played such an unreasonable and likely unlawful requirement upon the applicant. It seems as though the Village....appearing discriminatory when it is the Village's own policies that seem discriminatory. I ask the Village rectify this by having the applicant analyze only one scenario into its FEIS regardless of religious affiliation and that, that demographic be the same as the demographic currently existing in the Village of South Blooming Grove, regardless of religion. On that note I am also concerned with the Village's review process of the Clovewood DEIS and I would like the project applicant to discuss this in their FEIS and make official note of this fact. The DEIS was first submitted to the Village in April of 2018 although according to SEQR the Village had 45 days to provide comments on the written DEIS its professionals unnecessarily delayed the process with complete disregard of the law and provided comments almost 8 months later. These comments provide an Appendix and of the revised Clovewood DEIS were addressed by the project applicant. Interestingly enough many of these comments were wrongfully in excess of what was originally included in the scoping document and some of them even within circles. Finally, the revised DEIS was submitted to the Village in March of 2019 according to SEQR the Village then had 30 days to respond with written comments and/or deem the DEIS complete. However, the Village instead issued a notice of claim completeness which doesn't exist in the SEQR process and held a public hearing which I attended to determine completeness which also does not exist in the SEQR process. It appears that the Village administration had no respect for the law, the department of environmental conservation and the project as a whole as well as its citizens. Finally, an addendum was submitted in February of 2020 and on March 5, 2020 the Planning Board deemed the DEIS complete followed by the Village Board on March 16, 2020. As you may know SEQR regulations do not require there be a public hearing on a DEIS however the Village nonetheless scheduled not one, not two but now this third public hearing. It is now January of 2021, three (3) years after the first DEIS was submitted and the public hearing has not yet been closed. Importantly, the majority of comments provided up until this point today was quite different at the political or personal diatribe irrelevant to a projects review and inappropriate for the form of SEQR, this gaslighting almost appears that the village has intentionally been doing this to place unreasonable roadblocks in front of this project and its approval. I am aware that NYS DEC and other agencies take a keen interest in such poor behavior on behalf of municipalities and that they are within their authority to take over a review process should a village or other municipality fail to comply with SEQR standards. I really ask the village to please conduct a good faith review of this project simply so that continue to have the right to conduct this review and moving forward I really hope that they will continue to conduct the review in a way that is lawful and in accordance with SEQR and I hope to see this information in the FEIS.

Commenter No. 9

Battista, Bryan

From: [Bryan Battista](#)
To: clerk@villageofsouthbloomington.com
Subject: Clovewood
Date: Friday, January 15, 2021 2:50:58 PM

My name is Bryan Battista and am a resident of Washingtonville. This project is ill-advised and deeply flawed. When the wells were tested my own well water turned to sludge. Furthermore, the Washingtonville school system CANNOT handle the tax repercussions a community like this would present. I oppose this project from start to finish. Thank you

Commenter No. 10

Beaumont, James

TESTIMONY BEFORE THE VILLAGE OF SOUTH BLOOMING GROVE
PLANNING

REGARDING THE CLOVEWOOD DEVELOPMENT

BY JAMES BEAUMONT

CHAIRMAN OF THE MOODNA CREEK WATERSHED INTERMUNICIPAL
COUNCIL

DECEMBER 3, 2020

Thank you for the opportunity to comment on the Clovewood Development. I am James Beaumont, Chairman of the Moodna Creek Watershed Intermunicipal Council. I am also the Vice Chairman of the Town of Montgomery Planning Board. I sit in your seats twice a month.

The Clovewood Development and the Village of South Blooming Grove are in the Moodna Creek Watershed.

The Council does not have an opinion for or against the construction of the Clovewood Development.

However, the Council is very concerned about the water quality impacts of the Development on the Unnamed Tributary of Satterly Creek, Satterly Creek, and Moodna Creek. In particular, the Council is very concerned about the impact of erosion and sedimentation during construction and about the impact of untreated wastewater discharges during wet weather.

We have submitted more detailed written comments to supplement these verbal comments.

Erosion and Sediment Control

The Clovewood site has very silty soils. The Legoland site has very silty soils. Perhaps you heard about the problems those silty soils caused at Legoland.

It is very difficult to remove silt from runoff water. It is not enough for the Draft Environmental Impact Statement to say that the developer will install erosion and sediment control measures as described in the New York State Standards and Specifications for Erosion and Sediment Control, because many of those standards are not sufficient for silty soils.

We have included with our written comments a document entitled, Enhanced Erosion and Sediment Control Plan for Large Projects. That plan was developed by the Town of Montgomery Planning Board to deal with possible erosion and sediment control issues at the Amazon Warehouse project (1 million square feet) and at the Medline Warehouse project (1.3 million square feet). To date neither project has had a sediment discharge off of the sites.

We recommend that the Enhanced Erosion and Sediment Control Plan for Large Projects, or a Village of South Blooming Grove equivalent, be included in the SWPPP, the FEIS, the Findings Statement, and the Site Plan Drawing Set to be sure the contractor is well aware of the measures needed to control erosion and sediment.

Wastewater Treatment

The Council agrees that a membrane bioreactor based wastewater treatment plant offers the most benefits and best water quality effluent.

The Council does not agree with the DEIS conclusion that a Wet Weather Operating Plan is not required.

We recommend that the inspectors hired by the Village pay particular attention to:

1. Make sure all of the sanitary sewer manholes are well sealed and have water tight covers;
2. Make sure that sump pumps are not connected to the sanitary sewer;
3. Make sure that the house roof gutter drains are not connected to the sanitary sewer.

We appreciate the opportunity present our comments.

James Beaumont

Jaybeaumont49@gmail.com

845-275-2935

Commenter No. 11

Beltrani & Franson

TO: James LoFranco, Mayor/Donna Douglas, Chairwoman¹
Trustees, South Blooming Grove Village Board
Members, South Blooming Grove Planning Board

FROM: Bonnie Franson, AICP CEP, PP
Adriana Beltrani

RE: Clovewood – DEIS Completeness Review

DATE: August 21, 2020

CC: Kerry Dougherty, Village Clerk
Christine Bodeker, Deputy Clerk

The following documents have been reviewed:

- Clovewood DEIS, consisting of a main document, six appendices documents, delivered to South Blooming Grove Village Hall, on April 3, 2019;
- Conceptual Subdivision Plan, prepared by Kirk Rother, last revised January 29, 2019;
- Final Scoping Document for the Clovewood Project, dated June 2, 2019;
- Addendum to the DEIS, dated February 13, 2020.

General Comments

1. The attached comments represent our substantive comments. Contrary to the Applicant's representations, many comments were not addressed in Appendix N of the DEIS and are not repeat comments. In certain instances, the Applicant decided to delete information from the DEIS, rather than addressing a comment. Thus, although there may be comments that appear to be repeated, it is because the DEIS does not adequately address them.

Our DEIS did not include a list of all maps and tables, which is customary for a document. We would request that such a list be included with the FEIS.

2. The FEIS will need to address all comments raised, either at the public hearing, or in writing, as part of the public hearing held on November 25, 2019, and any subsequent comments

¹ *This memo was prepared in 2020, prior to the elections that occurred and resulted in the Village being led by new Mayor George Kalaj. We are submitting the memo at this time, as support for our prior invoices, as was discussed with former Mayor LoFranco and the Applicant's agent, Simon Gelb.*

that were made prior to the DEIS being deemed complete sometime in 2020. There is confusion as to what the November 2019 hearing was, since it was noticed as a public hearing on the “claimed” completion of the DEIS. In terms of the public, they were issuing comments under the belief that the DEIS was accepted as complete.

3. All involved and interested agency comments needed to be included as an Appendix to the FEIS, including those issues by NYSDEC and NYSDOT.
4. Principal use. We continue to assert that the mass transit parking facilities are not “accessory” to this project and would be considered an individual use. The facilities may be an Unlisted Use as per the Village’s zoning regulations which will require Village Board Special Use Permit approval. An application will need to be submitted to the Board and any additional approvals referenced in the FEIS. Since the site plan was not updated, the FEIS should include updated site plan which shows which park and ride facility will be retained.
5. Revised Project Layout. The Scoping Document was developed and based on a subdivision layout submitted to the Boards in 2016, as shown on p. 8 of the Scope Document. The DEIS introduces an alternative layout which departs from the approved scoped layout as follows:
 - a. the introduction of two cul-de-sacs (possibly three, with one terminating at Arlington Drive, since the DEIS refers to this is a “potential connection”);
 - b. connection to Arlington Drive;
 - c. development along the southerly border of the project site;
 - d. the elimination of roundabouts;
 - e. the relocation of areas proposed for open space and active recreation, including parkland to be donated to the Village which consists primarily of regulated NYSDEC wetlands;
 - f. a park and ride where open space was located;
 - g. the previous plan was color-coded to clearly define the two types of lots proposed. This submission does not identify the two types of lots on the plan.

Appendix N responses to this general comment provide reasons for the changes and indicate many were at the request of the Village, of which those requests are undocumented. Also, comments regarding the policy position of various state agencies are not documented. The addition of two, 300-car lot park and rides, and the connection to Arlington Drive was not shown on the Scoping Document layout, and thus the potential impacts that could occur were not considered in the adopted Scoping Document. The addendum to the DEIS dropped the public park and ride, but not the Clovewood park and ride. This will result in vehicular traffic now traveling up Clove Road to access the development’s park and ride facilities, and the attendant buses to pick up commuters. This is new information and a change in the proposed action which is not adequately described or its impacts addressed, from a noise, traffic, and other perspectives. The FEIS needs to address any changes related to traffic, air quality and noise, and address where buses will be stored.

6. Conceptual level of layout. The limits of disturbance required to create a buildable lot and all the grading associated with various infrastructure are not shown. Please provide in the FEIS.

7. All references to the Negative Declaration regarding the Village's adoption of zoning regulations contained in Appendix O are irrelevant to the substance of this site specific DEIS. Further, on the basis of new information provided by the NYSDEC, the Applicant does not comply with the Zoning Code, so the DEIS argument is moot.
8. We indicated that the applicant must revise the conceptual map in the DEIS Project Description, as well as Figure 362a in the ecological section, to clearly show and label the water tank, wells, and roads leading to same for a complete and accurate representation of the proposed action – this needs to be addressed and transmitted with the documents circulated to the involved and interested agencies. These are still not shown – please submit an updated concept plan with the FEIS showing all improvements, including wells, stormwater facilities, etc. Various smaller stormwater basins are not shown on the concept plan map.
9. We note that the references and maps discussing and illustrating a sewer and water connection to KJ were addressed by the addendum. It should not reappear in the FEIS, or would otherwise require analysis as part of an SEIS.
10. The scope requires a discussion of proposed covenants or HOA documentation – the DEIS does not have to incorporate actual legal documents at this time, but it should include narrative as to what it would contain, and what restrictions would be placed on the land, especially since the “open space” has wells located within it. This is a DEIS omission, and it is unknown what can actually occur in the open space area. Also, infrastructure locations have not been mapped which are located in the open space area. The lack of utility mapping results in the public and agencies, including NYSDEC, not receiving a full understanding of the impacts that will occur to the open space, aka, timber rattlesnake, areas. There are numerous wells which will require access roads to get to them. These are not shown and is an omission.
11. In terms of the RC-1 district, it is argued that the Planning Board can allowed for the transfer of development from this area without having to actually demonstrate the development yield within the RC-1 area could have been achieved. The zoning law states: “The portion of a property shown on the zoning map as zoned RC-1 or RC-2 is intended to establish density. The Planning Board, once it has established density, may allow the placement of RC-1 or RC-2 uses beyond the district line where traditional rural development patterns and existing context will be strengthened.” Also, it states: “Minimum lot sizes and open space. Minimum lot sizes in the RC I and RC II Districts shall be 3,000 square feet. All buildings and uses shall be served by public water and sewer. Single family and two-family dwellings shall only be built behind commercial buildings that front on Route 208.” The RC zones do not establish density by stating that one unit per 3,000 square feet is permitted, but that dwellings are to be situated on lots within a minimum lot size of 3,000 sf. The DEIS does not demonstrated they can achieve the density because they have not platted 3,000 sf lots as required “to establish density.” This needs to be addressed in the DEIS.

12. There are significant issues associated with assumptions regarding the market value of the proposed dwelling units that remain unaddressed in the revised DEIS. To justify the market value, the revised DEIS now presents MLS data from “comparables” in the Village of South Blooming Grove from the year 2019 after the revised DEIS was prepared. A quick and easy search of sold properties in the Village of South Blooming Grove on the website Trulia shows that there are many single family home in the same neighborhood evaluated in the comparables report that sold in the \$200-300,000 price range that were omitted although similar in size, age, lot size, and location. Refer to this image:



The comparable report submitted to support the DEIS shows only 12 homes that are evidently selectively picked to support the DEIS market value. The market value has not been determined based on an objective comparables report or market analysis. Using the Trulia home values above, the average market value of \$397,000 is achieved, and not the \$495,000 market value in the DEIS and revised DEIS. The following statement is made on the front of the comparable report.

"THIS ANALYSIS HAS NOT BEEN PERFORMED IN ACCORDANCE WITH THE UNIFORM STANDARDS OF PROFESSIONAL APPRAISAL PRACTICE WHICH REQUIRE VALUERS TO ACT AS UNBIASED, DISINTERESTED THIRD PARTIES WITH IMPARTIALITY, OBJECTIVITY AND INDEPENDENCE AND WITHOUT ACCOMMODATION OF PERSONAL INTEREST. IT IS NOT TO BE CONSTRUED AS AN APPRAISAL AND MAY NOT BE USED AS SUCH FOR ANY PURPOSE"

We will raise the above general comments, as well as the specific DEIS comments below, as substantive comments on the DEIS. We are not in agreement that the above is representative of the value of dwellings. Further, no supporting evidence was provided from the Blooming Grove tax assessor that the market values are reasonable. Market values affect the impact on the cost of community services.

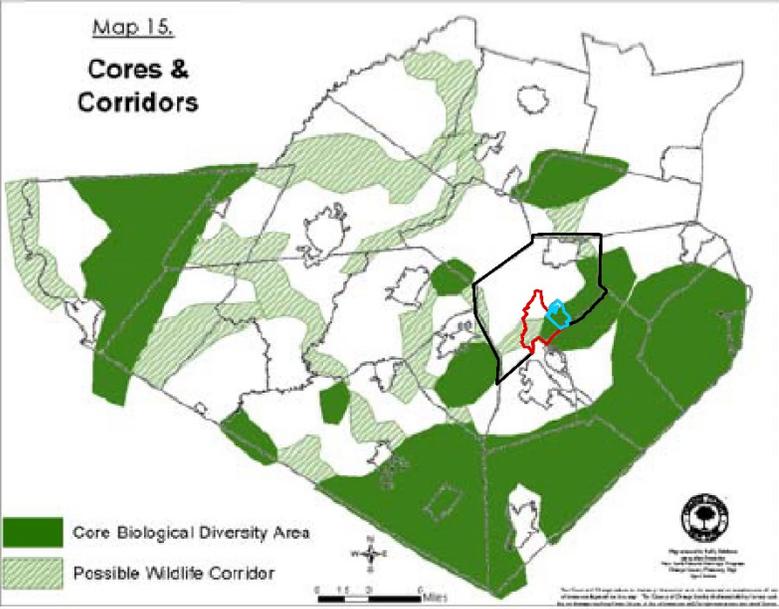
DEIS Comments

The content of the accepted DEIS was reviewed against the Scoping Document.

1.0 Executive Summary

Comment No.	Comment
1	Project Description. Please indicate that the Village of South Blooming Grove is an incorporated village <u>within</u> the Town of Blooming Grove...the sentence on p 1.0-3 states that it is “southeast of” the Town of Blooming Grove. This item should be addressed in the FEIS.
2	Project Purpose and Need. The DEIS does not provide any source or study documenting that there is a critical need for housing and that the demand is predominately from the Satmar Hasidic community. Please reference supporting documents or provide supporting data on page 2.0-7. Otherwise, indicate that this statement is in the opinion of the Applicant. This item should be addressed in the FEIS.
3	Language is still included regarding what the “buildout” could have been under the previous zoning before Village incorporation. This is irrelevant, as the property is in the RR zoning district which was created in 2006, so there was no longer an R-30 zoning district. This discussion should be removed.
4	Affordable housing. The specific price for an affordable house offered as part of this project should be included on page 1.0-3, and should also be integrated into the main text of the DEIS on page 3.2-9 and in other appropriate sections, i.e., project description, socioeconomics, and community facilities and services. This comment remains relevant. This item should be addressed in the FEIS.
5	Project Site History. The MH Howell complex is shown in an “avoidance” area, as is a precontact site. However, this area is being made public parkland. The use of the space for public parkland is inconsistent with the preservation requirements and also inconsistent with Chapter 120 of the Village Code, as discussed elsewhere. Please provide measures to protect this National Register eligible site, from any active recreational activities that may be constructed there.
6	Wastewater Treatment. Indicate the water quality classification of the stream to which the facility would discharge, and the design elements of the plant which ensure it will meet water quality standards. The

Comment No.	Comment
	information is not included in this section nor does it appear in Section 3.9. It should not be buried in Appendix N.
7	The statement that “the Project is the very type of development envisioned by the Village Board for the Project Site” is speculative and opinion and should be expressed as the opinion of the Applicant.
8	The access drive to Route 209 south of the Blooming Grove Shopping Center involves encroachment into the Surface Water Overlay district. The statement that the project complies with the zoning is not accurate. Address in the FEIS.
9	The project is actually being developed between 480 msl and 900 feet – 500 feet is not the lowest elevation. Also, elsewhere it states that the development extends to 940 feet. Make consistent, by accounting <u>for development to access wells and well locations</u> . This item should be addressed in the FEIS.
10	The surrounding land uses description is inaccurate. The site is surrounded mostly by vacant land, single-family detached dwellings, and a shopping center. It does not adjoin multifamily dwellings.
11	The sentence that states the “associated increase in population would remedy the Village’s decade long trend of shrinking population and its related adverse consequences” is opinion. Whether the population is increasing or decreasing does not relate to the Project’s impacts other than the potential capacity of for service providers to address demands placed on community services by Clovewood.
12	The Village Board does not determine the type of scale and development for this project – the Planning Board determines compliance with lot size and other bulk requirements for this site-specific project. The project’s consistency with community character, etc., has not been determined for this project and will be determined during substantive review.
13	References to the Village’s population is inconsistent with DEIS statement that there has been a large population turnover in the Village, which has not been captured by the Census data. The DEIS is internally inconsistent. These inconsistencies should be addressed in the FEIS.
14	The reference to the site being “remote” is incorrect as the site immediately adjoins the unincorporated Town of Blooming Grove. This item should be addressed in the FEIS.
15	Important and prime farmland soils are present on this property, as per the Orange County GIS data. Statements that the project would not impact farmland soils are incorrect. This item should be corrected and addressed in the FEIS.
16	There is no support for the conclusion that the local waste management capacity would not be overburdened. No communication with solid waste services are provided. As such, it is unknown if there would be an increase

Comment No.	Comment
	in manpower and equipment, and whether this would result in an increase in taxes.
17	It is not appropriate to state that the “Project” would monitor traffic. The Applicant, or other entity, would need to monitor traffic, and there must be a protocol presented for that purpose. This is mitigation, and the details of same are not provided. This item should be addressed in the FEIS.
18	Under Construction Impacts, the air quality section states that there will be no blasting or rock hammering. Yet, there will be rock processing locations. These statements are inconsistent. This needs to be clarified to ensure impacts related to both noise and air are addressed.
19	<p>With regard to open space, please indicate whether the Project Site is identified in the Orange County Open Space Plan, or the NYS Open Space Plan. This item should be addressed in the FEIS. See image from the Orange County Open Space Plan. The blue outline represents the project site.</p>  <p>The map, titled 'Map 15. Cores & Corridors', displays a geographical area with several green-shaded regions. A legend at the bottom left identifies two types of green shading: a solid green box for 'Core Biological Diversity Area' and a hatched green box for 'Possible Wildlife Corridor'. A blue outline on the map represents the project site. The map includes a north arrow, a scale bar in miles (0, 1, 2, 3), and a logo for the New York State Department of Environmental Conservation in the bottom right corner.</p>
20	By virtue of the need for traffic signals at various intersections, the project will have a significant adverse impact on traffic which is being mitigated. Because of the presence of a historic site on the property, an avoidance plan is required. The mitigation measures need to be identified. The DEIS incorrectly concludes that the project would not have impacts that require mitigation. This item should be addressed in the FEIS.
21	In section 1.5, an analysis of the alternatives is not provided. The alternatives should be compared via a matrix which compares population generation, water demand, wastewater generation, traffic trips, etc., to render comparisons between alternatives. The alternatives only discuss financial conditions of the property, which are not relevant to the SEQRA

Comment No.	Comment
	alternatives analysis. Also, reference to the Applicant spending \$20 million is not supported by any documentation. Also, how much the applicant has expended is not a subject relevant to environmental impacts.
22	The DEIS makes subjective statements regarding housing need under the Low Density Alternative without relying on any documents supporting that statement. This should be supported by appropriate references.

2.0 Project Description

Comment No.	Comment
1	Figure 13 from the Executive Summary should appear here to illustrate the range of elevations above mean sea level (ASML) proposed to be graded or disturbed. This item should be addressed in the FEIS.
2	The reference on page 2.0-5 to what the R-30 District would have yielded is irrelevant and speculative, and is new narrative not included in the previous DEIS. All lands in the Town of Blooming Grove were rezoned to RR, within which this property would have been located. The zoning was already set forth in the adopted Comprehensive Plan that preceded the zoning revisions. This item should be addressed in the FEIS.
3	Please indicate how access will be maintained to the cemetery at adjacent lot SBL 208-1-1. A description has not been provided. Does an easement exist to access the property? This item should be addressed in the FEIS – the response is not evident as it is addressed in Appendix N.
4	While the commercial element was withdrawn, 22 acres of the site are set aside for future use. Since the residential yield is being established at this time, notes should be added that it will not be used for residential purposes.
5	In section 2.13, an analysis of the viability of the 60 acres for public parkland has not been provided. The wetlands are present throughout this area, including those regulated by NYSDEC, which also regulates the 100-foot adjacent area. When the Applicant provided its estimates of usable area in Appendix N, did it consider the adjacent area, which the DEC may not permit to be used. Further, the Zoning Code references active parkland, not passive parkland. As set forth in Chapter 120, “Land reserved for recreation purposes shall be of a character and location suitable for use as a playground, playfield or other recreation purpose, and shall be <u>relatively level and dry.</u> ” The DEIS needs to demonstrate how this is met.
6	Table 21 is missing a source. Further, there are existing roads in the Town named Tuthill and Woodhull and would not be acceptable names for 9-11 purposes. The road names may have been submitted for 9-11 purposes, but there does not appear to be a response to naming them the same as existing roads in the Town.

Comment No.	Comment
7	The proposed number of park and ride spaces has been reduced. A rationale should be provided as to why the proposed capacity of the park and ride lots are for 300 commuter spaces. The reference to the Museum Village park and ride is anecdotal. Further, the “commutershed” for the proposed lots is much smaller than lots located along Route 17. Are ridership or parking capacity studies available? This item should be addressed in the FEIS.
8	The roads within the development cross stream corridors, so the 100-foot riparian is not met in all locations as represented. This item should be addressed in the FEIS.
9	As a general comment on sections 2.12 and 2.13, the maximum residential yield of this proposed project has not been confirmed, pursuant to §235-14.1(A)(2), contrary to the Applicant’s assertions. The discussion of the yield was the basis for moving forward with the DEIS for SEQRA analyses – depending on the outcome of the analyses, the yield was subject to change. The Planning Board has not issued findings that the conservation analysis for the site is accurate. Specifically, habitat is present for the timber rattlesnake and other species, and the NYSDEC has determined that the entire site is timber rattlesnake habitat. On that basis, since it is a primary conservation area, no dwellings can be yielded from the density analysis that relies on Section 235-14.1A.(1)(a) of the Zoning Code. See NYSDEC letter dated May 28, 2020, provided to NPV on or around June 15, 2020.
10	RC-1 zone. The RC-1 zone requires that dwellings be specifically located on a lot with a minimum lot area of one dwelling unit per 3,000 square feet, pursuant to §235-14.2 of the Zoning Code. A conventional layout showing how many dwelling units can be constructed needs to be shown before this density can be transferred elsewhere on the site – the yield has not been properly determined. A map of the RC-1 district, showing the environmental constraints and a feasible conventional layout needs to be submitted. A discussion of this yield plan should be added to the overall density discussions starting on page 2.0-1. Further, the RC-1 district requires that ten percent of the dwelling units be affordable. The application only makes reference to the affordable housing units associated with the density bonus in the RR district, but does not set forth the required affordable dwelling units required as per the RC-1 district. This comment is not addressed, and the narrative is removed from this section. The yield for the RC-1 needs to be addressed. The zoning does not support a rationale that if, for example, the entirety of the RC-1 area was wetland and undevelopable, that one could still assume that land is entirely developable and same can be transferred into the RR portion of the development. This item should be addressed in the FEIS.

Comment No.	Comment
11	The Scoping Document requires a discussion of compliance with each of the requirements of the subdivision code, in addition to this analysis of zoning compliance. This item should be addressed in the FEIS.
12	Please indicate the location of the capped fill area on a map to confirm that it will not be impacted during project construction and disturbances. This still does not appear to be shown?
13	The description of wastewater and water supply is inadequate. Provide details in the project description from Section 3.9 with regard to the wastewater treatment plant location, discharge location, treatment train, water quality classification of stream to which it will discharge, total number of wells on the site, which wells will be utilized, water pressure and need for storage tank, total water supply demand and wastewater generation, etc. This item should be addressed in the FEIS.
14	Plan Sheet PK1, "Proposed Parkland Area" is provided after section 2.20. The plan appears to suggest access will be gained using the existing cemetery access. No parking area or entrance easement is provided. A breakdown of the acreage of wetland, wetland buffer area and usable recreation area is necessary as per previous comments.
15	Active recreation areas should be further described per §235-14.1.C(m). Three areas indicated as active recreation on the site plan contain wetlands. The updated DEIS describes uses included under the term "recreation" in the Village code, however it does not respond to the concern that three areas designated for <u>active</u> recreation on the site plan may contain wetlands. This item should be addressed in the FEIS.
16	Please indicate the types of buses that would come into the development. Is the DEIS referring to school buses, public transportation buses? If these roads are in HOA or private ownership, describe whether buses, including school buses, can utilize the roads. This is not clarified from prior comments.
17	<p>The statement in part A "these wetlands represent fairly important conservation values, notwithstanding the lack of DEC designation..." is misleading as the majority of wetlands identified (23 of the 36 acres) are DEC wetlands and three of these wetland complexes are considered "active recreation space" on the site plan.</p> <p>It remains a question as to the conservation value of further isolating DEC designated wetland habitat by designating them as active recreation area and surrounding them with buildings. This will be raised as a substantive comment.</p>
18	Section G states that Robert Torgersen indicates there is not identified habitat area for threatened or endangered flora or fauna on the property

Comment No.	Comment
	<p>or within one half mile. This is not supported within Appendix C, Natural Resources Site Survey (Clovewood DEIS Appendices Volume I (A-H)) which includes the Endangered and Threatened Species Report prepared by North Country Ecological Services, Inc. This report reviews habitat and presence on site for ten species of endangered or threatened flora or fauna, and determines:</p> <ul style="list-style-type: none"> - Indiana and Long Eared Bat roosting habitat present on site (pdf p 298, "Clovewood DEIS Appendices Volume I (A-H)") - Timber Rattlesnake basking, foraging and shedding habitat present, and noted physical presence of snakes during field visits (pdf p 298) - Small Whorled Pogonia habitat present on site (pdf p 305) - Slender Pinweed habitat present on site (pdf p 306) - Virginia Snakeroot habitat identified on site (pdf p 307) - Drummonds Rock Cress and Green Rock Cress habitat present on site (pdf p 308) - Woodland Agrimony habitat present on site (pdf p 309) <p>The Planning Board should note that §235-14.1A does not specify that the presence orof absence of the species be included in the primary conservation area calculation, simply the presence of "Identified habitat areas for threatened or endangered flora or fauna". Comment remains relevant. Discussion of the Sterling Forest Bird Conservation Area is not relevant to this study, and the DEIS fails to identify and analyze the Hudson Highlands West Important Bird Area as designated by the NYS Audubon Society, which encompasses a majority, if not all, of the project site.</p> <p>Additional comments on part G- "Upper portion" is not descriptive enough to identify the location being referenced.</p> <p>A discussion in the DEIS as per the above was removed from the updated DEIS and the comment remains unaddressed.</p> <p>Per Appendix N, comment response 66, page 58 states that the Torgersen report has been removed, however the above previous comments related to the NCES Endangered and Threatened Species Report remain pertinent and directly related to our comments on page 3.1-14 regarding the incomplete Conservation Analysis and questions regarding the derivation of 182.3 acres of habitat area to be protected. The NCES report as reiterated in section 3.6 and in Appendix C does not provide habitat acreage or map habitat.</p>
19	The maximum building coverage is proposed to be 50 percent, which does not coincide with what is shown on the illustrations that follow this page.

Comment No.	Comment
	If 50 percent is proposed, the DEIS needs to examine the impacts associated with a maximum 50 percent building coverage (and additional impervious surfaces). This would affect visual, stormwater, and other topics in the DEIS. The illustrations do not represent what could be constructed as per the bulk requirements proposed. Comment not addressed, response in Appendix N not sufficient. This item should be addressed in the FEIS.
20	The road classification plan Figure 24 may not be valid, based on the fact that the subdivision design has been substantially revised since the plan was last revised (4-28-17) This item should be addressed in the FEIS.

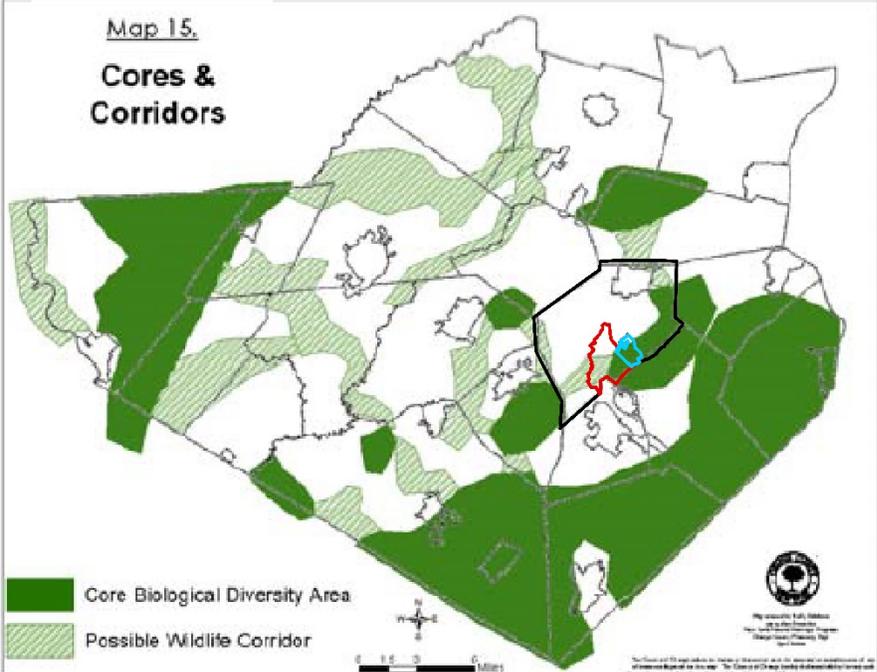
3.1 Land Use Planning, Zoning and Public Policy

Comment No.	Comment
1	The reference to the Negative Declaration for the Village Zoning Code is not relevant to this analysis and does not in any way support conclusions that the project would not have a significant adverse impact.
2	The statement that the majority of the Village’ dwellings are nonconforming uses is in error. Single-family attached dwellings remain <u>conforming</u> uses. Changes in the bulk requirements would render them noncomplying as to bulk, not as to use. Further, the zoning law specifically “grandfathers” smaller pre-existing lots in Article V of the Village Zoning Chapter.
3	The DEIS, by referring to the number of vacant parcels, underrepresents the acreage of vacant land that is available for development in the Village, and subjectively gives the appearance that the new zoning was imposed on only a “few” parcels. The comment regarding the zoning revisions targeting this project site and not the larger parcels elsewhere in the Village is not supported by any objective data.
4	In the Project Description, the DEIS states that 544 units of development were approved by the Planning Board – in this section, the DEIS states that the Greene family made a request to construct these units but mentions no approvals. These statements are inconsistent and should be addressed in the FEIS – also, any such approvals if granted are no longer in effect.
5	Fig 311a - The figure omits significant expanses of lands that are parkland/open space, including a large parcel above Mountain Lodge. Also, all open space and parkland parcels should be shown in green to clearly see these areas relative to the project site. Any land uses “not specified” should be determined in consultation with the relevant tax assessor. Also, the Town of Palm Tree boundary is no longer “proposed”.

Comment No.	Comment
	Also, add the Town of Palm Tree to the list of towns. This item should be addressed in the FEIS.
6	Fig 312a - The map is not showing lands that have been preserved as parkland/open space on the map. See the Blooming Grove Open Space Inventory for reference purposes. Please correct the Town of Monroe boundary to reflect the newly created Town of Palm Tree.
7	The immediately surrounding area around the site does not contain multifamily uses as stated in the DEIS.
8	The text states that a list and map illustrating the locations of other projects expected to be developed” is set forth in section 3.17 and Figure 3171, “which address “cumulative impacts.” We cannot find this section or this figure.
9	The entirety of the purpose of the RR district needs to be stated – the purpose is not correctly identified in the revised DEIS. The purpose is: “Rural Residential District. The purpose of this district is to promote the Village's rural character, protect open space and environmentally sensitive resources, and to guide residential development in a manner that is consistent with the Village's Comprehensive Plan.” The FEIS needs to address how this project will promote rural character.
10	The discussion overstates the existing density of housing units in the RR-District, by only focusing on the existing developments and minimizing existing homes on large lots. The information on p. 3.1-9 regarding 130 single family homes on lots larger than one acre needs to be included for a comprehensive analysis of density. Further, delete the phrase “underdeveloped land” suggests that lots at larger than one acre should be developed further, when the zoning may not allow such additional further development. It has been found that there are only 17 parcels that are less than 10,000 square feet. Clovewood’s lot sizes are inconsistent with Village residential character.
11	No data are provided to support the conclusion that open space was not required to be preserved as part of prior approval of properties. There are parks in these neighborhoods, for example, SBL 215-6-2 with frontage on Pine Hill Road.
12	The depiction of the Scenic Viewshed zoning overlay districts in Figure 314b does not match the extent of the district in Fig 315c in the addendum. This calls into question the determination of Secondary Conservation Areas which include the zoning overlays. Large Trees “exceeding 12 inches in diameter” are indicated on page 3.1-15 as “outside of the areas to be developed,” which is contradicted by the specimen trees, shown in brown, on Figure 315c, which are concentrated in the proposed house lots to be cleared. It is unclear whether the trees depicted are all of the large trees, (>12” dbh) or perhaps just those trees proposed to be removed? This item should be addressed in the FEIS.

Comment No.	Comment
	<p>There is no discussion with regard to the project’s ability to preserve the primary and secondary conservation areas. How much of the land disturbance, affects primary and secondary conservation areas? This item should be addressed in the FEIS.</p>
13	<p>The statement that the project complies to all of the overlay district standards is not correct. Development of house lots and roads is occurring within the Surface Water Overlay, which is intended not to be developed. There is no discussion of compliance with the standards of the SW Overlay. This item should be addressed in the FEIS.</p>
14	<p>The Applicant has stated that the development will occur on 140 of the 708 acres of land. However, the archaeological analysis in Appendix B, Supplemental Phase 1B Archaeological Survey, page 6, noted that 265 acres of the site will be disturbed (the “area of potential effect”). The NYSDEC review letter also indicates the disturbance area is inconsistent with what appears in the maps. Please confirm the total area of the limits of disturbance at this site, and indicate how it was calculated. Any such disturbance also would be included in an SWPPP analysis. This inconsistency should be addressed in the FEIS.</p>
15	<p>The historic and archaeological sites are not included in the secondary conservation areas on Figure 315c in the addendum. They are found in other figures, however. The DEIS does not propose how such resources located in the proposed open space will be protected. This item should be addressed in the FEIS.</p>
16	<p>The comparison of land use development, density and intensity between the proposed project and the surrounding existing developments is incomplete. Please provide figures to show the following lot ranges in existing developments surrounding the proposed project: 0-4,999 square feet; 5,000-9,999 square feet; 10,000 square feet to 14,999 square feet; 15,000-19,999 sf; 20,000-29,999 sf; 30,000 – 39,999 sf; 40,000-79,999 sf; and 80,000 square feet and larger for a better, refined analysis of lot sizes.</p> <p>Further, please provide information on the average size of dwellings located on each lot. In Mountain Lodge Park, most of the dwellings remain one story in height, and are very small compared with other neighborhoods in South Blooming Grove. A comparison needs to be made between the FAR, and all bulk requirements based on lot size, before any conclusion can be made that the proposed project is consistent with the residential neighborhoods within the study area. Also, please indicate whether Mountain Lodge Park was platted and constructed prior to current zoning regulations and whether it is subject to South Blooming Grove regulations.</p>

Comment No.	Comment
	<p>There is no discussion of the compatibility of 7,000 square feet lots with buildings with a massing of 3,750 square feet compared to existing residential lots in the village and study area. Ultimately, the Planning Board determines the lot area and bulk requirements for lots.</p> <p>These items should be addressed in the FEIS.</p>
17	<p>The zoning regulations do not state that 8.5 percent of the conservation area shall be set aside as public parkland. It states “Unless a preserved conservation area is set aside for public park or recreation purposes, as determined by the Planning Board, the applicant shall be required to pay the Village’s park/recreation fee, which shall be paid prior to the Chairman’s signature on the plat.” The Planning Board needs to determine whether there is a need in that location, and whether it meets the requirements of Chapter 120. If it does not, a recreational fee in lieu of land will be required. This item should be corrected and addressed in the FEIS.</p>
18	<p>Elsewhere, the development area is stated as being 265 acres (see the archaeological analysis in Appendix B, Supplemental Phase 1B Archaeological Survey, page 6), not 142 acres. This item should be addressed in the FEIS.</p>
19	<p>The land use and zoning analysis does not address the public park and ride lot, which is an accessory use, and its consistency with the zoning and land use in that area. This item should be addressed in the FEIS.</p>
20	<p>The statement that the Project is intrinsically consistent with the Zoning Code is unsupported, as the DEIS does not address consistency with certain overlay districts, and other zoning parameters, thus this conclusion cannot be reached. This item should be addressed in the FEIS.</p>
21	<p>The development does not protect and preserve all surface and subsurface water features. Site plans indicate that surface water overlays and stream courses will be built upon or otherwise will be disturbed. This item should be addressed in the FEIS.</p>
22	<p>Orange County Open Space Plan – describe the Plan’s references to Schunnemunk Mountain and its preservation. See the map as follows:</p>

Comment No.	Comment
	 <p>Map 15. Cores & Corridors</p> <p>Legend: Core Biological Diversity Area Possible Wildlife Corridor</p>
23	<p>A more detailed discussion of the project site’s consistency with the Blooming Grove Rural Crossroads in the Southeast Orange County Land Use Study is required. What specific area and acreage of the site is shown on the plan? Also, please indicate what areas of the site are shown as greenbelt as per other sections of that same study. The two sentences describing the project’s consistency with the Southeast Orange County Land Use Study are inadequate. Please address the project site’s location relative to p. 15, p. 19, and the limited area of the property incorporated in the plan as shown on p. 24 of that Study. This item should be addressed in the FEIS.</p>
24	<p>No substantive information or analysis is provided to substantiate the claim that the project will be architecturally consistent with the Village in terms of scale and character. Please compare the proposed scale of the buildings (floor area and setbacks) on the proposed lot sizes with those in existence in the Village.</p>
25	<p>Please make clear whether the accessory apartments in paragraph (4) are in addition to the 2,500 and 3,750 square foot dwellings or is the accessory apartment square footage included in the 2,500 and 3,750 square foot dwellings. This item should be addressed in the FEIS.</p>
26	<p>Citation to the National Recreation and Park Association report is inaccurate and misleading and must either be removed or significantly amended.</p>

Comment No.	Comment
	<p>- We note that the DEIS focuses on active recreation facilities, and that there is a functional difference between active recreation which provides safety, exercise, programming and team sports; and open space, which more often provides passive recreational opportunity with a focus on the enjoyment of nature and therefore requires a healthy and functioning habitat for a wide range of species.</p> <p>- The 9.6 acres per 1,000 residents referenced in paragraph 2 of this page appears to be the median person per acre of parks surveyed in jurisdictions of 20,000 to 49,000 people. (p 9 NRPA 2018). The Village of South Blooming Grove has a little over 3,000 people as of 2014, as identified in the DEIS, Table 322.</p> <p>Per Appendix N, comment response 97 page 68, this discussion regarding statistics has been removed, however the statement asserting the Village of South Blooming Grove does not contain public parkland is incorrect given the presence of Gonzaga Park.</p> <p>- This revised DEIS section still does not include a discussion of existing recreational facilities within the Village of South Blooming Grove and the Town of Blooming Grove which should include: acres and population per acre, agency funding, programming, staffing and park facilities. A comparison study of South Blooming Grove to another local municipality may provide the kind of comparison the applicant is attempting to make through reference to the NRPA Agency Performance Review.</p> <p>The point being made in the last paragraph that approximately 1,600 square feet of privately-owned protected open space is unclear. This has not been discussed until this point, and privately-owned open space does not satisfy any open space requirements as part of this development.</p>

3.2 Socioeconomics

Comment No.	Comment
1	P 3.2-2, 3.2-3, 3.2-4, It is inaccurate to combine vacancy and seasonal housing rates. The 2016 ACS for Census tract 133 shows 15% as the vacancy rate on only . Discussion of seasonal housing is not accompanied by a source and is therefore not acceptable.
2	The following statement is not sourced or referenced through tables, and therefore is speculative: “Most of this [vacant housing], however, consists of seasonally vacant housing and only 3.5% of all units were available for sale or rent. This indicates almost complete saturation of the available housing market.”

3	Table 324 and generally- citations must be more detailed to include the year of the census data and census table number or title. In-text discussion of data should reference the tables in which it is found.
4	When discussing employment, the applicant should reference the percent of the total population employed, not simply the number of people employed. Out of 96,292 people in the primary and secondary study area, 42% of the population is employed.
5	Table 326 shows population and housing trends that are now 10 years old. This table must be updated to reflect accurate and up to date data. Assumptions based from this data is inaccurate. Table citation is not sufficient.
6	Regarding the statement that the region is “experiencing substantial population growth and a need for housing”- Given the outdated nature of the data analyzed and the incomplete comparison of housing units to household size or population age breakdown (discussed in comments above), this statement is not supported by substantive analysis.
7	P 3.2-9: The applicant includes discussion of data obtained by Hudson Gateway MLS, Orange County Real Property Tax Records and the Village Tax Assessor but does not provide supporting evidence of this data such as raw tables, data citations or the year the data was obtained. The information provided in Appendix N-5 should be included here directly or by reference. As discussed in the General Comments, supporting evidence and a clear methodology for analysis must be provided or the conclusions cannot be considered accurate.
8	No source is provided for the statement “a review of occupancy data for the entire USA, New York State, Orange County and the municipalities included in the Primary and Secondary Study Areas reveal that occupancy is never at 100%”
9	The statement that “the Village experienced a ten-year decrease in population of 7%.” Is not substantiated given the age of the data (2000-2010). The statements following this sentence with regard to the projected population of the Village under a projected scenario are not relevant to the discussion, nor are they accurate given the age of the data.
10	P 3.2-10: Table 327 - This analysis does not include a worst-case analysis of population growth, as it underrepresents the potential population in the accessory apartments and assigns a vacancy rate to new housing units. The projections need to be revised.
11	The last paragraph on this page is problematic in many ways. The scope of this analysis does not include consideration of the current population of the Village but to analyze whether the new population from the Project will strain community resources in the form of tax revenue to the Town and the cost of supporting the new population. To frame the discussion around population loss or gain is irrelevant and this entire discussion, which continues to page 3.2-12, should be removed.
12	The discussion regarding housing units is illogical and incorrect. The Village would not “lose” housing units. Homes are not demolished when they become vacant.
13	The age cohort for the existing population is not provided as required by the Scoping Document. The age structure shown in Figure 324 lacks a basis in existing conditions as no age breakdown is provided in section 3.2.1

14	It cannot be concluded that the project would not result in any adverse impacts with regard to population and housing given the outdated data used, and the extent of the comments detailed above.
15	The impacts associated with changes in real property value has not been examined in any detail.
16	The analysis of the Village’s trend of decreasing population is speculative, and questionable in light of the recent turnover of housing units. If the Village came into existence in 2006, and data specific to it would have been available starting in 2010, how was a 10-year decrease in population determined? What is the source of the data?
17	3.2-10: The comments that the Village is too heavily tilted toward seniors is opinion and should so state.
18	Paragraph three of this page seems to be discussing the induced impact of construction to the area however none of the numbers (2,000 workers and 230 long-term employment opportunities) match with the information provided in Table 328. It is not accurate to reference approximations such as “more than 2,000 workers”- a precise number must be provided. It should be clarified that the “more than 2,000” workers include construction workers, and the indirect and induced employment associated.
19	P 3.2-15: Paragraph five-The spending data should be based on Scenario 1 and Scenario 2 anticipated incomes. for a source must be provided regarding the assumption that 30 percent of households spend their income on retail goods and services. The applicant references data from the US Census, but it is unclear if the data provided is a projection, estimate or actual number for the date (2018) provided.
20	The discussion of sales tax should be summarized in a table and assumptions and expectations should be explained through a methodology and sourced.
21	As discussed above, the assumption of home value as not been supported therefore this paragraph is unsupported. This also applies to page 3.2-16, under “Real Property Taxes” discussion.
22	The most recent equalization rate provided by the Village should be used. 2016 is an outdated equalization rate.
23	3.2-16: A table itemizing tax rates based on the Village tax assessment rolls should be provided. Additionally, the date of the tax rate information must be provided and sourced.
24	Please address any costs related to bussing private school children.
25	Table 329 shows revenues but not costs or net revenue. Updated data must be used to reflect 2018 or 2019 tax rates.
26	Budgets discussed are all dated 2016, are outdated, and should be updated to reflect 2018 or 2019 numbers.
27	As mentioned previously, costs are not apportioned correctly between residential and nonresidential parcels. The estimate of all costs must be revised. Also, including only programmatic costs is not a worst-case analysis – please provide a table with school district costs, and what is included in the analysis of costs for this project.
28	Reference to the decline of student population in the Washingtonville Central School District must be sourced. Typically a table is provided showing enrollment trends with a source.

29	P 3.2-21: How is the cost per capita per pupil derived in Table 3210? It is unclear and not explained in the text. A citation must be provided including the date.
30	P 3.2-22: Please provide a methodology source (e.g., the Fiscal Impact Handbook) for the alternative method of determining costs. Otherwise, delete.
31	Impacts related to houses of worship are not analyzed as required by the Scoping Document.
32	It is unclear for what years each topic is provided, e.g., 2000? 2010? Are they the same as in Table 322 – this still is not addressed – is the information from the 2016 Census data, except for the reference to 2010 population? Or is there a mix of data from both censuses?
33	It is not customary for the analysis to assume a vacancy rate, especially for new dwellings. This analysis should be based on 100 percent occupancy. The source of the multipliers needs to match the housing type. An average household size of 5.62 does not appear to be reasonable, when the bulk of the housing units are renter occupied housing units in the Village of Kiryas Joel. Only 1.9 percent of all housing units in Kiryas Joel are single-family detached dwellings. A reasonable estimate of household size needs to be provided for detached dwellings or additional support provided for the 5.62 person multiplier.
34	An acceptable methodology for fiscal impact analysis needs to be used. The DEIS should review the acceptability and applicability of specific methods presented in the Burchell and Listokin Fiscal Impact Handbook. The per capita impact method is <u>specifically not appropriate</u> for the size of the community and the scale of the development. A Case Study or Comparable City methodology would be appropriate. Also, any analysis need to assign the costs to each taxing jurisdiction on a nonresidential and residential basis. Lastly, the tax assessor and tax receiver should be contacted to vet the assumptions utilized in the analyses. This is not addressed, and the cost analysis is not performed correctly.
35	Do the revenues to the school district consider: STAR exemptions? Does this analysis consider any school tax rate cap? Not addressed.

3.3 Community Facilities

Comment No.	Comment
1	Responses are not provided for NYS State Police, Blooming Grove Fire Department, Blooming Grove Volunteer Ambulance, KJ EMS, Moffat Library, Orange Regional Medical Center, Good Samaritan Hospital and Ezras Cholim Health Center. The applicant states that they received responses in writing or conducted meetings with all service providers except for South Blooming Grove Fire District, Blooming Grove Volunteer Ambulance Corp and Moffat Library. If in person meetings were conducted, data demonstrating such must be included in the DEIS. Anecdotal evidence should not be used as documentation of correspondences is necessary to demonstrate attempts were made to contact service providers.

Comment No.	Comment
2	It remains unclear what the yellow cells in table 331 indicate.
3	Existing conditions of BGPD such as service call response and budget requires a citation.
4	It is not clear why there is a discrepancy between the numbers in the 4th and 5th paragraph on this page. The 4 th paragraph states that five additional officers would be needed under Scenario 1 and in the 5th paragraph on this page, the “project would result in the need for approximately three additional officers under scenario 1.”
5	It is unclear if the costs of hiring the required additional staff at BGPD are included in the analysis. No assessment is provided.
6	The Town of Blooming Grove Police department appears to have two non-sworn employees operating under three separate roles- does this impact their level of service? This remains unaddressed from prior comments.
7	<p>- What is the operating budget for SBGFD? What portion of taxes go toward this service? This remains unaddressed. Last paragraph states that “fire services for SBGFD are included in the property tax bill and therefore, any associated costs of providing fire protection services... would be covered by the project’s property tax revenue... as shown in Table 333 above.” Table 333 does not detail the proportion of property taxes allocated to the fire district nor does this section describe operating costs, therefore this statement is unsupported.</p> <p>- How many calls to the Village do they receive per year? What is the response time? Not addressed. As we noted previously and below- response calls are provided in public data sets and should be reviewed for this section.</p> <p>The South Blooming Grove Fire District response calls are detailed within the 2016 NYS Office of Fire Prevention & Control report and should be included in this section.</p>
8	<p>Ambulance Services- The information detailed should be the same categorically for each service provider, the same questions should be answered for each.</p> <p><u>BG Ambulance</u> Employment not detailed. Applicant states data not available. Operating budget not provided, therefore the statement in the last paragraph of 3.3-9 regarding project tax revenue covering potential service needs is not supported. Actual call data not provided, ULI assumptions utilized.</p> <p><u>KJ EMS</u> Operating budget not addressed</p>
9	Schools:

Comment No.	Comment
	<ul style="list-style-type: none"> - Enrollment numbers should be provided for each school for the most recent school year (2016-2017) including teachers for each school: <ul style="list-style-type: none"> o Total students; special education students; ESL students and the cost of educating each student. The number of existing special education students and projected special education students are not detailed. ESL students and cost of educating not detailed. o This information can be found readily at: https://data.nysed.gov/lists.php?start=87&type=district - The number of classrooms and average classroom size for each school is not addressed. <p>Given the lack of supporting evidence, the statement that here would be no significant adverse impact is not supported.</p>
10	<p>Potential Impacts:</p> <ul style="list-style-type: none"> - The potential impacts section requires numeric data to back up statements such as “could incur impacts”. - All relevant data from the fiscal impact analysis and population projections should be included within this section, not referenced by section, the information is directly related to the anticipated impacts. <p>Police protection impacts: what is the change in population, taxes and budget and how might this translate to capacity?</p> <ul style="list-style-type: none"> - Statements such as “the additional tax revenue generated... would more than offset the increased demand for services” needs to be demonstrated through in-text data tables. <p>Comment remains relevant- Police survey response indicates for questions 12-17 that there could possibly be impacts to required manpower needs, equipment needs, building needs, response time and budget.</p> <ul style="list-style-type: none"> - The claim that less than five additional police personnel will be required does not equate with the reference which refers to an addition of 7-13 personnel
11	<p>Fire protection impacts: citation needed for “nine additional firefighters”</p> <ul style="list-style-type: none"> - This section is incomplete. The addition of firefighters would require the construction of a new fire station? - How will this be funded? Which fire service is being discussed here? Who will fund the new ladder truck and from what surplus? <p>This discussion appears to have been removed</p> <p>In general, impacts cannot be determined due to a lack of information as discussed above.</p>
12	<p>There is no evidence supporting the conclusion that taxes would pay for the additional needs of the Washingtonville CSD. Please quantify the cost of the impacts.</p>

Comment No.	Comment
	Comment not addressed. Survey response indicates Scenario 1 may require additional transportation, busses and special education needs.
13	<p>Schools. This section still needs more elaboration:</p> <ul style="list-style-type: none"> - What are the plans to expand Hasidic schools? What is the quantifiable increase, is this demand already there and will the addition accommodate this project? This needs numeric evidence - There needs to be elaboration about actual capacity of each school: which students utilize the public school system and which don't, how exactly resources are shared between KJ and WCSD
14	Hospitals and healthcare facilities. Again, there needs to be numeric evidence in-text to support the claims made in this section. Daycare centers are no longer addressed in the revised DEIS. Why?
15	<p>Mitigation:</p> <p>“The naturally growing population should provide an ample resource for additional fire prevention and emergency service volunteers”- Please support this with numeric data, taking into consideration the age segments that will be introduced to the population.</p> <p>This comment remains relevant and the statement that it is assumed the incoming population will serve as volunteers for fire and EMS is not supported.</p> <ul style="list-style-type: none"> - Please detail tax revenues from the project by taxing district, cost and surplus.

3.4 Community Character

Comment No.	Comment
1	The adoption of the Village zoning code does not provide any site-specific impact analysis of community character as required by the Scoping Document.
2	Please update to reflect the creation of the Town of Palm Tree, and the annexation changes that added land to Kiryas Joel.
3	No meaningful analysis is provided of the secondary area. The revised DEIS is incomplete.
4	The community character analysis continues to incorrectly focus on specific subdivisions in the vicinity of the Village, instead of the entire Village. The revised DEIS is incomplete.
5	The estimate for the Mountain Lodge Park housing units does not appear to match Census data. Please review.
6	This section fails to examine the impacts of architectural scale within this section as per the Scoping Document.

7	The Villages of Harriman and Monroe both have historic traditional downtown areas, in addition to suburban type shopping center. The requested revision was still not made.
8	A discussion of Kiryas Joel is not provided, although included in the study area.
9	This section, along with most of the DEIS, focuses on analyses comparing the proposed project with the existing residential neighborhoods in the Village and Mountain Lodge Park. It fails to conduct any analysis of the areas that are not developed with suburban residential uses that make up the study area and are within the Village of South Blooming Grove. A more robust discussion of community character in and around the proposed project site is necessary. This still has not been accomplished in the revised DEIS.
10	The project does not fully conform to the Surface Water Overlay District, as it encroaches upon it. Address.
11	This section makes general comparisons of lot sizes only. To address architectural scale, this section needs to document existing and proposed dwelling sizes, dwelling sizes relative to lot sizes, floor area ratio, building heights etc. Further, the specific lot sizes within each neighborhood described should be specifically identified in the DEIS.
12	Please provide statistics for the unincorporated areas. This is not done in the revised DEIS.
13	The first three paragraphs under 3.4.5 are non-responsive. This discussion addresses “views” and no other topics to be included in the evaluation of community character. A chart is provided with subjective conclusions with regard to impacts (3-127) without any narrative describing how the conclusions are arrived at.
14	It has not been determined that the project is zoning compliant. Ultimately, the Planning Board determines the bulk requirements for the development. This has not occurred.
15	The DEIS states that 22 acres are reserved for future development. This is factually inaccurate, as a park and ride is now located here. The DEIS is now proposing development where it stated none would occur, and thus would not be subject to SEQRA.
16	The DEIS states that the area proposed for development does not contain any historic resources and does not contain structures that would be National Register eligible – this is incorrect. The Supplemental Phase IB Study states: “The ±63.03 acres of the 2018 Project APE were divided into discrete areas, then systematically tested....Two areas, Area 11 and Area 12 contained significant archaeological sites. Area 11 contains the M. H. Howell Farm Complex, a substantial Historic Site, and the Clove Road Precontact site. Area 12 contains the Schunemunk Precontact site. Based on the recovered material, these two locations have the potential to be eligible for listing on the National Register of Historic Places.” These locations are situated in the area proposed for “parkland” the intent of which, as per Village regulations, is to accommodate active recreational facilities. The revised DEIS fails to address this.
17	A detailed analysis of community service impacts has not been provided.

18	As mentioned previously, there is no detailed analysis of architectural scale. Previously, renderings of the dwellings were provided to the Planning Board, but they are not detailed in the revised DEIS.
19	The breakdown of lot sizes provides the appearance that the proposed lots are comparable to other lots in the Village. This is due to the ranges selected for the mapping. As mentioned, actual lot sizes in each neighborhood should be identified, housing sizes identified, and then compared to what is proposed. Our review indicates that the smallest lot size in the existing South Blooming Grove neighborhoods is 12,500 sf, which is substantially larger than the Clovewood lots.
20	These data are wholly incorrect. There are not 250 parcels in the Village that are less than 3,000 square feet. Using GIS data, NP&V previously conducted an analysis of parcel sizes in the Village, and only 17 are below 10,000 square feet. This needs to be corrected as it is invalid.
21	The project is not interspersed over 500 additional acres. Please provide the general area over which it is interspersed, not including the upper portion to remain in open space.
22	Please address the project’s visibility from NYS Route 208. The visual character discussion is very generic and does not take into account any discussion of existing vegetation, and whether or not the development would in fact be buffered. This discussion is incomplete. A park and ride facility with a 300-vehicle capacity has been introduced since the Scoping Document was adopted.
23	Reference to the development providing a remedy to a shrinking population is opinion.
24	Spell out CGR Report when the first reference in a section.
25	The noise impacts cannot be concluded, as the noise analysis is not sufficiently detailed to determine impacts from noise. Also, there is no discussion of bus travel related to community character.
26	To conclude that this neighborhood would have the same community character as the Satmar population that resides in the existing single-family detached subdivisions in the Village, please provide the lot sizes for those lots.
27	Please do not exclude the Village of Woodbury. No rationale is provided for such exclusion, and it directly abuts the Village of South Blooming Grove.
28	Explicitly indicate what jurisdictions are included on Tables 347, 348a, and 348b, and whether the jurisdictions are included in their entirety.
29	Again, the Table in 3410a is selectively choosing statistics. Where is Tuxedo Park and other communities that are priority growth areas?
30	Please specifically show the land area on the project site included in the Smart Growth Study, and illustrate the area shown on the project site as “greenbelt”. The description is too generic. The revised DEIS does not address this but deletes it – address.
31	The Kiryas Joel and South Blooming Grove data are not projections – this should be clarified in the table. Table 341

32	Based on the DEIS's own discussions, the Village is unlikely to lose population as the Village's existing dwelling units are being populated by new households with children. The opinion should be deleted.
33	A significant portion of the Satmar Hasidic community outside Kiryas Joel reside in the northern area of the unincorporated Town of Monroe. Would the development be consistent with this neighborhood? This is not addressed in the revised DEIS.

3.5 Historic and Cultural Resources Section and Phase IA and IB Surveys

Comment No.	Comment
1	As the Applicant's Cultural Resource Consultant did not do an evaluation of structures that are outside of the project site, conclusions regarding their potential eligibility for National Register or State Register sites are pure conjecture.
2	The Applicant is also proposing public parkland, i.e., it would not be open space, and thus could be expected to be disturbed and developed outside the wetland areas, since the Applicant is relying on this area to satisfy recreational demand. A determination should be made as to whether the archaeological and historic resources found here would be impacted by said active recreation facilities.
3	Schunnemunk Precontact Site. Additional investigation was warranted, which is why it was examined as part of the Supplemental Study. Delete the statement that additional investigation was not warranted.
4	On p. 8 of the Phase IB report, reference is made to an Architectural Report which has not been submitted for the record. The revised DEIS still does not include it.
5	The OPRHP is a response provided prior to the Supplemental IB Survey. Thus, it cannot be concluded that there would be no adverse impact at this time, until such a time as OPRHP has provided additional comments on the updated survey.

3.6 Vegetation and Wildlife

Comment No.	Comment
1	115.1 acres should be subtracted from the habitat area based on Figure 361a, Existing Ecological Communities, and the corresponding Natural Resource Site Survey which identified viable habitat for the Timber rattlesnake on site. NYSDEC has indicated that the entirety of the site is timber rattlesnake habitat.
2	<p>Sterling Forest Bird Conservation Area paragraph 3 "With respect to the Project, the SFBCA is 8± miles to the southwest of the SFBCA." Please clarify this sentence. Comment addressed.</p> <p>The last paragraph of this section seems to indicate that the habitat on the site is consistent with the habitat found in Southern Orange County where the SFBA is located yet states that "the biological assessment... did not identify the habitat</p>

	<p>richness when compared to the SFBCA”. This statement should be further clarified and checked for grammatical error. Comment addressed.</p> <p>While the Sterling Forest Bird Conservation Area may not be contiguous to the project area, the Hudson Highlands West Important Bird Area almost entirely encompasses the project area. This resource <u>must</u> be discussed in this section.</p>
3	<p>P 3.6-9-10 and P 3.6-17, With respect to potential impacts, the applicant states that Timber Rattlesnake habitat was located “far outside” the development area but does not provide appropriate data in this regard. In the existing conditions the applicant states that individual snakes identified during a site visit were 0.5 miles or 3,000 feet from the development area however, identified rattlesnake habitat is located as close as 790 feet from the nearest area of disturbance associated with the proposed project. See NYSDEC comment letter regarding the DEIS.</p>
4	<p>If it is shown that endangered/threatened species were not found in the proposed development area- are there any anticipated impacts from construction? (noise or vibration related?)</p> <p>- “Though some areas of Indiana and Northern Long eared Bat habitat will be impacted, a significant amount of habitat be preserved as open space on the Site.” Again see §325-14.1.B(2)(a)[1][a][vii] primary conservation area includes identified habitat areas for threatened or endangered flora or fauna</p> <p>Habitat identified for Bat Foraging areas includes forested uplands, open emergent marsh community, along stream corridors and within edge habitat bordering the site per Appendix C, March 2020.</p> <p>Reference to 136 acres of project site developed inconsistent with 142 on the site plan.</p> <p>The disturbance area is not shown as 178.7 acres, this must be fixed to remain consistent.</p>
5	<p>“Furthermore, 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 impact any bird species in the BCA and would have no impact on that area’s status as a National Audubon Important Bird Area.”</p> <p>- The above statement ignores the presence of the Hudson Highlands West Important Bird Area designated by the NY Audubon in June of 2016. This addition to the Hudson Highlands IBA is 10,324 acres, approximately 384 of which are within the project site as per an NP&V GIS analysis.</p> <p>- Further research should be done regarding birds on the project site. There is a list of birds identified on the site in Appendix I (A-H):</p> <p>- What is their range, habitat and alternative habitat?</p>

	<p>- How rare are each of these species?</p> <p>- How will they be impacted by development, noise, litter and other human impacts?</p> <p>Comment not addressed. Again, responses contained in Appendix N should be reiterated within the DEIS with <u>supporting</u> evidence.</p>
6	<p>Residential homes may use herbicides or pesticides as seen fit, how can a developer ensure the residential community does not use these chemicals?</p> <p>Comment response 191, Appendix N not substantiated in text by supportive evidence. What mitigation measures will be provided? How will this be communicated to homeowners?</p>
7	<p>The statement that there will be no impacts to wildlife remains unsubstantiated based on the lack of discussion of the incidental take permit, impacts of noise and construction on the Timber Rattlesnake and associated habitat impacts as discussed above.</p>

3.7 Geology, Soils and Topography

Comment No.	Comment
1	<p>Figure 374 does not properly identify the project site.</p> <p>Comment remains relevant.</p>
3.8 Surface Water, Wetlands and Groundwater	
Comment No.	Comment
1	<p>Wetlands and Surface Water Existing Conditions. Discussion of the impacts to wetlands specifically should follow the description of wetlands on the site and should be a separate discussion from surface water.</p>
2	<p>section 3.8 Surface Water and Wetlands paragraph 1 incorrectly references a Stormwater Pollution Protection Plan. SWPPP stands for Stormwater Pollution <i>Prevention</i> Plan.</p>
3	<p>Streams shown in the Freshwater wetland map in Appendix E should be shown in Figure 382 in order to see where streams are proposed to be disturbed. It appears that several streams (stream 4 and stream 1) will be impacted by building footprints as well as by roadways in contrast with the statements in part (a) of p 3.8-5. Impacts to the bed and banks of any streams cannot be properly determined.</p>
4	<p>How does the disturbance of the above referenced streams effect impoundment? More discussion is needed.</p>
5	<p>Page 3.8-1 describes drainage “into the stream through Blaggs Cove” while part (e) states that “the project would not drain to Blaggs Cove. Additionally, the unnamed stream at the latitude and longitude given is not a sufficient marker, there is no locational frame of reference.</p>

6	There is limited analysis of bird species on this site – it is within the Hudson Highlands West IBA. Response in Appendix N is unsubstantiated.
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3.12 Noise

Comment No.	Comment
1	Fig 3121 - None of the noise monitoring locations actually monitored noise <u>at the property line nearest the sensitive receptor</u> . The monitoring that was done is irrelevant and not related to the location where the sensitive noise receptor would be impacted. Noise monitoring needs to be done where traffic and development noise is anticipated to be the highest, e.g., near entry points, such as Receptor 6 and those located across from Receptor there. The receptor locations appear to be modeled interior to the site, whereas the worst-case noise levels would likely occur along the road with the cumulative impact of traffic from the existing traffic volumes as well as the new development.
2	The noise analysis does not indicate what kind of equipment was used, the time period when the monitoring occurred (e.g., 15-minute intervals), the weather conditions, and other factors which affect the ambient noise levels. Please provide.
3	The rationale for when the noise measurements were taken is not provided. There is no basis for establishing the “typical daytime activities” as the hours indicated. Please provide a source for that assumption. Also, the note in the table 3125 is inconsistent with the statement made before the table, which indicates that noise measurements were taken during AM and PM peak hours. Please provide the specific time frames when monitoring occurred at each monitoring location.
4	Why was noise not measured on a weekend period? This is when residents at the sensitive receptors will be home, e.g., on a Saturday or Sunday?
5	The “buffers” around the development which are used as a basis for attenuating noise are overstated at two locations. At the northerly corner of the property along Clove Road, there is no vegetative buffer, as the site consists lawn area and buildings. At the southwesterly end, the main access road, proposed main access road leading out to 208 runs behind existing residences. Also, the “parkland” between the development and Clove Road residences is scrub brush habitat from the former golf course and is not thickly vegetated to attenuate sound.
6	Please use specific criteria from a relevant agency to characterize the magnitude of noise impacts. If the DEIS is going to use NYSDOT criteria, this should be identified in the Existing Conditions section. Other standards are provided, but not the DOT standards.
7	Please indicate and confirm that noise measurements were taken at the nearest property line to the receptors. Please show the locations accurately on the figure.
8	Please provide a table with the calculations for all monitoring points. It is unclear whether all points were evaluated based on the narrative. Please include the

	calculations as an appendix to verify the assessment. It does not appear to be included in Appendix J as stated in the revised DEIS.
9	The revised DEIS should specifically indicate how the 10 dBA describe for vegetation may have been applied, and where it was applied.
10	Given the magnitude of this 600+ unit project, the traffic noise levels for the build condition should be modeled using appropriate highway noise software – the noise analysis is very simplistic for a large project such as this proposed within a rural location.

3.13 Air Quality

Page No.	Comment
1	Region 3 also includes Sullivan County.
2	The statement regarding the primary and secondary standards being the same appear to be misleading. Nitrogen Dioxide has a primary one hour standard, and not a secondary one hour standard. This generalization should be deleted.
3	The standards for certain pollutants are parts per billion, not parts per million. Do not convert the standard.
4	In the table, the federal lead standard is not to be exceeded - the table indicates that all values are not to be exceeded in a calendar year. In some instances, the federal standard is the annual mean, not the arithmetic mean. The standards still require revision. Also, the primary and secondary standards should be stated.
5	The DEIS should include data from the 2017 air quality report, which has been available, not the 2016 report. Also, the table does not include the following monitoring station: Rockland County, and references Mamaroneck, when lead is measured in Wallkill and Scotchtown. Table 3133 requires revision. Also, indicate if the air quality standards are federal, or NYS in the table.
6	Is natural gas available and can it be extended to the project site? The Project Description does not indicate what type of heating would be used, and the air quality analysis assumes the development will utilize natural gas. Please indicate whether Orange and Rockland Utilities has been contacted and confirmed natural gas is available for this project. Alternatively, rely on U.S. Census data to confirm heating and cooking fuel.
7	The DEIS states that the proposed project will include multiple energy efficiencies but does not indicate what these are to justify the statement.
8	For the CO screening analysis, the analysis only evaluates level of service screening as per I-1 of the NYSDOT EPM for intersections. It does not evaluate the capture screening criteria for roadways. Also, the narrative should address the five criteria under the capture screening in tabular form. The section does not systematically identify the impacts intersections and roadways, to assess potential air quality impacts.
9	The AM and PM LOS do not indicate if these are build conditions, or build with mitigation. Also, it should indicate if this is weekend or weekday period. As per the

	Louis Berger memo, each intersection and whether it is signalized or not signalized should be included in the table.
10	The traffic analysis includes an alternative with a roundabout with park and ride. The air quality analysis does not discuss the air quality impacts related to this scenario.
11	As per the Louis Berger comments, the DEIS does not comply with the scoping document requirement to quantify “total Project-generated emissions of criteria pollutants and greenhouse gas emissions, including stationary sources.”

3.14 Visual and Aesthetic Resources DEIS Section and Technical Report

Page No.	Comment
1	The balloon test and selection of points to analyze is based on a different layout – the test was conducted in Dec 2016 and the locations approved by the Planning Board by Resolution 12 of 2016 – this layout is new, and the study may not be reflective of a worst case analysis, especially as it pertains to the southerly area of the Village. We continue to reiterate this comment.
2	Please provide the specific methodology used for the photographs taken (millimeter film or digital lenses used, etc.) and how the simulation of the layout was created. This has not been provided as requested previously.
3	The DEIS does not include a comprehensive viewshed analysis of all potential areas within the viewshed from which the development is visible, and sensitive resources within same. Map showing the area from which the site will be viewed needs to be submitted, using Arc Analyst or similar program. This has not been provided as requested previously.
5	The DEIS does not provide a comprehensive analysis of views from residential properties in the vicinity.
6	An analysis is not provided from Mountain Lodge Park as required by the Scoping Document.
7	Please provide a layout of the project superimposed on the images showing the vantage points. Provide on legible topographic map with 2-foot contours. Figure 3141 is illegible in the DEIS.
8	The conclusions that a project is not within the line of sight due to intervening trees is incorrect. They are in the line of sight but screened by trees. Remove “Not Within Line of Sight” from the applicable images. Still not revised from DEIS.
9	Please provide a comprehensive list of all potential sensitive vantage points in tabular format that in the viewshed that have been studied. Please document the visibility of all historically significant resources that were examined. The Howell Farm complex is identified as historically significant. Will the development be visible from it? Will the original Howell dwelling attached to the Quonset hut be demolished? Not addressed.
10	The landscape plan is not to be representative – it is supposed to include the entirety of the project. A landscape plan is not provided.

4.0 Alternatives

Comment No.	Page No.	Comment
1	4.0-1	. A matrix table should be provided showing all of the alternatives, which compares the following: population size, schoolage children, average household size, water demand, wastewater generation, amount of land disturbance, vehicular trips, etc. This item should be addressed in the FEIS.
2	4.0-2	Low Density Alternative. In the absence of a conceptual plan, it cannot be determined that three miles of new roadways would be required for 70 single-family homes. Provide a concept plan, or remove this statement as it is conjecture. A project with over 70 dwellings may require a centralized waste system. Each dwelling could also have an accessory apartment, thus the conclusion that there would be no “affordable housing” is inconsistent with what is discussed for the proposed action. Dwellings could be LEED certified – they are not mandated to do so. Further, in the alternatives matrix, a comparison should be made as to the dwelling units that will be LEED certified in the proposed action, versus the low density alternative. This item should be addressed in the FEIS.
3	4.0-2	The analysis of the single family lots considers the lot value only, and not the sale of dwellings and additional profit that results from same. There is insufficient data to conclude there would be a “financial loss”. At the DEIS’s housing value of \$495,000, this would result in sales of \$34,650,000. The cost of land development would likely be less, with a smaller wastewater facility, less road construction, etc. Further, lots with 10 acres AND dwellings on them would be higher in value than a single family dwelling on a small lot. This item should be addressed in the FEIS.
4	4.0-2 ff	The discussion of the low density alternative indicates that the Village would not be providing for affordable housing and references the Berensen case. The Village zoning code allows for the construction of multifamily residences in other zones in the Village. This discussion is not on point. Further, the Town of Monroe Comprehensive Plan Update of 2017 contains no such language as set forth in this section regarding the Long Island Builders Institute. The alternative fails to make the environmental comparisons required by the Scoping Document, and the section is merely used to discuss housing costs. The whole discussion is not factual and must be revised. This item should be addressed in the FEIS.
5	4.0-6	In paragraph 2, it is unclear why the DEIS assumes that the base lot count alternative would require that dwellings be located on net one acre lots (with a gross density of one dwelling unit per two acres). In paragraph 3, the DEIS still states that there would be two park and ride

		facilities in the proposed project (which has been changed per the addendum). This item should be addressed in the FEIS.
6	4.0-7	Please provide sources for the population estimates in Table 42 – what jurisdiction provides the source of the multipliers? This item should be addressed in the FEIS.
7	4.0-9 ff	The Water Supply Alternative, as per the Scoping Document, was to discuss “specifically extension of municipal water to serve the site and deeding over the water supply wells to the Village.” The addendum indicates that the municipal water supply is inadequate, so therefore this alternative should be eliminated or re-written. This alternative should not include a discussion of an interconnection with the Village of Kiryas Joel’s water supply system. Discussions regarding annexation of the Village of South Blooming Grove and Town of Blooming Grove into the Town of Palm Tree and Village of Kiryas Joel are highly speculative and not relevant to this revised DEIS. This item should be addressed in the FEIS..

5.0 Mitigation

Comment No.	Page No.	Comment
1	5.0-1	The DEIS does not address mitigation measures. Specifically, where significant adverse environmental impacts are identified by the DEIS analyses, measures to mitigate those impacts should be summarized and described in this section. At a minimum, the significant adverse impacts to the local roadways, which are being mitigated by specific proposed roadway improvements, should be listed here, as well as any other measures that have been incorporated into the DEIS. This item should be addressed in the FEIS.

6.0 Unavoidable Adverse Impacts

Comment No.	Page No.	Comment
1	5.0-1	The DEIS does not address unavoidable adverse impacts. As per the SEQRA Handbook, an example includes “adverse environmental impacts can be expected to occur regardless of the mitigation measures employed; for example, there is typically permanent loss of vegetation when building a new facility and any related parking.” No such unavoidable impacts are described. This section is incomplete. This item should be addressed in the FEIS.

7.0 Growth-Inducing Aspects

Comment No.	Page No.	Comment
1	7.0-1	The DEIS should discuss the potential to induce growth on the adjoining parcel the Applicant owns in the Town of Blooming Grove. This item should be addressed in the FEIS.
2	7.0-1	In paragraph 3, what vacant commercial spaces are available in the Village of South Blooming Grove to accommodate commercial demand? This is overstated. This item should be addressed in the FEIS.
3	7.0-1	Potential uses on the 22 acres should be identified as required by the scoping document, regardless of whether the applicant has any plans. This item should be addressed in the FEIS.

8.0 Irreversible and Irretrievable Commitment of Resources

No Comment

Commenter No. 12

Berardi, Nick

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
August 10, 2020
Clovewood DEIS – Public Comment

Nick Berardi – He is Ms. O’Hara’s fiance, he enjoys the open spaces and views. They hike and enjoy the open space. This is a rural area and would hate to see the area turn into a giant construction site with hundreds of homes, it doesn’t fit in this area. Water is a big concern, if they get a dry year and need to use the well. Running a farm they have to be sure they have long term sustainable water. To double the population in a concentrated area will be catastrophic to the aquifer and they would loose their livelihood. According to Zillow, there are approximately 45 homes for sale within a mile or two of the projected site and given the supply of homes that are available for sale he feels it is unnecessary to build a giant development. There seems to be a good turn-over of houses and to build more homes is not a good idea.

Commenter No. 13

Bernard, Gabriel

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
December 3, 2020
Clovewood DEIS – Public Comment

Gabriel Bernard, 1231 Route 208: Tables 312 and 313 of Section 3.1 they indicate the project would include a 10% density bonus for making 10% of the base lot count homes affordable and the 10%RC-1 zoning transfer would be allocated for affordable housing. Zoning Code, laws and even our constitution have been amended from time to time to address pressing needs. Likewise, we are having a Zoom public hearing. He feels this pandemic has shown the need for affordable housing since many individuals have been economically impacted. It would be prudent of the village to include additional allowances to encourage the inclusion of more affordable housing in this project. Such as allowing it to be swapped with the LEED or Open Space Bonuses shown in the same table. Additionally section 9.2 of the DEIS addendum removed the KJ alternative. I believe it would be a good idea to include another alternative. He believes the analysis should include a senior housing floating zone alternative. Senior Housing is addressed in section 235-12-5 of the Zoning Code. Section 3.2 of the DEIS and detailed in appendix O-6, individuals in scenario 1 use private religious schools and would therefore greatly benefit the local school district in a manner similar to senior housing. Lastly, figure 324 shows scenario #1 consists of much younger population than scenario #2. It would be prudent to establish a zoning that would address younger individuals as has been done in countries such as South Korea that offers incentives for newly married couples to purchase their homes.

Gabriel Bernard
1231 NYS Route 208
Monroe, NY 10950

Village of South Blooming Grove
Village Board & Planning Board
Co-Lead Agencies for the Clovewood Project
811 NYS Route 208
Monroe, NY 10950

Re: Clovewood DEIS Public Hearing

December 3, 2020

To Whom It May Concern:

I reviewed the Clovewood DEIS, which was informative and organized. Tables 312 and 313 of Section 3.1 indicate the Project would achieve a 10% density bonus for making 10% of the base lot count homes affordable. Codes, laws and even our constitution have been amended from time to time to address pressing needs. Similar to this concept is the Zoom Public Hearing that was held because of the COVID19 pandemic. I think this very pandemic has shown us the importance of affordable housing, since many individuals have been economically impacted. It would be prudent for the Village to include additional allowances to encourage the inclusion of more affordable housing in this Project, such as allowing it to be swapped with the LEED or open space bonuses shown in the same table.

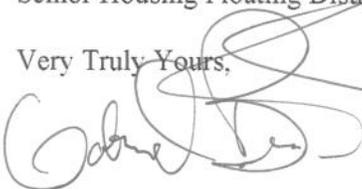
Additionally, I noticed Section 9.2 of the DEIS Addendum removed the KJ alternative. However, I believe it would be a good idea to include another alternative. While I am unsure as to why the Village's Scoping Document required the project be analyzed according to two scenarios, one of which is a religious group, since the document requires it, I believe the FEIS should include an analysis of a Senior Housing Floating Zone Alternative. Senior Housing is addressed in Section 235 – 12 – 5 of the zoning code allows a density of 6 units per gross acre because senior housing is occupied by older individuals without children so it serves as a benefit to the local school district. Likewise, as shown in the analysis in Section 3.2 of the DEIS and detailed in Appendix O-6, individuals in Scenario # 1 "use private religious schools" and would therefore greatly benefit the local school district, in a manner similar to senior housing. Accordingly, I would like to see an alternative analysis of Clovewood being developed according to the zoning density allowed in the Senior Housing Floating Zone.

Another alternative, which should shed important perspective for environmental review would be including an analysis of the potential development density of Clovewood if it would developed according to the density of the Scenario No. 1 community in the Village of Kiryas Joel.

Also, the Clovewood DEIS summarizes the scientific data related to the watershed for the Clovewood Project, which has 735,600 gallons per day available. Most interestingly, Clovewood's developers explored water sources and found 785,520 gallons per day. Accordingly, I suggest the Village should explore how the Village can increase its current 100,000 +/- gallons of water per day through seeking more sources that would allow the Village to access the 4,500,000 +/- gallons per day available in the overall watershed, and also suggest the DEIS provide an analysis of the potential maximum buildout in the Village according to its overall watershed water availability.

Lastly, Figure 324 from the Clovewood DEIS shows that Scenario # 1 consists of much a younger population than Scenario # 2. It would be prudent to establish zoning that would address younger individuals as has been done in countries like South Korea that offers incentives for newly married couples to purchase their first homes. It would actually also make sense to have a similar density in the Zoning Code for "younger housing" as is available in the Senior Housing Floating District as young couples generally do not have children enrolled in schools.

Very Truly Yours,



Commenter No. 14

Blakeney, Susan

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
December 3, 2020
Clovewood DEIS – Public Comment

Susan Blakeney, 481 Clove Road: in writing, see attached.

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
January 5, 2021
Clovewood DEIS – Public Comment

Susan Blakeney – She discussed community character. See attached.

Dear Village Clerk,

Here are my written comments which I read last night at the Clovewood public hearing. Please enter them into the Clovewood public hearing documents.

Regards,

Susan Blakeney

481 Clove Road, Monroe, NY 10950

Clovewood public hearing December 3, 2020

I would like to have on the record the email I sent to the Mayor of South Blooming Grove on December 1, 2020 which I would like to be part of the public comments regarding Clovewood.

The neighboring properties to Lake Ann received a certified letter stating that the Clovewood DEIS public comments hearing would take place at 7:15 pm on Thursday December 3, 2020 at the South Blooming Grove firehouse. That information is incorrect. You have now scheduled the meeting via Zoom. Many older residents do not use computers and would not know that the meeting location has changed. How can you legally hold a meeting when the location is not what is mentioned in the certified letter? This should make the letter invalid.

THIS MEETING SHOULD BE POSTPONED UNTIL THE CORRECT INFORMATION IS DELIVERED TO THE CONCERNED RESIDENTS.

Both the former planner and engineer representing the village have been let go. I would like to make sure that their comments are submitted into the review of the Clovewood DEIS. The planners and engineers comments were very thorough and warrant consideration.

The three documents I want admitted into the review of Clovewood DEIS are

- 1- Planner review received by village on November 13, 2019
- 2- Engineer review received by village on November 14, 2019
- 3- Engineer review received by village on February 27, 2020

Who will be representing the village when reviewing the DEIS? It appears that the current engineer, Alfusco is NOT a certified planner as he is not in the database as a member of AICP, American Institute of Certified Planners. Who will be reviewing the documents for the village who is a professional planner in this matter?

Another topic- Water.

In the times herald record published on December 1st, 2020

'Kiryas Joel seeks permits for four new wells to boost water supply for housing growth'

It stated that 'The additional wells are expected to help the village supply a surge of new homes being built or planned in the densely populated community, including a 1,600-unit condominium complex'. 'Kiryas Joel already has used two of its proposed new wells under an emergency authorization by the Department of Environmental Conservation. One is in Kiryas Joel and was used every day in September, supplying an average of 122,400 gallons per day'.

In light of this information I would deem it pertinent that the wells on Clovewood be tested again for water drawdown of neighboring properties next to Clovewood, the Village of South Blooming Grove, Orchard Lake and Mountain Lodge while the new KJ wells are in use. A new well testing studied is necessary because water is a limited resource which is already a concern of residents and the Town of Blooming Grove.

I do want to restate what I stated earlier

THIS public hearing SHOULD Remain open UNTIL THE CORRECT INFORMATION regarding Clovewood IS DELIVERED by Certified letter, according to NY Law, to the neighboring Clovewood Properties.

Regards,
Susan Blakeney

Sent from my iPad

Susan Blakeney
481 Clove Road
Monroe, NY 10950

15 January 2021

Public comments for Clovewood DEIS

Rattlesnakes

Please include the Rattlesnake Report from Randy Stechert to Attorney Dennis Lynch dated December 7, 2018 in my Clovewood DEIS comments.

Clovewood DEIS 3.6-14 states “The Project would not cause a reduction in population or loss of individuals of, nor a reduction or degradation of any habitat used by, any rare, threatened, or endangered species (as listed by New York State or the federal government)”.

I disagree with this statement. Over the last few years I have had three rattlesnakes on my property at various times. As Rattlesnakes are an endangered species, then it must be known that rattlesnakes do frequent the Clovewood property as I have had them on my property. The first one I saw was in 2015. I notified the Blooming Grove police and they contacted someone to remove the snake from my area. The next one was in 2016 but it slithered away as I got home. The last one I saw was in 2019 and it stayed on my property for about a week.

Community Character

I have previously stated complaints about the Clovewood DEIS Community Character in my 11-25-2019 comments but here are a few more.

Comment from Clovewood DEIS 3.4-8

“(a) Land Use: The potential of the Project to generate significant adverse land use impacts is addressed in Section 3.1, which concludes that since the Project as proposed is consistent with all Village land use regulations without the need for any waivers or variances, the Project would not have the potential to generate any significant adverse impacts on land use and would be consistent with the Village community character and overall policy goal to maintain the character of the community.”

I disagree with this statement. There are multiple significant adverse impacts on land use. Visually, as the homes in the surrounding Village of South Blooming Grove and Mountain Lodge area which have been stated as comparisons for Clovewood development do not have any resemblance to the homes proposed for Clovewood. The homes in Clovewood will be proposed 2 1/2 stories while most of the homes in the Village and Mountain Lodge are

small one story buildings. The size of the lots for these huge Clovewood homes is considerably less than homes in the Village of South Blooming Grove and Mountain Lodge.

Removal of forested lands on Clovewood also would impact the rural character of the village and Town of Blooming Grove. There are numerous streams on the Clovewood site which would be disturbed with this development. The diversion of the streams would definitely impact the flow of water on the site and into the Satterly Creek and would affect many living downstream of the Clovewood site.

Not to mention the impact of construction would have on all of the streams.

Regards,
Susan Blakeney

Commenter No. 15

Bonelli, Kate



County Legislature

Katie Bonelli, Legislator
5th Legislative District

143 Barnes Road
Washingtonville, NY 10992

Tel: (845) 496-7972 ☎ Fax: (845) 496-4960

August 7, 2020

Planning Board
Village of South Blooming Grove

Village Board
Village of South Blooming Grove

RE: Keen Equities Project - CLOVEWOOD

Dear Honorable Board Members:

Thank you for creating an opportunity for the public to express our concerns relative to the Keen Equities project. You collectively have taken your responsibilities with the seriousness which is deserved. I am grateful for your diligence.

Orange County takes the role of project review under Section 239-M of the General Municipal Law seriously. Overseen by the County Executive, and with policy set by the County Legislature, Orange County has invested in a professionally staffed planning department which has closely reviewed the Keen Equities project. The County has, through the Planning Department, submitted extensive comments.

It is essential that the County's comments, filed with the Village of South Blooming Grove on May 22, 2020 be completely and satisfactorily addressed. The July 23, 2020 response from Community Planning Consultants, does not adequately respond to the County Planning Department's position.

The County found that this project is likely to result in a significant environmental impact in Blooming Grove and South Blooming Grove. The County found the DEIS inadequate in that it primarily focused on the 600 housing units while "largely ignoring" the cumulative impact of adding 600 accessory units. Plainly such a DEIS cannot stand. The developer owes the people of Blooming Grove a true, non-segmented DEIS for South Blooming Grove officials to review.

Beyond that fatal defect to a true environmental review, the County noted, and as the County Legislator for our area and as Majority Leader of the Legislature, I want to reiterate those concerns:

1. The intersection at Clove Road and State Route 208 must be addressed and made safe. It is further my view that NYS officials must take concrete steps to address the safety of Route 208 corridor. State officials tax us for mass transit expenses (the MTA payroll tax), have taken our share of local sales tax due to their own financial mismanagement, and now, while some officials complain about Route 208 and the impact of this project, those same officials have failed to properly address existing backups on State Route 208, regardless of this project. The State must do its part, as must the developer. This project creates substantively more reasons why action must occur. Further, better public transit options, which are necessitated solely by this development should occur as should enhanced sidewalk construction.

2. Sewer and Water. The County has, via the May 22, 2020 submission detailed numerous concerns which I hereby adopt. As a result of those concerns, it is essential that the Planning Board and its professional staff to closely review the sewer calculations used for the project.
 - a. Do the calculations take into account the realistically anticipated number of occupants in each housing unit?
 - b. Who will maintain any sewer plant constructed in relation to the project? If privately, what happens if there is a maintenance default.
 - c. Are **peak flows** being considered. In Kiryas Joel, the Orange County Sewer District has seen backups in the conveyancing infrastructure. **Merely meeting the necessary plant size is inadequate. It is important for users, the community and the environment that realistic peak flows be recognized and planned for.** In Kiryas Joel we have seen peak flows in relation to Mikvahs and other high gallonage systems. If the infrastructure to get wastewater to the plant is inadequate, building a "big enough" plant does not solve the problem.
 - d. Housing should not be built first, only to see water problems later. Guaranteeing adequate water supply now is essential. State officials should be enlisted to support the County's existing efforts with respect to this matter if questions remain.

3. The County has raised concerns relative to open space conservation. Like the County Planning Department, I encourage the applicant to work with one or more respected non-profits (i.e. – Orange County Land Trust) to permanently protect land intended to be left undisturbed. Permanent protection comes via a conservation easement.

The County Planning Department makes numerous other comments all of which have merit. Critically the County has recommended a resubmission of the DEIS. Only with a full DEIS can the County make a complete analysis of this project. The applicant owes all the citizens of Blooming Grove and South Blooming Grove that full statement.

The applicant should welcome the opportunity to resubmit such a full statement if the applicant is to be credibly considered. Land use plans must be judged only based on full submittals. Ignoring or segmenting legitimate issues is unacceptable.

Sincerely,



KATIE BONELLI

Majority Leader and Member of the Orange County Legislature

District 5

845-281-4691 - county phone

Commenter No. 16

Borrebach, Katherine

From: [Kate B](#)
To: clerk@villageofsouthbloomington.com
Cc: [Kate B](#)
Subject: Comments on clovewood
Date: Friday, January 15, 2021 3:00:36 PM

Having grown up on Hilltop Dr, in Orchard Lake, the neighboring property to the Clovewood property, I can tell you that the proposed project will negatively effect the water supply. Of the past 37 years that my family has lived in Orchard Lake, I can say there is not enough water. Every year we have issues with the water. The soil does not drain, and when there is any substantial rain, the water sits on top and floods out the properties, and over washes the road. Since the logging has begun on the mountain - the run off from the mountain has increased. I am used to being able to hear birds sing, see them soar over the woods behind and across from hilltop, and see deer and occasionally a bear crossing our property to the woods beyond us. Just two weeks ago I took pictures of a bald eagle sitting in a tree across from Orchard Lake Park. The thought of losing all of the wildlife and quiet is heart breaking. The fact that there is already a water issue and additional housing that would need to draw on that supply is criminal. This is a project that has every quality of life reason to be turned down.

Sincerely,
Katherine Borrebach

Commenter No. 17

Brennan, John

From: [John Brennan](#)
To: clerk@villageofsouthbloominggrove.com
Cc: BrennanJF@aol.com
Subject: Clovewood build
Date: Friday, January 15, 2021 1:09:46 AM

Hello, my name is John Brennan and I am a resident of Blooming Grove. Some of my objections to this build lies with scenic, rustic, rural look and feel of this area, and this builds encroachment on that. Another concern is the stress or burdening of infrastructure. The Village itself has had major water issues already. Also, where would all this extra sewer water go to be treated? I feel we're are being lied to by anyone claiming there's enough water to handle such an immense project. I strongly reject any authorization to allow this build.

Sincerely, John Brennan

Sent from my iPhone

Commenter No. 18

Budakowski, Jacqui

From: [Jacqui Budakowski](#)
To: clerk@villageofsouthbloomington.com
Subject: Clovewood
Date: Thursday, January 14, 2021 4:52:40 PM

My family and I have great concern over the proposed development of Clovewood. We would love to live peacefully with any neighbors that move in however these particular neighbors have proven to lie, deceit and grow over what they originally promise. Our village and surrounding area is housed by amazing young families looking to be great taxpaying citizens of NY and the USA. We deserve to have confidence that this development will not impede our ability to stay here. I grew up in Pomona in Rockland County. The Hasidic growth is unsustainable and must be stopped. This development is unnecessary. If you drive on Route 17 towards Monroe you can clearly see the many new apartments that are built exclusively for Hasidic families. Clovewood must be stopped as it is not necessary.

Thank you.

Jacqui Budakowski
22 Somerset Dr
Washingtonville

Sent from Jacqui's iPhone

Commenter No. 19

Camacho, Nicolas

From: [ncama18](#)
To: clerk@villageofsouthbloomington.com
Cc: [ncama18](#)
Subject: Clovewood
Date: Thursday, January 14, 2021 11:10:26 AM

I as a resident of salisbury mills my entire life "25 years" am very AGAINST the clovewood project. I am against it because firstly it puts our water at risk of being further polluted and not enough supply. Second its going to over populate an area thats already crowded. Thirdly it will displace a great deal of wildlife. Fourthly it will ruin the landscape of a beautiful town. If you let this pass, you are allowing corruption to pass and destroying an area of NYS that will never recover. Please i am begging you to please DENY the clovewood project. You know deep down inside your heart and logically that this clovewood project is BAD and nothing good will come from it. Please deny this project.

- Nicolas Camacho.

Life long resident of Salisbury mills and the greater Blooming Grove area.

Commenter No. 20

Carhart, Mike

August 13, 2020

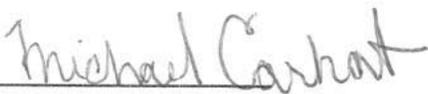
Village of South Blooming Grove
Village Board & Planning Board Members

Thank you for giving me the opportunity to share with you my thoughts on the Clovewood DEIS. Due to COVID19 I decided to type my comments as part of social distancing. The Project Site property has been part of our lives for a very long time and it is a shame how the property has been left to decay all of these years. I believe it will be safer for the Village overall once Clovewood is constructed.

Without reading the full Clovewood DEIS, it would not have been possible to make a decision regarding the project because there is so much conflicting information being passed around on the street and online. When I read the documents available on the website I was pleased to see that the Clovewood Project developers would be taking the necessary steps to make sure everything is addressed in a way to be beneficial to all parties. For example, I wish the village would have fixed Clove Road and Route 208 long ago. The Clovewood Project DEIS indicates they will have their own water and sewer systems which means they wouldn't have anything to do with ours and frankly I'd rather have their new system than the brown rusty water we have in our current system.

I was interested in the Parkland the Clovewood DEIS says would be included. There is no parkland anywhere in the village and it would allow more families to enjoying parkland. I want the village to look into the parkland and work with the Clovewood Project developers to make the parkland a reality.

Sincerely,



Mike C.

1 [REDACTED]



Commenter No. 21

Castellano, Peter

Peter M. Castellano
17 Merriewold Lane South
Monroe, NY 10950

Village Board and Planning Board Village of South Blooming Grove

811 Route 208 Monroe, New York 10950

ATTN: Kerry Dougherty, Village Clerk

Re: Clovewood Draft Environmental Impact Statement Review & Comment

Dear Honorable Members of the Village Board and Planning Board:

As a general comment, I find the DEIS fatally flawed, having ignored or dismissed several serious issues. One of its greatest deficiencies is noted in my comment below. As it impacts aspects of the potential impact of the proposed project as studied throughout the DEIS, this one deficiency alone is significant enough to render this DEIS inadequate, requiring the preparation of a Supplemental Environmental Impact Statement (SEIS). I respectfully offer the following comments for your consideration.

I OPPOSE the proposed Clovewood Project.

I have lived in the Village of South Blooming Grove for 40 years and currently serve as the 1st Assistant Chief of the South Blooming Grove Fire Department. It is highly concerning to me that in the project description of the DEIS floor plans and diagrams with 3000 plus square foot homes, community recreation centers with no description as to the size or height, NO floor plans and whether or not any of these buildings will have sprinkler systems. These homes will be within the South Blooming Grove Fire District and because of this lack of transparency in this section alone, the project MUST BE DENIED.

Sincerely,
Peter M. Castellano

Commenter No. 22

Crispi, Esther & Jim

From: [Lori Crispi](#)
To: clerk@villageofsouthbloomington.com
Cc: [Lori Crispi](#); [Jim Crispi](#)
Subject: Clovewood Proposal
Date: Wednesday, January 06, 2021 3:08:11 PM

To the Village Board and Planning Board:

We are writing to object strongly to the Clovewood Proposal. We have lived in Blooming Grove on Helms Hill Road - a close couple of blocks from the old Lake Anne property - since the mid-1970's. We have raised a daughter here who still lives in the area 35 years later. We love the area - the beautiful, unspoiled land around us, the deer and turkeys that cross our yard, the lovely, friendly neighbors, the clean well water, the well-maintained and generally uncrowded roads and easy-going pace of life.

We are very concerned that the Clovewood project would drastically change our area, destroy the landscape and the animals that roam there, cause congestion on the roads, drain the water table, and cause auto pollution and sewage drainage problems. Overall, there will be tremendous congestion throughout the entire community and the density will explode the infrastructure of the entire area - overwhelming the schools, stores, fire, ambulance and police, road maintenance, local government, and causing additional building and additional traffic problems to an already congested Clove, Rte 208 and other roads. Traffic already backs up going into Washingtonville half a mile or more several times a day! This is totally unacceptable!

Please don't let this happen to the area we live in and care about.

Sincerely,
The Crispi family - Esther (Lori) and Jim

[REDACTED]
Washingtonville, NY 10992

[REDACTED]

Commenter No. 23

Croce, Heidi & John

From: [Heidi Croce](#)
To: clerk@villageofsouthbloomington.com
Subject: Fwd: Blooming grove clove wood development
Date: Friday, January 15, 2021 2:00:31 PM

Sent from my iPhone

Begin forwarded message:

From: CUPON ORANGE <cuponorange@gmail.com>
Date: January 15, 2021 at 12:53:08 PM EST
To: Heidi Croce <swissms333@gmail.com>
Subject: Re: Blooming grove clove wood development

Thank you. If there is anyone else in the household, please send. We have two more hours !!

On Fri, Jan 15, 2021 at 12:26 PM Heidi Croce <swissms333@gmail.com> wrote:

To whom it may concern,
My family and I are extremely concerned about the negative impact to this area and the changes of our environmental footprint if the Clove wood development in Blooming Grove should be able to go forward.
I have been a resident in Blooming Grove for 20 years, My husband and I work in the neighboring towns and I have already seen tremendous changes from large building projects that support mass migration to this area.
Even with a decrease in traffic and activity from Covid 19, my 20 to 25 minute commute is now 40 to 45 minutes in order to make sure I'm on time to the neighboring towns. There has been an increase in accidents, congestion and landscape. We moved here to the beautiful, serene nature, sparsely residential community that surrounds us and now our taxes have doubled since we have been here and the community is changing drastically! My husband is from Orange County and is even more shocked. My Biggest concerns of this Clove wood development is a greater increase in traffic, noise pollution, light pollution, the greater need for water and garbage services, or emergency services such as fire, hospitals; the list goes on! This is going to have a enormous negative impact on all of this as well as our taxes and most of all are natural environment! How does anybody feel this is a good sustainable direction for any community. I ask that these issues be re-reviewed and deny anyone with the intention to destroy our future.
Thank you.
Heidi and John Croce

Sent from my iPhone

--

CUPON Orange
<https://cuponorange.com/>

Commenter No. 24

Daly, John & Laurel Stauffer

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
January 5, 2021
Clovewood DEIS – Public Comment

Laurel-Stauffer Daly- See attached comments.

John Daly – Resident lives on Clove Road. Like his neighbors and residents in the immediate area he has serious concerns as well as most people as to the immediate and long term impact this development is going to have. There are many areas that need to be further evaluated in order to achieve more clarity. The applicant's efforts concerning the impact this project will have especially regarding the areas natural resources are lacking in several areas. By far, the most important resource is water. It is common knowledge that the water supply in this area has been under stress for many years. It is currently near critical and this is not speculation. There have been many studies and analysis of the ongoing water issues. What is the position regarding the status of the aquifer, water supply we all depend on, now and in the future? Regarding the safety and quality of the water, the applicant states that they have mitigated all illegal dumping problems that could have negative impacts on the water quality. Can the applicant comment on the fact that the DEC in 1993 acknowledged the Lake Anne Disposal Corporation as a sanitary land fill? Can the applicant outline how the DEC handled the close down of this landfill site and when this occurred and if all protocols were satisfied? The area was also used as a dumping ground to a various degree. I live on the border of the property and when the well testing was done my well was affected. At times my water contained a sandy sediment. What remedial action will be taken to make negatively affected wells whole again? What data does the applicant have on the draw down that the project will cause to the aquifer including whole region served by the aquifer? How will the noise levels that go beyond the expected levels be mitigated.

January 5, 2021.

TO: Village of South Blooming Grove c/o Clerk@villageofsouthbloominggrove.com

RE: DEIS comments for Public Hearing re-scheduled to Jan 5, 2021

FROM: John Daly and Laurel Stauffer-Daly

554 Clove Road, MONROE, NY 10950 (Physical address)

Mail address: PO Box 374 Blooming Grove, NY 10914

Email: JDALY5036@GMAIL.COM Tel: 917-843-9079



Cc: Mayor- SBG; Donna Douglas; Sonya Ayala; George Doering; Robert Jeroloman; Steve Neuhaus; Colin Schmidt; James Scoufis; Sean Patrick Maloney; Chuck Schumer

This is a summary of our comments made publicly on your Zoom Meeting dated above:

- 1- This development plan is catering to affordable housing for one race of people, in complete violation of Federal, State and local housing regulations. Do we want our County, Town and Village to be under a microscope as a test case? Attorney General Latitia James must enforce the law. Clovewood must follow non discrimination policy in affordable housing.
- 2- NO WATER- NO LIFE- with or without more building. In the DEIS Addendum of January 2020, YOUR OWN PROFESSIONALS say there is not currently a viable plan, nor supply of water and we quote:
 - a. (p9/13) "... the Village does not presently have sufficient capacity to supply water to the Project."
 - b. (p11/13) "The Village does not have an overall comprehensive map depicting the water infrastructure..."
 - c. 9.9 DEIS Attachment I-(pp2-3/13) ...usage of a sand filter system for quality water is still to be submitted to NYSDOH
 - d. also, there is no reference to where, how and if the aquifer recharges in your report. The aquifer we rely on, whether for private well or public water IS NOT RECHARGING. It IS NOT a viable solution to bring in water tankers. PLEASE STATE THE ANTICIPATED DRAWDOWN OF THE AQUIFER FOR THIS CLOVEWOOD PROJECT.

If you insist on proceeding, we respectfully request that the water supply be re-tested and any re-testing MUST INCLUDE ALL RESIDENTS OF IMMINENT IMPACT. Also, the Orchard Lake community should have been included in the last testing performed 2017. As noted under previous cover, just the 2017 well testing process alone had impact on local wells along Clove Road. Also, there has not been any follow up on the impact the testing had on several residential wells including our own. How will Clovewood supply our home with water if construction/this development ruins our water supply?

- 3- We respectfully submit that the traffic study previously completed is now out-of-date and needs to be re-done.
 - a. Since the time of the survey, the 2010 Highway Capacity Manual was updated to new requirements.
 - b. The population of South Blooming Grove has increased since 2017, and with all of its service vehicles, delivery vehicles, cabs, public and private buses, traffic volume and flow has changed significantly.
 - c. Construction vehicles to Palm Tree and KJ construction projects, without adding the Clovewood project, a new hotel and warehouse off 208, start on Clove Road at 6 AM and continue until late afternoon six days per week. These are 3 to 5 axle gravel trucks as well as gravel trailers with up to 7 axles, often using engine breaks (noise pollution) and delaying traffic where Clove and 208 meet, as well as at 208 and Mountain Road/Seven Springs Road- the scene of multiple incidents and accidents.
- 4- It is interesting that the January 2020 Addendum REMOVES the PUBLIC park-and-ride. Why? And with apparent planned parking for 4 vehicles per home, why would any park and rides be planned at all? Given that in traditional, ultra-orthodox Hasidic white family homes, women are not supposed to drive, why so many parking spots for the planned family occupants? Four males per household of driving age plus the other occupants? This seems inconsistent for the proposed buyers planned.
- 5- Where will all the timber rattle snakes go when you break ground- whatever size development you eventually build? Even with environmental specialists working to re-locate the snake dens and nests there for thousands of years, usually the snakes evacuate during construction and this will send them our way (this happened previously on Clove Road for a much, much smaller development.) We will ask, closer to the time, for assurance in writing that the Blooming Grove Volunteer Ambulance Corp and Orange Regional Medical Hospital will stock anti venom. Who will pay any medical bill for snakebites?
- 6- Your findings regarding the cemetery area are incomplete. There is no definitive information ruling out that the Howell cemetery went beyond its immediate area to include field hands and others.
- 7- This project will create noise on a daily basis. Your findings suggest that all levels of construction regarding noise will be within accepted thresholds. Do you mean Acceptable thresholds within a city or country setting?
- 8- We are very concerned about further detriment to the night sky along Shunnemunk ridge. The towns and villages on the south side have already taken away the night sky, and they are on the far side of the ridge.



9- There are so many errors, omissions and misrepresentations in the original DEIS and its Addendum. If this is any indication of a commitment to quality, this plan fails miserably. The referenced URL for Clovewood is generally broken. Access to the documents seems to be time limited for any one research sitting. The January 2020 Addendum document rarely loads all 13 of 13 pages. The map in that document does not even include all the homes bordering the project on Clove Road!

We can find no reference to how existing easements will be addressed and have raised this multiple times with your Village, but received no follow up or answers.

Laurel was totally disenfranchised by lack of legal notice for your Dec 3, 2020 meeting.

This project is poorly and incompletely planned, not realistic at this time, and must be rejected.

A handwritten signature in black ink, appearing to be a cursive name, possibly "L. P. ...".

Commenter No. 25

Decker, Matt

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
December 3, 2020
Clovewood DEIS – Public Comment

Matt Decker, Orange County Land Trust: The mission of the Orange County Land Trust is to preserve water resources, critical habitat, rural and urban farm land, scenic viewsheds and ecosystems in and around Orange County for the benefit of all that depend on that. He is concerned with Clovewood's potential impact on existing public resources, specifically, Shcunnemunk State Park and the habitat and recreational corridor connected to it. If this project is going to be approved under the condition that the identified open space areas are permanently protected then what will the mechanism be for that permanent protection? Some of these areas have outstanding conservational value which have been well documented through the plan itself and through others comments. Those areas should be protected by an external organization with the capacity to protect those values, options would be a conservation easement held by a conservation organization with a professional staff or the state, specifically the Palisades Interstate Park Commission which has conservation interest in this area because of their ownership and management of Schunnemunk Mountain State Park. The area identified as preserve open space (80% of the project site) and how the allowed units were identified is questionable and will be included in written comments, see attached. Areas counted toward open space is in the interior of the blocks just a sliver of trees between the houses, this will cause a fragmented landscape of very small forest patches and studies clearly show that patches of forest this small do not retain the open space and conservation values that the applicant is getting a density bonus in order to protect in this case. This open space design layout (forest patches) will actually create a public health hazard for the people that live in the neighborhood because of the prevalence of Lyme Disease. Therefore these areas should not be counted as part of the 80% open space because they wouldn't be truly protected of the conservation values. In order to protect the values the protected land should be truly protected and these areas should be moved outside the areas of the project. The DEIS states that there are no municipal open space plans that identify this and has previously commented there are now some Town of Blooming Grove plans that address open space priorities in this area. The DEIS does not specifically address the open space priorities identified in the NYS Open Space Plan in 2016, specifically that plan has a priority project 2 to protect land in the Highlands and even more specifically, priority project #36 in the NYS Open Space Plan specifically identifies this area as important to protect. The Land Trustee is available to discuss their conservation efforts. See attached comments.

ORANGE COUNTY LAND TRUST



January 15, 2021

Kerry Dougherty,
Village Clerk
Village of South Blooming Grove
P.O. Box 295
Blooming Grove, NY 10914

Re: Clovewood Project Public Comment

To whom it may concern,

I am the Director of Conservation and Stewardship with the Orange County Land Trust. I am writing to follow up on my oral comments made at the public hearing regarding the Clovewood project on December 3rd, 2020.

The Orange County Land Trust is a non-profit organization with a mission to preserve water resources, critical habitat, rural and urban farmland, scenic viewsheds and ecosystems in and around Orange County for the benefit of all who depend on them. We have protected over 6,400 acres in our organization's 27 year history, including land in the Town of Blooming Grove.

I am making these comments because of the potential impact of the Clovewood project on an existing public resource, specifically Schunnemunk State Park and the habitat and recreational corridor connected to it. Ultimately, the interpretation of the Village's zoning laws is up to the Village boards and advisors, these comments are offered as my opinion only.

1. Does not meet the definition of cluster subdivision: The DEIS appears to propose this project as a clustered residential subdivision. The project does not appear to conform with the Village Zoning Code because it does not meet the definition and purpose of a Cluster Development as defined in section 7-738 of the New York Village Law. Specifically, that law states that "[t]he purpose of a cluster development shall be to enable and encourage flexibility of design and development of land in such a manner as to preserve the natural and scenic qualities of open lands."

The DEIS appears to take advantage of the flexibility of design and/or density bonuses, but the layout of the project is not protective of the natural and scenic qualities of the open space areas defined in the plan.

A true cluster subdivision would be more tightly clustered and the open space areas would be a contiguous block of open space. Further, the Village Law states that "[a] cluster development shall result in a permitted number of building lots or dwelling units which shall in no case exceed the number which could be permitted, in the planning board's judgment, if the land were subdivided into lots

conforming to the minimum lot size and density requirements of the zoning local law applicable to the district or districts in which such land is situated and conforming to all other applicable requirements.”

The DEIS also does not accurately calculate the number of units that would be permitted because the majority of the open space is undevelopable. The number of allowed units should be recalculated.

2. Open Space Design does not protect open space qualities: The open space areas identified in the DEIS include areas on the interior of the blocks of houses. These areas will not retain the open space values for which the applicant is asking for flexibility of site design and/or density bonus. In some cases, the open space is a small sliver of trees between houses and back yards. These areas will be fragmented from the contiguous block of forested land, and will not retain their ecological, open space, or scenic values.

In fact, the design of these “open space” areas has the potential to create a public health hazard for the residents of this community by creating a perfect environment for the spread of Lyme disease and other tick-borne illnesses. Studies in the Hudson Valley and beyond have shown that fragmented landscapes like these break down the food web in a way that encourages the proliferation of black legged ticks carrying Lyme and other tick-borne illnesses. Even if residents do not go into these areas, they are likely to have a higher level of risk of contracting these diseases. There are many studies available on this effect, but here are citations for two that are freely available on the internet:

Aliota MT, Dupuis AP 2nd, Wilczek MP, Peters RJ, Ostfeld RS, Kramer LD. The prevalence of zoonotic tick-borne pathogens in *Ixodes scapularis* collected in the Hudson Valley, New York State. *Vector Borne Zoonotic Dis.* 2014;14(4):245-250. doi:10.1089/vbz.2013.1475

Maria A Diuk-Wasser, Meredith C VanAcker, Maria P Fernandez, Impact of Land Use Changes and Habitat Fragmentation on the Eco-epidemiology of Tick-Borne Diseases, *Journal of Medical Entomology*, 10.1093/jme/tjaa209, (2020).

The active recreation areas, while laudable, should also not be included in the calculation of open space because they do not meet the definition in the Village Law.

These fragmented open space areas and active recreation areas should not be included in the calculation of open space and the project should be redesigned.

3. Mechanism for Open Space Protection not identified: The DEIS does not adequately address how the open space areas will be protected. If this project is to be approved under the condition that the identified “Open Space Areas” are permanently protected, then what will the mechanism be for that permanent protection? The importance of these areas is well documented in the DEIS and in public comments made by others. These outstanding conservation values should be protected by an external entity or organization with the capacity to protect those values. Options could include a conservation easement held by a conservation organization with a professional staff or held by the Palisades Interstate Park Commission who owns and manages Schunnemunk State Park. Another option could be the fee transfer of those areas to a public entity whose purpose is the protection of open space. Village Law section 7-738 states that “[t]he planning board as a condition of plat approval may establish such conditions on the ownership, use, and maintenance of such open lands shown on the plat as it deems necessary to assure the preservation of the natural and scenic qualities of such open lands.”

I would also like to reiterate the comments made by Orange County Department of Planning regarding the open space protection and density calculation aspects of the DEIS in their General Municipal Law review letter of April 18, 2020.

4. Trail Connectivity: I would like to reiterate a comment made by the New York New Jersey Trail Conference and others regarding the Long Path, which runs along the ridge of Schunnumunk between the State park and Gonzaga County Park. The importance of this trail is highlighted in both the Orange County Open Space Plan and in the 2016 New York State Open Space Conservation Plan. The 2016 New York State Open Space Plan specifically calls out the Long Path in this area in priority projects 32, 36, and 139, stating that the area “contains a seven-mile stretch of the Long Path. It has exceptional scenic value, particularly where the Moodna Viaduct crosses through the valley at the north end of Schunnumunk Mountain. The ridgeline of this mountain provides unparalleled views up and down the Hudson River to the east and the Shawangunk Ridge and Catskill Mountains to the west.” The DEIS does not adequately address the importance of the trail in the context of these and other public planning documents. The DEIS wrongly states that there are no municipal documents that outline the importance of the open space on this site.

5. Important Bird Area: The majority of the project area is included in an Important Bird Area (IBA) defined by Audubon New York. The impact of the project on migratory birds is not understood and not addressed in the DEIS.

The Orange County Land Trust works with willing landowners to protect the special places in Orange County, and this site is truly one of those special places. We are available as a resource on the open space component of this project. We are always happy to talk to landowners about conservation options, and we would be happy to talk to the landowner/ applicant about the protection of a portion or all of this project site so that the outstanding conservation values of this site can be protected.

Sincerely,

A handwritten signature in blue ink, appearing to read "Matt Decker".

Matt Decker
Director of Conservation and Stewardship

Commenter No. 26

Dejmal, Gail

FB
Public Comment

Clerk

From: Treasurer
Sent: Monday, August 03, 2020 9:46 AM
To: Clerk
Subject: Fwd: [POSSIBLE PHISHING] Village of South Blooming Grove "Protest proposed 600 homes"

Sent from my iPhone

Begin forwarded message:

From: Village of South Blooming Grove <noreply@villageofsouthbloominggrove.com>
Date: July 31, 2020 at 3:46:30 PM EDT
To: Treasurer <treasurer@villageofsouthbloominggrove.com>
Subject: [POSSIBLE PHISHING] Village of South Blooming Grove "Protest proposed 600 homes"
Reply-To: [REDACTED]

From: Gail Dejmal [REDACTED]
Subject: Protest proposed 600 homes

Message Body:

I strongly oppose the proposed 600 home development. This development would pose a tremendous burden on water and sewer in the area to say nothing about the increase in traffic.

--

[REDACTED]

Commenter No. 27

Delbue, Astrid

From: [Astrid Delbue](#)
To: clerk@villageofsouthbloomington.com
Subject: Clovewood Development
Date: Thursday, January 14, 2021 11:38:10 AM

Dear Sirs,

I am writing to you because I am truly concerned about the 700+ acres Clovewood Project.

I moved to Orange County from Suffern 20 years ago and my husband and I fell in love with the rural settings of this county. The view of the Schunemank Mountains from Clove Road is soothing for the soul!

I am appalled that the Clovewood Development is even taken into consideration. First of all that the visual impact will not be minimal. In order to build Legoland in Goshen 500 acres were completely destroyed. While driving on Route 17 in Monroe, the eyesore of all those high density buildings is like a punch in the gut and now there is the Clovewood Development that would destroy more than 700 acres turning a rural area into a humongous eyesore!

If we wanted to live near high density neighborhoods, we would not have chosen to live in Orange County but in a big city.

A part from the destruction of a natural area, I am really concerned about the fact that the water table would not be able to sustain the increase of water need. When the area of Lake Anne was being drilled to look for water, here in Mountain Lodge Park we were confronted with issue of low pressure or no water at all in our wells. This is another negative impact this project will have on all of us.

Additional impact will be the increase of traffic in Clove Road and on 208 because of the increase influx of cars and buses.

I completely oppose this project because the rural way of life will be changed forever and we will never get it back once we lose it.

Thank you.

Astrid Delbue
Sent from my iPhone

Commenter No. 28

Deoul, Paul

-----Original Message-----

From: Paul Deoul [mailto:deoul569@yahoo.com]

Sent: Tuesday, January 12, 2021 8:58 AM

To: Clerk

Cc: couponorange@gmail.com

Subject: Clovewood objection

To whom it may concern,

I have several comments on the Clovewood DEIS that I request answers too. I am 100 percent opposed to any type of development on the Lake Anne property. Whether it be 600 homes or 5 homes.

- 1) There are significant water issues in South Blooming Grove. What are the developers realistically going to do to remedy this situation. Running pipes over a mountain does not seem like a solution.
- 2) There are timber rattlesnakes on the property. I have direct knowledge of this. They are endangered and the study done on this for the developers like most of the others is completely fabricated. It needs to be re done
- 3) I would like to know how the developer plans to assist with the bussing to all the private schools in Kiryas Joel. Currently the Washingtonville School District spends \$800,000 a year with Quality Bus to bus the Hasidim. The proposed school budget DOUBLES this. Add another 3,500 children our district will go bankrupt. I base my numbers on a 1994 interview on 60 minutes. Meyer Wartheimer the village spokesman said each household has 10-12 children. From 1984 to 1994 the population increased 256%. These are the real numbers. Not the fabricated numbers in the DEIS of 5.6 total occupants per house.
- 4) The traffic impact is completely understated in the DEIS. State Route 208 is already a dangerous road with dangerous intersections. This needs to be addressed legitimately as well.

Thank you for your attention

Paul Deoul

From: [Paul Deoul](#)
To: [Clerk](#)
Cc: cuponorange@gmail.com
Subject: Clovewood objection
Date: Tuesday, January 12, 2021 9:00:25 AM

To whom it may concern,

I have several comments on the Clovewood DEIS that I request answers too. I am 100 percent opposed to any type of development on the Lake Anne property. Whether it be 600 homes or 5 homes.

- 1) There are significant water issues in South Blooming Grove. What are the developers realistically going to do to remedy this situation. Running pipes over a mountain does not seem like a solution.
- 2) There are timber rattlesnakes on the property. I have direct knowledge of this. They are endangered and the study done on this for the developers like most of the others is completely fabricated. It needs to be re done
- 3) I would like to know how the developer plans to assist with the bussing to all the private schools in Kiryas Joel. Currently the Washingtonville School District spends \$800,000 a year with Quality Bus to bus the Hasidim. The proposed school budget DOUBLES this. Add another 3,500 children our district will go bankrupt. I base my numbers on a 1994 interview on 60 minutes. Meyer Wartheimer the village spokesman said each household has 10-12 children. From 1984 to 1994 the population increased 256%. These are the real numbers. Not the fabricated numbers in the DEIS of 5.6 total occupants per house.
- 4) The traffic impact is completely understated in the DEIS. State Route 208 is already a dangerous road with dangerous intersections. This needs to be addressed legitimately as well.

Thank you for your attention

Paul Deoul

Commenter No. 29

Dickson, Lindsey

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
January 5, 2021
Clovewood DEIS – Public Comment

Lindsay Dickson – Section 9.2 of Addendum it mentions interconnection with Kiryas Joel and then they removed. He feels this is the intent in the end. He reviewed the park and ride in Monroe and Harriman and never witnessed a Hasidism person. Where will water come from. He thinks the public hearings should be when meetings can be in person again.

Commenter No. 30

DiGiovanni, Robin

From: [Robin DiGiovanni](#)
To: clerk@villageofsouthbloomington.com
Cc: [Robin home](#)
Subject: Cloewood
Date: Thursday, January 14, 2021 11:55:24 AM

Please stop this!!!!.... this is our home and our community. Our children deserve a future and a place to raise a family.

Sent from my iPhone

Commenter No. 31

Dolan, Peter



Connecting People with Nature since 1920

600 Ramapo Valley Road • Mahwah, NJ 07430 • T 201.512.9348 • F 201.512.9012 • www.nynjtc.org

Kerry Dougherty,
Village Clerk
Village of South Blooming Grove
P.O. Box 295
Blooming Grove, NY 10914

Re: Clovewood Project Public Comment, 8.10.2020

The New York-New Jersey Trail Conference is a volunteer-powered organization that builds, maintains, and protects public trails. Together with our partners, we strive to ensure that the trails and natural areas we share are sustainable and accessible for all to enjoy for generations to come. In light of this mission, we ask that the planning process for the Clovewood project address the need for public connectivity between adjacent preserved open spaces.

The ridge of Schunнемunk Mountain is a place of incredible natural beauty, and Schunнемunk Mountain State Park is a popular destination for hikers and walkers. Despite that popularity, access to the park can be difficult - the park is bound in by private properties and an active rail line, with the only reliable parking and access being from Otterkill Road at the very northern tip of the park.

The Clovewood project sits between Schunнемunk in the north and Gonzaga Park in the south, located along Seven Springs Mountain Road. The long ridge of Schunнемunk Mountain connects the two parks. Our only request for the Clovewood project is that public connectivity be maintained between these two parks, so that hikers and outdoor enthusiasts can travel from Gonzaga Park north to the Otterkill Road parking lot at Schunнемunk.

The Clovewood project calls for a vegetated buffer of a minimum of 860 feet along the southeast property border, and the DEIS states that the undeveloped woodland communities located to the southeast of the property would not be impacted by the project - that they would remain as unfragmented habitat, suitable for use by indigenous and migratory species. This buffer should be delineated to incorporate existing trails, as hikers and walkers already make use of this unfragmented corridor. We simply ask that they be allowed to continue doing so.

Foremost among these trails is the Long Path, a 375-mile route which extends through the Hudson Valley and runs along the southeastern boundary of the Clovewood property. This trail is noted as a conservation priority in the Orange County Open Space Plan, and is prominently addressed in the 2016 New York State Open Space Conservation Plan. Severing the Long Path at the site of the Clovewood project would be a major blow to the trail's goal of long-distance connectivity, and the corridor encompassing the trail should be protected with a conservation easement or acquisition by a land manager or conservation organization such as the Orange County Land Trust or New York State Palisades Interstate Park Commission.

I'm happy to discuss the significance of this public access issue further, and hope that incorporating this consideration into the Clovewood planning process earns it the goodwill and support of the local hiking and outdoor communities.

Respectfully,

Peter Dolan
New Jersey Program Coordinator
New York-New Jersey Trail Conference
Connecting People with Nature Since 1920

600 Ramapo Valley Road | Mahwah, NJ 07430
T 201.512.9348 x 25 | F 201.512.9012
pdolan@nynjtc.org | www.nynjtc.org

Commenter No. 32

Egan, Carol

From: ceb64@aol.com
To: clerk@villageofsouthbloomington.com
Cc: ceb64@aol.com
Subject: Clovewood
Date: Thursday, January 14, 2021 5:27:27 PM

To the SBG Village Board,

I've written about this before. Lake Anne/Clovewood is not an appropriate place for the development proposed. As you are aware SBG has had major water issues for years. It has only gotten worse in the recent past. There is zero possible way any development of that size will not impact the already existing water issues and create new water issues for the surrounding communities. The developer knows this, he does not care. He does not care about the village, only lining his own pockets. As for the sewage issues, the proposal is ridiculous and inadequate. Slattery creek runs dry sometimes, what's the plan then? And what's the plan for every property along the creek that will be impacted by sewage dumped into the creek? What about the fact that it was a prior Superfund site and who knows what they will unleash on the public if they start digging. The answers by the developer have been inadequate and resort to name calling. My mother always told me if you have to resort to name calling you've lost the argument. The developer has lost the argument. I would submit that he probably should have researched the property before he purchased it and he would have seen that it is inappropriate for any kind of development. I find it ludicrous that this is even being considered given the other problems the village has. It is my sincere hope that the new board members do not contribute to the problems of the village when they are supposed to be here to solve them.

Thank you for your time and consideration.
Carol Egan
Resident of SBG.

Commenter No. 33

Ekstein, Shimon

Shimon Ekstein
4 Virginia Ave.
Monroe NY 10950
845.662.7229

To whom it may concern,

My name is Shimon Ekstein, as a resident of Virginia Ave. in the Capital Hills area of South Blooming Grove, and as father of 4 young kids (ages 5-11), I would like to express my deep concern about reports of an opening to the new Clovewood development on Arlington Dr. (Off Virginia Ave).

While a closed drive through for emergency purposes may be important (although I would strongly advise and ask against it), there should be requirements to insure the blockages - of this drive through - for the public and a measure to insure it stays for emergency purposes ONLY, along with clearly defined emergency use.

In recent years Capital Hills has become a vibrant place for young families with kids, during the summer months ten's of small children fill up its streets with bikes and other forms of play. Without sidewalks, a few sharp turns and several blind spots it has its safety concerns as is, and adding a few hundred cars daily will render it dangerous.

While I do not have any objection to the new development, I do object to the opening as above. There is no question that if such an opening is allowed; Merriewold, Virginia Ave & Arlington will become the main pass by to the new development, and the above mentioned roads are simply not designed or ready to become another 208.

Please take this into consideration.

With much appreciation.

Shimon Ekstein.

Commenter No. 34

Fahringer, Bill

From: [Owner](#)
To: clerk@villageofsouthbloomingtongrove.com
Cc: schmittc@nyassembly.gov; hammonds@nyassembly.gov; skoufis@nysenate.gov; valle@nysenate.gov; supervisor@bloomingtongrove-ny.gov; gdoeringward5@bloomingtongrove-ny.gov; sayalaward4@bloomingtongrove-ny.gov; ddb4528@aol.com
Subject: DEIS - Clovewood Project
Date: Thursday, January 14, 2021 4:16:58 PM

1/10/2021

Kerry Dougherty
Village of South Blooming Grove Clerk
811 Rt. 208 Monroe, NY 10950

Dear Kerry,

My name is Bill Fahringer and I purchased my home at 556 Clove Rd in 1985.

A few years ago, I agreed to allow Leggett, Brashears & Graham to monitor our 275 foot deep well during

their first test. At the conclusion, it was proven that our well level

declined by 13 feet. In the aftermath of this test, we noted much silt in our water.

A month or so afterwards, we found we had no water at all. Quackenbush Well Drillers surmised that the problem was due to the low water and resulting silt causing the pump to shake so much as to crack the underground pipe between the pump and the house.

We had to pay for the entire line to be dug up and the pipe replaced, bearing the entire expense.

For the record, our home was built in 1973. According to reports, we understand our shared aquifer

is no longer replenishing itself. **How could the DEIS report claim that doubling our population and water use would have no effect on our environment and water supply? We can handle water restrictions caused by nature but we can't handle having no water at all.**

Thank you for your consideration,
Bill Fahringer

1/10/2021

Kerry Dougherty
Village of South Blooming Grove Clerk
811 Rt. 208 Monroe, NY 10950



Dear Kerry,

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Thank you for your consideration,
Bill Fahringer

A handwritten signature in black ink, appearing to read "Bill Fahringer".



Commenter No. 35

Fahringer, Lena

From: [Lena Fahringer](mailto:Lena.Fahringer@villageofsouthbloomingtongrove.com)
To: clerk@villageofsouthbloomingtongrove.com
Cc: schmittc@nyassembly.gov; hammonds@nyassembly.gov; skoufis@nysenate.gov; valle@nysenate.gov; supervisor@bloomingtongrove-ny.gov; gdoeringward5@bloomingtongrove-ny.gov; sayalaward4@bloomingtongrove-ny.gov; ddb4528@aol.com
Subject: DEIS - Clovewood Project
Date: Thursday, January 14, 2021 4:12:56 PM

January 14, 2021

Kerry Dougherty
Village of South Blooming Grove Clerk
811 Rt. 208 Monroe, NY 10950

Dear Kerry,

I have lived at 556 Clove Road in Blooming Grove, NY for over 30 years. I live there with my husband, Bill Fahringer. I am deeply concerned about several changes that are occurring in my community:

1) Increased traffic congestion and rise in vehicular accidents.

For example, I have experienced a few close calls in the past few months due to drivers failing to yield the right of way, or being on the phone while driving, or stopping far after the stop signs. One such incident occurred two weeks ago at the intersection between Rt. 208 and 7 Springs Road. Also, it used to take me half an hour to drive home from Warwick where I teach in the Middle School, whereas now it takes considerably more time. And then, if an accident has occurred, I have little access to reach home and I'm forced to take long detours such as driving through Chester which is 12 miles further.

2) The impact of the residential development of the land across our street on endangered species, such as the timber rattlesnake.

The timber rattlesnake is a state-protected endangered species since 1983.

According to the DEC, the timber rattlesnake population in New York State has decreased by about 50-75% due habitat destruction. Here are some measures put into place to protect them. For example, the Appellate Division of the state Supreme Court forbids building fences to restrict timber rattlesnakes. And, killing a timber rattlesnake carries a stiff fine. Is the survival and the stewardship of endangered species in the pocket of politicians and special interest groups? I was under the impression that the law protects such species.

3) The aquifer drying up as it cannot sustain the volume and practices of so many people in this area.

How is it fair that we have lived here for thirty some years now, and suddenly we have to worry about losing our water because of a document that minimizes the reality of such development? Do we have any rights? And if we do lose the water, where does the financial responsibility lie? We have no intention of being displaced from our

community because of our well drying up as it has for many people. Justice, please!

Thank you for your consideration,
Lena Fahringer

January 14, 2021

Kerry Dougherty
Village of South Blooming Grove Clerk
811 Rt. 208 Monroe, NY 10950



Dear Kerry,

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1) Increased traffic congestion and rise in vehicular accidents.

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How is it fair that we have lived here for thirty some years now, and suddenly we have to worry about losing our water because of a document that minimizes the reality of such development? Do we have any rights? And if we do lose the water, where does the financial responsibility lie? We have no intention of being displaced from our community because of our well drying up as it has for many people. Justice, please!

Thank you for your consideration,
Lena Fahringer

A handwritten signature in black ink, appearing to read "Lena Fahringer". The signature is fluid and cursive, with a long horizontal line extending to the right.

Commenter No. 36

Flynn, Bridget

Clerk

From: [REDACTED]
Sent: Monday, August 10, 2020 9:19 AM
To: Clerk
Subject: Against the 600 New Homes To Be Built

August 10, 2020

To Whom It May Concern:

This is in response to the 600 home to be built in the Village of South Blooming Grove. I'm against it. The reason is the water supply in the Village. It has been noted that the village supply has gone down in years. The water supply cannot handle additional 600 homes. Currently right now in my area every Sunday morning when I take a shower, the water is brown in color and it trickles out. I don't drink the water or cook with it. I go to a Laundromat by me to wash my clothes. If I wash them in my complex the clothes will have a brown tint to them. This is one of the reason I'm against the homes being built.

The second reason will be the additional congestion on the roads. We only have one main strip. I live off the strip and I can hear the traffic noise all day long. If the homes are built you will have to put up traffic lights on all the intersections. So that people can get out of there streets. This will cause back ups and will have more noise and pollution from idling vehicles.

The School System just added new buildings up grade in the District. I don't believe that they anticipated and additional 1200+ students added to there current enrollment. So our school taxes will be going up to accommodate the new enrollment.

Our waste treatment plant is another issue. I think the system is not adequate. When Medicacom was being built they could not be added to the system. They had to put in there own septic system in. So why should the new homes be added in. If they are added in. Our taxes will go up to expand the plant. They should also have to put in there own system.

If they are granted approve to build. They should be requirement for single family homes over an acre of land. If they are build a housing complex maximum of three floors and six apartments that are one or two bedrooms and each building on five acres apart. This area will look like the city if we don't require this. I moved up here for the space and quite. I don't want it to look like what they are building along the west side of Route 17. It look like the city.

I request the Village Zoning Board decline the approval to building the 600 homes in the Village of South Blooming Grove the above reasons. Resubmit new plans with less homes.

Sincerely,
Bridget Flynn

[REDACTED]
MAY 10 10 45 AM '20

Commenter No. 37

Gabay, Victoria

From: [Victoria Gabay](#)
To: clerk@villageofsouthbloomington.com
Cc: [Victoria Della-Peruta](#); [Matthew Gabay](#)
Subject: Clovewood Development
Date: Thursday, January 14, 2021 11:04:48 AM

To whom it may concern,

I am writing to you today to discuss the proposed Clovewood development.

I am opposed to the construction of Clovewood. As a trained architect with a focus on revitalization and suburban planning, I find this development to be a probable detriment to the community. The increased density of housing, the additional strain on our natural resources and infrastructure would outweigh any of the benefits of this development. I have specific concerns for our groundwater, road systems, and municipal services.

Please do not be wooed by others trying to persuade you that this is a good idea. This is not. It will not bring a better quality of life for current residents and will only cause resentment and stress. The stress from a worry of water quality AND quantity, stress from increased traffic on roads that were never intended for the type of traffic that will ensue, stress on our municipal services with the added density.

In the current climate of the world, such density should be avoided at ALL costs. If we have learned nothing else from the Covid 19 Pandemic, we have at least learned that social distancing is mandatory to keep a community safe and healthy. This pandemic (no matter how much we wish it) is not going anywhere.

This development is not a good idea and will only cause the current residents to be dismayed and disheartened. If this development proceeds, I as well as most other residents will feel ignored, unrepresented, and belittled.

Please hear our concerns, please understand that we live here because of the intimacy of the neighborhoods and natural wonders around us. Do not destroy 700 + acres of our world and put everyone in the community at risk of covid 19 infections, additional stress which will lead to a decrease in our quality of life, and devaluation of our homes.

Please feel free to reach out to me. I can discuss my concerns over the phone and via email.

Thank you for your time,

--

Victoria Gabay

Gabay.Victoria@gmail.com

(914)443-5004

Commenter No. 38

Gelletich, Gloria

Kerry Dougherty

Village of South Blooming Grove Clerk

811 Route 208

Monroe, New York 10950

Phone: (845) 782-2600 Email: Clerk@villageofsouthbloominggrove.com

RE: WRITTEN COMMENT

Topic: Clovewood Public Hearing Time: January 5, 2021 07:15 PM

DEIS STATEMENT FOR CLOVEWOOD PROJECT

SECTION 3.8 SURFACE WATER, WETLANDS AND GROUNDWATER

The Clovewood Project states that the Waste Water Treatment Facility would discharge treated wastewater into unnamed streams and eventually into Satterly Creek, Otterkill, Moodna Creek, and eventually into the Hudson River and have no impact on the area.

As anyone who lives in South Blooming Grove area knows, that whenever there is a storm or hurricane with significant rainfall, Satterly Creek overflows and makes roads impassable. In 2012, Hurricane Sandy caused severe flooding in South Blooming Grove, Washingtonville, and the surrounding area which has tributaries flowing into Satterly Creek. Adding additional water on top of a significant rainstorm would spell disaster.

The DEIS Statement refers to the FEMA Flood Zones and only looks at the 500 year Floodplain, and ignores the 100 year Floodplain which shows a significant amount of flooding in the South Blooming Grove area.

The area of Satterly Creek that is above the proposed discharge area is in a FEMA flood Zone. During Hurricane Sandy in 2012 Merriewold Lane and Barnes Road area brought flooding into homes and the bridge on Peddler Hill Road had been washed out a second time. Discharge below this area is going to affect this water flow. This was not addressed in the DEIS.

I think the impact of discharging large amounts of wastewater, in addition to rain runoff would have an impact on the South Blooming Grove and the surrounding areas. The DEIS Statement needs to be updated, and I feel it is incomplete in its findings regarding the discharge of waste water not having any impact to the area of South Blooming Grove and surrounding towns.

Gloria Gelletich

Prospect Road

South Blooming Grove

Commenter No. 39

Greenfield, E.

January 14, 2021

We purchased our home in the Village of South Blooming Grove over 13 years ago and have an interest in the wellbeing of the Village and of its potential growth. Therefore, we reviewed the Clovewood DEIS and its appendices and addendum and have the following comments on the documentation.

- Sections 1.0, 2.0, 3.8 and 3.9 indicate Clovewood would have pools. Due to COVID19 I think these public swimming pools should be eliminated. If residents want pools, they should have private ones in their yards, like the existing homes in the Village of South Blooming Grove. The elimination of public pools is far more important than the elimination of the Public Park & Ride.
- Section 2.20 of the DEIS shows some proposed floor plans for the homes. I think that the sizes of the Clovewood homes are perfect for the character of the Village. It follows a pattern of homes becoming slightly larger as you travel north. For example, the most southern portion of the Village has the stonegate apartments, which are small units and as you continue north you hit Worley Heights whose homes are generally around 1,000-2,000 square feet; followed by Capitol Hill whose homes are generally around 2,000 – 3,000 square feet; and so Clovewood's homes would be a natural increase in size, while still staying single family homes similar in character to the single family homes in the Village of South Blooming Grove. This offers variety of homes in the Village to purchasers with different household sizes for all types of groups (i.e. singles, couples, elderly individuals, small families and large families).
- Section 3.11 of the DEIS, as well as our everyday lives in the Village, shows us the intersection at Route 208 and Mountain is problematic. The original, official Blooming Grove Zoning Map shows Mangin Road continuing upwards until it connects with Seven Springs Road in Monroe. I think the FEIS should analyze reopening this roadway connection for the benefit for all Village residents. I personally believe such a roadway connection could deter traffic from Route 208 and Mountain Road and provide a safer, quicker way for commuters to travel to their destinations when they otherwise would have used Mountain Road.
- Section 9.3 of the DEIS Addendum indicates the Public Park & Ride would no longer be part of the Clovewood Project. I think it would be good planning for some of the 22 acres of future development referenced on page 1.0-3 of Section 1.0 of the Clovewood DEIS to be relocated to the area where the Public Park & Ride was proposed to be located. This would only be good planning and, if any future development would be commercial, this would allow it to be accessible to all Village residents and not just Clovewood.
- Section 9.5 of the DEIS Addendum addresses the fact that Clovewood 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 Clovewood 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 Clovewood to find better wells for its residents.


E. Greenfield, 80 Duell Avenue



Commenter No. 40

Gross, Stephen



*Hudson Highlands
Environmental
Consulting*

71 Colonial Avenue
Warwick, N.Y. 10990
www.HudsonHighlandsEnviro.com

(845) 986-5350

E-mail highlands144@gmail.com

January 14, 2021

Village Board and Planning Board
Village of South Blooming Grove
811 Route 208
Monroe, New York 10950
ATTN: Kerry Dougherty, Village Clerk

Re: Clovewood
Draft Environmental Impact Statement
Review & Comment

Dear Honorable Members of the Village Board and Planning Board:

I have been requested by CUPON Orange to review the Draft Environmental Impact Statement (DEIS) for the proposed Clovewood residential project. As a general comment, I find the DEIS fatally flawed, having ignored or dismissed several serious issues. One of its greatest deficiencies (segmentation) is immediately noted in my very first comment below. As it impacts every aspect of the potential impact of the proposed project as studied throughout the DEIS, this one deficiency alone is significant enough to render this DEIS inadequate, requiring the preparation of a Supplemental Environmental Impact Statement (SEIS). However, there are also numerous other areas of serious deficiency and flawed analysis, as I will detail in my comments below.

I therefore respectfully offer the following comments for your consideration. The comments are organized in accordance with the DEIS.

2.0 DESCRIPTION OF THE PROPOSED ACTION

Comment 2-1 (Page 2.0-1): The DEIS states *“The Applicant has reserved approximately 22 acres of lands in the RR Zoning District and has no plans for that land’s development. Any future development of the 22 reserved acres would be a separate project requiring separate application and review under SEQRA.”*

The reservation of 22 acres of a project site for development subject to a future SEQRA (State Environmental Quality Review Act) review is a violation of the “segmentation” prohibition under SEQRA. Unless the project sponsor has committed to placing some portion of land under a legal mechanism to permanently preserve it from development, the potential development of all contiguous land under the project sponsor’s control must be considered and analyzed a single

SEQRA review, and not segmented into separate parts. The proposed development, or the maximum potential development, of the *entire* project site, and any adjacent land under the control of the project sponsor, must be analyzed in this DEIS. (Note: As documented and discussed later, an adjacent parcel of approximately 160 acres is under the control of the project sponsor.) Until the analysis in this DEIS is expanded to include the development of all of this land, it is incomplete and inadequate, and fails to satisfy the legal requirements under SEQRA.

Comment 2-2 (Page 2.0-3): The DEIS states, *“The Project would be clustered on approximately 140 acres of land and would leave more than three-quarters of the Project Site undeveloped.”* The DEIS needs to identify how the figure of 140 acres is calculated. There are various estimates of area of disturbance throughout the DEIS, which are inconsistent, but all of which are far greater than the estimated 140 acres. Disturbed areas, unless fully restored with appropriate vegetation, are typically considered to be developed.

Comment 2-3 (Page 2.0-3): Further, the “140 acres” of development wraps around and completely encloses several areas being counted as “open space”. In an analysis conducted by Hudson Highlands Environmental Consulting, it was found that the footprint of the proposed development, as measured by the outer edge of the proposed improvements, actually encompasses approximately 413 acres. This represents 60% of the project site, with just 40% truly “preserved as is” outside the boundaries of the proposed development area.

The remaining areas of open space are highly fragmented and/or highly altered for recreation and community buildings. Adding in the “undeveloped” open space within the development area raises the percentage of open space to about 459 acres, or about 67% of the project site. Adding in the improved “recreation” areas, which include community center buildings, would raise the total amount of open space/recreation area to approximately 502 acres, or about 73% of the project site.

The total amount of “open space”, therefore, including preserved areas, parkland, and recreation areas add up to no more than 73% of the project site, which is not *“more than three-quarters of the Project Site”*, and significantly less than the figure of 80% used profusely elsewhere in the DEIS.

Comment 2-4 (Page 2.0-5): The DEIS states: *“No construction would take place on steep slopes.”* This is the first of *many* such statements regarding steep slopes throughout the DEIS. As will be discussed later in more detail as a comment on a more appropriate section of the DEIS, this statement is demonstrably false. Construction is proposed on steep slopes in several areas of the proposed project.

Comment 2-5 (Page 2.0-5): The DEIS overstates the number of potential units that could be developed under the previous Town of Blooming Grove zoning regulations. The estimate does not account for roadways and infrastructure (typically around 10% of the land area), nor for constraints such as wetlands, wetland buffer, steep slopes, and endangered/threatened species habitat. The 10% reduction automatically drops the number down to around 900 units, and

considerations for constraints will bring the number much closer to the 600 units already being proposed.

Comment 2-6 (Page 2.0-7): The description of the project history seems to indicate that the 22 acres of land being reserved for future development (the location of which is not identified anywhere in the DEIS) is likely the same land that was previously proposed for commercial development. If true, reserving the potential development of this land for commercial development is a conscious, deliberate attempt to illegally segment the SEQRA review to “lessen” the potential impact of the project as a residential development, only to later add the impact of a commercial development at a later date. This would be a particularly egregious violation of the SEQRA process.

Comment 2-7 (Page 2.0-13): Section 2.9 estimates the potential water demand with accessory apartments at 377,400 gpd, but Section 2.10 estimates the potential sewer demand at 273,600 gpd. These numbers need to match.

Comment 2-8 (Page 2.0-15): The project sponsor proposes to set aside 60 acres for the purpose of providing public parkland in accordance with Village Code §120-2.A. The DEIS states that the *“proposed public parkland area would be appropriate for Village park use and would include a pond offering beautiful, serene lake-views.”* However, Village Code §120-2.C states that *“Land reserved for recreation purposes shall be of a character and location suitable for use as a playground, playfield or other recreation purpose, and shall be relatively level and dry.”* The 60 acres being set aside consists primarily of undevelopable wetlands and wetland buffer, which is essentially useless to the project sponsor. It is certainly not “dry” per the Code. It also surrounds an historic cemetery that further limits any recreational development of the park. The parkland does provide opportunities for passive recreational use, such as walking trails and birdwatching, but if the intent of the Village to set aside parkland for playgrounds and other active recreational use, the 60 acres being set aside will fail to satisfy that goal.

Comment 2-9 (Page 2.0-16): The DEIS states that the project’s build-out would be in 5-acre increments in order to comply with SPDES requirements, but then immediately afterwards states that a *“waiver allowing 15 acres of disturbance at any one time will be requested.”* So, which is it?

Comment 2-10 (Page 2.0-16): The DEIS also states that *“the construction sequence would begin at the highest elevation and proceed towards lower elevations.”* How can the construction sequence begin at the highest elevations without first constructing the roads to reach the highest elevations? Wouldn’t that amount of road construction disturb more than five acres at one time?

Comment 2-11 (Page 2.0-27, Heartwood Model Floorplan): The second floor plans for the Heartwood show a study and a playroom that both would be equipped with closets equal to or greater in size than the closets for Bedrooms 3 and 4. There is no mechanism to prevent these rooms from being used as bedrooms, which would not be an unlikely scenario to satisfy the needs of a large Satmar Hasidic family. Therefore, even without the potential development of

the provided 750 square feet for an accessory apartment, the proposed floor layout of the Heartwood model allows for a total count of 6, not 4, bedrooms. This could greatly increase the population projection for the proposed project, which would in turn increase the projected water and sewer demand, traffic generation, demand on public services, etc.

Comment 2-12 (Page 2.0-26, Heartwood Model Floorplan): The first floor plans for the Heartwood raise even further concerns that the units can support a much higher occupancy than what is being represented. The plans for the proposed kitchen actually depict TWO separate kitchens, separated by the dining room. Between them, THREE cooktops, THREE in-counter sinks, and TWO refrigerators are indicated as being planned. Clearly, this would far exceed the requirements of a normal family unit, and can even support multiple family units. The development of an accessory apartment in the “unfinished” 750 square feet shown, which would presumably have yet another kitchen, will only add to this number.

Comment 2-13 (Page 2.0-34, Sapwood Model Floorplan): Similarly, while the Sapwood does not provide for a study and playroom that could be converted to bedrooms, it does nonetheless still provide for TWO separate kitchens, with THREE cooktops, THREE in-counter sinks, and TWO refrigerators as does the Heartwood.

Comment 2-14 (Page 2.0-36, Sapwood Model Floorplan): Each of the 600 residential units has been designed to allow for the development of an accessory apartment. In accordance with the provisions of Zoning Code § 235-45.6.A(3), the allotted space proposed is the maximum allowed 750 square feet. However, in the case of the Sapwood, the space allotted for the accessory apartment is shown on the basement level, which is prohibited by Zoning Code § 235-45.6.A(6) that states that “No accessory apartment unit shall be located in a cellar.”

3.0 EXISTING CONDITIONS AND ANTICIPATED POTENTIAL IMPACTS

3.1 LAND USE, ZONING AND PUBLIC POLICY

Comment 3.1-1 (Page 3.1-1) The DEIS misinterprets the meaning of the Negative Declaration that was issued in 2009 with the adoption of the Zoning Code, assuming that development that is compliant with zoning has already been determined to have no adverse environmental impact: *“The Project would be in accordance with the provisions of the Village Zoning Code and would not require any waivers or variances. Therefore, as confirmed by the Village Board in the SEQRA Negative Declaration adopted with respect to the Zoning Code, development on the Project Site which is compliant with the applicable RR and RC-I regulations would not have the potential to generate any significant adverse land use, zoning and public policy impacts.”*

Nothing could be further from the truth. The Negative Declaration was issued based on whether the then proposed zoning would result in greater adverse impacts as compared to the zoning that had previously existed on the land. In other words, would whatever development that would be allowed by the new zoning generate any worse adverse impacts than what may have occurred with development allowed under the previous zoning? The Negative Declaration could not and did not address the potential environmental impact of any potential development, but just that the proposed zoning changes would not have any bearing on increasing the degree of adverse impact.

It is therefore baseless to conclude that even if the project fully complied with the Zoning Code, the project *“would not have the potential to generate any significant adverse land use, zoning and public policy impacts.”*

Comment 3.1-2 (Page 3.1-13, Figure 315a): Figure 315a has mislabeled the gray color for steep slopes as a second listing of “SCENIC VIEW OVERLAY AREA”.

Comment 3.1-3 (Pages 3.1-12): While the most significant area of steep slopes is indeed located *“along the ridge area in a section of the Project Site not intended for development,”* it is incorrect and misleading to suggest that steep slopes do not exist within the area proposed for development. In fact, many areas of steep slopes are present in areas being directly impacted by development in direct contradiction to the stated intent in the South Blooming Grove Zoning Code. This point will be expanded upon later in comments on the most relevant chapter.

Comment 3.1-4 (Page 3.1-12): The statement that *“the Project would comply with all Overlay District regulations”* is incorrect. This point will be expanded upon later in comments on the most relevant chapter.

Comment 3.1-5 (Page 3.1-12): Due to its position in the DEIS in proximity to the discussion on the Land Conservation Analysis, it is presumed that Figure 315a is intended, in part, to depict the information required by the Analysis. There does not appear to be any other nearby exhibit in the DEIS to serve that function. If so, the mapping fails to identify, as required, watercourses (primary conservation areas), and forest land and trees with a 12 inch diameter at breast height (dbh) or larger (secondary conservation areas).

Comment 3.1-6 (Page 3.1-12): The DEIS understates the impact of the project on forest fragmentation by the proposed project. Some of the “preserved” forest claimed in the DEIS is within pockets completely surrounded by the proposed development. All of this forest would be considered fragmented, with normal wildlife corridors and pathways disturbed, and the habitat forever altered. None of it would be suitable for species that require forest habitat far removed from human activity, noise, and lights. This impact would also extend into the adjacent forest that is preserved, but within proximity to the proposed development. Once the project is built, only the very highest elevations at the greatest distance from the proposed project may still provide habitat as unfragmented forest.

Comment 3.1-7 (Page 3.1-15): Table 311 notes the total of “wetlands, watercourses, and surface waterbodies” as 37.48 acres rather than the 35.36 acres noted in most parts of the DEIS. The table cites Appendix E, Wetland Delineation Report, as the source of the acreage information. However, Appendix E again gives 35.36 acres as a total for wetlands. A search through the DEIS finally found a single reference to an additional 2.12 acres of “unnamed watercourses” in Chapter 3.8, Surface Water, Wetlands & Groundwater. This information isn’t found in Chapter 3.1 or anywhere else in the DEIS, nor are the watercourses and the impacts to them discussed in any meaningful way. As noted in the preceding comment, watercourses are also not identified on Land Conservation Analysis mapping as required by the Zoning Code.

Comment 3.1-8 (Page 3.1-17): The discussion regarding the Overlay Zoning Districts is so oversimplified and selective as to render it misleading and in the end, incorrect. For instance, the DEIS implies that as long as a buffer of at least 100 feet wide is maintained, they have satisfied the requirements imposed by the Scenic Road (SR) Overlay. However, the SR Overlay requires much more than that. In particular, one requirement is *“New development proposed adjacent to scenic roads shall be designed to preserve distinctive features of the scenic road, including tree canopy, stone walls, winding road character, and scenic views, and to limit the visibility of new development. New development adjacent to or within scenic open vistas shall be designed to avoid adverse impact to scenic resources.”* As will be demonstrated later with comments on the visual impact analysis, this requirement is not satisfied with the proposed action.

Comment 3.1-9 (Page 3.1-17): The great majority of the project site, including the project itself, falls within the Ridgeline (RL) Overlay, so the requirements imposed by this overlay are particularly important to the review and assessment of this project and its impact. Yet the DEIS only provides sparse discussion that focuses on building heights and the color of building materials. More importantly, the RL Overlay requires, *“All structures should be sited to avoid, to the greatest extent practical, occupying or obstructing public views of land within the Ridgeline Overlay District.”* As is demonstrated in the Visual Impact analysis, the proposed structures will indeed occupy public views from both public trails and the scenic roadway within the RL Overlay. It is in the discretion of the Planning Board to determine whether those structures have been *“sited to avoid, to the greatest extent practical, occupying or obstructing public views.”* Until then, the authors of the DEIS cannot prematurely conclude as was stated on Page 3.1-12 that the Overlay Districts *“would have no impact upon the Project’s development as the Project would comply with all Overlay District regulations.”* Rather, the DEIS should identify all

the requirements imposed by all the Overlay Districts (not just cherry-picked selected requirements), identify which of those may potentially impact upon the project, and properly note that these conclusions will be made by the Planning Board as lead agency.

Comment 3.1-10 (Page 3.1-18): The original set aside of 340 acres of open space is based on 50% of a total of 680 acres of project site within the RR Zone that are currently proposed for development. The 10% maximum amount of land allowed for active recreation should therefore be no more than 68 acres (10% of 680), not 70.

Comment 3.1-11 (Page 3.1-19): Contrary to the conclusory statement in the second paragraph, the proposed project does indeed have the potential to generate significant impacts in violation of the requirements and intent of the various overlay districts, and could require mitigation to overcome.

Comment 3.1-12 (Page 3.1-23): Figure 318, taken from the Southeast Orange County Land Use Study, was created to depict the potential development of a “new village center” at the Route 208/Clove Road intersection. The depiction of this “new village center” is very different from the current proposal. Contrary to the proposed project, this illustration purposely depicts a “*mixed-use and walkable node*” with commercial, office, and residential development. The residential development depicted on the project site in this illustration is also remarkably less than the proposed project. The only similarity is the preservation of open space in the upper elevations of the project site, which is the intent of the RL Overlay already present in the Zoning Code.

3.2 SOCIOECONOMICS

Comment 3.2-1 (Page 3.2-9): Projecting a total population based on multipliers taken from the Village of Kyrias Joel is proper in assessing a worst case, and possibly likely, scenario. However, the assumptions being utilized may actually be too low. First, there should be no deduction taken based on a presumed 93% occupancy rate. If the multiplier is based on actual data taken from Kyrias Joel, which is stated to have a 93% occupancy rate, then the multiplier would already reflect that 7% vacancy. Deducting it again would be a case of “double dipping.”

Comment 3.2-2 (Page 3.2-9): Further, the multiplier is based on a snapshot in time. Higher multipliers would be derived from using data from 2000 (5.92 residents per unit) and 2010 (6.02 residents per unit). To be conservative, the projection should be based on the highest 6.02 multiplier, which is a “real” number, reflective of actual conditions that existed in 2010 in Kyrias Joel.

Comment 3.2-3 (Page 3.2-9): The population projection also adds 25% for an accessory apartment, presumably based on a 25% increase in floor area. However, the population increase should instead be based on bedrooms. A one-bedroom accessory apartment would therefore be projected to add 25% (1.5 residents) over a four-bedroom unit with six people, and a two-bedroom accessory apartment would be projected to add 50% (3 residents) over a four-bedroom unit.

Comment 3.2-4 (Page 3.2-9): It is, however, noted that the Scoping Document actually required that the analysis assumed *all* 600 units would have 2-bedroom accessory apartments, without any 1-bedroom apartments: *“The Project’s 600 single family lots would be developed with single family homes of 4 bedrooms in size and for impact analysis purposes each home is assumed to have an accessory dwelling unit of 2 bedrooms in size.”* The population projection needs to be increased to account for 600 2-bedroom accessory apartments, or provide justification for not doing so.

Comment 3.2-5 (Page 3.2-9): Finally, as previously noted, the second floor plans for the Heartwood show a study and a playroom that both would be equipped with closets equal to or greater in size than the closets for Bedrooms 3 and 4. As there is no mechanism to prevent these rooms from being used as bedrooms, the Heartwood model should be considered to allow for a total count of six, not four, bedrooms. If this situation is different from the units within the Village of Kyrias Joel from which the population multiplier was derived, the population projection should again be adjusted to reflect the higher bedroom count.

Comment 3.2-6 (Page 3.2-17): Why would HOA facilities not be taxable?

Comment 3.2-7 (Figure 3.2-18): The methodology used for calculating the municipal costs per resident is completely wrong and invalid. The DEIS takes the budgets of the Village, Town, County, and School District, and then calculates the portion of revenue supporting that budget that can be attributed specifically to residential property taxes. It divides that number by the number of residents, and presents that number as being the “cost” per taxpayer. However, that

calculation is simply a measure of the property tax revenue contributed per person, NOT the amount spent per resident.

A simple measure of the cost per person is to simply divide the annual budget of each jurisdiction divided by the number of residents served. This is a FAR different number than the average tax revenue paid per person, which only subsidizes the cost per person. The source of revenue for a governmental budget is completely irrelevant to how that money is spent by that governmental entity. This is precisely why municipalities try to attract “tax ratable” businesses, because businesses don’t put as great a demand on services, but pay a higher tax burden, which subsidizes the cost to support the residential demand. In truth, unless a home is an especially high-valued property, taxes from residential development rarely pay for the demand it creates on a municipal budget. The DEIS claims of surplus for most jurisdictions, except for the School District, which a Satmar Hasidic community may put a lesser demand on, are therefore way off the mark.

The 2016 cost for each resident for the Village, for example, is more accurately calculated as the Village budget of \$1,391,856 divided by 3,282 residents, or \$437.42 per person. This number is almost three times the amount of \$150 per person estimated in the DEIS. While the \$437.42 figure could be adjusted downward if it can be determined what portion of the budget can be attributed to non-residential purposes, this is a generally accepted methodology for determining fiscal impact on a governmental entity. This same methodology should be used for the Town, County, and School District, which will calculate to \$619.65 per person for the Town, and \$1919.34 for the County. All these numbers are very different from those reported in the DEIS.

Comment 3.2-8 (Page 3.2-18): Notwithstanding the calculations just provided in the previous comment, the numbers used are now five years old, and should be updated.

Comment 3.2-9 (Figure 3.2-22): The “Alternative Method” analysis is still based on the same flawed assumption that results in an average revenue per unit, not cost per unit.

Comment 3.2-10: The Socioeconomic analysis fails to provide an assessment of impact on surrounding property values as required by the Scoping Document.

3.4 COMMUNITY CHARACTER

Comment 3.4-1 (Page 3.4-1): The DEIS states, *“Accordingly, as the Project proposes allowable uses at densities authorized under the Zoning Code, the Project would be what the Village envisioned for the Project Site and found would not have the potential to generate any significant adverse impacts upon community character. There is no rational basis for any different conclusion for the Project.”*

This conclusion is ridiculous and inappropriate as part of the DEIS. On March 21, 2016, the Village of South Blooming Grove issued a Positive Declaration indicating that the proposed project may have a significant adverse impact on the environment. In the subsequent Final Scoping Document, dated June 2, 2016, the Village specifically identified potential impacts upon Community Character as an area of specific concern to be studied. The above statement therefore implies that the representatives of the Village issuing the Scoping Document are irrational.

Comment 3.4-2 (Figure 341, Page 3.4-6): Figure 341 shows an adjacent parcel under the ownership of the project sponsor, Keen Equities. The parcel is also mentioned on Page 3.4-6 as an approximately 160-acre parcel owned by the “Project Applicant”. As noted in Comment 2-1, the potential development of all contiguous land under the project sponsor’s control must be considered and analyzed a single SEQRA review, and not segmented into separate parts. Even if the project sponsor currently has no current plans to develop this property, its maximum potential development *must* be considered under *this* SEQRA review. Not doing so is prohibited as a segmented review under SEQRA. This is a fatal deficiency in the current SEQRA review, which can only be remedied via the preparation of a Supplemental Environmental Impact Statement (SEIS) that considers the potential impact of developing the 160-acre parcel, along with the currently proposed project, *and* the development of the “reserved” 22 acres.

Comment 3.4-3 (Page 3.4-6): The DEIS states, *“The Village is characterized by its suburban appearance featuring varying ages and styles of houses mostly situated on lots less than 0.5 acres in size, particularly in the area adjacent to the southwest of the Project Site.”*

The proposed project would contrast significantly with this existing character in that the lot sizes would be less than 0.2 acres in size, with the smallest being 0.169 acre, or about a third of the 0.5 acres noted for existing lots. In further contrast to the *“varying ages and styles of houses,”* the proposed units would be limited to two very similar looking models, creating a very monotonous looking collection of 600 residential units on very small lots. This would be incongruous with the existing character of the Village as described.

Comment 3.4-4 (Page 3.4-6/7): The DEIS again unfairly relies upon the implementation of the Zoning Code as “proof” of the project’s compatibility with the existing community character by stating, *“Because the Project is within what is allowed under the Village’s Zoning Code there is no potential for land use impacts that are any different from those which were considered by the Village Board when it issued its Negative Declaration in connection with the adoption of the*

Village Zoning Code.” As noted in the preceding comment, the character of the proposed project will contrast significantly with the existing community character.

Comment 3.4-5 (Page 3.4-7): The DEIS states, *“There are several overlay districts in the Village Zoning Code which further regulate land use, including the following districts: Scenic Roads Overlay, Ridgeline/Significant Biological Overlay, and Scenic Viewshed/Significant Biological Overlay. As analyzed in Section 3.1, the Project would fully conform to the requirements of these overlay districts, thereby confirming consistency with those aspects of community character.”*

As noted in earlier and subsequent comments, the proposed project does *not* fully conform to the requirements of the overlay districts, so this conclusion is without merit.

Comment 3.4-6 (Page 3.4-7): The DEIS states, *“Furthermore, the Project’s residential single-family lots/homes would not have the potential to generate any significant adverse community character land use impacts on the Village communities located adjacent to the Project Site, including the approximately 760 residential single-family lots/ homes of 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).”*

As noted in Comment 3.4-3, the character of the proposed project would be incongruous with the existing character of the Village, including the listed neighborhoods.

Comment 3.4-7 (Page 3.4-7): The DEIS states, *“In addition, the Project’s overall density of 600 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.”*

As a measure of community character, this statement is misleading as the actual proposed lot sizes will range from 0.169 to 0.198 acres, not 1.2 acres. Three of these lots would fit into the average 0.58-acre lot size of the adjacent Village communities.

Comment 3.4-8 (Page 3.4-13): The DEIS claims *“the development would be interspersed with approximately over 500 additional acres of open space and greenbelts throughout, resulting in a visual density of approximately over one acre per unit.”*

Looking at cookie cutter homes lined up in long rows at a density of more than 5 units to an acre will result in a “visual density” of about 5 homes to an acre, not more than one acre per unit.

Comment 3.4-9 (Page 3.4-14): The DEIS states, *“By demolishing the existing 50 structures and replacing them with new single-family homes on the Project Site, the Project would improve the visual appearance of the Project Site.”*

In the area where the cottages would be removed, the proposed plans (Figure 1) show a cut into the side of what is currently a naturally vegetated hill with what is mapped as an existing 25% slope, leaving behind a permanent cut face ranging from around 20 to 30 feet tall. This tall cut would be clearly visible from Clove Road, which is designated as a Scenic Road. This is arguably a degradation of the visual appearance of the Project Site from the current view of the vegetated hill and cottages, not an improvement. Figure 1 depicts the proposed cottages in this area with the existing topography shown underneath, and the topography of the proposed cut behind the proposed cottages. The slope of the proposed cut, which will be permanent, is about 50%.

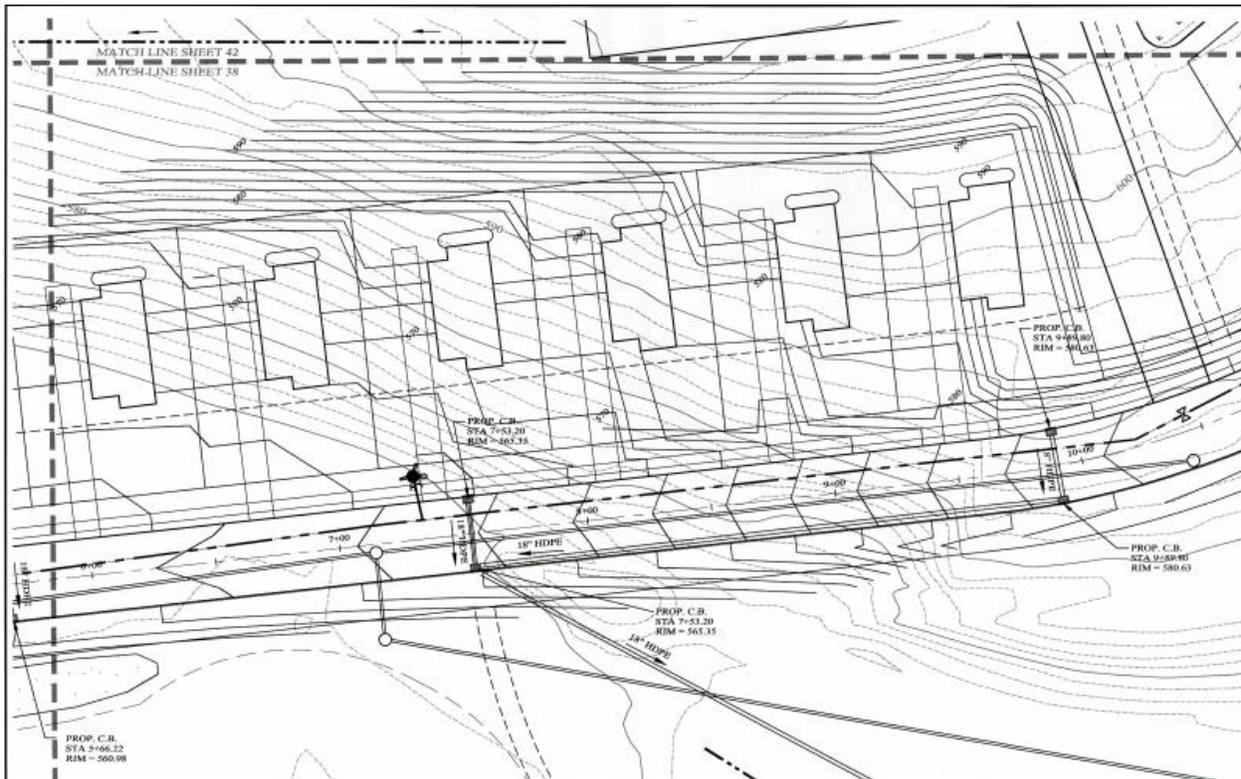


Figure 1: Pre- and Post-Development Topography in Vicinity of Lake Anne Cottages

Comment 3.4-10 (Page 3.4-14): The DEIS states: *Furthermore, the Project's development would occur on approximately 140 of the 708 acres of land, including the 22 acres previously disturbed by the existing dilapidated structures and approximately 60 acres previously disturbed by the former Lake Anne Golf Course, thereby limiting the overall Project's disturbance to just approximately 60 acres, which would only be approximately 8% of the 708-acre Project Site. Accordingly, the magnitude of the change to the natural landscape would not be significant and would not result in adverse impacts to the overall visual character of the community.*

This statement is extremely misleading. First, the calculation should be based on the 686 acres subject to the current proposal (708 acres – 22 acres reserved for future development).

acres being reserved is not preserved open space. If, for instance, all of it were to be developed, it will raise the amount of disturbance by 22 acres, greatly increasing the percentage of the 708 acres being disturbed.

Secondly, even though previously disturbed, the 60 acres of the former Lake Anne Golf Course is vegetated, and would now be replaced by roads and structures.

Thirdly, as pointed out in many parts of the DEIS, the amount of site disturbance is greater than the 140 acres being cited as “developed”. (Unfortunately, the total amount of disturbance estimated varies widely from one part of the DEIS to another.)

Comment 3.4-11 (Page 3.4-14): The DEIS states: *“The Project’s structures and proposed utilities would not be taller than the predominant vegetation, thereby maintaining the character as it relates to visual resources and natural landscape.”*

The DEIS does not provide sufficient information to support this determination. The Visual Impact analysis provides photos and analysis for some select vantage points, looking in a selected direction, but does not show the locations of the tall “predominant vegetation”, or how much of this vegetation would be removed not only by the proposed road and building placements, but also by the necessary grading extending out from these features. (This point will be expanded upon in later comments on the visual impact analysis.)

Comment 3.4-12 (Page 3.4-15): As noted in previous comments, the fiscal impact analysis provided is completely flawed and invalid. The claims of surpluses noted here are without basis.

Comment 3.4-13 (Page 3.4-19): With development of the proposed project, the projected population of South Blooming Grove will more than double. That will unavoidably generate a significant adverse impact on the existing character of the Village community and neighborhood. It is impossible to conclude otherwise.

Comment 3.4-14 (Page 3.4-21): The DEIS asserts that because the population will stay within a very large range of 2,500 to 50,000 persons, and therefore remain, by the US Census definition, an “urban cluster”, that the existing character of the Village will not be adversely impacted. Clearly, staying within this population range is not determinative of an absence of impact upon community character because as common sense would dictate that the character of a community of 50,000 would be markedly different from a community of 2,500. This would also be the case where the population of a community more than doubles, as would happen with the development of the proposed project.

Comment 3.4-15 (Page 3.4-22): The recommendation of the Mid Hudson Regional Sustainability Plan that encourages 0.20 acres per capita by 2050 is intended to *“strengthen centers supported by transit.”* The Plan indicates such centers exist at Harriman and the Village of Monroe south of Route 17, but does not identify the Village of South Blooming Grove as being one of these “centers”. The point expressed in the DEIS referencing the Plan is therefore not applicable.

Comment 3.4-16 (Page 3.4-22): Further, attempting to comply with this goal of the Mid Hudson Regional Sustainability Plan is in direct contradiction to the goals of the South Blooming Grove Zoning Code, which is repeated in the Scoping Document for the proposed project: *“The Village of South Blooming Grove zoning code emphasizes an overall policy goal of the code is to maintain the rural character of the area.”* The rural character of South Blooming Grove as compared to other nearby communities is illustrated by the figures provided in Table 342. There is no requirement or inherent desirability for South Blooming Grove to strive to emulate these other communities.

Comment 3.4-17 (Page 3.4-28): Again, there is no requirement or inherent desirability for *“the Village to be more consistent with the character of all of the other villages and their communities.”* By stating that the proposed project would “cause” this to happen, this assertion in the DEIS confirms that the project would indeed have the impact of changing the existing character of the Village, and making it more like other nearby communities. For this and all the reasons presented in previous comments on this chapter, the DEIS conclusion of no adverse impact, and no need for mitigation, is baseless and incorrect.

3.5 HISTORIC AND CULTURAL RESOURCES

Comment 3.5-1 (Page 3.5-1): The last paragraph on Page 3.5-1 is misleading by limiting National Register eligibility to “structures”. As noted on Page 3.5-3, the Howell Family/Round Hill Cemetery is eligible for the National Register, as is the Schunemunk Precontact Site (Page 3.5-4). Both are within or surrounded by the Project Site.

3.6 VEGETATION AND WILDLIFE

Comment 3.6-1 (Page 3.6-9): While the DEIS does identify timber rattlesnake habitat on the project site, it does not appear to go far enough, and downplays the full extent of habitat present for this officially designated threatened species. For instance, the investigators do not seem to have checked into public records of “nuisance” reports of timber rattlesnakes in the immediately adjacent neighborhoods, which are a good indication of their range and habits.

As reported by NYSDEC licensed timber rattlesnake expert Randy Stechert in a December 7, 2018, letter provided to the Town of Blooming Grove, annual rattlesnake encounters are documented in each of the developments and private communities surrounding Schunemunk Mountain. The Brigadoon development and the community off Highland Woods Blvd., as well as the Apple Hill and Country Crossing developments, all report annual "nuisance" or intercommunity rattlesnake encounters to Woodbury Animal Control Officer Pam Gambuti and/or the Woodbury police. When a rattlesnake is discovered by a local homeowner, Ms. Gambuti or a Department of Environmental Conservation (DEC) certified police officer responds, captures the nuisance snake, and relocates it to a nearby wooded location along the lower slopes of the mountain.

On the western side of Schunemunk Mountain in the Town of Blooming Grove, nuisance volunteer Marty Kupersmith from Warwick and the Blooming Grove police annually respond to "nuisance" rattlesnake sightings within the community on Pennsylvania Ave. and Virginia Ave. northeast of Merriewold Drive. Likewise, the Orchard Lake and Mountain Lodge developments east of Clove Rd. contribute around two to eight rattlesnake reports per year.

The Mountain Lodge development on the west slope of Schunemunk Mountain in the Town of Blooming Grove has a longer rattlesnake history. Prior to receiving legal protected status in 1983, rattlesnakes found within or adjacent to the development were routinely killed by local residents. With the advent of legal protection and the assistance of nuisance rattlesnake responders Marty Kupersmith and the Blooming Grove police, some of the formerly commonplace incidental attrition has been ameliorated.

None of this was investigated or reported by the rattlesnake investigators working on behalf of the project sponsor.

Comment 3.6-2 (Page 3.6-10): Other than identifying foraging, basking, and shedding habitat on the upper elevations of the project site, the DEIS dismisses any use of the area proposed for development as having any value for rattlesnake habitat: *“After confirming the presence of Timber Rattlesnakes within the suitable habitats through its extensive surveys, NCES then focused its review on the areas of proposed development. NCES searched the successional woodlands, open fields, and wetland areas that are located within the proposed development envelope. During these reviews, no Timber Rattlesnakes were found. Accordingly, the Project would not have the potential to generate any significant adverse impact upon Timber Rattlesnakes or their habitat.”*

Not only is this conclusion contrary to the multiple rattlesnake encounters that have occurred at the lower elevations on neighboring and nearby properties, but it also contrary to a 2008 investigation on the project site conducted by Mr. Stechert on behalf of the project sponsor. At that time, Mr. Stechert confirmed the use of the former Lake Anne Country Club (LACC) golf course area as being utilized by timber rattlesnakes:

“The former LACC property in Blooming Grove is another area of concern. Despite being mostly forested and meadowland foraging and mate-searching ephemeral habitat, and therefore problematic for field surveys, one 38" black morph vitellogenic (i.e. yolking) female was found basking near a junk pile on the property on July 14, 2008.” Plus Mr. Stechert noted another sighting that had occurred within the proposed development area exactly one week earlier: *“Additionally, a large rattlesnake was observed by a rental cottage resident near the old burnt building around July 7.”*

In the conclusion of his rattlesnake survey of the project site, Mr. Stechert further states, *“I can definitely state that no part of the mountain is excluded from sporadic rattlesnake activity at one time or another.”*

Comment 3.6-3 (Page 3.6-10): The conclusion that the project *“would not have the potential to generate any significant adverse impact upon Timber Rattlesnakes or their habitat”* also appears to be contradicted by the conclusion in Mr. Stechert’s 2018 letter which, referring to the proposed project, reads in part, *“The proposed extensive development would inevitably incur a significant annual increase in attrition to the local rattlesnake population that uses the property during their circadian activities.”*

Comment 3.6-4 (Page 3.6-10): The representations regarding timber rattlesnakes in the DEIS are also challenged by the NYSDEC, who stated in a May 28, 2020, letter to the Village:

“It is the Department's opinion that the project as currently proposed, will result in the incidental take of foraging habitat, and individual snakes from the creation of roadways, increased traffic and human occupation in an area of occupied timber rattlesnake habitat. Please be aware that the Department does not agree with the conclusions found in the DEIS related to adverse impacts to timber rattlesnakes or their habitat related reports, as well as the submissions to the Department to date.

As previously indicated and stated in the October 18, 2018 NOIA, based upon review of the Timber Rattlesnake Survey & Habitat Assessment prepared by North County Ecological Services, Inc., dated August 18, 2015 (and since revised and dated January 23, 2017), staff consider the property within 1.5 miles of the den to be occupied habitat under Article 11 Part 182. The areas outside of the basking/gestating habitats would be considered occupied foraging habitat for timber rattlesnakes.”

Comment 3.6-5 (Page 3.6-14): The discussion of potential impacts and Table 364 provide information that appears to be found nowhere else in the DEIS. It notes that despite the fact that the project is repeatedly described as occurring on only 140 acres, the actual area of forest and old field being impacted is described as 178.7 acres. Even this number, however, is

underestimated as it is result of an addition error from the table. The actual number adds up to 198.7 acres, 58.7 acres (42%) more disturbance than what is represented elsewhere in the DEIS. However, other than a statement that 65 acres of this will be revegetated and preserved as open space, no analysis of the impact is provided.

It should further be noted that this estimate of area of disturbance is also in conflict with other estimates found in the DEIS and its appendices including from the stormwater analysis (165 acres) and the archaeology study (265 acres). The area of disturbance should be mapped based on the most extreme extent of grading and utilities (including wells), and these boundaries, and a calculation of that area used consistently throughout the DEIS and its appendices for all the pertinent analyses.

Comment 3.6-6 (Page 3.6-14): The other revelation provided in Table 364 is that there is an estimated 22,456 linear feet of unnamed stream within the project site, and more importantly, that the proposed project will impact 7,215 linear feet of these streams. This represents a full 32% of the total amount of streams on the property. The impacted areas are depicted on Figures 362a and b. As with the impact on vegetation, however, there is no discussion or analysis of this impact, a significant deficiency of the DEIS.

Comment 3.6-7 (Page 3.6-17): The last paragraph on this page discusses “vernal pool areas” within wetlands. Has there been any investigation of the existence of vernal pools outside wetlands? These areas provide extremely valuable habitat for the propagation of amphibian species.

Comment 3.6-8 (Page 3.6-18): The Scoping Document requires an assessment of the project’s impact on forest fragmentation, which only gets passing mention in the DEIS. The DEIS should, however, first assess whether forest present on and immediately adjacent to the project site may be suitable to support interior forest species, and then what impact or fragmenting influence the project may have on the existing and surrounding forest habitat.

Comment 3.6-9 (Page 3.6-19): The DEIS states that the project “*would not result in any significant adverse impacts upon flora and fauna.*” However, the removal of 198.7 acres of natural vegetation, approximately 29% of the 686 acres currently making up the project site, would be considered a significant adverse impact.

Comment 3.6-10 (Page 3.6-19): The DEIS also states that “*The Project would not include any development above 940’ MSL, thus confining all development to elevations which are below suitable Timber Rattlesnake Habitat,*” but as noted previously, rattlesnake habitat has been proven to exist on the entire project site, including well below 940’ MSL. This statement is therefore false.

3.7 GEOLOGY, SOILS AND TOPOGRAPHY

Comment 3.7-1 (Figure 371): The mapped extent of hydric soils far exceeds the delineated boundaries of wetlands. This calls into question whether wetlands might actually extend further than mapped. It also calls into question whether some of this area might support vernal pools that are critical for the survival of certain species of amphibians. Some of this area may also be where streams are located, which have been left off the wetland mapping in the main body of the DEIS.

Comment 3.7-2 (Page 3.7-3): The DEIS states: *“Based on topographic mapping, approximately 10% of the Project Site features slopes of greater than 15%; none of these steep slopes are located in the area proposed for development.”* This is an absolutely false statement.

Curiously, Chapter 3.7, which is the designated chapter to discuss the presence of steep slopes, does not include an exhibit to illustrate the location of steep slopes to presumably support this statement. Rather, this information can be seen in Figure 315a in Chapter 3.1, Land Use Zoning and Public Policy, which is not at all where someone interested in slope impacts would be expected to look, and might easily miss. This information needs to be provided in Chapter 3.7 as well.

An excerpt from Figure 315a is provided herein as Figure 2 on the following page. The steep slopes are rendered gray (without defined boundaries) on this map, and can be seen lying under both proposed roadways and lots in multiple areas throughout the proposed area of development.

As it stands, the DEIS completely fails to provide any adequate information regarding steep slopes as required by the Scoping Document. The second half of the quoted statement therefore needs to be deleted, and a true assessment provided of the steep slopes present on the project site, the impact of development on them, and the potential impact of their presence on the proposed layout. Revising the layout to avoid steep slopes should also be considered and discussed.



Figure 2: Portion of DEIS Figure 351a Depicting Step Slopes (gray without boundaries)

Comment 3.7-3 (Page 3.7-6): The DEIS states that “*construction would take place on lands having shallow depth to water table (less than three feet).*” Where are these lands? How shallow is the water table? This supports Comment 3.7-1 that notes the presence of mapped hydric soils outside the delineated wetland boundaries.

Comment 3.7-4 (Page 3.7-6): The DEIS states, “*Approximately 10% of the Project Site is greater than 15% slope as shown in the plans in Appendix A.*” There does not seem to be any plans or exhibits in Appendix A that depict steep slopes in excess of 15%. The “Existing Conditions Map” lists “*Existing 12% or Greater Slopes*” in its key, but does not actually depict steep slopes as the key indicates it should. If there is a map in Appendix A that does, it should be directly referenced in the DEIS. More importantly, an exhibit depicting the steep slopes should be provided directly within Chapter 3.7.

Comment 3.7-5 (Page 3.7-6): The DEIS again falsely states, “*Such steep slope areas as do exist are avoided in the layout of lots and roads, such that there would be no potential for significant impact and no potential for landslides.*” It is clear from Figure 2 that steep slopes are **not** avoided in the layout of lots and roads. As just one example, Figure 1 also clearly illustrates that a roadway and lots are situated directly on top of slopes in excess of 25%, not just 15%, and that this will result in the creation of a cut slope of about 50% about 20 to 30 feet high, directly behind proposed units. The stability of this high, steep cut slope is very questionable, and could indeed lead to a landslide impacting the proposed units.

Comment 3.7-6 (Page 3.7-6): Placing development on such steep slopes as shown in Figure 1 is contrary to the guidance provided in the newly published “Natural Resource Inventory of Town of Blooming Grove” that advises on Page 79:

*“Slopes from 15-25 percent should be left in a natural condition, carefully maintained in grass or tree cover, or used as pastureland – slopes greater than 25 percent should be left alone but can provide good sites for passive recreation or wildlife.
Construction on such areas can increase the sediment load of streams 100-fold.”*

Comment 3.7-7 (Page 3.7-13): The DEIS states, “*The Project would disturb no more than approximately 140 acres, leaving the bulk of the prime farmland soils untouched.*” This area of disturbance estimate is in conflict with Table 364 on Page 3.6-14, which, as noted in Comment 3.6-5, that the total area of disturbance is 198.7 acres, 58.7 acres or 42% more than what is stated.

Comment 3.7-8: The Scoping Document required: “*Specific impacts on land and geologic features to be evaluated include: a) Change in impervious cover and construction on undeveloped lands, b) Tree removal.*” Neither appears to have been evaluated in this chapter. Not even the most basic information, such as the anticipated amount of impervious surface that would be created, and the amount of increase over existing impervious surfaces. Even though the Scoping Document requires this information in Chapter 3.7, impervious surfaces should also be considered and discussed in the assessment of stormwater management in Chapter 3.8, where it is also barely mentioned.

3.8 SURFACE WATER, WETLANDS AND GROUNDWATER

Comment 3.8-1 (Page 3.8-1, Figure 381): This chapter of the DEIS notes there are 2.12 acres of watercourses, but does not provide any illustration of their location to determine how they may relate to the proposed project. Figures 381 and 382 need to show these watercourses and how the wetlands interconnect.

Comment 3.8-2 (Page 3.8-1): The Scoping Document requires detailed information on watercourses that has not been provided in this chapter. This includes:

*“The physical and biological (including specifically vernal pool and stream biota) characteristics of the **streams**, ponds, and wetlands shall be presented along with their species composition, vegetative cover types, functions/benefits, and classification.”*

“Waterbodies to be evaluated will include any perennial and intermittent streams...Data provided for any streams will include flow rates and water quality. Flow data will be obtained from any available studies, and if needed through site visits and discussion with abutters to the streams and representatives in the Village.”

“Water quality data will be obtained for relevant streams and impoundments through existing data sources and an appropriate field sampling program. Specific water quality parameters of concern are bacteria, nutrients, temperature, dissolved oxygen, and turbidity...Data will be compared to applicable water quality standards.”

“All surface waters and streams, including intermittent drainages, shall be shown on a map and described in the DEIS narrative. These descriptions shall include a discussion of the watershed(s) as well as the physical, biological, and chemical composition of each water body on and adjacent to the site.”

The lack of this information is a glaring deficiency of the DEIS.

Comment 3.8-3 (Page 3.8-5): The analysis of stream impacts is woefully inadequate. The DEIS states, *“However, the Project would involve the crossing of intermittent streams with roads and their associated culverts as well as temporary disturbances associated with the installation of utilities.”* As can be seen in Figures 362a and b, multiple watercourses are covered by both roadways and residential lots. These figures depict “Impacted Rocky Headwater Stream Channels” with a thickened dashed line.

Comment 3.8-4 (Page 3.8-5): Table 364 in Chapter 3.6 reveals that the total length of existing “rocky headwater stream” on the project site is about 22,466 linear feet, and that about 7,215 linear feet (32%) is impacted by the proposed project. This is a *much* greater impact than *“the crossing of intermittent streams with roads and... temporary disturbances associated with the installation of utilities.”*

Comment 3.8-5 (Page 3.8-5): This information regarding the impacts on watercourses needs to be provided *in the chapter* that supposed to assess the impact on watercourses, rather than having the reader searching to find it in the chapter regarding Vegetation and Wildlife!

Comment 3.8-6 (Page 3.8-5): As the DEIS has noted there are 2.12 acres of watercourses, the impact should be expressed in acres in addition to the length of stream. The discussion should include the effect of this impact upon wildlife, including wildlife corridors, as well as stormwater transmission.

Comment 3.8-7 (Page 3.8-15): The DEIS provides very limited information regarding stream impacts on this page, noting that *“(a)pproximately 2,280 linear feet of temporary disturbance would occur within the 100-foot buffer to Wetland No. 1 for the purposes of installing a gravity sewer main and force main. It is noted that the area within which the disturbance would occur is already disturbed by an existing dirt road that has historically been the main access point on the property. Approximately 2,400 linear feet of various drainage channels or ephemeral stream would be piped or rerouted due to the development.”*

Not only does this limited description not provide any details regarding the nature of the “temporary disturbance”, the location(s) of the stream(s) impacted, any methodologies that would be used to minimize impacts to the streams, or any similar information about the “various drainage channels” and “ephemeral stream” that would be piped or rerouted, the total 4,680 linear feet of disturbance falls way short of the 7,215 linear feet of stream disturbance identified in Chapter 3.6.

Comment 3.8-8 (Page 3.8-15): The DEIS states, *“The Project does not have the potential to generate any significant adverse environmental impacts to regulated wetlands or surface hydrology and therefore no mitigation measures are required.”* This statement is demonstrably false by the points raised in the immediately preceding comments. Table 364 and Figures 362a and b demonstrate conclusively that 32% of the site’s watercourses will be directly impacted and covered by roadways, residential lots, and residential structures. This is a very significant adverse impact to surface water resources that *must* be addressed, and either avoided or mitigated. This is a fatal flaw in the DEIS that can only be addressed at this point by requiring a SEIS be prepared.

Comment 3.8-9 (Page 3.8-15): Paragraph (i) fails to respond to the request to address the impact of deicers on that would likely be used on roads and parking areas. Would landscape services be used to maintain common areas? If so, contrary to the statement in the DEIS, this could involve “significant use of pesticides or herbicides.”

Comment 3.8-10 (Page 3.8-17,18): The “Mitigation” discussion repeats the same false statements that impacts to streams would be limited to crossings and temporary disturbances, and that the project would not generate significant adverse impacts to surface hydrology.

Comment 3.8-11 (Page 3.8-20): The water supply demand was calculated based on the NY State Design Standard of 110 gpd per bedroom, but this standard does not take into account

the unique demographics of a Satmar Hasidic community. The lead agency has required that all sections of the DEIS consider the impacts that may be generated with the demographics that would likely occur with such a community. The water supply demand must therefore be calculated based on a per person basis in accordance with the highest case population projections (see comments 3.2-1 through 3.2-5 above) in order to satisfy this requirement.

Comment 3.8-12 (Appendix H, page 7): The Stormwater Analysis discussed in Chapter 3.8 is found in Appendix H. This analysis is heavily based on the amount of impervious surface and the amount of disturbed area where a change in vegetative cover has resulted in a change in the coefficient of runoff. In previous comments, a discrepancy has already been noted between the use of the figure of 140 acres for the developed project area and a calculated 198.7 acres for disturbed area. Appendix H further confuses this issue by using a figure of 165 acres for disturbed area. This issue needs to be straightened out and explained.

3.14 VISUAL IMPACTS AND AESTHETICS

Comment 3.14-1 (Page 3.14-1 & 7): Some of the visual impact analysis seems disingenuous. Table 3141 lists the vantage point locations that were identified by the co-lead agencies. Vantage Point 3 is 524 Clove Road, a residential property directly across from the existing Lake Anne Cottages. Figure 3141 indicates the view from this vantage point looking southeast, across an area that is proposed to be preserved as parkland. The DEIS then states on Page 3.14-7, *“From Vantage Points No. 3 and No. 4, located along CR 27, Clove Road, the Project would be visible during off leaf conditions. The visual impact from these Vantage Points would include largely obscured views of a single row of the proposed homes.”*

This statement is completely misleading. Yes, the view to the southeast would “include” views of homes in the distance. However, as is clearly illustrated in Figure 3142, the more important view would be to the east directly across the street, where one of only two major access points and a much closer group of residential buildings are proposed. As shown in Figure 1 earlier in these comments, project plans propose a cut into the side of what is currently a naturally vegetated hill with a mapped 25% slope, leaving behind a permanent cut face ranging from around 20 to 30 feet tall with a 50% slope. This tall cut would be clearly visible from Clove Road, which is designated as a Scenic Road, and from Vantage Point No. 3 (VP-3).

Comment 3.14-2 (Figure 3142): The fact that this clear and obvious impact was excluded from the visual impact assessment, especially in consideration of a specific request from the co-lead agencies for VP-3 to be assessed, comes across as a purposeful diversion to conceal a true disclosure of impacts. This then calls into question the voracity and reliability of the entire visual impact analysis. By not being in the field themselves, can any reader, any member of the co-lead agencies, any reviewing member of other interested and involved agencies trust that the impact would be far different by simply turning and looking in a different direction?

Looking further at Figure 3142, would the assessment for VP-6 come out differently if the direction of view is turned more southwest? Would the assessment for VP-7 come out differently if the direction of view is turned more northwest? Is any part of this analysis valid?

Comment 3.14-3 (Image 3141): Similar questions can be applied to the balloon tests. The single photo of a balloon test depicts the balloon next to a stand of trees. The location of this balloon does not appear to be identified. Do these or other nearby trees serve to block the view of the balloons from the designated vantage points? Will these trees be present in the post-development condition?

Comment 3.14-4 (Images 3142 through 3144): It should be pointed out that these are generated images, not photographs. The actual view, including the experience in the field, may be significantly different. That includes just how intrusive the massive amount of buildings depicted in Images 3142 and 3144 will appear from the hiking trail. Despite the conclusive statement in the DEIS, to a different eye, these illustrations demonstrate a significant adverse impact will occur.

Comment 3.14-5 (Image 3143): Likewise, Image 3143 also demonstrates that an adverse impact of undetermined significance will occur.

3.16 CONSTRUCTION AND RELATED IMPACTS

Comment 3.16-1 (Page 316-1): The summary of Geology, Soils, and Topography impacts ignores impacts on steep slopes as described in earlier comments.

Comment 3.16-2 (Page 316-1): The summary of Water Resources impacts ignores impacts on 7,215 linear feet of watercourses as described in earlier comments.

4.0 ALTERNATIVES

Comment 4-1 (Page 4.0-2): The DEIS authors need to explain how a development of 70 units would only preserve 50% of the property as open space. Is it being presumed that the owners of each 10-acre lot would develop 5 acres of each lot?

Comment 4-2 (Page 4.0-2): Individual homes on 10-acre lots would utilize individual private wells that are not tied into a public water system. None of these would be connected to a public water supply system, and therefore would not be able to supply to any other properties. It is therefore false for the DEIS to claim, *“Because the Project would have excess water supply from existing wells, this alternative could induce growth elsewhere.”*

Comment 4-3 (Page 4.0-2): The DEIS states, *“This alternative would also not be consistent with the community character in the Village, as only approximately 2% of parcels in the Village’s RR Zoning District contain a minimum lot size of ten acres.”* This is yet another misleading statement in the DEIS. By a strict count of the total number of lots, the largest percentage would of course be small lots. That’s because a large number of small lots can fit into a small area. However, by land area, the majority of the Village is composed of extremely large lots in excess of ten acres, as clearly illustrated with lots shaded yellow, blue and gray in DEIS Figure 344a, included here as Figure 4:

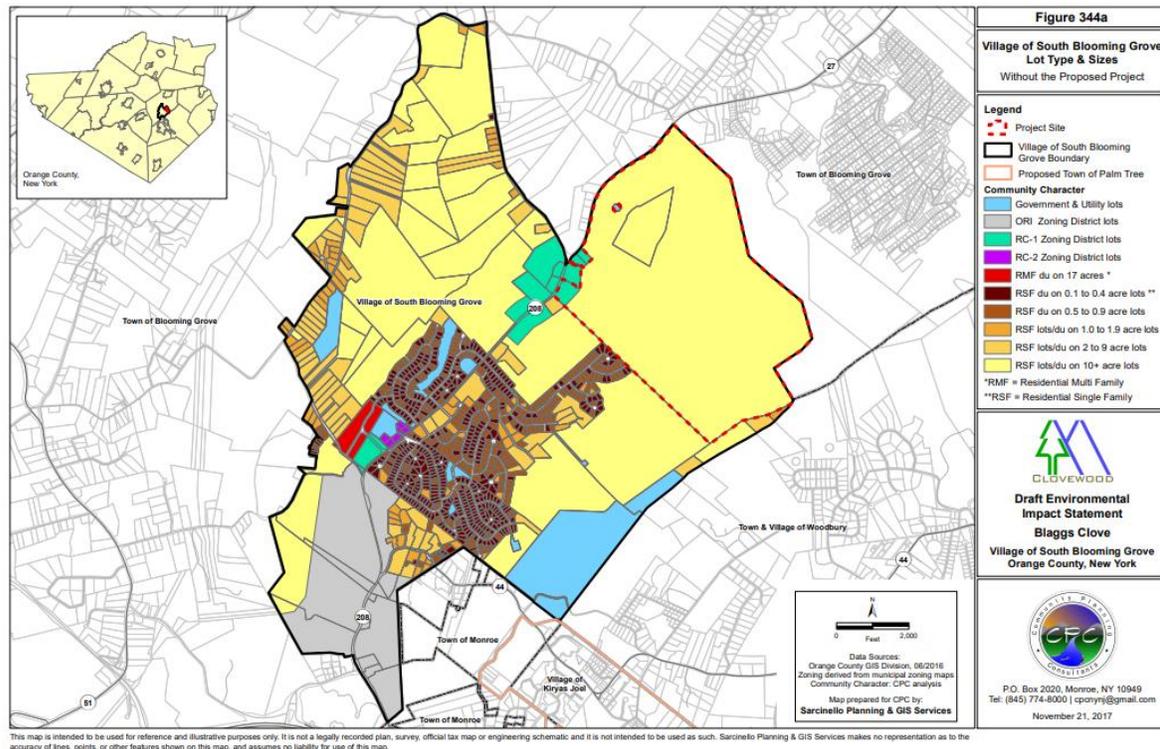


Figure 4: Village of South Blooming Grove Lot Types & Sizes

The existing character of South Blooming Grove is therefore rural and typified by lots in excess of 10 acres each, not small lots as claimed in the DEIS. This is further confirmed by the Zoning Code, as noted in the Scoping Document for the DEIS, which declares *“The Village of South Blooming Grove zoning code emphasizes an overall policy goal of the code is to maintain the rural character of the area.”* It is therefore false for the assessment of Alternative 4.2 to state that it would not be consistent with the community character in the Village. It would in fact be more consistent with the character of the Village than would be the proposed project.

Comment 4-4 (Page 4.0-2): The DEIS declares that Alternative 4.2 is infeasible because the sale of the raw lots would only generate \$13.3 million. It does not, however, identify the amount that might be generated from the sale of the developed lots, which the “developer” project sponsor presumably might be expected to do. If the expected revenues from the proposed project are from the sale of the developed lots, then the same should apply for this alternatives analysis.

Comment 4-5 (Page 4.0-3): Where is the requirement that the local Zoning Code “must” address the needs of nearby communities rather than the needs of its own? Whether a municipality is promoting exclusionary housing opportunities is based on the overall zoning and housing opportunities throughout the entire community, not a single property. A maximum density of one dwelling unit per ten acres on this property would not be exclusionary if opportunities for other housing types and pricing are provided elsewhere. Rather, providing for large lot development on this property can be considered to further the goal of providing *“an appropriate variety and quantity of sound housing to serve various age and economic groups,”* where providing *only* opportunities for high density development on small lot sizes would not.

Comment 4-6 (Page 4.0-3): The Town of Monroe Master Plan has no bearing on the proposed project in South Blooming Grove. Neither does whatever is done on Long Island, far from Orange County.

Comment 4-7 (Page 4.0-5): The DEIS analysis of Alternative 4.2 concludes, *“Because limiting development of the Project Site to 70 ten-acre single family lots would not meet present and future local and regional housing needs, would not provide any affordable housing, and likely would be invalidated by the Courts as unconstitutionally exclusionary and unreasonable; and because of the dire financial consequences and significant fiscal loss to the Applicant if the Project Site would be developed according to this alternative; the Low Density Alternative is neither reasonable nor feasible.”*

These conclusions overstep. There is no requirement (or possibility) that the totality of housing needs be met with each individual residential projects. This alternative would still add 70 homes to the local housing stock. As noted in Comment 4-5, the need to expand affordable housing types need not be met with every property as long as opportunities are being provided elsewhere in the community, and it is unlikely (rather than likely) that the Courts would invalidate the development of this property for 70 single family lots. Finally, as previously noted, the fiscal viability of this alternative has not been assessed under the circumstance of marketing developed lots rather than raw undeveloped lots. Accordingly, the conclusion, *“Accordingly, no further analysis is warranted for this alternative”* is itself unwarranted.

Comment 4-8 (Page 4.0-5 and -6): The DEIS states, *“The site layout as it relates to the roads, infrastructure and utilities would be the same as the proposed Project.”* If the layout would remain the same, but simply with less density, why wouldn’t Alternative 4.3 preserve *“open space in excess of the standard 50%”*? This statement makes no sense.

Comment 4-9 (Page 4.0-6): The DEIS again makes the erroneous claim, *“This alternative would not be consistent with the community character in the Village as approximately 90% of parcels in the Village’s RR Zoning District contain lot sizes of less than one acre in size, as shown in Figure 345 of Section 3.4.”* See Comment 4-3.

Comment 4-10 (Page 4.0-6): The statement, *“This Base Lot Count Alternative of only 340 lots/homes would probably not generate sufficient revenue over the investment and expenses to be approved by the U.S. Bankruptcy Court”* is obviously speculative, and should not be used as a reason to dismiss the alternative.

Comment 4-11 (Page 4.0-7): The points contained in Comments 3.2-1 through 3.2-5 apply to Table 42 as well.

Comment 4-12 (Page 4.0-7): Table 43 is based on a set of flawed assumptions, and is completely invalid. See Comment 3.2-7.

Comment 4-13 (Page 4.0-7): As pointed out in a great multitude of previous comments, the proposed project would result in a variety of significant adverse impacts that were not identified in the DEIS. Many of these can be mitigated through a variety of means, not the least of which is a reduced density that would allow for certain constrained areas to be avoided. The following statement from the DEIS is therefore not valid: *“Because the Project would not have the potential to generate any significant adverse environmental impacts in relation to land use and zoning, community facilities and services, historic and cultural resources, vegetation and wildlife, geology, soils and topography, surface waters, wetlands and floodplains, water and sewer infrastructure, solid wastes, noise and air quality, visual impacts and aesthetics, hazardous materials and construction impacts, there would be no benefit to the environment from reducing the Project to 340 lots.”*

Comment 4-14 (Page 4.0-8): Table 44 should be adjusted in accordance with the preceding comments.

Comment 4-15 (Page 4.0-9): In accordance with preceding comments, the points in the following conclusion are simply not true or require substantiation: *“These analyses confirm that as designed the Project would not have the potential to generate in any significant adverse environmental impacts. Of the potential alternatives, the proposed 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 U.S. Bankruptcy Court.”*

5.0 MITIGATION

Comment 5.1 (Page 5.0-1): Any proposed mitigation measures should be noted here, rather than generically referring back to the rest of the document. As has been noted in previous comments pointing out numerous unidentified adverse impacts, the assertion “*Because the Project would not have the potential to generate any significant adverse environmental impacts, no mitigation is required*” is ridiculous.

6.0 UNAVOIDABLE ADVERSE IMPACTS

Comment 6.1 (Page 5.0-1): Similarly, the assertion, “*The Project would not result in any unavoidable adverse impacts*” is also ridiculous. Unavoidable impacts include the removal of at least 175 acres of existing vegetation, the disturbance of 7,215 linear feet of watercourses, the disturbance of multiple acres of steep slopes, the covering of at least 56 acres of land with impervious surfaces, the fragmentation of existing wildlife habitat, and more.

7.0 GROWTH INDUCING ASPECTS OF THE PROJECT

Comment 7.1 (Page 7.0-1): Analysis in the DEIS has not demonstrated that “*water supply and sewage treatment capacity would not be sufficient to generate any significant excess capacity to induce growth on lands outside the Project Site.*” In fact, the existing data suggests that there may be. Such excess capacity could easily spur development on adjacent lands owned by the project sponsor. This section needs more than a mere statement to assert that there would be no growth inducing impact.

It is recognized that the project would enable the population of South Blooming Grove to double. It is difficult to believe that doubling the population would not create a demand for additional services and businesses to meet that demand. In fact, the quoted conclusion is in conflict with the earlier socioeconomic analysis that concluded that the post-development project population would increase economic activity to the point of having the “induced effect” of creating 230 new jobs.

9.0 ADDENDUM

Comment 9.1 (Figure 315c): Figure 315c is an upgraded version of Figure 315a, which was criticized in Comment 3.1-5. It is much improved, now showing watercourses and *some* trees with a 12 inch diameter at breast height (dbh) or larger. The depiction of trees is, however, limited to the portion of the property closest to Clove Road. It is presumed that similar trees are also present within other parts of the proposed development area as well. This is somewhat difficult to determine, though, as the depiction of the area of forest land is still inadequate. With colors added, some other information, such as steep slopes (now correctly labeled as 25% and greater, rather than 12% as on Figure 315a), is more readable. Figure 5 (following) shows a portion of Figure 315c that better depicts the steep slopes underlying areas of proposed development, as well as watercourses that would be covered by both proposed roads and lots.

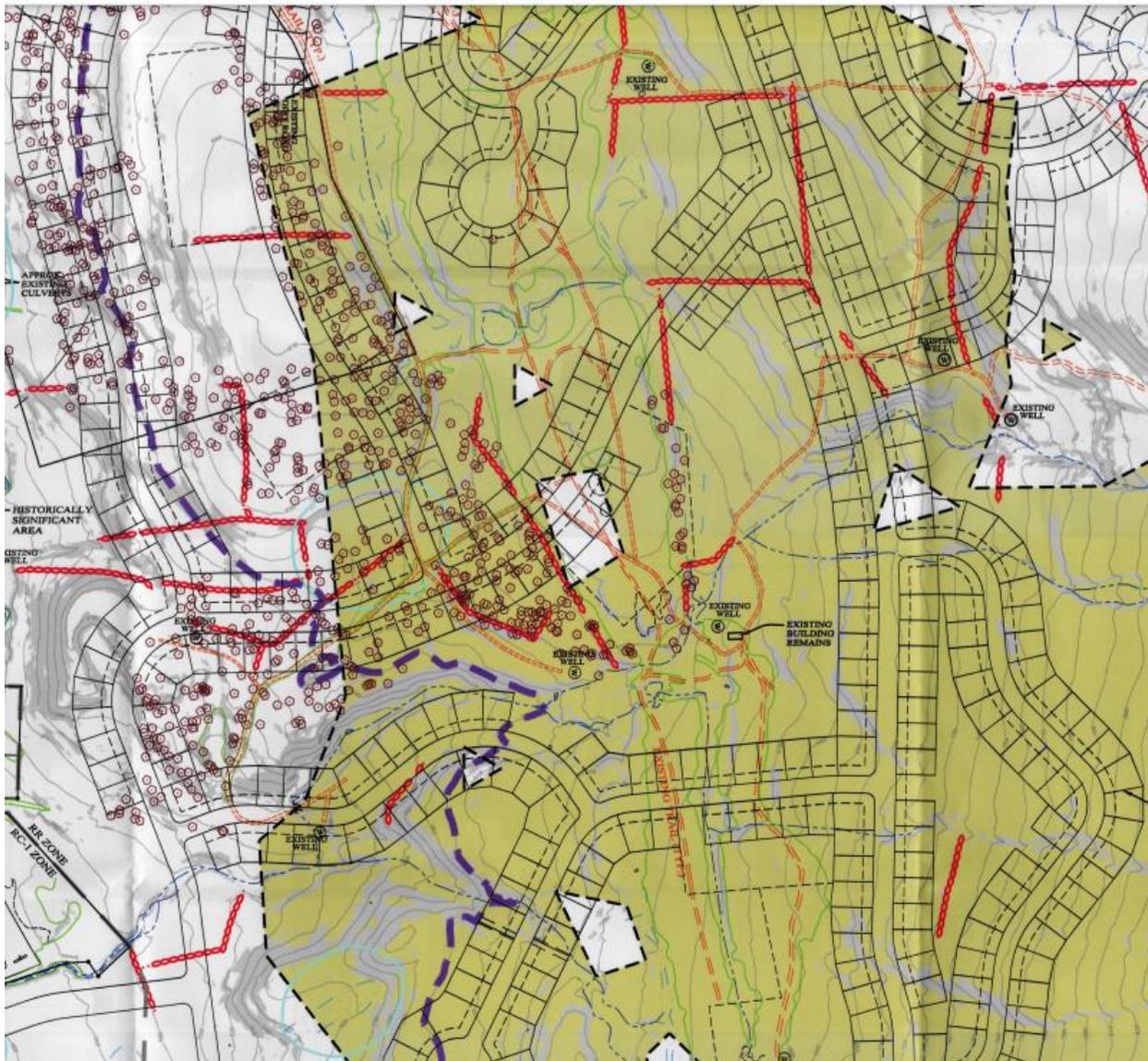


Figure 5: DEIS Figure 351c Portion Depicting Steep Slopes (gray) & Watercourses ()

Comment 9.2 (Figure 315c): As already noted, this map now labels the mapped steep slopes as 25%, where the same slopes had been labeled previously as 12%. This discrepancy needs to be explained. Assuming that the 25% labeling is correct, the slopes mapping needs to be adjusted to include slopes of 15% or more, the standard used in SEQRA reviews in New York.

Conclusions

The DEIS is significantly lacking information necessary to lead agency review. To start, by excluding any consideration of the impact on the 22 acres "reserved" for future development and the adjacent 160-acre parcel owned by the project sponsor, the current DEIS illegally violates the prohibition under SEQRA of "segmenting" the environmental impact review of the development of all property under the control of a single project sponsor into multiple, separate reviews.

The DEIS also completely ignores impacts on steep slopes, going so far as to falsely represent that no steep slopes exist within the development area. Likewise, the DEIS almost completely ignores the impact on 7,215 linear feet of stream, essentially not describing or analyzing the impact or extent of this disturbance in any way.

The fiscal impact upon governmental budgets is completely flawed, and needs to be completely redone from scratch.

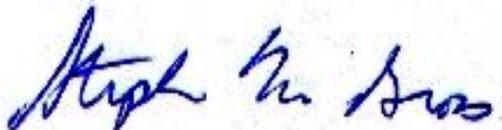
Other impacts, such as on community character, timber rattlesnake habitat, disturbance of vegetation, and more are understated or completely dismissed.

In short, the DEIS is completely inadequate, fails to provide critical information and analysis to the Planning Board as lead agency, and raises serious unanswered questions. As it now stands, the DEIS would not allow the Planning Board to take a "hard look" at the issues raised by the scoping document. The deficiencies are so serious as to rise to level of necessitating the preparation of a Supplemental Environmental Impact Statement (SEIS). To allow this information to simply be provided in an FEIS is to deprive the public their right to adequate review and comment as provided under SEQRA. SEQRA does not require the opportunity for public hearings or comment on a FEIS, and even if such an accommodation is made, SEQRA provides no mechanism to require response to any comments be made by the applicant.

It is therefore my fervent recommendation that, rather than moving on to the preparation of an FEIS, that the applicant instead be required to prepare an SEIS that will cure all the deficiencies listed above and in the detailed comments provided in this review.

Thank you for your consideration of my comments.

Respectfully submitted,



Stephen M. Gross
Principal
Hudson Highlands Environmental Consulting

cc: S. Blakeney
D. Salka
S. Shapiro

Commenter No. 41

Hanley, Barbara

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
August 10, 2020
Clovewood DEIS – Public Comment

Barbara Hanley – Spoke regarding water, see written comment attached.

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
January 5, 2021
Clovewood DEIS – Public Comment

Barbara Hanley – See attached.

Water is a primary determinant of Clovewood's feasibility.

The SBG water system must NOT be connected to Clovewood wells and any mention of SBG as a water source must be stricken from the FEIS, just as Kiryas Joel has. Even Addendum 9 clearly states there is insufficient water. Water restrictions have been imposed for decades. The 3 year usage, 2015-2017, was stable. Within the next year, the demand increased by 31% reflecting the change in demographics. As these demographics continued to change and large families are getting larger, the demand is growing and water must be trucked in at considerable expense. There is no expectation that the demand will decline. With 50 year old pipes, old wells, regular water main breaks etc, there is no reasonable expectation that SBG will completely meet its own needs, much less that of Clovewood.

Just as stated in the executive summary, accessory apartment development was based upon connecting to the municipal water system. *Without the original projected water supply of KJ and SBG, accessory apartments are not viable* and must be removed from the FEIS.

That leaves the six on-site Clovewood wells. There is no way for the reader to gauge the validity or reliability of the measures and projections. I worry that there is an overly optimistic presentation. As an example, the applicant's original projection of SBG water availability for Clovewood had originally been over 100,000 GPD.* That would equate to siphoning 69% of the water utilized by the Village to Clovewood, leaving almost nothing for SBG. Is this the kind of calculations which have gone into projecting Clovewood 's adequate water availability? Additionally, there have been complaints that personal well levels dipped and sludge came through the faucets.

Barbara Hawley

In summary,

1. Like KJ, SBG as a water source must be completely removed from the FEIS.
2. Accessory apartments are not viable without water and any mention should be stricken from the FEIS.
3. An independent assessor needs to test the wells simultaneously, with the general population made aware and feedback elicited regarding any unintended consequences.
4. IF ultimately, the developer insists that there is sufficient water, the developer, NOT Village, Town nor County, shall be financially accountable to truck in water or meet the needs of Clovewood and/or any negative impact on SBG.

There have been comments that expressing concerns about Clovewood is simply a desire to keep out the Hasidim. Water knows neither religion nor culture. The silence of the Hassidic members of SBG should not be taken as acquiescence. Because Hasidim do not challenge each other in public, our neighbors must rely on us to address mutual needs. The consequences of inadequate water is as problematic to the Hasidim as the general population of SBG and of course the future community of Clovewood.

Barbara Hanley

8/10/2020

*377,400 - 273,600 = 103,800 gpd

(377,400 - exec summary. supply for Clovewood if connecting to municipal; 273,600 - exec summary. supply for Clovewood without connecting to municipal)

(150,961 gpd addendum -SBG average demand 2015-2018= 55,100,861gpy / 365days)

At the present time, the nation is acknowledging the inequality between the races. Legislatures around the country are considering real estate regulation to increase multi-family housing to promote movement of people of color to more acceptable environments and better school systems. Clovewood will be lower cost housing but not open to those of color. Yet another segregated community for only Caucasians. Should Clovewood receive authorization, a percentage, perhaps 30%, should be set aside to persons of color.

Barbara Hanley

Clovewood



There are many major issues which make the Clovewood project untenable. The sole issue of inadequate water and its many consequences should be enough to sink the project as proposed. Clovewood itself has insufficient water. KJ has denied providing a supplemental source and SBG's major issue is inadequate quantity and quality of water and cannot provide for Clovewood. No water, no building. A little water, a few buildings.

Among the other significant issues is the endangered/threatened Timber Rattlesnakes, which call the area home. A study was conducted in 2008 and addressed again in 2018 by Randy Stechert, the Timber Rattlesnake consultant and licensed in Endangered and Threatened Species. Granted, not an endearing species near to our hearts, but listed by the NYS DEC, meaning that they are "in imminent danger of extinction or extirpation" (dec.ny.gov). "All such species are fully protected, including their habitat." (dec.ny.gov). "Protection of habitat is now a primary concern" (dec.ny.gov). We needn't love them, but we MUST protect them.

Thirteen (13) separate dens have been discovered along the southeastern mountain slopes. These dens are ancestral and date back 5,000-7,000 years and have specific characteristics which enable the snakes to survive the winter and more. The snakes are consistent in their return to their specific dens and don't migrate elsewhere. Thus, they cannot be caught and just put somewhere convenient. According to the report "Without these ancestral den sites, contemporary populations of Timber Rattlesnakes in the northern latitude could not survive." It is not solely the dens which must be protected but the "basking, gestating, foraging and mate searching habitat within a recognized 2.5 (max 4.0) mile radius of the identified den sites." (Rattlesnake report).

Of the 120 snakes found on the mountain, forty-three (43) individual rattlesnakes were observed on the land now referred to as Clovewood. Thirty (30) from a den on the property and the remainder just 35m east of the property, within the 2.5 mile radius. "As a result of construction activities that destroy a den site and/or a primary basking/gestating areas can lead to the extirpation of a local rattlesnake population." . (Additional surveys were discouraged on this land by the client.)

In recent years, the development of Brigadoon resulted in the loss of 50% of the Timber Rattlesnake population. I have personal knowledge of 2 families who lived there. Both loved their homes, but would not allow their children to play outside for fear of the rattlesnakes. Both families moved. How will the residents of Clovewood like the same experience ?

Enclosed is a page summary from the report, listing mitigation recommendations including a buffer zone and easement; clearing debris between now and March; spacing of homes, manicuring those areas, and public education. This can accommodate construction without impacting the Timber Rattlesnakes.

Barbara Hanley

364 Lake Shore

January 3, 2021

Commenter No. 42

Hanley, Michael

From: [Michael Hanley](#)
To: clerk@villageofsouthbloomington.com
Subject: Clove Road Housing Development
Date: Thursday, January 14, 2021 5:05:19 PM

To whom it may concern,

I am writing to express my extreme displeasure in the developments surrounding this development in question. You cannot expect this proposed development to have zero to little visual effect on the area, not to mention the increased traffic, drain on the natural and taxpayer resources, and overall further expansion of the original development. I drive by Kyrias Joel twice a day and I'm appalled by the rapid and continuous growth of that development that has led to so many community issues and destruction of the beauty of the Monroe area.

If this development gets approved, it will no doubt have a negative effect on the BG community and the surrounding small rural areas like Campbell Hall and Hamptonburgh.

Please vote this development down and never bring it up for a vote again.

Regards,

Mike Haney and Family

Sent from my iPhone

Commenter No. 43

Harris, Jessica

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
December 3, 2020
Clovewood DEIS – Public Comment

Jessica Harris, 57 Horton Road: opposes project; concerned with impact on Satterly Creek. Also feels development would negatively impact local wells and is concerned about sewer discharge; traffic will also be impacted.

Hello,

I'd like to hear the meeting regarding clove wood, and voice my concern for the wastewater being dumped into Satterly Creek as I use this water to irrigate my vegetable garden.

Thank you

Jessica

[REDACTED]

Jessica Harris - email

Commenter No. 44

Hatzis, Laura

To all,

Upon review of the Draft Environmental Impact Statement, I have concern over our wetlands, run-off and water quality. In Section 3.8, a map from the NYS DEC is included that shows the freshwater wetlands and a map of the wetlands with proposed housing.

I am concerned that with additional building, the remaining wetlands will be disturbed. The map on page 3 clearly shows the remaining ponds very close to the road and homes. On Page 4 it is stated that "The Project would not include construction, grading filling, excavating, clearing or other regulated activity on the wetlands as well as within 100 feet of the NYSDEC wetland boundary".

I find it difficult to believe that all of the demolition of existing buildings and construction of the proposed homes, community centers, bath houses, 300 spot park and rides, 22 acres of commercial space, the treatment plant, that construction (as per "2.0 Project Description, construction schedule over an 18-24 month period), will not come anywhere near these ponds.

Even with laymen's eyes, it is clear this development should be scaled down to prevent the decline of environmental conditions, yet to be realized.

Sincerely,
Very Concerned Resident,

Laura Hatzis



Commenter No. 45

Henry, Edna

From: [Edna Henry](#)
To: clerk@villageofsouthbloomington.com; [ednahenry13](#)
Subject: Clovewood development
Date: Thursday, January 14, 2021 10:11:02 PM

As a resident and taxpayer I strongly oppose this development. What about those of us who have worked hard to establish our homes in this area, only to be run out to make room for folks who will turn this area into an over-crowded ghetto.

What about water shortages, traffic backups, school tax increases (more students, more taxes) .Who will be paying the taxes?

We the taxpayers should have some rights. I stand up against this atrocity. Thank you for your kind attention to this matter.

Signed: Edna Henry

Commenter No. 46

Hickey, John

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
August 10, 2020
Clovewood DEIS – Public Comment

John Hickey – He moved up to the Village 30 years ago from the Bronx hoping to find a countylike setting and I thought that I found it. In 2006 myself and a couple other folks founded this Village because we wanted to ensure that the character would remain the same for the coming years. That has changed, I don't believe that this project can be sustained by the Village infrastructure, the police, water, fire, roads. It is just impossible to think that the Village will not be seriously impacted by the development of this project.

Commenter No. 47

Higgs, Victoria

From: [Victoria Higgs](#)
To: [Clerk](#)
Cc: cuponorange@gmail.com
Subject: Say No to the Clovewood Development/Save Schunemunk Mountain
Date: Friday, January 15, 2021 3:42:48 PM

This project sounds like an environmental disaster. The preservation of natural resources, spaces and trees should be given priority over development, especially in the face of climate change and its increasing affect on our lives.

Victoria Higgs

Commenter No. 48

Hiller, Paula

Clerk

From: Paula Hiller <[REDACTED]>
Sent: Thursday, July 30, 2020 5:32 PM
To: Clerk
Subject: Re Water

I have messages on my phone regarding water conservation from the mayor. If we are so short of water how can we add 600 homes plus accessory apartments to our water supply. If you do not wish to answer this now.....please put it in your questions to be answered at the meeting, although I would appreciate a response now.....'cause this just totally blows my mind .

Commenter No. 49

Jacewicz, James

Dear Village of South Blooming Grove Planning and Village Boards,

Thank you for the opportunity for me to provide you with my comments on the Clovewood Draft Environmental Impact Statement, which I reviewed online at its website www.Clovewood.com. I have been a resident of South Blooming Grove for many years and raised a family here. When I heard that there was a large project proposed just around the corner from where I grew up and now reside, I was curious to learn all of the details in regard to its proposal. I found its website, downloaded the sections and read as much as I could without overdoing it since there appears to be about 50,000 pages.

I reviewed all of the sections and found that the DEIS does address all of what it calls resource areas. While many posts online seem to be discussing traffic, water supply, sewer and community character, it is my opinion that the DEIS addresses all of these issues. What I am most happy about is that there will now be more jobs in our 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. I am thankful for all of the new jobs I have been given over the past few years since more people started moving to South Blooming Grove and I am excited to get more opportunities moving forward.

Thanks again for everything you do for our Village,



Jimmy Jacewicz



Commenter No. 50

Jeroloman, Robert

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
August 10, 2020
Clovewood DEIS – Public Comment

Supervisor Jereoloman – He is here on behalf of the Town of Blooming Grove. The Town of Blooming Grove has a number of concerns regarding the project. The aquifer here has been in jeopardy and has been for many years. The aquifer has no set order, the Village of South Blooming Grove water does not stop the aquifer from South Blooming Grove entering the Town of Blooming Grove. There are a lot of concerns we have besides traffic impact and other regards to the Town of Blooming Grove is the aquifer. I constantly notice that the applicant doesn't talk about Orchard Lake Community Water System. They are on the same aquifer, they are just north of the property that is in question. When they did tests there was no monitoring of that well. There was monitoring of wells on Clove Road which were Town residents. When they did their actual pump test the artesian well, which we know as Deer Park Well, went dry for over a week until it was unable to recharge and also the residents on Clove Road had disturbance, turbidity in their wells, they lost pressure in their wells. These are wells only for homes. The DEC recognizes that the project proposed a combination of total withdrawal of 550,000 gallons per day, that is for the 600 units and this would place the aquifer in a deficit and this on the May 28, 2020 response from the DEC. 550,800 gallons per day is not acceptable because it would put the aquifer into a deficit. This has to be carefully noted. Again the Town asks the Village of South Blooming Grove keep the Town of Blooming Grove involved and also because we are an interested agency in this as we are your neighbor and the aquifer does go into the Town of Blooming Grove. The Orange County Department of Planning also talks about the 600 primary dwelling units with the 600 accessories and they are stating the likelihood would resolute in significant environmental impacts to the roads, streams, ground water aquifer, public water for the Village of South Blooming Grove and the Town of Blooming Grove. The applicant also states that if they do not hook up to the sewer system that is pumped down to the Harriman Waste Water Treatment Plant, which cannot accept any more flows right now, it would consider a package plan. Back in the 1970's, the Town of Blooming Grove recognized which is now known as the Worley Heights, Cedar Hills, Merriewold Lake and Capital Hill, the treatment plant that is located where Village Hall is now could not handle the flows. It was also contaminating the stream known as the Satterly Creek. It also affected the Merriewold Lake which is owned by the Village of South Blooming Grove and also the tributary to the Satterly also went to the Moodna. In the Town of Blooming Grove, Tappan water wells are located off of the Satterly Creek. That is one of the concerns that contaminates from this treatment plant were entering the Satterly Creek and affecting the drinking wataer wells of Tappan. That is why in the Village of South Blooming Grove they created a pump station, went out for a Grant and hooked up to the Harriman Waste Water Treatment Plant. To allow the applicant to put a plant here again in an unnamed tributary that goes into the Satterly that mostly runs dry. That means the affluent coming out of there, most of it would be treated water and that would be what would be in that a tributary going into the Satterly. Again this endangers those wells that feed the Tappan Water System. He asks the Village Board and Planning Board to keep the Town of Blooming Grove noticed and involved in anything moving forward on this project because of the direct impacts to the Town of Blooming Grove.

Town of Blooming Grove

Supervisor

Robert C. Jeroloman
FAX (845) 496-1362

Council Members

Steven J. Amante
Sonia Ayala
Thomas DeVinko
George R. Doering, Jr.
Cathy Gregg-Acevedo
Charles Quick

Highway Superintendent

Wayne Kirkpatrick
(845) 496-3816
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P.O. BOX 358 • 6 HORTON ROAD
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(845) 496-5223 FAX (845) 496-1787

Town Clerk

Darlana E. Decker
(845) 496-3895

Receiver of Taxes

Nancy Glynn
(845) 496-6670

Assessor's Office

Moses Fridlich
(845) 496 -7601
FAX (845) 496-1945

Town Comptroller

Marilyn Karlich
(845) 496-5223 ext. 351

December 1, 2020

George Kalaj
Mayor
Village of South Blooming Grove
811 State Route 208
Monroe, NY 10950



Dear Mayor Kalaj,

I am writing to inform you that the Town of Blooming Grove has been contacted by Town residents who reside adjacent to the Village border in proximity to the proposed development project known as "Clovewood" and / or "Lake Anne". These residents have expressed many unanswered concerns regarding the potential impact(s) to their homes, quality of life, availability of drinking water, and other environmental concerns that this project will bring to this area of the Town. Additionally these residents desire that their voices be heard and they are seeking the opportunity to do so at the public hearing that will address the environmental review of the project.

I am informed that some residents received correspondence that was prepared by the Village Clerk of the Village of South Blooming Grove that advised residents that the Village "will now continue the Public Hearing at 7:15 p.m. on Thursday, December 3, 2020 at the South Blooming Grove Fire House, located at 815 Route 208, Monroe, New York 10950. Due to the COVID-19 crisis, special arrangements for the Public Hearing will be observed as outlined below." The letter also references that "all persons seeking to attend the Public Hearing must be wearing a face mask and observe the social distancing directions posted within the Hall." In contrast to the letter, a few days ago the Village posted that there would be a "special meeting" of the Village Planning Board and Village Board. A link leads to another document that describes the meeting as a "Joint Public Hearing" but contains no public hearing notice, but only a hyperlink with a meeting id and password. I am also informed that the required published notice in the newspaper also referenced the location as the South Blooming Grove Firehouse.

As you are aware for a meeting and / or Public Hearing to be properly noticed and successful the Village must publish and post a notice with one (1) set of instructions as to the where, when, and how interested persons should attend. At this point, the Village has sent out one notice and posted a different notice that contradict each other and fail to meet the minimum standards required for noticing a meeting and / or a Public Hearing. The Village has advised residents that they are to register to attend a meeting at the South Blooming Grove Firehouse in person and without any revocation of that notice, the Village has advised residents that public hearing will be conducted by via Zoom. These conflicting notices collectively fail to properly apprise the public of the location of the public hearing and do not constitute proper public notice as contemplated under law. As you may be aware, a challenge to the public notice may result in any actions taken at such meeting/hearing being nullified.

An additional concern that Town residents have brought to the Town's attention is that the Public Notice that was received announcing the Public Hearing stated on page two (2) "The Project Sponsor is

requesting approval for a Transportation Corporation and acceptance of dedicated land by the Village Board". Our Town residents have brought to the Town's attention that the Village Board adopted resolutions on November 23, 2020 authorizing a sewer and water Transportation Corporations for the Clovewood project. Your notice for the Public Hearing, besides to hear from the public in regards to SEQRA and any and all environmental impacts from this project, the Public Hearing was to hear from the public in regards to these Transportation Corps for water and sewer. The Village Board took action (at your November 23, 2020 meeting) and adopted a resolutions prior to hearing from the public at the Public Hearing to hear any and all concerns related to these transportation corporations. These resolutions are flawed because they occurred prior to the Public Hearing and prior to hearing from the public any and all concerns related to these Transportation Corps. If someone with standing challenged the actions taken by the Village Board by adopting these resolutions the actions of the Village Board in regards to these resolutions would fail.

At previous Public Hearing for the Clovewood project, I attended it on behalf of the Town of Blooming Grove and as Town Supervisor. I made a statement that as the County of Orange Planning Department had stated in the response to the GML 239-l, m and n review of the Clovewood project that there are direct impacts to the Town related to this project and the Town is an interested agency that is to be informed on any and all determination that the Village Board and/ or Village Planning Board has made as it relates to these impacts to the Town. Additionally the New York State Department of Environmental Conservation stated in their report that the Clovewood Project as proposed would withdraw in excess of approximately 580,000 gallons of drinking water per-day from the aquifer that only recharges in total of approximately 505,000 gallons per day. This aquifer serves the Village of South Blooming Grove (including but not limited to the Village's own municipal wells) and the residents and a community water system that is located within the Town of Blooming Grove. The proposed Clovewood project would withdraw in excess of approximately 580,000 gallons of drinking water per-day and the NYSDEC report did not take into consideration the preexisting drinking water wells that are removing drinking water from the aquifer already on a daily basis. To date the Town has not received any data requested as to the amount of drinking water that is withdrawn from the aquifer from preexisting drinking water wells, including but not limited to the Village's municipal drinking water wells and what those impacts are on the aquifer.

Lastly, I am informed that at least as of today the clovewood.com site (which the Village advertised as having the SEQRA document available) was not functional and therefore residents wishing to be heard on the DEIS and related documents cannot not access the very documents that are the subject of the public hearing. As the Village recognizes, individuals should not have to come in-person to review the documents, yet the only available alternative access does not function, precluding review of the SEQRA documents. As you may be aware, the SEQRA state regulations require that these documents be available on a website accessible to the public. See 6 NYCRR 617.12(c)(5).

Accordingly, we would urge the Village to re-schedule the public hearing upon proper notice and with proper and functioning access to the SEQRA documents. The Town Board of the Town of Blooming Grove is always ready, willing and able to assist the Village on the proper review of all impacts that this project may and / or may not have on the Village and the Town as a whole. If you would like to work with the Town in regards to this matter please feel free to reach to us at any time.

Thank you for your time and consideration.

Sincerely,



Robert Jeroloman
Town Supervisor

Cc: Town Board
Town Clerk
Village Clerk
Attorney: Scott B. Ugell, Esq.
Town Attorney: Brian Nugent Esq.

Commenter No. 51

Johnson, Edie

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
August 10, 2020
Clovewood DEIS – Public Comment

Edie Johnson – We are in the midst of a pandemic and we should be listening to it and our environment and our growth be sustainable should be first thing on all of our minds. All should be having courses in sustainability, otherwise we are just not going to make it. The “only” visual impact in the DEIS was from Schunemunk State Park. That is one of our two greatest jewels in the Town. When you start impacting that it is a big deal. The accessory dwellings, it is her understanding that the Village only allows accessories under strict circumstances. She does not believe this project is anywhere near sustainable if the accessory dwelling portion is taken out. She lives on a farm with three tributaries from the Satterly and it boggles her mind that anyone let alone the NYDEC would allow sewage affluent to go into intermittent streams and tributaries that are empty throughout the year. Over the past few years it has proved that when you disturb an aquifer too much you get what is referred to as “dead water”. It is called that because the microbial balance at the bottom of the aquifer gets disturbed and can no longer regenerate. No water, no community. We have to be sustainable.

From: [Eddie Johnson](#)
To: [Clerk](#); [Robert Jeroloman](#)
Subject: Letter Regarding Clovewood Development DEIS
Date: Thursday, January 14, 2021 9:57:52 PM

Dear Mayor Kalaj and Village of South Blooming Grove Trustees

January 14, 2021

Thank you all for extending the public hearings and opportunity to send written comments so that the many thoughts of residents can be heard.

VISUAL IMPACT STUDY

First, I believe our spectacular views in Blooming Grove are the jewels of the Town. They are why people come here and why they fall in love with it and want to live and raise their families in this beautiful rural environment. Those jewels are 1. The view from the Intersection of Round Hill Road and Route 94, 2. The view from the intersection of Route 208 and Woodcock Mt. Road. 3. The views along Clove Road and especially of the Moodna Trestle, and 4. The views from Schunnemunk Mt. down the hillsides toward the Lake Anne/Clovewood site, as well as our numerous remaining farmland including both the large significant ones (Pine Hill Farm, Roe's Orchards and Udderly Farm.

When the visual impact studies were done about 3 years ago there were problems upon problems upon problems the day the study was supposedly being donein determining the visual impact that the project would have, especially on the view from the corner of Route 94, which is the MOST often seen spectacular view as people drive through town, and the view from Schunnemunk. Cars are frequently parked at the 94 Intersection for people to look and photograph the expansive Ridge. On the day that the studies were supposed to be done, it being one of my 2 favorite views in the world (the other being the Trestle), I spent 3 hours trying to determine whether a test was being done. NO ONE from the developers group ever came to take any photo. So, I drove from the Round Hill/94 corner to the Clovewood site numerous times. The study was said to be delayed and delayed but by noon (when the study was supposed to be done) I STILL saw no balloons on the property, except for one lonely balloon in a low spot between 2 of the cottages (not a valid test at all), and no one from the intersection where the impact was supposed to be checked. A friend was with my part of the time and actually took drone photos from 94 over to Clove road and they showed the edge of the site, but NO balloons. He waited there in case anyone showed up while I drove up to Clove Rd. When I told the Village Board, they said that they and the Village of South Blooming Grove Planning Board were well aware..... that the Visual Impact Study was full of flaws and would definitely have to be redone. To my knowledge there was NO notice of the study been redone, or planning to be redone. I can only assume that it was not. This study is required to be done in mid-Winter when the trees are bare of leaves, so if it were to be redone it would have to be before Spring leaves start to show.

IMPACT ON VIEW FROM SCHUNNEMUNK MOUNTAIN

Further, the photos in the DEIS have shown the clusters of homes from the view of the top of Schunnemunk Mountain. With this being Blooming Grove's ONLY entrance to the State protected parkland and the environmentally important tourist gateway to everything this part of the county has to offer for those who hike and love the views, I cannot understand how you dare to say there would be no significant impact on the views. Perhaps you don't, but environmentalists and tourists know that WHEN A PRISTINE VIEW HAS A BUNCH OF UNNATURAL HUMAN MADE THINGS PUT IN THE MIDDLE OF IT, IT IS NO

LONGER A PRISTINE VIEW. Therefore, you could ruin our burgeoning tourism gateway that supports an environmentally friendly and sustainable culture and future for ourselves, our families, our visitors and future generations. Even massive fencing and 40 ft. trees could probably not block the view of this development if built to the proposed size. There are many other problems with this proposed development, but they have been eloquently described by others.

PLEASE DO NOT RUIN OUR VIEWS OR OUR WATER, THEY ARE WHAT MAKES OUR COMMUNITY SPECIAL. In fact, this is why we have the name "Blooming Grove".

IMPACT ON FARMLAND, WATER, GROUND AND AIR FROM SEWAGE EFFLUENT INTO THE SATTERLY CREEK

Secondly, I am an owner of one of the farms affected by the Satterly Creek and its many small tributaries. My property has many small tributaries that gush when there is a heavy rain and especially if there is snow melt, because of the extensive granite ledges along the ground's surface. The water runs in about 4 rivulets when things are wet, and ends in a small marshland in late Fall and early Spring...but it is entirely dry from the end of May through Summer and into Fall. I can't even comprehend the idea of putting sewer effluent into a creek that goes through numerous nearby arms and behind many homes and branches into numerous small tributaries as it travels to the Round Hill Marsh and Moodna Creek. The flows through my property could harm my several horses and contaminate both the ground and air on my property as well as other neighbors along its way through an area which has already been named an important Biodiversity Corridor, which without clean water could not survive.

Sincerely,

Edie Johnson
53 Round Hill Road
Blooming Grove, NY

Commenter No. 52

Johnson, Kristie

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
December 3, 2020
Clovewood DEIS – Public Comment

Kristie Johnson, 11 Amy Road: the amount of houses is unnecessary and environmentally devastating; DEIS is outdated and incorrect; concerned with noise and light pollution.

Commenter No. 53

Jones, Guy

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
January 5, 2021
Clovewood DEIS – Public Comment

Guy Jones – Blooming Hill Farm. He feels this is not a time to discuss such an impactful event. Local development has global implications. As a farmer he aware of how things evolve and he has been farming here a while. He used to cut the hay at Lake Anne. The ground at the Clovewood property is poorly drained. There is water on the top but there is nothing below. The water runs off the hill, down through the field and there is a little tributary that runs through his farm and meets the Satterly Creek which is the main creek through the valley. It is a seasonal creek. This summer it didn't rain much and the creek was down to nothing. A week ago, we had snow and rain and the water was so high it took out one of his bridges and this has happened numerous times. It is a very mercurial creek, very fickle, it comes and goes. When Mr. Green had a bungalow colony, he had to dump sewage into it and they always had a water problem, Orchard Lake, Tappan Hill, Merriewold, Worley Heights have always had water issues. We are very concerned as farmers and organic farmers about the quality of water we use to irrigate and we are quite certain that no local sewerage plant would do a good enough job to be able to live with it. I hope that you take more time to look at this project with good governance. Being down stream we are very concerned of how we will be affected by this.

Commenter No. 54

Kafka, Brandon

From: [brandon kafka](#)
To: clerk@villageofsouthbloomington.com
Subject: DO NOT GIVE IN!!
Date: Friday, January 15, 2021 2:37:35 PM

For not let another kiryas Joel happen here. Trust me I had worked in that village for 5 years. I have watched countless laws broken. I have seen garbage launched out of second story windows. I have seen absolute fire hazards in just about every building they built yet some how they get their permits and build. Dont fall for there games or lawsuits! Stand strong and preserve our community!

[Sent from Yahoo Mail on Android](#)

Commenter No. 55

Kiernan, Johanna

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
December 3, 2020
Clovewood DEIS – Public Comment

Johanna Kiernan on behalf of Jay Beaumont and the Moodna Creek Watershed Intermunicipal Council, see attached comments.

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
January 5, 2021
Clovewood DEIS – Public Comment

Johanna Kiernan – See attached comments.

Village of South Blooming Grove
Clovewood DEIS Public Meeting

January 5, 2021

Good evening to the Village of South Blooming Grove Town Board and the Planning Board Members.

I have previously spoken on behalf of the Moodna Creek Watershed Intermunicipal Council. The Council thanks you for hearing their concerns and recommendations.

I speak now for myself as a resident of the Town of Blooming Grove and a resident of the hamlet of Mountain Lodge Park. As you have heard numerous times, the residents are concerned about the development of Clovewood. This development will directly affect the daily quality of our lives and the lives of Clovewood's future residents. The Village of South Blooming Gove's Planning Board has the task of reviewing the Draft Environmental Impact Statement, collecting the concerns of residents, and providing this information to the Community Planning Consultants which developed the DEIS.

This I am sure has been a challenging task, ongoing since April 2018.

I have read the DEIS, the Addendums and as Vice President of the Residents Association listened to the concerns of the residents of Orchard Lake Park, Mountain Lodge Park and Glennwood. As a member of the Town's Conservation Advisory Commission and a drafter of the Town's Natural Resources Inventory I was part of numerous discussions on the larger impact of this development.

The main concerns are the number of proposed homes, the water impacts including sewage and storm water on the development itself, the Village, the surrounding residential areas, and the Moodna Creek Watershed. This also includes the traffic, additional road usage, the protection of sacred land within the development, the protection of Schunnemunk Mountain and the surrounding area.

With an estimated 80% of the 708.2 acres dedicated to open space and 20% proposed for residential, these concerns will hopefully be addressed. We all want to enjoy the rural character and natural beauty of the area. These are attractions the developers should cherish. Why else would you move here?

We can now only trust that the developers will be guided by the concerns documented at the public hearings and, yes, the 20 plus county, state and federal agencies that will oversee this project!

I thank the Planning Board for their efforts on behalf of the residents.

Thank you.

Johanna Kiernan

Commenter No. 56

Killeen, Michael

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
January 5, 2021
Clovewood DEIS – Public Comment

Michael Killeen -See attached

From: [COSMO](#)
To: [Clerk](#)
Subject: Stop Clovewood
Date: Friday, January 15, 2021 1:45:13 PM

Our community has spoken. There is no moral rationalization for the destruction of Schunemunk Mountain.

Save our community. Say NO to Clovewood.

Michael Killeen
Heidi Von Thaden
24 Sands Point Rd.
Washingtonville, NY 10992

January 5, 2021

Good evening and Happy New Year. My name is Michael Killeen. I live on Helms Hill in Blooming Grove. I am the administrator of the Friends of Gonzaga Park Facebook page. I created the page for people to share photographs of Schunemunk Mountain, from Gonzaga Park to the Moodna Viaduct. I've been a volunteer trail maintainer on Schunemunk Mountain for 30 years.

I'm speaking this evening to express **my strong opposition** to the proposed Clovewood mega-development.

The scope of this development would greatly diminish the quality of life for current, **and future** residents of Orange County, Blooming Grove and the surrounding areas. Water continues to be an issue. Numerous experts have testified that the aquifer cannot sustain the increased usage, and the proposed development would undoubtedly stress the already compromised water supply.

Increased vehicle and pedestrian traffic on Clove Road and 208 will exacerbate these already congested and dangerous roads.

The **entire community** would be better served if the state would expand Schunemunk Mountain State Park and Orange County's Gonzaga Park. Anyone who has hiked on Schunemunk Mountain has experienced the uniqueness of the area. The state has seen an upsurge of visitors to nearby Harriman State Park and Schunemunk Mountain would provide much needed additional open space and a natural refuge for future generations. Once this natural treasure is destroyed, it can never be fully recovered.

It has also been reported that the development will be marketed to a specific cultural and ethnic group. This is **clearly illegal and definitely un-American**.

We must insist that the South Blooming Grove Village Planning Board respect the "Status Quo", and adhere to established sustainable development requirements.

The current administration in The Village of South Blooming Grove seems disinterested, and annoyed with the residents of their village, and neighbors in the town of Blooming Grove, who are fighting for the preservation of their beloved community.

Local government officials are expected to make decisions that **benefit and protect the entire community**. Not just a specific group, or self-serving developers.

Thank you for your consideration and please, Save Schunemunk, and **Stop Clovewood**.

Commenter No. 57

Kitzrow, Kaitlyn

From: [Kaitlin Kitzrow](#)
To: Clerk@villageofsouthbloomington.com
Subject: Clovewood DEIS Public Hearing written response submission
Date: Thursday, January 14, 2021 5:30:46 PM

Dear Ms. Dougherty,

I hope this email finds you well. I am writing to submit a response to the Clovewood Draft Environmental Impact Statement as part of the Public Hearing period.

The document raised multiple questions for me on the logic and accuracy behind its statements. Though these are not my only hesitations with the document, I'll highlight three areas of concern here:

1. The document argues that the Clovewood project would address a demand for affordable housing, but I didn't see any evidence to support or illustrate the magnitude of this need. I also didn't find any explicit statements on the anticipated asking price for these homes, other than a vague table showing how reducing lot size theoretically reduces home cost. Since I moved into my home in February 2019, I have continued to follow listings in the area and have kept a casual interest in our housing market. Even when demand for homes just outside of NYC skyrocketed at the beginning of the pandemic, our area did not experience much of an increase. More homes were listed (perhaps as a result of foreclosures), but they were not getting snapped up as in other areas in the news. For example, a house on our street was listed in March of 2020 and was not closed on until Nov. 2020, at a fraction of the asking price. This suggests that the demand is not as great as the DEIS claims. I would request that the planning board carefully consider metrics and engage analysts from the state housing department to determine need independently before considering whether the proposed Clovewood development adequately addresses this (if any) need.
2. The DEIS suggests an option to expel wastewater into a tributary that connects to Satterly Creek, which flows into Moodna Creed in Washingtonville. Satterly Creek runs beside my property, and I can tell you from experience that it is nearly dry much of the time, especially throughout the summer. Moodna Creek, likewise, is slow-moving and as such is prone to flooding during periods of high precipitation. Neither of these make for ideal conditions to move effluent. The DEIS does not clearly identify what was considered an "impacted area" in its testing or what the water level was during testing, but I do not believe the tributary to Satterly is a viable option based on my daily observations of the creek and its capacity. The document states that this approach was used when the project site was operated as the Lake Anne Country Club, but I want to highlight two problematic assumptions: first, that Satterly Creek used to be dammed (remnants of this remain on our property and oral history from prior owners recall learning to swim in the creek, which would be impossible even in its highest average state now); and second, that there was a shift in the water table in the 1970s or 80s as a result of an earthquake, which caused the natural spring on Rt. 208 to change from a gushing stream to a trickle. I have been told

that the spring was once owned by a bottling company but was later abandoned once the output became unprofitable. We know as residents that the water levels in South Blooming Grove are insufficient for the current population, let alone the additional capacity demands any new development would create. I offer these two anecdotes to highlight our changing environment and to encourage both the developers and the planning board to check assumptions made using outdated and insufficient data.

3. I am skeptical of the estimates used to determine the impact on our population size and school district. The DEIS asserts that the proposed Clovewood project would combat decreasing population, though the census data it references may now be nearly 20 years out of date (and housing may not be the solution, per my first point). At the same time, the highest estimate for school-age children per household is 2. Based on the number of bedrooms in each unit, I believe a more accurate (though still conservative) estimate would be 3. Multiplied by the proposed 600 units, this could add 1,800 children to the district. According to the WCSD website, the current student population is around 4,500, meaning the development would increase the student body by 40%. As a resident who hopes to have at least one child in the WCSD system in the coming years, I am concerned about whether our school district has the capacity to grow at this rate. Even if a majority of children living in the proposed Clovewood development chose alternative educational options to the public school, the increase in school-aged children will have a drastic impact on education costs and taxes. Again, I encourage the planning board to consider whether and at what rate it seeks to grow our population to avoid adverse affects on our students and school system.

Many thanks for your consideration of these comments, and please feel free to contact me should you have any follow-up questions,

All the best,

--

Kaitlin Kitzrow
120 Round Hill Rd

Commenter No. 58

Kitzrow, Ryne

From: [Ryne K](#)
To: clerk@villageofsouthbloomington.com
Cc: rynekitzrow@gmail.com
Subject: RE: Clovewood Development DEIS
Date: Thursday, January 14, 2021 3:30:58 PM

To whom it may concern,

My name is Ryne Kitzrow and I live at 120 Round Hill Rd, in Washingtonville, NY. My house borders Satterly Creek and is downstream of the proposed Clovewood development.

I am concerned with the presentation of and findings in the Clovewood DEIS for the following reasons:

1. The water and traffic studies are both outdated (not factoring in increased population growth) and were performed during periods of time with low usage. In order for the public and the planning board to accurately assess the impact of these, the studies will need to be redone post covid restrictions (particularly for traffic). Only with redone studies can the public and planning board review and comment.
2. The development over estimates available water in the area and under estimates the impact of additional wells to the neighboring community. My home, like many homes in the area, struggles with poor quality and quantity of water. The quality of quantity of my water fluctuates throughout the year but is made notability worse during periods of drought. My concern is that such a large development will overuse the watershed and deplete the wells of neighboring houses and communities. Availability of water is the economic foundation of this community and my home value. If I lose water, not only will it be impossible to continue living here, I will bear the financial cost of dealing with water overuse from Clovewood.
3. The DEIS downplays changes to community makeup. South blooming grove is still very much a rural community. Doubling (or more) the size of the community from a single development is a radical and unnecessary change. Such large development is out of character with previous development in South Blooming Grove, Orange County, and the State of NY.
4. Undeveloped land is exaggerated and the larger portions will be unprotected. The Clovewood plan density bonus is achieved, in part, by counting undeveloped land in between houses. This abuse mischaracterizes and over estimates the actual undeveloped land and open space of the development. Only larger units of land distanced from the development should be counted towards this bonus. Additionally, given the massive scale of this development, the larger tracts of undeveloped land should be permanently preserved through easement to protect the land from additional development in the future.

As stated earlier, my objection to this DEIS and development is rooted in 2 features (1) its impact on water and (2) its impact on the community's makeup. Draining water from a community and doubling its size overnight are both actions that cannot be undone for decades if not longer. My objection is not a blanket objection to development, but it is a rebuke of what I perceive to be a regionally uncharacteristic and environmentally catastrophic development. It is my hope that the developers will be required to update their EIS prior to the FEIS and that they will consider either adjusting or forgoing their development plans based on the immense community concern that has been raised since the start of public hearings.

Regards,

Ryne Kitzrow
120 Round Hill Rd, Washingtonville NY
518-605-5584

Commenter No. 59

Klein, S.M.

SM Klein
580 Route 208
South Blooming Grove



Following are my comments on the Clovewood Draft Environmental Impact Statement:

According to chapter 3.1, the Clovewood developers will be transferring the RC-I yield of 90 units to the RR area. I think since the Village already has apartments and many single family homes, these 90 units should be townhouses to offer a variety of housing to residents in the Village.

There is no mention of any commercial facilities in the DEIS and it appears Clovewood is only proposing residential development. With that in mind, it would be a good idea for there to be some sort of small offices or canteens providing food within the development's community facilities so that resident would not need to travel in and out of the development and create unnecessary traffic on Route 208.

The Village was created in 2006, and I think now, around 15 years later, it is about time it be proactive and open its own Village Ambulance Corps, Village Fire Department, Village Police Department, Village School District, etc. A lot of the concerns public comments from individuals residing outside the Village borders have about Clovewood could be mitigated if the Village would create its own Village service providers instead of those analyzed in chapter 3.3. This need is not really a result of the Clovewood development in my opinion, as the Village is already 15 years old and should have its own Village providers, regardless of Clovewood, especially since many residents are complaining about the excessive response time of current Village service providers in responding to calls. This is especially applicable to the Fire Department and Ambulance Corps as most volunteers do not even live in the Village and must respond from their location, but the Police Department and Ambulance Corps Buildings are also located very far from the Village, which delays response times unnecessarily.

Thanks,

A handwritten signature in black ink, appearing to read "SM Klein".

Commenter No. 60

Knoll, R.

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
August 10, 2020
Clovewood DEIS – Public Comment

R. Knoll – she lives on Round Hill Road it is a dangerous road to walk on, she has the same concerns as others especially water. She asked what comes next?

Commenter No. 61

Koza, Brenda

August 10, 2020

Hand-delivered to the Village Clerk of the Village of South Blooming Grove



Good evening. My name is Brenda Koza.

Thank you for the opportunity to address you regarding my concerns.

The cumulative and well-verified evidence clearly indicates that the Clovewood Estates proposal is antithetical to the social, economic and environmental orientation of almost every aspect of 21st-century planning for optimal usage of rural, suburban, and urban habitation.

It is an unsound, irresponsible, and disingenuous proposal for an unwanted and unnecessary development. It will cause an unprecedented and ultimately destructive impact to this area.

As has previously been demonstrated, traffic flow within and surrounding the proposed area will tend to increase exponentially without any consideration being given for the ecological degradation and cost impact on any of the surrounding community and its infrastructure.

The costs of sanitation and sewage needs for this proposed development cannot, and are unlikely to be, met by the developers. Indeed, all infrastructure development costs that would be necessary for this dubious proposal it would probably add substantially to the tax burden we are already required to bear.

Ongoing tests have shown that water supply in this general area is barely adequate for the existing population. Accordingly, any substantial increases in this town's population would be unwise. Little or no thought appears to be given to the impact this dubious proposal would have on the area surrounding and adjacent to this proposed de-facto insular, and segregated community.

As a past Treasurer of the Braeside Aqua Corporation, a small water company, owned and operated by the Orchard Lake Park Home Owners

A handwritten signature in black ink, appearing to be "B. Koza".

Association, whose operations are conducted on the property adjacent to what was formerly known as Lake Anne in the subdivision known as Orchard Lake Park, I am obligated to express significant concerns as to the addition that any large development would present to the steadily declining capacity of the regional aquifer. This dubious development proposal has the capacity for regional as well as local disaster. The water usage for the large and highly concentrated proposed new home increases the inability of adjoining water systems to effectively continue its services to the Orchard Lake Park residents, and ultimately the water systems and wells in Mountain Lodge Park. We must all consider the extent of our vested interest in the viability of our systems and the homes and families that they serve.

I respectfully request that this disingenuous and counterproductive proposal be rejected. Anything that exceeds the dimensions detailed in the current set of local zoning laws, building regulations, as well as optimal conformity with the highest environmental guidelines available should, and must be fully adhered to.

Unfortunately, as we all are - or should be well aware of -- those large families who have been designated by the leadership of their de-facto and authoritarian theocracy to inhabit this intentionally segregated and insular community development have a strong tendency to disregard the sociopolitical status quo of the areas which they have inhabited, and through sheer numbers have consistently acted in a manner that is contrary to the best interests of a continually evolving, democratically oriented, progressive society.

It is my fervent wish that this plan is not approved as it will ultimately have a destructive effect on the Town of Blooming Grove and ruin the Village of South Blooming Grove.

As a community activist, I've been involved in many groups concerned with the protection of our natural resources as well as the sanctity of the lifestyle that is a relatively balanced sociopolitical environment that is continually



evolving for that betterment of the greater suburban and rural communities we have all worked to nurture.

That said, allowing this project to move forward will ultimately result in the destruction of this region and its ability to sustain its population. Please do not let this happen.

Thank you for your time and consideration.

Sincerely,



Brenda Koza

Commenter No. 62

Leeds, Josh

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
August 10, 2020
Clovewood DEIS – Public Comment

Josh Leeds – See written comment attached.

Hello, as a homeowner in mountain lodge park I have many concerns about this project. Mainly the water issue. South blooming grove has been under a water emergency for many many years to the point where we cant even have a car wash in town. Doubling the population almost overnight will have a very negative impact on our water supply. When the clovewood project was doing well testing at lake anne to see if there would be enough to support the development, I actually lost water at my home in mountain for a full day then for the next 3 days the pressure was terrible. There is not enough of water supply to adequately sustain this development in question, nor can the aquifiers replenish themselves quick enough. The development of clovewood would also not be the only problem with the water supply. In the traffic study noted is plans along 208 between peddled hill And mountain road there is a major industrial park with multiple warehouses being planned too.what about the water usage from them? Also what about these recreational areas in the plans? Does that mean like weddings, Religious events etc. ? That will be more WATER USAGE. What about the supermarket that will supposedly be in the "reserved 22 acres with no plans for development" but on another sections it says the 22 acres is plans for commercial development? Which is it? If theres more commercial development on that site it means more water usage. What about the resident who have been having an ongoing water emergency for years? What will they do when the supply will be used doubled or tripled what it is now? I think this is a very irresponsible plan by a wealthy developer to make more money off the back of the suffering local population.This is an unsound, irresponsible, and disingenuous proposal for an unwanted and unnecessary development. It will cause an unprecedented and ultimately destructive impact to this area. This proposal needs to be rejected immediately.

Josh Leeds

Commenter No. 63

Lepore, Sharon

From: [Sharon Lepore](mailto:Sharon.Lepore)
To: clerk@villageofsouthbloominggrove.com
Cc: sharonnyr@aol.com
Subject: Clovewood Public Hearing
Date: Tuesday, January 05, 2021 6:54:59 PM

On this date, 1/5/21, I am submitting my rejection to the attended Clovewood project.

According to the DEIS Section 2.4 it states:

“All residential units would be made available to any person regardless of race, color religion etc.” But yet in the same paragraph it begins with....

“The project would meet current and future, local and regional housing needs, including those of the neighboring Village of Kiryas Joel”

This right here shows the development is targeted for a specific community, which has a religious based community. Although it states “available to any person”

If this was a regular development for all persons, then what is the need for bath houses, possible accessory apartments and transportation buses. These are all the common characteristics of the Satmar Hasidic Community.

It states two park and rides for commuters , due to the Monroe Park and ride being full. Well currently Monroes park and ride is maybe at 20% capacity on a busy day. Granted ,Covid has much to do with this number but, that is the current situation. Just as I will be using the most current numbers and facts for my next remarks.

WATER

Water requirements are based on the projected population data that is submitted. In this project it is 4 bedrooms at 110 gallons per day. NYSDOH requires any developments/ housing projects have the water supply capacity of double the projected demand. Appendix O , SEQRA Documentation , clearly shows that the Clovewood project has meet this requirement.

Now back to most current numbers and facts.....2019 average person per household in Kiryas Joel was 5.8, so basically 6 persons. As noted earlier , the Clovewood Project is intended to meet current and future housing needs and specifically mentions Kiryas Joel.

That being said, the water usage demand needs to be based on the actual number of occupants not just number of bedrooms. Even if the the water usage is within NYSDOH requirements, its not based on actual occupants. Legally it follows guidelines , but, this is just assuming 4 occupants. (This doesn't even include the future accessory apartments in the equation).

So now the real numbers based on the 2019 population data:

6 persons per home at 110 GPD times 600 equals 396,000 GPD . That would require a water capacity of 792,000 GPD as per the NYSDOH (Minus the highest producing well) The current capacity as per the DEIS is 550,800 GPD not including the highest well. Taking these numbers into consideration, the Clovewood Project would NOT meet the mandated water requirements.

If you take out the highest well that leaves the capacity at 550,800 GPD. This is far under the requirements. Also this does not include the 10GPD of water per person using the pool or bath houses.

This impact statement is based on the average household ,not that of the Satmar Hasidic Community. Water requirements need to be based of the 6 occupant number (Since it clearly states in the project description, its to help housing needs of Kiryas Joel) Average occupancy is 6 in Kiryas Joel not 4.

I live in a 3 bedroom home with 4 occupants. We have a well and there have been times during summer droughts that the well is at a bare minimum which effects the pressure and capacity my household receives. My water supply comes from the natural underground springs that are part of the Mountain.

What is going to happen to my water when one of Clovewoods wells fail to function or we go through a drought?

My family and neighbors will be forced to have water issues because of the amount needed to supply Clovewood?

The whole project needs to be reevaluated based on the number of occupants not bedrooms for the project (Including accessory apartments) and also the impacts on all wells on or off Clove Road that are supplied by the Mountain prior to the proposal going through. Not just the wells immediate adjacent to the site, like those in Orchard Lake Park.

The worst case scenarios need to be exhausted first. Reality needs to be presented!!!!

Firemen aren't trained to just put out a brush fire, they are trained to go into burning buildings and save lives.

Our PD isn't trained just to drive a car and do traffic stops, they are trained on active shooters in schools

And our military isn't just trained to fire a gun, but, to battle in war.

**THE OVERALL EFFECTS ON OUR COMMUNITY ,TO THE FULLEST EXTENT
NEEDS TO BE TAKEN INTO CONSIDERATION!!!**

Sharon, Dave, Robert, and Tyler.
MLP residents

[Sent from the all new Aol app for iOS](#)

Commenter No. 64

Light, Jane

From: [Jane Light](#)
To: clerk@villageofsouthbloominggrove.com
Subject: Fwd: Clovewood
Date: Thursday, January 14, 2021 9:01:14 PM

Sent from my iPhone

>
>
> What a disaster it would be to lose all that beautiful land to hundred of houses. Do you see that any housing projects that they make have no trees or nature life. It is a city in a country setting. I moved here for the beauty not to see 100 of houses and people. It is a shame there is no fairness for the people that live here.
>
> Where will the water and money come from to pay for all there services that they will need. What will we do with all the traffic on Clove Road.
>
> Thanks
>

Commenter No. 65

Litke-Newfield, Amy

From: [Amy Litke Newfield Subscribe](#)
To: clerk@villageofsouthbloomington.com
Subject: Re: HISIDIC HOMES
Date: Thursday, January 14, 2021 10:55:45 AM

They belong in their own community, like Monroe. NOT OURS.

On Wed, Jan 13, 2021, 7:21 PM Amy Litke Newfield Subscribe
<amy.litkenewfield@gmail.com> wrote:

I come from Manhattan. I have lived on Woodcock Mtn Road for 25 years. As I am sure you know Woodcock Mountain Rd. Is between Route 208 and Clove Road.

I know that anybody could by land and build on Clove Road, I must be totally honest. I do not want the Hisidm living in my community or surrounding area. They have taken over enough of Orange County as it is. They are still building humongous buildings in Monroe. Why do they need to be in my community? Our taxes will substantially increase, because they don't pay taxes. What about additional utilizes.

They are arrogant, rude, filthy dirty, and I don't want to see them walking in my community. They do not observe our laws. They are a cult and their objective is to take over everywhere. Please not here.. Let them find someplace else to build. They do not belong in my neighborhood. They have already taken over Worley Heights. If you drive by their homes you will see garbage and filth in their front yards. Do you have any idea how many families live in one apt. or houses? It has to be a danger to the community for fire hazards. I do not want to see them walking on my road or any road around here. I do not want to see them walking on my beautiful Woodcock Mountain Road. I would not want to live here anymore and I am sure many, many people are thinking the exact same thing. I have friends living in Worley Heights and I hear about how dirty and disgusting it is there now. Hisidm knock on peoples doors offering cash for their homes. It's illegal to be on anyone else's property uninvited.

You do not have any idea what their plan is. They will just expand and buy more and more, because they believe they will eventually take over everything, everywhere one day. It would be a horrible disservice to our treasured community. To any community. Do you want them for neighbors? Are they even paying for the property or are they getting away with that as well.

If it sounds prejudiced. It is not.
I AM JEWISH

From: [Amy Litke Newfield Subscribe](#)
To: [Clerk](#)
Subject: Re: HISIDIC HOMES-THIS IS NOT A DISPUTE, BUT I RECOMMEND THAT YOU READ THIS
Date: Friday, January 15, 2021 7:40:00 PM

If your rebuttle is only 140 people showed up at your virtual meeting it's because everybody felt why waste their time, money talks and it's probably ALREADY A DONE DEAL AND OUR VOICES MEAN NOTHING. Had I not been in the hospital, not only would I have joined in, but I would have knocked on every single door, yep every one to make sure people joined your very probably fake virtual meeting. Rest assure of one thing. If my taxes, water and utility bills increase because of this monstrosity. I will knock on every single door, missing nobody to sue the Town of South Blooming Grove for having ANY of our bills increase to pay for what they do not pay for and for what our community cannot afford to pay. It would be a hardship for people so that the hasidm get a free ride. As you can tell I am tenacious and I will do everything in my power for everybody to hold you accountable for ANY additional increase IN TAXES, WATER, AND UTILITIES because you approved the Hasidm to build in our community. IF THIS DECREASES MY WATER PRESSURE, WELL THAT WILL BE A WHOLE OTHER STORY. NOBODY ELSE GETS A FREE RIDE. I REFUSE TO PAY FOR THEM. WITH COVID, NOBODY CAN AFFORD INCREASES IN ANY BILLS. COVID MAY BE YOUR EXCUSE TO APPROVE THIS JUST SO YOU MAY MAKE MORE MONEY, BUT CAN CAUSE PEOPLE FINANCIAL HARDSHIPS AND BE FORCED TO LEAVE THEIR HOMES. THAT MAY WORK BETTER FOR YOU. WHO KNOWS. WE'RE JUST PEOPLE AND WE DON'T COUNT.

MY BIGGEST REGRET IS THAT I MOVED UP HERE TO BEGIN WITH. THANKS TO POLITICIANS LIKE POLITICIANS AT SOUTH BLOOMING GROVE. I TRULY, TRULY BELIEVE IN KARMA. I HAVE SEEN IT WORK. AND BOY KARMA GETS YOU IN THE END. IT ALWAYS DOES.

An extremely disgruntled and determined resident.

On Fri, Jan 15, 2021, 5:39 PM Amy Litke Newfield Subscribe

<amy.litkenewfield@gmail.com> wrote:

And don't even think of harassing me in any way, shape or form. I am one step ahead of you.

On Fri, Jan 15, 2021, 5:23 PM Amy Litke Newfield Subscribe

<amy.litkenewfield@gmail.com> wrote:

You don't think the community knows that you may have already accepted their offer and what everybody wrote even matters? We all know how cash may always mean MUCH more than quality of life?

THANK YOU SO MUCH FOR YOUR DISSERVICE TO OUR COMMUNITY.

On Fri, Jan 15, 2021, 4:47 PM Amy Litke Newfield Subscribe

<amy.litkenewfield@gmail.com> wrote:

YOU RECD MY LAST EMAIL RE THE HASIDS AT 2:59. SO DON'T EVEN TRY TO GO THERE. I have a copy and confirmation.

PIECES OF WORK. TOO BAD THAT'S ALL I MAY SAY!!!

On Fri, Jan 15, 2021, 4:42 PM Amy Litke Newfield Subscribe
<amy.litkenewfield@gmail.com> wrote:

I can't wait to see all the abandoned homes and people leaving without paying taxes.

On Fri, Jan 15, 2021, 4:37 PM Amy Litke Newfield Subscribe
<amy.litkenewfield@gmail.com> wrote:

Thank you for letting me know you closed at 4:00 at 3:45. That says plenty if you ask me. Why am I not surprised. That's how you handle things. I am far from done. I don't care what time responses closed. Mine where ALL received b4 3:00. I'm far from stupid. I copied myself so you don't get away with anything and lie and say my emails were received after. So, don't even try to get away with that too.

You already allow them to park their busses at the old bank. I'm sure they paid a pretty penny for that as well. Trust me, I have connections and I will find out the truth about everything. Trust me. No more of the Hasids getting what they want because they are buying whatever they want on private property, or maybe your just giving it to them without legal records. Is Im sure the town does not own that property. But, I bet you got paid for it. You let them do whatever they want. NO MORE.

I will email you as many times as I want. Too late for the Hasids, but not too late for me. You may all be garbage, but I may just take out the trash.

On Fri, Jan 15, 2021, 3:43 PM Clerk <clerk@villageofsouthbloomington.com> wrote:

Amy,

We close at 4:00 pm. The public comment regarding Clovewood closed at 3:00 pm.

Kerry Dougherty

Kerry Dougherty,

Village Clerk

Village of South Blooming Grove

P.O. Box 295

Blooming Grove, NY 10914

Phone (845) 782-2600

Fax (845) 782-2601

From: Amy Litke Newfield Subscribe <amy.litkenewfield@gmail.com>
Sent: Friday, January 15, 2021 2:59 PM
To: Clerk <clerk@villageofsouthbloominggrove.com>
Subject: Re: HISIDIC HOMES

WHAT TIME DO YOU CLOSE?

On Fri, Jan 15, 2021, 2:58 PM Amy Litke Newfield Subscribe
<amy.litkenewfield@gmail.com> wrote:

We all know how money talks, but it won't work here. THAT'S A FACT.
MAKE SURE YOU ALL KNOW THAT. SERIOUS ACTION MAY BE
TAKEN AGAINST SBG.

On Fri, Jan 15, 2021, 2:56 PM Amy Litke Newfield Subscribe
<amy.litkenewfield@gmail.com> wrote:

Good. Maybe you will do right by the community and not the Hasids.

I hope someone is ethical enough to do the right thing by US and not THEM

On Fri, Jan 15, 2021, 1:51 PM Clerk
<clerk@villageofsouthbloominggrove.com> wrote:

Received.

Kerry Dougherty

Kerry Dougherty,
Village Clerk
Village of South Blooming Grove
P.O. Box 295
Blooming Grove, NY 10914
Phone (845) 782-2600
Fax (845) 782-2601

From: Amy Litke Newfield Subscribe <amy.litkenewfield@gmail.com>
Sent: Wednesday, January 13, 2021 7:21 PM
To: Clerk <clerk@villageofsouthbloominggrove.com>
Cc: Amy Litke Newfield Subscribe <amy.litkenewfield@gmail.com>
Subject: HISIDIC HOMES

I come from Manhattan. I have lived on Woodcock Mtn Road for 25 years. As I am sure you know Woodcock Mountain Rd. Is between Route 208 and Clove Road.

I know that anybody could by land and build on Clove Road, I must be totally honest. I do not want the Hisidm living in my community or surrounding area. They have taken over enough of Orange County as it is. They are still building humongous buildings in Monroe. Why do they need to be in my community? Our taxes will substantially increase, because they don't pay taxes. What about additional utilizes.

They are arrogant, rude, filthy dirty, and I don't want to see them walking in my community. They do not observe our laws. They are a cult and their

objective is to take over everywhere. Please not here.. Let them find someplace else to build. They do not belong in my neighborhood. They have already taken over Worley Heights. If you drive by their homes you will see garbage and filth in their front yards. Do you have any idea how many families live in one apt. or houses? It has to be a danger to the community for fire hazards. I do not want to see them walking on my road or any road around here. I do not want to see them walking on my beautiful Woodcock Mountain Road. I would not want to live here anymore and I am sure many, many people are thinking the exact same thing. I have friends living in Worley Heights and I hear about how dirty and disgusting it is there now. Hisidm knock on peoples doors offering cash for their homes. It's illegal to be on anyone else's property uninvited.

You do not have any idea what their plan is. They will just expand and buy more and more, because they believe they will eventually take over everything, everywhere one day. It would be a horrible disservice to our treasured community. To any community. Do you want them for neighbors? Are they even paying for the property or are they getting away with that as well.

If it sounds prejudiced. It is not.

I AM JEWISH

Commenter No. 66

Loeb, Joel

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
August 10, 2020
Clovewood DEIS – Public Comment

Rabbi Loeb – He would like to bring forward the Jewish Voice. We respect our neighbors and we respect the rural character and understand that they want to come upstate and live peacefully and we hope and pray to God that we should be able to live peacefully. Antisemitism is not the culture here, the neighbors are very good people. Blooming Grove is a very nice place to live and he wishes that we all live together in peace and harmony all the time.

Commenter No. 67

Mendel, Goldie

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
January 5, 2021
Clovewood DEIS – Public Comment

Goldie Mendel 6 Shannon Lane commented on 2.4 of the DEIS project purpose and need. There is a current need for more homes. There is a national need for 1 new home per minute from her research. 10,000 per week is needed. The local government is responsible for this need. Please note there are 21 repeat names and if they can change Tuthill and Whitrol that would be appreciated.

Commenter No. 68

Mandel, Leo

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
January 5, 2021
Clovewood DEIS – Public Comment

Leo Mandel 6 Shannon Lane -Section 2.2 of the DEIS which indicates that according to the previous site zoning that the Clovewood parcel could have been developed with 1000 units. He would like there to be an additional analysis outlining all the different setting densities for Clovewood should it have been developed according to the original zoning laws as reflective of how the original village was development. In reviewing 2.2 of the DEIS every home has its own driveway set back by about 10 feet - he feels there should be a much wider driveway space between both lots, it would be much safer for pedestrians as Clovewood indicates it intends to be a walkable project. Please have this analyzed. Thirdly, Section 3.1 of the DESI indicates the project would include the preservation of open space in excess of 50% of the project site, plus another 30% for density bonuses to increase the base log count. I like how the majority of the 50% open space would be located in one large area and I think it would be beautiful if the remaining 30% could be spread out over individual lots to allow the developments residential portion to have the green feel. Lastly as a result of Covid19, New Yorkers have been flocking out of the City to the suburbs like this village for a variety of reasons including space, at home offices, schools and back yards, affordability, lower density and gyms. Accordingly, suburbs like the village should fulfill their responsibility to provide housing specifically affordable housing opportunities to all individuals especially now in line with Covid19, I think the Clovewood project would significantly benefit the community in this regard and therefore a minimum of 50% of the lots gained as part of the adjusted base lot count for the Clovewood Project be affordable not just 10%, maybe even more of the open space.

Commenter No. 69

Mann, Brandi

From: [Brandi](#)
To: clerk@villageofsouthbloomington.com
Cc: [Me; cuponorange@gmail.com](mailto:cuponorange@gmail.com)
Subject: Clovewood Development
Date: Friday, January 15, 2021 11:38:50 AM

To Whom It May Concern,

I am against the Clovewood Development for the reasons below:

- 1) Water issues
- 2) Over development / People
- 3) More trees to be destroyed
- 4) More traffic congestion
- 5) Will raise our taxes
- 6) What made this place beautiful is the country/woods, which will be destroyed and turned into a city-like environment

People who are looking to live in an environment away from all the noise will be forced to either sell and move even further upstate. Please take everyone's opinion into consideration for once! Please vote against this project and be for the people!!!

Thank you for your time & consideration.

Sincerely,
Brandi Mann

Sent from my iPhone

Commenter No. 70

Marino, Heather

From: [Heather Marino](#)
To: clerk@villageofsouthbloominggrove.com
Subject: Clovewood Development
Date: Thursday, January 14, 2021 9:29:31 PM

Dear Mayor, Deputy Mayor and Trustees of the Village of South Blooming Grove, NY.

I am writing to you in regards to the construction of Clovewood Development (former Lake Ann site). Please understand that I am seriously worried for myself and our community, the proposed construction and how it will significantly impact the quality of life. I live in Orchard Lake, Blooming Grove, NY which directly neighbors this site. Our small municipal water company is unable to handle the needs of our own neighborhood as is. We are nervous of our water supply either being pulled away too much from our wells or drying them up completely with the demands it would take to supply such a project. The fact that you would all take this project into consideration without all the necessary studies done is not just appalling, but dangerously negligent behavior. I still am not sure after the last few meetings how you and the surrounding towns are planning for the future of this kind of development (doubling the population of a small village). By this I mean building more schools for the inevitable influx of students, traffic control on one of the already most dangerous roads in the county (Rte 208), and municipal staff (garbage, tax collection, road maintenance, and police). I thank you for taking the time to read my email and hope that you seriously take our issues into consideration.

--

Sincerely,
Heather Marino

Commenter No. 71

Marino, Joe

From: joe_marino
To: clerk@villageofsouthbloomington.com
Cc: joe_marino
Subject: Clovewood
Date: Thursday, January 14, 2021 9:44:03 PM

Dear,
VILLAGE OF SOUTH BLOOMING GROVE, NEW YORK.

I would like to bring to your attention that I strongly oppose the construction of Clovewood Development (former Lake Ann site). I am a resident of The Town of Blooming Grove. I reside in the orchard lake section of town. The proposed construction would significantly impact the quality of life in our town. Our small municipal water company is unable to handle the needs of our own neighborhood with, barely enough water to supply our houses. The Clovewood project would liquefy our water source for future development, leaving many water issues for future generations. This is a peaceful and quiet suburban town, my fellow neighbors and I moved to this area for its country views and peaceful surroundings. This project will add a massive amount of traffic and increase population to an unacceptable number. This is a small community with limited resources. This project will more than double the population already. Another concern is the massive increase of school taxes, Deforestation of hundreds of acres of land. The list could go on and on, But I think you get my point. Once again, I strongly oppose this building project in our small town and I would like my opinion to be heard. I speak for myself as well as many members of our community.

Thank you for your time.

Joe Marino
Joe@joemarinodesign.com
www.joemarinodesign.com

Commenter No. 72

Marshall, Richard

From: [Richard](#)
To: clerk@villageofsouthbloomington.com
Subject: Cloveoor
Date: Thursday, January 14, 2021 4:22:01 PM

I cannot believe this town will allow something like this. We will all suffer not only water problems but traffic issues as well.

R.Marshall

Sent from [Mail](#) for Windows 10

Committer No. 73

Mauskopf, Brana

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
January 5, 2021
Clovewood DEIS – Public Comment

Braná Mauskopf - Resident lives on Arlington Drive it is a nice quite place that is why she moved here. The project plans to create an access road to Arlington Drive. Additional traffic from 500 families onto Arlington and Virginia Avenue will increase traffic and create noise and sound and she feel this is not fair as it is now a quiet neighborhood.

Commenter No. 74

McCabe, John

John McCabe
3 Birchwood Court
Washingtonville. NY 10992

January 12, 2021

**RE: Clove Road Development
Timber Rattle Snakes**

To Whom It May Concern:

Area resident for last 68 years growing up on Clove Road, first house off Rte. 208 with a babbling brook with pond encounter many reptiles on property along with other wildlife. The most prevalent was rattler snake became victim at an early age in our driveway, really not a good feeling. Lake Ann abutted our property line when clearing area for a golf course there were many snakes driven from nesting area. One case in point was on an August afternoon my Mother encountered six foot rattler snake on front door step that wasn't too happy for her visit. I've been a member and Past Chief at Mt. Lodge Fire Station for over 50 years thru the years received many calls of rattle snakes on their property ready to strike homeowners. Also on calls for brush fire and forest fire encountered many rattler snakes off of Clove Road grassy area. Cornell University in the 70's would notify our Fire Chief for volunteers to direct them to an area we called Rattle Snake Hill for milking for their venom. Standard first aid in three fire response vehicles were snake bite kits which now is obsolete.

In response there is a large population of Timber Rattler snakes along with Copperheads from Clove Road all along the corridor to Modena Viaduct on Schunemunk Mountain.

Sincerely Yours,

John McCabe

John McCabe

Commenter No. 75

McGrath, Laura

Subject: Clovewood



cny2cnc@gmail.com <cny2cnc@gmail.com>

to Clerk

Tue, Jan 12, 9:40 AM (13 days ago)

You are viewing an attached message. Gmail can't verify the authenticity of attached messages.

I lived in the Mountain Lodge area from 2014-2020 on a quiet mountain trail. I still own the house there but moved to an area that has town water and sewer and also where I now get my road plowed, a huge consideration at my age. The house is currently rented out to a family who deserves a dependable water supply, and this will disappear if Clovewood is allowed to proceed.

Why are Hasidics allowed to take everything from others? Doesn't seem fair to everyone else. They are not more important than anyone else, even if they believe they are. Open, undeveloped spaces are not just meant to be filled up with densely packed people who will only consume resources and not pay their share of taxes.

Laura McGrath
Town of Newburgh

Sent from my iPhone

Comment 3.6-1 (Page 3.6-9): While the DEIS does identify timber rattlesnake habitat on the project site, you need to research “nuisance” reports of timber rattlesnakes in the immediately adjacent neighborhoods,

As reported by NYSDEC licensed timber rattlesnake expert Randy Stechert in a December 7, 2018, letter provided to the Town of Blooming Grove, annual rattlesnake encounters are documented in each of the developments and private communities surrounding Schunemunk Mountain.

On the western side of Schunemunk Mountain in the Town of Blooming Grove, nuisance volunteer Marty Kupersmith from Warwick and the Blooming Grove police annually respond to "nuisance" rattlesnake sightings within the community on Pennsylvania Ave. and Virginia Ave. northeast of Merriwold Drive. Likewise, the Orchard Lake and Mountain Lodge developments east of Clove Rd. contribute around two to eight rattlesnake reports per year.

The Mountain Lodge development on the west slope of Schunemunk Mountain in the Town of Blooming Grove has a longer rattlesnake history.

None of this was investigated or reported by the rattlesnake investigators working on behalf of the project sponsor.

Comment 3.6-2 (Page 3.6-10): *“After confirming the presence of Timber Rattlesnakes within the suitable habitats through its extensive surveys, NCES then focused its review on the areas of proposed development. NCES searched the successional woodlands, open fields, and wetland areas that are located within the proposed development envelope. During these reviews, no Timber Rattlesnakes were found. Accordingly, the Project would not have the potential to generate any significant adverse impact upon Timber Rattlesnakes or their habitat.”*

“The former LACC property in Blooming Grove is another area of concern. Despite being mostly forested and meadowland foraging and mate-searching ephemeral habitat, and therefore problematic for field surveys, one 38" black morph vitellogenic (i.e. yolking) female was found basking near a junk pile on the property on July 14, 2008.” Plus Mr. Stechert noted another sighting that had occurred within the proposed development area exactly one week earlier: *“Additionally, a large rattlesnake was observed by a rental cottage resident near the old burnt building around July 7.”*

In the conclusion of his rattlesnake survey of the project site, Mr. Stechert further states, *“I can definitely state that no part of the mountain is excluded from sporadic rattlesnake activity at one time or another.”* *So obviously the snakes DO come down to the buildings (to the proposed deforestation and development).*

Comment 3.6-3 (Page 3)

6-10): The statement *“would not have the potential to generate any significant adverse impact upon Timber Rattlesnakes or their habitat”* contradicts by the Mr. Stechert’s 2018 letter *“The proposed extensive development would inevitably incur a significant annual increase in attrition to the local rattlesnake population that uses the property during their circadian activities.”*

This Clovewood project and vegetation and wildlife study that glosses over rattler study will have a negative impact on the environment and community.

I find this to be an INCOMPLETE DEIS with its inaccurate rattler data.

CUPON Orange

<https://cuponorange.com/>

Commenter No. 76

McGroddy, Sheila

25 Day Road
Campbell Hall, NY 10916

January 14, 2021

Village of South Blooming Grove Planning Board
811 Route 208
Monroe, NY 10950

RE: Comments on proposed Clovewood Development DEIS

Dear Members of the Village of South Blooming Grove Planning Board,

Thank you for your service to the Village of South Blooming Grove residents and to all residents of the area that will be greatly impacted by this proposed project. Your job is not an easy one and I am well aware of the time commitment that comes along with this responsibility. I am a 27-year resident of this area, residing Campbell Hall, but travel often down Route 208 to 17 for both business and personal trips, and I am a taxpayer in the Washingtonville School District.

Although I do not live in the immediate vicinity of the proposed Clovewood Development, I am still compelled and obligated to review the proposal and participate in the process as a community member and Washingtonville Central School District taxpayer who is familiar with the area. I am also a NYS-licensed professional engineer.

The reality is that with the scope and size of this project, people throughout the Town of Blooming Grove and Washingtonville area, in addition to those currently residing in South Blooming Grove, will be negatively impacted, based on my review of the DEIS. There is simply not enough water available for the proposed number of homes. Drawing down the aquifer further to provide water to this development will negatively impact neighboring homes as well as local businesses such as Blooming Hill Farm. Drilling through Schunnemunk Mountain to connect to NYC water from Kiryas Joel would have a whole host of additional negative adverse environmental impacts that are far too many to be elaborated herein.

Appropriate treatment of wastewater and the significant amount of traffic that would travel down Clove Road to 208 and from 208 south are two other impacts that will cause adverse impacts to current residents and the environment. The proposed number of homes simply cannot be sustained by the available resources and environment and this project should not be approved to move forward as it is currently designed. The character of South Blooming Grove and surrounding areas will be forever changed from its current rural and scenic state if this project is approved. I urge you not to grant approval to this project – there are too many adverse environmental impacts on the natural environment and the current residences, businesses and surrounding communities.

Sincerely,



Sheila M. McGroddy, P.E.

Commenter No. 77

Mclaughlin, Judy

From: [Judy McLaughlin](#)
To: clerk@villageofsouthbloomington.com
Cc: cuponorange@gmail.com
Subject: Stop the project!
Date: Friday, January 15, 2021 3:56:43 PM

13 miles of road being built across streams, tributaries and on wetlands. The plans includes several playgrounds, a water treatment plant, community recreation buildings as per the DEIS for "swimming pools/bath houses, birthday parties, bar mitzvahs, community rooms, clubhouse, maintenance room, speeches, social religious events, and / or any other community activity." How many hundreds and thousands of people will be using these facilities and how many buses will be bringing them there? The gallons of water per day and the effluent into the water treatment plant (water usage and flushing) do not include these additional people. The numbers are inaccurate and misleading.

This project will destroy an area of approximately 9 times the Smith Farms project.

One cannot believe this won't have a visual impact.

This project will cause increased traffic, noise pollution and light pollution. It will have a negative impact on our school taxes, the environment, visual aesthetics, community character and

OUR QUALITY OF LIFE

Sincerely,
Judy McLaughlin

Commenter No. 78

Mongello, Stacy

From: stacy_mongello
To: clerk@villageofsouthbloomington.com
Cc: stacy_mongello
Subject: Clovewood Development Opposition
Date: Thursday, January 14, 2021 12:24:22 PM

Dear Village of South Blooming Grove,

As a Town of Blooming Grove resident who was forced out of the Village of South Blooming Grove I would like to express my opposition to this development.

As I am sure you are aware from many others who oppose, this development will destroy our neighborhood and environment.

- I have lived here since 2002 and we have been in a water shortage every year. There is no way we have the excessive amount of water needed to support the amount of homes they are looking to build. The existing homes who are living with brown water daily would incur additional water issues.
- Our sewage level is already too high. This enormous increase in homes would completely overflow our capacity.
- The increase traffic flow of buses and personal transportation would bring us to a screeching halt. Additionally, it would exponentially increase the already high level of accidents.
- The forestation and environment, which is the reason many of us moved here, would become nonexistent. There are numerous animals who live on the proposed land that are protected by law. These animals would be displaced.
- To my knowledge, there is a cemetery on this land. Cemeteries should be respected and not plowed over.

I strongly appose this development for the well being of the people, animals and environment of our community. As elected officials, it is your job to make the right decision based on the good of all, not just the few.

Regards,
Stacy Mongello
7 Victoria Drive
Blooming Grove, New York 10914

Commenter No. 79

Montoya, Michael

FB
Public Comment

Clerk

From: Treasurer
Sent: Monday, August 03, 2020 9:46 AM
To: Clerk
Subject: Fwd: [POSSIBLE PHISHING] Village of South Blooming Grove "New home construction"

Sent from my iPhone

Begin forwarded message:

From: Village of South Blooming Grove <noreply@villageofsouthbloominggrove.com>
Date: July 31, 2020 at 4:38:35 PM EDT
To: Treasurer <treasurer@villageofsouthbloominggrove.com>
Subject: [POSSIBLE PHISHING] Village of South Blooming Grove "New home construction"
Reply-To: mmontoya605@icloud.com

From: Michael Montoya <mmontoya605@icloud.com>
Subject: New home construction

Message Body:

I am opposed to the construction of 600 new homes in South Blooming Grove. These homes will put an additional strain on our water situation. The homes will also add to the busy traffic situation and make the roads more congested.

I am opposed to any new home construction.

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This e-mail was sent from a contact form on Village of South Blooming Grove
(https://url.emailprotection.link/?b36aSV__vg9AHAEAMNuIHD5evWJtc5dEvXinYKEjzezlcB1v9nFNryUFnbeFWf2qNvbGYjWBZKgli8F5mQildu0FK6maPXB8NJdnnhvTXu3-vzgL_goP9OXJHLlhty6Cy)

Commenter No. 80

Moran, Meiligh

From: [MELIG MORAN](#)
To: clerk@villageofsouthbloomington.com
Subject: Clovewood
Date: Thursday, January 14, 2021 11:42:25 PM

I hope this email finds you well.

I moved my family here from the city for a better quality of life. I did not want to raise my kids near a large populated and condensed area for many reasons. This will cause such a disruption not only in our lives, but the lives of the neighboring communities as well. This is illegal to discriminate by building a whole village exclusive for one group of people and exclude the rest of us out. If there is something to be built here, it should benefit everyone and not at the expense of tax payers, and deforestation which directly negatively impacts the environment and wildlife. Allowing this will be doing the opposite of benefiting the community and preserving nature. We are all concerned about the proposed increase in taxes that's to come. This will cause high traffic and make our roads congested. What do you think will happen? ...People will soon leave over time and the town will start to crumble slowly because there will be very little taxes being paid. Stop turning a blind eye, because the truth is this will be a BURDEN for ALL of us. I URGE YOU TO PLEASE STOP THIS FROM HAPPENING. Please listen to the people who are voicing out to stop this. Please protect the future of this town.

BEST REGARDS

MM

Commenter No. 81

Morrissey, Richard

From: rmorrissey1@hvc.rr.com
To: clerk@villageofsouthbloomington.com
Cc: rmorrissey1@hvc.rr.com; cuponorange@gmail.com
Subject: Stop over development
Date: Friday, January 15, 2021 7:10:33 PM

I am completely opposed to the Clovewood Development. There is no need for a development of its size in Blooming Grove. There is already plenty of available housing. In addition there are several uninhabited 5 story buildings under construction in the neighboring Village of KJ.

Blooming Grove does not have the resources to handle high density housing. The lack of water and the increase in vehicular traffic including buses and shuttles will be a safety and environmental disaster.

Please listen to the majority of people living in Blooming Grove and not just a small special interest group.

Richard Morrissey

Commenter No. 82

Mullan, Brian

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
December 3, 2020
Clovewood DEIS – Public Comment

Brian Mullan: in writing, see attached.

My name is Brian Mullan. I am a resident of South Blooming Grove.

I wanted to address the following excerpt from the Socioeconomics section of the Clovewood DEIS.

Communities with declining populations face greater difficulty providing and maintaining community facilities and services as reasonable population growth enables service costs to be spread over a larger tax base

I suppose data indicated a population decline in our village a few years ago. While that may be true, I don't agree that the village struggled to provide and maintain community facilities and services during that time. Roads were improved, the village hall was renovated, the firehouse was renovated, community events were held, and improvements to the water system were planned and implemented. Now that the population has risen, I would venture to argue that there has been more of a problem finding revenue for community services, as increased sewer problems, increased water use, traffic accidents, and building and property violations have probably diverted tax revenue towards these issues. "Reasonable population growth?!" I don't find anything reasonable with the doubling, perhaps tripling of the population in such a short amount of time.

I wanted to address another excerpt from the Socioeconomics section of the Clovewood DEIS.

The Village's population is already tilted very heavily toward seniors, with far too few younger households to provide for older members of the community. However, under Scenario No. 1 the proposed Project would create a substantial influx of younger members into the Village, who would be able to support services.

I am wondering where this data originated. Were seniors interviewed and asked if they felt this way? I think it is fair to say that the Satmar Hasidic community serves their own. This excerpt assumes that the members of the Hasidic community would provide services to support all the older members of the existing community. Is this happening now? Has there been an increase in volunteers for Meals on Wheels and the Blooming Grove Senior Center? Does the new bus that the village is allowing to operate have a printed schedule that is available to the seniors in the village and does it provide low cost fare to essential services for them?

One more issue I want to address is the plan to connect a road in Clovewood to Arlington Drive in Capitol Hill. This would drastically alter the traffic, noise, and pollution in this existing area. Worley Heights, Capitol Hill and the Merriewold area were designed to be quiet residential areas and not include "thru streets" that people would use to pass through the area. Creating this road has no benefit for our area- it would only have negative impacts in an area that is already overwhelmed with traffic and quality of life concerns.

Commenter No. 83

Myers, Herman

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
January 5, 2021
Clovewood DEIS – Public Comment

Herman Myers – Clovewood DEIS Addendum – Section 9.1 – Interconnection with Arlington Drive, although the addendum indicates this would be for emergency access only, I think you could provide an interconnection for all village residents. I understand that some individuals on Arlington Drive may not want such an interconnection however the benefit of the collective community should legitimately outweigh that of a few individuals on one block. Moreover Arlington Drive was designed with intent of eventually interconnecting with the Lake Anne Property not as a cul de sac. This would be beneficial to adjoining properties. Section 9.2 KJ water alternative – there was a case stating you cannot block the transfer of water from one municipality to another. He thinks wind turbines should be discussed as well as they are an excellent source of energy. Personally, he feels the KJ alternative should not have been removed and he feels the Planning Board member were incorrect to remove this alternative because (1) Water would have been provided via the Kiryas Joel pipelines and not from wells (2) Sewer would have been treated at the wastewater treatment plant at Kiryas Joel and not into the Satterly Creek (3) Police, fire and ambulance would be provided by Kiryas Joel since it would be annexed not just from the Village of Kiryas Joel but also to the Town of Palm (4) The school district would be Kiryas Joel and not Washingtonville (5) the village planning board would be relieved of immense pressure of overview of the Clovewood Project and the responsibility would fall on the Kiryas Joel Planning Board. Section 9.5 village water supply alternative – Attachment 2 – The village uses less than 1.5% of the water available in its watershed.

Commenter No. 84

Meyers, Rebecca

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
January 5, 2021
Clovewood DEIS – Public Comment

Rebecca Meyers – 2 Green – (1) the DEIS states that construction will be from the hours of 7am – 6pm but this is not allowed per Chapter 73 of the Village Code. (2) Why has the village required this project to be analyzed according to a specific religious community and then pretended that this was at the advice of the applicant? Why did the village require the previous casino application be analyzed according to an Asian or Indian demographic. (3) the right to develop a property is a constitutional one. It is the same right that allows us freedom of speech and freedom of religion. As a proud American I am disturbed by the communist-type attitude of the village in delaying this project and imposing unnecessary restrictions.

Commenter No. 85

Newell, Ramilda

From: [Ramilda Newell](mailto:Ramilda.Newell)
To: clerk@villageofsouthbloomington.com
Cc: cuponorange@gmail.com; joachimramilda@gmail.com
Subject: Proposed Clovewood project
Date: Friday, January 15, 2021 2:51:22 PM

I am commenting on the proposed Clovewood project. I lived on Clove Road in a rental almost across from Lake Ann in 1981-1990 then moved to Mountain Lodge Park and still reside there.

Your DEIS states

“• Nationwide Permit # 29 and/or Nationwide Permit # 33 for the crossing of ephemeral streams”

The 1972 Clean Water Act made it ILLEGAL to drain, fill in, or pollute the “waters of the United States” without a permit,

An ephemeral stream is a temporary stream that only flows for a brief period as a direct result of precipitation. These streams play an essential role in supplying fresh and maintaining existing resources in at least three different ways: Fresh Water Supply To Perennial Water Networks, Supply Of Fresh Sediment To Downstream Regions, Maintenance And Replenishment Of Groundwater Tables.

You propose to dump effluent waste from your water treatment plant into the Satterly Creek. The Satterly Creek !?!?!?

The Satterly Creek is an ephemeral stream. It is not only temporary but only flows for a brief period during or after a spell of rain. Yet, in many regions, they account for most of the water supply to major river networks, enabling them to flow throughout the year.

These streams are not marked in your DEIS. How many are there and where are they located?

You lightly GLOSS over "crossing of ephemeral streams". You fail to mention but it is obvious that you are crossing these and BUILDING ON THEM with structures, black top, and roads. You are destroying them with digging of trenches to run water lines and removal of dumping that has been found on the property.

I encourage the Village of SBG Planning Board and Village board to DENY this proposed Clovewood project due to its negative effects on the wetlands, wildlife, forest, and water supply.

Sincerely,
Ramilda Newell
15 Arcadian Trail
Monroe, NY 10950

Commenter No. 86

O'Hara, Lisa

From: [Lisa OHara](#)
To: clerk@villageofsouthbloomington.com
Cc: [mom](#)
Subject: Clovewood
Date: Thursday, January 14, 2021 12:49:50 PM

I am writing to voice my immense disapproval of the proposed Clovewood development. The overwhelming impact to our environment would be a travesty. And the idea that we would be allowing what amounts to segregated housing in 2021 is unconscionable.

Sincerely,

Outraged Orange County citizen

Commenter No. 87

O'Meara, Peggy

From: Peggy O'Meara
To: clerk@villageofsouthbloomington.com
Subject: Clovewood
Date: Friday, January 15, 2021 1:46:35 PM

I am a 25 year resident of Orange County, Washingtonville specifically, and vehemently oppose this exclusive development!

There are many reasons to oppose this construction. Firstly, it serves only one group. This is discrimination at the bare minimum! Where else can a "group" build housing and decide who can live there? It is outrageous the Hasidic population has been permitted to do this. NOW IS THE TIME TO STOP IT!

The lack of water in and of itself is reason alone to not allow this to happen. Historically, the Hasidics will lie, cheat and steal to get what they want. Clearly, the plans they submit won't be accurate. The estimate of the number of residents they claim will live there is inaccurate and EVERYONE knows this. The number will double or even triple. More people=more water usage, more cars, more traffic.

This development negatively impacts every resident in the Blooming Grove area! It will be filled with non tax paying, welfare families that will in effect pass their cost of living onto the current residents who actually work for a living and already pay a ridiculous amount of taxes. They will contribute nothing to the community.

Take religion out of the equation and what you have is a group of parasitic thieves whose only goal is to steal our way of life to sustain their own. NO other group would be permitted to build a development exclusively for "Irish people", "catholics", etc.

Do what is right for the residents of Blooming Grove and stand up to these people and preserve our way of life!

Peggy O'Meara

Commenter No. 88

O'Hara, Michelle

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
August 10, 2020
Clovewood DEIS – Public Comment

Michelle O’Hara – She just moved her family here from Chestnut Ridge and they moved to the Town for the wide-open space etc. She is against having the Village of South Blooming Grove potentially double in population. The traffic issue would be a major issue. Her family started a farm and had their first harvest. She is very concerned about the water and if they were to lose water, since they share the same aquifer, it would be catastrophic for her family and the farm.

Commenter No. 89

Padluck, Robert

Clerk

From: a24robert <a24robert@aol.com>
Sent: Wednesday, August 19, 2020 8:36 AM
To: Clerk
Subject: More thoughts on clovewood

Thinking about the access road from KJ to the proposed development of clovewood, maybe it should be studied further. Having that KJ access would enable to use the clove road access for emergency vehicles only. This would greatly reduce the traffic impact on rt 208. Let the access be from KJ, not from clove road. Water can be provided from the KJ pipeline and clovewood sewage can be pumped back into KJ for them to deal with it there. Also sound abatement can be used, similar to what is seen along highways in some places, to keep noise levels down along clove road to preserve the country setting of the area. I'm sure these proposals would be welcome by the developers and also potential residents of clovewood not to mention our own residents.

Thankyou,

Robert Padluck
24 Amy Road.
Washingtonville
Sent from Samsung tablet.

Commenter No. 90

Paese, Jonatony

Clerk

From: Jonantony Paese <paese4@aol.com>
Sent: Monday, August 17, 2020 10:06 PM
To: Clerk
Subject: Clovewood DEIS-Public Hearing

I reviewed the Clovewood DEIS prepared by CPC, which seems to be a highly professional community planning consulting firm. The Clovewood Project Consultants team listed in the beginning of the Clovewood DEIS also seem to be the best in the world with international offices like WSP and HDR who designed the new Tappan Zee Bridge. This really gave me a lot of confidence in the analysis found in the Clovewood DEIS, and I could trust that it really investigated all issues and would be a good project that would benefit the entire area.

It was really eco-friendly for Clovewood to balance the 600 homes with a lot of open space, which will really be beneficial. Even then, the developers are proposing just single family homes instead of using the small portion of the property for multifamily homes like stonegate on Rte 208. In this manner, Clovewood offers the benefits of both single family housing and open space all at once.

Thanks,
Jonatony Paese
Laurel Trail

Sent from Jonantony's iPhone

Commenter No. 91

Partridge, Elena

From: [Elena](#)
To: clerk@villageofsouthbloomington.com
Subject: Fwd: Clovewood Comments and Objections
Date: Friday, January 15, 2021 7:19:45 AM

Sent from my iPhone

Begin forwarded message:

From: Elena <elenacastilloster@gmail.com>
Date: January 15, 2021 at 6:52:18 AM EST
To: clerk@villageofsouthbloomington.com
Cc: Elena Partridge <elenacastilloster@gmail.com>
Subject: Clovewood Comments and Objections

Dear Village Officials,

I write to you as a resident of Blooming Grove since 2013. My husband and I moved to this town after getting married at Round Hill in 2012 and finding this beautiful landscape in the middle of Orange County. I grew up in Rockland County and have experienced the rapid development and segregate living being proposed like the Clovewood project. To say we are disappointed is an understatement. Not only does this go against the reason that we explored Orange County personally, but the impact on the town as a whole is an oversight by village officials to protect residents of Blooming Grove.

I've listened to residents speak and all the reasons brought forward that the majority oppose the project. Instead of restating all these reasons, I'll state this; The opportunity to follow through for tax payers of BG as officials of this town is now. Please consider this letter and the many other comments submitted in opposition of Clovewood.

Respectfully,

Elena Partridge

Sent from my iPhone

Commenter No. 92

Patrick, Shaun

From: [Shawn Patrick](#)
To: clerk@villageofsouthbloomington.com
Subject: Building Project
Date: Friday, January 15, 2021 9:26:03 AM

Good day,

I live in Washingtonville, and a new housing unit in South Blooming Grove would mean chaos. Congestion, pollution, garbage. Animals that have lived there forever will have no where to go. There's a big bald eagle population on Clove, a federally protected species, among many others. My family moved to Orange County from Rockland County and I lived thru it all down there. There's no space, or land for anything or anyone. Accidents constantly, garbage littered all over the sides of the road, taxes so high no one can afford to live there anymore. We moved here for the land, space, and clean air. I can't believe this is happening all over again. Whatever happened to rural living? It seems like every spot of Forrester is torn down and replaced with giant buildings. This is outrageous and no-one should stand for it. In times like we're facing people are barely holding their heads above water. Adding additional school taxes, property taxes, etc could literally destroy families. I've seen it happen! It happened to us and I refuse to sit back and watch it happen again.

Thank you,

Shawn Nicole Patrick

34 Bull Rd.

Washingtonville. NY 10992

845-596-4297

Commenter No. 93

Popko, Edyta

From: popkoedyta@yahoo.com
To: clerk@villageofsouthbloomington.com
Subject: Clovewood Project
Date: Thursday, January 14, 2021 4:19:13 PM

Good evening! As a resident of South Blooming Grove I OBJECT to the Clovewood Project. It's going to destroy our peaceful beautiful place to live into some nightmare. Our lives will be stressful because of traffic, mess, noise, double amount of cars and school buses! What about a beautiful nature, trees and poor different kinds of animals or birds??!! It's not always about money and power, it is all about living in harmony and peace, especially in these difficult times. Thank you! Edyta Popko with family

Commenter No. 94

Prendergast, Marybeth

From: [Marybeth Prendergast](#)
To: clerk@villageofsouthbloomington.com
Date: Thursday, January 14, 2021 12:15:06 PM

I 100% OBJECT to allowing the village of Clovewood. The impact this gigantic over inhabited development would have on the surrounding area is detrimental. Traffic is already an issue as Route 208 is the only way out of Washingtonville.

Why should the taxpayers foot the bill for these enormous influx of non tax paying residents ? It is unfair and it is not right. Cell service is poor near Route 208 already, and adding thousands of people will only make the situation worse.

CLOVEWOOD needs to be stopped.
Sent from my iPhone

Commenter No. 95

Prunty, Valerie

From: [Valerie Prunty](#)
To: [Clerk; planning@orangecountygov.com; cuponorange@gmail.com](#)
Subject: Clovewood DeIS information to be added
Date: Monday, January 11, 2021 11:42:25 AM
Attachments: [1-11-21 Natural Resource Inventory \(1\).pdf](#)

I would like this information regarding the finding for the Clovewood property as it is making much of this information. This is a copy of the Town of blooming Grove NRI. [This was report was several years in the making and detailed analysis and inventory of all-natural resources, animals, plants forestry, and wetlands just to names a few things contained in it.](#) As you know the Audubon Society information regarding the habitat. This brochure has taken a lot of time and energy as well as grants. Various state agencies have been involved and it should be included in all decisions made in the Town of Blooming gove including both Washingtonville and South Blooming Grove. I am also sending this to various people The link for this report is also stated below if your server does not allow these larger files. Please advise me when you have received this information,

http://townofbloominggroveny.com/Portals/5/documents/Natural%20Resource%20Inventory/1-11-21%20Natural%20Resource%20Inventory.pdf?ver=2021-01-11-144509-010&fbclid=IwAR0kpC1EYAAx5BvuML1IwrhiYt1T8NV8hHq8iHImErNtHdvk6saEt_hycU

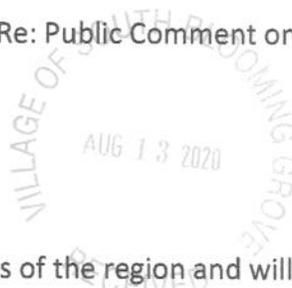
Valerie Prunty

Commenter No. 96

Ragbalia, Craig

Attn: Village of South Blooming Grove
Village Board & Planning Board
811 NYS Route 208
Monroe, New York 10950

Re: Public Comment on Clovewood DEIS
08/10/2020



Dear Village Mayor and Officials,

The Clovewood Project would meet the housing needs of the region and will be a benefit to the community. I reviewed the Clovewood DEIS and noticed it is not proposing housing that is in any way, shape, or form similar to the housing found in Kiryas Joel, which I am quite familiar with due to the multiple jobs I have worked on in Kiryas Joel. It is not bringing "there" "here" as suggested by one commenter during the public hearing earlier this month, and it is not even appealing to the same type of home buyer who is "there" but to someone looking for a single family home part of a development with open space "here".

The developers of Clovewood are doing nothing more than proposing the same type of development that was already proposed years before in the village of South Blooming Grove on streets like Pennsylvania, Arlington, Dallas, Merriewood, Lake Shore, Duelk, Mangin, etc. etc. but not like the multifamily buildings on Tanager. Along these lines, another interesting piece of information I learned from the Clovewood DEIS is in Section 3.4 on Table 342 and Figure 347. These charts show how the village of Kiryas Joel has the highest population density per square mile and the village of South Blooming Grove has the lowest population density per square mile. The village of South Blooming Grove is not even comparable to the village of Washingtonville, which is the other village in the town of Blooming Grove. In my opinion, this is likely because the Clovewood Property Parcel is a large tract of undeveloped land located within the village of South Blooming Grove.

It seems logical that a large tract of land, zoned for residential development, should be developed in a Village that has a lowest population density that is located nearby another village with the highest population density to offer future residents in need of housing the same opportunities that other villages offer their residents and that is offered within the village of South Blooming Grove to current residents. Clearly all of the other villages weighed the outcomes and saw it is the most beneficial all around to provide housing opportunities and the same should be concluded here in the village of South Blooming Grove for Clovewood.

I think the Clovewood Project would benefit the community and help address a housing need in the area, especially for home buyers looking for a single family home in a newly constructed development that would offer them amenities and better design standards.

Sincerely,

Craig Ragbalia, Town of Blooming Grove

A handwritten signature in black ink, appearing to read "Craig Ragbalia".

Commenter No. 97

Rainato, Johanna

From: [J R](#)
To: clerk@villageofsouthbloomington.com
Cc: [J R](#)
Subject: Clovewood
Date: Wednesday, January 13, 2021 8:24:08 PM

To whom it may concern,

I am I'm disagreement with the proposed high density Hasidic housing developments in blooming grove. As a tax payer of the washingtonville school district, this will be devastating to the taxpayers and local economy. It will disadvantage the local students.

There are many falsehoods and discrepancies in the EIS. The study appears highly inaccurate and needs to be revised wholly.

Page 10 Shows "proposed road classification plan" and off of Road D, an area labeled "conceptual future road". This must be included to where that road is leading to and more details of width and what will be built on it.

Your traffic study is from 2016. In addition to how many cars you anticipate from the Clovewood project, you are not including vehicles on the "conceptual future road". Where is that road going to? Is that to the future use of 22 acres? What is going to be on those 22 acres and how much traffic is that going to produce.

Also included in the DEIS is the proposed SBG Industrial Park on Museum Village Road. How much traffic is anticipated from that?

I live in Washingtonville. It takes me sometimes a half hour when getting off Exit 130 onto 208 North due to all of the traffic. You are talking about traffic lights at intersections of 208 and Seven Springs Mountain Road; Museum Village Road, at BG Plaza where another road will be coming out and another traffic light at Rt. 208 and Clove Road. With all of those traffic lights, there will be much more traffic. There will be so much traffic, it is going to back up onto 17 West at Exit 130.

A "traffic impact study" was completed December 2017 taking from 2016 existing traffic volumes weekdays peak for one hour in the morning and one hour in the evening stating only 239 cars and on Sunday 266. It was done during the summer when no one was around. It was done during the summer when the majority of the residents were away on summer vacation.

The traffic study says NYS Route 208 in this area has an average daily traffic (ADT) of approximately 9,000 vehicles per day in 2016. This study is four years old. If there were a turnover of over 500+ homes in VSBG, this number is skewed. Since the women don't drive, there are MORE busses, shuttles and cabs to meet the non-driving females. The new numbers must be included in the DEIS.

Page 150 Signal Warrant Analysis was done on all the intersections from exit 130 all along 208 There was ENOUGH traffic that Signals were Warranted for Seven Springs Mountain Road and 208, Museum Village Road & 208 and Clove & 208.

Page 76 plans for widening the road with turning lanes at exit 130 at the Monroe Professional Office Building. The hourly generated trips listed are from 2014. We drive by and see how packed the parking lot is and feel this number 6 years later is invalid.

Plans for one of the roads to go from the development, behind BG Plaza and out to 208 with a

request for a traffic signal at the Dunkin Donuts/Sunoco gas station.

HOW long will it take for me to get home once this development is permitted to go through between construction vehicles, lanes down to one, and increased number of vehicles?

This Clovewood project and traffic study with its anticipated # of vehicles will have a negative impact on the environment and community.

Thank you for making the right decision and denying this terrible project.

Joanna Rainato

Commenter No. 98

Reddan, John

Subject: Clovewood Concern John Reddan 30 Hillcrest Trail



John Reddan <mojomountain@outlook.com>

to Clerk

Tue, Jan 12, 9:16 AM (13 days ago)

You are viewing an attached message. Gmail can't verify the authenticity of attached messages.

Hi There,

I am sending a email in regard to my concern over the clovewood development at Lake Anne in south blooming grove. I live at 30 hillcrest trail Monroe New York in Mountain Lodge park, I have been living here for over 10 years. I am very concerned with water as we are on a mountain were water flows down hill, I hope the developer is going to pay the costs of my well drying up in the event after it is built and they draw water should the water table drop. I am also very concerned with wildlife in the area and what measures are going to be takin from animals entering mountain lodge park after they start to cut trees this is a serious concern for family's and children in the area, I would hope a fence is going to be installed, I have already hired a lawyer and plan to take action should any of these concerns become reality, we are also the home of the endangered eastern diamondback rattlesnake, I think the community should be let know what measures are going to be takin to protect a endangered species that is on the decline. Please take these things into consideration before lining your pockets with money and letting open space in the area be destroyed forever.

Thanks for letting me express my concern

All the Best

Reddan Family

30 hillcrest Trail

Monroe New York

Commenter No. 99

Rehberg, Marilyn & Harry

Marilyn & Harry Rehberg
221 Prospect Road

Monroe, N.Y. 10950

8/8/2020

To: Village Clerk of South Blooming Grove, Kerry Dougherty

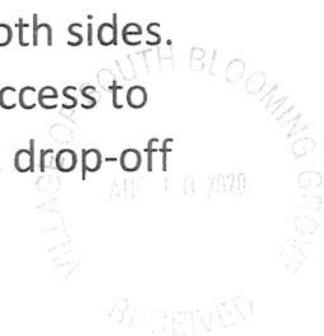
We have lived in our home for over thirty years. We love it here but continually face numerous challenges maintaining some basic needs for a secure life for our family. On reading the details of the proposed "Clovewood Project", we MUST point out serious concerns and thank you in advance for forwarding them to both our town and planning boards.

*Clove Road access to a proposed recreation area at the lake was questioned years ago as an inadequate two lane road for the expected traffic. "Clovewood" would have only Clove Road as direct access to everywhere by hundreds of additional cars, buses and taxis.

*Intersection of Clove Road and Rte 208 is already extremely dangerous!

*Rte. 208 is a dangerous and high volume traffic two lane road already.

*Round Hill Road, a probable cut thru, is a narrow winding two lane residential road with open drainage ditches on both sides. It intersects Rte 208 adjacent to a private home and access to Round Hill School, involving faculty, employee, parent drop-off



and parking AND a multitude of school buses also entering and exiting from RTE. 208.

*Seven Springs Road, another 2 lane winding road thru a residential area intersects with Rte 208 and is a nightmare already.

*Known Fact: South Blooming Grove has a serious problem with maintaining adequate water for the present population. Even the municipal wells have problems with pressure and have run dry. We who have wells are especially concerned about the aquifer as we deal with the uncertainty of water availability daily. Some areas have and are presently using water tankers to provide potable water.

*Sewage treatment is already a major issue!

*600 four bedroom houses PLUS a possible accessory apartment which can be built on each home would increase the population even more.

*South Blooming Grove is a village that does not have the infrastructure to be able to safely support such a huge development. By more than doubling its population in such a way is unconscionable, unsafe and unhealthy for all residents both present and future.

Thank you in advance for considering our concerns.

Sincerely,

Maureen Rehberg Harry J. Rehberg

Commenter No. 100

Rivano, Grace

From: [Grace Rivano](#)
To: clerk@villageofsouthbloomington.com
Subject: Building/Construction on Clove Road
Date: Friday, January 15, 2021 8:11:11 PM

I am very against this building of numerous homes here. Water is a big concern and the strain on our already overtaxed citizens. We cannot afford anymore. We are out of work and it is going to take many years for us to recover if at all. As a voter and tax paying citizen this is terrible for our natural beauty and resources. Grace Rivano

iPad II

Commenter No. 101

Rivera, Adrian

To whom it may concern,

I am writing to you regarding the clovewood development and some of the issues I see. The first issue I see is water we don't have enough water to sustain the current residents , my wife has to schedule when she washes clothes so they aren't ruined due to iron because of the water shortage. How are we going to sustain such a large community adding their water usage, this will affect all surrounding towns and villages. Another is the amount of bussing that will be needed for out of district students this year the cost of the bussing is over \$749,0000. Why should parents who go to the district school be forced to pay for students to go out of district for religious reasons. Why should we be forced to pay for their bussing, it is different when we pay for bussing to boces for special needs students because Washingtonville does not offer what is needed for those children. They are sent out of district to go to yeshiva so that is different.

Adrian Rivera

35 Dallas Drive

Monroe, NY 10950

Commenter No. 102

Roach, Joan

From: **ROACH** jroach65@optimum.net
Subject: **Re: Fwd: Clovewood Project, additional paragraph. Comments please.**
Date: **January 10, 2021 at 4:14 PM**
To: jdaly5036@gmail.com



On January 10, 2021 at 3:52 PM ROACH <jroach65@optimum.net> wrote:

----- Original Message -----

From: ROACH <jroach65@optimum.net>
To: jdaly5036@gmail.com
Date: January 8, 2021 at 7:38 PM
Subject: Clovewood Project, comments please before I forward to Kerry Dougherty

I am writing to make the Village of South Blooming Grove Village Board and the Village of South Blooming Grove Planning Board, (SEQRA co-lead agencies,) aware of the problems my husband and I have experienced with our water supply since Keene Equities drilled numerous wells on the property known as the Clovewood Project.

My husband and I have lived at 568 Clove Rd. for more than 50 years. When we were contacted by Leggette, Brashears & Graham, Inc. (LBG), Professional Groundwater & Environmental Engineering Services Consultants to monitor our well "to determine potential water-level interference effects from pumping of the new test wells on neighboring wells" (LBG, Well Monitoring report, Sept.29, 2017), we complied.

We cooperated in good faith and ultimately became victims. During the test period, we experienced daily water-level fluctuations. From "July 10, 2017, through July 16, 2017, 5.7 feet of water-level drawdown was observed in our well which was attributed to pumping of well C-7B on the Clovewood Property," (LBG Well Monitoring report, Sept. 29, 2017.) During this time period, we first began to notice small black particles, similar to black sand, appearing in our water. Although the owners of the Clovewood property agreed not to use well C-7B for the proposed project, we did frequently continue to observe these black particles in our water, ultimately causing a regular and annoying drop in water pressure from all of our faucets. This problem is on-going, requiring us to regularly clean the filters on every water source that enters our home. We did install a filter on the water as it leaves the tank which needs to be changed regularly. Although this helps, it did not completely solve the problem. We did collect a vial of these particles.

I must take exception to the DEIS's statement, "The Groundwater Well Investigation summarized in Appendix F concludes the Project's water supply system and associated six wells would not adversely impact the aquifer or nearby wells". We have been and continue to be adversely impacted. The on-going nature of this problem, where none existed before the well monitoring program, is an ominous indication of the harm this project will do to the entire water supply in this area.

I do hope you will reflect on these facts as you consider the Clovewood Project.

Respectfully,

Joan Roach



VILLAGE OF SOUTH BLOOMING GROVE
JAN 15 2021
RECEIVED

WM. J. ROARKE
7 James St. - Box 37
HARRIMAN, NEW YORK 10926

(914) 783-2331

7/11/86
1783-2328

Ma Stanley Pouch
Clone Road
Morroe N. York

#1666

TERMS:

PLEASE DETACH AND RETURN WITH YOUR REMITTANCE

DATE	CHARGES AND CREDITS	BALANCE
	BALANCE FORWARD	
	Setting up drilling reading 80 feet Testing for flow moving equipment out & burning pipe inlet Materials used	1000 00
	6 in pipe, Machined coupling, Well cap -	95 00
		1095 00

Commenter No. 103

Roach, Stanley

From: **ROACH** jroach65@optimum.net
Subject: **Fwd: Clovewood Project**
Date: **January 12, 2021 at 3:04 PM**
To: jdaly5036@gmail.com



----- Original Message -----

From: ROACH <jroach65@optimum.net>
To: Clerk@villageofsouthbloominggrove.com
Cc: HAMMONDS@NYASSEMBLY.GOV, SKOUFIS@NYSENATE.GOV, VALLE@NYASSEMBLY.GOV,
SUPERVISOR@BLOOMINGGROVE-NY.GOV, GDOERINGWARD5@BLOOMINGGROVE-NY.GOV,
SAYALAWARD4@BLOOMINGGROVE-NY.GOV, ddb4528@aol.com, Clerk@villageofsouthbloominggrove, Schmittc@NYASSEMBLY.gov
Date: January 12, 2021 at 2:42 PM
Subject: Fwd: Clovewood Project

----- Original Message -----

From: ROACH <jroach65@optimum.net>
To: jdaly5036@gmail.com
Date: January 11, 2021 at 4:23 PM
Subject: Clovewood Project

To Whom It May Concern,

My wife and I have lived on Clove Rd. for more than 50 years. In July of 1986, the late Mr. Marvin Greene, owner of what was then Lake Anne Country Club Estates, conducted a 48 hour pumping test on a well directly across from my property. Much to our dismay, our well ran dry, requiring us to hire Mr. William J. Roarke a well driller to deepen our well by 80 feet. I am attaching a copy of the bill for \$1095.00. My well however, was not the only one negatively impacted.

In the mid 1980's Great Bear Spring Water sent two large tanker trucks a day to collect water from two holding tanks inside the building on the corner of Rt. 208 and Clove Rd. We are aware of this because my son, then a teenager, was hired to mow the lawn and I plowed in winter for the trucks to access the building and tanks. Then the water was tested daily, sometimes twice daily for quality and purity. The overflow ran out onto Rt. 208 and people still fill large jugs of water there. Since our home is directly above the holding tanks, Great Bear asked to test our water. Their analysis showed that our water was exactly the same in mineral content as theirs but with a slightly higher iron content.

After Mr. Greene ran his pumping test, the Great Bear spring ceased to run. People could not fill their water jugs. The Great Bear tankers could not collect water to bring back to the bottling plant. Because the water supply was subject to interference from outside entities, they were forced to shut down their operation on Rt. 208 and find another more dependable source. The spring did not begin to flow again for two weeks. This was the first time the spring did not flow. It was also the first we ever had any trouble with our well water.

More than 30 years later, when Keene Equities drilled several test wells, monitored by Leggette, Brashears & Graham, we again encountered problems with our well. This time from July 10, 2017 to July 16, 2017, our well suffered a 5,7 foot draw-down resulting in very low water pressure. Although the owners of the Clovewood Project agreed not to use well C-7B, we still experienced water pressure problems where none existed before. To this day, although we installed a filter on the water as it enters the house, we have ongoing problems with sand and sediment collecting in all of our pipes and faucets, requiring a plumber at least once a year to clear blockages of black sandy deposits.

In the 50 plus years that we have lived here and raised our family, we only experienced water problems when something was done to the water on the Clovewood property. This can't be a coincidence. I sincerely hope that you will seriously consider the implications to not just my home, not just my neighbors, (who I know also experienced similar problems), but the entire surrounding town and County, if the Clovewood Project goes forward. Will we be forced to buy water by the gallon for all of our needs?

Respectfully,

Stanley Roach



VILLAGE OF SOUTH BLOOMING GROVE

JAN 15 2021

RECEIVED

WM. J. ROARKE
7 James St. - Box 37
HARRIMAN, NEW YORK 10926

(914) 783-2331

7/11/86
783-2328

Mr Stanley Poach
Clare Road
Morroe N. York

#1666

TERMS:

PLEASE DETACH AND RETURN WITH YOUR REMITTANCE

DATE	CHARGES AND CREDITS	BALANCE
	BALANCE FORWARD	
	Setting up drilling reading 80 feet Testing for flow moving equipment out & burning pipe inlet Materials used	1000 00
	6 in pipe, Machined coupling, Well cap -	95 00
		1095 00

Commenter No. 104

Romero, Vanessa

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
December 3, 2020
Clovewood DEIS – Public Comment

Vanessa Romero, 18 Dallas Drive: opposed to project as it is discriminatory to create a community specifically for one group; NYS housing laws protect people from discrimination; concerned with how a new community will affect the village's water supply; development would have a negative impact on traffic.

Commenter No. 105

Rosario, Laurie

From: [ROSARIO](#)
To: clerk@villageofsouthbloominggrove.com
Subject: clovewood
Date: Friday, January 08, 2021 10:00:25 AM

Dear board members;

I am writing to you today to implore you not to allow the development of lake ann. I have lived here for 18 years and have seen a great increase of traffic in this area. I used to see only a few cars on my way to work now I see more than double of cars and now school buses and large dump trucks. I am very afraid of what is happening to Monroe,south blooming grove and blooming grove. I can hardly sleep for all of these concerns.

I now am aware that on route 208 there is to be a planning of building a very large business park and also a nursing home. All of these developments are of great concern but what bothers me also is that the newspapers say that it is only for the benefit of the Hasidic people. REALLY????!!!! Isn't this a bit discriminatory? Oh, but it's alright for them but not for anyone else.

Please defend our land. Before we loose our land and our home values.

Thank you

Yours truly,

Laurie Rosario

Commenter No. 106

Rosso, Karen

From: [Karen Rosso](#)
To: clerk@villageofsouthbloomington.com
Cc: [Karen Rosso](#)
Subject: Clovewood/Lake Ann
Date: Friday, January 15, 2021 7:02:12 PM

Karen Rosso
21 Fort Worth Place
Monroe NY 10950

I am against the clovewood project for many reasons. Water is already strained in this area. The last I heard they did not find any water on the property so this should not be going forward with that alone. Traffic is already congested. With the amount of traffic that would bring our roads would not be able to handle it. Wildlife would be negatively affected. They have nowhere to go now with the over building that has already been done. A lot of the wildlife will end up dying. Noise pollution will increase. School taxes will be negatively affected. The landscape will change not for the better. It already has in spots in Monroe. This is not the city. I moved here six years ago to have a suburban life for my family and myself. I feel like the city followed me. The housing is for one specific group. If anyone outside of this group tried to repurchase a home in Clovewood they would be denied. That is housing discrimination which is illegal. This land should be turned into state land and left alone! This would kill quality of life for everyone in the area.

Commenter No. 107

Rothenberg, YM

Y.M. Rothenberg
1231 NYS Route 208
South Blooming Grove, NY
8/10/20

Dear Village Board of South Blooming Grove,

I had wanted to attend the Clovewood Public Hearing, but due to COVID19 limitations, I watched the hearing on Facebook. It was a shame to see elected officials trying to inappropriately use a SEQRA public hearing as a rally or polling event and hear some other individuals abuse the SEQRA process by using it as a tool and mechanism to further their personal, private agendas. This is a misuse of the SEQRA public hearing. The same constitution that provides an individual the right to free speech also provides a landowner the right to develop his or her property. One of the basic distinguishing factors between democracy and communism is that a landowner possesses the freedom upheld by constitutionally ordained rights to develop his or her property, safeguarded by the Bill of Rights.

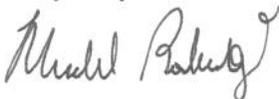
This constitutionality of a landowner developing his or her property is exactly why the SEQRA process is not a means by which to deny development and future, or stop natural growth. SEQRA is a tool in the hands of the lead agency to enable it/them to more effectively meet the demands of evolving and growing communities, and is a means by which the governmental body can better plan for the future while balancing it with environmental considerations.

While residents may be inclined to keep an area exactly the way it is or prevent the introduction of newcomers. These selfish desires are purely a private matter and not ones the SEQRA process should be utilized to promulgate, as such desires do not rise to the level of environmental impacts and bare no real substantial relationship to SEQRA. Accordingly, such comment should be disregarded in regard to DEIS review, and it goes without saying that personal, political agendas have no place in consideration before a Board legitimately reviewing a project.

Homeowners that wish to see land never developed may purchase undeveloped land within their municipalities because land zoned for development will, in all likelihood, eventually be developed at some point, unless the property owner chooses not to do so. The Clovewood Project would undeniably provide an opportunity for homebuyers to purchase much needed housing, in a community that would offer them all of the benefits that currently exist within the South Blooming Grove area. As shown on the documentation available on the Clovewood DEIS online, the Clovewood Project is not proposing development that is different than what currently exists in South Blooming Grove, and for officials and public individuals to pretend Clovewood is different under the guise of legitimate concern is simply a fallacy. These individuals are simply attempting to disallow homes to address a need for housing and disallow future residents from benefiting from the South Blooming Grove area and community just as they have, and will continue to benefit.

I also want to note that the misuse and abuse of the SEQRA process results in increased housing costs in the area and particularly limits housing opportunities for low and moderate-income households, as fewer homes are available for purchase, thereby increasing the cost of housing. I ask the Village of South Blooming Grove Boards to view the Clovewood application with honesty and integrity and without personal agenda, which has no place in a SEQRA review.

Very Truly Yours



Commenter No. 108

Rum, Bonnie

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
December 3, 2020
Clovewood DEIS – Public Comment

Bonnie Rum, 64 Shore Drive: in writing, see attached.

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
January 5, 2021
Clovewood DEIS – Public Comment

Bonnie Rum – See attached

Section 1.0 paragraph 2 (page 1.0-3) it states that “the Satmar Hasidic community would likely constitute a significant percentage of the homeowners within the Project.” Define “significant”. That implies that people who are not members of the Satmar Hasidic community would be living in CLOVEWOOD as well. Of course it is illegal to discriminate in housing, so how would you advertise these homes and to whom would prospective buyers contact? Since Section 3.4.3 of the DEIS makes it clear that the Satmars will constitute the majority if not all of CLOVEWOOD, (and, again, this is illegal) it is only fair to question the information detailed in Table 321 on page 3.2-2. According to this Table, the population of KJ has declined significantly since 2016 from 21,655 to 13,138 so the claim for a need for more housing is not justified. However, it also says that the percentage of change is up by 64.8%. Explain the discrepancy. Since it made clear that it is the overflow of Satmar population in KJ, let's take a closer look at the statistics presented in your Table 321. It clearly shows that although the average household size in KJ is almost double that of the Town of Blooming Grove and the Village of South Blooming Grove, the median income is only about 25% and the Tax Levy almost half in KJ than in the Town and Village. How is that supposed to improve the tax levy income for the Village? Explain the difference between the Local Government Expenditures and the Local Government Tax Levies. Where is that money coming from? Why should anyone believe it will be different with CLOVEWOOD than it is in KJ, especially since you clearly state that the same community will be occupying both locations? Page 3.2-8 States that CLOVEWOOD would constitute a 1.9% housing increase of the Primary and Secondary Study Areas, however, isn't it only reflecting the overpopulation in KJ, which seems to not be concerned by the expanded building practices that foster their increased population.

Page 2.9-3 States that “No accessory apartments are being proposed as part of the Project. However, any homeowner would have the right to propose an accessory apartment in the future, subject to the availability of sufficient water and in accordance with the provisions of Village Zoning Code §235-45.6.” Would the prospective home buyers be made aware that they would have to seek approval of the Village? Since the plots are so small, would the accessory apartments be built over the garages if approved? If not approved,

would those same home buyers go after the Developers for misleading them? The following statement from that page does NOT constitute agreement, just the anticipation of the Development's future attempts. "The Applicant has not proposed accessory apartments; however the co-lead agencies consider the construction of such apartments a reasonably foreseeable consequence of the Project."

In terms of water use, on page 1.0-7 you talk about 600 four bedroom homes, but you are tying bedrooms to gpd instead of the number of people residing within these homes. Bedrooms don't use water, people do. And accessory apartments would expand the need for gpd. You also state that the Project "would discharge sewage to a Satterly Creek tributary. How clean would this discharge be?"

At the bottom of page 1.0-9 there is an implication that religion is at the bottom of the need for analysis of scenarios comparing the "effects of a Hasidic individuals owning and occupying the units as opposed to individuals of other religious backgrounds ". Let me make it clear that it is NOT the religion. It IS the demonstrated behaviors that concern the Village and the surrounding communities.

Since most of the Hasidic community goes to KJ/Town of Palm Tree for their shopping needs, the impact to local businesses would be minimal at best.

Short term employment would go up for construction, but what long term employment do the Developers refer?

Concerning Community Services, the Project's reliance on volunteers for ambulance service and fire prevention is nebulous at best. Training would be required to any volunteers and since beards do not allow for the safe use of masks for fighting fires, there is little prospect of this becoming a reality. As it is, KJ relies on neighboring Fire Departments in the event of indoor fires. You have NOT clarified this since prior comments and concerns were given.

A statement on 1.0-12 says the Village Board adopted a negative declaration confirming that the zoning regulation would not have the potential to generate significant adverse environmental impacts including community character. Really? It is beyond the pale to believe that that the Village Board and Zoning Code envisioned more than doubling the Village

population in one fell swoop. Can you honestly believe that that would not impact the community's character?

On page 1.0-12 Are the “60 acres of Village for public parkland” to be available to the entire Village residents?

Page 1.0-17 paragraph2 How were the future “peak pedestrian trips” generate by the Project determined. Some show that they go from one home's yard to another. Also, since it is stated that there will be a public accessible park and ride facility, have the Project developers spoken with the Short Lines Bus Company to set up a new pick-up and drop off location to their routes? This question was asked and remains unanswered.

Paragraph 3 Implies that the developers will be committing to implementing appropriate mitigation measures IF future conditions so warrant. What are those measures? Will money be placed in escrow for such a contingency? How much would that be and who or what agency would hold that funding, and how would it be secured? How accessible will the Developers be after Project completion?

1.0-24 The role of the Bankruptcy Court has no relevance to the Village since the Village is NOT in business with the Developers. However, anyone signing to do work for the Developers might well be concerned. They would not want to get paid pennies on the dollar for their work.

On page 3.2-9, if you do the math, the developers are anticipating a profit of \$55,215,000. Is that what the Bankruptcy court demands? Of course, they may find that expecting to get \$495,000 for a 4 bedroom house on less than ¼ acre might not be realistic, especially when a mortgage is required. Of course, since, as you say at the beginning of the DEIS that you are no longer planning to build accessory apartments and will leave that to the new home owners, that asking price might be even more difficult, assuming that you dutifully inform each prospective owner that they would have get approval from the Village Planning Board, along with the issue of installing plumbing,... This is turn would effect water usage in an area that is stressed with the water issues.

On page 3.2-10 are you actually saying that there are only 2.22 school age children per household? You know that your households have many more students than that. You are also stating that 600 accessory apartments would

add 763 people to the population. Does that mean that most will be occupied by single individuals? If the residents of these homes go above what you are implying, how will you keep up the water accessibility and quality?

In section 4.2 the statement that the planned layout would conserve outdoor water usage since, I'm assuming, there would be no room for a lawn for each house, but it does NOT address the pools and bathhouses included in the development. What is a bathhouse and how is it used? What would be the water usage with each pool and then with each bathhouse? How many would there be of each? How often would each be emptied and refilled? I've asked about this before and you have not responded to this. In an area so riddled with water issues, this is vitally important.

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Since everyone acknowledges that there is a water shortage in the Village, why is the Clovewood project still being advanced? No matter how many wells they claim to be putting in, when you put too many straws into the same glass of water, the water will be depleted even faster. Can the project owners or any of their hired companies and/or individuals guarantee that these wells are in a strictly independent source of water; that they will not drain the wells of others as they are doing in Monroe?

Also, why would the Village and/or Planning Board change the engineer and planner from Mike Weeks and Bonnie Franson to Al Fusco Engineering? They work with KJ and that place looks like a shetyl, a large tenement and has a water shortage issue of its own as it continues to build and expand regardless. Is that happening with the Fusco Engineers' approval or recommendations?

In many previous meetings, the Hassidim who attended said that they didn't want to live in a KJ environment, overcrowded and with little or no green space around their home, and yet that is exactly what would result if the Clovewood project would be allowed to continue.

It is clear that the developers is NOT concerned with the people to whom they plan to sell these properties. Fitting so many houses within such a small area will explode water shortage and traffic issues with no regard to the people they leave behind to deal with them.

Bonnie Rum
64 Shore Drive

Commenter No. 109

Sacco, Elizabeth

From: leesacco@frontiernet.net
To: [Clerk](#)
Cc: leesacco@frontiernet.net
Subject: Clovewood
Date: Friday, January 15, 2021 3:53:31 PM

Good Day,

My name is Elizabeth Sacco, my address is 259 Clove Road, Monroe NY 10950. I strongly oppose such a large development being built on Clove Road.

1. An exclusively white community being built should not be allowed.
2. According to the South Blooming Grove website, there is currently water restrictions in effect. I don't believe there is an adequate water supply for the current homes, much less an additional 600 homes.
3. Traffic is a grave concern. I don't believe Rte 208 or Clove Road has the capacity to hold the traffic 600 new homes would bring.
4. Such a large population growth, effects our quality of life. We live in a rural environment, which would be ruined if 600 homes were built.

I live and drive on Clove Road everyday. I always comment to myself "what beautiful country road it is". It's a rural country road with Schennemunk Mountain in the background. 600 homes would ruin our road and our community.

Elizabeth Sacco

Commenter No. 110

Sagala, Joanne

Subject: CLOVEWOOD DEVELOPMENT



Joanne Sagala <joannesagala@aol.com>

to Mayor, Clerk, ddb4528@aol.com

Mon, Jan 11, 6:24 PM

You are viewing an attached message. Gmail can't verify the authenticity of attached messages.

Dear Mr. Mayor,

This is in response to the above potential development on Lake Anne property. The residents of South Blooming Grove have been more than patient with the handling of items brought before you during the town meetings, particularly the water issue.

There are three important issues to consider before approving the Clovewood Development :

1. It would just intensify the water problem. We do not have enough water for the current residents, besides the water being brown on a regular basis.

Where are you going to find enough water for new housing, more than doubling the population. More importantly, water for the fire department in the event it is needed.

2. This development will also add to the already increased traffic in South Blooming Grove which plays havoc on Route 208 on a daily basis.

3. The environmental impact of the area will also be a deterrent in approving this development.

These issues, and I am sure many more, need to be carefully considered and investigated before any decision is made.

Thank you.

Joanne Sagala
6 Stawberry Lane
Monroe, NY 10950
845-783-4492

Commenter No. 111

Sagala, Theresa

Dear Mr. Mayor,

This letter is in regard to the Clove Wood (Lake Anne) project.

To build on Clove Rd would be a disaster. First of all, we have water problems in South Blooming Grove. I've had brown water for at least 10 years. I've documented it with the Village. I not only have to pay a water bill, I have to buy bottled water to cook, brush my teeth and give to my dog. I have to run the water for almost a half hour before I can shower. That's with a shower filter, which I change weekly. How do you think adding 8,000 people will help fix this? It is not sustainable!

And the run off because the water flowing down the mountain won't be soaked into the ground, but torrents of water flying down paved streets.

Clove Road itself will not be adequate for the amount of added traffic these homes will bring.

The environmental impact should be of utmost importance before considering such a project. We need to preserve the trees and land on Clove Rd and the surrounding properties.

Your first problem is the water. Without a fix, your project is null. Fix the water problems in the Village and stop trying to make it worse by adding to it.

Sincerely,

Theresa Sagala
6 Strawberry Lane
Monroe, NY 10950
845-783-4492

Sent from my iPhone

Commenter No. 112

Salka, Dawn

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
August 10, 2020
Clovewood DEIS – Public Comment

Dawn Salka – In the project description the applicant has reserved 22 acres of land and has no plans for that lands development but in the community services and facilities it says there are plans for commercial development on those 22 acres i.e. shopping. There is open space with plans to create 60 acres of active recreational areas easily accessible public park land. Where are those plans? How area those people getting there? She is guessing a road with additional traffic. There are plans along Route 208 across from the Sleep Inn for a future commercial park, warehouses that are 95,000 square feet and 115,000 square feet. The traffic impact study used 2016 existing traffic volumes done on weekdays 7:30-8:30 am, 5:00-6:00pm, Sunday 12 noon to 1:00pm. Friday evening and all day Saturday stating no cars. Note that 2016 says Route 208 had 9000 vehicle a day, this is a study that is 4 years old. Signal warrant analysis was done on all intersections from Exit 130, there was enough traffic that signals were warranted for Seven Springs Mountain Road, Museum Village Road and Clove Road. There are plans for widening the road, with turning lanes at Exit 130 at the Monroe Professional Office Building. The hourly generated trips listed are from 2014, those 6 year old numbers are old and no longer valid. Plans for one of the roads is to go from the development behind Blooming Grove Plaza and out to Route 208 with a request for a traffic signal at the Dunkin Donuts-Sunoco Gas Station. A 300 spot park-in-ride, who owns that and maintains it? After the 300 lots were completed there would be another traffic study to consider additional traffic signals as well as the commercial development on the 22 acres. How can you submit a plan and then modify half-way through? Construction is going to be Monday through Friday with some necessary weekend work, for how long? How many construction vehicles will that entail? Carpenter, plumbers, electricians, contractors? The accident evaluation needs to be updated since there is a significant uptake Museum Road, 17M, 208 and Seven Springs Mountain Road. 500 homes have been sold since this traffic study was done. The DEIS says 2+ children. It is really 2-10 people living in these homes and we have proof that Shannon Lane alone has 16 registered voters at that address. These houses have 4 car driveways equaling 2,400 cars but this doesn't take into consideration the cabs, school buses transporting the private school children. This traffic study needs to be updated and not during the summer when people are on vacation, not during Covid when we are all quarantined and no one is commuting and no Washingtonville Buses are being used. In conclusion you came here from there because you didn't like there and now you want to change here to be like there. We are not racist, phobic or anti whatever you are we simply like here the way it is and most of us actually came here because its not like there wherever there was. You are welcome here but please stop trying to make here like there. If you want here to be like there, you should not have left there to come here.

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
December 3, 2020
Clovewood DEIS – Public Comment

Dawn Salka, 25 Woodard Road: concerned with 2016 traffic study- study done at off times and is inaccurate; 600 new homes with accessory apartments will make travel on Clove Road and State Route 208 difficult; increased population will have a direct effect on traffic, i.e., more school buses, shuttle buses, taxicabs, and delivery trucks; projected population for Clovewood in DEIS is inaccurate.

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
January 5, 2021
Clovewood DEIS – Public Comment

Dawn Salka – See attached.

Cloewood Public Hearing
1/5/2021

Dawn Salka
Woodard Road
Monroe

I have a few numbers to quote this evening.

1.1 in the Executive summary confirms that the Satmar Hasidic community would likely constitute a significant percentage of the homeowners within the Project.

3.3. Community Facilities page 3 table 332 states a population projection of 1,239 students at a cost of \$862/student but you report 2.2 children per home = 1,320. You are off by 81 and \$69K.

April of this year, the Orange County Planning Dept commented this project is expected to be occupied by Orthodox Jewish households, therefore the occupancy of each household is more likely to conform to the standards of the Village of KJ (5.62 people) giving us 3.6 children = 2,160 children, not 2.2 as in the 2010 KJ census, it is higher than that.

2020-2021 school year enrollment of the public-school student population is 3,723 and 1,016 are being transported to private schools. From 2019-2020 last school year there has been an increase in the enrollment of private/parochial by 426 students. And IF it only costs \$862/student, there should only be an increase of \$367,212

2016-2017 public school enrollment went from 4,163 to this year 3,723 a decrease of 440 students. With the decrease of those public-school students and an increase of 426 private school students, we had to increase our transportation costs \$740K.

Page 22 a survey filled out by the district Will the development of Cloewood impact your budget? Yes, transportation requirement of bus transportation to KJ".
The 531 homes in SBG that have already changed hands to the Satmar orthodox has already had an impact on the school district's budget.

WHAT will happen if this development comes to fruition if our transportation line item has been increased by \$740K with just an increase of 426 children. What will it be with 2,160? Five times that amount.

EVERY single number reported in your DEIs from your traffic study that is almost five years old (that does not include the # of current and proposed school buses, the commuter buses coming in and out of the three hundred spot park and ride, the cabs, the shuttles, the # of vehicles coming to events at the multiple community centers), number of children per household, percentage of open space,
- every single number is inaccurate.

This DEIS needs to be updated with the correct information so we have an accurate picture of the negative impact Cloewood will have on this community.

From: nyvan7@aol.com
To: clerk@villageofsouthbloomington.com
Cc: nyvan7@aol.com; cuponorange@gmail.com
Subject: Clovewood comment
Date: Friday, January 15, 2021 3:00:24 PM

I am commenting on the proposed Clovewood development.

The noise impact statement is incorrect.

What is the current time line for road construction alone? Will the current infrastructure be upgraded prior to the building of the project?

It appears this will take years. We, the community, and especially the residents who live on Clove Road, Orchard lake and Mountain Lodge park should have to be impacted by both the upgrade and then the road upgrades.

I disagree with the charts listening the decibel levels as per construction equipment. This is a HUGE project and we ALL KNOW that there will be multiple, more than one, pieces of equipment running simultaneously. This noise will effect people and wildlife.

I live at 25 Woodard Road, approximately one mile from the Callahan and Nannini shale bank. The sound from there, 7 am to 5 pm 6 days a week travels to the higher elevation of my house and I hear it during that time. It has affected my quality of life. I cannot imagine a project this size to not affect the neighbors.

Please deny this project from moving forward.

Thank you,
Dawn Salka

From: nyvan7@aol.com
To: clerk@villageofsouthbloomington.com
Cc: nyvan7@aol.com
Subject: Clovewood
Date: Friday, January 15, 2021 3:02:37 PM

I am extremely concerned about the increased traffic going to be produced by this neighborhood but especially in regards to police services.

It is a known fact within the Orthodox community, that they have public safety officers.

Outside police departments are never or rarely notified.

This should not be allowed.

There could be concerned for child safety welfare, OSHA violations, MVAs, construction accidents, etc.

They call their own KJ EMS or PSO.

Commenter No. 113

Salka, John

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
August 10, 2020
Clovewood DEIS – Public Comment

John Salka – He had prepared remarks but they were repeating what others have said today. The DEIS is large and what he recognizes is that there is not a plus to the project. There are only minuses. A negative impact on water usage, supply of water, where the wastewater goes, negative impact on traffic through the village, highway, DPW, traffic lights and adding streets and curbs and widening roads and making sidewalks, a negative impact on the environment. There is no positive. He hopes that the boards recognize their responsibility is for the good of the community. He cannot imagine how anything could be approved that would bring so much negative impact on a small community like the Village of South Blooming Grove.

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
December 3, 2020
Clovewood DEIS – Public Comment

John Salka, South Blooming Grove Fire Department Chief: in writing, see attached.

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
January 5, 2021
Clovewood DEIS – Public Comment

John Salka – The fire department needs water to fight fires. The existing community doesn't have enough water, quality water as it exists. There is not even enough water for fighting fires. The duration is as important as gallons per minute. The quality and availability of water has always been terrible in South Blooming Grove. A person continues to impersonate me on the Zoom meetings, we hope to expose the culprit.

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.

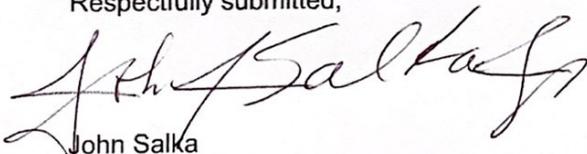
In the Clovewood Draft Environmental Impact Statement, Page 3.3-7, Section 3.3.2 Fire Protection, there is indication that communication with SBGFD was unsuccessful and that cooperation in an attempt to obtain operational information was refused. Although I cannot speak to that attempt as I was not Chief 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

From: fdny48cap@aol.com
To: clerk@villageofsouthbloominggrove.com
Cc: fdny48cap@aol.com; cuponorange@gmail.com
Subject: Clovewood Comment
Date: Friday, January 15, 2021 2:14:44 PM

I am commenting on the proposed Clovewood project as it is within the South Blooming Grove Fire Department 911 response area. I am the Fire Chief at South Blooming Grove and I have some concerns with this project.

My primary concern with this project is the availability of sufficient water for the protection of the buildings and occupants. I know there are issues concerning the domestic water supply for the large number of structures and people that will inhabit this development, but my concern is more specifically that there is enough water for the fire department to effectively mount a fire attack should a building fire develop. Domestic water supply is measured in GPM but water that is required to fight a structural fire is measured in gallons per minute (GPM) *and additionally* in time or duration. When the fire department states that 1000 GPM is the required fire flow for structural firefighting it is accurate. Accurate but incomplete! We need that 1000 GPM for long durations. No two fires are alike but many serious building fire operations go on for hours. So simply having a water supply that can produce 1000 GPM is only half the requirement for the fire department.

Additionally, I have reviewed the plan and it indicates that the planned residential structures will be over 3,000 square feet in size. These will be large wooden structures that may require water supplies of even greater gallons per minute and longer duration.

The existing village of South Blooming Grove is currently operating with water restrictions for its residents and businesses and have been on and off for decades. The proposed development and the water supply they will need to satisfy their enormous domestic needs is already in question. The water that the fire department requires for our operations is a separate and many times larger supply of water. When water supplies become more difficult to achieve the village can again and again issue a water restriction. When a fire strikes a neighborhood there are no restrictions. The fire department requires the water supplies described here or possibly more. Without a robust and secure supply of water at adequate GPM and for long durations this development will be at risk of suffering a serious life threatening fire that can have tragic impacts on both property and lives.

John Salka

Fire Chief, South Blooming Grove Fire Department

Commenter No. 114

Santambrosio, Lori

From: [\(null\) lori70](#)
To: clerk@villageofsouthbloomington.com
Cc: [Lori Santambrosio](#)
Subject: Clovewood development
Date: Friday, January 15, 2021 4:26:19 PM

To whom it may concern,

This development should not be being built due to the the water and sewage problems already there. This would be highly irresponsible to over populate an area and not be able to supply water or sewage to it. The water there has been a problem and people have brown water to bathe in, drink from ,do their laundry in that causes it to stain, water restrictions and nothing has been done to solve this. You are putting other wells in danger of drying up so you can build a large community that is also discriminatory toward who we be able to live there. Our roads would not be able to handle the traffic from the large amounts of traffic using these roads. These are some of the reasons why clovewood should not be built and what damage it would to the village.

Santambrosio family

Sent from my iPhone

Commenter No. 115

Santos, Amanda

From: [Amanda Schmitt](#)
To: clerk@villageofsouthbloominggrove.com
Subject: Clove Road
Date: Friday, January 15, 2021 4:18:03 PM

To whom it may concern,

My family and I have great concerns regarding the development of the area of Clove Road. Among my top concerns are the effect on the surrounding environment and existing community. Blooming Hill Farm has been providing for our community for decades and I worry about the negative effects of the overdevelopment of the surrounding land and water in the area. In addition, I am concerned about the effect on the school district and taxes. The large influx of children in this area will most definitely increase our district's spending in transportation and other related services. We have seen first hand the negative impacts on our environment and communities and can not allow this to continue happening over and over again. It is unsustainable.

Sincerely,
Amanda Santos

Commenter No. 116

Sardella, Danielle

From: [Danielle Sardella](#)
To: clerk@villageofsouthbloomington.com; [Danielle Sardella](#); [Brian Sardella](#)
Subject: Reject the Clovewood Project, Preserve Land, Water, Scenic Landscape
Date: Friday, January 15, 2021 9:33:00 PM

Dear Clerk,

Please reject the Clovewood project's request to build 600 homes on 142 acres and any other proposal that would jeopardize our town's resources and landscape. My home is in the environmental impact study and this development would affect our home's well water, the landscape we admire, the peace and quiet we have come to cherish in the place we chose to raise our family.

When we moved here 15 years ago - there were strict regulations to build our own home in a scenic Blooming Grove. We purchased property just under 4 acres and were permitted to build one single family home based on the 2 acre lot maximum requirement. This reassured us at the time that the land around us would be preserved, along with the moratorium the town put on housing developments to ensure the land and communities weren't overburdened.

The Clovewood project proposal should not even be considered based on rules that have always been in place. Why now? When open space and the environment is more at risk than ever, why would you even consider ignoring laws that were created to preserve not only the scenic beauty of the area but would lead to overcrowded roads and depleted resources? Shouldn't the whole community that currently lives here get a chance to decide how our commutes, water, the air we breathe, and the land around us, and our daily lives are impacted by a project that will bring thousands of people into a quiet, rural community?

Please advise how this will be decided. Also, please share how we can voice more of our concerns over this project, and please be sure to support the current residents by preserving the land and resources we have invested in through years of paying taxes and respecting the rules.

Thank you,
Danielle Sardella
Blooming Grove Resident

Commenter No. 117

Schatz, Joseph

From: joe.s
To: clerk@villageofsouthbloomington.com
Subject: Concerns over Clovewood
Date: Friday, January 15, 2021 6:43:26 PM

Hello,

I am writing to express my concerns over the environmental impact that the proposed Clovewood development would have on the area. As you are aware, this property is home to a wide array of wildlife including endangered species which could become extinct should this project move forward. The wildlife includes timber rattlesnakes, Indiana bats, beavers, bog turtles, newts, northern cricket frogs, a baby otter, tree frogs, flying squirrels, and possibly timber woofs.

Concerned citizen,
Joseph Schatz

Sent from my iPhone

Commenter No. 118

Scheetz, Linda

Comments on Proposed Clovewood Development Project
Submitted by Linda J. Scheetz

I have reviewed the online Clovewood documents and multiple attachments. My comments are similar to those that have been expressed previously. Although these comments have been discussed in the Draft Environmental Impact Statement (DEIS), I remain concerned. My primary concerns relate to:

1. water: I remain concerned that the high need for water for the proposed Clovewood project, especially after it is built out, will drain the aquifers that supply private residential wells and municipal wells in South Blooming Grove (SBG). Nothing in the EIS or any attachments convinces me otherwise.

2. traffic: I remain concerned that traffic will increase and the rate of motor vehicle crashes will increase. A project that size will add many more vehicles, including buses, to an already overburdened Route 208 and other secondary roads. The emissions from the increase in traffic will negatively impact the health and quality of life of residents of SBG. Route 208 is heavily traveled now during peak morning and late afternoon hours. At other times multiple construction vehicles travel on this road, often at excessive speeds. The road has little shoulder area and many blind curves as well as side roads and driveways with uncontrolled access to route 208. The increased traffic combined with uncontrolled access (vehicles "shooting out" from driveways and side roads) to enter route 208 is a recipe for disaster.

3. police and fire department resources: I remain concerned that a project the size of Clovewood will overburden our valuable police and fire departments. SBG has a volunteer fire department. Across the U.S., small community fire departments have struggled to recruit volunteers at a time when an increase in the volume of fire calls can be expected to increase substantially if the Clovewood project is approved. Moreover, men with facial hair, such as Hasidic men, cannot be certified for indoor fire fighting because their facial hair impedes proper mask fit. This would mean that they could not reasonably supply an adequate number of additional volunteer "indoor" firefighters to our local fire company. Our police department would need to increase in size to handle potentially double the population. Where would the money for this come from? Should all of our local taxes increase so that one proposed development has adequate police protection?

4. environmental destruction: I remain concerned about the disruption to the environment, destruction of wetlands and destruction of wildlife habitats.

5. loss of our village character: South Blooming Grove has been a semi-rural village with a small-village character. That character is what attracted my family and many others to this area over past decades. I want SBG to retain its semi-rural character. For me, that includes single-family homes on adequate acreage to ensure peace, quiet, and privacy. I want to look around and see rolling hills, woods, streams, and meadows, with trees and wildflowers, I don't want to live near a bustling development that adds many more cars and doubles the population. If I wanted to live in a bustling area, I would have moved to one 40 years ago.

The authors of the DEIS articulated the work they have done and their responses to mitigate concerns previously raised, many of which I reiterate here today. **I do not trust that many of these actions will be taken, nor do I believe what is written.** Presently, SBG does not have the resources to provide the close and necessary monitoring that will be needed to ensure that the interests of the current residents of our village will be protected.

Comments on Proposed Clovewood Development Project
Submitted by Linda J. Scheetz

In closing, I appreciate this opportunity to share my comments with the SBG Board and Planning Board. Moreover, I have additional concerns that are not addressed here because they are secondary.

I urge the authorities of South Blooming Grove to deny the application to move forward with the Clovewood housing project.

Respectfully,
Linda J. Scheetz
289 Prospect Road

Commenter No. 119

Schmitt, Collin

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
August 10, 2020
Clovewood DEIS – Public Comment

Assemblyman Colin Schmitt, District 99 – His office is just down the road, he hopes everybody is staying healthy during this ongoing Covid-19 Crisis. The DEIS proposed on the Clovewood Project for the Village of South Blooming Grove has raised many questions and concerns from constituents of the 99th Assembly District directly here in the Village and in surrounding areas. The proposed Clovewood Development Project is a major housing development that will bring close to 4,000 new residents to the Village of South Blooming Grove, more than doubling the local municipality total population. This project will fundamentally change the character and the rural nature of the Village of South Blooming Grove and our surrounding areas. The immense and fast paced growth is not sustainable considering the Village's current services and resources that it is able to provide to residents. To hit a few key points and on top of my concern is the water concerns. As a ranking member of the NYS Assembly Minority Task Force on Water Quality Committee there has been testimony from local residents and officials where we had that in the district just a few months ago many concerns regarding water services that are currently being provided by the Village of South Blooming Grove. As a member of that Task Force, I reviewed the current and ongoing water issues with the Village as well as the Town of Blooming Grove as the Supervisor just mentioned the village is already dealing with immense problems providing the current population with adequate water services due to issues related to quality and quantity of water, the viability of a long term water source and capacity issues. I have worked with several local leaders here to secure State Government Funding to improve the current water situation. Approval of this project would deplete any good that comes from the water improvement projects currently ongoing in my opinion. It is simply not possible for the already strained aquifers to handle this major development and the increase use of water that will come from 600 new homes. Rural character and land preservation – The Town of Blooming Grove is in support of an Orange County Preservation Bill as well as a local Preservation Bill as well as a Village of South Blooming Grove Zoning Code which prioritizes preserving land and retaining the rural character of the area, so approval of this project would violate that. The Clovewood Project is no consistent with that and would severely impact the natural landscape of the Village including views of Schunemunk Mountain Ridge, historic farmlands, open space and it will also disturb local vegetation and wildlife at the proposed location. Infrastructure – the existing state and local road infrastructure is not adequate to handle the population and the road traffic that it would generate. There are existing traffic issues within the Village that are currently being evaluated at his request along with and in conjunction with local leaders and concerned citizens by the Office of the NYS Department of Transportation any additional traffic cannot be handled over the current infrastructure composition of the Village. Emergency Services is a top concern to me as a son of a retired FDNY First Responder and as a member of the National Guard is the ability for first responders including police, ambulance and fire and they are not equipped to task and support the doubling of the population of the Village. Such immense growth would hinder response times and danger life and property within the Village and surrounding communities. The exponential growth needed to probably serve the expanded population, both in manpower and vehicles for paid and volunteer agencies would be an unattainable burden. This is particularly in light of the current Covid-19 Crisis, due to the ongoing Covid- 19 Crisis I speak now as an Assemblyman but a ranking member of the NYS Assembly of local Government Committee, Local Governments, Town, County and Village are experiencing great financial difficulties across New York State, particularly here in our region and that is further restricting their existing abilities to provide services. This is not a viable time to consider projects such as Clovewood which would require massive increase in Village, Town and County provided services, such as DPW, Sanitation, Water, Sewer and Emergency Services, along with the very important and often overlooked common civil services that are provided by Village, Town and County Government which is many times very personnel and expense driven. I urge the Boards to reject and not proceed with this project.

Commenter No. 120

Schnitzer, Moses

From: Moses Schnitzer <m5634s@gmail.com>
Sent: Wednesday, December 9, 2020 9:16 AM
To: clerk@villageofsouthbloomington.com
Subject: Clovewood project

Hi

My name is Moses Schnitzer i live at 9 Arlington Dr, Monroe, NY 10950

As i see on the plans it looks like Arlington Dr will become a main road to the new development (see attached images) is there any way they can change the plans? I as a resident of Arlington Dr oppose the plan to make Arlington Dr a main road.

Commenter No. 121

Schuh, Tracy



PO Box 721
Chester NY 10918
www.thepreservationcollective.com
Find us on Facebook

January 15, 2021

Village of South Blooming Grove
Sent via email to:
clerk@villageofsouthbloominggrove.com

RE: Clovewood-DEIS

Dear Village and Planning Board members:

This letter is being submitted regarding the public hearing on the Amended and Supplemented DEIS on the Clovewood development project. We are also following up on our review and letter we submitted in December 2019 (attached). Please note we informed the Clerk we were unable to access files under the provided website in your public notice online at www.clovewood.com.

We want to reiterate and elaborate on the need for strong protections for conservation easements to make sure the open space areas will be permanently protected as intended in perpetuity. We also believe the design of the project should not create barriers in habitat movement and isolate open space into small areas thus creating habitat fragmentation and impacting the ecosystem.

Open Space Corridors

Open space provides a variety of public benefits including flood control, air and water pollution abatement, recreational opportunities and safeguards the health and diversity of wild animals and plants in the area. It can also be argued that open space avoids some costs associated with development. We recognize there is a large area proposed as open space with this development project. The DEIS makes note of other protected open space areas within a 10 mile radius, however, efforts should be made through comprehensive planning to connect these habitats. We support efforts by conservation organizations to connect networks of open space across municipal boundaries. Communities need to work together to advance protection of ecologically significant and sensitive areas. Ecological significance relates to large, contiguous forest and wetland habitats and potential disturbance-sensitive species dependent on these habitats, as well as the diversity of plants, communities, and animals unique to this region. Continuous forests, higher elevation ridges, and networks of relatively undisturbed wetlands in the valleys need to be protected in order to maintain the un-fragmented forest.

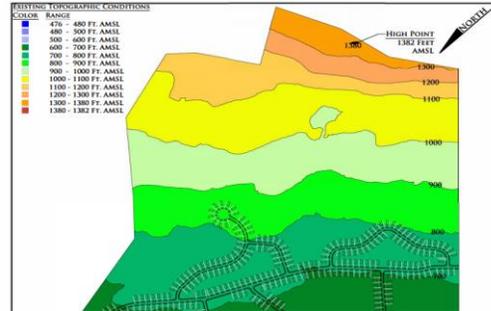
The design of roads and houses separate parkland, wetlands and smaller open space areas off with the larger open space parcel, which is a concern for habitat connectivity.

Habitat fragmentation by definition is that process that cuts big habitats into smaller pieces of land that get isolated from each other. Each of these pieces constitutes a habitat by itself, but they no longer interact with each other like they did when they were all part of the same ecosystem. Studies have shown that whenever a region suffers habitat fragmentation, the edge effect occurs. This means the newly created edge of the habitat becomes less friendly for the species that populate it. As a result, they start withdrawing towards the center, so the living space gets even smaller.

Reference ([What Is Habitat Fragmentation and Which Are Its Consequences?](http://www.greenandgrowing.org) [greenandgrowing.org](http://www.greenandgrowing.org))

In looking at the elevation map in the DEIS, the road network appears to unnecessarily extend into the higher elevation of the site with about 20 lots along a cul-de-sac.

The DEIS states that no development is in slopes of greater than 15%. However where in the DEIS is there topographical map demonstrating the various degree of grades on the site to verify these findings as well as determine what areas should be avoided i.e. habitat areas?



We hope there will be some modifications in the design layout to limit barriers and avoid habitat fragmentation and disturbance to environmentally sensitive areas. Natural areas including forests, wetlands, fields, and stream corridors provide numerous benefits to communities, from clean air and water and flood control to scenic beauty and opportunities for recreation. However, these network of natural areas should not be isolated into smaller areas.

The site plan is creating separate open space areas consisting of wetlands. The road network cuts off the environmentally sensitive area of wetlands along Clove Rd from the upland habitat areas on site. We hope there will consideration to create a habitat friendly corridor through the project site connecting open space areas since fragmentation of natural ecosystems, reduces their sustainability long term.



Resource: Conservation and Land Use Webinars – NYS DEC
<https://www.dec.ny.gov/lands/120539.html>

Parkland

Was there a cost analysis of payment in lieu of land dedication compared to the value of land being dedicated to the Village as parkland? If the project is proposing 600 lots and the Village has parkland fees at approximately \$5,000 per lot (not accounting for possible accessory apartments), the funds generated could be substantial for a designated Village parkland acquisition and improvement fund. It is our experience municipalities look for parkland dedication with development projects that have suitable land for active recreation for ballfields, bathroom facilities, parking lots and other recreational amenities and not land that would not be developed anyhow due to environmental constraints.

As per Village Code 120.2.C. Recreation sites. Land reserved for recreation purposes shall be of a character and location suitable for use as a playground, playfield or other recreation purpose, and shall be relatively level and dry.

According to the wetlands map above, it looks like there is a large amount of wetlands and buffers in the location of Village 'parkland' dedication. This section of the site plan looks like a conservation area that should be protected open space to preserve these natural resources. Unless, of course, there has been a thorough field visit by Village representatives and planners to designate an area suitable as an active park and/or it was recommended by a Park Commission including a proposal of uses.

In our experience, municipalities have developed open space and recreation plans to better prepare for their growing population and recreation department funding. Have you looked at the National Recreation and Park Association (NRPA) standards? NRPA looks to ensure that communities know how to secure "the right kind of land" to meet their community needs. Another resource is the New York State Comprehensive Outdoor Recreation Plan (SCORP). Through comparing the community character, population density and land availability with SCORP standards, communities can better identify the likely need for a resource.

Has the Village of South Blooming Grove conducted a recreation plan identifying the types of resources presently lacking in the community and engaging the public on what they would like to see as Village parks? If not already completed, we hope the Village conducts a study on potential land areas suitable for needs of the community in regards to recreational amenities, programs and seasonal activities by demographics and estimated at build out.

Alternative Design/Downscaling

There appears to be alternatives of the project considered less favored by the applicant, however, the lot count being proposed can be still reduced if necessary as mitigation measures are implemented to avoid environmental impacts.

The DEIS makes mention to the proposed development being consistent with the Orange County Comprehensive Plan, which identifies the Project Site as located within a Priority Growth Area. However, it should be noted that the Plan clearly states "Environmental and conservation considerations should also be carefully considered within the Growth Areas. Features and areas should be preserved whenever possible..."

The County Comprehensive Plan goes on to state “while the County encourages growth within the Areas, it is critical to note that growth should be sustainable and be based on the available infrastructure and other resources of that community; water and sewer service are two of the most critical and often scarce commodities that should be considered when a new development is proposed.”

Above reference: [Orange-County-Comprehensive-Plan-PDF \(orangecountygov.com\)](#)

Protections for Conservation Easements

Based on the design of the proposed project, there are varying size of open space parcels. At the very least, the largest area should be protected with conservation easement considering opportunity to connect to other protected open space areas in the County.

We are not clear what agreements will be made in regards to protecting the open space from future development but we can't stress enough that deed restrictions are not the same as conservation easements. In order to achieve the stated purpose of protecting significant open space lands (separate from tot lots within the project), in exchange for providing benefits to the applicant, via denser development, you need strong requirements for conservation easements. There are some standard protections that should be required to increase the likelihood that the conservation easements will be enforced and serve their purpose for years to come.

First, the EIS should require a conservation easement to be held by a land trust, or held jointly with the Village. If the HOA and/or Village becomes the only holder of conservation easements, they may not have the money or the inclination to enforce an easement in the event of a possible violation of the easement by a landowner. For that reason, the language related to the conservation easement option should require that it be in favor of a land trust, at least jointly held by the Village and a land trust. This would increase the likelihood that the easement will be enforced, thus fulfilling the purpose of its creation.

Second, the EIS should require that conservation easements created as part the development contain the standard provision that terminates any development rights on the protected lands and prohibits those rights from being transferred elsewhere on the site, or to any other piece of property. Otherwise, in the future, the easement and approved plan could fail to achieve their intended purpose, particularly if the zoning language in the Code is ever changed.

Third, the EIS should strictly limit the grounds for amending conservation easements. Conservation easements can be undermined by amendments that are agreed to by the holder of the easement and the landowner. See Environmental Conservation Law (“ECL”) § 49-0307. The Land Trust Alliance provides guidance for such rules. This is another reason to provide a third party with the right to enforce the easement, so as to ensure that improper amendments are not made.

Another reason why it may be wise to have a third party land trust hold conservation easements is that a land trust would have the requisite experience, staff, and financial resources to monitor and enforce conservation easements. Land Trusts usually also carry insurance to pay for the cost of enforcing easements.

Fourth, the EIS could also require that conservation easement donors make a financial donation so that the easement holder has funds available for future monitoring and enforcement of the conservation easement.

Protecting and preserving open space can provide social, economic, and environmental benefits. Using scientific information, developing innovated tools and balancing development with the environment will insure connective corridors. These corridors provide broad swaths of habitat that connects habitat hubs, enable dispersal of habitats among hubs, maintaining gene pools and preventing localized species extinctions. While not as undisturbed or intact as the habitat hubs they connect, these swaths do provide secondary habitat in addition to their important linkage function.

Resource: Southern Walkkill Biodiversity Study.

As you know, SEQR is both a procedural and a substantive law. In addition to establishing environmental review procedures, the law mandates that agencies act on the substantive information produced by the environmental review. This often results in project modifications and can lead to project denial if the adverse environmental impacts cannot be favorably balanced against social and economic considerations, and adequate mitigation methods or alternatives are not available. Keep in mind, SEQR is self-policing and the lead agency will need the advice of consultants with expertise in the areas studied with potential for significant impacts. Often than not, the public can also assist in providing information to aid in the review process especially those living in close proximity with firsthand knowledge of flooding and other environmental concerns. Of course, the lead agency is responsible for the adequacy and accuracy of the Final EIS. The lead agency must review any responses prepared by the sponsor to ensure that the analyses and conclusions accurately represent the lead agency's assessment.

The failure to protect the environment will lead to the depletion of resources, which later affects economic growth. We hope public comments and questions assist in the protection of public and private property, and the environment, from potential damage that may be caused by the proposed land use or development. In the end, the steps and decisions you take in your review process are to protect the health, safety and welfare of all the citizens now and into the future.

Thank you for your attention.

Sincerely,



Tracy Schuh
President
TPC, Inc.

Commenter No. 122

Schutt, Bob

From: [bob.schutt](mailto:bob.schutt@villageofsouthbloomington.com)
To: clerk@villageofsouthbloomington.com; [bob.schutt](mailto:bob.schutt@villageofsouthbloomington.com)
Subject: Clovewood
Date: Friday, January 15, 2021 12:30:51 PM

Please see the attached picture as proof of the negative visual impact that Clovewood would have. The picture is of Legoland at 500 acres. Clovewood is 700 acres and even more of a negative impact to the environment.

Thanks
Bob



Commenter No. 123

Schuttinger, Bob

From: rschuttinger1@gmail.com
To: clerk@villageofsouthbloomington.com; Gmail
Date: Wednesday, January 13, 2021 11:45:22 AM

In response to the Clovewood DEIS

- (a) Please understand that this project has not even come close to covering the developments water and sewage needs nor taking into consideration the negative impacts on the water capacity to the surrounding village or town residents. The existing water supply is already at capacity and not capable of supporting such a development.

Please see the below issues that are of major concern.

Project Description 2.0

- (b) Page 3 states “The overall density of the Project would be one unit per approximately 51,500 square feet, of which approximately 8,500 square feet per unit would be under individual ownership and the remaining approximately 43,000 square feet per unit would be under common ownership”. What does this mean?
- (c) It says will have community centers for birthday parties, swimming, bar mitzvahs. Nowhere is there a description of the size, square footage, height, model renderings and locations. How many more trees need to be cut, what size area is required and how many parking spots per community center.
- (d) Page 8 has a “project site map” It does not show the location of the community center or the water treatment plant.
- (e) Page 10 Shows “proposed road classification plan” and off of Road D, an area labeled “conceptual future road”. This must be included to where that road is leading to and more details of width and what will be built on it.

2.14 Community Facilities

- Page 39
- (f) Regulatory compliance map
Black on black print – exceedingly difficult to read.
- (g) “approximate existing dump area” – what is the history, what was dumped there. What classification did the DEC give it? Where is that documentation?

Cross reference to Appendix M – Environmental Site Assessment

Page 6

“the multiple spill cases on the Site that have been closed by NYSDEC; these are considered historical recognized environmental conditions.”

3.9 Water & Sewer Infrastructure

- (h) Page 1
Will be able to accommodate 600 four-bedroom homes and a maximum of 600 accessory apartments (300 one-bedroom accessory units and 300 two-bedroom accessory units)
I am under the impression accessory apartments are classified as as per VSBG code:

Page 3

- (i) “The Groundwater Well Investigation summarized in Appendix F 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”.
We already have documentation that it HAS affected the nearby wells.

3.9 Water & Sewer Infrastructure

Page 5

- (j) “Currently, SBGCS#1 utilizes the Harriman WWTP, which is part of Orange County Sewer District #1 (“OCSD#1). The current capacity allotted to the Village by OCSD#1 for use of the Harriman WWTP is 0.490 mgd. An average 12-month usage by the Village for the 2014 calendar year was approximately 0.267 mgd. The available capacity within the Village’s allotment is approximately 0.223 mgd. In total, the Harriman WWTP’s average 12-month usage for 2014 was 4.375 mgd. The available capacity at the Harriman WWTP is approximately 1.625 mgd.”
You are using data from 2014 – SIX YEARS AGO.

Page 6

- (k) Proposed WWTP map
What is the square footage, how tall, how many parking spots, how much of an area must be blacktopped, sound decibels coming from there, hours of operation?
shows “future road”.
- (l) Where is this road going to? What are the plans for it?

Page 12

- (m) 9-1-2016 Letter from Simon Gelb to Keene Equities
“we must consider the development of a new on-site WWTP for the Clovewood Project or connection to the Village of Kiryas Joel’s wastewater treatment system (which may include potential annexation of the Project Site to the Village of Kiryas Joel).
Potential annexation to KJ?

- (n) As per THR
7/29-2020
<https://www.recordonline.com/story/news/local/2020/07/29/orange-county-plans-54-million-plant-expansion-serve-thousands-homes/5531490002/>
“Harriman treatment plans to start next year expansion of Harriman treatment plant. Construction will likely be completed in three to five years. Under a 2010 legal settlement with Kiryas Joel, the county was required to seek more treatment capacity once the 12-month average use of the treatment plants in Harriman and Kiryas Joel exceeded 85 percent of their combined capacities for three out of six months. That threshold was crossed in February 2019 after a one-month spike in usage the preceding November.”

2-25-2020

<https://www.recordonline.com/story/news/2020/02/25/panel-backs-54m-expansion-of-orange-county-sewer-plant/111801026/>

“expects construction to start in 2023 and take two years to complete, making the new treatment capacity available by the end of 2024.

What are the developer’s plans since it appears connecting to them is not an immediate option. Would the residents of Clovewood be paying for this since the need is in direct correlation to their development?

This Clovewood project with its inaccurate information re: water and sewer infrastructure with its

anticipated use at the community facilities will have a negative impact on the environment and community.

I find this to be an INCOMPLETE DEIS and additional data is required.

Thank you,

Bob Schuttinger

Sent from [Mail](#) for Windows 10

Commenter No. 124

Serrano, Mr.

From: [Mr. Serrano](#)
To: [Clerk](#)
Subject: Clove wood development
Date: Friday, January 15, 2021 7:06:56 PM

There are alot more people who disagree with this development and will not get the courage to make a comment. I would have been one but I'm a 25 year resident of blooming grove and I refuse to forfeit my opinion. i would like to state that this project is flawed in many ways. The land and people who have been here for generations will suffer you will witness the gentrification of our once reasonably situated developments. So now we watch and see is this a case of using logic and evaluation to see the overwhelming effect this development plan will have or will the money men pave the way with a blind eye.

Regards,

Commenter No. 125

Shapiro, Susan

ROCKLAND ENVIRONMENTAL GROUP

ATTORNEYS AT LAW
75 NORTH MIDDLETOWN ROAD
NANUET, NEW YORK 10954
845 371-2100 TEL
845 371-3721 FAX

SUSAN H. SHAPIRO
SUSAN@HITOSHAPIROLAW.COM

January 15, 2021

Village Board and Planning Board
Village of South Blooming Grove
811 Route 208
Monroe, New York 10950
ATTN: Kerry Dougherty, Village Clerk
Via: clerk@villageofsouthbloominggrove.com

Re: Clovewood
Draft Environmental Impact Statement
Review & Comment

Dear Honorable Members of the Village Board and Planning Board:

I am submitting these comments relating to the DEIS for Clovewood on behalf of CUPON Orange and neighbors and residents who live in South Blooming Grove within 500' feet of the above named project.

The DEIS is fatally flawed and therefore it cannot be the basis of an FEIS without first being significantly revised or amended. Due to the fatal errors, misrepresentations and omissions in the DEIS, the SEQR process cannot move onto the FEIS impact statement without significant changes to the DEIS.

Improper Co- Lead Agency

We agree with the Applicant that the construct of co-lead agencies creates unnecessary complications and delays. Co-lead agency arrangements for a SEQR review are highly unusual and generally frowned upon by DEC. Co-lead agency is only rarely used, and has been limited to SEQR reviews in which the agencies have equal jurisdiction, are in accord with one another, and have set forth agreed upon procedures by which they decisions are made. None of these conditions exist here.

The Boards were not able to even agree on the most basic ministerial acts. Based on the Village Board and Planning Board's inability to even agree on when the public hearing will remain open -- it is clear that the co-agency arrangement is untenable.

Co-lead agency requires DEC approval. At the beginning of this SEQR review on February 1, 2016 (Appendix N page 9) the DEC wrote that it had no objection to the Village of South Blooming Grove **Planning Board** serving as the Lead Agency. The DEC did not approve the Village Board as co-lead agency or even as lead agency and therefore the Village Board does not have the authority to act as lead agency in this matter.

This unusual construct of co-lead agency may have been an attempt to speed approvals along or for the Village Board to improperly participate in Planning Board land use determinations. In either event co-lead agency will complicate and slow the proceedings down, and muddy the waters preventing proper compliance with SEQRA. The proper procedure would be for a coordinated review to be conducted in which the Planning Board acts as the lead agency and the Village Board and other permitting agencies such as the DEC are involved agencies.

The Planning Board must be lead agency since the land use approvals for Site Plan, Subdivision and Accessory Dwelling Units are within its jurisdiction, are not within the jurisdiction of the Village Board. The few Village Board approvals can only occur if the Planning Board grants the land use approvals. The Village Board approvals are limited to granting an approval for a transportation corporation district, acceptance of dedication of parkland and MS4 stormwater permit. The Village Board is an involved agency, along with NYS DEC who has jurisdiction of permits for sewage treatment, sewer collection, SPDES, drinking water withdrawal, Article 15 Protection of Waters, Article 24 Freshwater Wetlands, Article 11 incidental take permit for Timber Rattlesnakes; United States Army Corp of Engineers for 404 Permit; Orange County Department of Health for realty subdivision approval; New York State Department of Transportation and Orange County Department of Public Works for road improvement permits.

Furthermore the Boards have not agreed to any procedures or mechanisms by which joint Findings will be made. Will each member of each board have an equal vote? Or will each board make it own decision, which may result in the inability to have conclusive findings.

Here, a standard and straight forward coordinated review is the correct procedure. Thereby, each agency would issue its own findings. The Planning Board must be made the lead agency as the application is for subdivision, site plan approval for which only the Planning Board has jurisdiction and the Village Board does not have jurisdiction of these matters.

It is also apparent that there was much confusion and possible disagreement between the Village and Planning Board regarding acceptance of the DEIS as complete, and which even lead to the creation of unique and new SEQR terminology of "claimed completeness". The term "claimed completeness" is not found anywhere in the SEQR handbook or regulations and has been created out of whole cloth by the

Village consulting attorney because the two agencies did not agree on when, and if the DEIS was complete.

It appears that there has been a fundamental disagreement between the co-lead agencies as to whether the DEIS was complete as the “claimed completeness” is not actual completeness. If as here a lead agency does not agree with the notice of completion it may invite public comment related to the disagreement, in addition to comments on the draft EIS itself. Additionally, a lead agency should repeat its criticisms of the draft EIS as written comments during the public review and comment period. This process will allow the disagreement concerning EIS content to be resolved via the lead agency’s responses to comments in the final EIS.

Pursuant to New York State General Municipal Law §809 it is necessary that affidavits are provided that the ownership, partners and/or members of Keen Equities the applicant, are not officers or employees of the Village, or are related to any such owners, partners or members or employees of Keen Equities.

Improper Municipal Approval of Segregated Housing

The Project has been repeatedly defined and described in the existing public record as a project which is to be “by-design, wholly populated by the Satmar Hasidic community”. Table 321 shows the existing racial composition of various area municipalities. It identifies that the racial composition of Kiryas Joel to be 99.6% white. However, the Village of South Blooming Grove and other surrounding municipalities consist of a much more racially diverse population.

Village of South Blooming Grove is 76.8% white;
Town of Blooming Grove is 83.7% white;
Town of Monroe is 87.4% white.

It should be noted that the data provided for the Village of Washingtonville appears to be wrong and needs to be corrected. Although it is not provided in the DEIS, but should be, based on the United States census data Orange County is 79.8% white; New York State is 68.6% white; and United States of America is 76.7% white.

The U.S. Census data provides clear evidence that Hasidic communities are overwhelming all white. Along with Kiryas Joel being 99.66 white, in neighboring Rockland County other Hasidic communities such as the Village of New Square and Village of Kaser are 100% white, while Monsey CDP is 97.1%.

Thus, by designing this project to be wholly populated by Hasidic is tacit acknowledgment that the project will be an exclusionary all white development, which racially discriminates against non-white people.

Currently homes for sale or rent within the Hasidic communities in Orange and Rockland County are not made available for sale or rent to people outside the all-white Hasidic community, as they are not listed in English language media or on English language multiple listing services (MLS). At a minimum the Village must require that all housing be made available for sale or rent in English speaking media and on English MLS advertised for all of Orange County, New York. Racially exclusionary housing violates of the Fair Housing Act and a secular Village cannot approve or permit discriminatory housing. The Village must prohibit pre-selling of any units and must be given a list of any units that will go for sale or rental, and immediately post them on the website. No sale or rental should take place before the site has been listed for at least ten days, to avoid pre-selling within the exclusionary all-white Hasidic community, which results in no units being available to racially diverse families.

The housing being proposed is limited to only designs that would be of interest to white Hasidic residents and will perpetuate residential segregation and/or disproportionately affect minority groups. See *NAACP v. Huntington*, 844 F.2d 926, 935-36 (2d Cir. 1988), and therefore violate both the federal Fair Housing Act and New York State Human Rights Laws. The design of these units are discriminatory against anyone who is not interested in having two kitchens, a feature specifically desired by the all-white Hasidic community.

The floor plans included in the DEIS show that the two different style units, Heartwood and Sapwood, both are designed to have a minimum of four bedrooms, with two kitchens. It is also clear from the plans that other rooms can be converted to additional bedrooms, as they contain closets and are large, and therefore may result in units actually containing six bedrooms instead of four. New York State Town Code 9CRR-NY 1610.4 defines a second bedroom to be 115 sq ft or greater – both the additional rooms in the Heartwood design are significantly larger than 115 sq ft and contain closets. Therefore the bedroom count for the Heartwood units should be 6 bedrooms plus an accessory apartment with 2 bedrooms in order for an accurate bedroom count to be realized.

The Sapwood floor plans show the accessory apartment to be located in the basement, yet this is specifically prohibited by Village Zoning Code §235-45.6A (6) which states that “No accessory apartment unit shall be located in a cellar.” Therefore these floor plans must be changed.

Furthermore pursuant to Village Town Code §235-45.6 (3) an accessory apartment cannot exceed 750 square feet in size, and (9) Occupancy of the accessory apartment shall be limited to parent(s) or grandparent(s) of an owner-occupant of the principal dwelling unit and shall be limited to no more than three individuals. The DEIS must reference these requirements and provide a mechanism by which these code requirements will be enforced.

“The community preference only serves to perpetuate segregation in the Broadway Triangle” *Broadway Triangle Cmty. Coal. v. Bloomberg*, 941 N.Y.S.2d 831, 837 (N.Y. Sup. Ct. 2011) There can be no compliance with the Fair Housing Act where the Village has not analyzed the impact of the community preference (see *Langlois v. Abington Hous. Auth.*, 234 F.Supp.2d 33, 70 [D.Mass. 2002]).

The Village required that DEIS be based on the population characteristics of Kiryas Joel and not those currently existing in the Village of South Blooming Grove where it located. This is not only discriminatory, but also improperly inserts the community character of a different municipality onto the Village.

The goal of the Fair Housing Act is to promote "open, integrated residential housing patterns and to prevent the increase of segregation, in ghettos, of racial groups whose lack of opportunities the Act was designed to combat" (*Otero v NYCHA*, 484 F.2d 1122, 1134 [2d Cir 1973]). The Fair Housing Act provides that it is unlawful to "otherwise make unavailable" or deny a dwelling to any person because of race, among other things, and to discriminate against any such person in the terms, conditions or privileges of sale or rental of a dwelling (42 USC § 3604 [a] [b] [c]). The phrase "otherwise make unavailable" has been interpreted to reach a wide variety of discriminatory housing practices, including discriminating zoning practices (see *LeBlanc-Sternberg v Fletcher*, 67 F3d at 424 n.1, *supra*).

The Village must meet “their duty to affirmatively further fair housing, which included an obligation to investigate the potential effects of their proposed residency preferences before their implementation” *Broadway Triangle Cmty. Coal. v. Bloomberg*, 941 N.Y.S.2d 831, 838 (N.Y. Sup. Ct. 2011)

By processing an application for a housing project which is being designed for Hasidic families the Village is enabling the creation of exclusionary housing that improperly bars racially diverse residences. Where a municipality creates a land development plan or zoning classification, which discriminates, even though the plan is effectuated by private developers it violates the Fair Housing Act (see *Town of Huntington v Huntington Branch NAACP*, 488 U.S. 15, 109 S. Ct. 276, 102 L. Ed. 2d 180 [1988]; *Rivera v Village of Farmingdale*, 571 F. Supp. 2d 359 [EDNY 2008]). Thus, the Village’s actions in considering an exclusionary all-white Hasidic development creates housing which results in disparate impact to non-white citizens which violates the Fair Housing Act (see *J.A. Preston Corp. v Fabrication Enterprises, Inc.*, 68 NY2d at 400, *supra*).

The EIS must provide a full analysis of the size of housing units needed by the existing non-white population in South Blooming Grove, the Town of Monroe and Orange County, not only those of neighboring municipality Kiryas Joel.

To prevent discriminatory housing the Village should mandate bedroom mixes in all proposed developments of 1, 2., 3, 4 and 5, bedroom rental/condo or other forms of units or houses, and should mandate that housing units are not designed with two kitchens,

which are only attractive to only all-white Hasidic families. *Broadway Triangle Cmty. Coal. v. Bloomberg*, 941 N.Y.S.2d 831, 838 (N.Y. Sup. Ct. 201). Continuing to process this application for the development of segregated housing is improper. The only way to cure this serious federal law violation is for a new DEIS to be created which is not based on floor plans that are designed solely for needs and desires the all-white Hasidic community.

The DEIS does not provide any source or study documenting that there is a critical need for housing and that the demand is predominantly from the neighboring Town of Palm Tree where the Kiryas Joel Hasidic community is located. And if such a need exists there is no evidence or even statement that there is a need for housing for the existing residents of the Village of South Blooming Grove. Statements such as "irrefutable fact" do not belong in a DEIS document in the absence of supporting data and must be removed. Statements without supporting evidence can only be characterized as the opinion of the Applicant.

It is highly inappropriate and incomprehensible to include reference in the DEIS to the Town of Monroe Master Plan and Long Island, as the Village of South Blooming Grove is located in the Town of Blooming Grove and not in these unrelated areas. All reference to Monroe and Long Island must be removed from the DEIS.

Impacts to Community Character

Racial diversity is a major component of community character and as such, the maintenance of such diversity is a valid environmental concern. The change in community resulting in lack of racial diversity in the proposed development is not addressed, and must be.

Nor does the DEIS address the impact on community character caused by the proposed development doubling the size of the current existing population of South Blooming Grove.

It is acknowledged that the population of the Village is 3,182 people and the projected population of the project, will be at a minimum 3,058 people and the project would nearly double the population of South Blooming Grove. In the *Matter of Tuxedo Conservation & Taxpayers Assn v Town Bd* 69 AD 2d 320 the Court found that failure to consider the change in community character by vast increase in the existing population did not satisfy the requirements of SEQR.

The DEIS does not consider the change in development density and how that impacts the change in community character. The conclusion that the Village is densely developed is not supported by the DEIS data. Based on the United States census data the current population density in South Blooming Grove is 519 people per square mile, the Town of Monroe population density is 1998 people per square mile and in Orange County the population density it 459.3 people per square mile, whereas Kiryas Joel's population density is 18,192 people per square mile. If the project is developed as currently proposed it would double the population density in the Village of South Blooming Grove. The impact on community character caused

by this dramatically increased development density is not identified or considered in the DEIS.

Page 3.4 -22 states that proposed development would cause the Village to be more consistent with the character of all of the other villages and their communities” is an acknowledgement that the proposed development will change the community character of South Blooming Grove. The Village of South Blooming Grove zoning code emphasizes an overall policy goal to maintain the rural character of the area and not become like other surrounding areas.

The breakdown of lot sizes provides the appearance that the proposed lots are comparable to other lots in the Village, but it is inaccurate and untrue. Actual lot sizes in each neighborhood should be identified, housing sizes identified, and then compared to what is proposed. The smallest lot size in the existing South Blooming Grove neighborhoods is 12,500 sf, which is substantially larger than the Clovewood lots. The data contained in the DEIS is wholly incorrect. There are not 250 parcels in the Village that are less than 3,000 square feet. Using GIS data, the Planners identified that only 17 lots are below 10,000 square feet. This needs to be corrected as it is invalid. And prevents decision makers from making a reasoned determination about the impacts of the proposed development.

The DEIS correctly identifies that the Village is characterized by varying styles and sizes of homes mostly located on lots of half an acre. The proposed project envisions rows of housing that are uniform in size and style creating homogenous and monotonous boxes of housing on lots that are on 2/10 of an acre and will result in a significant change to the community character. Three of the proposed new lots would fit into the existing average 0.58 acre lot size in the Village.

The DEIS incorrectly and improperly concludes that the proposed development will not have adverse impacts on community character or required mitigation measures to prevent negative impacts due to change in community character.

Lack of Affordable Housing Standards

The RC-1 zone requires 10% of housing be affordable. The application only makes reference to the affordable housing units associated with the density bonus in the RR district, but does not set forth the required affordable dwelling units required as per the RC-1 district. This needs to be corrected.

The current proposal does not provide for 10% of 600, 60 housing units to be affordable housing units, this needs to be changed. By failing to require enough affordable housing within the large multifamily development the Village is pushing out lower income multiracial population. The large housing units, with two kitchens, just by their large size alone cannot be considered affordable and the Village should require a mix of housing types to ensure affordability.

The Village should require that affordable housing be administered by an independent agency that is authorized by H.U.D. to do so in compliance with their rules and regulations. Additionally the Village must require that the affordable housing cannot be sold or transferred without deed restrictions to the benefit of an affordable housing advocate or its successors and in compliance with H.U.D. rules.

The comparable report submitted to support what the current market value price for homes in the DEIS uses only 12 homes as selected evidence to support the market value of homes. The market value has not been determined based on an objective comparables report or market analysis. Using the Trulia home values above, the average market value of \$397,000 is achieved, and not the \$495,000 market value in the DEIS and revised DEIS. There is no objective market data support on which the \$495,000 market value is based.

The DEIS must be revised to include at least 2- 3 current comparable price comparisons by certified appraisers, so that Village decision makers can make rational decisions.

Improper Segmentation

SEQRA states that: “(1) Considering only a part or segment of an action is contrary to the intent of SEQRA. If a lead agency believes that circumstances warrant a segmented review, it must clearly state in its determination of significance, and any subsequent EIS, the supporting reasons and must demonstrate that such review is clearly no less protective of the environment. Related actions should be identified and discussed to the fullest extent possible.” It is improper segmentation if a project developer excludes certain activities from the definition of a project for the purpose of making it appear that adverse environmental impacts have been minimized for the purposes of circumventing the detailed review called for under SEQRA (*Matter of Schultz v Jorling*, 164 AD 2d 252).

The initial application before the Village included nonresidential development. This development was eliminated from the plan. However, 22 acres of land has been set aside for future development and the DEIS indicates it is for future purposes.

By excluding from SEQRA review 22 acres, which are being reserved for later development (see Scoping page 6) and excluding the 160 acres owned by the project applicant, shown on Figure 3.4-1 which is adjacent to and contiguous to the project area, and which was originally part of the proposed project site (DEIS chapter 3.4 page 6 other land owned by Kean Equities) creates improper segmentation. These large parcels of lands are identified as being reserved for additional future development. It is improper segmentation to not identify and consider the cumulative growth impact of the development of the project area along with the 22 acres of future development and 160 acre parcel. Development of these two parcels, which are under the control of the project sponsor, must be fully considered in the DEIS to avoid improper segmentation.

The overall density calculation does not account for build out on the 22 acres which the Applicant states is reserved for future development. If the EIS does not consider the 22 acres and 160 acres, then the Village must require at a minimum, a statement should be made that no further development will be constructed to avoid improper segmentation. The scoping document even says that it will be subject of future development review.

Additionally Figure 341 show that an adjacent parcel of 160 acres is under the ownership of the project sponsor Keen Equities. 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. Even if the project sponsor currently has no plans to develop the property, its maximum potential development must be considered to comply with SEQRA.

The segmented review set forth in the DEIS is a fatal deficiency and can only be remedied by significant revisions to the DEIS, that consider the potential impact of developing the 160 acre contiguous parcel under the control of Keen Equities and the full development of "reserved" 22 acres.

Another way to avoid improper segmentation is for Keen Equities to deed the 22 acres and the 160 acres to be dedicated and preserved as open space in perpetuity.

Inaccurate Density Calculations

There is no discussion of the compatibility of 7,000 square foot lots with buildings with a massing of 3,750 square feet compared to existing larger residential lots in the village. The revised DEIS does not have any discussion of lot size and bulk requirement analysis and is deficient.

The RC-1 zone requires that dwellings be specifically located on a lot with a minimum lot area of one dwelling unit per 3,000 square feet. A conventional layout showing how many dwelling units can be constructed needs to be shown before this density can be transferred elsewhere on the site. The DEIS has not properly determined the yield. A map of the RC-1 district, showing the environmental constraints and a feasible conventional layout showing how many dwelling unit can be constructed needs to be included in the DEIS, before housing density can be transferred to the RR district.

Additionally the RC-1 district requires that ten percent of the dwelling units be affordable. The application only makes reference to the affordable housing units associated with the density bonus in the RR district, but does not set forth the required affordable dwelling units required as per the RC-1 district.

Open Space

The application refers to land being set aside for open space at this time, in exchange for allowing clustering. As such and pursuant to NYS Village Law 7-738(3)(c)

the Village should require that the lands identified as open space, be permanently and dedicated as parkland, or deeded to the NYS Parks Commission or Orange County Land Trust to preserve them as undeveloped lands in perpetuity. If such dedication is not required then the DEIS must consider the cumulative impacts of development of all the lands at future date, even those identified as open space.

Land identified to be open space should be required to be dedicated as park land, to be administered by either Orange County Land Trust or the County of Orange.

An analysis of the viability of the 60 acres for public parkland has not been provided. A discussion of parkland's ability to provide the recreational needs of the community, within the context of the developable area of land within the 60 acres must be provided. Much of the 60 acres identified as being set aside for open space are wetlands including over 20 acres of regulated by NYSDEC wetlands.

As set forth in Chapter 120, "Land reserved for recreation purposes shall be of a character and location suitable for a playground, playfield or other recreation purpose, and shall be relatively level and dry." Neither the pond referenced on p. 2.0-15 nor the wetlands and wetland buffer meet this requirement. It is necessary for there to be a clear identification how much of the 60 acres is not wetland, and can be used as open space. The viability of locating active recreation facilities within the 60 acres area, with DEC wetlands and associated regulated area, is not evaluated. The DEIS needs to demonstrate how this is met.

Throughout the DEIS differing amount of area of disturbance are cited, this results in inconclusive and contradictory statements regarding the amount of open space and must be remedied prior to an FEIS being ordered. The various amounts of disturbance range from 136 acres, 165 acres, 178.7 acres, 198.7 acres to 265 acres. This is confusing and must be clarified and remedied prior to any further processing of this application.

It appears there is an attempt to take credit for "open space" which is integrated into the overall footprint of the developed area. The entire developed area encompasses approximately 413 acres or 60% of the project site. Therefore only 40% is preserved as is". Once the highly fragmented open space areas, and community center buildings and improved recreation areas are added the total developed area is approximately 502 acres or about 73% of the project site. These calculations of disturbed area need to be included in the DEIS so that environmental impacts can be properly identified.

Pursuant to Village code Chapter 235-14.1.c(3)(m) Open space areas shall be preserved in open space, with 10% designated for active recreation. It is unspecified and undefined how the three proposed community centers will be used, the Village Code does not provide that community centers can be used for religious services. Under the Village Code (§235-4) under recreation swimming pools are permitted however it is unclear whether the proposed swimming pools will be public swimming pools or religious bathhouses (mikvas), which doesn't not fall within recreational use. The DEIS must

clarify the use of the proposed community centers and recreation areas and prior to approval covenants must be required to enforce the use of community centers and recreational areas as required by Village Code.

The Village of South Blooming Grove contains 216 acres of public park lands, so the statement made that the land set aside would be the only public parkland in the Village of South Blooming Grove is wrong and needs to be corrected.

DEIS Fails to Consider Cumulative Impacts

The DEIS inaccurately describes the surrounding land uses as adjoining multifamily dwellings, this is not true. The surrounding lands are either vacant land, single-family detached dwellings, and a shopping center. This needs to be corrected.

The DEIS incorrectly states that “cumulative impacts are either non-existent, nor significant or positive with respect to all elements examined. Therefore, no further mitigation is warranted.” 3.17.-1 This section fails to consider the cumulative impacts of future development of 182 acres –does not consider the cumulative impact that result from the change in community character from a secular community to a Hasidic community. Nor does it fully consider the cumulative impacts of increased municipal services, fire, police, and a host of other cumulative impacts including water usage, sewage, and solid waste disposal created by the development of a housing development which doubles the current size of the Village.

As noted in the Planner comments of December 2019, 3.1 #17 the Applicant has stated that the development will occur on 140 of the 708 acres of land. Yet in other sections of the DEIS, i.e. the archaeological analysis it is noted that 265 acres of the site will be disturbed. This discrepancy of 125 acres in the total area of disturbance of this site must be clarified. Without an accurate and consistent estimate of disturbed land – no one can make rational and reasonable land use decisions about the cumulative impacts on many environmental factors, including drainage, wetland impacts, endangered species, etc. and must be corrected to be consistent throughout the DEIS.

Incomplete submission for General Municipal Law §239m review and lack of required identification and analysis in DEIS requires that a Supplemental EIS be conducted

The DEIS does not contain the following necessary information for the Planning Board to be able to identify, analyze, consider, and make rationale and reasonable determinations regarding the environmental impacts of the proposed project, as required by SEQRA, even though the Scoping document required baseline assessment of existing site conditions:

- Complete mapping of all surface waters and tributary streams are not properly provided in conjunction with proposed building. Streams shown in the Freshwater wetland map in Appendix E should be shown in Figure 382 in order to see where streams are proposed to be disturbed. It appears that several streams (stream 4 and stream 1) will be impacted by building footprints as well as by roadways in contrast with the statements in part (a) of p 3.8-5. Without adequate mapping impacts to the bed and banks of any streams cannot be properly determined. It appears that construction is planned on top of existing streams and surface water. The roads within the development cross stream corridors. Under the Village Code there should be 100 foot buffer surrounding certain water resources but is not clear from the code where this buffer is required and it is not clear from the plan where it is being provided. Without complete mapping of the tributary stream system on the site decision makers cannot evaluate what impacts the development will have on the Moodna watershed.

The DEIS falsely states that “none of these steep slopes are located in the area proposed for development.” (DEIS page 3.7-3) Both the map in the DEIS and Addendum show that construction will take place on many of the steep slopes. Revising the layout is necessary to avoid steep slopes.

- Furthermore, the Addendum provides a revised map of the steep slopes of over 25%, but is confusing since the map is identical or nearly identical to the map included in the DEIS which shows the same steep slopes to be 12%. No explanation is provided for this inconsistency. Additionally the DEC requirement is for mapping of slopes of over 15% or more – therefore a map showing only over 25% does not fulfill the DEC requirements.
- Mapping of the existing trees is not included in the DEIS even though the Scoping Document requires that specific impacts due to tree removal must be evaluated. . . of the layout. Although in Appendix N, the comment response 60 on page 56, states that a map has been submitted to the Village with a Land Conservation Analysis which shows an inventory of large trees- this does not appear to be included within the DEIS. The discussion on trees over 12 inches on page 3.1-15 in section 3.1 of the DEIS is not sufficient, as the location of trees over 12 inches is not shown and cannot be confirmed;
- Figure 374 does not properly identify the project site.
- The DEIS contains inconsistent wetlands maps,. Twenty-three (23) of the thirty-six (36) acres of wetlands are DEC jurisdictional wetlands. Many of streams which feed and connect the wetlands are surrounded or covered by buildings or roads.. A breakdown of the acreage of wetland, wetland buffer area and usable recreation area is necessary.
- The surface water streams are shown on the map included in the Addendum, however there is no discussion of the impacts the development will have on these

surface water streams. Village Code 235-14.4.E. Surface Water Overlay District requires a one-hundred-foot buffer strip to be maintained along the edge of *any* stream, lake, pond, or other water body, including wetlands and any associated one-hundred-year floodplain boundary. This setback shall apply to all uses. Setbacks shall be measured horizontally from the mean high water line of the watercourse. This buffer setback is not shown on any maps and has not been incorporated into the project plans.

- Table 364 of the DEIS estimates that 22, 457 linear feet of the unnamed stream will be located within the project site and 7, 215 linear feet will be impacted as shown on Figures 362a and b. However there is no discussion, consideration or analysis of the impacts of the development on the streams. But rather the DEIS falsely states that the “Project does not have the potential to generate any significant adverse environmental impacts on regulated wetlands or surface hydrology and therefore no mitigation measures are required.” Tables 364 and 362 a and b show that 32% of the sites watercourse will be directly impacted or covered by roadways, residential lots and residential structures. This is a fatal flaw to the DEIS and must be revised prior to an FEIS being ordered.
- A map of the public parkland, and proposed access relative to wetlands and other limiting environmental features in the 60-acre area must be provided;
- Infrastructure locations have not been mapped which are located in the open space area. The lack of utility mapping results in the public and agencies, including NYSDEC, not receiving a full understanding of the impacts that will occur to the open space, aka, timber rattlesnake, areas. There are numerous wells which will require access roads to get to them. These are not shown and is an omission which must be corrected.
- The Scoping Document indicates that the need for religious places of worship was to be discussed which is not provided;
- The preliminary conservation area identified within the DEIS as noted in Land Conservation Analysis totals 36.86 acres. This does not appear to be subtracted from the total acreage to determine buildable acres on the site plan;
- Calculations of base lot count are not substantiated without completion of Land Conservation Analysis.
- Existing Conditions section does not discuss the existing bulk requirements, zoning districts, overlay districts, and all zoning provisions that apply to the development. A map has not been provided showing the base and overlay zoning districts superimposed on the site with and without the development (including topography and wetlands). There is no quantification of the extent of each district on the project site. The overlay district regulations are overly generalized, and need to be described by district. Also, the Biological Overlay District and Surface

Water Overlay Districts are not described. The consistency with the Surface Water Overlay district is not described.

- Appendix N, references a map submitted to the Village with a Land Conservation Analysis shows an inventory of large trees, yet inexplicably this maps in not included in the DEIS. The discussion on trees over 12 inches on page 3.1-15 in section 3.1 of the DEIS is not sufficient, as the location of trees over 12 inches is not shown and cannot be confirmed. As these resources are not mapped, the Land Conservation Analysis is not complete.

This many missing planning document discussed above make it impossible for the lead agency to identify, take a hard look or make a reasoned determination. Therefore we are notifying the Village that prior to any further consideration the above information and the tree map needs to be made a part of the DEIS.

Since the DEIS contain maps which include some, but not all the resources, and then in the Addendum has a maps which also show some, but still not all the resources, and there is not necessary reference or discussion of the environmental constrains shown on the maps the DEIS is incomplete and inaccurate and must be amended prior to an FEIS being ordered. . . ;

Adequate Water Supply

The lead agency must require that prior to any additional approvals or actions the Applicant obtain from the NYS DEC and Orange County Health Department confirmation that there is an adequate clean water supply and sewage discharge capacity for the proposed development.

There are historic water problems in the Village of South Blooming Grove for many years relating to both quantity and quality of water. Before any approvals for this project can be granted the lead agency must confirm that there is adequate water supply not only for the new residents, but also that existing residences wells and water supply will not be negatively impacts.

Section 2.9 estimates the potential water demand with accessory apartments at 377,400 gpd, but Section 2.10 estimates the potential sewer demand at 273,600 gpd. These number need to be the same. Based on bedroom count of 4 bedroom per main unit and accessory apartments with 2 bedrooms at 110 gpd for 600 units the total should be 396,000 gpd. Furthermore since the Heartwood floorplans show a potential for 6 bedrooms, the gpd will be 462,000 gpd. The highest number should be used to insure adequate water supply.

Unless and until it is confirmed by the DEC and Orange County Department of Health that there is adequate water supply for both the existing residents and the new

residents of the proposed project, which will more than double the need for water in South Blooming Grove, the lead agency must reject this project.

Parking

Appendix N responses to this general comment provide reasons for the changes and indicate many were at the request of the Village, of which those requests are undocumented. Also, comments regarding the policy position of various state agencies are not documented. The DEIS does not provide any information as to where the buses, will be parked when not in use.

Village Code § 235-23 requires a minimum number of off-street parking spaces to be 2 spaces for residential single-family detached dwelling unit and 1 spacer per accessory apartment plus ½ space per bedroom in each dwelling unit.

Therefore, the Sapwood unit and its accessory apartment having a total of 6 bedrooms requires 3 parking spaces, whereas the Heartwood units having a total of 8 bedrooms requires 4 parking spaces.

HOA Covenants Not Set Forth even though required by Scoping

The scope requires a discussion of proposed covenants or HOA documentation - the DEIS does not include a narrative as to what such covenants will contain, and what restrictions will be placed on the land, especially since the "open space" has wells located within it. This is a DEIS omission that must be corrected.

There is no explanation as to why the DEIS states that the HOA facilities will not be taxable. Does this statement imply that the HOA facilities and recreational community centers will be used solely for religious purposes. If so, then they do not meet the definition of recreational community centers and should not be permitted. Since this is presented in the DEIS it is imperative that the lead agency require covenants that runs with the land that prevents such community centers from being used for religious purposes, as community centers are to be "open to the public", and not limited to one religious group.

Phasing Plan Not Provided

PC 25 A phasing plan is not described. The only reference to phasing is a request to all for 15 acres to be developed at a time instead of just 5.. A phasing plan must be provided so environmental impacts can be identified and evaluated.

Development Transfer Rights

The RC-1 district yield is not determined in accordance with RR district yield requirements. It is a separate district within which it must be determined how many lots are achievable before they can be transferred. If the entire RC-1 zone were, for example,

wetlands, an Applicant could never achieve that yield on-site to then transfer it elsewhere. Any yield determination in the Scoping Document is subject to further site plan and SEQRA review and is not definitive, and this must be made clear in the DEIS.

Population Projections impact on Community Services is Inaccurate and Misleading

The existing accessory apartment unit regulations allow up to three persons in each accessory apartment. Scoping requires all 600 units be evaluated as two bedroom units, but the DEIS only considers half the accessory apartments as one bedroom, and half as two bedroom in contradiction with the Scoping requirements. There is no basis or support for the 25 percent increase in population examined in the DEIS. It is only based on one bedroom accessory apartments, however Scoping requires it be analyzed to be two-bedrooms for all 600 units. This will increase the population projections by 50% per unit. Additionally the Heartwood apartments need to be calculated to have six (6) bedrooms, not four, which also increases the potential population.

It is unclear in the DEIS as to whether the accessory apartments are in addition to the 2,500 and 3,750 square foot dwellings or is the accessory apartment square footage included in the 2,500 and 3,750 square foot dwellings. This must be addressed to evaluate projected population numbers. Pursuant to Village code accessory apartments may not be larger than 750 sq. feet.

Table 327 does not include a worst-case analysis of population growth, as it underrepresents the potential population in the accessory apartments and assigns a vacancy rate to new housing units. The projections need to be revised.

The New York State's Monitor report of 2014 – found that in the East Ramapo School District, where a large percentage of the children attend private religious schools, 26% of the total budget was spent on special education. At the time of the report the percent of private students was 73% (24000/33000) and 26% of the private students would represent 18.9% of the student body. Thus, nearly 20% of the total school budget is spent on special education for private students. This information must be included and reflected in the DEIS to provide accurate estimate of the cost impact the proposed development will have the existing residents of South Blooming Grove.

The cost projections for each resident of the Village are inaccurate and misleading and must be corrected. Instead of the project cost being only \$150 per person, a more accurate estimate of cost per person is approximately \$437.42 for the Village alone. And the Town and County costs per persons calculate to over \$600 per person for the Town and \$1919 for the County. These numbers must be corrected in the DEIS, otherwise decision makers will be relying on inaccurate and misleading calculations regarding the impact of the proposed development.

Revision to the DEIS are necessary before an FEIS can be ordered

Throughout the DEIS there are misleading and improperly conclusory statements – the DEIS should not include premature conclusions which are the sole purview of the lead agency. For example on page 3.1-12 that statement that the Overlay Districts “would have no impact upon the Project’s development as the Project would comply with all Overlay District regulations” is improper and must be removed.

Another example of improper conclusory statement is on page 3.4-1 where the DEIS states that the proposed Project will “not have the potential to generate any significant adverse impacts upon community character. There is no rational basis for any different conclusion for the Project.” Not only is this a wholly inappropriate statement for a DEIS, the fact that a positive declaration was made contradicts this unsupported conclusion – and as such this statement must be removed from the DEIS.

Yet another example of a conclusory statement that does not belong in the DEIS and must be removed, is that the project “would not result in any significant adverse impacts upon flora and fauna” (DEIS page 3.6.-19) even though there is to be removal of approximately 198.7 acres of natural vegetation.

It is inappropriate for the DEIS to contain the unsupported opinion of the applicant regarding what a Court might decide (page 4.0-5). Furthermore the conclusion stated in the DEIS that the alternatives presented are not feasible, is not for the Applicant to make in the DEIS, but is a determination that must be made independently by the lead agency – thus any such conclusory statements must be removed from the DEIS prior to any further processing.

The alternative of 10 acre lots permitted under the Village Code is a feasible and reasonable alternative given the need for additional local farm lands due to the recent COVID-19 pandemic. Yet due to improper conclusory dismissal of this alternative by the Applicant, the DEIS does not provide required fiscal viability.

Similarly the statement that “The Project would not result in any unavoidable adverse impacts” (page 5.0-1) is laughable and inappropriate and must be removed. The many significant avoidable impacts include removal of at least 175 acres of flora, disturbance of 7,215 linear feet of watercourses, construction on steep slopes, increase of impervious surfaces of at least 56 acres and destruction of existing wildlife habitat. It is arrogant for the Applicant to make such conclusory remarks, and are proof that the DEIS for this proposed project are improperly biased and should be rejected.

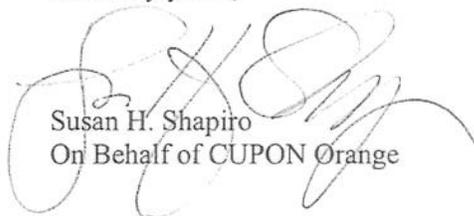
Most egregiously, the DEIS concludes, without any justification, that the Bankruptcy Court will not accept various alternatives. The Bankruptcy Court has no jurisdiction over land use determinations and the Applicant does not have a vested right to the proposed project on the subject property. All references to the Bankruptcy Court are wholly irrelevant, misleading and misplaced in the DEIS and must be removed. Bankruptcy or the financial hardship of the Applicant is not relevant to land use determinations to be made by the municipal decision makers. It is highly inappropriate for the Applicant to have included such references in an attempt to influence the Board.

In Conclusion

For all the reasons set forth above the DEIS is fatally flawed and contains incomplete and inaccurate information which must be corrected. Given the depth and breath of errors and incomplete mapping it is legally necessary for the lead agency to require another Addendum to the DEIS or otherwise a Supplemental Environmental Impact Statement will be necessary to cure the defects of the DEIS as currently presented.

An Final Environmental Impact Statement cannot and will not cure the defects in the underlying DEIS documentation, therefore either a SEIS or an significant addendum to DEIS must be ordered. Failure to do this will result in increased likelihood of years of litigation and delay.

Sincerely yours,



Susan H. Shapiro
On Behalf of CUPON Orange

Commenter No. 126

Skoufis, James

CHAIR
INVESTIGATIONS & GOVERNMENT OPERATIONS

COMMITTEES
AGRICULTURE
CORPORATIONS, AUTHORITIES & COMMISSIONS
FINANCE
INTERNET & TECHNOLOGY
LOCAL GOVERNMENT
TRANSPORTATION



SENATOR
JAMES SKOUFIS
39TH SENATORIAL DISTRICT
STATE OF NEW YORK

ALBANY OFFICE:
ROOM 815
LEGISLATIVE OFFICE BUILDING
ALBANY, NY 12247
OFFICE: 518-455-3290

DISTRICT OFFICE:
47 GRAND STREET
NEWBURGH, NY 12550
OFFICE: 845-567-1270

ROCKLAND OFFICE:
55 WEST RAILROAD AVENUE
SUITE 24A2
GARNERVILLE, NY 10923
OFFICE: 845-786-6710

e-mail:
skoufis@nysenate.gov

August 4, 2020

Village of South Blooming Grove
Village Board / Planning Board
811 Route 208
Monroe, NY 10950

Dear Members of the South Blooming Grove Planning Board,

I write to voice serious concerns regarding the proposed Clovewood project. There are several dimensions of this project that give me significant pause, including deleterious impacts to the village's operations as well as enormous environmental impacts.

First, the project presents multiple substantial issues relating to the administration of the village as it is currently manifested. The proposed project's territory is almost entirely within the boundaries of the Village of South Blooming Grove which stands at 3,182 residents according to documents submitted by the managing company. Thus, the village's population would increase by either 1,568-1,960 or 3,052-3,815 persons, representing an increase of between ~49-62% or ~96-120%, depending upon which of two developer-provided scenarios were to proceed.

Under either scenario, the single Clovewood 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. Additionally, many hundreds of additional cars, thousands of additional water and sewer users, and substantial new municipal expenses (e.g. police, fire, highway, clerks) are neither adequately addressed in the project's documentation. For example, Clovewood suggests that the development's roads may - or may not be - maintained by a homeowners association. These important considerations are clearly an afterthought, at best, for the applicant.

Perhaps the most significant concern - and the one with the longest history vis-a-vis this property - is Clovewood's water demands. The village has successfully argued and litigated the water issue for over a decade, explaining that the aquifer barely meets existing needs and municipal wells frequently run dry. In its frenzy to develop this property, the applicant concedes the village is incapable of providing adequate water service to the project, pivots away from a previous proposal to construct a pipeline from the Village of Kiryas Joel, and, now, states their intention to drill six "bedrock" wells. I hold grave concerns that these six additional wells will have a detrimental impact on the community's existing water supply, an unacceptable outcome. Furthermore, the applicant was disturbingly dismissive when the village scrutinized their water quality reports, an issue that

the state, with support from my office, has diligently worked to resolve, most recently delivering a \$660,000 water quality grant in late 2019.

Finally, the project overlaps with a significant portion of the Ridgeline Overlay/Significant Biological Overlay and Scenic Viewshed Overlay/Significant Biological Overlay as laid out by the village's zoning map. Simply stated, the project is in direct violation of these zoning overlays and any attempts by the applicant to satisfy these concerns have been inadequate. Furthermore, while Clovewood's application claims it is their intention to preserve upwards of three-quarters of the property, they have seemingly taken zero steps towards realizing that prospect.

The concerns outlined in this letter are not exhaustive but do highlight the glaring omissions, shortcomings, and negative impacts of the Clovewood project. I thank the board for their due diligence in reviewing this correspondence as well as the application in question.

Sincerely,

A handwritten signature in black ink, appearing to read "James Skoufis". The signature is written in a cursive style with a large, sweeping initial "J".

James Skoufis
State Senator, 39th District

Commenter No. 127

Smith, Erin

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
January 5, 2021
Clovewood DEIS – Public Comment

Erin Smith – See attached.

From: erin.smith
To: clerk@villageofsouthbloomington.com
Cc: erin.mcallister
Subject: comments from public hearing regarding clovewood deis
Date: Wednesday, January 06, 2021 10:38:15 AM

Good morning,

I have read through the DEIS and I find many parts to be confusing and conflicting with information. I hope that the village has done their due diligence and is doing whatever they can do to stop the Clovewood Project.

My first issue is with water. The village of South Blooming grove already has many issues with water, brown murky dirty water for many families is already a constant problem. Constant water main breaks and water problems. Villagers aren't able to water their grass or wash their car because there isn't enough water. We do not have enough water to sustain 600 new dwellings with 600 efficiency apartments.

In section 3.3.1 they discuss the police department and possibly needing to add 6 officers to the force to help ensure safety for the new community. Our police force already has a hard time keeping officers due to salary and contract issues. How do we propose adding 6 new officers?

Section 3.3.2 is in regards to the fire department. These departments are fueled by volunteers. The DEIS says that the community members would join and become active volunteers. The problem there is that the Hasidic community do not meet the requirements to be interior members and would not be able to assist during a fire. In KJ they have to hire Firefighters to battle fires to keep them safe. Who will be hiring Firefighters here? Where will the money come to pay for them? Will there be tax increases? If they plan on having their own fire department who will fund this?

Section 3.6.7 mentions flora and fauna. There is no mention of the

bears, bobcats or coyotes living in the area. I do not think that the project site was investigated enough to account for the habitats for all of these animals.

I do not think the DEIS should be approved. There are many inaccuracies in their report. Please think about the village and how terrible Clovewood would be for our area.

Thank you,

Erin Smith
Mountain lodge

Commenter No. 128

Snider, Andrew & Jillian

Andrew & Jillian Snider

542 Clove Road, Monroe, NY 10950 | H: 845-837-1401; M: 917-417-5680 | jillianesnider@outlook.com

January 15, 2021

Via Email

Village of South Blooming Grove Clerk
Attention: Kerry Dougherty
811 Route 208
Monroe, New York, 10950

Subject: Proposed Clovewood Project

Dear Ms. Dougherty,

We, Andrew L. and Jillian E. Snider, live at 542 Clove Road, which is directly across the street from the proposed Clovewood development. We have lived here for more than nine (9) years. After reading through the Draft Environmental Impact Statement (DEIS) and virtually attending the Clovewood public hearings, we feel it is imperative that our comments be heard, and our concerns are addressed before any decisions are made regarding the proposed Clovewood development.

Over the past several years, the integrity of our water from our well has been significantly compromised. Specifically, the well-testing that took place on the Clovewood site had extremely detrimental effects on the functionality of our well; significantly increasing the sediment running through our system, and necessitating frequent changing of our water filtration system to ensure we had safe and clean drinking water.

While we feel that we can comment on every section of the DEIS, specifically the proposed 2-5 years of construction, dirt and debris on Clove Road and on my house, further damage to my well, increases in school taxes, and increased noise and traffic, our main concerns are the visual impact this proposed development will have and the negative repercussions on the community's overall quality of life.

The Clovewood project will most certainly have a detrimental effect on my property, my well and water supply, the aesthetics of hundreds of acres, and the lives of residents who live in this community. Additionally, we find much of the information in the DEIS to be misleading and/or inaccurate.

We thank you in advance for your time and attention in this matter.

Sincerely yours,

Andrew L. Snider



Jillian E. Snider



Commenter No. 129

Snowden, Anabel

From: [Anabel Padua](#)
To: clerk@villageofsouthbloomington.com
Subject: Clovewood development on Clove Road
Date: Friday, January 15, 2021 4:46:47 PM

To whom it may concern,

My husband and I are deeply concerned about the impact this development will have in our community. The increased traffic, noise pollution, negative impact on school taxes and not to mention the environment and quality of life. We moved here because it is a beautiful country with lots of farm land. To think that it is all changing very fast leaved we unhappy and questioning if we chose the right Location.

Sincerely,
Anabel Snowden

[Sent from Yahoo Mail on Android](#)

Commenter No. 130

Scanlon, Patrick

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
August 10, 2020
Clovewood DEIS – Public Comment

Patrick Scanlon – We moved here for the rural area. Traffic has increased, the water is terrible, brown and sometimes none. To put that many houses in a small area would be devastating to this economy, this area and the local residents moved away from a city and came to a rural area for that reason and we don't need that density at this time.

Commenter No. 131

Stefano, Courtney

Clerk

From: Courtney Stefano <courtneystefano@hotmail.com>
Sent: Friday, August 07, 2020 11:56 AM
To: Clerk
Subject: Clovewood project

Kerry Dougherty,

We are writing to oppose the Clovewood Project. We would like to attend in person however with the limit to people allowed to attend we felt it would be better to send an email.

We live around Woodcock Rd. We feel that a development such as the one being proposed would turn the area where we live, go bike riding, and relatively find quaint and peaceful will change drastically with the amount of people that will be living there. We moved to this area 3 years ago from Westchester county to get away from such inconveniences as overcrowding and traffic. Aside from it ruining the beauty of living here (the property will be an eyesore), this going to cause traffic issues; 208 will be virtually unusable. Its going to cause overcrowding which is particularly an endangerment to others in light of COVID-19. The added tax burden to those in the area is not something we agree with or desire . This is not an issue of racism or religious persecution which the community who plans to live there may think. This is about the residents wanting a peaceful and beautiful place to continue living in.

Thank you-

Courtney Stefano and James Munz

Sent from my iPhone

Commenter No. 132

Triantafillou, Cheryl

From: cherliedoo
To: clerk@villageofsouthbloomington.com
Subject: Clovewood
Date: Thursday, January 14, 2021 11:43:08 PM

I am sending this website because I oppose the new development. Miraculously, there was a water problem, up until recently... but where there is an input there must be an output... where is this miraculous water found, going to drain? Mother Nature cannot withstand this type of over development. So many houses put up in small lots. The reason I am here is because I wanted space. Green space. I have been in Orange County for 21 years, and it looks like more foreign to me every day. There is room for everyone who wants to reside here. To over develop is not fair to the residents that have played by the rules all these years. Then a money making hungry developer with \$\$ on their mind gets to literally roll over this beautiful space, and ruin my home. This is going to spread, water problems, traffic, education. As a community leader, you are the one. This is your decision... to cover up the problems that YOU KNOW WILL ARISE. THIS IS YOUR RESPONSIBILITY TO STOP WHAT WILL RUIN THIS BEAUTIFUL AREA. YOU WILL HAVE TO ANSWER TO MANY UNHAPPY PEOPLE... but, you potbelly dummy care because of your newly loaded pockets.

Please feel free to reach out to me anytime to continue this conversation!

Sincerely, your betrayed resident...
Cheryl Triantafillou

Sent from my Verizon, Samsung Galaxy smartphone

Commenter No. 133

Vitello, Nerissa

From: [Nerissa Vitello](#)
To: clerk@villageofsouthbloomington.com
Subject: Hasidic community development in Washingtonville
Date: Thursday, January 14, 2021 6:54:25 PM

Good day,

As a resident of the area for the last 23 years, I am writing to give my opinion of Hasidic development and property acquisition in the Washingtonville and South Blooming Grove area. My objections are not personal or religious but environmental, our community cannot handle the type of burden and growth Hasidic communities stress on natural resources affecting water, sanitation and transportation.

Thanks k you

Commenter No. 134

Volgelsberg, Sue Anne

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
December 3, 2020
Clovewood DEIS – Public Comment

Sue Anne Vogelsberg, 242 Prospest Road: in writing, see attached.

VILLAGE OF SOUTH BLOOMING GROVE
Board of Trustees & Planning Board Joint Public Hearing
January 5, 2021
Clovewood DEIS – Public Comment

Sue Anne Vogelsberg Growth capping laws from the Town of Ramapo she advised it says that the roads and infrastructure would be impacted. The developer needs to fix the infrastructure first before moving forward with the project. The Village Attorney may want to look into this.

Clovewood Public Hearing on Zoom Thursday, December 3, 2020

I am frustrated! Experts commissioned by prior VSBG Boards have responded with evidence! Various County groups that will be impacted have presented evidence! Citizens and local businesses have presented evidence...all to the disastrous impact this behemoth of a project will have...not only on our Village, but our Town, County and State....and yet this project continues to be pushed along!

How can a development that will more than double the current Village population be realistic? The current Village Board appears to have difficulty managing a population of approx 3200...how will it manage when that population increases to 8,000 (600 homes with an avg occupancy of 8 is 4,800)? How can a development that is targeted- as per it's own DEIS project statement-to a specific population even be allowed to proceed?

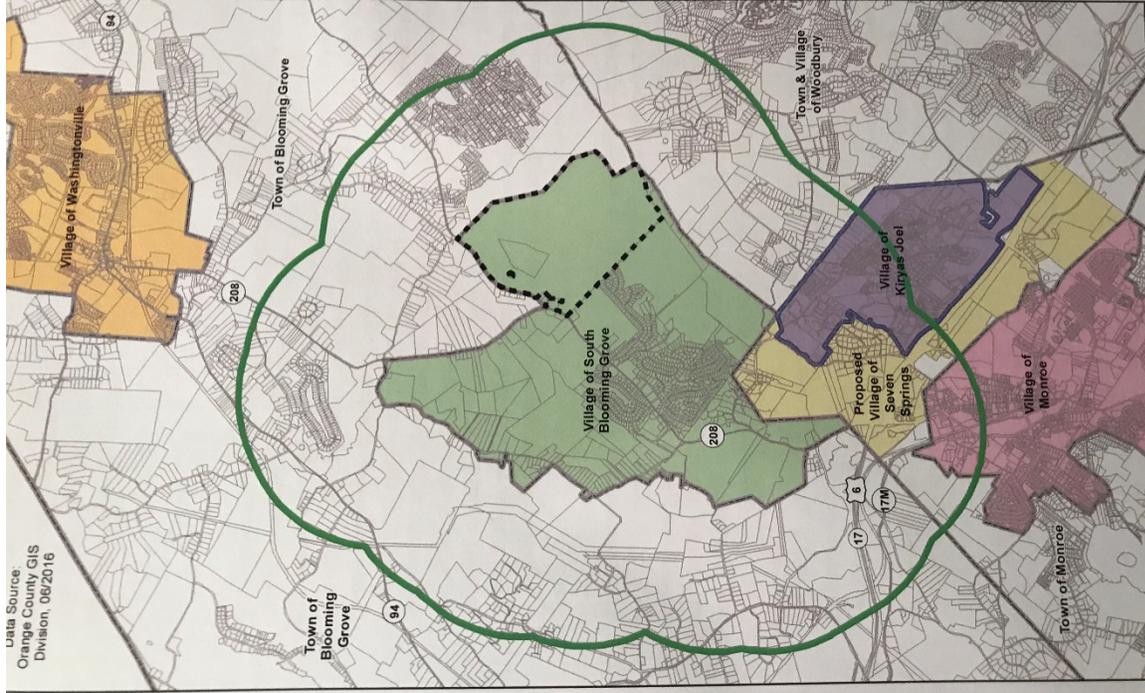
* As per pg.1.0-3 of Clovewood Project Summary, "This Project would meet current and reasonably foreseeable, local and regional housing needs, including unmet needs for housing, as well as affordable housing, among the Satmar Hasidic community that comprises the majority of the population of the neighboring Village of Kiryas Joel. (Town of Palm Tree)." ...it further states, "The Satmar Hasidic community would likely constitute a significant percentage of the homeowners within the project." N.B. Recent online real estate marketing/advertising at www.clovewood.com no longer appears on the Internet.

* Pg. 2.0-7 repeats again..."The project would meet current and future, local and regional housing needs, including those from the neighboring Village of Kiryas Joel (Town of Palm Tree). ...the Village of South Blooming Grove shares a border with Kiryas Joel and the proposed Village of Seven Springs, see attached map pg.2.0-6

To repeat...I am frustrated...so i will leave stating all the previously documented facts to others...and instead state my opinion that a project targeted to meet the needs of a specific group without regard to the community this Project will be impacting and altering, is not something that i will support.

Sue Anne Vogelsberg
242 Prospect Road Monroe 10950
845 783-6107
samv1021@gmail.com

Data Source:
Orange County GIS
Division, 06/2016



Village of South Blooming Grove One-Mile Radius

Legend

- Project Site
- One-Mile Radius Around Village of South Blooming Grove
- Village of South Blooming Grove
- Village of Washington
- Village of Kiryas Joel
- Village of Monroe
- Proposed Village of Seven Springs



Draft Environmental
Impact Statement
Blaggs Clove
Village of South Blooming Grove
Orange County, New York



P.O. Box 2020, Monroe, NY 10854
Tel: (845) 774-8000 | cfcny@earthlink.net

January 2, 2019

This map is intended to be used for reference and illustrative purposes only. It is not a legally recorded plan, survey, official tax map or engineering schematic and it shall not be used as such. Sarcinello Planning & GIS Services makes no representation as to the accuracy of lines, points, or other features shown on the map, and assumes no liability for use of this map.

Commenter No. 135

Wagschal, Jacob

From: Jacob Wagschal
7 Dallas Drive, Monroe, NY 10950

To: Village of South Blooming Grove
811 Route 208, Monroe, NY 10950

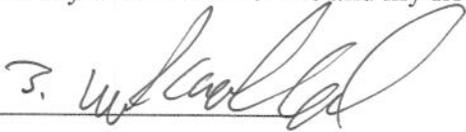
Date: August 12, 2020

Re: Clovewood DEIS Public Hearing

Dear Village of South Blooming Grove Planning Board and Village Board:

My friends in the Village of South Blooming Grove and I are happy about the Clovewood Project and the DEIS. We would also like to make a statement in regard to something one commenter from the Public Hearing on August 10th said, where she indicated that the silence of Hasidic Jews should not be taken for agreement with the developers of Clovewood. This is simply not true. My friends and I are Hasidic Jews, and we wanted to clarify that particular speaker was not speaking on behalf of or as a representative for Hasidic Jews.

Thank you on behalf of me and my friends,


J. Wagschal



Commenter No. 136

Weiss, Shimon

Shimon Weiss

277 Seven Springs Road
Monroe, NY 10950

8/10/20

I am a contractor who resides in the neighborhood. I have been involved in many jobs located within the Village of South Blooming Grove. I was most curious in reading about the economic impacts of the project's construction in Section 3.2 of the Clovewood DEIS, but I also want to recommend an evaluation from the National Association of Homebuilders. Abbreviated NAHB, they provide data on the expected fiscal impacts as a result of construction projects in a particular region. I believe it is important that such an analysis be provided here, since it would show what economic benefits the construction of 600 homes would bring to South Blooming Grove.

Sincerely,



Commenter No. 137

Whalen, Alan

Clerk

From: Alan Whalen <AlanWhalen@optonline.net>
Sent: Monday, August 10, 2020 10:18 AM
To: Clerk
Subject: Lake Anne Proposed Development

As a long term resident of Blooming Grove, I would like to voice my opposition to the proposed housing development at the Lake Anne site.

It seems to me that whenever the board exercises its authority, it should always do so in the best interest of the community. I am hard pressed to see how the proposed housing development is in the best interest of the community. It will not increase property values, add recreational facilities, improve roads, or schools, or in any way improve the quality of life in the community. Furthermore, it can only make South Blooming Grove and it's neighboring communities a less desirable place to live or work, which ultimately does not serve the long term interests of any community.

I find it unbelievable that the board would consider a development proposal that obviously would only benefit a single group of people, clearly designed to attract people from outside the area, at the expense of current residents.

I demand that the board not approve the development and continue to oppose any develop, not in the best interest of the community.

Thank you.

Alan Whalen

8 Roberts Drive

Orchard Lake Park

Commenter No. 138

Wiesner, Rachel

From: [Rachel Wiesner](mailto:Rachel.Wiesner@villageofsouthbloomington.com)
To: clerk@villageofsouthbloomington.com
Subject: Clovewood
Date: Thursday, January 14, 2021 3:16:14 PM

Dear Board Members,

Below you will find my comments on the Clovewood DEIS.

1. Section 3.2 (Socioeconomics) - please include a comparable city evaluation since it will offer more insight to be evaluated.

2. Section 3.12 (Noise Impacts) - please add a table with the calculations of all monitoring locations, specify what type of equipment was used for the evaluation, and what manual was used to determine the magnitude of noise impacts. Also, why was the noise assessment conducted on a weekday when people are at work and not on the weekend?

3. Section 3.13 (Air Quality) - please use parts per million instead of per billion in the table, clarify primary and secondary standards, indicate if these standards are state or federal and include additional data related to traffic impacting air quality. Also, would a round-a-bout have any different impacts?

4. Other than the above, the DEIS is very thorough and almost everyone in the Village I spoke to is satisfied with the exceptional hard work and detailed analysis found in the DEIS. Make no mistake, the vast majority of all current village taxpayers are very excited about the project, fully support the project, and are looking forward to the Village approving the Clovewood project, with the exception of the dozen people or so who are consistently repeating the same concerns about the water etc. Many of these naysayers are not even village taxpayers and have no firm basis for their nonsensical comments.

Thank you,

R. Wiesner
Village of South Blooming Grove taxpayer of 14 Duell Ave.

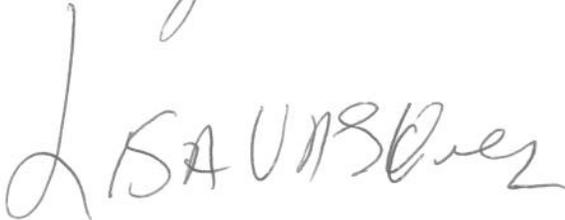
Commenter No. 139

Yee, Kum Key

Kum Key Yee
14 Merriewald Lane S.
Monroe, NY 10950

I reviewed the Clove Wood DEIS. I was interested to see what impacts Clove Wood could have to our community and importantly to the schools and other public services. Thankfully I saw that the taxes from Clove Wood would result in a benefit all around and that made me very excited since it will be a great benefit for South Blooming Grove. On the other hand, I saw that the public services all replied about how the project could result in them needing more services like an extra police officer, school bus, or secretary. Our fire department did not reply and I would like you to ask them to please do so. I see Clove Wood said they would contribute money to fix roads that are already a problem and that they are building their own sewer system. The Clove Wood project will cost a lot of money so why shouldn't our fire department respond to the questions and see if they can get the Clove Wood developer to contribute something like a new fire truck or chief van that would be another benefit for our community.

Kum Key & Lisa Yee



Commenter No. 140

Zarra, Joely

From: [Joely Polokoff](mailto:Joely.Polokoff)
To: clerk@villageofsouthbloomington.com
Subject: New development
Date: Thursday, January 14, 2021 11:18:41 PM

I personally do not want this community built at the end of Clove Road. I live on the mountain on Clove Road and I know how this will truly hurt the area. Both wildlife as well as home owners already living here. Why can't they build one home per 2 acre tract which many developments now have? Can't they be topped off at 2,000 sq ft homes which would limit accessory apps and such in them? What happens to the sewage? What about the fumes for heating systems, and more cars in a smaller area?

We are not a city and most of the housing that is built at KJ or other closely related developments are congested and do not allow for the environment to continue to grow. much of the trees will be torn out, as well as the natural grasses and bushes too. There will be open areas without nature that will be replaced with large homes and even buses coming into the area.

Our bi-roads weren't constructed for tons of buses to come into the area. Now was this area made for huge amounts of people living on small parcels. This is not good for our environment nor is it god for home owners that have lived here for many many years. I came here for the peace and quiet and for the expansive picturesque scenery. Please keep it that way!!! Please keep my home quiet and with clean water and with a balanced land use of people and nature.

As a side note, I can't afford additional tax monies for the school taxes. These families will be planning to attend private schools that are running on public school buses. They are not even following the state guidelines for their schools to learn basic non religious studies and this is not acceptable. If they are going to attend schools on our tax monies then they should be learning what the state mandates the school district to learn too.

This development will not be helpful in any way to the surrounding area nor to the people the already live here. They do not communicate with people outside their community nor do they bring anything to their communities besides houses, more cars and more people. It is not a win - win situation for the current residents of this area. PLEASE STOP THIS COMMUNITY from being built!!!

Thank you.
Sincerely,
Joely Zarra

To accomplish great things, we must not only act,
but also dream; not only plan, but also believe

Commenter No. 141

Nugent, Brian

FEERICK NUGENT MacCARTNEY ^{PLLC}

ATTORNEYS AT LAW

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All correspondence must be sent to Rockland County Office

January 15, 2021

Via E-Mail

Village of South Blooming Grove
811 Route 208
Monroe, New York 10950

Attention: Mayor George Kalaj

Re: Clovewood DEIS Comments

Dear Mayor Kalaj:

Our office serves as legal counsel to the Town of Blooming Grove. We have been asked to submit the comments in this letter and attachments from the Town of Blooming Grove and its professionals concerning the Draft Environmental Impact Statement ("DEIS") for the Clovewood project which is under consideration by the Village of South Blooming Grove. Annexed hereto are comments from the Town's Engineer and Town Planner which are hereby submitted as part of the Town's comments on the DEIS and incorporated herein by reference. In addition to the comments from the Town's Engineer and Planner, we offer the below comments supplemental to the professional comments. We trust that the Village will appropriately review and address these concerns.

FEERICK NUGENT MACCARTNEY, PLLC

MAYOR GEORGE KALAJ
JANUARY 15, 2021
PAGE TWO

COMMENT: No Acceptance by Lead Agencies of DEIS as Complete

We note that the Village of South Blooming Grove Village Board and the Village of South Blooming Planning Board are co-lead agencies regarding this matter (hereinafter “Lead Agencies”). Further, we understand that the Applicant submitted a revised DEIS on March 27, 2019. Review of the DEIS by the Village continued into late 2019. However, there appears to be no record of the Lead Agencies ever deeming or accepting the DEIS document as complete as required by the SEQRA regulations and NYS Environmental Conservation Law (See 6 NYCRR 617.9; ECL § 8-0109). Any such determination would need to have been made in the form of a resolution by the Lead Agencies as municipal boards can only act in such matters by resolution of the duly convened board.

Despite the absence of any determination that the DEIS was complete, the Lead Agencies proceeded to schedule a public hearing by resolution of November 12, 2019, which included no indication that the DEIS was deemed complete or otherwise accepted. Further, on November 20, 2019 a Notice of Completion concerning the Clovewood DEIS appeared in the NYS Environmental Notice Bulletin. However, there is no basis in the record supporting any determination of completeness and it is unclear how the purported publication was authorized or what such publication was based upon.

On November 25, 2019, the Lead Agencies held a joint public hearing and the notice of the public hearing confirms that the DEIS was never properly deemed complete. In an apparent attempt to bypass this jurisdictional deficiency, the Lead Agencies published a “Notice of Claimed Completion” of the DEIS identifying the date of “claimed” completion of the DEIS as October 28, 2019.¹ However, there was no joint meeting of the Lead Agencies on that date. On October 28, 2010, there was only a Village Board meeting where a resolution was passed by the Village Board to schedule a public hearing on November 25, 2019. In addition, the October 17, 2019 Planning Board minutes reflect that a determination had already been made that the Village Board would schedule the public hearing for November 25, 2019 – eleven days before the purported determination of “claimed completion.” Subsequently, on November 7, 2019, a full 10 days after the Lead Agencies purportedly determined “claimed completion” the Planning Board minutes with respect to Clovewood reflect that “Village Professionals are currently

¹ We note that a “Notice of Claimed Completion” was, due to the apparent deficiency, a term created by the Lead Agencies as such term does not exist anywhere within SEQRA regulations, statutes or case law in the State of New York. The creation of that term only bolsters the fact that no determination of completeness was ever made by the Lead Agencies. Had a determination of completeness actually been made, there would be no need to have created and inserted the term “claimed” when referring to the Notice of Completion and date of completion.

FEERICK NUGENT MACCARTNEY, PLLC

MAYOR GEORGE KALAJ
JANUARY 15, 2021
PAGE THREE

reviewing the revised DEIS and have discovered issues of completeness.” See Planning Board minutes of November 7, 2019. Those minutes also indicate that “SEQRA process needs to be reviewed, all potential buildout scenarios need to be visited.” See id.

The November 25, 2019 public hearing minutes/ transcript reflect that Dan Ruzow, the Applicant’s attorney stated that “in all his years, he has never heard of a public notice stating claimed completeness (emphasis added).” The minutes indicate that Ruzow sought clarity on that point. It is puzzling that Mr. Ruzow would seek clarity on this issue since it was his office that purportedly prepared the Notice of Completion. This appears to have resulted from the Village’s simply inserting the term “claimed” with respect to the completeness of the DEIS due to the jurisdictional deficiency.

Based on the above, it seems clear that there was no determination by the Lead Agencies in 2019 that the DEIS was complete. In fact, the record reflects that completeness remained an issue on November 7, 2019. Yet, the Lead Agencies continued with the public hearing and caused a publication of a Notice of Completion with the State Environmental Notice Bulletin with ‘claimed completion’ date of October 28, 2019. We also note that the incorrect link to the DEIS was contained in the submitted Environmental Notice Bulletin notice, rendering it defective. Further, we are informed that the Applicant’s professional, CPC, by letter dated December 10, 2019, requested the Lead Agencies to issue a Notice of Completion and not a notice of “claimed” completion.

If the DEIS was later actually deemed complete by the Lead Agencies, no new notice reflecting such determination was published in the Environmental Notice Bulletin as required by the SEQRA regulations. It is also unclear from the record whether all involved and interested agencies have had the benefit of receiving and reviewing the DEIS document that was purportedly deemed complete by the Planning Board and Village Board in 2020. It is evident that although the DEIS had not been validly been deemed complete by either the Village Board or the Village Planning Board, the Applicant transmitted the DEIS documents that had not been accepted as complete to the various involved agencies. Specifically, in a NYSDEC letter dated May 28, 2020, the agency states: “The New York State Department of Environmental Conservation (DEC) has reviewed the Clovewood Draft Environmental Impact Statement (DEIS), received by the Department on November 14, 2019 (emphasis added).”

There does not appear to be any evidence that the DEIS, with its addenda, was recirculated to all involved agencies. Thus, the involved/interested agencies reviewed a DEIS

FEERICK NUGENT MACCARTNEY, PLLC

MAYOR GEORGE KALAJ
JANUARY 15, 2021
PAGE FOUR

which had not been deemed complete by the Lead Agencies. This is a fatal flaw in the SEQRA process, and the document and the process must be corrected, a proper Notice of Completion issued and circulated to all agencies, and the public hearing process reopened. The resolution or document evidencing the determination of completeness should be incorporated in the FEIS.

Absent a valid determination of completeness of the DEIS, the pending Clovewood project cannot proceed as the determination of completeness is a prerequisite to completion of SEQRA and project approval. In fact, the Village of South Blooming Grove argued this very point in the Orange County Supreme Court, asserting in an unrelated case that before an annexation petition could continue, the lead agency must either adopt a negative declaration or “accept a draft environmental impact statement (“DEIS”) as complete.” Matter of Commandeer Realty Assoc., Inc. v Allegro, 49 Misc 3d 891, 897 (Orange Co. Sup. Ct. 2015]. The Appellate Division, Second Department has also recognized the necessity of a determination of completeness. See Sun Beach Real Estate Dev. Corp. v Anderson, 98 AD2d 367 (2d Dept. 1983), affd sub nom. Matter of In Matter of Sun Beach Real Estate Dev. Corp. v Anderson, 62 NY2d 965 (1984). The Courts have also recognized the priority of SEQRA when reviewing statutory schemes. See id at 375.

The legislative purposes of SEQRA are clear that:

It is the intent of the legislature that all agencies conduct their affairs with an awareness that they are stewards of the air, water, land, and living resources, and that they have an obligation to protect the environment for the use and enjoyment of this and all future generations.

NYS ECL § 8-0103.

In light of the serious deficiencies set forth herein in the SEQRA process as well as those identified by the Town’s engineer in the attached comments, which are incorporated herein by reference, the Lead Agencies should properly carry out their roles as stewards of the environment and ensure compliance with the applicable SEQRA regulations and statutes for the benefit of our Town’s future generations before proceeding further on the review of this project.

FEERICK NUGENT MACCARTNEY, PLLC

MAYOR GEORGE KALAJ

JANUARY 15, 2021

PAGE FIVE

Thank you for your time and consideration of these matters.

Very truly yours,

A handwritten signature in black ink, appearing to read 'BDN', with a stylized flourish extending to the right.

Brian D. Nugent

BDN/sd

Attachments

cc: Deputy Mayor Abraham M. Weiss
Trustee John L. Ross
Trustee Yitzchok Feldman
Trustee Johnny Belfort

Commenter No. 142

Weeks, Michael



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13 January 2021

Town of Blooming Grove
6 Horton Road and Route 94
PO Box 358
Blooming Grove NY 10914

ATTENTION: SUPERVISOR ROBERT JEROLOMAN

**SUBJECT: CLOVEWOOD DEIS
VILLAGE OF SOUTH BLOOMING GROVE**

Dear Supervisor Jeroloman:

At the request of the Town Board of the Town of Blooming Grove, our office has reviewed the DEIS, including its Appendices with a resubmission date of 27 March 2019. Our office has also reviewed the first and second Addendums to the DEIS dated 15 January 2020 and 13 February 2020, respectively. We offer the following comments:

Section 2.9 Water Supply

The DEIS in this Section (and in numerous other sections) purports that the proposed water supply wells have a safe yield of 785,520 gallons per day of drinking water.

The Hydrogeologic Report provided as a part of Appendix F entitled "Pumping Test Program", dated March 2018, revised January 2019, as prepared by LBG (the LBG report), does not support this statement. The well testing provided in LBG report supports a maximum safe yield of 550,800 gallons per day, assuming that the five (5) wells are pumped 24 hours a day, 365 days per year. A sixth well (C-21) was also tested, with a yield of 234,720, but NOT simultaneously with the five (5) wells; as such, it cannot be simply added to the yield of the other five (5) wells.

Paragraph 2 of this Section states that *water demand for the project is calculated based on the NYSDEC 2014 Design Standards for Intermediate Sized Wastewater Treatment Systems utilizing 110 gallons per day per bedroom.*

This paragraph provides a total water demand of 273,600 gpd based on 600 four-bedroom homes and the proposed swimmers.

The Section goes on to document a total demand with the accessory apartments of 377,400 gpd. This calculation is based on a mix of one- and two-bedroom apartments; however, there are numerous references found in the DEIS that state that each dwelling may add a two-bedroom accessory apartment. We believe that the worst case scenario should be evaluated in this DEIS, which would be 300 2 bedroom accessory apartments.

As noted in this Section, NYSDOH requires that the water supply for the project be a minimum of two times the average daily demand.

We have found numerous inconsistencies between the text of the DEIS and the water demand calculated in Appendix F. Additionally, we note that the Addendums also have provided updated information, and does provide a table suggesting that some units will have three bedrooms, but the table is not clear to exactly what is being proposed. We offer the following calculations to illustrate the various water demands of this project:

Residential Dwelling			
	Number of Units	Gallons Per Unit	Total GPD
600 Units	4 Bedrooms	110 gpd/bedroom	264,000 gpd
Accessory Apartments			
600 Units	2 Bedrooms	110 gpd/bedroom	132,000 gpd
Swimmers			
600 Units	3/Unit	10 GPD/Per *0.8	14,400 gpd (20% Reduction Due to Water Saving Fixtures)
Community Buildings			
Four Units	Four-300 Max. Occupancy	5 gpd/per *0.8	4,800 gpd (20% Reduction Due to Water Saving Fixtures)
Backwash from Water Treatment			
			23,904 gpd (Worse Case from Addendum)
			REQUIRED (2X Average Demand)
Total – w/o Accessory Apartments		307,104 gpd Average Demand	614,208 GPD
Total – w/Accessory Apartments		437,104 gpd Average Demand	878,208 GPD

As can be seen by the above table, there is not adequate water supply available to accommodate the proposed scope for this project with or without accessory apartments.

Section 2.10 Wastewater Treatment

The wastewater treatment plant is being designed to treat an average daily flow of 280,000. Based on our determination of the project's water demand, this is not an adequate design flow.

Section 3.12 Zoning

The project site primarily lies in the Rural Residential (RR) Zoning District. The Village of South Blooming Grove Zoning Code allows residential subdivisions with prescribed minimum lot sizes of 10 acres. Alternatively, the Developer may perform a Land Conservation Analysis as set forth in the Zoning Code Section 235-14.1.A. (2).

We note the following observations in regards to the analysis provided in the DEIS:

- 182.3 acres have been designated as habitat for threatened and endangered species; yet, this habitat does not appear to have been designated as part of the Natural Resources Site Survey (Appendix C), as suggested by Footnote 5 in Table 311.
- Step 4 notes that there is adequate water supply to support more than 600 residential lots. Based on our commentary elsewhere in this review, we do not believe that there is adequate technical documentation to support this statement.

If the available water supply of 550,800 GPD is determined to be the safe yield of the well field; then the maximum water demand for the project is 275,400 GPD. (We refute this total later in this text as the maximum safe yield, but for illustration purposes, have utilized this total in the calculations). Based on the table we prepared earlier in this text, this demand equates to a maximum development of 2,120 bedrooms and associated development. We have prepared anecdotal calculations based on four-bedroom primary residences and two-bedroom accessory apartments for purposes of determining the maximum available density, as follows:

530 UNITS WITH/OUT ACCESSORY APARTMENTS			
	Number of Units	Gallons Per Unit	Total GPD
Residential Units			
530 Units	4 Bedrooms	110 gpd/bedroom	233,200 gpd
Swimmers			
530 Units	3 Units	10 gpd/per *0.8	12,720 gpd (20% Reduction Due To Water Saving Fixtures)
Community Building			
4 Units	Four – 300 Max. Occupancy	5 gpd/per *0.8	4,800 gpd (20% Reduction Due To Water Saving Fixtures)
Backwash for Water Treatment			
			23,904 GPD (Worst Case from Addendum)
			REQUIRED (2x Ave. Demand)
TOTAL		274,624 GPD Average Demand	549,248 GPD

359 UNITS WITH ACCESSORY APARTMENTS			
	Number of Units	Gallons Per Unit	Total GPD
Residential Units			
359 Units	4 Bedrooms	110 gpd/bedroom	157,960 gpd
Accessory Apartments			
360 Units	2 Bedrooms	110 gpd/bedroom	78,980gpd
Swimmers			
360 Units	3 Units	10 gpd/per *0.8	8,616 gpd (20% Reduction Due To Water Saving Fixtures)
Community Building			
4 Units	4 – 300 Max. Occupancy	5 gpd/per *0.8	4,800 gpd (20% Reduction Due To Water Saving Fixtures)
Backwash for Water Treatment			
			23,904 GPD (Worst Case from Addendum) REQUIRED (2x Average Demand)
TOTAL – With Accessory Apartments		274,260 GPD Average Demand	548,520 GPD

Section 3.8 Surface Water Wetlands and Groundwater

This Section concludes with the following text:

“For the 1,177 acre watershed for the Project Site, the total recharge would be approximately 735,600 gpd (gallons per day) or about 510.8 gpm. During drought periods groundwater recharge and available water supply would be reduced. The one-year-in-30 low precipitation (3.33% chance of recurrence) for Orange County is 29.5 inches. This precipitation amount is 69% of the annual average precipitation rate of 43 inches or a reduction in precipitation of 31%. This value is similar to the drought values from 1962 to 1966 when the precipitation deficit ranged from 23% to 35% below the long-term normal and cumulatively over the five-year period with a deficit of 29%. Assuming groundwater recharge decreases at the same rate as precipitation during periods of diminished rainfall, the estimated average recharge rate would decrease about 31% to approximately 507,600 gpd during a 1 year-in-30 drought or 352.5 gpm.

As previously discussed, the safe yield of the five (5) wells is identified in the DEIS as 550,800 GPD. The available recharge from the watershed is approximately 735,600 gpd, or potentially as low as 507,600. The DEIS affirms that there will be no adverse environmental impact to groundwater because the recharge is in excess of the project’s demand. While the recharge maximum may exceed the average day demand of the project, it does not support pumping of the wells at the rate of 550,800 GPD.

There are numerous other public water supplies and private wells that are in this same watershed that

these wells are proposed to draw from. If the DEIS were to consider the numerous other water supplies, it is unlikely that there is adequate recharge to support the continuous pumping of the Clovewood wells. At a minimum, there is inadequate testing and analysis to make the assertion that there will be no impact.

Section 3.9i Water Supply Infrastructure

“The Project’s wells would have sufficient capacity to supply water for 600 four-bedroom single-family dwelling units and associated swimmers, which would be 273,600 gpd or 190 gpm. The Project’s wells would be able to supply more than twice the average water demand of 547,200 gpd or 380 gpm, in accordance with NYSDOH water supply system requirements.”

This statement, as discussed previously in this text, is not supported by the reports found in the Appendices. We believe that the Minimum Average Water Demand for the project is 307,104 GPD or 214 GPM. The required water supply would be 614,208 GPD or 427 GPM.

The text in the second paragraph should be removed, as there has not been an adequate analysis (although a brief paragraph was provided in the Addendum) and the suggestion that the Clovewood wells would be able to supply 754,800 GPM is not supported by the LBG report.

The simultaneous 72-Hour Water Well Pumping Test was conducted on Wells C-6, C-12, C-14, C-16, and C-23 between July 10 and July 16, 2017. The five wells were pumped concurrently for 5.5 days (132 hours-50 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.

The DEC regulations and standard practice is to test pump wells until stabilized drawdown. The DEIS text suggests that the wells have been tested in excess of the regulations. This is simply not the case, as the LBG reports specifies that the extended duration of the test is due to changing the pump testing plan due to excessive drawdown in offsite wells and generator failures. This text should be updated to represent the facts from the LBG Report and not the subjective commentary that has no basis.

NYSDEC regulations require that the pumping test must be performed at or above the pumping rate for which approval will be sought. The Applicant is seeking approval for the exact rate at which the pump test was performed. There exists no buffer in the event that the yield diminishes overtime, as is seen frequently with production wells in the area.

“An individual pumping test was then conducted on Well C-21. Well C-21 was pumped individually as the best well between July 25 and July 28, 2017 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.”

While the sum of the six wells pumping rates may equal 785,520, there is **NO** supporting information in the LBG Report to support this statement.

The applicant is presuming that the Well C-21, which was not pump tested simultaneously with the other five production wells, is acceptable to serve as the “best well”. The regulations require that the water supply wells are able to meet 2x the average day demand with the best well out of service. The

LBG report was not able to pump Well C-21 in conjunction with the other wells, due to the interference and draw down it caused with other wells. We believe that there is inadequate testing to state that the maximum withdrawal is the total of the five wells or 550,800 gpm. In accordance with the regulations, the best well of the five (Well C-3; Yield 157 gpm) that was tested simultaneously should be subtracted from this total providing a maximum withdrawal of 324,720 gpm or additional testing on concurrent pumping of wells is required.

“Investigation summarized in Appendix F 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 this method of water supply”.

As summarized above and detailed in Appendices F and G, *no significant adverse environmental impacts on water quality or supply would result from the Project’s proposed water supply system.* We believe that there is, again, no basis to make the statement that the projects water supply will not adversely impact the aquifer or nearby wells. We cite the available recharge to the project, which is marginal, and does not consider the other groundwater supplies tapped into the same aquifer. We also note that there are a number of adjoining wells on Clove Road that were monitored as part of the pump test (specifics found in the LBG Report) which show significant drawdown.

Section 3.9ii Wastewater Infrastructure

As previously noted, the proposed design flow of the WWTP does not appear to consider all of the project water demands. As we note above, the minimum average water demand is 307,104 GPD and the maximum demand is 439,104 GPD. The WWTP is designed for a maximum flow of 280,000 GPD.

Section 3.11 Transportation

This text provides Level of Service (LOS) Table for numerous intersections along Route 208 which identify the existing conditions, no build in the Year 2030, and the various build conditions. In many cases, the LOS decreases a letter or more, but in basically all cases, the delays (in seconds) are increased, some significantly.

Given the increase in delays and decrease in levels of service in predominately all intersections which were studied, we would have expected to see a discussion on Mitigation and what traffic improvements would be made to the Route 208 corridor to mitigate the adverse impacts, yet there is no discussion of this.

Section 3.16 Construction Impacts

Section 2.16 indicates that the project will be completed in 18-24 months after obtaining the required approvals. Construction of a project of this magnitude including the earthwork, roadways, and homes would be a significant undertaking to finish in 24 months. To suggest that there are no adverse impacts associated with the construction of this development is minimizing the undertaking. We believe that additional analysis of the project duration and proposed impacts is warranted. For starters, a detailed Construction Schedule should be included in the DEIS to demonstrate how this project will be constructed in 24 months, from there, further evaluation of the potential impacts can be evaluated.

Cumulative Impacts: (Summary on Page 3.174 and Table 3172)

1. Water Resources: The report mentions that the Village can be expected to yield 2 mgd of water that will ensure enough capacity for all existing and proposed users. Is the author of the report aware of the Village's current water issues? Just because the size of the Village is 3,200 acres does not mean that the Village has access to 2 mgd of water. Stating that each project will meet NYSDEC and NYSDOH Standards does not address the cumulative impacts of those projects.
2. Stormwater Management: The table mentions the site will have an approved SWPPP and the other sites will have no particular impacts. There is no discussion of the cumulative impact from an increase in the volume of stormwater runoff and how the increase in the temperature of the runoff will affect downstream environments.
3. Biodiversity: The table mentions habitat loss, but not those identified as threatened or endangered. The Long Eared Bat and Indiana Bat are not mentioned here, as the loss of roosting trees is a loss of habitat, and when the area is 10% of the entire Village - there is a cumulative impact that needs to be addressed.
4. Transportation: The table states that over the next 10 years other projects will generate 1,705 additional vehicles per hour and that the proposed project would generate 601 vehicles per hour for a total of 2,306 additional cars an hour. The table then goes on to state that the cumulative impact of 2,306 cars an hour will be positive due to the improving of intersection levels of service. There is no basis for this statement.
5. Land Use and Zoning: The table only mentions that all projects will be consistent with Local and County Land Use Planning. Nothing is mentioned about the type of uses proposed or the impact this cumulative effect will have on the Village.
6. Noise and Air Resources: There is no or inadequate discussion regarding the multiple projects being under construction and the noise and air impact from the construction activities.

Section 5.0 Mitigation

The preceding sections of this 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. Because the Project would not have the potential to generate any significant adverse environmental impacts, no mitigation is required. The only instance in which mitigation may be required is if future traffic monitoring reveals that the Project is generating significantly more traffic than projected, in which case additional traffic mitigation measures would be implemented. Otherwise, no further mitigation measures would be required because the Project would not have the potential to generate any significant adverse environmental impacts.

We have cited the entire paragraph of Section 5.0 Mitigation. In our text herein, we have identified a

number of concerns related to the potential adverse impacts which will result upon development of this project. Specifically, we believe that there is inadequate water supply to serve a project of this scope. The pumping of the Clovewood wells at the rate proposed will have adverse impacts to all the wells that exists in the aquifer, there are significant traffic impacts which have been dismissed, and there are potentially significant impacts associated with the construction which have also been dismissed.

APPENDIX F (WATER SUPPLY)

We have made numerous comments relative to this Appendix as a part of our review of the DEIS text. We offer the following additional comments:

1. The report discusses the simultaneous pumping test results of the five wells - C-6, C-12, C-14, C-16 and C-23, and the individual test on Well C-21, which was pump tested independently. The report does not, with any degree of specificity, indicate what the maximum capacity of the system is with the best well out of service. It seems to suggest that the capacity is the cited 550,800 gpm; however, we do not believe that there is adequate supporting documentation to demonstrate that Well C-23 can be considered the best well to be utilized to support the maximum yield of 550,800 gpm.
2. The Executive Summary states that “No discernible water-level impacts were measured in any of the offsite monitoring locations that were attributed to pumping in Wells C-6, 12, 14, 16 and 23 during the simultaneous pumping test or to pumping Well C-21 during the individual pumping test”.

Section 10 of the report provides commentary on the 16 offsite wells which were monitored, and generally summarizes that the only impacts to the offsite wells were a result of the pumping of Well 7-B, which was abandoned shortly after the start of the pump test. Appendix VII provides graphical representations of the impacts to off-site wells. We believe that additional commentary is necessary to support the “no discernible water level impacts were measured” based on the following items depicted in Appendix VII:

- Woodbury Heights North Well shows a drawdown of approximately 7-10 feet during the testing.
- Woodbury Heights East Well shows a drawdown of approximately 5 feet during the testing of C-21.
- 35 Round Hill Road Well shows a gradual drawdown likely attributed to the pump testing.
- 562 Clove Road Well shows significant drawdown that does not completely recover after the shutdown of C-21 and C-7B.
- 481 Clove Road Well shows significant drawdown that does not completely recover after the shutdown of C-21 and C-7B.
- 568 Clove Road Well shows significant drawdown that does not completely recover after the shutdown of C-21 and C-7B.
- 479 Clove Road Well shows a gradual drawdown likely attributed to the pump testing.

- 564 Clove Road Well shows significant drawdown that does not completely recover after the shutdown of C-21 and C-7B.
 - 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.
3. Section 11.4 PIEZOMETER LOCATION PZ-8: The report states that the pumping of the individual Well C-21 may have an effect on the water level and more testing may be warranted. More testing is certainly required to show the affects, if any, that the well is having on the wetlands.
 4. Section 4.3 and Section 4.5 calculates the water demand for the project must mention all proposed water usage, such as the bath houses, recreational buildings, etc. These additional proposed water usage appears to be higher than provided water.
 5. The water quality testing shows that five of the six wells have excessive iron and one has excessive manganese. These wells do not meet the NYS Drinking Water Standards; the Addendum provides a brief discussion, but no detailed information.

APPENDIX H (STORMWATER)

1. How will the temperature difference from the proposed runoff affect the surrounding area's vegetation and wildlife including aquatic and semi aquatic life forms?
2. How will the increase in runoff volume affect downstream stream channels, vegetation and wildlife, including aquatic and semi-aquatic life forms?
3. How will diverting the existing streams and waterways affect the existing wetlands?
4. The numbering of the analysis points in the Hydrograph Model do not match the analysis points on the Drainage Maps or the report.
5. The report mentions no disturbance or fill within any of the wetlands. Based on the plans provided, this is incorrect, as the plans show grading and pavement in wetland areas.
6. The report states that "On lot rain gardens capable of treating up to 1,000 SF of impervious area each are proposed on all lots where topographic conditions permit." The plans provided do not show any rain gardens and the lot size and grading make it appear difficult to fit rain gardens on all the lots.
7. The report states that "Approximately 160,350 additional cubic feet of water quality volume will be provided by a system of fourteen wet ponds spread throughout the developed portions of the site." The plans provided do not show any pond grading that resembles that of a wet pond.
8. The report mentions "100-foot buffers are proposed from all wetland areas, thereby providing an undisturbed riparian edge to these sensitive waters." The plans do not show a 100-foot buffer to

all wetlands and show disturbance right up to the edge of the wetland and in some places disturbance of the wetland itself.

9. The report should show all the flows to the hundredth place and not be rounded to the nearest whole number.
10. Page 15 of the report states that there are six analysis points, while only four analysis points are shown in Table 4 and in the HydroCAD Model.
11. The HydroCAD Model has a description titled "OLD COURSE A" what is the makeup of this area?
12. In proposed Basin B4, there is a description titled "FUTURE DEV", what is the future development?
13. Show the future development on the plan.
14. The proposed HydroCAD Model has two blank descriptions for Basin C5/9. Descriptions for these two areas should be provided.
15. According to Appendix C, there is no Water Quality volume (WQv) or Runoff Reduction volume (RRv) for any areas in Analysis Point 2 and 4, is this correct?
16. Discuss the discrepancy between the amount of acres in the WQv and RRv calculations and the drainage area size. The drainage area for Analysis Points 2, 3, and 5 have larger drainage areas than what is shown in the WQv and RRv calculations.
17. There is a NYSDEC worksheet showing the required WQv and RRv, but no calculations or sheets showing how WQv and RRv are achieved. Calculations showing how the required WQv and RRv are met should be included.
18. Proposed grading to show that the bio-retention basins can be built as shown on the plans should be provided.
19. The proposed Subcatchment A has a higher Tc than the existing Subcatchment A.
20. Page 15 of the report mentions that the HydroCAD Model for the 1-, 2-, 10- and 100-year storm events are in Appendix D, but the 2-year storm event is missing.
21. The report mentions that the attenuation of the peak discharge rates will satisfy the SPDES requirement for Channel Protection (CPv), but no further information on CPv is provided. Based on the information provided, it appears that the SWPPP does not meet the CPv requirement.
22. There are four pipes modeled in HydroCAD that need an eight foot headwall or higher to function as designed - Pipes 7P, 9P, 10P and 11P, with 9P needing a headwall height of 16.94 feet to work as shown in the model. Label these locations on the plan to verify that the headwall is the proper height. Also label the inverts of all the pipes in the HydroCAD Model on the plan.

23. What type of pipe is called out for Pipe 1P, 2P, 7P, 9P, 10P, 11P and 16P in the HydroCAD Model? If the pipe material is corrugated metal pipe, than the “n” value must be revised.
24. The Geotechnical Report Appendix D Section 3.1.10 Permanent Stormwater Controls, mentions “Most of the native soils are not well-suited for the use of infiltration-based stormwater controls.” The bioretention basins shown on the plans are an infiltrating practice, the report should address how this will work and provide soil testing results for the any basins where infiltration is required.

APPENDIX J TRAFFIC

1. Provide a table showing the combined anticipated site traffic volumes for Scenario 1 and Scenario 2.
2. Has the increase in traffic been accounted for on Arlington Drive, Virginia Ave and Merriwold Lane South?
3. The Traffic Report states “There has been little to no growth along the NYS Route 208 corridor within the last 10 years (2005 to 2015)”, yet in Table 326 of the DEIS from the year 2000 to 2010 there has been an increase of population of 24.9% and an increase in housing units of 21.5%. How has the population increased by so much, but there has been no increase in traffic counts?
4. The Traffic Report mentions that 30.7% of the population of Kiryas Joel used other means of transportation. Given that the 30.7% is the highest percent described for the travel method for Kiryas Joel residents, provide additional information as to what “other means” includes.

PROJECT SITE PLANS

The plans provided are not to a preliminary design level, there is significant information missing from the plan which makes it very difficult to identify what additional impacts may be caused by the project development. In many instances, proposed features are not properly graded or even identified on the plans (i.e. the rain gardens on each individual lot). Many of the required stormwater management facilities have only been shown schematically and not detailed enough to demonstrate that they will be properly designed.

CONCLUSION

Upon reviewing the DEIS and its associated Appendices, we have noted a number of subjective conclusions, which are written in the text of DEIS, but not supported by the technical reports found in the Appendices. This is very misleading to the reader, if they are not versed in the technical aspects. While we have identified some of these issues, they are prevalent throughout the document. The Addendums made some significant revisions to the scope of the project. It is critical that the next round of revisions to this DEIS incorporate all of these revisions which will require significant modifications to the plans, text and Appendices.

We believe that the DEIS text improperly downplays the impacts that the Technical Reports found in the Appendices outline. To suggest that a project of this magnitude will have no adverse impacts and

requires no mitigation is difficult to comprehend. We have focused our review predominately on engineering issues which we believe this project will have adverse impacts on, such as water supply and traffic. In regards to water supply, the various sections of DEIS text that relate to this topic are confusing and disjointed, and many of the statements are not supported by the technical documentation. This section must be completely revised to provide concise and accurate information. The Cumulative Impacts and Mitigation sections of the report need to clearly identify the impacts that will result from a project of this size and scope; and provide fair and reasonable mitigation measures to ensure that the community, surrounding municipalities, and region are not impacted by this project.

Should you have any questions or require additional information do not hesitate the contact this office.

Respectfully submitted,

**McGOEY, HAUSER & EDSALL
CONSULTING ENGINEERS, D.P.C.**



Michael W. Weeks, P.E.
Engineer for the Town

MWW/an

C: Brian Nugent, Esq.
Bonnie Franson, AICP, CEP, PP

Commenter No. 143

Franson, Bonnie

MEMORANDUM

TO: Robert Jeroloman, Supervisor
Members, Blooming Grove Town Board

FROM: Bonnie Franson, AICP CEP, PP

RE: Clovewood DEIS – Town Comments

DATE: **January 14, 2021**

CC: Brian Nugent, Esq., Town Board Attorney
Michael Weeks, PE, Town Board Engineer

The Village of South Blooming Grove (the “Village”) is an incorporated village within the Town of Blooming Grove (the “Town”). Clovewood is a proposed 600-unit development to be located on 708.2 acres on Section-Block-Lot Number 208-1-3 and 208-1-2 (“Clovewood”, “the project”) within the Village. The project site shares over 13,000 linear feet of boundary with the Town of Blooming Grove at Clove Road and along the eastern side of the parcel. The proposed project, as presently conceived, will have a significant, unmitigated, adverse impact on the Town’s environs and the residents, landowners, and properties that are within Clovewood’s vicinity. Adverse impacts include but are not limited to roads and traffic patterns/safety within the Town of Blooming Grove, scenic viewshed impacts, natural resources including critical habitats, surface water and aquifer quality and availability. The use and enjoyment of Schunnemunk Mountain as a local and statewide significant recreational trail will also be negatively impacted by views of high-density development with its associated negative impacts, e.g., noise and light pollution.

The Town and Village share a number of services, including fire, ambulance, refuse and building department resources which may be overburdened by the project. As such, the Town has a number of concerns related to potential impacts to the Town, its operations and its residents as a result of this project. We respectfully submit these comments on behalf of the Town regarding the proposed project.

In general, the Town should request that the following SEQRA notices and publications be provided in the FEIS:

- The formal signed resolutions of the Village Board and the Planning Board, as co-lead agencies, when each board deemed the DEIS complete;
- The Environmental Notice Bulletin notice and date on which the DEIS was deemed complete;
- An affidavit of the mailings and circulation made to all involved and interested agencies on the circulation list for the accepted DEIS and the date when the DEIS was circulated;
- All public notices and the official DEIS Notice of Completion;
- All comment letters made by outside agencies, all transcripts, and all minutes of public hearings.

The below are substantive comments raised on the DEIS. It is also recommended that the Town request, for the benefit of the public participation process, that all SEQRA documents be hosted on the Village website, as the website of the preparer is frequently not in operation or is “down”.

- 1. The DEIS underestimates the population to be generated by Clovewood and thus impacts identified in the DEIS are underestimated.** Clovewood proposes 600 dwelling units and 600 accessory apartments. As per the Village’s Section 235-45.6 of the Village Code, up to 3 individuals are allowed per accessory apartment. Under the worst-case scenario, the DEIS estimates that the population will be based on the average household size of 5.47 persons per principal housing unit (based on similar household characteristics in Kiryas Joel). New construction does not typically result in any vacancies in housing units, given their new construction, thus 100 percent of the single-family dwellings should be assumed to be occupied at full buildout. As per the U.S. Census Bureau home ownership vacancy rates, data show that vacancies in New York State in 2020 have been between 1-1.6 percent, confirming the current low percentage of vacancies. Throughout the DEIS it is stated that there is a strong regional need for such housing – it should be assumed for proper SEQRA review that all accessory apartments will be constructed. The Applicant’s attorney, Sive, Paget, and Riesel, at such time that the Village contemplated changes to the accessory apartment regulations, submitted comments in opposition to any changes that would limit or diminish the size or occupancy of accessory apartments. Construction and occupancy of all of the accessory apartments must be analyzed in the DEIS, not the arbitrary 25 percent stated in the DEIS – the adopted Scoping Document states that housing unit populations will be determined based on bedroom count. Since the DEIS does not conduct the required analysis, the population estimate should be based on the 3,360 persons for the principal dwellings (5.47/unit), and 1,800 persons for the accessory dwellings (3 residents/apartment) for a total of 5,160 persons in 1,200 dwelling units, on 708.2 acres. This project will result in 4,690 persons per square mile, or 1,090 dwelling units per square mile, or 1.7 dwellings per acre.

In comparison to the 5,160 persons that would be introduced by the development, the DEIS vastly underestimates the population to be generated by the proposed project. The DEIS states that for the worst-case scenario, 3,815 persons would reside in the development. This underestimates the population by approximately 1,345 persons, or by 48 percent of the DEIS estimate. The DEIS thus significantly underestimates the total water demand, wastewater generation, solid waste generation, traffic and other impacts of the project.

- 2. The project is fundamentally inconsistent with the Village’s population density in terms of community character.** The DEIS states that the Village is “densely developed” – no data in the DEIS support this conclusion. According to 2010 Census data, the last available decennial data, the Village of South Blooming Grove is 4.7 square miles in size, had a population of 3,295 persons, and 1,273 housing units. This equates to 701 persons per square mile, and 270 dwelling units per square mile, or 0.42 dwellings per acre.

Subtracting out the Project Site’s acreage from the Village’s size, the density would be 915 persons per square mile, 385 dwelling units per square mile, or 0.61 dwellings per acre. Clovewood would result in 3 times more dwelling units per square mile or acre, and a population 5 times more dense than what exists today. To be consistent with the Village’s existing population density, the population would be a maximum of 1,006 persons for the Clovewood development. Based on a population density of 8.47 persons per dwelling/accessory unit building, the total number of dwelling/accessory units would be approximately 118 dwelling units and 118 accessory apartments

to sustain a comparable population density. Ultimately, the Clovewood density is inconsistent with and will significantly impact the Town and Village's community character.

Regardless, Clovewood is not entitled to these number of dwellings based on the RR district regulations – see further below.

3. **Clovewood is not affordable, despite the DEIS asserting that 43 of the Clovewood's dwelling units will be affordable.** The DEIS states that Clovewood's market rate dwellings are projected to sell at approximately \$495,000. While the DEIS recites the Village Zoning Code definition of affordability, it does not include a calculation of the price of an affordable unit. In the same Socioeconomic section, under "Real Property Taxes", the DEIS estimates the total market value of the development as \$297 million, which is 600 dwelling units multiplied by \$495,000 per dwelling unit, which are all market rate units. The Applicant has no real intent of constructing affordable dwelling units, and thus the incentive units requested under § 235-14.1. Rural Residential District regulations for 43 additional units under subsection A.(3)(a) must be denied.
4. **The project introduces a major standalone use, park and ride facility, which has not been evaluated in the DEIS for the site-specific impacts associated with same.** The park and ride was not proposed until after the DEIS Scoping Document was adopted, and therefore not considered in determining the analyses necessary to examine the impacts of this facility in the adopted Scoping Document. What are the noise impacts on the proposed adjoining residences? What are the noise impacts from the additional traffic that will travel to the park and ride – the DEIS does not state it is limited to Clovewood residents only – the main entrances to the development may be burdened by additional traffic, whose noise, air quality and other impacts are not evaluated to determine what the impact will be on the Town residents adjoining these entrances and the park and ride facility. Further, the site plan still shows two park and ride facilities, and it is unknown which one has been removed as per the DEIS addendum. The DEIS is ambiguous, as maps and text were never updated to clearly describe the changes made to the document, relying mostly on an addendum.
5. **Did the traffic impact study, which was not updated after the addendum was released, consider the public and Clovewood park and ride facilities in its analysis?** Did the traffic analysis reduce the number of trips traveling down Route 208 on the basis of the availability of those park and rides? With the public park and ride removed, does this impact the levels of traffic predicted to travel on Route 208 south to Route 17? It is unclear which scenario the DEIS evaluates in the DEIS main text. This should be made explicit.
6. **Construction impacts on adjoining residential properties in the Town of Blooming Grove are not evaluated.** The DEIS fails to conduct any meaningful analysis of the impacts of construction on the adjoining residential neighborhoods in the Town of Blooming Grove. Given the development's layout, it is anticipated that noise will travel within the valley and be audible from residences along Clove Road, Round Hill Road, and Orchard Lake at a minimum. The DEIS, in Chapter 3.16, states that no blasting or rock hammering is anticipated, but then goes on to state that "any required rock processing would occur a minimum of 1,000 feet from adjacent residences, which meets NYSDEC guidelines". No meaningful analysis is made to determine whether or not noise from rock hammering may occur. In addition, with the exception of monitoring ambient sound levels, no quantitative analysis is performed to estimate noise that would be generated from construction activities. The DEIS states that backhoes, loaders, and dump trucks would be used, but does not cumulatively add the noise from all of the construction equipment sources that will be operating at the same time to assess noise impacts. Conclusions such as construction noise would range from 45-65dBA are totally unsupported by any quantitative noise analysis. Nor is there any quantitative

analysis of construction traffic impacts. The DEIS states that construction workers would arrive prior to the AM peak traffic period, thus having them arrive earlier in the morning and during the more sensitive time periods of the day, i.e., early morning AM period. The noise section states that the ambient noise levels at sensitive noise receptors were measured during the AM peak traffic period. However, the construction section states that construction workers will arrive earlier and outside the peak hour – specifically, it states: “Construction workers would arrive to the Project Site prior to the Peak AM Highway Hour on NYS Route 208”. The potential impacts associated with traffic during this earlier more noise sensitive time period (before 7 AM) are not quantified or evaluated. Impact pile driving is not discussed as per the Scoping Document. The noise analysis is incomplete, and does not address the significant adverse impacts which may occur to Town residents adjoining Clovewood.

7. **The analysis of impacts to community service providers is wholly inadequate, and the DEIS fails to examine the impact on community facilities and services.** The adopted Scoping Document required that the DEIS interview and provide responses from the NYS State Police, Blooming Grove Fire Department, Blooming Grove Volunteer Ambulance, KJ EMS, Moffat Library, Orange Regional Medical Center, Good Samaritan Hospital and Ezras Cholim Health Center. The applicant states that they received responses in writing or conducted meetings with all service providers except for South Blooming Grove Fire District, Blooming Grove Volunteer Ambulance Corp and Moffat Library. If in person meetings were conducted, data demonstrating such must be included in the DEIS. Anecdotal information should not be used and documentation of correspondences is necessary to demonstrate attempts were made to contact service providers.

For fire protection, the discussion of impacts is incomplete. Does the addition of firefighters require the construction of a new fire station? How will this be funded? Which fire service is being discussed? Who will fund the new ladder truck and from what surplus? This discussion was removed by the Applicant prior to completeness of the DEIS – why? Data have been removed from the DEIS which spoke to potential impacts to community service providers.

The DEIS provides no substantive analysis to support the conclusion that property tax revenues would pay for the additional demands placed on the Washingtonville CSD. The costs need to be quantified. Scenario 1 may require additional transportation, busses and special education needs and these costs must be determined.

As per the DEIS discussion, what are the plans to expand Hasidic schools? What is the quantifiable increase, is this demand already there and will additions to the schools be able to accommodate Clovewood’s children? Actual capacity of each school that may be impacted by the development under any Scenario must be calculated, and whether students will utilize the public school system or attend private schools, to understand how school resources will be shared between relevant school districts.

8. **The fiscal impact methodology is incorrect and does not follow standard procedure. The fiscal impact of this project on Town, school and village resources is not quantified and the analysis is incomplete.** An acceptable methodology for fiscal impact analysis needs to be used. Acceptable methodology is presented in the Burchell and Listokin Fiscal Impact Handbook. The per capita impact method is specifically not appropriate for the size of Clovewood and the scale of the development. A Case Study or Comparable City methodology is appropriate. Even with the methodology used in the DEIS, the fiscal analysis must assign the costs to each taxing jurisdiction on a nonresidential and residential basis. The method for apportioning costs between residential and

nonresidential uses is incorrect in the DEIS and does not follow accepted methodology. A proportional valuation must be first conducted, before a per capita analysis can be conducted. The fiscal analysis is in error.

9. **Sustainable resilient design is not incorporated into project improvements, including necessary intersection improvements.** As per the Town of Blooming Grove NY Rising Community Reconstruction Plan, Clove Road from north to south is susceptible to flooding. The Community Reconstruction Plan specifically states: “For instance, the Y intersection of State Route 208 and Clove Road in the Village of South Blooming Grove is a dangerous intersection and one that gets routinely flooded during severe storms. When floodwaters overtop this intersection, emergency response access along the State Route 208 corridor is inhibited.” The Clovewood project will directly impact this proposed road, as it provides the most direct and primary access to Route 208 and population and employment centers to the south as per the DEIS narrative. The DEIS does not address the improvements needed to this intersection that are beyond increases in capacity. Sustainable design would ensure that the Project would not only contribute to improvements of this intersection which it will primarily impact from a traffic capacity perspective but would also address the need to mitigate flood issues at this intersection for emergency service mitigation. Further, the traffic impact analysis does not state and summarize what traffic improvements are the responsibility of the Applicant. The specific improvements that will be the responsibility of the Applicant should be summarized in the FEIS.

10. **Traffic trips are underestimated and the true traffic impact on the Town is unknown.** Trips under Scenario 1 were not generated using trip generation rates for single-family dwellings. In the traffic section, Community Scenario 1 for the “Satmar Hasidic Demographic” used a lower trip generation rate than Scenario 2 – Scenario 1 used low rise apartment rates even though the applicant is proposing single-family detached dwellings with accessory apartments – it is unclear what the trip rates for the accessory apartments were based on. The comparisons are faulty and do not provide any meaningful estimate of the true traffic impact of the project. It is inappropriate to assume that only 30 percent of the accessory apartments will be built as the Applicant and its attorneys have promoted the need for accessory apartments as an additional unit to be made available for every dwelling. In a worst-case scenario, the trip generation for this project in the AM weekly peak period could be 1,200 dwelling units x 0.72 trips which would result in 864 trips, which is far more than analyzed in Scenario 1, 2 or 3. At a minimum, rational and reasonable assumptions need to be made with regard to the trip generation rates to be used in this traffic impact analysis, based on full occupancy of single-family detached dwellings, and accessory apartments, with the proper trip generation rates used.

Kiryas Joel is not a relevant comparison regarding traffic – the Village of Kiryas Joel consists almost entirely of multifamily dwellings in a tight dense urban setting which is served by mass transit. Clovewood is a single-family development, not in close proximity to any services, and all families will commute to address their daily shopping, medical, and other needs.

The traffic impact analysis is not explicit with regard to which scenario is being summarized in the main text of the DEIS – i.e., Community Scenario 1 or 2 – the DEIS should be explicit in discussing what specific scenario results are presented. Ultimately, the traffic impact analysis needs to address the following:

- The traffic impact analysis needs to evaluate the full build out of 600 apartments and 600 single family dwellings;

- The traffic analysis should use single family trip generation rates for the 600 single family dwellings and disclose a reasonable trip generation rate for the accessory apartments – up to three persons can reside in an accessory apartment, so it anticipated that drivers will be present in these households;
- The traffic analysis should not assume that there will be fewer trips based on the religious associations of persons who may reside in the project. Ultimately, this is a single-family project wherein no commercial uses are being proposed (at this time), and trips will need to be made for services and to address daily needs. It should be treated and evaluated like other conventional residential subdivision;
- The traffic analysis must not assume that a public park and ride will be available to reduce traffic trips, as this was removed as per the addendum – does the discussion of impacts in the main text incorporate the benefits of the public park and ride to reduce trips along Route 208?;
- The traffic impact section does not appear to specifically assign any mitigations to the proposed project.

11. The project will not result in any carbon sequestration benefits that would provide sustainability benefits to the Town and region. Such statements in the DEIS are self-serving. In the map of “Clovewood with Land Conservation Areas,” large swaths of existing trees and forested land will be disturbed and removed from the project site. Section 3.6 of the DEIS states that of the 178 acres of land that will be disturbed, 157.3 acres, or 88 percent of the disturbance is to successional southern hardwoods. An additional 15.2 acres of disturbance will occur to oak-tulip tree forest. This compares to the 21 acres of successional shrub land that could potentially be reforested which would take decades to occur – the DEIS does not include a mitigation wherein the Applicant will landscape this area. Lastly, the Clovewood DEIS fails to examine the impacts associated with the additional woodland disturbances to access wells throughout the site and the grading occurring within the open space. Carbon sequestration benefits will not occur from the Clovewood project.

12. Clovewood has not provided acceptable public parkland and the DEIS does not evaluate potential demand placed on Town parkland and resources. The proposed development will generate demand for public parkland, especially given the very small size of the lots to be constructed which will have limited yards for recreational use. The Village of South Blooming Grove does not have extensive active recreational facilities, and it is anticipated Village residents would place demand on any Town facilities, of which there are few. In the adopted Scoping Document, two areas were shown as being available for public parkland – one along the southerly property boundary, and another along Clove Road. The revised Clovewood plan which was not the subject of the adopted Scoping Document now shows that 60 acres of parkland will be set aside adjacent to Clove Road. The DEIS does not evaluate whether this land can support recreational facilities that will be demanded by the residents of the project. Wetlands dominate this area, as well as the NYSDEC 100-foot regulated adjacent area around the state wetlands, and steep slopes will further limit how these lands can be used. As set forth in Chapter 120 of the Village of South Blooming Grove Code: “Land reserved for recreation purposes shall be of a character and location suitable for use as a playground, playfield or other recreation purpose, and shall be relatively level and dry.” The DEIS needs to demonstrate how this requirement is met. Neither the pond referenced on p. 2.0-15 nor the wetlands meet this requirement within the 6- acres.

Also, the DEIS states that the area proposed for development does not contain any historic resources and does not contain structures that would be National Register eligible – this is incorrect. The Supplemental Phase IB Study states: “The ±63.03 acres of the 2018 Project APE were divided

into discrete areas, then systematically tested....Two areas, Area 11 and Area 12 contained significant archaeological sites. Area 11 contains the M. H. Howell Farm Complex, a substantial Historic Site, and the Clove Road Precontact site. Area 12 contains the Schunemunk Precontact site. Based on the recovered material, these two locations have the potential to be eligible for listing on the National Register of Historic Places.” The Howell complex is situated in the area proposed for “parkland” the intent of which, as per Village regulations, is to accommodate active recreational facilities that would impact these historic resources. A viable areas was presented in the plan in the Scoping Document, but that project plan has been significantly revised.

The viability of locating active recreation facilities within the 60-acre designated area is not evaluated. An area needs to be set aside that is usable and will meet the demand of the project. A viable area needs to be set aside and show on the plan and it is clear 60 acres are not available for parkland, as represented in the DEIS.

13. Lack of information with regard to 22 acres reserved for future use. While the commercial uses that were part of the Clovewood proposal have been withdrawn, 22 acres of the site are set aside for future use. The DEIS must evaluate what the potential use of this land would be since it is called out as being reserved for future use. It should be made clear whether the 22 acres not planned for development could be developed with residential uses, or whether these would only be used for nonresidential uses. Is it being used for the park and ride? The development would need to be accounted for in the lot count. At a minimum, a statement should be made that no further residential development will be constructed. This item should be addressed in the FEIS.

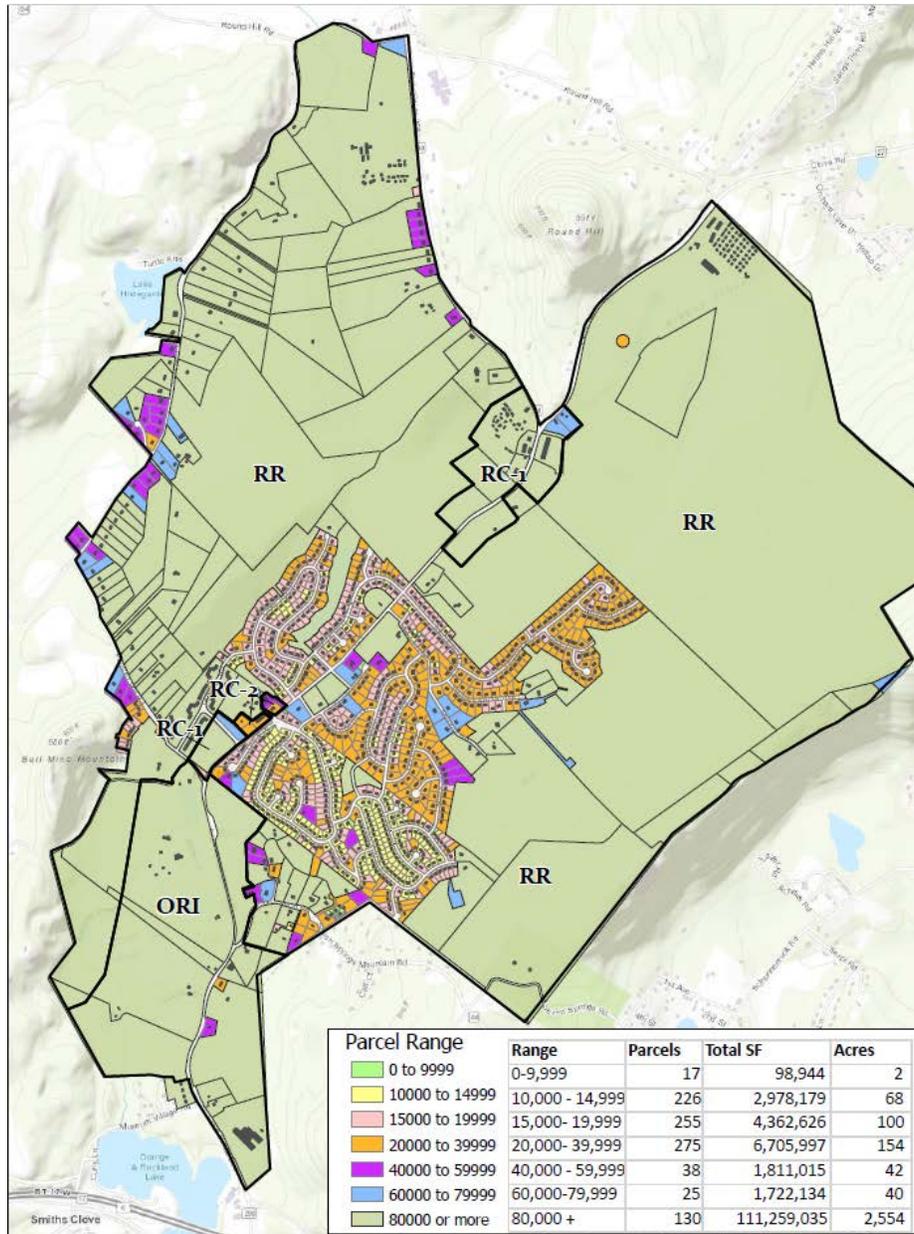
14. Clovewood is wholly inconsistent with Town and Village community character. The Clovewood DEIS is inconsistent as to what is being proposed, in terms of lot and dwelling unit size. The Clovewood DEIS and site plan indicate that lot sizes will be 7,000 square feet. In Section 2.20, Project Plans, two model layouts only are presented – the Heartwood and Sapwood models. The Heartwood is shown on a 75-foot by 115-foot lot, or 8,625 square foot lot. The taller and larger Sapwood model is on a smaller lot – 70-foot by 105-foot lot dimension, or 7,350 square foot lot area. Note that both floor models misrepresent the plans, as they both show a 750 square foot area which is the location for the accessory apartment. By establishing the minimum lot size at 7,000 square feet in the DEIS, all lots could be 7,000 square feet. This is significantly smaller than the vast majority of lots in the Village and adjoining Town of Blooming Grove.

The Clovewood DEIS attempts to give the appearance that the Clovewood lot sizes are consistent with the majority of lots within the Village by categorizing all Village lots between 3,000 square feet and 0.49 acres (see Figure 345 of the DEIS). First, Figure 345 appears to be incorrect, as there are not 1,157 parcels in the RR zoning district. A map was prepared using lot size data available from Orange County. Using a more refined analysis of parcel sizes, it is evident that there are 17 parcels that are less than 10,000 square feet in size in the Village. Clovewood would add 600 dwelling units in the smallest of lot size categories. Most properties in the Village are ½-1 acre in size with a large number also between 0.33 and 0.5 acres in size. A fair number of parcels also range between 0.25 to 0.5 acres in size. The lot sizes for the proposed development are wholly inconsistent with the Village’s residential character. Minimum lot sizes should be no less than 15,000-20,000 square feet, which is the middle range of the majority of housing units – note, however, that this should also be related to the size of the dwellings. The Sapwood is an approximately 3,750 square foot dwelling and the Heartwood is also 3,750 square feet of floor area (it is unclear whether a basement would also be constructed which would add more floor area).

In the Village, the single-family dwellings are substantially smaller and have larger lots, and the average height of the dwellings are in the 25-foot range. Raised ranches in the Village are generally constructed in the 1970s and are in the 2,100 square foot range as per an Orange County Real Property query. The taller and larger the proposed dwelling, the more side yard and front yard and lot area is necessary to be able to maintain a rural character to the Village as per the purposes of the Zoning Code as well as to be consistent with the Town's rural character.

The lot size and dwelling size in Clovewood is inconsistent with the Village and surrounding character, and lot sizes should be increased relative to the home size. Given current development patterns in the Village, lot sizes for homes that are 3,750 square feet should be significantly larger, e.g., one-half acre and larger.

It is noted that no information or analysis is provided in the DEIS to substantiate the claim that the project will be architecturally consistent with the Village in terms of scale and character. The proposed scale of the buildings (floor area and setbacks) on the proposed lot sizes with those in existence in the surrounding area was not performed. Also, the Applicant proposes only two model home plans, which is monotonous and not consistent with community character. Most projects of this size would have multiple models, and would include discussions regarding variability in style, color, etc..



15. **Clovewood is inconsistent with land use and public policy in the Town of Blooming Grove.** The DEIS does not discuss Land Use & Public Policy in the Town of Blooming Grove, or ways in which the proposed project may be at odds with the planning policies of neighboring municipalities. The Town of Blooming Grove 2005 Comprehensive Plan at the time addressed land use policies for the area which became the Village of South Blooming Grove. The 2020 Community Preservation Plan is relevant to the Village of South Blooming Grove as it was prepared and adopted as part of inter-municipal planning effort.

16. **Comparisons with outdated Town of Blooming Grove zoning is irrelevant.** References in the DEIS to what the R-30 District would have yielded is irrelevant and speculative. All lands in the Town of Blooming Grove were rezoned to RR, within which this property would have been located if it were still in the unincorporated area. The zoning was already set forth in the adopted Comprehensive Plan that preceded the zoning revisions.

17. **Town Comprehensive Plan.** The project DEIS makes no mention of the adjacency of the project to the Town of Blooming Grove and its land use policies, although the Town and the Village share a number of resources. The adopted Scoping Document requires the following (p. 15 of Scope): “summarize other public policies that may apply to the project Site and study area” (emphasis added). Chapter 3.1.3, Public Policy does not discuss the consistency of the project with the Town of Blooming Grove 2005 Comprehensive Plan, which includes the area which was later incorporated as the Village of Blooming Grove.

The project is not consistent with numerous goals discussed in the Town of Blooming Grove Comprehensive Plan, including:

- *To preserve the Town’s rural character, the Town seeks to protect open space. All new development within the Town should be designed to protect scenic vistas and other significant areas.* The bulk of the Project Site is located in the Scenic Viewshed Overlay Zoning District. It also abuts areas of the Town which are in the same overlay district. The extent and density of development within the scenic area is inconsistent with the Town’s and Village’s policies.
- *The Town seeks to protect rare species and rare ecosystem types.* The proposed Project Site is within a known area of timber rattlesnake habitat. The DEIS concludes that the proposed project will not have a significant adverse impact on timber rattlesnake habitat. However, the NYSDEC, in a letter reviewing the DEIS dated May 28, 2020, the agency states: “Please be aware that the Department does not agree with the conclusions found in the DEIS related to adverse impacts to timber rattlesnakes or their habitat based on the information presented in the DEIS, related reports, and submissions to date.... As indicated in Department correspondence as early as 2014, the project falls in what is considered occupied habitat for Timber Rattlesnakes. In 2014 and 2015, project consultants received correspondence from Lisa Masi, the Department’s Senior Wildlife biologist, in reference to conducting surveys on the property for timber rattlesnakes. To summarize, the correspondence indicated that visual surveys do not require special licensing from the Department and that the goals of the surveys would dictate what the best survey methods would be. The Department also indicated that following general presence absence survey methods would not change the Department’s determination that the site is considered occupied habitat. Timber rattlesnake guidelines were provided, and it was suggested that methods used be approved by the Department before undertaking the surveys. In addition, the Department also pointed to the need to characterize timber rattlesnake habitats on the site to evaluate impacts from the proposed project to that species. Information provided did not consider foraging habitat. Again, the DEIS is inconsistent in presenting what land area is being impacted, and the Department considers more habitat on site than has been evaluated. The whole site falls in what would be considered occupied habitat (emphasis added) by the Department and since impacts from the project are not clear, the full extent of impacts to timber rattlesnake habitat has not been addressed in the DEIS.”

Also, the DEIS fails to analyze fully the impacts to the Indiana bat. Specifically, the NYSDEC states: *“All impacts from the project related to Indiana bat have not been adequately analyzed and/or addressed. Since the project will result in greater than 10 acres of tree removal, a review of impacts to habitat, including an analysis of change in percent forest cover within 2.5 miles of the known Indiana bat hibernacula, and indirect impacts to the species related to noise, lighting, chemical use, dust, etc. should be conducted. An analysis was conducted for the proposed changes in ecological community type found on the Clovewood site, but a review of impacts is needed for all areas within 2.5 miles of the known Indiana bat hibernacula to determine overall change in percent forest cover for the area, and not just for the proposed project site.”*

The entirety of the Project is inconsistent with protection of rare species and ecosystem types. This also has significant implications for the calculation of allowable yield as per the Village Zoning Code.

- *The rate of population growth should be limited to ensure that community services are not overburdened.* The rate of population growth is related to the number of dwelling units that can be constructed within any given area. It is evident, from a review of the NYSDEC letter dated May 28, 2020, that the Project does not meet this policy. Specifically, the NYSDEC states that: *“The project proposed a combined total withdrawal of 550,800 gpd with best well out of service which is greater than the groundwater recharge rate. A prolonged drought would place the aquifer in deficit. The proposed withdrawal of 550,800 gpd is not acceptable to the Department.”* The Project does not meet this policy. Further, the Project draws from the same aquifer as that used by Town residents and other property owners along Clove Road, and any approval of this Project would have a significant adverse impact on the Town’s water supply.
- *New commercial uses should conform to the Town’s rural image.* While no commercial uses are shown at this time, the concept plan did include an area for commercial development which was eliminated, and has created segmentation of the SEQRA review. The DEIS does not comprehensively examine the cumulative impacts of the proposed project, which was designed to reserve an area for future commercial use. Hence, this is why it was called a “mixed use development” when first submitted to the Village for review.
- *The design of housing, regardless of price, should be consistent with the Town’s rural character.* The proposed design of the housing and the overall development is urban in character and does not fit in with the rural character of the Town.
- *Development should be located where water service is, or can be, provided.* The development is being placed in a location where water service cannot be provided to the entire development. It is inconsistent with this policy, and must be reduced to that which can be reasonably accommodated without impacting neighboring properties in the unincorporated area.

- *Development should be located where wastewater service is, or can be, provided.* The project proposed a wastewater treatment plant which would discharge effluent into an intermittent stream – at times, the only flow within the receiving stream will be treated effluent. This is inconsistent with the Town’s policies and will impact downstream property owners.
- *The zoning code should be revised so that the wastewater service is adequately supplied without harming the natural environment.* Permitted development levels should be decreased in locations where wastewater service is not available, and soils are poorly draining. The Town zoning code was revised to create the Rural Residential zoning district, which was subsequently adopted by the Village of South Blooming Grove. Any subdivision of this size is required to meet the standards set forth in Section 235-14.1 of the Village of South Blooming Grove Zoning Code. As discussed in greater detail below, the Application does not meet the requirements of this Section, and must be reduced to be consistent with the Zoning Code.

18. Clovewood is inconsistent with the Town Community Preservation Plan. The Town of Blooming Grove adopted a Community Preservation Plan (CPP) in February 2020 as an addendum to the 2005 Comprehensive Plan: “It furthers the objectives of the Town of Blooming Grove 2005 Comprehensive Plan to prioritize parcels for preservation and to identify mechanisms for their protection.” (p 2) The Clovewood DEIS had not been deemed complete at the time the CPP was adopted, and any impacts on the policies of the Community Preservation Plan should have been addressed in the addendum to the DEIS regarding Land Use and Public Policy. Further, the goals and recommendations of this Plan must be considered in land use decisions made by the Town. This plan is based on an intermunicipal public outreach process including the preparation of a Natural Resource Inventory and Open Space Inventory, of which the Village of South Blooming Grove has been a part. There is no discussion of consistency of the project in relationship to these plans in the DEIS.

- a. The project site is identified in the Community Preservation Plan as a priority area for preservation as it is an important forest linkage zone where sensitive species are found. In addition, the site is visible from the Long Path, a passive recreational resource. Maintaining and expanding access to Schunnemunk State Park and these trails is a priority of the Community Preservation Plan. Protection of the parcel would meet the following goals of the Community Preservation Plan:
 - Protect the mountain views and steep hillsides from the visual impacts of development.
 - Protect wildlife corridors and existing known habitat.
 - Expand opportunities for passive recreation by protecting land adjacent to existing protected land and trails.
- b. The Community Preservation Plan prioritizes parcels important to the preservation of wildlife habitat particularly within forest linkage zones and where sensitive species are found. To protect these resources, the following tools are recommended:

- Priority for acquisition should be given to large tracts of land which also create recreational linkage.
- Conservation easements should be placed on tracts important to the maintenance of forest linkages.
- Acquisition by the Town or in partnership with agency stakeholders should be prioritized for lands bordering or contiguous to Schunnemunk State Park and Goosepond State Park.
- Conservation subdivision should be utilized where outright purchase is not viable, and the owner of the parcel does not volunteer to place a conservation easement on the entire parcel.

The Community Preservation Plan also prioritizes protection of the Town's aquifers and enhancement of surface and subsurface water quality, especially as it relates to local impacted water bodies through the preservation of natural land cover. The Clovewood project site includes an impacted, Class C stream- development around this stream will likely further impact the quality of the stream.

The 2020 Community Preservation Plan prioritizes scenic mountain views and identifies the project site as a priority preservation area as its steep slopes contribute to the views of Schunnemunk Mountain and contains significant habitat value.

- Appendix K of the DEIS demonstrates a significant impact on the viewshed from the Long Path along Schunnemunk Mountain, counter to the Town's goals for protecting scenic vistas and maintaining the rural character of the Town.
- In addition, the light pollution from 600 units at the foot of Schunnemunk Mountain, and how that light might impact birds and other nocturnal animals that utilize the mountain and its associated forest habitat has not been studied in the DEIS.

19. Clovewood should be protected as sensitive open space habitat. It is clear from the Orange County Open Space Plan, the Blooming Grove Natural Resource Inventory and Community Preservation Plan that the project site contains rich ecological habitat and is part of a critical unfragmented forest matrix. The Town is concerned that the proposed density and impacts of the proposed density to this sensitive habitat has not been properly addressed in the DEIS. The project site has been identified as critical wildlife habitat for a number of endangered and threatened species in the region as demonstrated by the Project's own Endangered Species Report prepared by North Country Ecological Services, Inc, as well as NYSDEC comments. The Orange County Open Space plan also identifies the project parcel on maps depicting Forest Blocks, Biological Hotspots and Cores and Corridors. The Natural Resource Inventory, which informed the Open Space Inventory and the Community Preservation Plan also identifies the site as being part of "regionally significant forest" contributing to a "regional forest linkage zone", "Areas of Known Importance" for animals and within the "Hudson Highlands Significant Biodiversity Area."

The project area is also situated within the Hudson Highlands West Important Bird Area ("IBA") which is not discussed anywhere in the DEIS. The DEIS states that the Project Site is located

approximately eight (8) miles from the NYSDEC designated SFBCA: “As this area is located far away from the Project Site, the Project would not impact any bird species in the BCA and would have no impact on that area’s status as a National Audubon Important Bird Area.” The statement ignores the presence of the Hudson Highlands West Important Bird Area which was designated by the New York Audubon Society in June of 2016. This addition to the Hudson Highlands IBA is 10,324 acres, approximately 384 of which are within the project site. How will light and noise pollution impact important bird species and other migratory animals that might rely on this site for habitat?

Any development on this parcel needs to be limited to be consistent with regional open space policies – Clovewood does not balance that purpose. The open space supposedly being preserved and mapped on the site plan does not consider the amount of grading and other activities that will occur within it. Clovewood overestimates the amount of open space that will be preserved, and any density credits must be reduced in an amount which matches the true open space, i.e., undisturbed areas, being protected. As the entirety of the project site is considered habitat for the state-regulated timber rattlesnake, the Clovewood project is not entitled to the density proposed, as discussed below.

Note that NYSDEC has stated that the DEIS does not provide *“a total area of disturbance, including temporary and permanent for all proposed infrastructure and construction. Temporary disturbance for infrastructure includes but is not limited to disturbance related to the installation of wells, the water tank, and associated access and infrastructure; and stormwater management related infrastructure.”* (May 28, 2020 letter). Thus, the amount of open space that is supposedly preserved is unknown.

20. **Clovewood could impact the historic character of existing buildings along Clove Road.** Clove Road and the subject property is historic – the Howell Farm remnants are present on the property. As Clove Road has been in existence and is a historic road in the Town, there are buildings and structures that line it which date to the 1800s and earlier. As the Applicant’s Cultural Resource Consultant did not do an evaluation of structures that are outside of the project site, any conclusions regarding a building’s potential ineligibility for National Register or State Register listing is purely conjecture and must be deleted. The DEIS minimizes the potential historic character of the project vicinity by making conclusory statements regarding buildings which have not been examined.
21. **Clovewood DEIS does not evaluate visual impacts from Mountain Lodge Park.** An analysis is not provided from Mountain Lodge Park as required by the Scoping Document. The DEIS is incomplete absent an evaluation of resources set forth in the adopted Scope – this is only one area where the Scope has been ignored.
22. **Noise.** The noise impacts from construction and the addition of 600 dwellings, 600 accessory apartments, and a park and ride facility has not been quantified and cumulative impact of all noise sources is unknown.
 - A review of Figure 3121 demonstrates that none of the noise monitoring locations are located at the property line nearest the sensitive receptor. The monitoring that was done is

not related to the location where the sensitive noise receptor would be impacted. Noise monitoring and modeling needs to be performed where traffic and development noise is anticipated to be the highest, e.g., near entry points, such as Receptor 6. The receptor locations appear to be modeled interior to the site, whereas the worst-case noise levels would likely occur along the road with the cumulative impact of traffic from the existing traffic volumes as well as the new development.

- The noise analysis does not indicate what kind of equipment was used, the time period when the monitoring occurred (e.g., 15-minute intervals), the weather conditions, and other factors which affect the ambient noise levels. There is no verification that noise was sampled properly.
- The rationale for when the noise measurements were taken is not provided. There is no basis for establishing the “typical daytime activities” as the hours indicated in the DEIS. Please provide the specific time frames when monitoring occurred at each monitoring location.
- Noise was not measured on a weekend period. This is when residents at the sensitive receptors will be home, e.g., on a Saturday or Sunday.
- The “buffers” around the development which are used as a basis for attenuating noise are overstated at two locations. At the northerly corner of the property along Clove Road, there is no vegetative buffer, as the site consists lawn area and buildings. At the southwesterly end, the main access road, proposed main access road leading out to 208 runs behind existing residences. Also, the “parkland” between the development and Clove Road residences is scrub brush habitat from the former golf course and is not thickly vegetated to attenuate sound.
- Please provide a table with the calculations for all monitoring points. It is unclear whether all points were evaluated based on the narrative. Please include the calculations as an appendix to verify the assessment. It is not in Appendix J of the DEIS
- The FEIS should specifically indicate how the 10 dBA describe for vegetation may have been applied, and where it was applied.

23. The Clovewood project cannot yield the development proposed based on Section 25-14.1 of the Zoning Code and does not comply with the Zoning Code.

At a minimum, as per subsection A.(1)(b), the applicant is entitled to 70-71 lots from the RR portion of the site (apply one unit per gross acre). The Applicant has not demonstrated that its yield meets subsection A.(1)(a). as follows:

- The first step in the process is to prepare a land conservation analysis:
 - **Primary Conservation area** - *wetlands; watercourses; surface waterbodies; One-hundred-year floodplains; cemeteries; designated critical environmental areas; and identified habitat areas for threatened or endangered flora or fauna.*

Based on a review of the map entitled “Proposed Subdivision Layout with Land Conservation Areas”, the following is incorrectly shown - identified habitat areas for threatened or endangered flora or fauna. As per the NYSDEC letter dated May 28, 2020, with regard to timber rattlesnake: “The whole site falls in what would be considered occupied habitat by the Department and since impacts from the project are not clear, the full extent of impacts to timber rattlesnake habitat has not been addressed in the DEIS.” Also, the letter reiterates: “*The Department is still of the opinion that the entire site, found within 1.5 miles of a known, extant, den would be*

considered foraging habitat.” The entire site must be shown as being within the habitat of the timber rattlesnake, not just the upper reaches of the site which consist of steep slopes and were never planned for development. The extent of foraging of the timber rattlesnake is supported by timber rattlesnake ecologist Randy Stechert’s report which is on file with the Town of Blooming Grove.

- *Secondary conservation area - areas of steep slopes; overlay districts identified in § 235-5A(2); farmland, park and recreation land, fragmented forest land, and historic and archaeological sites identified in the Village's Comprehensive Plan; buffer areas necessary for screening new development from adjoining parcels; Stone walls; hedgerows and trees 12 inches' diameter at breast height (dbh) or larger; Other land exhibiting present or potential recreational, historic, ecological, agricultural, water resources, scenic or other natural resource value, as determined by the Planning Board.*

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 of the site. It is evident that 100 percent of the land on the site is environmentally sensitive. Much of the development encroaches within primary or secondary areas. Also, not all of the disturbances to these primary and conservation areas are shown, as the disturbances associated with the numerous wells and access for the wells, are not shown.

As per Step 2 in Section 25-14.1 of the Village Zoning Code, to determine the "buildable acreage," the applicant shall subtract the acreage of all lands classified as **primary conservation area** from the total site acreage. At this step, a preliminary lot count can be calculated at a density of one dwelling unit per buildable acre. As per the NYSDEC letter, the total site has been identified as part of the timber rattlesnake’s habitat. Thus, on the basis of 235-14.1A(1)(a), the Clovewood project would yield zero (0) dwelling units since the entire parcel must be subtracted out of the calculation as it is within timber rattlesnake habitat. In order to be able to obtain any yield, the density calculation must rely upon Section 235-14.1.A.(1)(b), which allows a density of one unit per 10 gross acres. The acceptable yield for this project is 70-71 single family dwellings with associated accessory apartments within the RR zoning district. This would be in addition to any yield determined from the RC-1 zoning district, as per the below. The Zoning Code does not offer waivers from the density calculations, therefore, the Planning Board cannot consider a density that would be greater than that generated from the one unit per 10 gross acres.

While the site does not yield any development under “Step 2”, we also note that the Clovewood DEIS has not confirmed that there is adequate water to support the entirety of the development. Further, the DEIS does not provide adequate information to grant incentives for additional open space (DEIS does not disclose the disturbances to areas shown as open space) or affordable housing (the DEIS does not calculate a price point for affordable housing, and no supporting data are provided that affordable housing will be constructed).

The following is also noted:

- the RC-1 zone requires that dwellings be specifically located on a lot with a minimum lot area of one dwelling unit per 3,000 square feet, pursuant to §235-14.2 of the Zoning Code. A conventional layout showing how many dwelling units has not been submitted to establish yield to allow the density to be transferred elsewhere on the site. The RC-1 zone is also

situated in an area with wetlands and thus would never achieve the density identified by the Applicant.

- Clovewood does not meet the requirements of the Zoning Code, as the RC-1 district requires that ten percent of the dwelling units be affordable within this zone. The application only makes reference to the affordable housing units associated with the density bonus in the RR district, but does not set forth the required affordable dwelling units required as per the RC-1 district or the RR district incentive.
- The Surface Water Overlay District requires that a one-hundred-foot buffer strip shall be maintained along the edge of any stream, lake, pond, or other water body, including wetlands and any associated one-hundred-year floodplain boundary. This setback shall apply to all uses. Setbacks shall be measured horizontally from the mean high water line of the watercourse. The Clovewood project clearly disturbs the Surface Water Overlay district, with dwellings and roads and grading occurring within the overlay, and numerous stream crossings proposed.
- The open space within the proposed development is not what is quantified in the DEIS, as there are various disturbances within the open space areas that are not considered, e.g., stormwater management ponds, grading for lots, etc. No bonuses for additional open space habitat can be granted without a detailed accounting of open space lands which will not be disturbed.

In summary, the Clovewood Project must be modified to show 70-71 single family dwellings to comply with the requirements of the RR zoning district – the Planning Board cannot waive the density calculations in Section 235-14.1A(1)(a), and the entirety of the site is within the habitat of the timber rattlesnake, a NYS threatened species – thus, the development’s yield must be determined using Section 235-14.1A(1)(b). Any development within the RC-1 district should be based on an actual layout in accordance with the requirements of the zoning district.

Commenter No. 144

Iovine, Linda

Kerry Dougherty

From: Essex Rock Bit <essexrockbit@yahoo.com>
Sent: Thursday, January 7, 2021 9:06 AM
To: Clerk
Cc: essexrockbit@yahoo.com
Subject: I am opposed to the development of Clovewood

My name is Linda Iovine, residing at 31 Cedar Trail, Monroe, NY 10950. My email address is essexrockbit@yahoo.com. I could not attend the Zoom meeting for I do not use Zoom.

I am opposed to the development of Clovewood. It would be nothing but a disaster.

Reasons are simple, Not enough water for a such a development, would effect the water supply of people living here and have been for years.

It would be an eye sore, and definitely lower our homes values tremendously.

Traffic would be horrifying trying to get to work and school.

It is clearly not the right area for such a development.

Linda Iovine

Copies of all Public Hearings

**VILLAGE OF SOUTH BLOOMING
GROVE**
Board of Trustees & Planning Board
Joint Public Hearing
Wednesday
August 10, 2020
7:05 P.M.

➤ **Call to order**

- Mayor LoFranco called to order the Special Meeting of the Village Board of Trustees and Planning Board at 7:07 p.m. on August 10, 2020, at the South Blooming Grove Village Hall located at 811 State Route 208, within the Village of South Blooming Grove, and having a mailing address of Monroe, New York.

➤ **Roll call**

The following persons were present:

Village Board of Trustees

- James LoFranco- Mayor
- John L. Ross – Deputy Mayor
- Patricia Morrice – Trustee
- Johnny Belfort - Trustee
- Sue Anne Vogelsberg – Trustee

Planning Board

- Donna Douglas – Planning Board Chair
- Manny Aleixo – Member
- Eric Vogelsberg –Member

Also Present:

- Joseph McKay, Esq. – Village Attorney
- Dennis Lynch, Esq. – Special Counsel
- Michael Weeks – Village Engineer
- Bonnie Franson – Village Planner
- Kerry Dougherty – Village Clerk
- Christine Bodeker – Deputy Clerk

Absent

- John Giovagnoli – Member
- Michelle Rivera – Member
- Raleem Brodhead-Moses – Alternate Member

➤ **Mayor and Trustee Comments**

- Mayor LoFranco stated that due to the Governor’s restrictions, only 50 people were allowed in person. Additionally people who requested to attend were placed on a list for the continued public hearing allowing them an opportunity to speak.

➤ **Special Counsel Comments**

- Special Counsel, Dennis Lynch, thanked all for attending the public hearing. This is a continuation

**VILLAGE OF SOUTH BLOOMING
GROVE**

Board of Trustees & Planning Board

Joint Public Hearing

Wednesday

August 10, 2020

7:05 P.M.

of the Public Hearing with regard to the submission made by the applicant. He asked applicant's counsel if they wished to make an opening statement and they declined to do so. There is a three minute limitation on anybody speaking tonight. The boards welcome written submissions. There was an unsuccessful attempt to secure a court reporter for this event. Our intention is to hear all 25 attendees tonight and then adjourn to hear the rest of the public and again written comments are encouraged throughout the entire process.

➤ **Written Comment**

- NYSDEC 5/28/2020
- Senator James Skoufis 8/4/2020
- Paula Hiller 7/30/2020

➤ **Public Comment**

- Michelle O'Hara – She just moved her family here from Chestnut Ridge and they moved to the Town for the wide-open space etc. She is against having the Village of South Blooming Grove potentially double in population. The traffic issue would be a major issue. Her family started a farm and had their first harvest. She is very concerned about the water and if they were to lose water, since they share the same aquifer, it would be catastrophic for her family and the farm.
- Nick Berardi – He is Ms. O'Hara's fiance, he enjoys the open spaces and views. They hike and enjoy the open space. This is a rural area and would hate to see the area turn into a giant construction site with hundreds of homes, it doesn't fit in this area. Water is a big concern, if they get a dry year and need to use the well. Running a farm they have to be sure they have long term sustainable water. To double the population in a concentrated area will be catastrophic to the aquifer and they would loose their livelihood. According to Zillow, there are approximately 45 homes for sale within a mile or two of the projected site and given the supply of homes that are available for sale he feels it is unnecessary to build a giant development. There seems to be a good turn-over of houses and to build more homes is not a good idea.
- Dawn Salka – In the project description the applicant has reserved 22 acres of land and has no plans for that lands development but in the community services and facilities it says there are plans for commercial development on those 22 acres i.e. shopping. There is open space with plans to create 60 acres of active recreational areas easily accessible public park land. Where are those plans? How area those people getting there? She is guessing a road with additional traffic. There are plans along Route 208 across from the Sleep Inn for a future commercial park, warehouses that are 95,000 square feet and 115,000 square feet. The traffic impact study used 2016 existing traffic volumes done on weekdays 7:30-8:30 am, 5:00-6:00pm, Sunday 12 noon to 1:00pm. Friday evening and all day Saturday stating no cars. Note that 2016 says Route 208 had 9000 vehicle a day, this is a study that is 4 years old. Signal warrant analysis was done on all intersections from Exit 130, there was enough traffic that signals were warranted for Seven Springs Mountain Road, Museum Village Road and Clove Road. There are plans for widening the road, with turning lanes at Exit 130 at the Monroe Professional Office Building. The hourly generated trips listed are from 2014, those 6 year old numbers are old and no longer valid. Plans for one of the roads is to go from the development behind Blooming Grove Plaza and out to Route 208 with a request for a traffic signal at the Dunkin Donuts-Sunoco Gas Station. A 300 spot park-in-ride, who owns that and maintains it? After the 300 lots were completed there would be another traffic study to consider additional traffic signals as

**VILLAGE OF SOUTH BLOOMING
GROVE**

Board of Trustees & Planning Board

Joint Public Hearing

Wednesday

August 10, 2020

7:05 P.M.

well as the commercial development on the 22 acres. How can you submit a plan and then modify half-way through? Construction is going to be Monday through Friday with some necessary weekend work, for how long? How many construction vehicles will that entail? Carpenter, plumbers, electricians, contractors? The accident evaluation needs to be updated since there is a significant uptake Museum Road, 17M, 208 and Seven Springs Mountain Road. 500 homes have been sold since this traffic study was done. The DEIS says 2+ children. It is really 2-10 people living in these homes and we have proof that Shannon Lane alone has 16 registered voters at that address. These houses have 4 car driveways equaling 2,400 cars but this doesn't take into consideration the cabs, school buses transporting the private school children. This traffic study needs to be updated and not during the summer when people are on vacation, not during Covid when we are all quarantined and no one is commuting and no Washingtonville Buses are being used. In conclusion you came here from there because you didn't like there and now you want to change here to be like there. We are not racist, phobic or anti whatever you are we simply like here the way it is and most of us actually came here because its not like there wherever there was. You are welcome here but please stop trying to make here like there. If you want here to be like there, you should not have left there to come here.

- Barbara Hanley – Spoke regarding water, see written comment attached.
- Josh Leeds – See written comment attached.
- Patrick Scanlon – We moved here for the rural area. Traffic has increased, the water is terrible, brown and sometimes none. To put that many houses in a small area would be devastating to this economy, this area and the local residents moved away from a city and came to a rural area for that reason and we don't need that density at this time.
- Rabbi Loeb – He would like to bring forward the Jewish Voice. We respect our neighbors and we respect the rural character and understand that they want to come upstate and live peacefully and we hope and pray to God that we should be able to live peacefully. Antisemitism is not the culture here, the neighbors are very good people. Blooming Grove is a very nice place to live and he wishes that we all live together in peace and harmony all the time.
- Supervisor Jereoloman – He is here on behalf of the Town of Blooming Grove. The Town of Blooming Grove has a number of concerns regarding the project. The aquifer here has been in jeopardy and has been for many years. The aquifer has no set order, the Village of South Blooming Grove water does not stop the aquifer from South Blooming Grove entering the Town of Blooming Grove. There are a lot of concerns we have besides traffic impact and other regards to the Town of Blooming Grove is the aquifer. I constantly notice that the applicant doesn't talk about Orchard Lake Community Water System. They are on the same aquifer, they are just north of the property that is in question. When they did tests there was no monitoring of that well. There was monitoring of wells on Clove Road which were Town residents. When they did their actual pump test the artesian well, which we know as Deer Park Well, went dry for over a week until it was unable to recharge and also the residents on Clove Road had disturbance, turbidity in their wells, they lost pressure in their wells. These are wells only for homes. The DEC recognizes that the project proposed a combination of total withdrawal of 550,000 gallons per day, that is for the 600 units and this would place the aquifer in a deficit and this on the May 28, 2020 response from the DEC. 550,800 gallons per day is not acceptable because it would put the aquifer into a deficient. This has to be carefully noted. Again the Town asks the Village of South Blooming Grove keep the Town of Blooming Grove involved and also because we are an interested agency in this as we are your

**VILLAGE OF SOUTH BLOOMING
GROVE**

Board of Trustees & Planning Board

Joint Public Hearing

Wednesday

August 10, 2020

7:05 P.M.

neighbor and the aquifer does go into the Town of Blooming Grove. The Orange County Department of Planning also talks about the 600 primary dwelling units with the 600 accessories and they are stating the likelihood would resolute in significant environmental impacts to the roads, streams, ground water aquifer, public water for the Village of South Blooming Grove and the Town of Blooming Grove. The applicant also states that if they do not hook up to the sewer system that is pumped down to the Harriman Waste Water Treatment Plant, which cannot accept any more flows right now, it would consider a package plan. Back in the 1970's, the Town of Blooming Grove recognized which is now known as the Worley Heights, Cedar Hills, Merriewold Lake and Capital Hill, the treatment plant that is located where Village Hall is now could not handle the flows. It was also contaminating the stream known as the Satterly Creek. It also affected the Merriewold Lake which is owned by the Village of South Blooming Grove and also the tributary to the Satterly also went to the Moodna. In the Town of Blooming Grove, Tappan water wells are located off of the Satterly Creeek. That is one of the concerns that contaminates from this treatment plant were entering the Satterly Creek and affecting the drinking wataer wells of Tappan. That is why in the Village of South Blooming Grove they created a pump station, went out for a Grant and hooked up to the Harriman Waste Water Treatment Plant. To allow the applicant to put a plant here again in an unnamed tributary that goes into the Satterly that mostly runs dry. That means the affluent coming out of there, most of it would be treated water and that would be what would be in that a tributary going into the Satterly. Again this endangers those wells that feed the Tappan Water System. He asks the Village Board and Planning Board to keep the Town of Blooming Grove noticed and involved in anything moving forward on this project because of the direct impacts to the Town of Blooming Grove.

- Assemblyman Colin Schmitt, District 99 – His office is just down the road, he hopes everybody is staying healthy during this ongoing Covid-19 Crisis. The DEIS proposed on the Clovewood Project for the Village of South Blooming Grove has raised many questions and concerns from constituents of the 99th Assembly District directly here in the Village and in surrounding areas. The proposed Clovewood Development Project is a major housing development that will bring close to 4,000 new residents to the Village of South Blooming Grove, more than doubling the local municipality total population. This project will fundamentally change the character and the rural nature of the Village of South Blooming Grove and our surrounding areas. The immense and fast paced growth is not sustainable considering the Village's current services and resources that it is able to provide to residents. To hit a few key points and on top of my concern is the water concerns. As a ranking member of the NYS Assembly Minority Task Force on Water Quality Committee there has been testimony from local residents and officials where we had that in the district just a few months ago many concerns regarding water services that are currently being provided by the Village of South Blooming Grove. As a member of that Task Force, I reviewed the current and ongoing water issues with the Village as well as the Town of Blooming Grove as the Supervisor just mentioned the village is already dealing with immense problems providing the current population with adequate water services due to issues related to quality and quantity of water, the viability of a long term water source and capacity issues. I have worked with several local leaders here to secure State Government Funding to improve the current water situation. Approval of this project would deplete any good that comes from the water improvement projects currently ongoing in my opinion. It is simply not possible for the already strained aquifers to handle this major development and the increase use of water that will come from 600 new homes. Rural character and land preservation –

**VILLAGE OF SOUTH BLOOMING
GROVE**

Board of Trustees & Planning Board

Joint Public Hearing

Wednesday

August 10, 2020

7:05 P.M.

The Town of Blooming Grove is in support of an Orange County Preservation Bill as well as a local Preservation Bill as well as a Village of South Blooming Grove Zoning Code which prioritizes preserving land and retaining the rural character of the area, so approval of this project would violate that. The Clovewood Project is no consistent with that and would severely impact the natural landscape of the Village including views of Schunemunk Mountain Ridge, historic farmlands, open space and it will also disturb local vegetation and wildlife at the proposed location. Infrastructure – the existing state and local road infrastructure is not adequate to handle the population and the road traffic that it would generate. There are existing traffic issues within the Village that are currently being evaluated at his request along with and in conjunction with local leaders and concerned citizens by the Office of the NYS Department of Transportation any additional traffic cannot be handled over the current infrastructure composition of the Village. Emergency Services is a top concern to me as a son of a retired FDNY First Responder and as a member of the National Guard is the ability for first responders including police, ambulance and fire and they are not equipped to task and support the doubling of the population of the Village. Such immense growth would hinder response times and danger life and property within the Village and surrounding communities. The exponential growth needed to probably serve the expanded population, both in manpower and vehicles for paid and volunteer agencies would be an unattainable burden. This is particularly in light of the current Covid-19 Crisis, due to the ongoing Covid-19 Crisis I speak now as an Assemblyman but a ranking member of the NYS Assembly of local Government Committee, Local Governments, Town, County and Village are experiencing great financial difficulties across New York State, particularly here in our region and that is further restricting their existing abilities to provide services. This is not a viable time to consider projects such as Clovewood which would require massive increase in Village, Town and County provided services, such as DPW, Sanitation, Water, Sewer and Emergency Services, along with the very important and often overlooked common civil services that are provided by Village, Town and County Government which is many times very personnel and expense driven. I urge the Boards to reject and not proceed with this project.

- R. Knoll – she lives on Round Hill Road it is a dangerous road to walk on, she has the same concerns as others especially water. She asked what comes next?
- John Hickey – He moved up to the Village 30 years ago from the Bronx hoping to find a countylike setting and I thought that I found it. In 2006 myself and a couple other folks founded this Village because we wanted to ensure that the character would remain the same for the coming years. That has changed, I don't believe that this project can be sustained by the Village infrastructure, the police, water, fire, roads. It is just impossible to think that the Village will not be seriously impacted by the development of this project.
- John Salka – He had prepared remarks but they were repeating what others have said today. The DEIS is large and what he recognizes is that there is not a plus to the project. There are only minuses. A negative impact on water usage, supply of water, where the wastewater goes, negative impact on traffic through the village, highway, DPW, traffic lights and adding streets and curbs and widening roads and making sidewalks, a negative impact on the environment. There is no positive. He hopes that the boards recognize their responsibility is for the good of the community. He cannot imagine how anything could be approved that would bring so much negative impact on a small community like the Village of South Blooming Grove.
- Edie Johnson – We are in the midst of a pandemic and we should be listening to it and our environment and our growth be sustainable should be first thing on all of our minds. All should be

**VILLAGE OF SOUTH BLOOMING
GROVE**
Board of Trustees & Planning Board
Joint Public Hearing
Wednesday
August 10, 2020
7:05 P.M.

having courses in sustainability, otherwise we are just not going to make it. The “only” visual impact in the DEIS was from Schunemunk State Park. That is one of our two greatest jewels in the Town. When you start impacting that it is a big deal. The accessory dwellings, it is her understanding that the Village only allows accessories under strict circumstances. She does not believe this project is anywhere near sustainable if the accessory dwelling portion is taken out. She lives on a farm with three tributaries from the Satterly and it boggles he mind that anyone let alone the NYDEC would allow sewage affluent to go into intermittent streams and tributaries that are empty throughout the year. Over the past few years it has proved that when you disturb and aquifer to much you get what is referred to as “dead water”. It is called that because the microbial balance at the bottom of the aquifer gets disturbed and can no longer regenerate. No water, no community. We have to be sustainable.

➤ **Adjournment**

- Motion to adjourn and keep the public hearing open at 7:44 p.m. by Village Board Trustee Vogelsberg, seconded by Deputy Mayor Ross, *5 Ayes Mayor LoFranco, Deputy Mayor Ross, Trustee Morrice, Trustee Vogelsberg and Trustee Belfort.*

Minutes respectfully submitted by
Kerry Dougherty, Village Clerk

**VILLAGE OF SOUTH BLOOMING
GROVE**
Board of Trustees & Planning Board
Joint Public Hearing
Thursday
December 3, 2020
7:15 P.M.

➤ **Call to order**

- Mayor Kalaj called to order the Special Meeting of the Village Board of Trustees and Planning Board at 7:17 p.m. on December 3, 2021, via Zoom Meeting #926 0519 0030 for the Village of South Blooming Grove located at 811 State Route 208, within the Village of South Blooming Grove, and having a mailing address of Monroe, New York.

➤ **Roll call**

The following persons were present:

Village Board of Trustees

- George Kalaj- Mayor
- Abraham Weiss – Deputy Mayor
- Yitzchok Feldman – Trustee
- John Ross - Trustee

Planning Board

- Donna Douglas – Planning Board Chair
- Manny Aleixo – Member
- John Giovagnoli – Member
- Michelle Rivera – Member
- Eric Vogelsberg –Member
- Simon Schwartz

Also Present:

- Scott Ugell, Esq. – Village Attorney
- Dennis Lynch, Esq. – Special Counsel
- Al Fusco – Village Engineer
- Kerry Dougherty – Village Clerk
- Christine Bodeker – Deputy Clerk

Absent

- Johnny Belfort - Trustee
- Raleem Brodhead-Moses – Alternate Member

➤ **Special Counsel Comments**

- Special Counsel, Dennis Lynch, advised that this Public Hearing on Clovewood is a continuation of prior public hearings. At the prior public hearings the issue before the public was initially a Draft Environmental Impact Statement (DEIS) and then what is now being presented many, many months ago before Covid was a supplement to that DEIS. The purpose of the hearing tonight is for the public to be heard on that particular set of documents, the supplementary DEIS and the DEIS. The purpose if for the public to provide their comments either verbally or in writing or both if they wish and then those comments will be part of the record. After the public comment period ends it is his

VILLAGE OF SOUTH BLOOMING GROVE

Board of Trustees & Planning Board

Joint Public Hearing

Thursday

December 3, 2020

7:15 P.M.

recommendation that the respective boards individually close the public hearing and then allow for an opportunity for written comments 10 days thereafter. He stressed that this is not an approval for this project or a disapproval of this project, this is a continuation of the SEQR process where information is gathered on the DEIS and the supplement to the DEIS so that the professionals that are hired by the Village and the Village Board and the Planning Board members can look at that and make comments that eventually will wind up in the Final Environmental Impact Statement. Tonight is not a debate, tonight is not an opportunity for question and answer because some of the questions that may be presented may deal with issues that require expert responses rather its time for the public to make comment, the public to be heard and I am sure the boards respectively are looking forward to them.

- Chairperson moved to open the public comment, seconded by Member Vogelsberg, - 5 Ayes *Chairperson Douglas, Member Aleixo, Member Giovagnoli, Member Rivera, Member Vogelsberg.*
- Mayor Kalaj moved to open the public comment, seconded by Deputy Mayor Weiss. 4 Ayes -*Mayor Kalaj, Deputy Mayor Weiss, Trustee Feldman, Trustee Ross.*
- At the last village board meeting we had people on the Zoom impersonating others, this is being investigated.

➤ **Public Comment**

- Johanna Kiernan on behalf of Jay Beaumont and the Moodna Creek Watershed Intermunicipal Council, see attached comments.
- Jessica Harris, 57 Horton Road: opposes project; concerned with impact on Satterly Creek. Also feels development would negatively impact local wells and is concerned about sewer discharge; traffic will also be impacted.
- Sue Anne Vogelsberg, 242 Prospert Road: in writing, see attached.
- Sonia Ayala, 36 Merriewold Lane North: in writing, see attached.
- Susan Blakeney, 481 Clove Road: in writing, see attached.
- Bonnie Rum, 64 Shore Drive: in writing, see attached.
- Dawn Salka, 25 Woodard Road: concerned with 2016 traffic study- study done at off times and is inaccurate; 600 new homes with accessory apartments will make travel on Clove Road and State Route 208 difficult; increased population will have a direct effect on traffic, i.e., more school buses, shuttle buses, taxicabs, and delivery trucks; projected population for Clovewood in DEIS is inaccurate.
- Matt Decker, Orange County Land Trust: The mission of the Orange County Land Trust is to preserve water resources, critical habitat, rural and urban farm land, scenic viewsheds and ecosystems in and around Orange County for the benefit of all that depend on that. He is concerned with Clovewood's potential impact on existing public resources, specifically, Shcunnemunk State Park and the habitat and recreational corridor connected to it. If this project is going to be approved under the condition that the identified open space areas are permanently protected then what will the mechanism be for that permanent protection? Some of these areas have outstanding conservational value which have been well documented through the plan itself and through others comments. Those areas should be protected by an external organization with the capacity to protect those values, options would be a conservation easement held by a conservation organization with a professional staff or the state, specifically the Palisades Interstate Park Commission which has a

**VILLAGE OF SOUTH BLOOMING
GROVE**

Board of Trustees & Planning Board

Joint Public Hearing

Thursday

December 3, 2020

7:15 P.M.

conservation interest in this area because of their ownership and management of Schunnemunk Mountain State Park. The area identified as preserve open space (80% of the project site) and how the allowed units were identified is questionable and will be included in written comments, see attached. Areas counted toward open space is in the interior of the blocks just a sliver of trees between the houses, this will cause a fragmented landscape of very small forest patches and studies clearly show that patches of forest this small do not retain the open space and conservation values that the applicant is getting a density bonus in order to protect in this case. This open space design layout (forest patches) will actually create a public health hazard for the people that live in the neighborhood because of the prevalence of Lyme Disease. Therefore these areas should not be counted as part of the 80% open space because they wouldn't be truly protected of the conservation values. In order to protect the values the protected land should be truly protected and these areas should be moved outside the areas of the project. The DEIS states that there are no municipal open space plans that identify this and has previously commented there are now some Town of Blooming Grove plans that address open space priorities in this area. The DEIS does not specifically address the open space priorities identified in the NYS Open Space Plan in 2016, specifically that plan has a priority project 2 to protect land in the Highlands and even more specifically, priority project #36 in the NYS Open Space Plan specifically identifies this area as important to protect. The Land Trusste is available to discuss their conservation efforts. See attached comments.

- Kate Ahmadi: in writing, see attached.
- Vanessa Romero, 18 Dallas Drive: opposed to project as it is discriminatory to create a community specifically for one group; NYS housing laws protect people from discrimination; concerned with how a new community will affect the village's water supply; development would have a negative impact on traffic.
- Gabriel Bernard, 1231 Route 208: Tables 312 and 313 of Section 3.1 they indicate the project would include a 10% density bonus for making 10% of the base lot count homes affordable and the 10% RC-1 zoning transfer would be allocated for affordable housing. Zoning Code, laws and even our constitution have been amended from time to time to address pressing needs. Likewise, we are having a Zoom public hearing. He feels this pandemic has shown the need for affordable housing since many individuals have been economically impacted. It would be prudent of the village to include additional allowances to encourage the inclusion of more affordable housing in this project. Such as allowing it to be swapped with the LEED or Open Space Bonuses shown in the same table. Additionally section 9.2 of the DEIS addendum removed the KJ alternative. I believe it would be a good idea to include another alternative. He believes the analysis should include a senior housing floating zone alternative. Senior Housing is addressed in section 235-12-5 of the Zoning Code. Section 3.2 of the DEIS and detailed in appendix O-6, individuals in scenario 1 use private religious schools and would therefore greatly benefit the local school district in a manner similar to senior housing. Lastly, figure 324 shows scenario #1 consists of much younger population than scenario #2. It would be prudent to establish a zoning that would address younger individuals as has been done in countries such as South Korea that offers incentives for newly married couples to purchase their homes.
- Susan Shapiro Hito, Nanuet, NY, (land use attorney) – She believes this public hearing should stay open for at least two weeks until after all the documents that the public has asked for has been provided to the public and that they are available on the web site. She is concerned with SEQR issues: There is an inaccurate population projection, it the DEIS there seems to be multiple varieties

**VILLAGE OF SOUTH BLOOMING
GROVE**
Board of Trustees & Planning Board
Joint Public Hearing
Thursday
December 3, 2020
7:15 P.M.

of possible population; the traffic studies and water studies are inadequate; The gentlemen speaker prior discussed, the issue that many of the children attend private school is ignoring the fact that, that is a detriment to the public school system and actually costs quite a bit to the public school system that supports the private schools. The land is limited to what it can support and she is concerned about the issue that there is going to be a little less than 400 acres that is being considered for private open space. That becomes exclusionary use and that any open space that is being given in order to provide an increased density that they are asking for needs to be permanently dedicated as open space and if it is ever to be sold or used it would need to go through an alienation process not just go through whatever village board is at the time. It needs to be fully dedicated otherwise there really is no benefit given to the existing community. She does not see what the benefit is to the existing neighbors in Blooming Grove except for additional traffic, water problems additional costs and the community character is being changed dramatically. There has been litigation where a village will overwhelm a town. This destroys voting rights. Most importantly, this project is discriminatory. It will become an all white neighborhood. Kiryas Joel at this time is 99.9% white and in the United States you cannot build discriminatory housing. You cannot approve it as a Village. The DEIS makes it clear that it is going to be discriminatory housing. This Village does not have the right to approve discriminatory housing. It is a violation of the Fair Housing Act. Whatever is being build has to be made available in English speaking papers to every single person in the United States, in this community, it has to listed in the MLS in English speaking papers, it cannot be presold to only people within the existing neighboring Kiryas Joel Community of people from outside the region. This is a real serious Fair Housing violation and she asks the village that they do not violate it.

- John Anthony he is a construction worker, in his opinion and after looking at plans he feels this will work for the community. This project could produce business flourishment, personal flourishment and it will make a lot of work for people in the town..
- Brian Mullan: in writing, see attached.
- John Salka, South Blooming Grove Fire Department Chief: in writing, see attached.
- Kristie Johnson, 11 Amy Road: the amount of houses is unnecessary and environmentally devastating; DEIS is outdated and incorrect; concerned with noise and light pollution.

Minutes respectfully submitted by
Kerry Dougherty, Village Clerk

**VILLAGE OF SOUTH BLOOMING
GROVE**
Board of Trustees & Planning Board
Joint Public Hearing
Tuesday
January 5, 2021
7:15 P.M.

➤ **Call to order**

- Mayor Kalaj called to order the Special Meeting of the Village Board of Trustees and Planning Board at 7:17 p.m. on January 5, 2021, via Zoom Meeting #972 2774 1851 for the Village of South Blooming Grove located at 811 State Route 208, within the Village of South Blooming Grove, and having a mailing address of Monroe, New York.

➤ **Roll call**

The following persons were present:

Village Board of Trustees

- George Kalaj- Mayor
- Abraham Weiss – Deputy Mayor
- Yitzchok Feldman – Trustee
- John Ross - Trustee

Planning Board

- Donna Douglas – Planning Board Chair
- Manny Aleixo – Member
- John Giovagnoli – Member
- Michelle Rivera – Member
- Eric Vogelsberg –Member
- Simon Schwartz

Also Present:

- Scott Ugell, Esq. – Village Attorney
- Dennis Lynch, Esq. – Special Counsel
- Al Fusco – Village Engineer
- Kerry Dougherty – Village Clerk
- Christine Bodeker – Deputy Clerk

Absent

- Johnny Belfort - Trustee
- Raleem Brodhead-Moses – Alternate Member

➤ **Mayor Comments**

- The Mayor wished everybody a Happy New Year.

➤ **Special Counsel Comments**

- Special Counsel, Dennis Lynch, advised that this is continuation of the prior Public Hearing. At the last public hearing the Village Board of Trustees voted to close the public hearing the Planning

**VILLAGE OF SOUTH BLOOMING
GROVE**

Board of Trustees & Planning Board

Joint Public Hearing

Tuesday

January 5, 2021

7:15 P.M.

Board did not. He believes the planning board wanted to hear from other speakers, the meeting is open for that purpose. After this particular portion is concluded, there will be a written comment period for those people that want to supply comments. The focus is on the draft environmental impact statement as supplemented and when those comments are received verbally or in writing will be reviewed by all the professionals for the village.

- Chairperson moved to open the public comment, seconded by Member Vogelsberg, - 5 Ayes
Chairperson Douglas, Member Aleixo, Member Giovagnoli, Member Rivera, Member Vogelsberg.
- Mayor Kalaj moved to open the public comment, seconded by Deputy Mayor Weiss. 4 Ayes -*Mayor Kalaj, Deputy Mayor Weiss, Trustee Feldman, Trustee Ross.*
- At the last village board meeting we had people on the Zoom impersonating others, this is being investigated.

➤ **Public Comment**

- Johanna Kiernan – See attached comments.
- Laurel-Stauffer Daly- See attached comments.
- Brana Mauskopf - Resident lives on Arlington Drive it is a nice quiet place that is why she moved here. The project plans to create an access road to Arlington Drive. Additional traffic from 500 families onto Arlington and Virginia Avenue will increase traffic and create noise and sound and she feel this is not fair as it is now a quiet neighborhood.
- John Daly – Resident lives on Clove Road. Like his neighbors and residents in the immediate area he has serious concerns as well as most people as to the immediate and long term impact this development is going to have. There are many areas that need to be further evaluated in order to achieve more clarity. The applicant's efforts concerning the impact this project will have especially regarding the areas natural resources are lacking in several areas. By far, the most important resource is water. It is common knowledge that the water supply in this area has been under stress for many years. It is currently near critical and this is not speculation. There have been many studies and analysis of the ongoing water issues. What is the position regarding the status of the aquifer, water supply we all depend on, now and in the future? Regarding the safety and quality of the water, the applicant states that they have mitigated all illegal dumping problems that could have negative impacts on the water quality. Can the applicant comment on the fact that the DEC in 1993 acknowledged the Lake Anne Disposal Corporation as a sanitary land fill? Can the applicant outline how the DEC handled the close down of this landfill site and when this occurred and if all protocols were satisfied? The area was also used as a dumping ground to a various degree. I live on the border of the property and when the well testing was done my well was affected. At times my water contained a sandy sediment. What remedial action will be taken to make negatively affected wells whole again? What data does the applicant have on the draw down that the project will cause to the aquifer including whole region served by the aquifer? How will the noise levels that go beyond the expected levels be mitigated.
- Bonnie Rum – See attached
- Michael Killeen -See attached
- Barbara Hanley – See attached.
- Dawn Salka – See attached.
- John Salka – The fire department needs water to fight fires. The existing community doesn't have

**VILLAGE OF SOUTH BLOOMING
GROVE**

Board of Trustees & Planning Board

Joint Public Hearing

Tuesday

January 5, 2021

7:15 P.M.

enough water, quality water as it exists. There is not even enough water for fighting fires. The duration is as important as gallons per minute. The quality and availability of water has always been terrible in South Blooming Grove. A person continues to impersonate me on the Zoom meetings, we hope to expose the culprit.

- Kate Ahmadi – See attached.
- Guy Jones – Blooming Hill Farm. He feels this is not a time to discuss such an impactful event. Local development has global implications. As a farmer he aware of how things evolve and he has been farming here a while. He used to cut the hay at Lake Anne. The ground at the Clovewood property is poorly drained. There is water on the top but there is nothing below. The water runs off the hill, down through the field and there is a little tributary that runs through his farm and meets the Satterly Creek which is the main creek through the valley. It is a seasonal creek. This summer it didn't rain much and the creek was down to nothing. A week ago, we had snow and rain and the water was so high it took out one of his bridges and this has happened numerous times. It is a very mercurial creek, very fickle, it comes and goes. When Mr. Green had a bungalow colony, he had to dump sewage into it and they always had a water problem, Orchard Lake, Tappan Hill, Merriewood, Worley Heights have always had water issues. We are very concerned as farmers and organic farmers about the quality of water we use to irrigate and we are quite certain that no local sewerage plant would do a good enough job to be able to live with it. I hope that you take more time to look at this project with good governance. Being down stream we are very concerned of how we will be affected by this.
- Susan Hito Shapiro advised that she is an attorney that has been asked to work with the community of South Blooming Grove. Many of these issues raised are of serious environmental issues and mitigation needs to be done. There are fundamental issues she would like to address. See attached.
- Susan Blakeney – She discussed community character. See attached.
- Herman Myers – Clovewood DEIS Addendum – Section 9.1 – Interconnection with Arlington Drive, although the addendum indicates this would be for emergency access only, I think you could provide an interconnection for all village residents. I understand that some individuals on Arlington Drive may not want such an interconnection however the benefit of the collective community should legitimately outweigh that of a few individuals on one block. Moreover Arlington Drive was designed with intent of eventually interconnecting with the Lake Anne Property not as a cul de sac. This would be beneficial to adjoining properties. Section 9.2 KJ water alternative – there was a case stating you cannot block the transfer of water from one municipality to another. He thinks wind turbines should be discussed as well as they are an excellent source of energy. Personally, he feels the KJ alternative should not have been removed and he feels the Planning Board member were incorrect to remove this alternative because (1) Water would have been provided via the Kiryas Joel pipelines and not from wells (2) Sewer would have been treated at the wastewater treatment plant at Kiryas Joel and not into the Satterly Creek (3) Police, fire and ambulance would be provided by Kiryas Joel since it would be annexed no just from the Village of Kiryas Joel but also to the Town of Palm (4) The school district would be Kiryas Joel and not Washingtonville (5) the village planning board would be relieved of immense pressure of overview of the Clovewood Project and the responsibility would fall on the Kiryas Joel Planning Board. Section 9.5 village water supply alternative – Attachment 2 – The village uses less than 1.5% of the water available in its watershed.
- Bob Stevens- wanted to discuss double standards for construction permits.
- Goldie Mendel 6 Shannon Lane commented on 2.4 of the DEIS project purpose and need. There is a

**VILLAGE OF SOUTH BLOOMING
GROVE**

Board of Trustees & Planning Board

Joint Public Hearing

Tuesday

January 5, 2021

7:15 P.M.

- current need for more homes. There is a national need for 1 new home per minute from her research. 10,000 per week is needed. The local government is responsible for this need. Please note there are 21 repeat names and if they can change Tuthill and Whitrol that would be appreciated.
- Mrs. Ronald Bartlett – Section 1.0 of the DEIS immediately indicates that the village scoping document required the DEIS use two scenarios for the basis of evaluating potential significant adverse environmental impacts of the project. Scenario 1, a development occupied by families from Satmar Hasidic Community and Scenario 2 – a development occupied by community with demographics similar to those existing conditions in the Village of South Blooming Grove. The DEIS then clarifies that 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 DEIS indicates that 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. I am actually appalled that the village played such an unreasonable and likely unlawful requirement upon the applicant. It seems as though the Village....appearing discriminatory when it is the Village’s own policies that seem discriminatory. I ask the Village rectify this by having the applicant analyze only one scenario into its FEIS regardless of religious affiliation and that, that demographic be the same as the demographic currently existing in the Village of South Blooming Grove, regardless of religion. On that note I am also concerned with the Village’s review process of the Clovewood DEIS and I would like the project applicant to discuss this in their FEIS and make official note of this fact. The DEIS was first submitted to the Village in April of 2018 although according to SEQR the Village had 45 days to provide comments on the written DEIS its professionals unnecessarily delayed the process with complete disregard of the law and provided comments almost 8 months later. These comments provide an Appendix and of the revised Clovewood DEIs were addressed by the project applicant. Interestingly enough many of these comments were wrongfully in excess of what was originally included in the scoping document and some of them even withing circles. Finally, the revised DEIS was submitted to the Village in March of 2019 according to SEQR the Village then had 30 days to respond with written comments and/or deem the DEIS complete. However, the Village instead issued a notice of claim completeness which doesn’t exist in the SEQR process and held a public hearing which I attended to determine completeness which also does not exist in the SEQR process. It appears that the Village administration had no respect for the law, the department of environmental conservation and the project as a whole as well as its citizens. Finally, an addendum was submitted in February of 2020 and on March 5, 2020 the Planning Board deemed the DEIS complete followed by the Village Board on March 16, 2020. As you may know SEQR regulations do not require there be a public hearing on a DEIS however the Village nonetheless scheduled not one, not two but now this third public hearing. It is now January of 2021, three (3) years after the first DEIS was submitted and the public hearing has not yet been closed. Importantly, the majority of comments provided up until this point today was quite different at the political or personal diatribe irrelevant to a projects review and inappropriate for the form of SEQR, this gaslighting almost appears that the village has intentionally been doing this to place unreasonable roadblocks in front of this project and its approval. I am aware that NYS DEC and other agencies take a keen interest in such poor behavior on behalf of municipalities and that they are within their authority to take over a review process should a village

**VILLAGE OF SOUTH BLOOMING
GROVE**

Board of Trustees & Planning Board

Joint Public Hearing

Tuesday

January 5, 2021

7:15 P.M.

or other municipality fail to comply with SEQR standards. I really ask the village to please conduct a good faith review of this project simply so that continue to have the right to conduct this review and moving forward I really hope that they will continue to conduct the review in a way that is lawful and in accordance with SEQR and I hope to see this information in the FEIS.

- Lindsay Dickson – Section 9.2 of Addendum it mentions interconnection with Kiryas Joel and then they removed. He feels this is the intent in the end. He reviewed the park and ride in Monroe and Harriman and never witnessed a Hasidism person. Where will water come from. He thinks the public hearings should be when meetings can be in person again.
- Erin Smith – See attached.
- Rebecca Meyers – 2 Green – (1) the DEIS states that construction will be from the hours of 7am – 6pm but this is not allowed per Chapter 73 of the Village Code. (2) Why has the village required this project to be analyzed according to a specific religious community and then pretended that this was at the advice of the applicant? Why did the village require the previous casino application be analyzed according to an Asian or Indian demographic. (3) the right to develop a property is a constitutional one. I is the same right that allows us freedom of speech and freedom of religion. As a proud American I am disturbed by the communist-type attitude of the village in delaying this project and imposing unnecessary restrictions.
- Leo Mandel 6 Shannon Lane -Section 2.2 of the DEIS which indicates that according to the previous site zoning that the Clovewood parcel could have been developed with 1000 units. He would like there to be an additional analysis outlining all the different setting densities for Clovewood should it have been developed according to the original zoning laws as reflective of how the original village was development. In reviewing 2.2 of the DEIS every home has its own driveway set back by about 10 feet - he feels there should be a much wider driveway space between both lots, it would be much safer for pedestrians as Clovewood indicates it intends to be a walkable project. Please have this analyzed. Thirdly, Section 3.1 of the DESI indicates the project would include the preservation of open space in excess of 50% of the project site, plus another 30% for density bonuses to increase the base log count. I like how the majority of the 50% open space would be located in one large area and I think it would be beautiful if the remaining 30% could be spread out over individual lots to allow the developments residential portion to have the green feel. Lastly as a result of Covid19, New Yorkers have been flocking out of the City to the suburbs like this village for a variety of reasons including space, at home offices, schools and back yards, affordability, lower density and gyms. Accordingly, suburbs like the village should fulfill their responsibility to provide housing specifically affordable housing opportunities to all individuals especially now in line with Covid19, I think the Clovewood project would significantly benefit the community in this regard and therefore a minimum of 50% of the lots gained as part of the adjusted base lot count for the Clovewood Project be affordable not just 10%, maybe even more of the open space.
- Sue Anne Vogelsberg Growth capping laws from the Town of Ramapo she advised it says that the roads and infrastructure would be impacted. The developer needs to fix the infrastructure first before moving forward with the project. The Village Attorney may want to look into this.

➤ **Adjournment**

- Motion to close the pubic hearing by January 15, 2021

**VILLAGE OF SOUTH BLOOMING
GROVE**
Board of Trustees & Planning Board
Joint Public Hearing
Tuesday
January 5, 2021
7:15 P.M.

- Motion to confirm the prior closing and close the public hearing leaving open for written comment until January 15, 2021 at 8:34 p.m. by Village Board Trustee Feldman, seconded by Trustee Weiss. 4 Ayes Mayor Kalaj, Deputy Mayor Weiss, Trustee Feldman, Trustee Ross, 1 Absent Trustee Belfort.
- Motion to close the public hearing leaving open for written comment until January 15, 2021 at 8:34 p.m. by Village Planning Board Chairperson Douglas, seconded by Member Schwartz. 6 Ayes Members Donna Douglas, Manny Aleixo, Eric Vogelsberg, John Giovagnoli, Michelle Rivera, Simon Schwartz 1 Absent, Raleem Broadhead Moses.

Minutes respectfully submitted by
Kerry Dougherty, Village Clerk